

**COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, September 16, 2015
127 NORWICH AVENUE, COLCHESTER, CT
7:00 P.M.**

MEMBERS PRESENT; Chairman Joe Mathieu; John Rosenthal, Dave Gesiak, and Jason Tinelle;

MEMBERS ABSENT: John Novak, Vice Chairman; Mark Noniewicz; John Reeve, Board of Selectmen Liaison;

STAFF PRESENT: 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 September 2, 2015

Motion by J. Rosenthal, seconded by D. Gesiak to approve the Regular Meeting Minutes of September 2, 2015 as written.
Motion carried unanimously.

5. **Public Hearings** –

R. Benson read the Public Hearing legal notice published in the Rivereast on September 4 and September 11, 2015.

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. **SP#15-004 – Frank Pappalardo, Applicant; Henry Edelberg/Raymond Crosby, owners**, 367 Lebanon Avenue, Assessor's Map 05-06, Lot 022-00B, Suburban Zone, to use existing building for a cleaning and restoration (Public Hearing opened and closed on 9/16/15)

R. Benson told the Commission that this application is to operate a commercial cleaning, decontamination, and restoration company from the property at 637 Lebanon Road. He explained that this property was commercial prior to the 2015 Regulation change. The property is now located in the Suburban Zone but a retail/service development is permitted under a Special Permit if located on an arterial or collector road. He said that there will be renovations to the existing building, but no additional development on the property.

Speaking in Favor

Frank Pappalardo, applicant, said that the business description and the intended use of the building was explained in his letter dated August 27, 2015. He said there would be no change to the property, as work is done off site. The office hours are Monday – Friday, 8:00 a.m. to 4:00 p.m. with an occasional Saturday. There is no walk in traffic. Discussion followed regarding storage of any hazardous waste or chemicals, number of employees and parking.

Speaking in Opposition - No one spoke

The Commission members reviewed the Staff Findings in R. Benson's memo dated September 9, 2015 including Section 4.6 Non-Residential Uses in the Suburban District, Section 15.4 Site Plan Class 2, and Section 14.8 General Evaluation Criteria of the Colchester Zoning Regulations.

Motion by J. Rosenthal, seconded by J. Tinelle to close the Public Hearing on SP#15-004 – Frank Pappalardo, Applicant; Henry Edelberg/Raymond Crosby, owners, 367 Lebanon Avenue, Assessor's Map 05-06, Lot 022-00B, Suburban Zone, to use existing building for a cleaning and restoration **Motion carried unanimously**

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- B. **Modification to SE#15-024, Leonard Przekopski, Jr. Applicant/Owner;** Application for modification to amend conditions to approval. (Received on 9/2/15; Public Hearing rescheduled to 10/7/215)

Chairman Mathieu explained that the Public Hearing on this application would not be opened at this meeting due to a deficiency in the noticing of abutting property owners. He said that the Public Hearing has been rescheduled until the October 7, 2015 meeting.

6. **New Business & Applications Received:** - None
7. **Five Minute Session for the Public – No one spoke**
8. **Pending Applications:-**

- A. **SP#15-004 – Frank Pappalardo, Applicant; Henry Edelberg/Raymond Crosby, owners,** 367 Lebanon Avenue, Assessor's Map 05-06, Lot 022-00B, Suburban Zone, to use existing building for a cleaning and restoration (Public Hearing opened and closed on 9/16/15)

Chairman Mathieu stated that the Public Hearing on this application was opened and closed at this meeting.

J. Rosenthal stated that based on the Staff memo from R. Benson, dated September 9, 2015 and the Commission's review the applicant has satisfied the Special permit evaluation criteria for a non-residential use in the Suburban Zone.

Motion by J. Rosenthal, seconded by D. Gesiak:

Whereas a Retail/Service Development is permitted by a Special Permit in the Suburban Zone if the property is located on an Arterial or Collector Road.

Whereas the property located at 367 Lebanon Avenue is an Arterial Road.

Whereas the applicant has met all of the conditions of Section 4.6 for non-residential uses in the Suburban Zone District.

Whereas the Colchester Planning and Zoning Commission held a public hearing on the application on September 16, 2015. The public hearing was closed at the September 16, 2015 meeting.

Now therefore be it resolved the Town of Colchester Planning and Zoning Commission hereby approves Special Permit application **SP#15-004, Frank Pappalardo, Applicant, Raymond Crosby, Owner;** Application to operate a specialty Cleaning, Decontamination and Restoration Company at 367 Lebanon Avenue, Assessor's Map # 05-06 Lot # 022-00B, Suburban District, as shown on the submitted approved plans; with the following conditions:

1. The Special Permit Notice of Decision is to be filed in the Town's land records prior to issuance of any permits or approvals.
2. A sign permit will be required for the new business sign.

Motion carried unanimously

- B. **Modification to SE#15-024, Leonard Przekopski, Jr. Applicant/Owner;** Application for modification to amend conditions to approval. ((Received on 9/2/15; Public Hearing rescheduled to 10/7/215)

This Public Hearing was not opened at this meeting due to a deficiency in the noticing of abutting property owners. This Public Hearing has been rescheduled until the October 7, 2015 meeting. No action was taken.

9. **Preliminary Reviews:** - None

10. Old Business –

A. Effective Date for Regulation Changes approved at the September 2, 2015 meeting.

Chairman Mathieu said that due to an oversight an effective date for the Regulation changes approved at the previous meeting of September 2, 2015 meeting was never stated. Discussion followed regarding an effective date for the approved Regulation amendments.

Motion by J. Rosenthal, seconded by D. Gesiak the effective date for RC#15-210, the Regulation amendments that were approved at the previous meeting of September 2, 2015, will be October 2, 2015. **Motion carried unanimously**

11. Planning Issues & Discussions

R. Benson told the Commission that a number of applications will be coming before the Commission within the next several months. He is working with the applicants on these future applications.

12. Zoning Enforcement Officer's Report - August 2015

Commissioners reviewed the August 2015 Zoning Enforcement Officer's Report. Discussion followed regarding enforcement actions on 553 Amston Road, 125 Lebanon Avenue, 631 Old Hartford Road, and 11 Broadway.

J. Rosenthal asked R. Benson about the influx of temporary signs around town. R. Benson said that he is working on this problem.

13. Correspondence – None

14. Adjournment

Motion by J. Rosenthal, seconded by J. Tinelle to adjourn at 7:44 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk