

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JANUARY 28, 2019, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz Jr. Chairman; Sean Stollo, Vice Chairman (entered meeting at 7:55 p.m);
Members: Robert Brucato, S. Woody Dawson, John Kardaras, Gil Linder, Louis Todisco.

Alternates: Robert Anderson and Tom Selmont

Absent: Matthew Bowman and Jeff Natale

Staff: William Voelker, Town Planner

I. CALL TO ORDER

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

Mr. Linder read the public hearing notice for the application.

V. BUSINESS

1. Special Permit Application

Chao-Ting Wu

1530 Notch Road

**Renovate and rebuild existing house and
Convert from single family to duplex.**

PH 01/28/19

MAD 04/03/19

Todd Andrews, AIA and Hugo Fenoux, LLP, Centerbrook Architects and Planners, LLP, represented the applicant.

Mr. Andrews explained the application for approval to convert a single family home into a duplex (two family dwelling) at 1530 Notch Road. This property has been in the Wu Family for 60+ years.

The Wu Family (children, grandchildren) live throughout New England and the West Coast, and Ms. Wu wants a house for the family to use in Cheshire. The applicant wants to renovate and rebuild the house, which is in disrepair, on the existing property, with no changes to the building footprint. One of the dwelling units (smaller one (1) bedroom) would be for the property caretaker, and the second larger dwelling would have four (4) bedrooms for the Wu Family.

At this time, the house is unoccupied; the renovation will improve the character of the house and help the neighborhood; and there will be no adverse affects to the surrounding properties. Once the zoning application is approved the design and renovation will begin. The application received IWW approval on December 4, 2018. The revised septic system design received approval from Chesprocott on January 14, 2019.

Mr. Andrews displayed a photo of the house as it now exists, and a rendering of the house upon completion of the renovations.

Mr. Andrews noted there is significant amount of work to rebuild this house. This property is bisected by Mountain Brook and contains significant wetlands, with a portion located in Flood Zone A. The house will be brought to current building codes and flood plain regulations. Much of the house will be torn down to insure proper foundation. The project will retain partial foundation with additional foundation to keep to the 42 inch depth, with the same roof lines and layout.

Chairman Kurtz clarified that this is a duplex rather than a single family home.

The Commission was told by Mr. Voelker that the Town Building Inspector is assigned the function of administering the flood regulations, and Building Official administers the zoning regulations.

Mr. Dawson said this is the same house after renovations within the regulations.

Mr. Voelker stated the PZC jurisdiction is whether the two-family home changes the character of the neighborhood. The same family will live there and the house will look the same as it is now. It will be the only two-family house in the area, and must function as a two-family dwelling unit under the regulations. He advised the regulations for this dwelling are not the same as an in-law apartment...this is permitted and is a special use.

Mr. Voelker read the following comments into the record:
Cheshire Fire Department dated 1/14/19
Chesprocott Health District dated 1/14/19
Cheshire Engineering Department dated 12/14/18

A question was asked by Mr. Kurtz about how the house is divided, i.e. upstairs and down stairs.

On the plans, Mr. Andrews pointed out the east and west dwelling units, and the fire wall that will separate the two dwellings. The east part has one (1) bedroom unit and the west part has four (4) bedrooms; there is no interior connection between the two dwellings. An As-Built Survey will be submitted along with full plans to the Building Inspector for approval.

Mr. Todisco discussed this being a one owner property for the entire house with two dwellings, it not being a condo situation with each person owning a unit. He asked about a garage and parking.

The Commission was informed by Mr. Andrews that Chen Wu is the property owner. This is a 2,800 S.F. house. On the site plan there are two curb cuts off Notch Road; there is no garage and no intention to construct a garage; there is off-street parking with curb cuts; and the property is 11.9 acres.

With regard to notification of abutting neighbors, Mr. Andrews said for IWW there was notification.

Mr. Linder asked about the property being owner-occupied.

The Wu family lives remotely, and Mr. Andrews said there will be a caretaker in the smaller dwelling unit to manage the property. The Wu family members will stay in the larger dwelling; it is not a primary dwelling, but that could change.

The Commission was informed by Mr. Voelker that there is no regulation that a property must be "owner occupied". This will be a family operated property, and the regulations make no distinction as to who lives there.

Mr. Linder stated it could be two rental units.

It was noted by Mr. Todisco that this is not the immediate intention of the owner.

Mr. Andrews explained that the owner is interested in coming back and having her grandchildren experience the woods and trails in Cheshire...which were part of the owner's childhood experience.

Mr. Todisco said the property is near Mixville Park, and asked how far it is from neighbors.

There is a long rail-trail along this property and Mr. Andrews said the Wu Family owns the adjacent property. The most adjacent neighbor is several hundred feet away from the subject property.

Stating this is a good family that loves this property, Mr. Dawson they want to keep the property and let the Town's people walk through it.

There were no further comments or questions. Chairman Kurtz closed the public hearing.

- 2. Special Permit Application** **PH 01/28/19**
Royal Vision Management & Investments **MAD 04/03/19**
831 South Main Street
Conversion from Motor Vehicle repair use to
Retail use and parking improvements.

Ryan McEvoy, P.E. Milone & MacBroom, 99 Realty Drive, Cheshire CT, represented the applicant.

The subject property is located at 831 South Main Street, Cheshire CT, at the intersection of RT 42 and RT 10. The site is currently a gas station with a service garage. The applicant wants to convert the service garage to a convenience store, and this partial change in use requires a Special Permit under Section 30, Item 42A. The regulations require adequate parking for the gas station and convenience store. In that regard the gas station will have 10 parking spaces and the convenience store 6 spaces, and required handicapped parking. The only site plan improvements are a new sidewalk around the exterior parking of the building; the footprint will not change; but there will be modification and enlargement of the interior. The gas station canopy remains the same with six (6) spaces at the pumps. The application is a change in use with analysis of capacity of parking.

Mr. Voelker stated the regulations require no more than 1,500 S.F. of retail space on the property. This is an 1,800 S.F. building with 1,400 S.F. of retail space and restrooms. In the 1980's gas stations started turning more towards convenience space and retail service was 1,500 S.F.

Comments from The Regional Water Authority dated 1/23/19 and Cheshire Fire Department dated 1/14/19 were read into the record by Mr.Voelker.

Mr. McEvoy advised that the applicant is okay with these comments.

The issue of sidewalks and changes in this area was raised by Mr. Dawson.

The Commission was informed by Mr. McEvoy that there are presently no sidewalks, but there is a large expansion of walkable openings. The applicant does not, at this time, plan any improvements within the DOT right-of-way. There are no changes in the size of the building, but there will be changes in the façade. The submitted plans show

changes and modifications to the building exterior façade; the garage doors will be gone; and the exterior will be more presentable than it is today.

Mr. Dawson commented on keeping with the character of the town, and wanting to insure the building looks good on this site, which is an interchange area in town.

According to Mr. McEvoy the building improvements proposed will be improvements over the current conditions at the site.

Regarding the 16 parking spaces at the site, Mr. Strollo noted four (4) on the corner, and asked about the others.

Mr. McEvoy pointed out that six (6) spaces are at the pumps.

It was stated by Mr. Linder that the architectural renderings should show a more substantial concept. This is the center of town, across the street from an historical building, and there is an opportunity to improve the architecture for something to look good in this strategic location. He wants a more substantial rendering of the site.

Mr. McEvoy said the applicant was hoping to have this application approved at this meeting, and he will have to make them aware of the Commission's comments and requirements.

Mr. Voelker stated the Commission wants a rendering of the elevations for building purposes, along with materials and colors choices for the modification of the site.

A comment was made by Mr. Dawson about this being the opportunity to insure the existing building looks good.

Mr. Brucato asked about any below ground hydraulic lifts on the garage and whether testing is done.

The RWA comments included this stipulation and Mr. Voelker said there will be demolition of the property according to State regulations and satisfaction of the RWA comments.

The public hearing was continued to February 11, 2019.

VI. ADJOURNMENT

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

MOVED to adjourn the public hearing at 8:13 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk