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HEBRON TOWN CLERK

**PLANNING AND ZONING COMMISSION  
AGENDA  
REGULAR MEETING – VIRTUAL  
March 12, 2025 at 7:00 P.M.**

**Planning and Zoning Commission**  
Mar 12, 2025, 7:00 – 10:00 PM (America/New\_York)

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

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**PUBLIC HEARINGS**

**Petition 2024-31 & 32** – Petition of Amirzai Property Trust, LLC / Amjeed Akbarzai for Special Permit and associated Site Plan in accordance with Section 2.C.1.7 of the Hebron Zoning Regulations, to construct four new 2-story building each containing four 2-bedroom rental apartments at 102 Wellswood Rd, Residence-1 District. *Continued from February 12, 2025.*

*Application plans and documents are provided for your review at the following link: [Petition 2024-31 & 32 Wellswood Apts](#)*

**Petition 2025-01 & 02** – Petition of Bobby & Donna Bruneau for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East St, Residence-1 District.

*Application plans and documents are provided for your review at the following link: [Petition 2025-01 & 02 Bruneau Subd & Rear Lot](#)*

**Petition 2025-03** – Petition of the Town of Hebron Planning and Zoning Commission to make revisions to the Special Standards applicable to the Amston Lake District. Section 2.E.7 Note #1 and Section 9.C Definitions would be revised to allow greater flexibility in the use of dormers when facing the street.

**REGULAR MEETING**

- I. Call to Order / Roll Call
- II. Approval of Minutes
  - A. February 12, 2025 Public Hearing / Regular Meeting
- III. Recognition of Guests / Public Comments (non-Agenda items)

**PLANNING AND ZONING COMMISSION**  
**AGENDA**  
**REGULAR MEETING – VIRTUAL**  
**March 12, 2025 at 7:00 P.M.**

IV. Action on Pending Applications

- A. **Petition 2024-31 & 32** – Petition of Amirzai Property Trust, LLC / Amjeed Akbarzai for Special Permit and associated Site Plan in accordance with Section 2.C.1.7 of the Hebron Zoning Regulations, to construct four new 2-story building each containing four 2-bedroom rental apartments at 102 Wellswood Rd, Residence-1 District.
- B. **Petition 2025-01 & 02** – Petition of Bobby & Donna Bruneau for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East St, Residence-1 District.
- C. **Petition 2025-03** – Petition of the Town of Hebron Planning and Zoning Commission to make revisions to the Special Standards applicable to the Amston Lake District. Section 2.E.7 Note #1 and Section 9.C Definitions would be revised to allow greater flexibility in the use of dormers when facing the street.

V. Old Business

VI. New Business

- A. New Applications – *No New Applications*
- B. Set Public Hearing Date
- C. Other New Business – *No Other New Business*

VII. Correspondence

- A. Email from Frank Zitkus, Chairman to Executive Director Melanie A. Bachman dated February 2, 2025 with corresponding letter.
- B. Letter and associated attachments from Dr. Matthew Roberts, dated February 21, 2025 re: Keeping of Animals.
- C. Zoning Referral from Marlborough, CT dated February 28, 2025 re: Update to Article Six Residential & Six A Village Cluster Residential Planned Development of the Marlborough Zoning Regulations.
- D. Zoning Referral from Bolton, CT dated February 28, 2025 re: Updates and amendments to the Subdivision Regulations and Zoning Regulations.

VIII. Public Comment (non-Public Hearing applications)

IX. Adjournment

Next Meetings:            March 26, 2025 Public Hearing / Regular Meeting / Workshop

**TOWN OF HEBRON  
PLANNING AND DEVELOPMENT DEPARTMENT**

**TO:** Planning and Zoning Commission  
**FROM:** Matthew Bordeaux, Town Planner  
**DATE:** March 7, 2025  
**RE:** Planner's Report for March 12, 2025 Public Hearing/Regular Meeting

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*Action on Pending Applications*

**Petition 2024-31 & 32** – Petition of Amirzai Property Trust, LLC / Amjeed Akbarzai for Special Permit and associated Site Plan in accordance with Section 2.C.1.7 of the Hebron Zoning Regulations, to construct four new 2-story building each containing four 2-bedroom rental apartments at 102 Wellswood Rd, Residence-1 District.

The Commission received the new application on January 14, 2025. A public hearing was held on February 12, 2025 and was scheduled to be continued on March 12, 2025. The Commission has until March 19, 2025 to close the public hearing, or the applicant may consent to an extension. *The applicant is requesting to continue the public hearing at a later date while plan revisions continue to be prepared. A letter to this effect will be provided at the meeting.*

*Application plans and documents are provided for your review at the following link: [Petition 2024-31 & 32 Wellswood Apts](#)*

**Petition 2025-01 & 02** – Petition of Bobby & Donna Bruneau for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East St, Residence-1 District. *Application plans and documents are provided for your review at the following link: [Petition 2025-01 & 02 Bruneau Subd & Rear Lot](#)*

The application for Subdivision and Special Permit was received by the Commission on February 12, 2025. In accordance with Section 2.F.2, a Special Permit is required for the proposed creation of a rear lot, necessitating a public hearing. The Commission scheduled the public hearing for March 12, 2025 and has until April 16, 2025 to close it.

A review memo dated March 6, 2025 is attached.

**Petition 2025-03** – Petition of the Town of Hebron Planning and Zoning Commission to make revisions to Section 2.E.7 Note #1 and Section 9.C applicable to the use and definition of dormers in the Amston Lake District.

The Commission discussed the regulation amendment on February 11, 2025 and decided to propose a substantial reduction of the provisions for the use of dormers on street facing facades in the Amston Lake District. While the process for new construction in the District remains subject to Special Permit review and approval by the Commission, I spoke with consultant architect William Brewster of Brewster Architects for his opinion on the proposed approach, just to see if he thought there were any unintended consequences that could be used to distort the intent of the regulation. I've summarized his thoughts in the memo dated March 7, 2025, attached.

As this is a Town-sponsored application, the Commission can take the time necessary to consider the appropriate approach. I recommend we discuss Mr. Brewster's suggestions and delay opening the public hearing until a later date.

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*Old Business*

There is no Old Business.

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*New Business*

There is no New Business on the Agenda.

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*Correspondence*

1. Email from Frank Zitkus, Chairman to Executive Director Melanie A. Bachman dated February 2, 2025 with corresponding letter.
2. Letter and associated attachments from Dr. Matthew Roberts, dated February 21, 2025 re: Keeping of Animals.
3. Zoning Referral from Marlborough, CT dated February 28, 2025 re: Update to Article Six Residential & Six A Village Cluster Residential Planned Development of the Marlborough Zoning Regulations.
4. Zoning Referral from Bolton, CT dated February 28, 2025 re: Updates and amendments to the Subdivision Regulations and Zoning Regulations.

MRB

H:\Planning Department\Boards & Commissions\PZC\2025\03-12-2025\Planners Report.docx

Attachments

LEGAL NOTICE  
PLANNING AND ZONING COMMISSION  
HEBRON, CONNECTICUT

The Hebron Planning and Zoning Commission will hold a Public Hearing at a meeting scheduled for Wednesday, March 12, 2025, at 7:00 P.M., to be held virtually through the GoToMeeting Platform, on the following:

- I. **Petition 2024-31 & 32** – Petition of Amirzai Property Trust, LLC /Amjeed Akbarzai for Special Permit and associated Site Plan pursuant to Section 2.C.1.7 of the Hebron Zoning Regulations, to construct four (4) new two-story buildings each containing four (4) two-bedroom rental apartments at 102 Wellswood Road, Residence-1 District. **Continued from 2-12-2025.**
- II. **Petition 2025-01 & 02** – Petition of Bobby & Donna Bruneau for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East Street, Residence-1 District
- III. **Petition 2025-03** – Petition of the Town of Hebron Planning and Zoning Commission to make revisions to the Hebron Zoning Regulations Section 2.E.7 Note #1 and Section 9.C applicable to the use and definition of dormers in the Amston Lake District

**Planning and Zoning Commission**

Mar 12, 2025, 7:00 – 10:00 PM (America/New\_York)

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Dated at Hebron, Connecticut, this 25th day of February 2025.

Frank Zitkus, Chair

**Legal Notice will be published in the Rivereast News Bulletin on February 28, 2025 and March 7, 2025.**

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Regular Meeting (Virtual)  
February 12, 2025 - 7:00 PM**

RECEIVED  
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HEBRON TOWN CLERK

**MINUTES**

**ATTENDANCE:**

**Planning and Zoning Commission (Present):** Frank Zitkus (Chair), David Sousa (Vice Chair), Janet Fodaski (Secretary), Chris Cyr, Bradley Franzese (Alternate), Davis Howell (Alternate)

**Staff Present:** Matthew Bordeaux

**Guests:** Abdul Wahid Akberzai, Amjeed Akbarzai, Dave Ziaks, Kari Burgess & Jim Burgess, Michael Kovach, Rich Marzi, Bob Doane

**PUBLIC HEARING**

F. Zitkus opened the hearing. J. Fodaski read the first petition into record. D. Howell was seated for D. Garner.

- I. Petition 2024-31 & 32** – Petition of Amirzai Property Trust, LLC / Amjeed Akbarzai for Special Permit and associated Site Plan in accordance with Section 2.C.1.7 of the Hebron Zoning Regulations, to construct four new 2-story building each containing four 2-bedroom rental apartments at 102 Wellswood Rd, Residence-1 District.

**A. Presentation & Commission Discussion**

D. Ziaks, engineer and principal with F.A. Hesketh in East Granby, presented on behalf of the applicants, who are the owners and operators of the existing facility. Receipts for notification of abutters have been sent to Town staff. D. Ziaks reviewed site location as well as recent history of regulation amendments relevant to the application. The design and location of a second well supply is under discussion with the Health Department, as the existing system would be insufficient for the additional 16 units proposed. Current site layout and proposed additions were reviewed, including a second driveway loop providing parking and improved emergency access. Also discussed were the installation of sidewalks and improved ADA slope conformity. Coordination with the WPCA regarding a pump station on Wellswood Road is ongoing. Landscaping, lighting, and architectural details were also reviewed. D. Ziaks reviewed relevant regulations and summarized the application’s adherence to each.

Commissioners sought clarification on affordability ratios and criteria, with D. Ziaks confirming all units will meet state standards. There was discussion on traffic service levels, Open Space lands, and water service. F. Zitkus requested a proposed lighting

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Regular Meeting (Virtual)  
February 12, 2025 - 7:00 PM**

plan for the site, and noted the importance of protocols for preventing the spread of invasive species. Commissioners requested further detail on electric service, building size, estimated project timeline, notification of abutters, and ADA conformity, both within the units and the surrounding parking and walkways. D. Sousa suggested additional ADA parking spaces, and requested revised floor plans providing additional design detail, particularly regarding both ADA accessibility and adaptability. There was also discussion on architectural design and Hebron's design guidelines.

**B. Public Comment**

- i. Kari and James Burgess (150 Wellswood Rd)** – Stated he is an abutting property owner, and noted concerns including potential drainage problems, driveway patterns and traffic issues, and impacts to property values and his well water supply. D. Ziaks reviewed existing and proposed stormwater and drainage measures, and offered to coordinate with the homeowners to mitigate potential impacts.

F. Zitkus summarized items to be resolved, including revised floor plans, traffic study submission, landscaping, coordination with abutting neighbors, photometric plans, ADA accessibility and adaptability, dumpster enclosure details, design guideline adherence, and Open Space details.

- ii. Mike Kovach (2 Zola Rd)** - Is also a neighbor of the property, confirming traffic and drainage issues, and asked about tree clearing, and proposed plantings.

M. Bordeaux shared the following correspondence:

- iii. Sue Smallidge, dated 2/12/2025** – Gave support for the application, stating Hebron needs a variety of housing choices, and urged PZC to approve.

**C. Additional Discussion**

The Commission agreed to continue the hearing to the March 12<sup>th</sup> meeting.

F. Zitkus closed the Public Hearing.

**REGULAR MEETING**

**I. Call to Order/Roll Call**

F. Zitkus began the meeting. D. Howell was seated for D. Garner.

**II. Approval of Minutes**

- A. January 14, 2025 - Public Hearing / Regular Meeting**

**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Regular Meeting (Virtual)  
February 12, 2025 - 7:00 PM**

**Motion by D. Howell and seconded by J. Fodaski to accept the minutes of January 14<sup>th</sup>, 2025. The motion passed unanimously (5-0).**

- B. January 28, 2025 - Public Hearing / Regular Meeting
  - F. Zitkus noted B. Franzese was seated for D. Garner for the Public Hearing, which needs to be reflected in the minutes.

**Motion by J. Fodaski and seconded by D. Sousa to approve the minutes of January 28<sup>th</sup>, 2025 as amended. The motion passed unanimously (5-0).**

**III. Recognition of Guests / Public Comments (non-Agenda items)**

None.

**IV. Action on Pending Applications**

- A. **Petition 2024-31 & 32** – Petition of Amirzai Property Trust, LLC / Amjeed Akbarzai for Special Permit and associated Site Plan in accordance with Section 2.C.1.7 of the Hebron Zoning Regulations, to construct four new 2-story building each containing four 2-bedroom rental apartments at 102 Wellswood Rd, Residence-1 District.  
**Action: Continued to March 12<sup>th</sup>.**

**V. Old Business**

None.

**VI. New Business**

**A. New Applications**

1. **Petition 2025-01 & 02** – Petition of Bobby & Donna Bruneau for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East St, Residence-1 District.  
**Action: Accepted.**
2. **Petition 2025-03** – Petition of the Town of Hebron Planning and Zoning Commission to make revisions to Section 2.E.7 Note #1 and Section 9.C applicable to the use and definition of dormers in the Amston Lake District.  
**Action: Accepted.**

**B. Set Public Hearing Date**

1. **Petition 2025-01 & 02** – March 12<sup>th</sup>, 2025
2. **Petition 2025-03** – March 12<sup>th</sup>, 2025

**C. Other New Business**



**TOWN OF HEBRON  
PLANNING AND ZONING COMMISSION  
Regular Meeting (Virtual)  
February 12, 2025 - 7:00 PM**

None.

**VII. Correspondence**

- A.** Letter dated January 25, 2025 from Frank Zitkus, Hebron PZC Chair re: Application of Tarpon Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless, Construction, Maintenance and Operation of a Wireless Telecommunications Facility at 746, East Street, Andover, Connecticut.
- B.** Email dated January 25, 2025 from Frank Zitkus re: Trail Funding Request – Town Notification, and associated attachment.
- C.** Email from Elisabeth Irish, Assistant Town Clerk, dated February 3, 2025 re: Lawsuit Notification – 94 Main St Associates LLC vs Town of Hebron & P&Z.

Correspondence was reviewed, with the Commission endorsing a similar trail funding request (re: item B) from PZC, to be drafted by F. Zitkus. There was brief discussion on the appeal filed by DG Market, following PZC denial of their application. The Town Attorney will be consulted to advise PZC through the appeal process.

**VIII. Public Comment (non-Public Hearing applications)**

None.

**IX. Organizational Meeting**

PZC revisited discussion on amendments to the Board’s bylaws, including noticing of public hearings and adjustment of meeting dates.

**Motion by D. Sousa and seconded by D. Howell to approve the bylaws as amended. The motion passed unanimously (5-0).**

**X. Adjournment**

Items for the next workshop meeting include continued regulation and POCD action item review, as well as discussion on resident suggestions for a moratorium on development.

**Motion by J. Fodaski and seconded by D. Sousa to adjourn. The motion passed unanimously (5-0).**

Meeting adjourned.

Respectfully submitted,  
Hannah Walcott (Board Clerk)

**TOWN OF HEBRON  
PLANNING AND DEVELOPMENT DEPARTMENT**

**TO:** Planning and Zoning Commission

**FROM:** Matthew R. Bordeaux, Town Planner

**DATE:** March 6, 2025

**RE:** Petition 2025-01 & 02 - Petition of Bobby & Donna Bruneau for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East Street, Residence-1 District

**Introduction**

Property owners Bobby & Donna Bruneau are proposing to subdivide into three (3) lots the 8.26-acre parcel at 564 East Street (identified as Assessor’s Map and Lot # 35/14). Approximately 2.5 acres of the parcel is located in the Town of Andover. The subdivision plan includes two lots along the frontage of East Street, one of which includes an existing house (proposed Lot #1, currently 564 East Street) and a rear lot. In accordance with Section 2.F.2 of the Hebron Zoning Regulations, a Special Permit for the establishment or creation of a rear lot shall be approved by the Planning and Zoning Commission if there is no logical or feasible alternative for the lot to be properly served by an accepted Town road, street or highway in the foreseeable future.

The 3-lot subdivision proposed in the Residence-1 District consists of single-family dwellings, permitted in accordance with Section 2.C.1.1. The lots have been designed to satisfy the Dimensional Standards outlined in Section 2.E. The proposed rear lot has been designed to satisfy the Standards of Section 2.F.2.2, attached. A common driveway, subject to the provisions of Section 6.16 of the Hebron Subdivision Regulations, will serve Lots #2 and #3.

**Inland Wetland Permit**

Pursuant to Section 8-26(e) of the Connecticut General Statutes, as the application involves land regulated as an inland wetland or watercourse, it was referred to the Hebron Conservation Commission in their capacity as the Inland Wetlands and Watercourses Agency. As depicted in the Subdivision Plan, attached, and inland wetland area was delineated on proposed Lot #3. No activity is proposed in the regulated area. The Hebron Conservation Commission granted approval of Petition 2025-1 on January 11, 2025.

**Open Space**

In accordance with the Subdivision Regulations Section 6.10, all subdivisions approved under these Regulations shall preserve open space in perpetuity where in the opinion of the Commission such land serves one or more of the criteria outlined in Section 6.10.A. As discussed with the Commission at a pre-application meeting on October 8, 2024, the applicant is requesting an open space waiver under Section 6.10.I, where pursuant to Section 8-25 of the Connecticut General Statutes, the transfer of all land in a subdivision of less than five (5) lots is to a family member,

evidenced by covenants, restrictions, contracts, or other legally binding documents, which will be filed on the Land Records.

### **Stormwater Management**

Hebron Subdivision Regulations Section 5.2.N requires that a Stormwater Management Plan be submitted with Subdivision applications. Section 5.5.G.1.d allows Exemptions as follows: “Upon written request, the Commission may waive these Regulations in whole or in part, when the development proposal, redevelopment proposal or other activity will, upon completion, disturb less than one (1) acre of land surface and have less than 10% of impervious surface, or where due to special conditions related to the site or vicinity of the proposal or activity, the requirements of these Regulations, in whole or in part, may not be technically feasible.” After conferring with the Town Engineer, in consideration of the scale of the project, we recommend the Commission accept the information provided to satisfy the review of stormwater management as submitted and waive the requirement for a Stormwater Management Plan.

### **Other considerations**

The proposed lots will be served by private wells and septic systems. Hebron Sanitarian Emily Miller has reviewed the proposed septic systems and stated her satisfaction with the plans as proposed in an emailed dated February 7, 2025, attached.

An erosion and sedimentation control plan is depicted on the Site Plan Sheet No. 2 of 3. Lots #2 and #3 will utilize a common driveway, which will serve as a construction entrance. Perimeter silt-fencing and temporary stockpile areas will be installed during construction.

Town Engineer Josh Eannotti, P.E. reviewed the plans and provided comments in the letter dated March 5, 2025. Substantially technical in nature, Mr. Eannotti is seeking clarification of a variety of design elements that should be addressed on final plans. Ultimately, it appears that with some minor revisions that should be reviewed to the satisfaction of the Town Engineer, the plans will not require substantive changes that would typically delay the Commission’s ability to act on the application.

### **Draft Conditions of Approval:**

Typical of proposed new construction of this nature, conditions of approval are recommended as follows:

1. Prior to any site disturbance and prior to the issuance of a building permit:
  - a. An erosion and sedimentation control bond shall be submitted to the Town in an amount equal to the cost of all erosion and sedimentation control devices and acceptable to the Town Engineer;
  - b. The approval letter containing all conditions of approval, and the Planning and Zoning Commission signature block shall be added to the final plans;
  - c. Two copies of the complete set of final plans shall be submitted to Town staff for Commission signature; and
2. Outstanding comments outlined in the review letter provided by Town Engineer Josh Eannotti, P.E. dated March 5, 2025, shall be addressed to the satisfaction of Town staff prior to final plan approval.

**Draft Motion:**

Move to approve Petition 2025-01 & 02 for Subdivision of 8.26 acres into three (3) lots and Special Permit for creation of a rear lot pursuant to Section 2.F.2 of the Hebron Zoning Regulations at 564 East Street, Residence-1 District.

**MRB**

H:\Planning Department\Boards & Commissions\PZC\Applications\2025\2025-01 & 02 Bruneau Subd & Rear Lot\Memo1.docx

**2.F.2 REAR LOTS**

**2.F.2.1 PURPOSE**

It is the purpose of this Section of the Regulations to allow for the establishment of rear lots in situations where it may not be logical or feasible for the land area to be developed in a more conventional pattern and to ensure that the public's health, safety and welfare will be preserved.

**2.F.2.2 STANDARDS**

1. A Special Permit for the establishment or creation of a rear lot shall be approved only if the Commission determines that there is no logical or feasible alternative for the lot to be properly served by an accepted Town road, street or highway in the foreseeable future.
2. No rear lot shall contain more than one single-family dwelling with permitted accessory buildings or uses.
3. No rear lot shall land lock another rear property by blocking or removing the most logical or feasible access to such other rear property, except that the Commission may modify this requirement due to unusual circumstances such as topography, present divisions of property and the like.
4. Any access strip serving a rear lot shall comply the following:
  - a. the access strip shall be part of the rear lot;
  - b. the measurement of lot area for the rear lot shall not include the area of the access strip; and
  - c. the access strip shall not be used for building purposes.
5. Not more than two access strips may be adjacent. When two access strips are adjacent, only one driveway opening onto a street is allowed having a paved surface 20 feet wide by 20 feet long conforming to Town driveway standards.
6. The Town of Hebron shall not be responsible for the maintenance or repair of any driveway or access road required or provided for a rear lot.
7. On a subdivision plan approved prior to November 9, 1981 where a future road or similar strip at least fifty feet (50') in width served as an access strip to a rear lot or adjacent parcel of land, the parcel may be re-subdivided up to a maximum of two (2) lots. Any lots created shall conform to Section 6.2.F Rear Lot Subdivision of the Subdivision Regulations, with the exception of the forty-foot (40') access strip requirement. The reserve access strip shall be divided equally between the two lots and a common driveway shall be provided.

<b>Dimensional Standards For Rear Lots (as per Section 2.E)</b>	
<b>Minimum Lot Area</b>	5.00 Acres (excluding the area of the access strip)
<b>Minimum Buildable Land (MBL) Area</b>	0.75 acres (32,670 SF)
<b>Minimum Lot Frontage</b>	40 Feet (for the accessway)
<b>Minimum Setback Requirements</b>	150% of those indicated in Section 2.E.4 and /or Section 2.E.5

### 6.3 REAR LOT

A rear lot is a lot which does not meet the minimum frontage requirements of the zoning district, which is approved by the Commission as a Special Permit under Section 6.5 of the Hebron Zoning Regulations, and which meets the following standards:

A rear lot must be at least five acres in size, excluding the access strip, and its front, side and rear yards must conform to 150% of the requirements of the underlying zone, and have a minimum of 40 feet frontage on a street. The access strip shall be part of the lot and shall be 40 feet in width and may not be used for building purposes. In addition, any rear lot must conform to the following:

- A. There shall be a maximum of one single-family dwelling with permitted accessory buildings or uses on each rear lot.
- B. No rear lot or subdivision shall landlock another rear property by blocking or removing the most logical or feasible access to such other rear property, except that the Planning and Zoning Commission may modify this requirement due to unusual circumstances such as topography, present divisions of property and the like.
- C. Any driveway to a rear lot or shall be of a durable and dustless surface, shall be 12 feet in width and which surface shall have a minimum depth of 10 inches of gravel and processed stone. Trees shall be preserved or planted along such side of the right-of-way in accordance with the requirements herein for streets.
- D. A special permit for the use of a rear lot or subdivision shall be approved only if the Commission determines that there is no logical or feasible alternative for the lot or subdivision to be properly served by an accepted Town road, street or highway in the foreseeable future.
- E. The Town of Hebron shall not be responsible for the maintenance or repair of any driveway or access road required or provided for a rear lot or subdivision.
- F. Not more than two access strips may be adjacent. When two access strips are adjacent, only one driveway opening onto a street is allowed having a paved apron 20 feet wide by 20 feet long conforming to town driveway standards.

