

Chester Planning & Zoning Commission
Regular Meeting, April 10, 2014
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1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting on Thursday, April 10, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 7:32 PM.

2. Roll Call & Seating of Alternates

Those members present and seated were Jon Lavy, Mel Seifert, Sally Murray, Keith Scherber, Errol Horner, Steven Merola, Doreen Joslow, Michael Sanders (seated for H. Krempel) and Peter Zanardi (seated for P. Kehayias).

3. Audience of Citizens

(a) Torrance Downes - Gateway Commission Update

Torrance Downes, Peg Wilson and Martha Wallace were present representing the Gateway Commission. They reviewed the background of the Gateway Commission noting it was established in 1973 by State Statute to prevent deterioration of the natural riverway scene. There are 8 member towns (Chester, Deep River, East Haddam, Essex, Haddam, Lyme, Old Lyme, Old Saybrook) that meet on a regular monthly basis. DEEP and RiverCOG also attend these meetings. The Gateway Commission writes Standards for these towns which are enforced through the Town's Zoning Regulations. These Standards include such things as building height, setback from the river, etc. Mr. Downes noted in the last few months they have consulted with an attorney and are drafting some changes in view of recent changes in the law and minor court cases. He also noted none of the changes are any more restrictive, but rather clarifications. They are also proposing to do the 4000 square foot structure by site plan review as opposed to a Special Exception. Mr. Downes reviewed the proposed clarifications noting that when the official set is forwarded to the Towns, there may be some additional ones. He indicated they are presenting these changes to all the 8 towns and looking for comments. Chairman Lavy noted this will eventually have to go to Public Hearing for adoption. Mr. Downes noted the Gateway Commission adopts its Standards and then the towns are obligated to adopt them. Errol Horner noted the Gateway's comments are helpful to the Planning & Zoning Commission and there should be more of these conversations.

4. Old Business

(a) Application for Special Exception #14-01 submitted by A.I.S. Properties LLC (owner and applicant) for Storage of Stone, on property located at 25 Airport Industrial Park Road (Map 17, Lot 21, Zone RLM).

(b) Application for Special Exception #14-02 submitted by A.I.S. Properties LLC (owner and applicant) for 50' x 80' building to be

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used for cutting of decorative stone, on property located at 35 Airport Industrial Park Road, (Map 17, Lot 20, Zone RLM).

Chairman Lavy noted for the record both of the above applications were withdrawn by the applicant.

(c) Update on Proposed Regulation Changes - continuing review

(d) Application Fees - continuing review

(e) Sign Inventory Task Force - continuing review

Chairman Lavy noted these are a work-in-progress and will soon be sent to Attorney Royston and the Regional Planning Commission for review.

There was discussion regarding banners in the Village. It was decided to expand on the definition of banners and posters in the new proposed Sign Regulation for the Village. Mel Seifert volunteered to draft some new language and email it to everyone for review.

5. New Business

(a) Amendment to Special Exception, Martin Sbriglio (Aaron Manor), 3 South Wig Hill Road - relocation of emergency generator, shed and dumpsters per request of Fire Marshal

Al Wolfgram and Matt Boggio were present representing Aaron Manor. Mr. Wolfgram explained the Fire Marshal has requested a change in the location of the emergency generator, shed and dumpsters. He reviewed the new proposed location on the site plan. Chairman Lavy noted all requirements of the Fire Marshal, Building Official, Sanitarian and Wetlands should be complied with. **Motion by Murray, second by Merola, to approve Amendment to Special Exception for Aaron Manor for relocation of emergency generator, shed and dumpsters with condition that all requirements of the Fire Marshal, Building Official, Sanitarian and Wetlands Agency are complied with. Voting in favor - Murray, Merola, Scherber, Joslow, Seifert, Horner, Zanardi, Sanders, Lavy. Opposed - none. Motion Carried.**

(b) Sidewalk Usage Applications - River Tavern and Otto's

The Sidewalk Usage Zoning Permit application for River Tavern was reviewed. Mr. Horner noted last year there were several times when the post and ropes were not present. Mr. Zanardi also noted the awning is too low. It was agreed there should be documentation and vigilance this year in pursuing compliance with the Zoning Regulations relative to Accessory Uses - Sidewalks. **Motion by Zanardi, second by Joslow, to approve Sidewalk Usage application for River Tavern. Voting in favor - Zanardi, Joslow, Seifert, Scherber, Merola, Murray, Sanders, Lavy. Opposed - none.**

Abstained - Horner. Motion Carried.

With regard to Otto's sidewalk usage, Mr. Rapp withdrew that application as it appeared the tables would be on private property and not the public sidewalk. Chairman Lavy noted he would like some clarification as to where the property line falls.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officer

Waiting for a response from Attorney Royston relative to the Federal Fair Housing Act and the procedure for doing a moratorium on marijuana producers and dispensaries.

It was noted signs are becoming an issue at the Pattaconk Restaurant. Need to research and determine what has been allowed in the past.

Following up on a couple of other issues where people have done work without proper permits.

Permit applications seem to be picking up in the last couple of weeks.

Learned a few businesses in the Village have either closed, moved out of town or moved to a different location within the Village.

7. Bills for Payment

Motion by Murray, second by Joslow, to approve invoice of J. Brown Associates in the amount of \$1000 for secretarial services for meetings held in September, October, November and December 2013. Voting in favor - Murray, Joslow, Zanardi, Sanders, Seifert, Merola, Horner, Scherber, Lavy. Opposed - none. Motion Carried.

8. Communications, Receipt of New Petitions, New Applications - none.

9. Approval of Minutes - March 13, 2014 Public Hearing & Regular Meeting Minutes

Motion by Joslow, second by Seifert, to approve March 13, 2014 Regular Meeting Minutes amended as follows -

- Under 5.(a) Medical Marijuana Discussion, 2nd paragraph, 2nd sentence should read, "Mel Seifert suggested the Chester Planning & Zoning Commission put a moratorium on marijuana producers and dispensaries for a specified period of time."

Voting in favor - Joslow, Seifert, Scherber, Horner, Zanardi, Merola, Lavy. Opposed - none. Abstained - Sanders, Murray.

Motion Carried.

Motion by Joslow, second by Seifert, to approve March 13, 2014 Public Hearing Minutes as written. Voting in favor - Joslow, Seifert, Scherber, Horner, Zanardi, Merola, Lavy. Opposed - none. Abstained - Sanders, Murray. Motion Carried.

10. Pending Litigation - nothing further to report at this time.

11. Adjournment

Motion by Zanardi, second by Joslow, to adjourn at 9:15 PM. Voting in favor - Zanardi, Joslow, Scherber, Horner, Merola, Sanders, Seifert, Murray, Lavy. Opposed - none. Motion Carried.

Respectfully submitted,

Sally Murray /jrb

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