

**COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 11, 2013
TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT
Room 2
7:00 P.M.**

MEMBERS PRESENT: Chairman Joseph Mathieu; Vice Chairman John Novak, Mark Noniewicz, John Rosenthal, and Dave Gesiak (arrived 7:21 p.m.) Stan Soby, Board of Selectman Liaison

MEMBERS ABSENT: Christopher Bakaj and Stacey Brown; Alternate: Jason Tinelle;

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

1. **CALL TO ORDER** – Chairman Mathieu called the meeting to order at 7:07 p.m.

2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance.

3. **Additions to Agenda** –

C. Grimord informed the Commission that he had one correction on the Agenda. Under Item 9B it should read "scheduled for review on 10/2/13." There were no additions to the agenda.

4. **Minutes of Previous Meetings** – **Minutes of Regular Meetings – August 21, 2013**

Motion by J. Novak, seconded by J. Rosenthal to accept the Minutes of the Regular Meeting of August 21, 2013 as written. **Abstentions:** M. Noniewicz All others in favor **Motion carried.**

5. **Public Hearings** –

- A. **SE#13-019-Alexander Gebbie Applicant, P&D Property Development, LLC owner:** Special Exception application for an Accessory Apartment at 47 Maclyn Drive, Assessors Map #03-05, Lot#022-005, R-40 Zone. (Received on 8/21, scheduled to open Public Hearing on 9/11).

C. Grimord read the Public Hearing legal notice published in the Rivereast on August 30, 2013 and September 6, 2013.

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 told the Commission that a Special Exception had been granted in 2007 for an accessory apartment addition. The Notice of Decision was never filed in the Land Records, nor was the addition ever built. This application is for an accessory apartment located in the basement.

Alexander Gebbie, Applicant, told the Commission that this property was purchased by P & D Property Development and they found a kitchen and accessory apartment in the basement. They are in the process of bringing it up to the present Building Code and would like to market the property with the accessory apartment in the basement. Discussion followed regarding compliance with Section 11.15.7 of the Regulations which requires the second access/egress to be located in the rear of the structure.

Motion by M. Noniewicz, seconded by J. Novak to close the Public hearing. **Motion carried unanimously.**

6. **Preliminary Reviews** – None

7. **New Business & Applications Received:** -

- A. **SUB#13-429-A. Falk von Plachecki applicant, N. Wasniewski & B. Dimberg, owner:** Proposed 2-lot subdivision of a 3-acre parcel at 6 River Rd, Assessors Map# 06-12, Lot# 029, R-80 Zone. (Received by the Commission on 9/11, scheduled for review on 10/2)

C. Grimord informed the Commission that this application is set for Public Hearing on October 2, 2013.

- B. **SD#13-025-G. Eucalitto applicant, Bidwell Industries, Inc. owner:** Proposed 9,100 Sq. Ft retail building and site development of a 1.6 acre parcel located at 225 Old Hartford Road, Assessors Map # 09-00, Lot#

RECEIVED
COLCHESTER, CT
2013 SEP 12 PM 3:44
NANCY A. BRADY
TOWN CLERK

008-017, General Commercial Zone. (Received by the Commission on 9/11/13) For Receipt Only, application review to be scheduled

This application was for receipt only. C. Grimord told the Commission that this application is incomplete at this time, but revised plans should be submitted by the end of the week. He expects that the application will be ready for review on October 2, 2013.

- C. **SD#13-026-Clifton O'Donal, Applicant/Owner:** Proposed Site Plan modification to provide additional parking at 522 Norwich Ave and 400 Halls Hill Rd. Assessors Map# 4W-03 & 4W-01, Lots # 002 & 17A, General Commercial Zone. (Received by the Commission on 9/11/13) For Receipt Only, application review to be scheduled

This application was for receipt only. C. Grimord said that this application was to seek approval for site work already completed without the required approvals. He expects that the application will be ready for review on October 2, 2013

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

9. Pending Applications:-

- A. **SE#13-019-Alexander Gebbie Applicant, P&D Property Development, LLC owner:** Special Exception application for an Accessory Apartment at 47 Maclyn Drive, Assessors Map #03-05, Lot#022-005, R-40 Zone. (Received on 8/21, scheduled to open Public Hearing on 9/11).

The Public Hearing for this application was closed at this meeting.

Discussion followed regarding compliance with Section 11.15.7 of the Regulations which requires the second access/egress to be located in the rear of the structure.

Motion by M. Noniewicz, seconded by J. Rosenthal that the Planning and Zoning Commission has reviewed the application and the findings outlined in the Memorandum dated 9/4/13 from Staff and concur with the findings as presented. The Commission hereby approves Special Exception application SE#13-019, Alexander Gebbie, Applicant, P & D Property Development, LLC, owner; Application for a 728 Square Foot Accessory Apartment in the basement of 47 Maclyn Dr., Assessor Map #03-05, Lot # 022-005, R-40 Zone, as shown on the submitted approved plans, with the following condition:

1. Per Section 11.15.7, the access/egress door currently on the side of the structure is to be relocated to the rear of the building as required.

Motion by M. Noniewicz, seconded by J. Novak to amend the agenda to include the three conditions in the suggested Motion included in the Memorandum dated 9/4/13 from Staff:

1. The Special Exception Notice of Decision is to be filed in the Town's land records prior to issuance of Zoning and Building permits for the construction of the apartment in basement.
2. Zoning and Building Permits are to be obtained for the conversion of the basement for the accessory apartment.
3. A Certificate of Zoning Compliance is required prior to issuance of a Certificate of Occupancy of the accessory apartment.

Motion carried unanimously.

Vote was taken on the amended original motion. **Motion carried unanimously.**

- B. **SUB#13-429-A. Falk von Plachecki applicant, N. Wasniewski & B. Dimberg, owner:** Proposed 2-lot subdivision of a 3-acre parcel at 6 River Rd, Assessors Map# 06-12, Lot# 029, R-80 Zone. (Received by the Commission on 9/11, scheduled for review on 10/2)

This application is scheduled for Public Hearing at the October 2, 2013 meeting.

10. Old Business - None

11. Planning Issues & Discussions - None

12. Zoning Enforcement Officer's Report – Report of August 2013

Commission members had received a copy of the August 2013 Zoning Enforcement Officer's report in their packets. Discussion followed regarding Enforcement Numbers: 13-009 and #13-011.

13. Correspondence –

A. POCD Meeting for September 30, 2013

A. Turner told the Commission that the Plan of Conservation Commission meeting scheduled for September 30, 2013 has had a change in the venue. Due to the referendum scheduled to be held at Town Hall on Tuesday, October 1, 2013, the meeting rooms previously reserved for this meeting will be needed by the Registrar of Voters for the set up for the referendum. The venue is now the Cafeteria at Bacon Academy at 611 Norwich Avenue.

C. Grimord informed the Commission that two of the pending applications are not ready for review at this time, and the third application is scheduled for review on Wednesday, October 2, 2013. He asked if the Commission felt the Wednesday, September 18, 2013 should be cancelled. The consensus of the Commission was to cancel this meeting.

A. Turner updated the Commission on the status of the Draft Regulations and said that the Public Hearings would most likely begin in November.

14. Adjournment

Motion by M. Noniewicz, seconded by J. Novak to adjourn at 7:54 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk