



Town of Colchester, CT

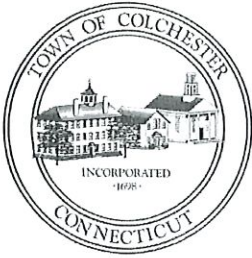
127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION
WEDNESDAY, SEPTEMBER 2, 2020
REGULAR MEETING AT 7:00 P.M.

Virtual Meeting to be held via ZOOM. For a link to the ZOOM meeting please visit the Town of Colchester Public Meetings Calendar at www.colchesterct.gov

AGENDA

- 1. Call to Order**
- 2. Additions to the Agenda**
- 3. Minutes of Previous Meetings:** August 19, 2020
- 4. Public Hearing:**
 - A. Night Watch Properties, LLC – 489 Old Hartford Road Resubdivision (2020-009), Special Permit / Site Plan (2020-010)
 - B. NERP Holdings and Acquisitions Company, LLC Regulation Text Amendment (2020-013)
- 5. Five Minute Session for the Public**
- 6. Pending Applications**
- 7. New Applications**
 - A. Town of Colchester Planning and Zoning Commission Regulation Text Amendment (2020-015)
- 8. Preliminary Reviews**
- 9. Old Business**
- 10. New Business:**
 - A. Night Watch Properties, LLC – 489 Old Hartford Road Resubdivision (2020-009), Special Permit / Site Plan (2020-010)
 - B. NERP Holdings and Acquisitions Company, LLC Regulation Text Amendment (2020-013)
 - C. Chestnut Hill Development, LLC – Chestnut Hill Rd & Kramer Rd Subdivision (2020-014)
- 11. Planning Issues and Discussions:**
 - A. Affordable Housing
- 12. Correspondence**
- 13. Adjournment**



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

**Planning & Zoning Commission
Meeting Minutes
August 19, 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, Jason Tinelle, Meaghan Kehoegreen, and Bruce Hayn.

Members Absent: Mark Noniewicz, Beverly Seeley

Others Present: Matthew Bordeaux, Planner, Daphne Schaub, ZEO, Kamey Cavanaugh, Clerk.

- 2. ADDITIONS TO THE AGENDA –**

M. Bordeaux reported due to a notification error for the Public Hearing listed for Night Watch Properties, LLC, we will hear this at the September 2, 2020 meeting. M. Bordeaux would like to add discussion to 11D. Landscaping and Contractor Storage Yards.

J. Novak MOTIONED to add LANDSCAPING AND CONTRACTOR STORAGE YARDS under ITEM 11.D SECONDED by B. Hayn. MOTION CARRIED.

- 3. APPROVAL OF MINUTES – July 15, 2020**

B. Hayn MOTIONED to APPROVE the minutes of July 15, 2020. SECONDED by J. Tinelle. MOTION CARRIED.

- 4. PUBLIC HEARING- NONE**

- 5. FIVE MINUTE SESSION FOR THE PUBLIC – NONE**

- 6. PENDING APPLICATIONS – NONE**

- 7. NEW APPLICATIONS –**

M. Bordeaux presented the new applications for the commission.

- DOUBLE DOWN, LLC – 13 Reservoir Road, Subdivision (2020-012)**
- NERP Holdings and Acquisitions Company, LLC; Regulation Text Amendment (2020-013)**
- Chestnut Hill Development, LLC – Chestnut Hill Rd Kramer Rd Subdivision (2020-014)**

RECEIVED
COLCHESTER, CT
2020 SEP - 1 AM 8:54
M. E. FURMAN
TOWN CLERK

MINUTES

Wednesday, August 19, 2020
Planning & Zoning Commission

8. PRELIMINARY REVIEWS- NONE

9. OLD BUSINESS – NONE

10. NEW BUSINESS-

A. Double Down, LLC – 13 Reservoir Road- Subdivision (2020-012)

Mark Sullivan, LS, representing the applicant, Double Down, LLC, is proposing to construct a self-storage facility on an existing developed site at 489 Old Hartford Road in the Arterial/Commercial District (A/C) and Aquifer Protection Zone (APZ). The existing parcel is approximately 9.8 acres in size. As part of the project, the applicant is proposing to divide the parcel into two parts. Parcel “A” will contain the existing residential and commercial use with an area of 2.876 acres and Parcel “B” will contain the proposed self-storage facility and associated improvements on 6.919 acres. M. Bordeaux reported that all staff comments have been addressed.

B. Hayn MOTIONED to find that 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 J. Novak. MOTION CARRIED.

J. Novak MOTIONED to approve the proposed 3-lot subdivision (2020-012) of 13 Reservoir Road, Map/Lot 02-02 / 12-000, Rural Use District with the condition of the town accepts the fee in lieu of the open space requirements. SECONDED by B. Hayn. MOTION CARRIED.

B. Gavire Estates, LLC – Bull Hill Road – Request for Extension of Subdivision (2020-011)

J. Novak MOTIONED to grant the Request for Extension of Subdivision (SUB15-432), for five years with a new expiration date of May 20, 2025. All original conditions will continue to be required. SECONDED by B. Hayn. MOTION CARRIED

11. PLANNING ISSUES AND DISCUSSION-

A. Village District Regulations

The Commissioners reviewed and compared the Westchester permitted uses and the Westchester Commercial uses. Staff provided a proposed reshuffled draft of the regulation and would like direction from the commission on proceeding to application. Chairman Mathieu stated the current village district that is being discussed is a small area, basically the intersection of 16 and 149, with an additional 10-15 parcels with existing businesses. The Commission advised staff refine the draft and submit to commission for review/comment and then proceed to Public Hearing on September 16th, 2020.

B. Affordable Housing

M. Kehogreen would like staff to take a closer look where multifamily housing is permitted and how many acres are required for single family housing. Staff will also take a closer look at how our Plan of Conservation Development might support or conflict with what may be the goals for housing diversity, housing affordability, and density in the town center.

MINUTES

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C. Subdivision Regulations

M. Bordeaux discussed the discrepancies of the current subdivision regulations and zoning regulations, and it has been suggested to do an audit to the regulations to find the contradictions and inconsistencies. Chairman Mathieu said while he has no issues with the idea of an audit, however from a short term perspective, staff may want to consider an amendment that prioritizes the applicability of each document.

D. Landscaping and Contractor Storage Yards

M. Bordeaux asked for direction to respond to inquiries from landscapers looking to store materials and equipment. Staff will continue to discuss the possibility of addressing this use in addition to section 7.3.1.

12. CORRESPONDENCE – NONE

13. ADJOURNMENT

B. Hayn MOTIONED to adjourn the August 19, 2020 Planning & Zoning Commission meeting at 8:32PM. SECONDED by J. Novak. MOTION CARRIED.

Respectfully Submitted,

Kamey Cavanaugh, Clerk

MINUTES

Wednesday, August 19, 2020
Planning & Zoning Commission

**TOWN OF COLCHESTER
LEGAL NOTICE**

The Planning and Zoning Commission will hold a virtual public hearing on September 2, 2020, at 7:00 P.M. to hear and consider the following petitions:

1. **NIGHT WATCH PROPERTIES LLC – Resubdivision (2020-009); Site Plan and Special Permit (2020-010)** – To construct a mini-storage facility at 489 Old Hartford Road (Map 05-10 Lot 025-000), Arterial/Commercial District.

2. **NERP Holdings and Acquisitions Company, LLC – Regulation Text Amendment (2020-013)** – To allow an increase in the maximum number of multi-family units per building in the Town Center District by Special Permit.

At this hearing interested persons may be heard and written communications received. A copy of this petition is in the Planning and Zoning Department, Town Hall, 127 Norwich Avenue, and may be inspected during regular business hours (8:30 a.m. – 4:30 p.m., Monday through Friday).

Planning and Zoning Commission
Joseph Mathieu, Chair

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Planning Director

DATE: July 30, 2020

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

Introduction

The applicant, Night Watch Properties, LLC, is proposing to construct a self-storage facility on an existing developed site at 489 Old Hartford Road in the Arterial/Commercial District (A/C) and Aquifer Protection Zone (APZ). The existing parcel is approximately 9.8 acres in size. As part of the project, the applicant is proposing to divide the parcel into two parts. Parcel “A” will contain the existing residential and commercial use with an area of 2.876 acres and Parcel “B” will contain the proposed self-storage facility and associated improvements on 6.919 acres.

The site is located on the south side of Old Hartford Road and abuts a commercial site currently under construction (G.H. Trailers at 451 Old Hartford Rd.) to the east and a large single-family property at 545 Old Hartford Rd. to the west. State Route 2 is located to the south.

The applicant is requesting approval of a Resubdivision (2020-009) and a Special Permit/Site Plan (2020-010) in accordance with Section 7.3.6 of the Colchester Zoning Regulations (Regulations).

Site Plan Review

The construction of four (4) self-storage buildings is proposed on the 6.919-acre Parcel “B”. A new driveway on Old Hartford Road will be constructed and a couple existing maple trees will be removed to provide adequate sightlines to the east and west. The site will be surrounded by a fence and access will be regulated by a gate. There are no water or sewer provisions proposed as a part of this project as the existing building located on Parcel “A” will serve as an office.

