

**TOWN OF COLUMBIA**  
**PLANNING AND ZONING COMMISSION**  
Adella G. Urban Administrative Offices Conference Room  
323 Route 87, Columbia, CT  
Monday, December 14, 2015 – 7:00 p.m.  
Regular Meeting  
**MINUTES**

Members Present: Chair Rick Nassiff, Vice-Chair Vera Englert (7:17), Don Schofield, Tom Currier, Richard Napolitano, Robert Powell, Larry Preston

Members Absent: Ernest Jay Starkel

Staff Present: Town Planner Paula Stahl, Board Clerk Kelly McGuire, First Selectman Carmen Vance, Town Administrator Natasha Nau

1. **CALL TO ORDER**
2. **ROLL CALL AND SEATING OF ALTERNATES:** R. Nassiff seated Larry Preston as a voting member
3. **ADDITIONS/CHANGES TO AGENDA:** none
4. **APPROVAL OF PZC REGULAR MEETING MINUTES OF NOVEMBER 23, 2015**  
D. Schofield MOVED to APPROVE the Regular Meeting Minutes of November 23, 2014 with a correction to the heading to "Regular Meeting Minutes". R. Nassiff SECONDED. MOTION CARRIED 6:0:0.
5. **AUDIENCE OF CITIZENS:** Bryon Bailey, Kirk Chamberlain, Nelson Petrone

**SUSPEND REGULAR MEETING**

R. Nassiff **OPEN PUBLIC HEARING FOR: PZC-1516-04:** Re-subdivision Application for Paul Pelletier of Lot 7 Foxboro Estates, 15 Latham Hill Road, Assessor's Map # 31-7.

Wes Wentworth P.E./ Soil Scientist gave a brief overview of the proposed subdivision. He first explained the orientation of drainage in each section of the parcel. R. Nassiff asked for clarification on the number of lots since the application states 2. Per W. Wentworth, this is a 3 lot subdivision. He explained that this is a 9.9 acre lot which was created in the 1980's. Lot 7A (owner resides on) is 3 acres, 7B is 2.5 acres, 7C is 4 acres. From SW to NE it pitches moderately downhill. Lot 7B would have its own driveway, but lot 7C is unable to have a driveway through the wetlands; therefore, they have proposed a 30' utility easement between lots 7A and 7B, with the driveway on lot 7B. He said they have received approvals from Eastern Highland Heath District and from Columbia Inland Wetlands Commission. In closing, W. Wentworth said that it is his professional opinion that there is no significant negative impact that will result from the design and implementation of the plans as submitted.

P. Stahl said she spoke with John Valente/Wetlands Agent. J. Valente confirmed that the revised plans address the concerns which were outlined on the Summary Ruling. He does have another concern: The drainage for driveway on 7C goes under the driveway on 7B, and he feels that the storm water treatment and swale should be constructed at the same as the driveway. Per W. Wentworth, whatever driveway goes in first, they will finish the culvert in its entirety. W. Wentworth asked P. Stahl for clarification on what swale was of concern. Per P. Stahl, it is the swale that goes from the pipe back toward the road.

R. Nassiff expressed concern over creating a house site that is landlocked by virtue of a wetland and said would be much more comfortable if the house had a path of its own. W. Wentworth said they have a legal right to use the 30'. Said in his experience, most problems occur when there is a common driveway, but this would be legally binding with an easement. R. Nassiff asked P. Stahl for any regulations that prevent this. Per P. Stahl, there is nothing that she has found. Members asked numerous questions about the frontage and dimensions of certain areas of the parcel.

Resident Bryon Bailey, 31 Latham Hill Rd, expressed concern over the amount of water that his property is already affected by. Said he has 2 driveways above him which already shed a tremendous amount of water. His concern is that the development of this property will add to the amount of overland water flow running onto his lot. His suggestion is that the water be diverted to the catch basin and diverted on to the river. Said he built half the houses in this area and is well known for being a very wet area.

R. Nassiff asked W. Wentworth to address this issue. Per W. Wentworth, the wetland system is on the Northern property line and the property and has a moderate to gentle slope. He further explained areas in which are more of an extreme slope as well as the hay lot and the orientation of draining for all areas. He has designed stone lined swales on the uphill side of 7C and on the downhill side of 7B with a crushed stone apron. He reiterated again that it is his professional opinion that as designed, there will be no noticeable impact in down stream flows.

Resident Kirk Chamberlain, 12 Latham Hill Rd, confirmed that there are many water problems in this area. Said he has cleaned leaves out of the catch basin near the subject property to aid in the water draining more effectively. He also said that he believes there is on the one catch basin on the North side of Latham Hill. Per W. Wentworth, the one catch basin is in the wrong location, but is also too small and not designed to intercept the amount of water that new areas can drain into.

