

1. Call to Order:

The Chester Planning & Zoning Commission held its regular meeting on Thursday, May 10, 2018, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Vice Chairman Sanders called the meeting to order at 7:30 PM.

2. Roll Call and Seating of Alternates:

Members present and seated: Michael Sanders, Vice Chairman; Bettie Perreault, Secretary; Elaine Fitzgibbons, Henry Krempel, Steven Merola, Keith Scherber, Jacqueline Stack, Peter Zanardi, Patricia Bisacky (Alternate) seated for Jon Lavy, and Sally Murray (Alternate). Also present were Commission Counsel Sylvia Rutkowska, Zoning Compliance Officer Judy Brown and an audience of approximately ten citizens.

3. Audience of Citizens:

Ivey Gianetti of 5 Prospect Street asked for an update on the status of a Cease & Desist order that had been issued in connection with abutting property in connection with boundary screening. ZCO Brown reported a continuing inability to contact the property owner at either of the out-of-state contacts available. Asked about what steps were available to achieve remediation, Counsel Rutkowska advised that litigation would be the next step in the proceedings. A second Cease & Desist order could also be issued, with legal steps to follow leading to Superior Court action if remedial action is not taken in a timely manner. Because of the nature of the activities on the abutting property (operations of First Student Inc., 15 Prospect Street – a provider of school bus transportation), installation of appropriate fencing has been recommended to provide a buffer and some noise control. Counsel Rutkowska explained the steps required in following the legal process, noting that the length of times for actions can be variable depending upon circumstances and responses.

4. New Business: Masonicare Amendment to Special Exception – 317 West Main Street, adding second floor to common area.

David Crowell, Director of Support Services and Chris Mariano of Mariano Building & Remodeling reviewed the proposal to amend Special Exception #07-01 (2007) to allow a second floor addition to a preexisting building structure which would not increase the current footprint of the structure or raise the roof line above those of surrounding buildings. The purpose of the addition is to provide approximately 2,100 square feet of new space for a residents' activity center. Under the property's new ownership, modifications to existing uses within the facility would allow transferring activities to the proposed new area. It was noted that there would be no additional exterior lighting associated with the addition, and that the Amendment has been submitted for Fire Marshal review. The Commission officially received the Amendment for review effective at this meeting. Additional structural modifications

which are in preliminary stages will be submitted at a later date as a separate Amendment to the same preexisting Special Exception.

5. **Old Business:** Counsel Rutkowska again reminded both Commission members and those in the audience that the proposed amendments to the regulations are “a work in progress” and may be modified during that process to reflect both public participation and members’ discussion.

The proposed changes to the regulations, as modified to reflect discussions at the April 30, 2018 special meeting were reviewed, item by item by Vice Chairman Sanders. In his absence, email correspondence from Alternate Steve Tiezzi was read, in which he provided his comments concerning:

- The management requirements as currently in the regulations for adjourning of Bed & Breakfast/Hotel/etc.;
- The appropriateness of the zones in which Bed & Breakfast/Hotel/etc. establishments are currently allowed and/or regulated;
- Whether proposed management requirements can or should be considered for inclusion in other sections of the regulations for other similar uses, such as Bed & Breakfast/Hotel/etc.

Members interjected and commented throughout the review, bringing up items that included, in no particular order:

- The differences between “administrative” or “regulatory” decisions versus those that require Commission review and action;
- The potential need to modify other sections of the regulations (Bed & Breakfast, etc.) to better reflect the intent and language of any new section of the regulations;
- The option of applying different levels of permitting processes and conditions for similar activities in different zoning districts;
- Addition of verbiage to ensure clarification of identification and use;
- The potential difficulty in verifying or enforcing some of the proposed regulatory restrictions for privacy, administrative and legal considerations;
- The different requirements and the regulatory language that would be needed to address management concerns, i.e., on-site, adjoining neighbor, off-site, professional, etc.

- How/if to define and/or regulate both the number of occupants, the age limitation for under-age occupants, the occupancy of individual bedrooms, and other considerations associated with occupancy;
- Identifying in which zoning districts such uses would be appropriate and acceptable, whether “by right”, by Special Exception, through a permitting process, etc.
 - Following review of all the zoning districts, it was the consensus of members that for consideration of the current proposed regulations focus would be on the Village District and Commercial Zone only, and any action in connection with any Residential Zone could be part of a future review;
- What process other communities have or have not adopted in connection with permitting similar uses in different zones, whether not permitted, permitted in limited ways, how regulated, banned completely, etc.
- Extensive discussion about both the frequency and duration of allowable bookings, i.e., how often they would be permitted, the duration of individual bookings, the number of bookings that might be permitted in any time interval (annual, semi-annual, seasonal, etc.);
- The differences between regulating and/or banning specific activities through the regulatory process.

By consensus, Commission members agreed to proceed with finalizing details of the regulations for the Village District and Commercial District for presentation at the June 14, 2018 meeting, and to take consideration of any action for any other zoning districts up at some time in the future.

Both Commission members and members of the audience voiced the concern that the Commission and its decision represent the interest of town residents and provide the protection of the quality of life and life styles that the Town of Chester represents and wants to maintain.

6. **Report of Officers and Subcommittees**

(a) Report from Zoning Compliance Officer

- a. There was nothing to report at this time.

(b) Plan of Conservation & Development Update

- a. Michael Sanders had nothing to report at this time and recommended members visit the Town’s web site for current information.

7. **Bills for Payment**

There were none to be submitted at this time.

8. Communications, Receipt of New Petitions, New Applications

Nothing had been received to present at this time.

9. Approval of Minutes: April 30, 2018 Public Hearing and Special Meeting Minutes

On Motion by Peter Zanardi, seconded by Jacqueline Stack, the minutes of the April 30, 2018 Continuation of Public Hearing and Special Meeting were approved as written. Perreault and Bisacky abstained.

10. Adjournment:

On Motion by Peter Zanardi, seconded by Henry Krempel, the meeting adjourned at 9:45 P.M. The motion passed unanimously.

Respectfully submitted,

Bettie Perreault

Secretary