Five (5) parking spaces are proposed in the northeast corner of the paved area. To satisfy the provisions of Section 10.5.3 of the Regulations, approximately 11,064 sq. ft. of pervious parking area will be installed where the five (5) parking spaces are proposed, as well as along the entire southerly extend of the paved area. The pervious parking area is shown with a hatched line-type on the Site Plan attached.

Clean stormwater collected from the rooftops of the proposed storage buildings will be retained and infiltrated via two (2) subsurface infiltrations units located under the paved area to the south of Units #3 and #4 (highlighted in yellow on the Drainage Plan). Stormwater collected from the

paved driveway and drive aisles around the storage buildings will be collected in catch basins and discharged to a basin (highlighted in orange on the Site Plan) located south of the paved area and just north of the limit of delineated inland wetlands.

Inland Wetlands

Regulated inland wetlands are located along the east and west property boundaries and encompass the majority of southerly half of the site (see Site Plan).

At their regular meeting held February 19, 2020, the Colchester Conservation Commission approved the inland wetlands permit application #W2020-3051. The approval letter states that “The Commission determined the proposed work associated with the mini-storage development shall create only minimal and short term impacts to the regulated areas on the site.” It is the opinion of the Conservation Commission that “These impacts have been mitigated to the maximum extent possible through the use of best management practices.”

Sidewalks

In accordance with Section 6.3.12.1 of the Subdivisions Regulations, every subdivision shall make provision for pedestrian accessibility and circulation, principally in the form of sidewalks. The applicant is requesting that no sidewalks be required to be installed in accordance with Section 6.3.12.1.5 (b). This section provides that the Commission may waive the requirements of Section 6.3.12.1, per Section 1.2, after finding that pedestrian access in the prescribed locations would not be beneficial to the community.

Section 1.2 states that “In accordance with Section 8.26 of the Connecticut General Statutes, the Commission may waive certain requirements under the regulations by a three-quarters vote of all the members of the Commission in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area, provided that the regulations shall specify the conditions under which a waiver may be considered and shall provide that no waiver shall be granted that would have a significant adverse effect on adjacent property or on public health and safety. The Commission shall state upon its records the reasons for which a waiver is granted in each case.”

Parking Space Reduction

In accordance with Section 10.4.2 of the zoning regulations, the applicant is requesting a reduction in the required minimum number of parking spaces. Table 10.1 of the zoning regulations requires 1 parking space per 1,000 sq. ft. of gross floor area for warehouses, which is probably the most comparable use listed on the table. At approximately 23,000 sq. ft. of proposed building area, 23 spaces would be required. The applicant is seeking approval of five (5) spaces.

You will note that there is a discrepancy between the number depicted on the plans and the number provided on the Parking Compliance Table on the Resubdivision Plan attached. The applicant has been made aware and will address this with the Commission at the meeting.

Special Permit

As stated above, the applicant is requesting approval of a Special Permit in accordance with Section 7.3.6 for “Private Warehousing and storage including Mini Storage Facilities.” In accordance with Section 14.8 of the Regulations, in evaluating an application for Special Permit, the Commission shall determine that the following general conditions are met:

1. The proposed use is compatible with the Plan of Conservation and Development.
2. The proposed use will not create or substantially aggravate vehicular and pedestrian traffic safety problems.
3. The proposed use will not have substantial degrading effects on the value of the surrounding property.
4. The proposed use will not substantially affect environmental quality in an adverse manner.
5. The ability of surrounding property to develop consistent with the prevailing zoning classification will not be substantially impaired.
6. Public utilities and storm drainage features are adequate to serve the proposed use.
7. The kind, size, location and height of Buildings and other structures, the nature and extent of landscaping, and the location of Driveways, parking and loading areas will not substantially hinder or discourage the appropriate use of adjoining property.

The proposed activity is compatible with the policies of Section 4.5 of the Plan of Conservation and Development and specifically with the policies to “further allow an automobile-oriented development pattern in outlying business area” and to “guide uses to appropriate locations.”

The use is consistent with the prevailing character and intent of the Arterial Commercial Use District. There is a minimal impact anticipated as a result of this project. The performance standards provided in Section 7.4 applicable to development in this district have been satisfied and nothing about the proposed use presents a threat to air quality or surface and subsurface water quality.

Staff Review

The application has been reviewed by Town staff and the Chatham Health District. There remain a few minor outstanding comments to be addressed by the applicant. The Tropical Storm Isaias delayed the applicant’s intended response. A report on the status of outstanding comments will be provided at the meeting.

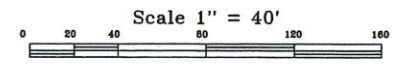
MRB

R:\Boards and Commissions\PZC\2020\08-19\Night Watch Properties LLC\Memo.docx

Attachments



489 Old Hartford Road



Dale and Donna Martin

SPECIAL NOTE: THE LOCATION OF THE AT&T EASEMENT AND THE INCLUDED UNDERGROUND FACILITIES WITHIN THE EASEMENT ARE ESTIMATED LOCATIONS BASED ON THE NON-SPECIFIC DESCRIPTION OF THE EASEMENT IN RECORD DEEDS AND THE PHYSICAL MARKOUT OF LOCATION PLACED BY OTHERS ON THE SITE. THE INTENT OF THE DEPICTION OF THE AT&T EASEMENT AND INCLUDED FACILITIES IS TO INDICATE THE POSSIBLE PRESENCE OF SUCH ON THE PROPERTY AND SHOULD NOT BE CONSIDERED TO BE EITHER CORRECT OR ACCURATE. AT&T AND/OR ITS APPROVED AGENT SHALL BE NOTIFIED PRIOR TO ANY PROPOSED CONSTRUCTION ACTIVITY WITHIN 20 FEET ON EITHER SIDE OF THE POST DEMARKING SAID PRESUMED AT&T EASEMENT LOCATION.

ARTERIAL/COMMERCIAL ZONE

Commercial Zone	Zoning Compliance Table		Parking Compliance Table	
	Required	Provided "A" / "B"	Required	Provided
Lot Size	40,000 S.F.	125,295 S.F. / 301,405 S.F.		
Lot Frontage	200'	202.76' / 477.63'		
Front Yard	50'	159.8', 38.8'(EXIST.), 101.7'(EXIST.)	Total 23	6
Side Yard	N.A.	N/A		
Rear Yard	N.A.	N/A		
Building Height	35'	25'		
Lot Coverage	60%	12.8% / 4.6%		
Building Area	N.A.	23,800 S.F. / 7,140 S.F.		

** - If/ever is requested for number of spaces for this Application

GENERAL NOTES

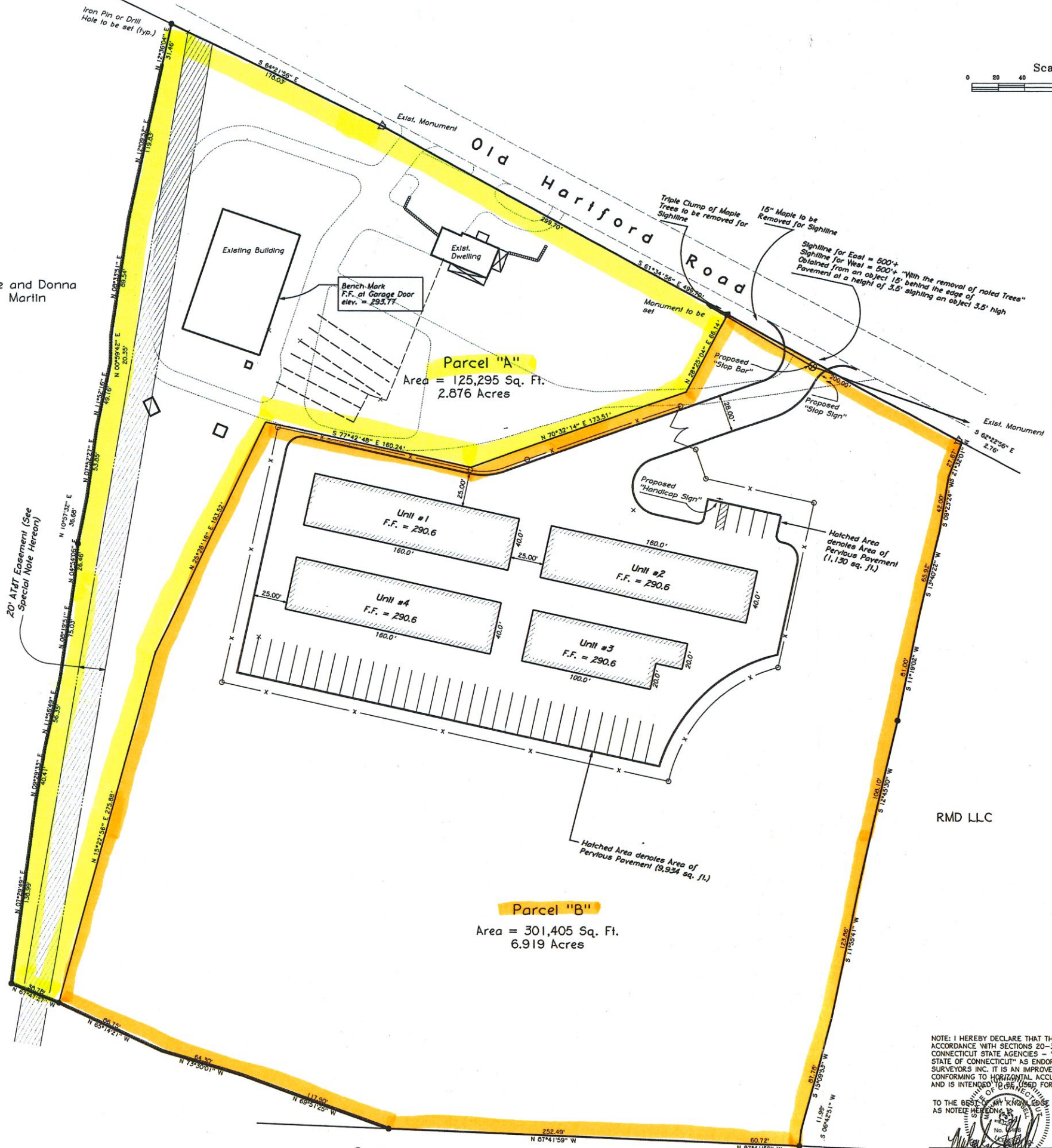
- THIS SURVEY WAS PREPARED FOR THE EXPRESS PURPOSES OF DEPICTING THE BOUNDARY LINES, GENERAL TOPOGRAPHIC FEATURES AND EXISTING & PROPOSED IMPROVEMENTS ON THE SUBJECT PREMISES. IT IS BASED ON LIMITED RECORD RESEARCH, DEEDS, MAPS, FIELD EVIDENCE AND OTHER SOURCES.
- REFERENCE IS MADE TO MAPS ENTITLED:
- "BOUNDARY SURVEY - EXISTING PREPARED FOR: FIRESIDE INVESTMENTS, LLC, 499 OLD HARTFORD ROAD, COLCHESTER, CONNECTICUT, DATE: 06/11, SCALE: 1"=40 FT, SHEET 1 OF 1, MESSIER & ASSOCIATES, INC., ROBERT R. MESSIER, L.S."
- "499 OLD HARTFORD ROAD, COLCHESTER, CONNECTICUT, PREPARED FOR ED NADEAU, 25 MEADOW ROAD, WINDSOR, CONNECTICUT, WETLANDS LOCATION PLAN, SCALE: 1"=40', DATE: NOVEMBER 11, 1999, JESS J. McMINN, L.S."
- "TOWN OF COLCHESTER - MAP SHOWING LAND & RIGHTS OF ACCESS ACQUIRED FROM JACOB & PARONIA DACHUK BY THE STATE OF CONNECTICUT, RELOCATION OF ROUTE 2, SCALE: 1"=40', AUGUST 1956, TOWN No. 70, PROJECT No. 36, SERIAL No. 25, SHEET 1 OF 1."
- "CONNECTICUT STATE HIGHWAY DEPARTMENT - RIGHT OF WAY MAP - TOWN OF COLCHESTER - HARTFORD - NEW LONDON TURNPIKE FROM THE HEBRON TOWN LINE So. EASTERLY ABOUT 13,400 FEET, ROUTE No. 2, SHEET 2 OF 4, NUMBER 28-06, SCALE: 1"=40', OCT. 31, 1954, REVISION JULY 16, 1962."
- "CONNECTICUT DEPARTMENT OF TRANSPORTATION - RIGHT OF WAY MAP - TOWN OF COLCHESTER, VETERANS OF FOREIGN WARS MEMORIAL HIGHWAY, FROM CONN. ROUTE 149 EASTERLY TO MILL HILL ROAD, NUMBER 28-11, SHEETS 4 & 5 OF 5, SCALE: 1"=60', DATE: 10/09." PRELIMINARY MAPS.
- THIS PROPERTY IS SUBJECT TO EASEMENTS, COVENANTS, RIGHTS OF WAY AND AGREEMENTS AS OF RECORD THEY APPEAR, INCLUDING AN AMERICAN TELEPHONE AND TELEGRAM COMPANY EASEMENT AS GENERALLY DEPICTED HEREON.
- STONE WALLS AND/OR WIRE FENCES MAY VARY FROM THE PRINCIPAL COURSES DEPICTED HEREON.
- THE DISTANCES AS SHOWN ON THE DEEDS FROM THE EVIDENCE RECOVERED DURING THE PERFORMANCE OF THE FIELD SURVEY.
- BEARINGS ARE BASED ON THE CONNECTICUT GRID NORTH COORDINATE SYSTEM (CGS).

NOTE: I HEREBY DECLARE THAT THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS INC. IT IS AN IMPROVEMENT LOCATION SURVEY BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY - CLASS "A-2", VERTICAL ACCURACY - CLASS "T-D" AND IS INTENDED TO BE USED FOR SITE PLAN APPROVAL.

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Michael J. ...
L.S. 15466
REGISTRATION NO.

4/28/19
DATE



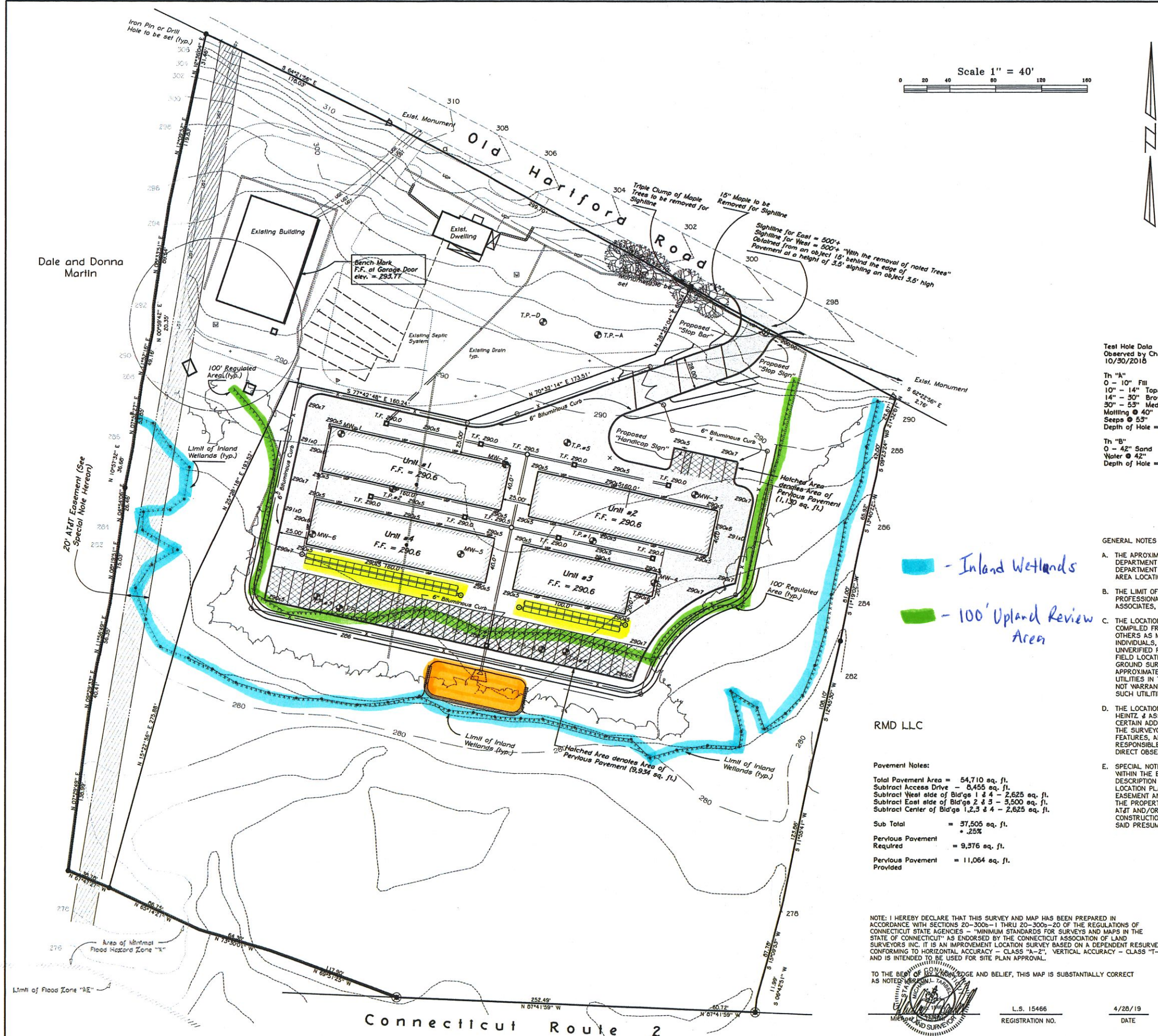
Connecticut Route 2

RESUBDIVISION PLAN
PREPARED FOR
NIGHT WATCH PROPERTIES LLC
489 OLD HARTFORD ROAD
COLCHESTER, CONNECTICUT

TARBELL, HEINTZ & ASSOC., INC.
CIVIL ENGINEERS - LAND SURVEYORS
1227 BURNSIDE AVENUE, SUITE 8A, EAST HARTFORD, CT (860) 526-1810

