

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, June 20, 2018
Town Hall, 127 NORWICH AVENUE, COLCHESTER, CT

RECEIVED
COLCHESTER, CT

2018 JUL 21 PM 3:30

1. **CALL TO ORDER** Chairman Mathieu called this Regular Meeting to order at 7:00 p.m. *at 7:00 p.m.*
2. **ROLL CALL**
MEMBERS PRESENT: Chairman Joseph Mathieu, Vice Chairman John Novak, Secretary Mark Noniewicz, Jason Tinelle, Meaghan Kehoegreen, Bruce Hayne, and Karen Godbout, Alternate: Beverly Seeley, and Stan Soby, Board of Selectman Liaison
STAFF PRESENT: Daphne Schaub, Assistant Planner/Zoning Enforcement Officer; Kamey Cavanaugh, Clerk
3. **ADDITIONS TO AGENDA** None
4. **MINUTES OF PREVIOUS MEETING** June 6, 2018 – *J Novak moved, and K Godbout second, to table the minutes of June 6, 2018 until the next regular scheduled meeting. The motion carried 7-0-1. B Hayne abstained.*
5. **REAPPOINTMENT OF MEMBERS** Chair Mathieu welcomed Bruce Hayne as a member of the Planning and Zoning Commission. Mr. Hayne has a long history with the town and has served on numerous boards over the years. The board looks forward to his contribution.
6. **NEW BUSINESS & APPLICATIONS RECEIVED** None
7. **PENDING APPLICATIONS /PUBLIC HEARING** Application No. ZC#2018-001: **Barbara Maynard, applicant/owner, 589 Old Hartford Road, to change the zoning district of approximately 9.92 acres from the Suburban District to the Arterial Commercial District (Assessor's Map No. 06-10/Lot No. 034-000) Zoned SU.**

B Hayne recused himself from this application as he was not a full member at the time of the public hearing. M Noniewicz recused himself from this application as he was unable to listen to the recording from the previous meeting. K Godbout did listen to the recording and is seated to vote.

Chair Mathieu stated the public hearing was closed on this application at the June 2nd meeting and asked for any further information from staff; hearing none the commission deliberated.

M Kehoegreen stated how important it is to remember that the construction storage site planned at this time is not relevant to the zoning change as there are many other options this could be in the future. Also reminding the commission of the future growth area that is designated and exist in the Town of Colchester. What should be considered with this request is the property values and the quality of life for the surrounding property owners.

J Novak agreed the primary issue is the zone change itself and not the potential extended use; however does recall making a distinctive effort when rezoning took place, the lines where they are, and in this particular area, the line ending where it did to provide a buffer to the adjacent residents. Changing this zone could potentially lead to destructive noisy operations.

Chair Mathieu feels the zone line is logical where it is and feels there still is a buffer. The question then would be is that buffer enough. Also stated the property will be developed in some way at the highest and best way, what that may be at this time is not known.

J Tinelle stated some options for this property would not require a special exception and would prefer to know what is going to take place rather than the unknown. Mr. Tinelle feels this property was left as Suburban District zone to preserve agricultural property.

B Seeley moved and M Kehoegreen second, to deny application No. ZC#2018-001, Barbara Maynard, applicant/owner, 589 Old Hartford Road, to change the zoning district of approximately 9.92 acres from the Suburban District to the Arterial Commercial District (Assessor's Map No. 06-10/Lot No. 034-000) Zoned SU, as the zone change is not compatible with the piece of property in question.

The motion carried 6-0-1. M Noniewicz abstained.

B Hayn was reseated.

Daphne Schaub read the call into the record.

8. Public Hearing

A. Proposed Regulation Amendment to Section No. 3.4.1.C, RURAL USE ZONING DISTRICT, Front Setbacks;

Chair Mathieu asked if there was any concern with any of the current members sitting in on this application, hearing none.

D Schaub reported to the board the front setback regulation in Section 3.4.1C on page 5 of the Lane Use Regulations, does not adequately address existing developed properties for minimum lot size and building setbacks. The regulations addressed properties that are proposed to be subdivided or vacant land that has not been developed, but not properties that are in existence or already developed. The amendment proposed would allow minimum front yard setback (from property line) 100' for new construction on arterial and collector streets and 75' elsewhere for vacant lots or land approved for subdivision. Minimum setback for all existing properties that were developed with improvements prior to these current regulations is 50' allowing the use of the property in the neighborhood as the neighborhood had been planned.

Chair Mathieu asked if anyone was present to speak in favor of the application.

