

MEMBERS PRESENT: Chairman Laurie Robinson; Patrick Reading, Michael Solis, Jason Radachy, and Bob Setschinsky;
Staff: Randy Benson, Planning Director and Gail Therian, Clerk

MEMBERS ABSENT – Stan Soby, Board of Selectmen Liaison

1. CALL MEETING TO ORDER.

Chairman Robinson called this meeting to order at 7:12 p.m.

2. ADDITIONS TO AGENDA - None

3. PUBLIC HEARINGS –

- A. ZBA#16-002, Colchester Housing LLC Applicant/owner, for property located at 430 Amston Road Tax Map # 06-18, Lot #007, Suburban Zone. The applicant is requesting a variance to Section 4.5 Minimum Buildable Area to allow for a reduction of the minimum buildable area from 120,000 square feet to 88,000 square feet.

R. Benson read the Public Hearing legal notice published in the Rivereast on May 6 and May 13, 2016. R. Benson read the Exhibit List with Items A – N.

Chairman Robinson asked the members of the audience if anyone had any concerns or comments about the members of the Board that were seated for the Public Hearing. No comments were made. She went on to explain the Public Hearing procedure. She stated that the voting members for this evening on this application were: L. Robinson, P. Reading, B. Setschinsky, M. Solis and J. Radachy. Chairman Robinson read into the record a note received from the applicant to her. (Exhibit Item O). Atty. Kim McGee, Brown Jacobson asked that the Board consider continuing the Public Hearing to allow her time to gather more information for her clients. Chairman Robinson said the Board would need to open the Public Hearing because it was noticed and they would decide about the continuance of the Public Hearing later in the meeting.

Speaking in Favor:

Andrew Larew, Colchester Housing, LLC, applicant, said that he brought this piece of land with the intention of developing it as multi-family housing. He said at the time he researched properties in Colchester this piece of land was split zoned according to the Zoning map in August of 2014. He felt he could develop the land on the Commercial portion of the land. He explained the research he did on available land in Colchester prior to purchasing this land. He said he feels there is a need for affordable housing in Colchester and this was his intent to develop the land with up to 20 units of multi-family housing. He said that there is presently a two family home on the property. He supplied pictures of the existing home (Exhibit Item P). Discussion followed regarding the modification to the existing home from 2 units to 4 units and the decrease of buildable area from 120,000 square feet to 88,959 square feet. The Board questioned Mr. Larew about the claim of a hardship which is required to receive a variance. He said he felt that the wetlands are the hardship. The Board asked R. Benson to ask Town Counsel if conditions could be placed on an approval of this application.

Speaking in Opposition: -

Robert Blackmore, representing his family at 259 Amston Road, expressed his concerns about the impact on the wetlands and the devaluation of their property. He also spoke about the effect of the buildout on the wetlands. He submitted a copy of the letter he read (Exhibit Item Q).

Thomas Alferi, 319 Amston Road, expressed his concerns about potential traffic and increase in accidents if the applicant is granted the variance and allowed to build multi-family units.

Brian Harmon, 440 Amston Road, said he is concerned about the environmental impacts if this property is developed.

Steven Cohn, 28 Mill Lane West, spoke on behalf of his family, said this would be a substantial change to the use of this land. He also expressed the increase in traffic and the safety issue. He felt the variance would be a substantial deviance to the Zoning Regulations.

Jean Stevens, 11 Bruce Circle, stated she is also concerned about the potential increase in traffic on Route 85.

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Alma Alpert, 19 Bruce Circle, said she has concerns about the proposed increase in traffic and the effect of development on the wetlands and the wildlife.

John Foran, 330 Amston Road, also had concerns about the proposed increase in traffic and possible accidents on this road.

Atty. Kimberly C. McGee, Brown Jacobson, representing Thomas and Judith Pipicelli, said that according to the property card this property was brought on June 30, 2014. She had four (4) maps of the area with the wetlands overlay included, which she entered into the record (Item R). She said that Section 1.1. 4. of the Land Development Regulations states that "the preservation of natural landform features, agricultural lands, wetlands and water resources must be considered in development plans. She reviewed Section 17.3 of the Land Development Regulations regarding the criteria on which a variance must be based upon. She also said that a hardship must be demonstrated. A discussion followed regarding the effect of the buildout on the property on the wetlands. Atty. McGee asked that the Public Hearing be continued so she could gather more information, including a copy of the previous zoning map that the applicant spoke about.

Speaking to Those who Spoke in Opposition

Andrew Larew, Colchester Housing, LLC, applicant, said that he heard the neighbors' concerns and said that he would not circumvent any of the rules or regulations regarding the wetlands when developing the land.

Discussion followed regarding the continuation of the Public Hearing and a possible date for the next meeting, as there may be the need for a Special meeting due to the lack of a quorum for the June 21, 2016 meeting. Staff will work on coordinating a Special meeting if necessary. Mr. Larew submitted a letter asking for a 35-day extension of time to hear the Public Hearing (Record Item S)

Motion by: P. Reading
to continue the Public Hearing to the next regularly scheduled meeting on June 21, 2016

Second by: B. Setschinsky

Vote: Opposed: J. Radachy All others in favor **Motion carried.**

Motion by: P. Reading
To accept the request of 35 days from Mr. Larew to extend the hearing of the Public Hearing to July 25, 2016.

Second by: B. Setschinsky

Vote: Opposed: J. Radachy All others in favor **Motion carried.**

4. PENDING APPLICATIONS –

- A. ZBA#16-002, Colchester Housing LLC Applicant/owner, for property located at 430 Amston Road, Tax Map # 06-18, Lot #007, Suburban Zone. The applicant is requesting a variance to Section 4.5 Minimum Buildable Area to allow for a reduction of the minimum buildable area from 120,000 square feet to 88,000 square feet.**

No action was taken as the Public Hearing on this application was continued to the next regularly scheduled meeting.

.5. Minutes of Previous Meeting – Minutes Regular April 19, 2016

Motion by: P. Reading
to approve the minutes of the April 19, 2016 Regular meeting as written.

Second by: J. Radachy

Vote: **Motion carried unanimously**

6. APPLICATIONS RECEIVED: - None

7. OLD BUSINESS – None

8. NEW BUSINESS/APPLICATIONS RECEIVED -

- A. Discussion on "Verrillo v. Zoning Board of Appeals of the Town of Branford"**

J. Radachy stated that in reading the "Verrillo v Zoning Board of Appeals of the Town of Branford" document it says that what the person wants is not grounds for granting a variance as they could still use the land. Further discussion will be held at the next regularly scheduled meeting.

Motion by: J. Radachy
to table the discussion on the Verrillo v. Zoning Board of Appeals of the Town of Branford to the next regularly scheduled meeting.

Second by: M. Solis

Vote: Motion carried unanimously

9. ZONING ENFORCEMENT OFFICER'S REPORT - None

10. CORRESPONDENCE – None

11. ADJOURNMENT

Motion by: B. Setschinsky
to adjourn the meeting at 9:19 p.m.

Second by: J. Radachy

Vote: Motion carried unanimously

Gail N. Therian, Clerk