

**Town of Preston
Planning and Zoning Commission
Tuesday, February 5, 2008
Preston Town Hall
7:30 P.M.**

Public Hearing Minutes

1) Chairman Sinko called the meeting to order at 7:45 p.m.

2) Roll Call

Michael Sinko

Art Moran

Joe Biber

Roy Beauregard

Ed Fleming

Thomas Fenton

Parke Spicer II

Richard Chalifoux (Alternate)

George Jennings (Alternate)

Charles Raymond (Alternate)

Also present:

Kathy Warzecha – Town Planner

Kathy Nichols – Recorder

3) Determination of Quorum

It was determined there was a quorum.

Secretary Spicer read the legal notice published in the Norwich Bulletin on January 24, 2008 and January 31, 2008.

4) Public Hearings

a. Subdivisions

- i. **Subdivision Application #3-07, Red Feather, LLC, applicant, Heinz & Pauline Seligman, owners, for property located at 29 & 32 Roosevelt Avenue, requests to create 8 new building lots with remaining land. Planner Warzecha read for the record a letter dated January 29, 2008 from Attorney Mark Kelly to Planner Warzecha requesting that Application #3-07 be withdrawn at this time. It was explained that the applicant Red Feather, LLC is requesting to withdraw at this time due to not receiving approval from the Inland Wetlands Commission to date.**

b. Zoning Matters

- i. **ZONING TEXT CHANGE #1-08 - AMENDMENT REVISING SECTION 19.2 OF THE ZONING REGULATIONS REFERENCE TO NON-CONFORMING USES OF BUILDINGS REGARDING THE REBUILDING OF STRUCTURES DESTROYED BY FIRE OR NATURAL DISASTER.**

Planner Warzecha entered the following into the record:

Exhibit #1 – Legal Notice

Exhibit #2 – Proposed Regulation Change

Exhibit #3 – Town Planner's Report dated 1/31/08.

Exhibit #4 – Certified letter dated January 16, 2008 to abutting towns re: proposed regulation changes.

Exhibit #5 – Letter dated January 16, 2008 to Southeastern Council of Governments re: proposed regulation changes.

Exhibit #6 – Letter dated January 16, 2008 to Department of Environmental Protection re: proposed regulation changes.

Exhibit #7 – Letter dated January 23, 2008 from State of CT DEP.

Planner Warzecha explained to the Commission that currently the regulations require the owner of any structure destroyed by fire or natural disaster apply to the Commission to permit the rebuilding of the structure. The amendment would change the jurisdiction over the permit from the PZC to the ZEO. The criteria for rebuilding would remain the same.

Planner Warzecha noted that the regulation was forward to the DEP, SCOG and the abutting towns. To date, a letter has been received from DEP stating that the revision is consistent with the CT Coastal Management Act. The amendment was also forwarded to the town attorney for review. Attorney Manfredi recommended that some additional wording be added. It is agreed that his wording would clarify the issue that a property is not abandoned without the owner intending to abandon the use. The wording can be added at a later date and it is recommended that a public hearing be scheduled for March 4, 2008.

It was noted that the second part of the proposed regulation changes regarding "*An Amendment Revising Section 13.14.4 of the Zoning Regulations Regarding Temporary Mobile Home/Trailers*" was inadvertently left off the public hearing notice, so this will need to be published in the newspaper as a separate public hearing. It is recommended that a public hearing be scheduled for March 4, 2008.

Chairman Sinko asked if the Commission had any questions at this time.

Chairman Sinko asked if anyone from the public had any comments or questions regarding this change.

5) Chairman Sinko adjourned the meeting at 7:48 p.m.

Respectfully submitted,



Kathleen Nichols
Recorder