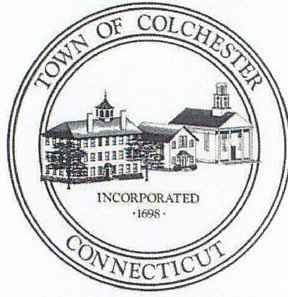


Town of Colchester

Land Use Department
127 Norwich Ave, Suite 105
Colchester, CT 06415
www.colchesterct.gov



Demian Sorrentino, AICP, Planning Director
Stacey Churchill, Land Use Assistant
Isabelle Kisluk, Asst. Planner/ZEO
Daniel Hickey, Wetlands Agent
T: (860) 537-7278

**PLANNING & ZONING COMMISSION
REGULAR MEETING
Wednesday, January 3, 2024 – 7:00 PM
Town Hall Meeting Room 1
MINUTES**

RECEIVED
COLCHESTER, CT
2024 JAN -4 PM 5:49
Gayle Furman
TOWN CLERK

Members Present: Chairman J. Mathieu; Vice Chair J. Novak; M. Noniewicz; S. Smith; M. Kehoe; S. Nadeau; B. Hayn

Members Absent: None

Also Present: Planning Director D. Sorrentino; Asst. Planner/ZEO Isabelle Kisluk; J. Files for Dude's Donuts

1. **Call to Order** - Chairman J. Mathieu called the meeting to order at 7:00 PM
2. **Additions or Deletions to the Agenda** - None
3. **Minutes of Previous Meeting**
 - A. Regular Meeting 12/20/23 – Motion by B. Hayn to approve the minutes as written. 2nd by M. Kehoe. Vote was unanimous with S. Nadeau abstaining, motion carried.
4. **Public Hearings**
 - A. **PZC 2023-013** of Galaxy Development, LLC (Applicant) and Kettle Club, LLC (Owner) – Special Permit and Site Plan Review for proposed multi-tenant building for commercial development including food service with a pick-up window on 0.79± acres located at 131 Linwood Avenue (Assessor's ID 11-00-027-000) Zoning District: Town Center (TC) – Motion by M. Noniewicz to accept the applicant's consent for application PZC 2023-013 dated 1/3/24 to extend for 35-days the public hearing that is currently open. 2nd by J. Novak. Vote was unanimous, motion carried. Motion by M. Noniewicz to postpone action on PZC 2023-013 of Galaxy Development to the next regularly scheduled meeting due to the public hearing still being open. 2nd by J. Novak. Vote was unanimous, motion carried.
5. **Five Minute Session for the Public** - None
6. **Pending Applications**
 - A. **PZC 2023-013** of Galaxy Development, LLC (Applicant) and Kettle Club, LLC (Owner) – Special Permit and Site Plan Review for proposed multi-tenant building for commercial development including food service with a pick-up window on 0.79± acres located at 131 Linwood Avenue (Assessor's ID 11-00-027-000) Zoning District: Town Center (TC) – Motion and vote to postpone action was done under item 4.A, see above.
7. **New Applications** - None
8. **Preliminary Reviews**
 - A. Placement of doughnut truck/trailer @ corner of Clark Lane & Broadway – Staff and Commissioners discussed the difference between the Vendor Permit issued by the First Selectman and a Zoning Permit that would be issued by the Commission or ZEO, and what was done for the

prior doughnut vendor that previously occupied this same location. James Files representing Dude's Donuts explained his plan which includes vending doughnuts at this site from one of 3 trailers he owns this winter and through the end of April, Wednesday through Sunday approximately 8:00A – 3:00P. Commissioners and staff prefer utilizing the permanent power available rather than running generators. Because the use is temporary in nature with no permanent site improvements but does relate to a specific property for an extended period of time, Commissioners were of the opinion that a Zoning Permit from the ZEO would be appropriate, upon determinations of compliance with requirements related to setbacks, adequate parking, signage, lighting, etc. If any issues with traffic, signage, lighting or noise arise, the ZEO can revisit. Commissioners did not have a preference on which trailer was utilized. As a policy, if a food truck is moving about Town, not upon a specific property or is on any one property only for a short/limited period of time, the operator should obtain a vendor permit through the First Selectman's office. If a food truck is intended to locate regularly or remain upon a specific property and/or for an extended period of time, such as this, they should obtain a Zoning Permit from the ZEO.

9. Old Business - None

10. New Business - None

11. Planning Issues and Discussions

- A. Draft regulation amendments for compliance with PA21-1, PA21-29, PA21-34, PA21-163, PA22-25 & PA23-142 (PZC 2023-015, Part A). Draft regulation amendments for Affordable Housing Incentive and Manufactured Home Parks (PZC 2023-015, Part B and Part C) – D. Sorrentino presented an overview of Part C relating to Manufactured Home Parks and Commissioners discussed various aspects of the proposal. Commissioners are generally in favor and several stated that they would not want it to be age restricted. The next step, once the Commission is comfortable with the proposals, is to schedule a public hearing. Commissioners will continue to review all three parts of the proposal and will report back with any comments at the next meeting. Staff will give thought to forwarding Parts B and C to an outside party for review, such as an affordable housing consultant or SCCOG.
- B. Discussion of Intensification v. Expansion - non-conforming use in SU District – Staff and Commissioners discussed the difference between intensification and expansion of a use, and how these terms relate to non-conforming uses, more specifically what constitutes expansion. Commissioners noted that additions to existing buildings that house a non-conforming use might be allowed provided that the addition is in-kind to the existing building, i.e., a single-story building housing a non-conforming use cannot add a 2-story addition, but new buildings intended to house a non-conforming use would constitute expansion and would likewise be prohibited. J. Mathieu recommended reviewing this question with legal counsel for clarification.
- C. ZEO Report - I. Kisluk stated she has received 4 new complaints for violations since 12/6/23. 1 Notice of Violation was sent out. 1 case has been resolved. The Niantic Bay Group, LLC appeal Public Hearing will continue on 1/16/24.

12. Correspondence - None

13. Adjournment - Motion by J. Novak to adjourn. 2nd by B. Hayn. Vote was unanimous, meeting adjourned at 7:55 PM.

Respectfully Submitted by: D. Sorrentino, Planning Director