



PLANNING & ZONING COMMISSION

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

**PLANNING & ZONING COMMISSION
MINUTES
September 27th, 2016
BETHEL MUNICIPAL CENTER
DENIS J RIORDAN – ROOM D 7:00PM**

RECEIVED

2016 SEP 29 A 11: 56

TOWN OF BETHEL
TOWN CLERK

P. Rist called the meeting to order at 7:00 p.m.

Those present: P. Rist, Chair; R.Legnard; K.Grant; K.Parsons; E. Finch and B. Cavagna, Planning & Zoning Official.

PUBLIC HEARING(s) CONT'D :

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

Correspondence read into the record:

Bethel Police Department memo from Lt. R. Dickinson dated 8/16/16
Memo from Director of Public Works, D. Ardnt dated 9/27/16
Memo from Fire Marshal, T. Galliford dated 9/27/16

D. Divesta, P.E., of DiVesta Civil Engineering Associates was present for the applicant and provided the Commission with certification of notification of abutting property owners.

Mr. DiVesta addressed comments for clarification from Town Departments and stated that site lines for driveways meet the 200 foot minimum site distances required by the regulations. Approval for the project was received from the Inland Wetlands Commission on 9/26/16.

No one spoke.

P. Rist closed the public hearing.

PUBLIC HEARING(s):

**COMMISSION INITIATED TEXT AMENDMENT/MARIJUANA PROHIBITED/2.2
DEFINED TERMS, 4,3,4,4,4,6 initiated**

K. Grant read the Legal Notice

R. Legnard read the Staff Memo from B. Cavagna, Planning & Zoning Director, dated 9/27/16.

The regulation was drafted to address all phases of marijuana from growing the product to using the product for medicinal or recreational (if the State of Connecticut should ever choose to move in that direction). Staff noted that the present medical marijuana facility located in Bethel would become pre-existing, non conforming with the adoption of the regulation.

Those who spoke:

Peter Olson

Chestnut Street

P. Rist closed the public hearing

BERKSHIRE INDUSTRIAL CORP/TEXT AMENDMENT/SEC. 4.6A/ LOT WIDTH EXCEPTION

K. Grant read the Legal Notice

Attorney P. Olson represented the application.

Attorney Olson handed entered "Berkshire Industrial Corporation, Proposed Zone Text Amendment" into the record

The applicant seeks to apply the provisions of Sec. 4.6.A Lot Width/Frontage Exceptions of the zoning regulations to the IP zoning district as well as the Industrial (I) zone. Attorney Olson discussed the common elements between the I and IP Zones. He stated that, because of the similar nature of the two zones, it is appropriate to extend the regulation to the IP Zone and that its current omission appears to be an oversight in the initial drawing up of the regulation.

No one spoke.

P. Rist closed the public hearing.

SUBDIVISION REGULATIONS REVISED:

No one spoke. P. Rist closed the public hearing.

BUSINESS MEETING

Commission members present: P. Rist, Chair; R.Legnard; K.Grant; K.Parsons; E. Finch.

K. Parsons was seated for J. Lennon

MINUTES:

Motion by E. Finch, seconded by R. Legnard to accept the minutes of the 8/9/16 meeting.
Motion approved. P. Rist abstain.

Motion by K. Grant, seconded by R. Legnard to amend the minutes of the 9/16/16 meeting to include under worksession "DR JAMES HATT/LONG MEADOW LANE/SPECIAL PERMIT/REAR LOT" and to accept.
Motion approved. E. Finch abstain.

NEW BUSINESS:

BERKSHIRE INDUSTRIAL CORP/ BERKSHIRE BLVD/LOT 3R REVISED.

No public hearing, this item is slated for "action" only at the next regular meeting on 10/11/16.

TOWN OF BETHEL INITIATED/SOLAR FARMS OVERLAY ZONE.

Motion by R. Legnard, seconded by E. Finch to accept the application, set a public hearing date for 10/11/16 and refer out to appropriate departments.

Motion passed unanimously.

DOBRESKI/27 NASHVILLE ROAD EXT/SPECIAL PERMIT/ACCESSORY APARTMENT

Motion by R. Legnard, seconded by E. Finch to accept the application, set a public hearing date for 10/11/16 and refer out to appropriate departments.

Motion passed unanimously.

PERFORMANCE CONCRETE/31 DURANT AVENUE/ AMENDMENT TO SITE PLAN

Motion by R. Legnard, seconded by E, Finch to accept the application, set a public hearing date for 11/9/16 and refer out to all appropriate departments.

Motion passed unanimously.

ARROW RECYCLING/104 WOOSTER STREET/DISCUSSION OF POTENTIAL EXPANSION .

Discussion tabled to meeting on 10/11/16 as Staff is still awaiting information requested from State of CT. Dep't of Environmental Protection.

WORKSESSION:

DR JAMES HATT/LONG MEADOW LANE/BRIAR CLIFF/SPECIAL PERMIT/REAR LOT

P. Rist recused.

The Commission reviewed public input and drainage for this application. They discussed the merits of the application.

The Commission reached a consensus requesting Staff to draw up a resolution for approval for the regular meeting on 10/11/16.

P. Rist re seated.

BERKSHIRE INDUSTRIAL CORP/TEXT AMENDMENT/SEC. 4.6A/ LOT WIDTH EXCEPTION

The Commission discussed the merits of the application.

Motion by R. Legnard, seconded by E. Finch to approve the Text Amendment to Sec. 4.6.A to include "IP Zone", Effective date: 10/15/16.

Motion approved unanimously.

COMMISSION INITIATED TEXT AMENDMENT/MARIJUANA PROHIBITED/2.2 DEFINED TERMS, 4,3,4,4,4,6 initiated

A discussion by the Commission ensued.

Motion by E. Finch, seconded by K. Grant to approve Proposed Zone Text Amendment – Sale of Marijuana Sec. 2.2, Sec. 3.6, Defined Terms 4,3,4,4,4,6.
Effective date: 10/15/16

Motion Approved unanimously.

SUBDIVISION REGULATIONS REVISED:

Motion by K. Grant, seconded by E. Finch to adopt the Revised "Town of Bethel Subdivision Regulations" with the change to "Sec. 4.0 'streets to roads'".
Effective Date: 10/15/16.

Motion approved unanimously.

STAN WESTON/41 SHELLEY ROAD/SPECIAL PERMIT/EXCAVATION AND FILL

Motion by K. Grant, seconded by K. Parsons to DENY the application as, after many notifications, the applicant has failed to tender the fees for this application.

Motion passed unanimously.

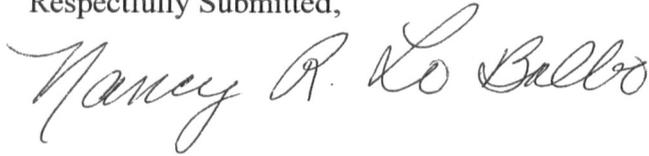
Correspondence:

Request by Minino Homes, Inc, Douglaston, NY to the Commission to provide a letter of approval to begin the construction of a home on Lot#4, 34 Vail Rd.

The Commission reached a consensus to direct Staff to draw up a letter of approval with the conditions that the lot meets the Health Department requirements and all original stipulations of approval for the subdivision.

Motion by P. Rist, seconded by K. Grant to adjourn at 8:30 p.m.
Motion passed unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Nancy R. LoBalbo".

Nancy R. LoBalbo
Recording Secretary

A handwritten mark that looks like a stylized letter 'G' or 'C', possibly a signature or initials.