### 6.4 STREETS

- A. All streets shall conform to Section 13, Public Improvement Specifications.
- B. All streets in any subdivision shall have free access to or shall be a continuation of one or more State or Town highways. At least one street in any proposed subdivision shall intersect with an existing public street or State highway;

SECTION 6.0 DESIGN CRITERIA

- C. Streets intended to accommodate, presently or at any future time, traffic other than that of the immediate neighborhood shall be indicated as a residential subcollector or residential collector street and shall meet all design requirements for that designation (see Section 13).

The design of through streets is encouraged. Where site conditions make through streets infeasible, cul-de-sacs may be permitted. Where a cul-de-sac is permitted and where it is feasible and desirable in the opinion of the Commission to extend the road into adjoining properties, the road right-of-way shall extend to property lines for ultimate future extension. The maximum length of any cul-de-sac roadway shall be limited to 2,000 feet with a maximum ADT of 200 vehicles per day.

- D. Each cul-de-sac shall terminate in a turnaround. The design of all permanent cul-de-sacs shall conform to the standards in Plate 8. In unusual circumstances, the Commission may permit the design as shown in Plate 7 following receipt of a recommendation from the Town Engineer.
- E. As far as practicable, streets shall adapt to existing contours, terrain, wetlands, watercourses, and other site features such as stone walls, significant tree lines, and the pattern of open fields in order to minimize disturbance of existing features, to minimize the potential for erosion and to retain the rural characteristics of the subdivision site.
- F. Center lines of alternate side streets shall not be closer than 200 feet measured along the center line of the principle street;
- G. All street names shall be subject to the approval of the Commission and shall not be similar sounding to existing street or subdivision names and, where practical, shall reflect historical or natural features of the site, surrounding area, or the Town of Hebron;
- H. Street signs shall be located at all intersections and constructed and installed as directed by the Commission;
- I. Private roads approved under the Rural Mini-Estates Subdivision provision of the Hebron Zoning Regulations shall adhere to all Town road standards except where road grades are less than five percent along the entire length, a processed aggregate surfacing may be approved by the Commission. In addition, the Commission may approve a “T” or “Y” turnaround in lieu of a cul-de-sac.
- J. Street layouts shall conform to the Town of Hebron Plan of Conservation and Development.



# Town of Hebron

**TOWN OFFICE BUILDING  
15 GILEAD STREET  
HEBRON, CONNECTICUT 06248  
TELEPHONE: (860) 228-5971  
FAX : (860) 228-5980  
[www.hebronct.com](http://www.hebronct.com)**

## PLANNING & DEVELOPMENT

PLANNING  
ECONOMIC DEVELOPMENT  
CONSERVATION  
HEALTH  
BUILDING

**CERTIFIED MAIL**

January 14, 2025

Bobby and Diana Bruneau  
564 East Street  
Hebron, CT 06248

**Re: Petition 2025-1; 564 East Street, Hebron, CT, Bruneau, Bobby and Diana, Subdivide an 8.26 Acre Parcel into three lots with No Proposed Activities within the Inland Wetlands Regulated Area**

### NOTICE OF DECISION

Dear Mr. and Mrs. Bruneau:

After reviewing the application for the subdivision of an 8.26-acre parcel into three lots with no proposed activity within the Inland Wetlands Regulated Area, and based upon the findings in accordance with Section 22a-36 through 41 of the Connecticut General Statutes, **approval** is granted for conducting the activity described in the above-referenced application, with the following conditions:

1. Notify the Wetlands Agent for inspection of sedimentation and erosion control measures prior to construction.
2. The applicant must return to the commission if any significant changes are made during the Planning and Zoning approval process.
3. Include the stockpile areas and appropriate erosion controls around them on Lots 2 and 3 in the plan.

We wish you success in this endeavor. Should you have any questions, please contact me at 860-228-5971, extension 139, or at [jcordier@hebronct.com](mailto:jcordier@hebronct.com)

For the Hebron Conservation and Inland Wetlands Commission:

James P. Cordier, MPH RS  
Conservation and Inland Wetlands Agent  
Town of Hebron

cc: Matt Bordeaux, Director of Planning and Development  
Tom Loto, Chairman, Conservation and Inland Wetlands Commission  
File # 2025-01





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**564 East Street Hebron Subdivision Plan Prepared for Bobby and Donna Bruneau as Prepared by Doane Engineering with Revision date 1/28/25**

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**From** Emily Miller <emily.miller@chathamhealth.org>  
**Date** Fri 2/7/2025 9:21 AM  
**To** Bob Doane <bdoane@doaneengineering.com>  
**Cc** Matthew Bordeaux <mbordeaux@hebronct.com>

Good morning,

This email is to inform you both that I have approved the plans in the above subject matter. Lot 1 known as 546 East Street Hebron has demonstrated a code complying leaching area as required per the CT Public Health Code Section 19-13-B100e Sewage Disposal Area Preservation. Lots 2 and 3 have demonstrated compliance with the CT Public Health Code Sections 19-13-B51d and 19-13-B103 for the wells and subsurface sewage disposal systems respectively.

Emily Miller  
Sanitarian I  
Chatham Health District  
(860)-228-5971 ext. 140

Chatham Health District is now accepting application and payments online. Please visit <https://myhealthdepartment.com/chd> to apply.

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



March 5, 2025

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

Re: Bobby & Donna Bruneau  
564 East Street  
Subdivision Application  
NLJA #0647-0296

Dear Mr. Bordeaux:

As requested, we have reviewed the following information for the subject project received at our office through February 27, 2025:

- Item 1: Drawing Sheets 1-3 titled "Subdivision Plan, Site Plan, and Site Details", prepared for "Bobby & Donna Bruneau, 564 East Street, Hebron, Connecticut", prepared by "Doane Engineering, P.O. Box 113, Centerbrook, Connecticut, 06409", dated October 01, 2024, revised January 28, 2025.
- Item 2: Town of Hebron, Connecticut, Subdivision Application dated February 4, 2025 with attached supplemental information regarding open space, and an area map for the land of Bobby & donna Bruneau, 564 East Street, Hebron, Connecticut, at the approximate scale of 1"=200'.

The above-referenced application proposes the subdivision of an existing 8.26 acre parcel on the east side of East Street to create three proposed residential lots. Lot #1 is proposed as a 1.02 acre frontage lot with an existing residence. Lot #2 is proposed as a 1.00 acre frontage lot with improvements that include a proposed two-bedroom residence and utilities including on-site water supply well and septic system, and stormwater management measures. Access to Lot #2 is proposed as a common driveway from East Street within a utility and access/egress easement in favor of Lot #2 over Lot #3. Lot #3 is proposed as a 6.24 acre rear lot, of which 2.57 acres is within the Town of Andover, Connecticut. Lot #3 improvements include a proposed two-bedroom residence and utilities including on-site water supply well and septic system, and stormwater management measures. Access to Lot #3 is proposed as a common driveway from East Street via a 40ft wide access strip with frontage on East Street. No public improvements are proposed.

At this time, we have the following comments:

1. Certification shall be provided by the CT-licensed land surveyor that the Record Subdivision Map has been prepared pursuant to the Regulations of the State of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the Minimum Standards for Surveys and Maps in the State of Connecticut, as adopted by the Connecticut Association of Land Surveyors, Inc., in accordance with



Mr. Mathew Bordeaux  
Re: Bobby & Donna Bruneau  
564 East Street  
Subdivision Application  
NLJA #0647-0296  
March 5, 2025  
Page 2

Section 5.5.A.8 of the Hebron Subdivision Regulations. Horizontal and vertical accuracy classes should also be provided in accordance with Section 5.5.A.6 of the Hebron Subdivision Regulations.

2. Existing and proposed lot lines do not appear to be identified on the Subdivision Plan within the legend or in the drawing notes/callouts. Clarification is required, particularly at the southerly limit of the existing parcel (proposed Lot #3), where existing features overlap lot lines and appear to encroach on the adjacent parcel.
3. There is an existing catch basin on the northbound side of East Street, which appears to be about 20 feet north of the proposed common driveway. We also noted existing stone walls along the frontage and northerly property line. Existing drainage structures and stone walls should be shown on the site plan in accordance with Section 5.5.B of the Hebron Zoning Regulations.
4. The existing and proposed contours on the Site Plan consist of both one-foot and two-foot intervals. The proposed grading south of the proposed residence on Lot #3 appears to direct sheet-flow runoff northerly toward the building. In this area only a two-foot contour interval is provided, and as such, insufficient detail to determine how surface runoff may flow as it approaches the building. We recommend reviewing the level of detail in this area to verify the proposed grading.
5. The Stormwater Maintenance Program provided on the Site Plan Drawing identifies roof leader collector pipes as a feature of the stormwater system, however the routing of roof leaders does not appear to be depicted on the Site Plan. Clarification should be provided as to the location of roof leaders and associated outlets.
6. The drawings do not include construction details for the proposed paved driveway apron or gravel driveway. Clarification is required. Refer to Subsection 13.10 of the Town of Hebron Public Improvement Specifications for requirements associated with the construction of driveways, and Section 6.3.C of the Town of Hebron Subdivision Regulations for gravel driveway requirements for rear lots.
7. The existing topography adjacent to the East Street roadway on the northbound (easterly) side consists of a relatively steep slope from the subject property frontage toward East Street. The common driveway is proposed to be graded at a more gradual slope, and as such, the earthwork in this area is appreciable. We recommend reviewing this area for the implementation of erosion control measures to reduce the risk of erosion off-site, and in this case, into the Public Right-of-Way.
8. With respect to Stormwater Management Plan and the requirements of Section 5.5.G of the Subdivision Regulations, a Stormwater Management Plan has not been provided for this application. The applicant proposes to implement rain gardens to manage stormwater for Lot #2 and Lot #3. The site plan includes rain garden construction details, and the storage volumes provided for each



Jacobson

Mr. Mathew Bordeaux  
Re: Bobby & Donna Bruneau  
564 East Street  
Subdivision Application  
NLJA #0647-0296  
March 5, 2025  
Page 3

rain garden. The total storage provided appears to satisfy stated total water quality volume in each location; however, water quality volume calculations are not provided. We recommend water quality volumes be provided to verify that the depth of the water quality storm meets the latest requirements of the Connecticut Stormwater Quality Manual, and the total drainage area is represented appropriately to size these features.

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

Sincerely yours,

NATHAN L. JACOBSON & ASSOCIATES, INC.

Joshua R. Eannotti, P.E.

JRE:jre

**TOWN OF HEBRON  
PLANNING AND DEVELOPMENT DEPARTMENT**

**TO:** Planning and Zoning Commission  
**FROM:** Matthew R. Bordeaux, Town Planner  
**DATE:** March 7, 2025  
**RE:** Regulating Dormers in the Amston Lake District

**Introduction**

Section 2.F of the Hebron Zoning Regulations provides Special Standards for residential development in the Amston Lake District; presumably to maintain the historic development pattern and scale of construction. New homes are limited to 1 ½ stories in height, defined in Section 2.F.1.3.6. To achieve 1 ½ stories, the Hebron Zoning Regulations Section 2.E.7 Note #1 states that “A street-facing façade shall only be permitted to have an eye dormer. A façade not facing the street may have an eye dormer or a partial dormer.”

While the 1 ½ story limitation existed the 2012 Hebron Zoning Regulations, there was no language addressing the use of dormers in the District. Interestingly however, “Dormer, Eye” and “Dormer, Partial Rear” were defined in 2012, substantially the same way they are currently. Further, the 2012 Regulations did not include the images of “eye dormers” and “partial rear dormers” in the glossary of terms the way they do now. As you can see, today’s Regulations removed the “Rear” in the term but then defined it as “A second story dormer or dormers not located on a street-facing façade” (see attached).

**Partial Rear Dormers vs. Eye Dormers**

When you hear the term “eye dormer” and look at the images provided in the Glossary of Terms Section 9.C, you get the impression of a rounded eye brow. However, the definition says nothing about a rounded feature but defines the length of the feature and percentage of the wall below that the dormer spans. All three images of eye dormers provided in the glossary of terms are rounded. Meanwhile, the first of the three images under “Examples of Partial Rear Dormers” is of gable dormers that could very well fit the definition of eye dormer considering length and percentage of wall below. The second two images in the column better reflect a partial rear dormer as it is defined. Coincidentally, all three images of partial rear dormers are facing front.

At the December 10, 2024 meeting, the Commission discussed whether the Hebron Zoning Regulations should address the use of front-facing dormers as a means to achieve the 1 ½ story requirement. Since the 1 ½ story requirement appears to be the regulatory mechanism controlling the intent of the District to maintain historic development patterns and cottage-style construction, the Commission seemed to find no fault in the use of dormers to achieve that requirement. Further, as the “eye dormer”, as strictly applied, is a rather specific architectural feature, it is probably an excessively prescriptive application for the District.

The Commission subsequently agreed to amend the Regulations to provide a distinction between front-facing dormers appropriate to maintain the architectural character of the District, and those that have no aesthetic impact and should not be regulated. Rather than dictate the architectural style of a dormer, my original recommendation was to regulate a front-facing dormer by its length (eight (8) feet and not to exceed fifty (50%) percent) compared to the wall below in order to maintain the “partial” nature of a front-facing dormer, providing an architecturally pleasing view from the street, while a “full” dormer could be used to the rear of the home to achieve the 1 ½ story requirement. The Commission found that dictating the length of any individual dormer might be over-prescriptive depending on the scale or length of the wall below. The Commission determined that as long as a return, meaning a portion of the roof uninterrupted by a dormer, was left at the ends of the dormers, the intent of a partial dormer would remain intact.

Just to be sure, I wanted to run the issue, and the proposed approach to its solution, by consultant architect William Brewster of Brewster Architects. Mr. Brewster provided some additional insight that I thought made sense.

He suggested that the provision for the amount of roof left exposed on either end of a dormer or set of dormers should probably remain at 2’, as it is typical of designs of this nature. Additionally, since there is no limitation on the height of a front facing dormer, and with the proposed elimination of the provision regarding the length of a dormer or dormers, he suggested the Commission consider a different approach that maintains the intent of “partial” dormer representative of the desired character for the District but also allows for reasonable design flexibility, by instead regulating the area of the proposed dormer’s street-facing wall, as a percentage of the area of the façade of the first floor wall. A simple sketch of this concept is attached. His recommendation was that an applicant be able to design dormers with street-facing facades with a cumulative area of 50% of the area of the first floor, street-facing wall. For example, for a traditional Cape Cod style home, with an 8’ first floor street-facing wall, and a length of 32’ has an area of 256 square feet. Therefore, whether it be two or three gable dormers, or a single short, but wide shed roof dormer, the cumulative area of the walls facing the street could not exceed 128 square feet.

### **Proposed Amendments**

Note #1 in Section 2.E.7 would be revised as follows:

- 1. A street-facing façade shall only be permitted to have a partial dormer. A façade not facing the street may have a partial dormer or full dormer. See Section 9.C for Definition of Dormer, Partial.*

Section 9.C Definitions would also be revised as follows:

I recommend eliminating the definition of Dormer, Eye and Dormer, Partial, as currently written. A partial dormer would be defined as follows, and a full dormer would not need a definition at all.

*Dormer, Partial – A second story dormer located on a street-facing façade of a building where:*

- *The area of all dormers combined does not exceed fifty percent (50%) of the area of the wall immediately below; and*
- *The main building roof has a minimum of two feet (2 ft.) returns on either end of the dormer.*

The images of eye dormers would be removed and the “Examples of Partial Rear Dormers” would be revised to “Examples of Partial Dormers”. See draft attached.

**MRB**

H:\Planning Department\Boards & Commissions\PZC\Regulation Amendments\Dormers in AL District\Regulation Amendment Memo - Dormers.docx

**Attach.**

**Dormer, Eye** - A second story dormer located on a street-facing façade of a building where:

- the length of any individual eye dormer does not exceed eight (8) feet;
- the length of all eye dormers combined does not exceed fifty percent (50%) of the length of the wall immediately below; and
- the main building roof has a minimum of two feet (2 ft.) returns on either side of the eye dormer.

**Dormer, Partial** - A second story dormer or dormers not located on a street-facing façade of a building:

- which cumulative length of the dormer(s) does not exceed ninety percent (90%) of the length of the wall immediately below; and
- where the main building roof has a minimum of two feet (2 ft.) returns on the rear portion of the roof on either side of the dormer(s).

**Examples of Eye Dormers**



**Examples Of Partial Rear Dormers**







**Town of Hebron**  
**Planning and Development**  
**Hebron Town Office Building**  
 15 Gilead Street  
 Hebron, CT 06248  
 860.228.5971

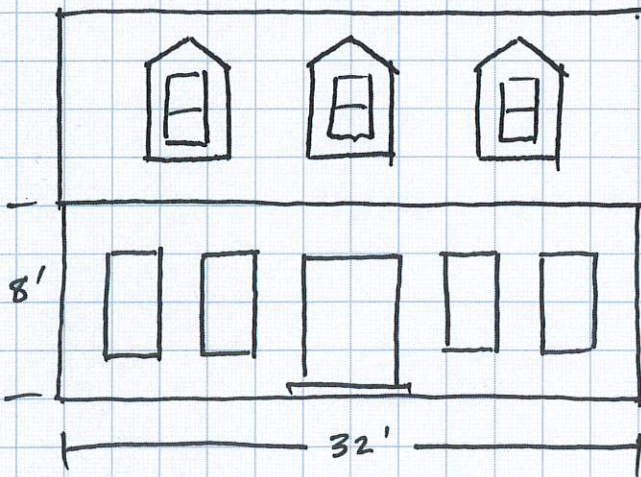
Project Name \_\_\_\_\_

Sheet No. \_\_\_\_\_

Prepared By \_\_\_\_\_

Date \_\_\_\_\_

Scale \_\_\_\_\_



Tradition Cape Cod House  
 $32' \times 8' = 256 \text{ sq ft}$



Gabled Dormer  
 typically 2:1 (H:W)

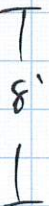
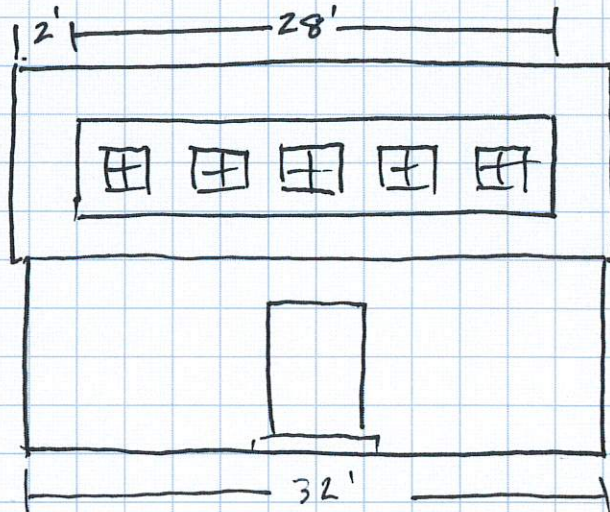
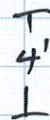
$$6.3 = 18 \text{ ft} \times 3 \text{ dormers} = \underline{54 \text{ sq ft}}$$

Shed Roof Dormer

28' length (2' returns)

4' height

$$112 < 50\% \text{ of } 256 \text{ sq ft}$$



Section 2.E  
RESIDENCE DISTRICTS & USES  
DIMENSIONAL STANDARDS

2.E.1. BUILDING HEIGHT LIMITATIONS	Principal Buildings	Accessory Buildings/ Structures (3)
Residence 1 (R-1)	2 1/2 Stories	20 Feet
Residence 2 (R-2)	2 1/2 Stories	20 Feet
Amston Lake (AL): (See notes 1 and 2)	1 1/2 Stories or 20 feet, whichever is more restrictive	15 Feet

**Notes:**

1. A street-facing façade shall only be permitted to have an eye-partial dormer. A façade not facing the street may have an eye-partial dormer or a partial-full dormer. See Section 9.C for Definition of Dormer, Partial.
2. Building height shall be limited to a one-story dwelling in those instances as set forth in Section Error! Reference source not found.2.F.1-3.
3. The Commission may, by Special Permit, authorize a taller accessory building or structure than permitted above when such building is situated on the property in such a way as to minimize visibility from the street and to minimize any adverse impacts on neighboring properties.

2.E.2. BUILDING COVERAGE LIMITATIONS	All Buildings / Structures	Accessory Buildings/ Structures (1)
Residence 1 (R-1)	15%	900 square feet for lots up to 5 acres in size
Residence 2 (R-2)	10%	
Amston Lake (AL):	20%	1,200 square feet for lots greater than 5 acres in size
• Lot of Record	15%	
• New Lot With Septic	15%	

**Notes:**

1. The Commission may, by Special Permit, authorize an accessory building or structure with a greater floor area than permitted above when such building or structure is situated on the property in such a way as to minimize visibility from the street and to minimize any adverse impacts on neighboring properties.



Section 9.C  
GLOSSARY OF TERMS  
DEFINITIONS

**Dormer, ~~Eye-Partial~~** - A second story dormer located on a street-facing façade of a building where:

- ~~the length of any individual eye dormer does not exceed eight (8) feet;~~
- the length-area of all ~~eye~~ dormers combined does not exceed fifty percent (50%) of the length-area of the wall immediately below; and
- the main building roof has a minimum of two feet (2 ft.) returns on either side of the ~~eye~~ dormer.

**~~Dormer, Partial~~** - A second story dormer or dormers not located on a street-facing façade of a building:

- ~~which cumulative length of the dormer(s) does not exceed ninety percent (90%) of the length of the wall immediately below; and~~
- ~~where the main building roof has a minimum of two feet (2 ft.) returns on the rear portion of the roof on either side of the dormer(s).~~





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**Hebron PZC written testimony CT Siting Council Docket #528 746 East Street Andover CT**

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**From** Frank Zitkus <annfrankz@att.net>

**Date** Sun 2/2/2025 10:27 AM

**To** siting.council@ct.gov <siting.council@ct.gov>

**Cc** Matthew Bordeaux <mbordeaux@hebronct.com>; Frank Zitkus <fzitkus@hebronct.com>

 1 attachment (19 KB)

CT Siting Council Telecommunications Facility 746 East Street Andover Docket #528.docx;

Dear Executive Director Melanie A. Bachman -

The Hebron Planning and Zoning Commission (PZC) wishes to provide written public testimony to the Tarpon Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless application for a telecommunications facility and associated equipment proposed at 746 East Street, Andover, Connecticut. The proposed site is with 2,500 feet of the Town of Hebron border. The assigned Siting Council Docket Number is 528.

Please find attached a correspondence prepared by PZC Chairman Frank Zitkus (me) dated February 2, 2025. This written testimony document was authorized to be remitted to the Siting Council at the PZC meeting of January 28, 2025.

If there are any questions or comments regarding this correspondence, please contact me, via email or phone, as follows:

email: fzitkus@hebronct.com

phone: personal cell 860 634-9055

phone: Hebron Town Hall 860 228-5971, Ext 137 (Planner's office where a voice message can be left)

Respectfully,

Frank Zitkus  
Chairman, Hebron Planning and Zoning Commission

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**From: Frank Zitkus, Hebron Planning and Zoning Commission (PZC) Chairman**

**To: Connecticut Siting Council, Melanie Bachman, Executive Director**

**Matthew Bordeaux, Hebron Director of Planning and Development**

**Re: Docket No. 528 - Tarpon Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless, application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility and associated equipment at 746, East Street, Andover, Connecticut**

**Date: February 2, 2025**

At its January 28, 2025 meeting, the Hebron Planning and Zoning Commission granted authorization of Hebron PZC Chairman to provide written testimony to the above-mentioned Siting Council application.

Such written testimony follows. The format of this testimony are application observations made by Chairman Zitkus followed by PZC comments for the record.

### **Site Evaluation Observations**

As noted above, a Telecommunications Facility, in the form of a 120' monopole with co-location availability is proposed at 746 East, to the east and rear of the Hurst Farm Country Store at an elevation of 657' AMSL. The facility is in proximity to a neighborhood in Hebron to the west and south. The site is to be accessed by extension of an access drive from East Street along the property's southern border. The proposed monopole, undisguised, is proposed to set in an open field between two sections of deciduous forest.

### **Hebron PZC COMMENT:**

No comment offered

### **Antenna, Equipment and Generator Observations**

The monopole will be served by equipment, including a 1,000-gallon propane fuel tank, presumably available in case of power interruption. Such equipment and tank will be fenced within a 90' x 35' compound and require some tree removal in proximity to a vernal pool to construct.

### **Hebron PZC COMMENTS:**

Does the propane tank have a spill containment measure?

Has this application been reviewed by the Andover Inland / Wetlands Commission?

### **Visibility Analysis and Photographic Simulations Observations**

A Visibility Analysis was performed in March 2024 followed by Photographic Simulations of the proposed monopole. The facility will be visible on portions of the site and in the immediate vicinity of the property effecting about 12 acres of an 8,042-acre study area. The monopole is visible seasonally for an additional 120 acres, including from Bishops Swamp Wildlife Management Area. The applicant describes the visibility of the site as extremely limited. Three of the East Street selected locations depict a distant or partially visible sight of the monopole.

**Hebron PZC COMMENTS:**

Consideration of a stealth or disguised installation could include design as a White Pine tree. Such a design was successfully installed at Buck Road in Hebron.

**USFWS / NDDDB Compliance - Endangered Species Observations**

The application notes that the site includes two federally listed endangered species, the Northern Long-Eared Bat and the Tricolored Bat. There are no known State species of endangered or species of special concern at the site. Measures to protect the abovementioned endangered species are incorporated into this application. These measures include removing trees only during bat inactive season. A detailed questionnaire designed to ascertain whether bats will be protected during the construction of this facility was completed by the applicant.

**Hebron PZC COMMENT:**

No comment offered

**Wetland and Vernal Pool Impact Analysis Observations**

The site includes 3 vernal pools. The largest vernal pool is in close proximity to the facility. A Vernal Pool Mitigation Plan will be incorporated to include planting of 120 trees and shrubs in the open field adjacent to forest that incorporates this vernal pool to provide a transitional buffer and enhanced cover for migratory herpetofauna. Vernal Pool Recommended Best Management Practices will also be employed.

**Hebron PZC COMMENTS:**

All trees and shrubs should be of a native variety. Bare root acquisition and planting of proposed landscaping is highly encouraged to avoid introducing non-native invasive jumping worms, or their cocoons, that may reside in potting soils. In addition, introduction of mulch (and soils) from off-site should be avoided as mulch is a common medium for spreading jumping worms. This species has been documented to detrimentally impact the viability of forestland, farmland and other soils if introduced. A link to the Connecticut Agricultural Experiment Station's "Jumping Worms in Connecticut" Fact Sheets is provided below. Prevention practices are specified on pages 4 and 5 of this publication.

[https://portal.ct.gov/-/media/caes/documents/publications/fact\\_sheets/entomology/jumping-worms-in-connecticut.pdf?ftag=MSF0951a18](https://portal.ct.gov/-/media/caes/documents/publications/fact_sheets/entomology/jumping-worms-in-connecticut.pdf?ftag=MSF0951a18)

**State Historic Preservation Office Determination Observation**

There are no impacts to historic or cultural assets that exist ½ mile of the proposed facility per the applicant.

**Hebron PZC COMMENT:**

No comment offered

**Farmland Soils Observation**

There are no disturbances to prime farmland per the applicant.

**Hebron PZC COMMENT:**

No comment offered

The Hebron Planning and Zoning Commission wishes to place this correspondence into the public record of the Connecticut Siting Council's Public Hearing scheduled for February 13, 2025, Docket No. 528.

Respectfully submitted.

Frank Zitkus, Hebron Planning and Zoning Chairman



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## Amendment Request for Regulation 2.G.2 Keeping of Animals

---

**From** Matthew Roberts <newerachiro@gmail.com>

**Date** Fri 2/21/2025 9:19 AM

**To** Andy Tierney <atierney@hebronct.com>; Matthew Bordeaux <mbordeaux@hebronct.com>

 3 attachments (6 MB)

Amendment Letter.docx; District Use Regulations Section 5.0.pdf; Hebron Zoning Regulations FINAL Effective 04 09 18.pdf;

Hello Mr. Andrew Tierney and Mr. Matthew Bordeaux,

My name is Dr. Matthew Roberts. I am a current resident in Hebron and I am writing today to request an amendment to Regulation 2.G.2 KEEPING OF ANIMALS or District Use Regulations Section 5.1.1.3 Standards for Home Animal Agriculture.

Residential farming is increasing in popularity due to its potential to improve food quality, reduce food expenses, enhance food security and self sufficiency, drives community and for economic opportunity.

During one of the greatest inflation cycles in our nation's history, along with the ever increasing processed food industry, and the nation's largest egg crisis, people are seeking ways to offset costs and improve food quality now more than ever. Currently, Hebron Zoning Regulation 2.G.2 or District Use Regulations Section 5.1.1.3 limits access to residential farming with its acreage to animal count across all livestock, but in particular with its stance on poultry and fowl. The two documents limit 8 birds per excess per free acre in the Hebron Zoning Regulations, and only 8 per lot in the District Use regulations, without permit.

Essentially, these regulations instantly restrict non-permissible livestock for anyone with less than two acres within the R1 district. Furthermore, residential farming laws are for property owners with acreage less than ten, which effectively impacts a large majority of the residents within the town of Hebron.

In a day where the agriculture industry has never been more accessible, streamlined, quality controlled and space refined, we have regulations that deter residential farming, in a town that would not exist without it. I moved here with the expectation I would have access to residential farming, and I regret not reading the town laws on it sooner.

Attached are the two regulations I am referring to, in addition, a more detailed letter explaining my grievance, the reasons why residential farming is cost prohibitive with Hebron's current laws, as well as current standards from some of the countries largest organizations in animal agriculture that could be implemented within our town to make residential farming more accessible.

I thank you both for your time,

Dr. Matthew Roberts  
Chiropractic Physician



Hebron Resident

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Matthew Roberts  
384 Gilead St  
Hebron CT, 06248  
[NewEraChiro@gmail.com](mailto:NewEraChiro@gmail.com)  
2035126025  
February 21, 2025

To Whom It May Concern,

Amendment Request for Hebron Zoning Regulation 2.G.2 Keeping of Animals and District Use  
Regulations 5.1.1.3 Standards for Home Animal Agriculture

My name is Dr. Matthew Roberts, and I am a Chiropractic Physician with a Fellowship in Health Outcomes Research from the University of Connecticut. I also have become a serious hobbyist when it comes to our flock of six chickens, and my desire to obtain more. However, my recent understanding of the regulations of residential animal agriculture has made me take pause in my pursuit of this goal. My career within research at UConn has been focused on demonstrating the cost-effectiveness of medical strategies. By understanding the costs and outcomes of a medical strategy, we can create models that help the medical community make better choices on how they provide care to their patients; at the greatest benefit and at the lowest cost to the patient. I would like to take the time to apply this same skill set to the current regulations related to residential animal agriculture. Hebron Zoning Regulation 2.G.2 Keeping of Animals and District Use Regulations 5.1.1.3 Standards for Home Animal Agriculture allow for a maximum of 8 poultry per acre, or 8 poultry per lot, depending on the regulation one reads. I would like to advocate for an amendment to the regulations governing Residential Animal Agriculture in the Town of Hebron, CT.

Hebron has a deep-rooted history in agriculture. According to the 2024 Plan of Conservation and Development, over 2,000 acres of land are currently dedicated to agricultural use, representing more than 10% of the town's available acreage—second only to single-family homes. Agriculture is integral to our town's character, and with more than half of this land preserved through the State's Farmland Preservation Programs, it will continue to play a significant role in our community. The 2024 Plan emphasizes that Hebron's rural character, real estate values, and municipal services attract younger families and notes that agricultural land "tremendously affects the positive impression many people have of the town."

I wholeheartedly agree with the 2024 Plan's vision, and these very qualities influenced my wife and I to choose Hebron as our home. We believed we would have the opportunity to engage in agriculture and be part of a community that fosters it. However, the regulations outlined in Hebron Zoning Regulations Section 2.G.2 and District Use Regulations 5.1.1.3 for Residential Animal Agriculture are so restrictive that they create significant financial barriers for residents who wish to participate in small-scale farming. Below, I provide an example illustrating how these regulations deter residential farming.

**Cost Analysis of Poultry Farming Under Current Regulations**

The following table outlines the costs associated with raising chickens for egg production over a three-year period. Three years represents the laying lifespan for most species of chickens. This

model demonstrates how current regulations limiting residents to a maximum of eight chickens make poultry farming economically unfeasible compared to store-bought eggs at \$4.25 per dozen. Information on costs were generated from personal experience, along with information from Tractor Supply company, and data accessed through ChatGPT.

Scenario 1: 8 Hen Scenario			
	Year 1 MARCH	Year 2	Year 3
Costs			
Start Up Costs for 8 chickens: Housing, fencing, feeders, water supply, chickens etc.	~\$1050	-	-
Upkeep (Food and bedding)	~\$40/month (9 month year) \$360	~\$40/month (12 month year) \$480	480
Total Annual Cost	\$1410	\$480	480
Total Cost of Scenario	<b>\$1410</b>	<b>\$1890</b>	<b>\$2370</b>
Egg Production Rate for 8 High Yield Chickens	6/day	6/day	6/day
Laying window	90 days (July-August)	270 Days	270 Days
Yearly Egg Production	540	1620	1620
By dozen	45	135	135
Total Scenario production	<b>45</b>	<b>180</b>	<b>315</b>
Total cost of Scenario divided by Total Scenario Production. "Cost of all eggs by end of each year"	\$31.33 by end of year one	10.5	7.52
Scenario of 16 Hens			
Start up costs with an additional 25%	1312.5	-	-
Upkeep (doubled)	~\$80/month (9 month year) \$720	~\$80/month (12 month year) \$960	\$960
Total Annual Cost	\$2032	\$960	960

Total Cost of Scenario	<b>\$2032</b>	<b>\$2992.5</b>	<b>\$3952.5</b>
Egg Production rate	12/day	12/day	12/day
Laying window	90 days	270 Days	270 Days
Yearly Egg Production	1080	3240	3240
By dozen	90	270	270
Total Scenario production	<b>90</b>	<b>360</b>	<b>630</b>
Total cost of Scenario divided by Total Scenario Production. "Cost of all eggs by end of each year"	\$22.57	\$8.31	\$6.27
Scenario of 24 Hens			
Start up costs with an additional 50%	\$1575	-	-
Upkeep (Tripled)	~\$120/month (9 month year) \$1080	~\$120/month (12 month year) \$1440	\$1440
Total Annual Cost	\$2655	\$1440	\$1440
Total Cost of Scenario	<b>\$2655</b>	<b>\$4095</b>	<b>\$5535</b>
Egg Production rate	18/day	18/day	18/day
Laying window	90 days	270 Days	270 Days
Yearly Egg Production	1620	4860	4860
By dozen	135	405	405
Total cumulative production	<b>135</b>	<b>540</b>	<b>945</b>
Total cost of Scenario divided by Total Scenario Production. "Cost of all eggs by end of each year"	\$19.66	\$7.58	\$5.86

This model assumes optimal survival and production rates, but in reality, factors such as predator loss and seasonal variations could further drive up costs. This model also has linear feed and bedding costs, which would gradually reduce as flock size increases, further driving profitability of larger flocks. As the data shows, even with three times the allowed number of hens, the cost per

dozen eggs still remains significantly higher than market prices outside of a national egg crisis. It also requires the entire successful egg laying lifespan of a chicken to become even close to cost effective levels, making residential poultry farming an impractical endeavor under current regulations.

### **Industry Standards and Space Requirements**

According to **Certified Humane**, a nonprofit organization that sets the gold standard for ethical livestock management and recognized by the USDA, states pasture-raised poultry requires **2.5 acres per 1,000 birds**. A free-range system, which allows both indoor and outdoor access, requires only **2 square feet per bird**. Furthermore, mainstream boiler chicken producers (meat producers) house chickens in populations ranging from **10,000-30,000** chickens within indoor facilities. I am not encouraging this type of open access to animal agriculture, however I do want to express just how restrictive the current regulations of the town are, and help the committee to understand upscaling regulations even 10 fold would not be an unreasonable request. Since 1916, pasture-raised poultry have been encouraged at a range of **50 to 100 pasture-raised chickens per acre**—a stark contrast to the restrictive limits currently imposed by our town.

While I am not advocating for regulations allowing hundreds or thousands of chickens per acre, the current limitation of **eight fowl per acre, or eight fowl per property, regardless of lot size** (depending on the documentation you read), is unnecessarily restrictive and fails to reflect modern agricultural knowledge. Additionally, without the ability to access to a rooster for homes under 10 acres, the ability to turn over your flock for low costs becomes challenging, and the need to cull all eight birds to make room for new chickens, impedes ones ability to effectively transition from one producing flock to the next, further driving costs and loss of productivity. (I am not advocating that roosters be allowed, just further identifying some of the more punitive limitations of low volume poultry farming).

I also understand, permits are available to allow for exceptions to these regulations. However, permitting discourages community access altogether. Permits typically have bureaucratic complexity because it requires understanding of complex zoning laws and regulations. The paperwork, multiple reviews, and waiting periods can delay projects, making it frustrating for homeowners trying to engage in new to agricultural practices. They also cost money, typically due processing fees, inspection fees and modifications that will have to be made based on those inspections. The process of permitting could virtually double start-up costs depending on governmental process and inspection outcomes. Furthermore, permits typically require ongoing compliance, which results in additional costs to the resident, again, making residential agriculture inaccessible to residents.

My final point I wish to make is the way we classify poultry and fowl. Currently, they all fall under the same category. This is also a heavily restrictive issue within the regulations. The USDA identifies poultry as a completely different class from other gamebirds. To many, raising gamebirds allows greater access to niche farming, that frequently **can** be profit generating in small scale animal agriculture. I wish to start a quail farm despite our overarching conversation of chicken. Quail require significantly less space than chickens. According to **Stromberg's Chicken and Gamebirds**, one of the nations largest chicken and gamebird producers, advises an all-female flock should ensure each bird has at least **46 square inches of space (6.5 inch squares per bird)** .

If raising a breeding flock for quail eggs, birds require **64 square inches per bird (8 inch squares per bird)**. Quail are the most sustainable, cost effective form of animal agriculture, and small flocks leave virtually no environmental trace, making it one of the most desired livestock amongst homesteaders. Additionally, Quail can be sustainably raised in cages. Again, under existing regulations, I am still limited to only eight fowl of any kind. These restrictions make it impossible for residents to engage in meaningful small-scale poultry farming.

### **A Call for Regulatory Reform**

If Hebron truly wishes to uphold its agricultural heritage and foster a thriving rural community, we must provide residents with reasonable access to agricultural practices. The current regulations contradict the town's stated goal of supporting agriculture, and I urge the town to consider revising them to better reflect both modern farming standards and the town's historical roots.

I understand that regulatory changes require careful consideration, and I would be more than happy to collaborate with town officials to explore practical amendments that balance residential agricultural needs with community interests.

Thank you for your time and consideration. I look forward to the opportunity to discuss this matter further and contribute to shaping a more inclusive and sustainable future for Hebron's agricultural community.

Sincerely,  
Dr. Matthew Roberts

## **SECTION 585. AGRICULTURE**

### **Section 585.1 Intent**

- a) The purpose of these regulations is to preserve existing agriculture uses, encourage new agriculture uses, and to maintain and promote a healthy and sustainable environment for people, livestock, plants and wildlife in the Town of Killingly through the use of appropriate standards and permit procedures. Agriculture in Killingly has its roots in the traditions of colonial New England subsistence farming. It continued to survive and evolve even as Killingly's water resources were harnessed to power mills at the start of the Industrial Revolution. Small dairies, orchards and poultry houses were present in the early twentieth century, with beef cattle, sheep, goats, produce, orchards, equine and horticultural activities existing today. These diverse farms and farming enterprises contribute to Killingly's economy and sense of place by providing a scenic, rural atmosphere, a local source of ornamental plants, fresh foods, and recreation.
- b) These regulations are intended to treat Agriculture and Farming enterprises under the Zoning Regulations equally, fairly and with the same consideration as all other permitted land uses in the Town of Killingly.
- c) Nothing contained herein shall restrict the power of the local zoning authority under Chapter 124 of the Connecticut General Statutes. Zoning controls are needed to regulate scale, intensity, and impacts.

### **Section 585.2 Definitions**

**Agriculture and Farming** – Except as otherwise specifically defined, the words “agriculture” and “farming” shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations; or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations; or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The Term “farm” includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. Nothing herein shall restrict the power of a local zoning authority under chapter 124; and in accordance with CT General Statutes Sec. 1-1(q), and as may be amended from time to time.

**Ancillary** – Something that is subordinate to, auxiliary to, supplementary to the primary activities or operation of an organization or farm.

**Aquaculture** – means the farming of the waters of the state and tidal wetlands and manmade tanks both above and in-ground and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands; and as may be further defined and described in CT General Statutes Sec. 1-1(q) as may be amended from time to time.

**Buffer Zone/ Buffer Strip** – Vegetative screening consisting of, but not limited to, plantings, shrubs, bushes, evergreens, berms, and, which may also include or require, fencing. The purpose of such buffers is to isolate, both visually and acoustically adjacent property areas (or zones) and to help maintain the quiet enjoyment of residential areas. Maintenance of required buffers shall be the responsibility of the owner and/or occupant of the property. (See also “Planted Screenings” Section 310 Definitions)

**Commercial Forest Practices** – Any forest practice performed by a person other than the owner of the subject forest land for remuneration which, when performed, yields commercial forest products; and in accordance with CT General Statutes Sec. 25-65f (1); and as may be amended from time to time.

**Commercial Forest Products** – Wood products harvested from a tract of forest land in excess of fifty cords or one hundred fifty tons or twenty-five thousand board feet, whichever measure is appropriate, in any twelve month period; and in accordance with CT General Statutes 23-65f (2), and as may be amended from time to time.

**Commercial Forest Practitioner** – Is anyone who advertises, solicits, contracts or engages in a commercial forest practice at any time. Three levels of certification exist: Forester, Supervising Forest Products Harvester, and Forest Products Harvester; and in accordance with CT General Statutes Chapter 451a Forest Practices, and as may be amended from time to time.

**Connecticut Grown** – Produce and other farm products that have a traceable point of origin within the State of Connecticut; and in accordance with CT General Statutes CGS §22-38(a) as may be amended from time to time.

**Farm** – Includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structure, or other structure used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities; and as may be further defined and described in CT General Statutes Sec. 1-1(q), and as may be amended from time to time.

**Farm Products** – Any fresh fruits, vegetables, mushrooms, nuts, shell eggs, honey or other bee products, maple syrup or maple sugar, flowers, nursery stock other horticultural commodities, livestock food products, including meat, milk, cheese, and other dairy products, food products of aquaculture, including fish, oysters, clams, mussels and other molluscan shellfish taken from the waters of the state or tidal wetlands, products from any tree, vine, or plant and their flowers, or any of the products listed in this definition; and in accordance with CT General Statutes Sec. 22-6g, and as may be amended from time to time, including, but not limited to, baked goods, wool products, soap products made with farm products; and leather as long as it does not violate Section 510 - Prohibited Uses of these zoning regulations.

**Farm Store / Retail Farm Store** – Used by a farm business for the year round sale of raw and/or processed agricultural and horticultural products, services, and activities. (See also, Section 585.6[d] of these regulations.)



**Farm Winery** – A wine making establishment, incident to the farm at which it is located; and in accordance to CGS §30-16(e) –Farm Winery means any place or premises that is located on a farm in the state in which wine is manufactured and sold.

**Forest** – Areas or stands of trees covering an area greater than one-quarter acre; or groves of mature trees without regard to minimum area consisting of substantial numbers of individual specimens.

**Forestry** – Is the science, art and practice developing, managing, cultivating and harvesting a stand of tree. (Reference is hereby made to CT DEEP publication “*Agriculture, Forestry & Connecticut’s Inland Wetlands and Watercourses Act*” ; Section “*How are Agriculture and Forestry Defined*”; page 2; printed 11/2014, reprinted 10/2016.)

**Forest Products** – Any product derived from a farm for direct consumption, or use, such as lumber, mulch, firewood, or other related products.

**Fresh Produce** – Fruits and vegetables that have not been processed in any manner.

**Incidental** – Subordinate or minor in significance and bearing a reasonable relationship to the primary use.

**Processing** – Processing on farms is not considered manufacturing if the raw materials are grown on the farm and processed in compliance with all necessary CT Department of Health and Consumer Protection Licenses.

**Portable Sawmills** – A mill, or a machine, primarily engaged in sawing rough lumber and timber from logs and bolts. The operation of the portable sawmill may include, but is not limited to, lumber, cordwood, firewood, and woodchips.

**Season** – A clearly delineated period of time during a given year that has a beginning date and ending date, which correlates with a major portion of the harvest period for Connecticut Grown fresh produce.

**Seasonal Farm Stand** – Used by a farm business for the temporary, seasonal sale of raw and/or processed agricultural and horticultural products, services and activities. (See also, Section 585.6[c] of these regulations).

**Silviculture** – Is the art and science of growing and tending forests for the production of wood and other benefits. Silviculture encompasses a wide range of practices intended to reproduce forest stands or to increase the growth rate, vigor and value of trees. (Reference is hereby made to CT DEEP publication “*Agriculture, Forestry & Connecticut’s Inland Wetlands and Watercourses Act*” ; Section “*How are Agriculture and Forestry Defined*”; page 2; printed 11/2014, reprinted 10/2016.)

### **Section 585.3 Right to Farm Law**

The Commission recognizes supports and abides by the CT Right to Farm Law as contained in Connecticut General Statutes Section 19a-341 and the “Killingly Agriculture Commission and Right to Farm Ordinance” adopted October 9, 2012. (In accordance with Killingly Code of Ordinances; Article VII.1 “Killingly Agriculture Commission and Right to Farm Ordinance”; Sections 2-131 through and including 2-134; with Sections 2-135 to 2-140 Reserved; and as may be amended from time to time.)

### **Section 585.4 Generally Accepted Agricultural Practices; Best Management Practices; Right to Farm per Connecticut General Statutes and Town of Killingly Ordinances**

- a. All agricultural practitioners should utilize generally accepted agricultural practices recommended by the USDA National Resources Conservation Service, the USDA National

Approved: May 20, 2019

Effective: June 17, 2019

Page 3 of 10

Organic Program Standards, the State Department of Agriculture, the University of Connecticut Cooperative Extension Service, the University of Connecticut Animal Science and Plant Science Departments, the Connecticut Agricultural Experiment Station and/or the Connecticut Department of Energy and Environmental Protection as appropriate to their operation(s).

- b. All agricultural practitioners should utilize the CT Department of Environmental Protection, Natural Resources Conservation Service's best management practices for agriculture, and as such policies may be amended from time to time, as a guide line for protecting Connecticut's water resources.
- c. Notwithstanding, any general statute or municipal ordinance or regulations pertaining to nuisances to the contrary; no agricultural or farming operation, place, establishment or facility, or any of its appurtenances, or the operation thereof, shall be deemed to constitute a nuisance, either public or private, provided that; such activity meets the definitions and standards of the following;
  - 1. CT Right to Farm Law as contained in CT General Statutes Section 19a-341; and / or
  - 2. Killingly Code of Ordinances; Article VII. 1. "Killingly Agriculture Commission and Right to Farm Ordinance", Section s 2-131 through and including 2-134; and / or
  - 3. The generally accepted agricultural practices as set out by the CT Department of Agriculture.
- d. All State and Federal requirements, regarding generally accepted agricultural practices, including but not limited to, manure management, pest control and provisions for the storage and use of fertilizers, pesticides, fungicides and other chemicals, shall be met, or exceeded.
- e. The requirements of the Connecticut Public Health Code for the proposed use shall be met.
- f. Drainage shall be designed and constructed to avoid the creation of standing water, the pollution of surface or subsurface water supplies, and shall comply with the Connecticut Department of Energy and Environmental Protection's Water Quality Standards.
- g. All livestock operations shall follow generally accepted agricultural practices as determined by the Connecticut Department of Agriculture; and the best management practices as provided by the Connecticut Department of Energy and Environmental Protection, regarding water resources, as well as any other applicable state or federal laws. For livestock operations, animal keeping areas shall be sited to protect clean water and avoid storm water drainage flow patterns. The Planning and Zoning Commission and/or its designee reserve the right to revoke any permits issued in the event that it is determined by any competent agency, or its representative, that generally accepted agricultural practices or best management practices are not being followed.

#### **Section 585.5 "Agricultural Use Table"**

Referral is made to the "Agricultural Use Table" for a summary of the agricultural uses allowed in the various zoning districts. Agricultural uses are also listed in individual zoning districts as appropriate.

#### **Section 585.6 Agricultural Permitted Uses**

The following uses of buildings are permitted by right in the Rural Development Zoning District, and in all other zoning districts only as listed herein; on the "Agricultural Use Table" and in the individual zoning districts, requiring only, AS NEEDED, the securing of a zoning permit as specified in Article VI.

Approved: May 20, 2019

Effective: June 17, 2019

However, any building, structure, on-site sewage disposal system, grading, excavation, or dumping of fill or materials on slopes of/or greater than fifteen percent (15%) shall be subject to a site plan review. In addition, the applicant may, at the discretion of the Planning and Zoning Commission or its agent(s), be required to file an erosion and sediment control plan if it is determined that special site conditions or constraints (i.e. Excessive steep slopes, unstable soils) warrant such a plan.

**a. Growing, selling and processing of field and orchard crops;**

1. Permitted in all zones; provided all zoning set back requirements are met.
2. Examples of processing include, but are not limited to: Cheese making, soap productions, baked goods and other food product preparation such as jams and jellies, condiments, vinegars, meat products, dehydrated fruits and vegetables, sauces and dips, pickling and cider.
3. All applicable State Regulations from the Department of Health, the Department of Agriculture, the Office of Consumer Protection, and any other governing state agency must be complied with.
4. "Pick-Your-Own" operations, with adequate off-street parking as determined by the Zoning Enforcement Officer, are permitted.

**b. Greenhouses and/or nurseries, with or without retail sales;**

1. Permitted in all zones; provided all zoning set back requirements are met.
2. Zoning Permit will be required, where applicable.

**c. Seasonal Farm stands (non-permanent structures);**

1. Permitted in all zones; and all zoning set back requirements of the underlying zone must be met.
2. The stand is not a permanent structure (i.e. must be movable), is located on the same site as the agricultural or horticultural use it supports, or is on other land owned, leased or used by the same owner of the stand.
3. Maximum size of the stand is 200 square feet.
4. Required setbacks are a minimum of 20 feet from any street right of way, 50 feet from any road intersection and 15 feet away from any side lot line.
5. Only agricultural or horticultural products may be sold and a minimum of 51% of gross sales shall be for products, raised, grown and harvested on site or are related agricultural products made from the raw agricultural or horticultural products grown and harvested on site or on other land owned, leased or used by the same owner of the stand.
6. Examples of acceptable related agricultural products include, but are not limited to, wreaths, jams, jellies, baked goods, herb vinegars, cider and maple syrup.
7. The owner of the stand shall be allowed to re-stock with acceptable related agricultural products grown by other CT based farmers, or non-CT based farmers located within a 50 mile radius of Killingly, to meet the demands of consumers.
8. A minimum of two (2) off-street parking spaces must be provided for each stand.

9. A Zoning Permit shall be required for stand be required.

**d. Retail Farm Stores;**

1. Permitted only in the Rural Development, Low Density, Medium Density and Village Commercial Zones;
2. Located on the same site as the agricultural or horticultural use, or is on other land owned, leased or used by the owner of the retail farm store,
3. Agricultural or horticultural products sold must meet a minimum of 51% of gross sales shall be for products, raised, grown and harvested on site or are related agricultural products made from the raw agricultural or horticultural products grown and harvested on site or on other land owned, leased or used by the same owner of farm store.
4. Examples of acceptable related agricultural products include, but are not limited to, wreaths, jams, jellies, baked goods, herb vinegars, cider and maple syrup.
5. The owner of the stand shall be allowed to re-stock with acceptable related agricultural products grown by other CT based farmers, or non-CT based farmers located within a 50 mile radius of Killingly, to meet the demands of consumers.
6. Required minimum setbacks for retail farm stores in both the Rural Development and Low Density Zones are the minimum Rural Development Zone requirements and 50 feet from any road intersection. All other zoning districts must follow their own setback requirements.
7. Accessory products associated with the agricultural or horticultural products sold on the subject site may be also offered for sale. Examples of accessory products include, but are not limited to: Tree stands and tree trimmings associated with a Christmas Tree Farm, seeds, pots, planters, garden decorations, fertilizers, peat moss, and other soil amendments and seasonings, barbeque sauce and grilling accessories for meat products.
8. Adequate off-street parking shall be provided at the rate of one parking space for every 200 sf of store area; with a minimum of two (2) parking spaces.
9. A Zoning Permit is required.

**e. Farm Wineries;**

1. Permitted only in the Rural Development and Low Density Zoning Districts.
2. The lot size is a minimum of 5 acres.
3. All requirements of the applicable CT General Statutes and State Regulations must be met.
4. The Farm Winery must be meet all required local, state and federal licensing, and operating requirements.

**f. Portable Sawmills;**

1. Processing of forest products are allowed in Rural Development Zone, provided the parcel meets or exceeds the current dimensional requirements of that zone; or Low Density Zoned lots that are a minimum of five (5) acres in size, and operated by a farmer

on land he owns or leases, providing such use is ancillary to the farming operation or is for the maintenance of the farm or expansion of crop land.

2. All lots with a portable sawmill must have a buffer zone/ buffer strip to maintain residential character and maintain the peaceful and quiet enjoyment of neighboring properties.
3. The use of sawmills will require a vegetative buffer zone of seventy-five (75') feet from abutting residential zones and uses.
4. Any sale of forest products shall be governed by Section 585.6d of these regulations.

**g. Raising Processing and sale of livestock and livestock products;**

1. This section permits the use in all Rural Development, Low Density, Medium Density and Village Commercial districts provided that the lot size (area / acreage) meets or exceeds 80,000 square feet (1.84 acres) and all Rural Development minimum setbacks are met.
2. For lots less than five (5) acres in size in the Rural Development, Low Density, Medium Density Zoning Districts, and Village Commercial Districts, with the exception of livestock/farm building uses which require a special permit, the number of livestock shall be limited based upon the conditions of Section 585.4 of these regulations.
3. For lots equal to or greater than five (5) acres in size in the Rural Development, Low Density and Medium Density Zoning Districts, with the exception of livestock/farm building uses which require a special permit, there is no limitation on the number of livestock that can be kept, provided Section 585.4 (Generally Accepted Agricultural Practices and Best Management Practices) conditions are met.
4. Any structure or building which houses any livestock shall be located at least 100 feet from the boundary line of any adjacent property owner. However when the livestock is pigs, the Connecticut Public Health Code Section 19-13-B23 (a), which lists the requirements for the setback distances for pigs, *shall apply* provided it remains greater than 100 feet, shall apply.
5. Storage of manure/waste shall be located no less than 150 feet from boundary lines.
6. Housing of livestock and enclosures for manure storage may only be located in side or rear yards.
7. Horse slaughter houses are specifically prohibited in the Town of Killingly.
8. Nothing in these regulations is intended to allow any uses related to the keeping of livestock that is prohibited by any private deed restrictions.

**h. Aquaculture;**

1. Permitted in the Rural Development, Low Density, ~~and~~ Medium Density, and Village Commercial Zoning Districts.
2. All requirements of the Connecticut General statutes and state and federal regulations shall be met.

**i. Keeping of backyard chickens;**

1. Is permitted as by right on any lot in the Rural Development, Low Density, Medium Density and Village Commercial zoning districts, including those that are less than 80,000 square feet in area;
2. Generally accepted agricultural practices must be followed.
3. All chickens (hens) must be confined to the owner's side or rear yards.
4. Roosters are prohibited on lots of less than 80,000 square feet.
5. Housing, enclosures and manure storage are only located in side or rear yards and must be located a minimum of 20' from side and rear boundary lines.
6. Nothing in these regulations is intended to allow any uses related to the keeping of chickens that is prohibited by any private deed restriction.
7. For additional chickens / hens see Section 585.7 Agriculture/Farming Special Permitted Uses of these regulations.

**j. 4H (4H Clubs) or FFA (National FFA Organization) Student Projects;**

1. Permitted on any lot in the Rural Development, Low Density, Medium Density, and Village Commercial Districts.
2. Student projects involving the temporary keeping of farm animals are authorized provided a State of use and an Animal Management Plan that comprehensively describes the proposed project, including shelter provisions, outside keeping areas and manure management, is prepared and found acceptable with respect to animal welfare and potential environmental and neighborhood impacts by the 4H Club Agent of the Cooperative Extension Service or a qualified school instructor and/or project manager.
3. That at the end of the student project, all farm animals, shelters and pens that are not in conformance with the underlying zone shall be removed from the premises within 30 days. Failure to remove such farm animals, shelters and pens shall be a violation of these zoning regulations, and will result in a "Notice of Violation" being issued.
4. Nothing in these regulations is intended to allow any uses related to a 4H Club or FFA Student Projects that prohibited by any private deed restriction.

**k. Keeping of Bees;**

1. Permitted on any lot in the Rural Development, Low Density, Medium Density, and Village Commercial zoning districts.
2. All requirements of the applicable Connecticut General Statutes and state regulations are met.
3. An adequate on-site source of water for the bees shall be provided.
4. Colonies shall be set back a minimum of 20 feet off any boundary line.
5. Hive openings shall be oriented away from traffic and boundary lines.
6. If hive orientation and setbacks cannot be met, then the beekeeper must establish and maintain a flyway barrier at least 6 feet in height consisting of a solid wall, solid fencing material, dense vegetation or combination thereof that is parallel to the boundary line

Approved: May 20, 2019

Effective: June 17, 2019

Page 8 of 10

and extends ten (10) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the boundary lines in the vicinity of the colony.

7. Minimize swarming and re-queen hives if necessary to maintain gentleness.
8. In the Medium Density, and Village Commercial zoning districts, a maximum of 12 hives and 6 nucleus colonies may be kept on any lot in accordance with the above criteria.

**i. Periodic (limited duration) or seasonal agricultural related uses;**

1. Permitted in the Rural Development, Low Density, Medium Density and Village Commercial zoning districts.
2. Examples of such period or seasonal agriculture uses, but are not limited to, corn mazes, harvest festivals, educational demonstrations, hay rides, or other similar accessory agricultural uses.
3. The Planning & Zoning Commission or its designee(s) shall determine whether any proposed use or event is in compliance with the intent of these regulations. Referral may be made to the Agriculture Commission for advisory opinions.

**m. Signage;**

1. For signage refer to Section 540 Signs; Sections 540.1.1 Identification of Premises; and Section 540.2.1 Identification of Farms;

**Section 585.7 Agriculture/Farming Special Permitted Uses.**

The following uses of buildings and land require the securing of a Special Permit as specified in Article VII. The Planning & Zoning Commission shall refer Special Permit applications pursuant to this section to the Killingly Agriculture Commission for their advice and comment.

**a. Large-scale poultry / fowl farms (>1000 poultry);**

1. Permitted in the Rural Development zoning district only.
2. Lots shall contain at least ten (10) acres.
3. No building or structure in which poultry and/or fowl are housed and no manure pit or storage area shall be located less than 200 feet from any boundary line.
4. Housing, enclosures and manure storage may only be located in side or rear yards and poultry / fowl and their wastes shall be located to avoid the creation of any public nuisance due to noise, odor, or other objectionable effect.
5. Animals shall be kept in a location that complies with the Connecticut Public Health Code and which does not negatively impact on-site sewage disposal system(s) or surface water.
6. Drainage shall be designed and constructed to avoid the creation of standing water, the pollution of surface or subsurface water supplies, and shall comply with the Connecticut Department of Energy and Environmental Protection's Water Quality Standards.

**b. Riding stables or academies, or boarding stables for five or more equines;**

1. Permitted in the Rural Development and Low Density zoning districts.
2. Any such facility shall be located on a lot at least ten (10) acres in area.

3. All buildings and structures, including riding rings, shall be located at least one hundred (100) feet from any street or boundary line.
  4. Manure pits or storage areas must be at least one hundred fifty (150) feet from any street or boundary line.
  5. Drainage shall be designed and constructed to avoid the creation of standing water, the pollution of surface or subsurface water supplies, and shall comply with the Connecticut Department of Energy and Environmental Protection's Water Quality Standards.
  6. The use of temporary buildings or trailers for the stabling of horses in excess of fifteen (15) days is prohibited.
  7. The storage of supplies outside of permanent buildings is subject to Planning & Zoning Commission review.
  8. All regulations on the stabling of horses made by state or local health authorities shall be complied with.
  9. Where the holding of frequent shows or competitions is intended, off street parking shall be provided at a rate of one for every five (5) spectators. Such parking need not be paved, but shall be graveled or treated to reduce dust.
- c. Additional income producing, non-motorized, outdoor activities not included in Section 585.6I listed above;**
1. Permitted in the Rural Development zoning district only.
  2. Such uses include, but are not limited to, cross country skiing, snow shoeing, fishing, canoeing, kayaking and periodic events, such as weddings, Bar-B-Ques, etc.
  3. Minimum lot size shall be five (5) acres.
  4. Any use which violates Town of Killingly Ordinances Chapter 12.5, Article VI (Noise Ordinance); or Chapter 11, Article II (Outdoor Events) shall not be allowed under this section.
- d. Farm Labor Living Quarters;**
1. Permitted in the Rural Development and Low Density zoning districts.
  2. Connecticut Public Health Code requirements are met.
  3. Temporary, portable structures ("granny flats", portable cabins, etc.) which can easily be removed from the site upon cessation of the need or use shall be used.



## SECTION 585.5 AGRICULTURE USE TABLE

ACTIVITY	SECTION NUMBER	RURAL DEVELOPMENT	LOW DENSITY	MEDIUM DENSITY	PROF & BUS OFFICE	VILLAGE COMMERCIAL	GENERAL COMMERCIAL
<b>Allowed Activities</b>							
a) Growing, selling and processing of field and orchard crops	585.6(a)	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
b) Greenhouses and/or nurseries, with or without retail sales	585.6(b)	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
c) Seasonal Farm Stands (non-permanent structures)	585.6(c)	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed
d) Retail Farm Stores	585.6(d)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
e) Farm Wineries	585.6(e)	Allowed	Allowed	N/A	N/A	N/A	N/A
f) Portable Sawmills	585.6(f)	Allowed	Allowed	N/A	N/A	N/A	N/A
g) Raising Processing and sale of livestock and livestock products	585.6(g)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
h) Aquaculture	585.6(h)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
i) Keeping of backyard chickens	585.6(i)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
j) 4H or FFA Student Projects	585.6(j)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
k) Keeping of Bees	585.6(k)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
l) Periodic (limited duration) or seasonal agricultural related uses	585.6(l)	Allowed	Allowed	Allowed	N/A	Allowed	N/A
m) Signage	585.6(m)	Section #540	Section #540	Section #540	Section #540	Section #540	Section #540
<b>Special Permitted Uses</b>							
a) Large Scale Poultry / Fowl Farms (>1000 poultry/fowl)	585.7(a)	Spec Permit	N/A	N/A	N/A	N/A	N/A
b) Riding Stables or academies, or boarding stables for five (5) or more equines	585.7(b)	Spec Permit	Spec Permit	N/A	N/A	N/A	N/A
c) Additional Income Producing, non-motorized, outdoor activities not included in section 585.6(l)	585.7(c)	Spec Permit	N/A	N/A	N/A	N/A	N/A
d) Farm Labor Living Quarters	585.7(d)	Spec Permit	Spec Permit	N/A	N/A	N/A	N/A

**N/A = Not Allowed**

Effective: June 17, 2019

Page 1 of 1

# ZONING REFERRAL FORM

<b>FOR: NOTIFICATION OF REFERRALS BY ZONING COMMISSIONS</b>			
Please fill in, save a copy for your records and send with appropriate attachments by certified mail or electronically to: <a href="mailto:zoningref@crcog.org">zoningref@crcog.org</a>			
<b>FROM:</b> <input checked="" type="checkbox"/> Zoning Commission <input type="checkbox"/> Planning and Zoning Commission <input type="checkbox"/> City or Town Council (acting as Zoning Commission)		Municipality: <b>Marlborough</b>	
<b>TO:</b> Capitol Region Council of Governments Policy Development & Planning Department 241 Main Street, Hartford, CT 06106		Date of Referral: <b>2/28/25</b>	
Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed zoning amendment is referred to the Capitol Region Council of Governments for comment:			
<b>NATURE OF PROPOSED CHANGE:</b>			
<input type="checkbox"/> Adoption of amendment of <b>ZONING MAP</b> for any area within 500 feet of another Capitol Region Municipality. <b>Attach map showing proposed change.</b>		<input checked="" type="checkbox"/> Adoption or amendment of <b>ZONING REGULATIONS</b> applying to any zone within 500 feet of another Capitol Region Municipality. <b>Attach copy of proposed change in regulations.</b>	
THE CHANGE WAS REQUESTED BY: <input checked="" type="checkbox"/> Municipal Agency: <b>Zoning</b> <input type="checkbox"/> Petition			
DATE PUBLIC HEARING IS SCHEDULED FOR: <b>4/3/25</b>			
MATERIAL SUBMITTED HEREWITH:			
<input checked="" type="checkbox"/> Regulation Changes	<input type="checkbox"/> Map of Change	<input type="checkbox"/> Supporting Statements	<input type="checkbox"/> Public Notice
<input type="checkbox"/> Other (Specify):			
HAS THIS REFERRAL BEEN SUBMITTED PREVIOUSLY TO CRCOG? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO. IF YES, ON WHAT DATE:			
<b>(FOR USE BY CRCOG)</b>		Name:	
Date Received:		Title:	
Sent certified/e-mail?		Address:	
File Number		Phone:	
		Email:	

BY LAW, THE ZONING COMMISSION SHALL GIVE WRITTEN NOTICE OF ITS PROPOSAL TO THE REGIONAL COUNCIL OF GOVERNMENTS NOT LATER THAN THIRTY DAYS BEFORE THE PUBLIC HEARING TO BE HELD IN RELATION TO THE SUBJECT SUBDIVISION.  
NOTICE SHALL BE MADE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR BY EMAIL TO [zoningref@crcog.org](mailto:zoningref@crcog.org).

CRCOG-2017

Andover / Avon / Berlin / Bloomfield / Bolton / Canton / Columbia / Coventry / East Granby / East Hartford / East Windsor / Ellington / Enfield / Farmington / Glastonbury / Granby / Hartford / Hebron / Manchester / Mansfield / Marlborough / New Britain / Newington / Plainville / Rocky Hill / Simsbury / Somers / South Windsor / Southington / Stafford / Suffield / Tolland / Vernon / West Hartford / Wethersfield / Willington / Windsor / Windsor Locks

A voluntary Council of Governments formed to initiate and implement regional programs of benefit to the towns and the region

TO: CRCOG

FROM: Marlborough Zoning Commission

DATE: 2/28/2025

RE: Update to Article Six Residential & Six A Village Cluster Residential Planned Development of the Marlborough Zoning Regulations

Attached are the draft regulations going to public hearing on April 3<sup>rd</sup>.

The significant changes are as follows:

Permitting Duplex units on a standard lot size no extra acreage requirements

Reducing Minimum Lot Size

80,000 sqft. to 40,000 sqft. for Well & Septic & reducing Road frontage from 200 feet to 150 feet

50,000 sqft. to 20,000 sqft. for public sewer and/or public water & reducing Road Frontage from 175 feet to 125 feet.

Requiring 15% affordable units set aside in multifamily developments

TOWN OF BOLTON

NOTICE OF CERTAIN PLANNING & ZONING MATTERS IN NEIGHBORING MUNICIPALITIES

DATE: February 25, 2025

TO: Town Clerk of:

Andover  Coventry  Glastonbury  Hebron  Manchester  Vernon

RECEIVED

2025 FEB 28 A 10:57

HEBRON TOWN CLERK

FROM:  Bolton Planning & Zoning Commission

Bolton Zoning Board of Appeals

Bolton Inland Wetlands Commission

Pursuant to §CGS 8-7d(f) which requires a Planning & Zoning Commission, Inland Wetlands Commission and/or a Zoning Board of Appeals to notify the clerk of any adjoining municipality of the pendency of an application, petition, request, or plan concerning any project on any site in which:

1. Any portion of the property affected by a decision of such board is within Five Hundred feet of the boundary of the adjoining municipality;
2. A significant portion of the traffic to the completed project on the site will use street within the adjoining municipality to enter or exit the site;
3. A significant portion of the sewer or water drainage from the project on site will flow through and significantly impact the drainage or sewage system within the adjoining municipality; or
4. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

No hearing may be conducted unless the adjoining municipality has received notice required by §CGS 8-7d(f). A representative may appear and be heard at any such hearing.

**This letter is to inform you of a pending application described in the attached legal notice.**

cc: Town Planning Department

Bolton Planning & Zoning Commission  
Notice of Public Hearing

The Bolton Planning & Zoning Commission will hold a Public Hearing on Wednesday, March 12, 2025 at 7:30pm virtually & in the Town Hall, 222 Bolton Center Rd, Bolton, CT, to consider:

1. Updates & amendments to the Subdivision Regulations (#PL-25-2) which include:
  - a. Reorganization to improve functionality and useability;
  - b. Updates to the numbering format;
  - c. Minor non-substantive changes to improve consistency amongst the use of terms and resolve document conflicts.
2. Zoning Regulation Amendments (#PL-25-1):
  - a. Add Definition for Lot Coverage Area; Lot Coverage
  - b. Amend Section 450-3.22 Minor modifications
  - c. Amend Section 450-3.3 Nonconforming uses To Allow Limited Expansion of Existing Buildings
  - d. Amend Sections 450-8.3 Rural Mixed Use Zone (RMUZ) and 450-9.2 Gateway Mixed Use Industrial Zone (GMUIZ) to Remove Requirement of Multifamily Residences on Upper Floors of Commercial Uses

Said proposal is on file for review in the Bolton Land Use Dept and on the Town's Website at: <https://town.boltonct.org/boards-commissions/planning-and-zoning>

All interested parties may attend virtually or in person and testify or submit written testimony.

Dated at Bolton, CT, this 20<sup>th</sup> day of February, 2025.

Thomas Manning  
PZC Chairman

To be published in the *Hartford Courant* on February 28, 2025 and March 7, 2025