

**COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MAY 15, 2013
TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT
Room 2
7:00 P.M.**

MEMBERS PRESENT: Vice Chairman John Novak, Dave Gesiak, Stacey Brown (arrived at 7:13 p.m.), and Christopher Bakaj;
Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison

MEMBERS ABSENT: Chairman Joseph Mathieu; Mark Noniewicz and John Rosenthal

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

1. **CALL TO ORDER** – Vice Chairman Novak called the meeting to order at 7:00 p.m.
2. **Roll Call**

Vice Chairman Novak asked the clerk to note those in attendance. J. Tinelle was seated as a voting member.

3. **Additions to Agenda** – None
4. **Minutes of Previous Meetings** – Minutes of Regular Meetings – May 1, 2013

Vice Chairman Novak said that under the modifications for the approval of SDP#13-022 - Item B should read: "All Chatham Health District requirements are complied with"; and under Item 2 the last line, the word "frontage" should not be capitalized.

Motion by J. Tinelle, seconded by C. Bakaj to accept the Minutes of the Regular Meeting of May 1, 2013 with the above changes. .
Abstentions: 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** - None
9. **Pending Applications:-**

- A. **SDP #13-021 of C.A.S.T.L.E. Inc** for Site Plan modification to build a 1152 sq. ft. addition to the existing building and build a 12 space parking lot at 396 Halls Hill Road.

The Commission could not act on this application due to the lack of members eligible to vote on this item.

Motion by J. Tinelle, seconded by D. Gesiak to postpone action on SDP#13-021 to the next meeting on June 5, 2013. **Motion carried unanimously.**

- B. **CGS#13-046-Town of Colchester** – The transfer of a .10 acre triangular parcel of land to the adjacent property owner. The parcel is located adjacent to 738 Middletown Road at the NW corner of the intersection of Middletown Rd. (Rte16) and Westchester Rd (Rte.149). (Received 5/1/13 and scheduled for review on 5/15/13)

A. Turner told the Commission that S. Tassone, Town Engineer, discovered during a review of town land records that the town accepted this .10 acre triangular parcel of land adjacent to 738 Middletown Road in the 1970's. A review of the town's assessor's map and boundary maps from the building file for 738 Middletown Road do not reflect this 0.10 acre parcel as being town owned land. This property is currently being used by the adjacent property owner for parking and vehicular access and he is in favor of accepting the land from the town. Discussion followed on the history of this land transfer.

Motion by J. Tinelle, seconded by D. Gesiak: **whereas** the Town owned land transfer has been referred to this Commission by the Board of Selectmen for a report pursuant to the provisions of Section 8-24 of the General Statutes of Connecticut Revision of 1958, as amended:

Resolved, that the Planning and Zoning Commission of the Town of Colchester hereby forwards a favorable recommendation and report on the transfer of .10 acres of land to the abutting property owner pursuant to the provisions of Section 8-24 of the General Statutes of Connecticut:

RECEIVED
COLCHESTER, CT
2013 MAY 16 PM 1:17
NANCY A. BRAY
TOWN CLERK
Nancy A. Bray

It is in the best interest of both parties for the Town to transfer to the adjacent property owner at 738 Middletown Road the .10 acre triangular parcel of land located at the NW corner of the intersection of Rtes. 149 and 16 as referenced in Volume 118, Page 1119 and shown on plan titled "Property of Robert G. & Victoria Clark, Route 16, Colchester CT" prepared by Ferdinand Czwaczka 11/1963.

Motion carried unanimously.

10. Old Business - None

11. Planning Issues & Discussions -

A. Presentation by the Agriculture Commission of proposed regulations

A. Turner informed the Commission that due to the lack of a full Commission he had told the members of the Agriculture Commission not to attend tonight's meeting and that this item will be included on the June 5, 2013 agenda.

He asked the Commission members to review the annotated copy of the Draft Regulations and contact him with any comments, questions or concerns.

B. Zoning Map Review

He asked the Commission members to also review the proposed Zoning Map and contact him with any comments, questions or concerns.

12. Zoning Enforcement Officer's Report – April 2013

C. Grimord distributed copies of his April 2013 Zoning Enforcement Officer's Report. He told the Commission that enforcement action #09-006 has been turned over to legal counsel who has begun working on resolving this issue.

13. Correspondence –

A. Zoning Board of Appeals Application #13-005 – John Henley @161 Pine Brook Road – Applicant seeks a 10' variance to the side yard setback requirement for a flag lot.

C. Grimord had included the information regarding this Zoning Board of Appeals application in the Commissioner's packets.

14. Adjournment

Motion by J. Tinelle, seconded by C. Bakaj to adjourn at 7:23 p.m. Motion carried unanimously.

Gail N. Therian, Clerk