

Minutes

February 10, 2022

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1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, February 10, 2022 as a hybrid meeting, with virtual participation via ZOOM. Chair Michael Sanders called the meeting to order at 7:03 P.M.

2. Roll Call and Seating of Alternates:

a. Commission members attending in person at Town Hall and seated were Michael Sanders, Seth Fidel, Elaine Fitzgibbons, Steve Merola, Bettie Perreault, and Peter Zanardi. Present via ZOOM were Pat Bisacky, Henry Krempel, Keith Scherber, Shubert Koong, and Zoning Compliance Officers John Guskowski and Steve Hnatuk. Present in person were First Selectman Charlene Janecek, Joe Cohen, Earl Horner, and John and Lisa Schroeder. Attending via ZOOM was Fire Marshal/Building Official Dick Leighton. (Alternates originally seated during Roll Call were subsequently replaced by late-arriving members.)

3. Audience of Citizens

Errol Horner inquired, in connection with 91 Main Street, what violations have been filed at this time. (None at this time.) He detailed his opinion of what violations might have been cited and asked why they had not been issued. An extensive, varied and at time contentious exchange followed between Horner, Commission Chair and members, and other officials.

4. Old Business

a. Review and discussion of proposed Text Amendment **for** Section 40-J – Height Limitations

Chair Sanders reviewed the history of the proposed change to the Zoning Regulations and how it applied to the Village District. Among the points raised and discussed were the visual considerations of the structure under renovation at 91 Main Street, the size, height and footprint of that structure and others. Modification of Section 40-J – Height Limitations was also reviewed and discussed, with note made that other towns require review and approval through a Special Exception/Permit process, allowing the Planning and Zoning Commission oversight where warranted. Following,

On motion by Seth Fidel, seconded by Steve Merola, the proposed text amendment was modified to add (following radio or television towers and antennas,) “...and upon the granting of a Special Exception by the Commission” to Section 40-J – Height Limitations. The motion passed unanimously.

Extensive discussion and exchange between Commissioners, other officials present and from others present followed, with particular focus on cupolas, and others including allowing sufficient time for residents to consider any proposed changes to the regulations, the difference between construction of features which serve a “performance” purpose versus “decorative” uses, the need to consider the complexity and legality of potential regulatory changes that might “set the stage” for future actions, consideration and avoidance of excessive regulatory

requirements and the resulting burden on the Commission, enforcement officials and administrative actions, as well as statutory and code requirements. Based on the discussion,

On motion by Seth Fidel, seconded by Elaine Fitzgibbons, the Application for Text Amendment submitted by Brooke Girty: Section 40-J - Height Limitation was rejected. The vote was unanimous.

The earlier approved motion to make addition to Section 40-J – Height Limitation, requiring action by Special Exception remains in effect in Section 40-J as it presently exists.

b. Updates on Regional Housing Plan

An update of the Regional Housing Plan currently being addressed through RiverCOG will be provided at the March 10 meeting by ZCO Guskowski.

c. Next steps in review of marijuana statutes and local regulations.

Correspondence from Raymond Archambault dated January 24, 2022 expressing disapproval of any zoning change in connection with cannabis establishments, with note of both location and potential revenue generation was read into the record.

First Selectman Janecek will request assistance from RiverCOG on procedures to provide resources and agencies/personnel to include in public informational meetings in connection with marijuana statutes and local regulations. The Board of Selectmen is forming a study committee to study the matter, hear from other agencies, and schedule meetings with the public. To get residential responses to assist in this process, a survey to seek public input has been proposed, was read and discussed/reviewed by Commission members. Utilizing Survey Monkey, Everbridge, and local media will be utilized, all through the Selectmen's office,

On Motion by Seth Fidel, seconded by Steve Merola, the Commission voted to approve the proposed survey and its distribution. The motion passed on the following vote: In Favor: Michael Sanders, Pat Bisacky, Seth Fidel, Elaine Fitzgibbons, Henry Krempel, Steve Merola, and Bettie Perreault; Opposing: Keith Scherber and Shubert Koong

5. New Business

- a. Plan of Conservation and Development: The First Selectman and Chair of Economic Development recommend that Commission initiate review and action in connection with the various recommended actions included in the POCD. Chair Sanders will meet with them to formulate strategies and set up working groups to review those recommendations to be included in future Commission meetings.

6. Other – Guests or Members – nothing was brought up to be considered.

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7. Report of Officers and Subcommittees

Elaine Fitzgibbons reported on her attendance as representative to RiverCOG, noting that the staff of that organization is “monumental”, and the number of participants and the different issues other member municipalities are involved with is substantial.

8. Report of Zoning Compliance Officer

ZCO provided update of permits issued information. Of note, proposed demolition of structure at 47 Main Street was discussed, which will require a new application addressing the re-design of 47 Main Street to be reviewed and approved by the Commission.

9. Bills for Payment

a. Hartford Courant: \$84.02 for publication of legal notice

On motion by Seth Fidel, seconded by Henry Krempel, Hartford Courant invoice in the amount of \$84.02 was unanimously approved for payment.

9. Communications, Receipt of New Petitions, New Applications received after posting of Agenda.

a. An application that had been submitted had been subsequently withdrawn but may be presented for consideration at a future meeting.

11. Approval of Minutes: January 13, 2022 Record of Vote and Regular Meeting

On Motion by Patty Bisacky, seconded by Seth Fidel, the Record of Votes and Minutes of the January 13, 2022 meeting were unanimously approved. Shubert Koong abstained.

12. Pending Litigation – there is no pending litigation at this time.

13. Adjournment

There being no further business to come before the Commission,

On Motion by Seth Fidel, seconded by Henry Krempel, the meeting was adjourned at 8:54 P.M.

Respectfully submitted,

Bettie Perreault, Secretary