

## **Chester Public Hearing & Regular Meeting Minutes**

**February 13, 2020**

**Page 1 of 3**

**CONTINUED PUBLIC HEARING** - Petition for Amendment to Zoning Regulations submitted by Chester Planning & Zoning Commission, Special Flood Hazard Overlay Zone. Chairman Lavy read letter from Gateway Commission, dated January 27, 2020, approving the Petition into the record as well as an email from Sylvia Rutkowska, Esq., dated February 13, 2020, indicating that DEEP does not have exclusive jurisdiction over this type of activity. P&Z is not limited to just “building.” The Harbor Management Commission will have to make application to P&Z and submit a copy of the ruling from DEEP that P&Z approval is not required.

**Motion by Perreault, second by Zanardi, to close public hearing for Overlay Zone. Unanimously Approved.**

**Public Hearing** – Chester Point Real Estate, LLC, Petition to amend Zoning Regulations Sections 20 – Definitions and 71 Waterfront Design District to allow restaurant as accessory use to a marina.

Secretary Perreault read the Notice of Public Hearing into the record. Chairman Lavy read into the record an email from the Gateway Commission requesting this hearing be continued as they won't be able to review this until their meeting on February 27<sup>th</sup>. He also reviewed correspondence from Tom Metcalf supporting the amendment as it is consistent with the Plan of Conservation & Development. Steve Karlson noted they will be meeting with Torrance Downes next week and the Gateway Commission at the end of the month. Karlson noted their original approval for this project was just for a seasonal restaurant. The text changes would allow for year round restaurant as an accessory to a marina. They need to start their project by May 1, 2020.

**Motion by Perreault, second by Fidel, to continue public hearing for Chester Point Real Estate LLC to amend Sections 20 and 71. Unanimously Approved.**

### **Meeting Agenda**

#### **1. Call to Order**

The Chester Planning & Zoning Commission held its regular meeting immediately following 2 public hearings on Thursday, February 13, 2020, at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut. Chairman Lavy called the meeting to order at 7:15 PM.

#### **2. Roll Call & Seating of Alternates**

Members in attendance were Jon Lavy, Michael Sanders, Bettie Perreault, Henry Krempel, Steven Merola, Peter Zanardi, Elaine Fitzgibbons, and Seth Fidel.

#### **3. Audience of Citizens**

Tiffany Nevers, consultant for Grano's was present. She noted she would like to open a breakfast, lunch and coffee shop with tables and seating. She had two locations in mind, the area of the former French Hen and 56 Middlesex Avenue. A brief discussion followed regarding the two locations. It was suggested 56 Middlesex Avenue should be changed from Residential to Commercial District as it's never been a residence. Being nonconforming puts certain restrictions on the property.

## Chester Public Hearing & Regular Meeting Minutes

February 13, 2020

Page 2 of 3

### 4. Old Business

#### (1) Discussion of Gateway Standards

Chairman Lavy noted the Gateway Commission is okay with what the Town of Chester has now for its Gateway Standards. They are actually more restrictive than the current Standards.

**Motion by Perreault, second by Sanders, that the Commission not review Gateway Standards, retain the existing regulation and that it does not conflict with the current Gateway Standards or our own regulations. Unanimously Approved.**

#### (2) Petition for Amendment to Zoning Regulations submitted by Chester Planning & Zoning Commission, Special Flood Hazard Overlay Zone.

**Motion by Perreault, second by Krempel, to adopt the proposed Special Flood Hazard Overlay Zone as written approved by RiverCog and Gateway Commission as it will enhance the utility of our Zoning Regulations. Unanimously Approved.**

**Motion by Fidel, second by Zanardi, to set an effective date for the Special Flood Hazard Overlay Zone of March 1, 2020. Unanimously Approved.**

#### (3) Chester Point Real Estate, LLC, Petition to amend Zoning Regulations Sections 20 – Definitions and 71 Waterfront Design District to allow restaurant as accessory use to a marina.

No discussion as public hearing was continued until the March Planning & Zoning meeting.

### 5. New Business

#### (1) Other – Guests or Members – no one spoke at this time.

### 6. Report of Officers and Subcommittees

#### (1) Report of Zoning Compliance Officer

ZCO Brown reported on the following –

Couch on the side of the road on Route 148 has been removed.

Section 50D.1 was reviewed. It was decided only an increase in footprint would be included in the 50%.

Had inquiry regarding apartments in the Commercial District. Currently apartments are not allowed in the Commercial District. Mark Linder was present and explained he was proposing a few apartments in 191 Middlesex Avenue. He reviewed occupancy of the building noting a lot of the building is vacant. He noted these would not be high end rentals. They would have 36” doorways to accommodate wheel chairs. He would start with 2 units in the drive thru area of the building, each unit being 800 square feet. Chairman Lavy noted the Commission would be fairly open and receptive to this idea but would have to look at the Commercial District and the language to fit it in. This will be on next month’s agenda. We would also have to define apartment in Section 20 of the regulations.

### 7. Bills for Payment – none.

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

**Chester Public Hearing & Regular Meeting Minutes**

**February 13, 2020**

**Page 3 of 3**

9. Approval of Minutes – January 9, 2020

**Motion by Sanders, second by Fidel, to approve January 9, 2020 Minutes as written.**

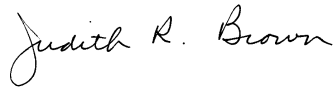
**Unanimously Approved.**

10. Pending Litigation – nothing new to report.

11. Adjournment

**Motion by Fidel, second by Perreault, to adjourn at 8:30 PM. Unanimously Approved.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith R. Brown".

Judith R. Brown, Recording Secretary