



To: Cheshire Planning and Zoning Commission  
From: Planning Staff  
Re: 1415 Marion Road, Proposed 13 Lot Residential Subdivision  
Date: January 19, 2021

**Proposal**

This application seeks approval for a 13 lot, residential subdivision on the westerly side of Marion Road, approximately 1500 feet north of the Jarvis Street intersection. The property is zoned Residential 40 (R-40) and it will be served by public water and on-site septic systems. It is 31.514 acres (1,372,735 sq. ft.) in area and has approximately 283 feet of frontage on Marion Road. Applicants are proposing a town road (Balsam Place) of approximately 1200 feet leading in from Marion Road that will terminate in a permanent cul-de-sac. A barn and a single-family home are located on the property and these will both be removed in favor of this proposal. There is also another single-family home which is located on a lot approximately 1400 feet in the rear portion of this property and is served by a right-of-way leading in over it from Marion Road. That lot will not be changed, and the access to the property will occur over the new road and through a right-of-way into the property.

There are wetland areas on the northwesterly portion of this site and this proposal was reviewed by the Cheshire Inland Wetlands and Watercourses Commission at their meeting of January 19<sup>th</sup> and they determined that no permit was necessary. A copy of their finding is enclosed for reference.

Applicants are also seeking a grading waiver under Section 25.3.2 of Sections 3, 9, and 11 of Section 25.5 of the Cheshire Zoning Regulations. A detention pond is proposed in the northeasterly corner of the site which is not part of any building lot.

Lot sizes range from .929 acres (40,455 sq. ft.) to 13.291 acres (578,970 sq. ft.) and the largest lot is bisected by a 75-foot right-of-way protecting a 26 inch and a 30-inch gas pipeline owned by the Algonquin Gas Company. Copies of the proposed subdivision maps and site plans are enclosed for reference.

**Staff Analysis**

The length of cul-de-sacs are regulated under Section 5.6 of the Cheshire Subdivision Regulations which states that there be no more than 16 lots and a maximum length of 1,700 feet in the R-40 district. This application is compliant with this section with 14 lots (13 new and the existing lot) and a length of 1200 feet. The area where the detention pond is to be located is shown as "Open Space". This area of the site will only be used for storm water management and to provide access to two existing single-family homes. Comments from the Cheshire Fire Department and the Engineering Department are enclosed, and staff is waiting for responses to these comments.



**MEMORANDUM**  
**CHESHIRE FIRE DEPARTMENT**

F-MAILED  
1/20/21  
JP

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



**DATE:** 1/20/2021  
**TO:** Planning and Zoning Department  
**FROM:** Jack Casner, Chief of Department  
Michael Kozlowski, Deputy Fire Marshal  
**SUBJECT:** Marion Road (McKinley Estates)

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The Fire Department has reviewed the above application for the planning and zoning process we recommend the following comments/stipulations. If this application is approved code compliance plans must be submitted to the Building Official prior to construction.

1. Final water main layout will need to meet Section 6-3 of the Town of Cheshire Code of Ordinances and will need final approval from the Fire Chief or his Designee. Minimum main size is 8" and Fire hydrant locations will need final approval prior to construction.
2. We ask that the Lots number 5, 6 and 11 be required to be twelve feet wide and paved to allow for emergency vehicle/fire apparatus access due to the length and and/or steep grade.
3. Consideration should be given to improving the access to the existing residence as this gravel driveway will continue to be difficult to traverse for emergency vehicles and with its grade be a continuous maintenance issue.



**ANCHOR**  
Barton | Legrande

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Town of Cheshire  
JAN 19 2020



January 18, 2021

Mr. Don Nolte, Engineering Operations Manager  
Town of Cheshire  
84 South Main Street  
Cheshire, CT 06410

Re: Subdivision & Storm Drainage Review  
McKinley Estates Subdivision  
1415 Marion Road, Cheshire, CT

Dear Mr. Nolte:

Anchor Engineering Services, Inc. received the following information prepared by Milone & MacBroom:

- Plan set sheets 1-12 dated December 23, 2020.
- Drainage Report dated December 16, 2020 and Watershed Maps dated December 15, 2020.

Based on a review of the submitted information, we offer the following comments:

1. The subdivision map should identify who will be deeded the open space parcel and who is responsible for maintenance of the stormwater management basin and the existing private road. The Town should also be granted a drainage easement for the basin to allow Town agents the right of access for inspection purposes to determine whether the area is being properly maintained, and to sample outfall water quality.
2. The subdivision map should also identify who will be deeded the strip of land between lots 6 and 7. Add a note regarding the existing gravel driveway on the north side of lot 6 and if to remain, include any additional access easements required.
3. Regarding the storm drainage:
  - The pond and pond outlet calculations were not included in the report;
  - Confirm that the basin outlet structure grate can handle the 100 year flow or provide an additional emergency spillway;
  - Verify the invert elevations for CB 7 and 11 used in the pipe analysis. Currently, the analysis shows inadequate depth to the calculated headwater elevations for these structures;
  - Please submit Gutter Flow analysis for the proposed storm drainage;
  - Provide three feet of cover for storm drainage pipes;
  - Recommend moving the first set of catch basins closer to the intersection with Marion Road or possibly installing additional catch basins on the existing storm pipe in Marion Road depending on the results of the gutter flow analysis.
  - The total area to proposed catch basin 3 at the bottom of the proposed road is 1.45 acres and flows across the proposed sidewalk on the south side. In order to reduce this flow and to minimize stormwater draining across abutting lots, consider installing swales on the downgradient property lines of the lots on the south side of

The experience to

**listen**

The power to

**solve**



- the property that drain to yard drains and connect with the street drainage. The roof and footing drains could tie into the yard drains similar to as shown.
- Consider grading the proposed lawn area between lots 5 and 6 to direct the stormwater to the proposed CGCBs or add an additional yard drain to minimize the area that will sheet flow across the sidewalk.
  - Recommend piping AD 10.1 to CGCB 9 instead of CCB10 since this pipe will be privately maintained. This area drain should be moved further away from the sidewalk.
  - The proposed riprap driveway swales that cross property lines should have easements and/or rights to drain if collecting stormwater from both lots. It should be noted which lot owner is responsible for the maintenance of the swale and drainage structure. The proposed CGCB 9.1 should be located further from the sidewalk and it should be confirmed that the grate can accept the 6.35 cfs draining to it.
4. It is recommended that the new electric service to the existing lot behind lot 7 be underground at least to the existing pole SNET 6074.
  5. It is recommended that erosion control blanket also be installed on the side slopes of the detention basin.
  6. A paved apron, a reinforced 7" thick sidewalk and a paved apron a minimum of 5 feet after the sidewalk should be provided at the proposed gravel access drive to the basin.
  7. The vertical curve geometry at the end of the proposed road does not meet the required 250 foot stopping sight distance. The Engineer should review the design for any potential safety concerns.
  8. The note at lot 5 and the access strip regarding the grade of the driveways not to exceed 10% for 40 feet should be included in the general notes as this applies to all proposed driveways.
  9. The proposed gravel driveways at stations 3+40 and 12 +30 to existing houses shall have paved aprons within the town R.O.W. The gravel driveway at 12+30 is proposed at greater than 10% grade. Compacted gravel may not be adequate and severe erosion and sedimentation is likely over time. It is recommended that any gravel driveways greater than 10% be paved and any unpaved portions be properly stabilized where concentrated.
  10. Due to existing sediment runoff onto Marion Road from McKinley Road, it is recommended that McKinley Road be paved to the first existing driveway on the north side.
  11. Provide a concrete ramp detail for the type of ramps proposed at the cul-de-sac.
  12. Label the pavement radii at the intersection and at the cul-de-sac.
  13. Provide detail of proposed inlet sediment control device.
  14. Inlet sediment control should be provided at the existing catch basin at McKinley Road and on Marion Road.
  15. An existing septic system is in the area of the proposed stormwater basin. At the time of removal of this septic system, testing should be conducted in the area to confirm the suitability of the existing soils for use as the stormwater basin.
  16. Street excavation permits are required for all utility connections and driveways within a Town R.O.W., waivers of claim for any proposed private drain connections into the public drainage system is required along with documentation of proper separation from any primary or reserve septic leaching area.

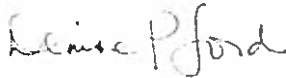
Mr. Don Nolte  
January 18, 2021

Page 3

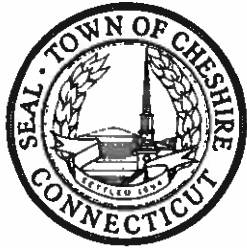
17. An additional streetlight should be provided at station 7+75+/- right.
18. A detail for a detention basin outlet control sediment filters to remain in place during the construction period should be provided.
19. Relocate the street light and hydrant shown at the end of the road, closer to the throat of the cul-de-sac to allow the end area to be used for snow storage.
20. Provide conformance with Subdivision Regulation 5.4.1a: the new street line must be established 50 feet from and parallel to an established street line on the opposite side of the street, or 25-feet from the centerline. The title to all land between the center of the road and the front property lines of the subdivision lots shall be dedicated to the Town of Cheshire in accordance with the legal requirements for such a procedure.
21. The existing storm manhole in Marion Road at the proposed road intersection should be removed due to its condition. A new catch basin should be installed on the north side of the intersection to collect runoff from the proposed road. Install new piping from the removed manhole to the new catch basin.
22. Provide detailed grading at the proposed intersection with Marion Road to ensure stormwater does not pond in the intersection or at the sidewalk ramps.

If you have any questions regarding the above comments, please don't hesitate to contact me at (860) 633-8770.

Sincerely,



Denise P. Lord, P.E.  
Senior Civil Engineer



MEMORANDUM  
TOWN OF CHESHIRE  
PLANNING AND DEVELOPMENT DEPARTMENT  
84 SOUTH MAIN STREET, CHESHIRE, CT 06410  
Telephone (203) 271-6670 FAX (203) 271-6688

**To:** Planning and Zoning Commission  
**From:** Suzanne Simone, Environmental Planner  
**Date:** January 20, 2021  
**RE:** IWWC Determination

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JAN 20 2021

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At the January 19, 2021 regular meeting of the Cheshire Inland Wetlands and Watercourses Commission, the Commission determined an application for permit was not required:

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#2021-004 PABCO, Inc

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Subdivision: Marion Road

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DEC 30 2020

Planning Dept

**APPLICATION FOR A SPECIAL PERMIT**

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 1415 Marion Road

\*APPROX. NO. OF ACRES 31.5 ZONE R-40

(\*See attached checklist for over 5 acres)

ASSESSOR'S MAP NO.(s) 16 LOT NO.(s) 10

APPLICABLE SECTION(S) OF ZONING REGULATION 25

DESCRIPTION OF PROJECT/INTENDED USE Grading related to Re-Subdivision Application

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.

(5) Check, made payable to "Collector, Town of Cheshire", in full payment of fee - \$ \_\_\_\_\_

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) 2677 PAGE NO.(s) 48

**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 APPLICANTS--PLEASE COMPLETE THE FOLLOWING:**

Applicant's Name PABCO Inc.

(Print or Type)

Applicant's Address P.O. Box 1018, Cheshire, CT 06410

Applicant's Signature 

Telephone Number (203) 506-8155 Email phil@pinlanddevelopment.com

Owner's Name McKinley John Trustee

(Print or Type)

Owner's Signature 

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

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

Address Two Town Center, Cheshire, CT 06410

Telephone Number (203) 250-2222 FAX # (203) 250-7388

**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.



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**APPLICATION FOR AN EARTH REMOVAL, FILLING OR REGRADING PERMIT**

In accordance with Section 25 of the Cheshire Zoning Regulations, as amended, the undersigned applies for a permit to remove, fill, or regrade (circle one), from property described below:

NAME OF STREET Marion Road  
APPROX. NO. OF ACRES 31.5 Acres ZONE R-40  
ASSESSOR'S MAP NO. (S) 16 LOT NO. (S) 10

Waiver Request 25.3.2 – Waiver of requirements of Subsection X (3) X (9) X (11) under Section 25.5

The following is attached and hereby made part of this application:

- 1) 6 copies of a survey map, prepared by a Registered Land Surveyor or Civil Engineer showing the information as required by Section 25.4, as amended, of the Cheshire Zoning Regulations.
- 2) A list of all abutting property owners and their current addresses (including those across the street).
- 3) Base Fee: \$500.00 + Public Hearing Fee \$175.00 + \$60.00 Required State Fee: Total: A check in the amount of **\$735.00** made payable to "Collector, Town of Cheshire.

Applicant's Name PABCO, Inc.  
(Print or Type)

Applicant's Signature Paula A. Bowman, Pres

Applicant's Address P.O. Box 1018, Cheshire, CT 06410

Telephone No. 203-506-8155 FAX # \_\_\_\_\_

Owner's Name McKinley John Trustee Address: 1418 Marion Road, Cheshire, CT 06410  
(Print or Type)

Owner's Signature John McKinley

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


Name Milone & MacBroom, Inc. c/o Darin Overton

Address 99 Realty Drive, Cheshire, CT 06410

Telephone No. 475-244-2242 FAX # 203-272-9733

**LETTER OF PERMISSION**

The owners and permittees of this letter give permission to the Cheshire Planning & Zoning Commission, granting the Town of Cheshire and its agents and employees, the right to enter upon the property for inspections as the work progresses, and to perform such work including, but not limited to, regrading, seeding, removal of debris, etc., as may be required to correct any violations of the terms of the Permit issued to the applicant indicated above.

Owner's Signature 

Date 12/28/20

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