

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, JUNE 6, 2012
TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT
Room 2
7:00 P.M.

MEMBERS PRESENT: Chairman Joseph Mathieu; Dave Gesiak, John Rosenthal, John Novak; and Christopher Bakaj
Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison;

MEMBERS ABSENT: Vice Chairman Stacey Brown; Mark Noniewicz;

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 7:00 p.m. J. Tinelle was seated as a voting member.

2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance.

3. **Additions to Agenda** – None

4. **Minutes of Previous Meetings** – Minutes of Regular Meetings – May 16, 2012

Motion by J. Rosenthal, seconded by J. Novak to approve the Minutes of the Regular Meeting of May 16, 2012 as presented.
Motion carried unanimously.

5. **Public Hearings** –

Chairman Mathieu asked the members of the audience if anyone had any concerns or comments about the members of the Commission that were seated for the Public Hearings. No comments were made. He went on to explain the Public Hearing procedure.

C. Grimord read the Public Hearing legal notice published in the *Rivereast* on May 25 and June 1, 2012.

- A. **ZC #12-99 315 Colchester Realty, LLC, Applicant;** Application to change current western portion of the property that is now in the Business Zone to Commercial Zone. The following parcel is affected: 315 Old Hartford Road, Assessors Map 09-00, Lots 012 & 012-001. (Received on 4/18/12, Public Hearing

C. Grimord distributed copies of the Exhibit list to Commission members.

David Held, PE, Provost and Rovero, distributed copies of the map of the 315 Old Hartford Road and the abutting properties he also presented a preliminary plan of the proposed location of a body shop, a car showroom and a repair shop. He explained that the property is currently split into two (2) zones Commercial and Business. The applicant would like to construct the show room, body shop, and repair shop in the area of the Business zone, which does not allow this type of use. He said he felt this would not be considered "spot zoning". Discussion followed regarding the timeline for the development of the property and the proposed new Zoning Regulations and the possibility of this zone change being considered as "spot zoning".

Speaking in favor - No one spoke

Speaking in Opposition – No one spoke

Motion by J. Rosenthal, seconded by J. Tinelle to close the Public Hearing on ZC#12-99, 315 Colchester Realty, LLC. **Motion carried unanimously.**

6. **Preliminary Reviews** – None

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

- A. **SD#12-019-Autumn Ridge, LLC, Applicant/Owner:**
Application for Site Plan re-approval of SE#05-223 for a 30-Unit Elderly Housing Development at 349 Lebanon Ave., Map #05-00, Lot #006-019, R-30 Zone. (Application received 6/6/12, must act on 7/18 (scheduled meeting) or no later than 8/10/12 (requires Special Meeting))

This application was for receipt only.

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TOWN CLERK

8. Five Minute Session for the Public No one spoke

9. Pending Applications:

- A. ZC #12-99 315 Colchester Realty, LLC, Applicant; Application to change current western portion of the property that is now in the Business Zone to Commercial Zone. The following parcel is affected: 315 Old Hartford Road, Assessors Map 09-00, Lots 012 & 012-001. (Received on 4/18/12, Public Hearing scheduled for 6/6/12)

C. Grimord reviewed the Staff Findings included in his Staff Report dated June 1, 2012. He explained that this proposed Zone Change is consistent with the Plan of Conservation Development but is not in accordance with the Comprehensive Plan because it would benefit only one particular property owner and not the community in general. A. Turner said that he had suggested to the applicant's representative that he contact the abutting property owners who are in the same type of situation to include these properties in this application. Discussion followed regarding the possibility of this being considered "Spot Zoning" and the timeline of the proposed Zone Regulations which if approved would rezone this property as Commercial.

Motion by J. Rosenthal, seconded by D. Gesiak to deny ZC#12-199, application of 315 Colchester Realty, LLC for the following reasons:

1. The Commission is currently working on new zoning regulations and plans that would rezone the entire area that contains the applicant's proposed change within the next six (6) months.
2. The applicant's lot is not unique to the area. Most of the adjacent lots to the North of the subject parcel are subject to split zoning designations. This proposal would only benefit a particular parcel and is not for the benefit of the area as a whole. The Commission rezoning of the area will have the same result that the applicant is seeking and it would address all the other properties in the area that are subject to similar "split" zoning. Changing the zoning for one property at this time is pre-mature.
3. Although the proposal is found to be consistent with the Plan of Conservation and Development and the general evaluation criteria for a Zone Change, the Commission is currently working on new Zoning Regulations and Zone districts that will affect the entire area in the future.

10. Old Business - None

11. Planning Issues & Discussions -

A. State Plan of Conservation and Development 2013 – 2018

A. Turner told the Commission that every five (5) years the State of Connecticut updates and revises the State Plan of Conservation and Development. He listed the State goals included in this Plan and said that all Grant applications are reviewed for compliance with these goals. Discussion followed regarding Colchester's compliance with this new Plan, and attempts to revise the plan map to include the Town's future development areas.

12. Zoning Enforcement Officer's Report None

13. Correspondence – None

14. Adjournment

Motion by J. Tinelle, seconded by D. Gesiak to adjourn at 7:58 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk