

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD AT 7:30 P.M. ON MONDAY, SEPTEMBER 26, 2011 IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Sean Strollo, Chairman, Secretary, Tali Maidelis; Martin Cobern, John Kardaras, Gil Linder, Louis Todisco.

Alternates – Ms. Marinaro, Mr. Bulger

Absent: E.J. Kurtz, S. Woody Dawson, Lelah Campo, and Alternate Ed Gaudio

Staff: William Voelker, Town Planner.

**I. CALL TO ORDER**

Mr. Strollo called the public hearing to order at 7:30 p.m.

Mr. Strollo read the fire safety announcement.

**II. ROLL CALL**

Mr. Strollo called the roll.

**III. DETERMINATION OF QUORUM**

Following roll call a quorum was determined to be present.

Mr. Voelker read the call of public hearing for each application.

Mr. Todisco recused himself from applications 1 and 2 due to possible conflict of interest.

- |   |                     |
|---|---------------------|
| <b>1. Special Permit Application</b>                | <b>PH 9/26/11</b>   |
| <b><u>Town of Cheshire/Parks and Recreation</u></b> | <b>MAD 11/30/11</b> |
| <b><u>Department/Robert Ceccolini</u></b>           |                     |
| <b>559 South Main Street</b>                        |                     |
| <b>To build a storage shed</b>                      |                     |

Mr. Voelker informed the Commission that a map and copy of the architectural rendering for the storage shed and its location was in the packets. He also advised that the Engineering Department had questions and comments regarding storm water management.

Robert Ceccolini, Parks and Recreation Director, informed the Commission that this shed will sit on the existing concrete slab on site, and that this slab will be made slightly larger. The shed's size is 35 ft. x 35 ft. This shed will be used for supplies and equipment at Bartlem Park used for the fields, including a groomer, tractor, supplies. The shed will be of the same design as the existing building in the park.

Joseph Michaleangelo, PW Director and Town Engineer, stated that the comments from the Mr. Disbrow, Assistant Town Engineer, were standard on the drainage for the proposed activity. The shed will be on a concrete pad which will be slightly larger than it is now. All gutter and leader flow pipe will be captured into a low boy type infiltrator right on the grounds. The drainage system works well at the park site with discharge to the southeast to the Mill River. There are no real peak quantity discharges or quality problems associated with the park, and this application will do nothing to exacerbate the drainage at the site.

For the record, Mr. Cobern stated that the cumulative effect of the various construction at the park has not put a strain on the drainage facilities.

The Commission was informed by Mr. Michaelangelo that the fields are all irrigated with sprinkler systems. Regarding a sidewalk to connect the two sidewalks there now, there might be a small sidewalk added.

Regarding the proposed storage shed, Mr. Maidelis questioned why the shed must be so large.

In response, Mr. Ceccolini stated that all the department supplies are stored in the existing smaller shed, along with equipment and supplies from the youth sport groups. The existing building is overflowing, and the department lost the storage shed at Jackman Farm when the building collapsed in the winter storm.

Mr. Voelker read the comments from the Fire Department into the record.

There were no further comments or questions. The public hearing was closed.

**2. Special Permit Application**  
**Town of Cheshire/Public Works**  
**Joseph Michaelangelo**  
**1286 Waterbury Road**  
**Dog Park and Parking Area**

**PH 9/26/11**  
**MAD 11/30/11**

Mr. Michaelangelo informed the Commission that a group of dog owners are interested in having a dog park in Cheshire at the location of the closed PW Garage and landfill. He pointed out the location on the plans for the proposed project. The landfill was closed and capped in 2005, and can be used for passive type recreation. The dog owner's volunteer group proposed using this site, has presented their proposal to the Town Council, and once all permits were in place, they can go back to the Council for approval of the dog park on Town property.

This dog park will be a privately constructed facility with the Town offering guidance and expertise, and once built it will be maintained by either the Parks Department or PW Department. The location is adjacent to Arts Place; there is a curb cut; 10 parking spaces are proposed; 10 spaces that can be added later with PZC approval. On the

plans Mr. Michaelangelo pointed out the larger and smaller dog areas of the park, and advised that there will be fencing and locks. Signage is proposed but no details are available at this time. The dimensions of the dog park are 350 ft. x 225 ft. about 1.5 acres of land.

Ms. Marinaro asked about the height of the fencing and if public bathroom facilities will be available.

No bathroom facilities are proposed for the park, and Mr. Michaelangelo said the fencing would be 6 ft. in some areas and 5 ft. in other areas. He noted that people use the dog park for shorter periods of time, 1 hour to 1.5 hours, and the Linear Trail does not have public bathroom facilities.

Mr. Linder asked how the parking spaces were determined, and when the park will have peak usage.

Under the zoning regulations only 10 parking spaces are allowed on non-asphalt paved surfaces. Mr. Michaelangelo explained that there are 50 parking spaces at Arts Place, and many of them are available for overflow from the dog park site. Also, the group sponsoring this park have limited funding and can only support 10 spaces at this time.

The Commission was informed that Southington, Southbury, and Branford have dog parks, with other towns proposing to construct them.

If this dog park is successful, Mr. Linder questioned out of town people being attracted to use the dog park, and more than 10 spaces will be needed.

Mr. Maidelis also commented on visiting other dog parks, noting they are popular and receive a lot of use.

Mr. Ceccolini noted that Arts Place is closed on Saturdays, and when open the facility uses about half of the parking spaces available. He has been visiting dog parks for many years, and stated that when the park starts to overflow, people usually leave.

Regarding the Town's liability, Mr. Cobern asked about there being additional liability for this dog park.

Mr. Ceccolini stated that the State statute protects the Town and land owners, and dog owners are responsible for their own dogs.,

The proposed dog park is about 1,500 linear feet, and Mr. Linder commented on it being costly to fence in this large an area.

Mr. Michaelangelo stated that the cost for fencing will be about \$15,000 to \$20,000 on the low end. With other amenities such as picnic tables the cost will increase. The volunteer group is handling these costs.



moratorium on sewer connections based on the State Plan of Conservation and Development. New regulations were written, and when the applicant came back for final approval of the subdivision, the three lots having a shared accessway were denied. Since that time the property had not been sold or lots sold. All approvals have now expired. Mr. Overton and his firm have reapplied on behalf of the owner as there is an interested buyer at this time, and the process is moving through all commissions for approvals.

There are a few minor changes to the subdivision application. The septic systems on lots 2, 3 and 4, with shared rear lot access way, have been tested, and sanitation certificate received from Chesprocott. Sidewalks have been eliminated from the plans; sewer main coming up the shared access way has been eliminated; three lots in front will be served by individual laterals; and the easement associated with this has been removed from the subdivision application. Other than these, there are no changes to the plan. Only 3 lots will be on the septic system. All lots will have public water.

Mr. Voelker noted that there is a comment from the Fire Marshal regarding placement of a hydrant on the interior of the site. There will be a meeting with the applicant, Fire Marshal and Town Engineer on this matter.

In response to a request from Mr. Cobern that the record of the original application be placed into the record of the subject applications, Mr. Overton agreed to the request.

Ms. Marinaro asked for clarification on the 100 year storm and related concerns.

According to Mr. Overton nothing has been changed in the storm water management design. The applicant was asked to analyze things differently than in the original application. In the prior application, calculations were done up to the 10 year storm. This time the analysis was done up to the 100 year storm, and computations meet Town standards to mitigate the 100 year storm. The analysis was applied up to the 100 year storm level and meets Town requirements.

Mr. Todisco asked why the sidewalks were removed.

There are no sidewalks along Allen Avenue near the subdivision, and Mr. Overton explained that in 205 the Commission's policy was to put sidewalks in all subdivisions. Now, the thinking has changed about sidewalks. There is no logical connection, so no sidewalks are proposed.

Mr. Voelker stated that the sidewalk regulation has changed per State statute, and the Town cannot require sidewalks along the front of an existing road. The subdivision regulations were amended to reflect this change. If sidewalks are needed on an existing street, the Town can require them. There is prohibition from the requirement of sidewalks on the frontage per the Supreme Court decision. If a new road were proposed for this application rather than an access way, sidewalks could be required on the new road.

Mr. Maidelis asked about water in this area of Town after the heavy September rain storm.

In the low points on the property during storms there is some water collected. The underlying soil is all sand and gravel, and water does infiltrate into the ground quickly. Mr. Overton noted that the Engineering Department asked for data on how fast these depressions and infiltrations will drain during a 100 year storm. It has been calculated, and once the rain stops it is about 5 hours for ponding water to infiltrate into the ground. He pointed out the low spots of the site on the plans, including spots at the existing house. There is a stream close to the east and around the back of the existing house, along with a wetlands stream. Allen Avenue has a cross culvert which drains south to the Quinnipiac River.

The Commission was reminded by Mr. Maidelis that the water issues and problems in this entire area must be taken into consideration. In the significant rain storm in September there was actual water on the property.

Mr. Overton said that, as designed, the storage areas provide three times what is needed for runoff from the site, and in the low points there are infiltration trenches with inlets to allow further drainage.

This application is before Inland Wetlands Commission. And, there must be a meeting with the Fire Marshal on the fire hydrant issue. Mr. Voelker stated the public hearing must be continued to October 12, 2011. Mr. Voelker will provide the Commissioners with copies of the minutes of the 2005 public hearing on the applications.

The public hearing was continued to Wednesday, October 12, 2011.

## **V. ADJOURNMENT**

MOTION by Mr. Cobern; seconded by Mr. Kardaras.

MOVED to adjourn the public hearing at 8:10 p.m.

VOTE The motion passed unanimously by those present.

Attest:

---

Marilyn W. Milton, Clerk

