

**COLCHESTER PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY, SEPTEMBER 19, 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, John Rosenthal, Christopher Bakaj and Dave Gesiak (arrived at 7:05 p.m.) Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison

**MEMBERS ABSENT:** John Novak

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

1. **CALL TO ORDER** – Chairman Mathieu called the meeting to order at 7:00 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 – September 5, 2012

**Motion** by J. Rosenthal, seconded by J. Tinelle to approve the Minutes of the Regular Meeting of September 5, 2012 as presented. **Abstentions:** M. Noniewicz All others in favor **Motion carried.**

5. **Public Hearings** –

- A. **SE#12-017, Kelleen Savage, Applicant/Owner:** Application for a Special Exception for the use of a Mobile Home as a temporary dwelling at 442 New London Rd. pending repairs to the house from fire damage. Assessors Map# 01-10, Lot# 008-000, R-60 Zone. (Public Hearing opened and closed 9/19/12.)

C. Grimord told the Commission that this application if for the use of a Mobile Home 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 August 29, 2012 pending approval of this Special Exception application. He said that the Sanitarian has approved the location of the sanitary hookups. He said that his review of the Special Evaluation Criteria is included in his Memorandum of Decision dated September 14, 2012. He told the Commission members that the condition of approval regarding the requirement for the applicant to submit a Building Permit application had been satisfied as a Building Permit application had been received on September 18, 2012.

Speaking in Favor

Kelleen Savage, applicant, said that she was in favor of the approval of this application.

Speaking in Opposition - No one spoke

**Motion** by M. Noniewicz, seconded by S. Brown to close the Public Hearing for SE#12-017. Abstentions: D. Gesiak All other in favor **Motion carried.**

6. **Preliminary Reviews** – None

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

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

9. **Pending Applications:**

- A. **SE#12-017, Kelleen Savage, Applicant/Owner:** Application for a Special Exception for the use of a Mobile Home as a temporary dwelling at 442 New London Rd. pending repairs to the house from fire damage. Assessors Map# 01-10, Lot# 008-000, R-60 Zone. (Public Hearing opened and closed 9/19/12.)

M. Noniewicz stated that he was in agreement with the evaluation criteria outlined in the memorandum of decision dated September 14, 2012.

RECEIVED  
COLCHESTER, CT  
2012 SEP 20 AM 11:15  
JANCY A. BRYAN  
TOWN CLERK

**Motion** by M. Noniewicz, seconded by J. Rosenthal to approve application SE#12-017 based on the evaluation criteria outlined in the Memorandum of Decision the use of a Mobile Home as temporary living quarters at 442 New London Road with the following conditions:

1. This Special Exception permit approval shall be valid for one year from publication of this approval. The permit may be renewed for one additional year upon request.
2. The Mobile Home use as a dwelling unit is to be discontinued upon the issuance of a Certificate of Occupancy for the primary structure.
3. The Mobile Home is to be removed from the site within 60-days of the issuance of a Certificate of Occupancy for the primary residence.

**Abstentions:** D. Gesiak All others in favor. **Motion carried.**

- B. **SDP#12-020-Seabird Enterprises** owner, Joe Holms applicant, Modification to the existing Site Plan to add 8 additional paved parking spaces at 460 New London Rd., Tax Map #01-10, Lot#006-001, R-60 Zone. (Received 9/5/12, action by 11/7/12) To be received only

C. Grimord distributed a copy of a letter dated September 14, 2012 to the applicant stating that Staff comments had not been addressed. The applicant has advised him that a new Engineer has been hired and these comments should be addressed before the next meeting. This application is in response to a Cease and Desist order.

**Motion** by J. Rosenthal, seconded by S. Brown to postpone action on SDP#12-020, Seabird Enterprises to the next regularly scheduled meeting. **Motion carried unanimously.**

#### 10. Old Business -

- A. **Tractor Supply – Map of Conservation easement required by Army Corp permit for wetlands disturbance**

C. Grimord told the Commission that Tractor Supply had a settlement with the Army Corp of Engineers for the wetlands disturbance for the proposed driveway. He explained that a Conservation Easement will be placed on a portion of the Phase 3 future development area of the property. No further action is required by the Conservation Commission or this Commission.

#### 11. Planning Issues & Discussions -

- A. **Land Development Regulations**

C. Grimord told the Commission that A. Turner, Town Planner, said to email any additional comments on the proposed Land Development Regulations to him so that the comments could be incorporated in the next draft of these Regulations.

- B. **Review of DRAFT Zoning Map**

C. Grimord distributed copies of the Draft Zoning Map and said that A. Turner asked that the Commission review it and send their comments to him. Discussion followed regarding the proposed Zoning map and its compliance with the Plan of Conservation and Development. Chairman Mathieu suggested that time be allocated at a future meeting to discuss the proposed zoning of the Westchester business area.

#### 12. Zoning Enforcement Officer's Report August 2012

A copy of the Zoning Enforcement Officer's Report for August 2012 was included in the Commissioner's packet. Discussion followed on the status of several of the Enforcement actions.

#### 13. Correspondence –

A letter was distributed to the Commission members from the Attorney representing Angelo's Bakery updating the status of the relocation of this business.

#### 14. Adjournment

**Motion** by M. Noniewicz, seconded by S. Brown to adjourn at 7:39 p.m. **Motion carried unanimously.**