

1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting on Thursday, January 11, 2018, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Jon Lavy called the meeting to order at 7:35 PM.

2. Roll Call & Seating of Alternates

Members present and seated: Jon Lavy, Michael Sanders, Henry Krempel, Steven Merola, Sally Murray (Alternate), Bettie Perreault, Jacqueline Stack, Steve Tiezzi (Alternate), and Peter Zanardi. Ms. Murray was seated for the absent Keith Schreiber; Mr. Tiezzi was seated for the absent Elaine Fitzgibbons. Also present were Commission Counsel David Royston and an audience of seven citizens. (In the absence of ZEO and Recording Clerk, Judy Brown, Bettie Perreault provides the following minutes.)

3. Audience of Citizens: None chose to speak.

4. Old Business:

a. Draft AirBnB Regulations, for discussion purposes:

Commission Counsel Royston distributed a “redline” Draft Amendments with alternative language 01/11/2018 and then reviewed the document with Commission members. Some members of the audience also received the draft. Points raised and discussed included, among others, the following items. It should be noted that because some items discussed are included in more than one Section of the Regulations, the language discussed is to be included in all Sections in which it is referenced.

- 1) Note by Counsel that the proposed Draft Amendments are being reviewed for presentation in a Legal Notice required for a to-be-scheduled Public Hearing and, based on public input at that time, may be further modified or “fine-tuned” in response to that public participation. This advice was reiterated multiple times during the course of the meeting.
- 2) Note throughout discussion of the need to “protect and preserve the character of Chester as prescribed in its Plan of Conservation and Development, its property values and quality of life.”
- 3) Under Short Term Rental, clarification of the part(s) of a family dwelling unit;
- 4) Under Section 60A.1, General Principal Uses: the number of bedrooms and the period of time referenced;

- 5) Under Section 132, which Zoning District(s) such short-term rentals would be included in was discussed, with note that some may not be applicable to such use(s) and others might require some modification of the criteria based on lot size, parking availability, etc.;
- 6) Special Exception procedures and any potential differences in requirements, depending upon Zoning District(s) or other criteria;
- 7) Whether time limits can/may/should be imposed and their duration was noted, with discussion included of what other municipalities presently require;
- 8) The distinction between “bedrooms” and “beds”, as well as occupancy;
- 9) Extensive and spirited discussion on requirements involving “Special Events”, including but not limited to such as weddings, etc. and the associated attendance, parking, accessory activities, etc., potential seasonal limitations, and their impact on the surrounding neighborhood;
- 10) All discussion of Special Events also included note of the requirements of a Special Event Permit and the process this would require;
- 11) Requirement for a Certificate of Insurance for commercial liability from the property owner, management or other responsible parties;
- 12) In connection with Management, whether on-site management was required, if a nearby neighbor would qualify as “management”, feasible requirements for off-site management, response time, etc.

Counsel Royston again reviewed with members the need to present a comprehensive but not necessarily detailed list of proposed revisions to the Regulations at a Public Hearing, with public input to be taken into consideration during the Commission’s deliberations following the Hearing. Preparation of the required Legal Notice must include sufficient notification to interested parties of advice concerning potential Zoning Districts to be impacted as well as basic information of the proposed regulations on the activities to be regulated.

On motion by Ms. Murray, seconded by Mr. Krempel, the Chairman was authorized to approve proposed changes to the Planning & Zoning Regulations as prepared by legal counsel to conform with the draft of proposed revisions to the Regulations (generated at this and earlier Commission meetings) to be presented at a Public Hearing to be held in March 2018 in order to meet the requirements for that Public Hearing.

The Motion PASSED on a unanimous vote.

5. New Business: There was none presented.

6. Report of Officers and Subcommittees:

(a) Report from Zoning Compliance Officer

In the absence of the Zoning Compliance Officer, Counsel Royston reported:

- a. Two Cease & Desist Orders have been sent in connection with activities on property located at 18 East Liberty Street
 - i. One Order relating to activities involving filming on the property has now expired and was not appealed; any such activities in the future will be subject to enforcement by the Zoning Enforcement Officer.
 - ii. One Order relating to uses of the property for other than regulated single-family uses has had an appeal submitted, with a response date for the Zoning Enforcement Officer of January 22, 2018, subject to rescheduling depending on the availability of the ZEO. It was pointed out that such legal proceedings, of necessity, are costly to the Town as well as the applicant.

(b) Report of Conservation and Development Update

- a. Mr. Sanders reported on recent meeting of this committee, advising that 480 responses had been received in connection with a survey conducted through the Town's web site, representing a "good response rate".
- b. Points that will be considered during the Strategic Plan process include: Major Capital Projects, the Main Street Project, the Library, the Elementary School, public access to water (Connecticut River), and others which may be brought forward. At this time, there has not been any prioritization of these items.
- c. Town Boards, Commissions and Officials are all actively involved in the planning process.
 - i. The Board of Finance is following the progress as the Plan develops to assess and plan for financial needs associated with potential major capital expenditures.
- d. The Task Force will meet on Monday, January 29, 2018 to make its first pass at review of the proposed scope of work in formulating the Report. Residents were urged to follow the progress of the update on the Town's website.

7. Bills for Payment: There were not presented.

8. Communications, Receipt of New Petitions, New Applications:

Chair advised nothing had been submitted for this meeting.

9. Approval of Minutes:

- a. On motion by Mr. Krempel, seconded by Ms. Murray, the minutes of the December 14, 2017 Regular Meeting were approved as written.

The Motion PASSED on the following vote: IN FAVOR: Lavy, Sanders, Krempel, Stack, Zanardi, Perreault; ABSTAINED: Merola, Murray, Tiezzi.

10. Adjournment:

- a. On Motion by Mr. Zanardi, seconded by Mr. Krempel, the meeting adjourned at 10:05 P.M.

The Motion PASSED unanimously.

Respectfully submitted,

Bettie Perreault

Acting Clerk