

**TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION**

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, August 26, 2019 7:00 pm
Regular Meeting Minutes

Members Present: Chairman Rick Nassiff, Vice Chair Vera Englert, Don Schofield, Thomas Currier, Richard Napolitano, Robert Powell, E.J. Starkel, Larry Preston (Alternate)

Members Excused: Walt Tabor (Alternate)

Staff Present: Town Planner Paula Stahl, Board Clerk Terri Lasota

Others Present: Flo Polek, Toni Coombs, Stephan Shimchick, Rick Friedmann, and 1 other.

1. **CALL TO ORDER:** R. Nassiff called the meeting to order at 7:00pm
2. **ROLL CALL AND SEATING OF ALTERNATES:** None
3. **ADDITIONS/CHANGES TO AGENDA:**
R. Nassiff **MOVED** to **ADD** agenda item #8.3 and item #9.1 to the agenda
EJ Starkel **SECONDED; MOTION CARRIED 7:0:0**
4. **APPROVAL OF PZC REGULAR MEETING MINUTES of July 22, 2019 :**
EJ Starkel **MOVED** to **APPROVE** the meeting minutes of July 22, 2019 as presented;
R. Nassiff **SECONDED; MOTION CARRIED 7:0:0**
5. **AUDIENCE OF CITIZENS:** None
6. **OPEN PUBLIC HEARING**

6.1. PZC 1920-02 Proposed Commercial and Manufacturing Zoning Regulation Amendments, District Map Revision, and other zoning revisions.

R. Nassiff **OPENED** the public hearing at 7:04pm

R. Nassiff thanked V. Englert, L. Preston, and T. Currier along with P. Stahl for their subcommittee work; he also noted the main goal for the changes was to make it easier and more efficient to obtain permission to do certain things in the Town, make the regulations easier to understand, make them more suited to the Town's conservation and development plans, and create an environment stating that Columbia is open for business.

P. Stahl noted for the record that the proper notifications had been provided to the public per State Statutes; she also noted that SECCOG and CRCOG responded stating the proposed regulation changes would have no adverse inter-municipal impact, and there were no comments from the abutting towns.

R. Nassiff said the intent is to take in as much public feedback as possible before closing the public hearing, and not rush into any decisions, and maximize the potential of commercial and manufacturing areas in town while minimizing its impact on adjacent residential properties.

P. Stahl gave a Power Point presentation on the proposed changes, and explained one of the goals of the POCD had been to allow businesses to grow and prosper and for new businesses to be established in town. She briefly talked about the work done by the subcommittee for the past year and a half, after which the PZC reviewed and modified before coming to public hearing. There are several reasons for the changes, but the primary change is to streamline the processes for doing business by allowing certain approvals to be handled by staff rather than needing to come before the Planning and Zoning Commission.

P. Stahl said that businesses needs today are very different than they were previously, as retail now is primarily “e-tail” and retailers who also do business over the Internet; she also noted that lot dimensional sizes needed to be addressed; instead of requiring large lots, let the land and the business needs dictate the lot size; Columbia has no sewer or water systems, so the size and placement of buildings will be based on the placements of septic systems and wells.

P. Stahl talked about the need to clarify the regulations to make them easier to read, and revise them so they comply with current laws. She went on to explain staff decisions/approvals, smaller minimum lot sizes, respect of residential districts, and two small mixed-use districts on Route 66 where businesses can mix with residential. She noted that PZC approval for a new building, changes to a building, or an addition to a building. Regarding respect of residential districts, the proposals details different ways of screening and buffering where commercial districts abut residential districts. She also noted that currently residential use is not allowed in the commercial district, but the proposal would allow existing residences to have the same uses as residences in the RA district.

P. Stahl showed a graphic of the Town with current zoning districts and contrasted that with the uses in the town. She explained that it is proposed to primarily keep the area currently commercial/manufacturing the same (proposed as CM1 and CM2) and create a two mixed use (MU) areas, one in the center of Town along Rte 66, and another area at the intersection of 66 and Cherry Valley Road. P. Stahl reviewed the locations of the districts and the proposed changes and additions.

R. Nassiff commented that what the PZC is trying to do is make it easier and less costly to do business in Columbia, with less need to come before the PZC. P. Stahl further explained the benefit of staff approval to save the applicant both fees and time for approval. She also explained the proposal’s break down of permitted uses and what would be staff (Zoning Agent) approvals. P. Stahl also talked about types of businesses that are proposed that would require special permit approval by the PZC because certain businesses could have an impact on a neighboring residential district, and noted that only the PZC can place conditions on an approval to reduce potential impacts on residential districts. For that same reason, all uses except residential in the Mixed Use district(s) would require PZC special permit approval.

Toni Coombs of 175 Rt 66 asked to verify the area she lives in would need a special permit making residents in that area aware of an activity that could impact them; P. Stahl confirmed that it would. R. Nassiff noted that some of the setback requirements in the CM zones that abut RA zones have been increased.

P. Stahl talked about other various proposed changes such as the serving of alcoholic beverages at a restaurant could now be next to another restaurant serving alcoholic, current regulations require a 500’ separation; she also noted adult use businesses such as adult book stores and strip clubs which, per freedom of speech, would be allowed anywhere unless permitted in a specific zone, is now proposed to be in the CM-2. Regarding outdoor storage containers the proposal allows outdoor storage for commercial business uses but it needs to be screened, and for vehicle business outdoor storage, no discarded or dismantled vehicles or related parts.

