

MINUTES
ZONING COMMISSION – REGULAR MEETING
MONDAY, April 1, 2024 at 7:00 P.M.
Simsbury Library Town Hall – Main Meeting Room
933 Hopmeadow Street, Simsbury, CT 06070

I. CALL TO ORDER – Chairman Elliott called this meeting to order at 7:00 p.m.

Present: Zoning Chairman, Bruce Elliott; Zoning Commission Vice Chairman, Tony Braz; Zoning Commissioners, Kate Beal, Shannon Leary, Diane Madigan; Zoning Commission Alternate Members: Jackie Battos, Joshua Michelson; Planning Director, George McGregor; Assistant Town Planner, Brittany MacGilpin

Absent: Zoning Commissioner, Tucker Salls.

Seating of Alternates: Ms. Battos is seated as a full member for tonight’s meeting.

II. APPROVAL OF MINUTES

- March 18, 2024
 - Commissioner Leary noted a grammatic revision to replace “at” with “in” on Line 62 which should read “Similar regulations implemented in comparable towns”.

MOTION: Vice Chair Braz moved to approve the March 18, 2024 minutes as amended. Commissioner Madigan seconded the motion. The motion carried. (6-0-0)

III. NEW BUSINESS

Free-Standing Sign

Application ZC #24-08 of Thomas Tyburski, Applicant, Town of Simsbury, Owner, for a permit to construct a +/-31.6 sq. ft. replacement to the existing free-standing sign for the Simsbury Farms at the property located at 100 Old Farms Road (Assessor’s Unique ID 04014930) Simsbury, CT 06070, zone R-40.

- Tom Tyburski, Director of Culture, Parks and Recreation in Simsbury, summarized the application for a new sign at Simsbury Farms, which will be made of a durable foam and plastic material.
- Commissioner Leary inquired about lighting for the sign. Mr. Tyburski noted there is existing ground lighting.
- Commissioner Battos inquired if this sign will match other town park signage. Mr. Tyburski noted that the sign at Simsbury Farms will be slightly different, as it is located on an island with landscaping, but the overall color scheme will

be the same. Mr. Tyburski noted that the Russell Shaw Clubhouse sign on the existing structure will be relocated to the building and is not necessary to be viewable from the road.

- Chairman Elliott inquired why the sign is being replaced. Mr. Tyburski responded that the sign is very old and damaged and has been repaired numerous times.
- Commissioner Leary inquired if the material that the sign will be made of is environmentally friendly.
- Vice Chair Braz inquired if there have been any car accidents or safety incidents around the location of the sign that should be considered. Mr. Tyburski is not aware of any safety concerns or incidents.
- Mr. McGregor noted that the Design Review Board recommended approval of the sign with three conditions, 1) the street number to be on the sign, 2) the top of the sign should include a rounded arch, for improved visual appeal and 3) an apple be included and centered within the arch.

MOTION: Commissioner Beal moved to approve **Application ZC #24-08** of Thomas Tyburski, Applicant, Town of Simsbury, Owner, for a permit to construct a +/-31.6 sq. ft. replacement to the existing free-standing sign for the Simsbury Farms at the property located at 100 Old Farms Road (Assessor's Unique ID 04014930) Simsbury, CT 06070, zone R-40, as submitted subject to the sign plan dated 3/21/24 revised 3/27/24 with the following conditions:

1. The project shall be developed in accordance with the recommendations made by the Design Review Board at their April 1, 2024 regularly scheduled meeting;
2. An administrative zoning permit is required for construction.

Commissioner Battos seconded the motion. The motion carried unanimously. (6-0-0)

IV. GENERAL COMMISSION BUSINESS

Flood Zone Substantial Improvement Draft Text Amendment Memorandum

- Ms. MacGilpin summarized the draft text amendment and the Town's flood plan zone regulations, which include a Substantial Improvement requirement. Town Staff is recommending the regulation be amended to track substantial improvements over a 10-year period, as opposed to the life of the structure, to minimize the burden on homeowners and to be in-line with many surrounding, comparable town regulations.
- Vice Chair Braz inquired about how substantial improvements are tracked. Ms. MacGilpin responded that they are tracked through building permits.

- Chairman Elliott inquired if there are other text amendments or minor changes that are suggested by Town Staff. Mr. McGregor confirmed there are other amendments that should be made and Staff will work on preparing a schedule of other changes that Town Staff recommends be addressed.
- Commissioner Madigan inquired why the original language utilized the life of the structure to ensure the Commission is not overlooking any issues before amending the regulations. Ms. MacGilpin noted that FEMA would like all structures in flood zones to be compliant with flood codes, but the change in the time period provides a balance that allows homeowners to complete regular and necessary maintenance. Ms. MacGilpin noted that all new construction, including additions, within the flood zones are required to be compliant with FEMA regulations.
- Chairman Elliott inquired if there is a provision for homes in historic districts. Ms. MacGilpin confirmed there are exceptions for homes in historic districts if the improvement is to preserve historic charm.
- Mr. McGregor noted that if the Commission would like to move forward with this amendment, the Commission should vote to schedule a public hearing, which will likely be scheduled for the 5/6/24 regular meeting of the Commission.

MOTION: Commissioner Battos moved to schedule public hearing on the Flood Zone Substantial Improvement Draft Amendment. Commissioner Leary seconded the motion. The motion carried unanimously. (6-0-0)

- Vice Chair Braz inquired if there is an update on the development at the Wagner Ford property. Mr. McGregor noted that the developer is working on finalizing the leases and Town Staff met with the developer to discuss completing demolition of the site in advance of the development.
- Commissioner Madigan inquired about the status of the Food Truck text amendment. Chairman Elliott noted that the application was withdrawn.
- Commissioner Beal inquired if there are any implications of not having specific food truck regulations on town businesses, such as the Talcott Collective. Mr. McGregor noted that Town Staff will work with town businesses to discuss options.
- Chairman Elliott inquired if there is an update on the undeveloped building at Hartford North. No update was available.

V. ADJOURNMENT

MOTION: Commissioner Leary moved to adjourn the meeting. Commissioner Madigan seconded the motion. The motion carried unanimously. (6-0-0)

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122 The meeting adjourned at 7:36 P.M.

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124 Respectfully Submitted,

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126 Cara Blackaby

127 Commission Clerk