

1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting on Thursday, July 13, 2017, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 7:35 PM.

2. Roll Call & Seating of Alternates

Members present and seated were Jon Lavy, Steven Merola, Henry Krempel, Peter Zanardi, Patricia Bisacky (seated for D. Joslow), Michael Sanders (seated for S. Murray) and Elaine Fitzgibbons (seated for M. Seifert).

3. Audience of Citizens

(a) Joseph Mingoello – Housing Projects - preliminary

Joe Mingoello and Attorney Joseph Rini were present. They were interested in having a preliminary discussion regarding possible projects in town – 33 Liberty Street and Dock Road.

With regard to 33 Liberty Street, they noted this was a wood structure that was abandoned and in a very stressed condition. They would knock down both buildings and make this a residential use, 20 units (single bedroom units) with parking under the building. There is also plenty of parking on the land itself. There is city water and septic. The property is 2.9 acres, just shy of 3 acres.

Chairman Lavy reviewed the uses in a residential zone. For elderly housing, the minimum acreage is 5. Lavy also noted the Zoning Regulations would have to be changed and a variance would be needed for the acreage. The State would also be involved regarding septic and a treatment plant. He reiterated condos aren't allowed in a residential zone.

With regard to Dock Road, Attorney Rini noted they met with the Gateway Commission who indicated they had to come back to P&Z. The Gateway Commission noted it controls what's going into the 17 towns. Attorney Rini noted they are proposing 50 units in 2 or 3 buildings. The Gateway Commission had noted that doesn't fit into the overall concept going up and down the River.

Chairman Lavy reviewed the uses in the Waterfront District. It was noted the building height in the Gateway District is 35 feet. There would also have to be a

zoning regulation change to allow this use. It was also noted there is a flooding issue on Dock Road.

The following agencies would have to be contacted before coming back to Planning & Zoning – Gateway Commission, Inland Wetlands, Office of Long Island Sound, CT River Coastal Conservation District, Harbor Management and State Public Health. All the neighbors along the private road would need to be contacted as well as the Town of Chester regarding replacement of the one lane bridge on Dock Road.

Attorney Rini thanked the Commission for its time.

18 East Liberty Street – a few residents were present to discuss the AirBnB located at 18 East Liberty Street.

Carli Gilbertson, 10 E. Liberty Street noted with the growth of short term rental sites new regulations need to be proposed. 18 E. Liberty Street is renting out to 16 people a night at \$800 to \$900 per night. There is no owner on site. The Host lives in Florida. Last weekend there were 45 cars parked all over the property. Ms. Gilbertson also noted the AirBnB website states there can be no more than 4 cars parked in the driveway. This is a residential neighborhood hosting a commercial enterprise. There is no one on the property to supervise. She further noted on July 4<sup>th</sup> they came home from dinner to find 45 cars on the property. She texted the property owner in Westbrook and told them this was not acceptable.

It was noted B&B's are allowed under a Special Exception. Ms. Gilbertson noted she herself has used AirBnB but on a much smaller scale.

Ms. Gilbertson submitted a written copy of her statement. She noted she would advocate for preservation of residential neighborhoods and a ban on short term rentals or at least a moratorium until regulations are proposed and agreed upon.

Lois Nadel from 7 East Liberty Street submitted a statement which Chairman Lavy read into the record.

Henry Krempel asked if there was a difference between a full time rental property

and someone gone for just a month or so.

Mike Sanders noted this has become a commercial enterprise.

Carol Sessions, 24 East Liberty noted she looked up the host, Jeff Walker, who lives in South Florida and has 2 businesses including real estate.

Joel Severance, 4 East Liberty Street, noted he was familiar with this building which is a single family residence. The septic was approved for a single family. He noted the Harbor Management Commission has done water quality testing of Chester Creek every year now for about 10-12 years. He noted he would have a problem with this if approved with 7 bathrooms, 6 bedrooms and 45 cars parked on the property speaking relative to water quality in Chester Creek. Chairman Lavy noted there is no approval for this property at 18 E. Liberty Street at this time. Mr. Severance briefly reviewed applicable Fire Marshal codes relating to B&B's and Hotels. He also noted the AirBnB website refers to this facility as a Hotel.

Chairman Lavy noted the Commission has had some discussion already with the Commission attorney, but needs more time to see where we want to go with the regulations and our community. This is clearly a problem that needs to be addressed. Mike Sanders suggested the Commission revisit the B&B definition and rewrite it relative to number of people, etc.

Elaine Fitzgibbons noted she would look at it from the aspect of it being a commercial use in a residential zone.

#### 4. Old Business

##### (a) New Storm Water Management Regulations

ZCO Brown noted the Town needs to adopt new Zoning Regulations and a Town Ordinance pertaining to new State Storm Water Management Regulations. First Selectwoman Gister will provide further information.

#### 5. New Business

##### (a) Discuss possible AirBnB Regulations

Discussed earlier in the meeting under Audience of Citizens.

## 6. Report of Officers and Subcommittees

### (a) Report from Zoning Compliance Officer

ZCO Brown reported on the following -

- 10 Prospect Street – tenant came in and provided copy of valid Camper Registration for bus. He indicated everything else had been removed including the tent storage.
- 15 Prospect Street – ZCO will go back and review old minutes regarding proper screening and landscaping for school bus property.
- Chester Airport – Whelen Aviation has withdrawn their Appeal of the ZCO Cease & Desist Order from ZBA. They are progressing with clean up.
- AirBnB's – the Commission should think about how to deal with AirBnB's. 18 East Liberty has 16 guests on a regular basis now with no resident owner. The Fire Marshal is attempting to gain access to the property to do an inspection.

### (b) Plan of Conservation & Development Update

Chairman Lavy noted 7 submissions were received to rewrite the Plan of Conservation & Development. The list was paired down to 3 firms, all but one was within the town's budget. A selection will be made between August 1<sup>st</sup> and the end of August and then the Committee will negotiate with that firm. Chairman Lavy noted the Committee is moving forward and trying to maintain the time frame to adopt the Plan between summer and fall of next year.

Chairman Lavy noted the point of the POCD is to identify those things from the community that need to be changed or addressed including Zoning Regulations. Hopefully we will get a good cross section of people. The Board of Finance wants the consultant to identify future projects in order to prioritize them and give them a value so the Board has a clear picture of the next 10 years. There needs to be actionable items from Board of Finance and Planning & Zoning.

## 7. Bills for Payment

**Motion by Zanardi, second by Merola, to approve invoice of J. Brown Associates for meetings from December 2016 thru June 2017 in the amount of \$1,725.00. Unanimously Approved.**

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

9. Approval of Minutes – June 8, 2017 Public Hearing and Regular Meeting Minutes

Minutes of June 8, 2017 were tabled until the September meeting when hopefully all members are present.

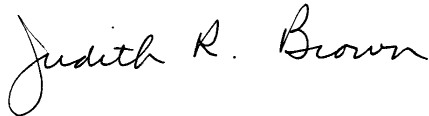
10. Pending Litigation – nothing further to report.

11. Adjournment

**Motion by Sanders, second by Krempel, to adjourn at 8:45 PM.**

**Unanimously Approved.**

Respectfully submitted,

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

Judith R. Brown, Recording Secretary