Steve Shimchick of 4 Cherry Valley Road asked if existing Special Exemptions would be effected by the proposed changes; R. Nassiff explained they are grandfathered from the time of approval, adding that a Special Permit or Exemption filed with the land records stays with the land and are effective as long as the use of the property remains the same. If the use changes, a new approval would be needed.

Rick Friedmann of 8 Cherry Valley Road questioned the difference between the CM1 and CM2 zones; R. Nassiff explained that essentially the commercial and manufacturing zones will be unified into one zone with a few exceptions where adult uses will be allowed. P. Stahl, R. Nassiff, and R. Friedmann briefly

discussed the properties in the Cherry Valley Road area. R. Friedmann also noted he is impacted by noise levels and berms to not appear to keep noise levels down; he asked that this be kept in mind when permitting.

T. Currier asked about the changes in some of the proposed language; P. Stahl clarified, and noted the Town attorney had also made some suggestions to make the language clearer.

V. Englert **MOVED** to **CONTINUE** the Public Hearing on the Application of Proposed Commercial and Manufacturing Zoning Regulation Amendments, District Map Revision and other zoning revisions to September 23, 2019; T. Currier **SECONDED; MOTION CARRIED 7:0:0**

The regular meeting was resumed at 7:57pm.

7. UNFINISHED BUSINESS (Discussion/Possible Action)

7.1. PZC 1920-02 Proposed Commercial and Manufacturing Zoning Regulation Amendments, District Map Revision, and other zoning revisions.

TABLED until after hearing is closed.

8. NEW BUSINESS (Discussion/Possible Action)

8.1. 59 Rte 66 - Determination if site plan modification is a minor modification:

P. Stahl explained the requested site plan modifications noting the elimination of the fence separating the parking lot from the dwelling in order to obtain the additional space needed to move the boats around for winterizing and then for the storage of them. Four parking spaces would need to be relocated. P. Stahl also noted the original site plan specified parking for eight customer vehicles, and there are already five spaces allocated in front of the office including one handicap space, and added there is sufficient space for parking to the side and back. P. Stahl clarified the boat display would be along the frontage of Route 66.

P. Stahl said it is required for the applicant to adhere to the site plan that was submitted and approved, but if a change is deemed to be minor, the PZC can authorize a letter be placed in the file signed by both the ZEO and Chair of the PZC. If not deemed minor, the applicant would need to apply to the PZC.

R. Nassiff **MOVED** that the PZC has determined that the request to modify the site plan for 59 Rte 66 by eliminating a fence separating the parking lot from the dwelling, relocate 4 parking places to the side and rear of the building, and to clarify the location of boat display areas, is a minor modification of the prior approval, and authorize the ZEO and PZC Chair to document the modification with a signed letter for the file; EJ Starkel **SECONDED; MOTION CARRIED 6:0:0**; R. Powell **RECUSED**.

8.2. 563 Rte 87 - Request to waive A-2 survey:

P. Stahl showed and explained the A-2 property survey of the approved subdivision from 1989; she added the applicant decided to put the property in 490 status which does not allow for building lots, therefore the subdivision was vacated and the A-2 survey is still on file. P. Stahl noted the applicant's daughter would like to live on the farmland, and they would like to do a one lot subdivision which is allowed for a family member. The regulations require an A-2 survey not only on the one-new lot, but on the entire parcel, and since there is one on file the applicant is requesting a waiver of the A-2 survey.

V. Englert **MOVED** to **APPROVE** the requested waiver of a new A-2 survey on the remaining land for a one lot proposed subdivision at 563 Rte 87; R. Nassiff **SECONDED; MOTION CARRIED 7:0:0**

8.3. 94 Route 66E Determination if site plan modification is a minor modification:

P. Stahl said the applicant would like to add a 12' x 16' shed for lawn care equipment storage, but it appears per the current regulations the applicant would need to return to PZC for a site plan approval. She is bringing this to the Commission to see if it is a minor modification.

R. Nassiff **MOVED** that the PZC has determined that the request to modify the site plan for 94 Rte 66E to add 12' x 16' shed is a minor modification and authorize the ZEO and PZC Chair to document the modification with a signed letter for the file; EJ Starkel **SECONDED; MOTION CARRIED 7:0:0**

9. REGULATION REVISIONS

9.1 Letter from Datum Engineering:

P. Stahl noted the letter from Datum Engineering regarding the value of cul-de-sac homes. R. Nassiff briefly talked about the letter and suggested that he request consideration from the PZC of a change in the regulations and to legally develop the lot in question. Commission members discussed.

10. COMMUNICATIONS AND REPORTS:

P. Stahl stated for the record the Supreme Court upheld the PZC's decision to deny the addition of the lot to the subdivision on Heritage Road. The Judge also denied reconsideration of the decision.

11. COMMISSION OPEN DISCUSSION:

R. Nassiff talked about the Gaulin Road 1-lot subdivision that was approved with fee-in-lieu of open space which applicant is hoping to have waived. He will be meeting with First Selectman S. Everett and Town Administrator M. Walter to discuss the complaint regarding the fee-in-lieu.

12. AUDIENCE OF CITIZENS: None

13. ADJOURNMENT:

R. Nassiff **MOVED** to **ADJOURN**; EJ Starkel **SECONDED; MOTION CARRIED 7:0:0**
The meeting was **ADJOURNED** at 8:28pm

Respectfully submitted by Terri Lasota, Board Clerk

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