

**Chester Planning & Zoning Commission
Regular Meeting Minutes, April 13, 2017**

1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting on Thursday, April 13, 2017, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 7:45 PM.

2. Roll Call & Seating of Alternates

Members in attendance and seated were Jon Lavy, Mel Seifert, Steven Merola, Keith Scherber, Henry Krempel, Peter Zanardi, Doreen Joslow, Michael Sanders (seated for J. Stack). Commission Counsel David Royston was also present, as well as ZCO Judith Brown.

3. Audience of Citizens

Carla Marino-Marek introduced herself noting she was here for a preliminary discussion regarding the property at 56 Middlesex Avenue. She noted she was very interested in starting a retail space with booth rentals for such things as painted furniture, collectibles, dishes, etc. The proposed spaces would be 8 x 8 or 4 x 4 rented on a monthly basis. She was also interested in renting out the kitchen space for people to do prepared meals which can be sold to retail stores, similar to Pasta Vita or Mystic Market. Maybe have a juice bar with smoothies. There could also be a small gathering area for small weddings, bridal showers, lectures, maybe Farmer's Market during the winter months, etc. Henry Krempel asked if there would be any modifications to the building. Ms. Marino-Marek replied no, nothing other than some dividing partitions. She also noted she had been in touch with the Fire Marshal who asked for a sketch. It was decided this could be done as an Amendment to Special Exception for the previous use as it is staying retail and food. Ms. Marino-Marek was advised to review the prior Special Exception for conditions, hours of operation, floor plan, statement of use. It was noted there was a condition regarding the storage of trash which must be inside except for the day of pickup.

4. Old Business

(a) Section 40T(1), Sale of Alcoholic Beverages – set effective date
Chairman Lavy noted this was approved at the last meeting, but the Commission did not set an effective date for the regulation. **Motion by Krempel, second by**

**Chester Planning & Zoning Commission
Regular Meeting Minutes, April 13, 2017**

Seifert, to set an effective date of May 1, 2017 for Section 40T(1) which was approved last month. Unanimously Approved.

(b) Proposed Medical Marijuana Regulation

Motion by Joslow, second by Krempel, to defer discussion re Section 117 Medical Marijuana until the next meeting to allow Sally Murray to be present for the discussion. Approved with Scherber opposed.

(c) Proposed Amendment to Zoning Regulation, Section 60A.2 Special Principal Uses

Chairman Lavy noted a public hearing was held on this at the last meeting. After a brief discussion, it was decided to delete subsection (iii) from (6) as it was felt this would be an enforcement nightmare. **Motion by Krempel, second by Zanardi, to amend Section 60A.2(N)(6) by deleting subsection (iii). Unanimously Approved.** Motion by Krempel, second by Joslow, to approve amended Section 60A.2(N) as agreed to during the public hearing and at this meeting as noted above. Unanimously Approved. Motion by Seifert, second by Sanders, to set an effective date of May 1, 2017 for Section 60A.2(N). Unanimously Approved.

(d) Proposed Amendment to Zoning Regulations to amend Section 80 Research & Light Manufacturing

It is noted for the record the public hearing for Section 80 was continued until the next meeting upon request of the applicant.

(e) Proposed Special Exception Amendment to Regulations, Section 120L

(f) Proposed Variance Amendment to Regulations, Section 140J

Chairman Lavy noted the Commission gave the Ruels 30 days from the last meeting to go back to ZBA and inquire if they requested an extension whether that request would have to be referred to Gateway. Attorney Royston noted the Ruels, or their attorney, has communicated with ZBA Attorney John Bennet, however, they are not present this evening so the Commission can move forward with these regulations. Mel Seifert noted recent experience shows this regulation is flawed. Commission Counsel has done a lot of work to fix this. Applicants can go back and get extensions if needed. The 10 and 5 year extensions were briefly reviewed.

**Chester Planning & Zoning Commission
Regular Meeting Minutes, April 13, 2017**

Motion by Seifert, second by Sanders, to delete old Section 120L and replace with new revised Section 120L with an effective date of May 1, 2017. Unanimously Approved.

Motion by Seifert, second by Sanders, to delete old Section 140J and replace with new revised Section 140J with an effective date of May 1, 2017. Unanimously Approved.

5. New Business

(a) Review Outdoor Dining Zoning Permit Requests

Incomplete applications were received from The Villager and River Tavern. No actions were taken. These will be reviewed again when required documentation is submitted.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officer

10 Prospect Street – Notice of Violation has been issued for unregistered motor vehicles and lots of “junk” piled all over the place. Spoke to property owner who will be dealing with the Tenant to clean it up. Advised property owner if nothing is done a Cease & Desist Order will follow.

29 Main Street – received Sidewalk Usage Zoning Permit for merchandise display and pet adoption area. Members felt this would fall under an accessory use, but the applicant would have to provide not only a Certificate of Insurance for herself but also for any pet adoption agency if applicable. Also needed sketch of how it would be laid out on the sidewalk to be sure there was sufficient space between the designated area and the road for pedestrian traffic. **Motion by Seifert, second by Merola, to approve Zoning Permit for Strut Your Mutt LLC for Sidewalk Usage provided all requirements can be met including a sketch showing the required 5’ distance between the designated area and the road to allow for pedestrian traffic and a certificate of insurance is provided for Strut Your Mutt and a Certificate of Insurance from an Adoption Agency if one is being used. Unanimously Approved.**

**Chester Planning & Zoning Commission
Regular Meeting Minutes, April 13, 2017**

(b) Plan of Conservation & Development

Chairman Lavy noted the POCD Committee met and came to an agreement on how to approach the visioning. First Selectwoman Gister was going to write up an RFQ to get firms to come in. The firms will then be interviewed and a proposal will be requested. The Board of Finance is going to allocate money in this year's and next year's budgets, probably \$100,000 for this. This will be an investment for future years. Chairman Lavy further noted the updated POCD will be more actionable with goals and time frames.

Doreen Joslow noted it has taken many meetings to get everyone on the same page. This will be a townwide Plan. The Board of Finance wants everyone involved in visioning for the Town. They would like a cross section of residents to participate. Mel Seifert noted the PTA is a possible source.

Chairman Lavy noted the RFQ needs to go out. The respondents will then be shortlisted, those shortlisted will be interviewed and a firm will be chosen to lead the process. Michael Sanders noted part of the scope of work should be how to reach out to people and get them involved.

7. Bills for Payment – none.

8. Communications, Receipt of New Petitions, New Applications

Correspondence received regarding a Freedom of Information Commission workshop to be held at the Deep River Town Hall, 174 Main Street, on Monday, April 24th, at 6:30 PM. Board and Commission members and the public are invited to the free workshop.

9. Approval of Minutes – March 9, 2017 Public Hearing and Regular Meeting Minutes

Motion by Seifert, second by Joslow, to approve Public Hearing Minutes of March 9, 2017 amended as follows –

- **Under the 4th public hearing for Section 80, 8th paragraph, correct the spelling of the word “clarification”.**

**Chester Planning & Zoning Commission
Regular Meeting Minutes, April 13, 2017**

Approved with Sanders abstaining.

Motion by Joslow, second by Krempel, to approve March 9, 2017 Regular Meeting Minutes as written. Approved with Sanders abstaining.

10. Pending Litigation – nothing further to report.

11. Adjournment

Motion by Joslow, second by Zanardi, to adjourn at 9:55 PM. Unanimously Approved.

Respectfully submitted,

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

Judith R. Brown, Recording Secretary