

Chester Planning & Zoning Commission

Minutes

January 12, 2023

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1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, January 12, 2023 at the Town Hall with Chair Michael Sanders calling the meeting to order at 7:00 P.M.

2. Roll Call and Seating of Alternates:

Commission members present and seated were Michael Sanders, Pat Bisacky, Seth Fidel, Shubert Koong, Steve Merola, Bettie Perreault, Keith Scherber, and Peter Zanardi (seated for Elaine Fitzgibbons). Participating via ZOOM were Shubert Koong and Zoning Compliance Officer John Guskowski. Guests present were Attorney Michael Cronin, Mitchell DeLorenzo (Regional Restrooms), Joe Wren (INDIGO), Adam Wing, (CT Water Company), and Matthew Hross and Gabe Archambault (Hazen & Sawyer).

3. Audience of Citizens: Nobody spoke at this time.

4. Public Hearing:

Seated were Michael Sanders, Pat Bisacky, Seth Fidel, Shubert Koong, Steve Merola, Bettie Perreault, and Peter Zanardi (seated for Elaine Fitzgibbons). Scherber recused himself as an abutting property owner.

- a. Continuation of Public Hearing on Application for a Special Exception: AIS Properties LLC dba Regional Restrooms, Inc. – Outdoor storage of clean, dry portable restroom units (porta-potties) and a site fence/screen installed.

Joe Wren, representing the Applicant reviewed the Site Plan and other details, answering questions from members, and explaining how adjustments had been made to address concerns raised at the December meeting. Mitchell DeLorenzo spoke on the following:

- No wetlands are expected to be impacted by the proposed use;
- A (10) foot fence will enclose the “corral” for storage of porta potties;
- Parking and gate areas will have gravel surfaces;
- The primary entrance will be via gated and on Olsen’s side of property;
- Parking and driveway areas will be gravel surfaces with no striping; bumpers will indicate parking spaces;
- Fencing will have green webbing to restrict views;
- Seven site lights will be installed, all facing the ground surface;
- Parking and drive surfaces will have good infiltration;
- There will be minimal tree removal, with none planned for within the buffer areas.
- Note was made that the North arrow on the site plan is faced incorrectly.

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Questions raised by members included:

- Current relationship with Olsen property: Applicant has lease available, “if needed”;
- Fence height to conceal stored units when on a truck bed;
- Units and vehicles they may be on should enter/exit only via authorized gate.

Letters from Rauls Ramans of Astroseal Products Manufacturing Corp. insisting that the applicant fully abide by Section 80.4.1 GENERAL (d) of the Zoning Regulations was read into the record, and from John Schiavone of 80 Airport Industrial Park Road with a number of concerns and issues. DeLorenzo responded to points raised and answered questions from Commission members.

Attorney Cronin reviewed in detail multiple sections of the Application, the Zoning Regulations, and noted his legal observations of details throughout the presentation, saying that, in his opinion, the application does not meet the intent or details of the Zoning Regulations, and that, if approved, conditions should be stipulated to ensure compliance with the Regulations.

Keith Scherber noted that use of Olsen property right-of-way for entrance to storage “corral” is more favorable, and that elimination of the front gate would alleviate many issues that had been raised. Shifting the proposed parking area to the Olsen side of the property would also be an improvement. A site plan for the area that had been part of an earlier application was viewed and discussed.

On motion by Seth Fidel, seconded by Steve Merola, the Public Hearing was closed at 8:03 P.M.

- b. Public Hearing on Application for Special Exception submitted by the Connecticut Water Company for property located at 73 Goose Hill Road: The CT Water Company will be adding onto its existing backwash system by building a sub-grade concrete holding tank and building drying beds on a portion of property east of the main facility.

Seated were Michael Sanders, Seth Fidel, Shubert Koong, Steve Merola, Bettie Perreault, Keith Scherber and Peter Zanardi (seated for Elaine Fitzgibbons). Pat Bisacky recused herself based on potential conflict of interest.

The published legal notice of the Hearing was read into the record.

Adam Wing, representing the Application, reviewed plans of the proposed project, advising it would serve the same function as a currently existing use, with unit features primarily buried. There will be lighting only when needed. Features of the proposed installation will include alternatives, including an infiltration bed, if needed. The area of the property is protected by eight-foot chain link fencing and no power or lighting is or will be installed.

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Questions raised by Commission members included:

- Potential for noise during construction – limited to normal work-day hours;
- Typical working hours – usual for typical contractor, Monday through Friday;
- Silt fencing will be installed at all points where indicated/needed;
- Duration of construction period – a few months, depending upon supply chain, availability of equipment being installed and other issues;
- Applicant is exempt from required review/action of Inland Wetlands Agency;
- Applicant is not required to use “lowest bidder” and anticipates engaging a “trusted contractor”.

On motion by Peter Zanardi, seconded by Steve Merola, the Public Hearing was closed at 8:18 P.M.

5. Old Business

- a. Proceedings of Public Hearing: Application for a Special Exception: AIS Properties LLC dba Regional Restrooms, Inc. – Outdoor storage of clean, dry portable restroom units (porta-potties) and a site fence/screed installed.

Seated were Michael Sanders, Pat Bisacky, Seth Fidel, Shubert Koong, Steve Merola, Bettie Perreault, Keith Scherber and Peter Zanardi (seated for Elaine Fitzgibbons). Scherber recused himself from the discussion and abstained from voting; Sanders abstained from voting as he had not participated in the initial portion of the Public Hearing.

Commission members reviewed the proceedings of the Public Hearing, noting that numerous changes, modifications, etc. were raised and discussed, with a variety of modifications and changes addressed. Among the issues raised were:

- Relocation of access, driveways, parking and storage area;
- Fencing, including height, location, details of visibility, screening features;
- Lighting;
- Vegetation and trees;
- Vehicular traffic, access, storage, type;
- Hours of operation (7:00 A.M. – 7:00 P.M., same as Olsen Sanitation);
- Storage of only clean and dry units;
- Storage typically only during winter months;
- Compliance with requirements of all responsible officials and regulatory agencies.

On motion by Steve Merola, seconded by Seth Fidel, the application was approved with the following conditions: removal of gate near Airport Industrial Park Road; applicant will access property over existing drive servicing Olsen

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property; relocation of parking area to side yard along Olsen's boundary; ten-foot fencing for all fence installations; no new curb cut to be generated; no overnight truck parking in storage or parking area(s); trees along Airport Industrial Park Road to be retained as much as possible; planting of additional, appropriate vegetation along south side of area; operations restricted to 7:00 A.M. – 7:00 P.M., Monday through Friday; compliance with all regulatory officials, and compliance with all public health and safety regulations and codes. The motion passed unanimously, with Scherber and Sanders abstaining.

- b. Proceedings of Public Hearing: Application for Special Exception submitted by the Connecticut Water Company for property located at 73 Goose Hill Road: The CT Water Company will be adding onto its existing backwash system by building a sub-grade concrete holding tank and building drying beds on a portion of property east of the main facility.

There were no questions from members as all had been addressed during the Hearing. It was recommended that the Applicant request a meeting with the Inland Wetlands Agency to brief its members on the proposed project.

On Motion by Seth Fidel, seconded by Peter Zanardi, the application was approved, with the Applicant advised to meet with the Inland Wetlands Agency prior to initiating any activities associated with the proposed project. The motion passed unanimously.

- c. Selectmen's meeting re change of use: St. Teresa of Calcutta Parish, 47 Middlesex Avenue: January 31, 7:00 P.M., Community Room, Town Hall. The Commission will co-sponsor the meeting and be included in notification announcements. The proposed project is anticipated to be exempt from the bulk standards of the Town's Zoning Regulations. Review of the project will likely be governed by Connecticut General Statutes Section 8-30g, Affordable Housing Land Use Appeals.
- d. Notice of Training Session: CT Land Use Law for Municipal Land Use Agencies: March 11, 2023 – 9:00 A.M. to 4:30 P.M. offered by CT Bar Association Planning and Zoning Section via Webinar. (Training required by legislative action.) Details were provided, with note of the legislative mandatory four-hour training requirement. Additional providers will be offering training opportunities as well. (Funding for fees to participants is available in the current P&Z budget.)
- e. Update on status of regulations in the Gateway Conservation Zone: There was no additional information available.
- f. Status of RiverCOG region Comprehensive Economic Strategy: There was no additional information available.

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g. Plan of Conservation and Development: There was no additional information available.

6. New Business: There was nothing brought up.

7. Other – Guests or Members:

8. Report of Officers and Subcommittees:

9. Report of Zoning Compliance Officer

ZCO Guskowski reported the owner of Butter Jones Road property for which a Zoning violation has been cited has resolved its foreclosure action. ZCO and legal counsel will resume enforcement actions concerning on-going violations.

10. Legislative Update: Guskowski advised proposed, new legislation is being submitted, and omnibus legislation addressing multiple issues in connection with affordable housing and a variety of planning and/or zoning issues is expected to be proposed.

11. Bills for Payment: **Courant invoice in the amount of \$23.58 was unanimously approved for payment on motion by Peter Zanardi, seconded by Steve Merola.**

12. Communications, Receipt of New Petitions, New Applications

Budget request for submission to the Boards of Selectmen and Finance was reviewed and discussed. Pending resolution of contract and other personnel details and information, a preliminary submission for this Commission will be submitted, with review, approval and submission of request to be made when complete information is available.

13. Approval of Minutes: December 8, 2022 Regular Meeting

On Motion by Peter Zanardi, seconded by Seth Fidel, the minutes of the December 8, 2022 meeting were unanimously approved.

14. Pending Litigation: There is no pending litigation at this time.

On Motion by Bettie Perreault, seconded by Steve Merola, at 9:12 P.M. the Commission voted unanimously to go into Executive Session to review and discuss personnel matters.

No business was conducted, no votes were taken during the Executive Session, which ended and returned to the meeting at 9:36 P.M.

15. Adjournment

There being no further business to come before the Commission,

On Motion by Peter Zanardi, seconded by Seth Fidel, the meeting adjourned at 9:37 P.M.

Respectfully submitted,

Bettie Perreault, Secretary