

Chester Planning & Zoning Commission

Minutes

June 9, 2022

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1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, June 9, 2022 as a hybrid meeting, with virtual participation available via ZOOM. Vice Chair Pat Bisacky called the meeting to order at 7:01 P.M.

2. Roll Call and Seating of Alternates:

Commission members attending in person in the Community Room of the Town Hall and seated were Pat Bisacky, Elaine Fitzgibbons, Henry Krempel, Steve Merola, Bettie Perreault, and Peter Zanardi (seated for Michael Sanders). Present via ZOOM were Keith Scherber and Zoning Compliance Officer John Guskowski. Present in person at various times during the meeting included the following: First Selectman Charlene Janeczek, Geoffrey Jacobson, Gary and Jamie Rooke and John Schroeder. Present via ZOOM at various times during the meeting included the following: Sarah Rooke, Aaron Rubin (Valley Courier reporter) and others.

3. Audience of Citizens: None spoke at this time.

4. Old Business

- a. Status of Affordable Housing Plan: The Plan for Chester has been adopted and forwarded to CT OPM in accordance with the June 1, 2022 legislative deadline.
- b. Update on status of violations in the Gateway Conservation Zone: Gary Rooke addressed issues associated with property located at the end of Chester Creek on Dock Road as a part of discussion associated with the Zoning Compliance Officer's report (item 8.a, below).
- c. Plan of Conservation and Development: The Board of Selectmen have scheduled a meeting to be held on Wednesday, June 15 at 8:30 A.M. to consider and discuss recommended actions contained in the POCD. Peter Zanardi will attend, representing the Commission.
- d. Next Steps in review of marijuana statutes and local regulations: The Board of Selectmen will schedule a public meeting in July with the Resident Trooper Matt Warren, Tri Town Youth Bureau and other agencies on the matter, giving residents and others an opportunity to consider the issue and available options. The Commission has three months to act under the current moratorium, which can be extended if so authorized.

5. New Business

Vice Chair Bisacky advised that at the present time it appears the Commission will end the fiscal year with a surplus. The updated Zoning Regulations including numerous revisions and updates from prior years is currently available only on the Town's website. John Schroeder recommended that the current Zoning District Map in a large enough scale to provide clear identification of zone districts accompany each copy of the printed Regulations as a part of the printing. Commission members agreed on this suggestion.

On Motion by Peter Zanardi, seconded by Elaine Fitzgibbons, the Commission voted unanimously to instruct the ZCO to have twenty-five (25) copies of the current Chester Zoning Regulations printed to be available in the Town Clerk's office and to the public, to be paid for from funds in the 2021-2022 Planning & Zoning budget.

6. Other – Guests or Members: Nothing was brought up at this time.
7. Report of Officers and Subcommittees: Elaine Fitzgibbons advised RiverCOG had not yet held its meeting for June.
8. Report of Zoning Compliance Officer

ZCO Guskowski reported a Notice of Violation had been issued in connection with property on Dock Road (Map 10, Lot 187) on the north side of Chester Creek and the west bank of the CT River currently owned by Rooke Realty. (The Notice of Violation was read.) Gary Rooke, representing the owning family, advised prior membership in the nearby Pataconk Yacht Club, and their communications with Jamie Hayes of Hayes Haven Marina, also located on Chester Creek. Hayes Haven has had an on-going approval to perform dredging activities in Chester Creek and its entrance into the CT River, with approvals to deposit dredged materials on the land now owned by Rooke Realty. There are also other legalities involved in the relationship which need to be addressed by the participants. Under their ownership, the Rooke family has cleared various vegetation and removed five (5) trees, some of which were dead or damaged along the CT River side of the property, installed gravel parking “pads” for trailers and campers intended to be used by members of the family, in-laws, grandson and family, etc. Rooke further advised that “no endangered vegetation” is present on the property, and that grass is still there, although it is now mowed.

ZCO and Commission members discussed with the Rookes the activities which had taken place, noting that much of them are within the buffer area within the Gateway Conservation Zone, that the regulatory process had not been followed in connection with those activities, and that while the Hayes Haven dredging operations and disposal of dredged material may be “grandfathered”, the Rooke activities were not a part of that activity.

To allow the process to abate the Violation, the Rookes were advised to send a letter providing full details, explanations and any additional information to the Zoning Compliance Officer and the administration of the Gateway Conservation District. The Commission and other enforcement officials may then address what the written communication presents.

9. Legislative Update
 - a. ZCO Guskowski reported that recent legislative action had removed the cap of one municipal marijuana outlet per 25,000 population, which would now allow an unlimited number of outlets in Chester. First Selectman Janecek noted that full-time, official, uniformed police presence is also required on a 24-hour basis whenever an establishment

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was open for business at municipal expense, which would create a significant financial cost to the Town.

- b. The U.S. Census Bureau has approved a request from the State of Connecticut to adopt the state's nine planning regions as county-equivalent geographic units to collect, tabulate, and disseminate census data. The CT Office of Policy and Management (OPM) requested this change on behalf of the COGs in 2017. By 2024, all Census Bureau operations and publications, both internal and external, will use the nine planning region boundaries, names, and codes, except for 2020 decennial census data publications and other datasets referencing the eight legacy counties as published before June 1, 2022. (This information was confirmed from a press release by Gov. Lamont on June 6, 2022.)

10. Bills for Payment: There were none received.

11. Communications, Receipt of New Petitions, New Applications received after posting of Agenda and scheduling of Public Hearings.

- a. Re-Subdivision Application: 45 Goose Hill Road – R-1 Zone, Map 9, Lot 216 – received. Geoffrey Jacobson provided a letter authorizing him to represent the Application on behalf of the applicant.
- b. Special Exception Application: Chester Point Marina – WD2 Zone, Map 15, Lot 56 – received.

On Motion by Peter Zanardi, seconded by Henry Krempel, the Commission scheduled Public Hearings on the two applications for Thursday, July 14, 2022 by a unanimous vote.

12. Approval of Minutes: May 12, 2022 Regular Meeting

On Motion by Henry Krempel, seconded by Steve Merola, the Minutes of the May 12, 2022 meeting were unanimously approved, with Keith Scherber abstaining.

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

14. Adjournment

There being no further business to come before the Commission,

On Motion by Henry Krempel, seconded by Steve Merola, the meeting was adjourned at 7:40 P.M.

Respectfully submitted,

Bettie Perreault, Secretary