

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING HE 7:30 P.M. PUBLIC HEARING ON MONDAY, FEBRUARY 27, 2017 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz III, Chairman; David Veleber, Secretary. Members: S. Woody Dawson, John Kardaras, Vincent Lentini, Gil Linder, Louis Todisco.

Alternates - Jeff Natale and Jim Jinks.

Absent: Sean Strollo, Edward Gaudio. Alternate Jon Fisher.

Staff: William Voelker, Town Planner; George Noewatne, PW Director

I. CALL TO ORDER

Chairman Kurtz called the meeting to order at 8:46 p.m.

II. ROLL CALL

The clerk called the roll.

III. DETERMINATION OF QUORUM

Following roll call a quorum was determined to be present.

IV. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

V. ACCEPTANCE OF MINUTES - POCD 2/08/17; PUBLIC HEARING 2/15/17; SPECIAL MEETING 2/15/17

MOTION by Mr. Veleber; seconded by Mr. Lentini.

MOVED to accept and approve the minutes of the Public Hearing of 2/15/17 and Special Meeting of 2/15/17 subject to corrections, additions, deletions.

VOTE The motion passed 8-0-1; Kardaras abstained.

MOTION by Mr. Veleber; seconded by Mr. Lentini.

MOVED to accept and approve the minutes of the POCD Meeting of 2/08/17 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

VI. COMMUNICATIONS

1. Connecticut Federation of Planning and Zoning Agencies 69th Annual Conference, Thursday, March 23, 2017.

Commissioners planning to attend the conference must contact Ms. Patrignelli in the Planning Department.

2. Draft Modifications to Section 35, Industrial Zone Design Considerations, Section 35.1 Building Coverage and Stormwater Management, and Section 35.2 Access Management Requirement for Review.

Mr. Voelker said these are modifications to the industrial regulations and will be sent to RWA and regional agencies.

There will be a public hearing on the POCD on April 11, 2017.

3. Draft Modifications to Section 5.6 and Section 6.6 of the Cheshire Subdivision Regulations.

Mr. Voelker said these sections were provided by the Town Attorney to the Commissioners. There are small modifications to include specific reference to the Community Facilities section of the POCD. The public hearing will be held on March 27, 2017. Attorney Schwartz will provide language about extension of right-of-way as current language is not broad enough. As soon as the language is received it will be forwarded to Commissioners.

VII. UNFINISHED BUSINESS

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|---|--------------------|
| 1. Special Permit Application | PH 11/14/16 |
| <u>Charles Nicholls</u> | PH 1/23/17 |
| 1572 South Main Street | PH 2/15/17 |
| Parking improvement and addition | PH 2/27/17 |
| Of new entry element | MAD 4/21/17 |

MOTION by Mr. Dawson; seconded by Mr. Kardaras.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposed improvements to the VCA Cheshire Animal Hospital as shown on plans entitled "VCA Cheshire Animal Hospital Parking Improvements, 1572 South Main Street, Cheshire CT" revised through February 8, 2017 are consistent with the standards set forth within Section 40 (Special Permits) of the Cheshire Zoning Regulations and hereby approves this application conditioned upon compliance with comments from the Cheshire Fire Department dated February 15, 2017, and planting of four (4) additional trees on the north side of the parking lot and four (4) additional trees on the southeast portion of the property.

Discussion

Mr. Veleber asked about determination of the location of the additional trees, and at whose discretion the decision is made.

The Commission was told by Mr. Voelker that the applicant is willing to work with the neighboring property owners.

Mr. Linder asked about there being no agreement between the applicant and the property owners.

In that regard, Mr. Voelker said the applicant's obligation is to defer to the abutters; they do not have a choice; and abutters influence the outcome.

For the record, Mr. Todisco said he would vote to approve the application, as it is better to approve it for the neighbors, and it is an appropriate application for approval.

Chairman Kurtz agreed with Mr. Todisco's statement.

VOTE The motion passed unanimously by those present.

- 2. Special Permit Application**
CMMS LLC
405 Maple Avenue
Reinstate approval for mixed use

PH 2/27/17
MAD 4/21/17

MOTION by Mr. Kardaras; seconded by Mr. Dawson.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to establish a legal mixed use building at 405 Maple Avenue of professional office and two dwelling units as shown on plans entitled "Site Plan-Parking Analysis, Guardian Angels Homecare LLC, 405 Maple Avenue, Cheshire CT" dated January 27, 2017 is consistent with the requirements set forth in Section 30, Schedule A, Item 3B and Section 40 (Special Permit) of the Cheshire Zoning Regulations and hereby approves this application, conditioned upon compliance with Cheshire Fire Department comments dated February 24, 2017.

Discussion

Mr. Todisco commented on the letter from Attorney Hershman being very helpful, and this building being constructed in 1800 with an addition in 1980...and is following that schedule with this approval in 2016.

VOTE The motion passed unanimously by those present.

- 3. Special Permit Application**
Town of Cheshire/Jack Casner
1511 Byam Road Fire House #2
Replace Generator.

MOTION by Mr. Dawson; seconded by Mr. Veleber.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to install a new emergency generator at the Fire House located t 1511 Byam Road as shown on plans entitled "Site Plan, Proposed Generator Location, Cheshire Heights

Volunteer Fire Co. Inc. 1511 Byam Road, Cheshire CT" dated January 6, 2017 is consistent with the requirements set forth within Section 40 (Special Permits) of the Cheshire Zoning Regulations and hereby approves this application conditioned upon compliance with Cheshire Fire Department comments dated February 24, 2017.

VOTE The motion passed unanimously by those present.

4. Special Permit Application
David S. Mercugliano
50 Round Hill Road
In-Law Apartment

MOTION by Mr. Dawson; seconded by Mr. Veleber.

MOVED that the Cheshire Planning and Zoning Commission finds that the accessory dwelling unit proposed at 50 Round Hill Road as shown on plans provided by the applicant is consistent with the requirements set forth within Section 30, Schedule A, Item 5 and Section 40 (Special Permits) of the Cheshire Zoning Regulations, and hereby approves this application conditioned upon compliance with comments from the Cheshire Fire Department dated February 24, 2017, which read "smoke detection and alarm notification will need to be interconnected so that a smoke or fire condition in either living unit notifies the occupant of the other."

VOTE The motion passed unanimously by those present.

5. Special Permit Application
Town of Cheshire/George D. Noewatne Jr.
525 South Main Street
To install an emergency generator

MOTION by Mr. Dawson; seconded by Mr. Veleber.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to install a new emergency generator at Cheshire High School located at 525 South Main Street as shown on plans entitled "Vicinity Map, Proposed Cheshire High School Generator, 525 South Main Street (CT Route 10) Cheshire CT" dated January 31, 2017 is consistent with the requirements set forth within Section 40 (Special Permits) of the Cheshire Zoning Regulations and hereby approves this application.

VOTE The motion passed unanimously by those present.

6. Special Permit Application
Sanddeep Tiyyagura
30 Rising Trail
In-Law apartment (existing-new owner)

MOTION by Mr. Dawson; seconded by Mr. Veleber.

MOVED that the Cheshire Planning and Zoning Commission finds that the accessory dwelling unit proposed at 30 Rising Trail as shown on plans provided by the applicant is consistent with the requirements set forth within Section 30, Schedule A, Item 5 and Section 40 (Special Permits) of the Cheshire Zoning Regulations, and hereby approves this application.

VOTE The motion passed unanimously by those present.

VIII. NEW BUSINESS

- 1. Other Planning and Zoning Commission Business
Monthly Report from the Zoning Enforcement Officer.**

IX. ADJOURNMENT

MOTION by Mr. Veleber; seconded by Mr. Kardaras.

MOVED to adjourn the regular meeting at 9:05 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk