

1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, July 8, 2021 as a hybrid meeting, with virtual participation via ZOOM. Vice Chair Michael Sanders called the meeting to order at 7:02 P.M.

2. Roll Call and Seating of Alternates:

Commission members attending in person at Town Hall and seated were Seth Fidel, Elaine Fitzgibbons, Steve Merola, Bettie Perreault, Michael Sanders, Peter Zanardi and Pat Bisacky (Alternate – seated for Henry Krempel) via ZOOM.. Also present via ZOOM was Zoning Compliance Officer John Guskowski. Others present at various times during the meeting included Attorney Ed Casella, Patrick Benjamin, Joe Cohen (all in person) and via ZOOM Virginia Carmany, Susan Wright, Bob Blair, Denise Dudek, and Nicole Pollock.

3. Election of Officers to fill vacancy created by resignation of Jon Lavy

a. Fill vacant term as full member through November 2021:

On Motion by Bettie Perreault, seconded by Peter Zanardi, Pat Bisacky was unanimously voted to fill the unexpired term vacated by Jon Lavy. (As voting member, no longer seated for Krempel.)

b. Election of Chair:

On Motion by Bettie Perreault, seconded by Seth Fidel, Michael Sanders was unanimously voted to fill the position of Chair for the unexpired term vacated by Jon Lavy.

c. Election of Vice Chair:

On Motion by Bettie Perreault, seconded by Peter Zanardi, Pat Bisacky was unanimously voted to fill the position of Vice Chair to fill the unexpired term of the position vacated by election of Sanders as Chair.

4. Public Hearing: Chester Zoning Regulations - Addition of Section 60A.3 (E) – Accessory Buildings

The Public Hearing was called to order with seated members present. Legal Notice was read into the record:

Chester Zoning Regulations - Addition of Section 60A.3 (E) – Accessory Buildings

Section 60A.3 (E) ACCESSORY BUILDINGS: Except within the Gateway Buffer Area required under Section 90, detached accessory buildings in the R-1 and R-½ Zoning Districts not to exceed 250 square feet in size, not more than fifteen (15) feet in height, and not used for the housing of humans or animals, may be located in the required rear and side yard set-backs, rearward of the front primary façade of the principal building to which they are accessory, but not less than five (5) feet from any lot line, provided such accessory buildings do not, in

the aggregate, occupy more than twenty percent (20%) of the total are of such rear and side yard set-backs.

Members reviewed the history of requests for variances resulting from the existing Regulations, recognizing that many properties that existed prior to the enactment of zoning were precluded from making desired property improvements with existing restrictions. Providing modified set-back requirements will allow future property needs to be met without the administrative variance requirements.

On Motion by Seth Fidel, seconded by Steve Merola, the Public Hearing was closed at 7:22 P.M.

5. Audience of Citizens:

Attorney Edward Casella and Patrick Benjamin sought advice in connection with 59-65 Maple Street, with a 1,400 sq. ft. industrial building and a seven-unit apartment structure on 2.58 acres in a PRD Zone. Property owner would like to convert the industrial building to two one-bedroom apartments. Review by ZCO Guszowski pointed out the change would be a modification of previously approved and existing uses on the property (constructed in 1968 and 1975), and would fall within the allowable number of units on the parcel. Existing use conforms to zoning regulations; lot size is the non-conformity. Additional residential units would require approval of additional septic capacity and meet applicable zoning requirements. Property owner will need to address these issues in order to pursue this proposal. Members and a guest pointed out concerns of possible changes of neighborhood characteristics and the importance of adhering to regulatory requirements.

Denise Dudek inquired (via ZOOM) about allowable uses for 244 Middlesex Avenue, noting that there are probably environmental issues to be addressed. The property is in an R-2 residential zone but has historically been the site of a variety of non-conforming commercial uses. Less of a non-conformity in the use would be a consideration, as well as the potential impact on neighboring property owners. Further consultation with the Zoning Officer was recommended.

Susan Wright (via ZOOM) inquired about restrictions on sale/consumption of alcoholic beverages for property at 56 Middlesex Avenue. The Zoning Regulations restrict that in connection with properties located in proximity of schools and religious facilities. Nicole Pollock, a neighboring property owner, expressed concerns over the matter in connection with 56 Middlesex Avenue.

6. Old Business: Application for amendment to Zoning Regulations, Section 60.A.3 - Accessory Buildings. Following review of proceedings of earlier Public Hearing:

On Motion by Steve Merola, seconded by Seth Fidel, to adopt addition to the Zoning Regulations of Section 60A.3 (E) ACCESSORY BUILDINGS: Except within the Gateway Buffer Area required under Section 90, detached accessory buildings in the R-1 and R-½ Zoning Districts not to exceed 250 square feet in size, not more than fifteen

(15) feet in height, and not used for the housing of humans or animals, may be located in the required rear and side yard set-backs, rearward of the front primary façade of the principal building to which they are accessory, but not less than five (5) feet from any lot line, provided such accessory buildings do not, in the aggregate, occupy more than twenty percent (20%) of the total area of such rear and side yard set-backs, to become effective July 15, 2021.

Motion passed unanimously.

7. New Business:

a. Application for Special Exception: 15 Sunset Avenue – Conversion of existing detached garage into a one-bedroom accessory apartment; construct a new two-car garage addition onto accessory apartment building was received and will be scheduled for a Public Hearing at the next regular meeting on August 12, 2021.

8. Other – Guests or Members: Nothing further was brought up.

9. Report of Officers and Subcommittee:

a. Report of Zoning Officer: Recently enacted legislation in connection with accessory apartments and requirements for them were reviewed and discussed. Proposal to modify the Zoning Regulations to address the legislative requirements is addressed in a proposed amendment to the Zoning Regulations, which will be brought to a Public Hearing at the next regular Commission meeting on August 12, 2021.

b. Fixing the current Zoning Regulations to bring various changes and additions made over the past 15+ years into a single, complete document is underway. The Town website is being updated as changes and corrections are made.

c. Outdoor seating for restaurants on Main Street remains an issue and concern. Most establishments have complied with regulated requirements. There are still some that continue to violate restrictions, requiring on-going enforcement and administrative actions and contacts. (Recent legislative action granted an indefinite extension to outdoor dining regulations. Local regulations establish details for local establishments.)

d. Recently enacted legislation in connection with retail cannabis facilities that will be allowable in 2023 will allow one retail outlet for a community with up to 25,000 residents. Local regulations can regulate whether they will be allowed, and, if so, the requirements and restrictions imposed. Further review and discussion will be required by the Commission.

e. Requirements for public meetings were set by enacted legislation requiring either hybrid or virtual public municipal meetings until April 2022, subject to further review at that time. Details were reviewed. Note was made that significant improvements to technology will need to be addressed. Costs may be eligible for funding from COVID

reimbursements. Town administration will need to address this need so requirements can be met by both the public and boards and commissions.

10. Bills for Payment:

On Motion by Peter Zanardi, seconded by Seth Fidel, bill in the amount of \$87.28 for publication of legal notice in Hartford Courant was unanimously approved for payment.

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

12. Approval of Minutes: June 10, 2021 Regular Meeting

On Motion by Seth Fidel, seconded by Steve Merola, the minutes of the June 10, 2021 meeting were unanimously approved.

13. Pending Litigation: There is no pending litigation.

14. Adjournment

There being no further business to come before the Commission, Chair Sanders adjourned the meeting at 8:17 P.M.,

Respectfully submitted,

Bettie Perreault, Secretary