



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

**Planning & Zoning Commission
Meeting Minutes
February 19, 2020
Town Hall Room 2 @ 7:00 pm**

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

Members Present: Chairman Joseph Mathieu, Secretary Mark Noniewicz, Jason Tinelle, Meaghan Kehogreen, Bruce Hayn

Members Absent: Vice Chairman John Novak and Alternate Beverly Seeley

Others Present: Matthew Bordeaux, Planner, Daphne Schaub, Assistant Planner/Zoning Enforcement Officer, Board of Selectman Liaison Taras Rudko, & Clerk Kamey Cavanaugh

- 2. ADDITIONS TO THE AGENDA**

- 3. APPROVAL OF MINUTES – February 5, 2020**

M. Noniewicz MOTIONED to APPROVE the minutes of February 5, 2020 as written. SECONDED by B. Hayn. MOTION CARRIED 5-0-0.

- 4. PUBLIC HEARING-**

- 5. FIVE MINUTE SESSION FOR THE PUBLIC –**

- 6. PENDING APPLICATIONS –**

- 7. NEW APPLICATIONS –**

A. North Pond Development LLC - Subdivision Modification Application No. 2020-002 For Modification the Phasing Plan of Subdivision 2019-01 at Windham Avenue (Map 06-04/Lot 007-000).

D. Schaub reported on the application before the commission as a Modification of the Subdivision No. 2019-01 on Windham Avenue and Munn Road, a collector road and a discontinued road respectively, in the Suburban Use District (SU). The applicant has requested modification of the Phasing Plan and simultaneously has proposed changes in grading and drainage improvements.

The Phasing Plan modification will cause no deleterious changes in the plan and in fact will provide for a more efficient and conservative development and completion. The changes in grading and drainage will not change the layout of the road at all, but it will improve the overall road design. The Town Engineer

MINUTES

Wednesday, February 19, 2020
Planning & Zoning Commission

has reviewed the revised road geometry and is supportive of the modifications requested. The Wetlands Agent has also reviewed the modifications and is supportive as well.

These modifications meet the requirements of both the Land Use Regulations and the Subdivision Regulations. Subdivision Regulation Section No. 6.3.3 addresses the standards for right-of-way and paving such that local and dead end roads longer than 2800' may have a reduced road width if the Commission so deems for groundwater protection, wetlands and other environmental protection purposes.

M. Noniewicz MOTIONED to APPROVE North Pond Development LLC, Subdivision Modification Application No. 2020-002 for modification of the Phasing Plan with the Commission's acknowledgement of a road width of 26' for the 3055' cul-de-sac, and the grading and drainage of Subdivision 2019-01 at Windham Avenue (Map 06-04/Lot 007-000) in the SU for the reasons that it does not deleterious change to the subdivision, improves the drainage design and road geometry, and Town Staff has recommended approval, with the following conditions:

- 1. The revised plans need an updated latest revision date;***
- 2. Correct label of existing culvert at station 10+14 as 15" RCP on Sheet c-201;***
- 3. Submit Complete sets of revised plans with all professional preparer signatures and certifications;***
- 4. All Conditions of the original approval of Subdivision No. 2019-01 continue to be in effect; and***
- 5. Revised Mylars to be recorded in the Land Records within 90 days of this approval.***

This application has been approved because it changes nothing in the design of the subdivision itself and improves the drainage design and road geometry. The subdivision continues to meet all the requirements the SU Zone, the Subdivision Regulations and the POCD. SECONDED by J. Tinelle. Motion carried 5-0-0.

**B. Westchester Eye Care, LLC - Site Plan Application No. 2020-003
For construction of proposed medical office building at
715 Middletown Road (Map 037-17/Lot 51A-000).**

Mr. Wentworth, Wentworth Engineers, on behalf of the applicant was before the Commission. Mr. Wentworth provided a presentation with an overview of the site located in the Westchester Center Zone. The lot is just over 1 acre, an existing 1440SF building that will be replaced with this 3950SF building. The driveway entrance will remain in the same location with upgrades to meet town standards and also include parking spaces.

D. Schaub spoke with the Commission the applicants request to deem it acceptable for them to place only a building mounted sign on the street facing side, which would be allowed to be 70SF in size. M. Noniewicz expressed concern with this request as he feels both sides of the building are visible from the street. The Commission discussed of regulations sections being called Westchester Village and Town Center and at a later date request staff address the language to clarify in addition, further review of Section 6. M. Noniewicz felt the request for the sign should be handled as a special permit per the regulations.

MINUTES

Wednesday, February 19, 2020
Planning & Zoning Commission

J. Tinelle MOTIONED to APPROVE Westchester Eye Care, LLC - Site Plan Application No. 2020-003 for construction of proposed medical office building at 715 Middletown Road (Map 037-17/Lot 51A-000) in the WV for the reasons that it is a legal as-of-right use in this zone, meets all requirements for the zone and with the following conditions:

- 1. No building or zoning permits shall be issued until the State DOT issues a final approval for encroachment onto the State's right-of-way and drainage system/pipe on Route 16;***
- 2. No public water system shall be constructed until the State DPH has issued a certificate for the public water system;***
- 3. The building mounted sign may be mounted on the road facing side of the building, may be maximum area of 70 square feet as the main entry to the building is side facing and no other business sign is proposed for the building.***
- 4. The applicant must record a copy of the Site Plan Mylar in the Town of Colchester Land Records.***

This application has been approved because it meets all the requirements of the Westchester Village District and the POCD. SECONDED by M. Kehoeegreen. Motion passed 4-0-1, M. Noniewicz abstained.

**C. Town of Colchester Planning & Zoning Commission Regulation Amendment
Application No. 2020-004 To delete the applicability of Section 8.2
Affordable Housing to development proposed for single-family use.**

M. Bordeaux discussed the language of the current regulation, what the intent of the regulation is and the affordable housing component of the regulation. The commission agreed to move this forward to public hearing in April.

8. PRELIMINARY REVIEWS – None

9. OLD BUSINESS –

A. Extension of Moratorium on Medical Marijuana

Discussion for the draft regulation took place including if dispensaries are wanted in town and what zones would they be permitted in.

10. NEW BUSINESS

**A. North Pond Development LLC - Subdivision Modification Application
No. 2020-002 for Modification the Phasing Plan of Subdivision 2019-01 at
Windham Avenue (Map 06-04/Lot 007-000).**

**B. North Pond Development LLC – Request for extension of time to file approved
Subdivision 2019-01.**

D. Schaub reported North Ponds request for an extension to file the Mylar's. M. Noniewicz asked staff if this was their first request, staff replied yes.

***M. Noniewicz MOTIONED to APPROVE applicants request for a 90 day extension for North Pond Development LLC to file the mylars for application 2019-01. SECONDED by B. Hayn.
Motion carried 5-0-0.***

MINUTES

Wednesday, February 19, 2020
Planning & Zoning Commission

C. Westchester Eye Care, LLC – Site Plan Application No. 2020-003 for construction of proposed medical office building at 715 Middletown Road (Map 037-17/Lot 51A-000)

11. PLANNING ISSUES AND DISCUSSION

A. Solar Energy Systems

M. Noniewicz MOTIONED to MOVE agenda item 11B. ahead of agenda item 11A. for discussion. SECONDED by B. Hayn. Motion carried 5-0-0

B. Medical Marijuana

M. Bordeaux brought discussion to the commission as to where and how regulation of medical marijuana should be addressed in town. Matt suggested the commission treat the potential of an application under the special permit guidelines, giving the special criteria that applies to special permits, including public hearing and site impacts on surrounding areas. The discussion of production facilities was addressed and what the state requirements include. Discussion of a special permit being issued in certain zones, with additional regulations in regards to proximity.

C. Affordable Housing Regulation Amendment

12. CORRESPONDENCE –

13. ADJOURNMENT

B. Hayn MOTIONED to adjourn the February 19, 2020 Planning & Zoning Commission meeting at 9:14PM. SECONDED by J. Tinelle. Motion Carried 5-0-0

Respectfully Submitted,

Kamey Cavanaugh, Clerk

MINUTES

Wednesday, February 19, 2020
Planning & Zoning Commission