

# PETITION IN OPPOSITION TO APPLICATION #22-04

We, the residents and taxpayers of Wabuda Place, strongly oppose Application #22-04, Farm Stand Text Amendment, as applied for on March 2, 2022, as such change directly impacts our neighborhood and surrounding community by providing the opportunity for adjacent small tracts of farmland amid our residential neighborhood to be developed for active commercial purposes. **THIS IS FALSE, THERE IS NO COMMERCIAL ACTIVITY PROPOSED.** Our chief concerns with the application and proposed amendment to the definition of Farm Stand include, but are not limited to:

- The change to the overall zoning regulation and definition is for the specific purpose and interest of one party to the detriment of the surrounding impacted community. **THIS IS FALSE, SEE LETTERS FROM JONES' AND ROGOWSKI'S** The attempt to change the definition is being done to otherwise circumvent the rules and administrative process that would be required to request a use variance to develop a targeted piece of property not currently zoned for that specific development. **THIS IS FALSE THIS IS A TEXT CHANGE UPDATING PERMITTED USE FOR FARM STORES, SEE TEXT AMENDMENT PROPOSAL** A rule affecting the entire city should not be changed for the sole purpose of one interested party attempting to develop a specific piece of property for his own benefit. Proper channels currently exist for such circumstances and should be followed. Failure to do so will encourage future individuals or groups seeking a specific purpose result to reach such result by engaging a complete city wide change to the zoning rules thereby rendering the current use variance Regulations without effect. The application submitted is in complete violation of the spirit of the use variance Regulations and the overall administrative process. **THIS IS FALSE. THIS IS FOR EVERY FARMER IN SHELTON. THERE IS NO VARIANCE, THIS IS BEING DONE OPENLY AND LEGALLY**
- Expansion of the current definition of Farm Stand by over 15 times the current regulatory size is excessive and flies in the face of the traditional notion of a farm stand. Expanding the definition of a farm stand to include a building up to 6,000 square feet with kitchen facilities resembles a commercial operation more than a local farm looking to sell its harvest and products. For sake of comparison, the typical Chili's Grill & Bar restaurant is "roughly 6,000 square feet" in size.<sup>1</sup> The proposed Amendment is essentially allowing development of a building the size of a chain restaurant, which could be located within an otherwise residential neighborhood. Potential commercial development and the related activity are not appropriate in these circumstances or on the minimum scale of land being proposed. **COMPARING A 6000 SQUARE FOOT BUILDING ON FARMLAND TO A CHILI'S RESTAURANT IS COMICAL COMING FROM A PERSON WHOSE HOUSE IS 6,936 SQUARE FEET ON .95 ACRES OF LAND. THIS INCLUDES LIVING SPACE, BASEMENT, AND GARAGE ACCORDING TO ASSESSOR CARD. 936 SQUARE FEET BIGGER THAN CHILI'S.** For circumstances where such development may be appropriate, the use variance Regulations already afford potential developers the opportunity to be granted the relief being sought. **THIS IS FALSE. THIS IS NOT A VARIANCE. THIS IS UPDATING ZONING REGULATIONS TO ALLOW FARMERS TO PROGRESS, THE SAME AS EVERY OTHER PROFESSION**
- Specifically to the targeted piece of land at the center of the issue, the neighborhood was rezoned approximately 15 years ago to be R1 residential lots from the previous farmland zoning. **THIS IS FALSE. THE LAND AT 7 WABUDA HAS BEEN FARMLAND FOR HUNDREDS OF YEARS. IT WAS NEVER SUBDIVIDED, AND IS STILL TAXED UNDER PA490 AS FARMLAND**

The rezoning was done by the still existing landowner to specifically sell these residential lots for substantial profit, and many of the residents who originally purchased these lots still reside in the neighborhood today. Unable to sell the remaining land for residential development at a targeted profit point, the application #22-04 is a subtle attempt to now rezone this remaining

land for commercial activity for additional financial gains to the detriment of the existing owners who originally purchased their lots under the guise that the remaining tract of land would only be residentially developed in the future. As the application is being presented as a broad change to the City's Regulations, the impact is widespread and could lend future commercial development within residential neighborhoods through the City to the detriment of existing residents. **THIS IS FALSE MULTIPLE TIMES**

1. **CURRENT LAND OWNER AT 7 WABUDA HAS MANY OPTIONS TO SELL THE LAND. HE IS ACTUALLY LOOKING INTO 8-30G HOUSING RIGHT NOW**
2. **THERE IS NO REZONING**
3. **THERE IS NO COMMERCIAL ACTIVITY PROPOSED**

- Shelton has a rich history of farming and that should be respected, and farmers should be given opportunities to thrive. The current definition of a farm stand is antiquated in terms of that being the sole method for a farmer to run a commercially viable business. That said, the original zoning regulation also did not take into account the additional avenues for commerce for farmers to thrive in a modern world, and the Application seems to ignore this potential. For example, the farmers market, robust commercial storefront areas throughout the City that have been developed and delivery services just to name a few. **THIS IS COMICAL. WHO CAN DECIDE HOW A BUSINESS MARKETS THEIR PRODUCT WITHOUT PROPER INPUT FROM THE BUSINESS OWNER** Changing a definition of a farm stand to the detriment of the surrounding residential neighborhoods for the sole purpose of expanding the already robust income potential of a single farmer is unconscionable. **THIS IS FALSE. EVERY FARM STAND IN TOWN IS ALREADY MUCH BIGGER THAN THE EXISTING REGULATION ALLOWS. THIS IS ONLY UPDATING THE OUTDATED REGULATION**
- Studies conducted at the intersection of Maple, East Village and Wabuda already show significant traffic through the area. Potential for development of a building similar to other commercial activities would only increase traffic to the area where many residents currently like to walk their dogs, exercise or where children ride their bikes.
- Potential for unwelcomed activities to a residential neighborhood, including, but not limited to, live music events, festivals, other large gatherings and activities, marijuana dispensation, distilling, commercial food preparation and animal slaughtering. **THIS IS FALSE. THERE IS NO MENTION OF MARIJUANA, DISTILLING, ANIMAL SLAUGHTER OR COMMERCIAL ACTIVITIES PROPOSED** All of these would create auditory and olfactory pollution to the surrounding residential neighbors' quiet and peaceful use and enjoyment of their properties.
- The subject parcel of land at the heart of the Application can be reasonably developed for residential use and in fact was rezoned and intended to be developed for residential use, a key consideration under §4.4.G(a) of the use variance Regulations. **THIS IS FALSE FOR THE SECOND TIME. THE LAND AT 7 WABUDA HAS BEEN FARMLAND FOR HUNDREDS OF YEARS. IT HAS NEVER BEEN SUBDIVIDED AND IS STILL TAXED UNDER PA490 AS FARMLAND** But for the maximization of profits by transforming such property into commercial use, such property could be developed into the originally intended residential use in accordance with the existing neighborhood. **THIS IS FALSE. THERE IS NO TRANSFORMING ANY PROPERTY INTO COMMERCIAL PROPERTY**
- The City already has significant other commercially zoned areas for operations of the proposed size, scale and activity, and as such, there is no exceptional difficulty or unusual hardship present to the Applicant given the abundance of existing options and locations, a key consideration under §4.4.6(b) of the use variance Regulations.
- The change to the Regulations as proposed in the Application would severely impair the character of several neighborhoods throughout the City whereby commercial activity can be conducted in otherwise residential neighborhoods. **THIS IS FALSE. THERE IS NO COMMERCIAL ACTIVITY PROPOSED** This has the effect of creating a significant negative

impact to property values, especially for the homes directly abutting and near the potential tracts of land, and creates additional traffic to the area to the safety and welfare of walkers, runners, cyclists and children who reside in the neighborhoods. **The Application has the effect of impairing residential neighborhoods for commercial profit, and does not conserve the public health, safety, convenience, welfare and property values, a key consideration under §4.4.G(c) of the use variance Regulations. THIS IS FALSE. THERE IS NO COMMERCIAL ACTIVITY PROPOSED**

As noted, we do understand the current farm stand definition is outdated and antiquated, and should be updated to reflect more realistic measures of a modern farm stand. To that end, the definition should be done in a reasonable and thoughtful manner, taking into account realistic, common sense notions of a farm stand and extracting out concepts of commercial activity, which should be conducted on appropriate commercially zoned property. In light of this, we would support all of the following for the Commission to consider in what we believe to be reasonable and responsible updates to the definition impacting the entire city and request that Application #22-04 be amended to include these items:

- No kitchen or food preparation can be conducted in the farm stand or on the property where acreage is less than 25 continuous acres as these exhibit elements of commercial activity and will negatively impact surrounding property owners.
- Limit the size of the farm stand building to no larger than 2,000 square feet on acreage between 10-25 continuous acres, noting that properties of these acreages could fall squarely within heavy residential areas, so the footprint and impact of the farm stand should be minimal to the surrounding residential neighborhood. The maximum amount of parking spaces be limited to no more than 15 spaces.
- Farm stands over 2,000 square feet, but no larger than 4,000 square feet, must be on acreage in excess of 25 continuous acres, and maximum amount of parking spaces be limited to no more than 25 spaces.
- Farm stands are prohibited in engaging in the sale, exchange, promotion, facilitation, warehousing or distribution of alcohol, tobacco, marijuana, firearms and ammunition and other items lacking social responsibility characteristics.
- Minimum setback requirements of at least 1500 feet from all streets and abutting property lines so the farm stand will not be an attractive nuisance and prevent the farm stand from being intrusive to neighboring property owners seeking quiet and peaceful enjoyment of their own property.
- Under no circumstances can farm stands located under 50 continuous acres host, entertain or conduct live music events, festivals, other large gatherings and activities as such activities directly impact the surrounding community's public health, safety, convenience, welfare and property values..

