



# PLANNING & ZONING COMMISSION

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

**PLANNING & ZONING COMMISSION  
SPECIAL MEETING MINUTES  
November 9<sup>th</sup>, 2016  
BETHEL MUNICIPAL CENTER  
DENIS J RIORDAN – ROOM D 7:00PM**

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

**PUBLIC HEARING:**

**THIRTY ONE DURANT AVENUE/ 31 DURANT AVE/ SPECIAL PERMIT/EXCAVATION**

P. Rist opened the Public Hearing.  
K. Grant read the Legal Notice  
R. Legnard read the Staff Memo dated 9/9/16.

Correspondence:

Town Engineer memo from J. Dewey, PE & M Jedrychowski, PE, Wright Pierce dated 10/24/16.  
Artel Engineering Group memo from M. Kornhaas dated 9/7/16.

M. Kornhaas, Artel Engineering Group, was present for the Applicant and provided certification of notification to adjoining property owners to the Commission.

Mr. Kornhaas explained that due to the growth of the business, the applicant is requesting a special permit approval to extend existing storage area and parking to the rear of the property. He provided a brief history of the property noting that the site was approved for development in 2005 of a 14,000 s.f. building for an office and storage facility for a cement forms company. The site is a 6.88 acre parcel of land located in the Industrial (I) Zone, directly to the north of the railroad station. The zone line which separates the industrial and residential RR-10 zone is at the centerline of Durant Avenue. Mr. Kornhaas provided information concerning the amount of fill, the equipment to be used and hours of operation. Inland Wetlands Commission has heard the application at their October meeting and will review a resolution of approval at their next meeting.

Those who spoke:

B.J. Liberty

Grand Street

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TOWN OF BETHEL  
TOWN CLERK

The applicant responded to questions from the Commission.  
P. Rist closed the public hearing.

**BUSINESS MEETING:**

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

K. Parsons was seated for S. Deuschel.

**MINUTES:**

Motion by K. Grant, seconded by R. Legnard to approve the meeting minutes of 10/25/16. J.  
Lennon abstained.  
Motion passed

**INVOICES:**

Motion by J. Lennon, seconded by R. Legnard to approve payment of an invoice in the amount  
of \$2,000 to Planimetrics for invoices related to Draft Regulations.  
Motion passed unanimously.

Motion by J. Lennon, seconded by K. Grant to approve payment in the amount of \$1073.58 to  
Danbury News-Times for invoices related to legal noticing.  
Motion passed unanimously.

**WORKSESSION:**

**JAMES MACNICHOL/49 BENEDICT ROAD/SUBDIVISION RE-APPROVAL**

Motion by R. Legnard, seconded by J. Lennon to approve a two (2) lot subdivision of a 1.001  
acre parcel of land located at 49 Benedict Road in the residential R-20 Zone, Assessor's Map 60,  
Block 102, Lot 16, owned by James MacNichol, as shown on map entitled "Subdivision Map,  
James P. MacNichol, 49 Benedict Road, Bethel, Connecticut", prepared by Robert Ivansco, L.S.  
Lic. #70221, dated January 25, 2016, subject to Stipulations 1 through 9.

Motion approved unanimously.

**235 GREENWOOD AVENUE/ARCHITECTURAL REVIEW/GARAGE**

The Commission reached a consensus that the application be moved to the architectural review  
process and Staff to respond administratively.

**BOND RELEASE:**

93 Wooster Street

Motion by J. Lennon, seconded by K. Grant to reduce the bond of \$27,000. to \$7,550. and release the balance.

Motion passed unanimously.

42 Payne Road-Bigelow

Motion by K. Grant, seconded by J. Lennon to release a bond in the amount of \$6,540. To J. Bigelow.

Motion passed unanimously

**PLANNING AND ZONING DIRECTOR DEPARTMENT REPORT:**

B. Cavagna, Planning & Zoning Director provided the Commission notice of pending litigation in the matter of David Wachnuik and Tamara Wachnuik vs. Planning & Zoning Commission of the Town of Bethel and Dr. James Hatt, under Power of Attorney for Jeffrey B. Pascal.

The Commission reached a consensus to request that Staff invite Attorney Charles Andres to discuss litigation at an Executive Session at the next meeting on 9/22/16.

Staff will arrange a Site Walk on 11/19/16 for property of Stanley Weston at 31, 35 & 41 Shelley Road with Ben Doto, P.E. regarding the application for Special Permit/Excavation.

B. Cavagna updated the Commission on her meeting with DOT Commissioner and a discussion of pedestrian bridges. D. McCollum, Land Use Coordinator will provide video of several Connecticut rail overhead walkways at the meeting on 11/22/16

**PUBLIC HEARING:**

TIMOTHY DRAPER/TAYLOR ROAD/SUBDIVISION/2-LOTS

P.Rist opened the public hearing.

K. Grant read the Legal Notice.

No testimony was taken. P. Rist continued the public hearing to 11/22/16.

Motion to adjourn at 8:30 by J. Lennon, seconded by K. Grant.

Motion passed unanimously.

Respectfully Submitted,



Nancy R. LoBalbo  
Recording Secretary