

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, APRIL 2, 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, John Rosenthal, Dave Gesiak, Christopher Bakaj, and Stacey Brown; Alternate: Jason Tinelle;

MEMBERS ABSENT: None

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

1. **CALL TO ORDER** – Chairman Mathieu called the meeting to order at 7:05 p.m.

2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance. .

4. **Minutes of Previous Meetings** – Minutes of the Regular Meeting March 19, 2014

Motion by J. Novak, seconded by J. Rosenthal to approve the Regular Meeting Minutes of March 19, 2014 as written.
Abstentions: M. Noniewicz, C. Bakaj and S. Brown 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 opened and closed at the 4/2/14 meeting.)

A. Turner read the Public Hearing legal notice published in the Rivereast on March 21, 2014 and March 28, 2014..

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.

A. Turner told the Commission that the applicant is proposing a seven (7) lot Resubdivision on 74.5 acres of land in the R-60 zone. The Resubdivision would create six (6) buildable lots and one additional lot on Usher Swamp Road. He said that the applicant has requested a sidewalk waiver and a fee in lieu of Open Space.

Gordon Sime, McMinn & Associates, said that the application was for six (6) new buildable lots and the seventh (7th) lot would be the existing lot with the house and farm land. He said that the applicant is requesting a sidewalk waiver because of the location of the land and he feels that the proposed Resubdivision meets all the Zoning and Subdivision regulations.

Discussion followed regarding the request for waivers of the sidewalk and the fee in lieu for Open Space.

Motion by S. Brown, seconded by J. Rosenthal to close the Public Hearing on RESUB#14-332 - D. Standish applicant/owner.
Motion carried unanimously.

Speaking in Favor – No one spoke

Speaking in Opposition – No one spoke

Motion by S. Brown, seconded by J. Rosenthal to close the Public Hearing on RESUB#14-332 - D. Standish applicant/owner.
Motion carried unanimously.

Motion by J. Novak, seconded by J. Rosenthal to take Item 9A – Pending Applications – RESIB#14-342 out of order so that the Commission may deliberate. **Motion carried unanimously.**

6. **Preliminary Reviews** – None

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7. New Business & Applications Received:

- A. Modification of 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. Reconsideration of the Waiver for Sidewalks.

A. Turner told the Commission that this is a modification to the application approved at the regular meeting on March 19, 2014. The applicant is requesting reconsideration of the waiver for sidewalks as there were not enough members of the Commission at the March 19th meeting to vote on this waiver. He suggested that the Commission delay the decision until he is able to gather further information regarding the waiver for sidewalks and the fee in lieu of Open Space.

Motion by M. Noniewicz, seconded by J. Rosenthal to postpone action to the next meeting to allow staff the time to consider the waiver of the sidewalks. **Motion carried unanimously.**

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

9. Pending Applications:-

- 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 open and closed at the 4/2/14 meeting.)

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

Commission deliberated on the applicant's request for a sidewalk waiver. It was decided A. Turner should research this further and provide a suggested motion to the Commission at the next meeting.

Motion by M. Noniewicz, seconded by J. Rosenthal to postpone action on RESUB#14-432 to allow staff to better collect the information and to provide a suggested motion. **Motion Carried Unanimously.**

- B. 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)
- C. 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 introduced Beth Critton of Shipman and Goodwin, legal Counsel for the Town. Beth Critton presented the Appellate Court case of Donna MacKenzie, et al. v the Planning and Zoning Commission of the Town of Monroe, et.al. She explained that this decision would affect 20 of the proposed regulations. Discussion followed and the Commission requested A. Turner to work with Beth Critton on revising the proposed regulations in question.

Motion by S. Brown, seconded by J. Rosenthal to postpone deliberation on RC#13-208 and ZC#13-200 to the next regularly scheduled meeting. **Motion carried unanimously.**

10. Old Business –

- A. Signage at 119 South Main Street**

A. Turner said that this application is to install new signs at the Tri Town 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.

Discussion followed with the Commission asking A. Turner to research this request further in light of the discussions held earlier regarding the criteria for granting waivers.

Motion by M. Noniewicz, seconded by J. Rosenthal to postpone action on the signage at 119 South Main Street until the staff can come up with a solution on this. **Opposed:** S. Brown All others in favor. **Motion carried.**

B. Signage at Galaxy Shoppes at 99 Linwood Avenue

A. Turner said that the applicant was not present and he believes the applicant will not be requesting additional signage on the side of the building.

11. Planning Issues & Discussions –

A. Turner told the Commission that an Open Space grant has been submitted for the purchase of the Moroch property on McDonald Road. He is currently working on a grant to help with the funding of the removal of the Norton Mill and the restoration of the Jeremy River. He will also be submitting a grant in June for the final phase of the Streetscape renovations to address the area behind Noel's Market and the Cragin Library. He is continuing to work on economic development.

A. Turner told the commission that he will speak with Glen Chalder of Planimetrics about delaying the second meeting in April to discuss the updating of the Plan of Conservation and Development. Perhaps this meeting will be moved to the first meeting in May.

12. Zoning Enforcement Officer's Report – February 2014

A. Turner told the Commission about two violations he is currently working on: 1) junk shop on Lebanon Ave and Mill Street and 2) the new reflexology business on South Main Street. He said both owners of the buildings are cooperating with his requests.

13. Correspondence – None

14. Adjournment

Motion by S. Brown, seconded by M. Noniewicz to adjourn at 8:45 p.m. Motion carried unanimously.

Gail N. Therian, Clerk