

1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting on Thursday, October 13, 2016, immediately following a public hearing, 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

Those in attendance and seated were Jon Lavy, Mel Seifert, Sally Murray, Steven Merola, Keith Scherber, Henry Krempel, Peter Zanardi and Jacqueline Stack.

3. Audience of Citizens

(1) Carlisle Schaeffer – preliminary discussion re microbreweries

Carlisle Schaeffer was present. Chairman Lavy read into the record a letter from Attorney Royston, Commission Counsel, dated October 11, 2016 clarifying his previous letter of September 8, 2016 and addressing the question of the applicability of Section 40T(1) restricting facilities for sale of alcoholic beverages for consumption off the premises. Mel Seifert noted he totally agreed with Attorney Royston's letter. There was discussion regarding Section 40T(1) and whether it should be repealed or modified to some extent. The consensus of members was for the Commission to repeal Section 40T(1). ZCO Brown will prepare the necessary paperwork and schedule a public hearing for the December meeting.

Mr. Schaeffer noted the subject property is for sale and he would like to get started as soon as possible. Once Section 40T(1) of the Zoning Regulation is repealed, he has to go through the State and Federal process. He noted the equipment for the microbrewery needs to be specially ordered and built and that takes about a year. Mr. Schaeffer will try to get his Special Exception application in to the Commission for receipt at the November meeting.

4. Old Business

(a) Application for Special Exception #16-03 submitted by Kathleen A. McWade (owner and applicant) for Accessory Apartment, on property located at 55 Railroad Avenue (Tax Map 10, Lot 223, Zone R ½ ).

Chairman Lavy noted a public hearing had been held prior to this meeting. Mel

Seifert noted this meets the regulations then and now so it doesn't really change anything. This is just for the record. **Motion by Murray, second by Zanardi, to approve Special Exception #16-03 Kathleen McWade subject to any requirements of the Building Official and Sanitarian. Unanimously Approved.**

(b) #16-04 Amendment to Approved Special Exception (January 3, 1991), Chester Housing Association Ltd. Partnership (owner) and MSL Group, Inc. & Chip Fund 7, LLC (applicant) for roof and ground mount solar installation at 218 Middlesex Avenue, Chester (Map 4, Lot 72, R2 Zone).

David Held, Professional Engineer/Land Surveyor, introduced himself and Michael Licamele of MSL Group, Inc. as representatives for this application. He reviewed the existing conditions plan as well as the proposed plan for both roof and ground mount solar installation. They are proposing 214.5 kilowatts of solar array, combination of roof and ground mount. There will be panels on all 4 of the buildings.

Mr. Held explained this is a net metered system sized to accommodate electric usage for this site only. It is a little larger scale because of the 4 buildings and all the buildings have electric heat. The units would have a fixed tilt of 30 degrees.

Mr. Held reviewed the locations of all the ground mount arrays. He noted one would not be able to see anything from Middlesex Avenue, the Eastern Company property or the Christianson property. He further noted he spoke to Mr. Christianson who didn't have any objection.

Mr. Held noted this site has public water but its own septic system. The plan has been given to the Sanitarian for review and approval. Waiting for his reply. The plan shows a code compliant reserve area.

Mr. Held noted there is an original Special Exception on the complex. If the Commission feels this is a minor activity, it could vote on it this evening.

Chairman Lavy noted in his opinion this should go to public hearing as it is a big enough project. There are a lot of solar panels. He also pointed out there is a

condition on the original Special Exception approval regarding cutting of trees along the southerly property line. Members agreed this was a substantial project and a public hearing should be held.

(c) Continued Discussion – Medical Marijuana Regulations

Chairman Lavy noted the Commission was waiting to hear back from Attorney Royston on the proposed regulation put forth at the last meeting.

(d) Application Fees – continuing review – nothing new to report.

5. New Business – none.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officer

ZCO Brown reported on the following -

(1) New application will be coming in from Castle Marina to add an addition to one of their buildings for bathroom facilities.

(2) Looking through the old Zoning Board of Appeals Minutes to see if there is anything regarding a variance granted several years ago for a “used car dealership” in the Waterfront District.

(3) An Amendment to Special Exception will be coming in at some point in the future from Olsen Sanitation to put an addition on their building.

(4) There is a Public Informational Meeting on Tuesday, October 18, 2016, at RiverCog in Essex at 7:00 PM for the Chester Bowles Highway State Scenic Highway Application. Brown will contact Torrance Downes to get further information.

(5) Brown noted she and Chairman Lavy attended a Quarterly Staff meeting with heads of Boards/Commissions and the Selectmen. Chairman Lavy noted this meeting was an opportunity for everyone to understand what other boards and commissions are working on. Lavy noted he explained to the group that it is the Planning & Zoning Commission's responsibility to write the Plan of Conservation & Development. Doreen Joslow has volunteered to chair a subcommittee of people

to work on this. It was suggested a facilitator could be hired to assist in this matter. Sally Murray noted in theory all the Plan needs is editing, it does not have to be entirely rewritten. It has been suggested the Commission look at other POCD's that are more structured than ours, identify and prioritize things within a time frame. A schedule and cost estimate needs to be prepared so the Board of Finance can understand where monies need to be concentrated. Lavy noted this becomes a Planning document. We have to start and budget for it. Other projects in town are the Library at \$7 ½ million and the rest of the Main Street Project. We should get samples of other town's POCD's. The consultant we hire should also be in tune with our size town and the region. Lavy noted he encouraged the Economic Development Commission to look at the other towns in the region to see how they attract business, tourism, etc. and how they make it a draw for people. He suggested we should start by looking at RiverCog's POCD and our local land use/zoning map. How do we try to curb the inflationary tract, it may not be possible. Repair of the Meeting House is an important priority as it is Chester's icon. We should also look at Route 154, but we don't want to do anything that would effect the Village. Everyone should think about how they want to participate in this over the next year or so.

7. Bills for Payment – none.

8. Communications, Receipt of New Petitions, New Applications

- (1) Realty Securities (owner) and Jenny Adee (applicant) for Application for Special Exception #16-05 for combined Art Gallery and Coffee House (Cafe) at 16-18 Main Street, Chester (Map 14, Lot 334, Village District)

This application was received and a public hearing scheduled for the November meeting to be held on November 10, 2016.

- (2) Clearwater Holdings LLC, et als for Application to Amend the Zoning Regulations, Section 80 Research & Light Manufacturing  
Chairman Lavy noted an email had been received from Attorney Royston indicating that Attorney Cassella was determining whether all the plaintiffs will be the applicant for a Regulation change to settle the Appeal.

9. Approval of Minutes – September 8, 2016 Public Hearing and Regular Meeting

Minutes

**Motion by Murray, second by Merola, to approve September 8, 2016 Public Hearing Minutes as written. Approved with Krempel abstaining.**

**Motion by Zanardi, second by Murray, to approve September 8, 2016 Regular Meeting Minutes as written. Approved with Krempel abstaining.**

10. Adjournment

**Motion by Merola, second by Zanardi, to adjourn at 8:55 PM. Unanimously Approved.**

Respectfully submitted,

*Sally Murray*      /jrb

Sally Murray, Secretary