

TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION
Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, June 22, 2020 7:00 pm
Regular Meeting – to be held on Zoom Meeting
Download free ap at Zoom.us

Meeting link is <https://tinyurl.com/y8lzf8yp>
Meeting ID: 895 5343 4276 Password: 044635
or join by phone 11 646 558 8656 US -646-558-8656 same ID and password

AS THIS IS A VIRTUAL MEETING WE ARE OPERATING UNDER THE FOLLOWING PROCEDURES:
THIS SESSION IS BEING BOTH VIDEO AND AUDIO-RECORDED. ATTENDEES, COMMISSIONERS AND STAFF WILL GENERALLY REMAIN ON MUTE EXCEPT WHEN SPEAKING OR VOTING AND WILL GENERALLY BE KEEPING VIDEO OF THEMSELVES ON THROUGHOUT THE MEETING. IF A MEMBER OF THE PUBLIC CREATES AN AUDIO OR VIDEO DISRUPTION, THEY MAY BE MANUALLY EJECTED FROM THE MEETING UPON RECOMMENDATION OF STAFF OR THE CHAIR.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL AND SEATING OF ALTERNATES**
3. **ADDITIONS/CHANGES TO AGENDA**
4. **APPROVAL OF PZC REGULAR MEETING MINUTES of April 27, 2020**
5. **AUDIENCE OF CITIZENS**

OPEN PUBLIC HEARING

PZC 1920-08 – Application for Michelle Martineau for a home occupation for equine and canine therapeutic activities at 113 Pine Street, Assessor’s Map 33, Lot 3B

6.1 UNFINISHED BUSINESS (Discussion/Possible Action)

PZC 1920-08 – Application for Michelle Martineau for a home occupation for equine and canine therapeutic activities at 113 Pine Street, Assessor’s Map 33, Lot 3B

OPEN PUBLIC HEARING

PZC 1920-07: PZC Proposed Zoning Regulation Revisions to Sections 8.5, 61 and 65.

6.2 UNFINISHED BUSINESS (Discussion/Possible Action)

PZC1920-07: PZC Proposed Zoning Regulation Revisions to Sections 8.5, 61 and 65.

7. NEW BUSINESS (Discussion/Possible Action)

7.1 Fairview Farms South – Request to post a bond for cistern installation

8. **REGULATION REVISIONS**
9. **COMMUNICATIONS AND REPORTS**
10. **COMMISSION OPEN DISCUSSION**
11. **AUDIENCE OF CITIZENS**
12. **ADJOURNMENT**

**TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION**

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, April 27, 7:00 p.m.

**Regular Meeting Minutes
Virtual Meeting via Zoom**

Members Present: Chairman Rick Nassiff, Richard Napolitano, Thomas Currier, Alex Bothell, Larry Preston (Alternate),

Members Excused: Vice-Chair Vera Englert, Robert Powell, E.J. Starkel

Staff Present: Town Planner Paula Stahl, Board Clerk Flo Polek

Others Present: Ann Dunnack, Melissa Harris

1. **CALL TO ORDER:** R. Nassiff called the meeting to order at 7:00 p.m.
2. **ROLL CALL AND SEATING OF ALTERNATES:** L. Preston was seated for Bob Powell.
3. **ADDITIONS/CHANGES TO AGENDA:** None
4. **APPROVAL OF PZC REGULAR MEETING MINUTES of February 24, 2020.**
5. R. Nassiff **MOVED** to **APPROVE** the 02/24/2020 meeting minutes as presented;
L. Preston **SECONDED**; R. Napolitano **ABSTAINED**; **MOTION CARRIED 3:0:1**
6. **AUDIENCE OF CITIZENS:** None
7. **UNFINISHED BUSINESS (Discussion/Possible Action):**

6.1 PZC 1920-08 – Application for Michelle Martineau for a home occupation for equine and canine therapeutic activities at 113 Pine Street, Assessor’s Map 33, Lot 3B – Extension of Statutory Time Limit

P. Stahl stated that M. Martineau provided a note to P. Stahl formally extending the time of her application due to Covid-19. By State Statutes, normally the public hearing would be required to open no later than May 13, which will not take place. The Governor extended the time limit by 90 days and can be used any way the Town or applicant would like it to be allocated.

T. Currier joined the meeting at 7:04 p. m.

M. Harris joined the meeting at 7:04 p. m.

R. Nassiff **MOVED** to **EXTEND** the statutory time to open the public hearing on Michelle Martineau home occupation application to no later than August 11, 2020, per the Governor’s executive order number 7-I, Section 19; R. Napolitano **SECONDED**; **MOTIONED CARRIED 5:0:0**

7. **NEW BUSINESS (Discussion/Possible Action):**

7.1 PZC 1920-09 – BelleFree Farm LLC, 86 Hennequin Road, Site Plan Modification for off-site drainage mitigation.

P. Stahl stated that this application has been an enforcement issue for a long time. About a year ago the Town, the applicant, and the abutting neighbor came into a verbal agreement regarding the issue. Just recently, all parties agreed in writing on March 11, 2020. The next day the application was submitted by BelleFree Farm to the Town.

P. Stahl reviewed the site plan of BelleFree Farm. The first application was approved in 2001. The site plan indicates the area of the wetlands and the topography of the area. The natural drainage flows perpendicular to the topography and the swampy area drains toward the corner of Hennequin and Rte 66. The applicant used an engineering firm for drainage in 2002 and came back to PZC for a slight change to the orientation of the building. This is traditionally a wet site and paddocks should not be wet. BelleFree Farm hired Buck and Buck to complete the remediation plan that included putting in surface drainage, there was no application submitted for changes to the approved site plan. Then, in 2011, a drainage pipe was installed to further drain water from the farm. This site plan is an annotated plan dated 2/25/2020 changing the word install to existing as the drainage plan was not submitted to the Town, but has been implemented.