Rosalie Johnson, 23 Melanie Lane provided photographs of her property showing the frontage of 62' from the property line to the house, however the current regulation prohibits her from adding a porch onto her home.

Chair Mathieu asked if anyone was present to speak against the application. Hearing none;

M Noniewicz moved and J Novak second, to close the public hearing; Proposed Regulation Amendment to Section No. 3.4.1.C, RURAL USE ZONING DISTRICT, Front Setbacks.

The motion carried 8-0-0.

B. Proposed Regulation Amendment to Add Section 8.12, USES SUBJECT TO MORATORIUM;

Chair Mathieu asked if there was any concern with any of the current members sitting in on this application, hearing none.

D Schaub reported to the board the State has approved medical marijuana production and dispensaries facilities in Connecticut. Currently the regulations do not speak to this matter. Staff feels this is an important issue to be considered, however, time is needed to address it thoroughly and appropriately with knowledge. At this time it is suggested to add a section in

the regulations which is allowing for a specific subject moratorium to allow time to educated and devise a strategy for the town to consider, in addition obtain the insight from the Board of Selectman and the residents of Colchester.

The commission deliberated on the time frame of the moratorium, what is expected of the board and town staff during the moratorium time, and State of Connecticut's roll in the application process. During the 18 months staff is going to speak with the Board of Selectman, obtain input from residents and the board will deliberate what will be best for the Town of Colchester.

Chair Mathieu asked if anyone was present to speak in favor of the application.
Chair Mathieu asked if anyone was present to speak against the application. Hearing none;

Typographical changes were made to the proposed amendment.

M Noniewicz moved and J Novak second, to close the public hearing; Proposed Regulation Amendment to Add Section 8.12, USES SUBJECT TO MORATORIUM.

The motion carried 8-0-0.

C. Proposed Update to Subdivision Regulations to Match Current Section Numbers of the Land Development Regulations

Chair Mathieu asked if there was any concern of any of the current members sitting on this application, hearing none.

D Schaub provided the board with the changes that have been made to the Subdivision Regulations to match the current zoning regulation. (See Attached)

Chair Mathieu asked if anyone was present to speak in favor of the application.
Chair Mathieu asked if anyone was present to speak against the application. Hearing none

M Noniewicz moved and J Novak second, to close the public hearing; Proposed Update to Subdivision Regulations to Match Current Section Numbers of the Land Development Regulations

The motion carried 8-0-0.

M Noniewicz moved and J Novak second, to add Section 8.5 to act on pending applications.

The motion carried 8-0-0.

M. Noniewicz moved and K Godbout second, to approve Proposed Regulation Amendment to Section No. 3.4.1.C, RURAL USE ZONING DISTRICT, Front Setbacks as discussed at this meeting with an effective date of July 16, 2018.

The motion carried 8-0-0.

M Noniewicz moved and J Novak second, to approve Proposed Regulation Amendment to Add Section 8.12, USES SUBJECT TO MORATORIUM as discussed at this meeting with an effective date of July 16, 2018 and an expiration date of January 16, 2020 with the noted changes.

The motion carried 8-0-0.

M Noniewicz moved and K Godbout second, to approve Proposed Update to Subdivision Regulations to Match Current Section Numbers of the Land Development Regulations on the town records as presented to the commission tonight with an effective date of July 16, 2018.

The motion carried 8-0-0.

9. FIVE MINUTE SESSION FOR THE PUBLIC None

10. PRELIMINARY REVIEWS None

11. OLD BUSINESS None

12. PLANNING ISSUES & DISCUSSIONS

A. Discussion on regulation sales of firearms to follow section 8.8.16

The board discussed briefly and decided to obtain comment from council to be sure this proposal appropriately conforms to Federal Law and applicable State Law before proceeding. The board requested staff provide a scope showing the locations of where this would effect.

B. Discuss possible regulation amendments

D Schaub provided the board members with a matrix showing a signage allowance table which was discussed with a few minor changes. This item will remain on the agenda. Staff will revise the draft regulation for the board to review at the next meeting. Staff requested board members to email any recommendations or changes so those changes can make the revised draft.

13. ZONING ENFORCEMENT OFFICERS REPORT None

14. CORRESPONDENCE None

15. ADJOURNMENT

J Novak made a motion, and B Seeley seconded to adjourn the June 20, 2018 Planning and Zoning meeting at 8:37 p.m.

The motion carried 8-0-0.

Respectfully Submitted,

Kamey Cavanaugh
Recording Clerk