

Chester Planning & Zoning Commission

Minutes

March 10, 2022

Page 1 of 4

1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, March 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, Elaine Fitzgibbons, Steve Merola, Bettie Perreault, and Peter Zanardi (seated for Seth Fidel). Present via ZOOM were Pat Bisacky, Henry Krempel, Keith Scherber, Shubert Koong, and Zoning Compliance Officer John Guskowski. Present in person at various times during the meeting included the following: First Selectman Charlene Janecek, Fire Marshal Dick Leighton, Bria and Tyler Gilbert, Joe Cohen, Errol Horner, David Kalal, John Schroeder and a number of others. Attending via ZOOM were Pat Bandzes, RiverCOG staff, Shane Garrison, John Visgilia, Jon Joslow, Leslie Strauss, and a number of additional guests.

Affordable Chester Housing Update and Presentation: introduction of Pat Bandzes, Chair of Chester Housing Committee, who introduced RiverCOG representatives Megan Jouflas, Liz Esposito and John Guskowski. Guskowski presented a detailed review via a PowerPoint program updating the housing needs, both present and for the future. Detail specific to Chester were reviewed as well as demographic and economic factors affecting housing. (Further information and detail is available through RiverCOG – www.rivercog.org.) An informal poll of those present was facilitated by RiverCOG staff. Those with additional questions or for more information should contact Chester's representative, Pat Bandzes (pbandzes@gmail.com). The presentation concluded at approximately 8:00 P.M.

3. Public Hearings:

- a. Application for Modification to Special Exception: 43, 45, 47 Main Street – Exterior and Interior Building modifications. Applicant: Bria and Tyler Gilbert.
- b. Application for Special Exception: 91 Main Street – Renovations to existing building into office space. Applicant; 91 Cove Hollow LLC/ John Visgilio.

Legal Notice was read, with note that Application from 91 Main Street had been withdrawn.

Bria and Tyler Gilbert presented information for the application for 43, 45, 47 Main Street, explaining the desire to retain the historic design of the structure while accommodating the internal space, and addressing structural considerations identified during the renovation process. The modifications shown result in a slight reduction in square footage, replacement of windows to provide additional light, redesigned entryway and other modifications to facilitate proposed uses. It was

noted that there was no change in the footprint of the structure and that current Code requirements had been addressed.

Extensive exchange of questions, opinions and information was vigorous and at times contentious, and included the reading of correspondence dated February 15, 2022 from John Schroeder to the Zoning Compliance Officer into the record. Items brought up included the fact that the structure is connected by three (3) separate sewer hookups, that a food service is not being proposed for any part of the structure, and that the garage portion of 43 Main Street is not large enough for practical vehicle storage and parking remains available on the property. Chair Sanders made note that the application under consideration was for a change of use from an earlier Special Exception approved November 12, 2020.

On Motion by Henry Krempel, seconded by Elaine Fitzgibbons, the Public Hearing was adjourned at 8:40 P.M. with additional note that application in connection with 91 Main Street had been withdrawn.

4. Audience of Citizens

Errol Horner expressed his concern and dismay regarding activities associated with property at 91 Main Street. Points Horner raised included his earlier requests for identification of any notices of violations that may currently exist for the property, what measures have been taken to address any such violations, the administrative steps that had or had not been observed by Zoning officials, Building Official, the Planning & Zoning Commission and others in connection with the property. Commission action was also requested. Extensive conversation followed, with Chair Sanders advising the Commission is currently attempting to rectify any errors that may have been made in connection with the current project, and noting that a number of recent changes in administration have also occurred. Audience and Commission members were all active participants in the exchanges.

5. Old Business

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

Responses to a recently distributed questionnaire on future potential marijuana were reviewed and discussed. First Selectman Janacek advised that informational meeting(s) would be held to provide information to residents, with input sought from stakeholders, officials, organizations, educational/medical/safety professionals, and others. Meetings will be scheduled so as to provide as much opportunity as possible for all who would participate. Responses to the questionnaire, which is not yet closed, can be found on the OneDrive available through the Zoning Compliance Officer.

5. New Business

With note that action on the Application(s) that were subject to Public Hearing was not included on the posted Agenda, **Motion made by Bettie Perreault, seconded by Steve Merola to add that item to the Agenda for this meeting.** Motion passed unanimously.

Chair Sanders reviewed the fact that request in connection with 43, 45, 47 Main Street was to address change in proposed uses for the property, with note that the earlier approval (November 12, 2020) had included review by the Inland Wetlands and Watercourses Agency. The fact that the IWWA had not yet addressed the current application was noted. Commission members reviewed the Public Hearing proceedings, noting that the application was to address design and potential uses and did not affect the footprint of the structure.

a. **On motion by Shubert Koong, seconded by Steve Merola, Application for Modification to Special Exception: 43, 45, 47 Main Street – Exterior and Interior Building modifications is approved with the condition that the applicant submit the proposed changes to the Inland Wetland and Watercourse Agency for review. Motion passed unanimously.**

b. Plan of Conservation and Development: Chair Sanders requested that members contact him to volunteer to review action items in the 2019 POCD. The POCD document is available on the Zoning Officer's OneDrive for reference.

6. Other – Guests or Members

David Kalal of 61-3 Goose Hill inquired of the Commission what potential future uses property at 33 Liberty Street might be accommodated by the Commission. The discussion included historic detail of the structure, its earlier uses, current condition, the fact that his inquiry was as a possible developer and not as an owner, and what steps might be considered to address future potential uses. The needs for additional, affordable/attainable housing and legislative requirements were noted, with the property's limitations and restrictions making any changes more challenging and economically difficult.

7. Report of Officers and Subcommittees: Nothing was brought up.

8. Report of Zoning Compliance Officer

ZCO had provided update of permits issued information which had been distributed to members. Activities associated with Main Street projects were the primary activity during the previous month.

While the legislative session is ending shortly, note was made that pandemic Executive Order regarding virtual meetings will expire unless legislation is enacted allowing virtual meetings to become possible. Without such legislation, all meetings will return to in-person status.

9. Bills for Payment: none had been received at this time.
10. Communications, Receipt of New Petitions, New Applications received after posting of Agenda.
 - a. Receipt of Application for Special Exception: 9 Water Street – High End Chester LLC, to convert the building from a bank to an ice cream shop.

On motion by Henry Krempel, seconded by Steve Merola, the Commission will hold a Public Hearing on the application as a part of the April 14, 2022 Commission meeting.

11. Approval of Minutes: February 10, 2022 Regular Meeting

On Motion by Pat Bisacky, seconded by Steve Merola, the Minutes of the February 10, 2022 meeting were unanimously approved when amended as follows:

Errol Horner attended via ZOOM, not in-person, and

Motion to amend the Planning & Zoning Commission minutes of February 10, 2022, Old Business Item #4.a, adding the following language at the end of the section:

The result of the two motions concerning the proposed text amendment to Section 40.J, "Height Limitations" is that this Section now states:

*40.J HEIGHT LIMITATION. The height of any improvement shall be measured vertically from the average ground level at the base of the highest feature of, or appurtenant to, the improvement. Church spires, industrial storage tanks, chimneys, radio or television towers and antennas, **and other appurtenances**, may be erected to a reasonable and necessary height notwithstanding the applicable maximum height limitations prescribed by these regulations, **and upon granting of a Special Exception by the Commission**, provided however that no radio or television tower or antenna shall exceed 15 feet in height above the highest point of the highest building on the lot or 15 feet in height above the highest point of ground elevation on the lot, whichever is higher. Fences and freestanding walls shall not exceed eight feet in height.*

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 Shubert Koong, seconded by Peter Zanardi, the meeting was adjourned at 9:58 P.M.

Respectfully submitted,

Bettie Perreault, Secretary