

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, November 4, 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 Tinnelle; John Reeve, Board of Selectmen Liaison

MEMBERS ABSENT: Mark Noniewicz

STAFF PRESENT: Randy Benson, Asst. Planner/ZEO; 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. '

3. **Additions to Agenda – None**

4. **Minutes of Previous Meetings** – Minutes of the Regular Meeting of October 21, 2015

Motion by J. Novak, seconded by J. Rosenthal to approve the Regular Meeting Minutes of Wednesday, October 21, 2015 as written. **Abstentions:** D. Gesiak All others in favor **Motion carried.**

5. **Public Hearings –**

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. **SUB #15-433** - "Park Place" Park Place Holdings, LLC. Old Hebron Road, Assessor's Map 06-08 Lot 001-001- Application for a proposed 17 lot Subdivision to create residential duplex lots, with proposed new road; Property is located in the Suburban Zone. (Received 10/7/15; Public Hearing opened 10/21/15 and continued and closed on 11/4/2015)

Chairman Mathieu said that this Public Hearing was continued from the October 21, 2015 meeting.

R. Benson told the Commission that this is application is for a proposed 17 lot Subdivision at 309 Old Hebron Road. A duplex unit will be built on 16 of the lots and a single family home will be built on the 17th lot. The Colchester Conservation Commission approved this application at their October 14, 2015 meeting with a condition that a single home be built on Lot 2 to address the wetlands buffer issue. The applicant has addressed the Sewer and Water Commission outstanding comments in the revised plans. The applicant will need to submit a request to the Colchester Sewer and Water Commission and the WPCA of the Town of Colchester for inclusion in the Sewer Service area of the Town prior to the commencement of connection to the service. The Town Engineer has agreed to a road width reduction to 24'. Staff supports fee in lieu. Discussion followed regarding the road reduction and the fee in lieu of Open Space.

Speaking in Favor:

Ellen Bartlett, CLA Engineers, representing the applicant, showed the landscaping plans and said that evergreen trees will be planted on lots 1, 4, 6 and 8 to act as a buffer to the abutting properties. She also showed the plans for the proposed water line extension.

Speaking in Opposition – No one Spoke

Motion by J. Novak, seconded by J. Rosenthal to close he Public Hearing on SUB#15-433 "Park Place" Park Place Holdings. **Motion carried unanimously**

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

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CLERK

7. **Five Minute Session for the Public – No one spoke**

8. **Pending Applications:-**

- A. **SUB #15-433** - "Park Place" Park Place Holdings, LLC. Old Hebron Road, Assessor's Map 06-08 Lot 001-001- Application for a proposed 17 lot Subdivision to create residential duplex lots, with proposed new road; Property is located in the Suburban Zone. (Receipt only; Public Hearing opened on 10/21/2015; Continued and closed on 11/4/2015 ;)

The Commission reviewed the Staff Report from R. Benson dated October 28, 2015. R. Benson told the Commission that the applicant will need to comply with the requirements from the State of CT Department of Transportation letter dated October 6, 2015 that no work shall commence with the State's right-of-way until a D.O.T. Encroachment Permit is issued. He said all Staff comments have been addressed. Discussion followed regarding the fee in lieu for Open Space.

Motion by J. Novak, seconded by J. Rosenthal to accept fee in lieu of open space as described in section 6.5.2 of the subdivision regulations. The rationale for this decision is identified in the findings of the staff memo dated 10/13/2015. The precise amount of fee in lieu payment will be \$35,000 based on an appraisal of the entire parcel by a Buckley Appraisal Services Inc. and confirmed by the Town of Colchester Tax Assessor and no building permits will issued until 10% of the appraised amount of the land is provided to the town. **Motion carried unanimously**

Motion by J. Novak, seconded by J. Rosenthal to approve the reduction of the street width from the required 26 feet curb to curb paved width for a street over 800 feet in street length required under Section 6.3.3.3 to 24 feet. The Commission may reduce the requirement of Section 6.3.3.3 under Section 6.3.3.6 of the Colchester Subdivision Regulations.

Motion carried unanimously

Motion by J. Novak, seconded by J. Rosenthal to approve the proposed 17 lot Resubdivision of 26.965 acres at 309 Hebron Road, Assessors Map 05-08, Lot 001-001 as per plans titled Park Place Subdivision Colchester, CT 1"=40', 19-sheets, dated June 15, 2015, last revised October 23, 2015 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 signed by the Soil Scientist.
2. The following notes are to be added to the final plans:
 - a. Deeds for the lots are to include all information regarding the access and utility easements.
 - b. The Planning & Zoning Commission has accepted a fee in lieu of Open Space, in the amount of \$35,000, for this Subdivision which is equivalent to 10% of the fair market value of the land prior to subdivision. Half of this fee is to be submitted with the application for permits to develop each lot.
 - c. The Planning & Zoning Commission approved the reduction of the required 26 foot wide street curb to curb width under Section 6.3.3.3 to 24 feet curb to curb width as permitted under Section 6.3.3.6 of the Colchester Subdivision Regulations.
 - d. Prior to the issuance of a Zoning Permit for individual lot development; A signed and sealed letter from a licensed surveyor stating that all lot boundary corners shown on the approved plan have been set per Section 7.8.
 - e. No transfer or selling of lots until public improvements are constructed or bonded.
3. Applicant will comply with requirements from the State of Connecticut Department of Transportation letter dated October 6, 2015 that no work shall commence with the State's right-of-way until a D.O.T. Encroachment Permit is issued.
4. The applicant will comply with the condition of the Wetlands Commission approval at their meeting on October 14, 2015 that Lot 2 will only have a single family house.
5. A landscaped buffer of 6 foot tall evergreen trees shall be planted on lot(s) 1, 4, 6 and 8 as shown on page 4 of the subdivision plans revised on October 23, 2015

6. Four units shall be affordable housing units and shall comply with Connecticut Statute Section 8-30g and Section 8.2 of the Colchester Land Development Regulations.
7. The applicant shall submit a request to the Colchester Sewer and Water Commission and WPCA of the Town of Colchester for inclusion within the Sewer Service area of the Town of Colchester prior to the commencement of connection to service.

Discussion followed regarding the payment of the fee in lieu.

Motion by J. Rosenthal, seconded by D. Gesiak to table the current motion to allow the Commission to amend the motion regarding fee in lieu of Open Space. **Motion carried unanimously**

Motion by J. Novak, seconded by J. Rosenthal to amend the Open Space fee in lieu motion to read: to accept fee in lieu of open space as described in section 6.5.2 of the subdivision regulations. The rationale for this decision is identified in the findings of the staff memo dated 10/13/2015. The precise amount of fee in lieu payment will be \$35,000 based on an appraisal of the entire parcel by a Buckley Appraisal Services Inc. and confirmed by the Town of Colchester Tax Assessor. **Motion carried unanimously**

Chairman Mathieu returned to the motion to approve the Subdivision application and called for a vote on the tabled motion.

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

- B. Modification to Site Plan # SD#15-035**, - Keystone Shoppes, LLC, C/o Michael C. O'Brien, 179 Linwood Avenue, Assessor's Map 11 Lot 28. Application for Site Plan Modification to allow construction of a second freestanding sign at Keystone Shoppes, Shopping Center

R. Benson told the Commission that this application is for a Site Modification approval to add a second free standing sign on the property at the east entrance to the site. The proposed sign location is in the existing landscaped area and is proposed to be set back nine (9) feet from the property line. He said that the new Zoning Regulations allow a second free standing sign. He said that the outstanding comments mentioned in his memo of October 27, 2015 were addressed in a letter from Patrick P. Doherty from MidPoint Engineering Consulting.

Patrick P. Doherty, PE, LEED, AP Principal of MidPoint Engineering Consulting, explained the need for the second sign because of visibility issues. He said he believes four (4) businesses left the Keystone Shoppes because of the lack of visibility. The second sign near Stop and Shop will draw attention to the businesses located on this site. He said the sign will have no internal lighting.

Motion by J. Novak, seconded by J. Rosenthal to approve Site Plan Modification application SD#15-035, Keystone Shoppes, applicant, property at 179 Linwood Ave., Assessor Maps #11-00, Lot #028-000, Town Center Zone as per plan modified by MidPoint Engineers Consultants dated October 8, 2015. **Motion carried unanimously**

9. **Preliminary Reviews:** - None

10. **Old Business** – None

11. **Planning Issues & Discussions**

R. Benson distributed a copy of a Change Order for the work at 95 Linwood Avenue. The change order was for the additional of underground utilities and the amendment to the Starbucks drive through entrance from pavement to concrete pads. Discussion followed.

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

13. Correspondence – None

14. Adjournment

Motion by J. Novak, seconded by D. Gesiak to adjourn at 7:50 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk