

Chester Planning & Zoning Commission

Minutes

November 10, 2022

Page 1 of 3

1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, September 8, 2022 at the Chester Meeting House with Vice Chair Patty Bisacky calling the meeting to order at 7:00 P.M.

2. Roll Call and Seating of Alternates:

Commission members present and seated were Pat Bisacky, Seth Fidel, Elaine Fitzgibbons, Henry Krempel, Steve Merola, Bettie Perreault, Keith Sherber and Peter Zanardi. Also present was First Selectman Charlene Janecek. Participating via ZOOM was Zoning Compliance Officer John Guskowski.

3. Public Hearing: Application for Text Amendment to the Zoning Regulations: Section 160D - Extension of Moratorium on Recreational Cannabis Establishments in the Town of Chester. Applicant: Chester Planning & Zoning Commission

Seated were: Pat Bisacky, Elaine Fitzgibbons, Henry Krempel, Steve Merola, Bettie Perreault, Keith Sherber and Peter Zanardi (seated for Michael Sanders). Seth Fidel arrived after the start of the Public Hearing and was seated after the Hearing closed.

The Legal Notice was read into the record with explanation of the proposed regulation change summarized by Vice Chair Bisacky. Correspondence and accompanying information received from Maria Sherber and Eileen Sherber were read into the record.

First Selectman Janacek advised that she was in agreement with the proposed changes to the Zoning Regulations. No one else spoke either in favor or in objection to the Application. Commission members reviewed the proceedings of the Public Hearing. There being no further questions from Commission members,

On Motion by Bettie Perreault, seconded by Steve Merola, the Public Hearing was closed at 7:09 P.M. (Action on the proceedings of the public hearing are recorded later in these minutes.)

4. Audience of Citizens: There was no audience of citizens.

5. Old Business

a. Update on status of regulations in the Gateway Conservation Zone: There was no additional information available.

b. Status of RiverCOG region Comprehensive Economic Strategy: There was no additional information available.

c. Plan of Conservation and Development: There was nothing to report.

Minutes

November 10, 2022

Page 2 of 3

6. Proceedings of Public Hearing: Application for Text Amendment to the Zoning Regulations: Section 160D - Extension of Moratorium on Recreational Cannabis Establishments in the Town of Chester. Applicant: Chester Planning & Zoning Commission.

Members reviewed the proceedings of the public hearing, with note that the only input offered during the Hearing was from the First Selectman, and that no meetings or informational sessions had been held by other Town agencies or officials. Commission members discussed definitions which had been brought up during the hearing and earlier Commission meetings, noting that the CT State Statutes and regulations, which are referenced in the proposed Zone change, provided details of those discussed. With the moratorium which is in place at this time, repeal of that measure should accompany action to address the proposed new change to the Zoning Regulations.

On Motion by Bettie Perreault, seconded by Peter Zanardi, the application for Zoning Regulations Text Amendment regarding cannabis facilities is adopted, to become effective Monday, December 5, 2022 with the removal of Section 117 (moratorium) to take effect upon the adoption of Section 40V, and is as follows:

40V. CANNABIS FACILITIES

No recreational cannabis or medical marijuana facilities as defined by CGS Sec. 21.a-408 et. Seq. as amended, Sections 21a-408-1 to 21a-408-70 inclusive, and Public Act 21-1/Senate Bill 1201 as amended, including Regulations of Connecticut State Agencies as they may be amended from time to time, including production facilities, cultivators, micro-cultivators, retail, and hybrid retail facilities, shall be permitted in the Town of Chester. Amendment effective December 5, 2022, and, further, Section 117 is repealed in its entirety, to take effect upon adoption of Section 40V. CANNABIS FACILITIES on December 5, 2022.

The motion passed unanimously with the votes of Bisacky, Fitzgibbons, Krempel, Merola, Perreault, Sherber and Zanardi. Seth Fidel abstained.

7. New Business: Members were reminded the following items need to be addressed at the December meeting of the Commission:
 - Schedule of meeting dates for 2023
 - Budget request for the Commission for fiscal year 2022-2023 for presentation to Board of Selectmen and Board of Finance.
8. Other – Guests or Members: There were none present.
9. Report of Officers and Subcommittees: There was nothing reported.
10. Report of Zoning Compliance Officer

Minutes

November 10, 2022

Page 3 of 3

ZCO Guskowski advised there was nothing major to report for the month of October. The erection of a barn structure on property located at 19 Kings Highway, for which no zoning permit has been reported, was brought up and discussed in detail. Action by the Zoning official is to be pursued to ensure compliance. There was further discussion relating to apparent activities which have not complied with zoning regulations and enforcement needs and how to achieve prompt, active compliance of all zoning-related activities. The Commission will continue to address these concerns in future meetings.

11. Legislative Update: While the legislative session has not yet been activated following the recent election, appointment of chairs of legislative committees is currently underway.
12. Bills for Payment: Hartford Courant invoice in the amount of \$225.99 for publication of legal notices.

On Motion by Henry Krempel, seconded by Keith Sherber, Hartford Courant bill in the amount of \$125.99 was unanimously approved for payment.

13. Communications, Receipt of New Petitions, New Applications

- a. Application for a Special Exception: AIS Properties, LLC, P.O. Box 982, Deep River, CT, dba Regional Restrooms, Inc., 25 Airport Industrial Park Road, for outdoor storage of clean, dry portable restroom units (Porta-Potties) and a site fence/screen installed.

Application received. On Motion by Peter Zanardi, seconded by Henry Krempel, a Public Hearing to be scheduled for the December 8, 2022 meeting of the Commission.

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

On Motion by Steve Merola, seconded by Henry Krempel, the minutes of the October 13, 2022 meeting were unanimously approved, with Bettie Perreault abstaining.

15. Pending Litigation: There is no pending litigation at this time.

16. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 7:25 P.M.

Respectfully submitted,

Bettie Perreault, Secretary