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COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, February 7, 2018
Town Hall, 127 NORWICH AVENUE, COLCHESTER, CT

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 Kehogreen, Secretary Mark Noniewicz,

STAFF PRESENT: Randy Benson, Planning Director/Zoning Enforcement Officer, Daphne Schaub, Assistant Planner/Zoning Enforcement Officer; Kamey Cavanaugh, Clerk

MEMBERS ABSENT Karen Godbout, Beverly Seeley

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

3. **ADDITIONS TO AGENDA**

4. **MINUTES TO PREVIOUS MEETING**

January 17, 2018 – M Noniewicz moved, and J Novak second, to approve the minutes of January 17, 2018.

The motion carried unanimously

5. **PUBLIC HEARINGS**

- 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) (Continued from January 17, 2018)

R Benson stated this application is for a 7424SF building located at 71-79 Linwood Avenue for a proposed commercial development, possible multi-tenant or single tenant retail. Based on the site layout there is adequate parking for either. One of these parcels is located in the Historic Preservation Overlay Zone; as a result of that it is required to be applied for as a Special Permit Application. This also allows the commission to comment on the proposed architectural design. The concerns from the zoning perspective have been satisfied. There are some items from J Paggioli, Public Works Director that would need to be addressed if this application is approved, and final approval will be needed from DOT as this is on a State Road, both of which could be conditions of an approval. The comments from the Town Engineer, Sal Tassone should be addressed by the applicant at this meeting tonight. A concern for this property is the 1 entrance in and the one entrance out that leads one way; the applicant will need to gain access / an easement from Stop and Shop for an entrance off of Linwood Avenue.

Attorney Peter Alter, representing the applicant and owner of the property reviewed the parcel that is before the commission to be developed. The discussion of the access and restrictions into the parcel was discussed.

Tess Schwartz was before the commission and discussed the certificate that Stop and Shop already has in place from the office of the State Traffic Administration and since this property is within close proximity, they would need to go through that process for this application as well. The application for the certificate is applied for after approval is received from Planning and Zoning.

Attorney Peter Alter addressed the concerns of the fence that will be in the rear of the property. The applicant would like to suggest for the purpose of this site a chain linked fence is more appropriate. M Kehogreen stated this fence would be placed in the Historic Preservation Overlay Zone and she would like something that fits more in with historic style.

Peter LaPointe, Project Manager for the Colvest Group discussed the architect design proposed on the building.

Dana Steel, PE with JR Russo and Associates discussed the trees and shrubs that are going to be placed on the site. D Steel summarized the site plans, stating the driveways are a 2-way access, and the radius is suitable for emergency services. The site has a total of 42 parking spaces. The current regulation requires 25% pervious pavement and this application will have more than 25% pervious pavement. All of the perimeter parking spaces will all be pervious. The sidewalks will be ADA compliant as they are in the State right-a-way. The sign detail was discussed and will match the neighboring sign.

The lighting on the rear of the building was discussed.

Chairman Mathieu asked if anyone was present to speak in favor or in opposition of the application. Hearing none.

M Noniewicz moved and J Novak seconded, to close the public hearing of 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 (HPOZ) (Continued from January 17, 2018)

The motion carried unanimously

6. NEW BUSINESS & APPLICATIONS RECEIVED None

7. FIVE MINUTE SESSION FOR THE PUBLIC None

8. PENDING APPLICATIONS / PUBLIC HEARINGS

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)

R Benson suggested staff consulting with legal regarding the easement that has been discussed to be certain the town will not be held liable if an application is granted.

M Kehogreen stated she is in favor of the proposed retail building however would like to see the building be reduced to 4 units rather than 5 so it can be pushed back farther from the road; she would like to see shrubs be placed in front of the fence to block some of the view from the neighbors, and does not feel the exit / entrance lay out is a safe plan for Linwood Avenue.

J Tinelle does not feel that decreasing the amount of units would be a fair request of the owner. J Tinelle also stated that having an opaque or historical looking fence in the rear of the property would make for a better aesthetic view.

The Planning and Zoning commissioners directed Town Staff to obtain a legal opinion for the next meeting regarding the easement if this application is approved as presented would it have any implications on the decision made by the Planning and Zoning Commission, staff to obtain some options for an opaque fence, and a clearer understanding of the rear elevation of the building aesthetically.

M Noniewicz moved and J Novak seconded, to postpone action on 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 (HPOZ)

The motion carried unanimously

9. **PRELIMINARY REVIEWS**

A. Discussion if Auction House is a permitted use at 395 Old Hartford Road, in the AC Zone

The commission discussed a proposed Auction House at 395 Old Hartford Road. There was discussion of what type of use this would fall under. The commission directed staff to research surrounding towns on how Auction Houses are addressed and report back at the next regular scheduled meeting.

B. Discussion of potential mobile food truck

D Schaub discussed a proposed mobile food truck for town. There currently is not an application before the commission and it is not spoken to in the current regulations. The commission directed staff to research surrounding towns and how Mobile Food Trucks are addressed and report back at the next regular scheduled meeting.

10. **OLD BUSINESS**

11. **PLANNING ISSUES & DISCUSSIONS**

A. Amendments to the Sub Division Regulation.

R Benson stated the Sub Division Regulations need to be revised to comply with the current regulations and changes that have been made.

12. **ZONING ENFORCEMENT OFFICERS REPORT** None

13. **CORRESPONDENCE** None

14. **ADJOURNMENT**

M Noniewicz made a motion, and J Novak seconded to adjourn the February 7, 2018 Planning and Zoning meeting at 9:24 p.m.

The motion carried unanimously

Respectfully Submitted,

Kamey Cavanaugh
Recording Clerk