

TOWN OF SCOTLAND PLANNING & ZONING COMMISSION



Regular Meeting Minutes
Wednesday, March 20, 2024 – 7:00 p.m.
Scotland Fire Department, 47 Brook Road, Scotland

1. Call to Order B. Syme called the meeting to order at 7:02 p.m.

2. Roll Call/Seating of Alternates Members Present: B. Syme, R. Manning, M. Garrison, J. Jakubowski, R. Brautigam, G. Nelson, J. Troeger
Alternates Present: S. Gadbois, D. George, H. Bowers
Others Present: ZEO I. Kisluk, Larkin Trainor (applicant), public
Seating of Alternates: None

3. Additions/Changes to the Agenda: None

4. Approval of Minutes

A. Regular Meeting of February 21, 2024

J. Jakubowski made a motion to approve the minutes of February 21, 2024. R. Manning seconded. Motion passed unanimously.

5. Audience of Citizens: None

6. Public Hearing

A. **PZC2024-001** of Scotland Planning & Zoning Commission (Applicant)-
Proposed Amendments to Article 3, Article 4A, 4B, and Article 6 of the Zoning
Regulations.

R. Manning made a motion to open the Public Hearing for PZC2024-001. J. Jakubowski seconded. Motion passed unanimously.

I. Kisluk stated that the public hearing for PZC2024-001 needed to remain open until the Commission's next meeting in April to allow adjacent municipalities time to comment. She summarized the proposed revisions of the regulations, most of which are required by changes in legislation.

B. Syme asked if any members of the public had questions or comments about the text amendments proposed. Hearing none, B. Syme asked for a motion to continue the Public Hearing.

R. Manning made a motion to continue the Public Hearing for PZC2024-001 until the Commission's next regularly scheduled meeting on April 17, 2024. R. Brautigam seconded. Motion passed unanimously.

B. PZC2024-002 of Larkin Trainor (Applicant)- Proposed Amendments to Article 3 and Article 4A, Sections 3 and 6 of the Zoning Regulations, to define and allow Permaculture Retreats in the RA Zone by Special Permit.

R. Manning made a motion to open the Public Hearing for PZC2024-002. J. Jakubowski seconded. Motion passed unanimously.

L. Trainor introduced herself and summarized her proposed text amendments. The amendment will define “Permaculture Retreat” and allow such retreats as a Special Permit Use in the Rural Agricultural (RA) Zone. The Special Permit may allow activities including, in part, overnight, outdoor guest stays, on-farm direct marketing, educational programs and farm market events open to the public, and large events open to 150 people.

L. Trainor read portions of the Statement of Justification submitted with the application into the record which explains how the proposed amendments are compatible with Scotland Plan of Conservation and Development (POCD). She stated that the proposed text is intended to allow farms to find new uses to generate income and financially sustain their properties.

B. Syme asked if any members of the Commission had questions regarding the application.

J. Troeger asked what “large events” would mean under the proposed uses? L. Trainor stated that the language is intended to allow community-based events, where other vendors may come for the day to shop, similar to a farmer’s market but with the possible addition of food trucks, local musicians, or other local business owners. I. Kisluk added that the proposed text should only be considered in the context of any 10-acre parcel in town, not in the context of how it may be used by L. Trainor specifically.

J. Troeger asked about the intent behind overnight guests. L. Trainor stated that her vision for overnight activities includes bringing in urban families or those without access to hands-on farming experience for educational purposes.

G. Nelson asked about the limit of 150 people for large events and the limit of 8 farm-to-table events annually. L. Trainor stated that she was advised to place limitations on the proposal and the maximum of 150 guests at a large event would be reasonable for her property on Cemetery Road.

J. Troeger asked about Health District approval requirements. L. Trainor stated the State permits campgrounds under three distinct tiers. She stated that “primitive” and “semi-primitive” campgrounds may be approved without offering any amenities such as bathrooms or potable water. There are regulatory standards from the Health District which require an application and inspection of

the premises. Locations with overnight guest camping will be required to maintain a log of all overnight guests for the health district and will need to receive approval from the Fire Marshall for safe vehicle access and campfire locations. L. Trainor stated that there are additional Health Code regulations for providing food services as in farm-to-table dinners. She stated that she was not sure of Health Code related requirements for large, single-day events.

D. George stated that section of the proposed text referring to hours of operation, G.4.a.i and G.4.a.iv, should be considered in relation to the rural nature of the town. L. Trainor stated that the Town of Scotland has no noise ordinance and that those times would be dependent on the specific nature of the land and business applying for a Special Use Permit under these regulations.

B. Syme opened the floor for the public to provide testimony on the application.

-Barry Spalding on Cemetery Road read a prepared statement into the record. He provided the Commission with a map of a parcel which would be able to apply for a Special Permit under the proposed regulations. He expressed concerns over the proposed setback requirements and how those requirements may be enforced for short-term events. He additionally expressed concerns over the allowable hours of operation and a lack of regulations regarding guests' pets such as dogs.

- Lauren Candee of Cemetery Road read a prepared statement into the record. L. Candee stated that the amendment refers to the Special Permit as an accessory to a farm operation questioned what would be required to be considered a farm. She further expressed concerns with a lack of owner-occupation requirement for Permaculture Retreats.

