

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING SPECIAL MEETING HELD ON MONDAY, JUNE 24, 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 Strollo, Vice Chairman; Jeff Natale, Secretary;
Members: Matthew Bowman, S. Woody Dawson, John Kardaras, Louis Todisco.
Alternates: Robert Anderson, Tom Selmont, Donald Walsh
Absent: Robert Brucato and Gil Linder.
Staff: William Voelker, Town Planner; George Noewatne, PW Director
Guest: David Veleber, Town Council liaison

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.

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

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| 1. | Waiver Request of Section 25.3.2
Subsection 9 – for earth removal, filling
Or regrading within 50 feet of the street
Line
<u>Robert Donnelly</u>
400 East Johnson Avenue | P.H. 5/29/19
P.H. 6/10/19
P.H. 6/24/19
MAD 8/29/19 |
| 2. | Earth Removal, Filling or Regrading
Permit
<u>Robert Donnelly</u>
400 East Johnson Avenue
To regrade | P.H. 5/29/19
P.H. 6/10/19
P.H. 6/24/19
MAD 8/29/19 |
| 3. | Site plan Application
<u>400 East Johnson Avenue</u>
Warehouse addition with associated
Parking and utilities. | MAD 8/27/19 |

Ryan McEvoy, P.E. Milone & MacBroom, represented the applicant. He said there are three applications before the Commission – 1) Waiver request for regrading adjacent to the street line and property line; 2) Earth Work Permit; 3) Site Plan Application. Mr. McEvoy stated the site plan and full build-out of the site will require approval from the State Office of Traffic Administration. Moving of material on the site will be followed by construction of the building and parking. Inland Wetlands & Watercourses Commission (IWW) has approved the earth moving application, and the site plan application for the building is still pending IWW approval. The PZC cannot act on application #3 due to the pending IWW approval.

Mr. McEvoy noted that Whole Foods Distribution Center is on East Johnson Avenue; the warehouse is central on the site; there is employee parking and tractor trailer parking to the rear of the site. The applicant is proposing a 86,000 S.F. addition to the rear; the current site is 160,000 S.F.; there will be a total of 247,000 S.F. when all is put together. There are a number of parking spaces and trailer spaces in the northwest corner. There will be additional improvements to the entrance off East Johnson Avenue; a second entrance is being added, and a new security gate; there will be pavement modifications and modifications for truck turning movements throughout the property, and a delivery check-in booth. The large addition has similar elements proposed as part of the 2005 master build-out of the property. Storm water management was sized for the full build-out; the size of the basins can accept runoff from the increase of impervious surfaces; there will be additional fire hydrants throughout the site in compliance with CFD comments and concerns around the building access.

Mr. Voelker read comments from the Cheshire Fire Department dated 6/24/19 and Town Engineering Department comments dated 6/18/19 into the record.

The Commission was told by Mr. McEvoy that the Traffic Department performed a traffic analysis on the increased traffic. The assumption was the building is expanded 55% in size and so would traffic into the property. There are no changes in service and a minor increase in trips.

With regard to protected species (i. e. Box Turtles and Snakes) during construction, the DEEP provided recommendations which have been incorporated into the work plan.

Mr. Voelker noted that RWA comments were read into the record at the last public hearing, and they will be a condition of approval.

The issue of the left hand turn out of the site was raised by Chairman Kurtz.

It was explained by Mr. McEvoy that part of the signage improvements include signage to direct tractor trailer trucks to turn west towards RT 10.

Mr. Voelker reported the applicant will build a concrete island which will preclude tractor trailers from making a left turn. The applicant has met with Fire and Police and Milone & MacBroom before bringing everything in for approval.

Mr. Strollo asked about the staging parking lot being sometimes closed.

Stating he was not sure of this fact, Mr. McEvoy could not answer that question.,

With nothing changed since the last public hearing, Mr. Natale asked about full access around the building.

Mr. McEvoy stated there will be full access around the building.

It was stated by Mr. Voelker that the Commission will have another review of the site plan after IWW approval.

Regarding the waiver request, Mr. Todisco read an excerpt from Section 25.3.2, and asked about risk to public health and safety.

According to Mr. McEvoy the waiver is about 50 feet of encroachment of the property line. There is a grade coming down from along the western slope; it is graded 3 to 1; this slope is stable; there is a ridge along the property line; and impact to the neighbors will be negligible. The reason for the excavation is to use material on the site, and there will be no movement of material on or off the site. There will be a pad off area for the new building.

Public Hearings #1 and #2 were closed; Public Hearing #3 was held open.

4. **Special Permit Application**
Maria Mazzacane Perez
920 South Main Street
Barber Shop
Section 30, Sch. A. #46

P.H. 6/24/19
MAD 8/29/19

Maria Mazzacane Perez, 439 Juniper Lane, Cheshire CT, the applicant, presented her application to the Commission. The barber shop was owned by her father, Joe Mazzacane at 1042 South Main Street for 68 years. The building was purchased and she was forced to relocate to 920 South Main Street. The entrance to her two-chair barber shop will be in the rear of the 920 South Main Street building.

Ms. Mazzacane Perez explained that the barber shop will be in the old inventory room of South End Spirit Shop. The front door to the shop is in the rear of the building, and there will be a door opening into the spirit shop office, with a shared bathroom facility.

The Commission was informed by Mr. Voelker that the Cheshire Fire Department saw the plans; a building permit is required; and it will be reviewed by CFD.

Mr. Voelker read comments from the Cheshire Fire Department dated 6/24/19 into the record.

When plans are submitted to the Commission, Mr. Voelker said the applicant must meet all requirements.

Mr. Walsh asked about the entrance coming off the driveway or in the back of the building.

In reply, Ms. Mazzacane Perez said you can walk up the curb, take a right into the barber shop, and there are two (2) parking spaces, one of which is handicapped space. On the map of the site she pointed out the parking spaces to the Commissioners.

Chairman Kurtz closed the public hearing.

Mr. Strollo was recused from application #5; Mr. Anderson was the Alternate.

5. Special Permit Application

John Mazzella

1322 Waterbury Road

Parking/Additional Repair License

P.H. 6/24/19

MAD 8/29/19

The applicant, John Mazzella, 1265 Marion Road, presented the application to the Commission. He said the special permit is for additional site parking and another repairer's license on the property in the new building. Mr. Mazzella reviewed the map of the site with the Commissioners, pointing out the various components of the site.

Mr. Todisco drove through the site, and asked about the additional parking spaces.

Stating he has to add these parking spaces, Mr. Mazzella also wants another repairs license on the property.

Town Planner Voelker explained the PZC zoning approval is first, which gives the applicant permission, and then he goes to the Zoning Board of Appeal (ZBA) for approval of location. A repairs license is needed from the State of Connecticut for another license on the property. The site plan and zoning issues belong to the Commission, and ZBA gives approval of location.

According to Mr. Mazzella, the new building was approved last year; it is still in construction phase which should be completed in the Fall 2019; the business does auto body; and the new license is for truck repair work. The building has enough room for

three (3) or four (4) trucks. The work on the trucks will be inside the building, not on the outside of the property. Another repairs license adds a towing company (AAA company); they want a repairs license; two (2) trucks can be parked inside the building; and there will be no trucks on the exterior of the building. Mr. Mazzella pointed out he does auto body work, and is not a mechanic.

In the staff report, Mr. Voelker noted there is no restriction on the number of licenses to occupy any site, and the Commission granted approval in 2011 for Ollie's Auto Body Repair for another repairs license. For the subject application, Mr. Mazzella is getting everything on the record related to use of the property. There will be another two (2) tow trucks on the property for a total of five (5), and there will be a pad on the exterior.

The Commission was informed by Mr. Mazzella that he will put wrecks inside the building...for "bleeders" there is an exterior pad so leaks are caught.

Mr. Voelker read Cheshire Fire Department comments dated 6/24/19 into the record. He noted that for any new construction the CFD will require additional fire hydrants.

When the property was built, Mr. Mazzella said he insured there were enough fire hydrants on the property per the CFD.

Mr. Voelker read the Town Engineering Department comments dated 6/24/19 into the record.

Questions were raised about submission of revised plans, copies of the plans to the Commissioners, flood plain information and the exterior "pad".

It was stated by Mr. Voelker that the flood plain boundaries must be reflected on the site plan. The building is not in the flood plain. The applicant must apply to FEMA, and this is a technical item. The "pads" requested to be installed are for car wrecks that are "bleeding". Around the building the pads are put down; it is 6 inches of sand, a fabric layer to control hydro-carbons, and mills. This keeps hydro-carbons from getting into the storm water management system on the property, and there must be a management plan in place on these pads.

Mr. Mazzella stated that anything towed and bleeding will be on the absorbent pad area (on the asphalt), and will not be on the dirt/ground. He knows the ramifications of bleeding, and is adamant about a clean and neat facility.

Mr. Dawson stated he knows how Mr. Mazzella runs his business, and asked about the licensing for another company.

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

MOVED to adjourn the public hearing at 8:30 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk