

MEMORANDUM OF DECISION  
APPLICATION FOR SPECIAL EXCEPTION

This is to certify that at a meeting held on April 14, 2022 following a public hearing held on the same date, the Chester Planning & Zoning Commission voted to approve the application for Special Exception with the following conditions:

**Owner & Applicant:** High End Chester, LLC  
Property Management, **Owner**  
P. O. Box 475  
Chester, CT 06412

Heather Riebold, **Applicant**  
High End Chester, LLC  
9 Water Street  
Chester, CT 06412

**Subject Property:** All of that certain piece or parcel of land situated in the Town of Chester, Connecticut, County of Middlesex and State of Connecticut, identified as Map 14, Lot 6, Chester, Connecticut as more particularly described in the Land Records of the Town of Chester, Connecticut, and made a part thereof.

**Tax Map Number:** not given

**Tax Lot Number:** not given

**Zone District:** Commercial – Village District

**Use Authorized:** Pursuant to Sections 50A.1, 50D and 120 of the Chester Zoning Regulations, Special Exception Application #20-04 is approved for conversion of the building from a bank use to an ice cream shop.

**Conditions:**

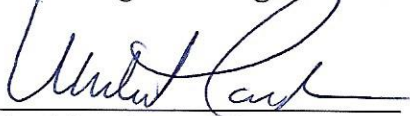
- 1) The Application and Statement of Use are incorporated herein by reference and made a part of this approval, except as modified by these conditions. Copies of the materials incorporated herein are on file in the Chester Land Use Department.
- 2) Receipt, review and approval of a site plan by the Commission, and other state and/or local officials.
- 3) Preparation, review and approval of a (pedestrian) safety plan by the Commission, other local and State officials and agencies. Plans must describe measures to ensure pedestrians' safe access to the site including potential installation of a crosswalk, and describe deterrent features on-site to control and direct individuals, particularly children, to the safest connections for access to Route 148/Water Street.

- 4) The site plan must also ensure entrance/exit driveways and any potential crosswalk address both local conditions and concerns, as well as requirements of the DOT and any other regulatory agencies which might be involved.
- 5) Review of existing traffic volume information as well as potential traffic volume with a change of use, including anticipated increased vehicular traffic which may be generated using standard CT DOT traffic generation forecasts.
- 6) Identification of who will pay for the cost of the various actions which may be required and/or desired: property owner, Town or State.
- 7) Confirmation of details associated with on-site preparation of product as well as delivery options, including hours, vehicle location, and volume.
- 8) Confirmation of details associated with on-site dumpster(s) including volume of waste received, identification of all users, the responsible party for payment, and the number and timing of pick-ups.
- 9) Site and exterior lighting with particular attention to ensure minimal effect on surrounding properties and residences.
- 10) Details of landscaping and proposed patio area, including installation of pervious surface, potentially to include rain garden or similar to minimize runoff.
- 11) Compliance with all regulatory agencies and officials including but not limited to Health Department, Building Official, Zoning Official, Fire Marshal, CT DOT, etc.
- 12) Planning & Zoning Commission shall review final resolution and the conditions with Commission Counsel for the purpose of intent of the approval for inclusion in the final Memorandum of Decision to be signed by the Chair.

REASONS FOR  
APPROVAL:

The application, as approved, is in compliance with the requirements of the Chester Zoning Regulations.

Chester Planning & Zoning Commission

By:   
Michael Sanders, Chair

Dated this 28<sup>th</sup> day of April, 2022