

The Chester Planning & Zoning Commission held 3 public hearings on Thursday, October 9, 2014, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. In attendance and seated for all 3 public hearings were Jon Lavy, Mel Seifert, Sally Murray, Steven Merola, Errol Horner, Keith Scherber, Henry Krempel, Peter Zanardi and Doreen Joslow. Sarah Jansen (non-seated alternate) was also present.

Secretary Murray read the following Legal Notice of Public Hearing into the record, said notice for all 3 public hearings having been published in the Hartford Courant on September 24 and October 1, 2014.

“Application for Special Exception #14-05 submitted by Camp Hazen YMCA to demolish existing Sachem Bathhouse and construct new bathhouse in same location and add porch addition to adjacent Sachem Longhouse, on property located at 204 West Main Street, Chester (Map 12, Lot 43, Zone Residential Camping District).”

Jeff Jacobson, Board President of Camp Hazen, introduced himself along with Denise Learned, Executive Director, and Cathy Davis, Camp Director.

Mr. Jacobson noted the application was for demolition of existing bathhouse and construction of a new bathhouse with an addition of a porch on an existing building. He further noted Camp Hazen hired a firm from Michigan a few years ago that specializes in Master Plans for Camps to prepare a Master Plan for them. As there were a lot of new Commission members he asked Denise Learned to give a brief overall of the Master Plan to show how this fits in.

Denise Learned introduced herself. She reviewed 3 sheets from the Master Plan that was done in November 2007. The first sheet covered the Village Green Area and the Farmstead Area. The second sheet was an aerial perspective. The third sheet covered the Ledges Area.

Denise noted they have just over 150 acres all together. 25 on the south side of Route 148 and the rest on the north side. They initially decided to focus on the south side which was at the same time they purchased 5 ½ acres with cottages from a Church group that abutted their property. They created pathways between the two pieces of property. They also put in a post and beam barn which serves as the maintenance facility as well as a 600 square foot addition on the office.

Denise reviewed the area on the north side starting with the existing

bathhouse built in 1968 which is no longer serving its purpose. They are looking to create a new bathhouse and put a porch addition on the Sachem Longhouse to service the 10 cabins in that area.

Denise next reviewed some upcoming projects at some point. The Mosakwa Longhouse is an open lodge on one side and girls shower on the other. It was built late 1940's and is not in the best of condition. They would like to create a village area and pull back some of the cabins that are right up to the Lake. The septic system will also be pulled back from the Lake at that time as well.

Denise noted they are always very conscious of Route 148 and how campers cross it. They try to minimize the amount of time they cross the road. Currently the Day Camp gets dropped off and picked up on the south side of the road. The new plan includes a turn around on the north side which would mean changing the entrance on that side of the road.

They are creating a couple open air pavilions and some additional decking on the dining hall. She reviewed the entrance and road to the dining hall and the Lake noting this area would be filled in. This septic system is also in this area.

Denise noted they have been moving forward with the plan since 2008 and have been very excited about it. The Camp's Board is really committed to this. When initially presented to this Commission a few years back there was very positive feedback.

Denise noted they also put a 2000 square foot addition on the dining hall and relocated the failed septic system further from the Lake. They are trying to get things as much as they can away from the Lake.

Jeff Jacobson reviewed the application before the Commission. He highlighted the dining hall, the big field, the entry, etc. He noted the new bathhouse will have 2 separate buildings with an interconnecting porch. It will serve both mens and womens winterized cabins. This would give counselors more control over the cabins. He reviewed the shower house rendering. There would be the same number of fixtures and served by the same water supply and septic systems. All of the Camp falls under a General Permit from DEEP.

Jeff noted feedback from parents has been they love the atmosphere of the Camp and don't want it turned into a resort.

Sally Murray asked if there was any proposed lighting. Denise replied yes and they try to minimize exterior lighting.

Cathy Davis reviewed the winterized cabins which are used throughout the year for conferences and groups.

Chairman Lavy asked for questions from the audience. No one spoke at this time.

Chairman Lavy asked for anyone who wished to speak either in favor or opposed to the application.

Chairman Lavy read into the record a letter requesting a waiver of the application fee, either in total or partial, as a 501C3 organization. Lavy noted the Commission's fee schedule notes the Commission shall be authorized to waive the payment of any and or all fees for non-profit organizations exempt from Federal Income Tax under Section 501 of the Code.

Motion by Joslow, second by Zanardi, to close the public hearing at 7:45 PM. Voting in favor - Joslow, Zanardi, Seifert, Murray, Merola, Horner, Scherber, Krempel, Lavy. Opposed - none. Motion Carried.

The second public hearing was opened at 7:46 PM. Seated for this hearing were Lavy, Seifert, Murray, Merola, Horner, Scherber, Krempel, Zanardi, Joslow. Jansen was present but not seated.

Secretary Murray read the following Legal Notice of Public Hearing into the record, said notice having been published in the Hartford Courant on September 24 and October 1, 2014.

“Notice is hereby given that the Chester Planning & Zoning Commission will hold a public hearing on Thursday, October 9, 2014, at 7:30 PM at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut for the purpose of establishing a moratorium on marijuana producers and dispensaries within the Town of Chester. The moratorium will be in effect from November 1, 2014 to August 31, 2015 during which time the Commission will undertake to revise its Zoning Regulations relative to marijuana producers and dispensaries.”

Chairman Lavy asked if anyone in the audience had any questions regarding this matter. Madeline Meyer asked what happens in the next 3 weeks if an application comes in. Mel Seifert noted they have to have a State license and all State licenses have already been issued. Nothing will happen for awhile.

Madeline Meyer spoke as a resident and Tax Collector noting she

doesn't really want anything to do with this because she would be the one collecting the fees.

Chairman Lavy asked if there was anyone who wished to speak either in favor or opposed to the petition. No one spoke at this time and there were no questions from the Commission.

Motion by Seifert, second by Murray, to close the public hearing at 7:50 PM. Voting in favor - Seifert, Murray, Merola, Horner, Scherber, Krempel, Zanardi, Joslow. Lavy. Opposed - none. Motion Carried.

The third public hearing was opened at 7:51 PM. Seated for this hearing were Lavy, Seifert, Murray, Merola, Horner, Scherber, Krempel, Zanardi, Joslow. Jansen was present but not seated.

Secretary Murray read the following Legal Notice of Public Hearing into the record, said notice having been published in the Hartford Courant on September 24 and October 1, 2014.

“Notice is hereby given that the Chester Planning & Zoning Commission will hold a public hearing on Thursday, October 9, 2014, at 7:30 PM at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut to hear the following petitions -

Amendments to Zoning Regulations

Repeal Section 72, Controlled Development District, in its entirety and replace with new Section 72, Controlled Development District.

Repeal Section 80, Research & Light Manufacturing District, in its entirety and replace with new Section 80, Research & Light Manufacturing District.

Add new Section 20 Definitions Fitness and Wellness Center.

Add new Section 120C.4(u) Emergency Services.

Amendment to Subdivision Regulations

Repeal Section 5.12 FIRE PROTECTION in its entirety and replace with new Section 5.12 FIRE PROTECTION.

Amendment to Road Regulations

Repeal first sentence of Section 130B.9 Ascending Driveways and replace with new sentence.”

Chairman Lavy read into the record a letter from John Schiavone, 80

Airport Industrial Park Road, dated October 7, 2014 (copy attached). He also read a second letter into the record from Lower Connecticut River Valley Regional Planning Commission dated September 24, 2014 indicating there were no adverse intermunicipal impacts if the regulations were adopted as proposed.

Mel Seifert reviewed the Required Characteristics for Controlled Development District noting there weren't a lot of places in town that would meet these other than Inspiration Lane. Lavy noted this was similar with the Research & Light Manufacturing District, but the lot restrictions were different.

Section 72 was reviewed. Chairman Lavy asked for questions from the audience. The question was asked as to the definition of "Controlled Development District." It was noted there is only one section of town for this district and that is Inspiration Lane. It has been called a Controlled Development District ever since its inception several years ago. Mel Seifert reviewed the Required Characteristics noting there aren't many places in town that would meet those requirements.

Bill Sangster, from Airport Industrial Park Road introduced himself and referenced his letter to the Commission dated 10/9/14 (copy attached), noted Sections 72 and 80 are closely connected and any comments would apply to both. He concurred with the letter from John Schiavone.

Specific to Section 80, Mr. Sangster notes it is imperative to specifically prohibit the bulk storage of fuels and other named substances for distribution. He indicated a lot of lost time, business and legal expense was incurred previously to determine that due to lack of emergency capability, lack of access, lack of egress, detriment to property values and unacceptable risk, the storage and distribution of bulk fuel was not a suitable use in the Airport Industrial Park and a clear prohibition is imperative.

With regard to Sections 72 and 80, Mr. Sangster noted the protections of Section 130 are absent from General Principal Uses. Abutting property owners, near neighbors, and the public are excluded from approved use decision process. Two individuals only to approve use is inadequate. This would leave legal action as the sole recourse. He further noted that with a recent application (that was ultimately withdrawn) that he wouldn't expect two individuals to know that dust and vibration would effect his business. Under the new regulation, his concerns would not be known.

Mr. Sangster briefly reviewed his approval process which took 6 weeks and went smoothly and then what happened when the previous propane applications were submitted before he even opened his doors.

Mr. Sangster suggested a streamlining of the approval process with a provision to allow specified uses through consideration of Zoning subcommittee with due notification of abutting property owners and their ability to express concerns. He also noted there were several other procedural/administrative areas that could expedite the application process such as taking advantage of modern communications and the internet.

In summary, Mr. Sangster submitted a written request this public hearing be continued to allow property owners in the affected districts, abutting property owners, nearby neighbors and the public ample time to evaluate and respond to the proposed changes.

Susan Sangster introduced herself noting the Commission took the time to define wellness center so it should be able to take the time to add no fuel storage, no propane.

Madeline Meyer, nearby resident, noted Light Manufacturing and Research has always been on her Agenda. To save time, she noted she quoted everything Mr. Schiavone said in his letter and everything Mr. Sangster said and double it. Fuel storage is huge to her family and disagreed with the Commission even considering it. She agreed eliminating Section 130 is a terrible idea. Values of people homes is important. People want to be safe, protected and enjoy their property. The neighbors and public need to be part of that decision. There needs to be more than 2 people making that decision.

Chairman Lavy noted the hearing will be continued to verify that adjacent towns have received notice of these amendments. The language governing this was changed with the inception of the new RiverCog. There are also a couple of watershed areas in town so the Water Company needs to be notified as well.

It was noted the two items regarding Emergency Services and Fire Protection are housekeeping items requested by the Fire Marshal to review applications.

It was noted the Amendment to the Road Regulations is being withdrawn to allow for a rewriting of the Driveway Section as a whole.

Sally Murray asked the audience which part of the General Principal Uses is objectionable. Madeline Meyer noted it was the removal of

Section 130 and not notifying neighbors. Murray noted that only applies to General Principal Uses.

Chairman Lavy read and reviewed the paragraphs regarding General Principal Uses and Site Plan approvals. Mel Seifert noted that if the proposed Section 80 had been in effect at the time the propane application came in, what would have happened would be they would have asked for a General Principal Use and been denied. Chairman Lavy noted that application would have fallen under General Principal Use with Site Plan approval and would have come before the Commission without a public hearing.

Mr. Sangster noted unreasonable risk is subject to interpretation.

John Schiavone noted under the old regulation there was some property value protection.

The previous propane application and denial were briefly reviewed. Mr. Seifert asked the public to take the next month and review the proposed regulation. Mr. Sangster noted it has been thoroughly proven at great expense that that is an unsuitable location for propane facility.

Sally Murray noted the Commission felt this new wording was stronger in terms of protecting the land. Specific prohibitions can backlash.

Mr. Sangster asked what materials, goods and products stored outside are - propane, junk cars, piles of rock, dirt, etc.

Madeline Meyer asked if Section 80 could be withdrawn and thought about some more.

Mr. Schiavone noted this is a tough place for the Commission to be in. Lots should be sold and the Town should be collecting taxes. Is there something that can be done to encourage businesses? Chairman Lavy noted a lot of this is generated through the Economic Development Commission. He also noted there is still a reference in the new regulation to Section 130 and there is the Site Plan approval by the Commission. Lavy also noted the Commission felt the new language gave a much broader base to deny that kind of a proposal (i.e. propane storage facility).

Chairman Lavy noted this hearing will be continued to receive any further public comment.

Motion by Murray, second by Krempel, to continue the public

hearing until the November meeting. Voting in favor - Seifert, Murray, Merola, Horner, Scherber, Krempel, Zanardi, Joslow. Lavy. Opposed - none. Motion Carried.

Respectfully submitted,

Sally Murray /jrb

Sally Murray, Secretary