

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, MAY 22, 2017 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl J. Kurtz III, Chairman; Sean Strollo, Vice Chairman; David Veleber, Secretary.  
Members: S. Woody Dawson, John Kardaras, Vincent Lentini, Louis Todisco.  
Alternates – Jon Fischer, Jeff Natale and Jim Jinks.  
Absent: Edward Gaudio and Gil Linder.  
Staff: William Voelker, Town Planner

**I. CALL TO ORDER**

Chairman Kurtz called the public hearing to order at 7:31 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. BUSINESS**

Secretary Veleber read the call of public hearing for all the applications.

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| 1. | <b>Special Permit Application</b><br><b><u>CK 306 E. Johnson Avenue LLC</u></b><br><b>306 East Johnson Avenue</b><br><b>Regrading for Agricultural Purposes</b> | <b>PH 4/11/17</b><br><b>PH 4/24/17</b><br><b>PH 5/8/17</b><br><b>PH 5/22/17</b><br><b>MAD 7/26/17</b> |
| 2. | <b>Waiver Request</b><br><b><u>CK 306 E. Johnson Avenue LLC</u></b><br><b>306 East Johnson Avenue</b><br><b>To waive Section 25.3.2 Subsection 3</b>            | <b>PH 4/11/17</b><br><b>PH 4/24/17</b><br><b>PH 5/8/17</b><br><b>PH 5/22/17</b><br><b>MAD 7/26/17</b> |
| 3. | <b>Earth Removal, Filling or Regrading Permit</b><br><b><u>CK 306 E. Johnson Avenue LLC</u></b><br><b>East Johnson Avenue</b>                                   | <b>PH 4/11/17</b><br><b>PH 4/24/17</b><br><b>PH 5/8/17</b><br><b>PH 5/22/17</b><br><b>MAD 7/26/17</b> |

Attorney Anthony Fazzino represented the applicant, C.K. 306 East Johnson Avenue, LLC. The application comes under the earth removal and regrading.

The project involves only regrading of the 14 acre site on East Johnson Avenue for the purpose of establishing some growing fields. On the plans there is a 23,000 sq.ft. greenhouse which does not require PZC approval, but it is tied into the regrading project. Under the earth removal section of the regulations for a subdivision, regrading of more than 2,000 yards of material for agricultural purposes is subject to special permit, and this is why there is a special permit application. The earth removal application has also been submitted.

Regional Water Authority (RWA) was notified because the property is located over the north Cheshire aquifer, but no separate aquifer permit is required.

Attorney Fazzone introduced Seth Bovino and Jim Sokonchik of Kratzet and Jones & Associates Inc. who will review the earth removal work and storm water management.

Seth Bovino, Land Planner, Kratzet and Jones, distributed copies of plans for the application, and stated the site is at 306 East Johnson Avenue on the north side of the road.

On the plans, Mr. Bovino pointed out the location of the site; I-691 is to the north; to the east is the Whole Foods facility. The driveway from East Johnson Avenue goes north 900 feet, enters the main area of the property, used to serve a house and garage. The parcel is identified on the Assessor's Map as 12-12, in an I-2 zone, and served by public water and sewer. It is a 14.15 acres site, including the access area; located south of 691; it is bisected by a 40 foot gas line easement running north/south across the property; contour of the land is irregular shape; some areas are flat; some are steep; some have low lying areas; runoff goes from easterly towards the Whole Food property; the other area pitches towards 691.

The proposal is for a 23,328 sq.ft. greenhouse and area for plants which will cover most of the property; the property will be covered with filter fabric; proposed grading, cuts and fills will be on the south side; material will be placed in the lower areas to the north and west. Proposed grades are about 1%, other than the slope area next to the property lines which cannot exceed 2-1 slopes per the regulations.

Mr. Bovino reported that various agencies (RWA, DEEP, State Health Dept.), and their comments have been received, along with Town staff comments. All comments have been incorporated into the revised plans submitted to the Commission.

The drainage patterns of the property are being maintained as they are today. The property pitches towards Whole Foods and north to I-691. Flows are being

reduced at both locations by creation of detention areas within the site, and some water that used to go towards Whole Foods will be redirected to the north into the drainage detention area.

The site has two entrances proposed. One at the beginning by East Johnson Avenue as trucks enter and exit the property, and one midway next to the green house. The applicant wants to insure silt does not reach East Johnson Avenue, so there will be a silt fence around the entire site to be maintained in proper order, checked regularly, and damages repaired.

Steep areas proposed will be stabilized with erosion blankets stapled to the ground, with covering of exposed soils. There will be some stock piling of materials; there will be in excess of 21,670 cu. yds; the proposed cut is 68,250 cu. Yds.; the fill is 46,080 cu.yds.

The site distances will be measured at the entrances, and this information is on the site plans. West-482 linear feet site distance; East-348 linear feet; and existing fence along East Johnson Avenue will be relocated back and be improved.

Comments from RWA and Town Engineer have been received and implemented into the plans.

Jim Sokonchik, P.E. Kratzet and Jones, reviewed the drainage patterns and design for the subject property. For the drainage incorporated there are three detention areas to reduce runoff that now goes to the east towards Whole Foods. It is reduced by 23% of the current flow; drainage to I-691 was reduced 32% to the east and 70% to the west. This was done by creating low points within the property, well away from the boundary. The advantages to this (darker green on the plans) is reserves should more water appear than expected, and there is plenty of capability of detaining the water. There is a very metered flow leaving the site; this reduces by controlling the water on site, and let it leave the site in a slow meter pace.

Mr. Bovini informed the Commission that the operation will not take place on Saturday, Sunday or holidays. Appropriate dust control measures will be implemented. DEEP notified the applicant that there may be turtles on the property and surrounding area. Should turtles be found, they will be carefully handled and managed, placed outside the work area, with a fence to prevent turtles re-entering the work site. Employees will be instructed on identification of turtles, and on proper handling of the turtles.

Attorney Fazzone stated DEEP, Natural Diversity Data Base, response was received and all their comments and recommendations have been placed on the plans. The Cheshire Fire Department (CFD) recommended a fire hydrant in

close proximity to the building, and that is being provided in the plans. There are no wetlands on this site, or within 50 to 100 feet of the site. There will be compliance with DEEP requirements should turtles be found on the site.

A waiver of a section of the earth removal regulations is requested by the applicant, and Mr. Fazzino noted it stated that no more than 5 acres can be opened or exposed at any one time. He said this was implemented for an earth removal application, commercial gravel pit, and was done to guarantee that the first 5 acres be restored through plantings, seedings, stabilization, before the operator went into the next 5 acres. In the case of the subject application, Mr. Fazzino said, as the site is being graded, it will be covered with a fiber weed mat, and this is restoration to create the growing fields.

There are two tracking areas/sections on the site to keep out dust and mud from getting onto the road. Mr. Fazzino said it is important to note, for this application, that no material is being imported or exported. Any excess material will be stock piled on the site. There may be a future application to move this material off site.

The Commission has the reasons for the waiver application. Mr. Fazzino said the storm drainage management has received approval with comments from the Engineering Department. He pointed out the Town Engineering Department took a long and careful look at the application. There have been a few iterations of these plans based on Engineering comments. The set of plans were submitted last week, and Engineering required one further set of calculations.

Attorney Fazzino said the May 22, 2017 memo from the Engineering Department states all issues and concerns have been addressed.

Town Planner Voelker explained that the DEEP comments were sent a few weeks ago, and revised comments from Engineering Department were received today. He asked about the fire hydrant location on the site.

Mr. Bovino pointed out the location of the fire hydrant which will be near the greenhouses.

In the next set of plans to the Commission, Mr. Voelker said the fire hydrant must be clearly noted on the plans.

Mr. Voelker read the following comments into the record:  
Cheshire Fire Department, dated 4/17/17; RWA dated 3/22/17; DEEP dated 4/3/17; Engineering Department dated 5/22/17.

A question was raised by Mr. Veleber about the part of this property seen from

I-691 now, and if the proposed trees will be on the slope or higher up, and if the slope will be reduced with moving soil around.

In reply, Mr. Bovino said the trees there now are in the steep area; most of the trees left are on the State property; future grades will be flatter; some will be in the range will be 1%; the subject property could have slopes up to 25%; to meet existing grades the applicant must create 2-1 or 3-1 slopes. The slopes will be seen from the highway; they will be stabilized; and there will be immediate grass cover.

Mr. Veleber asked about the benefit of cutting trees now, and the look of erosion matting.

The trees and stumps need to be cut, and Mr. Bovino said there will be a grassy area...dirt cannot just be pushed on top of trees. The slope of the 691 corridor will look like a grassy area with the matting.

Mr. Todisco talked about the detailed report from DEEP about turtles, the measures suggested (fencing, moving the turtles), and asked how this will happen.

DEEP will visit the site, and if they find turtles, Mr. Bovino said their recommendations will be implemented...fencing around the property, appropriate relocation of the turtles, and keeping an eye if more turtles are spotted. He advised Charles Kurtz from his organization will be responsible to implement the plans if turtles are found.

Mr. Voelker reported he had a discussion with Charlie Kurtz, and he is aware of the DEEP plans and implementations of the plans, if needed.

Mr. Todisco asked if there will be documentation of the plans and training of people to carry them out.

Employees must be instructed on identification of turtle species, and Mr. Bovino said they will know how to implement the plan.

Mr. Strollo asked about the mash mark in the road, and the road being taken off the other person's property.

According to Mr. Bovino that is why Charlie Kurtz is proposing a separate driveway.

Attorney Fazzone stated there is a written easement for the encroachment, and it affects the driveway to the adjacent property, and at one point also encroaches the subject property. There are easements that go back and forth to provide for

those encroachments. There is no legal reason to relocate that driveway, and Mr. Fazzino said in all probability the owner will relocate this driveway.

For the CFD comments about the fire hydrant location, Mr. Fazzino said the hydrant is not shown because CFD wants to designate the final location when the pipe is being installed. This is the same with driving around the property. CFD wants to bring in equipment to drive around the property.

THE PUBLIC HEARING WAS CONTINUED TO JUNE 12, 2017.

(Mr. Natale was recused from the St. Bridget application)

4. **Special Permit Application**  
**St. Bridget Church Corporation**  
**175 & 185 Main Street**  
**Expansion of existing parking**  
**to 185 Main Street**

**PH 5/8/17**  
**PH 5/22/17**  
**MAD 7/26/17**

Town Planner Voelker read comments from Town Engineer Gancarz dated 5/22/17 into the record.

Ryan McEvoy, P.E. Milone and MacBroom, represented the applicant. Mr. McEvoy reviewed the changes to the plans submitted last week. The revisions to the parking extension plans include the following:

1. Identification of snow shelf/snow storage area along the entire northern edge of the parking lot expansion, adjacent to the gas station and the café.
2. Additional Spruces along the western boundary of the existing parking area, adjacent to Cherry Street parcels.
3. Addition of the fire hydrant along Main Street subject to approval of the Fire Marshal, located halfway between existing buildings - 185 Main Street and the Church Rectory.
4. Description of the Post Construction Operation and Maintenance Plan for the storm water system has been added.

Regarding the May 22, 2017 memo from Town Engineering Department, Mr. McEvoy cited conditions #2 and #3. For #2, he said Mr. Nolte has a concern that a curtain drain could do damage to some trees and root systems; #3 White Pine trees were recommended; there is concern about the depth of their root system; use of Serbian

Spruce trees is preferred, as there is less probability the shallow routes would find their way into the underground system. Mr. McEvoy said these trees would provide screening from headlights, etc.

Mr. McEvoy stated that the applicant feels strongly that associated piping should be on Church property for many reasons. He stated the proposed drainage system is unchanged from the prior public hearing. In accordance with the regulations the applicant is providing for the handling, storage, and direction of storm water runoff from the proposed improvements.

In color gray on the plans, Mr. McEvoy pointed out 10,000 sq.ft. of impervious surfaces – the 41 parking spaces. The new parking area will be directed via sheet flow across the parking area; curbing will be installed along the west side of the parking lot to a catch basin which will convey runoff to underground storm water galleries, which are sized up to a 100 year storm as a result of improvements. These galleries are constructed mostly of fill, 4 feet high. The parking lot grade will be raised using free draining material (specified in the DOT manual), consisting of sand for free movement of storm water runoff. About 10 feet to the west, down slope, is the storage system located below the galleys. Storm water accumulates in the galleries, moves along the soil profile, is collected, redirected around the property to the west on Church property, and into the town storm drainage system. The drain pipe located to the adjacent property would require the Church to gain access easements; there would be potential accessibility issues given how tight it is to the left; and a long term issue would be a pipe on someone else's property for maintenance purposes, which the Church is not interested in pursuing.

The proposed plan handles storm water, reduces runoff to neighboring properties, redirects to the maximum possible runoff around these properties within Church land. The Engineering Department reviewed the drainage system and no additional comments have been submitted regarding the design.

Mr. McEvoy stated agreement that an engineer should be present and witness new material brought into the site, and fill for the proposed parking lot. As designed, the design reduces the amount of runoff which presently enters adjacent properties, redirects it around at the maximum extent possible on Church property. The applicant takes no exception to the Town Engineer's comments; is okay with White Pine Trees; and has no exception to an engineer present when material is brought to the site.

Mr. Veleber talked about the house at 185 Main Street, and without maintaining this house, how many extra spaces would be achieved.

There would be 6 to 8 more spaces and Mr. McEvoy said that is due to the setback requirements. The cost of demolition of the house does not justify more spaces.

Mr. Dawson asked for explanation about public concerns regarding 0% runoff, 100 year storm etc. and people want a good example, i.e. driveway over here, moved over here, and who follows the engineers to insure and guarantee it will be better for the neighbors. He said it is his job to make sure people do not have water runoff, pumps going on, water buildup, etc.

For drainage analysis, Mr. McEvoy said engineers first look at the regulations, and he read Appendix A, Drainage Facilities into the record.

Mr. McEvoy said the engineer is charged with analysis of the nature of the drainage that comes from the subject site to developable area(s) and tributary area, and must accommodate and account for that situation. In this particular case the drainage on the development site, 185 Main Street and the Rectory, headed west towards the property line. There are no other uphill slope areas. When it comes to the town regulations it is the engineer's charge to collect, contain storm water runoff, and this is how this particular development was approached. With the storage provided in the chambers it accounts for 2200 c.f. of storage, which is larger than what is expected for a 100 year storm. Given neighbor's concerns the amount of flow is 8 to 10 feet below the site; an under drain is provided allowing for more water to collect within the pipe and be routed around it. The plan will result in some water being infiltrated back into the ground, but a large portion will by-pass the curbing on Cherry Street. It cannot all be dumped onto Cherry Street because there are other down slope properties to the west. We are dealing with runoff that exists on properties today in a manner which will reduce the amount of runoff from the St. Bridget parcel to these parcels. The reduction in runoff is significant for storms 2-10-25 years. For a smaller storm not a drop of water may be seen, or any surface runoff from the subject property. Mr. McEvoy does not anticipate any surface runoff or very minimal from 185 Main Street after completion of the proposed project.

Mr. Kardaras asked if Mr. McEvoy is saying it will be zero runoff.

In reply, Mr. McEvoy said essentially that is so. Everything falling from the sky onto the property today makes it down one way or another. There will be some ground water; the nature of the draining and curbing and direction will not result in any excess; he does not expect any runoff to neighboring properties.

Mr. Dawson visited the property, listened to the testimony, knows the original Weber property location, and said the bank (after garage is down) has runoff, decent sized craters, debris etc. washed down by the water. He agrees that putting in galleries and drainage going down it will help tremendously.

Because of the elevation of the properties, Mr. McEvoy said the Church is above them, and any ground water problems will not be fixed by the subject property drainage plans. Given the nature of the design runoff will be tremendously reduced.



Mr. Dawson said the Church property will have a good job done, but there are concerns down slope and no way to take all the water away. He asked what happens if a property owner says they have excessive amounts of water since the Church job was done...who takes the fault, and how will people prove more or less water than before. There will be water due to the slope of the Church land.

During the process, Mr. McEvoy said the engineer takes into account, to the maximum possible, making the situation better. If everything is constructed according to the plans, any person can make a claim, there is a defect in construction increasing runoff. The nature of the design should be obvious if everything is built properly, with no direct discharge to people's property.

Mr. Dawson thanked Mr. McEvoy for his explanation, and said he has confidence in the engineers and town engineers and staff.

Mr. McEvoy said there will be improvements to the whole back part of the Church property; there will be vegetation, screening etc. As for an engineer overseeing the work, it could be the town engineer who does this oversight, or another engineer.

Mr. Dawson said the PZC could have an independent engineer overseeing the project.

Town Planner Voelker said the Engineering Department will be comfortable with a certified engineer from Milone and MacBroom oversight.

Mr. Todisco stated the applicant's engineer has an interest in assuring the work is done properly, and insuring everything is built in the right manner.

### PUBLIC COMMENTS AND QUESTIONS

Martha Kane, 46 Cherry Street, pointed out her house on the plans, and said it is a down slope property, the Church driveway to Cherry Street borders her property on one side. The driveway to the proposed plan also borders her property. She has mature Sugar Maple Trees, 75 years old, and asked what will happen to these massive trees, as the proposal will infringe on these trees. She talked about a rainy day with her driveway having massive amounts of water from the existing parking lot and her understanding this surface runoff will be dissipated with the proposed project with addition of material that will not allow water to infiltrate. Ms. Kane asked about not knowing the percentages of runoff reduction, and she is not reassured by the engineer.

Frank Solla, 16 Cherry Street, abutting property owner to the proposed parking lot, has concerns about runoff, putting collection galleries at the base of the parking to catch water, and the perforated pipe which will drain water to all the properties downstream and flood properties. A solid pipe will be better. The fill will be sand around the pipe.

Mr. Solla talked about easements for his property to catch everything fast, going into the galleries, and perforated pipe clogging, and affecting the root system of the trees. He said the Church is 8 to 10 feet above neighboring properties; they are only filling 6 feet high; there will be no pitch unless they go down 4 feet at the start; they will be 15 feet deeper as they go around the curve. Snow piling is now on the north side, by the café, which is the highest part of the property. Snow will melt and come down to his property.

Another issue cited by Mr. Solla is the other side of St. Bridget property, which has a baseball field, which stops and has a bank, and there is also a basketball field not longer in use. There are no wetlands; this property could be filled for 40 parking spots; no drainage system is involved; and people could walk up to the existing parking lot level. The existing lot has tree bed areas which could be 6 spots each in the parking lot, without affecting neighbors. There is a playground not being used, and the Church could gain 60 spots with affecting neighbors.

Mr. Solla talked about other issues...the lights in the current parking lot, neighbors seeing cars and headlights, and he wants to see the new parking spaces on the other side of the school. With regard to the proposed easement, this is a better way to get rid of water and fast. With perforated pipe the downstream neighbors will get water; the pipe divides on Cherry Street, down to Lanyon Drive; and with galleries down there to slow up the water there will be no rush. He questioned who is accountable for problems of snow and basement flooding with things ruined.

Stating he is not an engineer, but has experience, it was suggested by Mr. Dawson that Mr. Solla get his own engineer to oversee the work being down.

