

**COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, MARCH 12, 2014
TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT
Room 3
7:00 P.M.**

MEMBERS PRESENT: Chairman Joseph Mathieu, Vice Chairman John Novak, Mark Noniewicz, and Dave Gesiak; Stan Soby, Board of Selectman Liaison

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

STAFF PRESENT: Adam Turner, Town Planner and Gail Therian, Clerk

1. **CALL TO ORDER** – Chairman Mathieu called the meeting to order at 7:02 p.m.

2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance.

4. **Minutes of Previous Meetings** – February 19, 2014

Motion by M. Noniewicz, seconded by J. Novak to approve the Minutes of February 19, 2014 meeting as written.
Motion carried unanimously.

5. **Public Hearings** –

- A. **RESUB#13-341-R. Goldberg applicant/owner**, Resubdivision of lots # 11 & 12 of the Oak Farms Estates Special Exception Conservation Subdivision off Goldberg Rd. Assessors Map#06-02 Lots#003-011 &012, R-60. (Received by the commission on 12/4/13 must schedule for public hearing by 3/12/14) Letter of withdrawal was received on 3/12/2014;

Chairman Mathieu said that a letter withdrawing this application was received on March 12, 2014. No action taken.

6. **Preliminary Reviews** –

- A. **Preliminary Review Steve Motto, Dream Development, development on Rutka Lane**

Mr. Steve Motto, Dream Development was not present at this meeting. A. Turner will contact him and ask him to come to the March 19, 2014 meeting.

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

- A. **RESUB#14-342 D. Standish applicant/owner**, Proposed 7 lot Resubdivison of 74.5 acres at Standish and Usher Swamp Roads, Assessors Map 02-14, Lot 07-04, R-60. (for receipt by the Commission on 3/12/14)

Chairman Mathieu said that this application was for receipt only. A. Turner said that the Public Hearing will be scheduled for the April 2, 2014 meeting.

- B. **Signs at 119 South Main Street**

A. Turner distributed copies of the proposed new signage at 119 South Main Street, Tri Town Plaza. He said that Rick Sharr, owner of the Tri Town Plaza would like to install new signs at the Plaza that would be more consistent and more aesthetically pleasing. He said that the total signage square footage would not be increased, but the owner would like to make the various signage more consistent. A waiver will be needed because of Section 16.2.3.A of the Zoning Regulations. This regulation states that the size permitted for signage in multi-tenant buildings is dependent on the frontage of the specific unit within a building. He reminded the Commission that they could not act on the Waiver request as a ¾ vote of the membership (6 out of 7) is required to approve a waiver and only four (4) members were present.

R. Sharr, applicant, explained the proposed signage and the dimensions of the signs.

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

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2014 MAR 13 PM 2:00
Stacey Brown
NANCY A. BRAY
TOWN CLERK

9. Pending Applications:-

- A. RESUB#13-341-R. Goldberg applicant/owner**, Resubdivision of lots # 11 & 12 of the Oak Farms Estates Special Exception Conservation Subdivision off Goldberg Rd. Assessors Map#06-02 Lots#003-011 &012, R-60. (Received by the commission on 12/4/13; Public Hearing must open by 3/12/14) Letter of withdrawal was received on 3/12/2014;

Motion by M. Noniewicz, seconded by J. Novak to accept the applicant's five (5) day extension letter for application RESUB#13-341, Resubdivision of lots # 11 & 12 of the Oak Farms Estates Special Exception Conservation Subdivision off Goldberg Rd. Assessors Map#06-02 Lots#003-011 &012, R-60 in accordance with the request of the applicant in a letter dated February 3, 2014. **Motion carried unanimously.**

Motion by M. Noniewicz, seconded by J. Novak to accept the applicant's withdrawal letter for application RESUB#13-341, Resubdivision of lots # 11 & 12 of the Oak Farms Estates Special Exception Conservation Subdivision off Goldberg Rd. Assessors Map#06-02 Lots#003-011 &012, R-60 in accordance with the request of the applicant in a letter dated March 12, 2014. **Motion carried unanimously.**

- 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. (This application was received on 11/20, must be acted upon by 1/17/14, revised plans submitted on 1/7/14, with a grant of a 30-day extension; a 35-day extension granted on 2/19/2014; Must act on or by 3/31/14)

A. Turner said that this application is for a 2-lot subdivision on the west side of Bull Hill Road, adjacent to a portion of the Airline Trail. The proposal would create a new 1.62 acre lot and the remaining land (13.08 acres) would contain the existing single family residence, accessory structures and existing Christmas Tree farm. The applicant is seeking a waiver to the sidewalk requirement (Section 6.3.12.1.5) and is proposing to pay a fee in lieu of the Open Space Requirement.

Charles Dutch, representing the applicant, explained that the access to lot 3-2 would be on a shared driveway with the existing residence and the Christmas Tree Farm. He said this was suggested by S. Tassone, Town Engineer because of sight line issues. Discussion followed regarding the sight lines and the proposed access.

The Commission was unable to act on the Sidewalk waiver request as only four (4) members were present. A ¾ vote of the membership (6 out of 7) is required to approve a waiver. Staff will contact all members and ask that they attend the March 19, 2014 meeting to act on the Sidewalk waiver and application.

Motion by M. Noniewicz, seconded by J. Novak to accept the applicant's 35 day extension letter for application **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 in accordance with the request of the applicant in a letter dated February 12, 2014 to complete action on the application. **Motion Carried Unanimously.**

- C. SD#14-027-G. Vitkovskis Applicant/Owner**; A request of the Commission to validate a 4.38 acre lot at 63 Shailor Hill Rd as a building lot. The lot was created as part of an illegal subdivision in the 1960's. Assessors map#05-14, Lot #050-003, R-80 Zone. (received by the commission on 1/8/14, must be acted upon by 4/09/14)

A. Turner told the Commission that this is a remaining lot of an un-approved subdivision of land that created three lots after the adoption of subdivision regulations in 1957. The applicant would like to develop the remaining lot for a single family residence. The lot meets all the requirements but must be approved by the Commission as a legal building lot before permits can be issued. There is an existing shed on the property that will be removed. The Colchester Conservation Commission has approved the driveway crossing of the wetlands and Chatham Health District has approved the proposed septic design.

Charles Dutch, representing the applicant, explained the history of the lot.

Motion by M. Noniewicz, seconded by J. Novak to accept the applicant's 35 day extension letter for application **#14-027-G. Vitkovskis Applicant/Owner**; A request of the Commission to validate a 4.38 acre lot at 63 Shailor Hill Rd as a building lot, as requested by the applicant in a letter dated February 12, 2014 to complete action on this application. **Motion Carried Unanimously.**

M. Noniewicz stated for the record that the Colchester Conservation Commission and Chatham Health District had reviewed and approved this application.

Motion by M. Noniewicz, seconded by J. Novak to approve 63 Shailor Hill Rd., Assessors map#05-14, Lot #050-003, R-80 Zone as a legal building lot. **Motion Carried Unanimously**

- D. **RC#13-208-Town of Colchester Planning & Zoning Commission applicant**, Comprehensive re-writes of the Zoning Regulations of the Town of Colchester. (Application submitted 10/23/13, received by the Commission on 11/6/13, Public Hearing opened on 12/4/13, continued to 1/8/14 and closed on 1/8/14)
- E. **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, Public Hearing opened on 12/4/13, continued to 1/8/14 and closed on 1/8/14)

A. Turner distributed copies of his memo dated March 12, 2014 regarding deliberation of the land development regulations. He reviewed the issues that were raised during the public hearings and/or legal review. He asked the Commission members to review these and to contact him directly if they would like any additional information or statistics. He said he will prepare background material on each issue and include recommended language if appropriate. He said that Beth Critton, legal counsel for the Town will attend the April 2, 2014 meeting. Discussion followed regarding the deliberations and it was decided that the Commission will starting talking about the issues at the March 19, 2014 meeting that do not require legal counsel's input.

10. **Old Business - None**

11. **Planning Issues & Discussions - None**

12. **Zoning Enforcement Officer's Report – None**

13. **Correspondence – None**

14. **Adjournment**

Motion by M. Noniewicz, seconded by D. Gesiak to adjourn at 8:07 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk