

Chester Planning & Zoning Commission
Regular Meeting, September 13, 2018
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1. Call to Order

The Chester Planning & Zoning Commission held its regular meeting immediately following a public hearing. Chairman Lavy called the meeting to order at 7:46 PM.

2. Roll Call & Seating of Alternates

In attendance and seated were Jon Lavy, Michael Sanders, Bettie Perreault, Peter Zanardi, Jacqueline Stack, Steven Merola, Patricia Bisacky (seated for K. Scherber) and Sally Murray (seated for H. Krempel).

3. Audience of Citizens

First Selectwoman Lauren Gister, Pat Benjamin, Ed Cassella, Joe Mingoello and one other citizen were present.

Attorney Ed Cassella and Joe Mingoello introduced themselves. Attorney Cassella noted Mr. Mingoello was proposing a project in the Village at 9 Water Street, the former Key Bank, which is currently for sale. This is a .659 acre parcel bounded by the brook and with frontage on Water Street within 200' of the intersection with Main Street. The proposal is to build 7 to 10 units of primarily high end residential units and maybe mixed use with commercial on the first floor. The development would be pushed closer to the road with parking in the rear. Greg Fedus has been hired to do preliminary work. There is wetlands on the eastern boundary of the property. Attorney Cassella noted there is some zoning flexibility in the Village District. The number of apartments is based on the acreage calculation, which in this instance would be 7 units. The question is would the commercial use be on top of that. These uses would be by zoning permit, however, new construction would be by Special Exception. Chairman Lavy asked if lot size and number of parking spaces had been reviewed. Attorney Cassella replied yes. He came up with 7 residential units and 11 spaces. There are currently 20 parking spaces with 2 handicap spaces in the front. He also noted part of the parking would be in a garage with an elevator. There was some discussion regarding Section 73.8.3 Side Setback and how to figure that. Retail would be on the first floor and housing would be on the 2nd/3rd floors. Chairman Lavy urged the developer to keep with the Village aesthetics and be in harmony with those buildings. It was noted 3 stories might be an issue. In general Commission members felt this was a good idea. Attorney Cassella noted they

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would like this to be sensitive and positive with the Village District. They indicated they would return with something informal at the next meeting.

Attorney Cassella also noted Mr. Mingoello is under contract to purchase 33 Liberty Street to do Section 8-30g, Affordable Housing.

4. Old Business

(a) Petition to Amend Zoning Regulations

- Add to Section 20 Definitions – definition for Short Term Rental and add Short Term Rental to definition for Transient Accommodations.
- Add Short Term Rentals as General Principal Use or Special Principal Use requiring a Special Exception in such Districts as Commission deems appropriate after receipt of evidence and comment at Public Hearing. The Districts which will be considered for having Short Term Rentals as a General Principal Use or as Special Principal Use are RESIDENTIAL DISTRICTS R-2, R-1, and R-1/2, PLANNED RESIDENTIAL DISTRICT (PRD), CHESTER VILLAGE DISTRICT, COMMERCIAL DISTRICT, CONTROLLED DEVELOPMENT DISTRICT (CDD), WATERFRONT DESIGN DISTRICT, RESEARCH AND LIGHT MANUFACTURING DISTRICT (RLM).
- Add new Section 132 establishing Standards and Conditions for Short Term Rentals both as General Principal Use or as Special Principal Use requiring a Special Exception, including occupancy limits, parking, code compliance, management and special events.
- Provisions for obtaining a permit, permit renewal, permit termination and permit reinstatement after termination.

Chairman Lavy noted it was the consensus of Commission members at the last meeting to allow use in a residential zone as long as it was resident owner occupied either in the principal dwelling or accessory unit during the entire rental, with no more than 6 occupants and no more than 3 times during a 3 month period, each time being less than 30 days.

Chairman Lavy noted Attorney Rutkowska had recommended it was better to have a regulation rather than ban it altogether. She also noted the difference

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between a Short Term Rental and a Bed & Breakfast is the primary purpose.

It was noted the public wanted someone on the property so when there is a problem, the neighbors have someone to go to.

Motion by Lavy, second by Merola, to approve new Short Term Rental Zoning Regulation with the change in Section 132A.1 adding “Special Principal Use”, said regulation to be effective October 15, 2018.

Unanimously Approved – Lavy, Merola, Perreault, Stack, Zanardi. (it is noted for the record these five members are the only ones qualified to vote on this regulation.)

(b) Application for Re-Subdivision of property of Bernard J. & Hazel C. Negrelli Family Trust, c/o Beth Wood Trustee, P.O. Box 1175, Truro, MA 02666, for two-lot subdivision at 39 Wig Hill Road, Chester, CT.

Motion by Murray, second by Stack, to approve resubdivision of property of Bernard J. & Hazel C. Negrelli Family Trust, c/o Beth Wood Trustee, P.O. Box 1175, Truro, MA 02666, for two-lot subdivision at 39 Wig Hill Road, Chester, CT pending any Fire Marshal approval and any other required Town Officials. Unanimously Approved.

5. New Business

(a) Preliminary Discussion – proposed use for 9 Water Street – discussed under Audience of Citizens.

(b) Preliminary Discussion – proposed use for 56 Middlesex Ave – no one was present.

6. Report of Officers and Subcommittees

(a) Report from Zoning Compliance Officer

Judy Brown, ZCO, reported on the following -

- There is a water main project coming up on Route 154 from Denlar Drive up through Haddam which the State is paying for in order to correct the

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drinking water situation in Haddam.

- Aaron Manor has two projects in the works mandated by the Fire Marshal, one is a storage shed for emergency equipment and one is to repair/rebuild the back patio deck as its in a deteriorated state and not safe for the residents. It was agreed both of these could be done by Zoning Permit only.

(b) Plan of Conservation & Development Update

Chairman Lavy went through the upcoming POCD Schedule for the next few months. The schedule will be posted and emailed to all Commission members.

7. Bills for Payment – none.

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

9. Approval of Minutes

(α) July 12, 2018 – Regular & Public Hearing Meeting Minutes

Motion by Zanardi, second by Stack, to approve July 12, 2018 Regular Meeting Minutes as written. Approved with Sanders, Perreault and Murray abstaining.

Motion by Bisacky, second by Merola, to approve July 12, 2018 Public Hearing Minutes as written. Approved with Sanders, Perreault and Murray abstaining.

(b) September 8, 2018 – Site Walk at 39 Wig Hill Road

Motion by Murray, second by Bisacky, to approve Site Walk Minutes of September 8, 2018 as written. Approved with Perreault abstaining – Lavy, Perreault, Murray, Bisacky, Zanardi and Merola.

10. Pending Litigation – nothing further to report.

11. Adjournment

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown". The signature is written in black ink and is positioned below the text "Respectfully submitted,".

Judith R. Brown, Recording Secretary