

Minutes

March 9, 2023

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1. Call to Order

The Chester Planning & Zoning Commission met on Thursday, March 9, 2023 at the Town Hall with Chair Michael Sanders calling the meeting to order at 7:02 P.M.

2. Roll Call and Seating of Alternates:

Commission members present and seated were Michael Sanders, Pat Bisacky, Seth Fidel, Elaine Fitzgibbons, Henry Krempel, Steve Merola, Bettie Perreault, and Peter Zanardi (seated for Keith Scherber). Shubert Koong arrived at 7:25, at the conclusion of the Public Hearing, and, following review and action on Public Hearing proceedings, participated as a voting member for the remainder of the meeting. Participating via Microsoft Word was Zoning Compliance Officer John Guskowski. Also present were Gary Rooke (representing Rooke Realty LLC of 85 Dock Road), James Hays (Hays Haven Marina), John Chillock (member Harbor Management Commission) and one other guest.

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

4. Public Hearing: Application for Special Exception for Boat Storage at 85 Dock Road (Map 10, Lot 187) in the Waterfront Development District per Section 71.A.1.C of the Chester Zoning Regulations. Applicant: Rooke Realty, LLC. All members present were seated for the Public Hearing.

Gary Rooke, representing the application, reviewed survey map of the property and the proposed improvements shown, with note that not all improvements shown were intended for action, construction or use now, but represent all potential improvements that might be contemplated at some time(s) in the future. The various details were noted, discussed in detail, with questions from members raised and answered. Items noted included the proposed use of the planned parking area for storage, on a seasonal basis, of boats (during the non-boating season) and trailers (during the boating season).

Considerable discussion was held in connection with the proposed installation of “No Wake” signage and markers. John Chillock, a member of the Harbor Management Commission, advised the Board of Selectmen had approved and would schedule a Town Meeting to establish an Ordinance relating to No Wake zones, effectively giving the Town and other enforcement agencies enforcement powers. Signage is regulated by sections of the Zoning Regulations in connection with size and illumination for land-based signs. Whether a light on a marker at the mouth of Chester Creek, which is no longer active, has prior permitting was questioned; nobody present had knowledge of its history or activity.

Rooke advised activation of the projects associated with the Application could begin within about two months following an approval and the required appeal time.

On Motion by Seth Fidel, seconded by Henry Krempel, the Public Hearing was closed at 7:27 P.M.

5. Old Business:

- a. Application for Special Exception for Boat Storage at 85 Dock Road (Map 10, Lot 187) in the Waterfront Development District per Section 71.A.1.C of the Chester Zoning Regulations. Applicant: Rooke Realty, LLC. All members present were seated for the Public Hearing.

Pat Bisacky and other Commission members stated they would like to see an approved plan in connection with the remediation required in connection with active Zoning Violation of Gateway Commission requirements. Pending receipt and potentially implementation of such a planting plan, it was noted the Commission has 65 days from the date of this Hearing, with an additional 65 days allowable if requested by the applicant, to act upon the Application.

Members will individually visit the proposed site prior to the April 13, 2023 meeting, with Rooke offering to meet with them to answer questions if requested.

On Motion by Peter Zanardi, seconded by Seth Fidel, unanimous approval was given to table action on the Application until the April 13, 2023 meeting, with the applicant to provide an approved remedial planting plan to the Commission prior to that meeting.

(Shubert Koong resumed as a voting member for the remainder of the meeting.)

- b. Update on status of regulations in the Gateway Conservation Zone: Chair Sanders advised Tom Brelsford, Chester representative to the Gateway Commission had reported staff is still in the process of updating those Regulations.
- c. Status of RiverCOG region Comprehensive Economic Strategy: Draft of report is available for review by the public on the website of RiverCOG.
- d. Plan of Conservation and Development: The only current activity is a potential multi-family proposal in connection with property of the former St. Joseph's Parish Center. RiverCOG is reported to have a proposed regionally based housing plan prepared for release. Chair Sanders noted the Commission "doesn't do a lot of planning". A wide-ranging discussion/conversation by all members followed in connection with the legislation regarding affordable housing requirements; local housing in Chester and

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other area municipalities; potential variable options to provide “affordable housing” by property owners through deed restrictions, which could include time limits for that limited purpose; the realities of income levels versus actual costs for housing, etc. Potential properties in Chester which might be suitable, if available, for affordable housing were noted, with note that an overlay mapping of a portion of Route 154 had been developed in connection with the 2009 POCD, but had never been pursued.

6. Old Business: Members were reminded of the legislatively-mandated requirement for all Planning & Zoning and Zoning Board of Appeals members to participate in four hours of training, including one hour related to affordable housing, prior to the end of the 2023 calendar year..
7. Other – Guests or Members:
8. Report of Officers and Subcommittees:
9. Report of Zoning Compliance Officer:
 - a. The status of the Zoning violation at 85 Dock Road was covered earlier in the meeting.
 - b. ZCO Guszkowski advised enforcement action in connection with a property on Butter Jones Road had been resumed, with the property owner making “some progress, one step at a time” to remove junk and tidy the property. He reported making periodic visits to ensure that progress continues.

10. Legislative Update:

ZCO Guszkowski advised a lot of housing legislation is being proposed, and the Governor is proposing funding for developers to work on transit-oriented development in those areas with transit infrastructure

It is anticipated that legislation may be proposed that would allow publication by local (governmental) websites of Legal Notices to ensure broader public availability.

Legislation to more clearly define “hardship” standards for variances is anticipated to address the perception that variances are often granted by Zoning Boards of Appeal with little or no “hardship” involved.

Legislation must work its way through committees by March 31, 2023 to have a good chance for passage during the current legislative session.

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11. Bills for Payment:

Courant invoice for \$66.33 for publication of Legal Notice was unanimously approved for payment on motion by Henry Krempel, seconded by Seth Fidel.

12. Communications, Receipt of New Petitions, New Applications: Nothing had been received.

13. Approval of Minutes: January 31, 2023 Regular Meeting

On Motion by Pat Bisacky, seconded by Seth Fidel, the minutes of the January 31, 2023 meeting were unanimously approved. Shubert Koong abstained from voting.

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

15. Adjournment

There being no further business to come before the Commission,

On Motion by Peter Zanardi, seconded by Henry Krempel, the meeting adjourned at 8:17 P.M.

Respectfully submitted,

Bettie Perreault, Secretary