-Amelia McGuire of Cemetery Road stated she felt the proposed text is too vague and open ended and would make oversight impossible in its current wording. She stated that she would be supportive of the amendment if it were more detailed and restrictive. She further stated that G.2a, overnight guest stays, G.2g. farm market events, and G.2i. large events of up to 150 people should be removed from the text amendment. A. McGuire further stated that Scotland currently requires 50 acres for camping, which represents a significant difference from the proposed text. The proposed text would potentially allow 500 campers on-site over a one-month period. A. McGuire further stated that there is no clear difference between the "farm market event" and "large event" allowed under the proposed G.2.g and G.2.i, and stated that "farm market events" is not specific or limiting enough as a term. Additionally, A. McGuire suggested additions to the proposed text, including a provision to revoke permits which are violated by the permit holder and a requirement that boundaries be clearly marked on the day of events.

-John Owen of Palmer Road expressed his support for the proposed text. He stated that he feels something like a Permaculture Retreat as a possible use fits the town of Scotland and would be beneficial to have in town. He additionally asked if it would be possible to remove specific numbers limiting event size for

the regulation and allow the commission to limit event sizes as a condition of Special Permits as they are granted.

-Andrea Maynard of Cemetery Road expressed concerns over fire, noise, waste, and parking issues, as well as unattended pets from large events and overnight guest stays.

-Kim Martin of Brooklyn Turnpike stated she feels the proposed text should either be more specific or be made less specific and limited in the Special Permit process. She expressed that she would be concerned about camping or overnight guests next to her on 10 acres but would be comfortable with a proposed educational use.

-L. Candee of Cemetery Road spoke again to ask if there was any consideration for useable acreage related to the 10-acre minimum.

-Art Brault of Windham expressed his concerns that the unclear definition of a 10-acre farm should be considered.

-Heather Shedd of Brooklyn Turnpike expressed her support for the proposed language as an educator. She stated that uses under the proposed language would be valuable for her students and other students in the area. She further stated that many of the concerns she has heard in response to the proposed text are not necessarily specific to the proposed uses and urged everyone to not limit the Community of Scotland and children's opportunities based on fears that may be addressed in the Special Permit process or that may not come from the proposed uses.

-Pete Reardon of Pudding Hill asked who can initiate a Special Permit application and clarified the difference between the Special Permit process and one-time or private events.

-Wendy Sears of Hunters Road expressed support for the proposed text as something that will support keeping Scotland rural. She additionally asked the Commission to consider restricting on-street parking, lighting, and a provision requiring renewal of Special Permits.

-Debbie Schultz, of Toleration Road, and co-owner of Highland Campground stated that some of the comments regarding campgrounds have been disheartening to hear as Highland has been operating in Scotland for decades. She stated that she can see both sides.

-Amanda Holewiak of Cemetery Road expressed support for the proposed text and acknowledged that there may be potential issues with some of the proposed uses. She recommended that Overnight Guest Stays be removed as an allowable use and that Permaculture Retreats who receive Special Permits under the proposed language may be able to partner with local accommodations such as Highland Campgrounds for overnight stays.

-Alysia Palmisciano expressed support for the proposed text and stated that Permaculture Retreats would benefit the town through potentially increasing the tax base.

-Mark Davis of Toleration Road and co-owner of Highland Campground expressed support for the proposed uses, excluding the Overnight Guest Stays on 10-acre lots due to the small parcel size and potential impacts on neighbors including noise, wastewater issues, and privacy issues.

-Terry Delaney of Brook Road expressed concerns with unclear language in the proposed text such as “may”. He additionally questioned the meaning of “permaculture”.

R. Brautigam read a definition of the word “permaculture” from *Permaculture One* by Bill Mollison and David Holmgren into the record.

-Terry Delaney stated his concern that the definition provided in the proposed amendment did not provide enough detail to effectively limit proposed uses to permaculture.

-Mary Pharmer of Pudding Hill Road stated that the proposed text is progressive and has the potential to benefit the town but expressed concern with Overnight Guest Stays as camping due to the small minimum parcel size.

-Lauren Candee of Cemetery Road stated the educational programs sound good but expressed concerns on the broad time limitations and lack of a cap on number of students.

-Mark Davis encouraged the addition of a requirement for Planning and Zoning Members or a representative perform site walks before granting a Special Permit.

In response to various questions, the Commission discussed the Special Permit approval process.

R. Manning made a motion to continue the Public Hearing for PZC2024-002 until the Commission’s next regularly scheduled meeting on April 17, 2024. R. Brautigam seconded. Motion passed unanimously.

7. New Business

8. Old Business

9. Regulation Revisions (Discussion)

10. Sub-Committee Reports

A. S. Gadbois briefly discussed potential revisions to the regulations, including the removal of “complementary agricultural uses”, removing the term “Commercial farm”, creating a definition and allowable use for “agritourism” and redefining farm using the definition in CGS Section 1-1q, and revising the definition of “family”.

S. Gadbois additionally discussed the difference between “Farm Stand” and “Farm Store”. The Commission discussed.

11. Audience of Citizens

Larkin Trainor of 88 Cemetery Road asked about where Cottage Industry foods fit into “Farm Stand” and “Farm Stores”

Terry Delaney asked for an update on 489 Kemp Road and asked about an unpermitted craft store and farm stand on Pudding Hill.

I Kisluk discussed Cottage Food Business permitting with residents and the Commission.

12. Administrative Reports

A. Enforcement Report

J. Jakubowski inquired about 486 Brooklyn Turnpike which is currently acting as a junkyard. I Kisluk stated that she will need to involve USDA on any action taken for the property and she has seen several vehicles on site.

B. Commissioner Education

I Kisluk stated that once the final two members complete their required training she will send a compliance report to the Board of Selectmen.

13. Communication and Bills: None

14. Commission Open Discussion

15. Executive Session: None

16. Adjournment

R. Manning made a motion to adjourn at 9:22 p.m. R. Brautigam seconded. Motion passed unanimously.

Respectfully submitted,
Isabelle Kisluk
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