REVISIONS:
12/10/19

JOB NO.	DATE	SCALE	DRAWN BY	SHEET NO.
1816	4/28/19	1" = 40'	MLT	2 OF 8



Test Hole Data
Observed by Sal Tassone - Town Engineer
3/15/2019

- | | |
|--|--|
| Th "1"
0 - 5" Topsoil
5" - 30" Gold Fine to Med. Sand
30" - 60" Dark Organic - Possible old
Welland Soil
Mottling @ 34"
Seeps @ 34"
Depth of Hole = 60"
No Ledge | Th "2"
0 - 10" Topsoil
10" - 54" Gold Fine to Coarse Sand
Mottling @ 27"
Seeps @ 27"
Depth of Hole = 54"
No Ledge |
| Th "3"
0 - 4" Topsoil
4" - 30" Gold Fine to Coarse Sand
30" - 55" Grey Fine to Med. Sand
Trace of Sill
Mottling @ 26"
Seeps @ 26"
No Ledge | Th "4"
0 - 52" Gold Fine to Med. Sand
52" - 56" Dark Organic Soil - Possible
Original /Grade
Mottling @ 36"
Seeps @ 36"
No Ledge |
| Th "5"
0 - 4" Topsoil
4" - 15" Gold Fine to Med. Sand
15" - 28" Grey Fine to Med Sand - Trace
of Sill
28" - 50" Dark Organic Soil - Possible old
Welland Soil
Mottling @ 18"
Seeps @ 27"
No Ledge | |

Test Hole Data
Observed by Chatham Health
10/30/2018

- | | |
|---|---|
| Th "A"
0 - 10" Fill
10" - 14" Topsoil
14" - 30" Brown Loamy Sand
30" - 53" Medium Coarse Sand
Mottling @ 40"
Seeps @ 53"
Depth of Hole = 63" | Th "C"
0 - 29" Sand Fill
29" - 38" Block Organic Topsoil
38" - 45" Bluish Silty Sand
Depth of Hole = 48"
Seeps @ 34" |
| Th "B"
0 - 42" Sand
Water @ 42"
Depth of Hole = 48" | Th "D"
0 - 5" Topsoil
5" - 22" Topsoil
22" - 47" Brown Loamy Sand
47" - 54" Medium Coarse Sand
Mottling @ 40"
Seeps @ 51" |

GENERAL NOTES

- THE APPROXIMATE SEPTIC SYSTEM LOCATIONS WERE PROVIDED BY A TOWN OF COLCHESTER HEALTH DEPARTMENT REPORT AND HAVE NOT BEEN FIELD VERIFIED BY TARBELL HEINTZ & ASSOCIATES, INC. THE HEALTH DEPARTMENT REPORT ALSO DEPICTS A CURTAIN DRAIN TO THE NORTHEAST AND SOUTHEAST OF THE LEACHING AREA LOCATION FOR THE MIXED USE BUILDING. THE ACTUAL LOCATION OF THIS CURTAIN DRAIN IS UNKNOWN.
- THE LIMIT OF INLAND WETLANDS BOUNDARY AS DEPICTED HEREON WAS FIELD FLAGGED BY MARK H. SULLIVAN, PROFESSIONAL SOIL SCIENTIST. WETLAND FLAGS WERE LOCATED BY A FIELD SURVEY PERFORMED BY MESSIER & ASSOCIATES, INC AND VERIFIED BY TARBELL HEINTZ & ASSOCIATES, INC.
- THE LOCATIONS OF THE EXISTING UNDERGROUND UTILITIES AND APPURTENANCES DEPICTED HEREON HAVE BEEN COMPILED FROM PHYSICAL EVIDENCE OBTAINED IN THE FIELD BY TARBELL HEINTZ & ASSOCIATES, INC.; MAPPING BY OTHERS AS MAY BE PUBLICLY AVAILABLE FROM MUNICIPALITIES, UTILITY COMPANIES, OTHER AGENCIES OR INDIVIDUALS, AND WHICH HAVE NOT BEEN FIELD CONFIRMED BY TARBELL HEINTZ & ASSOCIATES, INC.; AND/OR OTHER UNVERIFIED RECORDED SOURCES SUCH AS CONTRACTORS' AS-BUILTS. THE SURVEYOR OR ENGINEER HAVE NOT FIELD LOCATED THE UNDERGROUND UTILITIES EXCEPT TO THE EXTENT THAT THEY ARE VISIBLE AT THE EXISTING GROUND SURFACE. THE UNDERGROUND UTILITY INFORMATION DEPICTED ON THIS DRAWING MUST BE CONSIDERED APPROXIMATE IN NATURE. MAY BE INCOMPLETE OR INACCURATE, AND MAY NOT REPRESENT ALL UNDERGROUND UTILITIES IN THE AREA, EITHER CURRENTLY IN SERVICE OR ABANDONED. TARBELL, HEINTZ & ASSOC. DOES NOT WARRANT NOR GUARENTEE THAT THE UNDERGROUND UTILITIES DEPICTED ON THIS DRAWING COMPRISE ALL SUCH UTILITIES IN THE AREA OR THAT THE UTILITES DEPICTED ARE IN THE EXACT LOCATIONS INDICATED.
- THE LOCATION OF THE ABOVE-GROUND IMPROVEMENTS DEPICTED HEREON WERE FIELD VERIFIED BY TARBELL HEINTZ & ASSOCIATES, INC. TO THE EXTENT POSSIBLE, EXCEPT AS MAY BE NOTED ON THIS DRAWING. THERE MAY BE CERTAIN ADDITIONAL FEATURES WHICH EXIST ON THIS SITE AND THAT ARE NOT APPARENT AND/OR VISIBLE TO THE SURVEYOR AND ENGINEER, INCLUDING CERTAIN UNDERGROUND STRUCTURES AND/OR OTHER SUBSURFACE FEATURES, AND WHICH ARE THEREFORE NOT SHOWN ON THIS DRAWING. TARBELL HEINTZ & ASSOCIATES IS NOT RESPONSIBLE FOR ANY PRE- OR POST-CONSTRUCTION IMPROVEMENTS THAT CON NOT BE DETECTED BY DIRECT OBSERVATION AND/OR NOT VISIBLE TO THE SURVEYOR OR ENGINEER.
- SPECIAL NOTE: THE LOCATION OF THE AT&T EASEMENT AND THE INCLUDED UNDERGROUND FACILITIES WITHIN THE EASEMENT ARE ESTIMATED LOCATIONS BASED ON THE NON-SPECIFIC DESCRIPTION OF THE EASEMENT IN RECORD DEEDS AND THE PHYSICAL MARKOUT OF LOCATION PLACED BY OTHERS ON THE SITE. THE INTENT OF THE DEPICTION OF THE AT&T EASEMENT AND INCLUDED FACILITIES IS TO INDICATE THE POSSIBLE PRESENCE OF SUCH ON THE PROPERTY AND SHOULD NOT BE CONSIDERED TO BE EITHER CORRECT OR ACCURATE. AT&T AND/OR ITS APPROVED AGENT SHALL BE NOTIFIED PRIOR TO ANY PROPOSED CONSTRUCTION ACTIVITY WITHIN 20 FEET ON EITHER SIDE OF THE POST DEMARKING SAID PRESUMED AT&T EASEMENT LOCATION.

RMD LLC

Pavement Notes:

Total Pavement Area = 54,710 sq. ft.
Subtract Access Drive = 8,455 sq. ft.
Subtract West side of Bldg's 1 & 4 = 2,625 sq. ft.
Subtract East side of Bldg's 2 & 3 = 3,500 sq. ft.
Subtract Center of Bldg's 1, 2, 3 & 4 = 2,625 sq. ft.
Sub Total = 37,505 sq. ft.
• .25%
Pervious Pavement Required = 9,376 sq. ft.
Pervious Pavement Provided = 11,064 sq. ft.

NOTE: I HEREBY DECLARE THAT THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS INC. IT IS AN IMPROVEMENT LOCATION SURVEY BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY - CLASS "A-2", VERTICAL ACCURACY - CLASS "T-D" AND IS INTENDED TO BE USED FOR SITE PLAN APPROVAL.

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.



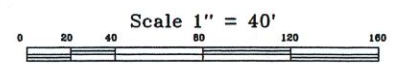
L.S. 15466
REGISTRATION NO.
4/28/19
DATE

SITE PLAN
PREPARED FOR
NIGHT WATCH PROPERTIES LLC
489 OLD HARTFORD ROAD
COLCHESTER, CONNECTICUT

TARBELL, HEINTZ & ASSOC., INC.
CIVIL ENGINEERS - LAND SURVEYORS
1227 BURNSIDE AVENUE, SUITE 8A, EAST HARTFORD, CT (860) 528-1810

REVISIONS:
12-10-19
2/5/20

JOB NO. 1818	DATE: 4/28/19	SCALE: 1" = 40'	DRAWN BY: MLT	SHEET NO.: 3 OF 8
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Test Hole Data
Observed by Sal Tassone - Town Engineer
3/15/2019

- | | |
|--|--|
| Th "1"
0 - 5" Topsoil
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Wetland Soil
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No Ledge | Th "2"
0 - 10" Topsoil
10" - 54" Gold Fine to Coarse Sand
Mottling @ 27"
Seeps @ 27"
Depth of Hole = 54"
No Ledge |
| Th "3"
0 - 4" Topsoil
4" - 30" Gold Fine to Coarse Sand
30" - 55" Grey Fine to Med. Sand
Trace of Sill
Mottling @ 25"
Seeps @ 25"
No Ledge | Th "4"
0 - 52" Gold Fine to Med. Sand
52" - 56" Dark Organic Soil - Possible
Original /Grade
Mottling @ 36"
Seeps @ 35"
No Ledge |
| Th "5"
0 - 4" Topsoil
4" - 15" Gold Fine to Med. Sand
15" - 28" Grey Fine to Med Sand - Trace
of Sill
28" - 50" Dark Organic Soil - Possible old
Wetland Soil
Mottling @ 18"
Seeps @ 27"
No Ledge | |

Test Hole Data
Observed by Chatham Health
10/30/2016

- | | |
|---|---|
| Th "A"
0 - 10" Fill
10" - 14" Topsoil
14" - 30" Brown Loamy Sand
30" - 53" Medium Course Sand
Mottling @ 40"
Seeps @ 53"
Depth of Hole = 63" | Th "C"
0 - 23" Sand Fill
23" - 38" Black Organic Topsoil
38" - 48" Blueish Silty Sand
Depth of Hole = 48"
Seeps @ 34" |
| Th "B"
0 - 42" Sand
Water @ 42"
Depth of Hole = 48" | Th "D"
0 - 5" Topsoil
5" - 22" Topsoil
22" - 47" Brown Loamy Sand
47" - 54" Medium Course Sand
Mottling @ 40"
Seeps @ 51" |

GENERAL NOTES

- THE APPROXIMATE SEPTIC SYSTEM LOCATIONS WERE PROVIDED BY A TOWN OF COLCHESTER HEALTH DEPARTMENT REPORT AND HAVE NOT BEEN FIELD VERIFIED BY TARBELL HEINTZ & ASSOCIATES, INC. THE HEALTH DEPARTMENT REPORT ALSO DEPICTS A CURTAIN DRAIN TO THE NORTHEAST AND SOUTHEAST OF THE LEACHING AREA LOCATION FOR THE MIXED USE BUILDING. THE ACTUAL LOCATION OF THIS CURTAIN DRAIN IS UNKNOWN.
- THE LIMIT OF INLAND WETLANDS BOUNDARY AS DEPICTED HEREON WAS FIELD FLAGGED BY MARK H. SULLIVAN, PROFESSIONAL SOIL SCIENTIST. WETLAND FLAGS WERE LOCATED BY A FIELD SURVEY PERFORMED BY MESSIER & ASSOCIATES, INC AND VERIFIED BY TARBELL HEINTZ & ASSOCIATES, INC.
- THE LOCATIONS OF THE EXISTING UNDERGROUND UTILITIES AND APPURTENANCES DEPICTED HEREON HAVE BEEN COMPILED FROM PHYSICAL EVIDENCE OBTAINED IN THE FIELD BY TARBELL HEINTZ & ASSOCIATES, INC.; MAPPING BY OTHERS AS MAY BE PUBLICLY AVAILABLE FROM MUNICIPALITIES, UTILITY COMPANIES, OTHER AGENCIES OR INDIVIDUALS, AND WHICH HAVE NOT BEEN FIELD CONFIRMED BY TARBELL HEINTZ & ASSOCIATES, INC.; AND/OR OTHER UNVERIFIED RECORDED SOURCES SUCH AS CONTRACTORS' AS-BUILTS. THE SURVEYOR OR ENGINEER HAVE NOT FIELD LOCATED THE UNDERGROUND UTILITIES EXCEPT TO THE EXTENT THAT THEY ARE VISIBLE AT THE EXISTING GROUND SURFACE. THE UNDERGROUND UTILITY INFORMATION DEPICTED ON THIS DRAWING MUST BE CONSIDERED APPROXIMATE IN NATURE, MAY BE INCOMPLETE OR INACCURATE, AND MAY NOT REPRESENT ALL UNDERGROUND UTILITIES IN THE AREA, EITHER CURRENTLY IN SERVICE OR ABANDONED. TARBELL, HEINTZ & ASSOC. DOES NOT WARRANT NOR GUARENTEE THAT THE UNDERGROUND UTILITIES DEPICTED ON THIS DRAWING COMPRISE ALL SUCH UTILITIES IN THE AREA OR THAT THE UTILITIES DEPICTED ARE IN THE EXACT LOCATIONS INDICATED.
- THE LOCATION OF THE ABOVE-GROUND IMPROVEMENTS DEPICTED HEREON WERE FIELD VERIFIED BY TARBELL HEINTZ & ASSOCIATES, INC. TO THE EXTENT POSSIBLE, EXCEPT AS MAY BE NOTED ON THIS DRAWING. THERE MAY BE CERTAIN ADDITIONAL FEATURES WHICH EXIST ON THIS SITE AND THAT ARE NOT APPARENT AND/OR VISIBLE TO THE SURVEYOR AND ENGINEER, INCLUDING CERTAIN UNDERGROUND STRUCTURES AND/OR OTHER SUBSURFACE FEATURES, AND WHICH ARE THEREFORE NOT SHOWN ON THIS DRAWING. TARBELL HEINTZ & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR ANY PRE- OR POST-CONSTRUCTION IMPROVEMENTS THAT CAN NOT BE DETECTED BY DIRECT OBSERVATION AND/OR NOT VISIBLE TO THE SURVEYOR OR ENGINEER.
- SPECIAL NOTE: THE LOCATION OF THE AT&T EASEMENT AND THE INCLUDED UNDERGROUND FACILITIES WITHIN THE EASEMENT ARE ESTIMATED LOCATIONS BASED ON THE NON-SPECIFIC DESCRIPTION OF THE EASEMENT IN RECORD DEEDS AND THE PHYSICAL MARKOUT OF LOCATION PLACED BY OTHERS ON THE SITE. THE INTENT OF THE DEPICTION OF THE AT&T EASEMENT AND INCLUDED FACILITIES IS TO INDICATE THE POSSIBLE PRESENCE OF SUCH ON THE PROPERTY AND SHOULD NOT BE CONSIDERED TO BE EITHER CORRECT OR ACCURATE. AT&T AND/OR ITS APPROVED AGENT SHALL BE NOTIFIED PRIOR TO ANY PROPOSED CONSTRUCTION ACTIVITY WITHIN 20 FEET ON EITHER SIDE OF THE POST DEMARKING SAID PRESUMED AT&T EASEMENT LOCATION.

- 5' High Arborvitae
 - Trees to be removed

RMD LLC

NOTE: I HEREBY DECLARE THAT THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS INC. IT IS AN IMPROVEMENT LOCATION SURVEY BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY - CLASS "A-2", VERTICAL ACCURACY - CLASS "T-D" AND IS INTENDED TO BE USED FOR SITE PLAN APPROVAL.

