

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, MARCH 24, 2014, IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl Kurtz, Chairman; Lelah Campo, Secretary; Edward Gaudio, Gil Linder, John Kardaras, Vincent Lentini, Louis Todisco.

Absent: Sean Strollo, S. Woody Dawson

Alternates: Diane Visconti and Jon Fischer; Absent: Leslie Marinaro

Staff: William Voelker, Town Planner

**I. CALL TO ORDER**

Mr. Kurtz called the regular meeting to order at 9:02 p.m.

Mr. Kurtz read the fire safety announcement.

**II. ROLL CALL**

Ms. Campo 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 – Public Hearing 3/10/14 and Special Meeting 3/10/14**

Approval of minutes was tabled to April 14, 2014.

**VI. COMMUNICATIONS**

**VII. UNFINISHED BUSINESS**

**1. Zone Text Change Amendment**

**Town of Cheshire**

**To amend Section 23, Definitions**

**Add: Recreation Active and Recreation,  
Passive**

**To amend Section 30 Schedule A, Permitted  
Uses, Item 29A**

**To amend and add to Section 32, Schedule B,  
Item 7.**

**PUBLIC HEARING CONTINUED TO APRIL 14, 2014**

**PH 2/24/14**

**PH 3/10/14**

**PH 3/24/14**

2. **Special Permit Application** **PH 3/24/14**  
**Core Development LLC** **MAD 5/28/14**  
**589 South Main Street**  
**13 Unit Planned Residential Infill Development**  
**PUBLIC HEARING CONTINUED TO APRIL 14, 2014.**

3. **Special Permit Application** **PH 3/24/14**  
**Edward Williams** **MAD 5/28/14**  
**1701 Highland Avenue Unit #3**  
**Health & Exercise Facility**  
**Section 30, Sch. A. Para. 37**

MOTION by Mr. Gaudio; seconded by Mr. Todisco

MOVED that the Planning and Zoning Commission finds that the proposed application to establish a 5,625 square foot health and exercise facility within the building already located at 1701 Highland Avenue, is consistent with the Cheshire Zoning Regulations as shown on plans prepared by the applicant and hereby approves this application.

VOTE The motion passed unanimously by those present.

4. **Special Permit Application** **PH 3/24/14**  
**WJH3, LLC Douglas H. Israel** **MAD 5/28/14**  
**93 Main Street**  
**Redevelopment of a property from**  
**Residential Use to a commercial office**  
**Use. Section 30, Sch. A. #49**  
**And Section 40**

MOTION by Mr. Gaudio; seconded by Ms. Campo

MOVED that the Planning and Zoning Commission finds that the proposed application to convert the existing residence located at 93 Main Street into a professional office as shown on plans entitled "Proposed Commercial Development, WJH3,LLC-93 Main Street, Cheshire CT" dated October 5, 2007, and prepared by Milone and MacBroom, 99 Realty Drive, Cheshire CT is consistent with the requirements set forth within the Cheshire Zoning Regulations and hereby approves this application conditioned upon compliance with the following conditions:

1. Lighting shall be full cut-off and shall comply with Section 33.9 of the Zoning Regulations. No lighting shall be placed on the southern boundary of the Parking lot.
2. All business related garbage must be disposed of by a private hauler.
3. A Fire Department approved emergency key box system must be installed

prior to the issuance of a Certificate of Occupancy.

4. Complete construction drawings must be approved by the Fire Marshal's Office prior to issuance of a zoning or building permit.
5. The applicant shall comply with comments in a memo from the Police Department dated November 9, 2007.
6. The applicant shall plant a buffer of foundation plantings (such as Azaleas, Rhododendrons, etc.) along the southern boundary in place of the Falsecypus.

VOTE           The motion passed unanimously by those present.

## 5. PLAN OF CONSERVATION AND DEVELOPMENT

### a. **Speaker: Walter Gancarz, Town of Cheshire Operations Manager/Town Engineer**

#### **Topic: Discussion of approved Wastewater Facilities Plan**

Walter Gancarz, Town Engineer, updated the Commission on the sewer facility plan for the Town. The plan was done in the last 5 years, and the key is to determine what the sewer needs of the Town are for the next 20 years and plan the infrastructure around those needs. Five major components determine sewer needs – where the existing sewers are located; zoning map; soils map for suitability of on-site systems; a record of septic system failures; and the Conservation and Development Map.

Copies of the map were given to Commissioners. Mr. Gancarz pointed out that everything in blue is existing sewers in the Town; purple shows growth areas of the Town; and the idea is to steer growth to the growth areas; and, to avoid going onto conservation areas. The yellow areas are two or more acre sized lots with more than enough area to support residential zoning.

At the time of the study, the existing sewer treatment plant averaged about 2.8 million gallons a day of flow. Using the maps cited, it points out where residential areas would put out additional flow over the next 20 years. Where existing sewers exist, and not all homes are connected, they are red dots indicating a sewer assessment by the Town. A second area is for residential existing within a sewer area, with priority to receive sewers. The third area is existing development, a conservation area, with a high degree of septic system failures or soils indicating this could be expected, and they are in green on the map. The red squares are septic system failures. The fourth area includes conservation areas by lot size or soil types that are not conducive to supporting septic systems. The only growth area is inside the purple area. There could be a sewer extension in a conservation area if the soils could support it.

The estimate over the next 20 years about 50% of the commercial area could be developed, about 2,000 acres of commercial/industrial space. This includes the

Interchange Zone. The flow would be 600 gallons per acre per day for commercial/industrial zones.

Special flows include the prison, Cheshire Academy, Elim Park and the North End development. Cheshire Academy has a flow of 5,000 gallons per day; Elim Park is maxed out for flow; the prison has the potential to add 400 beds which would be another 45,000 gallons a day; and the north end development 100 acres would translate to 60,000 gallons per day, with another 50,000 gallons added per day, for a total of 110,000 gallons allocated.

2.89mgd is the average daily flow; there was an additional 313,000 gallons from residential flows; 618,000 gallons from commercial/industrial flows; and the plant is rated at 4 mgd in operation at this time. Mr. Gancarz noted that 1.2 million gallons a day over the next 20 years is forecast, and it breaks out 50/50. 600,000 gallons a day is due to infilling, and 600,000 from sewer extensions.

Most of the residential flow, 300,000 gallons, has 195,000 gallons coming from infill along existing sewer lines; 10,000 gallons a day is forecast to come from growth areas; and 108,000 gallons a day comes from residential areas and conservation areas. When sewers go through an area, people do not have to connect, but must pay the sewer assessment.

(some comments and questions are inaudible on the tape)

Mr. Gancarz commented on the advancement in septic system design over the last 40 years, and the amount of space needed to build a system is much larger. The WPCA receives information on failed septic systems from Chesprocott, and the failures average 4 a month.

A question was posed by Mr. Kardaras about projections including the required efficiencies in the new toilet flushes, amount of conservation.

There is no reduction in water usage forecasted, and Mr. Gancarz said RWA has seen a decrease in revenue over the last 10 years. In Cheshire the water usage has not changed much in the last 5 years. He commented on some of the data in the information given to the Commissioners, and the rating system which determines a need for sewers. Regarding sewers installed in an area, Mr. Gancarz said it is expensive to extend the sewers, and the assessment does not cover half of the costs.

(question inaudible on the tape)

Mr. Gancarz stated that one of the main interceptors in Town runs along the Honey Pot Brook.

Ms. Visconti commented on a home on a one acre property, the septic system fails, neighbors are already connected to sewers, and the Town being responsible for giving the homeowners a sewer connection.

In response, Mr. Gancarz said the Town is not responsible to extend a sewer line to serve one property if there is a septic failure. The homeowner would have to make some kind of accommodation on their own. Chesprocott would work with individual homeowners in such a situation and help provide a non-compliant septic system which would be built for the property. To redo a septic system is about \$20,000, and the assessment with connection of the lateral to the sewer is about \$20,000.

According to Mr. Gancarz the PZC would use the Facilities Plan as a guide as far as where it is intended for sewer systems to be served. It is expected that there will be connections where the sewer line is installed, and this has been accounted for in the estimates. In conservation areas it comes down to the need, and it is dictated by soil types, lot size, record of failures. Extension of sewers to support new development is not allowed in conservation areas. A sewer extension could be served in an identified problem area, and once the sewer passes this becomes an assessed property.

The upgrade to the treatment plant is being funded at \$32 million, a \$7.5 million grant and the balance is a 2% loan through the Clean Water Fund.

(questions are inaudible on the tape)

The Commissioners thanked Mr. Gancarz for his presentation and information on the Facilities Plan.

## **6. TABLED APPLICATIONS**

- a. Special Permit Application** **PH 4/14/14**  
**MHD Realty LLC** **MAD 6/18/14**  
**420 South Main Street**  
**To establish a mix of 2 dwelling units**  
**With professional offices as regulated by**  
**Section 30, Sch. A. Item 3b of the Cheshire**  
**Zoning Regulations.**  
**TABLED FOR P.H. UNTIL 4/14/14**
- b. Waiver request of Section 11.1 of the** **PH 4/14/14**  
**Subdivision Regulations** **MAD 6/18/14**  
**Karen A. Reims**  
**27 East Ridge Court**  
**Requesting waiver of Section 5.6 CUL-DE-SAC**  
**STREET OR DEAD END STREET LIMITATIONS**  
**& Subsection 5.6.1**  
**TABLED FOR P.H. UNTIL 4/14/14**

- c. **Special Permit Application**  
**Karen A. Reims**  
**27 East Ridge Court**  
**Accessory Secondary Dwelling-Section 30**  
**Sch. A. Para 1B.**  
**TABLED FOR P.H. UNTIL 4/14/14**

**PH 4/14/14**  
**MAD 6/18/14**

**VIII. NEW BUSINESS**

- 1. **Site Plan Application**  
**Arthur O'Connor (Alexion)**  
**350-352 Knotter Drive**  
**Temporary Modular Office Buildings**  
**SET FOR 4/28/14**
- 2. **Special Permit Application**  
**George Noewatne, Director of Public Works**  
**42 Jarvis Street**  
**Proposed Parking Lot**  
**SET FOR PUBLIC HEARING ON 4/28/14**

**3. Other Planning and Zoning Commission Business**

**a. Discussion: Regular meetings televised**

The Commissioners discussed the regular and special meetings being televised.

Mr. Todisco is in favor of televising the meetings, and questioned why it would not be approved.

Mr. Kardaras stated he is in favor of transparency, and supports televising the meetings.

MOTION by Mr. Lentini; seconded by Mr. Todisco.

MOVED that the Planning and Zoning Commission approve the televising of regular and special meetings.

VOTE           The motion passed unanimously by those present.

**b. Appointment to Regional Planning Agency**

- a. **Monthly Report from the Zoning Enforcement Officer**  
**The Commission reviewed, discussed and accepted the report.**

**b. Other**

**IX. ADJOURNMENT**

MOTION by Mr. Kardaras; seconded by Mr. Todisco

MOVED to adjourn the regular meeting at 10:00 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk  
(transcribed from tapes)