Robert Ancona, 38 Cherry Street, cited concerns about the scope and impact of the proposed project being understated and under-estimated. The proposed drain pipe starts 6 feet underground, and when it passes his property it could be 10 to 12 feet deeper. A number of trees will be lost, leaving Cherry Street properties exposed to the St. Bridget School, rear parking lot, light and noise pollution...during the busy times for the Church. Replacement of full grown trees will not provide adequate insulation from existing and proposed overnight lighting, adequate insulation of the lines of traffic, headlights and noise, and heavy equipment operating in the rear lot. Trash pickup is done from 2 a.m. to 4 a.m. with noise and within 100 feet of his back door. Mr. Ancona said St. Bridget should be looking to buffer neighbors, and has no idea how the project will burden adjacent residents. It is the wrong project, in the wrong place, and will not result in St. Bridget resolving its violation of parking regulations.

To respond to comments made by the public, Mr. McEvoy said, presently, the parking lot drains entirely down the Cherry Street driveway to the intersection with the driveway and Cherry Street. The applicant is seeking a way to decrease runoff with a new parking lot, mitigate the increase in runoff and existing drainage problems, making existing conditions better. With regard to the location of the 6 inch pipe, which will be 1

to 2 feet deep at Cherry Street, it will not be tremendous excavation going down towards the catch basin.

Mr. Strollo asked about the easement to the left, and possibly bringing the pipe to the complete other side, and Mrs.Kane's trees and root issues.

Mr. McEvoy said there are other limitations along this corridor. He does not expect issues with the root structure of the trees with the driveway, and the project is keeping within the limits of the pavement. Given the proximity of the water main systems on the other side of the driveway, there could be conflict issues between utilities.

Mr. Strollo asked about going to the middle for safety sake.

Mr. McEvoy does not think this will happen, as the pipe must be strong enough to handle traffic loading. The drainage pipe is 6 feet above the proposed grade, 1 foot into the existing grade, along the existing parking lot, and there will not be tremendous excavation. A few trees may be affected; they will be supplemented with Spruce Trees; which provide more screening that what is there today.

Regarding the snow, it melts to the back of the parking lot, not to the west. Regarding the perforated pipe, Mr. McEvoy said a solid pipe will not do anything; will not collect anything; and perforated pipe allows for collection of water; and perforation is the whole point of the pipe. The town engineer suggested continuation of the perforated pipe. A solid pipe provides no function.

Mr. Lentini clarified that the perforated pipe takes in the water and carries it away, and does not disperse water.

Mr. Kardaras asked about the size of the Spruce Trees.

According to Mr. McEvoy they will be 8 to 10 feet high; there will be 9 trees total...Siberian Spruce, White Pines, and one Maple Tree.

Lind Remmele asked how far out the parking will be from the back line from the Solla property, how many feet. This makes a difference for cars getting close to neighboring properties and lots.

The proposed parking lot is 22 feet from the property line to the west, and Mr. McEvoy said there is plenty of space for Spruce trees at 15 inch diameter fully grown. He said there should be no problem with growth of this species.

Chairman Kurtz asked about these nine(9) trees fully blocking off neighbors along the west side.

There is much vegetation presently on the Church and neighbors' properties, and Mr. McEvoy said some trees may be cut, with replacement of a more visual buffer.

Frank Solla restated concerns about the 6 feet of soil for the parking lot; galleries of 4 feet height; this being an 8 to 10 foot uphill battle. He asked about the depth of the pipe on the Church end, or abutting his property. With the solid pipe not doing anything, Mr. Solla talked about using a perforated or solid pipe taking water out of a swimming pool. He asked, again, about the parking lot going on the other side of the property.

The members of the public were informed by Town Planner Voelker that the Commission cannot do that...cannot require parking anywhere else on the property. The application was submitted to the Commission, which must react to the applicant in front of them.

Frank Solla asked about anyone looking into the elevation of 6 feet when the property is higher than that. He is at 16 Cherry; West Main is to the left; the Church is 10 feet higher; to the right side is the garage; and proposing only 6 feet of fill will have him in a valley.

Mr. McEvoy clarified that this corner of the parking lot nearest to 16 Cherry Street has an existing grade of 260 elevation. The high point of the parking lot is 266.3; this is about 6 feet of fill; as you continue to the west the property slopes down; the 10 feet refers to the house. The Church is significantly higher than the houses, and is doing what it can to handle runoff. Fill will be 6 feet at the most to construct the parking lot, and there will not be 12 feet anywhere. The maximum depth of the pipe is 5 to 6 feet.

Chairman Kurtz asked about the galleries dumping water into the perforated pipe, and why there is need for a perforated pipe.

There are two reasons, and Mr. McEvoy cited them. A solid pipe to drain those galleries will be rapid draining, and there would be flooding down to the west. In a 100 year storm the galleries are full, and perforated pipe down slope has water migrating to the west after a storm and being re-routed around. The percentage will be 100%+ of the increase.

Chairman Kurtz asked about the water going into an existing system on Cherry Street.

Stating "yes", Mr. McEvoy said the existing drainage system drains to Cherry Street towards the Ball & Socket area, collecting runoff from different streets.

The issue of a solid or perforated pipe was raised, again, by Mr. Kurtz.

Mr. McEvoy said this would cause runoff that comes in. The plan marries the goal of not increasing runoff down slope, with an effort to wick away water with the perforated pipe, which will help neighbors, and was discussed with the Engineering Department.

Mark Kane, 46 Cherry Street, asked about lighting for the new parking lot, how high it would be, voltage, and timing schedule for these lights.

There will be two parking lot lights; 14 inch high poles; full cut off lights; one on the north and one by the garage. There will be timers for shut off of lights, and it is fairly minor lighting.

Mr. Ancona pointed out his house on the plans, and said the parking lot drawing shows two elevated areas to the west of the curb. This is not the case; it has immediate grade down after the curbing. He asked about the Serbian Spruce trees planting there as they would be below grade; their protruding 15 feet into the parking lot; and if new garage lighting is facing to Cherry Street. He also said the lights at the parking lot are left on all night.

There is no spotlight planned for the garage towards Cherry Street, and Mr. McEvoy said there are small lights in the vicinity of the garage. The trees are limited by the amount of space from the property line. The trees have been specifically selected; they do not grow large in diameter; and they will provide increased buffering from what exists today.

Mr. McEvoy said he is familiar with the heavy attendance at Masses at St. Bridget Church, with people parking at Rite Aid or the post office or Stop & Shop lot. The additional 41 spaces will help in the present situation and limit the impact of well attended Masses. This parking lot will provide and enhance parking for the Church and its members.

Lind Remmele wants something written into the plans about the lighting, and handling of violations with recourse to do something about it. She wants some of the neighbor's issues written into the plans for future recourse.

Mr. Voelker advised that there can be nothing written into the plans about issues, i.e. trash collection, as the town does not control this vendor.

Chairman Kurtz said these lights are legal lights, full cut off, and the time limit cannot be limited in terms of their use.

Chairman Kurtz stated there would be no action taken by the Commission tonight on this application, as the Commission members must look at the information just submitted.

THE PUBLIC HEARING WAS CLOSED.

5. **Zone Text Change**  
**Cheshire Medical Associates LLC**  
**To amend Section 33-Off Street Parking**

**PH 5/8/17**  
**PH 5/22/17**  
**MAD 7/26/17**

**And Loading  
Subsection 33.1.7(a) & Section 23  
Definitions-Finished Space**

Attorney Anthony Fazzone represented the applicant, and stated the public hearing did not close because the applicant and Commission were awaiting responses from the regional planning agencies.

Town Planner Voelker read comments from the NVCOG dated 4/21/17 into the record; and comments from SCOG dated 5/12/17 into the record.

Attorney Fazzone referred to the data submitted from the Institute of Transportation Engineers, Land Use: 720, Medical-Dental Office Buildings. Their manual states that the cited parking ratio is less than what is being proposed. The proposed ratio is one space per 200 sq.ft. of usable space, and the traffic engineers propose .85 spaces per 200 sq.ft. of usable space.

At the last public hearing, one of the principals of Cheshire Medical Associates, Mr. Doyle, stated any building proposed by the company will be subject to being leased and satisfying any prospective tenant that the property will have enough parking spaces. Any financial institution would have to be satisfied. In the years since the company has been developing property they have seen a consistent increase in the under-use of parking spaces in their facilities.

Mr. Jinks asked how many neighboring communities are moving towards this regulation.

In response, Attorney Fazzone said the towns in the study included Glastonbury, Manchester, South Windsor, Avon, Farmington, Meriden, Stratford. More and more communities are moving to this new parking formula. CROG responses indicate it is consistent with communities in their region.

Mr. Jinks asked about savings to the project cost with reduction in parking spaces.

Attorney Fazzone said he has no idea on savings with this parking plan.

According to Mr. Fazzone some of the towns have indicated there was increase to the size of a building to increase the taxes.

Mr. Voelker said everything is different, and it depends on the end user, the site and the market.

Mr. Fazzone said the current regulation is 150 sq.ft. for one parking space. Every 50 feet less is ½ a parking space.

This is a good idea and Mr. Natale asked about other town regulations with limitation on the percentage of medical and mixed use.

Mr. Voelker stated the applicant is interested in building a medical use, for which town regulations have a definition, and ratio for medical use. There is another ratio for mixed uses, which will be the same if the proposed regulation is adopted. A professional office building has 1 parking space for every 200 sq.ft.

Attorney Fazzone said there are two separate zoning regulations, and this is putting things in line with the same ratio. We can go back and look at the breakdown of the parking ratio by different uses, including the apartments that have a number of spaces set aside.

Mr. Todisco commented on the study done of other towns parking systems, with lower square footage for adequate parking spaces. He asked if there has been research on the proposal being sufficient parking and if Attorney Fazzone is aware of such research.

Stating he is not aware of any other research, Attorney Fazzone cited the transportation engineers table which shows there is no trend to the contrary.

Another aspect is taking usable space out of the building for calculations, and Mr. Todisco said this is stairwells and elevators. He asked how important this is to the request being made, and why it is necessary.

In looking at the current regulations, Mr. Fazzone pointed out it does take out elevators. To the extent elevators are not added to the parking requirement, stairwells should not either.

It was stated by Mr. Voelker that stairwells do not generate any parking, and doing calculations would allow exclusion of square footage not generating parking.

When applications are sometimes filed, Mr. Fazzone said there is not a complete and final floor plan. Looking back at a number of R20A applications there have been guesstimates anywhere from 15% to 20% of the building not having usable space. With plans today, stairwells and elevators are known features for applications.

Mr. Voelker said "halls" do not generate parking, and they are in the definitions.

In talking about making this change, Mr. Todisco said there was a study and tonight there is no contrary study. There can be some confidence in the validity of the study. There is information and data from a national organization with similar conclusions. There is, at least, some basis for changing the regulation.

Mr. Fazzone commented on Mr. Dolye's report, which suggested this is being consistent with what is being done in other communities. Stairwells are excluded. And then it is simply looking at the office space being used, and this was part of the study.

Mr. Dawson said this plan makes sense to him, and there has been a good explanation of not calculating elevators, hallways, stairwells.

Stating he understands Mr. Todisco's point, Attorney Fazzone said the question at one time was whether someone said to not exclude stairwells. Other communities have fairly consistently excluded stairwells and elevator spaces.

THE PUBLIC HEARING WAS CLOSED.

## VI. ADJOURNMENT

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

MOVED to adjourn the public hearing at 9:45 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

  
Marilyn W. Milton, Clerk