

Minutes

May 12, 2022

Page 1 of 5

1. Call to Order
2. The Chester Planning & Zoning Commission met on Thursday, May 12, 2022 as a hybrid meeting, with virtual participation via ZOOM. Chair Michael Sanders called the meeting to order at 7:01 P.M.
3. Roll Call and Seating of Alternates:

Commission members attending in person at the Meeting House and seated were Michael Sanders, Pat Bisacky, Elaine Fitzgibbons, Bettie Perreault, and Peter Zanardi (seated for Seth Fidel). Present via ZOOM were Shubert Koong, Henry Krempel, Steve Merola and Zoning Compliance Officer John Guszkowski. Present in person at various times during the meeting included the following: First Selectman Charlene Janecek, Attorney Terry Lomme, John Visgilio, Wayne Czarnecki, Pat Bandzes, Joe Cohen, Jon Joslow, and John Schroeder.

4. Public Hearings:

Application for Special Exception: Application for Special Exception: 91 Main Street – Expansion of building and addition of roof appurtenance. Applicant: Cove Hollow, LLC.

Legal Notice was read into the record.

Attorney Lomme, representing John Visgilio and Cove Hollow, LLC reviewed plans and drawings relating to the renovation project at 91 Main Street with Commission members, answering numerous questions and providing additional detailed information. He noted the as-built plans provided were in compliance with the approved building permit. Points noted and discussed included the following:

- The structure was designed to include features that appear similar to typical New England buildings.
- The proposed cupola addition to the structure is intended to bring more natural light into the building with no occupants or other uses using the open space.
- The ridgeline of the building, both past and present were discussed in detail, with careful attention to the specific measurements of each.
- The renovated structure is now ADA compliant with features added to ensure safety and access; the building previously had not been ADA compliant.
- Both municipal sewer and public water are now available to the property, eliminating impact to the stream and nearby wetlands.
- Zoning Compliance Officer comments and Commission review of the Zoning Regulations found the structure, which is in the Village District, is presently in conformity.
- The Inland Wetlands & Watercourses Agency has conducted an on-site review of the property and structure and will address the matter at its June meeting.

Minutes

May 12, 2022

Page 2 of 5

- A temporary Certificate of Occupancy has been issued pending final actions by the various agencies and commissions.
- The property owner's intent in the design, structure and uses for the structure is to make it aesthetically attractive and client-friendly to bring people to the commercial district.

No one in the audience spoke either in favor or in opposition of the application. Other guests raised questions and concerns connected to the application and project, including, among others:

- Further clarification of the height of the structure and the dimensions of the cupola.
- The differences between the definitions of renovation, alteration and repair.

On Motion by Pat Bisacky, seconded by Peter Zanardi, the Public Hearing was adjourned at 7:37 P.M.

5. Audience of Citizens: In clarification to the question of whether the Commission could approve an application in connection with an activity for which decision by another board or agency would be required, Chair Sanders advised that if the P&Z decision included conditions for approval stipulated by the IWWA or other agencies as a part of its approval, the approval would be valid. This would allow the Commission to make its decision and approval within the regulatory 65-day period.

6. Old Business

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

First Selectman Janecek reported RiverCOG is working on its plan to address the issue, but that Chester will be taking local action to bring the matter to residents, presenting both sides of the issue and bringing in others to provide information and answer questions reflecting various views. RiverCOG Rep. Elaine Fitzgibbons advised an extensive report had been presented by its staff; if available, the recording of that presentation will be obtained and made available to commission members and others. It was pointed out by a member of the audience that legislation exists which would allow a municipality to prohibit the sale of marijuana if it chooses to do so. The responses to date for the survey on the matter, which is still open, has had 503 responses but did not indicate an overwhelming support for any single position. It was noted that the survey was never considered to be "scientific" and was always intended to be used only to gather a sense of the community and not as a decision-making tool.

b. Draft of Affordable Housing Plan.

Pat Bandzes, liaison for Chester's Affordable Housing Plan, gave a comprehensive summary of the situation, noting that there is an "affordable housing" unit deficit in Chester and that only 42 units classified as affordable currently exist. While RiverCOG has taken the initial lead and completed its regional report, what is unique and important

to Chester needs to be addressed. A Steering Committee has been appointed by the Board of Selectmen and is in the process of identifying what resources are available. A public meeting will be held ahead of a Selectmen's meeting on May 25 as part of the evolving process. The current POCD already contains a significant amount of related information, but future goals still need to be identified and implemented. That list from the POCD was noted.

7. New Business

Review and action on Application for Special Exception: Application for Special Exception: 91 Main Street – Expansion of building and addition of roof appurtenance. Applicant: Cove Hollow, LLC

a. Review of the proceedings of the public hearing included the following:

- Additional clarification of the various dimensions of the structure and changes which may have occurred.
- Discussion of the compliance or non-compliance of the structure, and if there is a non-compliance issue, what is the non-compliance.
- The steps during which the project evolved and the problems that occurred on the parts of both the applicant and local authorities and administrations. The perceived defects in that process were noted, extensively discussed and generally found to be faulty throughout.

Chair Sanders reviewed the conditions which might be included in a motion to approve the application, noting that the “standard conditions” requiring approval by all regulatory and administrative authorities and officials, compliance with any conditions which the IWWA or others might include in its approval process which might require additional P&Z referral and action, etc.

Motion made by Bettie Perreault, seconded by Steve Merola, to approve the Application for a Special Exception for 91 Main Street – Expansion of building and addition of roof appurtenance. Applicant: Cove Hollow, LLC to include any conditions that may be stipulated by the IWWA, approval by all appropriate officials and regulatory agencies including but not limited where appropriate to Sanitarian, Building Official, Fire Marshal, Water Pollution Control Authority, and any/all others which may be associated with the Special Exception.

The roll call vote was taken with the following members voting to approve the Application: Sanders, Bisacky, Perreault, Fitzgibbons, Krempel, Merola and Zanardi, who noted his decision had been a “difficult one”; voting in opposition was Koong, who noted similar views as those expressed by Zanardi.

Chair Sanders pointed out that situations like this should not have happened, it was “a fiasco” and all efforts should be taken to ensure that it does not happen again.

8. Other – Guests or Members:

Jon Joslow, Economic Development Chair, spoke of the designation of ARPA funding to address POCD recommendations, and how to use that available funding to address those goals. The P&Z needs to assist with, or in some cases lead long-term review and prioritization of the initiatives that have been included in the current POCD, and solicit more input from its members, residents and others in the process. The importance and need for greater communication between officials, boards, commissions and residents was emphasized.

9. Report of Officers and Subcommittees:

Elaine Fitzgibbons advised RiverCOG has discussed the possibility of shared services on a more regional basis for local officials such as Building Official. It was noted that qualified and certified officials are scarce, with State testing not meeting need or demand.

Chair Sanders reported on activities at the mouth of Chester Creek at the end of Dock Road. Those activities have been previously noted and a notice of violation has been issued in connection with vegetation removal within the restricted riverfront area. ZCO has been in conversations with property owner and was instructed to advise owner to not take any further actions on the property without consultation with the Land Use Office. The property is within the Gateway District and is also under the jurisdiction of the DEEP as tidal wetlands.

Removal of two large trees on the river bank of 9 Parkers Point Road, which is also within the Gateway District, was noted. This was another instance of violation. Because property owners seem to often be unaware of the Gateway District regulations and restrictions, a meeting will be scheduled with P&Z and Gateway representatives and staff to review roles and responsibilities of all involved.

10. Report of Zoning Compliance Officer

Meetings/conversations have taken place in connection with the potential sale of the Parish Center portion of property of St. Joseph’s Church, of which the P&Z has not been advised. ZCO was instructed that the commission needs to be kept current and advised of such activities promptly as they arise.

11. Bills for Payment: Hartford Courant - \$89.92 for publication of legal notices.

Motion by Peter Zanardi, seconded by Pat Bisacky to approve Hartford Courant statement in the amount of \$89.92 for payment was unanimously approved.

Minutes

May 12, 2022

Page 5 of 5

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

Nothing has been received at this time.

13. Approval of Minutes: April 14, 2022 Regular Meeting

On Motion by Elaine Fitzgibbons, seconded by Peter Zanardi, the Minutes of the April 14, 2022 meeting were unanimously approved, with Pat Bisacky and Steve Merola abstaining.

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

16. Adjournment

There being no further business to come before the Commission,

On Motion by Peter Zanardi, seconded by Pat Bisacky, the meeting was adjourned at 9:05 P.M.

Respectfully submitted,

Bettie Perreault, Secretary

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During the proceedings of the Commission meeting it was noted there were continuous visits of pedestrians, some with younger children or pets, to the adjacent display of photo posters of 2022 Valley Regional High School graduates on display on the Meeting House Green.