

**HAMPTON PLANNING & ZONING COMMISSION
MINUTES
NOVEMBER 28, 2011**

PUBLIC HEARING:

Application of the Hampton Planning and Zoning Commission for revisions to the Hampton Zoning Regulations pertaining to activities that are permitted in the RA-80 Rural Residence Agricultural Zone. The revision will update Section 5.1 RA-80 Rural Residence Agricultural Zone of the Regulations, with changes proposed to other sections of the Hampton Zoning Regulations that govern the activities permitted in the RA-80 Zone. Additional changes are proposed to Section 2.2 Definitions, Section 4 Area and Yard requirements, Section 5.4 Prohibited Uses, Section 6 Special Regulations, and Section 7.4 Board of Appeals.

Chairman Grindle opened the continued Public Hearing at 7:30 p.m. Members present were Grindle, DeCarli, DeCesare, Hyde, Langer, and alternate Thompson. Grindle noted the 11-3-11 and 11-10-11 memos from M. Fraenkel, Zoning Official, and added that he had met with the Agriculture Committee at its regular meeting.

Grindle opened discussion on the 11-3-11 memo regarding agriculture in the proposed regulations from Fraenkel to the Commission:

- Item #1 - Farmers Markets

Grindle began by stating that, to be certified as a CT Grown Farmers Market, two farmers participating need to be designated as CT Grown. Fraenkel questioned whether the Commission wants to exclude “middlemen or brokers” from the “farmers market” definition. Hyde stated that you’re still supporting the agriculture business and the community even if produce is not locally grown and is brought in by a broker. Grindle said that a limited amount of produce grown by others is acceptable to him, but questioned how this could be policed. He suggested that a “Market Master” who is in charge would have this responsibility, as the Town zoning official would not have time to do so. Grindle suggested excluding wording about brokers and middlemen, but, Fraenkel noted that if anyone is allowed to sell then it could potentially change the nature and parameters of the farmers market. She suggested wording that would allow a limited amount of non-participating farmers’ produce to be sold at the farmers market.

Deb Espinosa, Ag Committee, suggested wording: “exclusive broker/producer”.

The consensus of the Commission was to revise the definition as follows:

“A public market place where fresh foods are sold by the people who have grown, gathered, raised, caught or otherwise produced them ~~and middlemen or brokers are not allowed.~~
A participating farmer/producer can sell a limited amount (less than ½) of product produced by others. Crafts and other items can be sold at farmers' markets as long as the total number of craft vendors does not exceed the total number of farmer vendors.”

- Item #2 Products for sale at farmers market.
No changes proposed to the draft.

- Item #3 Frequency of Farmers Market
Grindle expressed concern that the more frequently the market occurs, the more it becomes a

commercial enterprise that may be inappropriate in an RA zone without additional regulations. He feels that one day per week is okay, but two days per week should trigger a public hearing to allow public comment in order to address neighborhood impact, parking and traffic concerns. He feels this would give the neighbors and the commission extra assurances that this does not have a detrimental impact and allows the farmers market to address the issues before it turns into a contentious situation. DeCesare doesn't see this being an issue with two days per week.

The consensus was to allow the farmers market to operate twice per week and to add to 6.24.e, the following:

Sight Line. The line-of-sight of the driveway shall at all times meet the minimum established standards for the ambient rate of traffic at this location.

- Item #4 Roadside stand.

The term "seasonal" will be deleted from the roadside stand sections, as will the 6 month limit. Grindle suggested that during winter "stands be removed during heavy snow" or "be moved inside".

The consensus was to add to 6.24.m.2, the following:

"and shall not interfere with road maintenance".

Grindle opened discussion on the 11-10-11 memo of Fraenkel to the Commission addressing nursery/horticulture/greenhouses. Fraenkel said that the current draft allows greenhouses as accessory to a horticulture enterprise. It was agreed that to regulate large buildings that support agriculture, a site plan will be required for a building between 2,500 square feet and 4,999; a special permit will be required for a building over 5,000 square feet. It was suggested adding "gross square footage of greenhouses" if multiple greenhouses are on one property. Fraenkel noted that if further structures are proposed after the original special permit is granted, the proposal could be treated as a site plan modification request. It was also agreed that wording be included to require removal of plastic greenhouses if the owner terminates their use.

Town Attorney Comments

Grindle reviewed issues raised by the Town Attorney regarding Section 6.14.B Driveways. Grindle stated that he feels it is okay to require certification from a professional engineer when it is for a new driveway construction, not for re-construction of an existing driveway. DeCesare agreed with Grindle. The consensus of the Commission was to remove "pave and reconstructed.

6.14.B.

"Stormwater. Driveways shall be designed and constructed to minimize runoff onto Town property. Staff shall require certification from a professional engineer to assure compliance with this requirement unless no stormwater is delivered to Town property when a driveway is constructed ~~paved, or reconstructed~~, excepting when such construction or reconstruction is limited to the driveway apron."

Grindle noted no further comments or questions from the Public or Commission. Hyde Moved, DeCesare seconded, to close the Public Hearing. MOTION PASSED UNANIMOUSLY at 9:15 p.m.

REGULAR MEETING:

Call to Order:

Chairman Grindle called the meeting of the Hampton PZC to order at 9:16 p.m.

Roll Call:

Members Present: Wayne DeCarli, Gary DeCesare, Kevin Grindle, Everett Hyde, Gloria Langer and Alternate Randy Thompson.

Seating of Alternates:

None.

Staff Present: Martha Fraenkel, Zoning Official

Additions to Agenda:

Grindle added to Communications the PZC Budget to Date and an 11/25/11 article from NY Times on slowdown of growth in exurbia.

Audience for Citizens:

None.

Approval of Minutes:

10-24-11 Meeting Minutes: DeCesare MOVED, Langer seconded, to approve the minutes of the 10-24-11 meeting. MOTION PASSED with all in favor except DeCarli who disqualified himself.

Old Business

1. Application of the Hampton Planning and Zoning Commission for revisions to the Hampton Zoning Regulations
Fraenkel agreed to prepare the final draft for the next meeting. Hyde MOVED, DeCarli seconded, to table this item until the January meeting. MOTION PASSED UNANIMOUSLY.

New Business:

1. PZC Meeting Schedule 2012
DeCesare MOVED, Hyde seconded, to approve the PZC 2012 Meeting Schedule as presented. MOTION PASSED UNANIMOUSLY.

Report from Zoning Official:

Fraenkel updated the Commission regarding concerns of Bruce Kinzer, Route 6, reporting that the catch basin at the southwest corner at the EASTCONN site has been reset. She also noted permits issued for new barn at 86 East old Route 6, and major upgrade to the residence at 191 Rogers Road.

By the consensus of the Commission, if there is no new business for the regular meeting on December 27, the meeting shall be cancelled.

Communications:

Noted.

Adjournment:

Noting no further business Hyde, MOVED, DeCesare seconded, to adjourn the meeting at 9:40 p.m. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Jessie L. Shea
Planning and Zoning Commission Clerk