

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

**OCTOBER 17, 2014 REGULAR MEETING & PUBLIC HEARING
7:30 PM – SCOTLAND FIRE DEPARTMENT
47 BROOK ROAD, SCOTLAND, CT**

DRAFT MEETING MINUTES

I. Call to Order. Chairman Greenberg called the meeting to order at 7:34 pm.
II. Roll Call/Seating of Alternates. In Attendance: Chairman Gary Greenberg, Vice-Chairman Terrence Delaney, Secretary Larry Miller, Peter Martin, Lee Hebert, Alt. George Perry & Alt. Jeff Jakubowski. **Absent:** Robert Brautigan & Erica Andrews. **Also present:** Liz Burdick, ZEO & Wendy Sears, PZC Clerk. **Perry and Jakubowski were seated for Brautigan & Andrews.**

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

IV. Approval of the Minutes – September 17, 2014.

Upon MOTION by Terrence Delaney, Seconded by Peter Martin, it was voted unanimously to APPROVE the minutes of the September 17, 2014 meeting.

V. Audience of Citizens. None.

VI. New Business.

A. Approval of 2015 PZC Meeting Schedule.

ZEO Burdick stated that the 2015 schedule was drafted and forwarded to the Town Clerk, but that she had inadvertently left the PZC copies at Town Hall and requested the meeting schedule approval be tabled to the next meeting.

Upon MOTION by Terrence Delaney, SECONDED by Jeff Jakubowski, it was voted unanimously to TABLE the 2015 Meeting Schedule to the next meeting.

B. PZ1405RA – Application of Town of Scotland Planning & Zoning Commission for Proposed Text Amendments to the Scotland Zoning Regulations regarding Moratorium on Equestrian Uses & Medical Marijuana Uses and Effective Date of Regulations. (ADJOURN TO PUBLIC HEARING).

Upon MOTION by Terrence Delaney, Seconded by Peter Martin, it was voted adjourn the meeting to open the public hearing.

VII. Public Hearing.

- A. **PZ1405RA** – Application of Town of Scotland Planning & Zoning Commission for Proposed Text Amendments to the Scotland Zoning Regulations regarding Moratorium on Equestrian Uses & Medical Marijuana Uses and Effective Date of Regulations.

Secretary Larry Miller read the public hearing notice into the record. ZEO Liz Burdick stated the Notice had been published timely in the Chronicle on 10/4 & 10/11/2014 and that the Application and Proposed Text Amendments had been sent to the Towns of Canterbury, Chaplin, Franklin, Hampton, NECCOG, SECCOG, Baltic/Sprague & Windham and that one response had been received from SECCOG finding no intermunicipal affect.

Chairman Greenberg reviewed the reasons for the three proposed text amendments for a moratorium on equestrian uses, medical marijuana and stated the Commission is working on proposed regulations for both uses. He stated the purpose of the moratorium is to not allow said uses for the shortest time possible to apply for and commence either of these uses. He read the text amendments and clarified none would affect existing uses, but future uses. He reviewed the change to the effective date of the regulations was to clarify the date zoning was adopted.

Peter Reardon of Scotland, CT asked for the length of the moratorium on equestrian uses and Chairman Greenberg responded 180 days. Reardon asked for further clarification on medical marijuana uses and Greenberg stated the state regulations require local zoning approval, but don't tell Towns what to propose for regulations.

Lee Hebert stated there is somewhat of a competition for opportunities for medical marijuana production facilities with regard to the moratorium length and Terry Delaney stated that he does not believe the Commission should act in haste and takes its time to make sure it proposes correct regulations. ZEO Burdick stated that the moratorium for equestrian uses was for up to 180 days, but the medical marijuana uses moratorium was proposed for up to one year.

There were no further comments from the public or Commission.

Upon MOTION by Terrence Delaney, Seconded by Larry Miller, it was voted unanimously to CLOSE the public hearing.

Upon MOTION by Terrence Delaney, Seconded by George Perry, it was voted unanimously to APPROVE PZ1405RA – Application of Town of Scotland Planning & Zoning Commission for Proposed Text Amendments to the Scotland Zoning Regulations regarding Moratorium on Equestrian Uses & Medical Marijuana Uses

and Effective Date of Regulations. EFFECTIVE DATE OF AMENDMENT- 15 DAYS FROM PUBLICATION OF NOTICE OF DECISION.

VIII. Old Business.

A. Discussion of proposed zoning regulations text amendments regarding equestrian uses.

Gary Greenberg stated this was a public discussion. He presented regulations from the Town of Hampton because of its proximity to Scotland for discussion. He reiterated that any new regulations will not affect existing equestrian uses, that policies would be discussed going forward and that if new regulations are adopted, then expanding and changing an existing use would be considered an intensification and require some further permitting to comply with new regulations.

Greenberg stated the regs distributed were not Scotland's, but Hampton's and a place to start for discussion and asked members of the public to discuss their existing equestrian uses.

John Beck of Gager Hill Road asked what the Town has now for regulations and Greenberg stated at this time, the Town considers equestrian uses agricultural uses and the reason the Commission is looking at this now is the Town has seen some future preliminary proposals that would appear to vastly increase the impact of these types of uses.

ZEO Burdick stated the regulations address agricultural uses including riding stables, but that over the past couple years

Scott Sears, Huntington Road stated, as a professional equestrian and veterinarian that services most of Eastern CT, that six horses is nothing as far as a commercial venture and that you'd need to have 10 to 15 horses to have a viable commercial venture and the number of six horses is too low. Greenberg asked what happens at that point that makes him say it is commercial and Sears responded that would then be someone earning a living doing that, that you could have a boarding facility that may or may not have a indoor and/or outdoor riding rings and that's going to be different than a large facility that trucks in horses for big shows that may be 2 or 3 day events and that probably has less to do with the number of horses present v. the size of the facility. Greenberg asked of there were facilities that have relatively few horses, but then large events and at those large events, how many horses might come. Sears stated easily 50 and Greenberg asked along with all their people and their trailers and Sears stated yes. Greenberg asked if any of the existing uses have done that and Peter Reardon stated he has had 30 trailers at his house for events such as a barrel run and they came and went and didn't tie up traffic. Greenberg asked if Reardon operates at night and Reardon responded sometime, but not generally and that sometimes they practice at night in the summer because it's cooler. Reardon stated that some concerns regarding traffic for big events coming to town that

some towns have big events such as the Highland Festival in Scotland and questioned how that event is allowed and Greenberg stated kits allowed by right as a community fair. Reardon stating that some towns have special requirements. Reardon stated that the Dash place on Pudding Hill Road was never in commercial operation and ZEO Burdick stated she was aware of that, but that persons had approached her with proposals for future commercial operations. Reardon discussed generally, other towns' regs for the keeping of horses. Terrence Delaney asked Reardon if he was strongly suggesting we should draft regulations for the number of horses allowed on a particular property and Reardon responded he was not in favor of any more regulation at all but that if there was a very large event that various permits should be required. He stated additionally that horse farms bring open space to the town and some towns are eliminating taxes on barns to retain open space and agricultural uses.

Gary Greenberg stated the Commission was not just addressing events, but riding lessons, as well and asked resident and equestrian user Lori Hamel Scotland Hill Stable on Pudding Hill Road to describe her existing facility and she stated that lessons depends on the economy, but that different facilities have different standards and that some have enough students to have their own shows. She states she does as many lessons as she can, but does not have such a large facility, keeping things quiet and without barn specific hours without complaints and discussed her facility in general. Scott Sears stated these are not high impact facilities and Sheila Lambert agreed. There was general discussion about boarding other people's horses and that some owners come and go and some just pay to board and have their horses cared for. There was additional general discussion about manure storage and removal, number of horses per acres, setbacks for agricultural buildings, lighting, taxation on agricultural buildings, one-day event regulations, and health department local & state regulation. Jeff Jakubowski stated the PZC should work on defining the difference between true commercial operations and how they are permitted, including reviewing regulations from Lebanon, CT. ZEO Burdick stated allowing commercial equestrian uses by Special Permits does not prohibit, but allows the Town to regulate the use to protect the rural character of the Town.

B. Discussion of status future Scotland Plan of Conservation and Development. ZEO Burdick stated the previous work done by the PZC for the future POCD had gone by the wayside when WINCOG and its planning consultant became unavailable and that the PZC needed to restart the process. She distributed materials to date to all members, stated that she was working with NECCOG on mapping for the Plan and that she would like the Commission to begin work in earnest again in 2015. The PZC will address at their upcoming future meetings.

IX. Sub-Committee Reports.

X. Audience of Citizens.

XI. Administrative Reports. ZEO Burdick updated the PZC on recent enforcement actions.

XII. Communications and Bills.

XIII. Commission Open Discussion.

XIV. Adjournment.

***Upon MOTION by Terrence Delaney, Seconded by Lee Hebert, it was voted
ADJOURN the meeting at 9:05 p.m.***

Respectfully submitted,

Liz Burdick
Zoning Enforcement Officer

APPROVED BY THE SCOTLAND PLANNING & ZONING COMMISSION ON _____, 2014.