Resident Nathan Petrone, 24 Latham Hill Rd, said that he walks his dogs in this area and doesn't see that these 2 new additional lots will cause any additional water. Said his belief is that water drains into these lots vs. away from the lots.

R. Nassiff suggested the public take the time between now and the next public hearing on 1/11/16 to come up with suggestions or specific solutions on how to lessen the impact of water on the neighboring properties. The public was advised to contact the Town Planner, Paula Stahl. P. Stahl will find out from the Public Works Director as to the size of the pipe that exists right now.

R. Nassiff MOVED to CONTINUE the public hearing on the Re-subdivision Application for Paul Pelletier of Lot 7 Foxboro Estates, 15 Latham Hill Road, Assessor's Map # 31-7, to January 11, 2016 at 7:00pm, V. Englert SECONDED. MOTION CARRIED 7:0:0.

## **RESUME REGULAR MEETING**

### **6. UNFINISHED BUSINESS:**

- 6.1 PZC-1516-04:** Re-subdivision Application for Paul Pelletier of Lot 7 Foxboro Estates, 15 Latham Hill Road, Assessor's Map # 31-7 – no action
- 6.2 PZC-1516-06:** Site Plan Application for Hometown Builders LLC for 117 Route 66 East, Columbia, CT Assessor's Map # 10-82 - no action

### **7. NEW BUSINESS:**

- 7.1** Nominations of officers for calendar year 2016

D. Schofield NOMINATED the following as the slate of officers of the Planning and Zoning Commission. R. Nassiff as Chair, V. Englert as Vice Chair, and R. Powell as Secretary of the Planning and Zoning Commission. T. Currier SECONDED. There were no other nominations put forward. MOTION CARRIED 7:0:0.

**7.2 Election of officers for calendar year 2016**

D. Schofield MOVED to elect the slate of officers of the Planning and Zoning Commission. T. Currier SECONDED. MOTION CARRIED 7:0:0.

**7.3 Budget for 2016-2017:** R. Nassiff would like to review the Planning and Zoning Commission's Legal costs. P. Stahl said that she tries for verbal vs. written advice from the attorney since is less costly; all subdivision engineering fees fall under P&Z, but attorney fees are in the budget of the town administrator. P. Stahl has recommended a change in the application fee structure and has presented this to N. Nau. R. Nassiff and other Members recall implementing a new fee structure which was approved by the Board of Selectman many years ago. P. Stahl and/or N. Nau will look into this. N. Nau suggests collecting an escrow for engineering/attorney fees, which can be returned to the applicant if it is not used. N. Nau will work on a draft to present at a future PZC meeting. P. Stahl asked Members of any special requests that should be factored into the budget, and there were no requests. She explained that the budget will include conferences for both she and all Members to attend.

**8. REGULATION REVISIONS**

**8.1** Rte 6 Corridor / Commercial Regulations – no discussion

**8.2** Implementation of Columbia Lake ADHOC Committee recommendations – no discussion

**8.3** Other zoning regulation revisions – P. Stahl explained that she received a call from a person wishing to purchase Fairview Farm, 301 Route 66, as a non-profit. They would like to hold weekend events there such as a Farmers Market. She explained the regulations would not permit because it is zoned as residential. On behalf of the Members, R. Nassiff said they would be receptive to a Farmers Market and will be happy to review and discuss with more specifics such as maps and details. P. Stahl updated the list of priorities as the Members requested last meeting. She will draft language as top priority to reform regulation 10.3.2. She sought the goals of Members as to what should be clarified within this regulation. A detailed discussion followed. P. Stahl hopes to provide a draft of 10.3.2 in January.

**9. COMMUNICATIONS AND REPORTS**

**9.1 POCD Update:**

Lake Management Advisory Committee has asked for an extension to January 11, 2016. P. Stahl said she has drafted sections on Conservation topics as well as recreation. The affected Commissions have reviewed early drafts, and will review the latest version in January.

**10. COMMISSION OPEN DISCUSSION**

R. Nassiff said that he has spoken with Walter Tabor about his rejoining the commission, and has asked C. Vance to consider appointing him as an alternate. She will discuss at the Board of Selectman Meeting on December 15, 2015.

**11. AUDIENCE OF CITIZENS:** none

**12. ADJOURNMENT**

D. Schofield MOVED to ADJOURN at 8:35pm. R. Nassiff SECONDED. MOTION CARRIED 7:0:0.

Respectfully Submitted by Kelly McGuire

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.

Received: December 21, 2015 Page 3 of 3  
At: 10:24 am  
Attest: Beth M. Kenefick  
Town Clerk/ Assistant Town Clerk