

**SCOTLAND PLANNING & ZONING COMMISSION**  
**Tuesday, April 26, 2022- 7:00 P.M.**  
**Scotland Fire Department, 47 Brook Road, Scotland**

**MINUTES**

**I. Call to Order**

T. Delaney called the meeting to order at 7:00 p.m.

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

Present: T. Delaney, J. Jakubowski, P. Marti, B. Syme, M. Garrison, G. Nelson, H. Bowers

Other present: M. Gil, M. Branse, I. Kisluk, G. Greenberg, L. Trainor, A. Maguire,

**III. Approval of Minutes-**

February 16, 2022- P. Martin made a motion to approve the minutes. J. Jakubowski stated that he would like to add Carol Withington under Audience of Citizens instead of C. Withington. J. Jakubowski seconded the motion and it passed unanimously.

March 16, 2022- P. Martin made a motion to approve the minutes. J. Jakubowski seconded the motion and it passed unanimously.

**IV. Audience of Citizens- None**

**V. Public Hearing**

**A. PZ#22-2-SP, Larkin Trainor, Special Use Permit, Complementary Agricultural Use, 88 Cemetery Road**

P. Martin made a motion to open the public hearing. B. Syme seconded the motion and it passed unanimously. L. Trainor of 88 Cemetery Road was present at the meeting. She gave a presentation of her proposal and defined permaculture. L. Trainor stated that she would like to offer permaculture and agricultural educational experiences on her property through on-farm marketing. This would include markets, farm to table dinners, pick your own events, workshops and retreats for seasonal overnight stays. She stated that no buildings or structures would be built, and adequate parking would be provided for the anticipated traffic. She stated that these activities would not impair the health and safety of residents, would not negatively impact natural resources, and would not create any noise, odors, smoke, or dust. L. Trainor discussed the hours of operation. She stated that the proposal conformed to Scotland's Plan of Conservation and Development. L. Trainor explained that she did not want to be classified as a campground, but as a permaculture retreat. She stated that she would allow up to three small groups, not exceeding six people per group, to stay on the site for no more than three consecutive days. They would stay in tents or Recreational Vehicles on the property. L. Trainor stated that she had spoken to the Eastern Highland Health District. She would pull single day permits for any events she has on the property and would notify the Planning & Zoning Commission 14 days prior to the event.

T. Delaney asked what items were being produced on the farm. L. Trainor stated she farms micro-grains year-round, eggs, and seasonal produce. T. Delaney and L. Trainor discussed the items that would be used for the farm to table events. T. Delaney asked how long the homeschool coop was running on the property. L. Trainor stated that she has been running the programs for about a year and was never issued a cease and desist for the homeschool. She stated that the State of Connecticut visited her property and found Into the Earth to be in compliance. T. Delaney stated that on multiple occasions he has explained that a special permit was needed to operate these activities. L. Trainor stated she felt the town was discriminating against the type of farm she was running on her property. T. Delaney asked if she was registered as a farm with the town. L. Trainor stated that

she was not registered with the town but was with the State of Connecticut. T. Delaney asked about an event that was scheduled to take place on the property the upcoming weekend. L. Trainor stated it was a private event and there wasn't a charge for there was no commercial activity.

Wetland Enforcement Officer, I. Kisluk was present at the hearing. She stated that she met with L. Trainor on the property and discussed run-off mitigation strategies such as stone trench that could be used during events. I. Kisluk stated her understanding was that three events per year would be held on the property. She requested that there would be no parking on the grass during rain events. J. Jakubowski requested more detail on the stone trench. I. Kisluk stated that she did not have details yet until she was given finalized parking plans. She explained that because the activity was agriculturally based, wetlands did not have much jurisdiction. J. J. Jakubowski asked if there were wetland concerns with the proposed RV/tent sites. I. Kisluk stated these were mentioned briefly and she did not recall wetlands being an issue in this area. P. Martin stated he did not want the runoff being an issue for the town.

H. Bowers asked how much insurance coverage was obtained for the events. L. Trainor stated that she used Facebook for marketing and estimated the figure off those that have responded to an event.

M. Garrison asked about the length of stays for the camping retreats. L. Trainor reminded those in attendance that her family resided on the property and that she did not wish to have that many people on her property, seven days a week. L. Trainor stated that the sites would be 200' away from abutters. She stated that portable bathrooms were not shown on the site plan but would be in front of the property by the parking area and in the RV area. Attorney Branse stated that if people are camping on the property for a fee, it would be a campground. First Selectman G. Greenberg asked L. Trainor if Into the Wild, the camping, the festivals, and the workshops were all requested under this application. L. Trainor stated that they were. G. Greenberg stated that these items should be listed so that the town knows all the layers that are being offered. Attorney Branse stated that On-Farm Direct Marketing required a special permit. L. Trainor disagreed.

A. Maguire of 60 Cemetery Road submitted a folder of documentation into the record. She expressed concern that the regulations were not followed, the traffic and noise these events were creating, the campground proposal, and that L. Trainor had not cooperated with the town.

Attorney Branse explained that a special use permit went with the property, not the property owner. L. Trainor stated that she has received no help or guidance from the town. T. Delaney stated that he met with L. Trainor and M. Gil and the process was explained. He stated that L. Trainor was advised to obtain a lawyer to assist her with the regulations and applying for her application. L. Trainor stated that she was given permission by M. Gil and T. Delaney to hold an egg hunt and a farmers market this month. M. Gil stated that she did grant permission for the egg hunt and told L. Trainor that she could host a market without food trucks, or live music.

A member of the audience (inaudible) expressed concern about the impact on neighbors and to property values.

A. Maynard of Cemetery Road expressed concern with the parking. Amber Laroux of 60 Cemetery Road spoke in opposition to the application and stated that L. Trainor has been a nuisance. A. Palmisciano of 423 Kemp Road asked if having a private party would be a violation of the zoning regulations. M. Gil stated that private, non-commercial events on property were not a violation of the zoning regulations. Mr. Maguire, 60 Cemetery Road expressed concern about the events coming up within the next few weeks and expressed concern about the standing water on the property. Z. Ring of 199 Devotion Road stated that most would like to see an A2 survey.

P. Martin made a motion to continue the public hearing for PZ#22-2 to Wednesday, May 18<sup>th</sup> at 7:00 p.m. at the Scotland Fire Department. B. Syme seconded the motion and it passed unanimously.

**B. Public Hearing to Opt Out of PZ 21-29- Accessory Dwelling Units**

J. Jakubowski made a motion to open the hearing. Alternate G. Nelson was sitting for this hearing.

M. Gil explained all towns had to opt out of Public Act 21-29 by 1/1/23 or else the State of Connecticut regulations for ADU's would trump the town zoning regulations. She stated that the majority of the town regulations regarding Accessory Dwelling Units conform to the State of Connecticut regulations, but the state doesn't allow ADU's to be included as affordable housing. Attorney Branse spoke on this.

J. Jakubowski made a motion to close the public hearing. P. Martin seconded the motion and it passed unanimously.

**VI. New Business – None**

**VII. Old Business**

**A. Opt Out of PA 21-29 Accessory Dwelling Units**

J. Jakubowski made a motion to make a recommendation to the Board of Selectmen to opt out of Public Act #21-29 regarding Accessory Dwelling Units. P. Martin seconded the motion and it passed unanimously.

**VIII. Sub-Committee Reports**

Affordable Housing Plan – The subcommittee has not met on the Affordable Housing Plan.

**IX. Audience of Citizens**

A. Palmisciano asked about the application procedure for text amendments.

**IX. Administrative Reports**

M. Gil stated that she would be leaving as the Scotland ZEO and that I. Kisluk would be taking the position.

**X. Communication and Bills – None**

**XI. Commission Open Discussion-** Land Use Fees would be placed on the next agenda. Attorney Branse discussed future Land Use Commission member training.

**XII. Executive Session- none**

**XIII. Adjournment**

P. Martin made a motion to adjourn. B. Syme seconded the motion and it passed unanimously.

Submitted,

Melissa Gil  
ZEO

