

**TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION**

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, August 12, 2024 7:00 pm

Regular Meeting – HYBRID

MINTES

Members Present: Chairman Rick Nassiff, Vice-Chair Justin Riendeau, Dave Holcroft, Walter Tabor

Members Excused: Thomas Currier, Robert Powell, Vera Englert, Larry Preston (Alternate), Ed Madrak (Alternate)

Staff Present: Town Planner John Guskowski, Zoning Enforcement Officer Savannah Kitchin, Board Clerk Mary Kay Hyman

Others Present: Applicant Greg Glaude

1. CALL TO ORDER: R. Nassiff called the meeting to order at **7:00 PM**.

2. ROLL CALL AND SEATING OF ALTERNATES:

No Seating of Alternates – None present

3. ADDITIONS/CHANGES TO AGENDA: None

4. APPROVAL OF PZC REGULAR MEETING MINUTES of July 08, 2024

R. Nassiff **MOVED** to **APPROVE** the Minutes of July 08, 2024 as presented; J. Riendeau **SECONDED; MOTION PASSED 4:0:0**

5. AUDIENCE OF CITIZENS: None

6. UNFINISHED BUSINESS (Discussion/Possible Action): None

7. NEW BUSINESS (Discussion/Possible Action):

7.1. PZC 2425-01: Special Permit Application of Killingly Engineering Assoc. LLC for the Kia Dealership at 234 Route 6 for an Expansion/Modification of the Existing Structure, Map 6, Lot 32 & 33, Zone CM-1, Lot Area 8.21 & 1.894.

Discussion was had regarding if this Application is a Special Permit or a Site Plan. It was determined, based on Regulation 31.2.6, which states an Application is a Special Permit requiring a Public Hearing if an Automobile dealership abuts a residential or agricultural property(s).

Greg Glaude from Killingly Engineering stated the property is currently a Ford and Kia dealership but Kia is under a mandate to separate from the Ford dealership, so they are constructing a showroom on the side of existing Ford/Kia building for Kia to exist independently in the space which is currently parking area.

R. Nassiff **MOVED** to **RECEIVE** and **SCHEDULE** the Public Hearing of **PZC 2425-01**: Special Permit Application of Killingly Engineering Assoc. LLC for the Kia Dealership at 234 Route 6 for an Expansion/Modification of the Existing Structure, Map 6, Lot 32 & 33, Zone CM-1, Lot Area 8.21 & 1.894 for **Monday, September 09, 2024 @ 7:00PM**. J. Riendeau **SECONDED**; **MOTION PASSED 4:0:0**

- 7.2.** Request for Extension of the Special Permit, Per Section 21.5.4.6.i, for the Heartstone Farm and Winery at 468 Route 87.

W. Tabor stated he would be recusing himself, which would mean the Commission is no longer a Quorum, therefore the vote will need to be tabled until the next meeting.

Discussion ensued as to whether or not there was a time frame for this renewal, and it was determined that the renewal is overdue based on the Regulation 21.5.4, which states the Farm Winery Special Permit requires a 2 year renewal to ensure compliance, but due to the fact this is a Special Permit which would not normally require a renewal and if conditions have not changed and therefore there is no violation, it should not be mandatory at this time. The Commission also discussed if putting an expiration date on a Special Permit is even legal and maybe these Regulations need to be reviewed and changed, as this is not a Permit that would require a check in, and if there were any possible violations then it would become an Enforcement issue. It was stated that at this time the Commission does not see reason not to approve at the next meeting and agreed any issues until then would be an issue for the ZEO.

W. Tabor did express that this Permit renewal Regulation can create some legal issues due to the overlap between the permit renewal and his liquor license renewal, which requires Zoning approval.

R. Nassiff asked J. Riendeau to add this to the Subcommittee's list of Regulation Reviews. J. Guskowski added there are a few conditions of the Farm Winery Regulation that may be in need of review.

R. Nassiff **TABLED** the **APPROVAL** of the Two Year Extension of the Special Permit, Per Section 21.5.4.6.i, for the Heartstone Farm and Winery at 468 Route 87, until the next Regular PZC meeting on **Monday, August 26, 2024**, due to a lack of a Quorum.

8. REGULATION REVISIONS (Discussion): None

R. Nassiff did ask J. Riendeau to set up a Subcommittee meeting in the near future to review several areas of the Regulations including Sections 3 of the Regulations pertaining to shed setbacks as well as Section 21.5.4 pertaining to the Farm Winery.

J. Riendeau asked if anyone has any concerns with these or any other areas of the Regulations, that they would like the Subcommittee to hear, please bring them to the Subcommittee's attention. W. Tabor stated he will put his concerns regarding the Farm Winery Regulations into a letter and submit it to the Committee.

9. COMMUNICATIONS AND REPORTS:

9.1 Introduction of and Update from the new Zoning Enforcement Officer Savannah Kitchin

R. Nassiff welcomed Savannah Kitchin and thanked her for attending the meeting.

S. Kitchin stated she is happy to be here and asked if the Commission had any requests or concerns.

R. Nassiff asked if S. Kitchin had any thoughts on simplifying the Regulations to please bring them to the Commissions attention, as well as any input she may receive from the public. He stated the Commission is working to make the Regulations simpler and more user friendly.

J. Riendeau agreed and thanked S. Kitchin for meeting with him earlier. He stated that the Commission would like to have good open communication with her in efforts to keep the enforcement process respectful and reasonable and with open communication be able to review and possibly make changes to the Regulations that may be needed.

R. Nassiff asked S. Kitchin to provide an enforcement spreadsheet to the Commission on a monthly basis, which keeps them informed of the issues as well as the status of ZEO actions. He reminded her that any complaints she receives should be in writing either written by the complainant or herself, if she chooses this procedure, but they are not to be anonymous. He also asked S. Kitchin to reach out to the Commission if she ever needs clarification of the intent of a Regulation.

9.2 CRCOG Proposed Plan of Conservation and Development

J. Guskowski stated CRCOG has a Plan and Conservation and Development, and the current plan is in draft form and open for comment. He stated that CRCOG is also reaching out to the Towns to talk about areas that may need Municipal action. He stated CRCOG is coming out to meet with him and Town Administrator Mark Walters on Tuesday, August 20th at 2:30 to discuss areas of improvement in the Town and he welcomed Commission members to attend. He stated one area they are looking to address is the intersection of Route 6 and Route 66 and improving its function with a possible roundabout as well as addressing state assistance with the expense of Culvert Replacement, as these can run into the six figures plus and can really hurt Municipal budgets.

R. Nassiff asked J. Guskowski if he could send out the draft version of the Regional Plan to the Commission for their review.

Discussion ensued on the priorities and the process of decision making by the Plan of Conservation and Development.

9.3 Thank you note from Resident

R. Nassiff read the thank you note from Pat Shimchick into the record. He stated he also received a thank you note from R. Kincaid, and he thanked them both for their input at the Subcommittee meetings and at the public hearings. He also thanked J. Riendeau for keeping the process moving forward.

W. Tabor added that the Commission appreciated the input and attendance from the public as well.

10. COMMISSION OPEN DISCUSSION:

R. Nassiff stated he attended the Lake Management Advisory Committee meeting this week, which initiated a phone call from him regarding the Nutrient Allocation Plan (NAP) in relation to

the increase of the Algae Blooms in the Lake. He stated he wanted to clarify that the current NAP is not a product of the PZC but is a product of the Advisory Committee from 22-25 years ago and that if they feel the PZC can help by revisiting this he feels the Commission would likely be supportive. He stated he felt his reaching out might be a catalyst to opening the discussion and maybe there would be a benefit to forming a joint subcommittee to discuss the idea of reviewing the NAP from a science perspective of them and their Consultants, which will have to be implemented by them. He stated he just wanted them to know they have allies in maintaining the health of the lake and to offer timely action.

The Commission discussed the increase of the phosphorous levels in the lake and the causes, which maybe are being impacted by the NAP but agreed moving forward this would have to be a science backed effort.

R. Nassiff asked J. Guskowski if the Appeal period for the Cards Mill Wedding Venue decision had passed. J. Guskowski replied that per his last discussion with Attorney Slater, the complainant did file a petition for certification from the appeals court, which the Town is opposing. He stated the Court will either agree to hear the appeal or refuse to hear it and that can take a couple of months. He explained that the developers are aware, and that proceeding is at risk, so they will most likely do things like grading and site preparation, but no vertical construction until they have passed the threshold of any potential legal action. R. Nassiff asked J. Guskowski to keep the Commission informed and to let them know when the decision is final.

D. Holcroft then asked W. Tabor questions regarding the Farm Winery, such as the size of the building and where the 4000 sq. ft. for private events came from. W. Tabor replied the building is 1800 sq. ft and added that there was a Subcommittee put together back when the Farm Winery was specifically being outlined into the Regulations and some things were added last minute into the draft, like the finger food regulation and the renewal requirement, and there did not seem to be any harm at the time, but the food portion did become an issue during Covid. He then explained the events which took place during Covid as a result.

11. AUDIENCE OF CITIZENS: None

12. EXECUTIVE SESSION: None

13. ADJOURNMENT:

R. Nassiff **MOVED** to **ADJOURN**; J. Riendeau **SECONDED**; **MOTION CARRIED UNANIMOUSLY**

The meeting was adjourned at 7:50 PM.

Respectfully submitted by Mary Kay Hyman, Board Clerk
Please see the minutes of subsequent meetings for approval of these minutes and any corrections hereto.
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