

To: Cheshire Planning and Zoning Commission
From: Planning Staff
Re: 493 West Main Street, Proposed Revisions to the Ball and Socket Arts Facility
Date: January 21, 2021

Proposal

This application seeks revisions to the Ball and Socket Arts plans at 493 West Main Street. The Commission will recall that the plan was granted a new approval by the Commission at their meeting of December 14, 2020. The revisions are described in the enclosed memo prepared by the applicant. These revisions are also under review by the Cheshire Inland Wetlands and Watercourses Commission, and the Commission cannot act on this proposal until the conclusion of those proceedings.

Staff Analysis

Enclosed are copies of comments from the Cheshire Fire Department which point to a need for further discussions with the applicant. Staff will facilitate these prior to the next meeting.

ORIGINAL

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Town of Cheshire
DEC 30 2020
Planning Dept.

**APPLICATION FOR MODIFICATION OF SPECIAL PERMIT
FOR SPECIAL ADAPTIVE RE-USE DEVELOPMENT**

Pursuant to the Zoning Regulations of the Town of Cheshire, as amended, the undersigned makes application for a Special Permit for the property described below:

STREET ADDRESS 493 West Main Street

*APPROX. NO. OF ACRES 3.285 ZONE Special Adaptive Re-Use
Development District
(*See attached checklist for over 5 acres)

ASSESSOR'S MAP NO. (s) 49 LOT NO. (s) 2

APPLICABLE SECTION(S) OF ZONING REGULATION 45A

DESCRIPTION OF PROJECT See Attached Narrative

The following items, as required by Section 40.2, are attached (unless waived by the Planning and Zoning Commission:

- (1) 6 copies of a **Site Plan**, drawn to a scale of not more than 100 feet to the inch, showing existing and proposed grade contours, property lines, **the names and addresses of all abutting owners including those across any street determined from the Assessor's records**, building, structures, signs, outdoor illumination, streets, driveways, off-street parking and loading spaces, outside storage areas, water courses, storm drainage, sewage disposal facilities, and water supply facilities. State law requires certain information to be compiled and certified by licensed professionals.
- (2) 6 copies of preliminary **architectural plans** of all proposed buildings, structure and signs, including general exterior elevations, perspective drawings and generalized floor plans and including drawings for proposed signs.
- (3) 6 copies of a detailed **landscaping plan** drawn to a scale of not more than one inch equals one hundred feet, including a plot plan showing: the name and planting size of trees and shrubs, basic contours lawn areas, natural terrain not to be disturbed, and magnetic north. In addition, such plan shall include a planting key listing trees and shrubs with planting size.
- (4) Sanitation Certificate accompanied by Engineer's Report, WPCA approval, or Feasibility letter.

(Over)

(5) Check, made payable to "Collector, Town of Cheshire", in full payment of fee – \$ 535.00 paid

BASE FEE: Residential \$235.00* plus \$175.00 Public Hearing Fee: \$ 410.00
Business \$360.00* plus \$175.00 Public Hearing Fee: \$ 535.00
+ Additions or new buildings of 5,000 sq. ft. or greater shall add an additional fee of \$.05 per sq. ft. of entire building.

*(Includes \$60.00 State of Connecticut fee)

(6) In order to facilitate the filing of your approval on the Cheshire Land Records, based on Public Act 75-317 of the Connecticut General Statutes, the following information is required: The **volume** and **page number** of the deed to your property as it is filed on the Cheshire Land Records.

VOLUME(s) 2660 PAGE NO.(s) 274

APPLICATIONS FOR SPECIAL PERMITS WHICH PROPOSE TO CONDUCT NONRESIDENTIAL USES IN RESIDENTIAL DISTRICTS, the following submission (7) is also required:

(7) An affidavit, at least ten (10) days before the hearing, stating that notification has been sent to all abutting property owners (including those across the street). The affidavit shall confirm that the notice was mailed at least fifteen (15) days prior to the hearing and shall list the names, property addresses and mailing addresses, if different from property addresses. Notification to property owners shall be in the form of letter or postcard and shall specify the date, time, and place of the public hearing.

ALL APPLICANT'S--PLEASE COMPLETE THE FOLLOWING:

Applicant's Name Ball & Socket Arts, Inc.
(Print or Type)

Applicant's Address PO Box 128, Cheshire, CT 06410

Applicant's Signature 

Telephone Number 917-414-2020 E-Mail _____

Owner's Name Ball & Socket Arts, Inc.
(Print or Type)

Owner's Signature 

Agent, if other than applicant to be contacted with regard to this application:

Name Anthony J. Fazzone, Esquire, Fazzone Ryan & Ricciuti, LLC

Address Two Town Center, Cheshire, CT 06410

Telephone Number 203-250-2222 E-Mail afazzone@fazzoneryan.com

This application must be filed in the Planning Office at least seven (7) days prior to the regular Planning & Zoning Commission meeting date.

Disclaimer: Additional information may be required, please contact the Planning office for complete application packets.



Project Narrative – Planning & Zoning Application

PROJECT: Phase 1, Buildings 2, and 3
APPLICANT: Ball & Socket Arts, Inc.
ADDRESS: 493 West Main Street, Cheshire
ASSESSOR: Tax Map 49 / Lot 2
ZONE: Special Adaptive Reuse Development District (S.A.R.D.D.)

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DEC 30 2020

Dept.

Project History

The site consists of 3.28 acres of land containing several vacant industrial buildings. The property was purchased in 2014 by Ball & Socket Arts, Inc. with the goal of creating a mixed-use complex centered around a public art gallery. The Town of Cheshire originally approved a Special Permit for the project in January, 2015 with a recent re-approval in December, 2020. As part of these approvals, the project was noted to be developed in two phases with the main building and parking lots constructed first, followed by the perimeter buildings.

Since the original project was approved in 2015 a portion of Building 3 has been removed (in accordance with the original plan) while Building 2 has undergone exterior improvements such as new wood siding, roofing, gutters and window repair (currently underway). However, work within Building 1 has been delayed by on-going environmental cleanup.

[Note: It is noted that buildings 1.5 and 2 on the original plan have been renumbered as buildings 2 and 3 for this application.]

Current Proposal

Environmental remediation is underway at Building 1, the main building on the site. This work is on-going and will take a few years to complete, and therefore a change to the original phasing plan is needed.

The proposed Phase 1 plan is to activate Buildings 2 and 3 on the site (formerly buildings 1.5 and 2) since these buildings are manageable in size and tenants are actively looking to rent the space. Specifically, the following uses are proposed at this time:

Building 2, 1st floor (3,300 gsf): Sweet Claudes Ice Cream Shop.

This long-standing local business has been serving the Cheshire community since 1988 from its existing location at 828 South Main Street. The business owners desire to expand their business and take advantage of the central location of the Ball & Socket Arts site as well as the nearby Linear Trail. The new store will utilize the entire first floor of the building and will contain a small retail/seating area at the front of the building. The rear of the building will be used for ice cream production and storage as well as administrative office use.

A portion of the first floor will contain an “ARTcade” – an informal art gallery which can be opened to the outdoors via four large garage doors which will be replaced with roll-up glass doors. Customers will be encouraged to visit the ARTcade while they enjoy their ice cream and enjoy the surroundings.

Building 2, 2nd floor (3,300 gsf): The Social Learning Center.

This educational community-based business has been in operation since 2009 and has been located in Cheshire since 2014. The Center works to aid individuals with Autism Spectrum Disorder (ASD) by

providing social support services and is looking to expand its operations from its current facility at 545 Highland Avenue.

Building 3 (1,800 sf total): Art Gallery and Administrative Office Space.

This building is proposed to be renovated into artist galleries and administrative office space for Ball & Socket Arts. The office space will take up a small section on the upper floor with the remainder of the building reserved for art exhibits and work studios.

Traffic and Parking

As part of this first phase, adequate parking will be installed in the courtyard at the north end of the site and in the driveway area east of Building 1. The lawn area in front of the buildings will be mostly preserved as the small 11-space parking lot along West Main Street (as shown on the original site plan) is not required for parking at this time and will be constructed during a later phase when it becomes necessary.

Eighteen (18) parking spaces are proposed in the courtyard area in conformance with the original site plan. Additionally, 9 spaces will be provided in the driveway area between Buildings 2 and 3. A total of 3 A.D.A. stalls are provided as shown on the proposed site plan.

Total parking spaces provided of 27 spaces for Phase 1 exceeds the parking requirements of the original Special Permit by one space. The original permit determined that a ratio of one space per 333 GSF of floor area should be used for the mixed-use development, which yields a parking requirement of 26 spaces for this phase of the development. Additionally, a total of three A.D.A. parking stalls have been provided whereas only one is required.

When taking into consideration the different times of use for each business (The Social Learning Center will utilize a standard weekday office schedule while the art gallery and Sweet Claudes will mostly be active at night and weekends), the proposed parking is more than adequate.

The courtyard parking lot will be accessed from the existing north curb cut located on West Main Street. This curb cut (which is currently 20-foot wide) will operate in a one-way "in" configuration due to the difficulty of exiting the property onto a busy State Road from this location (the proximity of the intersection of Willow Street to the east and the Linear Trail traffic light to the west make this a challenging egress driveway for both left and right-hand turns).

The small parking lot behind building 2 will continue to be accessed from an existing curb cut along Willow Street. This curb cut is large enough to support mid-size delivery vehicles such as refuse or delivery trucks (i.e. FedEx, Amazon, etc.) and will be reconstructed with appropriate signage, striping and curbing. The driveway will be shifted slightly to the south so that it is not too close to the south side of building #2.

Larger trucks that may occasionally need to visit the site can continue to utilize the southernmost curb cut from Willow Street which will remain but will not be active on a daily basis during this phase. This curb cut will also be used by emergency and construction vehicles as further work occurs to the other buildings at the site. A "knox-box" will be installed at this gate for emergency access.

Connection to Linear Trail

As part of the project, the existing pedestrian bridge to the linear trail at the southwest corner of the site will be opened to allow visitors to walk through the site to the activated buildings on the north side. The pedestrian path will be wide enough (20') to allow bikers and pedestrians to share the pathway.

Visitors will be prevented from entering unauthorized areas by construction safety fencing. The wide path will also allow the occasional maintenance vehicle to access the rear buildings when needed (at which time the public pathway will be closed to the public at each end).

Stormwater Drainage

Stormwater improvements will be made on the northern half of the property in substantial conformance with the originally approved plans. Impervious surface will be less than originally approved since the small 11-space parking lot along West Main Street will be preserved as open lawn for now.

Stormwater run-off will be treated with mechanical methods (hydrodynamic separator) with a new outfall pipe to be installed along the existing brook, closely following the original drainage plan for the development.

Other utility systems (gas, water, electric) are available within the complex and will be used as needed to service the buildings. A new sanitary connection will be made from each building to the existing sewer main in Willow Street.

Summary

The proposed phasing plan for the development will allow Ball & Socket Arts to open up a portion of the site to businesses and visitors while environmental cleanup occurs in Building 1, the main building.

Activation of the northern half of the site and the courtyard area is an important first step towards the ultimate goal of a creating a fully functioning facility. The placement of a popular local ice cream shop visible from West Main Street, as well as the public access path from the linear park trail through the interior of the site, will help to build interest in the project with the general public and potential donors. Adequate parking has been provided in substantial conformance with the original plans, and the stormwater system also closely follows the original design.

The proposed tenants are viable community-based businesses that will help attract other tenants to the development, thus fulfilling the original goal of creating a unique sense of community within the complex centered around the arts and learning.



