

Planning and Zoning Commission
Regular Meeting
Tuesday February 23, 2021 at 7:00 P.M.
Teleconference Meeting

1. Call to Order

Chairman Art Moran, Jr. called the meeting to order at 7:01 P.M.

2. Roll Call

Members

Art Moran, Jr. – Chairman
Richard Chalifoux – Vice Chairman
Anne Sabrowski -Secretary
Denise Beale
Charles Raymond
Doreen Rankin
Mike Sinko

Alternates

Robert Berube –
Nate Koniecko – absent
Phillip LaPierre – absent

Kathy Warzecha – Town Planner
Kimberly Lang – Recorder

Also, in attendance: Jerry Grabarek, Pat Biggins, Ken Zachem, John Thibeault, Max Zachem, and 6 other callers

3. Determination of Quorum

4. Approval of Minutes.

- a. January 26, 2021 Regular Meeting Minutes.

Kathy Warzecha noted that the Minutes read Special Meeting rather than Regular Meeting.

Denise Beale noted the following corrections:

- Page 3 – Kathy Warzecha’s first paragraph, second line from the bottom, eliminate “to do”
- Page 4 – Robert Berube line change “get” to “got”
- Page 6 – sixth line “is” should be “are”
- Page 7 – second line eliminate “that the”

Richard Chalifoux motioned to approve the amended January 26,2021 Minutes. Mike Sinko seconded the motion. Richard Chalifoux, Denise Beale, Charles Raymond, Doreen Rankin, and Mike Sinko, voted yes, while Anne Sabrowski abstained. The motion carried.

5. Communications

- a. Jan. 26, 2021 – email from Jerry Grabarek: regarding Planned Industrial District

- b. POCD 2024 Schedule
- c. Amendments to the Subdivision Regulations
- d. 2024 Plan of Conservation and Development Schedule with an explanation of timeline
- e. Zoning Bulletin, November 10, 2020
- f. Zoning Bulletin, December 10, 2020
- g. Zoning Bulletin, December 25, 2020
- h. Feb. 10, 2021 – letter from Heller, Heller, & McCoy Attorneys at Law to Mildred Peringer and Kathy Warzecha, Town Planner: response to a discussion on Feb. 4, 2021 regarding the property at 88 Hollowell Road Preston, CT 06365.
- i. Feb. 11, 2021 – letter from Connecticut Federation of Planning & Zoning Agencies: conference is cancelled and requesting award nomination for the upcoming webinar conference
- j. Feb. 16, 2021 – email from Jerry Grabarek to Kathy Warzecha: regarding follow up to allow a residence to be built in the P District
- k. Feb. 16, 2021 – a copy of a certified mail receipt dated Feb. 18, 2021 sent to Mr. William Buckley c/o Attorney William McCoy from Kathy LaCombe, Building Official, Preston Town Hall regarding 88 Hollowell Road Preston, CT 06365
- l. Feb. 16, 2021 – letter dated Feb. 16, 2021 to Attorney William McCoy from Kathy Warzecha, Town Planner regarding 88 Hollowell Road.
- m. Zoning Bulletin, January 25, 2021

6. Public Hearing – No Hearing

7. Old Business - None

8. New Business - None

9. Other Business

Kathy Warzecha suggested that the commission discuss Letter b – Jerry Grabarek’s communications first which was done.

a. Amendments to the Subdivision Regulations

Kathy Warzecha requested that if there were any typos or small changes in wording to either email them to her or drop them off in the blue box outside the town hall.

Mike Sinko asked who the Public Works Director was or if Preston had one.

Kathy Warzecha explained that they had just hired someone to fill that position and that she will make sure the term/title is consistent throughout the document.

Art Moran asked about Cluster Developments.

Kathy Warzecha suggested that topic be left alone for now.

Mike Sinko brought up shared driveways. It was decided further research is needed concerning regulations and water run off issues.

Richard Chalifoux suggested that in the next round of editing the regulations that the 3 alternates not be put together. He suggested that they be paired with more experienced members.

Kathy Warzecha will mix the groupings and reassign sections for the next meeting, she will make sure that the 3 alternates are not together.

b. Jerry Grabarek communications

Jerry Grabarek stated that he has a 142-acre farm and can't build a home on the property because it is zoned industrial. He would like to see a change in the regulations so that he can live closer to his farm's operations.

Kathy Warzecha suggested a residential house to accommodate a person associated with the business.

Mike Sinko pointed out the problem with changing regulations or status of the Grabarek farm is that the properties on either side are zone industrial; any changes would then create spot zoning; which is never good. He also asked how a home is taxed on a 142-acre farm.

Kathy Warzecha stated that a parcel of the 142-acres would be designated as part of the home's property and it would have a different tax rate than the rest of the farm.

Mike Sinko suggested that a plan be presented to the PZC by next month and go from there. Jerry Grabarek stated that he would have a plan ready for the next meeting, but he would like to see the zoning changed to Resort Commercial.

c. POCD 2024 Schedule

Kathy Warzecha reviewed the plan with the Commission. In Phase I, she has requested \$5000 to cover the cost of 2 additional hours per week for either the herself, the Town Planner, or another person to complete the research needed for Phase I. She pointed out that the data research will include: traffic, population, housing, community services, economic conditions, historical and archeological, land use, environmental, and agriculture. She gave a list of 14 items of research that would be covered with the possibility of more. It is hoped that all the necessary data is collected by December 2021; and then preparation of a town survey will be completed by February 2022.

Phase II would be the preparation of existing conditions sections. This will include land use such as residential, commercial, industrial, open space, and agriculture. It will also look at special interest areas like Amos Lake, Route 2 Corridor, Preston City Village, Poquetanuck Village, Hallville Mill Village, Quinebaug and Shetucket Rivers, Valley National Corridor, and Preston Riverwalk. This part of Phase II will be completed by June 2022. The second part of Phase II will incorporate the collected data into the document, making changes where necessary to present to the public. This will conclude with Public Meetings by December of 2022.

Phase III will be the collection of the Community Survey and compiling the results.

Phase IV will be the preparation of the Plan's goals and objectives including: land use, environment, historical resources, housing (including an Affordable Housing Plan), community services, and infrastructure.

Phase V will be the Action Plan and Community Tasks. The completion would be January 2024 with Public Meetings, Public Hearing in March 2024, and the final adoption in April of 2024.

Kathy Warzecha shared that this is an aggressive plan and that the requested funds of \$5,000 would only cover the first year and that more funds will be requested in subsequent years. There is a lot to be done, but if the work isn't completed, there would be a need to hire someone and that would be far more costly to the town. The work will start this July if the funds are allocated.

d. Eight percent grade requirements for driveway

Art Moran stated that millings should be changed to pavement in the regulations.

Kathy Warzecha share that Tom Cummings stated that if you don't want any issues you need pavement.

Art Moran stated that 8% seemed low.

Mike Sinko shared that water doesn't need much of a grade to do damage.

Richard Chalifoux stated that water will channel and do damage even on 8% grades.

Kathy Warzecha stated that the regulations say "paving or other acceptable materials to the Commission"; she shared that if the regulations changed to say pavement only then everyone would know.

Mike Sinko felt that if it's left up to the Commission we'll argue every time it's brought up.

Richard Chalifoux suggested to change to concrete or pavement.

Robert Berube suggested pavers, concrete, pavement, or something solid.

Kathy Warzecha suggested waiting to make changes to the regulations all at once.

e. Transient Vacation Rentals

Doreen Rankin recused herself from this discussion.

Kathy Warzecha explained that the owners of 88 Hollowell Road purchased and renovated the home without building permits. The home has been rented 45 times and Zoning doesn't allow what he's doing. Neighbors are complaining about the turnaround of renters and the additional traffic. People are doing this all over town. Unfortunately, we can't address Airbnb because we don't have regulations. We need to look for a balance.

Art Moran shared that he felt we need regulations to allow this, give it time, and then adjust the regulations according to what is seen.

Kathy Warzecha shared that renting impacts the neighborhood, and that taxes would need to be adjusted as commercial use. She shared that every town is struggling with this issue.

Anne Sabrowski asked if it is a Zoning or an Ordinance issue.

Kathy Warzecha stated that if it's an Ordinance then someone needs to oversee it.

Robert Berube reminded the group that we only find out about these when there is a complaint. He suggested to reach out to Stonington Bourgh which had this issue in the paper recently. They had an issue and now they don't, finding out what they did may help us.

Kathy Warzecha pointed out if Preston at least had something in the Regulations to allow this, it would give the Commission and the Town more to work with.

Art Moran asked regarding a B&B, if the person is supposed to live there, and how do we know they live there.

Kathy Warzecha suggested that the group do further research. She also pointed out that the ZEO only works 2 hours a week, which would limit the ability to check on these properties for compliant.

Art Moran suggested Airbnb taxes to pay for additional hours.

10. Public Comment

John Thibeault stated he was in favor of Resort Commercial change to Zoning Regulations in order to help Jerry Grabarek's situation.

11. Adjournment

Mike Sinko motioned to adjourn at 8:20 P.M. Denise Beale seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Kimberly Lang

Kimberly Lang

**Planning and Zoning Commission
Public Hearing
Tuesday, January 26, 2021
Teleconference Meeting**

1. Call to Order

Chairman Art Moran, Jr. called the meeting to order at 7:12 P.M.

2. Roll Call

Members

Art Moran, Jr. – Chairman
Richard Chalifoux – Vice Chairman
Anne Sabrowski -Secretary
Denise Beale
Charles Raymond
Doreen Rankin
Mike Sinko

Alternates

Robert Berube –
Nate Koniecko – excused
Phillip LaPierre – excused

Kathy Warzecha – Town Planner
Kimberly Lang – Recorder

3. Determination of Quorum

4. Public Hearing

Anne Sabrowski read into the record the Norwich Bulletin Legal Notice which was published on January 14, 2021 and January 21, 2021 as required by law.

1. Re-subdivision Application #2020-01, Joshua Koniecko for property located at 35 Watson Road; Create a 2-lot subdivision adding one new building lot.

Kathy Warzecha enter the following into the record:

1. Application submitted by Joshua Koneicko dated Dec. 3, 2020.
2. Re-subdivision Plan prepared by Advanced Survey, for 35 Watson Road, Preston, CT.
3. Subdivision referral sheet dated Dec. 9, 2020.
4. Letter dated Dec. 11, 2020 from Thomas Cummings, CLA Engineers, Inc. Comments indicating that the “subdivision plans are satisfactory as submitted”.
5. Comments from Len Johnsons, IWWC enforcement officer, dated Dec. 12, 2020 indicating that the application requires IWWC approval.
6. Comments from Millie Peringer, ZEO, No comment.
7. Letter dated Dec. 18, 2020 from John Moulson, Chairman of IWWC indicating that plans show no work within the wetland area or within 100 feet of the wetlands, noting there is no impact on the wetlands.
8. Letter dated Dec. 1, 2020 from Albert Gosselin, Sanitarian, Uncas Health District indicating that the lots meet the requirements for sewage disposal as stipulated by the CT Public Health Code.
9. Legal Notice
10. Planner’s Comments.
11. Notification to abutters
12. Planner’s report.

Kathy Warzecha summarized her report stating that the property is zoned R-60, requiring 60,000 square feet of land and 200’ road frontage. The developed lot has 85,143 square feet; it will have over 700’ of road frontage. The second parcel is 362,895 square feet (or 8.33 acres). The lot has just under 200’ of road frontage. The plan shows the location of test pits, perc test, and primary and reserve septic system which is located to the rear of the proposed house. The property is woodlands and slopes back towards the wetlands. All work proposed on the property will be outside of the 100’ wetland’s buffer and wetland area. The plan shows the land dedication for road purposes in the front of the new building lot, but the land in front of the developed lot has already been dedicated to the town as part of the previous subdivision. Kathy Warzecha stated this is a fairly simple subdivision, and recommended the following:

- A letter that indicates that the land will be dedicated to a family member or an open space fee will be required.
- Modify the front yard setback from 75' from the centerline of the road to 50' from the front property line.
- Details shall be provided of the grading around the garage to ensure that the flow of water does not go into the garage. The details can be provided prior to the issuance of the zoning permit.
- A certificate of final zoning compliance shall not be granted until the driveway is paved.
- Pins and monuments shall be installed prior to endorsement of the plans. The land surveyor shall certify that they have been installed.
- Deed for the road shall be provided prior to the endorsement of the plan.

Art Moran asked how steep the driveway will be.

Kathy Warzecha stated that the entire driveway will be paved to prevent erosion.

Richard Deschamps stated that there is a 12-13% grade, however a more detailed plot plan will show the grading around the garage when submitted for a zoning and building permit.

No one spoke in favor or against this application.

2. Special Exception Application #2021-01, Allyn Brown III on behalf of Maple Lane Farms; Converting existing residence to an Accessory Farm Business pursuant to Section 6.2, reference to 5.2.14 e and Section 18.22 Historic Inns.

Kathy Warzecha entered the following into the record:

1. Application submitted by Allyn Brown on behalf of Maple Lane Farms LLC for property located at 50,53,57 Northwest Corner Road dated Jan. 13, 2021.
2. Town referral dated Jan. 13, 2021.
3. Comments from the Building Inspector dated Jan. 14, 2021 indicating because the house will be used as an AirBnB and not rented by the room, the home is still defined as a single-family home based on the Building Code (not zoning). Comments indicate that smoke detectors should be installed.
4. Comments from the Zoning Enforcement Officer indicated that the the plans meet regulations.
5. Comments from Christopher Madden that the septic meets the Public Health Code, which defines the use as a multi-family because it is being rented out as an Airbnb.
6. Legal Notice.
7. Planners report.

Kathy Warzecha summarized her report stating that the plans follow the regulations adopted for Historic Inns. It is located on a farm and that the it has 6 rooms. There will be no modifications to the structure and there is plenty of parking. The Inn would not increase the traffic to the area. No food will be offered at the site; however, the guest will be able to bring their own food and prepare it on site. The applicant adequately addresses all areas of the regulations.

Art Moran asked who Chris Madden was?

Kathy Warzecha stated that Chris Madden was from the Uncas Health District.

Allyn Brown stated that it would not be an owner-occupied Inn. We picture it as an extension of the wedding venue. Renting the home to wedding parties from Thursday to Sunday as they prepare for the wedding. It would be the whole house that is rented not individual rooms. We are calling it the "1791 House" in keeping with the colonial and historic flavor of the area.

Anne Sabrowski asked if an Inn that doesn't need to have an owner on site.

Kathy Warzecha stated that "Tourist Homes" need to be owner occupied, an Inn does not.

Allyn Brown read Regulation 18.22 pertaining to the discussion.

Mike Sinko asked if the Special Exception is approved, does it go with the property if it's sold.

Kathy Warzecha explained that the house and the Special Exception must remain as part of the farm.

No one spoke in favor or against this application.

The Public Hearings closed at 7:45 P.M.

Respectfully Submitted,

Kimberly Lang

Kimberly Lang

Richard Chalifoux motioned to approve the amended January 26,2021 Minutes. Mike Sinko seconded the motion. Richard Chalifoux, Denise Beale, Charles Raymond, Doreen Rankin, and Mike Sinko, voted yes, while Anne Sabrowski abstained. The motion carried.

Mike Sinko motioned to adjourn at 8:20 P.M. Denise Beale seconded the motion. The motion carried unanimously.