

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION SPECIAL MEETING HELD ON MONDAY, NOVEMBER 26, 2018 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz, Chairman; Gil Linder, Secretary; Members: Matthew Bowman, Robert Brucato, John Kardaras, Jeff Natale, Louis Todisco.

Alternates: Robert Anderson, Donald Walsh

Absent: Sean Strollo and S. Woody Dawson.

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Kurtz called the meeting to order at 7:31p.m.

Chairman Kurtz read the emergency public service notice.

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
SPECIAL MEETING, NOVEMBER 14, 2018**

MOTION by Mr. Bowman; seconded by Mr. Natale.

MOVED to accept the minutes of the Special Meeting of November 14, 2018, subject to corrections, deletions, additions.

Correction: Robert Brucato is a regular member, not alternate; and Mr. Brucato was absent from the 11/14/18 meeting.

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

VI. BUSINESS

- 1. Site Plan Application
1008 South Main Street LLC
1008 South Main Street
Medical Office Use**

MAD 02/17/19

Darin Overton, P.E. Milone and MacBroom represented the applicant. Mr. Overton displayed an aerial photography of the existing conditions of the site with the survey as an overlay. The site is on the east side of Route 10; it is the former Colorama business building; it has a curb cut off Route 10; the property is 0.59 acres in a C-3 zone. The property is bordered on the north by the old gas station property now redeveloped into a new office building; on the east by open space, wooded property and Mill River; to the south is Fitness Express building; on the west by Route 10; and it is across from the Ford dealership.

The property is in the South Cheshire Aquifer District and Mill River Watershed. Notification of the project has been given to the State Dept. of Health and Regional Water Authority.

The nonconformance no longer exists on the property. The proposal is to demolish the existing building to construct a 3,500 SF medical office building; it will have 22 parking spaces; the existing curb cut is being maintained; there will be double stacked parking in front with two-way circulation and access drive in the back with some angled parking. A dumpster pad will be in the northeast corner. The driveway in back loops back out to the entrance.

Sidewalks – new sidewalks are proposed in the front and along the back edge of the building; there will be connection between this property and the property to the north.

Parking – 18 parking spaces are required; the site will have 22 parking spaces, +4 spaces.

Permitted Use – the use of the new building is #50 in the list of permitted uses.

The building will be served by public water and sewers with connections on Route 10; all utilities are coming off the existing infrastructure.

Storm Water Management – the site is flat without much of a grade change; there is not much grade change between the site and Mill River; it is about four foot grade change from the top river bank to the site. There is no direct access to the river to put in a standard pipe and catch basin collection system to discharge into the river. Right now this site sheet flows back towards the river.

On the plans, Mr. Overton showed how the storm water management will work. There will be four (4) catch basins; two (1) with dry wells underneath them; the one in the northeast corner has an overflow pipe; three in front are connected to the dry well and into a stone trench along the back edge of the access drive and parking area. All the storm water overflow will go into the stone trench back towards the river. A 30 Foot wide area with rip rap overflow was pointed out on the plans, along with the 100 year

FEMA flood plain line. This forms a swale and overflow will follow the swale back towards the natural path of where the water runs now out to the Mill River.

There is storage provided in the dry wells for the water quality volume based on redevelopment; this allows for infiltration before over flowing; basic erosion controls include a silt fence and hay bales for this less than an acre site.

Architectural Plans – The building style will be “colonial”; lower section of the building will be stone with store front appearance in front; three gables on the front. There are some changes to the architecture have been made based on the tenant’s needs, and these include two larger gables and two access points.

All building materials cited in the application will remain the same.

Staff Comments – Engineering Department comments were received, with recommendation for a hood over the outlet pipe of the last dry well, and the applicant will do this.

Handicapped Ramps – Mr. Voelker spoke with the applicant about putting in ramps between the two parking lots, and one (1) additional handicapped parking space in front of the building. The code required only one (1) handicapped space. With a medical use, Mr. Voelker believes the extra handicapped space will be needed. He noted the Ricci building to the north has additional handicapped parking spaces, and he asked about putting in another access way.

With common ownership of the two buildings, Mr. Natale asked about having one curb cut for both buildings.

Stating this was never considered, Mr. Overton stated these are two different and separate properties.

Mr. Bowman commented on there being two different properties, and if one property was sold or split off, with one curb cut, it would be an issue. There have been no accidents or danger and the property should have two curb cuts.

Even though there is common ownership, Mr. Overton said these are separate properties. Once you give up a curb cut, it is very hard to get it back from DOT. He stated the owner wants to keep the two curb cuts.

Chairman Kurtz stated the application will be kept open pending some changes to the plans and IWW approval.

2. TABLED APPLICATIONS

1. **Zone Map Change Petition**
AJ Waste Systems, LLC
1276 and 1280 Waterbury Road
From C-2 to I-1 Zone
Uses that are more in line with permitted uses
In an industrial zone rather than a commercial zone.
TABLED FOR PUBLIC HEARING 12/10/18

2. **Zone text Change Petition**
Planning and Zoning Commission
To amend Section 30, Schedule A, para. 5
(Accessory Apartments) and
To add to Section 23 (Definitions)
Barrie Free Design
TABLED FOR PUBLIC HEARING 01/14/19

3. **Other Planning and Zoning Commission Business**

Clearview Farm Preserve – Request for 90-day extension

Mr. Bowman recused himself from discussion or action on this matter.

Mr. Voelker informed the Commission that Attorney Fazzone submitted a letter requesting a 90 day extension for filing the Mylar for Clearview Farm Preserve. A copy of Mr. Fazzone's letter was e-mailed to Commissioners. He also noted this request has nothing to do with the approvals.

MOTION by Mr. Walsh; seconded by Mr. Kardaras

MOVED that the Planning and Zoning Commission approve and grant the 90-day request for filing of the Mylar for Clearview Farm Preserve.

Discussion

Mr. Todisco questioned this request and whether it is normal procedure.

Mr. Voelker stated the statute enables and provides for two (2) 90-day extensions for filling of the Mylar, which is the plastic map for the land records. This is the first 90-day extension request.

VOTE The motion passed 8-0; Mr. Bowman was recused.

Badges for Commissioners – Mr. Brucato raised the issue of the Commissioners having identification badges. He said they would be helpful when Commissioners visit

properties which are part of applications, and they can be obtained through the Cheshire Fire Department.

Mr. Voelker advised Commissioners to be careful of ex parte communications with property owners and site visits. He will check with Town Manager Kimball and Town Attorney Smith about the PZC request for identification badges.

It was noted by Chairman Kurtz that during a public hearing on an application, there can be a request made to the applicant for Commissioners to visit the subject property.

VII. ADJOURNMENT

MOTION by Mr. Kardaras; seconded by Mr. Anderson

MOVED to adjourn the meeting at 8:00 p.m.

VOTE The motion passed unanimously by those present.

ATTEST:

MARILYN W.MILTON, CLERK