

**COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 20, 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, Dave Gesiak, and Christopher Bakaj; Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison

MEMBERS ABSENT: 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 7:00 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** –

C. Grimord asked the Commission to add to the agenda under Item #13 – Correspondence – “Item #13 – Letter dated November 5, 2009 from Barry, Harvey & Later regarding the Buckley Estates Subdivision detention basin.”

So moved, by J. Rosenthal, seconded by M. Noniewicz. **Motion carried unanimously.**

4. **Minutes of Previous Meetings** – November 6, 2013

J. Novak said that on Page 3, item #1, it should read “Final plans for Commission endorsement are to show the R30/Commercial zone line.

Motion by M. Noniewicz, seconded by J. Rosenthal to approve the Minutes of the Regular Meeting of November 6, 2013 as amended. **Abstentions:** J. Mathieu All others in favor. **Motion carried.**

5. **Public Hearings** – None

- A. **RC#13-208-Town of Colchester Planning & Zoning Commission applicant**, Comprehensive re-write of the Zoning Regulations of the Town of Colchester. (Application submitted 10/23/13, received by the Commission on 11/6/13, and scheduled for Public Hearing on 12/4/13)
- B. **ZC#13-200- Town of Colchester Planning & Zoning Commission applicant**, Comprehensive re-zoning of the Town of Colchester. . (Application submitted 10/23/13, received by the Commission on 11/6/13, and scheduled for Public Hearing on 12/4/13).

Chairman Mathieu said that these two applications were set for Public Hearing on December 4, 2014.

6. **Preliminary Reviews** –

- A. **Mike Tarbell-Tarbell Heintz, proposed gas station and fast food development at 9 Loomis road, the SE corner of the intersection of Rtes. 16 and 149, Assessors Map# 03-17, Lot# 053-000, Commercial/R-60 Zone.**

Mike Tarbell, Tarbell Heintz, presented a proposed plan for a gas station, coffee shop, convenience store and fast food development at 9 Loomis Road. He said that the property is located at the corner of Routes 16 and 149 and explained the proposed access and egress and circulation within the site. He said that he has worked with S. Tassone, Town Engineer regarding the drainage and is currently working with the Chatham Health District representative on further site testing. Discussion followed regarding allowed uses in the area according to the existing and the proposed Zoning Regulations, access/egress and circulation within the site.

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

- A. **SE#13-020-J. Romanowski Applicant/Owner;** Special Exception application per Section 11.15 for an Accessory Apartment at 334 Westchester Road, Map #4W-11, Lot #035-002, R-60 Zone. (received by the Commission on 11/6/13 and tentatively scheduled for Public Hearing on 12/4/13)

RECEIVED
TOWN OF COLCHESTER
NOV 21 AM 11:21
NANCY A. BROWN
TOWN CLERK

This application is set for Public Hearing on December 4, 2013.

- B. SUB#13-430-Peter & Virginia Reneson Applicant/Owner;** Proposed 2-lot subdivision of 16.49 acres at 268 Bull Hill Rd., R-60 Zone, Assessors Map#05-19, Lot# 003-000. **(for receipt by the commission on 11/20, must be acted upon by 1/17/14, scheduled for review on 1/8/14)**

C.

This application was for receipt only.

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

9. Pending Applications:-

- A. 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)

A. Turner told the Commission that he worked with CT DOT and now has preliminary approval for the access/egress drive on Old Hartford Road.

Gary Eucalitto, applicant, thanked A. Turner for his work to obtain the preliminary approval of the Encroachment permit from the CT DOT. He also said that they would be willing to add brick to the façade of the building. Discussion followed regarding the use of brick on the front of the building, the waiving of the height requirement for the building mounted sign, and the proposed lighting.

Motion by M. Noniewicz, seconded by J. Novak to waive the sidewalk requirement along the frontage on Upton Road for the following reasons. There are no existing sidewalks on Upton Road at this time, and the applicant has a corner lot. Sidewalks are required on the Old Hartford Road frontage. **Motion carried unanimously**

Motion by M. Noniewicz, seconded by J. Rosenthal to waive the 15' height requirement for building mounted signs (Section 16.11.1.E) to a height no more than 20' at the top of the sign for the following reason. The building mounted sign would fit and look better above the windows and awnings on the façade. **Motion carried unanimously**

Motion: by M. Noniewicz, seconded by J. Rosenthal: The Planning & Zoning Commission hereby APPROVES application SDP#13-025, Sound Garrett Colchester, LLC., applicant, for property at 225 Old Hartford Road., Assessors Map # 09, Lot # 8-17, General Commercial Zone and site plan titled "Proposed Site Plan Retail Development, Sound Garrett Colchester, CT, LLC," revised to 10/29/13, with the following modifications and notes to be added to the final plans:

1. Final plans are to incorporate the revised site signs and details for externally lighted building and free standing signs with associated note on the plans.
2. Final plans are to contain the approved architectural drawings of the proposed building with the colors of the siding, roof and awnings specified.
3. Final plans for Commission endorsement are to have live signatures and seals of the professional preparers on the appropriate sheets.
4. Final plan architectural views are to note the color and height of the brick apron on the building
5. Add the following notes to the final plans:
 - A. *"Per Section 12.3.14, the Planning & Zoning Commission has approved a waiver for the construction of sidewalks on the Upton Road frontage of this parcel."*
 - B. *"Per Section 16.2.3.B, the Planning & Zoning Commission has approved a waiver to exceed the building mounted sign height requirement of 15' for the sign facing Old Hartford Rd." The bottom of the sign is to be at the top of the awnings.*
 - C. *A pre-construction meeting with Town Staff is required prior to commencing work on the site. The following items are required to be submitted at this meeting:*
 1. *The approved DOT encroachment Permit for work within the state right-of-way;*
 2. *Submission of a bond estimate for all site work, excluding the building, and the posting of a bond in an amount acceptable to the Town Engineer for the erosion and sediment control measures.*

Motion carried unanimously

10. Old Business - None

11. Planning Issues & Discussions -

- A. POCD Update**

A. Turner updated the Commission the work of the updating of the Plan of Conservation and Development. He said that G. Chalder of Planimetrics has conducted twenty (20) interviews of people who attended previous meetings, Department Heads, and other citizens not currently on a Board or Commission over the last week. He said that G. Chalder will now begin sorting through this data and information and will prepare a summary of this information.

A. Turner said that the December meetings of the Commission will be for the Public Hearings on the Draft Regulations and Zoning map. He reviewed how he is prepared to present the proposed Regulations and Map at the Public Hearings. He also discussed his ideas on how to alert the public about these Public Hearings.

C. Bourque, Chairman of the Agriculture Commission, said he believed that this meeting would be only about the updating of the Plan of Conservation and Development and feels that this is an important topic and people should be encouraged to attend these meetings.

A. Turner said that because G. Chalder had just completed his interviews, the information needed to be reviewed and summarized and that G. Chalder plans to present this information at the second meeting in January.

Chairman Mathieu said that Staff and the Commission are aware of the need for a public awareness campaign on this matter. A. Turner said that there will signs, information on the website, and the school's visual backpack. He will also be attending a meeting on the Colchester Business Association.

D. Wasniewski said that he believes public input and participation is important.

12. Zoning Enforcement Officer's Report – October 2013

A copy of the Zoning Enforcement Officer's Report for October 2013 was distributed to the Commission members.

13. Correspondence –

- A. Letter dated November 5, 2009 from Barry, Harvey & Later regarding the Buckley Estates Subdivision detention basin."

M. Noniewicz recused himself from this discussion and left the meeting at 8:31 p.m.

C. Grimord distributed a copy of a letter from Barry, Harvey & Later, PC dated November 5, 2009 requesting permission to have the site plan modified to allow the fence to be removed and a copy of a memo from S. Tassone, Town Engineering dated November 15, 2013. S. Tassone said in his memo that the fence was not needed around a "dry" basin. C. Grimord told the Commission that if the modification was approved, the developer would remove the fencing and return it to the Town, who owns it. Discussion followed.

Motion by J. Rosenthal, seconded by C. Bakaj to approve the request to remove the fence around the perimeter of the storm water detention basin at Buckley Estates Subdivision. **Motion carried unanimously.**

14. Adjournment

Motion by J. Novak, seconded by C. Bakaj to adjourn at 8:37 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk