

Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

Planning & Zoning Commission Meeting Minutes September 2, 2020 ZOOM Meeting @ 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, Vice Chairman John Novak, Secretary Mark Noniewicz, Beverly Seeley, Jason Tinelle, Meaghan Kehoegreen, and Bruce Hayn.

Members Absent:

Others Present: Matthew Bordeaux; Planner, Daphne Schaub; ZEO, Taras Rudko (7:15pm); BOS liaison, and Kamey Cavanaugh, Clerk.

2. ADDITIONS TO THE AGENDA -

M. Bordeaux reported an addition to the agenda;

7B. Goldberg Estates / Renewal of a previously approved sub-division.

M. Noniewicz MOTIONED to add GOLDBERG ESTATES/ Renewal under ITEM 7.B SECONDED by J. Novak. MOTION CARRIED.

3. APPROVAL OF MINUTES – August 19, 2020

M. Noniewicz MOTIONED to TABLE the minutes of August 19, 2020. SECONDED by J. Tinelle.

M. Bordeaux read the legal notice into the record.

4. PUBLIC HEARING-

MOTION CARRIED.

A. Night Watch Properties, LLC – 489 Old Hartford Road Resubdivision (2020-009), Special Permit / Site Plan (2020-010)

Chairman Mathieu asked if anyone has any objects to any of the commissioners seated for the application; hearing none

M. Tarbell, representing the applicant presented information on the parcel located at 489 Old Hartford Road. The lot is roughly 10 acres and to be split into 2, with one parcel housing the existing business and a residential home that is currently occupied. The remainder of the lot consisting in 6.9 acres if approved will then contain 4 self-storage buildings. The applicant is requesting (2) waivers; Sidewalk waiver due to there not being any existing sidewalks within a mile and the parking waiver is due to the type of buildings being constructed will primarily be people dropping items off in the units and then exiting the property. Wetland approval has been obtained and the drainage report has been approved by town staff.

The site lines were discussed and it was stated prior to a certificate of occupancy being issued, Sal Tassone, Town Engineer will conduct an inspection and his approval will be required for CO. M. Noniewicz and J. Tinelle both expressed interest if there is ability to create a 10' setback rather than the 15' required setback in order to have the existing trees remain. It was confirmed the lighting plan that was submitted conforms to the regulations.

Chairman Mathieu asked if anyone was in attendance to speak in favor or in opposition of the application;

M. Bordeaux spoke of 3 members of the public in attendance asking again if any were anyone present that would like to speak in favor or opposition;

Attorney Mark Balaban, 66 Bulkeley Hill Road, asked to speak in opposition of the application. Attorney Balaban expressed concerns with hours of operations, fire truck access, handicap parking, means for snow removal, and questioned if the applicant applied for aquifer protection zone approval.

D. Schaub reported in regards to the aquifer protection plan; this has been reviewed by the Water & Sewer department and Public Works, and has received signed off from both departments; also noting that any and all tenants will be required to provide a list of items that will be stored in their units.

M. Tarbell discussed the landscaping plan. With regards to the traffic study, Mr. Tarbell discussed with staff and traffic engineers and submitted the data collected to staff for review and has been signed off on. Mr. Tarbell pointed out the location for snow removal placement. Chairman Mathieu asked the applicant to provide an outline of day to day operations. Mr. Tarbell stated visitations would be sporadic and not a highly intensive use, more sporadic and almost individualized visits.

Mr. Balaban again expressed concerns with a commercial use in a residential area with the traffic study.

Mr. Bordeaux read into the record the comments received pertaining to the traffic study

"A review of the Institute transportation engineers' trip generation data shows that the facility with approximately 120 units will generate fewer than 25 trips per day. During peak hours will generate less than 5 per hour. It is our opinion that this will generate trips shall pose no problems with vehicles entering or exiting the site and shall pose no problem with existing traffic on Old Hartford Road"

Mr. Bordeaux stated based on the nature of use being proposed staff did not feel a more intensive traffic study was necessary.

M. Noniewicz MOTIONED to CLOSE the PUBLIC hearing portion of Night Watch Properties, LLC – 489 Old Hartford Road Resubdivision (2020-009), Special Permit / Site Plan. SECONDED by J. Tinelle. MOTION CARRIED.

B. NERP Holdings and Acquisitions Company, LLC Regulation Text Amendment (2020-013)

Chairman Mathieu asked if anyone has any objections to any of the commissioners seated for the application; hearing none

- M. Bordeaux reported on the application of a proposed regulation text amendment. M. Noniewicz asked staff how many properties in town this regulation change would apply to. Matt replied that the amendment to the regulation would be limited to parcels of 10 acres or greater and would be limited to those parcels of that size in the Town Center Zone.
- J. Cassidy representing NERP Holdings and Acquisitions Company, LLC. Mr. Cassidy presenting a slide show presentation detailing the request. (SEE ATTACHED)

Chairman Mathieu asked if anyone was in attendance to speak in favor or in opposition of the application;

- B. Hayn MOTIONED to CLOSE the PUBLIC hearing portion of NERP Holdings and Acquisitions Company, LLC. SECONDED by J. Tinelle. MOTION CARRIED
 - 5. FIVE MINUTE SESSION FOR THE PUBLIC NONE
 - 6. PENDING APPLICATIONS NONE
 - 7. NEW APPLICATIONS –
- M. Bordeaux presented the new applications for the commission.
 - A. Town of Colchester Planning and Zoning Commission Regulation Text Amendment (2020-015)
- M. Bordeaux reported on a draft / re write of Section 5.7 to be consistent with other sections of the regulations.
 - B. Goldberg Estates
- M. Bordeaux reported on a 135 lot subdivision that has already been approved; all extensions have expired, however the project continues.
 - 8. PRELIMINARY REVIEWS- NONE
 - 9. OLD BUSINESS NONE
 - 10. NEW BUSINESS-
 - A. Night Watch Properties, LLC 489 Old Hartford Road Resubdivision (2020-009), Special Permit / Site Plan (2020-010)

The commission discussed ways to assure the site is not going to house any hazardous materials. M. Bordeaux is unsure if there is a specific procedure as it would apply to self-storage; in this case staff will need to work with the applicant and Mr. Paggioli to have something in place to provide the individuals looking to occupy the space. Chairman Mathieu suggested putting in place an annual visit

with town staff to the sight to assure there are not any hazardous materials being stored. M. Noniewicz asked for staff to check into limiting the hours of operation, regulating what will be stored in the units, reduction of the site line to save the existing trees, and S. Tassone comments if possible be addressed prior to taking action.

M. Noniewicz MOTIONED to POSTPHONE ACTION on application for Night Watch Properties, LLC – 489 Old Hartford Road Resubdivision (2020-009), to allow staff the time to obtain additional information as discussed during deliberation. SECONDED by J. Tinelle. MOTION CARRIED

B. NERP Holdings and Acquisitions Company, LLC Regulation Text Amendment (2020-013)

The discussion of concerns with other parcels in town that this amendment could impact. M. Noniewicz wanted to be sure the impacts to other areas / parcels in town, this change could apply to, have been reviewed. M. Bordeaux stated in terms of how it would apply to other parcels would be limited; not just the 10 acre threshold, but access issues, water and sewer hook ups, depth and width of the particular parcels, just to name a few. B. Hayn stated his concerns with the limited properties by just keeping this in the TC Zone. Mr. Hayn also feels the building size is too big for the town. Mr. Hayn feels this needs additional discussion before taking action.

M. Noniewicz MOTIONED to APPROVE Regulation Text Amendment (2020-013), as the proposed amendment is found to be consistent with Chapter 4 of the Colchester Plan of Conservation and Development. Specifically, Section 4.3 identifies one of the roles of the Town Center zone is to attract more housing and more housing choices, and Section 4.6 which recommends multi-family housing be encouraged in the Town Center. The proposed amendment will have an effective date of September 21, 2020. SECONDED by J. Tinelle. M. Kehoegreen abstained. B. Hayn voted no. MOTION CARRIED 5-1-1

- C. <u>Chestnut Hill Development, LLC Chestnut Hill Rd & Kramer Rd</u> Subdivision (2020-014)
- D. Schaub reported of this proposed subdivision stating that town staff has reviewed and has provided their approval.

Charlie Dutch, Dutch & Associates representing the applicant reported of the 6 lot subdivision.

M. Noniewicz MOTIONED for Chestnut Hill Development, LLC- Chestnut Hill Road & Kramer Road Subdivision 2020-014- stating the Commission will not require sidewalks as there is no plan for the development of pedestrian access system in this area, there is no existing network of pedestrian infrastructure to connect to or expand upon, and there is no school within a mile of this location. SECONDED by B. Hayn. MOTION CARRIED

M. Noniewicz MOTIONED to approve the proposed 7-lot subdivision (2020-014) at Chestnut Hill Rd and Kramer Rd, Map/Lot 4E-05/003-000, Rural Use District, with the condition that the town accepts the fee in lieu of open space requirement.

With the Conditions as specified in staff memoranda from: Salvatore A. Tassone P.E., Town Engineer, dated August 3, 2020

SECONDED by B. Hayn. MOTION CARRIED

11. PLANNING ISSUES AND DISCUSSION-

A. Affordable Housing - NONE

12. CORRESPONDENCE -

M. Noniewicz asked staff if the demolition at Noels was done with the appropriate permits being issued and staff responded that it was in fact legally demolished with the appropriate notifications and all towns' requirements were satisfied.

Board of Selectman liaison T Rudko reported to the commissioners an email that was sent regarding a potential violation at 143 Bulkeley Hill Road and asked staff for an update. M. Bordeaux advised staff has a meeting scheduled to further discuss and will report back after the meeting takes place.

13. ADJOURNMENT

B. Hayn MOTIONED to adjourn the September 2, 2020 Planning & Zoning Commission meeting at 9:52PM. SECONDED by M. Noniewicz. MOTION CARRIED.

Respectfully Submitted,

Kamey Cavanaugh, Clerk

ATION CHANGE 110NS: 5.3. ANI PROPOSEI

Public Hearning Town of Colchester September 02, 2020

Current Zoning Regulation Text:

5.0 TOWN CENTER AND WESTCHESTER VILLAGE DISTRICTS (TC OR WV)

5.3 USES PERMITTED

The following uses shall be permitted in the TC or WV Districts subject to all applicable requirement of these Regulations:

1. Single-family, two-family or multi-family residential development and associated accessory structures and uses;

8.0 USE STANDARDS

8.1 HOUSING (INCLUDES NON-RESIDENTIAL USES TAKING PLACE IN RESIDENTIAL STRUCTURES)

8.1 (1)(A)(2): The maximum Density for multi-family development shall not exceed ten (10) units per acre of Buildable Area. No multi-family Building shall contain more than eight (8) Dwelling Units.

Proposed Regulation Text (in highlighted only):

5.0 TOWN CENTER AND WESTCHESTER VILLAGE DISTRICTS (TC OR WV)

5.3 TOWN CENTER DISTRICT

5.3.1 Permitted Uses

- .. Single and Two-Family Residential Development;
- Subject to the requirements of Section 8.1, Multi-Family residential development in which no building shall contain more than eight (8) dwelling units;
- C. Structures and Uses Accessory to Residential Development

5.3.2 Special Permit Uses

Subject to the requirements of Section 8.1, Multi-Family residential development on parcels with ten (10) acres or more of buildable area may include more than eight (8) dwelling units per building but in no event shall exceed 36. Ą.

Proposed Regulation Text (in highlighted only):

8.0 USE STANDARDS

8.1 HOUSING (INCLUDES NON-RESIDENTIAL USES TAKING PLACE IN RESIDENTIAL STRUCTURES)

8.1 (1)(A)(2): The maximum Density for multi-family development shall not exceed ten (10) units per acre of Buildable Area. No multi-family Building shall contain more than eight (8) Dwelling Units.

Benefits:

housing needs of an aging population and younger people who do not want (or cannot yet afford) a single-family 55-and-over. In the future, there is anticipated to be a greater demand for multi-family housing to help meet the 2015 Plan of Conservation and Development, which in Section 4.6, Guide Residential Development, states "The multi-family housing inventory is also worthy of consideration. Due to the density and other limitations, the multi-family stock in Colchester has not grown much or it has been focused on occupancy by persons aged The Town of Colchester has identified a need to develop more multi-family housing units. Per the

The Town Center and other locations could greatly benefit from increased housing and mixed-use buildings and the Plan recommends that multi-family and mixed-use development be encouraged in the Town Center and other locations with water and sewer." A suggested policy under Section 4.7, Diversify Colchester's Housing Portfolio is #4: Recognize that locations in and near the Town Center would be the most appropriate for multi-family and/or higher density housing."

Benefits continued:

Town Center zone, which is the area best suited for multi-family housing and has public water and public sewer This regulation change specifically applies to parcels containing ten acres or more of buildable area within the

total building coverage and impervious coverage amounts would be lower, potentially leaving more open space and space for the development of amenities. The maximum density remains unaffected, at no more than ten (10) units ramifications as well. With more units per building allowed, the same number of units can be developed but the In addition to making larger development projects more economically feasible, this proposal has environmental per acre of buildable area.

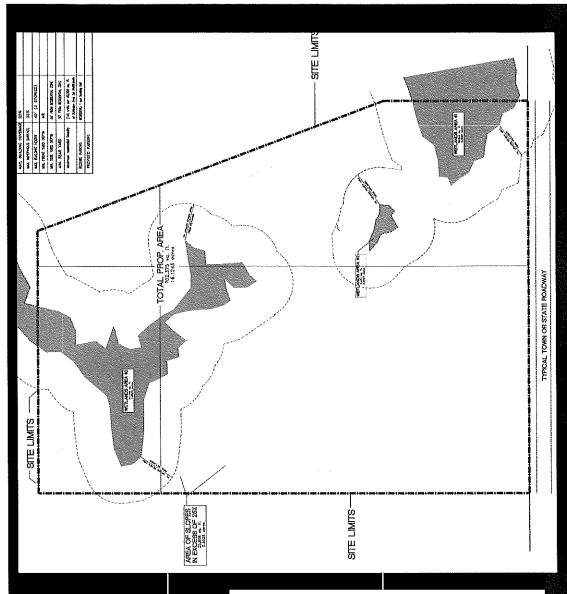
Any developments proposing more than 8 units per building would be subject to evaluation by the Planning and Zoning Commission as to whether they meet the Special Permit criteria of Sections 14.8 and 14.9.

Preserves Open Space

Allows for the development of amenities

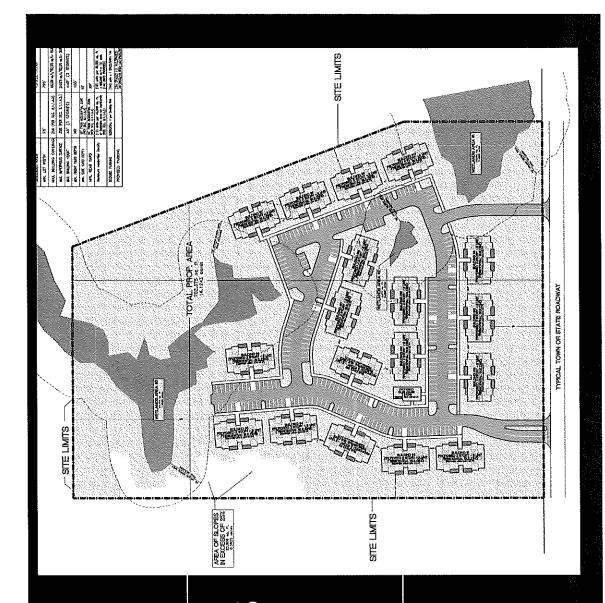
Town Center Zone **Multifamily Site in** Conceptual

ZONING INFORMATION BU	ZONING INFORMATION BULK CHART: TOWN CENTER	R
ZONE: TOWN CENTER	REQUIRED	PROVIDED
USE		
MINIMUM LOT AREA	10 acres	16.124 acres
BUILDABLE AREA		13.932 deres
MIN. LOT WIDTH	75.	
MAX. BUILDING COVERAGE	25%	
MAX, IMPERVIOUS SURFACE	35%	
MAX. BUILDING HEIGHT	40' (3 STORIES)	
MIN. FRONT YARD DEPTH	22	
MIN. SIDE YARD DEPTH	50' FROM RESIDENTIAL ZONE	
MIN. REAR YARD	SO" FROM RESIDENTIAL ZONE	
Maximum residential Density	(10) units per 40,000 sq. ft. of Buildable Area for MulliFornity	
REQUIRE PARKING	RESIDENTIAL: 1 per Dwelling Unit	
PROVIDED PARKING		



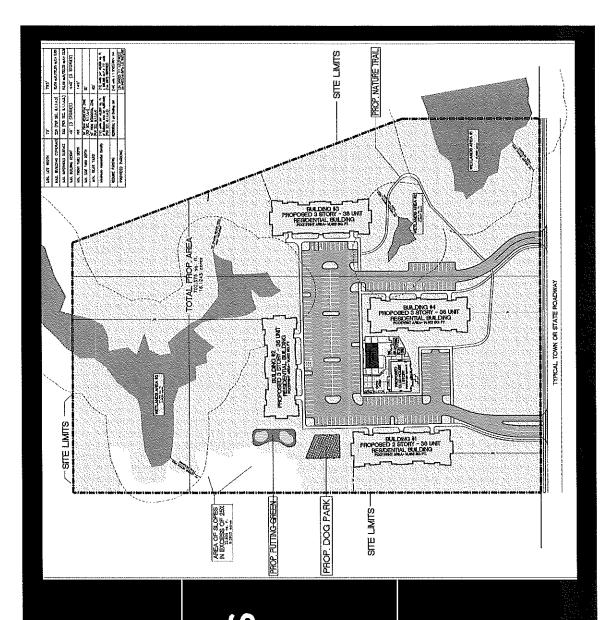
Conceptual Multifamily Development with (18)-8 Unit Buildings

234 SPACES/144 UNITS= 1.63 SPACES/UNIT		PROVIDED FARRING
(33.745 J H 11) SJOYAS FEE	,	
(144) units x 1 SPACE/UNT= 144	RESIDENTIAL: 1 per Dwelling Unit	REQUIRE PARKING
(10) units per 40,000 sq. 11. x 606,898 sq.ft.= 151 units (144 UNITS PROPOSED)	(10) units per 40,000 sq. ft. of Buildable Area for Multifamily (PER SEC. 8.1.1.A.2)	Maximum residential Densify
300*	50' FROM RESIDENTIAL ZONE (PER SEC. 8.1.1.A.4)	MIN. REAR YARD
50	50' FROM RESIDENTIAL ZONE (PER SEC. 8.1.1.A.4)	MIN. SIDE YARD DEPTH
103,	NR	MIN. FRONT YARD DEPTH
<40' (3 STORIES)	40' (3 STORIES)	MAX. BUILDING HEIGHT
216,879 sq.ft./702,375 sq.ft.= 30.89	35% (PER SEC. 8.1.1.A.5.)	MAX. IMPERVIOUS SURFACE
105,038 sq.ft./702,375 sq.ft= 15.00	25% (PER SEC. 8.1.1.A.5)	MAX. BUILDING COVERAGE
795′	75,	MIN. LOT WIDTH
13.932 acres		BUILDABLE AREA
16.124 acres	10 acres	MINIMUM LOT AREA
8 UNIT MULTIFAMILY		nse
PROVIDED	REQUIRED	ZONE: TOWN CENTER
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8	ZONING INFORMATION BULK CHART: TOWN CENTER	ZONING INFORMATION BL



Conceptual Multifamily Development with (4)-36 Unit Buildings

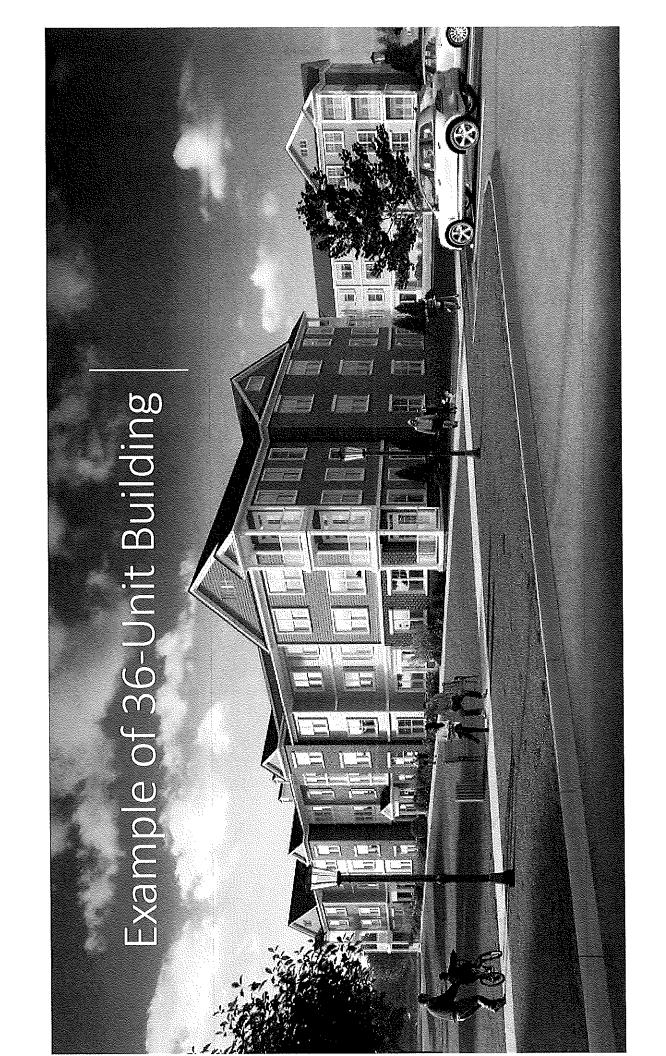
ZONING INFORMATION BL	ZONING INFORMATION BULK CHART: TOWN CENTER	R
ZONE: TOWN CENTER	REQUIRED	PROVIDED
USE		36 UNIT MULTIFAMILY
MINIMUM LOT AREA	10 acres	16.124 acres
BUILDABLE AREA		13.932 acres
MIN. LOT WIDTH	75'	795*
MAX. BUILDING COVERAGE	25% (PER SEC. 8.1.1.A.5)	60,753 sq.ft./702,575 sq.ft.= 8.65%
MAX. IMPERVIOUS SURFACE	35% (PER SEC. 8.1.1.A.5.)	163,158 sq.ft./702,375 sq.ft.= 23.2%
MAX. BUILDING HEIGHT	40' (3 STORIES)	<40' (3 STORIES)
MIN. FRONT YARD DEPTH	N.	149,
MIN. SIDE YARD DEPTH	SG' FROM RESIDENTIAL ZONE (PER SEC. 8.1.1.A.4)	55
MIN. REAR YARD	50' FROM RESIDENTIAL ZONE (PER SEC. 8.1.1.A.4)	405,
Maximum residential Density	(10) units per 40,000 sq. ft. of Buildable Area for MultiFamily (PER SEC. 8.1.1.A.2)	(10) units per 40,000 sq. ft. x 606,898 sq.ft.= 151 units (144 UNITS PROPOSED)
REQUIRE PARKING	RESIDENTIAL: 1 per Dwelfing Unit	(144) units x 1 SPACE/UNIT= 144
PROVIDED PARKING		234 SPACES (11 H.C.SPACES) 234 SPACES/144 UNITS= 1.63 SPACES/UNIT

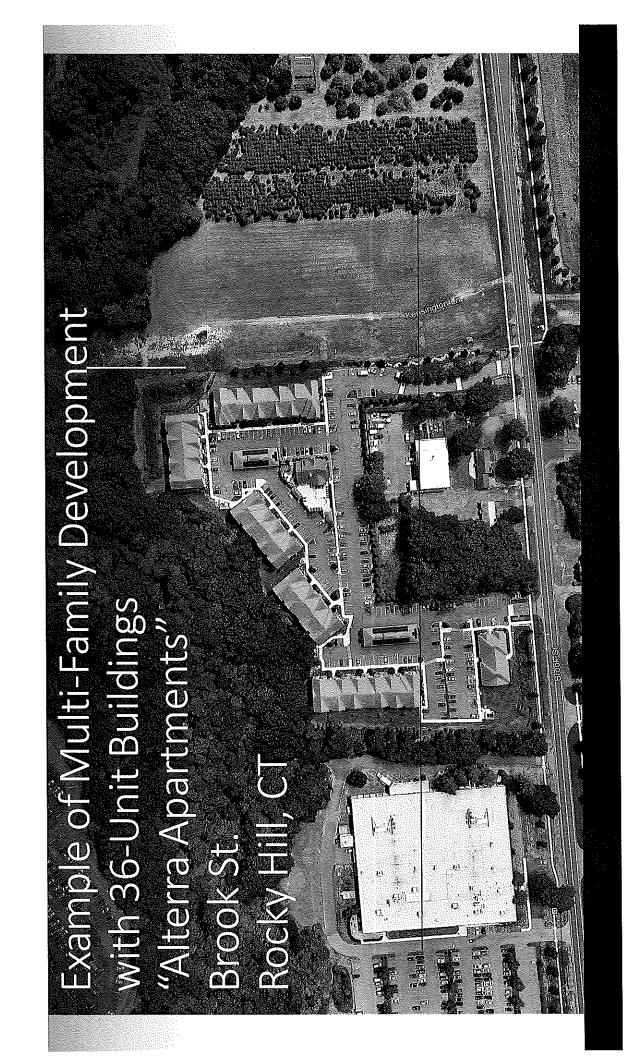


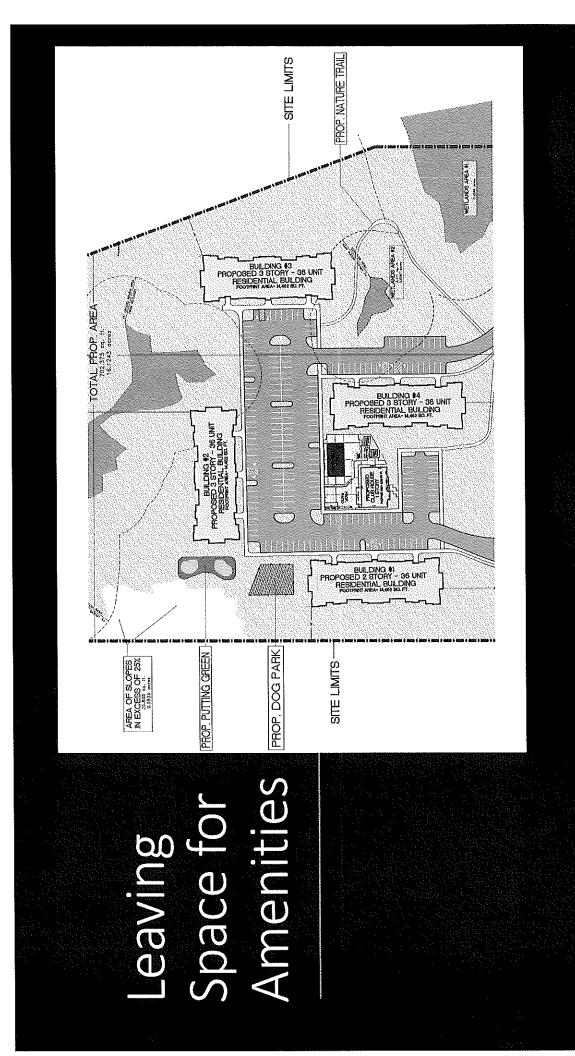
ZONING INFORMATION BULK CHART: TOWN CENTER

ZONE: TOWN CENTER	REQUIRED	PROVIDED	PROVIDED	COMPARISON
IS		8 UNIT MULTIFAMILY	36 UNIT MULTIFAMILY	
MINIMUM LOT AREA	10 acres	16.12 acres	16.12 acres	SAME
BUILDABLE AREA		13.932 acres	13.932 acres	SAME
MIN. LOT WIDTH	75'	795	795	SAME
MAX, BUILDING COVERAGE	25% (PER SEC. 8.11A.5)	105,038 sqtt/702,375 sqft= 15.0%	60,753 sqft/702,375 sqft= 8.65%	-44,285 sq.ft or -6.3%
MAX. IMPERVIOUS SURFACE	35% (PER SEC. 8.11A.5.)	216,879 sqft/702,375 sqft= 30.8%	163,158 sqtt/702,375 sqtt= 23,2%	-53,721 sq.ft or -7.65%
MAX, BUILDING HEIGHT	40' (3 STORIES)	(40' (3 STORIES)	(40' (3 STORIES)	(40' (3 STORIES)
MIN, FRONT YARD DEPTH	EN.	103'	149	+46'
MIN. SIDE YARD DEPTH	50' FROM RESDENTIAL ZONE (PER SEC. 811A4)	22.	65	+15;
MIN. REAR YARD	50' FROM RESIDENTIAL ZONE (PER SEC, 816.44)	300,	405	+105
Maximum residential Density	(K) urăs per 40,000 est fl. of Buidable Ares for Multi-anit (PER SEC. 811A.2)	(10) units per 40,1000 sq. ft. x 606,898 sq.ft~ ES units (144 UNITS PROPCOSED)	(V) unis per 40,000 st, ff. x 606,888 sqft • El unis (H4 UNTS PROPOSED)	(3) units per 40,000 sq. it. x 606,689 sq.l-x 51 urbs (124 units PROPOSED)
REOURE PARKING	RESIDENTAL: I per Dweling Unit	(44) unis x i SPACE/UNIT= 144	(144) unis x 1 SPACE/UNT= 144	(141) units x 1 SPACE/Unit = 141
PROVIDED PARKING		ZA SPACES (II HCSPACES) ZA SPACES/144 (NTS- 163 SPACES/UNT	24 SPACES (II HCSPACES) 24 SPACES/44 UNTS- 63 SPACES/UNT	24 SPACE (1 H.CFPACES) 24 SPACE) HA UNTS- 163 SPACES UNT

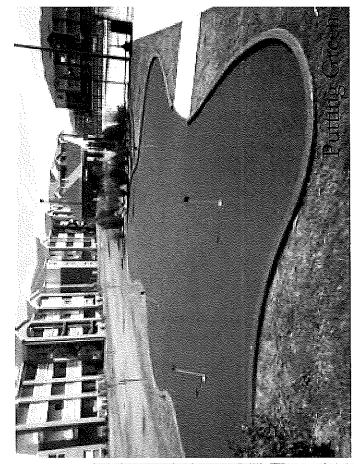
Comparison of Bulk Requirements

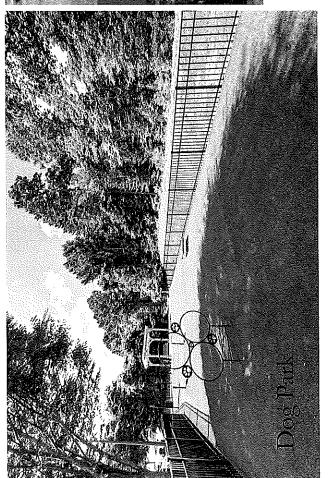




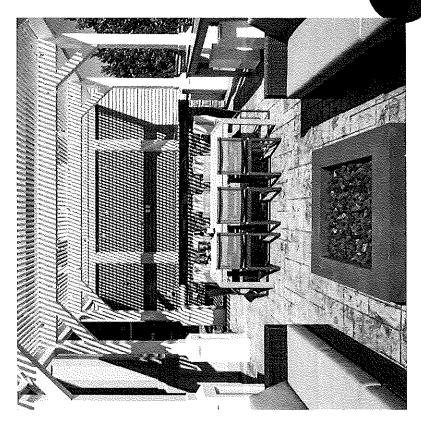


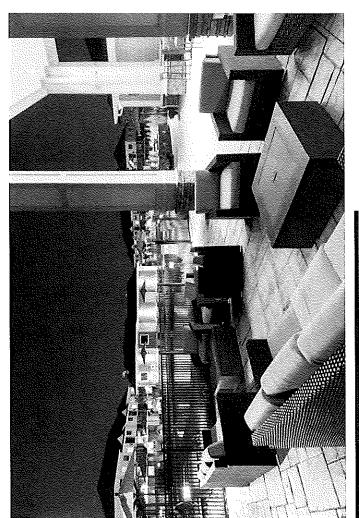
Outdoor Recreation



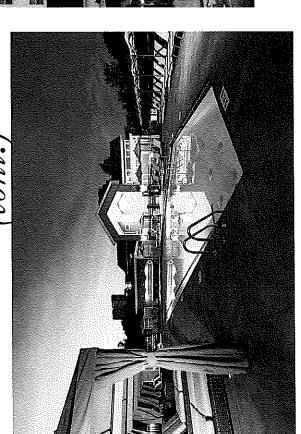


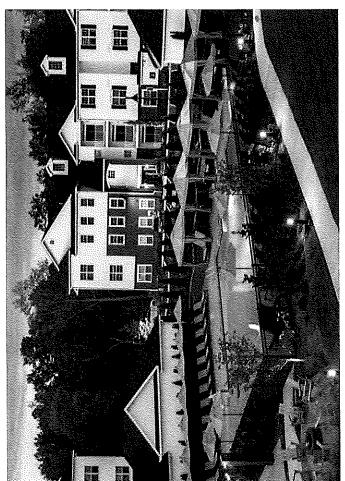
Outdoor Community Areas





Outdoor Community Areas (cont.)







CLUBHOUSES

5.0 TOWN CENTER AND WESTCHESTER VILLAGE DISTRICTS (TC OR WV)

5.3 USES PERMITTED

The following uses shall be permitted in the TC or WV Districts subject to all applicable requireme nts of these Regulations:

- 1.Single-family, two-family or multi-family residential development and associated accessory structures and uses;
- 2. Commercial development except auto related uses (sales, service, repair, parts) and oil, propane sales/service;
- 3.Office development except construction/landscaping service that stores equipment and materials. Administrative offices of construction/landscaping operations are permitted.
- 4. Service Development;
- 5. Religious facilities and Educational Institutions;
- 6.Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family D wellings. Other day care and nursery school uses are permitted through the approval of a Special Permit.
- 7. Municipal facilities;
- 8. Hotel/Motel;

retail, office, and residential) shall be occupied by non-residential uses only. Parcels 9.Mixed uses, provided that the ground floor of a mixed use Building (any combination of registered as historic can utilize rear sections of the ground floor for residential uses.

Uses Presently Permitted in Town Center Distirct

5.0 TOWN CENTER AND WESTCHESTER VILLAGE DISTRICTS (TC OR WV)

- 5.4 DIMENSIONAL REQUIREMENTS
- Minimum Lot size: 10,000 square feet (10 acres for multi-family)
- 2. Maximum height: Three (3) stories or forty (40) feet in height
- 3. Maximum residential Density shall be six (6) units per 40,000 square feet of Buildable Ar
- a for Duplexes and ten (10) units per 40,000 square feet of Buildable Area for Multi-Family
- 4. Minimum Lot Frontage on a Street: Seventy-five (75) feet
- No minimum Front Yard Setback.

use and not a mixed or non-residential one, ten (10) feet shall be maintained, which Yard where both are used for commercial purposes. Where a Lot abuts a strictly residential 6. Minimum side and rear Yard: No side or rear Yard is required between abutting Lots shall not be used for parking, loading or storage.

(50' when abutting residential uses for multi family)

- 7. Maximum Building Coverage: Seventy-five percent (75%) of the Buildable Area. (25% for multi family)
- 8. Maximum Impervious Coverage: Ninety percent (90%) of the Buildable Area. (35% for multi-family)

DIMENSIONAL
REQUIREMENTS
for
Town Center
District

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