MEMORANDUM

CHESHIRE FIRE DEPARTMENT



250 MAPLE AVENUE, CHESHIRE, CONNECTICUT 06410
Telephone (203) 272-1828 FAX (203) 272-7314



EMAILED
1/21/21
JR

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Town of Cheshire
JAN 21 2020

Planning Dept.

DATE: 1/20/2021

TO: Planning and Zoning Department

FROM: Jack Casner, Chief of Department
Michael Kozlowski, Deputy Fire Marshal

SUBJECT: 493 West Main street Ball & Socket Arts, INC (Modification of a Special permit)

The Fire Department has reviewed the above application for the planning and zoning process at this time we do not recommend approval of Special Permit Modification for the following concerns.

1. The fenced path to the linear trail that cuts thru the site, reduces, or eliminates emergency vehicle access to multiple buildings causing a serious concern from a fire suppression point.
2. The clear height is not shown for the walkway between the buildings.
3. No information has been provided regarding fire hydrants, water mains or fire department connections for any of the buildings.
4. The Willow Street entrance is too close to the building for fire apparatus to make that radius. Also with potential large amount of pedestrian traffic that the proposed uses could produce will create a dangerous situation.
5. Emergency vehicle access from West Main street is critical to developing this site the proposed one-way access and grass pavers is not sufficient.

We look forward to working with the applicant to address and hopefully improve on the safety concerns and achieve the reuse of this site.

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Water Quality Analysis
ConTech Stormwater Solutions
2015-C-4 Hydrodynamic Separator

Product Flow Rates

CASCADE

Model	Treatment Rate (cfs)	Sediment Capacity ¹ (CF)
CS-4	2.00	19
CS-5	3.50	29
CS-6	5.60	42
CS-8	12.00	75
CS-10	18.00	118

CDS

Model	Treatment Rate ² (cfs)	Sediment Capacity ¹ (CF)
1515-3	1.00	14
2015-4	1.40	25
2015-5	1.40	39
2015-6	1.40	57
2020-5	2.20	39
2020-6	2.20	57
2025-5	3.20	39
2025-6	3.20	57
3020-6	3.90	57
3025-6	5.00	57
3030-6	5.70	57
3035-6	6.50	57
4030-8	7.50	151
4040-8	9.50	151

VORTECHS

Model	Treatment Rate (cfs)	Sediment Capacity ¹ (CF)
1000	1.60	16
2000	2.80	32
3000	4.50	49
4000	6.00	65
5000	8.50	86
7000	11.00	108
9000	14.00	130
11000	17.5	151
16000	25	192

STORMCEPTOR STC

Model	Treatment Rate (cfs)	Sediment Capacity ¹ (CF)
STC 450i	0.40	46
STC 900	0.89	89
STC 2400	1.58	205
STC 4800	2.47	543
STC 7200	3.56	834
STC 11000	4.94	1086
STC 16000	7.12	1677

1 Additional sediment storage capacity available – Check with your local representative for information.

2 Treatment Capacity is based on laboratory testing using OK-110 (average D50 particle size of approximately 100 microns) and a 2400 micron screen.

3 Maintenance recommended when sediment depth has accumulated to within 12-18 inches of the dry weather water surface elevation.



NOTHING IN THIS CATALOG SHOULD BE CONSTRUED AS A WARRANTY. APPLICATIONS SUGGESTED HEREIN ARE DESCRIBED ONLY TO HELP READERS MAKE THEIR OWN EVALUATIONS AND DECISIONS, AND ARE NEITHER GUARANTEES NOR WARRANTIES OF SUITABILITY FOR ANY APPLICATION. CONTECH MAKES NO WARRANTY WHATSOEVER, EXPRESS OR IMPLIED, RELATED TO THE APPLICATIONS, MATERIALS, COATINGS, OR PRODUCTS DISCUSSED HEREIN. ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND ALL IMPLIED WARRANTIES OF FITNESS FOR ANY PARTICULAR PURPOSE ARE DISCLAIMED BY CONTECH. SEE CONTECH'S CONDITIONS OF SALE (AVAILABLE AT WWW.CONTECHES.COM/COS) FOR MORE INFORMATION.

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**Ball & Socket Arts, Inc.
493 West Main Street
Cheshire, Connecticut
Assessor's Map 49 Parcel 2
Abutting Owners**

Assessor's Map and Lot	Property Location Cheshire	Owner's Name and Address
49 289	504 West Main Street	The Lyon & Billard Company 36 Gypsy Lane Meriden, CT 06450
49 290	490 West Main Street	Sonehan Brothers Cheshire, LLC and Mt Pocono Two Cheshire, LLC 195 North Street Teterboro, NJ 07608
50 55	470 West Main Street	C&M Cheshire Properties, LLC 470 West Main Street Cheshire, CT 06410
49 1	471 West Main Street	MHE Properties, LLC PO Box 845 Cheshire, CT 06410
56 221	14 Willow Street	Christos Constanti and Jessica M. Constanti 14 Willow Street Cheshire, CT 06410
56 220	22 Willow Street	Matthew A. Petruzzelli 22 Willow Street Cheshire, CT 06410
56 219	26 Willow Street	Leonora Pergjoni Gjokaj and Leonard Gjokaj 26 Willow Street Cheshire, CT 06410
56 218	32 Willow Street	Steven Bennett 32 Willow Street Cheshire, CT 06410
56 217	36 Willow Street	Cindy L. Ziemelis 36 Willow Street Cheshire, CT 06410
56 186	31 Willow Street	CMJ Willow 31 LLC 385 Maple Avenue Cheshire, CT 06410

**Assessor's Map
and Lot**

**Property Location
Cheshire**

**Owner's Name
and Address**

56	187	37 Willow Street	Mary F. Snedeker 37 Willow Street Cheshire, CT 06410
56	188	41 Willow Street	Richard Watson and Ann Watson 41 Willow Street Cheshire, CT 06410
56	183	96 Railroad Avenue	Century Associates 96 Railroad Avenue Cheshire, CT 06410
56	285	Willow Street	Dalton Enterprises, Inc. 131 Willow Street Cheshire, CT 06410
49	3	509 West Main Street	509 West Main Street, LLC 1265 Marion Road Cheshire, CT 06410



MEMORANDUM
TOWN OF CHESHIRE

84 SOUTH MAIN STREET, CHESHIRE, CONNECTICUT 06410
(203) 271-6670 Telephone (203) 271-6688 FAX

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Planning Dept.

I, Anthony J. Fazzino, the undersigned, delivered to the Planning Office on the date as stamped the following application(s):

APPLICANT: Ball & Socket Arts, Inc.

1. Application for Modification of Special Permit
2. Two (2) sets of Plans
3. Project Narrative
4. List of Abutting Owners
5. Application Fee Check \$535.00
6. wet
7. RWA Notification Form
8. RWA Letter
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____

Original: Planning/Wetlands File

Copy: Applicant

December 30, 2020

Via Overnight Courier

Mr. Ronald Walters
Land Management Division
Regional Water Authority
90 Sargent Drive
New Haven, CT 06511

**Re: Ball & Socket Arts, Inc.
493 West Main Street
IWWC Application and Modification of Special Permit Application**

Dear Mr. Walters:

Attached is a Project Notification Form related to a revision of the Ball & Socket Arts site plan.

Ball & Socket Arts has filed an application to modify the Special Permit approved in November and a corresponding Inland Wetlands and Watercourses Application.

The Project Notification Form applies to both applications. Each application has a Narrative describing the revisions to the site plan.

Also enclosed is a complete set of plans.

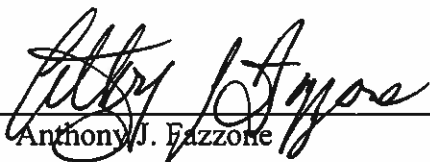
If you should have any questions, please do not hesitate to contact me.

Very truly yours,

FAZZONE RYAN & RICCIUTI, LLC

Attorneys for Ball & Socket Arts, Inc.

By:


Anthony J. Fazzone

Enclosures

cc: Planning and Zoning Commission, Town of Cheshire
Inland Wetlands and Watercourses Commission, Town of Cheshire

E-mail: afazzone@fazzoneryan.com

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Planning Dept.

South Central Connecticut Regional Water Authority
90 Sargent Drive, New Haven, Connecticut 06511-5966 203-562-4020
<http://www.rwater.com>

Revised 05/17/2011

Public Water Supply Watershed/Aquifer
Project Notification Form
For The
South Central Connecticut Regional Water Authority

REQUIREMENT:

All applicants before a municipal Planning and Zoning Commission, Inland Wetlands Commission, or Zoning Board of Appeals for any project located within a public water supply watershed are required by Public Act 89-301 (Sections 8-3i and 22a-42f of the Connecticut General Statutes) to notify the affected public water utility by certified mail within 7 days of the application.

GENERAL INFORMATION:

Maps showing the location of Regional Water Authority (RWA) watershed boundaries are on file with municipal planning and zoning, and inland wetlands staff, and Town Clerks. The applicant's notification to the RWA should include the information requested on pages two and three. The RWA may request additional information if it is determined that a more detailed review is necessary. Any questions should be directed to (203) 401-2741, or (203) 401-2743.

Please mail this completed form and attachments to:

Environmental Analysts
Environmental Planning Department
Regional Water Authority
90 Sargent Drive
New Haven CT 06511

1. Applicants are requested to submit any information that was included in the application to the municipality including: site plan, project narrative, sediment and erosion control plan and drainage calculations if applicable.

2. Project address 493 West Main Street Town Cheshire

3. Application for: Planning and Zoning Inland Wetlands Zoning Board of Appeals

4. Project Description: See Narrative Attached

5. Waste Water Disposal: Septic System Public Sewer None

6. Water Supply: Private Well Public Water

7. Heating Fuel: Oil Gas Other _____

Applications involving additions or modifications to single family residences or applications with no site disturbance and no storage or use of hazardous chemicals skip to item 18.

8. Total acreage of project site 3.28 acres +/-

9. Total acreage of area to be disturbed including structures, additions, paving, and soil disturbance

0.65 acres for this Phase (Phase 1)

10. Percent of existing impervious surfaces including buildings, roads and pavement 73%

11. Proposed increase in impervious surfaces +/-700 sf

12. Number of **existing and proposed** floor drains or sump pumps and their point of discharge e.g. sanitary sewer, holding tank, or ground

None known

13. Are there any wetlands or watercourses on the property? If so, describe

No. However, the site is adjacent to the Farmington Canal which is a channelized watercourse at this location.

14. Brief description of **existing and proposed** stormwater management system, including roof drainage, paved areas etc., and discharge points e.g. municipal system, drywells, streams, vegetated areas, detention basins etc. Attach drainage plans and calculations if available

A new stormwater system will be installed, consisting of conventional catch basins with sumps and storm water piping. Stormwater infiltration is not a viable option at this site due to a high ground water table and on-site contamination from previous industrial activities. Therefore, a new hydro-dynamic separator will be installed to treat stormwater prior to discharge to the canal.

15. List of **existing and proposed** underground or above-ground storage tanks including age, capacity and contents

None known. A large above-ground oil tank was recently removed from the property.

16. List of potentially harmful chemicals stored or used on property (**existing and proposed**) and typical onsite volumes, including but not limited to petroleum products, lubricants, solvents, detergents, and pesticides

None. The site is currently vacant and environmental remediation is underway.

17. Describe any wastes generated and their means of disposal The proposed use will be for an office, art gallery and an ice cream shop. Only normal sanitary waste will be generated.

18. Contact Information:

Name: Anthony J. Fazzino, Esq.
Company: Fazzino Ryan & Ricciuti, LLC
Address: Two Town Center
Cheshire, Connecticut 06410
Phone: (203) 250-2222
Email: afazzino@fazzinoryan.com

Name of Person Completing Form

Signature

Date

 12/30/20