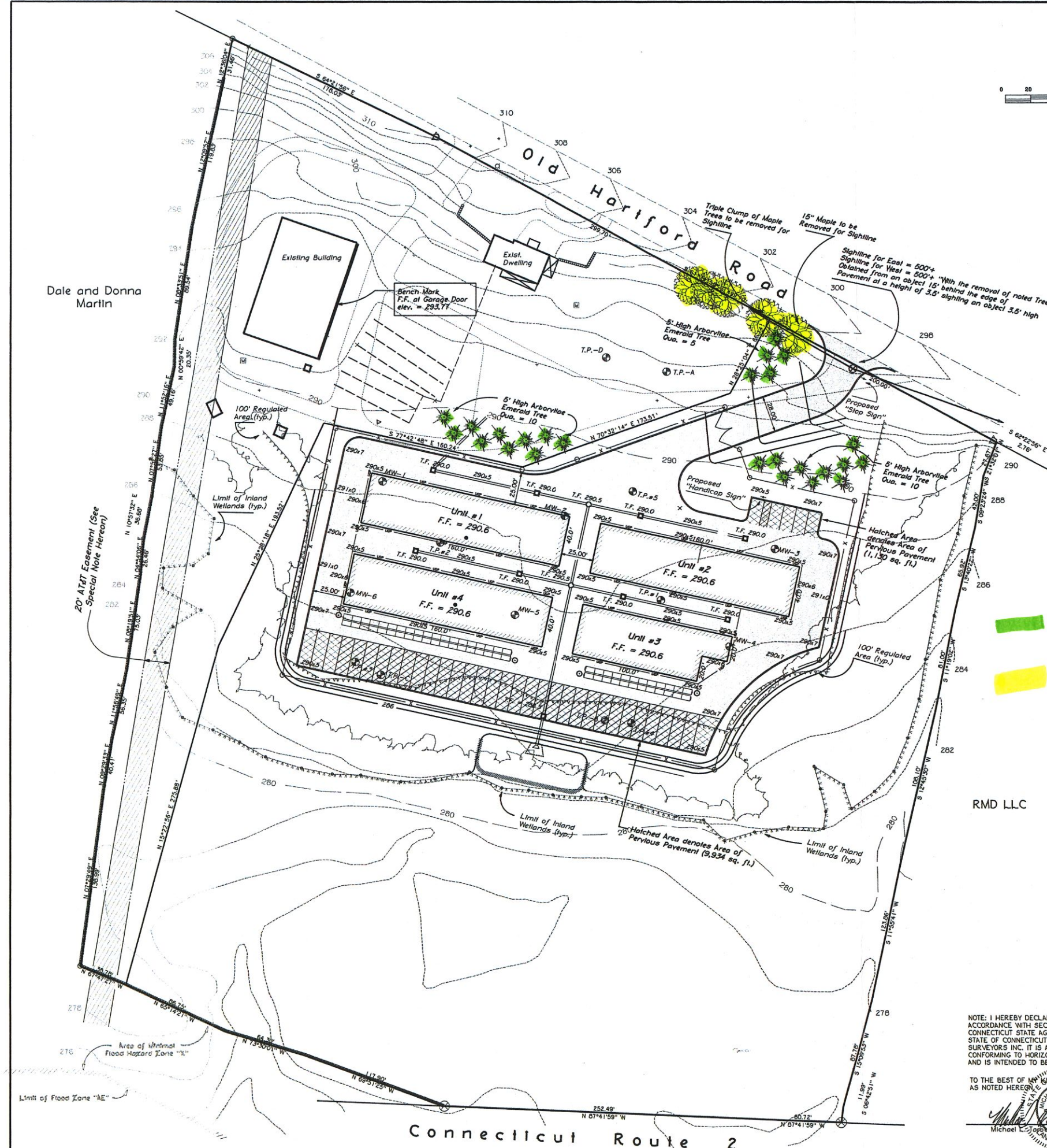
TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON



L.S. 15466
REGISTRATION NO.
4/28/19
DATE

LANDSCAPING PLAN			
PREPARED FOR NIGHT WATCH PROPERTIES LLC 489 OLD HARTFORD ROAD COLCHESTER, CONNECTICUT			
TARBELL, HEINTZ & ASSOC., INC. CIVIL ENGINEERS - LAND SURVEYORS 1227 BURNSIDE AVENUE, SUITE 8A, EAST HARTFORD, CT (860) 526-1810			
REVISIONS: 12-10-19	JOB NO. 1818	DATE: 4/28/19	SCALE: 1" = 40'
		DRAWN BY: MLT	SHEET NO.: 6 OF 8

Connecticut Route 2



**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Planning Director *MRB*

DATE: August 21, 2020
Revised August 31, 2020

RE: NERP Holdings and Acquisitions Company, LLC
Regulation Text Amendment (2020-013)

Introduction

The applicant, New England Retail Properties (NERP) Holdings and Acquisitions Company, LLC, is proposing a zoning regulation text amendment that would allow more residential units in multi-family buildings than are currently allowed. This amendment would be limited to development proposals on parcels of ten (10) acres or greater in the Town Center Zone and would require approval of a Special Permit from the Planning and Zoning Commission.

Current Regulations

Section 5.3.1 of the Colchester Land Development Regulations, effective January 15, 2015, as amended, provide that “Single-family, two-family or multi-family residential development and associated structures and uses” are a permitted uses in the Town Center zone. Section 5.4.3 specifies the “maximum residential density shall be ... ten (10) units per 40,000 square feet of buildable area for multi-family housing.”

Section 8.1.1 provides general standards for all proposed multi-family housing. Section 8.1.1.A.2 specifies that “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 Amendment

As stated above, the applicant’s proposal would increase the number of units a developer could construct in a multi-family building. The proposal would cap the total number of units in a building at 36.

The proposal would also be limited to development in the Town Center zone and on parcels of ten (10) acres or greater. There are reasons for this. First, clearly a larger building is required to accommodate 36 units into. There are buildings of comparable scale in the Town Center currently. Additionally, requiring a minimum of ten (10) acres of land before such a proposal may be considered allows the Commission to work with an applicant to best utilize the features

of the landscape and to mitigate any impacts on the character of its surroundings associated with an increased scale.

Density and Other Use Standards

Section 5.4.3 and Section 8.1.1.A.2 both specify that the maximum residential density for multi-family development shall not exceed ten (10) units per acre (~40,000 sq. ft.). **This proposal does not change the permitted density of multi-family units in this zone or anywhere else in town.**

Section 8.1 includes additional provisions specific to multi-family development that further limit the appropriateness of this proposal to the Town Center. Section 8.1.1.A.1 states that “multi-family dwellings shall only be permitted when the entire area of the property proposed is serviced by municipal water and sewer”. The Town Center zone is entirely serviced by municipal water and sewer.

While not applicable to other forms or types of development in the Town Center, Section 8.1.1.A.5 limits the physical impact of a multi-family development proposal on the landscape by requiring that “no multi-family development shall exceed twenty-five percent (25%) building coverage or thirty-five (35%) impervious coverage.”

Section 8.1.1.A.8 requires that “any development containing more than thirty (30) units shall have a second road access to a public street” and while a part of Section 8.1, there also exists the engineering design standard that when a second driveway is proposed to meet the

Finally, in addition to the General Evaluation Criteria of Section 14.8 that applies to all Special Permit applications, the Town Center regulations include Performance Requirements and Design Regulations to...

The provisions that apply to multi-family development substantially limit the number of properties in the Town Center where a larger scale development could occur. Additionally, the design guidelines and special permit criteria provide the Commission a great deal of latitude to work with an applicant to achieve an attractive project.

Zoning Regulation Text Amendment

In accordance with Section 8-3a of the Connecticut General Statutes, “the Commission shall state on the record its findings on consistency of a proposed regulation or boundaries or changes thereof with the plan of development for the municipality.”

The Colchester Plan of Conservation and Development (POCD) Chapter 4 “Guiding Colchester’s Future Development” charts a path for the managing growth in town. Section 4.3 “Enhance the Town Center”, states that “there are a number of roles that Colchester’s Town Center can play and Colchester should strive to encourage uses and activities which will make the Town Center an attractive and inviting place.” One of those roles is to attract “More housing (residents) and more housing choices.”

In terms of encouraging uses in appropriate areas, Section 4.5 “Facilitate and Support Economic Growth” suggests that Housing is a use Strongly Encouraged in the Town Center (see table on page 52).

As noted by the applicant in their “Rationale for Proposed Change” included with the application (see attached), Section 4.6 of the POCD 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 55-and-over. In the future, there is anticipated to be a greater demand for multi-family housing to help meet the housing needs of an aging population and younger people who do not want (or cannot yet afford) a single-family home.

Section 4.6 goes on to say “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.”

Connecticut General Statute 8-3b Referral

In accordance with state statutes, proposed zoning regulation text amendments and district boundary changes must be referred to the regional council of governments. In this case, as the proposed amendment would modify the language of Section 8.1, which applies to the entire town, not only must we refer the proposal to our regional council of governments (Southeastern Connecticut Council of Governments), but also any to which an abutting municipality belongs. Therefore, the Capital Region Council of Governments (CRCOG) and the Lower Connecticut River Valley Council of Governments (RiverCOG) were also included. Their responses are as follows:

SCCOG - “Based on a review of the material submitted, SCCOG staff determined that the proposed amendment is not likely to result in an adverse inter-municipal impact.”

CRCOG - “finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.”

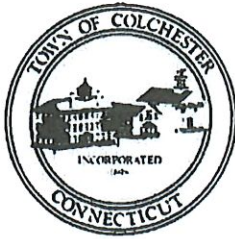
RiverCOG – “Staff of the Regional Planning Committee has found that the proposed regulation revisions will have no significant intermunicipal impacts on the adjacent RiverCOG towns of East Hampton and East Haddam as overall maximum densities – and associated adverse impacts – will likely remain the same or similar. Any increase in potential open space that may occur in individual developments because of the changes would be considered a positive impact where it occurs.”

MRB

R:\Boards and Commissions\PZC\2020\09-02\NERP LLC Reg Amendment\Memo.docx

Attachments

APPLICATION NO. 2020-012



TOWN OF COLCHESTER, CONNECTICUT

APPLICATION FOR

**REGULATION CHANGE
REQUIRES A PUBLIC HEARING**

SECTION 19.1. of The Town of Colchester Zoning Regulations states – These Regulations and the boundaries of zoning districts may be amended by the Commission, after public notice and hearing, in accordance with Section 8-3 of the General Statutes, as amended.

APPLICANT NERP Holdings and Acquisitions Company, LLC
(Please Print)

ADDRESS 150 Hartford Avenue

Wethersfield, CT 06109

(City)

(State)

(Zip)

TELEPHONE (860) 529-9000

PROPOSED REGULATION CHANGE INFORMATION

ZONING REGULATIONS NEW TEXT

SUBDIVISION REGULATIONS AMENDMENT TO TEXT

PLAN OF DEVELOPMENT

REGULATION SECTION NUMBER or LOCATION 5.3 & 8.0

RATIONALE FOR PROPOSED CHANGE – Please attach separate page

REGULATION TEXT – Please attach separate page

APPLICANT(S) SIGNATURE

For Official Use:

APPLICATION SUBMITTED _____

ZPC FEE PAID _____

PUBLIC HEARING DATE _____

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 (changes are in bold):

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

5.3 TOWN CENTER DISTRICT

5.3.1 Permitted Uses

- A. Single and Two-Family Residential Development;**
- B. Multi-Family residential development, subject to the requirements of Section 8.1, 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

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

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.~~

Rationale for Proposed Change:

The Town of Colchester has identified a need to develop more multi-family housing units. Per 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 55-and-over. In the future, there is anticipated to be a greater demand for multi-family housing to help meet the housing needs of an aging population and younger people who do not want (or cannot yet afford) a single-family home.

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."

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

In addition to making larger development projects more economically feasible, this proposal has environmental ramifications as well. With more units per building allowed, the same number of units can be developed but 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 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.

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Planning and Zoning Commission

FROM: Daphne C. Schaub, Assistant Planner & ZEO

DATE: August 20, 2020

RE: Chestnut Hill Development, LLC – Chestnut Hill and Kramer Roads
Subdivision (2020-014)

Introduction

The applicant, Chestnut Hill Development, LLC, is proposing a seven-lot conservation subdivision of the 65.5-acre property at southwestern corner of Chestnut Hill and Kramer Roads. The property is forested and a previous first-cut 1.863 occurred with the intension of preserving an abandoned and deteriorated historic home.

The applicant is proposing to subdivide 25 acres of property into six, single-family lots. A 40-acre parcel, is also proposed for potential future development. As depicted on the Subdivision Plan attached, Proposed Lot Nos. 1 (5.7 acres), 2 (3.4 acres), 3 (4.2 acres), and 4 (3.2 acres) will have frontage on Kramer Road. Lot No. 5 (1.9 acres) is a lot previously created by a First-Cut. Proposed Lot Nos. 6 (3.4 acres) and 7 (2.9 acres) have frontage on Chestnut Hill Road. The remaining land, consisting of 40.8 acres, is accessible by White Oak Drive and will potentially be developed at a later date. The Proposed Site Plan, attached, depicts the conceptual layout of a house, driveway, septic system and well for each of the 6 lots proposed for development.

Inland Wetlands

The property consists of approximately 16.6 acres of regulated inland wetlands. The Wetlands Delineation depicted on the Subdivision Plan (highlighted in blue) was provided by Dutch & Associates, Licensed Land Surveyors and Brian Golembiewski, Certified Soil Scientist. The 75' regulated Upland Review Area is highlighted in green.

At their regularly scheduled meeting held on August 12, 2020, the Conservation Commission approved the wetlands permit #W2020-3052- 220 determining that the work associated with the proposal results in only minimal and short-term impacts to the regulated areas on site. The Conservation Commission found the impacts to be mitigated to the maximum extent possible through the use of best management practices and the application was compliant with the Town of Colchester Inland Wetlands and Watercourses Regulations.

Open Space

The applicant had previously proposed open space land, however, the proposal had a

number of issues with the configuration. The Open Space Advisory Committee advised the applicant to seek the potential for a fee in lieu. The applicant has since revised their plan and conducted an appraisal on the property for the purchase of establishing a value of the fee in lieu. The appraisal was reviewed by the Town Assessor who agreed with the value of \$150,000. The fee in lieu amount would be 10% of \$150,000, \$15,000.

Sidewalks

In accordance with Section 6.3.12.1 of the Subdivisions Regulations, every subdivision shall make provision for pedestrian accessibility and circulation, principally in the form of sidewalks. The applicant is requesting that no sidewalks be required to be installed in accordance with Section 6.3.12.1.5 (b). This section provides that the Commission may waive the requirements of Section 6.3.12.1, per Section 1.2, after finding that pedestrian access in the prescribed locations would not be beneficial to the community.

Section 1.2 states that “In accordance with Section 8.26 of the Connecticut General Statutes, the Commission may waive certain requirements under the regulations by a three-quarters vote of all the members of the Commission in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area, provided that the regulations shall specify the conditions under which a waiver may be considered and shall provide that no waiver shall be granted that would have a significant adverse effect on adjacent property or on public health and safety. The Commission shall state upon its records the reasons for which a waiver is granted in each case.”

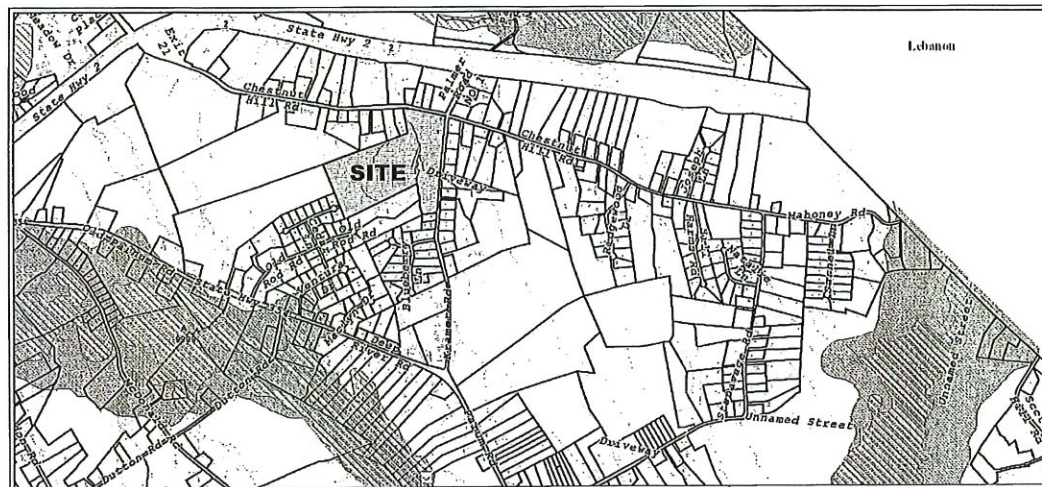
Staff Review

The six proposed lots have been reviewed by Town staff and the Chatham Health District and found the proposed subdivision to be compliant with all applicable regulations and standards.

DCS

R:\Boards and Commissions\PZC\2020\09-02\ChestnutHillDevelopment LLC\Memo.docx

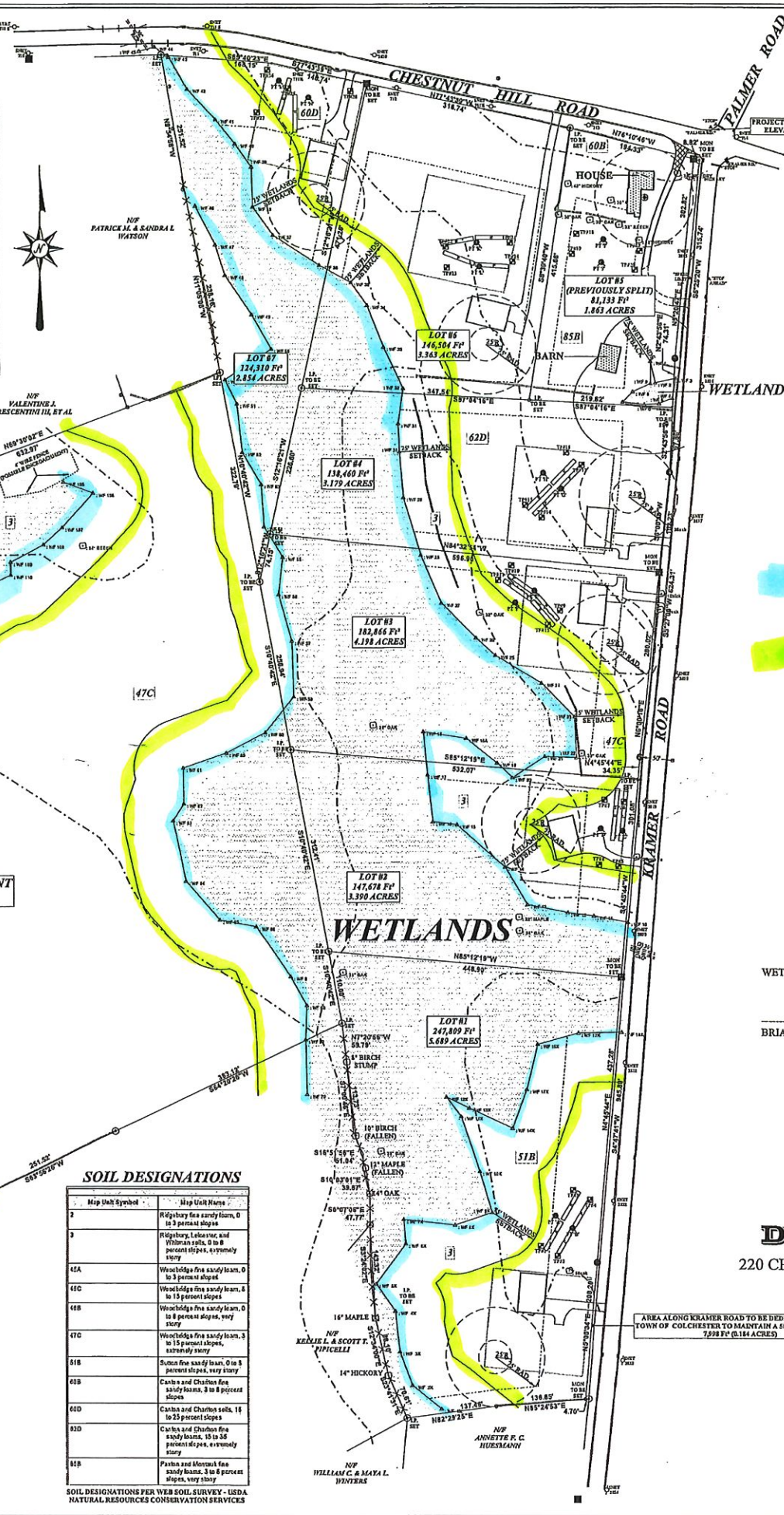
Attachments.



LOCATION MAP - SCALE: 1" = 2,000'

LEGEND

- ▲ WETLAND FLAG
- ⊙ WELL
- ⊕ BOUNDARY TREE
- ⊖ UTILITY POLE
- ▲ STREET SIGN (AS NOTED)
- IRON PIN RECOVERED
- MONUMENT RECOVERED
- ⊕ WIRE FENCE
- STONE WALL
- ⊖ DEEP TEST PIT
- ⊕ PERCOLATION TEST HOLE
- 46B SOIL DESIGNATION (TYP.)
- SOIL BOUNDARY



MAP NOTES:
 WIRE FENCE AND STONE WALLS HAVE MINOR IRREGULARITIES BETWEEN PRINCIPLE COURSES SHOWN.
 NORTH SHOWN IS GRID NORTH (NORTH AMERICAN 1983 DATUM)
 CONTOURS SHOWN PER STATE LIDAR (NAVD 88)
 SITE DOES NOT FALL WITHIN A FLOOD ZONE, AQUIFER PROTECTION ZONE OR AQUIFER PROTECTION AREA.

Wetlands
 Upland Review Area

AREA OF FUTURE DEVELOPMENT
 1,778,074 Ft² - 40.819 ACRES

SOIL DESIGNATIONS

Map Unit Symbol	Map Unit Name
1	Riparian fine sandy loam, 0 to 3 percent slopes
2	Riparian, Lebanon, and Williams silt, 0 to 8 percent slopes, extremely stony
42A	Woodridge fine sandy loam, 0 to 3 percent slopes
42C	Woodridge fine sandy loam, 4 to 15 percent slopes
42B	Woodridge fine sandy loam, 0 to 8 percent slopes, very stony
47C	Woodridge fine sandy loam, 3 to 15 percent slopes, extremely stony
51B	Sutton fine sandy loam, 0 to 8 percent slopes, very stony
62B	Casha and Chatham fine sandy loams, 3 to 8 percent slopes
62D	Casha and Chatham silt, 16 to 35 percent slopes
62D	Casha and Chatham fine sandy loam, 0 to 15 percent slopes, extremely stony
62B	Patuxent and Mottus fine sandy loam, 3 to 8 percent slopes, very stony

REVISIONS

NO.	DATE	DESCRIPTION
0001	03/09/20	ISSUE FOR PERMIT
0002	03/09/20	REVISIONS PER COMMENTS FROM TOWN ENGINEER
0003	03/09/20	REVISIONS PER COMMENTS FROM TOWN ENGINEER

WETLANDS AS SHOWN WERE MARKED IN FIELD BY BRIAN GOLEMBIEWSKI
Brian Golembiewski
 BRIAN GOLEMBIEWSKI SOILS SCIENTIST
 WETLANDS SCIENTIST

TOTAL PROPERTY AREA
 2,854,831 Ft² (65.538 ACRES)

SUBDIVISION PLAN
 PREPARED FOR
CHESTNUT HILL DEVELOPMENT, LLC
 220 CHESTNUT HILL ROAD - COLCHESTER, CONNECTICUT
 SCALE 1" = 100' - MARCH 9, 2020
 SHEET 2 OF 6

DUTCH & ASSOCIATES
 LAND SURVEYORS

392 SOUTH MAIN STREET, COLCHESTER, CONN.
 PHONE: (860) 537-3465
 JOB NO. 18-199

**TOWN OF COLCHESTER
PLANNING & ZONING DEPARTMENT**

TO: Planning and Zoning Commission
FROM: Matthew R. Bordeaux, Planning Director
DATE: September 1, 2020

DRAFT MOTIONS

**Planning and Zoning Commission
September 2, 2020**

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

Sidewalk:

Move to find that 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.

Parking Space Reduction:

Move to approve the request to reduce the number of parking spaces required in accordance with Section 10.4.2 of the zoning regulations.

Resubdivision:

Move to approve the proposed 2-lot resubdivision (2020-009) of 489 Old Hartford Road, Map/Lot 05-10 / 025-000, Arterial Commercial District.

Site Plan / Special Permit:

Move to approve the Special Permit and associated Site Plan for a proposed self-storage facility at 489 Old Hartford Road in accordance Section 7.3.6 of the zoning regulations. The Commission finds the application meets the special permit general evaluation criteria of Section 14.8.

With the Conditions as specified in staff memoranda from:

1. Salvatore A. Tassone P.E., Town Engineer, dated July 23, 2020 (attached).

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

Regulation Text Amendment:

Move to approve the 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.

Chestnut Hill Development, LLC – Chestnut Hill Rd and Kramer Rd
Subdivision (2020-014)

Sidewalk:

Move to find that 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.

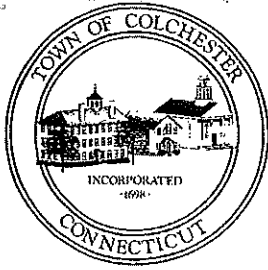
Subdivision:

Move 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:

1. Salvatore A. Tassone P.E., Town Engineer, dated August 3, 2020 (attached).
-

Review #3



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

July 23, 2020

To: Colchester Conservation Commission and Planning & Zoning Commission

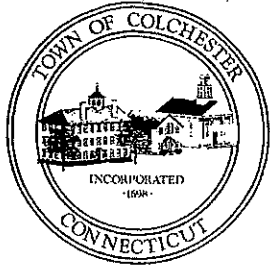
From: Salvatore A. Tassone P.E. – Town Engineer

A handwritten signature in cursive script, appearing to read "Sal Tassone", is written over the printed name.

Re: True flow Mini-storage and Resubdivision plan prepared for Night Watch Properties LLC,
489 Old Hartford Road, Colchester, Connecticut, prepared by Tarbell Heintz & Assoc., Inc., dated
4/28/19, latest revision 7/18/20

- 1) Need to provide concrete monuments and iron pins at all proposed lot corners in accordance with subdivision regulations section 7.8.
- 2) Show and label toe drain for porous pavement area located at N.E. corner of lot.
- 3) Provide a construction detail for proposed light pole and base.

Review # 2



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

August 3, 2020

To: Colchester Conservation Commission and Planning & Zoning Commission

From: Salvatore Tassone P.E. – Town Engineer

Re: Subdivision plan prepared for Chestnut Hill Development, LLC, 220 Chestnut Hill Road – Colchester, Connecticut, by Dutch & Associates, dated March 9, 2020, latest revision 7/30/20.

- 1) Need to provide access to open space from a public road. Also, plans should indicate if the proposed open space is being deeded to the Town. **Proposed open space has been eliminated. Plans should note that this is a proposed Conservation Subdivision and if a fee in lieu of open space is being requested, it should be noted on plans.**
- 2) The plans do not comply with section 6.3.12.1 of the subdivision regulations relative to sidewalk/pedestrian access.
- 3) Based on field observations 3/16/2020, it appears that due to existing horizontal and vertical road geometry, it may be necessary to cut/regrade a portions of roadside embankment west of proposed driveway for lot 7 to achieve the required 300 feet minimum sightline along Chestnut Hill Road. **Need to show accurate existing/proposed grading and provide sightline profile. If profile view shows actual field topography elevations along the proposed sightline, then need to indicate such on the plan and indicate the date of this actual sightline field topography.**
- 4) It is recommended that the proposed driveway for lot 5 be located at a suitable location on Kramer Road to minimize conflict points close to existing road intersection. Also, Kramer road provides the zoning compliant “frontage” for this corner lot. **Plans should indicate that existing driveway within town road right of way for Chestnut Hill Road should be removed and restored with loam, seed and mulch to establish a stable vegetative road shoulder area as approved on previous lot split referenced on plans.**
- 5) Plan sheet 3 shows first 30 feet of driveway to lot 2 at approximately 5% grade. Need to revise proposed grading to be 3% or less.
- 6) The bottom and top elevations for proposed rain garden on lot 6 appear to be erroneous.