

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JANUARY 22, 2018, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz III, Chairman; Sean Stollo, Vice Chairman; Gil Linder, Secretary;
Members: John Kardaras, Vincent Lentini, Gil Linder, Jeff Natale, Louis Todisco.
Absent: S. Woody Dawson and Edward Gaudio
Alternates: Robert Brucato and Robert Anderson
Staff: William Voelker, Town Planner

I. CALL TO ORDER

Mr. Kurtz called the public hearing to order at 7:31 p.m.

II. ROLL CALL

The Clerk called the roll and a quorum was determined to be present.

III. DETERMINATION OF QUORUM

Following roll call a quorum was determined to be present.

IV. PLEDGE OF ALLEGIANCE

They group Pledged Allegiance to the Flag.

V. BUSINESS

Alternates Mr. Anderson and Mr. Brucato sat for the applications.

Secretary Linder read the call of public hearing for the applications.

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| 1. Waiver Request – Section 11.1 | PH 12/11/17 |
| <u>Michael Krasnovsky</u> | PH 1/8/18 |
| 867 Ives Row | PH 1/22/18 |
| Section 5.6.1 of the Subdivision Regulations | MAD 3/28/18 |
| 2. Resubdivision Application | PH 12/11/17 |
| <u>Michael Krasnovsky</u> | PH 1/8/18 |
| 867 Ives Row | PH 1/22/18 |
| 2-lots | MAD 3/28/18 |

Kevin Solli, P.E. Solli Engineering LLC, Monroe CT represented the applicant.

At the last public hearing, Mr. Solli noted that the application was presented to the Commission in-depth and in detail. The Commission needed time to review the new information submitted, and the public hearing was continued to January 22nd.

Chairman Kurtz closed the public hearing.

(Commissioner Kurtz recused himself from applications #3 and #4)

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| 3. Waiver Request of Section 25.5 Subsection 9
For earth removal, filling or regrading
(Waiver Request 25.3.2)
<u>Kurtz Realty LLC</u>
1621 and 1631 Peck Lane | PH 1/22/18
MAD 3/28/18 |
| 4. Earth Removal, Filling, or Regrading Permit
<u>Kurtz Realty LLC</u>
1621 and 1631 Peck Lane | PH 1/22/18
MAD 3/28/18 |

Ryan McEvoy, P.E. Milone and MacBroom LLC, Cheshire CT, represented the applicant.

Mr. McEvoy presented the application to the Commission. He explained that these are regrading, filling and earth removal and waiver applications. There are two parcels, at 1621 and 1631 Peck Lane, on the west side of Peck Lane, opposite Schoolhouse Road. On the map, he identified the existing conditions on the property, with several greenhouses, noting the property is south of the Ten Mile River. Portions of the river are on the property line of the land (blue color); wetlands (light green); roadways (gray). The applicant purchased the neighboring property to the north, and abolished buildings on this property. The application is the enabling phase. The applicant, Kurtz Farms, LLC, has a large greenhouse operation, which it wants to expand on the recently purchased property. The project will require import of material to make the grade at elevation a balanced site if the applicant wished to construct greenhouses in the future. As part of the import there are also portions of the property within the flood plain of the Ten Mile River (red color).

The Commission was told by Mr. McEvoy there are two parts of the application.

1. Earth work activity – total net of 3,100 cu.yds. imported to the site. This is a small operation which can be done within a week, with 200 truck loads to bring this amount of material to the property.
2. Filling operation – this will occur within the limits of the flood plain. According to State and local regulations where the filling operation will occur, the applicant must comply with compensatory storage. Filling is above the ten year storm flood elevation, and above the 100 year storm elevation. The excavation will be done to the west of the existing greenhouses; elevations are similar to the filling elevation; there will be the same volume of cuts, with a net loss of flood plain storage.

There will be moving of 2,000 cu.yds of material along with the 3,000 cu.yds of imported material. Mr. McEvoy pointed out these areas on the map. The balance within the flood plain has been reviewed by the Engineering Department, with no comments on the activity.

Town Planner Voelker reported that the Engineering Department is satisfied with the design being put forth by the applicant.

Mr. Ryan informed the Commission that the application received IWW approval on January 16th, for activity within 50 feet of the wetlands.

The applicant is proposing sediment and erosion controls, sediment traps, hay bales. Along the Ten Mile River there are some species of special concern. Correspondence has been received from DEEP about turtles and snakes along the corridor. DEEP will submit a letter with recommendations before the next Commission meeting.

It was stated by Mr. McEvoy that this portion of the application is straight forward. The earth work activity operation and complications can arise because the property is along the Ten Mile River Flood Plain.

Waiver – the applicant is requesting a waiver of “no earth work activity within 50 feet of the property line”. Mr. McEvoy stated the applicant is proposing activity along the property line of 1621 and 1631 Peck Lane. The site is lower than Peck Lane, and the applicant will be raising the grade to the elevation of Peck Lane, evening out the grade along the right-of-way, and it will be flat along Peck Lane.

Commissioner Todisco said the applicant is talking about water storage, raising the height of the property in one area because water can't be stored there, since water cannot be stored there because it does not go uphill. The applicant is making the grade lower in another area in case of a flood, so the water has some place to sit until it goes away.

Mr. Voelker stated the standard is that when work is done in the flood plain area there must be a balance the cuts and the fill.

According to Mr. McEvoy the flood plain elevation is 136.

In the Milone and MacBroom letter of November 13th, Mr. Todisco read an excerpt from the last paragraph (“In order to compensate...”). He questioned the proposed elevation from 132 to 136, and if it should be 136 to 132.

In response, Mr. McEvoy said he referred to the excavation near the greenhouses, and said the area is higher than 136. It is going from 140 to 132 elevation, and anything above 136 is above the flood plain.

The public hearing was continued to February 13th.

IX. ADJOURNMENT

MOTION by Mr. Natale; seconded by Mr. Mr. Kardaras

MOVED to adjourn the public hearing at 7:50 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk