

**COLCHESTER PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING MINUTES**  
**WEDNESDAY, APRIL 6, 2011**  
**TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT**  
**Room 1**  
**7:00 P.M.**

**MEMBERS PRESENT:** Chairman Joseph Mathieu, Tom Kane, Mark Noniewicz, L. Hodge, John Rosenthal, Stacy Brown and Dave Gesiak; Alternates: James Miller and John Novak

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Adam Turner, Planning Director; Craig Grimord, Assistant Planner/Zoning Enforcement Officer; Gail Therian, Clerk;

1. **CALL TO ORDER** –Chairman Mathieu called the meeting to order at 7:02 p.m.

2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance.

3. **Additions to Agenda** –

C. Grimord asked that the following item be added to the agenda under "Old Business": Item A – Proposed Substitution to approved Site Plan for SE#04-212 Colchester Village, LLC. A. Turner asked that under "Correspondence" two items be added: A) Innovative Zoning Technique Workshop and B) Low Impact Development Workshop.

**So moved**, by L. Hodge, seconded by M. Noniewicz. **Motion carried unanimously.**

4. **Minutes of Previous Meeting - Regular Meeting – March 16, 2011**

**Motion** by M. Noniewicz, seconded by L. Hodge to approve the minutes of the March 16, 2011 meeting as written.  
**Abstention:** D. Gesiak All others in favor **Motion carried.**

5. **Public Hearings** – None

6. **Preliminary Reviews** – None

7. **New Business & Applications Received** - None

8. **Five Minute Session for the Public** – No one spoke

9. **Pending Applications** -

- A. **SDP #11-011 Marvin's Used Auto Parts, 524 New London Road; (Received on February 16, 2011; Must Act on By Regular Meeting on 4/06/2011)**

Chairman Mathieu stated that this application was received on February 16, 2011 and must be acted on this evening. He asked for any Staff comments or questions from Commission members.

C. Grimord said that the applicant's engineer and the Building Official are working on the outstanding issue regarding the placement of the fence and when this is resolved it will be incorporated into the plan. He said that the plans are substantially complete and that the suggested additional notes will be added to the plans and the plan corrections are listed in his memo dated March 16, 2011. Discussion followed regarding fuel storage on site, snow removal and fence location.

C. Grimord stated that regular members M. Noniewicz, S. Brown, J. Rosenthal and D. Gesiak had listened to the audio portion of the meeting they missed and each signed an affidavit stating this. Therefore, all the regular members were eligible to deliberate and vote on this application and no alternate would be seated for deliberations or voting on this application.

Deliberations began with M. Noniewicz discussing the sidewalk requirement and a note on the plan regarding the fee in lieu in an amount to be determined by Section 12.3.14 of the Zoning Regulations. M. Noniewicz also asked about when the rock crusher would be placed on the property. C. Grimord said that when the Zoning Permit is issued the rock crusher could be placed on site.

RECEIVED  
COLCHESTER, CT  
2011 APR -8 PM 1:21  
*Joseph Mathieu*  
*Adam Turner*

M. Noniewicz stated that he had read through and was in agreement with the Application Synopsis & History, Staff Review, and Staff Findings listed in C. Grimord's memo dated March 16, 2011.

**Motion** by M. Noniewicz, seconded by L. Hodge that in conjunction with the findings in Staff report dated 3/16/11; motion is hereby made to **approve** Site Plan Application SDP#11-011, Marvin's Used Auto Parts, Inc. applicant, Five J, LLC owner, 524 New London Road, Assessors Map 1-10, Lot 3-B. Specifically the plan titled "Overall Property Survey & Erosion and Sedimentation Plan prepared for Marvin's Used Auto Parts Inc., 524 New London Road, Colchester, CT" dated 4/30/10 and revised to 3/8/11, prepared by Dutch & Associates. In addition, the Commission has authorized the use of a rock crusher/screener, at the location shown on the plans provided the requirements of Section 3.7.4 are adhered to.

**A. The following additional notes are to be added to the final plans for Commission signature:**

1. The site is to be used for vehicle storage and the removal and storage of parts only. There is to be no vehicle/equipment maintenance, processing, crushing or retail sales conducted at the site.
2. All vehicle fluids and batteries are to be drained/removed from the vehicles prior to being brought onto the site for storage. Vehicles shall not be stacked.
3. No more than fifteen (15) pieces of construction equipment (excluding buses and trucks) to be scrapped shall be located on the site at any one time. The large equipment shall be located on the site such that they are minimally visible from the road.
4. The number of storage trailers shown on the plan (18) shall not be exceeded. The trailer boxes are to be modified/placed such that they are not visible above the fence from the road.
5. There is to be no bulk fuel storage, equipment maintenance, washing or repair of vehicles or equipment on the site.
6. Drive aisles between the vehicle storage rows are to remain clear of obstructions to provide access for emergency vehicles.
7. There is to be no storage of vehicles or equipment outside of the fenced area.
8. No additional vehicles or equipment are to be brought onto the site until phase one is completed and approved.
9. Applicant is to retain a third party professional to perform the annual storm water discharge monitoring/testing and maintenance reviews, quarterly storm water inspections and to maintain the records of discharge monitoring, inspections and reviews. Copies of these reports are to be submitted to the Town.
10. A Zoning Compliance Permit is required prior to the start of each phase. Drive aisles and vehicle storage bays are to be staked out, horizontally and vertically, by a CT licensed Surveyor. An As-built is required at the close of each phase for review and approval prior to issuance of a Conditional Certificate of Zoning Compliance and subsequent issuance of a Zoning Permit to begin the next phase.
11. In lieu of constructing the sidewalks shown on the plan a fee in an amount to be determined by section 12.3.14 of the towns zoning code and as established by Town meeting is to be submitted. A note to this affect is to be placed on the cover sheet of the final plan for Commission signature.

**B. The following plan corrections are to be addressed:**

1. The "possible "encroachment of the fence adjacent to the property N/F Linda and Roy Glenn is to be resolved prior to issuance of a Certificate of Zoning Compliance.
2. Phase #2 is to be modified to include the installation of the site lighting, landscaping, and employee parking and complete perimeter fencing.
3. Correct the inconsistency between the cover sheet and sheet #4 in regards to the remaining land area not included in the recycling yard.
4. On sheet 4 & 7 of 8, re-label the "auto parts storage" to vehicle storage, and make the same changes to the phasing plan.
5. Final plans are to contain the engineering details and specifications for the fencing.
6. Final plans are to provide construction details for the proposed access road and proposed grading per Town Engineers comment #3 dated 3/14/11;
7. Final plans are to provide dimensions and material specifications for the sidewalk detectable warning ramps per Town Engineers comment #4 dated 3/14/11.

Vote was taken. **Motion carried unanimously.**

**10. Old Business**

**A. Proposed substitution to Approved Site plan for SE #04-212 Colchester Village, LLC**

C. Grimord distributed a copy of a letter and map to Commission members. He said that the Village of Colchester still has two more buildings to complete but most of the site work has been completed. The original landscape plan called for two (2) gazebos. One is in place already and the Colchester Village Condominium Association has asked that instead of installing the four sitting benches be placed, one in each quadrant of the development. He said he would like a consensus of the Commission regarding this change and to authorize him to work with the Association on the placement of these benches. Discussion followed regarding the location of the benches.

Motion by M. Noniewicz, seconded by L. Hodge to approve the proposed substitution to the approved site plan SE #04-212, Colchester Village to allow one gazebo to be removed and 4 benches to be placed around the Village loop. **Motion carried unanimously.**

**11. Planning Issues & Discussions**

**A. Suburban/Village Center Zoning District**

A. Turner explained the timeline regarding revisions to the Regulations and he expects the process to be completed by the end of this year. He explained the proposed Suburban Districts to Commission members and explained how this new zone would combine the current R40, R30 and R30A districts. This will be the main residential area and will include a mixture of sewer and non sewer areas and will allow all types of residential development and mixed use in the areas. In certain internal areas, there will be an emphasis on multi-family development with densities of 6 to 8 units per acre. He spoke about the idea of road designs following the natural features within subdivisions in this district. Discussion followed regarding the characteristics of the proposed district, mixed uses within the districts and reuse of the buildings.

**B. Chatham Health District**

A. Turner told the Commission that as of July 1, 2011, the Colchester Health Department will become part of the Chatham Health District. He explained that Chatham Health District will provide a Sanitarian in the current Health Department location and reviews will be handled in that office. Discussion followed.

**12. Zoning Enforcement Officer's Report –**

C. Grimord reminded the Commission that the FEMA Compliant Flood Zone Regulations must be adopted before July 18, 2011. A copy of these Regulations was distributed at the last meeting for their review. A Public Hearing will need to be scheduled.

**13. Correspondence –**

**A. Innovative Zoning Technique Workshop**

A: Turner told the Commission members that he had information and registration forms for the Innovative Zoning Technique Workshop to be held on two dates. The first workshop Zoning from Landscape –scale to the Village will be held on May 18, 2011; the second workshop Innovative Regulatory Techniques: Connecticut and Beyond will be held on May 23, 2011.

**B. Low Impact Development Workshop**

A. Turner told the Commission that this Workshop is for Architects and Landscape Architects, and Professional Engineers. It will be held on Thursday, May 12, 2011 in North Haven, CT.

A. Turner told the Commission that if anyone is interested in either Workshop please contact the office.

**14. Adjournment**

Motion by L. Hodge, seconded by M. Noniewicz to adjourn at 8:08 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk