

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, March 15, 2017
Town Hall, 127 NORWICH AVENUE, COLCHESTER, CT
7:00 P.M.

MEMBERS PRESENT: Chairman Joseph Mathieu; John Novak, Vice Chairman; Mark Noniewicz, Dave Gesiak and Jason Tinelle; Alternates: Beverly Seeley; Stan Soby, Board of Selectman Liaison;

MEMBERS ABSENT: John Rosenthal; Alternate: Karen Godbout;

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 7:03 p.m.
2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance. B. Seeley was seated as a voting member.

3. **Additions to Agenda – None**

R. Benson asked the Commission to move agenda Item 10 after the approval of the Minutes of the Previous Meeting as he was requested to attend the Board of Finance meeting and would need to leave this meeting.

Chairman Mathieu asked for a motion to move Item #10 to after the Minutes of the Previous Meeting minutes and before Item 5 – Public Hearings.

So moved, M. Novak, seconded by J. Novak. Motion carried unanimously.

4. **Minutes of Previous Meetings** – Minutes of the Regular Meeting March 1, 2017

Motion by M. Noniewicz, seconded by J. Rosenthal to approve the Regular Meeting Minutes of February 15, 2017 as written. **Motion carried unanimously.**

B. Seeley recused herself for the discussion of Item 10, which took place at this time in the agenda.

5. **Public Hearings – None**
6. **New Business & Applications Received:**

- A. **Nomination of a Commission member to become representative to Southeastern CT Council of Governments Regional Planning Commission**

R. Benson told the Commission that Southeastern CT Council of Governments Regional Planning Commission is looking for a Commission member as a Representative to the Regional Planning Commission. He said that normally the Chairman of the Planning and Zoning is the representative. Chairman Mathieu accepted the position as the representative to Southeastern CT Council of Governments Regional Planning Commission.

7. **Five Minute Session for the Public** – No one spoke
8. **Pending Applications:** -
 - A. **SUB#17-434 – RMD Land Development, LLC, Applicant/Owners**, Application for a 2-Lot subdivision of 4.2 acres, Miller Road and Old Hartford Road, Assessors Map 05-10/026-00, Lot 26, Suburban Zone

D. Gesiak recused himself from hearing this application.

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D. Schaub told the Commission that the application is for a 2-lot subdivision on 4.2 acres of land in the Suburban Zone. She read a letter stating that the applicant is requesting that no sidewalks be required as sidewalks would offer no real improvements to the rural area. There are no sidewalks in this area. She also said that Staff and the applicant have agreed that a fee in lieu of open space is more appropriate for this subdivision and will be contacting an appraiser for an appraisal of the raw land. The Conservation Commission approved this application at the March 8, 2017 meeting. Town Staff comments have been addressed. J. Karrenberg of the Chatham Health District has not submitted a report at this time.

R. Gagnon, applicant, explained the location of the property and how the land will be divided. Discussion followed regarding the requirement for sidewalks and the fee in lieu of open space.

Motion by M. Noniewicz, seconded by J. Novak to approve SUB#17-434, RMD Land Development, LLC of 4.2 acres located on Old Hartford and Miller Roads, Assessor's Map 05-10, 026-000, 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 Soil Scientist.
2. The Planning and Zoning Commissions approves not to require the applicant to install sidewalks in this subdivision per Section 15.4.26 as referenced in the Staff memo dated March 15, 2017 and discussed this evening.
3. The following notes are to be added to the final plans:
 - a. Deeds for the lots are to include all information regarding the access, drainage and utility easement where applicable.
 - b. The Planning and Zoning Commission has accepted a Fee in Lieu of Open Space for this subdivision. Half of this Fee in Lieu is to be submitted for permits to develop each lot.
 - c. The Planning & Zoning Commission has approved to not require the applicant to install sidewalks associated with this subdivision as stated in Section 15.4.26 of the 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.
4. All comments in the letter from Jim Karrenberg, Chatham Health District, and dated February 13, 2017 must be addressed prior to the issuance of a zoning and building permit.

Motion carried unanimously

D. Gesiak return to the Commission as a voting member.

9. Preliminary Reviews – None

10. Old Business –

A. 9 Loomis Road Revision of Condition 13 of Notice of Decision

R. Benson said that as per the Commission's request at the March 1, 2017 meeting, he spoke with the Town Attorney regarding clarification on the language of this resolution. He said that the Town Attorney explained that the language is a non-issue as it preserves the natural state of the land and the language is acceptable per State Statute. Discussion followed regarding the approval of the revision to the condition.

Motion by M. Noniewicz, seconded by J. Novak that this Commission approve the change to the original condition # 13 on the approval of SP#16-002, G. Veneziano (applicant) 9 Loomis Road, LLC (owner), from Conservation Easement to Restricted Area as per the letter from Shipman and Goodwin dated February 24, 2017 to Randall Benson. . **Motion carried unanimously**

Commission returned to Item 5 Public Hearing on the agenda. B. Seeley returned to the Commission as a voting member.

11. Planning Issues & Discussions –

A. Discussion of changes to Regulations

The Commission reviewed the draft of the changes to the Regulations which were included in their packets. Discussion took place regarding the timeline for the Public Hearing on these changes. The Commission directed Staff to proceed with the necessary process for these changes.

12. Zoning Enforcement Officer's Report - None

13. Correspondence - None

14. Adjournment

Motion by J. Novak, seconded by B. Seeley to adjourn at 8:02 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk