

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JUNE 23, 2014, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz, Chairman; Sean Stollo, Vice Chairman; Edward Gaudio, John Kardaras, Vincent Lentini, Gil Linder, Louis Todisco.

Absent: Lelah Campo, S. Woody Dawson

Alternates: Jon Fischer, Diane Visconti. Absent: Leslie Marinaro

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Kurtz called the public hearing to order at 7:31 p.m.

Mr. Kurtz read the fire safety announcement.

II. ROLL CALL

The clerk 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. BUSINESS

Ms. