

**HAMPTON PLANNING & ZONING COMMISSION
MINUTES
OCTOBER 24, 2011**

PUBLIC HEARING:

Application of the Hampton Planning and Zoning Commission for revisions to the Hampton Zoning Regulations pertaining to activities that are permitted in the RA-80 Rural Residence Agricultural Zone. The revision will update Section 5.1 RA-80 Rural Residence Agricultural Zone of the Regulations, with changes proposed to other sections of the Hampton Zoning Regulations that govern the activities permitted in the RA-80 Zone. Additional changes are proposed to Section 2.2 Definitions, Section 4 Area and Yard requirements, Section 5.4 Prohibited Uses, Section 6 Special Regulations, and Section 7.4 Board of Appeals.

Chairman Grindle opened the continued Public Hearing at 7:30 p.m. Members present were Grindle, DeCesare, Hyde, Langer, and alternate Thompson, who was appointed to act in DeCarli's absence. Grindle welcomed the Agriculture Committee and noted for the record that he and Fraenkel attended the October 19th Agriculture Committee meeting to discuss the proposed revisions to the RA-80 Zone Regulations. He explained that at the previous Public Hearing they reviewed the proposed regulation changes, and he would like to invite the Agriculture Committee to review any questions and/or clarifications and discuss any concerns they may have.

Bruce Kittredge discussed the definition of Farmers Market, suggesting a grammatical change shown below.

“A public market place where fresh foods are sold by the people who have grown, gathered, raised, caught or otherwise produced them. ~~and in~~ Middlemen or brokers are not allowed. Crafts and other items can be sold at farmers' markets as long as the total number of craft vendors does not exceed the total number of farmer vendors.”

Kittredge also feels that some product has to be brought in from outside sources. He asked for clarification on this.

Rene Cuprak noted that to be a “CT Grown” business all produce sold has to have been purchase with a traceable origin within the state. Grindle questioned if that wording is something that the commission should consider incorporating into the regulations. Discussion was held about incorporating an “X” mile radius into the wording since we are so close to the Massachusetts and Rhode Island border, and that all sellers are not “CT Grown”.

Mike Chapel, asked for clarification on “pick your own” farms. Grindle explained that it would not require a permit.

Rene Cuprak suggested changes to the time limits on page 17, Farmers Market (no more than one day per week); and p.g. 21 Roadside Stand (no more than 6 months per year). Extensive discussion was held regarding what “seasonal” is, noting that many products are “seasonal” at different times of year, e.g. early spring crops, maple syrup, and eggs being a year-round product.

Deb Espinosa noted that you would be limiting a farmer's income when you limit the selling season. Randy Thompson noted that one person's stand running for 12 months a year is probably an uncommon occurrence.

Everett Hyde suggested changing the wording from seasonal to temporary.

Gary DeCesare stated that he is more concerned with farm stands that sit unoccupied 8 months a year, than farm stands that operate all year. He feels the Commission could relax its regulations in that respect.

Fraenkel noted that sale of items such as syrup and eggs would not constitute a stand and wouldn't be regulated by permit.

Grindle suggested removing "seasonal" from the title on page 21 and removing the time limit. The Commission agreed by consensus. The suggested reading would then be:

M. Roadside stand, ~~seasonal~~

Roadside stands are authorized in the RA-80 Zone subject to the following:

1. Duration. Sale of agricultural products grown on the premises, or on other property under same ownership, from an occupied stand may take place ~~for no more than 6 months per~~ throughout the year.

Cuprak suggested changing the frequency of the Farmers Market to twice a week. Grindle expressed concern for the neighbors if increased to two days per week. DeCesare, Hyde, Thompson and Langer did not see an issue with holding it two days per week and were comfortable with it remaining a site plan approval and not a Special Permit process.

Rob Miller questioned what would happen if complaints come in. Fraenkel responded that if it was a zoning related issue, she would handle them on individual basis.

Kittridge asked for clarification on "off street parking", noting that many businesses could not or do not comply. He also questioned the reasoning of Agriculture Building Setbacks, asking for a definition of an "Agriculture Building". Cuprak questioned non-conforming properties and if they would be required to meet these new setbacks.

Noting no further comments or questions from the Agriculture Committee at this time, Cuprak requested that the Planning Commission keep the Public Hearing open pending the November 2nd Agriculture Committee Special Meeting to discuss the Zoning Regulation revisions. The Planning and Zoning Commission agreed, and Grindle noted that at this time the Commission would discuss comments received from the Town Attorney. The Agriculture Committee thanked the Commission for its time and efforts.

Town Attorney Comments on Draft regulations

The definition of agriculture was reconsidered. The consensus of the Commission was that extensive discussion and time went into the draft definition because it better suits the needs of Hampton than the statutory definition. Fraenkel suggested keeping our definition but adding a section that states: large agriculture buildings would fall under special permit if 5,000 square feet or over and that under 5,000 square feet would come before the PZC. Fraenkel will further review horticulture under glass in the draft regulations..

Additional comments of the town attorney were evaluated, including signage requirements, how to define customary accessory uses, development of legal lots (conforming or nonconforming), requirements for retail bakeries, definition of outdoor recreation, notice requirement consistency, and standards for roadside stands.

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Grindle noted no further comments or questions from the public or Commission. Hyde Moved, Langer seconded, to table the Public Hearing until the next Regular Scheduled meeting on November 28, 2011.

MOTION PASSED UNANIMOUSLY at 9:32 p.m.

REGULAR MEETING:

Call to Order:

Chairman Grindle called the meeting of the Hampton PZC to order at 9:32 p.m.

Roll Call:

Members Present: Gary DeCesare, Kevin Grindle, Everett Hyde, Gloria Langer and Alternate Randy Thompson.

Members Absent: Wayne DeCarli

Seating of Alternates:

Randy Thompson

Staff Present: Martha Fraenkel, Zoning Official

Additions to Agenda:

None.

Audience for Citizens:

None.

Approval of Minutes:

8-22-11 Meeting Minutes: Hyde MOVED, DeCesare seconded, to approve the minutes of the 8-22-11 meeting. MOTION PASSED UNANIMOUSLY.

9-26-11 Meeting Minutes: Hyde MOVED, DeCesare seconded, to approve the minutes of the 9-26-11 meeting. MOTION PASSED UNANIMOUSLY.

Old Business

1. Application of the Hampton Planning and Zoning Commission for revisions to the Hampton Zoning Regulations

This item was tabled, Public Hearing was continued.

New Business

None.

Report from Zoning Official

Noted.

Communications:

Noted.

Adjournment:

Noting no further business Hyde, MOVED, DeCesare seconded, to adjourn the meeting at 9:37 p.m. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Jessie L. Shea, Planning and Zoning Commission Clerk