

TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION
Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, April 13, 2015- **7:00 p.m.**

Regular Meeting Minutes and Motions

Members Present: Chair Rick Nassiff, Vice-Chair Vera Englert, Secretary Robert Powell, Don Schofield, Ernest Jay Starkel, Tom Currier, Richard Napolitano, and Walter Tabor (Alternate)

Members Excused: All members were present.

Staff Present: Town Planner Paula Stahl and Board Clerk Linda McDonald

Others Present: First Selectman Carmen Vance, Ann Dunnack, Christopher Ramm, Rob Hellstrom and others

1. **CALL TO ORDER:** R. Nassiff called the meeting to order at 7:00 p.m.
2. **ROLL CALL AND SEATING OF ALTERNATES:** All members were in attendance and no alternate was needed.
3. **ADDITIONS/CHANGES TO AGENDA:** Item 7.4 was deleted from the agenda.
4. **APPROVAL OF PZC REGULAR MEETING MINUTES OF MARCH 23, 2015:**

E. J. Starkel MOVED to APPROVE the regular meeting minutes of March 23, 2015 as presented.
R. Napolitano SECONDED. MOTION CARRIED 7:0:0.
5. **AUDIENCE OF CITIZENS:** No audience of citizens.

SUSPEND REGULAR MEETING: The meeting was suspended at 7:02 p.m.

OPEN PUBLIC HEARING FOR PZC-1415-07: Application of Christopher Ramm for proposed regulation amendment/revision to Section 52.7.19 of the Columbia Zoning Regulations (Neighborhood Retirement Housing)

R. Powell read into the record the report from the Capital Region Council of Governments dated March 20, 2015 regarding Zoning Referral Z-2015-16.

Public hearing notices were published in the Willimantic Chronicle on April 2 and 9, 2015.

Christopher Ramm identified himself as the applicant and said this is a proposal to change an existing zoning regulation. He said he has a project in mind, but to make that project feasible, he would need some changes in the current zoning in the Neighborhood Retirement Housing regulations. C. Ramm went on to say he has worked with a family member who was an attorney, Ed Pelletier from Datum Engineering and Town Planner Paula Stahl for over a year and a half which led to this application he is proposing. The current regulation would make it very difficult to develop his piece of property but changes to the regulation would be town-wide.

C. Ramm summarized the changes to the regulations. He said the current regulations would make it very difficult to put in over 15 units on the parcel; the current regulation requires that a homeowners association own the property and the change would include private ownership; the change would allow the development to be done in phases; and the word “elderly” in the regulations would be changed to “over 55”.

C. Ramm noted that, along the way, some aspects of the regulation gained some clarity and may become a better document in the long run with these changes.

P. Stahl commented that she worked with Todd Ramm on this proposal and they agreed the regulation needed better organization and more clarity. She said some things are re-arranged in this version and re-stated, but not to change the intent or change the regulation. Other changes are that currently the regulation states a one 10 acre minimum parcel and this is proposing that multiple contiguous parcels could also be used for septic reasons. A paid caregiver could reside with a person over 55 in a unit. The regulations would be for anyone to develop anywhere in town and would be permitted to be done as a condo with an association or private ownership. The density is slightly higher, moved from 50,000 square feet to an acre. Each phase must be brought to the PZC for approval. P. Stahl questioned why the current regulation requires a minimum driveway to be 40 feet in length.

R. Nassiff stated for the record that this was a cooperative venture which is very unusual for a regulation change. There was an overwhelming sentiment in the community that this type of project, a rental active over 55 community, should be enabled in the town. He said the PZC was approached by C. Ramm that he could not do what he wanted on his parcel because of the change in the State sanitary regulations of how septic systems are allowed to be done. R. Nassiff continued that a large part of the regulation change was an attempt to structure the regulation so something could be built that would meet the State sanitary regulations.

P. Stahl responded to a question from R. Nassiff and said there is a distance required between buildings and doesn't specify what type of building. The range of housing could be detached single-family homes, duplexes, and condominiums.

Board members expressed questions on different parts (density, different parcels, caregiver definition, garage door openers, length of driveway, parking options, architectural consideration of exteriors) of the proposed amendment to the regulation to be addressed more thoroughly during Board discussion after the public hearing is closed.

Carmen Vance of 1 Beach Road said it is her perspective that requiring two parking spaces for that age group might be too much and that requiring an attached garage might not be necessary. Using the wording of “paid” caregiver would discourage having young family members living in the residence.

Ann Dunnack of 103 Lake Road asked if this town-wide regulation would have the open space set-aside. The Board responded that it would. P. Stahl responded that 15% open space would be required.

R. Nassiff wants the Board to consider all possible implementations and look at the regulation as it could be addressed anywhere in town.

Rob Hellstrom of 44 Doubleday Road said in the open space section of the regulation, conservation, recreation, and agriculture are mentioned and thinks in adult-like community agriculture is not

appropriate unless the intent is to have gardens. He continued that an adult community is condensed and part of the land is put aside for the people to do something not for hay fields.

R. Nassiff responded that taking out the agriculture component would be met negatively by the residents of the town.

V. Englert asked if there are any ADA regulation requirements. P. Stahl said it would be up to the developer to address.

Discussion followed on keeping the current regulation density level in buildable area in the proposed regulation; changing the definition of "single-family dwelling units" to "dwelling units"; and revising the requirement of a "minimum of 900 square feet and not more than 2200 square feet". The Board said it is looking for maximum design flexibility in the regulation and a more broad approach to addressing garages.

P. Stahl suggested adding guest parking throughout the complex.

C. Ramm said from a developer's point, he would like the flexibility to go smaller in square footage to make it affordable to rent out.

C. Vance said she heard from the fire department that the regular apartments in Dartmouth Village some of the stairways are not adequate for stretchers, doorways are too narrow. She asked that the Board consider this during their discussions.

R. Nassiff MOVED to continue the public hearing for the application of Christopher Ramm for proposed regulation amendment/revision to Section 52.7.19 of the Columbia Zoning Regulations (Neighborhood Retirement Housing) to Monday, April 27, 2015 at 7:00 p.m. in the Adella G. Urban Administrative Offices Conference Room, 323 Route 87, Columbia, CT V. Englert SECONDED. MOTION CARRIED 7:0:0.

RESUME REGULAR MEETING: The regular meeting was resumed at 8:18 p.m.

6. UNFINISHED BUSINESS (Discussion/Possible Action)

6.1 PZC-1415-07: Application of Christopher Ramm for proposed regulation amendment/revision to Section 52.7.19 of the Columbia Zoning Regulations (Neighborhood Retirement Housing)

There was no discussion on this item as the public hearing has been continued to April 27, 2015.

6.2 Preliminary Discussion of possible three lot subdivision at 208 Route 66, Assessor's #24-30:

R. Hellstrom showed a preliminary site plan to the Commission. He said there are three large pieces of land to be accessed from the end of Tunxis Road. He described the areas of wetlands.

P. Stahl commented in her memo to the Commission that "the Columbia Subdivision Regulations limit the number of residences on a permanent cul-de-sac to 15. Wickford and Tunxis Roads are not permanent cul-de-sacs because the approved subdivision plans included areas at the ends of the two roads for connections into abutting un-subdivided lands. Consequently, there is no limitation on the number of residences on these streets. Currently the number of residences is

29 on these streets. The only property accessible from the end of Wickford Road is the property under consideration for subdivision and the proposed subdivision would complete the property's development."

R. Nassiff said he believes that temporary cul-de-sacs were eliminated from the regulations several years ago. He asked staff to research and investigate this inconsistency. The consensus of the Board is to be receptive to this proposal if the regulations allow. R. Nassiff asked P. Stahl to get legal counsel on the issue of "permanent cul-de-sacs" and look for a way to make this legally defensible for R. Hellstrom. The consensus of the Commission is that the regulation is flawed and needs to be amended.

The Board reviewed the subdivision regulations and discussion followed on the terminology regarding cul-de-sacs in Section 6.

7. NEW BUSINESS

- 7.1 PZC-1415-08:** Receive and set public hearing date for Special Permit Application of Daryl Parker and Angela Mawson (Midstate Excavation & Landscaping LLC) pursuant to Section 31.3 (Commercial & Manufacturing Districts – Uses of Land) and Section 52 (Special Permits) for proposed contractor/landscape use at 168A Route 66 East, Columbia, CT, Assessors map 7, lot 8 in the manufacturing zone. Property owner is GRC LLC.

P. Stahl said the applicant has been operating this business for some time but has no PZC approval.

R. Nassiff MOVED to receive the Special Permit Application of Daryl Parker and Angela Mawson (Midstate Excavation & Landscaping LLC) pursuant to Section 31.3 (Commercial & Manufacturing Districts – Uses of Land) and Section 52 (Special Permits) for proposed contractor/landscape use at 168A Route 66 East, Columbia, CT, Assessors map 7, lot 8 in the manufacturing zone and to set the public hearing date for May 11, 2015 at 7:00 p.m. in the Adella G. Urban Administrative Offices Conference Room, 323 Route 87, Columbia, CT E. J. Starkel SECONDED. MOTION CARRIED 7:0:0.

- 7.2 PZC-1415-09:** Application of Brian Kennedy (Kennedy Exchange Computer Outlet) for a new 10'x5' free standing sign at 65 Route 6, Columbia, CT. Property owner is Rolgate Inc.

P. Stahl said the proposed sign meets the town regulations for size and height and will be placed at least 10' from the property line. There is one free-standing sign currently on the parcel, the parcel's frontage is greater than 200' and a second sign is allowed.

D. Schofield MOVED to APPROVE the application of Brian Kennedy (Kennedy Exchange Computer Outlet) for a new 10'x5' free standing sign at 65 Route 6, Columbia, CT. E. J. Starkel SECONDED. MOTION CARRIED 7:0:0.

- 7.3 Sale of Town Property at end of Robert Drive: 8-24 review and modification of subdivision:**

W. Tabor recused himself for the Board's table and was seated in the audience.

P. Stahl said there are restrictions placed on the parcel in the agreement for sale and purchase of real estate which the Board of Selectmen and the Tabors have signed. A Town Meeting has

been set for May 5, 2015 to vote on the sale of a 50' x 230' piece of land at the end of Robert Drive to Nancy Tabor, the owner of the abutting property.

P. Stahl said this proposal is consistent with the Plan of Conservation and Development which states that the Town should encourage active use of farmland and support agriculture businesses.

W. Tabor stated the development rights have already been deeded on this property and it will never be used for development.

E. J. Starkel MOVED that the proposed sale of property at the southern terminus of Robert Drive is consistent with the Columbia Plan of Conservation and Development. R. Nassiff SECONDED. MOTION CARRIED 7:0:0.

P. Stahl commented that the stipulation of the sale meets the intent of the subdivision approval for future connection subdivision approval. If parcel #32-039 were ever subdivided, this strip of land would be available for use as access.

E. J. Starkel MOVED to modify the February 14, 1995 subdivision approval of Trumbull Estates III to allow the approximately 50' piece of property shown on the plan at the southern terminus of Robert Drive to be combined with parcel 32-039 and to continue to be available as a potential road with no change to the frontage conformity for lots #24 and #25 of Trumbull Estates III subdivision. R. Nassiff SECONDED. MOTION CARRIED 7:0:0.

8. REGULATION REVISIONS

8.1 Definition of Cemetery: P. Stahl reported that there are no State regulations for pet cemeteries, only a regulation within the health code for the disposal of large animal carcass. The consensus of the Board is not to address pet cemeteries in the zoning regulations and that cemeteries refer to the disposal of human remains.

8.2 Rte 6 Corridor / Commercial Regulations: No report.

9. COMMUNICATIONS AND REPORTS

9.1 POCD Update: P. Stahl reported that she has moved the schedule of mailing the survey to the fall. She has received the survey from the Commission on Aging (CONA) and will use some of the data in the POCD.

9.2 Permit Comparison Report

10. COMMISSION OPEN DISCUSSION: No discussion.

11. AUDIENCE OF CITIZENS: No audience of citizens.

12. ADJOURNMENT: E. J. Starkel MOVED to ADJOURN the regular meeting at 9:25 p.m. V. Englert SECONDED. MOTION CARRIED 7:0:0.

The next regular meeting is scheduled for Monday, April 27, 2015.

Respectfully submitted by Linda H. McDonald

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