## Town of Colchester，CT

127 Norwich Avenue，Colchester，Connecticut 06415
PLANNING \＆ZONING COMMISSION

Wednesday，May 3， 2023
7：00 pm－Town Hall Meeting Room 1 Regular Meeting

AGENDA

1．Call to Order
2．Additions or Deletions to the Agenda
3．Minutes of Previous Meeting

a．Regular Meeting 4／19／23
4．Public Hearings
a．PZC 2023－005 of Mary J．McDonald（Applicant）and Gingerfield Associates（Mary J．McDonald \＆ Fred J．Criscuolo，Owners）－Zone Change from Future Development（FD）to Rural Use（RU）for $90 \pm$ acres of land located on Chestnut Hill Road（Assessor＇s ID 4E－05／004－011）Zoning District： Future Development（FD）．
b．PZC 2023－006 of ASW，LLC（Applicant）and Roaring Brook Advisors，LLC，Kathleen B．Fabian，and Patrick M．Shugrue（Owners）－Zone Change from Future Development（FD）to Suburban Use （SU）for 57 $\pm$ acres of land located on Lake Hayward Road（Assessor＇s ID 03－09／049－000－19士 acres；Assessor＇s ID 03－09／52B－000－18士 acres，and Assessor＇s ID 03－09／52A－000－20士 acres） Zoning District：Future Development（FD）．

5．Five Minute Session for the Public
6．Pending Applications
a．PZC 2023－005 of Mary J．McDonald（Applicant）and Gingerfield Associates（Mary J．McDonald \＆ Fred J．Criscuolo，Owners）－Zone Change from Future Development（FD）to Rural Use（RU）for $90 \pm$ acres of land located on Chestnut Hill Road（Assessor＇s ID 4E－05／004－011）Zoning District： Future Development（FD）．
b．PZC 2023－006 of ASW，LLC（Applicant）and Roaring Brook Advisors，LLC，Kathleen B．Fabian，and Patrick M．Shugrue（Owners）－Zone Change from Future Development（FD）to Suburban Use （SU）for 57 $\pm$ acres of land located on Lake Hayward Road（Assessor＇s ID 03－09／049－000－19 $\pm$ acres；Assessor＇s ID 03－09／52B－000－18士 acres，and Assessor＇s ID 03－09／52A－000－20士 acres） Zoning District：Future Development（FD）．

7．New Applications
8．Preliminary Reviews
Galaxy Development，LLC for preliminary discussion of commercial project at 131 Linwood Avenue （Assessor＇s ID 11－00／027－000）．Zoning District：Town Center（TC）

## 9. Old Business

10. New Business
11. Planning Issues and Discussions
a. Zoning Enforcement Status Report
12. Correspondence
13. Adjournment

## Town of Colchester, CT

## 127 Norwich Avenue, Colchester, Connecticut 06415 PLANNING \& ZONING COMMISSION

Wednesday, April 19, 2023 7:00 pm - Town Hall Meeting Room 2 Regular Meeting MINUTES


Members Present: Chairman J. Mathieu, Vice Chair J. Novak, S. Nadeau, M. Noniewicz, B. Hayn Members Absent: M. Kehoegreen, S. Smith
Also Present: Planning Director D. Sorrentino, Land Use Assistant, S. Kilgus, Applicants, Public

1. Call to Order - Chairman Mathieu called the meeting to order at $7: 00 \mathrm{pm}$.
2. Additions or Deletions to the Agenda - None
3. Minutes of Previous Meeting
a. Special Meeting 4/5/23 - Motion by M. Noniewicz to approve minutes as written. $2^{\text {nd }}$ by B. Hayn. Motion carried with S. Nadeau abstaining.

## 4. Public Hearings -

a. PZC 2023-001 of HWY 95, LLC (Applicant) and Tri Town Plaza, LLC (Owner) - Special Permit Application for proposed Adult-Use Cannabis Retail in existing multi-tenant retail plaza at 493 Westchester Road (Assessor's ID 03-17/013-000). Zoning District: Westchester Village (WV). The public hearing was continued from the last meeting on $4 / 5 / 23$. Chairman Mathieu asked if anyone in attendance had any concerns with commissioners seated. Hearing none, he asked for an update from staff. D. Sorrentino discussed revised materials that were submitted, additional testimony received and provided members with an overview of changes that were made to the project narrative, security plan and traffic management plan. Changes include modifications to the floor plan, clarification of the flow for customers and an explanation of the types of transactions that will be allowed with both pre-orders and walk-in customers. Chairman Mathieu then asked for those in favor of the application to give testimony, beginning with the applicant. Gordon Videll, representing HWY 95, LLC, and Tom Macre, Still River Wellness, discussed the changes to the floor plan as well as the changes to the narrative. Mr. Videll discussed impacts on property values in the area if a cannabis retail location was to open. Based on studies that have been conducted and his own real estate experience, there should be no negative impacts on values for commercial or residential properties. He spoke of the $3 \%$ municipal sales tax that the town will collect as revenue to be used for specific purposes as stated in the state Public Act 21-1. Mr. Macre stated the tax revenue could be $\$ 200,000-\$ 300,000$ annually. Chairman Mathieu asked if there was any other testimony in favor of the application. Hearing
none, he asked if there was anyone who wanted to speak in opposition to the application.

