

**Planning and Zoning Commission
Special Meeting
Tuesday May 11, 2021 at 7:00 P.M.
Teleconference Meeting**

1. Call to Order

Vice Chairman Richard Chalifoux called the meeting to order at 7:07 P.M.

2. Roll Call

Members

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

Alternates

Robert Berube – resigned
Nate Koniacko – seated for Mike Sinko
Phillip LaPierre – resigned

Kathy Warzecha – Town Planner
Kimberly Lang – Recorder

Also, in attendance: 14 members of the public

3. Determination of Quorum

4. Approval of Minutes – None to approve

5. Communications - None

6. Public Hearing -

Please see Minutes for Public Hearing from 7:08 -9:41

- a. **Subdivision Application #2021-01**, Maro P. Flagg, Jr. and James E. Simpson, Applicant/Owners of property located at 583 Route 164; Create a 6-lot subdivision.
- b. **Zoning Text Amendment #2021-01**, Gerald W. Grabarek, Applicant/Owner for property located at 17 Hewitt Road; Residential use in a Resort Commercial District.

7. Old Business –

- a. **Subdivision Application #2021-01**, Maro P. Flagg, Jr. and James E. Simpson, Applicant/Owners of property located at 583 Route 164; Create a 6-lot subdivision. This application is tabled.

Charles Raymond motioned to table until Tuesday May 25, 2021 Regular Meeting Subdivision Application #2021-01, Maro P. Flagg, Jr. and James E. Simpson, Applicant/Owner of property located at 583 Route 164; Create a 6-lot subdivision. Nate Koniacko seconded the motion. The motion carried unanimously.

8. New Business

After a discussion it was decided to deal with Parts a. and b. of the application separately due to members opinion that the two parts are separate issues and should be treated as such with their own motions and votes.

Zoning Text Amendment

- a. **Zoning Text Amendment #2021-01**, Gerald W. Grabarek, Applicant/Owner for property located at 17 Hewitt Road; Amendment to “definitions” Section 2 of the Zoning Regulations regarding farms and incidental farming uses to include single family homes and accessory apartments within accessory buildings.

Charles Raymond motioned to approve Zoning Text Amendment #2021-01, Gerald Grabarek, Applicant/Owner for property located at 17 Hewitt Road; Amendment to “definitions” Section 2 of the Zoning Regulations regarding farms and incidental farming uses to include single family homes and accessory apartments within accessory buildings. He also noted that the Text Amendment was aligned with Preston POCD. Anne Sabrowski seconded the motion. The motion carried unanimously.

- b. Amendment to Section 10.3 of the Preston Zoning Regulations, re-lettering 10.3.7 and creating A.) and adding B.) to allow for residential use in Resort Commercial District.

It was noted that since the creation of the area in question along Route 2, there has been very little development in the past 30 years. A change to the Regulations would allow for the development of residential areas that would help the tax base rather than let the area continue to go undeveloped. Kathy Warzecha stated that this change should be consistent with the POCD.

Nate Koniacko motioned to approve Amendment to Section 10.3 of the Preston Zoning Regulations, re-lettering 10.3.7 and creating A.) and adding B.) to allow for residential use in Resort Commercial District. He also noted that the Text Amendment was aligned with Preston POCD. Richard Chalifoux seconded the motion. Anne Sabrowski, Nate Koniacko, and Richard Chalifoux voted in favor; while Charles Raymond voted against the motion. The motion carried 3 to 1.

9. Other Matters - none

10. Public Comment - None

11. Adjournment

Charles Raymond motioned to adjourn at 9:58 P.M. Nate Koniecko seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Kimberly Lang

Kimberly Lang

**Planning and Zoning Commission
Public Hearing
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1. Call to Order

Vice Chairman Richard Chalifoux called the meeting to order at 7:08 P.M.

2. Roll Call

Members

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

Alternates

Robert Berube – resigned
Nate Koniecko – seated for Mike Sinko
Phillip LaPierre – resigned

Kathy Warzecha – Town Planner
Kimberly Lang – Recorder

Also, in attendance: 14 members of the public

- a. Subdivision Application #2021-01**, Maro P. Flagg, Jr. and James E. Simpson, Applicant/Owners of property located at 583 Route 164; Create a 6-lot subdivision.

Anne Sabrowski read the legal notice published in the ***Norwich Bulletin*** on Thursday April 29, 2021 and Thursday May 6, 2021.

Kathy Warzecha enter the following documentation into the records:

Exhibit 1 – Subdivision Application #2021, Maro P. Flagg, Jr., 6 lots located at 583 Route 164

Exhibit 2 – Cost Estimate

Exhibit 3 – Subdivision Plan entitled, “Maro P. Flagg, Jr. & James E. Simpson, Burton Road & Old Jewett City Road (CT Route #164). Preston/Griswold, CT February 2021

Exhibit 4 – Drainage Narrative

Exhibit 5 – Comments dated 03.24.2021 from Mario Tristany, Jr. Town Planner, Town of Griswold

Exhibit 6 – Letter dated 03.17.21 from the CLA Engineer review of subdivision

Exhibit 7 – Comments dated 03.15.2021 from the Building Official

Exhibit 8 – Letter dated 03.11.2021 to SCCOG notifying of subdivision

Exhibit 9 – Letter dated 03.11.2021 notifying Griswold Town Clerk of subdivision

Exhibit 10 – Town Referrals dated 03.10.2021

Exhibit 11 – Referral response from Uncas Health

- Exhibit 12** – Referral response from SCCOG – This was read into the records noting that this project has no intermunicipal negative impact
- Exhibit 13** – Referral response from Public Works
- Exhibit 14** – Legal Notice of Public Hearing April 27, 2021
- Exhibit 15** – CLA Comments dated April 20, 2021
- Exhibit 16** – Planner’s Comments
- Exhibit 17** – Updated Subdivision Plan dated April 21, 2021 prepared by Boundaries, LLC.
- Exhibit 18** – Letter dated April 27, 2021 from David McKay of Boundaries, LLC.
- Exhibit 19** – Email dated April 27, 2021 from Bridget Parks – Kathy Warzecha read this into the records
- Exhibit 20** – April 26, 2021 Minutes from CAC
- Exhibit 21** – Notification to Abutters
- Exhibit 22** – Certified Notices to Abutters dated April 14, 2021
- Exhibit 23** – Legal Notice to Public Hearing May 11, 2021
- Exhibit 24** – Notification to Abutters dated April 28, 2021
- Exhibit 25** – Letter dated May 11, 2021 from Martin McKinney, PZC Chair – letter stating that the Griswold PZC approve the plan unanimously
- Exhibit 26** – Planner’s Report
- Exhibit 27** – Revised Open Space Plan

Attorney David McKay presented to the Commission at this time. He stated that the project included approximately 38 acres; 3 acres in Griswold and the remaining 35 acres in Preston. The proposal divides the parcel into 6 building lots. Lot #1 is entirely in Griswold, while Lots #2-6 are in Preston. The proposed density is 1 home per 6 acres. This area is zoned R60 and all homes will be single family homes. It was noted that the Conservation and Wetlands Commissions in both towns have approved the proposed subdivision. It was pointed out that Lot #2 crosses wetlands that have been historically disturbed, there are established hay fields, so there should be no issues. All identified engineering issues have been addressed. All issues that were pointed out by Town Planners have been addressed as well.

The owners are asking the Commission to grant a Conservation Easement for Lots #5 and #6. It was pointed out that every subdivision must comply with Open Space Regulations which states that up to 10% of the development (about 3.8 acres) be set aside as Open Space. This can be done in lieu of an Open Space Fee. It is hoped that the easement would preserve the area along CT Route #164, which has been designated as a scenic highway. In order to allow this easement, the owner has given up a possible building lot to help preserve “Agricultural Alley” along CT Route #164 north of CT Route #165. It was pointed out that the density of the proposed subdivision is far less than possible density of this property and it has been done so in order to maintain the rural feel of the area.

David McKay went over the revised Open Space Plan that includes the addition of a Conservation Easement attached to Lots #5 and #6. This easement would protect the scenic highway vistas and the wetlands on this property.

Harry Heller shared that Lot #6 has 5.82+ acres which includes the proposed open space. Pins and monuments would be placed in 100’ increments along the boundaries of the easement. The easement would restrict what the property owner could do in that area.

Kathy Warzecha stated that all lots comply with Uncas Health District regulations. She also stated that only 2 driveways cut into Preston roads, Lots #1 and #2. She recommended that crossings

be installed before a building permit is awarded. Pins and monuments be installed prior to endorsements. She stated that additional testing maybe required for some sites.

The Commission asked if the property owners would be allowed to maintain healthy woodlands in the easement, such as getting rid of invasive bittersweet. They were told any thing done in the easement area the property owner would have to go back to the Commission for permission to do anything, including clearing of invasive plants.

Public Comment

Gary Piszczek, 24 Middle Road, stated that he was against the easement, he would rather see the Town accept an Open Space Fee for future open space purchases.

Jerry Grabarek, 17 Hewett Road, stated that he agreed with Gary Piszczek, farm land is being developed so the town needs to take the money not the land.

Anne Sabrowski asked for clarification of fee vs. easement.

It was explained that when a subdivision is made that the development can either have each property pay a 10% Open Space Fee that then goes into the Open Space Fund for the town to purchase land to preserve open space within the town limits. Or the subdivision will set aside a portion of the land in the subdivision as open space. This subdivision is proposing to set aside land rather than pay the fee.

This Public Hearing concluded at 8:39 P.M...

- b. Zoning Text Amendment #2021-01**, Gerald W. Grabarek, Applicant/Owner for property located at 17 Hewitt Road; Residential use in a Resort Commercial District.

Anne Sabrowski read the legal notice published in the ***Norwich Bulletin*** on Thursday April 29, 2021 and Thursday May 6, 2021.

Kathy Warzecha enter the following into the records:

- Exhibit 1** – Application on behalf of Gerald Grabarek for an amendment to Section 10.3.7 of the Zoning Regulations
- Exhibit 2** – Amendment to Section 10.3.7 of the Zoning Regulations
- Exhibit 3** – Legal Notice of Public hearing April 27, 2021
- Exhibit 4** – Letter dated 04.7.2021 to SCCOG
- Exhibit 5** – Letter dated 04.7.2021 to abutting towns
- Exhibit 6** – Referral response from SCCOG
- Exhibit 7** – Legal Notice of Public Hearing May 11, 2021
- Exhibit 8** – Letter dated May 10, 2021, from Eimy Quispe, Environmental Analyst, CT DEEP, Plan Review
- Exhibit 9** – Letter dated May 5, 2021 from Robert Adams, Lisbon PZC
- Exhibit 10** – Planner’s Report

Jerry Grabarek, 17 Hewitt Road, pointed out that the first request on the application is to allow a house on farms regardless of where they are located or how they are zoned. He pointed out that his farm of 144 acres is in an Industrial Zone, which doesn't allow a house to be built. If I'm to maintain my farm I need to live there.

And that the second part is to allow houses to be built in Resort Commercial areas only on town roads where it is mostly zoned R60. He pointed that the town has not seen the development they had hope to have so it was time to make changes and allow homes to be built and increase the town's revenues that way.

Kathy Warzecha shared a map highlighting the affected areas.

It was asked if all farms, regardless of their district have homes. It was decided that most do and that those that don't have a home and wish to build one would follow the lot requirements for the zone they are located in.

Ken Zachem, 17 Matthewson Road, stated that he was in favor of the Resort Commercial change. He pointed out that farming has evolved and the Commission made changes. He stated that it's now time to make changes in the Resort Commercial areas because there hasn't been the development that was anticipated 30 years ago. These changes will help develop this area, which will increase our tax base.

Katrina Sharkey, 106 Branch Hill Road, questioned the change's effect on the future use of her property.

Kathy Warzecha stated that it would only affect farms.

Gary Piszczek, 124 Miller Road, stated that he was in favor of the changes.

Melissa Holland, 32 Miller Road, afraid the change will have a negative impact in other areas of the town.

Kathy Warzecha stated that the changes do support the POCD, by helping to promote and preserving farms.

Ken Zachem, 17 Matthewson Road, pointed out that the second part of the application is looking at Route 2, and realizing that after 30 years with little to no development that 1000' from Route 2 is too much, and that 400' is more reasonable. The area would be zoned residential R60, maybe the town could see some development in that area.

Both Charles Raymond and Anne Sabrowski shared their surprise and distress that the two Amendments are one agenda item, when they are two different issues. It was also asked how these changes aligned with the POCD.

Kathy Warzecha stated that she felt both changes aligned with POCD. That a residential area would be a good buffer to the wetlands that are located at the back of the Resort Commercial area, and that it has always been a priority for development on state roads away from residential areas. These changes do adhere to that.

Pearl Potter, 6 Nelson Drive, requested the Commission take more into consideration when making their decision.

It was noted that the change in the Resort Commercial who affect 6-7 parcels and that some of the larger parcels could be subdivided for building lots.

With no further discussion this Public Hearing was closed at 9:41 P.M...

Respectfully Submitted,

Kimberly Lang

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