



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

Planning & Zoning Commission

Meeting Minutes

March 17, 2021

ZOOM Meeting @ 7:00 pm

1. **CALL TO ORDER** –Chairman Joseph Mathieu called the meeting to order at 7:00 pm.

ROLL CALL-

1. **Members Present:** Chairman Joseph Mathieu, Jason Tinelle, Meaghan Kehoegreen, Ian Lilly, Stephanie Smith, and John Novak

Members Absent: Bruce Hayn and Mark Noniewicz

Others Present: Matthew Bordeaux, Planner and Kamey Cavanaugh, Clerk.

2. **ADDITIONS TO THE AGENDA** – None

3. **APPROVAL OF MINUTES** – February 17, 2021

J. Novak MOTIONED to APPROVE the minutes of February 17, 2021. SECONDED by M. Kehoegreen. MOTION CARRIED

Matthew Bordeaux read the legal notice into the record.

4. **PUBLIC HEARING** –

- a. **CMMD, LLC – Regulation Amendment (2021-001)**

Matthew Bordeaux stated the applicant is before commission for consideration of a text amendment. With the commissions consideration they should be thinking about consistency with the Plan of Conservation and Development outlined in the memo in the packet. Also the commissioners have letters from the council of governments of the adjacent towns. This floating zone mechanism would be new to Colchester and this evening's petition is for the regulation amendment to add a new zoning district known as the large scale agricultural zone; if adopted, would allow an applicant to then appear before the planning commission again to petition for a zone change. The floating zone is very specific and includes conditions that would dictate the uses and the bulk standards of the use.

Attorney Heller, attorney for the applicant for the text amendment application, reviewed the text of the regulation and discussed process and substance as this is a self-contained regulation and includes specific procedures for a several step process to complete. The applicant has proposed to add a definition in Section 20.4 for a Large Scale Agricultural Building and add a new section to enable Large Scale Indoor Agricultural zone as a floating zone within the town of Colchester. The intent of the regulation is to create a floating zone, governed by a master plan, pursuant to which the commission will have the ability to evaluate a site specific application of the regulation with sufficient information provided in order to

MINUTES

Wednesday, March 17, 2021

Planning & Zoning Commission

2021 MAR 24 AM 9:11
RECEIVED
TOWN CLERK
Kamey Cavanaugh

determine the appropriateness of the use in that location. Attorney Heller closed by stating the floating zone concept is consistent with all of the provisions in the Town of Colchester's Plan of Conservation and Development and there is sufficient information both in the record before the commission with respect to the application as well as the POCD to make the findings required in order to grant the text amendment.

Chairman Mathieu asked if anyone was present to speak in favor or in opposition of the application.

David Wasniewski, member of the Agricultural Commission, wanted clarification asking if this floating zone could "land" in a residential zone. It was confirmed that yes it could. Mr. Wasniewski clarified that water and sewer would be required, limiting the applicability of the floating zone in the Rural Use District.

Mr. Bordeaux read into the record letters received from the Chairman of the East Haddam Planning and Zoning Commission and Connecticut River Valley Council of Governments.

J. Novak MOTIONED to CLOSE the PUBLIC HEARING of CMMD, LLC – Regulation Amendment (2021-001). SECONDED by M. Kehogreen. MOTION CARRIED

b. Edward Wasniewski / Harvey Pond View LLC – 167 Marvin Rd. Special Permit (2021-003)

Matthew Bordeaux presented the commission with an overview of the special permit application stating their request for permission / approval of farm labor housing under section 8.9.5H. Staff has conducted a review and the location of the farm labor housing is proposed back from the street and meets all bulk standards. Chatham Health has reviewed and stated the proposal is in conformance with public health code Section 19-13-B51D and 19-13-B103D. The application meets all standards for development in the mentioned zone.

Mr. Wasniewski stated the structure being proposed is approximately 900SF with one bedroom to provide housing to farm labor support in addition to allow property security.

Chairman Mathieu asked if anyone was present to speak in favor or in opposition of the application.

J. Novak MOTIONED to CLOSE the PUBLIC HEARING of Edward Wasniewski / Harvey Pond View LLC – 167 Marvin Rd. Special Permit (2021-003). SECONDED by J. Tinelle. MOTION CARRIED

5. FIVE MINUTE SESSION FOR THE PUBLIC – NONE

6. PENDING APPLICATIONS – NONE

7. NEW APPLICATIONS-

a. Gano's Power Equipment – 120 Linwood Ave Site Plan Modification (2021-002)

8. PRELIMINARY REVIEW- NONE

MINUTES

Wednesday, March 17, 2021
Planning & Zoning Commission

9. OLD BUSINESS- NONE

10. NEW BUSINESS –

a. CMMD, LLC – Regulation Amendment (2021-001)

The members of the commission discussed the zones this could be used and the conditions and limits that would be required.

J. Novak MOTIONED to APPROVE, CMMD LLC Regulation Text Amendment (2021-001) to add a new Section 8.9.A to the Colchester Land Development Regulations which will be a floating zone designated as the “Large Scale Indoor Agriculture Zone”, to add a new definition in Section 20.4 of the Colchester Land Development Regulations for Large Scale Agricultural Building, and to modify Section 8.9.2 of the Colchester Land Development Regulations to include a statement prohibiting the cultivation of marijuana in all zones other than the Large Scale Indoor Agriculture Zone with an effective date of April 5, 2021. The proposed amendment is found to be consistent with Chapter 4.5 of the Colchester Plan of Conservation and Development, specifically the provision to attract new business development including Industrial, Manufacturing and warehouse businesses (including “flex space” with an office component). SECONDED by J. Tinelle. MOTION CARRIED UNANIMOUSLY.

b. Edward Wasniewski / Harvey Pond View LLC – 167 Marvin Rd. Special Permit (2021-003)

J. Novak MOTIONED to APPROVE Edward Wasniewski / Harvey Pond View LLC – 167 Marvin Rd. Special Permit (2021-003) stating the use is not create or substantially aggravate vehicular and pedestrian traffic safety problems. The use will not have substantial degrading effects on the value of the surrounding property. The use will not substantially affect environmental quality in an adverse manner. The ability of surrounding property to develop consistent with the prevailing zoning will not be substantially impaired. The public utilities and storm drainage are adequate to serve the proposed use. The kind, size, location and height of the building, the nature and extend of landscaping, and the location of the driveway will not hinder or discourage the use of adjoin property. Motion was SECONDED by M. Kehogreen. MOTION CARRIED UNANIMOUSLY.

11. PLANNING ISSUES AND DISCUSSION

12. CORRESPONDENCE

13. ADJOURNMENT

J. Novak MOTIONED to adjourn the March 17, 2021 Planning & Zoning Commission meeting at 9:02PM. SECONDED by M. Kehogreen. MOTION CARRIED.

Respectfully Submitted,

Kamey Cavanaugh, Clerk

MINUTES

Wednesday, March 17, 2021
Planning & Zoning Commission