



# PLANNING & ZONING COMMISSION

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

## PLANNING & ZONING COMMISSION MINUTES

AUGUST 12<sup>TH</sup>, 2014

BETHEL MUNICIPAL CENTER

DENIS J RIORDAN – ROOM D 7:00pm

**COMMISSION MEMBERS PRESENT:** Chairwoman P. Rist, K. Grant, S. R. Legnard, J. Lennon, L. Valenti, S. Deuschle, S. Forman, J. Hancock; Assistant Planning & Zoning Official, B. Cavagna.

Chairwoman Rist called the meeting to order at 7:00. B. Legnard read the Legal Notice.

### PUBLIC HEARING :

#### Casal I, LLC, Text Amendment, Sec. 4.3 Permitted Uses.

B. Legnard read the Staff Memo dated 8/12/14 by S. Palmer. Planning and Zoning Official into the record.

Attorney Peter Olson, Land Use & Conservation Counsel, 4 Stony Hill Road, presented the Application to the Board.

The Applicant proposes an amendment to Section 4.3.1 of the zoning regulations that would eliminate the residential density limits on certain properties in the commercial VC Zone based on the following criteria: 1) The structure must be in existence since prior to the adoption of regulations in 1959; 2) The structure cannot be located within 125 ft. of Greenwood Avenue; 3) There can be only one structure on the lot that is occupied by principle uses and 4) no new construction is proposed. In keeping with the proposed amendment, Attorney Olson noted that the applicant owns property at 1 Elizabeth St. and is seeking to use the building for six (6) residential housing units, with no new construction. No parking is provided on site, however parking is provided next door at 5 Elizabeth Street which is owned by the applicant. Attorney Olson addressed the parking needs for the Applicant's building. He also stated that the amendment would allow the adaptive reuse of historic buildings in the VC zone citing a map entitled "Town Commercial Center and Geographic Limits Zoning Map" dated 9/25/13 by Town of Bethel Public Works Administration, Engineering Department. He stated that the amendment is in keeping with the criteria of the TOB Plan of Conservation and Development.

Those who spoke: **RECEIVED** B.J. Liberty  
Eric Salzman (owner/applicant)

8 Grand Street  
115 Brushy Hill Road, Danbury

2014 AUG 13 P 3:01

TOWN OF BETHEL  
TOWN CLERK

Chairwoman Rist continued the Public Hearing to 9/9/2014.

J. Hancock was seated for D. Brown  
S. Forman was seated for E. Finch

**BUSINESS MEETING:**

**MINUTES:**

Motion by R. Legnard, seconded by J. Lennon to approve minutes of the 7/22/14 meeting.  
Motion passed unanimously.

**INVOICES:**

Motion by K. Grant, seconded by J. Lennon to approve invoices in the amount of \$134.95 to Danbury News - Times for legal noticing.  
Motion passed unanimously.

**NEW BUSINESS**

**BETHEL CROSSINGS/SUBDIVISION/SITE PLAN/ SPECIAL PERMIT**

Motion by K. Grant, seconded by R. Legnard to refer the application to appropriate Town agencies for review as well as Frederick Clarke Assoc., for traffic and Kleinfelder Assoc for engineering, and set a Public Hearing date at a Special Meeting on 9/30/2014  
Motion passed unanimously.

A site walk is scheduled for 9/8/14 at 6:00 p.m.

**MANOLAKES FAMILY LIMITED PARTNERSHIP/SITE PLAN/SPECIAL PERMIT/ 71 STONY HILL ROAD**

Motion by P. Rist, seconded by J. Lennon to refer the application to appropriate Town agencies for review including EDC and to set a Public Hearing date of 9/23/2014.  
Motion passed unanimously.

**CT COINING/SITE PLAN/SPECIAL PERMIT/ 10 TROWBRIDGE DRIVE**

Motion by K. Grant seconded by J. Lennon to refer the application to appropriate Town agencies and set a Public Hearing date of 9/23/14.  
Motion passed unanimously.

**DELMONACO/ACCESSORY APARTMENT/39 TURKEY PLAIN ROAD**

Motion by P. Rist, seconded by J. Lennon to set a Public Hearing date for 9/9/14 and, at the applicant's request, to reduce the Application fee to \$125.00 for legal noticing only.  
Motion passed unanimously.

**CORRESPONDANCE:**

**REQUEST FOR A MORATORIUM ON MEDICAL MARIJUANA FACILITIES.**

P. Rist read into the record her letter dated 8/12/14 which was sent to Connecticut State Representatives and State Senators.

R. Legnard read a letter dated 7/19/2014 from Mary Lou Strano, 166 Walnut Hill Road to S. Palmer, Planning & Zoning Official. Also entered for the record; a letter from S. Palmer, Planning and Zoning Official to Mary Lou Strano dated 7/24/2014.

**PUBLIC COMMENT:**

Mary Lou Strano, 166 Walnut Hill Road, addressed the Board and read from her letter dated August 12, 2014 which she presented to the Board with attachments.

Those who spoke:

George Gereg	13 Maple Row
Kevin Tallenti	30 Garella Road
Michael Moore	19 Garella Road
Attorney Peter Olson	4 Stony Hill Road

A discussion of medical marijuana facilities and their location in Bethel ensued. The Board came to a consensus that further discussion of the issue of a moratorium on medical marijuana facilities will be held amongst the Board members.

**WORKSESSION:**

**OTHER BUSINESS**

**KEEPING OF ANIMALS:**

B. Cavagna presented a letter to the Board from Brendan Keatley, Assistant Zoning Enforcement Officer to Mark J. Ragusa, 19 Cherry Lane entitled "Complaint regarding keeping of canines" and attachments. The Board came to a consensus that they are in agreement with the determination of the Planning & Zoning Department that, due to regulation changes made in 2010, it is the opinion of the Planning & Zoning Department that Mr. Ragusa's dog breeding activity is a now pre-existing, non conforming activity.

**BOND RELEASE:**

**26 GRASSY PLAIN STREET**

Motion by S. Deuschle, seconded by S. Forman to release the bond in the amount of \$14, 629.00  
Motion passed unanimously.

At this time J. Lennon recused himself

**54 WEED ROAD-LENNON/ELLIS**

Motion by K. Grant, seconded by S. Forman to release the balance of the bond for 54 Weed Road.  
Motion passed unanimously

**PLANNING & ZONING OFFICIAL'S REPORT**

B. Cavagna informed the Board that there were three new retail uses located in the downtown area.

Motion to adjourn at 9:20 by K. Grant, seconded by S. Forman  
Motion passed.

Respectfully Submitted,

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

Nancy R. LoBalbo  
Recording Secretary