

Planning and Zoning Commission
Regular Meeting
Tuesday, December 28, 2021
7:00 P.M.
Preston Plains Middle School

1. Call to Order

Art Moran, Jr. called the meeting to order at 7:00 P.M.

2. Roll Call

Members

Art Moran, Jr. – Chairman
Richard Chalifoux – Vice Chairman
Zach Turner
Denise Beale - absent
Charles Raymond
Doreen Rankin
Mike Sinko

Alternates

Nate Koniecko -absent
Fred Eddy - absent
Terri Eickel - seated for Denise Beale

Kathy Warzecha – Town Planner
Kimberly Lang – Recorder

Also present:

10 members of the public

3. Determination of Quorum

4. Approval of the Minutes

- a. Special Meeting Minutes for Nov. 22, 2021 and Site Walk Minutes of Saturday Dec. 4, 2021**

The following corrections were noted:

- Page 2, 4th line - “wasdecided” should be separated to read “was decided”
- Page 2, 5th line - “to” needs to be eliminated to read “be emailed to members
- Page 2, letter d., 2nd line - “Woodmanseeregarding” should read “Woodmansee regarding”
- Page 2, last paragraph, 1st line - “used” needs to be eliminated
- Page 7, 2nd paragraph - “Tom Weber” needs to be moved after Officer

Mike Sinko motioned to approve Special Meeting Minutes for Nov. 22, 2021, and Site Walk Minutes for Saturday, Dec. 4, 2021 as corrected. Richard Chalifoux seconded the motion. The motion was carried unanimously.

5. Communications

- a. **Zoning Permit Application #2021-06**, Amanda Migliaccio, Applicant and Taylor Woodmansee, Owner for property located at 57 Krug Road; Accessory Building as kitchen for baked goods.
- b. Page 2 and 3 of the Board of Selectmen Regular Meeting Minutes dated December 16, 2021 regarding Planning and Zoning Bid Waiver request and the Planning & Zoning Commission’s formal vote.
- c. Email dated Dec. 22, 2021 from Max Zachem to Bekah Little regarding 356 Route 2 and possible text change in Resort Commercial Zoning Regulations.
- d. Zoning Bulletin, September 25, 2021
- e. Zoning Bulletin, October 10, 2021
- f. Zoning Bulletin, October 25, 2021
- g. Zoning Bulletin, November 10, 2021
- h. Zoning Bulletin, November 25, 2021

6. Public Hearing - None

7. Old Business

Special Exception

- a. **Special Exception Application #2021-03**, Blue Camp CT, LLC, Applicant and Mashantucket Pequot Tribal Nation, Owner for property located at 451, 455, & 495 Route 2; Comprehensive luxury recreational campground.

This will be tabled until the January 25, 2022 Regular Meeting.

Site Plan

- a. **Site Plan Application #2021-03**, Blue Camp CT, LLC, Applicant and Mashantucket Pequot Tribal Nation, Owner for property located at 451, 455, & 495 Route 2; Comprehensive luxury recreational campground.

This will be tabled until the January 25, 2022 Regular Meeting.

8. New Business

Zoning Permit

- a. **Zoning Permit Application #2021-06**, Amanda Migliaccio, Applicant and Taylor Woodmansee, Owner for property located at 57 Krug Road; Accessory Building as kitchen for baked goods.

Kathy Warzecha explained that she is still awaiting the results of both the well and septic test that Uncas Health District needs to perform before this application can move forward. She suggested that it be tabled until the next meeting.

Doreen Rankin motioned to table Zoning Permit Application #2021-06, Amanda Migliaccio, Applicant and Taylor Woodmansee, Owner for property located at 57 Krug Road; Accessory Building as kitchen for baked goods, until January 25, 2022 Regular Meeting. Terri Eickel seconded the motion. The motion was carried unanimously.

9. Other Matters

- a. **Page 2 and 3 of the Board of Selectmen Regular Meeting Minutes dated December 16, 2021 regarding Planning and Zoning Bid Waiver request and the Planning & Zoning Commission's formal vote.**

Zach Turner recused himself from this discussion.

Kathy Warzecha explained that the Board of Selectmen are requesting a formal action regarding the payment of the Traffic Engineer report/survey (\$3,000) and SCCOG review the report (\$1,125).

Charles Raymond motioned to approve the hiring of a Traffic Engineer and SCCOG staff and the payment to SCCOG for their services for a total of \$4,125. Doreen Rankin seconded the motion. The motion was carried unanimously.

- b. **Email dated Dec. 22, 2021 from Max Zachem to Bekah Little regarding 356 Route 2 and possible text change in Resort Commercial Zoning Regulations.**

Max Zachem pointed out discrepancy in the regulations and asked that the Commission clarify those discrepancies. He pointed out that 2010 Regulations stated that setbacks were to be 50 feet from the center of the road and that according to the 2010 Regulations all setbacks were from the centerline of the road. Regulations stated that setbacks are to be 50 feet from the property line and now Resort Commercial it's to be 100 feet from the property line. The distance has doubled which pushes businesses further from the customers, which doesn't

promote business. Max Zachem stated to help businesses and to promote new businesses to the area that setbacks be 50 feet from the property line not the 100 feet. Max Zachem shared the discrepancies that are confusing because what is posted on the Town Website is not the regulations that he is being told to follow.

Kathy Warzecha will research the matter.

The Commission members suggested that Max Zachem, Kathy Warzecha, and Art get together to see what the best way to pursue his ultimate goal of using part of the setback area for parking.

c. Cannabis Follow-up

Kathy Warzecha shared that the Town Attorney gave her a template to write up the regulations. She also shared that only a few towns have adopted regulations to date. Part of the issue is that the statutes are so complex. She asked the Commission members to review the draft and to email her any questions or suggestions. She pointed out a cultivator grow area is over 15,000 square feet, and a micro-cultivator grow area is under 10,000 square feet.

Kathy Warzecha pointed out that the Commission could regulate hours of operation of dispensaries and growing production facilities.

She stated that dispensaries could not be within 1,000 feet and growing facilities could not be 500 feet from a school, a place of worship, park, etc.

Members were requested to look over the draft and send her their suggested changes. After Commission changes are made, she will send the draft to the town attorney to complete his final review.

d. Affordable Housing Plan

Kathy Warzecha stated that the survey was posted on the Town's website, in the newspaper, and on the Town's Facebook page and they only received 47 responses. She is hoping to send flyers/information through the local churches, schools, Senior Center, and possibly the Transfer Station in hopes of getting more participation in the survey. Without the survey it is difficult to move forward with the plan.

a. POCD

Kathy Warzecha shared that the focus at the moment is to develop and complete an Affordable Housing Plan which is part of the POCD.

Richard Chalifoux waived Zoning Permit Application #2021-05, Paws of War, Inc., Robert Misseri, Applicant and Glenn Ceccarelli, Owner for property located at 76 Branch Hill Road;

Short-Term Rental, Veterans Sanctuary Residence for members of the military and first responders onto the agenda. Doreen Rankin seconded the motion. The motion was carried unanimously.

Art Moran reported that it has been requested that the \$200 application fee be waived because Paws for War, Inc. is a nonprofit organization.

Doreen Rankin motioned to waive the \$200 application fee for Zoning Permit Application #2021-05, Paws of War, Inc., Robert Misseri, Applicant and Glenn Ceccarelli, Owner for property located at 76 Branch Hill Road; Short-Term Rental, Veterans Sanctuary Residence for members of the military and first responders. Richard Chalifoux seconded the motion. The motion was carried unanimously.

Richard Chalifoux motioned to waive Commission membership onto the agenda. Mike Sinko seconded the motion. The motion was carried unanimously.

Art Moran shared his concern that Denise Beale has missed a number of meetings due to personal reasons. He feels with the upcoming applications that a full Commission is needed and asked for the best course of action. Kathy Warzecha strongly urged that the Commission's By-Laws be followed. She believed that, based on the By-Laws, the person in question needs to be asked to attend the meeting and to explain their absences, if they fail to attend then it's appropriate to remove the member and appoint a new member so that the Planning & Zoning Commission can function as a full Commission.

Kathy Warzecha will draft a letter and share it with Art Moran, Chairman. Any letter sent will be certified mail.

10. Public Comment

Jen Hollstein, 12 Lynn Drive, questioned Art Moran's site visit with Attorney Heller. She felt that it was unethical.

Art Moran explained that he was unavailable for the original site walk and had to meet separately with the attorney to conduct a site walk. It was noted he did not discuss the application (other than locational matters). Kathy Warzecha stated (based on her discussion with the applicant's attorney) the owners of the property do not want anyone on the site without a representative of the owner. Since there were no other members present at the site walk it did not constitute a meeting and no minutes are required.

Shelley Seeley, 18 Lynn Drive, asked when the traffic study was done. She further stated

that if it was done during the Covid lock down that won't be a true picture of traffic patterns because people weren't driving.

Susan Hodgensen, 20 Lynn Drive, stated that one Commission member meeting alone with the Attorney to do a site walk in her opinion was not a good look in the public's perception.

Tom Seeley, 18 Lynn Drive, asked how the public would be notified and information shared about any meetings or hearings concerning this application.

Ken Zachem stated that it will need to be the usual ways because the Town can't use Everbridge to advertise the meeting.

Mary Ann O'Neil, 229 Route 164, asked if the meetings and hearing would be virtual for those who can't attend the meeting.

Kathy Warzecha stated that the town doesn't have the equipment to do a virtual and live meeting simultaneously.

11. Adjournment

Richard Chalifoux motioned to adjourn the meeting at 8:02 P.M. Charles Raymond seconded the motion. The motion was carried unanimously.

Respectfully submitted,

Kimberly Lang