

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, July 15, 2015
127 NORWICH AVENUE, COLCHESTER, CT
7:00 P.M.

MEMBERS PRESENT; Chairman Joe Mathieu; John Novak, Vice Chairman, John Rosenthal, Dave Gesiak and Jason Tinelle; John Reeve, Board of Selectmen Liaison;

MEMBERS ABSENT: Mark Noniewicz and Stacey Brown

STAFF PRESENT: Adam Turner, Town Planner, Randy Benson, Asst. Planner/ZEO; and Gail Therian, Clerk

1. **CALL TO ORDER** –Chairman Mathieu called the meeting to order at 7:00 p.m.

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 the Regular Meeting of June 17, 2015

Motion by J. Novak, seconded by J. Rosenthal to approve the Regular Meeting Minutes of June 17, 2015 as written.
Motion carried unanimously.

5. **Public Hearings** – None

6. **New Business & Applications Received:** - None

7. **Five Minute Session for the Public** - No one Spoke

8. **Pending Applications:-**

- A. **SE#15-025 Rodney Goldberg, Goldilocks Self Storage LLC, Applicant/Owner;** Application for Special Exception to construct a new self storage unit on property located at 359 Lebanon Avenue, Tax Assessor's Map # 05-06, Lot #21-002, located in General Commercial Zone. (Received on 1/21/2015; Public Hearing opened on 4/1/2015; continued to 4/15/15, 5/13/15, 6/3/15 and closed on 6/17/2015)
- B. **SD#15-031-Rodney Goldberg, Goldi-Locks Self Storage LLC, Applicant /Owner;** Application for Site Plan to construct a new 80' x340' self storage building with associated drives and parking. 359 Lebanon Ave., Tax Map # 5-6, Lot # 021-002, General Commercial Zone. (Received on 1/21/2015; Public Hearing opened on 4/1/2015; continued to 4/15/15, 5/13/15, 6/3/15 and closed on 6/17/2015 ;)

R. Benson said that there were two issues presented by the adjacent property owners: 1) buffering of the proposed addition and 2) the blasting. He said that a few Staff members and Commission members visited the site. The buildings are set well below the grade of the existing residences making them difficult to see from these residences. Regarding Item #2, the blasting will be overseen by the Colchester Fire Marshal. Discussion followed regarding the blasting and the requirements of the Fire Marshal.

Motion by J. Rosenthal, seconded by D. Gesiak to approve SE#15-025 and SD#15-031 Goldilocks Self Storage, Applicant Rodney Goldberg, Owner; Special Exception application per 4F.3.7 for an additional mini self-storage building at 359 Lebanon Avenue, Map 05-06, Lot 021-002, General Commercial Zone with the following conditions:

1. Any dead or missing trees to complete the existing 15 foot wide evergreen buffer will be replaced.
2. A notification to neighboring property owners will be required after this date for the blasting that will be done on the property. Any notifications that were done prior to this approval date are null and void. The list of the property owners to be noticed will be subject to the approval of the Colchester Fire Marshal.
3. The inspections of neighboring properties and blasting operations will be done in accordance to the requirements of the Colchester Fire Marshal.
-That a pre-blast and post blast building survey be done of ALL immediately adjacent properties in the Northwoods development.

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- That a pre-blast geologic survey be done of the actual blast site to determine the extent of the rock ledge in which the blasting is to be done.
 - That approved seismic instrumentation be placed at ALL immediately adjacent properties in the Northwoods development to determine the actual magnitude of any ground vibration.
 - That the blaster closely follows all requirements of the CT State Blasting Regulations.
 - That all results of the pre-blast and post blast surveys and seismic recordings be supplied to the Colchester Fire Marshal's office.
 - That the Colchester Fire Marshal be on site for all blasting to ensure that the above conditions are met.
4. An as-built plan shall be submitted to the Planning and Zoning department prior to the receipt of a Certificate of Occupancy for the new building.

Chairman Mathieu said that he believes the appropriate controls for the blasting are addressed and with the activity being monitored by the Fire Marshal there should be no repeat of prior incidents.

A vote was taken. **Motion carried unanimously**

- C. **ZC#15-202; Town of Colchester Zoning and Planning Commission, Applicant;** The zoning designation change is for a portion of the lot located at 9 Loomis Road. The zoning district in Westchester village does not permit business development along Route 149. The intent is to permit development along Route 149 providing it accesses Route 149 and any building is within 200 feet of the roadway. The map change will be for a portion of the property located at 9 Loomis Road, Map 03-17, Lot 053-000. The portion of the property that abuts Route 149 (Westchester Road) starting from the existing Westchester Village Zone boundary on the property to a point 50 feet before the intersection of Route 149 and Loomis Road will be changed from Rural Zone to Village Zone. This portion of the property that will be rezoned will be 165 feet in depth.
- D. **RC#15-210; Town of Colchester Planning and Zoning Commission, Applicant;** Application to add Section 1.2 of the Colchester Land Development Regulations to address properties that are split between two zoning boundaries. The new Section 1.2 will state, "Where a district boundary divided a lot of record at the same time such boundary line is adopted, the regulations for the less restricted portion of such lot may extend not more than 50 into the more restricted portion provided that the lot has frontage on a street in the less restricted district."

The application also includes amendments to the text of Section(s) 4.3.3, 4.6.5 and 8.8(1) of the Colchester Land Development Regulations. Section 4.3.3 is to be amended to add "In addition, multi-family uses shall be not permitted once the total amount of multi-family units permitted in this zone is 200 units. No more than 100 units will be permitted on any multi-family site in the suburban district." The text of Section 4.6.5 is to be replaced with, "Side and Rear setbacks shall be 35 feet. Front yards shall be a minimum of 10 feet." Section 8.8(1) will be amended to state, "Zoning Permits for short term temporary events may be granted for an event up to 10 days. One extension of no more than 10 days may be granted by the Commission in any district provided the event will be conducted in accordance with the provisions of the permit during the permit period. Permanent or annual events may be permitted by the Commission initially and then renewed annually by the ZEO. Adequate provisions shall be made for safe access and traffic control, off street parking, water supply, sewage disposal and emergency medical treatment for those attending the activity."

Chairman Mathieu said that there was not a super majority present at this meeting, so no deliberation would take place this evening. As it being vacation time, a poll will be taken to see if a super majority will be present at the Wednesday, August 21, 2015 meeting.

Motion by J. Novak, seconded by J. Tinelle to postpone action on ZC#15-202 and RC#15-210 to the next regularly scheduled meeting. **Motion carried unanimously.**

9. **Preliminary Reviews:**

- A. **127 Old Hartford Road, preliminary review of proposed Zone Change, Special Permit and Site Plan applications.**

R. Benson said that the preliminary review was for a proposed automotive repair shop to be located at 127 Old Hartford Road. The parcel of land involved is currently in the Town Center district and would require a Zone change from Town Center District to Arterial Commercial Zone.

Charles Dutch, Dutch and Associates, distributed copies of a map of the area highlighting the property location of the proposed automotive repair shop. Discussion was held regarding the environmental impacts of the proposed activity and the definition of “establishment”. The Commission asked that an environmental assessment be conducted on the impact of an automotive repair shop.

10. Old Business – None

11. Planning Issues & Discussions – None

12. Zoning Enforcement Officer’s Report – June 2015

R. Benson told the Commission that the plantings at the Wendy’s restaurant site were in accordance with Plan #2 that the Commission had reviewed and agreed upon. He said that the trees are being maintained by a Landscaper to ensure their growth. He reviewed several other Zoning Enforcements actions including 11 Broadway and 125 Lebanon Avenue. Discussion followed.

13. Correspondence – None

14. Adjournment

Chairman Mathieu told the Commission that this was A. Turner’s last meeting. He thanked Adam for all his work for the Town of Colchester and said he would be missed. A. Turner thanked the Commission members for their support and hard work on such projects as the Plan of Conservation and Development and Zoning Regulations.

Motion by J. Rosenthal seconded by J. Tinelle to adjourn at 7:55 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk