

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, MAY 29, 2019, IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz Jr., Chairman; Sean Strollo, Vice Chairman; Jeff Natale, Secretary; Members: Robert Brucato, S. Woody Dawson, John Kardaras, Gil Linder, Louis Todisco.

Alternates: Tom Selmont; Absent – Matthew Bowman; Alternates - Robert Anderson and Donald Walsh

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Kurtz called the regular meeting to order at 8:41 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 – Public Hearing 5/13/19 and Special Meeting 5/13/19

MOTION by Mr. Natale; seconded by Mr. Selmont

MOVED to approve and accept the minutes of the Public Hearing of 5/13/19 and Special Meeting of 5/13/19 subject to corrections, additions, deletions.

Corrections – Sean Strollo was absent from the 5/13/19 meeting.

Addition – page 8 (before continuation of public hearing)...**Mr. Brucato noted that the Mixed Use verbiage was removed from the zone text.**

VOTE The motion passed unanimously by those present.

VI. COMMUNICATIONS

VII. UNFINISHED BUSINESS

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| 1. Zone Text Change Petition | P.H. 4/22/19 |
| <u>Miller Napolitano Wolff, LLC and</u> | P.H. 5/13/19 |
| <u>Tri-Star Development LLC</u> | P.H. 5/29/19 |

To Amend Section 45B Interchange MAD 8/2/19
Special Development District (I-C.S.D.D.)
And Amend Section 23 Definitions
Interchange Special Development Project

MOTION by Mr. Dawson; seconded by Mr. Brucato

MOVED that the Cheshire Planning and Zoning Commission finds that the proposed amendments to Section 45B (Interchange Special Development District, (I-CSDD) and Section 23 (Definitions) of the Cheshire Zoning Regulations, as amended through May 23, 2019, will provide additional flexibility for the orderly development of parcels that are or may be located within the I-CSDD necessitated by changing market conditions since the original creation of this district in 2007. The Commission also finds that these amendments are consistent with recommendations of the 2016 Cheshire Plan of Conservation and Development that recognize the Interchange area as Cheshire’s gateway, and hereby approves this application. The effective date for this action is June 21, 2019.

Discussion

Mr. Dawson noted the hard work and time that went into development of the I-C zone, and that of the Commission and the applicant for the subject application.

Chairman Kurtz agreed with Mr. Dawson, and said the Commission will have total control of whatever will be put into this zone.

VOTE The motion passed 8-0-1 Stroll abstained.

- 2. **Zone Text Change Petition P.H. 4/22/10**
The Cheshire Housing Authority P.H. 5/13/19
To Delete Existing Section 44A MAD 7/17/19
Omnibus Affordable Housing Development
Regulation and Add:
Section 44A Affordable Housing Development

MOTION by Mr. Dawson; seconded by Mr. Brucato.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to delete existing Section 44A (Omnibus Affordable Housing Development) and the creation of new Section 44A (Affordable Housing Development) of the Cheshire Zoning Regulations, as amended through May 23, 2019, provides an application process that is preferable to the Affordable Housing Appeals process under Section 8-30g of the Connecticut General Statutes, which may encourage collaboration between town agencies and prospective applicants for affordable housing developments. The Commission also finds that this process is consistent with recommendations set forth

within the 2016 Cheshire Plan of Conservation and Development, and hereby approves this application. The effective date for this action is June 21, 2019.

Discussion

Mr. Dawson said this is a good application, which gives another option to develop affordable housing other than CGS 8-30g.

Mr. Natale commented on lots of work and changes to the original application, and the final version is very good.

VOTE The motion passed 8-0-1; Mr. Strollo abstained.

(Mr. Todisco was recused from the Fenn Road Applications)

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| 3. Partial Waiver request of Section 6.10.1
Of the Subdivision Regulations
<u>Ricci Construction Group Inc.</u>
257 Fenn Road
To allow sidewalks to be constructed on the
west side only. | P.H. 5/13/19
P.H. 5/29/19
MAD 8/2/19 |
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(Application withdrawn)

Town Planner Voelker read the letter of withdrawal into the record.

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| 4. Subdivision Application
<u>Ricci Construction Group Inc.</u>
Fenn Road
6 lots | P.H. 5/13/19
P.H. 5/29/19
MAD 8/2/19 |
|---|---|

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

MOVED that the Cheshire Planning and Zoning Commission finds that the proposed subdivision as shown on plans entitled "Rivers Edge Subdivision, 275 Fenn Road" revised through May 22, 2019, is consistent with the requirements set forth in the Cheshire Subdivision Regulations and the Cheshire Zoning Regulations and hereby approves this application conditioned upon the following:

1. Comments from the Town Engineer dated May 24, 2019
2. Comments from the Cheshire Fire Department dated May 13, 2019
3. Comments from the Regional Water Authority dated April 16, 2019.

VOTE The motion passed 8-0; (Mr. Todisco recused).

5. **Special Permit Application** **P.H. 5/29/19**
Rock Building & Remodeling (Ken Rock) **MAD 8/2/19**
60 Bellamy Road
Accessory Apartment

MOTION by Mr. Dawson; seconded by Mr. Brucato

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to construct an accessory apartment at 60 Bellamy Road, as shown on plans entitled "60 Bellamy Road, Theodore and Carolynn Pettit", are consistent with the requirements of 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.,

6. **Waiver Request of Section 25.3.2** **P.H. 5/29/19**
Subsection 9 – for earth removal, filling **MAD 8/2/19**
Or regrading within 50 feet of the street
line
Robert Donnelly
400 East Johnson Avenue
PUBLIC HEARING CONTINUED TO JUNE 10, 2019
7. **Earth Removal, Filling or Regrading** **P.H. 5/29/19**
Permit **MAD 8/2/19**
Robert Donnelly
400 East Johnson Avenue
To regrade
PUBLIC HEARING CONTINUED TO JUNE 10, 2019

Mr. Natale asked about the new Hartford Health Care building being constructed on Route 10, and if the traffic pattern would be set before the owner receives a Certificate of Occupancy.

The Commission was informed by Mr. Voelker that before a Certificate of Occupancy is issued by the Town, there must be State approval on the traffic plan.

VIII. NEW BUSINESS

a. Tabled Applications

Zone Text Change Petition
Planning and Zoning Commission
To amend and add new Section 36,

**Highland Avenue Design District
Regulation and Amend Section 23
Definitions-Context Sensitive Design
And Design Narrative
SET FOR PUBLIC HEARING ON JUNE 10, 2019**

VI. ADJOURNMENT

MOTION by Mr. Brucato; seconded by Mr. Selmont

MOVED to adjourn the special meeting at 8:59 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk