

RECEIVED  
COLCHESTER, CT

2018 JAN 19 AM 9:12

**COLCHESTER PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING MINUTES (Amended)**  
**Wednesday, January 17, 2018**  
**Town Hall, 127 NORWICH AVENUE, COLCHESTER, CT**

*Joseph Mathieu*  
JOSEPH MATHIEU  
CHAIRMAN

1. **CALL TO ORDER** - Chairman Mathieu called this Regular Meeting to order at 7:00 p.m.

**MEMBERS PRESENT:** Chairman Joseph Mathieu, Vice Chairman John Novak, Jason Tinelle, Meaghan Kehoegreen, Secretary Mark Noniewicz, Beverly Seeley and Stan Soby, Board of Selectman Liaison

**STAFF PRESENT:** Randy Benson, Planning Director/Zoning Enforcement Officer, Kamey Cavanaugh, Clerk

**MEMBERS ABSENT** - Karen Godbout

2. **ROLL CALL**- Chairman Mathieu read roll call

3. **ADDITIONS TO AGENDA**- R. Benson requested the commission to add agenda item 11. B) Discussion of Potential Zone Change.

*M. Noniewicz moved, and J Novak second, to add agenda item 11. B) Discussion of Potential Zone Change.*

*The motion carried unanimously*

4. **MINUTES TO PREVIOUS MEETING**

*January 3, 2018 – J Novak moved, and J Tinelle second, to approve the minutes of January 3, 2018 as amended.*

*The motion carried unanimously*

5. **PUBLIC HEARINGS**

R Benson read the legal for the record.

- A. **SP#2018-001 Colvest / Colchester LLC, Applicant & Owner;**71-79 Linwood Avenue for Commercial/Office/Retail Development in the Historic Preservation Overlay Zone (Map# 11-00/Lot No. 021-00 & 022-000) Zoned TC (HPOZ)

*J. Tinelle moved, and B. Seeley seconded to accept and continue application SP#2018-001 Colvest / Colchester LLC, Applicant & Owner; 71-79 Linwood Avenue for Commercial/Office/Retail Development in the Historic Preservation Overlay Zone (Map# 11-00/Lot No. 021-00 & 022-000) Zoned TC to the February 7, 2018 regular scheduled meeting.*

*The motion carried unanimously*

- B. **SP#2017-006- 151 Upton Road, LLC (Applicant & Owner)** Application for Special Permit to develop property for 42000 SF of new buildings located at 151 Upton Road. Map#09-00 / Lot 008-005, Zoned AC

R Benson stated the applicant is proposing 2 separate buildings for a total of 42000SF on the vacant parcel located at 151 Upton Road. In the AC zone any building over 20000SF requires a Special Permit Application. The Town Engineer and the Public Works Director have both signed off on this application other than a few items that will be addressed during the construction phase of the project. This application has been to the ZBA and a variance was received to construct the driveway with reduced site lines.

Ellen Bartlett, CLA Engineers was before the commission and showed an aerial map of Upton Road and described the proposed development on the site. The type of vehicles that will be accessing the property would be tractor trailers, 3-5 a day. Phase I of this project would be one building consisting of a 30000SF and Phase II would be a 12000SF building. Each building will have (2) loading docks and there will be 42 impervious parking spots added. There will be a reduction of the storm water that will be leaving the site

with the new infiltration system in addition to a storm water treatment basin that the water from the parking lot will drain into after being treated. The drainage calculations have been submitted and approved by DOT. There will be a sign at the entrance that has not been designed at this time.

R Benson report the certified mailings to the neighbors have been received and a letter from the State of Connecticut DOT was received stating they are satisfied with the application.

Chairman Mathieu asked if anyone was present to speak in favor of this application.

Chairman Mathieu asked if anyone was present to speak against this application. Hearing none, *M Noniewicz moved and J Novak seconded, to close the public hearing of application SP#2017-006- 151 Upton Road, LLC (Applicant & Owner) Application for Special Permit to develop property for 42000 SF of new buildings located at 151 Upton Road. Map#09-00 / Lot 008-005, Zoned AC*

*The motion carried unanimously*

**6. NEW BUSINESS & APPLICATIONS RECEIVED- None**

**7. FIVE MINUTE SESSION FOR THE PUBLIC- None**

**8. PENDING APPLICATIONS / PUBLIC HEARINGS**

*M Noniewicz moved and J Novak seconded, to add agenda item 8.C) Application SP#2017-006- 151 Upton Road, LLC (Applicant & Owner) Application for Special Permit to develop property for 42000 SF of new buildings located at 151 Upton Road. Map#09-00 / Lot 008-005, Zoned AC*

*The motion carried unanimously*

**A. SP#2017-001 Goldi-Locks, LLC, Rodney Goldberg, 359 Lebanon Avenue (Applicant & Owner)Application for a Special Permit to build Mini/Self Storage Facility pursuant to Section No. 4.3.8, Suburban Use Zoning District (SU), Special Permit Uses - Retail Sales/Service Development along Arterial or Collector Roads, of the Land Development Regulation (Map No. 05-05/Lot No. 021-001 & 002). **(Public Hearing was closed on January 3, 2018)****

R Benson reported to the commission on January 17, 2018 a letter was received from R Goldberg indicating the applicant is withdrawing application SP#2017-001.

**B. SDP#2017-044- 181 Upton Road, LLC (Applicant & Owner) Application for Site Development Plan modification for expansion of existing light industrial facility for a new 12000SF building located at 181 Upton Road. Map#09-00 / Lot 008-006, Zoned AC**

R Benson stated to the commission this property abuts the 181 Upton Road parcel and all the comments from the Town Engineer and Public Works department have been satisfied. There is one outstanding item that is from the DOT that needs to be addressed and that is to provide additional information on the proposed retaining wall on the site. The applicant is proposing an onsite side walk to be constructed between the new buildings for employees, however is requesting no other sidewalks on the site.

Ellen Bartlett, CLA Engineers explained the proposed warehouse on the site, that will have (2) loading docks in the rear and a steel frame testing structure that is not an enclosed building. This project will have the roof drainage collected that will go into the infiltration system and the run off from the paved area will be collected into the catch basin that will lead to a storm water basin. DOT has reviewed the drainage calculations and have provided approval. The applicant will be making a lot line adjustment from 151 Upton Road giving to 181 Upton Road which will allow for the maximum impervious coverage.

*J Tinelle moved and M Noniewicz seconded, to approve the applicants request on application SDP#2017-044 to not install sidewalks on the property located at 181 Upton Road for the following reasons:*

- 1. The site of the property is more than a mile from the nearest school*
- 2. The site is located on Upton Road which currently only has commercial and industrial development and is a loop road which begins and ends on Old Hartford Road and does not provide through access for any other street. Any traffic on Upton Road is typical only for businesses located on Upton Road*
- 3. Currently there are no sidewalks on any portion of Upton Road*

*Discussion - B Seeley suggested having a workshop / further discussion regarding intent of sidewalks in the Town of Colchester.*

*The motion carried unanimously*

*J Tinelle moved and B Seeley seconded to approve application SDP#2017-044- 181 Upton Road, LLC (Applicant & Owner) Application for Site Development Plan modification for expansion of existing light industrial facility for a new 12000SF building located at 181 Upton Road. Map#09-00 / Lot 008-006, Zoned AC. Application is approved as per plans titled Incord Warehouse Expansion by CLA Engineers last revised 12/14/2017 and lighting plan by Visual dated 10/26/2017 with the following conditions:*

- 1. All items in report from James Paggioli, L.S. Director of Public Works dated 12/26/2017 will be addressed during construction*
- 2. The applicant will have to address the concerns of the State of Connecticut Department of Transportation (DOT) in their 12/18/2017 and the DOT will have to give final approval of the project prior to the issuance of a building permit.*
- 3. A Pre-Construction meeting will be held before the beginning of project*
- 4. A Landscaping Bond will be required to ensure landscaping last two Spring growth season per Section 9.4.1€ of the Colchester Land Development Regulations.*
- 5. Lot line revision needs to be completed prior to the start of construction*

*The motion carried unanimously*

- C. SP#2017-006- 151 Upton Road, LLC (Applicant & Owner)** Application for Special Permit to develop property for 42000 SF of new buildings located at 151 Upton Road. Map#09-00 / Lot 008-005, Zoned AC

*M Noniewicz moved and J Novak seconded, to approve the applicants request on application SP#2017-006 to not install sidewalks on the property located at 151 Upton Road for the following reasons:*

- 1. The site of the property is more than a mile from the nearest school*
- 2. The site is located on Upton Road which currently only has commercial and industrial development and is a loop road which begins and ends on Old Hartford Road and does not provide through access for any other street. Any traffic on Upton Road is typical only for businesses located on Upton Road*
- 3. Currently there are no sidewalks on any portion of Upton Road.*

*The motion carried unanimously*

*M Noniewicz moved and J Tinelle seconded, to approve Special Permit Application SP2017-006, Incord applicant and 181 Upton Road, LLC owner, for the property located at 151 Upton Road, Assessors Map 09-00, Lot 008-005 to construct two buildings. One new building will be 12,000SF and one new 30,000SF building for a total of 42,000SF of warehousing and office space and associated site improvement to be done in two phases. Application is approved as per plans titled Incord Warehouse Expansion by CLA Engineers last revised 12/14/17 and lighting plan by Visual dated 10/26/2017 with the following conditions:*

- 1. All items in report from James Paggioli, L.S. Director of Public Works dated 12/26/2017 will be addressed during construction*
- 2. The applicant shall address the comment by Sal Tassone, Town Engineer, in his report dated 01/08/18*
- 3. A Pre-Construction meeting will be held before the beginning of each phase of the project*
- 4. A Landscaping Bond will be required to ensure landscaping last two Spring growth seasons per Section 9.4.1€ of the Colchester Land Development Regulations*
- 5. The lot line revision shall be complete prior to start of construction*

*Discussion – Chairman Mathieu stated this special permit meets all the general evaluation criteria set forth in Section 14.8 of the Planning and Zoning Regulations as meeting the intent of the Plan of*

Conservation Development, not substantially aggravating traffic, not having substantial degrading effects on the property, all of which is set forth in the memo received from Randal Benson dated 01/09/2018.

*The motion carried unanimously*

9. **PRELIMINARY REVIEWS**- None

10. **OLD BUSINESS**-

A. Discuss resolution of Prezekopski appeal, excavation on Pine / Pinebrook Road

R Benson reported on January 2, 2018 the court upheld the towns decision of it not being completed in a timely manner.

11. **PLANNING ISSUES & DISCUSSIONS**-

A. Endorsement of possible Open Space Acquisition

The Planning and Zoning Department intends to and is preparing to submit an application to the Connecticut Department of Energy & Environmental Protection (CT DEEP), Open Space & Watershed Land Acquisition Grange Program (OSWA). This application shall be made to acquire funding for the purchase of 541 Lebanon Avenue, Colchester CT, as Open Space land.

*J Novak made a motion, and M Kehoegreen seconded to endorse the Planning & Zoning Departments submission of an Open Space & Watershed Land Acquisition Grant Program application to the CT DEEP for the purchase of 541 Lebanon Avenue (Route 16)*

*The motion carried unanimously*

B. Discussion of Potential Zone Change

R Benson suggested that the Planning and Zoning Commission schedule a workshop for further discussion of specific use of an existing Regulation. Staff will review and place discussion of this topic on a future agenda.

12. **ZONING ENFORCEMENT OFFICERS REPORT**- None

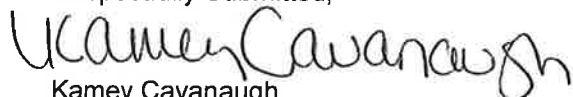
13. **CORRESPONDENCE**- None

14. **ADJOURNMENT**

*J Novak made a motion, and B Seeley seconded to adjourn the January 17, 2018 Planning and Zoning meeting at 8:22 p.m.*

*The motion carried unanimously*

Respectfully Submitted,



Kamey Cavanaugh  
Recording Clerk