

**COLCHESTER PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING MINUTES**  
**Wednesday, September 7, 2016**  
**Town Hall, 127 NORWICH AVENUE, COLCHESTER, CT**  
**7:00 P.M.**

**MEMBERS PRESENT:** Chairman Joseph Mathieu; John Novak, Vice Chairman; Jason Tinelle and John Rosenthal;  
Alternates: Karen Godbout and Beverly Seeley; Stan Soby, Board of Selectman Liaison;

**MEMBERS ABSENT:** Mark Noniewicz and Dave Gesiak

**STAFF PRESENT:** Randy Benson, Planning Director/Zoning Enforcement Officer; Daphne Schaub, Assistant Planner/Zoning Enforcement Officer 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. B. Seeley and K. Godbout were seated as voting members. Daphne Schaub, Assistant Planer/Zoning Enforcement Officer was introduced to the Commission.

3. **Additions to Agenda** –

R. Benson asked that the following be added to the agenda, under Item 11, "Planning Issues and Discussions", as Item C "Request for a five-year extension on RESub#11-425- Joseph Piechta, Application for 7-lot re-subdivision on McDonald and Hominick Roads"

**Motion** by J. Novak, seconded by J. Rosenthal to add to the agenda, under Item 11, "Planning Issues and Discussions," as Item C "Request for a five-year extension on RESub#11-425- Joseph Piechta, Application for 7-lot re-subdivision on McDonald and Hominick Roads". **Motion carried unanimously.**

4. **Minutes of Previous Meetings** – Minutes of the Regular Meeting July 20, 2016

**Motion** by J. Rosenthal, seconded by J. Tinelle to approve the Regular Meeting Minutes of July 20, 2016 as written  
Abstentions: J. Novak All others in favor **Motion carried.**

5. **Public Hearings** – None

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

- A. **SD #16-040, Uz-Mah Development, LTD, LLC applicant/David R Lee and Jennifer A. Lee, owner,**  
Application for Site Plan to construct an Automotive Repair and/or service, 127 Old Hartford Road,  
Assessors Mapp 15-00, Lot 062, Arterial Commercial zone.

R. Benson told the Commission that this application is to renovate the existing 8000 square foot building that was previously the Browning and Lee Hardware Store. The applicant is proposing a Meineke Car Care Center. All the car care will take place inside the building.

Charles Dutch, Dutch and Associates, representing the applicant, explained the location and the current conditions of the building. He showed the parking area on the plan and said that the pavement in front of the building would be eliminated. The applicant has submitted the necessary permit application to the State Department of Transportation. The proposed plan addressed all of the concerns of J. Paggioli, Director of Public Works. He presented the lighting plan to the Commission. Discussion took place regarding signage for the property.

Zubi Khan, owner and applicant, stated the hours of operation would be Monday through Friday, 7:30 a.m. – 6:00 p.m. and Saturday, 7:30 a.m. – 4:00 p.m. He also spoke about the storage and disposal of motor oil. Discussion followed regarding additional landscaping near the entrance to the building.

**Motion** by J. Novak, seconded by J. Rosenthal to approve Site Development Plan Application SD#16-040 Uz-Mah Development, applicant and owner for property located at 127 Old Hartford Road, Assessors Map 15-00, Lot 062-000 to renovate the existing building and associated site work for an automotive repair facility. Application is approved as per plans by Dutch and Associates, Inc. dated July 21, 2016 with the following conditions:

1. The applicant shall receive final approval from the State of Connecticut Department of Transportation prior to the issuance of any permits.

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2. A Pre-construction meeting shall be held before the beginning of any work.
3. An Erosion and Sediment Control bond shall be required prior to any site work.
4. The landscaping will have to be planted in accordance with Section 9.4. of the Regulations.
5. A bond will be posted to ensure Landscaping survives two (2) spring growth periods as per Section 9.4.1 (E) of the Regulations.
6. All comments by Sal Tassone, Town Engineer in his report dated September 6, 2016 shall be addressed prior to the issuance of any permits.
7. The hours of operation will be as stated by the applicant: 7:30 a.m. – 6:00 p.m. – Monday thru Friday; and 7:30 a.m. – 4:00 p.m. on Saturday.
8. The front elevation of the building will have aesthetic landscaping provided, subject to the approval of Town staff; this elevation will be known as the Old Hartford Road elevation.

**Motion carried unanimously.**

- B. **SD#16-041 - Modification to SUB#15-433 "Park Place" Subdivision.** Park Place Holdings, LLC. Old Hebron Road, Assessor's Map 06-08 Lot 001-001. Property is located in the Suburban Zone. Site Plan modification to eliminate sidewalks on Old Hartford Road.

R. Benson said that the applicant is requesting a subdivision modification to not construct a sidewalk on the portion of the property on Old Hartford Road. An easement will be dedicated to the State of Connecticut for the placement of sidewalks should the need for them ever be warranted in the future. The proposed sidewalk would not attach to any existing sidewalk. He said that the Commission could not act on this application this evening as the Colchester Conservation Commission would like the opportunity to review the modification at their September 14, 2016 meeting to determine if the applicant should amend the wetlands permit.

Ellen Bartlett, CLA Engineers, explained the location of the proposed sidewalks. She also explained the proposed access from the development to the movie theater area. She explained the benefit to the wetlands on the property if the sidewalks were eliminated.

**Motion** by J. Novak, seconded by J. Rosenthal to postpone action on SD#16-041 Modification to "Park Place" Subdivision to the next regularly scheduled meeting and after the Colchester Conservation Commission gets the chance to review this.  
**Motion carried unanimously.**

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

8. **Pending Applications: - None**

9. **Preliminary Reviews – None**

10. **Old Business – None**

11. **Planning Issues & Discussions –**

**A. Discussion on possible amendments to sign regulations**

R. Benson presented the Proposed Zoning Regulation Amendments for additional building mounted signs. He also presented his research on temporary signs, which the Commission had requested at the last meeting. Discussion followed regarding temporary signs and it was suggested working with the Economic Development Commission regarding temporary signs. The Commission agreed to have further discussion at a later meeting regarding revising the regulations on directional signs.

R. Benson also presented two possible amendments regarding allowing horses in other zones besides the Rural Zone if the property meets certain criteria. The second proposed amendment is to reduce the side setback requirement for smaller sheds that are less than 200 square feet. Discussion followed and Staff will continue working on these amendments.

**B. Memo on property Map 06-04, Lot 007-000 Windham Avenue**

R. Benson told the Commission that at the June 1, 2016 meeting, Ronald Moroch appeared before them to discuss a possible zone change for the property owned by Mr. Moroch and his brother on Windham Avenue. The land has been in the family since 1958 and is approximately 141 acres. He explained that this property has been appraised several times using the Colchester Tax Assessor's records which indicate the property is in the R-40 zone. Based on the R-40 regulations, there

was a potential of developing approximately 60 – 80 residential lots. The property is currently zoned Rural and under a conservation Subdivision, approximately 53 homes can be built on the property. If this property was rezoned and changed to a Suburban Zone, approximately 60 – 80 homes could be built. The property owners would like feedback from the Commission if they would consider this zone change.

Ronald Moroch, gave a brief history of the property and the appraisals conducted for this property.

Discussion followed and the Commission's was not receptive to the rezoning of this property.

**C. Request for a five-year extension on RESub#11-425- Joseph Piechta, Application for 7-lot re-subdivision on McDonald and Hominick Roads**

R. Benson told the Commission members that he was in receipt of a letter from Mr. Piechta requesting a five-year extension to complete the work on his 7-lot re-subdivision on McDonald and Homonick Roads. He said the new date for completion of this re-subdivision would be February 15, 2022, if the extension was granted. Discussion followed.

**Motion** by J. Novak, seconded by K. Godbout to approve the request for a 5-year extension to complete RESub#11-425, J. Piechta on McDonald and Hominick Roads, with a new expiration date of February 15, 2022. **Motion carried unanimously.**

**12. Zoning Enforcement Officer's Report – July & August 2016**

D. Schaub distributed copies of her July/August Zoning Enforcement Officer's report. She updated the Commission on the status of most of these violations. She also distributed copies of Section 17.1 under Administrative and Appeals Procedure – Penalties and Section 8-12 of the Connecticut General Statutes regarding violations. She spoke about instituting fines for violations when all attempts to resolve violations fail.

**13. Correspondence – None**

**14. Adjournment**

**Motion** by J. Novak, seconded by J. Tinelle to adjourn at 9:12 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk