



# PLANNING & ZONING COMMISSION

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

**PLANNING & ZONING COMMISSION  
MINUTES  
October 11<sup>th</sup>, 2016  
BETHEL MUNICIPAL CENTER  
DENIS J RIORDAN – ROOM D 7:00PM**

RECEIVED

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TOWN OF BETHEL  
TOWN CLERK

P. Rist called the meeting to order at 7:03 p.m.

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

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

**TOWN OF BETHEL INITIATED/SOLAR FARMS OVERLAY ZONE**

K. Grant read the Legal Notice.

B. Cavagna, Planning & Zoning Director stated that she has reviewed the Regulation with Town Counsel, M. Lawlor and it was decided that the I & IP zones are the most appropriate zones for the proposed activity. The proposed use, as recommended in the POCD is "Renewable Energy Overlay Zone". Entered into the record: " Sec.5.9 Renewable Energy Overlay Zone"

James Daylor, Senior Account Executive for Ameresco for the project entitled Sympaug LLC discussed the way in which the project will conform to Town guidelines. Mr. Daylor stated that the project is "shovel ready" and will use 'Virtual Net Metering' targeting the Towns 5 largest energy users. A site plan will be ready before 11/24/16 for presentation to the Commission.

No One spoke.

Mr. Daylor answered questions from the Commission.

P. Rist closed the public hearing.

**JAI DOBRESKI/ 27 NASHVILLE ROAD EXTENSION/SPECIAL PERMIT/ACCESSORY APARTMENT.**

K. Grant read the Legal Notice

R. Legnard read the Staff Report dated 10/11/16 by B. Cavagna, Planning & Zoning Director.

Correspondence:

Memo from Larua Vasile, Director of Health, dated 10/11/16

The applicant, Jai Dobreski of 27 Nashville Road Ext. appeared for the application. She presented certification of notification of abutting property owners to the Commission.

Ms. Dobreski requested a special permit to construct an accessory apartment within a single family dwelling. The property is .949 acre, is located in the Residential R-40 Zone and is served by well and septic. The accessory apartment measures at under 800s.f. or 27% of the total area of the house, which is 2200 s.f. Therefore the apartment exceeds the limit of 25% of the total floor area requirements and Ms. Dobreski requested a waiver of this portion of the regulation. The applicant confirmed that there is no separate electrical service for the apartment and that her mother will inhabit the apartment.

No one spoke.

P. Rist closed the public hearing.

**BUSINESS MEETING:**

P. Rist, Chair; R.Legnard; K.Grant; K.Parsons; S. Deuschle, J. Lennon.

K. Parsons was seated for E. Finch,

Motion by R. Legnard, seconded by K. Parsons to accept the minutes of the 9/27/16 meeting. Motion approved. J. Lennon abstain. S. Deuschle abstain.

**NEW BUSINESS:**

10 WOOSTER STREET/ CONCEPTUAL PLAN

R. Braley, Architect, 50 Platts Hill Rd., Newtown and M. Principe, owner appeared before the Commission to discuss a concept plan for a 12 units residential apartment building. Mr. Braley discussed the location/orientation of the building and parking needs and entered into the record a "Zoning- Existing Zoning R-10, Proposed Zoning RR-10 " comparison plan. A discussion ensued.

CONCEPTUAL PLAN/TOWN OF BETHEL POLICE STATION

B. Cavagna stated that the plan was not yet ready.

**WORKSESSION:**

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

Robert Rybnick, owner requested a consensus from the Commission regarding the expansion of his business for the recycling of construction debris and asbestos.

It was the consensus of the Commission that the expansion of the recycling is prohibited by the Regulations.

BERKSHIRE INDUSTRIAL CORP/BERKSHIRE BLVD./LOT 3R

Motion by R. Legnard, seconded by S. Deuschle to approve the modification to a Special Permit to modify the proposed building size and site improvements on a 8.81 acre parcel of land known as Lot 3R Berkshire Blvd. in the IP Zone in the Berkshire Corporate Park, Assessors Map 58, Block 115, Lot 59, subject to Stipulations 1 through 6.

Reasons: The Planning & Zoning Commission has determined that this proposal is in substantial conformance with the original approval and in compliance with the Zoning Regulations of the Town of Bethel.

Effective Date: October 16<sup>th</sup>, 2016

Motion approved unanimously.

P. Rist called for a break from 8:05 to 8:10 p.m.

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

S. Deuschel recused.

P. Rist recused

Motion by R. Legnard, seconded by J. Lennon to approve a Special Permit for a rear lot in the R-40 Zone as shown on a property survey depicting "Lot line Revision and First Division of Land prepared for Dr. James Hatt, Long Meadow Lane" dated 4/18/16 and prepared by Paul A. Brautigam, CT. Lic. #15166 with stipulations 1-8.

Reasons: The Commission stated upon its records that the development of the proposed lots and improvements will not exert a detrimental effect on neighboring properties or the surrounding district. The plans are in substantial conformance with the Zoning Regulation of the Town of Bethel.

Motion Approved unanimously.

P. Rist re seated.

S. Deuschel re-seated

Motion by R. Legnard, seconded by K. Grant to add Dobreski: 24 Nashville Road Ext and Commission Initiated Solar Farms Overlay Zone to Worksession.

Motion approved unanimously.

JAI DOBRESKI/ 27 NASHVILLE ROAD EXTENSION/SPECIAL PERMIT/ACCESSORY APARTMENT.

Motion by R. Legnard, seconded by J. Lennon Motion to approve a Special Permit application under Sec. 3.3.D and Sec. 3.6.C of the zoning regulations for an accessory apartment on property located at 27 Nashville Road Ext. , Assessors Map 24, Block 50, Lot 14-4 owned by Jai Dobreski, subject to conditions.

In granting this approval the Planning & Zoning Commission states that the proposed project is in substantial conformance with the zoning regulations and the 2007 Plan of Conservation and Development in the Town of Bethel, and that the accessory apartment will not have a detrimental effect on neighboring properties or in the development of the surrounding district.

Motion passed unanimously.

#### TOWN OF BETHEL INITIATED/SOLAR FARMS OVERLAY ZONE

Motion by R. Legnard, seconded by K. Grant to Approve the addition of Regulations “ Renewable Energy Overlay Zone” to allow large scale ground mounted solar photovoltaic installations in the Industrial and Industrial Park Zones. The regulation describes its purpose, applicability, definitions, Siting Requirements, Design Standards along with additional provisions.

Reasons: The Commission finds that the proposed overlay zone is in keeping with the conservation efforts of the Town of Bethel and is consistent with the comprehensive plan for the Town and the 2007 Bethel Plan of Conservation and Development.

Motion passed unanimously

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

This application is still under review by the Engineering Department.

#### **Correspondence:**

##### 8-24 Referral for Microbrewery:

B. Cavagna, Planning & Zoning Director reported a request from the Board of Selectman for an 8-24 Referral for a Microbrewery. The Commission came to a consensus requesting Staff to draft a favorable report concerning Microbrewery.

##### 34 Vail Road

Letter from L. Vasile, Director of Health dated 10/11/2016 in reponse to the Commission request, detailing approval of development of 34 Vail Road.

Motion by R. Legnard, seconded by J. Lennon to request Staff to to approve the start of construction of a home on Lot #4, 34 Vail Road

#### **BOND RELEASE:**

Motion by K. Grant, seconded by R. Legnard to release the bond in the amount of \$9,300.00 for 104 (106A) Chestnut Hill Road .

Motion passed unanimously.

Motion by K. Grant, seconded by J. Lennon to release a bond for 10 Wooster Street.  
Motion passed unanimously.

**PLANNER'S REPORT:**

B. Cavagna discussed the development of an RFP to seek a Town of Bethel Consulting Architect (possibly 2) to assist with TOD and local, VC, plan reviews.

Copies of the Appeal, "Margaret Stratford-Kovner vs. Planning & Zoning Commission, Kristin Jensen" were distributed to the Commission.

Public Comment:

B.J. Liberty                      Grand Street

Motion by K Grant, seconded by S. Deuschle to adjourn at 8:45 p.m.  
Motion passed unanimously.

Respectfully Submitted,

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

Nancy R. LoBalbo  
Recording Secretary