

# *Town of Colchester, CT*

127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION  
WEDNESDAY, OCTOBER 7, 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](http://www.colchesterct.gov)

## AGENDA

1. **Call to Order**
2. **Additions to the Agenda**
3. **Minutes of Previous Meetings**
4. **Public Hearing:**
  - A. Colvest / Colchester, LLC  
Regulation Text Amendment (2020-017)
5. **Five Minute Session for the Public**
6. **Pending Applications**
7. **New Applications**
  - A. NCT Friction Welding – 124 Upton Rd  
Site Plan (2020-018)
  - B. Town of Colchester Planning and Zoning Commission –  
Regulation Amendment (2020-019)
8. **Preliminary Reviews**
9. **Old Business**
10. **New Business:**
  - A. Colvest / Colchester, LLC  
Regulation Text Amendment (2020-017)
11. **Planning Issues and Discussions:**
  - A. Solar Energy Systems
  - B. Affordable Housing
12. **Correspondence**
13. **Adjournment**

RECEIVED  
COLCHESTER, CT  
2020 OCT - 2 PM 3: 01  
Gayle Furman  
TOWN CLERK

**TOWN OF COLCHESTER  
LEGAL NOTICE**

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

1. **Colvest/Colchester, LLC – Regulation Text Amendment (2020-017)** – To revise Section 5.3.2 of the Colchester Land Development Regulations to remove the sale of auto parts from the list of uses prohibited as Commercial Development in the Town Center District.

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 *MRB*

**DATE:** September 30, 2020

**RE:** Colvest/Colchester, LLC  
Zoning Regulation Amendment (2020-017)

The applicant, Colvest/Colchester, LLC, is proposing to amend the Land Use Regulations Section 5.3 regarding uses permitted in the Town Center District (TC). Specifically, the proposal would strike the word “parts” from the list of auto-related commercial uses not permitted in the TC per Section 5.3.2. The result would be to allow the retail sales of auto parts to be considered a commercial use.

***Auto Related Uses in Town Center District***

The Planning and Zoning Commission drafted a substantial re-write of the zoning regulations in 2015. The 2015 draft was heavily influenced by the recently updated Plan of Conservation and Development (POCD), the tool for guiding the future of a community. One of the key themes of this iteration of the POCD was the revitalization of the Town Center and placing more of a priority on the growth and maturity of businesses, while enhancing the character of the community.

To this end, Village District regulations were adopted for the Town Center and auto-related uses were deemed to have a negative impact on the district’s character and therefore prohibited. Auto-related uses were listed to include “sales, service, repair, parts”.

In the applicant’s letter dated September 14, 2020 (attached), he states “An auto parts store is a retail use which should be allowed in the Town Center District.” He further states “As a permitted retail use, an auto parts store will not have a detrimental impact on the intent or character of the Town Center District.”

***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.”

Section 4.3 of the POCD seeks to “Enhance the Town Center.” In order to “Strengthen the Town Center Economically”, the Plan states that “Colchester should maintain and enhance the Town Center as the government, civic, institutional, and cultural center of the community. Uses and activities which support or enhance the desired role for the Town Center should be located in the

Town Center area and discouraged in outlying areas. If such uses are located outside of the Town Center area, they may dilute the overall focus and attractiveness of the Town Center and not create as strong a Town Center as the community wants. Colchester should seek to create a critical mass of activities and focal points to drive interest and draw people to the Town Center.”

Increasing permitted commercial uses in the Town Center will help to generate the critical mass of activities necessary to attract investment in existing under-utilized spaces. When opportunities for the enhancement or redevelopment of spaces in the TC District present themselves, the design and performance provisions of Section 5 are in place to ensure improvements achieve the village character intended.

***Connecticut General Statute 8-3b Referral***

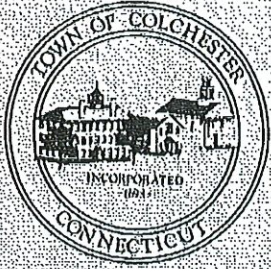
As the proposed regulation amendment applies only to the Town Center District and no part of the District is within 500’ of a town boundary, no referral is required.

MRB

R:\Boards and Commissions\PZC\2020\10-07\Colvest Colchester LLC\Memo.docx

Attachments





APPLICATION NO. 2020-017

**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 Colvest/Colchester, LLC  
(Please Print)  
ADDRESS 1259 East Columbus Ave. Suite 201  
Springfield MA 01105 TELEPHONE 413-363-9793  
(City) (State) (Zip)

**PROPOSED REGULATION CHANGE INFORMATION**

         ZONING REGULATIONS          NEW TEXT  
         SUBDIVISION REGULATIONS   X   AMENDMENT TO TEXT  
         PLAN OF DEVELOPMENT

REGULATION SECTION NUMBER or LOCATION 5.3.2, page 19

**RATIONALE FOR PROPOSED CHANGE - Please attach separate page**

**REGULATION TEXT - Please attach separate page**

Colvest/Colchester, LLC  
  
APPLICANT(S) SIGNATURE  
Peter La Pointe

For Official Use:  
APPLICATION SUBMITTED \_\_\_\_\_ ZPC FEE PAID \_\_\_\_\_

PUBLIC HEARING DATE \_\_\_\_\_



THE **COLVEST GROUP**

1259 East Columbus Avenue - Suite 201  
Springfield, Massachusetts 01105  
P. 413.363.9793 - F. 413.363.2643

September 14, 2020

Colchester Zoning Regulations  
Proposed Text Change

Section: 5.3.2 **Uses Permitted** in the Town Center District allow retail sales as Commercial Development but currently exclude auto parts retail sales. An auto parts store is a retail use which should be allowed in the Town Center District. In fact, an auto parts store, Advance Auto Parts, already exists on an adjacent parcel within the Town Center District. As a permitted retail use, an auto parts store will not have a detrimental impact on the intent or character of the Town Center District.

We are requesting that the word "PARTS" be deleted from section 5.3.2 of the Colchester Zoning regulations, thereby allowing auto parts retail sales in the Town Center District.



structure; addition of a new accessory structure, or significant change to an existing accessory structure; or any activity requiring a new curb cut or increased parking.

### 5.3 USES PERMITTED

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

1. Single-family, two-family or multi-family residential development and associated accessory structures and uses;
2. Commercial development except auto related uses (sales, service, repair, ~~parts~~) and oil, propane sales/service;
3. Office development except construction/landscaping service that stores equipment and materials. Administrative offices of construction/landscaping operations are permitted.
4. Service Development;
5. Religious facilities and Educational Institutions;
6. Family day care homes, as defined by CGS Section 19a-77(a)(3) and licensed pursuant to CGS Section 19a-87b, are permitted in all Single-Family, Two-Family or Multi-Family Dwellings. Other day care and nursery school uses are permitted through the approval of a Special Permit.
7. Municipal facilities;
8. Hotel/Motel;
9. Mixed uses, provided that the ground floor of a mixed use Building (any combination of retail, office, and residential) shall be occupied by non-residential uses only. Parcels registered as historic can utilize rear sections of the ground floor for residential uses.

### 5.4 DIMENSIONAL REQUIREMENTS

1. Minimum Lot size: 10,000 square feet
2. Maximum height: Three (3) stories or forty (40) feet in height
3. Maximum residential Density shall be six (6) units per 40,000 square feet of Buildable Area for Duplexes and ten (10) units per 40,000 square feet of Buildable Area for Multi-Family Housing
4. Minimum Lot Frontage on a Street: Seventy-five (75) feet
5. No minimum Front Yard Setback.
6. Minimum side and rear Yard: No side or rear Yard is required between abutting Lots where both are used for commercial purposes. Where a Lot abuts a strictly residential use and not

**THE COLVEST GROUP TRANSMITTAL**

**LETTER OF**

1259 East Columbus Avenue - Suite 201  
 Springfield, Massachusetts 01105  
 P. 413.363.9793 - F. 413.363.2643

TO: Planning & Zoning Commission  
 \_\_\_\_\_  
 127 Norwich Ave.  
 \_\_\_\_\_  
 Colchester, CT 06415  
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**Attention: Matthew Bordeaux, Town Planner**

Date: Sept 14, 2020	PROJ. NO.:
Re: Zoning Regulations Text Change	

**WE ARE SENDING YOU:**

- APPLICATION
- Narrative
- CHECK
- ATTACHED
- REPORTS
- INVOICES
- OTHER

COPIES	DATE	NO.	DESCRIPTION
1	9-14-20		Application for text change
1	9-14-20		Narrative explanation and sample page
1	9-14-20	49016	\$ 150.00 application fee

**THESE ARE TRANSMITTED AS CHECKED BELOW:**

- FOR APPROVAL
- FOR YOUR USE
- AS REQUESTED
- FOR REVIEW
- BIDS DUE
- APPROVED AS SUBMITTED
- APPROVED AS NOTED
- RETURN FOR CORRECTIONS
- SIGN & RETURN

COMMENTS:

Our proposed text change application is enclosed for the Planning Commission's consideration at their next regular meeting.

In the interim, should you have questions or require additional information, please do not hesitate to contact this office.

COPIES TO:

**Peter LaPointe**

