



# Town of Colchester, CT

127 Norwich Avenue, Colchester, Connecticut 06415

PLANNING & ZONING COMMISSION

2022 DEC -9 PM 5:02  
Wednesday, December 7, 2022

GAYLE FURMAN  
TOWN CLERK

7:00 pm – Town Hall, Room 1

Regular Meeting

## MINUTES

**Members Present:** Vice Chairman J. Novak, B. Hayn, M. Kehogreen, S. Smith,

**Also Present:** A. Lago, ZEO, and applicants

1. **Call to Order** – Chairman Novak, called the meeting to order at 7:05 pm
2. **Additions or Deletions to the Agenda**
3. **Minutes of Previous Meeting**
  - a. November 9, 2022 – Motion by B. Hayn to approve minutes as written. 2<sup>nd</sup> by M. Kehogreen **Vote was unanimous, motion carried.**
4. **Public Hearings**
  - a. CMMD, LLC – Regulation Amendment 2022-011, adding large scale technology to the LSIA Floating Zone – Vice Chairman Novak opened the public hearing and asked if anyone in attendance had any concerns about commissioners seated. Hearing none, he asked the applicant to speak on the application. Attorney Harry Heller, Uncasville, CT, appeared on behalf of the applicant CMMD, LLC. He discussed the intention of the application for the text amendment to allow data processing technology buildings in the LSIA Floating Zone to become the LSIAT. Upon passing, there will be an application submitted to construct large scale data processing facilities on the site to be powered by a fuel cell. The changes also increase the maximum building height to 50'. Attorney Heller stated the use is consistent with the economic development goals laid out in the town's Plan of Conservation and Development. Vice Chairman Novak then asked if anyone else in the audience would like to speak in favor of the application. Hearing none, he asked if anyone would like to speak in opposition to the application. Hearing none, the Vice Chairman stated the public hearing would be closed. Members also discussed recommendation letter received from the Regional Council of Governments advised the zone may not be the best suitable for large scale operations and would recommend 1,000-foot buffers be used if approved. Buffer was discussed and consider by members. Members expressed the recommended buffer distance to extensive and that proper noise ordinance requirements could be met at the 500-foot radius setbacks. Motion by J. Novak to close public hearing, 2<sup>nd</sup> by M. Kehogreen. **Vote was unanimous, motion carried.**
  - b. Town of Colchester – Regulation Amendment 2022-014, adopting adult-use cannabis regulations – Vice Chairman Novak The chairman asked if any members in the audience wished to speak in favor of the application, hearing none, he asked if anyone wanted to speak in opposition. Hearing none, the Chairman stated the public hearing would be closed and stated that there were no further concerns with cannabis from the Regional Council of Governments about the text changes. Motion by J. Novak to close the public hearing. 2<sup>nd</sup> by S. Smith. **Vote was unanimous, motion carried.**

**5. Five Minute Session for the Public – None**

**6. Pending Applications**

- a. Brian & H. Jean Smith – 12 & 24 Broadway St – Site Plan 2022-013 to construct banquet hall. **No Action due to number of members present, with S. Smith recusing herself as she is also an applicant.**

**7. New Applications**

**8. Preliminary Reviews**

**9. Old Business**

a. CMMD, LLC – Regulation Amendment 2022-011 Members discussed recommendation letter received from the Regional Council of Governments advising the zone may not be the best suitable for large scale operations and would recommend 1,000-foot buffers be used if approved. Buffer was discussed and considered by members. Members felt the recommended buffer distance is too extensive and that proper noise ordinance requirements could be met at the 500-foot radius setbacks. Members asked Attorney Heller if he could speak to sound levels of fuel cell structures involved in this project and Attorney Heller replied that the State of CT imposed sound decibel standards are met in the proposed plan. A Motion by J. Novak was made to leave current recommended buffer distances at 500-foot radius, 2<sup>nd</sup> by M. Kehoegreen. **Vote was unanimous, motion carried.** Motion by J. Novak to approve. 2<sup>nd</sup> by M. Kehoegreen. **Vote was unanimous, motion carried.**

b. Town of Colchester – Regulation Amendment 2022-014, No additional discussion. Motion by S. Smith to approve, 2<sup>nd</sup> by B. Hayn. **Vote was unanimous, motion carried.**

**10. New Business - None**

**11. Planning Issues and Discussions – None**

**12. Correspondence – None**

**13. Adjournment – Motion by J. Novak to adjourn. 2<sup>nd</sup> by B. Hayn. **Vote was unanimous, motion carried.****

Respectfully submitted by, A. Lago, Asst Planner/ZEO