- M. Mikalski stated he works with law enforcement and the medical examiner and has seen public health impacts due to drug use. He discussed overdose deaths and visits to the emergency room.
-     - V. Catalina is the Director of Youth \& Social Services for the Town of Colchester and spoke about prioritizing children in the community. She stated there is harm in normalizing marijuana use. She also discussed the public perception of the Westchester Village area that already has a bar and a pawn shop across the street and how a marijuana store will affect it further.
Correspondence in opposition to the proposal was submitted by M. Mikalski on behalf of R. Rothlein and also by the Colchester Youth First Coalition. Chairman Mathieu said the policy issue of whether or not Colchester should allow cannabis retail was settled when the town adopted regulations rather than enacting a full ban on cannabis uses in town. He said, at this point, the question is "does this application fit the regulations?". Motion by M. Noniewicz to close the public hearing for application PZC 2023-001. $2^{\text {nd }}$ by J. Novak. Vote was unanimous, motion carried.
b. PZC 2023-003 of ARK Distillery, LLC (Applicant) and ARK Station, LLC (Owner) - Special Permit Application for proposed distillery at 200 Lebanon Avenue (Assessor's ID 22-00/039-000). Zoning District: Town Center (TC). This public hearing was continued from the last meeting. D. Sorrentino stated revised plans were submitted by the applicant to address outstanding questions regarding outdoor lighting and municipal Aquifer Protection Overlay Zone (APOZ) regulation compliance. Mark Reynolds, P.E. went over the changes to the plans. D. Sorrentino discussed the types of lighting that will be used on the building exterior. Speaking on the APOZ regulations, Mr. Reynolds reviewed the compliance standards and explained there will be no hazardous materials housed on the site and no activity that would have negative impacts on the APOZ. Chairman Mathieu asked if anyone else would like to speak in favor of the application. Hearing none, he asked if anyone wished to speak in opposition. Again hearing none, M. Noniewicz motioned to close the public hearing for application PZC 2023-003. $2^{\text {nd }}$ by J. Novak. Vote was unanimous, motion carried.
c. PZC 2023-005 of Mary J. McDonald (Applicant) and Gingerfield Associates (Mary J. McDonald \& Fred J. Criscuolo, Owners) - Zone Change from Future Development (FD) to Rural Use (RU) for $90 \pm$ acres of land located on Chestnut Hill Road (Assessor's ID 4E-05/004-011) Zoning District: Future Development (FD). D. Sorrentino stated the applicant was unable to attend the hearing and requested it be continued until the next regular meeting. Motion by M. Noniewicz to continue the public hearing until the next regular meeting on $5 / 3$ to allow the applicant to be present. $2^{\text {nd }}$ by J. Novak. Vote was unanimous, motion carried.
d. PZC 2023-002 of the Colchester Planning \& Zoning Commission (Applicant) - Proposed Amendments to Sections 3.2, 3.4, 4.2, 5.3.1, 5.7.2, 15.3, and 20.4 of the Land Development (Zoning) Regulations. D. Sorrentino indicated that the 30-day reply window for abutting towns had now passed, and we received no comments. No further discussion by members. Motion by

Planning \& Zoning Commission Regular Meeting Minutes 4/19/2023 - Page 2
M. Noniewicz to close the public hearing. $2^{\text {nd }}$ by S. Nadeau. Vote was unanimous, motion carried.
5. Five Minute Session for the Public - Lori Scherff, Skyview Dr, asked if there was an update to the ongoing zoning compliance issue with a large accessory building at a property on her street. D. Sorrentino explained the case has been referred to the town attorney's and the town has been advised to use caution when discussing the legal matter. Mrs. Scherff was encouraged to contact town staff directly.

## 6. Pending Applications -

a. PZC 2023-001 of HWY 95, LLC (Applicant) and Tri Town Plaza, LLC (Owner) - Special Permit Application for proposed Adult-Use Cannabis Retail in existing multi-tenant retail plaza at 493 Westchester Road (Assessor's ID 03-17/013-000). Zoning District: Westchester Village (WV). To begin the commission's deliberation on the application, M. Noniewicz stated he agreed with Chairman Mathieu's statement about the job of the commission now being to determine if the application fits the regulations rather than to go back to the issue of whether Colchester should allow cannabis retail. Chairman Mathieu stated the application meets the general evaluation criteria for Special Permits and actually goes even further. General requirements for all cannabis uses and specific standards for retailers, hybrid retailers and dispensaries are also satisfied. Members discussed signage on the building and on the pylon sign for the plaza near the road. Motion by M. Noniewicz to approve application PZC 2023-001 of HWY 95, LLC (Applicant) and Tri Town Plaza, LLC (Owner) - Special Permit for Cannabis Retailer at 493 Westchester Rd. in accordance with all testimony and documentation submitted and in conformance with all applicable regulations. $2^{\text {nd }}$ by B. Hayn. Motion carried with J. Novak abstaining.
b. PZC 2023-003 of ARK Distillery, LLC (Applicant) and ARK Station, LLC (Owner) - Special Permit Application for proposed distillery at 200 Lebanon Avenue (Assessor's ID 22-00/039-000). Zoning District: Town Center (TC). The applicant should determine if there are any public water supply wells within $1000^{\prime}$ of the location and if so, identify it on the plan to meet the requirement, but not intended as a condition of approval. Motion by M. Noniewicz to approve application PZC 2023-003 of ARK Distillery, LLC. 2 ${ }^{\text {nd }}$ by B. Hayn. Vote was unanimous, motion carried.
c. PZC 2023-005 of Mary J. McDonald (Applicant) and Gingerfield Associates (Mary J. McDonald \& Fred J. Criscuolo, Owners) - Zone Change from Future Development (FD) to Rural Use (RU) for $90 \pm$ acres of land located on Chestnut Hill Road (Assessor's ID 4E-05/004-011) Zoning District: Future Development (FD). No action or discussion.
d. PZC 2023-002 of the Colchester Planning \& Zoning Commission (Applicant) - Proposed Amendments to Sections 3.2, 3.4, 4.2,5.3.1, 5.7.2, 15.3, and 20.4 of the Land Development (Zoning) Regulations. No further discussion. Motion by M. Noniewicz to approve application PZC 2023-002 of the Colchester Planning \& Zoning Commission (applicant), proposed regulation amendments to sections 3.2, 3.4, 4.2, 5.3.1, 5.7.2, 15.3, and 20.4 of the Land Development (Zoning) Regulations effective $5 / 5 / 23.2^{\text {nd }}$ by B. Hayn. Vote was unanimous, motion carried.

## 7. New Applications

8. Preliminary Reviews
9. Old Business
10. New Business
11. Planning Issues and Discussions
a. Zoning Enforcement Officer Status Report - D. Sorrentino will discuss the town's enforcement status with outgoing ZEO Ariel Lago. He will work on the enforcement until a new ZEO is hired.

## 12. Correspondence

13. Adjournment - Motion to adjourn by M. Noniewicz. $2^{\text {nd }}$ by B. Hayn. Vote was unanimous, meeting adjourned at 8:22 pm.

Respectfully Submitted by: Stacey Kilgus, Land Use Assistant


This application form and five (5) sets of plans shall be submitted to the Zoning and Planning Commission Office no later than noon on the Thursday before the next regularly scheduled meeting, (the first and third Wednesday of the month excepting Holiday periods). The Applicant shall submit a copy of the Assessor's Map showing all properties and zones within 500 feet of the subject property and a list of the names and addresses of the owners of all properties within 500 feet of the subject property.

ZONE CHANGE from $\qquad$ $F D$ to $\qquad$ Ru requiring a Public Hearing
$\qquad$
MAILING ADDRESS _E COULD LANE
$\qquad$
REASON FOR PROPOSED ZONE CHANGE LAND IS NOT SUITABLY LOCATED FR COMMAEREIAC DEVELOPMENT WITH LIMITED FRONTAGE OS. CHESTNUT HILL RD. /LAND IS SITUATES IN AN HISTORCACM RESIDENTIAL AREA
LOCATION AND DESCRIPTION OF PROPERTY/ PROPERTIES

$$
90.12 \text { ARES @ }
$$

CHESTNUT HILL ROAD/UNDEVELOPED, VACANT LAND

ASSESSORS MAP (S) $4 E-05$ LOT (S) $0041-011$
OWNER OF RECORD (use separate sheet for multiple owners) SINGERFIELD ASSOCIATES (Please Print)
CO FRED CRISLUOLO


PUBLIC HEARING DATE $\qquad$ Ck世35il

Rev. 12/21/04

 Grantee agrees to assume and pay as part of the condideration of this transaction.
VOL 317.
210



appeared Angus McDonald and Mary McDonald, a/k/a Angus L. McDonald and Mary J. McDonald
known to me (or sotisfactorily praven) to bc the utrion s , whose namma $s$
subscribed to the withtu instrument and acknowledged that thuy yeculed tye scme for the yurposes therein contained, as. their. frec act and deed.



## Latest address of Grantee:



> City
$\qquad$


## Property Information

| Property Location | CHESTNUT HILL RD |
| :--- | :--- |
| Owner | GINGERFIELD ASSOCIATES |
| Co-Owner | FRED J CRISCUOLO + CO PC |
| Mailing Address | 3013 DIXWELL AVE |
|  | HAMDEN $\quad$ CT $\quad 06518$ |
| Land Use | $1300 \quad$ Vacant Lnd |
| Land Class | R |
| Zoning Code | R-40 |
| Census Tract |  |


| Neighborhood |  |  |
| :--- | :--- | :--- |
| Acreage | 90.12 |  |
| Utilities | UNKNOWN |  |
| Lot Setting/Desc | UNKNOWN | UNKNOWN |
| Additional Info |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Photo


Sketch


## Primary Construction Details

| Year Built | 0 |
| :--- | :--- |
| Storics |  |
| Building Style | UNKNOWN |
| Building Use | Vacant |
| Building Condition |  |
| Interior Floors 1 |  |
| Interior Floors 2 | NA |
| Total Rooms | 0 |
| Basement Garages |  |
| Occupancy |  |
| Building Grade |  |


| Bedrooms | 0 |
| :--- | :--- |
| Full Bathrooms | 0 |
| Half Bathrooms | 0 |
| Extra Fixtures | 0 |
| Bath Style |  |
| Kitchen Style |  |
| Roof Style |  |
| Roof Cover | 0 |
| AC Type |  |
| Fireplaces |  |


| Exterior Walls |  |
| :--- | :--- |
| Exterior Walls 2 | NA |
| Interior Walls |  |
| Interior Walls 2 | NA |
| Heating Type |  |
| Heating Fuel |  |
| Sq. Ft. Basement |  |
| Fin BSMT Quality |  |
| Extra Kitchens |  |


| Valuation Summary (A) |  | (Assessed value $=70 \%$ of Appraised Value) |  | Sub Areas |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Item | Appra | sed | Assessed | Subarea Type | Gross Area ( sq ft ) | Living Area (sq ft) |
| Buildings | 0 |  | 0 |  |  |  |
| Extras | 0 |  | 0 |  |  |  |
| Improvement |  |  |  |  |  |  |
| Outbuildings | 0 |  | 0 |  |  |  |
| Land | 182200 |  | 127500 |  |  |  |
| Total | 182200 |  | 127500 |  |  |  |
| Outbuilding and Extra Features |  |  |  |  |  |  |
| Type |  | Description |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  | Total Area |  | 0 |

## Sales History

| Owner of Record | Book/ Page | Sale Date |
| :--- | :--- | :--- | :--- |
| GINGERFIELD ASSOCIATES | $0217 / 0208$ | $9 / 13 / 1988$ |



## Town of Colchester

Geographic Information System (GIS)

Date Printed: 2/26/2023


## MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Colchester and its mapping contractors assume no legal responsibility for the information contained herein.


## Town of Colchester

Geographic Information System (GIS)

Date Printed: 4/17/2023


MAP DISCLAIMER - NOTICE OF LIABILITY
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Colchester and its mapping contractors assume no legal responsibility for the information contained herein.


## Town of Colchester

Geographic Information System (GIS)


## MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Colchester and its mapping contractors assume no legal responsibility for the information contained herein.


TOWN OF COLCHESTER, CONNECTICUT

| Parcel ID | Site Address | Owner Name |
| :---: | :---: | :---: |
| 4E-05/006-03A | 137 CHESTNUT HILL RD | BUTLER AARON S |
| 4E-05/006-002 | 122 CHESTNUT HILL RD | CLARK THOMAS A + LAURA E |
| 4W-01/006-000 | 58 CHESTNUT HILL RD | CLARK WALTER J TTEE + |
| 4E-05/006-01A | 127 CHESTNUT HILL RD | CANDLER PAMELA |
| 4E-05/004-009 | 140 CHESTNUT HILL RD | RAPUANO THOMAS M |
| 4E-05/004-007 | 168 CHESTNUT HILL RD | HUNSCHER BRENDAN SAMUEL + HEATHER ANN |
| 4E-05/004-001 | 178 CHESTNUT HILL RD | WELLS GINA M + SEAN M |
| 4E-05/004-005 | 182 CHESTNUT HILL RD | FRITZ MARY A + SCOTT J |
| 4E-05/004-011 | CHESTNUT HILL RD | GINGERFIELD ASSOCIATES |
| 4E-05/008-000 | 163 CHESTNUT HILL RD | GOODEMOTE MARK + JOANN |
| 03-07/22A-000 | 275 PARUM RD | KITTLE GAIL B |
| 4E-05/006-001 | 128 CHESTNUT HILL RD | HASTINGS KEVIN B + KATHLEEN K |
| 4E-05/007-000 | 157 CHESTNUT HILL RD | DIRIENZO WILLIAM M + |
| 4E-05/009-000 | 169 CHESTNUT HILL RD | JOHNSON LANCE M + |
| 4E-05/006-000 | CHESTNUT HILL RD | GOLET LEONARD J |
| 4E-05/006-02A | 133 CHESTNUT HILL RD | SLAVIN JAMES D + SLAVIN CATHY M |
| 03-07/040-000 | PARUM RD | MARVIN CLARENCE |
| 4E-05/004-008 | 162 CHESTNUT HILL RD | NEGRI NORMA LINDA |
| 4E-05/004-002 | 186 CHESTNUT HILL RD | RUSSELL DONALD T + RENA E |
| 4E-05/010-000 | CHESTNUT HILL RD | SANTANGELO FELICE V + SALVATORE R + MARIO R + ROMEO + MARY A TTEES SANTANGELO LIV TRT |
| 4E-05/006-05A | 147 CHESTNUT HILL RD | SCOTT CHARLES B + JANET C |
| 4E-05/004-000 | 148 CHESTNUT HILL RD | SQUIRE JEROME + SANDRA |
| 4E-05/004-006 | 172 CHESTNUT HILL RD | SQUIRE JEROME + SONDRA |
| 4E-05/004-010 | CHESTNUT HILL RD | SQUIRE JEROME + SONDRA |
| 03-07/038-000 | 363 PARUM RD | DOOCY CYNTHIA A |
| 4E-05/006-06A | 151 CHESTNUT HILL RD | FILBERT STEPHANIE + RONDEAU JARED WILLIAM |
| 4E-05/006-04A | 143 CHESTNUT HILL RD | SPAULDING ALAN A |
| 4E-05/003-001 | CHESTNUT HILL RD | CHESTNUT HILL DEVELOPMENT LLC |


| Mailing Address | lailing City | Mailing State | Mailing Zip |
| :--- | :--- | :--- | :--- |
| 137 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 122 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 58 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 127 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 140 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
|  |  |  |  |
| 168 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 178 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 182 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 3013 DIXWELL AVE | HAMDEN | CT | $06518-0000$ |
| 163 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 261 PARUM RD | COLCHESTER | CT | $06415-0000$ |
| 128 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 157 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 169 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 24 DAVIDSON RD | MOODUS | CT | $06469-0000$ |
| 133 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 302 PARUM RD | COLCHESTER | CT | $06415-0000$ |
| 162 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 186 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
|  |  |  |  |
| 68 HIGHVIEW DR | ROCKY HILL | CT | $06067-0000$ |
| 147 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 172 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 172 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 172 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 363 PARUM RD | COLCHESTER | CT | $06415-0000$ |
| 151 CHESTNUT HILL RD | COLCHESTER | CT |  |
| 143 CHESTNUT HILL RD | COLCHESTER | CT | $06415-0000$ |
| 304 GARDEN CIR | SOUTH WINDSOR | CT | $06415-0000$ |
|  |  |  |  |


| From: | Martin Squire [msquire@squireblanckcpas.com](mailto:msquire@squireblanckcpas.com) |
| :--- | :--- |
| Sent: | Friday, April 14, 2023 11:53 AM |
| To: | Demian Sorrentino |
| Subject: | PZC 2023-005 (McDonald) |
| Attachments: | POA S.S..pdf; POA J.S..pdf |
| Importance: | High |

Mr. Sorrentino, Thank you for taking my call earlier today. This is my letter to the Commission on behalf of my parents. My contact information is below. I have attached my power of attorney for my parents so I can be contacted directly on this matter. Thanks, Martin Squire $* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *$

Jerome \& Sondra Squire
172 Chestnut Hill Rd.
Colchester, CT 06415

April 14, 2023

Joseph Mathieu, Chairman and Other Members
Colchester Planning \& Zoning Commission
Demian Sorrentino, Planning Director Town of Colchester
127 Norwich Avenue
Colchester, CT 06415

RE: PZC 2023-005, Mary McDonald ETAL, Request for zoning change.

Dear Mr. Mathieu, Mr. Sorrentino and Zoning Commission Members:
We are the owners of parcels on Chestnut Hill Rd. that abut or are near the property owned by the applicant. While 2 of our parcels are zoned Rural Use and one, 148 Chestnut Hill Rd., is zoned Future Development, we would be in favor of the change to back to Rural Use for the McDonald Property since it reflects the current and likely future land use for that section of Chestnut Hill Rd.

If the McDonald request for a zoning change to Rural Use is approved by the Commission, we are not sure where that would leave our property at 148 Chestnut Hill Rd. Since the McDonald property abuts our property on 3 sides with the road being the 4 th (with the exception of the

Rapuano home at 140 Chestnut Hill Rd.) we would hope that any change to Rural Use would apply to our property as well. If we are required to make our own application please advise.

Thank you for your time and consideration.
Sincerely,
Jerome Squire by Martin Squire P.O.A.
Sondra Squire by Martin Squire P.O.A.

Martin H. Squire, CPA
Partner
Blumenthal Squire \& Blanck
203-230-3567 voice
203-710-4773 cell
203-230-3571 fax
2494 Whitney Avenue
Hamden, CT 06518
Email:
Msquire@squireblanckcpas.com
Web:
www.squireblanckcpas.com
Secure File Upload:
bracket.email/msquire

IRS Required Statement: This document (and any attachments) was not intended or written to be used, and it cannot be used by the recipient, for the purpose of avoiding penalties that may be imposed on any taxpayer

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.


P\&ZC Application No.


This application form, applicable fee(s), five (5) sets of plans and all required supporting documentation shall be submitted to the Planning \& Zoning Commission Office no later than noon (12:00P) on the Monday before the next regularly scheduled meeting (the first and third Wednesday of the month excepting Holiday periods). The Applicant shall submit a copy of the Assessor's Map showing all properties and zoning districts within 500 feet of the subject property and a list of the names and addresses of the owners of all properties within 500 feet of the subject property. Public Hearing is required.

NAME OF APPLICANT: ASW, LLC
(Please Print
MAILING ADDRESS: 143 Merrow Rd, Tolland, CT 06084
EMAIL ADDRESS: adwct@aol.com $\qquad$ TELEPHONE: 860-930-9930

OWNER(S) OFRECORD: See Addendum Attached (Please Print)

MAILING ADDRESS: $\qquad$
STREET ADDRESS OF SUBJECT PROPERTY (IES): $\qquad$ See Addendum Attached ASSESSOR'SMAP LOT(S) See Addendum Attached

IS THIS PROPERTY WHOLLY OR PARTIALLY LOCATED IN ANY OF THE FOLLOWING (Check all that apply):
$\qquad$ AQUIFER PROTECTION AREA (APA) $\qquad$ AQUIFER PROTECTION ZONE (APZ)
$\qquad$ HISTORIC DISTRICT (HD) $\qquad$ HISTORIC PROTECTION OVERLAY ZONE (HPOZ)

EXISTING ZONING DISTRICT DESIGNATON(S): $\qquad$

PROPOSED ZONING DISTRICT DESIGNATION(S): $\qquad$ SU engineer/surveyor: David Ziaks, FA Hesketh _telephone: 860-653-8000 MAILING ADDRESS: 6 Creamery Brook, East Granby, CT 06026

CONTACT PERSON TO WHOM CORRESPONDENCE AND INQUIRIES SHOULD BE DIRECTED:
NAME: $\qquad$
MAILING ADDRESS: 45 Hartford Tnpk, Vernon, CT 06066
EMAIL ADDRESS: dfamiglietti@kkc-1aw.com_TELEPHONE: 860-812-1765


> ** if the Applicant is not the record owner, a signed letter of authorization must accompany this application **

FOR OFFICIAL USE ONLY BELOW THIS LINE

DATE APPLICATION SUBMITTED:3.31.23
DATE OF RECEIPT BY P\&ZC: $\qquad$
PUBLIC HEARING END DATE: $\qquad$
NOTICE OF DECISION PUBLISHED: $\qquad$ P\&ZC FEE PAID: \$しロ|O. CK\# 15124 PUBLIC HEARING START DATE: $\qquad$ DATE OF DECISION: ENGINEERING REVIEW FEES PAID: $\qquad$

## APPLICATION ADDENDUM

Parcels Included Within Zone Change FD to SU

| Assessor's Map/Block/Lot | Street Address | Owner of Record | Approx Acreage |
| :---: | :---: | :---: | :---: |
| 03-09-049 | Lake Hayward Rd | Roaring Brook Advisors LLC 554 Boston Post Rd <br> Madison, CT 06443 | 19 ac |
| 03-09-52B | Lake Hayward Rd | Kathleen B. Fabian 279 Long Hill Rd <br> Andover, CT 06232 | 18 ac |
| 03-09-52A | Lake Hayward Rd | Patrick Shugrue 75 Hunting Hill Ave Middletown, CT 06457 | 20 ac |

The above three (3) parcels are presently located in the Future Development (FD) Zone and designated in the POCD for future commercial and industrial development (see page 82). However, as noted in the POCD itself, the POCD is an advisory document (see page 2), intended to guide conservation and development activities; but it is also intended to be flexible in order to allow for adjustments so that the ultimate goals and objectives in the POCD may be achieved (see page 81). As such, the POCD may be amended or modified by the Commission when time or experience indicates a need for a change. For at least the past 2 decades, time and experience have shown that there has been limited interest or opportunity for commercial development of FD zoned parcels lying westerly of Route 11

The POCD's stated goals and recommendations include (1) guiding uses to appropriate locations and (2) growing Colchester's tax base (see page 55). Given the predominantly residential uses existing westerly of Route 11, Applicant suggests that commercial/business development is not appropriate on these parcels and the more appropriate uses to be guided here are those contained in the Suburban Use (SU) Zone. The SU zone
would allow for primarily residential uses, with some complimentary business uses. These types of SU Zone uses, which include multifamily development, retail sales and professional services, could all significantly contribute to Colchester's tax base.

In addition, the POCD recognizes that Colchester would greatly benefit from increased multifamily housing development, not only to meet the housing needs of an aging population, as well as those of younger people who do not yet want a single family home (see page 57), but also by providing more affordable housing options (see page 61). A rezoning of the subject parcels to SU would provide the opportunity for multifamily development on these parcels.

$$
\text { March } 27.3 \text { m }
$$

## Colchester Planning and Zoning Commission

127 Norwich Ave.
Colchester (T) 064 5

## Re: Lake Hayward Rd; Assessors Parcel 03-09-049

To Whom LI May Condom:
Phase be abased that the undersigned is the owner of the above referenced band. Tn this regard. please tate this letter as the owners consent to ahem ASW. HIC andean Alan Williams to hate application wi th the Contester Gaming and $/$ coning Commission to change the zone for this property from 10) (buna Derolymment fo St iSububan Ifc.

If you have any questions, please do mon hesitate to compact me.
Sincerely:
Roaming Brook Abusers I, i.


That certain parcel of land situated in the Town of Colchester, County of New London and State of Connecticut, on the southeasterly side of Lake Hayward Road and the westerly side of Connecticut Route No. 11, bounded and described as follows:

```
EASTERLY - by land formerly of Rowland Allen and
    William Kinney;
SOUTHERLY- by highway leading from land formerly of
    Hoxie Brown to A. R. Bigelow and land
    formerly of Nick Klimock (Shugrue Road);
WESTERLY
    and
NORTHERLY- by highway and land now or formerly of
            F. H. Brown and Rowland Allen;
```

but EXCEPTING therefrom those parcels of land and rights conveyed by
the Grantor herein in the following instruments:

1. Warranty Deed to Robert M. Dias dated $12 / 4 / 65$ and recorded in the Colchester Land Records in Volume 87 at Page 357.
2. Warranty Deed to Leo M. Fedus, et al, dated 7/11/69 and recorded in said Colchester Land Records in Volume 96 at Page 200.
3. Certificate of Condemnation to the State of Connecticut dated 7/18/69 and recorded in said Colchester Land Records in Volume 96 at Page 238.
4. Drainage right of way and easement to the State of Connecticut dated 10/15/70 and recorded in said Colchester Land Records in Volume 98 at Page 563.


## Town of Colchester

Geographic Information System (GIS)

Date Printed: 3/8/2023


## Abutters of 03-09.049



Colchester Planning and Zoning Commission
127 Norwich Ave.
Colchester, CT 06415

Re: Lake Hayward Rd; Assessor's Parcel 03-09-52B
To Whom It May Concern:
Please be advised that the undersigned is the owner of the above referenced land. In this regard, please take this letter as the owner's consent to allow ASW, LLC and/or Alan Williams to file an application with the Colchester Planning and Zoning Commission to change the zone for this property from FD (Future Development) to SU (Suburban Use).

