

**PLANNING & ZONING COMMISSION  
TOWN OF SCOTLAND  
P.O. Box 122, 9 Devotion Rd, Scotland, CT 06264  
Telephone: (860) 423-9634**

**JANUARY 17, 2018 REGULAR MEETING  
7:30 PM –SCOTLAND FIRE DEPARTMENT MEMORIAL HALL  
47 BROOK ROAD, SCOTLAND, CT**

**Minutes**

**I. Call to Order.**

Chairman Greenberg called the meeting to order at 7:33pm.

**II. Roll Call/Seating of Alternates.**

In Attendance: Chairman Gary Greenberg, Vice-Chairman Terry Delaney, Secretary Larry Miller, Peter Martin, Robert Brautigam, George Perry, Jeff Jakubowski, and Alt. Wendy Sears.

Absent: Alt. Henry Bowers.

Staff in Attendance: Liz Burdick, ZEO.

**III. Additions to and/or Changes in the Order of the Agenda. None.**

**IV. Approval of the Minutes–November 15, 2017. Edit under roll call: Change**

“Commissioner” Jakubowski to “Alternate” Jakubowski, as he was not a Regular Member of the Commission on 11/15/2017.

***Upon MOTION by Terry Delaney, Seconded by Jeff Jakubowski, it was voted to APPROVE the November 15<sup>th</sup> 2017 meeting minutes, as edited.***

**V. Audience of Citizens.**

First Selectman Daniel Syme stated that there is going to be an economic development presentation from NECOGG & it will be advertised in the Highland Herald. NECOGG will hold a public informational meeting about what this commission does. It is relative to the Plan of Conservation and Development. He stated further that it could work as a sub-committee within Planning and Zoning. A lot of people are interested in what it will bring to the Town of Scotland.

Chairman Greenberg replied that Hoween Flexer of NECCOG should clarify the difference between a commission and a sub-committee or committee and then it will be clear what the advantages are [of this new committee], then the question will be if it is a sub-committee of a Board of Selectman or Zoning Commission, which is where the First

Selectman would like it to be. This is something that Wendy is interested in. Flexer should talk to the Commission about the technicalities of the committee versus commission. Chairman Greenberg replied that there are, undoubtedly, standard requirements and that is what he would like Flexer to talk to the Commission about more in depth.

First Selectman Syme further stated that since the Planning and Zoning will be changing the Regulations soon that this would be perfect timing for this sub-committee to start and get it going.

Chairman Greenberg replied to a question about timing and directed the question towards First Selectman Syme, if the Commission could make the contents of this new committee available for discussion in the February meeting. First Selectman Syme replied that yes it can be on the agenda. First Selectman Syme stated that NECOGG is more than willing to help and Flexer is looking to do a presentation.

Wendy Sears asked about clarification about a SAIDS presentation on the 23<sup>rd</sup> of this month. Liz Burdick clarified stated that it will be Thursday the 25<sup>th</sup> at 10am at NECOGG. Wendy stated that she had gone to a meeting last year, they held several meetings and it was about economic development in the region.

Chairman Greenberg stated that it should be a good start and that it should be a part of the Planning and Zoning and it should be in the next meeting. First Selectman Syme asked how long the meeting was and both Wendy and Chairman Greenberg agreed that it was about 90 minutes long. A question from a commissioner asked where NECOGG is and First Selectman Syme said it is located in Dayville, CT.

Liz Burdick asked Chairman Greenberg about forwarding the informational e-mails from Flexer and he replied that it would be a good idea and he thinks that everyone should take a look at the e-mail.

**VI. Public Hearing:** None.

**VII. New Business:**

**A.** Election of Officers.

***Upon MOTION by Terry Delany, seconded by Peter Martin, it was voted unanimously to create a slate and for the secretary to cast one ballot.***

Terry Delaney nominated Gary Greenberg for Chairman.

Larry Miller nominated Terry Delaney for Vice Chairman.

George Perry nominated Larry Miller for Secretary.

Chairman Greenberg asked if there were any more nominations.

Peter Martin seconded the nominations.

***Upon MOTION by Terry Delaney, Seconded by Robert Brautigam, it was voted unanimously to CLOSE the nominations and cast one ballot to APPROVE the slate of Officers.***

***Upon MOTION by Terry Delany, Seconded by Peter Martin, it was voted unanimously to close the nominations and cast one ballot to ELECT the Slate of Officers as follows: Gary Greenberg, Chairman; Terry Delaney, Vice-Chairman; and Larry Miller, Secretary.***

**B. Discussion of Appointment of Alternate Member.**

Chairman Greenberg said that he has not gotten to the bottom of this matter; however the Chairman's understanding is that the ordinance that created the Zoning Commission is not the ordinance of which it was supposed to be. He is not quite sure about how to straighten this problem out and the Commission might have to wait until the Town meeting in May. But the immediate problem is that the Commission cannot appoint their own members. He continued that the ordinance in 2001 that created the Zoning Commission that is on file was consulted with an outside lawyer recommended that they dissolve the Zoning board and reconstitute it. That is what the Commission did. The lawyer also supplied them with a model ordinance that the Zoning Commission changed and the model ordinance is the one that is on file. Chairman Greenberg further stated that he is unsure if there is anything that can be done about that, but one of the things that was is that the ordinance that the Commission did not intend was that the Zoning Board could not appoint members or alternates or any of that, the Board of Selectman can only do that and the ordinance supersedes the ordinance that did allow the Commission to do that. However, the Zoning Board is on the agenda for the Board of Selectman on the 24<sup>th</sup>. Also Suzanne Gluck would like to be on the Zoning Board and Chairman Greenberg stated that what the Commission could do is recommend to the Board of Selectman that they appoint her as an alternate.

Chairman Greenberg routed the subject into asking if Jeff Jakubowski has been elected and is currently an official member. Liz Burdick clarified that yes everyone has been elected. Liz will look up everyone's exact elected or appointed issues. She furthered with stating that all of the gentleman are elected members. Chairman Greenberg stated that he would like to confirm that Wendy Sears has been elected.

***Upon MOTION by Terry Delaney, Seconded by Larry Miller, it was voted unanimously to recommend Suzanne Gluck as an alternate and to appoint Wendy Sears as an alternate if she has not been elected.***

Chairman Greenberg said that Henry is the only one who has not been sworn in and he was absent.

**C. Discussion of future CT DOT Route 14 Bridge Project.**

Chairman Greenberg lead the conversation by stating that Wendy and Terry had attended the meeting for the bridge on route 14 and how the commission may have input on the conduction of the rebuild. Liz Burdick photo copied a summary of what the meeting was and that the minutes about the State's meeting would be uploaded onto the State's web page however they have yet to

be uploaded and Liz will be following up about the meeting minutes and how to obtain them and forward them to everyone.

Wendy Sears added that there were a number of letters written about doing something that impacts the speed of traffic through the center of town. Likely, the construction would start in April and continue through November of the same year that they would have to control traffic down to one lane using a traffic signal. Wendy said her question was that if traffic would be accustomed to slowing down already for the construction then wouldn't it be a perfect time to implement a new speed through the village district and the State seemed somewhat interested in that idea and they have not thought about it before.

Terry Delaney furthered that the only thing that slows people down to the speed limit in that area of the bridge is the narrow construction. In his opinion, the decision to widen the bridge would just create a "racetrack" for travelers from Willimantic, and would create multiple hazards for people trying to get onto route 14 from 97 south, Brook Rd and the General store and it is a very congested area. This would also create a big hazard for events held on the green. Terry made a suggestion about sidewalks on either side of the bridge but that idea, he was told, was not going to happen.

Sears replied that there is a dip in the road where people lose a straight sight of where they are going until they get over the hump and with the conjunction of the sidewalks it would create a invitation for traffic accidents versus pedestrians.

Chairman Greenberg asked if the State had conducted any traffic research or anything of that matter to see how traffic flows through town. First Selectman Syme stated that somewhere around 4,000 car travel through there per day. He continued and said that the State had rejected the idea of lowering the speed limit.

Chairman Greenberg asked the size of the new projected bridge. Terry said that the existing structure is 25 feet long and 22 feet wide and that it is to expand by 9 to 11 feet wider without a sidewalk. Terry furthered that if it included a sidewalk it may extend the season of construction to the point that the project may not get done.

Chairman Greenberg said that there are some requirements that the Zoning would like on record for the project such as a sidewalk, traffic quieting of some kind, traffic slowing, a possible permanent traffic slowing fixture.

Peter Martin stated that the Zoning would have to be careful of what they wish for because he does not think that the State pays for sidewalks and the town would have to pay for it, be liable for it and maintain them.

Chairman Greenberg stated that the project is set to start in 2020 and there will be a significant shoulder added to the bridge.

More discussion about safety concerns about how wide the bridge will be and speed.

Chairman Greenberg stated that the Zoning Board could alert the State to the fact that what they

are doing contradicts their Plan of Conservation and Development. Chairman Greenberg said that he would be happy to bring it to their attention once he understands better who does that. He furthered that the Board need to address these problems and get more understanding about the State's plan with one person and ask them to travel to Scotland to address these problems one more time.

First Selectman Syme stated that he would forward any informational e-mails about this project and the traffic studies.

## **VIII. Old Business:**

### **A. Discussion of Scotland Zoning Regulations update.**

Chairman Greenberg handed out two new major change definitions to what is being rewritten. This is an approach outline by John Filchak as follows:

“My suggested approach developing commercial options for the town is (1) modify zoning regarding agriculture (both production and value-added) making the town an agriculturally friendly place, (2) related to the first point, modify the subdivision regulations to enable equestrian subdivisions, (3) alter the village regulations to promote the development of the village center as a traditional mixed-use location, and (4) adding a new section enabling home occupations and rural-based businesses. Significant work will also need to be done with signage.

**Home Occupation** - accessory uses conducted for compensation by the occupant(s) of a residential dwelling and wholly within such dwelling which complies with the provisions of these Regulations. Home occupations shall not include restaurants, tea rooms, or other eating or drinking places; dog kennels, animal hospitals; tattoo parlors; barber shop or beauty parlor having more than one (1) sink with one chair for cutting hair; doctors, dentists, automotive service, supply sales or repairs except for vehicles registered in the name of family members residing in the dwelling. Home occupations include, but are not limited to: The preparation and sale of those products customarily produced in the home or garden, and actually produced in the subject home or garden, such as baking and home preserves; the preparation and sale of the products of arts and crafts actually prepared on the subject premises, such as sewing, painting, wood carving, cabinet making, ceramics, writing, sculpture, ornamental glass and metal working; the workshops of skilled craftsmen such as watchmakers, plumbers, electricians, carpenters, house painters, paperhangers, and radio and television repairmen; the offices of architects, accountants, lawyers, engineers, psychotherapists, real estate and insurance agents, and other recognized professionals; and other activities which the Commission determines to be substantially similar in character, nature, intensity or impact to the activities listed above.

**Rural Business** - uses conducted for compensation by the occupant of a residential building or lot wholly or partially outside the home or within an accessory building and which complies with

the provisions of these regulations. Rural Businesses shall not include restaurants, tea rooms, or other eating or drinking places; dog kennels, animal hospitals, tattoo parlors, tow truck service, including parking of tow trucks on the premises, Junkyards, automobile graveyards and tow truck storage yards, solid waste management facilities, used or new motor vehicle sales, funeral chapels, funeral homes or crematoriums, sexually oriented businesses, beauty parlor having more than one (1) sink with one chair for cutting hair, doctors, dentists, or automotive service, supply sales or repairs except for vehicles registered in the name of family members residing in the dwelling. Rural Businesses include, but are not limited to: The preparation and sale of the products of arts and crafts actually prepared on the subject premises, such as sewing, painting, wood carving, cabinet making, ceramics, writing, sculpture, ornamental glass and metal working; tutoring, music lessons, voice lessons, or similar teaching or training services where more than one student attends class or is given instruction at any one time; workshops of skilled craftsmen such as watchmakers, plumbers, electricians, carpenters, house painters, paperhangers, and radio and television repairmen; and the offices of architects, accountants, lawyers, engineers, psychotherapists, real estate and insurance agents, and other recognized professionals. Other activities and land uses which the Commission determines to be substantially similar in character, nature, intensity or impact to the activities listed above.

### **Home Occupations and Rural Businesses**

A. The purpose of this section is to provide economic opportunities in the Residential-Agricultural Zone by permitting the operation of small businesses capable of existing in otherwise residentially zoned areas without any adverse affects on the quality of life, environment, aesthetic values and property values in such areas.

B. Home occupations after securing a Zoning Permit (or Special Permit in the event there is more than one requested or being conducted on the lot) or Rural Businesses after securing a Special Permit in accordance with Article 5 of these

Regulations may be permitted in the Residential-Agricultural Zone. Additionally, either use shall comply with the following:

1. The use is clearly secondary to the residential or agricultural use of the property. There shall be no change in the residential character of the site or the neighborhood. There shall be no change in the outside appearance of the residence or accessory building.
2. More than one (1) Home Occupation on any lot shall require a Special Permit.
3. A Home Occupation shall be located entirely within a dwelling and shall not occupy more than fifty (50) percent of the floor area of the dwelling.
4. No Rural Business may occupy a non-residential or accessory structure in excess of five-thousand (5,000) square feet.
5. Any outside area devoted to a Rural Business shall be clearly depicted on the proposed site plan.

a. Areas developed in connection with a Rural Business shall be appropriately screened, to the satisfaction of the Commission, from adjacent properties so as to be consistent and compatible with residential uses.

b. External storage of equipment shall be located so as to comply with all setback requirements.

6. No traffic shall be generated by such Home Occupation or Rural Business in greater volume than would be normally expected in a residential neighborhood. Any need for client or employee parking generated by the conduct of the home occupation or rural business shall be provided off the street and not in the required setbacks. See Article 6 for Parking requirements.

7. Any lighting, in addition to the requirements set forth in Article 6, used to illuminate off-street parking areas shall be so arranged as to direct the light down, towards the parking area, and away from the adjoining lots and any street.

8. No more than two (2) non-residents of the dwelling shall be employed on the premises for a Home Occupation and no more than five (5) non-residents of the dwelling shall be employed on the premises for a Rural Business.

9. No noise, odor, vibrations, glare, fumes, electrical interference or unsightly conditions shall be noticeable on the premises. There shall be no activity that creates, uses, or forms a byproduct or waste that is hazardous or a volatile material. There shall be no storage of commercial poisons of any kind nor the generation, storage or disposal of hazardous materials on the lot. No activity shall be undertaken nor material used or stored at levels that can be potentially harmful or capable of polluting any surface water, ground water or the air.

10. Notwithstanding any other provision in Article 6 of these Regulations to the contrary, a single sign which states the name of the permitted Home Occupation or Rural Business is allowed with the following conditions:

a. no more than four (4) square feet of sign area;

b. no more than five (5) feet above the ground level (top of sign) for a free-standing sign or no higher than the roof line for an attached sign;

c. meets the side yard setback;

d. may not be placed in the street right-of-way; and

e. may not interfere with the line-of-sight of traffic.

11. Hours of Operation. The actual hours of operation, landscaping, lighting, screening, etc. of any Home Occupation or Rural Business may be limited by the Commission

C. The initial Home Occupation Zoning Permit or Rural Business Special Permit shall be issued for two (2) years. At the end of the second year the permit shall be reviewed and may be renewed for an additional two (2) year period or revoked. Subsequent permits shall be reviewed every two (2) years for renewal or revocation. Permits are not transferable to another person or parcel without reapplication. Any permit may be revoked if in the opinion of the Zoning Enforcement Officer and the Commission any of the following conditions exist:

1. The use has clearly altered the residential character of the premises and/or neighborhood through the generation of traffic substantially in excess of that normally generated by a residential dwelling;
2. Changes in the lot or occupied building(s) have been made, altering the residential character of the premises or the neighborhood;
3. The nature of the occupation has changed from what was originally permitted; or,
4. Violation of any condition listed above or imposed by the Permit.

D. The granting of a Home Occupation Zoning Permit or Rural Business Special Permit shall entitle the ZEO to enter upon the premises and make inspections at least annually to verify compliance with these Regulations.”

Redoing these regulations will be about \$2,500.00. It will then be distributed to the members to review, add changes and then collaborate their edits together for final inspection and then bring it to the public as a last proposal. One of the things that still needs to be figured out between Liz and the Chairman are the specifics about the farm winery. The specifics are for the banquet facility.

Chairman Greenberg wanted to make sure that members didn't think that it was a terrible idea to have an equestrian Sub-division. No one was opposed.

- IX. Sub-Committee Reports.** None.
- X. Audience of Citizens.** None.
- XI. Administrative Reports.** None.
- XII. Communications and Bills.** None.
- XIII. Commission Open Discussion.** None.
- XIV. Adjournment.**

***Upon MOTION by Peter Martin, seconded by Terry Delany, it was voted unanimously to ADJOURN the meeting at 8:25 p***

Respectfully Submitted by

Joanna Fisher  
Planning and Zoning Recording Secretary

APPROVED BY THE SCOTLAND PLANNING & ZONING COMMISSION ON FEBRUARY 21, 2018.