

Town of Preston
Planning and Zoning Commission
Regular Meeting Minutes

Date: Tuesday, January 27, 2026

Time: 7:00 PM

**Location: Preston Town Hall, Lower-Level Conference Room,
389 Route 2, Preston, CT**

1. Call to Order

Chairman Art Moran called the meeting to order at 7:01 P.M.

2. Roll Call

Members

Alternates

Arthur Moran, Jr.

Terri Eickel - *seated for Kayla Thompson*

Denise Beale- *excused*

Matthew Gauthier - *excused*

Fred Eddy

Thomas Wright - *seated for Charles Raymond*

Charles Raymond- *excused*

Victoria Schulz

Also Present:

Anne Sabrowski

Kathy Warzecha- Town Planner

Kayla Thompson- *excused*

Alicia Dyer- Recorder

3. Determination of Quorum - met

4. Public Comment - Members of the Public 6

Art Moran, Jr. reviewed public comment rules (3 minutes per speaker).

- Claire Stottmuller, 79 Cooktown Road, addressed the Commission regarding HB 8002 and the importance of municipal “home rule” authority. She stated that she had previously submitted correspondence, including a proposed resolution and potential ordinance, which she shared with the First Selectwoman and requested be distributed to the Commission.

Ms. Stottmuller explained that HB 8002, which took effect in December, raises concerns about state overreach into local zoning authority. She referenced the Connecticut Constitution’s Home Rule provision, adopted in 1965, which allows municipalities to manage their own affairs, including zoning and land use matters. She further noted a 2018 Connecticut Supreme Court decision affirming that municipal charters prevail over state statutes in matters of local concern.

She also stated that towns are often concerned about potential loss of state funding if they do not comply with state mandates, but cited national legal precedent indicating that states cannot coerce municipalities by withholding funds. She encouraged the Commission to consider these legal principles when reviewing housing and zoning-related legislation.

Ms. Stottmuller emphasized that local zoning authority is a mechanism for implementing constitutional land use governance and urged the Commission to carefully evaluate HB 8002 in light of home rule protections. She also referenced comments from State Representative Brian Lanoue, who reportedly expressed concerns regarding the legislative process surrounding the bill.

Ms. Stottmuller informed the Commission that she had sent an updated version of her proposed materials earlier that day and requested assistance in distributing them to members for whom she did not have email contact information.

- Jerry Grabarek, 17 Hewitt Road, informed the Commission of a large-scale deposit of fill occurring near the SEAT bus garage area. He stated that significant amounts of material were being transported from highway construction projects and deposited at the site without clear local oversight. He expressed concern that the activity appeared to be occurring within a coastal management area, limiting the Wetlands Commission’s jurisdiction.

Mr. Grabarek reported that he had contacted the Connecticut Department of Energy and Environmental Protection (CT DEEP) regarding the activity but had not received a response. He urged the Commission to send formal correspondence to CT DEEP and

Coastal Area Management officials to request clarification regarding permitting, regulatory oversight, and compliance.

In response, the Town Planner Kathy Warzecha stated that she had reviewed mapping information and confirmed that the site falls within the coastal management area. She further noted that she had contacted Amy Quisp of the CT DEEP Long Island Sound Office, who indicated she was investigating the matter and would provide follow-up information. The Town Planner Kathy Warzecha also stated that she was uncertain why the Town had not been notified prior to the commencement of the activity and expressed concern regarding the volume of material being deposited. She confirmed that the material was reportedly coming from a Department of Transportation project.

- Jill S. Keith, 22 Tanglewood Drive informed the Commission that she was recording the meeting. She clarified that a prior recording had been partially deleted inadvertently while demonstrating editing functions, but that a new recording was in progress for the current meeting. She stated that she intended to continue documenting meetings for community access and transparency.

5. Approval of Minutes

A motion was made by Thomas Wright to approve the November 25, 2025 Regular Meeting Minutes with corrections and clarifications as discussed. The motion was seconded by Fred Eddy.

During discussion, Anne Sabrowski raised several questions and suggested revisions for accuracy and clarity. She questioned the practice of listing the number of members of the public in attendance and stated that she did not feel it was necessary, as it did not materially affect the record. She noted that while prior minutes had included this information, she did not believe it was required.

Ms. Sabrowski also questioned language in the public hearing section stating that the Commission had originally intended to reschedule the hearing. She stated that she did not recall any formal intent by the Commission to postpone the hearing and expressed concern that the wording could be misleading. After discussion, members acknowledged that while a temporary delay had been mentioned, the hearing had proceeded as scheduled due to public attendance and was later continued due to Commission member attendance.

Additionally, Ms. Sabrowski noted that the minutes did not consistently identify speakers during public hearings by name and address. She stated that best practice is to

include this information for the official record and requested that future minutes reflect the names and addresses of speakers.

The Recording Secretary acknowledged the comments and agreed to revise the minutes as appropriate to identify speakers during public hearings per the Commission's request.

The motion to approve the November 25, 2025 Regular Meeting Minutes, as amended, carried unanimously.

6. Election of Officers - Chairman, Vice Chair, Secretary

Chairman - Terri Eickel nominated Arthur Moran Jr. to continue as Chairman. Thomas Wright seconded. No other nominations.

Vice Chair- Fred Eddy nominated Denise Beale to continue as Vice Chair. Thomas Wright seconded. No other nominations.

Secretary- Arthur Moran Jr nominated Anne Sabrowski as Secretary. Fred Eddy seconded. No other nominations.

All nominees agreed to the roles. Vote carried unanimously to establish the board as following:

Chairman - Arthur Moran Jr.

Vice Chair- Denise Beale

Secretary- Anne Sabrowski

7. Correspondence

- a. Quinlan: Zoning Bulletin- October 25, 2025: Vol. 19, Issue 20
- b. Quinlan: Zoning Bulletin- November 10, 2025: Vol. 19, Issue 21
- c. Quinlan: Zoning Bulletin- November 25, 2025: Vol. 19, Issue 22
- d. Email: Dec. 11, 2025: Forwarded Sandra Allyn- Gauthier, from Claire Stadmueller regarding Home Rule to protect rural towns.
- e. Email: Dec. 15, 2025: From Sultan Javed to Kathy Warzecha regarding a Bond Release for 212 Route 2
- f. Quinlan: Zoning Bulletin- October 10, 2025: Vol. 19, Issue 19
- g. Letter: Dec. 16, 2025- Town of Montville: Zoning Regulation Changes
- h. Letter: Dec. 18, 2025- Town of Norwich: Zoning Regulation Changes

- i. Letter: Jan. 13, 2026- CT Federation of Planning & Zoning Agencies: Quarterly Newsletter

8. ZEO Report

The Commission reviewed correspondence and enforcement updates provided by the Zoning Enforcement Officer. Discussion included the status of ongoing enforcement matters, compliance issues, and legal actions involving several properties within the Town.

Properties of Note:

- **253 Route 2A:**

The Zoning Enforcement Officer requested authorization to proceed with referral to the Town Attorney for litigation due to the lack of significant changes or improvements at the property.

A motion was made by Fred Eddy and seconded by Anne Sabrowski to approve moving forward with legal action.

The motion was carried unanimously.
- **168 Route 2A:**

The Town Planner Kathy Warzecha reported that this matter had been in litigation and that the Town had been authorized by the court to proceed with site cleanup. She further stated that the Town may place a lien on the property to recover cleanup costs.

Thomas Wright inquired about the estimated cost of the cleanup. The Town Planner Kathy Warzecha responded that she had not yet received a cost estimate from the Zoning Enforcement Officer.

Several additional properties were reviewed and discussed. Chair Arthur Moran Jr. requested follow-up updates on these matters. ZEO reported that communication with the respective property owners is ongoing or the attorney is currently drafting documentation and that, at this time, no further enforcement action is appropriate.

Rt 2 Gravel Property:

The Town Planner Kathy Warzecha reported that the property owner remains in violation of zoning regulations due to equipment and setback requirements. She stated that the owner's attorney is preparing a proposed regulation change to address the issue. If approved, a formal application would then be submitted. Until then, the violation remains under review.

Strawberry Park:

Thomas Wright questioned the status of inspections and compliance at Strawberry Park. He asked when the most recent inspection had occurred, as the report did not include a date. The

Town Planner Kathy Warzecha stated that inspections are conducted annually but was unsure of the exact date.

The Commission also inquired about whether any deadlines had been issued for corrective action and whether unresolved issues could affect license renewal. The Town Planner Kathy Warzecha stated she would follow up on these matters and provide an update.

Gravel Pile Property:

The Town Planner Kathy Warzecha reported that the property owner remains in violation of zoning regulations due to equipment and setback requirements. She stated that the owner's attorney is preparing a proposed regulation change to address the issue. If approved, a formal application would then be submitted. Until then, the violation remains under review.

9. Public Hearing- *Continued from Nov. 25, 2025*

a. Zoning Text Amendment #2025-07: AN AMENDMENT TO THE PRESTON ZONING REGULATIONS REGARDING THE REQUIREMENTS FOR CREATING A FIRST SPLIT.

Town Planner Kathy Warzecha recommended withdrawing the proposed text amendment at this time due to differing interpretations and existing authority within the subdivision regulations. She stated that the issue would be addressed for consistency as part of an upcoming comprehensive zoning regulation update.

Motion: Fred Eddy motioned to withdraw the proposed text amendment regarding First Splits. The motion was seconded by Terri Eickel.

Vote: Carried unanimously.

Public Hearing- January 2026

a. Special Exception #2026-01- Loureiro Engineering Associates, Inc., Applicant; Shetucket Recycling, LLC, Owner for the property located at 31 Route 2, Preston, CT; Use of property to temporarily stockpile material from an offsite project.

Record / Exhibits

The Town Planner Kathy Warzecha entered the following materials into the record for Special Exception #2026-01:

- Exhibit 1: Special Exception and Site Plan Application submitted by Larrero Engineering Associates, Inc., dated January 6, 2026.

- Exhibit 2: Legal Notice of Public Hearing, as published in *The Day*.
- Exhibit 3: Site Plans entitled “*Shantucket Recycling, LLC – Temporary Stockpiling, Special Exception Application*”, prepared by Loureiro Engineering Associates, Inc., dated December 9, 2025.
- Exhibit 4: Zoning Enforcement Officer review, dated January 27, 2026.
- Exhibit 5: Town Engineer’s review.
- Exhibit 6: *skipped, but missed during meeting*
- Exhibit 7: Letter from the Director of Public Works indicating no concerns
- Exhibit 8: Notification letters and certified mail receipts
- Exhibit 9: Town Planner’s report and recommendations
- Exhibit 10: Town Panner’s comments
- Exhibit 11: Letter from Mark Reynolds, P.E., on behalf of an abutting property owner, dated January 27, 2026, requesting specific conditions, including documentation regarding material suitability, contamination testing, and permit duration limits.

All submitted materials were accepted into the record and made available for Commission review.

Applicant Presentation

Emily Kelting, P.E. (Loureiro) summarized project history and site conditions, including:

- Lease executed May 1, 2025; intermittent deliveries June–Oct 2025; approximately 18,000 cubic yards stockpiled; no additional material moved after October 15, 2025.
- Erosion controls installed (construction entrance pad, berms, hydroseeding, silt fence).
- Wetlands approval was received prior to the Planning & Zoning action.
- Applicant addressed staff comments and discussed environmental characterization of source materials.

- The property consists of approximately 25 acres and is located within both the Industrial Zone and R-60 Residential Zone, with zoning boundaries crossing portions of the site.
- The property has historically been used as an automotive salvage and junkyard facility, and remnants of this prior use remain on portions of the site. Several structures are located on the property, including garage and storage buildings. Access to the site is provided from Route 2 along the western side of the parcel.
- The site contains regulated wetland areas along the northern, eastern, and southwestern portions of the property, as well as associated upland review areas. These environmentally sensitive areas were identified and mapped as part of the application materials and reviewed by the Inland Wetlands Commission.
- The existing topography, drainage patterns, and soil conditions were discussed, including areas where surface water flows toward nearby wetlands and adjacent properties. These conditions were considered in evaluating erosion and sedimentation control measures associated with the proposed stockpiling activities.
- The applicant noted that only a portion of the property, approximately 2.2 acres, is currently leased and utilized for the temporary stockpiling operation, and that other portions of the site continue to be occupied by separate users or remain undeveloped.

Staff Report / Recommended Conditions

The Town Planner Kathy Warzecha reviewed recommended conditions/modifications, including (summary):

- Updated plan note regarding aerial imagery date.
- Testing requirements prior to removal of material from the site (given historic junkyard use/possible contamination).
- As-built/final reclamation plan and stabilization of disturbed areas.
- DOT outreach regarding Route 2 access.
- Evidence of stormwater permit submission to CT DEEP (as required).
- Town right of entry for inspection.
- Recommendation that the special exception be withdrawn/closed out upon completion to avoid an open-ended land record approval.
- Bond requirement (\$40,000).

- Permit duration recommendation (2 years).
- Construction entrance enlargement.
- Direction to address additional stockpiles elsewhere on the property through separate application/enforcement.

Public Comment on the Application

- Jerry Gubarek, 17 Hewitt Road, addressed the Commission regarding concerns about sediment runoff and water quality impacts affecting a brook located on and adjacent to his property. He presented photographs showing discolored water and sediment deposits, which he stated appeared to originate from the subject site following rainfall events. Mr. Gubarek expressed concern that existing erosion and sediment control measures, including silt fencing, may not be functioning properly.

He described observations made during site visits and Wetlands Commission inspections, noting standing water, muddy conditions, and evidence of runoff flowing toward nearby drainage structures and waterways. Mr. Gubarek emphasized the importance of identifying the source of the sediment and ensuring that corrective measures are implemented. He also raised concerns regarding potential environmental contamination and stressed the need for thorough testing of materials prior to any off-site transport.

- Jill S. Keith, 22 Tanglewood Drive, stated that she had recently become aware of the project and expressed concern regarding the scale of the stockpiling operation and its potential environmental impact. She noted that the volume of material involved and the site's prior history raised questions about long-term effects on surrounding properties and natural resources. Ms. Keith indicated her support for Mr. Gubarek's concerns and urged the Commission to carefully review environmental safeguards before approving the application.
- Claire Stottmuller, 79 Cooktown Road, asked whether fines or penalties applied to the applicant for bringing material onto the site prior to receiving proper approvals. She inquired about the Town's enforcement process in such situations and whether compliance actions had been initiated. Staff explained that a notice of violation had been issued and that the current application was submitted to address and remedy the violation in accordance with Town procedures. Staff further explained that additional enforcement measures could be pursued if compliance was not achieved.

Commission Discussion

Commission discussed:

- Investigating reported runoff/silt fence performance.
- Ensuring no additional material is brought to the site until erosion/sedimentation issues are verified as resolved.
- Ensuring documentation for material characterization is provided.

Motion to move Item 11, New Business, subsections b. Site Plan #2026-01 and c. Special Exception #2026-01, forward on the agenda to align with the related public hearing.

The motion was made by Fred Eddy and seconded by Victoria Schulz.

Vote: Carried unanimously.

Terri Eickel motioned to approve the application with recommendations from the Town Planner and Zoning Enforcement Officer. Fred Eddy seconded the motion. Motion carried unanimously pending verification of contamination and changes proposed.

11. New Business

A. Zoning Permit #2025-05: Lai Metzger, Applicant/Owner for property located at 8 Pequot Street (Short-Term Rental Modification)

Request to add an additional bedroom to an existing approved short-term rental; staff indicated no complaints and adequate parking/approvals.

Anne Sabrowski motioned to approve, seconded by Victoria Schulz. Motion carried unanimously.

D. Zoning Permit #2026-01L Keith Clinton, Applicant; Keith and Alicia Clinton , Owner for property located at 203 Old Jewett City Road -Home Occupation – home based federal firearms license change of address - online firearm sales

The applicant explained that all firearm transactions occur online and that in-person visits are limited to legally required transfers and completion of paperwork, not retail walk-in sales. The Commission required clarifying language to remove references to “in-person sales to friends and family” and to reflect that sales are conducted online with in-person transfers only.

The Commission asked questions regarding firearm storage, transfer procedures, and potential impacts on neighborhood traffic and activity. Members expressed concern about safety and community impact and were satisfied with Mr. Clinton's responses, which demonstrated a commitment to secure storage, regulatory compliance, and minimizing disruption to the neighborhood.

Thomas Wright motioned to approve the application, it was seconded by Fred Eddy. Motion carried unanimously.

12. Administrative Review - None.

13. Other Matters

- Discussion of upcoming training opportunities/links and account setup requirements for relevant resources.
- Bond release discussed for 212 Route 2 (trailers removed); Fred Eddy motioned to release bond, Victoria Schulz seconded and the motion carried to release the bond unanimously.
- Planning & Zoning Department budget was reviewed (informational; no action noted).
- Reminder provided regarding required commission training hours for new Committee members.

14. Adjournment

Arthur Moran Jr. called for a motion to adjourn. Thomas Wright motioned to adjourn, seconded by Terri Eickel. Motion carried unanimously and the meeting was adjourned at 8:41 PM.

Respectfully Submitted,

Alicia Dyer

Recording Secretary

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PRESTON, CT.

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Asst. *Cindy Paen*
PRESTON TOWN CLERK