If you have any questions, please do not hesitate to contact me.

> Sincerely,



## Town of Colchester

Geographic Information System (GIS)

Date Printed: 3/8/2023


MAP DISCLAIMER - NOTICE OF LIABILITY
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Colchester and its mapping contractors assume no legal
responsibility for the information contained herein.
(

Abutters of 03-09.-52B

| 03-09/52B-000 |  |  | 03-09/030-000 |  |  | 03-09/30A-000 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| fabian kathleen b |  |  | STEFANOWICZ LOUISE F |  |  | STEFANOWICZ LOUISE F |  |  |
| 279 LONG HILL RD |  |  | 72 WEST RD |  |  | 72 WEST RD |  |  |
| ANDOVER | CT | 06232 | COLCHESTER | CT | 06415 | COLCHESTER | CT | 06415 |
| 03-09/020-000 |  |  | 03-09/049-000 |  |  | 03-09/52A-000 |  |  |
| culhane kathleen |  |  | ROARING BROOK ADVISORS LLC |  |  | SHUGRUE PATRICK |  |  |
| 23 SHUGRUE RD |  |  | 554 BOSTON POST ROAD |  |  | 75 HUNTING HiLl AVE |  |  |
| COLCHESTER | CT | 06415 | MADISON | CT | 06443 | MIDDLETOWN | CT | 06457 |
| 03-09/053-000 |  |  | 03-09/052-000 |  |  |  |  |  |
| 177 BOZRAH STREET LLC |  |  | CONNECTICUT STATE OF |  |  |  |  |  |
| 10 WILLIAMSBURG DR |  |  | 165 CAPITOL AVE |  |  |  |  |  |
| LONGMEADOW | MA | 01106 | HARTFORD | CT | 06106 |  |  |  |

Colchester Planning and Zoning Commission
127 Norwich Ave.
Colchester, CT 06415

## Re: Lake Hayward Rd; Assessor's Parcel 03-09-52A

To Whom It May Concern:
Please be advised that the undersigned is the owner of the above referenced land. In this regard, please take this letter as the owner's consent to allow ASW, LLC and/or Alan Williams to file an application with the Colchester Planning and Zoning Commission to change the zone for this property from FD (Future Development) to SU (Suburban Use).

If you have any questions, please do not hesitate to contact me.


## PROPERTY DESCRIPTION

All that certain plece or parcel of land, together with the buildings and improvements, situated in the Town of Colchester, County of New London and State of Connecticut, located off Lake Hayward Road, containing 20 acres, and being shown as Assessor Map 03 Block 09 Lot 52A, and being bounded and described as follows:

Northerly by Shugrue Road, so called;
Easterly by land now or formerly of Hoxie Brown;
Southerly by land now or formerly of A.R. and J.E. Blgelow; and
Westerly by land now or formerly of A.R. and J.E. Bigelow.

## Town of Colchester

Geographic Information System (GIS)


## MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Colchester and its mapping contractors assume no legal responsibility for the information contained herein.


Abutters of 03-09-52A

| 03-09/52B-000 |  |  | 03-09/054-000 |  |  | 03-09/049-000 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| FABIAN KATHLEEN B |  |  | LAUFER LEON + AUDREY |  |  | ROARING BROOK ADVISORS LLC |  |  |
| 279 LONG HILL RD |  |  | 138 BREWSTER RD |  |  | 554 BOSTON POST ROAD |  |  |
| ANDOVER | CT | 06232 | WEST HARTFORD | CT | 06117-2 | MADISON | CT | 06443 |
| 03-09/055-000 |  |  | 03-09/52A-000 |  |  | 03-09/053-000 |  |  |
| LIN ZHUZHEN |  |  | SHUGRUE PATRICK |  |  | 177 BOZRAH ST | LLC |  |
| 128 MILL ST |  |  | 75 HUNTING HILL |  |  | 10 WILLIAMSBU |  |  |
| COLCHESTER | CT | 06415 | MIDDLETOWN | CT | . 06457 | LONGMEADOW | MA | 01106 |
| 03-09/052-000 |  |  |  |  |  |  |  |  |
| CONNECTICUT STATE OF |  |  |  |  |  |  |  |  |
| 165 CAPITOL AVE |  |  |  |  |  |  |  |  |
| HARTFORD | CT | 06106 |  |  |  |  |  |  |



