

PLANNING AND ZONING COMMISSION
AGENDA
PUBLIC HEARING / REGULAR MEETING / ORGANIZATIONAL MEETING
VIRTUAL
January 10, 2023, 7:00 P.M.

Planning and Zoning Commission
Tue, Jan 10, 2023 7:00 PM - 10:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/531653677>

You can also dial in using your phone.

United States: [+1 \(224\) 501-3412](tel:+12245013412)

Access Code: 531-653-677

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ORGANIZATIONAL MEETING

- I. Election of Officers
- II. Review of By-Laws

PUBLIC HEARING

- I. **Petition 2022-11 and 2022-12** – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

REGULAR MEETING

- I. Call to Order / Roll Call
- II. Approval of Minutes
 - A. November 29, 2022 – Public Hearing
 - B. November 29, 2022 – Regular Meeting
- III. Recognition of Guests
- IV. Action on Pending Applications

PLANNING AND ZONING COMMISSION
AGENDA - Continued
PUBLIC HEARING / REGULAR MEETING – VIRTUAL
January 10, 2023, 7:00 P.M.

- A. **Petition 2022-11 and 2022-12** – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

V. **New Business**

A. New Applications: None

B. Set Public Hearing Date: None

C. Other New Business

1. Follow-up Discussion with Rev. Ronald Kolanowski of St. Peter’s Episcopal Church
2. Request for Designation of Kinney Road as a Scenic Road pursuant to the authority of General Statutes Section 7-149a and Hebron Code of Ordinances Chapter 313 Streets and Sidewalks – *Recommendation to Table*

VI. **Correspondence**

A. Eric Lindquist Resignation

VII. **Adjournment**

Next Meeting: January 24, 2023 – Regular Meeting / Workshop
February 14, 2023 – Regular Meeting

**PLANNING AND ZONING COMMISSION
AGENDA
PUBLIC HEARING / REGULAR MEETING / ORGANIZATIONAL MEETING
VIRTUAL**

January 10, 2023, 7:00 P.M.

RECEIVED

2023 JAN -6 P 12:44

Carol A. Pomroy
HEBRON TOWN CLERK

**Planning and Zoning Commission
Tue, Jan 10, 2023 7:00 PM - 10:00 PM (EST)**

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ORGANIZATIONAL MEETING

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PUBLIC HEARING

- I. **Petition 2022-11 and 2022-12** – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

REGULAR MEETING

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PLANNING AND ZONING COMMISSION
AGENDA - Continued
PUBLIC HEARING / REGULAR MEETING – VIRTUAL
January 10, 2023, 7:00 P.M.

- A. **Petition 2022-11 and 2022-12** – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

V. **New Business**

A. New Applications: None

B. Set Public Hearing Date: None

C. Other New Business

1. Follow-up Discussion with Rev. Ronald Kolanowski of St. Peter’s Episcopal Church
2. Request for Designation of Kinney Road as a Scenic Road pursuant to the authority of General Statutes Section 7-149a and Hebron Code of Ordinances Chapter 313 Streets and Sidewalks – *Recommendation to Table*

VI. **Correspondence**

A. Eric Lindquist Resignation

VII. **Adjournment**

Next Meeting: January 24, 2023 – Regular Meeting / Workshop
February 14, 2023 – Regular Meeting

**TOWN OF HEBRON
PLANNING AND DEVELOPMENT DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew Bordeaux, Town Planner

DATE: January 6, 2023

RE: Planner's Report for January 10, 2023 Public Hearing/Regular Meeting

PUBLIC HEARING

Petition 2022-11 and 2022-12 – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

A staff memo to the Commission dated January 5, 2023, is included in your packet to address the above referenced petition. Special Permit 2022-11 and associated Site Plan 2022-12 were received by the Commission on November 15, 2022 and a public hearing was scheduled to be held on December 13, 2022. The Commission's meeting was cancelled that evening, so the public hearing was re-advertised for January 10, 2022. The public hearing was advertised in the Rivereast News Bulletin on December 30, 2022 and January 6, 2022. The public hearing should be closed no later than March 16, 2023.

REGULAR MEETING

Petition 2022-11 and 2022-12 – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

Please refer to the staff memo dated January 5, 2023, in your Agenda Packet.

Informational Meeting with Rev. Ronald Kolanowski of St. Peter's Episcopal Church

Father Ron has requested to follow-up the initial discussion held with the Commission at their November 15, 2022 Regular Meeting. Father Ron plans to share more project specifics with the Commission related to the proposed Community Commons Development Corporation's affordable housing goals in Hebron.

Request for Designation of Kinney Road as a Scenic Road pursuant to the authority of General Statutes Section 7-149a and Hebron Code of Ordinances Chapter 313 Streets and Sidewalks.

The above noted request was received by the Commission on September 13, 2022. The Commission held a public hearing on November 15, 2022. This is the first such request in 20+ years. In light of a significant debate about the future location of a municipal Public Works Facility, the timing of the request has raised numerous questions about the Scenic Road Ordinance and the Commission's role and authority. The ordinance does not include a required time frame for a decision. I recommend the Commission table their discussion on this request while we provide the opportunity for Town legal counsel to provide guidance on the following areas of concern:

- What is the Commission's charge under this ordinance, not just in their role, delegated by the Board of Selectmen, to make a decision on the request, but also in the event that activity is proposed on or along a Scenic Road? In other words, how does the designation influence the Commission's customary role of considering future development permit applications?
- Can the Commission amend or condition a request under the Scenic Road Ordinance in a way comparable to their authority to condition permit approvals subject to zoning authority?
- As this is a local ordinance, the authority to make a decision may not follow the same rules as those that apply to zoning-related permit applications. One question that should be made clear is how many votes are necessary to reach a decision.

The Commission may wish to discuss what additional legal or jurisdictional questions they would like the Town Attorney to weigh in on.

Member Resignation and New Members

A letter of resignation was received by the Town Clerk's Office from Eric Lindquist (attached). Mr. Lindquist was an alternate member of the Commission. As a result of the resignation, there are three (3) current vacancies on the Commission; one (1) regular member and two (2) alternate member positions.

At their January 5, 2023 Regular Meeting, the Board of Selectmen appointed two (2) new members to the Planning and Zoning Commission. Mr. Jason Boice was appointed a regular member and Mr. Terry McManus was appointed to an alternate member. The applicants have been invited to attend this evening's meeting.

LEGAL NOTICE
PLANNING AND ZONING COMMISSION
HEBRON, CONNECTICUT

The Hebron Planning and Zoning Commission will hold a Public Hearing at a Regular Meeting scheduled for Tuesday, January 10, 2023, at 7:00 P.M., to be held virtually through the GoToMeeting Platform, on the following:

1. **Petition 2022-11 and 2022-12** – Petition of Roger G. Barrett, Jr. to amend the Special Permit and Site Plan for a legal, non-conforming use at 326 Gilead St. Application filed under Section 6.B.3 of the Hebron Zoning Regulations.

Dated at Hebron, Connecticut, this 8th day of December 2022.

Natalie Wood, Chair

Planning and Zoning Commission
Tue, Jan 10, 2023 7:00 PM - 10:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

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Legal Notice will be published in the Rivereast News Bulletin on December 30, 2022 and January 6, 2023.

**TOWN OF HEBRON
PLANNING AND DEVELOPMENT DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Town Planner

DATE: January 5, 2023

RE: Roger G. Barrett, Jr. – 326 Gilead St – Special Permit Modification (2022-11) and Site Plan (2022-12)

Introduction

The applicant, Mr. Roger G. Barrett, Jr., is owner and operator of Country Carpenters Post & Beam Buildings Inc., located at 326 Gilead St (see Location Map attached). The rural business use is a legal, non-conforming use in the Residence-1 zoning district pursuant to the provisions of the Hebron Zoning Regulations Section 6.B.3.7. An application to modify the legal, non-conforming use is subject to Special Permit. The application includes a Site Plan titled “Site Plan Prepared for 85 Properties LLC 326 Gilead Street Hebron, Connecticut”, scale as noted, dated 11/07/22” and a narrative description of the activity prepared by Mr. Barrett dated November 9, 2022. The Site Plan was recently revised (1/5/2023) to address comments from the Town Engineer.

The 6.49-acre site is located on the north side of Gilead St, east of the equestrian center Windcrest Farms (344 Gilead St), and west of undeveloped land owned by the Hebron Lions Club that is occasionally used for overflow parking associated with events at the fairgrounds. The subject site is further abutted by another rural business use is located at 33 East Street, and single-family residences at 39 and 47 East Street.

A Special Permit (2021-17) and associated Site Plan (2021-18) was approved by the Commission on January 11, 2021, to construct a new 3,909 SF addition to an existing structure, with a condition that a continuous row of white pine trees be placed along the northern and easterly property lines to buffer 39 and 47 East Street. A copy of the approval is attached for your review.

Project Background and Description

It was brought to the attention of Town staff that regulated activity commenced at the subject site without a permit. Specifically, a portion of the property adjacent to the existing vehicle parking and equipment storage area was cleared and graded. Trees along the treeline informally delineating the boundary between the parking area and the adjacent open field were felled. The applicant states that the trees, mostly ash trees compromised by vines and stricken by borer beetles, presented a hazard in their proximity to the employee parking area and were a maintenance issue as well. The applicant subsequently constructed an earthen berm approximately 4’ high along the northeasterly property boundary and erected a 6’ wooden

stockade fence running parallel to the property line. The fence was installed to the interior of a row of white pine trees, approximately 8' high, planted this past Spring in accordance with a condition of the January 11, 2021 Special Permit approval noted above.

The applicant states in the narrative description included with the application, that no signs or lighting will be installed, and that the parking area will be improved with processed gravel and asphalt millings. The applicant's plans depict that a split rail fence will be installed around the perimeter of the parking area to limit inadvertent expansion of the area over time.

Regulated Activity

The activity was reviewed by Town staff for its proximity to regulated inland wetlands and watercourses to determine if a permit application would be required. In an email from James Cordier, Conservation and Inland Wetland Agent to Matthew Bordeaux, Town Planner, dated November 10, 2022, Mr. Cordier notes "that all components of the proposed parking lot expansion and associated landscaping at 326 Gilead Street (aka Country Carpenters) are outside of the inland wetland and upland review regulated areas." A copy of the email is attached.

Special Permit

In accordance with Hebron Zoning Regulations Section 6.B.3.5., "unless a Special Permit has been granted by the Commission in accordance with Section 7.D of these Regulations to allow the particular non-conforming use to be altered, a non-conforming use shall not be: a. enlarged or increased, nor extended to occupy a greater floor area or area of land than was occupied at the effective date of adoption or amendment of these Regulations".

Section 6.B.3.7 outlines standards intended to accommodate Rural Business Uses considering the non-conforming nature of their location in a residential zone. Applicable to this request are the following provisions:

- Item a. of this Section describes uses that may be permitted by the Commission when "in the opinion of the Commission can be operated consistent with the standards established herein and in a manner compatible to the surrounding residential and rural character of the community".
- Item e. states that "parking adjacent to a residential property line shall be separated by a minimum distance of 50 feet to said line and shall be screened by means of berms, and landscaping, fencing or other features as deemed appropriate by the Commission".
- Item f. addresses attention to "the configuration of the site, and the management of the operation", seeking compatibility "with the location and its environs".

The alteration of a legal non-conforming use is subject to approval of a Special Permit by the Commission. In accordance with Section 7.D of the Hebron Zoning Regulations the Special Permit is accompanied by a Site Plan. The Commission shall refer to Section 7.D.4 of the Regulations for a list of "Decision Considerations" provided to assist the Commission in reaching a determination that the application is in conformance with the Regulations, satisfies the Special Permit Criteria and is in harmony with the purposes and intent of the Regulations, as well as the Plan of Conservation and Development.

Should the Commission find that the activity is a compatible alteration, I recommend the Commission consider the comments provided by Town Engineer, Thomas H. Fenton, P.E., in the letter dated January 4, 2023, be addressed as a condition of approval. A copy of Mr. Fenton's letter is attached.

MRB

H:\Matt\PZC\Applications\2022-11 & 12 Country Carpenters\Memo.docx

Attachments



Town Office Building
15 Gilead Street; Hebron, Connecticut 06248
Phone: (860) 228-5971 Fax: (860) 228-5980



SPECIAL PERMIT APPLICATION

☒ New Special Permit Application; ☒ Amendment to Approved Special Permit

Applicant Information:

Name: ROGER G. BARRETT JR.
Address: 87 SHODDY MILL RD. BOLTON, CT. 06043
Phone: (860) 918-0268 Fax: (860) 228-5106
Email: ROGER@COUNTRYCARPENTERS.COM
Legal Interest: OWNER

Owner Information:

Name: ROGER G. BARRETT JR. / 85 PROPERTIES, LLC
Address: 87 SHODDY MILL RD. BOLTON, CT. 06043
Phone: (860) 918-0268 Fax: (860) 228-5106
Email: ROGER@COUNTRYCARPENTERS.COM
☒ Attached is documentation verifying ownership of the property.

Subject Parcel:

Address: 326 GILEAD ST. - RT. 85 HEBRON, CT. 06248
Size: 274,200 SQ. FT. Zone: R-1 Assessor's Map and Lot #: Map 24, Lot 26
Is the subject parcel within 500 ft. of the Town boundary? ☐ yes ☒ no

Requested Use:

Application is made under Section 6.B.3-7E of the Hebron Zoning Regulations, requesting approval of the following use: EXPANSION OF EXISTING EMPLOYEE PARKING AREA - MORE THAN 50' FROM NEAREST PROPERTY LINE AND SCREENED FROM SAID LINE WITH RAISED EARTH BERM, 6'6" TALL SOLID WOOD FENCE, AND A STAND OF PINE TREES, AS DEEMED BY THE COMMISSION.

Relationship of Proposed Special Use to the Plan of Development:

TO ALLOW SAFE PARKING FOR EMPLOYEES.

Benefits of Proposed Special Use to the Town of Hebron:

THIS ALLOWS A THRIVING COMPANY WITH CONGRUENT TOWN IDEALS TO BETTER CONDUCT THEIR DAILY BUSINESS, AND THE ENHANCED LINE-OF-SIGHT BENEFITATION FOR PROPERTY ABUTTERS FOSTERS A RETENTION OF, AND IMPROVEMENT TO, CURRENT GOOD-WILL RELATIONS AMONG COMMERCIAL AND RESIDENTIAL RESIDENTS.

Parties of Interest*:

Engineer/ Architect Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Developer/ Builder Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

*Complete information in this section as applicable.

Taxes:

Are all real estate, sewer use, and sewer assessment taxes current? ☒ yes ☐ no

☒ Attached is proof of payment. (Required)

Fees:

Town Fee* \$ 150.00 + \$10 Processing Fee + \$60.00 (State Fee) = \$ 220.00 (payable to the Town of Hebron)

* Town fee is established by Town ordinance.

pd. 11/8/2022 ck. #43871 Dmg

Signatures:

Signature of Owner(s) Roger Banett Date: 11/9/22

Signature of Applicant(s) Roger Banett Date: 11/9/22



Town of Hebron, Connecticut

Petition 2022-13

Town Office Building
15 Gilead Street; Hebron, Connecticut 06248
Phone: (860) 228-5971 Fax: (860) 228-5980



SITE PLAN APPLICATION

☐ New Site Plan Application ☒ Amendment to Approved Site Plan

Applicant Information

Name: ROGER BARRETT JR
Address: 87 SHODDY MILL RD BOLTON, CT 06043
Phone: (860) 918-0268 Fax: (860) 228-5106
Email: ROGER@COUNTRYCARPENTERS.COM
Legal Interest: OWNER

Owner Information

Name: ROGER BARRETT JR
Address: 87 SHODDY MILL RD BOLTON, CT 06043
Phone: (860) 918-0268 Fax: (860) 228-5106
Email: ROGER@COUNTRYCARPENTERS.COM
☒ Attached is documentation verifying ownership of the property. (Required)

Subject Parcel

Address: 326 GILEAD ST (RT. 85)
Size: 274,200 SQ FT Zone: R-1 Assessor's Map and Lot #: MAP 24, LOT 26
Is the subject parcel within 500 ft. of the Town boundary? ☐ yes ☒ no
Is the subject parcel within a designated "Village District"? ☐ yes ☒ no

Requested Use

Application is made under Section 6.B.3-7E of the Hebron Zoning Regulations, requesting approval of the following use: EXPANSTON OF EXISTING EMPLOYEE PARKING AREA

Parties of Interest*

Engineer/ Architect Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Developer/ Builder Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

*Complete information in this section as applicable.

TaxesAre all real estate, sewer use, and sewer assessment taxes current? ☒ yes ☐ no☒ Attached is proof of payment. (required)**Fees**

\$150 + \$ 150.00 + \$10 Processing Fee + \$60 (State Fee) = \$ 220.00
(\$ 50 / ca. 1,000 sf of new construction) (Payable to the Town of Hebron)

pd. 11/8/2023 ck. # 43871 Dmg

SignaturesSignature of Owner(s) Roger Banoff Date: 11/9/22Signature of Applicant(s) Roger Banoff Date: 11/9/22



ATTACHMENT

Subject: Parking Lot Expansion
Country Carpenters, Inc.
326 Gilead St / Rt 85

09NOV22

Ladies and Gentlemen of the Commission,

Country Carpenters existing employee parking area is insufficient to support both employee vehicles as well as large commercial vehicles, and seasonally accommodate all plowable snow from our property. The eastern edge of the parking area where expansion begins was overgrown with briars, vines, and dead ash trees, which were not only unsightly but posed a significant safety hazard to personnel and property.

The location of the proposed expansion site, in that there are no streets with access to it, shall not in any way affect safety in the streets nor increase traffic congestion in the area. The location is also ideal in that no business-related operations are connected to the use of the area ensuring that the use shall be in harmony with the appropriate and orderly development of the area.

Dead trees and underbrush were removed, and topsoil was excavated from the expansion area and used to create a raised earth berm between property abutters and the expansion area. Centered at the high point of the berm running its full length will be a 6-1/2' tall wooden fence, and in addition, (14) 8' white pine trees were planted along the full length of the berm. Additional trees may be added over time to further enhance this line-of-sight beautification.

The expanded parking surface will first be treated with 8" of process gravel, tamped, then 4" of asphalt millings, which will also be tamped. To prevent inadvertent expansion over time, the area will be defined by a split rail fence.

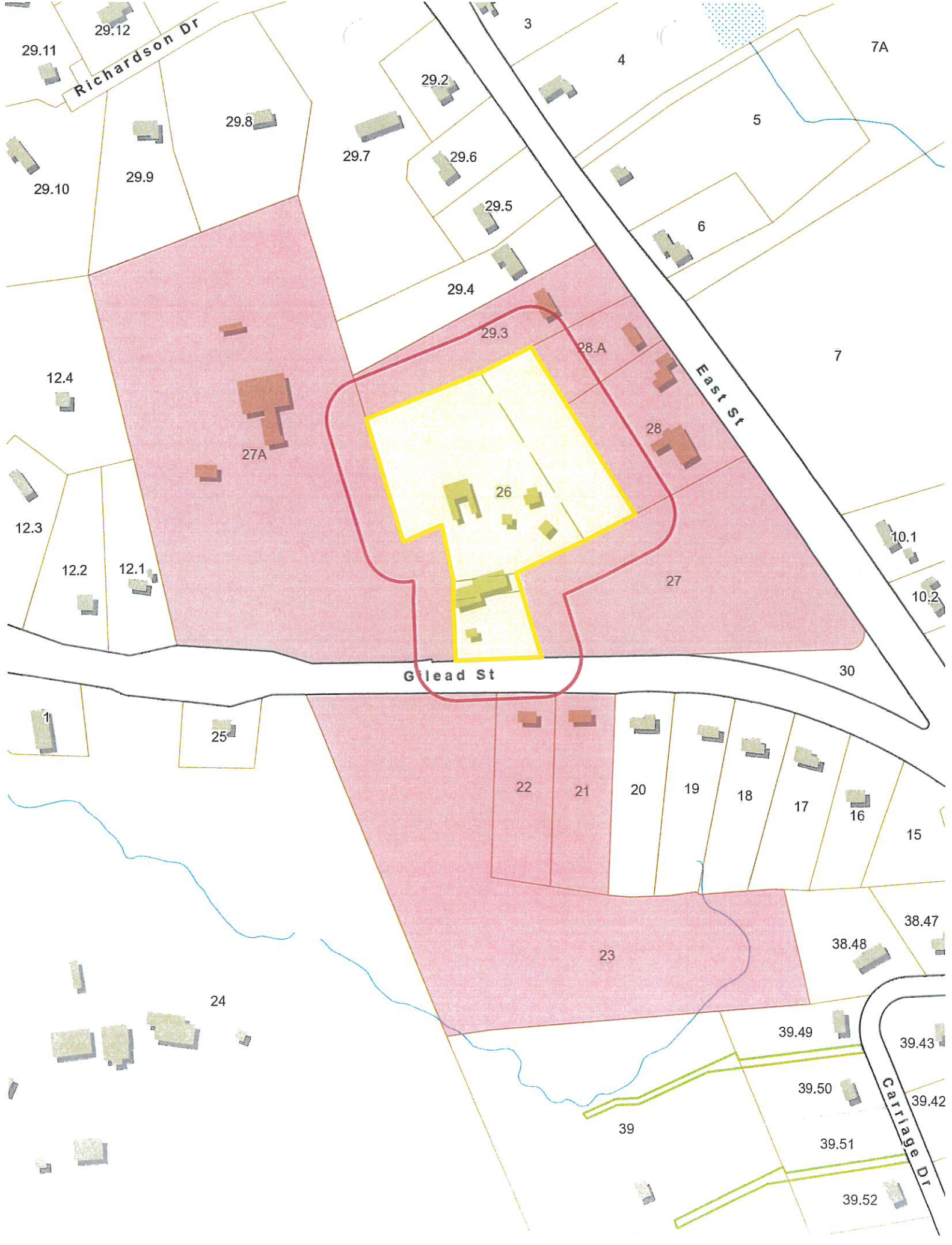
All improvements made are to be in keeping with current and probable future characteristics of the neighborhood, and the location and nature of landscaping and fencing are such that the proposed use shall not hinder nor discourage the appropriate use and development of adjacent land and buildings nor impair the value thereof.

As the site shall have no signals, artificial illumination nor any noise making devices, this development requires no utilities nor services. Maintenance of fencing and snow removal are the only provisions required to ensure its long-term viability.

My respectful thanks in advance for your time and consideration evaluating this information and for your fair judgement.

Sincerely,

Roger G Barrett Jr
Owner – Country Carpenters, Inc.
& 85 Properties, LLC

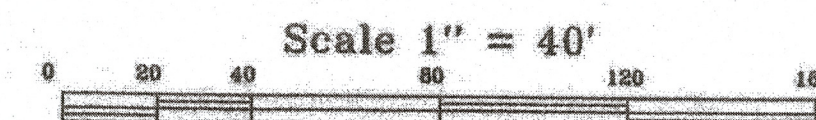
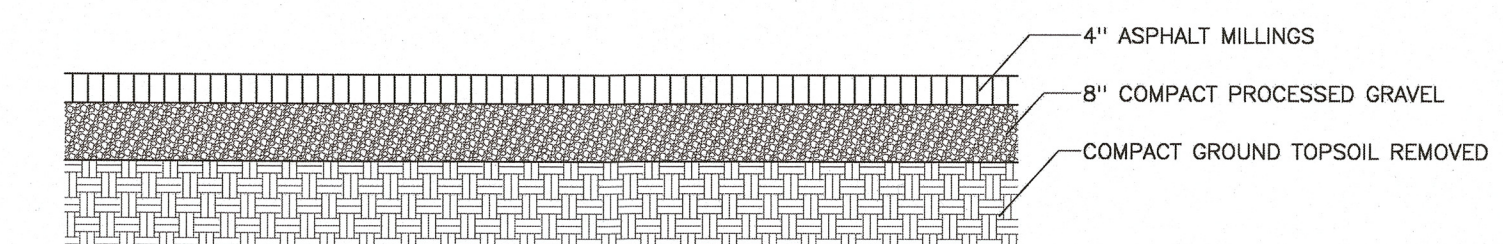
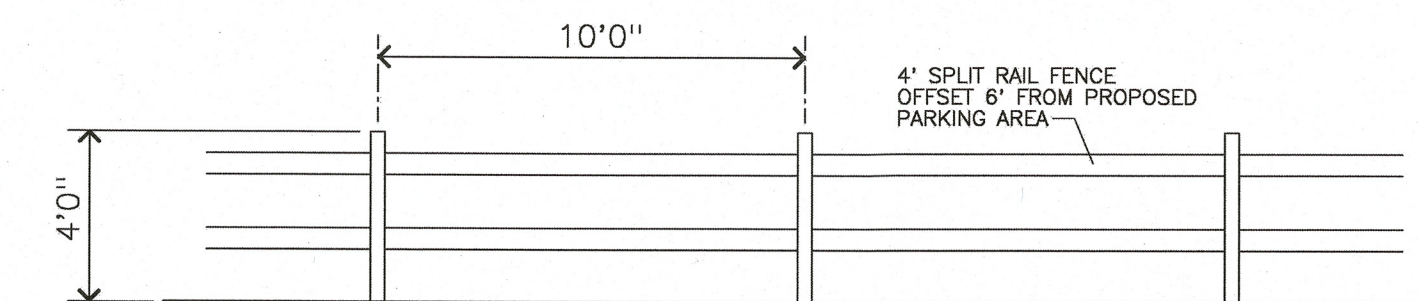
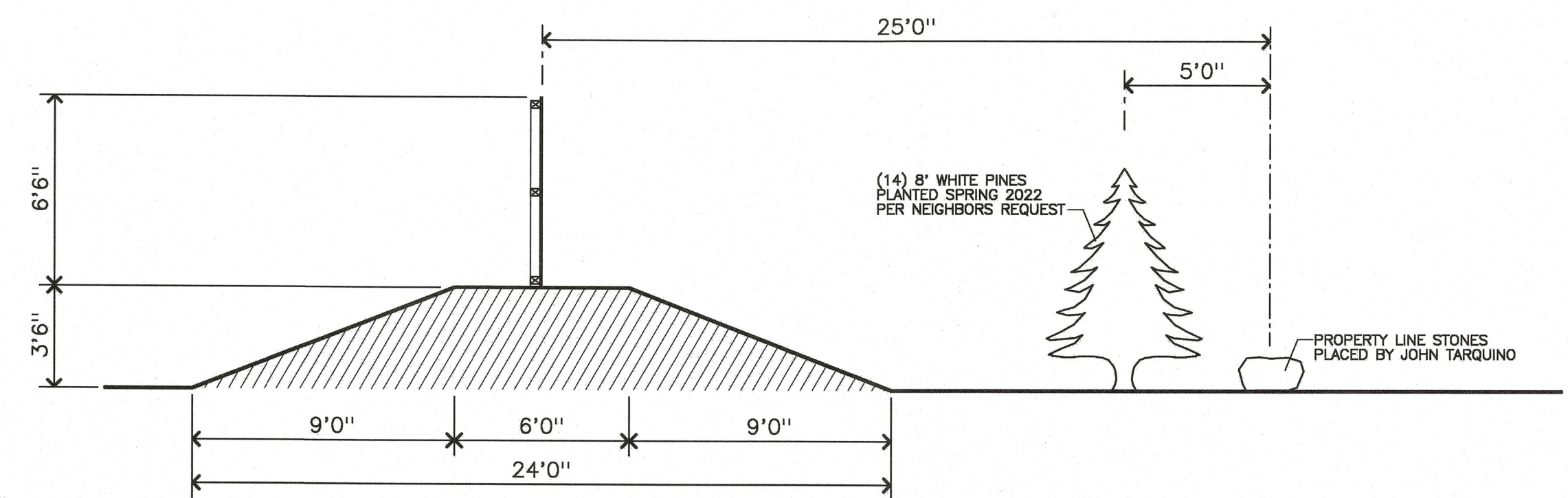
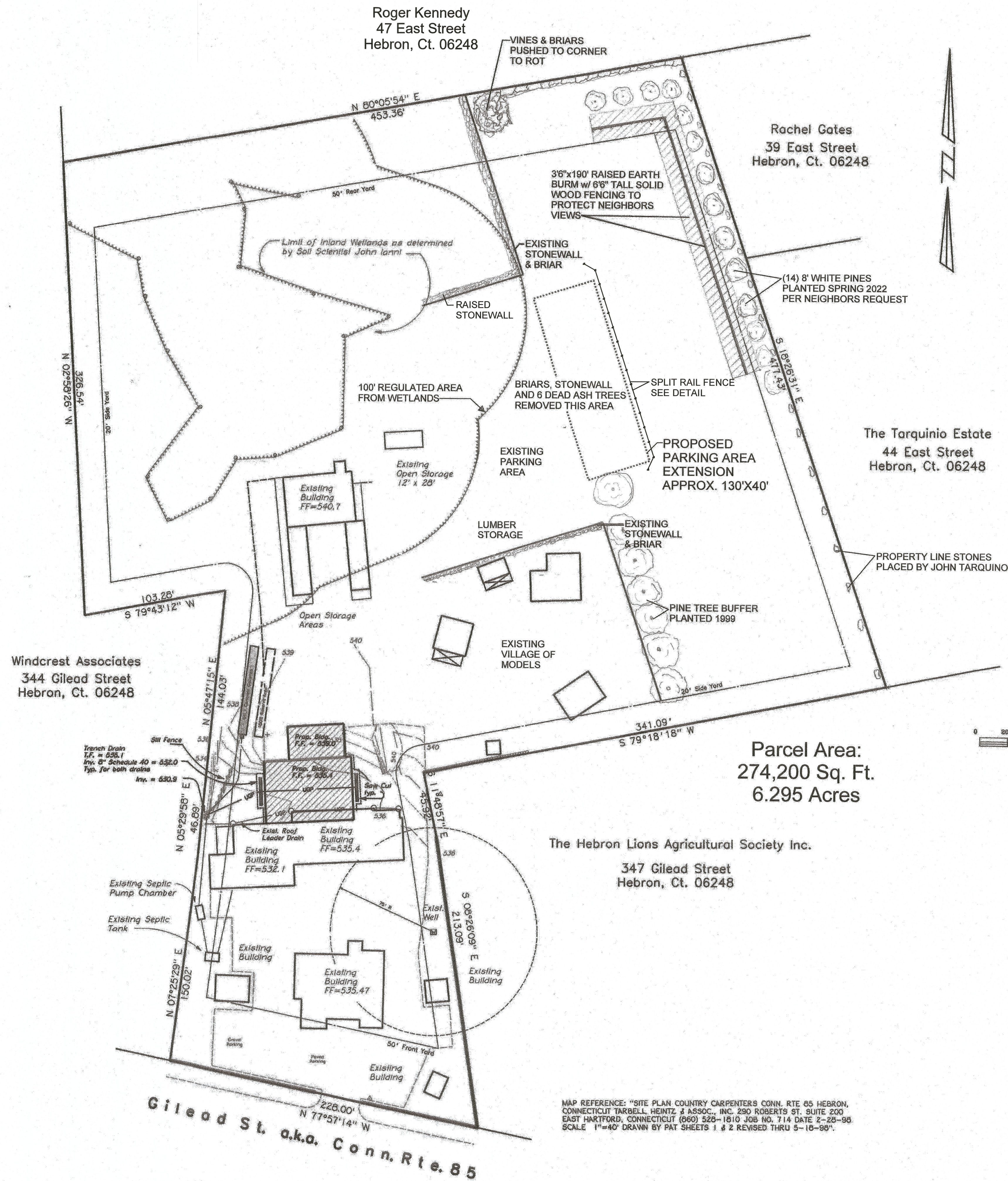


Richardson Dr

East St

Gilead St

Carriage Dr



Notes:

1. Property is zoned "R-1"
2. Wetlands were previously delineated by Soil Scientist John Ianni
3. Parcel area = 274,200 sq. ft. (6.295 acres)
4. Owner/ Applicant:
85 Properties LLC
326 Gilead Street
Hebron, Conn. 06248

MAP REFERENCE: "SITE PLAN, COUNTRY CARPENTERS CONN. RTE. 85, HEBRON, CONNECTICUT, TARBELL, HEINTZ & ASSOC., INC. 290 ROBERTS ST. SUITE 200 EAST HARTFORD, CONNECTICUT (860) 528-1810 JOB NO. 714 DATE 2-28-98 SCALE 1"=40' DRAWN BY PAT SHEETS 1 & 2 REVISED THRU 5-18-99"

SITE PLAN PREPARED FOR 85 PROPERTIES LLC 326 GILEAD STREET HEBRON, CONNECTICUT				
COUNTRY CARPENTERS, INC. PRE-CUT POST & BEAM BUILDINGS 326 GILEAD STREET, HEBRON, CT. 06248-1347				
REVISION 01/05/2023 AP	JOB NO.	DATE 11/07/2022	SCALE AS SHOWN	DRAWN BY AP
				SHEET NO: 1 OF 1



326 Gilead St

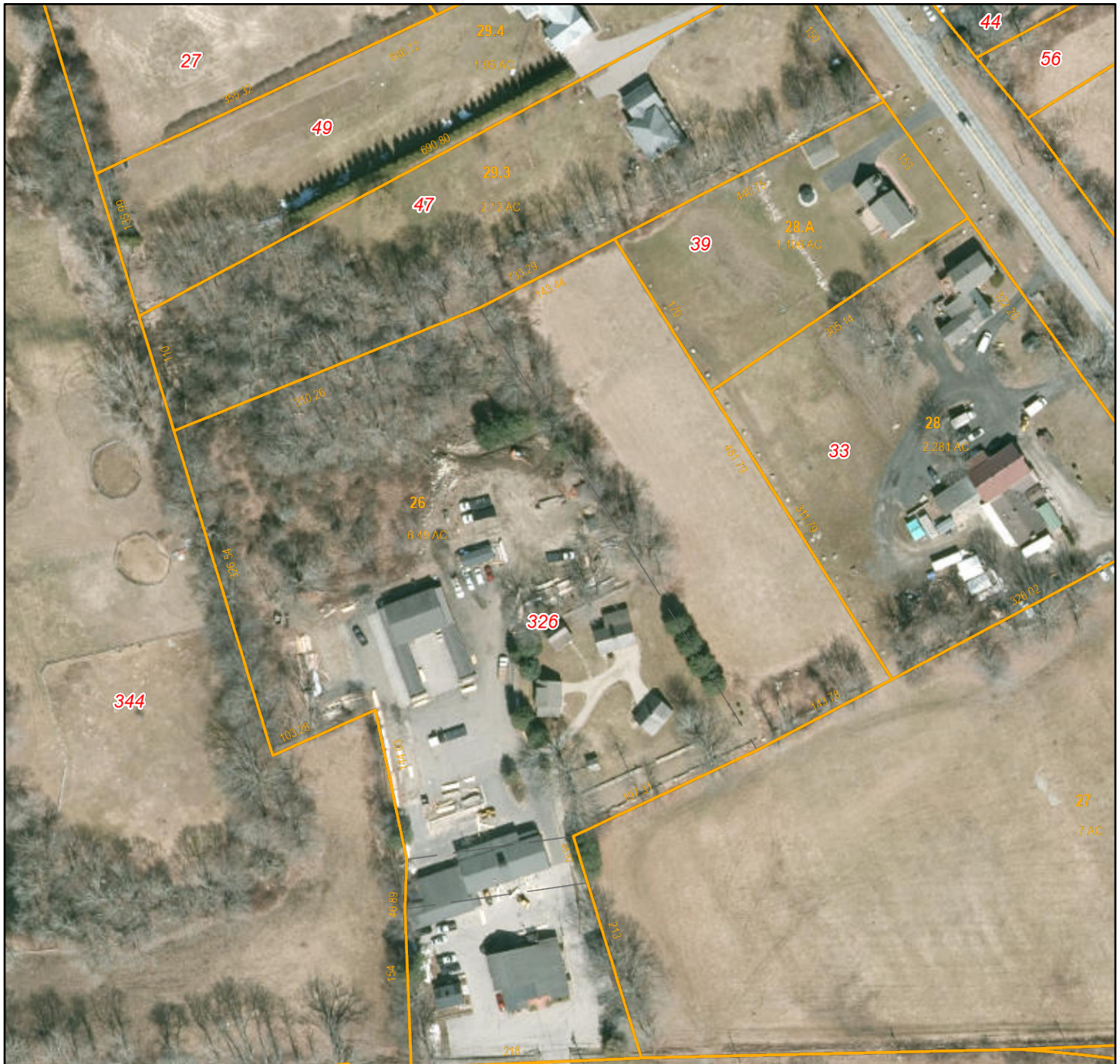
Hebron, CT

1 inch = 140 Feet



www.cai-tech.com

January 5, 2023



	Address
	Tract Line
	Property Line
	Public Road

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



TOWN OF HEBRON

15 Gilead Street, Hebron, CT 06248

TEL (860) 228-5971 FAX (860) 228-5980

Planning/Zoning

Building

Health

Conservation

January 13, 2022

CERTIFIED MAIL

Roger Barrett, Jr.
87 Shoddy Mill Road
Bolton, CT 06043

Re: Petitions 2021-17 and 2021-18 – Special Permit and Site Plan Applications of Roger Barrett, Jr. of Country Carpenters requesting to make an alteration to a legal non-conforming use and to construct a new 3,909 SF addition to an existing structure, property located at 326 Gilead Street (Assessor's Map 24, Lot #26), application is filed under the Section 6.B.3 of the Zoning Regulations, R-1 District.

Dear Mr. Barrett:

Please be advised that at the January 11, 2022 meeting of the Planning and Zoning Commission, the Commission took the following action on the above-referenced application.

Approved, with the following conditions:

1. All exterior lighting, including building lighting, shall be full cut-off type lighting in accordance with Section 5.F.2 of the Zoning Regulations;
2. A contiguous row of white pines shall be placed no greater than twelve (12) feet apart along the northern and easterly property lines to buffer 39 and 47 East Street to the satisfaction of Town staff.

Please have the plans revised to include the above conditions and forward four blue-line sets of plans for signature by the Commission. Also, a Special Permit Certification must be filed in the Town Clerk's Office before the approval is effective. We will prepare the Certificate for you. A filing fee will be needed before filing with the Town Clerk.

If you have any questions, please call me.

Sincerely,

Patrick Gallagher, AICP
Director of Planning & Development

PJG/dmg

cc: PZC Petition Files 2021-17 and 18
Tarbell, Heintz & Associates, Inc.

Matthew Bordeaux

From: James Cordier
Sent: Thursday, November 10, 2022 12:59 PM
To: Matthew Bordeaux
Subject: PZC Application 2022-11 & 12

Hi Matt,

I have received the Permit Application and accompanying plans and documents referenced above. Upon review and field confirmation, I would note that all components of the proposed parking lot expansion and associated landscaping at 326 Gilead Street (aka Country Carpenters) are outside of the inland wetland and upland review regulated areas.

Jim Cordier
Conservation and Inland Wetland Agent



January 4, 2023

Mr. Mathew Bordeaux
Director of Planning and Development
Town of Hebron
15 Gilead Street
Hebron, CT 06248

Re: 85 properties, LLC
326 Gilead Street
Expansion of Employee Parking
NLJA #0647-0285

Dear Mr. Bordeaux:

As requested, we have reviewed the following information for the subject project received at our office through November 16, 2022:

Item 1: Drawing titled "Site Plan Prepared For 85 Properties LLC 326 Gilead Street Hebron, Connecticut", scale as noted, dated 11/07/22, preparer not noted.

The referenced plan identifies a proposed 130' x 40' parking area expansion. In addition to reviewing the plan, we accompanied you on a visit to view the site on January 4, 2023.

At this time, we have the following comments:

1. The plan should indicate how the proposed parking area will be prepared and surfaced. A construction detail should be included.
2. Consideration should be given to providing a physical delineation at the limits of the parking area, such as a timber guide rail or split rail fence. This would more permanently define the limits of the parking area and deter future expansion.

If there are any questions, please feel free to contact me.

Sincerely yours,

NATHAN L. JACOBSON & ASSOCIATES, INC.

Thomas H. Fenton, P.E

THF:thf
cc: Andrew Tierney,
Kevin Kelly

GAVE COPY TO DONNA +
Dorey

January 5, 2023

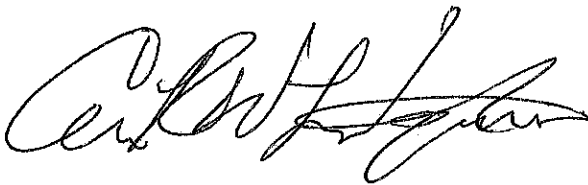
Matthew R. Bordeaux
Director of Planning and Development
15 Gilead Street
Hebron, CT 06248

To the commission:

Please accept this letter as formal notification that I am resigning from my position as an alternate on the Hebron Planning and Zoning Commission effective immediately.

While it was short lived, it was a privilege being appointed and working with the members of the board on various projects. I regret that I was not able to remain a Hebron resident to complete my term, and I truly hope that my absence was not a hindrance.

Regards,



Eric R. W. Lindquist

11 Anderson St.,
Manchester, CT 06040
(860) 634-7475

RECEIVED
2023 JAN -5 PM 2:59
HEBRON TOWN CLERK
Eric R. W. Lindquist

RECEIVED

2022 DEC -8 A 9:11

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J. Asst
HEBRON TOWN CLERK

**PLANNING AND ZONING COMMISSION
MINUTES**

**SPECIAL MEETING/ PUBLIC HEARING / REGULAR MEETING / WORKSHOP
– VIRTUAL November 29, 2022, 7:00 P.M.**

Members Present: N. Wood, F. Zitkus, D. Garner, D. Sousa

Members Absent: None

Staff: Matt Bordeaux-Town Planner

PUBLIC HEARING

I. Petition 2022-9 – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations Section 6.D to extend the Temporary and Limited Moratorium on Cannabis Establishments. Application filed under Section 7.E of the Hebron Zoning Regulations.

F. Zitkus read the legal notice into the record.

**LEGAL NOTICE
PLANNING AND ZONING COMMISSION
HEBRON, CONNECTICUT**

The Hebron Planning and Zoning Commission will hold a Public Hearing at a Special Meeting scheduled for Tuesday, November 29, 2022, at 7:00 P.M., to be held virtually through the GoToMeeting Platform, on the following:

1. **Petition 2022-9** – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations Section 6.D to extend the Temporary and Limited Moratorium on Cannabis Establishments. Application filed under Section 7.E of the Hebron Zoning Regulations.

Dated at Hebron, Connecticut, this 9th day of November, 2022.

Natalie Wood, Chair

M. Bordeaux reviewed the subject with the Commission:

The decision to adopt a moratorium on cannabis establishments was taken upon the recommendation of the Town Attorney and in response to the recently passed S.B. 1202, "An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis". The Act does not state when a person can begin to file an application for a site plan or special permit for such a facility if the Town has not taken action in regulating or prohibiting them. Based on that information, the Commission put a moratorium in place.

The Act provides the opportunity for Towns to prohibit or regulate cannabis establishments by Ordinance or by Zoning Regulation. It states that if not regulated or prohibited, cannabis establishments must be approved in the same fashion as similar uses, such as retail uses, that are permitted in every retail and business district in Hebron.

While the Act allows Towns to take action by Ordinance, which is under the purview of the Board of Selectmen, the Board of Selectmen decided to delegate and approved the following motion: "that the Board of Selectmen request that the Planning and Zoning Commission write up regulations that will regulate the sale of cannabis in the Town of Hebron, and also that they write up regulations which would regulate the commercial cultivation of cannabis in the Town of Hebron." To provide the necessary time to consider the issue, the existing temporary and limited moratorium on cannabis establishments should be extended. An application to amend the Hebron Zoning Regulations accordingly has been prepared by Town staff. A twelve (12) month extension is recommended.

The new effective date would be December 31, 2022 and it would expire December 31, 2023.

N. Wood opened up the discussion to the Commission and the public.

The public hearing closed at 7:09p.m.

**PLANNING AND ZONING COMMISSION
MINUTES
SPECIAL MEETING/ PUBLIC HEARING / REGULAR MEETING / WORKSHOP
– VIRTUAL November 29, 2022, 7:00 P.M.**

Members Present: N. Wood, F. Zitkus, D. Gardner, D. Sousa

Members Absent: None

Staff: M. Bordeaux- Town Planner

Consultant: M. O'Leary

Special Meeting/Regular Meeting/ Workshop

I. Call to Order / Roll Call: N. Wood called the meeting to order at 7:09p.m.and called roll call.

II. Approval of Minutes: None

III. Recognition of Guests: N. Wood opened up the floor to guest comments on non agenda items. There were none.

IV. Action on Pending Applications

A. Petition 2022-9 – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations Section 6.D to extend the Temporary and Limited Moratorium on Cannabis Establishments. Application filed under Section 7.E of the Hebron Zoning Regulations.

The motion to accept Petition 2022-9 – Petition of the Hebron Planning and Zoning Commission to amend the Hebron Zoning Regulations Section 6.D to extend the Temporary and Limited Moratorium on Cannabis Establishments. Application filed under Section 7.E of the Hebron Zoning Regulations as presented, was made by F. Zitkus, seconded by D. Garner; the motion passed unanimously.

Effective Date:12/31/22

Reasons:

1. For the purpose of giving the Planning and Zoning Commission the amount of time to properly consider the drafting of the regulations and assure that they meet the best interests of the town.
2. To provide time for public hearings on the draft regulations.

V. New Business:

A. New Applications: None

B. Set Public Hearing Date: None

C. Other New Business:

1. Workshop – Re: 2024 Plan of Conservation and Development – Development Section Draft:

M. O'Leary started with follow up on the comments and questions from the last workshop. He responded to questions and provided information on the MUOD on Main St regarding if it should be extended. A GIS map was shown to the Commission which exhibited the MUOD in the Main St. District, the business zone along Min St., and the wetlands. It displayed the large amount of wetlands which provides fairly limited building capacity which is one of the reasons they drew the line along the rear property boundaries of the Main St. fronting business properties. He'd like to encourage Main St. density and hopefully multi-story buildings with mixed use along the Main St. corridor.

D. Sousa is of the opinion that it would be good to extend the MUOD to include all properties in the Main St. District with the exception of Open Space, because the Main St. District is limited in terms of use. A way to avoid the concern about exclusively residential development would be to tweak the regulations to require that there would be no residential on the first floor of new buildings.

M. Bordeaux thinks the issue of residential and its role downtown warrants some additional focused conversation and it would be wise to include some of the people from the development community to discuss more about what the realities of economic development are.

F. Zitkus suggested possibly going back into the regulations to reconsider the commercial ground floor beneath residential floors.

M. O'Leary presented a map of the Village Square Masterplan and left it up to the Commission if they would like to see it in the POCD. F. Zitkus thinks it should be taken out because it's not realistic. M. O'Leary pointed out that the intent is described in the text. D. Sousa and N. Wood believe it should stay in because it helps to have visual aides.

Introduction section:

The commission would like to see a tabular representation of the businesses moving in and out of Hebron.

F. Zitkus pointed out that CIP should be spelled out instead of abbreviated because people may not know what it stands for. He'd also like to see the definition modified, modify accessory apartment definition,

M. O'Leary reviewed changes to the Hebron Center-Overall Boundary and Concept, the Main St. district and Hebron Green District in which F. Zitkus proposed some action items for consideration.

Hebron Green District: Added in land uses, such as the bakery and coffee shop as well as adding the grant for the bridge in the accomplishments section.

F. Zitkus would like there to be a policy that there must be a consultation with the Hebron Historic Properties Commission whenever there is change being made in the historic district.

D. Sousa would like to see an action item that digs deeper into the historic properties.

N. Wood would like to see an action item for a nice historic looking sign.

VI. Correspondence: M. Bordeaux received an email from the chairperson from the HHPC which he will forward to the Commission as well as a copy of the demolition delay ordinance.

VII. Adjournment:

The motion to adjourn the 11/24/22 meeting was made by F. Zitkus, seconded by D. Sousa; the motion passed unanimously.

The meeting was adjourned at 9:24p.m.

Next Meeting: December 13, 2022 Organizational Meeting/Public Hearing/Regular Meeting

Respectfully Submitted,
Catharine Brinkman
Board Clerk

BY-LAWS
HEBRON PLANNING AND ZONING COMMISSION

Article I

Purpose

The objectives and purposes of the Planning and Zoning Commission of the Town of Hebron are those set forth in Chapters 124 and 126 of the Connecticut General Statutes, 1958 Revision, as amended, and those powers and duties delegated to the Hebron Planning and Zoning Commission by the aforementioned statutes, and by the Hebron Town Charter.

Article II

Name

The Commission shall be known as the Hebron Planning and Zoning Commission.

Article III

Office of the Commission

The office of the Hebron Planning and Zoning Commission shall be the Office of the Director of Planning and Development, Horton House, Hebron Town Offices, 15 Gilead Street, Hebron, CT where all Commission records will be kept. Copies of all Commission minutes, agendas and legal notices will be filed in the office of the Town Clerk.

Article IV

Membership

Section 1. The membership and terms of office shall be as specified in the above stated Charter establishing the Commission.

Section 2. In the event of the absence or a disqualification of a regular member of the Commission, the Chairman shall appoint an alternate member to act in place thereof. Alternates shall generally be chosen on a rotational basis, so that all serve as equal number of times as possible. The minutes shall record when each alternate sits and the reason when they are seated out of turn. When so appointed, the alternate member shall have all the duties and privileges of a regular member.

Article V

Officers and Their Duties

Section 1. The officers of the Commission shall consist of a Chairman, a Vice-Chairman and a Secretary.

Section 2. The duties of the Chairman shall be as follows:

- to preside at all meetings and hearings of the Commission;
- to call special meetings of the Commission;
- to sign documents of the Commission;
- to appoint a Vice-Chairman Pro Tem in the absence of the Vice-Chairman;
- to appoint a Secretary Pro Tem in the absence of the Secretary;
- to act as one of the Commission members having the privilege of discussing all matters before the Commission and of voting thereon.

Section 3. The duties of the Vice-Chairman shall be as follows:

- shall act for the Chairman due to absence, disability or disqualification of the Chairman;
- when acting as Chairman, shall appoint a Vice-Chairman Pro Tem.

Section 4. The duties of the Secretary shall be as follows:

- shall act for the Chairman due to absence, disability or disqualification of the Chairman and Vice-Chairman;
- shall generally oversee, with the assistance of available staff, Commission legal notices, agendas and minutes.

Section 5. In the absence of the Chairman, Vice-Chairman, and Secretary, the Commission members who are present shall elect a Chairman Pro Tem and Vice-Chairman Pro Tem.

Article VI

Annual Organizational Meeting

Section 1. An Annual Organizational Meeting of the Planning and Zoning Commission shall be held on the first regular meeting in December of each year. At each Annual Organizational Meeting following municipal elections, the Commission shall elect officers for two year terms. Every Annual Organizational Meeting shall be devoted to the review of By-Laws, to the appointment of Commission members to committees and/or commissions as required, and to attend to other organizational business as the Chairman deems appropriate.

Section 2. Elections of officers shall occur as follows: Nominations shall be made from the floor, beginning with nominations for Chairman, and elections shall follow immediately upon the close of nominations for each office. A candidate receiving a majority vote from the regular members of the Commission shall be elected and shall serve for two years or until a successor is selected.

Section 3. Should any vacancy occur among the officers of the Planning and Zoning Commission, the vacant office shall be filled by a special election to be held at a regular meeting, following the same procedure as outlined above. Such officer shall serve the unexpired term of office in which the vacancy has occurred.

Article VII

Quorum

At any meeting of the Commission, a quorum shall consist of three members of the Commission. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

Article VIII

Regular Meetings

Regular meetings of the Planning and Zoning Commission shall be held on the second and fourth Tuesdays of each month (except during the months of July, August, November and December when the Commission shall meet one time each month) at 7:00 PM in the Hebron Town Offices unless otherwise posted. At such meetings, the Commission shall consider all matters properly brought before the Commission without the necessity of prior notice thereof given to any members. Items may be added to the agenda by a two-thirds vote of the Commission. A regular meeting may be canceled or rescheduled by the Commission at a prior meeting or by the Chairman.

Article IX

Special Meetings

Special meetings of the Planning and Zoning Commission shall be held at a time and place designated by the Chairman. Written notice thereof shall be given to all the members not less than twenty-four hours in advance thereof. No business other than that listed on the agenda shall be discussed.

Article X

Order of Business

Section 1. Unless otherwise determined by the Chairman, the order of business shall be as follows, except that when a Public Hearing is to be held, it shall be listed first on the agenda preceding the following items:

- I. Call to Order / Roll Call
- II. Approval of Minutes
- III. Recognition of Guests
- IV. Action on Pending Applications
- V. New Business
 - A. New Applications
 - B. Set Public Hearing Dates
 - C. Other New Business
- VI. Correspondence
- VII. Adjournment

Section 2. Each formal action of the Planning and Zoning Commission required by law, charter, rule or regulation shall be embodied in a formal resolution duly entered in full upon the Minutes Book after an affirmative vote.

Article XI

Voting

Section 1. At all meetings of the Commission, each seated member attending shall be entitled to cast one vote per motion; and such members shall be entitled to debate and vote on all matters before the Commission. Voting shall be by voice.

Section 2. At least three members of the Commission shall be present and voting for the adoption of any resolution or other voting matter and, unless otherwise provided by Law, a majority of the Commission present and voting is sufficient to adopt any resolution or approve any other voting matter.

Section 3. In the event of a tie vote, the motion shall have been defeated.

Section 4. In the event that any member shall have a personal interest of any kind in a matter then before the Commission, he shall disclose his interest and be disqualified from voting upon the matter, and this shall be so recorded in the minutes that no vote was cast by such member.

Article XII

Rules of Procedure

All meetings of the Planning and Zoning Commission shall be conducted in accordance with the procedures contained herein and generally as specified in the attachment to these By-Laws entitled "Model Outline of Motions for Planning Commissions and Zoning Boards".

Article XIII

Conducting the Public Hearing

Section 1. The Chairman of the Commission shall preside at the public hearing.

Section 2. The Secretary shall read the legal advertisement and note the dates and newspaper in which the advertisement appeared.

Section 3. The Chairman shall describe the method of conducting the hearing. It shall be made clear that all questions and comments must be directed through the Chair only after being properly recognized by the Chairman. All persons recognized shall approach the Commission in order to facilitate proper recording of comments, and shall give his/her name and address prior to commenting. The hearing shall be conducted only for the

purpose of taking testimony which shall be later considered by the Commission during the deliberations session at the regular meeting of the Commission. The Commission may neither deliberate nor take a substantive vote during the hearing.

Section 4. The Chairman shall direct the following order of comments:

- presentation by the applicant
- questions by the Commission
- presentation of staff reports
- additional Commission questions
- public comments
- response by the applicant
- second round of public comments at the discretion of the Chairman
- final questions by the Commission
- final response by the applicant
- closure or continuance of the hearing

Article XIV

Amending the By-Laws

These By-Laws may be amended at any meeting of the Commission provided that notice of said proposed amendment is given to each member at least five days prior to said meeting.

Adopted: February 13, 1996
Revised: December 13, 2005
Revised: January 24, 2012
Revised: February 14, 2012
Revised: January 23, 2018 (Article X – Order of Business)
Revised: January 28, 2020