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DRAFT Minutes of March 16, 2016 ZBA Meeting

Attendees: Jim Ferguson, Carl Slusarczyk, Donald Schubert, Marisa Roy and Jason Cormier

Also present: Andy Marchese, Zoning Enforcement Officer/Staff Liaison
Debra Sterling, Recording Secretary

The meeting was called to order at 6:30 p.m. by Jim Ferguson, Chairman, and he read the opening statement. All Members introduced themselves.

Carl Slusarczyk, Board Secretary, read the agenda:

> Application # ZBA-2016-004 – STRONG FAMILY FARM, INC. c/o NANCY E. STRONG, Applicant, seeking a Special Exception from the Vernon Zoning Regulations **Section 3.19.2 (Roadside selling is permitted in all zoning districts by special exception from the Zoning Board of Appeals except as outlined in Sections 4.9, 4.10, 4.17, 4.20 and 4.21. Homegrown vegetables may be sold without a special exception.)**, to allow roadside selling on the property located at 274 West Street, in the R-27 Zone.

Chairman, Jim Ferguson, asked Andy Marchese to discuss the application. Mr. Marchese stated that the applicant, Nancy Strong, has been into the Building Department and met with himself as the Zoning Enforcement Officer, the Building Official, Town Planner, and Mr. Robert Hurd, on several occasions, and the applicant is requesting a Special Exception for roadside selling. They have also met on site at the farm to see the location of the stand.

Mr. Marchese referred to the proposed floor plans, submitted by Robert Hurd, and pointed out to the Members the location of the proposed farm stand. He further stated that there have been some permits taken and some improvements made to the barn. He read aloud from the Town's Zoning Regulations, Section 3.19.5, which states the total area involved in any roadside selling activity shall not exceed 200 square feet. The area that they are showing on the plan exceeds 200 square feet, but in Mr. Marchese's opinion, the farm has always been used for some type of selling of flowers or turkeys, held other types of activities and had other items for sale. He spoke about the use of the farm, farm preservation, and grants received. He feels it is a pre-existing non-conformity and therefore it is allowed. He does not believe they abandoned the use, and as the floor plan shows, there used to be a milk room on the farm where possibly milk and eggs were sold. Mr. Marchese stated he strongly supports the application, and although the plans show a total of 454 square feet, which does exceed the square footage of the Regulation, it is a use that's been on the property for many years.

Jim Ferguson invited the applicant to speak on behalf of the application. Nancy Strong and Robert Hurd came forward. Mr. Hurd introduced himself as a Vernon resident and also as a licensed Architect, who has been working with the Strong Family Farm, a non-profit organization, since they formed. He has been working with them to help find ways to preserve and enhance the existing barn structures, in order to preserve the farm, and to support the mission of the Strong Family Farm Incorporated. He stated they are looking at ways to make the organization sustainable and one of the ways is to sell Connecticut grown products on site. The farm has been in existence in its present location since 1874, and for the

past 60 years, up until a couple of years ago, their prime product was turkeys at Thanksgiving, grown and sold locally and around the region, up until the retirement of Morgan Strong. Since then, the farm has sold vegetables roadside for the last three years. Continuing to do so would help to perpetuate and bring some revenue in to help sustain the efforts of the organization as it grows. Nancy Strong then introduced herself. She spoke about her father's passing and how the non-profit was created. She stated they wanted to give back to the community and thought this would be a good economic boost. They would like to support local farmers and provide an authentic farm experience for families and individuals. They are not going to go out of state, just going to support local farms to give them an outlet so they don't have to sell roadside or go to farmer's markets. She stated there will be limited hours and it would be seasonal. She asked for their approval and thanked the Board Members.

Jim Ferguson asked if there was anyone in the audience in favor of, or opposed to, the application.

Twelve (12) people came forward, one by one, and introduced themselves. All spoke highly of Nancy Strong, and the Strong Family Farm. All were in favor of the farm stand and were excited for the opportunity to support the farm and purchase local fresh produce. Many spoke about the volunteerism provided and the Community's desire to assist in the farm succeeding.

Chairman Ferguson asked if there were any questions. Carl Slusarczyk questioned if the applicant had gone through the Traffic Authority yet; the applicant answered no but would if necessary. Carl Slusarczyk expressed concerns over parking and asked where parking would be allowed. He also questioned the width of the driveway, and where volunteers, employees and customers would park. Mr. Hurd explained where the parking areas were and did not envision traffic or parking problems. Mr. Hurd added that there was enough space to allow cars to pass and discussed an area which was designated for one way traffic. Carl Slusarczyk asked several questions about signage. Mr. Hurd and Ms. Strong indicated they could install additional signage if it is a condition of the approval. Further questions were asked about hours of operation.

Carl Slusarczyk questioned Andy Marchese about the Special Exception and how long it lasts. Andy Marchese replied the approval for roadside selling would be recorded on the land records and stays with the property forever. Andy Marchese also made some comments regarding parking and discussed Regulation 12.1.18.

Carl Slusarczyk indicated he was concerned about traffic; Andy Marchese replied if there are other requirements for the applicant, such as Traffic Authority, the applicant would comply.

Carl Slusarczyk asked the applicant to discuss deliveries to the stand, and times of such deliveries.

Jim Ferguson asked if there were any other questions. There were none. The hearing was closed and discussion was held between the Members.

Don Schubert commented that he didn't see any reason for the Board to make any conditions or restrictions to the approval. Carl Slusarczyk asked Andy Marchese about various other authorities. Mr. Marchese indicated previous conversations between the applicant, Building Official and Fire Marshal have taken place, and he did not believe a farm stand would need to go through the Traffic Authority, but the Board can put a condition on the approval if they chose to. He further stated he wanted to add to the record that Abutters notices were sent and no responses were received. Marisa Roy stated she has

been to numerous functions at the site and there were no issues, traffic wise, and she has no problem with the application.

Don Schubert made a Motion to Approve the Special Exception from Zoning Regulation 3.19.2 for roadside selling, without restrictions, at the location of 274 West Street in the R-27 Zone. Marisa Roy seconded the Motion. Four Members were in favor of the approval (Jim Ferguson, Donald Schubert, Marisa Roy and Jason Cormier); One Member in opposition (Carl Slusarczyk). Motion approved by a 4/1 vote.

Next item on the agenda, review Draft Minutes of the February 17, 2016 meeting. Carl Slusarczyk made a Motion to approve the February 17, 2016 minutes. Don Schubert seconded the Motion. Four Members were in favor of the approval (Jim Ferguson, Carl Slusarczyk, Donald Schubert and Jason Cormier); Marisa Roy was not present at the February 17, 2016 meeting.

Next item on the agenda, other business. No other business to discuss.

Don Schubert made a Motion to adjourn the meeting. Carl Slusarczyk seconded the Motion. All Members were in favor (Jim Ferguson, Carl Slusarczyk, Donald Schubert, Marisa Roy and Jason Cormier) for a unanimous vote.

The meeting was adjourned at 7:08 p.m.

Submitted by: Debra Sterling

Debra Sterling