

1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, August 12, 2021 as a hybrid meeting, with virtual participation via ZOOM. Chair Michael Sanders called the meeting to order at 7:00 P.M.

2. Roll Call and Seating of Alternates:

Commission members attending in person at Town Hall and seated were Pat Bisacky, Seth Fidel, Steve Merola, Bettie Perreault, Michael Sanders and Peter Zanardi; with Henry Krempel and Shubert Koong (seated for Keith Scherber) via ZOOM. Also present via ZOOM was Zoning Compliance Officer John Guskowski. Others present at various times during the meeting included Tom and Sheriann Perry, Roger Nemergut, P.E., Peter and Susan Hotkowski in person, and via ZOOM, Susan Wright and James Tedesecki,.

3. Public Hearings:

a. Application for Special Exception for Accessory Dwelling Unit – 15 Sunset Avenue.

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

Roger Nemergut, P.E., representing applicant Andree Crane, reviewed survey, site plan and architectural drawings of proposed additions to existing structure to provide a one-bedroom residential apartment unit and attached two-car garage on the 6.7 acre site. It was noted that while the property has road frontage on Bokum Road, access is not feasible due to topography and geological features. The Zoning Board of Appeals has granted a variance of side yard set-back requirements. Individual well and septic system will serve the proposed apartment unit. The size of the parcel as well as topography restrict visibility from abutting properties. The accessory apartment is to allow owner Andree Crane's relatives to provide support and care for her in her own adjacent home. Proof of mailing to abutting property owners was submitted.

**On Motion by Peter Zanardi, seconded by Seth Fidel, the Public Hearing was closed at 7:15 P.M.**

b. Application for addition to Zoning Regulations, Section 58 – Accessory Dwelling Units.

*References to Accessory Dwelling Units as Special Principal Uses will be removed and replaced with NEW Section 58 of the Chester Zoning Regulations*

*SECTION 58 – ACCESSORY DWELLING UNITS*

*58. In order to foster affordable housing alternatives in the Town of Chester, to increase residential densities in established neighborhoods and particularly in village centers and key development nodes, an accessory dwelling unit shall be permitted, via an Administrative Zoning Permit procedure for General Principal Use per these Regulations, in all Zoning Districts in which one-family dwellings are also allowed as a General Principal Use, provided that:*

*58a. Only one accessory dwelling unit, which may be attached or within the principal structure on the property or may be within a new or existing secondary building, shall be permitted for each lot and no accessory dwelling unit shall be approved as part of a two -family dwelling or any multi-family use;*

*58b. The lot shall conform to the minimum lot width and area requirement for the zone in which the property is located or be legally nonconforming;*

*58c. The accessory dwelling unit shall:*

*1. Be a minimum size of 400 square feet but shall not exceed 1,000 square feet or 30% of the combined floor areas of the single -family dwelling and the accessory dwelling unit, whichever is less;*

*2. Have a maximum of 58d. Both the accessory dwelling unit and the principal building/unit shall meet the requirements of the Building and Public Health Codes;*

*58d. Upon establishment of the accessory dwelling unit within or attached to a principal structure, the building shall:*

*1. Maintain the exterior appearance and style (roof line, roof pitch, building materials, window style and spacing, etc.) of the principal use;*

*2. Have any secondary entrance incorporated into the principal use to reflect the architectural style of the existing structure;*

*58e. Parking and access from the public right-of-way shall serve both the principal and accessory units, and shall not be distinguishable as separate facilities;*

*1. No additional curb cut shall be created to serve an accessory dwelling unit;*

*2. Adequate off -street parking as required by these Regulations shall be provided for both uses and such parking shall not be located in the front yard;*

*58f. No accessory dwelling unit shall be located in a basement unless one wall opens to grade;*

*58g. All other requirements of Zoning Regulations, Building Code, Public Health Code, and applicable law are met.*

With note of a minor typographical error in submitted material, commission members noted the proposed addition to the Zoning Regulations had been addressed and discussed in detail in previous meetings, and that adoption of the proposed addition will provide compliance with recently enacted legislation which is scheduled to become effective in January 2022.

**On motion by Pat Bisacky, seconded by Steve Merola, the addition to Section 58 – Accessory Dwelling Units to the Zoning Regulations (with typographical error corrected) was unanimously approved, with an effective date of August 15, 2021.**

4. Audience of Citizens:

Peter Hotkowski addressed the commission in “exploratory mode” concerning potential uses of property at 244 Middlesex Avenue. Subject to completion of remedial work currently underway in connection with previous operations on the premises, would use of the property and structure by an engineering/manufacturing business potentially be looked upon favorably by the commission? Hotkowski explained his company’s existing operations in a rental property, and that they would like to become owners of property where they operate.

Chair Sanders pointed out that the impact of a new, different owner/occupant should seek less intensity than prior owners/occupants. They have investigated alternative properties, but have found lack of availability of suitable locations. Should they elect to pursue purchase of this property, they will need to re-approach the commission with detailed information for review and action.

5. Old Business: Email correspondence from absent member Keith Scherber requested that the subject of retail cannabis be discussed in light of recently enacted legislation in connection with retail cannabis facilities that will be allowable in 2023. Commission members broadly discussed current actions being taken by other municipalities, the importance of accurate information on the matter and communication with other officials and residents. Economic Development Chair Susan Wright noted that board has discussed the subject. The Planning & Zoning Commission will invite other Town officials to a future meeting to review and discuss potential options in greater detail.
6. New Business: The Board of Selectmen have developed and discussed a proposed new Ordinance Regulating the Storage and Collection of Waste Containers in the Village District. Such an Ordinance would need to come before a Town Meeting for voter action. Enforcement authorization needs to be identified and included if enacted.
7. Other – Guests or Members: Nothing further was brought up.
8. Report of Officers and Subcommittee:
  - a. Zoning Compliance Officer Guskowski reviewed the new resources linking the Town’s GIS mapping to parcel-specific zoning information. The Zoning Regulations are being compiled into a single document, importing the numerous changes, modifications and additions that have been enacted over past years. As additional details are found, the Regulations will continue to be compiled.
  - b. Enforcement activities in connection with outside seating by diners at Main Street restaurants continues to be addressed for non-compliance. Legal counsel has provided correspondence to offending restaurant owners/managers seeking compliance. Other enforcement activities were also noted.
  - c. Upgraded technology to provide better communication for virtual meetings in the Community Meeting Room are being investigated and pursued through the Selectmen’s office.
  - d. The state legislative session has ended for this season. Recently enacted measures need to be addressed as they go into effect. This may include requirement that board and commission members participate in periodic training programs addressing the function and activities of their respective agencies.

9. Bills for Payment:

**On Motion by Peter Zanardi, seconded by Seth Fidel, bill in the amount of \$103.20 for publication of legal notice in Hartford Courant was unanimously approved for payment.**

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

11. Approval of Minutes: July 8, 2021 Regular Meeting

**On Motion by Peter Zanardi, seconded by Steve Merola, the minutes of the July 8, 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, Chair Sanders adjourned the meeting at 8:06 P.M.,

Respectfully submitted,

*Bettie Perreault*, Secretary