

COLCHESTER PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY, MARCH 19, 2014  
TOWN HALL, 127 NORWICH AVENUE, COLCHESTER, CT  
Room 3  
7:00 P.M.

**MEMBERS PRESENT:** Chairman Joseph Mathieu, Vice Chairman John Novak, John Rosenthal and Dave Gesiak (arrived at 7:22 p.m.); Alternate: Jason Tinelle; Stan Soby, Board of Selectman Liaison (arrived at 8:17 p.m.)

**MEMBERS ABSENT:** Stacey Brown, Mark Noniewicz and Christopher Bakaj;

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

1. **CALL TO ORDER** – Chairman Mathieu called the meeting to order at 7:16 p.m.

2. **Roll Call**

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

4. **Minutes of Previous Meetings** – Special Meeting March 12, 2014

**Motion** by M. Noniewicz, seconded by J. Novak to approve the Special Meeting Minutes of March 12, 2014 as written.

**Abstentions:** J. Rosenthal and J. Tinelle All others in favor **Motion carried.**

5. **Public Hearings** –

- A. **RESUB#14-342 D. Standish applicant/owner**, Proposed 7 lot Resubdivision of 74.5 acres at Standish and Usher Swamp Roads, Assessors Map 02-14, Lot 07-04, R-60. (received by Commission on 3/12/14; Public Hearing scheduled for 4/2/14;)

Chairman Mathieu said that this application is scheduled for Public Hearing on April 2, 2014. No action taken.

6. **Preliminary Reviews** –

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

Mr. Steve Motto, Dream Development and Peter Stich presented a proposed plan for development of 15 homes on Rutka Lane. Mr. Motto explained that the proposal is for homes that will have the appearance of a single family residence but will be separated into two living spaces. Each unit will be on a separate floor. It will be marketed for intergenerational family living.

Discussion followed regarding if the development would be considered multi-family or planned development. The Commission agreed that this would be considered a planned development and generally found the multi-generational detached unit plan acceptable.

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

- A. **Land Acquisition Grant for Moroch Property, 144 McDonald Road**

A. Turner told the Commission that the Town will be applying for an Open Space Grant for the property located at 144 McDonald Road. This property is approximately ten (10) acres, six (6) acres of dry land and four (4) acres of wetlands. The property is south of the Ruby Cohen property.

**Motion** by J. Novak, seconded by J. Rosenthal to endorse the submission of an Open Space Land Acquisition Grant application for 144 McDonald Road, Colchester, CT to the Connecticut Department of Energy and Environmental Protection for consideration of the "Open Space and Watershed Land Acquisition Grant Program" **Motion carried unanimously.**

- B. **Signage at Galaxy Shoppes at 99 Linwood Avenue**

A. Turner told the Commission that an application for signage at the Galaxy Shoppes has been received. The applicant would like to have a sign over the door and a sign on the side of the building. He will contact the applicant and ask that he attend the next meeting to discuss this additional signage request.

**Motion** by J. Rosenthal, seconded by J. Novak to postpone action on the proposed signage at Galaxy Shoppes. **Motion carried unanimously.**

RECEIVED  
COLCHESTER, CT  
2014 MAR 20 PM 1:28  
EMILY A. BROWN  
TOWN CLERK  
Joseph A. Brown

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

**9. Pending Applications:-**

- A. 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 was presented at the March 12, 2014 Special Meeting. The 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. He reminded the Commission that 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. Discussion followed on the Staff Findings regarding the proposed Open Space.

Mr. Turner said that 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. He said that the Commission could approve the application with the condition that sidewalks be included on the final plans. The applicant would be able to ask for reconsideration of the Sidewalk waiver.

**Motion** by J. Rosenthal, seconded by J. Tinelle to accept the fee in lieu option for Open Space given that there is an insignificant amount of land required if the Open Space dedication was made and such a land dedication would have limited utility to the Town. **Motion Carried Unanimously**

**Motion** by J. Rosenthal, seconded by J. Novak to approve **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 with the following plan modifications/conditions:

1. Final plans for Commission Chairman's signature are to be signed and sealed by the surveyor, engineer and the Soil Scientist.
2. Final plans are to show the proposed shared driveway width per the regulations with a detail of proposed construction.
3. Final plans are to address the Town Engineer's comment #3 from review #2 dated 1/10/14.
4. The following notes are to be added to the final plans for Commission Chairman's signature:
  - A. The Planning & Zoning Commission has accepted a "Fee in Lieu" for the Open Space requirement.
  - B. Prior to the issuance of a Zoning Permit for individual lot development:
    1. A signed and sealed letter from a licensed surveyor stating that all lot boundary corners have been set per Section 7.1.1
    2. The "Road Widening Strips" have been conveyed to the Town.
    3. The agreed upon "Fee in Lieu of Open Space" fee has been deposited in the Town's Open Space Fund.
5. Final Subdivision plans be amended to include sidewalks.

**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 said that Beth Critton, legal counsel for the Town will attend the April 2, 2014 meeting. He said that the Commission could begin deliberations about the issues that do not require legal counsel's input.

Deliberations began and decisions made on the following issues: composting as an integral activity of agriculture; non-residential development permitted as of right in the SU districts; the area of commercial arterial in the northern section of Colchester; total amount of retail space in the future growth area; permitting farming activities in Open Space; frontage requirements in the rural zone; and the zoning of the Lincoln Lake Lodge property.

Chairman Mathieu stepped down during the deliberation on the Lincoln Lake Lodge property. Vice Chairman Novak took over as Chairman. Chairman Mathieu returned when this discussion ended.

**10. Old Business –**

**A. Signage at 119 South Main Street**

A. Turner said that this application had been discussed at the Special meeting held on March 12, 2014. 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. He said that 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  $\frac{3}{4}$  vote of the membership (6 out of 7) is required to approve a waiver and only five (5) members were present.

No action taken. This item will remain on the next meeting's agenda.

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

**12. Zoning Enforcement Officer's Report – February 2014**

A. Turner told the Commission that he will have the February 2014 Zoning Enforcement Officer's Report at the next meeting.

**13. Correspondence – None**

**14. Adjournment**

**Motion** by J. Novak, seconded by J. Rosenthal to adjourn at 9:02 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk