

Chester Planning & Zoning Commission
Regular Meeting, March 13, 2014
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1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting immediately following two public hearings at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 8:45 PM.

2. Roll Call & Seating of Alternates

In attendance and seated were Jon Lavy, Mel Seifert, Doreen Joslow, Steven Merola, Keith Scherber and Peter Zanardi (seated for Peter Kehayias). It is noted for the record Keith Scherber recused himself from Applications #14-01 and #14-02. Others present included Judith Brown (Zoning Compliance Officer), Jeremy DeCarli (RiverCOG) and in the audience Attorney Michael Cronin, Lillian Bella, Joel Nucci and Madeleine Meyer.

3. Audience of Citizens – none.

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).

It is noted for the record there was no discussion regarding this item as the public hearing had been continued to the next meeting.

(b) Application for Special Exception #14-02 submitted by A.I.S.

Properties LLC (owner and applicant) for 50' x 80' building to be used for cutting of decorative stone, on property located at 35 Airport Industrial Park Road (Map 17, Lot 20, Zone RLM).

It is noted for the record there was no discussion regarding this item as the public hearing had been continued to the next meeting.

(c) Update on Proposed Regulation Changes – continuing review

(d) Application Fees – continuing review

(e) Sign Inventory Task Force – continuing review

The above 3 agenda items are a work in progress. Public Hearing date to be determined. Mel Seifert suggested holding off on revising Sections 72, 80 and 20 until after the above two applications were completed.

(f) Natural Hazards Mitigation Plan Update

Jeremy DeCarli from RiverCOG was present. He noted he worked closely with ZCO Brown, First Selectman Meehan and Joel Severance in updating this document. Input was also received from the Public Works Department, Fire Marshal's Office and other sources. The Plan has been updated in terms of project mitigation and information from various past storms. Road reconstruction projects have also been added to the list. Everyone feels the Plan is ready to go to the State DEEP who will then send it to FEMA. DEEP and FEMA will forward their comments back to us.

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They will then issue their approval pending adoption letter. Once received, Mr. DeCarli noted he will bring that back to the Commission. The Commission will then make its recommendation to the Board of Selectmen. Mr. DeCarli noted a public comment period was held. This was done on line by survey and hard copies were also available in the Land Use Office. DeCarli stated he was looking for approval from the Commission to forward this to DEEP.

Motion by Joslow, second by Seifert, to recommend the Natural Hazards Mitigation Plan update be submitted to D.E.E.P. for review and comment. Voting in favor – Joslow, Seifert, Zanardi, Merola, Scherber, Lavy. Opposed – none. Motion Carried.

5. New Business

(a) Medical Marijuana Discussion – Haddam Regulations

Chairman Lavy reported on the public hearing he attended in Haddam for changes to their Zoning Regulations regarding marijuana producers. The change would have allowed 10,000 square foot buildings for marijuana production and growth within the residential districts as well as the commercial and industrial districts. Lavy noted all of Chester's property along Haddam's town line is residential. A letter had been sent to the Town of Haddam Planning & Zoning Commission objecting to this change a couple days prior to the hearing, said letter was read into the record at the hearing. Lavy also read the letter into the record of this meeting for the members. The end result was that the Haddam Planning & Zoning Commission changed the regulations so marijuana producers would only be permitted by Special Exception and in the commercial and industrial districts. They eliminated it from the residential districts.

There was discussion regarding the State Statute's definition of "agriculture." Mel Seifert suggested the Chester Planning & Zoning Commission put a moratorium on marijuana producers for a period of time. It was decided to check with Attorney Royston to get the proper wording and what would be considered as a reasonable amount of time. Mr. Seifert will also seek out other towns that either have regulations or a moratorium on this use.

(b) Appoint Liaison to North Quarter Park Master Plan Committee

Chairman Lavy explained the Board of Selectmen are establishing a North Quarter Park Master Plan Committee and asking for representatives from various boards and commissions. Doreen Joslow volunteered to be the P&Z representative.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officer

1. Inquiry received regarding access to a 27 acre piece of property at the end of Hoop Pole Hill Road with no current access. Gun Club owns it and wants to sell it. Advised real estate agent property has existed for years and the only way to obtain

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an access is either through a neighbor's property or the State of Connecticut.

2. The Forest has inquired if they can sell to people under 55. The Federal Fair Housing Act says 80% of elderly housing must go to 55 and over. They have some vacant units. ZCO was advised to check with Commission Counsel relative to the Federal Fair Housing Act.

3. Inquiry regarding 6B Kings Highway. Owner wants to build a garage and living quarters over and live there until they can afford to build the house at which time they would eliminate living quarters over garage and use that area for a music studio. They also wanted to know if they could blast for both the garage and the future house at the same time so further blasting would not be necessary. Commission members agreed blasting once would be a good idea, but they need to provide soil and erosion control and restore the future house area similar to lawn until they are ready to build.

4. As of February 28, 2014, all decks and sheds under 200 square feet no longer require a building permit, but still require zoning and wetlands permits (if applicable).

7. Bills for Payment – none.

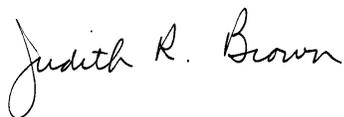
8. Communications, Receipt of New Petitions, New Applications – none.

**9. Approval of Minutes – January 9, 2014 Regular Meeting
Minutes
Motion by Zanardi, second by Seifert, to approve January 9, 2014
Minutes as written. Voting in favor – Zanardi, Seifert, Scherber, Joslow,
Lavy. Opposed – none. Abstained – Merola. Motion Carried.**

10. Pending Litigation – nothing further to report.

11. Adjournment
Motion by Joslow, second by Merola, to adjourn at 9:50 PM. Voting in favor – Joslow, Merola, Scherber, Seifert, Zanardi, Lavy. Opposed – none. Motion Carried.

Respectfully submitted,



Judith R. Brown, Recording Secretary