

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION  
REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M.  
PUBLIC HEARING HELD ON MONDAY, OCTOBER 24, 2011 IN COUNCIL  
CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Sean Strollo, Chairman; Earl Kurtz, Vice Chairman; Tali Maidelis, Secretary;  
Lelah Campo, Martin Cobern, John Kardaras, Gil Linder, Louis Todisco.

Alternates – Mr. Bulger

Absent: S. Woody Dawson; Alternates Ms. Marinaro and Mr. Guadio.

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. Maidelis called the roll. The group Pledged Allegiance to the Flag.

**III. DETERMINATION OF QUORUM**

Following roll call a quorum was determined to be present.

**IV. ACCEPTANCE OF MINUTES – 10/12/11 Public Hearing and  
10/12/11 Special Meeting**

MOTION by Mr. Cobern; seconded by Mr. Maidelis.

MOVED to accept the minutes of the Public Hearing of October 12, 2011 and  
Special Meeting of October 12, 2011 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

**V. COMMUNICATIONS**

**VI. UNFINISHED BUSINESS**

**1. Special Permit Application**

Jorasa LLC

382 South Main Street

Professional Office Building and

Two Residential dwelling units

**PUBLIC HEARING CONTINUED TO NOVEMBER 14, 2011**

**PH 10/12/11**

**PH 10/24/11**

**MAD 12/28/11**

- a. **Subdivision Application** PH 10/12/11  
**Verna Properties LLC** PH 11/14/11  
**174 Wiese Road** MAD 1/28/11  
**(Pemberley Estates)**  
**9-lots**  
**TABLED FOR CONTINUANCE OF THE P.H. UNTIL**  
**NOVEMBER 14 ,2011 AS REQUESTED BY THE APPLICANT**
- b. **Zone Text Change Application** PH 11/14/11  
**Midstate Medical Center** MAD 1/18/12  
**To amend Section 34.3A and 34.8 to**  
**Allow directional signage for critical/urgent**  
**Care facilities**  
**SET FOR PUBLIC HEARING ON NOVEMBER 14, 2011**

**VII. NEW BUSINESS**

1. **Special Permit Applciation**  
**Cheshire Youth Baseball**  
**520 South Main Street**  
**Deck for the baseball/softball concession stand**  
**SET FOR PUBLIC HEARING ON NOVEMBER 14, 2011**
2. **Special Permit Application**  
**F.L.U. Colburn, LLC**  
**176 Sandbank (Unit 182B0**  
**Sec. 20. Sch. A. A. Para 37**  
**Health and Exercise Facility**  
**SET FOR PUBLIC HEARING ON NOVEMBER 14, 2011**
3. **Special Permit Application**  
**F.L.U. Colburn, LLC**  
**176 Sandbank (Unit 182B0**  
**Sec. 20. Sch. A. A. Para 37**  
**Health and Exercise Facility**  
**SET FOR PUBLIC HEARING ON NOVEMBER 14, 2011**
4. **Other Planning and Zoning Commission business**
- a. **Monthly Report from Zoning Enforcement Officer**
- b. **Other**

**Commissioner Todisco recused himself from Executive Session due to possible conflict of interest, and left the Council Chambers.**

### **3. EXECUTIVE SESSION**

Discussion: Letter from John Kl. Knott Jr. Esq. Special Corporation Counsel dated October 7, 2011, RE: 745 Highland Avenue LLC et al v. Cheshire Zoning Board of Appeals, et al.

Discussion and Action RE: Settlement Agreement. RE: 745 Highland Avenue LLC et al v. Cheshire Zoning Board of Appeals, et al.

MOTION by Mr. Kurtz; seconded by Mr. Maidelis

MOVED that the Planning and Zoning Commission enter Executive Session at 7:37 p.m. to discuss pending litigation RE: 745 Highland Avenue LLC. v. Cheshire Zoning Board of Appeals et al; and discussion RE: Settlement Agreement, 745 Highland Avenue LLC v. Cheshire Zoning Board of Appeals et al; to include Town Planner Voelker, Attorney Thomas Gerarde and Attorney John K. Knott.

VOTE           The motion passed unanimously by those present.

MOTION by Mr. Cobern; seconded by Mr. Kurtz.

MOVED to exit Executive Session at 8:00 p.m.

VOTE           The motion passed unanimously by those present.

MOTION by Mr. Cobern; seconded by Mr. Kurtz

MOVED that the Planning and Zoning Commission approve the Stipulation of Settlement and Release. This document is attached to these minutes.

VOTE           The motion passed 7-1-1; Maidelis opposed; Todisco recused.

### **VIII. ADJOURNMENT**

MOTION by Mr. Cobern; seconded by Mr. Kurtz

MOVED to adjourn at 8:15 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk