

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION
REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M.
PUBLIC HEARING ON MONDAY, NOVEMBER 26, 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
Absent: S. Woody Dawson, Tali Maidelis; and Alternates Jim Bulger and Ed Gaudio.

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Mr. Kurtz called the public hearing to order at 7:31 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.

IV. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

V. ACCEPTANCE OF MINUTES – P.H. 11/14/12 and S.M. 11/14/12

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

MOVED to accept and approve the minutes of the Public Hearing of 11/14/12 and Special Meeting of 11/14/12 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

VII. COMMUNICATIONS

- 1. Letter from Dennis C. Lanzoni, Esq. dated 11/6/12 RE: Kathie A. Welch, 650 Reservoir Road/Request for Release of Sidewalk Covenant.**

Mr. Voelker stated that this matter must be tabled pending a legal opinion from the Town Attorney.

Neal Welch, 650 Reservoir Road, explained that 10 years ago he and his wife started a subdivision on a rear lot, 2.5 acres, with access off the Ricci property, with a request for a sidewalk covenant. Mattson Associates handled the process, and it was found that an access could not go through the Ricci property, and the subdivision was abandoned. However, Mattson Associates proceeded ahead, filed a map with a separate lot, and recorded the covenant. This was never un-recorded. After a title search, Mr. Welch said there needs to be a release of this sidewalk covenant, and it must come before this Commission.

Chairman Kurtz advised that the Commission must wait for a legal opinion from the Town Attorney, and then the matter will be considered.

2. Letter from Linda and Henry Schissler, dated 11/13/12, RE: In-Law Apartment renewal.

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

MOVED that the Planning and Zoning Commission grant a five year extension of the approval for the in-law apartment, property located at 380 Cedar Lane, as generally shown on Assessor's Map No. 51, Lot No. 248, in an R-20 zone.

With the following stipulations:

1. All previous stipulations shall remain in effect.
2. This approval shall expire in five (5) years after publication of the legal notice of approval, November 2017), or at the time of sale or transfer of property, whichever comes first. The applicant may request an extension of the permit by providing the Commission with a notarized statement verifying that the use of the in-law apartment complies with the regulations and that the resident of the in-law apartment qualifies under these regulations.

VOTE The motion passed unanimously by those present.

VII. UNFINISHED BUSINESS

1. **Special Permit Application**
Matthew S. Benedetto
470- West Main Street
Section 30, Sch. A. para. 46
Relocate barber shop same plaza.

MAD 1/17/13

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

MOVED that the Planning and Zoning Commission finds that the relocation of an existing barber shop located at 470 W. Main Street to a new location in the same multi-tenant commercial building is not a substantial or material change to the special permit granted in April of 2008, and hereby approves this special permit.

VOTE The motion passed unanimously by those present.

2. **Zone Text Change Petition** PH 11/14/12
Marbridge LLC PH 11/26/12
To amend Section 30, Schedule A MAD 1/20/13
Permitted Uses, Para. 7 Assisted
Living, Convalescent Homes and
The Like...
CONTINUED TO DECEMBER 10, 2012.

3. **Special Permit Application** PH 11/14/12
PT Real Estate Investment LLC PH 11/26/12
156 North Brooksvale Road MAD /20/13
To create (3) lots, two of which are
Rear lots; one existing dwelling
CONTINUED TO DECEMBER 10, 2012.

4. **Resubdivision Application** PH 11/14/12
PT Real Estate Investments LLC PH 11/26/12
156 North Brooksvale Road MAD 1/30/13
3-lots
CONTINUED TO DECEMBER 10, 2012.

5. **Request Pursuant to Section 11.1** PH 11/14/12
Variances or Waiver of PH 11/26/12
Regulations – MAD 1/30/13
PABCO Inc.
Huckins Road
Requesting waiver of Section 5.5 Rear
Lots Subsection B12.
CONTINUED TO DECEMBER 10, 2012

6. **Special Permit Application** PH 11/14/12
PABCO Inc. PH 11/26/12
Huckins Road MAD 1/30/13
To create two (2) rear residential lots
Where one (1) now exists.
CONTINUED TO DECEMBER 10, 2012

7. **Resubdivision Application** PH 11/14/12
PABCO, Inc. PH 11/26/12

Huckins Road **MAD 1/30/13**
2-lots
CONTINUED TO DECEMBER 10, 2012

8. **Special Permit Application** **PH 11/26/12**
Jack Krudwig **MAD 1/30/13**
1146 Waterbury Road
Expansion of existing Church
And Associated Driveway
CONTINUED TO DECEMBER 10, 2012

9. **TABLED APPLICATIONS**

- A. **Resubdivision Application**
A.M. Napolitano LLC
575 Mountain Road
3-lots
TABLED FOR PUBLIC HEARING ON 12/10/12

VIII. **NEW BUSINESS**

1. **Subdivision Application**
Pinnacle Land Development LLC
650 Oak Avenue
3-lots
PUBLIC HEARING ON JANUARY 14, 2013.
2. **Other Planning and Zoning Commission Business**
1. **Monthly Report from Zoning Enforcement Officer**
No report.
2. **Other.**

IX. **ADJOURNMENT**

MOTION by Ms. Campo; seconded by Mr. Cobern.

MOVED to adjourn the meeting at 8:45 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk

