



# PLANNING & ZONING COMMISSION

Bethel Municipal Center  
1 School Street, Bethel  
Connecticut 06801  
(203) 794-8578

## PLANNING & ZONING COMMISSION MINUTES September 13<sup>th</sup>, 2016 BETHEL MUNICIPAL CENTER DENIS J RIORDAN – ROOM D 7:00PM

P. Rist called the meeting to order at 7:01 p.m.

Commission members present: P. Rist, Chair; R. Legnard; K. Grant; K. Parsons; J. Leone; S. Deuschle and B. Cavagna, Planning & Zoning Official.

### PUBLIC HEARING(s) CONT'D :

#### SUBDIVISION REGULATIONS REVISED:

Glen Chalder of Planametrics reviewed changes made to the document "Town of Bethel Subdivision Regulations" in response to public comment and review by Town Attorney, Martin Lawlor.

P. Rist closed the Public Hearing.

### PUBLIC HEARING:

#### TD & SONS/23 PAYNE ROAD/SUBDIVISION/3 LOTS

K. Grant read the legal notice.

R. Legnard read the Staff Report dated 8/29/16 by Beth Cavagna, Planning & Zoning Director.

D. Divesta, P.E., of DiVesta Civil Engineering Associates was present for the applicant.

The applicant is requesting approval of the subdivision of a 2.41 acre parcel of land into three (3) building lots. The property is located in the residential R-20 Zone, public sewer and Aquarion water is available. The property contains an existing single family dwelling which was created by a free cut.

Lot 4, shown on map entitled "TD & Sons, 23 Payne Road, Bethel, Connecticut Subdivision Feasibility Plan" rev. dated 8/26/16 by Divesta Civil Engineering, was created by the granting of a variance by the Zoning Board of Appeals on 3/15/16. The variance was to allow for a rear lot in the R-20 zone. Rear lots are normally allowed only in the R-40 and R-80 zones. During the variance process the applicant worked with the adjoining property owners to create a buffer of spruce trees along the driveway servicing the rear lot. Mr. DiVesta stated that the proposed

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accessway is below the maximum of 12% grade. The application has gone to a public hearing before the Inland-Wetlands Commission on 8/8/16 and is awaiting their decision pending Town Engineer comments/review.

No one spoke.

The public hearing is continued to 9/27/16.

**BUSINESS MEETING:**

Commission Members Present: P. Rist, Chair, R. Legnard, K. Parsons, J. Lennon, K. Grant, S. Deuschel.

K. Parsons was seated for E. Finch

**INVOICES:**

Motion by J. Lennon, seconded by R. Legnard to approve payment in the amount of \$2,106.30 to Connecticut Media Group/Danbury News Times for invoices related to legal noticing.  
Approved Unanimously.

**NEW BUSINESS:**

**BERKSHIRE INDUSTRIAL CORP/LOT 3R/REVISED**

Motion by J. Lennon, seconded by S. Deuschel to accept the site plan application and refer to T. Galliford, Fire Marshal and D. Arndt, Director of Public Works for review.  
Motion approved unanimously

**ARROW RECYCLING/ 104 WOOSTER STREET**

Robert Rybnick, owner appeared before the Commission to request direction on the potential expansion of his recycling business, Arrow Recycling, to include additional types of recycling materials. He provided the Commission with a copy of DEEP's "General Permit for Commercial Facility, Sections 1-8" and his permit from DEEP entitled "Approval of Registration General Permit to Construct & Operate a Commercial Facility.." exp. 2/2021. He also reviewed with the Commission the site plan of the Wooster Street property.

The Commission requested that staff provide additional informational materials regarding recyclable materials including asbestos and construction debris, for their review before the next meeting.

**WORKSESSION:**

S. Deuschel recused  
P. Rist recused

B. Cavagna read comments from E. Finch dated 9/13/16 entitled "Commission Meeting".

No consensus was reached at this time . The Commission tabled the discussion until the next meeting on 9/27/16.

P. Rist re-seated.

KRISTIN JENSEN/ 54 MILWAUKEE AVE/SPECIAL PERMIT/PHOTOGRAPHY STUDIO

Motion by R. Legnard, seconded by J. Lennon to approve an application for a Special Permit to allow the use of a barn for a photography studio and office on the .82 acre parcel located at 54 Milwaukee Avenue, Assessor's Map #39, Block #64, Lot #40, situated in the residential R-10 Zone, owned by Kirstin Jensen subject to stipulations.

The Commission recognizes that the *historic barn* is a contributing structure to the property and neighborhood. The proposed use of the barn for a photography studio and office is considered a home based business, with a special permit issued under Sec 3.6.B.2.a to allow the operation of an accessory structure.

Reasons: The Commission states that the low intensity of the proposed use will not have an impact on the existing neighborhood. In addition, the Commission recognizes that the historic structures on the property are a significant resource for the Town and the maintenance, restoration and adaptive re-use is encouraged in the 2007 Plan of Conservation and Development

Motion Passed. In favor: R. Legnard, J. Lennon, K. Parsons, K. Grant. Abstain: P. Rist

Motion by K. Grant to adjourn at 8:55, seconded by S. Deuschel.  
Motion passed unanimously.

Respectfully Submitted,



Nancy R. LoBalbo  
Recording Secretary