

Chester Planning & Zoning Commission
Meeting Minutes
April 8, 2021
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1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, April 8, 2021 as a hybrid meeting, with virtual participation via GoToMeeting. Chair Jon Lavy called the meeting to order at 7:01 P.M.

2. Roll Call and Seating of Alternates:

Commission members attending and seated were Jon Lavy, Seth Fidel, Elaine Fitzgibbons, Steve Merola, Bettie Perreault, Keith Scherber (arrived late), Peter Zanardi; attending remotely via GoToMeeting Michael Sanders, Henry Krempel, and Alternates Pat Bisacky. Also present were First Selectman Lauren Gister, Zoning Officer John Guskowski, Lol Fearon, Charlene Fearon, Jon Joslow and Karen Schafer.

3. Chair Lavy called the Public Hearing to order at 7:03 P.M. and seated Lavy, Fidel, Fitzgibbons, Krempel, Merola, Perreault, Zanardi and Alternate Bisacky for Scherber.

The Legal Notice was read into the record:

Notice is hereby given that the Chester Planning & Zoning Commission will hold public hearings with virtual participation available on the Town website on Thursday, April 8, 2021, at 7:00 PM at the Chester Town Hall, 203 Middlesex Avenue, Chester, Connecticut to hear the following:

Application for Special Exception by Town of Chester represented by Lol Fearon, for proposed addition of Open-air Meeting Space at Chester Elementary School, 23 Ridge Road, Chester, CT. Details available on Town website or from zoningofficial@chesterct.org.

Application for Amendment to Section 120.F – Special Exceptions of the Zoning Regulations by the Commission. Details available on Town website or from zoningofficial@chesterct.org.

At this Hearing, interested parties may appear and be heard; written correspondence will be received and made a part of the record. Copy of the above are on file in the Office of the Town Clerk for public review.

Bettie Perreault, Secretary

Dated at Chester, Connecticut this 26th day of March 2021.

Representing the Town of Chester, Lol Fearon, Co-Chair of the project, provided background history of the project as a gift to the Chester Elementary School to “provide an innovative, safe outdoor space” for school activities and community groups in an area adjacent to nature trail, rainwater garden, and environmental services locations. The proposed structure and its features were described; minimal site preparation will be required. Chester Rotary Club will be a partner in development of the project. The 2019 POCD had included similar uses. All funds were raised privately, with a matching grant of \$7,500 awarded.

Questions raised included, among others, the following:

- Security and Safety: school personnel, including second shift maintenance on duty until 11 P.M., regular police patrols, camera(s) at rear of school, motion detection.
- Hours of use
- Maintenance: to include intent to set aside portion of funding raised for a maintenance account for future maintenance that might be required outside of regular/standard school maintenance. School personnel do not anticipate there being additional costs.

- Lighting: design with sensitivity to any “bleed” of lighting from the structure or its activities.
- Music: discussed and to be addressed.
- Chester Elementary School should establish a Policy of Use as an addition to existing Building Policies.

First Selectman Gister noted she was “absolutely thrilled with the job Lol and Charlene Fearon had done on the project. She added a caution about music and a specification of hours of use.

On motion by Michael Sanders, seconded by Seth Fidel, and by unanimous approval this Public Hearing was closed at 7:30 P.M.

Chair Lavy called the second Public Hearing to order at 7:31 P.M. and seated Lavy, Fidel, Fitzgibbons, Krempel, Merola, Perreault, Scherber and Zanardi.

Application for Amendment to Section 120.F of the Zoning Regulations was read, repeating the detail of the proposed change. Selectman Gister inquired, how if approved, legal notification and publication would be provided. Legal Notice will be published and press release will be released. (ZCO Guskowski will prepare a release for media.)

On motion by Peter Zanardi, seconded by Seth Fidel, and by unanimous approval this Public Hearing was closed at 7:37 P.M.

4. Audience of Citizens: there were none present
5. Old Business

- a. Discussion of Gateway Standards: Chair Lavy reviewed the history of the Standards adopted and approved by this Planning & Zoning Commission, noting these Standards are strict but not onerous. It was also noted there have not been any complaints or issues in the past. Based on the discussion and approval of the Gateway Standards as currently adopted by Chester,

On Motion by Seth Fidel, seconded by Steve Merola, the membership unanimously voted to retain and ratify the existing Gateway Standards for Chester.

Notification of this action will be reported to the Gateway Commission for its records.

- b. Application for Special Exception by Town of Chester for proposed addition of Open-air Meeting Space at Chester Elementary School, 23 Ridge Road: the proceedings of Public Hearing were reviewed and discussed. Items noted included security and safety, hours of use, music, maintenance, administration and responsibility for permitting and regulating users and uses. It was pointed out that the project will be on Town-owned property and that the school currently has administrative policies and guidelines with years of experience. Based on these issues and items of concern,

On motion by Michael Sanders, seconded by Bettie Perreault, the application for Special Exception for proposed addition of Open-air Meeting Space at Chester Elementary School was unanimously approved with the provision that rules, policies and conditions established and maintained by the Chester Elementary School administration are observed, regulated and enforced.

- c. Application for Amendment to Section 120.F of the Zoning Regulations: Delete from Section 120.F of the Chester Zoning Regulations: "Advisory notice shall be sent in writing to all abutting property owners." and replace in Section 120F of the Chester Zoning Regulations with the following: "Applicant shall prepare and send advisory notice, in writing, to all abutting property owners by USPS Certificate of Mailing at no cost to the Town of Chester, and submit verification of Proof of Mailing of all sent notifications to the Planning & Zoning Commission." It was pointed out that it is standard practice for applicants to provide notification to affected property owners in connection with activities requiring either action by a Planning & Zoning Commission, and that the Commission should not be responsible for the administrative or the financial cost of the requirement. On that premise:

On motion by Michael Sanders, seconded by Henry Krempel, the application for Amendment to Section 120.F – Special Exceptions of the Zoning Regulations to remove sentence: *Advisory notice shall be sent in writing to all abutting property owners.* To be replaced with Applicant shall prepare and send advisory notice, in writing, to all abutting property owners by USPS Certificate of Mailing at no cost to the Town of Chester, and submit verification of proof of mailing to the Planning & Zoning Commission, was unanimously approved.

On motion by Michael Sanders, seconded by Henry Krempel, the Amendment to Section 120.F will have an effective date of April 15, 2021.

Publication of Legal Notice and release for the media will be provide notice to the public.

6. New Business: there was none.
7. Other – Guests or Members: there were no guests present.
8. Report of Officers and Subcommittee: Report of Zoning Officers:

John Guskowski reported on the following:

A surprising volume of phone calls has been received with questions that could be resolved by simplification of some regulations, which are difficult to find or follow. Inquiries regarding available land and potential uses were received. A Notice of Zoning Violation for property at 48 Castle View Drive was issued. Zoning Board of Appeals application requirements are burdensome and under consideration for revision. Administrative support for the Land Use Office is needed and being pursued. A draft of the RiverCOG POCD is subject to a Public Hearing on April 26. (Commission members will be sent the draft POCD.)

Legislative issues were noted: Bill 6610 regarding outdoor dining has been signed; Chester regulations currently address this. Bill 6611 regarding "fair share housing" would provide a 10-year horizon to establish a percentage of a community's requirement for affordable housing; Bill 1024 addresses "as of right" for apartments, etc. Legislative initiatives and activities will continue to be followed and reported.

9. Bills for Payment:

- a. Hartford Courant: #364.46 – Legal Notice, April 8, 2021 Public Hearings
- b. Dzialo, Pickett & Allen: \$37.00 – receipt of email notification of ZCO activity

On Motion by Seth Fidel, seconded by Peter Zanardi, the two bills (listed above) were unanimously approved for payment.

10. Communications, Receipt of New Petitions, New Applications received after posting of Agenda: There had been nothing received.

11. Approval of Minutes: March 11, 2021 Regular Meeting

On Motion by Henry Krempel, seconded by Steve Merola, the minutes of the March 11, 2021 meeting were unanimously approved.

12. Pending Litigation: There is no pending litigation.

13. Adjournment

There being no further business to come before the Commission,

On Motion by Seth Fidel, seconded by Elaine Fitzgibbons, by unanimous approval the meeting adjourned at 8:09 P.M.

Respectfully submitted,

Bettie Perreault, Secretary