

**COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, OCTOBER 2, 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 Christopher Bakaj; Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison

MEMBERS ABSENT: Dave Gesiak and Stacey Brown

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 7:02 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 11, 2013**

Motion by J. Novak, seconded by J. Rosenthal to accept the Minutes of the Regular Meeting of September 11, 2013 as written. Abstentions: C. Bakaj and J. Tinelle 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** - No one spoke

9. **Pending Applications:-**

- 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 told the Commission that this application had come before them for a preliminary review requesting consensus of a waiver for a flag lot on a collector road. This application is to create a two-lot family subdivision to correct the non-conformity of two (2) residences on a single lot. Variances were granted by the Zoning Board of Appeals to Section 13.21.2.1. (flag lot area requirement) and Section 13.21.2.4. (flag lot access requirement). The applicant is requesting waivers to the sidewalk requirement, Section 6.3.12.1.5, and the open space requirement (Section 6.5.1) and for the flag lot on a collector road (Section 6.2.7.2.)

Falk von Plachecki, applicant, told the Commission that this 2 lot subdivision would create a conforming R-80 frontage lot and a 51,920 square foot lot as a flag lot. He said that there are reciprocal easements over both parcels for access and utilities.

Speaking in favor – No one spoke

Speaking in Opposition – No one spoke

Motion by M. Noniewicz, seconded by J. Novak: In conjunction with the plans and materials submitted under application SUB#13-429, the P&Z Commission hereby approves waivers to Sections 6.3.12.1.5 pertaining to sidewalk requirements and Section 6.5.1 pertaining to open space requirements as the proposal is to create a "Family Subdivision".

In favor: J. Mathieu, J. Novak, M. Noniewicz, J. Rosenthal, C. Bakaj and J. Tinelle Opposed: No one **Motion carried unanimously.**

Motion by M. Noniewicz, seconded by J. Novak: In conjunction with the plans and materials submitted under application SUB#13-429, the P&Z Commission hereby approves a waiver to Sections 6.2.7.2 for the creation of a flag lot on a collector road as show on the referenced plans for the following reason: The proposed flag lot will not create any new driveway

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assess points on the collector road to service the lots created.

In favor: J. Mathieu, J. Novak, M. Noniewicz, J. Rosenthal, C. Bakaj and J. Tinelle Opposed: No one **Motion carried unanimously.**

M. Noniewicz noted that the Commission reviewed the Staff Findings and Recommendations listed in the Staff memo dated September 25, 2013. Discussion followed.

MOTION by M. Noniewicz, seconded by C. Bakaj: The Planning and Zoning Commission hereby approves Subdivision #13-429, application of A. Falk von Plachecki for B. Dimberg and N. Wasniewski, for a 2-lot subdivision of 3- acres located at 4 & 6 River Road, assessors map 06-2 Lot #029, with the following plan modifications/conditions:

1. Deeds for both lots are to include all information regarding easements, rights and responsibilities regarding the common driveway. (Per Section 3.7.3.D.8(c) including all proposed easements be shown on the plan.
2. The following notes are to be added to the final plans:

The Planning & Zoning Commission has approved the follow waivers associated with this subdivision:

- A. A waiver to Section 6.3.12; requiring sidewalks.
 - B. A waiver of the "Open Space" requirement (Section 6.5) of the Town of Colchester Subdivision Regulations has been granted as the proposal has been found to be exempt, per CGS§ 8-25.
 - C. A waiver to Section 6.2.7.2; has been granted to permit a Flag Lot on a collector road.
 - D. The following note shall be added to the final plans: *"The sale or transfer of any lot in this subdivision to a non-family member, as defined in CGS§ 8-25, within five (5) years of the approval date shall result in the imposition of a fee in lieu of Open Space prescribed in CGS§ 8-25.*
3. Prior to filing the approved plans the applicant is to submit a signed and sealed letter from a licensed surveyor stating that all lot boundary corners shown on the approved plan have been set per Section 7.8. of the Subdivision Regulations.
 4. Per Section 5.5.6, the "area map" is to be revised to show all roads within 2,500 feet in all directions of the lot to be subdivided.

Motion carried unanimously.

- 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# 008-017, General Commercial Zone. (Received by the Commission on 9/11/13)

C. Grimord told the Commission that revised plans were received on Monday, September 30, 2013 and Staff reviews have not been completed.

- 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)

C. Grimord told the Commission that there are still outstanding Staff comments on this application to be addressed and no revised plans have been received.

10. Old Business - None

11. Planning Issues & Discussions -

A. Turner asked the Commission for their opinion about the format of the second meeting of the month. The second meeting of the month has been designated to spend two (2) hours discussing the updating of the Plan of Conservation and Development. The consensus of the Commission was that G. Chalder of Planimetrics would lead the discussion from 7:00 to 9:00 p.m., followed by the normal business of the Commission, if any.

A. Turner told the Commission that the edited version of the Draft Regulations should be delivered to him on Thursday, October 03, 2013. Public hearings on the Draft Regulations should begin in November.

A. Turner reviewed the Special meeting that was held on Monday, September 30, 2013 regarding the updating of the Plan of Conservation and Development. He explained the exercises that took place and the outcome of these exercises.

Chairman Mathieu said he was pleased that the highest ranking items that the public is concerned about are open space, preservation of open space and preserving the rural character of the Town; all items the Commission has been addressing over the last few years. Discussion followed regarding future meetings.

12. Zoning Enforcement Officer's Report –

C. Grimord told the Commission that Tractor Supply is planning to open on October 12, 2013. There are a few outstanding public safety issues to be addressed before he could sign off on a Certificate of Zoning Compliance. Items such as retro-fitting building lighting can be bonded if necessary.

13. Correspondence –

A. Turner told the Commission that the Town has received the official notification that the State has award a grant of \$30,000 for the Airline Trail Parking and Driveway Improvement. Discussion followed.

14. Adjournment

Motion by M. Noniewicz, seconded by J. Novak to adjourn at 7:40 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk