

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION  
SPECIAL MEETING HELD ON MONDAY, SEPTEMBER 10, 2012 AT 7:30 P.M.  
IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET,  
CHESHIRE CT 06410**

Present

Earl Kurtz, Chairman; Sean Strollo, Vice Chairman; Lelah Campo, Martin Cobern, John Kardaras, Gil Linder, Louis Todisco  
Alternates: Leslie Marinaro, Edward Gaudio and Jim Bulger.  
Absent: S. Woody Dawson and Tali Maidelis.  
Staff: William Voelker, Town Planner

**I. CALL TO ORDER**

Mr. Kurtz called the special meeting to order at 7:30 p.m.

Mr. Kurtz read the fire safety announcement.

**II. ROLL CALL**

Mr. Maidelis 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.

**V. ACCEPTANCE OF MINUTES – S.M. Public Hearing July 23, 2012  
Regular Meeting July 23, 2012.**

MOTION by Mr. Cobern; seconded by Ms. Marinaro

MOVED to accept the minutes of the S.M. Public Hearing of July 23, 2012 and the Regular Meeting of July 23, 2012 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

**VI. COMMUNICATIONS**

1. Letter from Ryan McEvoy, P.E. Milone & MacBroom, dated 8/31/12  
RE: Request for a 90 day extension to file final subdivision documents  
For Meadowview Estates Subdivision.

Mr. Voelker read the letter from Ryan McEvoy into the record of the meeting.

Motion to approve. Moved by Mr. Cobern, seconded by Mr. Strollo. Vote: 9-0.

2. Staff Memo regarding Proposed Connecticut Conservation and Development Policies Plan.  
(moved to later in the meeting)

**VI. UNFINISHED BUSINESS**

1. **Subdivision Application** PH 6/11/12  
**Ricci Construction Group Inc.** PH 6/25/12  
**261 Cook Hill Road** PH 7/9/12  
**2 lots (1 existing)** PH 7/23/12  
**Application Withdrawn** PH 9/10/12  
MAD 11/12/12
  
2. **Zone Text Change Petition** PH 7/9/12  
**Matthew J. Bowman** PH 7/23/12  
**Section 30, Schedule A to add a new** MAD 9/26/22  
**Paragraph 1B-Accessor Second Dwelling**

(Commissioners Todisco, Gaudio and Bulger were recused from this application)

MOTION by Mr. Cobern; seconded by Mr. Strollo.

MOVED that the Planning and Zoning Commission approves the proposed item 1B as amended to be included in Section 30, Schedule A of the Cheshire Zoning Regulations to enable the creation of accessory dwelling units by Special Permit in accordance with the terms set forth in this amendment.

The Commission believes that the regulation will implement a portion of the Residential Goals statement within the 2002 Plan of Conservation and Development that calls for policies to “provide a variety of housing types which offers a choice to meet the needs of various income levels and lifestyles.” The Commission also finds that the public health, safety and welfare will be protected by the provisions set forth herein.

The Commission is also satisfied that this amendment is not in conflict with any of the provisions of the 2002 Plan of Conservation and Development.

This becomes effective on September 28, 2012 at 12:01 A.M.

Discussion

Mr. Strollo stated that he is familiar with this application, having read the minutes and listened to the tapes. He will support the application as it will provide more options to people in certain circumstances, which is good for the community and better than an in-law apartment option.

Ms. Marinaro agreed with Mr. Strollo's comments about this amendment to the zoning regulations providing an option for people in the community, and it is needed. PZC has done everything possible to keep within the options within the regulations and a neighborhood.

Chairman Kurtz stated that the PZC did a good job with control of accessory buildings, and noted it takes a certain piece of property to have this option.

Mr. Cobern commented on the good work of the Town Attorney with clarification of some of the points raised by the Commission, making the amendment clearer.

VOTE            The motion passed 6-0-3.

### **VIII. NEW BUSINESS**

- 1. Special Permit Modification Application  
Elim Park Baptist Home Inc.  
140 Cook Hill Road  
Two Bld. Additions to improve business  
Operations & resident activities and replace  
And Expand existing storage building.  
Section 43.6**
  
- 2. Earth Removal/Fill/Regrading Permit  
Elim Park Baptist Home, Inc.  
140 Cook Hill Road.**

Mr. Voelker advised the Commission that Elim Park wants to do some minor additions on the property, requiring a special permit application and public hearing. Advance notice has been sent to abutting neighbors.

The applications were set for public hearing on September 24, 2012.

- 2. Staff Memo regarding Proposed Connecticut Conservation and Development Policies Plan.**

Mr. Voelker stated that the PZC must be aware of the State Plan, which will be adopted by the Legislature in the upcoming session. The Town has until 2014 to get the plan completed. He said he does not agree that the plan should have as much weight as it does, but the Town must live with the context.

The Commission was given the map and a narrative about the State plan.

Mr. Voelker commented on the need for the Town to protect its infrastructure, particularly the sanitary sewer system. He wants to insure that the facility plan

adopted by WPCA, based on the current plan, will not be adversely affected. He wants the WPCA to have the ability for grants and low interest loans.

There are some specific things to be considered within the State plan, CGS 823, and Town staff is working on the plan, with appropriate changes to be made and reviewed by the Commission. The plan is then brought to the legislative body. Mr. Voelker wants to set a frame work and procedures moving forward. There will be a bigger picture of the demographic profile by the October PZC meeting, and work on the plan will be done section by section, using the existing plan as the frame work. The Town web site will be used to notify people about the plan and there will be a public forum for questions and comments on what people like about the community, etc. Mr. Voelker wanted the PZC to get the picture of how the State developed this plan. He noted that across 169 towns there is no reliable standard or base.

The appeals mechanism for this map on the part of the Town was raised by Mr. Cobern.

In response, Mr. Voelker stated that the Legislature has a subcommittee on appeals and changes to the map. He also advised that Cheshire must show issues of importance and specific recommendations and rationale to its plan. The State map is done by a consensus track. For the PBC the narrative is more important than the map. He noted that the map and plan will not dictate what the Town will do.

## **IX. ADJOURNMENT**

MOTION by Mr. Cobern; seconded by Mr. Strollo.

MOVED to adjourn at 8:00 p.m.

VOTE The motion passed unanimously by those present.

Attest:

---

Marilyn W. Milton, Clerk