

1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting on Thursday, May 8, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 7:30 PM.

2. Roll Call & Seating of Alternates

The following members were in attendance and seated - Jon Lavy, Steven Merola, Errol Horner, Henry Krempel, Sarah Jansen (seated for S. Murray), Michael Sanders (seated for D. Joslow) and Peter Zanardi (seated for P. Kehayias). Judy Brown, Zoning Compliance Officer, was also present.

3. Audience of Citizens - none.

4. Old Business

- (a) Proposed Regulation Changes - continuing review
- (b) Application Fees - continuing review

Chairman Lavy noted last month there was a discussion regarding the establishment of a moratorium on marijuana producers and dispensaries within the Town of Chester. It was the consensus at that time to move forward with that process. A draft notice was prepared and reviewed by Commission members. Brief discussion ensued. It was decided to go ahead with the process establishing a moratorium on marijuana producers and dispensaries.

- (c) Proposed Village Sign Regulation - continuing review

There was much discussion regarding the addition of "Decorative Elements" to the Draft Sign Regulation. Messrs. Horner and Krempel felt it was too vague. Mr. Horner suggested banners should be a separate item, either decorative or advertising, and there should be a recommended size. Mr. Horner also felt banners should come under the category of "temporary" and only be for a special event. There was a brief discussion as to whether "open" signs and/or flags should also be included under "temporary". Chairman Lavy noted currently banners are not allowed. The idea is to try to allow them, but with certain restrictions. Mr. Zanardi noted there needs to be some kind of control over banners and there should be a definition (size, etc.).

Chairman Lavy urged all members to review the Village Sign Regulation and come prepared to the next meeting with suggestions. Think about "temporary" vs. "permanent". Should there be a separate category for banners and flags, definition of banners and flags, should there be a time period for allowing banners and flags.

(d) Reminder -CT River Gateway Commission Boat Trip - June 5<sup>th</sup>  
Doreen Joslow, Michael Sanders and Sarah Jansen all expressed an interest in going on the boat trip. It was decided Michael and Doreen would go.

5. New Business

(a) Review Sidewalk Usage Applications

Robert Galbraith from the Pattaconk 1850 Bar and Grille was present. Commission members reviewed the Pattaconk's Sidewalk Usage application. There was discussion regarding the recent Music Fest as it related to sidewalk usage, banners, loud music, etc. Mr. Galbraith noted this was a charity event and it will only be held for one day next year, not three days as it was this year. He indicated they stop the outdoor music at 9 PM and go inside. The inside music stops at midnight. There was discussion regarding banner sizes and whether sidewalk usage should be established on an automatic annual renewal process with a fee. No decision was made on automatic renewals. It was suggested a reminder letter be sent in April. ZCO Brown noted she has done that in the past. The problem with sending the letters is that people don't think about this until the weather actually gets warm and then the tables go out without permits. It is noted for the record this application showed 3 tables for the restaurant (special events) and 1 table for the ice cream window. **Motion by Horner, second by Zanardi, to approve Sidewalk Usage Permit for Pattaconk Restaurant pending receipt of copy of liquor permit and copy of current Certificate of Insurance. Voting in favor - Horner, Zanardi, Krempel, Merola, Jansen, Sanders, Lavy. Opposed - none. Motion Carried.**

The Sidewalk Usage application for Simon's Marketplace was reviewed. **Motion by Krempel, second by Jansen, to approve Sidewalk Usage Permit for Simon's Market pending receipt of Certificate of Insurance. Voting in favor - Krempel, Jansen, Zanardi, Merola, Sanders, Horner, Lavy. Opposed - none. Motion Carried.**

Errol Horner noted there were no ropes and posts at River Tavern when he drove by this evening. He indicated this was an ongoing violation. Discussion followed. Section 73.9(A)21 covering the suspension of a sidewalk usage permit either temporarily or permanently was reviewed. A written notice of suspension should be sent to the River Tavern if the violation continues.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officers

J. Brown reported on the following -

1. The Pattaconk Yacht Club will be rebuilding after the recent

fire on the same footprint. They will be submitting an as-built prior to demolition of the building.

2. Chairman Lavy noted ZCO Brown sent out courtesy letters to the Pattaconk, L&E and Simon's advising them to submit their outdoor dining applications prior to this meeting. Notice of Violation letters were also sent to L&E and Pattaconk Bar & Grille re no sidewalk usage permits for last weekend's activities.

3. The property owner at 6 Main would like to put 2 apartments on the second floor. This is a General Principal Use and only requires a Zoning Permit after review by the Commission. They are currently waiting for Fire Marshal and Building Official approvals. Commission members reviewed the application which included a dormer and a deck over the existing roof. Members were concerned that the deck did not fit within the character of the Village as was intended by the Regulations. They also felt the application was incomplete as it did not include a section detail of the deck, railing design and the effect this would have on the facade of the building. It was noted any changes need to be compatible with the building and the Village. ZCO Brown was instructed to send a letter to Mr. Bergin (architect) requesting a railing detail indicating elevation, section and details as well as front elevation (from Main Street) showing impact of railing to front facade. This will be reviewed at the next meeting.

4. Still working on trying to get a couple of people to come in and take out permits for work already performed. One has been resolved, the other one is still outstanding.

5. Letters have been sent to Olsen Sanitation Company attorney relative to complaint received that portable toilets are being stored outside and the parking of a dumpster truck which is not a permitted use.

6. 6 Main Restaurant has asked if they can have an "open" flag (2 ½ x 4, attached by metal pole to front of building left hand side, blue and yellow to match awning). Commission members felt "open" signs or flags did not require a permit as they are only temporary when the business is open and removed otherwise.

Chairman Lavy read an email from Doreen Joslow giving a status update of the North Quarter Park Master Plan Committee.

7. Bills for Payment - none.

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

9. Approval of Minutes - April 10, 2014 Regular Meeting  
Motion by Sanders, second by Jansen, to approve April 10, 2014 Minutes as written. Voting in favor - Sanders, Jansen, Zanardi, Merola, Horner, Lavy. Opposed - none. Abstained - Krempel. Motion Carried.

10. Pending Litigation - nothing further to report.

11. Adjournment  
Motion by Sanders, second by Merola, to adjourn at 9:30 PM. Voting in favor - Sanders, Merola, Jansen, Zanardi, Krempel, Horner, Lavy. Opposed - none. Motion Carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown".

Judith R. Brown, Recording Secretary