

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, JULY 18, 2012
TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT
Room 2
7:00 P.M.

MEMBERS PRESENT: Chairman Joseph Mathieu; Vice Chairman Stacey Brown; Mark Noniewicz; Dave Gesiak and John Novak; Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison

MEMBERS ABSENT: John Rosenthal and Christopher Bakaj;

STAFF PRESENT: Craig Grimord, Assistant Planner/Zoning Enforcement Officer; Gail Therian, Clerk;

1. **CALL TO ORDER** – Chairman Mathieu called the meeting to order at 7:03 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 – June 20, 2012

Motion by M. Noniewicz, seconded by S. Brown to approve the Minutes of the Regular Meeting of June 20, 2012 as presented.

Abstentions: J. Mathieu All others in favor **Motion carried.**

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 July 6 and July 13, 2012.

- A. **SE#12-016, Kathleen Maher, Applicant/Owner:** Application for a Special Exception for the use of a RV as a temporary dwelling at 93 Chestnut Hill Rd. pending repairs to the house from fire damage. Assessors Map# 4E-05, Lot# 005-000, R-60 Zone. Parcel is located on the East side of Chestnut Hill Rd. approximately 1,500' south of the Route 2 overpass.

C. Grimord told the Commission that this application is for the use of a RV as a temporary dwelling while major repairs are conducted on the house destroyed by fire. A 30-day Zoning Permit was granted by the ZEO for Emergency Use on June 25, 2012 pending approval of this Special Exception application. He said that the Sanitarian has approved the location of the sanitary hookups. He reviewed the Special Evaluation Criteria in his Memorandum of Decision dated July 12, 2012.

Speaking in Favor

Kathleen Maher, applicant, told the Commission that November 1, 2012 is the anticipated date of the completion of the repair work.

Speaking in Opposition - No one spoke

Motion by M. Noniewicz, seconded by J. Novak to close the Public Hearing for SE#12-016. **Motion carried unanimously.**

Motion by M. Noniewicz, seconded by J. Novak to take Item 9B out of order at this time. **Motion carried unanimously.**

6. **Preliminary Reviews** –

- A. **Steve Fedus- Proposed Multi- family Development at 203 Amston Road**

Steve Fedus and Mark Reynolds, his professional engineer, presented for preliminary review a proposed 13 unit multi-family complex with two access drives. He was before the Commission for clarification of the Regulations limiting a parcel to one access drive as he would like to have two full access drives. He cited traffic congestion and emergency services access as his reasons. The informal consensus of the Commission was they were not in favor of the proposed two access drives.

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

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

9. **Pending Applications:**

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))

Chairman Mathieu stated that he was not eligible to vote on this application because he was not present at the last meeting.

C. Grimord said that he had distributed copies of his Staff Review of the Application dated July 17, 2012. He said that the plans have been changed to eliminate the excess parking spaces along the access drive at the request of the Commission. The landscape plantings have been removed from the detention basin berm and the stone dust path to the open space has been relocated to the center of the easement as requested by the Public Works Director with a "hardened" area adjacent to the path for vehicle traversing.

John Martucci, Dutton and Associates, said that the State DOT's permits have been closed out and that the 17 parking spaces have been removed. Discussion followed regarding the elimination of the parking spaces.

M. Noniewicz stated per the staff review of the application a comprehensive comparison review of the submitted plans against those originally approved was conducted.

Motion by S. Brown, second by J. Novak to approve application SD#12-019, Autumn Ridge, LLC, applicant, for property at 343 Lebanon Ave., for a 30-unit elderly Housing Development approved under SE#05-233, and Plan titled "Autumn Ridge Adult Residential Community, Lebanon Avenue (Rte 16) Colchester, CT" prepared for Don Guire by Dutton & Johnson, LLC dated 8/30/04 revised to 06/22/12, Assessor Map #05-06, Lot #19, R-30 Zone, subject to the following plan modifications:

1. Provide reference to the previous Commission approved plans that have expired;
2. Add or revise the following notes on the plans:
 - A. Re-instate the note pertaining to gravel in the easement on sheet #7 of the plans;
 - B. Correct the parking numbers in the Zoning Chart to reflect the removal of the excess parking spaces;
3. The sewer easement is to be filed in the land records.
4. Move the street lamps to the edge of the drive on sheets 5 & 6.
5. The landscaping that was originally shown on the detention pond berm (Sheet L-2) is to be relocated along the frontage of the site of Lebanon Ave. Westward of the access drive.
6. A preconstruction meeting with Town Staff is required prior to commencing further work on the site.
7. A revised bond estimate is to be submitted to the Town Engineer for review and approval.
8. A revised Erosion and Sediment Control bond is to be posted prior to the pre-construction meeting.

Motion carried unanimously.

B. **SE#12-016, Kathleen Maher, Applicant/Owner:** Application for a Special Exception for the use of a RV as a temporary dwelling at 93 Chestnut Hill Rd. pending repairs to the house from fire damage. Assessors Map# 4E-05, Lot# 005-000, R-60 Zone. Parcel is located on the East side of Chestnut Hill Rd. approximately 1,500' south of the Route 2 overpass.

M. Noniewicz stated that he was in agreement with the evaluation criteria outlined in the memorandum of decision dated July 12, 2012, .

Motion by M. Noniewicz, seconded by J. Novak to approve application SE#12-016 for the use of an RV as temporary living quarters at 93 Chestnut Hill Road with the following conditions:

1. The ZEO shall issue a Zoning Permit for the occupancy of the RV as a dwelling unit. Said permit shall be valid for one year from publication of this approval and prior to the emergency permit's expiration. The permit may be renewed for one additional year upon request.
2. The RV use as a dwelling unit is to be discontinued upon the issuance of a Certificate of Occupancy for the primary structure.

Motion carried unanimously.

10. Old Business - None

11. Planning Issues & Discussions -

A. draft copy of the Revised Zoning Regulations was distributed to Commission members. C. Grimord told the Commission to submit all their remarks, suggestions or proposed changes in writing. He reviewed the schedule for the distribution and presentation of the proposed Zoning Regulation changes.

12. Zoning Enforcement Officer's Report June 2012

A copy of the June 2012 Zoning Enforcement Officer's report was distributed to Commission members. Discussion followed the status of one of the outstanding violations. C. Grimord will follow up on this violation with a letter to the property owners.

13. Correspondence – None

14. Adjournment

Motion by M. Noniewicz, seconded by J. Novak to adjourn at 8:43 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk