

Chester Planning & Zoning Commission
Regular Meeting, March 9, 2017
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1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting immediately following several public hearings on Thursday, March 9, 2017, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 10:15 PM.

2. Roll Call & Seating of Alternates

Those members in attendance and seated were Jon Lavy, Mel Seifert, Sally Murray, Steven Merola, Keith Scherber, Henry Krempel, Peter Zanardi, Doreen Joslow and Elaine Fitzgibbons (seated for J. Stack).

3. Audience of Citizens – no public comment was offered at this time.

Motion by Murray, second by Seifert, to move discussion for Section 8-24 Referral to after Audience of Citizens. Approved with Krempel abstaining.

5. New Business

(a) Section 8-24 Referral – Town of Chester, Prospect Street Culvert Replacement

It was noted for the record Henry Krempel recused himself from this agenda item as he lives on Prospect Street.

Matt Carroll and Howard Pfrommer from Nathan Jacobson & Associates introduced themselves noting they were representing the Town of Chester for Proposed Prospect Street Culvert Replacement. Mr. Carroll reviewed existing photos of the area. He indicated the Town contacted them late December with safety concerns and the condition of a short retaining wall and roadway embankment. He further noted there is definite damage and stability issues. The wall is leaning outward and away from the roadway. The guide rail has been subject to vehicular impacts.

Mr. Carroll reviewed existing conditions. The existing roadway is 22' wide and coming in toward the existing culvert it narrows to 17', then goes out again to 22'. He pointed out the underground drainage system and the catch basins to the east and west of the existing culvert. On the south side is a headwall. There are additional safety concerns on the south end of the project.

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Mr. Carroll noted they are proposing to maintain the existing roadway 22' wide east and west of the project site. They will eliminate the 17' section and widen that to 20' incorporating a 42" RCP to replace existing under-rated culvert. The existing retaining wall and headwall will be removed on the south side. The roadway will be widened to 20' with a 3' shoulder. The existing grade will be sloped down to 2 to 1 slope. Chairman Lavy noted then there will be regrading on both the north and south side. Mr. Carroll replied yes. Lavy asked about the stone wall. Mr. Carroll noted they will take down the stone wall. Existing and proposed grades were discussed. Carroll noted instead of the retaining and head walls, there will be a 3' shelf which drops to a 2 to 1 slope. The existing condition will drop 8'. There will be fill and it will slope down. Mr. Carroll indicated the Town wanted the best price and the best option. First Selectwoman Gister noted replacing the wall would just about double the cost of the project. Peter Zanardi asked what the difference in cost would be. It was noted the conceptual cost was \$160,000. Adding a new retaining wall would increase the cost by about \$150,000 to \$200,000.

Mr. Carroll noted a soil scientist had located the wetlands and came up with a planting legend. There were a total of 33 plants with 4 different plants on both the north and south side embankments. Chairman Lavy noted not replacing the stone wall will change the nature of the street.

First Selectwoman Gister noted it was unfortunate but this project wasn't on the radar, but became a safety hazard and concern.

Chairman Lavy noted his fear was it would take away from the character of the Town. We should protect the quality of the Town. We need to figure out how to do these projects without spending an extra \$100,000 and not ruin a neighborhood.

Sally Murray asked if legally the Town was obliged to stick with D.O.T. standards. She further noted narrow roads give character and are traffic calming.

First Selectwoman Gister noted one reason for the extra shoulder had something to do with the attachment of the guard rail. Howard Pfrommer noted there was more of a reason to add that extra other than we just wanted to make it wider. He explained the reason for the width of the road.

Elaine Fitzgibbons noted its important to maintain the rustic appeal in Town.

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A brief discussion ensued regarding the proposed plantings.

Peter Zanardi asked if the same stone could be reused. Mr. Pfrommer replied yes, but it would have to be cut up and faced and would be costly. It was suggested perhaps a wood guard rail could be used. First Selectwoman Gister asked Mr. Pfrommer to look into some of these options and pricing.

First Selectwoman Gister noted there are some real time issues with the project in going out to bid and the school buses. The project must start right after school ends and finish just before the next school year begins.

Motion by Murray, second by Merola, to send a letter to the Board of Selectmen approving the Section 8-24 Referral for Prospect Street with the following recommendations – 1) they look at ground cover in lieu of the 33 plants; 2) they consider using a different style of guard rail (wood would be preferred); and 3) look at reducing the shoulder from 4.6' to 2½'. Approved with Krempel abstaining.

There was further discussion on how to keep the character of the road and reduce the width of the road.

4. Old Business

(a) Repeal Section 40T(1), Sale of Alcoholic Beverages

Chairman Lavy noted a public hearing had been held and closed prior to this meeting. He asked Commission members if there was any further discussion. Hearing none the following motion was approved.

Motion by Murray, second by Krempel, to approve Amendment to Zoning Regulations of Section 40T as presented. Unanimously Approved.

(b) Proposed Medical Marijuana Regulation

Chairman Lavy noted a public hearing had been held and closed prior to this meeting. Due to the lateness of the hour, discussion on this regulation was deferred until the next meeting.

(c) Proposed Amendment to Zoning Regulations, Section 60A.2 Special

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Principal Uses

The public hearing for Section 60A.2 was closed. Voting was deferred until the next meeting.

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

No further discussion. The public hearing for Section 80 was continued until next month.

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

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

No further discussion. Both public hearings for Section 120L and 140J were continued until next month.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officer

ZCO Brown reported on the following items -

1. Inquiry regarding having “shade signs” on the window vs. a sign on a building in the Village. Commission members agreed this would be okay as long as it didn't go over the 16 square foot maximum. A sign on the back wall that could be seen through the window would not be considered a sign as its inside the room. The “shade sign” could also use multiple windows as long as it doesn't exceed the 16' square feet.

2. Camp Hazen YMCA – there is a Boy Scout who wants to do an Eagle Project of a wood platform in the woods for a tent. The Camp already has about 8 of these that did not require any permits. They are wood and removable. It was agreed no Zoning Permit required.

3. Chester Airport – A Cease & Desist Order has been issued for deposition of material without any permits next to the runway. Airport representatives are currently working with the Wetlands Agency to resolve the matter of runoff and sedimentation going downstream into Deep River properties. The Airport has 30 days to appeal the Cease & Desist Order to the Zoning Board of Appeals.

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4. Carlisle Schaefer wanted to advise the Commission that WPCA has rejected his application and he is appealing that decision.

(b) Plan of Conservation & Development

Chairman Lavy noted he and Doreen Joslow would get together to discuss the next steps and review recent meetings with Board of Finance and Board of Selectmen.

7. Bills for Payment – none.

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

9. Approval of Minutes – January 12, 2017 Public Hearing and Regular Meeting Minutes

Motion by Seifert, second by Murray, to approve January 12, 2017 Public Hearing Minutes as written. Unanimously Approved.

Motion by Murray, second by Seifert, to approve January 12, 2017 Regular Meeting Minutes as written. Unanimously Approved.

10. Pending Litigation – nothing further to report.

11. Adjournment

Motion by Murray, second by Joslow, to adjourn at 11:30 PM. Unanimously Approved.

Respectfully submitted,

Sally Murray /jrb

Sally Murray, Secretary