Mrs. Sanford lives next to the farm, and the water flows to her property and her basement now floods. She noticed this as of 2011. Mr. Lesage, another abutter, has also complained about the flooding. The town's zoning enforcement began.

Last year, once the verbal agreement was reached, the Town's engineer reviewed and made suggestions to the area to divert the water with an underground drain on the Sanford property. The agreement includes that BelleFree Farm would pay for the work to be completed; the Town Attorney is holding a check in escrow.

R. Nassiff questioned if there was a statement from the engineering firm that came up with the solution that would categorically eliminate the issue. P. Stahl noted there is an agreement between Mrs. Sanford and Bellefree Farm. It was noted that the Town incurred engineering and attorney's costs. R. Nassiff would have hoped the applicant would have borne the cost.

Atty. Harris, representing BelleFree Farm, pointed out that this issue has been ongoing with many attempts for resolution with associated costs themselves. This is the solution from a third party that everyone agreed to. R. Nassiff's concern is if the solution will remedy the situation. Atty. Harris provided the letter from the engineering firm Nathan L. Jacobson and Associates. R. Nassiff has every confidence in Jacobson's work, but the question is "would the firm be responsible if the solution does not mitigate it sufficiently?"

T. Currier questioned one item in the agreement on ensuring that the swale does not get filled or regarded in the future. R. Nassiff stated that this would become a zoning compliance issue with a modified site plan that is altered counter to what the approved site plan. P. Stahl stated that the swale is on the neighbor's property. She also stated that the Wetlands Agent would be involved if the swale were filled in. A. Bothell asked if there was any gravel in the grassy swale. P. Stahl stated that there is gravel at the base but it does not hold water, just moves it down to a catch basin on Route 66.

Atty. Harris provided the agreement to the Commission members. R. Nassiff questioned who would be responsible if the problem is not solved, the Town's engineer, the contractor? Atty. Harris stated that Mrs. Sanford would or should have had her engineers look at the plan before the acceptance of the agreement. P. Stahl said she believed that Mrs. Sanford had an engineering firm look at the plan. She would not have signed the agreement if she were not comfortable. Atty. Harris feels comfortable with the agreement but cannot speak for the town. R. Nassiff would like to have the engineers to be responsible if the solution does not work and defend their work.

Atty. Harris stated we do not all agree with the facts that have been transpiring since the drainage was done in 2009. She stated that at this time that all parties agree that this is the solution to the existing water conditions. R. Nassiff stated that he appreciated all the information Atty. Harris provided. He also thanked P. Stahl and F. Polek with the platform provided to hold a meeting. R. Nassiff asked Commission members what their perspectives are on this issue. T. Currier stated he is

comfortable with the limitations at hand. R. Napolitano stated that many factors that go into the work, the contractors, the engineers, and it appeared to him that there was a good-faith effort between all parties. R. Nassiff stated that there is a clause in the agreement that Mrs. Sanford secured legal advice for the future to guide her from a legal standpoint. T. Currier stated with the clause in the agreement Mrs. Sanford will take any responsibility in the future.

R. Nassiff **MOVED** to **APPROVE** the Site Plan Modification for off-site drainage mitigation at BelleFree Farm LLC, at 86 Hennequin Road, T. Currier **SECONDED; MOTIONED CARRIED 5:0:0.**

7.2 Corso Subdivision – Extension Request for Filing of Final Plans

R. Nassiff **MOVED** to **GRANT** the 90-day extension to file the Corso-Hoar subdivision Mylars on the Town's Land Records per Section 4.13 of the Columbia's Subdivision Regulations; T. Currier **SECONDED; MOTIONED CARRIED 5:0:0**

8. REGULATION REVISIONS: None

9. COMMUNICATIONS AND REPORTS: None

10. COMMISSION OPEN DISCUSSION: None

11. AUDIENCE OF CITIZENS: A. Dunnack thanked the Commission for their work.

12. ADJOURNMENT:

R. Nassiff **MOVED** to **ADJOURN**; T. Currier **SECONDED; MOTION CARRIED 5:0:0.**
The meeting was **ADJOURNED** at **7:43 p.m.**

Respectfully submitted by Flo Polek, Board Clerk

Please see the minutes of subsequent meetings for approval of these minutes and any corrections hereto.

RECEIVED

MAR 03 2020



TOWN OF COLUMBIA

323 Jonathan Trumbull Highway, Columbia, CT 06237
(860) 228-0440 FAX: (860) 228-2847

TOWN OF COLUMBIA
BUILDING & LAND USE

PZC 1920-08

Date Submitted: 3/31/2020

Fee Paid: \$610.00
CHK# 2845

SPECIAL PERMIT APPLICATION

See Sections 51 and 52 of the Columbia Zoning Regulations for Special Permit requirements.

New Special Permit Application

Fee: \$610 (\$100 PZC fee + \$ 450 LN cost + \$60 state fee)

Modification to Approved Special Permit

Fee (if no PH): \$310 (\$100 PZC fee + \$150 LN cost + \$60 state fee)

Location of Property

Address: 113 Pine St. Columbia, CT

Assessor's Map 033 Lot 003B Zone RA Lot Area 7.99

Proposed Activity

Proposed Use: Equine + Canine Therapeutic Activities

Applicable Zoning Regulation Section(s): 8.5.2

Proposed construction: New Bldg Addition Interior Signs Site Work None
(check all that apply)

Applicant/Agent Information

Primary Contact

Name: Michelle Martineau

Business Name: New England Human Animal Bond Foundation

Business Mailing Address: 113 Pine St Columbia Ct 06237

Phone: Cell: 8603240928 Email: michelle.leonard@comcast.net

Interest in property: Owner Option Lessee Legal Engr Survey Other

Property Owner Information (if different from above)

Primary Contact

Name: _____

Address: _____

Phone: _____ Cell: _____ Email: _____

SPECIAL PERMIT APPLICATION CHECKLIST

Applications are considered complete only when all of the information as required by the Columbia Zoning Regulations per Sections 51 and 52 is received. Failure to submit, or formally request a waiver, all the required items is grounds for denial by the Commission. In addition to the items below, the Commission may require additional information in order to determine if the proposal conforms to the Regulations.

Office	Applicant*	
	✓	Completed Application with original signatures (plus 10 copies)
	✓	Detailed Statement of Use that includes the nature and intensity of the proposed operation, number of employees and hours of operation (10 copies)
	✓	Names and addresses of property owners within ^{200'} 500' of subject property
	✓	Four (4) copies of a full scale site plan on an A2 survey, plus ten (10) reduced copies at 11" x 17", that include the following information:
		<ul style="list-style-type: none"> • Date, written and graphic scales, north arrow, seals & signatures of engineer, surveyor and other professionals • Lot dimensions with accurate linear and angular dimensions with any easements and deed restrictions noted; adjacent roads and abutter information • Existing and proposed topography, locations of wetlands and waterbodies, drainage swales and other site features (stone walls, trees, ledges) • Existing and proposed structures including dimensions and elevations • Table of proposed frontage, setbacks, and coverage with Zoning requirements • Location and results of test pits; location of proposed well and septic system • Location and description of proposed stormwater system including pre and post development calculations; location and description of utilities and tanks • Location of parking, driveways, sidewalks and access and egress points • Parking plan with calculations per category of use in zoning regulations • Erosion and Sedimentation plan and narrative • Outdoor lighting plan including details and specifications • Landscaping and screening plan including material specifications and details
	N/A	Four (4) copies of architectural plans, plus ten (10) reduced copies at 11" x 17"
	N/A	Completed Sign Application if requesting approval under Section 62.9
	N/A	Copy of approval letters from other Commissions or agencies
	N/A	Copies of all drainage reports, traffic or environmental studies

* For each item listed, indicate the following:

✓ = provided NA = not applicable W = written waiver request attached

Other Information

Is the property located within 500' of Columbia's town boundary? Yes No

Is the property within a FIRM Flood Zone A, A1-30? Yes No

Does the proposal require Inland Wetland's Approval? Yes No

If yes, date of approval _____ (submit copy of approval letter)

Does the proposal require ZBA approval? Yes No

If yes, date of approval _____ (submit copy of approval letter)

Does the proposal require CONN-DOT approval? Yes No

If yes, date of approval _____ (submit copy of approval letter)

Required Information

1. Copy of assessor's card
2. Completed and signed Special Permit Application including a completed checklist and written waivers (if any)
3. Application fee – Check payable to the Town of Columbia

Prior to submitting an application,

applicants are strongly encouraged to discuss the potential land use or pending application with the Town Planner 860-228-0440 or TPlanner@ColumbiaCT.org

By signing this application, I am certifying that all information submitted is true and accurate and that I have submitted all required documentation. I hereby permit Columbia staff and Commission members to enter onto and inspect this site during reasonable hours for the purpose of reviewing the site before and after a permit is granted.

Signature of Owner  Date 3/3/20

Signature of Applicant _____ Date _____

Signature of Authorized Agent _____ Date _____

Statement Of Use

see the next page for the
REVISED Statement of Use

Purposed business use of 113 Pine St Columbia CT for

New England Human Animal Bond Foundation Inc. a 501 (c) (3) public charity
a non-profit organization dedicated to improving the health and well being of individuals of all ages
and abilities by offering animal assisted activities and animal assisted therapy for social, emotional,
physical, cognitive or educational goals through the use of certified pet partner teams.

Activities to include:

Equine Interactions:

Therapeutic interactions would be using my own Equines with clients for mental health and learning
benefits. This would be one-on-one interactions with a client and myself as a trained Equine Specialist,
leading one of my horses; clients would not ride the horses. A mental health professional would be
included when the interactions are for a mental health benefit.

There could be up to 20 visits per week

Canine training:

Training of a client's dog to become an emotional support partner. Training would be in my home. This
could consist of once a week session with client to review what I have trained the dog on. There may
also be situations where I assess the potential of a client's dog to become an emotional support or
therapy partner.

Training of a therapy dog and its handler to work as a team.

I will not be boarding dogs.

There could be up to 10 visits per week

5 days a week (which days are not yet determined)

Hours 9am to 6pm

Future additional staff would consist of 1 additional duly trained Equine specialist/ dog trainer.

There would not be any need for anyone to trailer in with any equines.

There would not be any need for any traffic other than normal passenger vehicles.

Proposed additional accessory building to conduct indoor therapy sessions and training. 60x 80 as seen
on map.

Property is treated with organic bug control and fertilizer on a recommended seasonal schedule.

Statement Of Use

Purposed business use of 113 Pine St Columbia CT for

New England Human Animal Bond Foundation Inc. a 501 (c) (3) public charity
a non-profit organization dedicated to improving the health and well being of individuals of all ages and abilities by offering animal assisted activities and animal assisted therapy for social, emotional, physical, cognitive or educational goals through the use of certified pet partner teams.

Activities to include: Up to 5 visits per week
Equine Interactions:

Therapeutic interactions would be using my own Equines with clients for mental health and learning benefits. This would be one-on-one interactions with a client and myself as a trained Equine Specialist, leading one of my horses; clients would not ride the horses. A mental health professional would be included when the interactions are for a mental health benefit.

Canine training:

Training of a client's dog to become an emotional support partner. Training would be in my home. This could consist of once a week session with client to review what I have trained the dog on. There may also be situations where I assess the potential of a client's dog to become an emotional support or therapy partner.

Training of a therapy dog and its handler to work as a team.

I will not be boarding dogs.

5 days a week (which days are not yet determined)
Hours 9am to 6pm

There would not be any need for anyone to trailer in with any equines.
There would not be any need for any traffic other than normal passenger vehicles.
No commercial vehicles, buses, vans etc.

Proposed additional accessory building to conduct indoor therapy sessions and training. 60x 80 as seen on map.

--- = GULL



③
AREA
7.99 ACRES
348,139 SQ. FT.
0.40 ACRES (ACCESS STRIP)

PARCEL "A"

AREA SUBJECT TO COMMON DRIVEWAY EASEMENT AND CL&P COMPANY EASEMENT

LIMIT OF WETLANDS PER MAP REFERENCE #2

RECEIVED
OCT 05 2001
TOWN OF COLUMBIA

PINE STREET

RECEIVED
MAR 03 2020
TOWN OF COLUMBIA
BUILDING & LAND USE

AS-BUILT PLAN
PREPARED FOR
JIM ENGEL
HOLBROOK ESTATES
-LOT #3-
PINE STREET
COLUMBIA, CONNECTICUT
SCALE : 1" = 50' DATE : OCTOBER 2, 2001

COPY

LEGEND

PROPERTY LINE	---
EASEMENT LINE	- - - -
DRILL HOLE	○
IRON ROD	⊕
EDGE OF ROAD	—+—+—+—+—
BUILDING LINE	▭
STONEWALL	⊕⊕⊕⊕⊕⊕⊕⊕
UTILITY POLE	⊕
LIMIT OF WETLANDS	~



REFERENCE MADE TO THE FOLLOWING MAPS:

- 1) "SUBDIVISION PLAN - ENTITLED - HOLBROOK ESTATES PINE STREET COLUMBIA, CONNECTICUT OWNER & DEVELOPER P.J.R. LLC 170 ROUTE 88 EAST COLUMBIA, CT 06237" SCALE: 1"=100' DATE: FEBRUARY 19, 1999 REVISED DECEMBER 16, 1999 SHEET 1 OF 3 PREPARED BY DATUM ENGINEERING & SURVEYING, LLC
- 2) "SUBDIVISION PLAN - ENTITLED - HOLBROOK ESTATES PINE STREET COLUMBIA, CONNECTICUT OWNER & DEVELOPER P.J.R. LLC 170 ROUTE 88 EAST COLUMBIA, CT 06237" SCALE: 1"=40' DATE: FEBRUARY 19, 1999 REVISED DECEMBER 16, 1999 SHEET 3 OF 3 PREPARED BY DATUM ENGINEERING & SURVEYING, LLC
- 3) "COMPLIATION PLAN MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT & POWER COMPANY ACROSS THE PROPERTY OF P.J.R. LLC PINE STREET COLUMBIA, CONNECTICUT SCALE: 1"=100' DATE: FEBRUARY 20, 2000 FILE NO.: E-0044"

THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300A-1 THRU 20-300B-2 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS AN IMPROVEMENT LOCATION MAP BASED ON A DEPENDENT RESURVEY CONDUCTED ON THE GROUND ON OCTOBER 1, 2001 AND CONFORMING TO HORIZONTAL ACCURACY CLASS A-2. THIS SURVEY AND MAP IS INTENDED TO ENABLE DETERMINATION OF COMPLIANCE OR NON-COMPLIANCE WITH APPLICABLE MUNICIPAL OR STATUTORY REQUIREMENTS.

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
EDWARD PELLETIER, L.S. #14203
ANY ORIGINAL OR DUPLICATE OF THIS MAP IS NOT VALID UNLESS IT BEARS THE EMBOSSED SEAL OF THE SURVEYOR WHOSE REGISTRATION NUMBER AND SIGNATURE APPEAR ABOVE. NO OTHER CERTIFICATION OR WARRANTY IS EXPRESSED OR IMPLIED.

D
A
T
U
M

ENGINEERING & SURVEYING, LLC

132 CONANTVILLE ROAD
MANSFIELD CENTER, CT 06250
TEL (860)456-1357 FAX (860)456-1840

JOB NO. 200107

CHECKED BY: _____ CORRECTED BY: _____

Brenda and Frank Tomlins
111 Pine Street
Columbia, CT 06237
March 19, 2020

Paula Stahl LLA AICP
Town Planner
Town of Columbia
323 Route 87
Columbia, CT 0623

Dear Paula Stahl LLA AICP:

This letter is to state our opposition to the special permit application filed by Michelle Martineau who resides at 113 Pine Street and is also the business owner of New England Human Animal Bond Foundation. The permit filed by Ms. Martineau requests that activities of her business be allowed on her residential property. We ask that your records reflect our opposition to the business activities outlined in the permit application.

We chose to buy our home at 111 Pine Street in Columbia because we enjoy the quiet and rural nature of the area including the forests, fields, stonewalls and wildlife that wanders through our property. Our home sits back about 700 feet from Pine Street and we rarely hear the noise of traffic passing by. The driveway of Ms. Martineau's property follows our property line length wise beginning on Pine Street and our home sit approximately 35 feet from away from her driveway. There is no buffer or natural barriers between her driveway and our property.

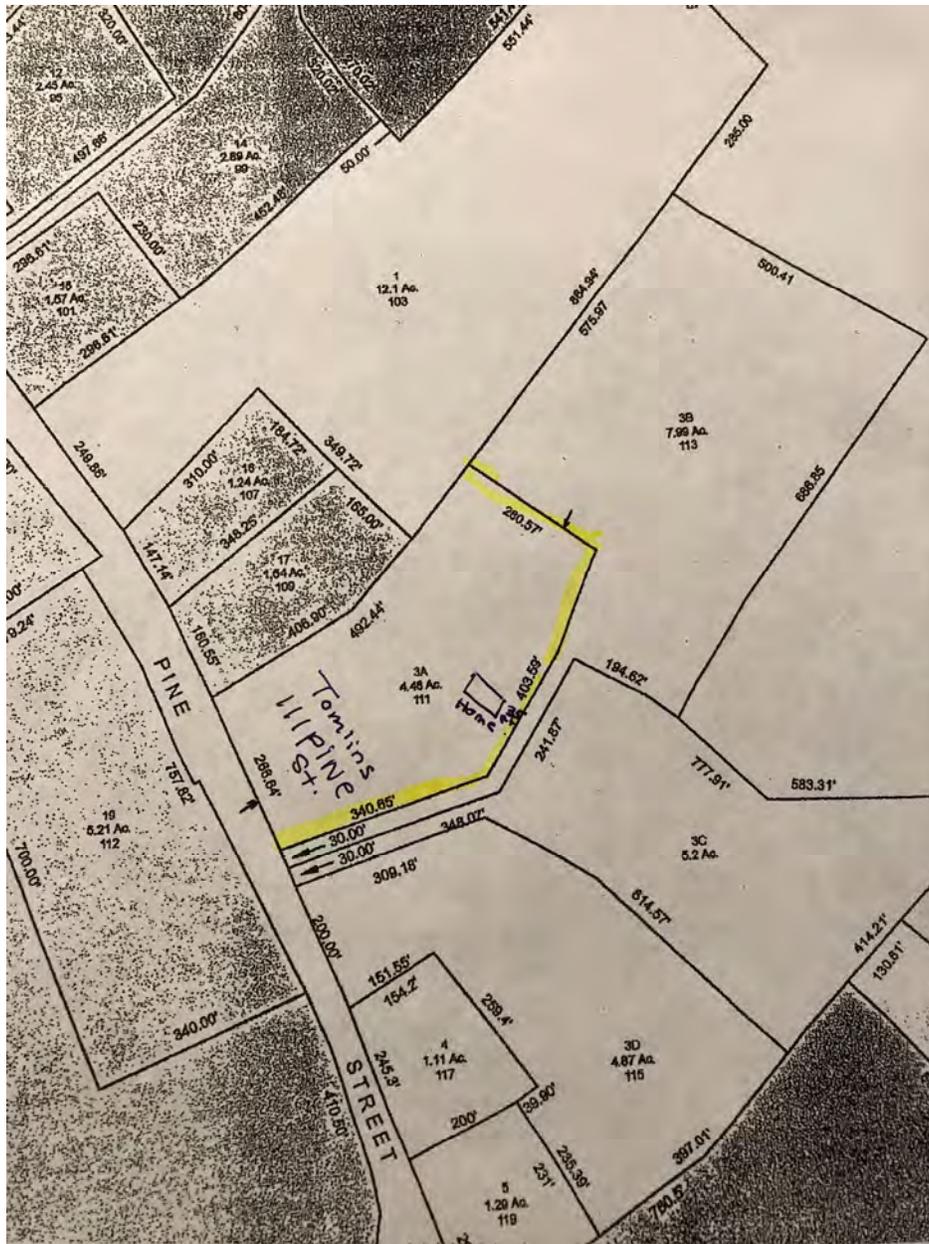
Allowing a business of this nature in a residential setting would significantly limit our privacy and the enjoyment of our property. We believe that the additional vehicles and people that are anticipated will generate added noise, dust from her unpaved driveway, and significantly deprive us of privacy. As outlined in the permit, up to 30 visitors per week would most certainly change how we are able to enjoy our home and property. Our back yard over looks Ms. Martineau's front yard and the front portion of our property abuts her driveway. Traffic, dust, noise and strangers will unfortunately be directly in our view on a daily basis. Long term, we are concerned that a business of this nature will result in a decrease to our property value. These are the reasons for our opposition of the special permit application filed by Ms. Martineau. We ask that the Town of Columbia give serious consideration to our claims and decline the request by Ms. Martineau to conduct business operations in our residential community.

If you have any questions, please contact us at 860-918-7054.

Sincerely,

Brenda and Frank Tomlins
Home owners of 111 Pine Street

*Enclosed a copy of our property map
with highlighted borders which are in
concern.*



RECEIVED

APR 02 2020

TOWN OF COLUMBIA
BUILDING & LAND USE

March 30, 2020

Columbia Planning and Zoning Commission
323 Route 87
Columbia, CT 06237

Attention: Paula Stahl, Town Planner

Dear Ms. Stahl and members of the Planning and Zoning Commission,

I am writing this letter in reference to a letter I received as an abutting landowner to Michelle Martineau's property at 113 Pine Street, Assessor's Map 33 Lot 3B. In the event I am unable to attend the meeting in person, I would like to make my concerns known and brought to your attention.

My main concern is the request to run canine Therapeutic activities at her home. A dog, coming from and returning to the direction of her property, has been running through and around my yard frequently for several months now (even as I write this), chasing away the wildlife (deer, turkeys, other birds). It ignores my 'requests' to "go home". If she cannot control one dog, I would like to know how she will control the ones she will be working with.

I would also like to know how many dogs will be there, and for how long. Will there be barking and howling

often, as if we are living next door to a kennel? If so,
I am opposed to her application.

Thank you for your consideration.

Sincerely,

Veronica Longo

Veronica Longo
83 Pine Street
Columbia, CT 06237

8.5 Home Occupations: (Entire Section Revised xx/xx/20) The Town of Columbia recognizes the need for some of its citizens to use their place of residence for limited activities of a commercial nature. It is the intent and purpose of this section to establish standards through which limited commercial activities are permitted in the Town's residential and mixed-use zones through the process described below, while at the same time protecting the integrity of the underlying zone.

8.5.1 Requirements and Standards for all Home Occupations: The application for a Certificate of Zoning Compliance shall be signed by the person or persons proposing to conduct the home occupation and shall be accompanied by a detailed description of the proposed use including the estimated number of vehicles likely to enter and exit the site on both an hourly and daily basis. The Certificate of Zoning Compliance shall automatically terminate when the applicant no longer resides in the dwelling unit.

- a. The home occupation is clearly secondary to the use of the dwelling for dwelling purposes.
- b. The individual(s) conducting the home business shall both own and reside in the dwelling unit.
- c. The home occupation shall be contained wholly within the dwelling or a permitted accessory building.
- d. There shall be no visible evidence or indication of the home occupation as seen from outside any building or structure used for the home occupation, except for a sign as permitted in Section 62.5.
- e. Parking shall be provided per Section 61.
- f. The home occupation does not create objectionable noise, odors, smoke, dust, lighting, vibrations, unsightly conditions noticeable off the premises, television, radio and electrical and electronic interference, or vehicular traffic in the neighborhood. There shall be no discharge of a hazardous or toxic substance to the air, surface water, ground water or ground.

8.5.2 Minor Home Occupation: The Zoning Agent may issue a Certificate of Zoning Compliance provided the following standards, in addition to the requirements and standards of Section 8.1.1, are met:

- a. No more than one (1) commercial-type vehicle for the home occupation, not to exceed 11,000 pounds gross vehicle weight, will be parked on the premises.
- b. The home occupation is one that does not involve on-site sales, classes, personal services, or other nonresidential activities likely to attract or require visits by persons who do not reside on the premises.
- c. No portion of the home occupation will be conducted outside of the principal or accessory structures.
- d. No more than two (2) persons may be employed in the home occupation who do not reside on the premises.
- e. The total floor area for all home occupations permitted on the lot would not exceed seven-hundred (750) square feet.
- f. Low Impact Home Occupations include, but are not limited to, the production (but not the on-site sale) of arts, crafts, home preserves, and knitted, sewn or baked goods; as well as the offices of plumbers, house painters, electricians, and other persons whose services are not performed at the dwelling.

8.5.3 Moderate-impact Home Occupation: The Commission may approve a Site Plan Application for a moderate-impact home occupation provided the following standards, in addition to the requirements and standards of Section 8.1.1, are met:

- a. The estimated vehicles that will enter and/or exit the site on a daily basis shall not exceed a total of ten vehicles per day.
- b. Two commercial vehicles associated with the home occupation may be permitted provided:
- c. The vehicle size is limited to a single rear axle, dual rear wheels vehicle of no more than twenty-two (22') feet in overall length (bumper to bumper) and ten (10') feet in overall height (road surface to top of body).
- d. Said vehicle shall be either garaged on the premises or screened so as not to be visible, when standing at ground level, from the boundary of any adjacent property including those properties separated by public or private rights of way. Screening for the purposes of this section shall consist of the use of the natural topography, or landscaping, stone walls and/or evergreen trees or shrubs of suitable height to meet this requirement.
- e. No more than four (4) persons may be employed in the home occupation who do not reside on the premises.
- f. The total floor area for all home occupations permitted on the lot would not exceed one thousand (1,000) square feet.
- g. One contiguous outdoor area not to exceed 100 square feet for storage if screened from all abutting properties and the street.
- h. Moderate Impact Home Occupations include, but are not limited to, the same as for a Low Impact Home Occupation that includes on-site sales or visitors; professional offices and personal services by appointment only; dog grooming (boarding is prohibited).

8.5.4 Major-impact Home Occupation: The Commission may approve a Special Permit Application for a major impact home occupation in accordance with the provisions of Section 52, provided the following standards, in addition to the requirements and standards of Section 8.1.1, are met:

- a. The estimated vehicles that will enter and/or exit the site on a daily basis shall not exceed a total of twenty vehicles per day.
- b. The minimum lot area is not less than five (5) acres.
- c. The home occupation shall be separated from all abutting property lines by a minimum of one hundred (100) feet.
- d. The Commission shall require such screening as it may determine, in its sole discretion, to be necessary to preserve the residential character of the lot and neighborhood. Such screening shall always include, but shall not to be limited to, vegetative buffers to fully screen commercial-type vehicles and parking areas serving five or more vehicles from abutting roads and properties; the screening shall be maintained to ensure its effectiveness for as long as the home occupation.

8.5.5 Prohibited Home Occupations: The following uses are prohibited as home occupations:

- a. Vehicle storage, salvage, or repair.