**THIS IS BIGOTRY AT ITS BEST. A LIST OF REGULATIONS WRITTEN TO HINDER AN ENTIRE INDUSTRY FROM PROGRESSING. WRITTEN BY SOMEONE WHOSE HOUSE IS MUCH BIGGER THAN ANY FARMER'S OUTLET TO SELL THEIR PRODUCTS. WRITTEN BY SOMEONE WHO DIDN'T COLLABORATE WITH FARM BUREAU, CT DEPARTMENT OF AGRICULTURE (CT DoAG) THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) OR ANY LOCAL FARMERS. WRITTEN BY SOMEONE WHOSE PETITION IS FULL OF LIES AND MISINFORMATION AS IT IS CALLED TODAY IS NAUSEATING TO SAY THE LEAST.**



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Barbara Prodan

Joe Costa

Shelly Bob O'Brien

Tara Keele

Jan Keele

John Young

Dorcas Horvich

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SWEET'S

Benjamin C. Sweet

4 1/2 miles N. D.S.

NANCY & MICHAEL OPITZ 16 SAGAMORE RD

Name

Address

Signature

Nicole Yeasley

27 Sagamore Pl

Laura Yeasley

27 Sagamore Rd, 06484

Paungmatar Sinsack

31 Wabuda place

Ashley Sinsack

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Alexis Sinsack

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WARREN EGENSTEINER	146 VILLAGE DRIVE	Warren Egensteiner
John Woods	137 Village Dr	John Woods
Debra Castro	133 Village Dr	Debra Castro
Augusta Bria	142 Village Dr	Augusta Bria
Lina	125 Village Dr	Lina
Cynthia Judd	130 Village Dr	Cynthia Judd
Yan Song	144 Village Dr	Yan Song
Susan Cheverly	115 Village Dr	Susan Cheverly

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- Farm stands over 2,000 square feet, but no larger than 4,000 square feet, must be on acreage in excess of 25 continuous acres.  
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- e Minimum setback requirements of at least 1500 feet from all streets and abutting property lines so the farm stand will not be an attractive nuisance and prevent the farm stand from being intrusive to neighboring property owners seeking quiet and peaceful enjoyment of their own property.

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NAME	ADDRESS	SIGNATURE
MIKE CATAUDELLA	1 EAST VILLAGE 1 <sup>st</sup>	Mike Cat...
; 712... C...r.T...J.6...11.0-	1 E. Village Rd	Mike Cat...
		Mike Cat...

Re: from brian/shelton herald

From: Renda Woods (renda513@sbcglobal.net)  
To: psirisouk@yahoo.com  
Cc: tikoelmo@yahoo.com;doroteoh@gmail.com  
Date: Tuesday, April 12, 2022, 06:08 PM EDT

Hi Paungmalay;  
I got it and will include with petition.  
Thanks

Renda

On Tuesday, April 12, 2022, 02:48:43 PM EDT, Paungmalay sirisouk <psirisouk@yahoo.com> wrote:

Dear Mrs. Renda,  
Please see my comments below in regards to the petition.

Regards,  
Paungmalay Sirisouk

Sent from my iPhone

Begin forwarded message:

From: Paungmalay sirisouk <psirisouk@yahoo.com>  
Date: April 12, 2022 at 1:11:48 PM EDT  
To: Doroteo Honovich <doroteoh@gmail.com>  
Cc: Vong Sirisouk <tikoelmo@yahoo.com>  
Subject: Re: from brian/shelton herald

Hi Doro,  
Thanks again for reaching and reinforced the urgency of this matter.

My family and I does NOT agree with the propose of the construction of the commercial development. Here are the reasons why we disagree:

1. Our home being the first home will have the most impact because it will lead to a major traffic.
2. Will longer be a private neighborhood
3. Inappropriate location, not a good place to advertise in a private area
4. Wabuda Place is made for private residence.

Regards,  
Paungmalay Sirisouk  
203-502-3395



Sent from my iPhone

On Apr 12, 2022, at 12:11 PM, Dorotea Honovich <doroteoh@gmail.com> wrote: