

COLCHESTER PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
Wednesday, March 2, 2016
127 NORWICH AVENUE, COLCHESTER, CT
7:00 P.M.

MEMBERS PRESENT: Chairman Joseph Mathieu; John Novak, Vice Chairman; Mark Noniewicz, John Rosenthal, Dave Gesiak and Jason Tinelle; Alternates: Karen Godbout and Beverly Seeley; Stan Soby, Board of Selectman Liaison

MEMBERS ABSENT:

STAFF PRESENT: Randy Benson, Planning Director; and Gail Therian, Clerk

1. **CALL TO ORDER** –Chairman Mathieu called the meeting to order at 7:00 p.m.
2. **Roll Call**

Chairman Mathieu asked the clerk to note those in attendance. K. Godbout was seated as a voting member.

3. **Additions to Agenda - None**
4. **Minutes of Previous Meetings** – Minutes of the Regular Meeting February 17, 2016

Motion by M. Noniewicz, seconded by J. Rosenthal to approve the Regular Meeting Minutes of February 17, 2016 as written.
Abstentions: J. Novak **Motion carried.**

5. **Public Hearings** – None
6. **New Business & Applications Received:**

- A. **CGS#16-049 – Purchase of Norton Mill and land** at 139 Westchester Road, N/F Norton Paper Mill, Assessor's Map: 06-12; Lot #14-00, Zoned Rural with Arterial-Commercial Overlay

R. Benson told the Commission that his Staff Report was included in their packets.

Adam Turner, Consultant to the project, said that this project has been in process for three (3) years. The Norton Mill project is to demolish the buildings, remediate the site, remove the Jeremy River Paper Mill Dam, restore the river to its natural state and eventually develop the property into a Town Park. The Town is ready to move forward with the purchase of the property at the cost of \$1.00 and begin demolishing the mill. By Connecticut State Statutes 8-24 a favorable recommendation must be made to the Board of Selectmen by the Planning and Zoning Commission. The work will be completed through grant money. Discussion followed regarding the work proposed and the type of recreation the park will provide.

Chairman Mathieu stated that this project is consistent with the Plan of Conservation and Development, is compatible with the surrounding properties and includes health and safety measures.

Motion by Mark Noniewicz, seconded by J. Novak to: Resolve that the Planning and Zoning Commission of the Town of Colchester provide a favorable report to the Board of Selectmen for the transfer of the Norton Mill Project pursuant to the provision of Section 8-24 of the Connecticut General Statutes.

Motion carried unanimously.

- B. **SP#16-002 - G. Veneziano applicant/9 Loomis Road, owner;** Application for Special Permit Per Section 5.7 for proposed convenience store, gas station and coffee/sandwich shop and Section 14-321 of the Connecticut State Statutes for a certificate of approval from gasoline station at 9 Loomis Road and 509 Westchester Road, Assessor's Map #3-17 and Lots 52, 53; Westchester Village - Rural Zone

This application was for receipt only. The Public Hearing for this application has been set for March 16, 2016.

7. **Five Minute Session for the Public** – No one spoke
8. **Pending Applications:-**

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CLERK

- A. **Special Permit #16-001 Matt Walsh, Applicant/The Colvest Group, Owner.** Application for Special Permit to construct building mounted and directional signs as per Section 11.6 of the Land Development Regulations. Property located at 95 Linwood Avenue, Assessor's Map 11-00, Lot 023-000, located in the Town Center Zone (Public Hearing opened on 1/20/16, continued to 2/3/16 and 2/17/16 closed on 2/17/16;)

Chairman Mathieu stated that he and J. Novak had reviewed the minutes of the last meeting and all the materials for the application. He said that the Public Hearing was closed at the February 17, 2016 meeting. He also reminded the Commission that there must be a three-quarters majority in favor of the application for it to be approved.

R. Benson said that the revised plans presented at the last meeting had removed the logo from the directional signs and eliminated the words "drive thru" from the south side of the building. He said there was still the outstanding issue of the 3 x 3 circle with the Starbucks logo on the back of the building.

Discussion followed regarding the criteria to allow the additional signage per Section 11.6 and if there were any physical limitations on the site to make the additional signage necessary.

Motion by M. Noniewicz, seconded by J. Novak to deny the Special Permit application #16-001 Matt Walsh, Applicant/The Colvest Group, Owner, application to have additional signs for the Starbucks Coffee Shop located at 95 Linwood Avenue, Assessor's Map #11-00, Lot #023-000, Town Center District, as shown on the submitted sign plans by Hilton Displays dated February 17, 2016 because the application does not meet the criteria of Section 11.6 of the Colchester Land Development Regulations. **Motion carried unanimously**

S. Soby suggested that the Commission review the language of this regulation to allow for additional signage in order to help local businesses be successful.

9. **Preliminary Reviews** – None

10. **Old Business** – None

11. **Planning Issues & Discussions** –

R. Benson told the Commission that Beth Critton of Shipman and Goodwin would like to meet with the Commission in Executive Session to discuss pending litigation. He asked if the Commission would be in favor of this being one of the first items on the agenda for the next meeting. The Commission agreed that this item should be handled early in the meeting.

R. Benson told the Commission that G. Therian, Land Use Assistant had researched the regulations for wineries and found that the original draft of the Regulations addressed wineries specifically, but the Regulations presented to the Commission by the Agriculture Commission were more general and did not address wineries specifically. These Regulations were incorporated into the adopted regulations. Discussion followed.

12. **Zoning Enforcement Officer's Report** – None

13. **Correspondence** – None

14. **Adjournment**

Motion by M. Noniewicz, seconded by D. Gesiak to adjourn at 7:31 p.m. **Motion carried unanimously.**

Gail N. Therian, Clerk