SECTION 61 - PARKING AND LOADING (Entire Section Revised xx/xx/20)

61.1 General Requirements: Off-street Parking and loading spaces shall be provided for any use of land, buildings or other structures in accordance with the standards of this Section. The required off-street parking and loading areas shall be permanently maintained and made available for uses as approved as long as the approved permitted use exists.

61.1.1 Applicability:

- a) Any use already existing shall conform to these standards to the extent that it conforms at the time of adoption of this Section.
- b) Any change or expansion in the permitted use shall require approval of compliance with these regulations.
- c) Any use or uses involving the receipt or distribution of materials, merchandise or vehicles shall provide and maintain adequate space for all off-street standing, turning, loading and unloading.

61.2 Dimensions:

- a) A parking space shall be an area with such shape, vertical clearance, access and slope as to accommodate one automobile having an overall length of 20 feet and shall be at least ten feet wide by eighteen feet long (10' x 18').
- b) Access to parking spaces shall be from a one-way aisle width of 20' or a two-way aisle width of 24'.
- c) A loading space shall constitute an area of 12 feet in width and 55 feet in length with a vertical clearance of 15 feet with such shape, access and slope as to accommodate one truck having an overall length of 30-feet.

61.3 Number of Parking and Loading Spaces: Off-street parking and loading spaces shall be provided for specific uses as follows:

- 61.3.1 Dwellings: Two (2) spaces for each family or dwelling unit plus one (1) space for each bed in any room available for rent to tourists or boarders.
- 61.3.2 Home Occupations: One space per non-resident employee, and one space per 300 sq. ft. of customer area and one loading space for delivery and/or shipping.
- 61.3.3 Places of Assembly: (church, place of worship, theater, school or stadium): One (1) space for each five (5) seats and located on a lot not more than 300 feet in a direct line from the building.
- 61.3.4 Business and Professional Offices: One (1) spaces for every 500 sq. ft. of gross floor area.
- 61.3.5 Retail Stores: one (1) space for each 300 sq. ft. of retail area.
- 61.3.6 Restaurants (and other establishments serving food or beverages): One (1) space for each 150 square feet of patron area.
- 61.3.7 Indoor Recreation, Health Club, Gym, and Private Classes: One (1) space for each four (4) seats, stations or occupancy.
- 61.3.8 Motels, Hotels and Convalescent Homes: One (1) space for each bed for patients or guests plus one (1) space for each three (3) employees.
- 61.3.9 Service Stations (and automobile repair garages): Three spaces per each bay plus 1 per .5 per employee.

Proposed Revisions to Zoning Regulation Section 61: on Parking and Loading

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61.3.10 Industrial and Manufacturing (including warehouses, wholesale businesses, research laboratories and establishments for the manufacture, processing or assembling of goods); one (1) space for each 1.5 employees during the largest daily work shift period.

61.3.11 Other Uses: Sufficient off-street parking spaces, as approved by resolution of the Planning & Zoning Commission shall be provided in connection with any use not specified in Paragraphs 1 through 10 to accommodate the vehicles of all persons occupying the premises so that the purpose and intent of this Section is maintained.

61.3.12 Loading Space. A minimum of one (1) off-street loading and unloading space shall be required for each ten thousand (10,000) square feet of gross building floor area. Additional off-street loading and unloading spaces may be required by the Planning and Zoning Commission because of the building volume, location or particular use nature of the development under consideration.

61.4 Mixed Uses: Where more than one use is located on a property, sufficient parking shall be provided for each use per Section 61.3. The Commission may consider a reduction of required parking for a combination of uses that have a quantifiable differing demand time for parking.

61.5 Shared Parking Area: The Commission may approve shared parking on two or more adjoining lots to provide the total number of required parking spaces providing a reciprocal written agreement has been executed by the property owners that assures the perpetual joint use and maintenance of such common parking.

61.6 Standards: All off-street parking and loading spaces shall be designed and constructed in accordance with the following standards:

61.6.1 Design: Except for parking spaces provided in connection with a dwelling, each parking space shall be provided with adequate area for approach, turning and exit of an automobile having an overall length of 20 feet without need to use any part of public street right-of-way. Points of entrances and exit for driveways onto the street shall be located so as to minimize hazards to pedestrian and vehicular traffic in the street. No off-street loading space and no truck loading bay, ramp or dock shall be designed or arranged in a manner than trucks must use any part of public street right-of-way for maneuvering, or for loading and unloading.

61.6.2 Construction: All off-street parking and loading spaces shall be suitably improved, graded, stabilized and maintained so as to cause no nuisance or danger from dust or from storm water flow onto any public street. Except for necessary driveway entrances, and except for parking spaces provided in connection with a dwelling, all off-street parking and loading spaces located within 10 feet of any public street right-of-way shall be separated from such right-of-way by a curb, a fence or wall or an embankment in such a manner that cars will not overhang the right-of-way.

61.6.3 Landscaping: Any parking area accommodating 30 or more cars in connection with a use of land, buildings or other structures shall be provided with not less than one (1) tree, for each 30 cars in the parking area, and suitably located in landscaped islands within or border strips adjacent to the parking area so as to enhance the appearance of the premises. The Trees shall be of a species on the list of recommended plant material for various locations is available in Land Use Department shall be suitably planted and maintained and shall be not less than two (2) inches caliper and 10 feet in height.

SECTION 65 - PERFORMANCE STANDARDS

- 65.1 Purpose.** These performance standards are adopted to prevent activities on any property detrimental to the use, enjoyment and value of any other property, buildings or structures or detrimental to public health, safety and welfare.
- 65.2 Applicability.** All use of property must be in compliance with the standards of this section. This section further applies to all applications seeking zoning approval (approval of a Zoning Permit, Site Plan or Special Permit) and the carrying out of those uses and activities permitted as of right.
- 65.3 Standards.** The use of land, buildings, and other structures, wherever located, shall be established and conducted so as to conform to the following performance standards.
1. Smoke, Gases and Fumes – No dust, dirt, fly ash, smoke, gas, or fumes shall be emitted into the air from any lot so as to endanger or impair the public health, safety, welfare or the value and reasonable use of any other lot.
 2. Vibration - With the exception of vibration necessarily involved in the construction, or demolition of buildings, no vibration shall be transmitted outside the lot where it originates so as to endanger or impair the public health, safety, welfare or the value and reasonable use of any other lot.
 3. Odors - No offensive odors shall be emitted into the air from any lot so as to impair the value and reasonable use of any other lot, excluding agriculture fertilizers used in the customary and ordinary course of legal agricultural activities.
 4. Glare and Heat - No light shall be transmitted outside the lot where it originates so as to endanger the public health or safety, including the public health, safety, or welfare on any street or highway, or to impair the value and reasonable use of any other lot.
 5. Refuse and Pollution - No refuse or other waste materials and no liquids shall be dumped on any lot or dumped or discharged into any river, stream, estuary, water course, storm drain, pond, lake, swamp or marsh so as to constitute a source of water pollution or so as to endanger or impair the public health, safety, welfare or the value and reasonable use of any other lot.
 6. Danger - No material which is dangerous due to explosion, extreme fire hazard or radioactivity shall be used, stored, manufactured, processed or assembled except in accordance with applicable codes, ordinances and regulations of the Town, State of Connecticut and Federal Government.
 7. Radio Interference - No use on any lot shall cause interference with radio and television reception on any other lot and any use which generates electromagnetic radiation or interference shall conform to the regulations of the Federal Communications Commission.

Proposed Revisions to Zoning Regulation Section 65 – Performance Standards

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8. Noise - With the exception of farm implements and farm animals, time signals, fire, police or ambulance sirens and the noise customarily involved in the construction or demolition of buildings and other structures, the following requirements shall be met:
- a. No noise shall be transmitted outside the lot where it originates when such noise has a decibel level, octave band, intermittence and/or beat frequency which endangers the public health, safety or impairs safety on or the value and reasonable use of any other lot.
 - b. All noise generated on any lot shall be consistent by the Regulations of Connecticut State Agencies Section 22a-69-1.
 - c. Construction noise shall be prohibited between the hours of 7 PM and 7 AM, unless permitted by special permit.
 - d. When required by the Commission, applications shall be accompanied by a report from a professional acoustical engineer demonstrating that the noise standards will be attained. Prior to the issuance of a Certificate of Zoning Compliance, the lot owner shall be responsible for testing of stationary equipment verifying compliance with noise standards. At the discretion of the Commission, such tests shall be conducted in the presence of the ZEO.
 - e. Specific uses described in these Regulations may have additional noise requirements that shall be met.

65.4 *reserved for future use*

65.5 *reserved for future use*

65.6 Lighting Standards. (adopted 5/1/17) *no revisions*

65.7 Screening and Buffers (adopted 11/1/19) *no revisions*

MEMORANDUM

TO: Columbia Planning & Zoning Commission
FROM: Paula Stahl, Town Planner
DATE: June 16, 2020

RE: 6/22 Agenda Item 7.1 Fairview Farms South – Request to post a bond for cistern installation

Fairview Farms South resubdivision application was approved on April 23, 2018. One of the requirements of the approval was that prior to the sale of any lot certain items needed to be done, one of which hasn't been done: the installation, testing and acceptance by the Columbia Volunteer Fire Department of the cistern, along with the recording of the related maintenance/access agreement.

In February 2020, the first lot was sold. I contacted the developer, Joe Petrowsky, to let him know that the cistern was required to be in place before a lot was sold. And I asked for him to let me know when the cistern would be installed so future sales would not be help up.

Soon after, I received a call from a cistern installer wanting to know the specifications of the cistern, I provided the contractor the information. And, I wrote the developer again to let him know I appreciated his attention to the matter and that we would assist his contractor in getting this completed.

Early in May, a second lot was sold. I wrote to the developer again to let him know that he was in violation of his approval making the lots non-compliant with Columbia's regulations, and informed him that the town cannot approve a building permits for any non-compliant lots.

His surveyor/agent later contacted me to say that the developer wanted to post a bond for the cistern installation so that building permits could be approved.

The subdivision regulations give the Commission the ability to require a bond for road work, but is silent in the case of a developer offering to post a bond. I verified with the Town Attorney that the Commission could consider accepting a bond, after the subdivision was approved, for the cistern installation.

Anchor Engineering will be providing an estimated cost for the bond; I believe the installation cost and the cost for the town to oversee it will be at least in the \$40-45,000 range. If the Commission does decide to accept a bond, below is a suggested motion.

Suggested Motion.....

MOVE to accept a performance bond from Fairview Farms South LLC in the amount of _____ to be held by the Town, and to require the properly executed Cistern Maintenance and Access Agreement be submitted to the Town; the bond shall contain a provision that the applicant and/or the bonding company will pay all costs incurred by the Town, including reasonable attorney's fees, in any action commenced to call said bond; no portion of the bond shall be released until the cistern is installed, tested and accepted by the Columbia Volunteer Fire Department; if Fairview Farms South does not complete the installation, testing and acceptance by the Columbia Volunteer Fire Department by _____, the town will use the bond funds to complete the installation. Once the performance bond and executed Agreement is accepted by the town, the lots will meet the requirements of the subdivision approval for the sale of a lot.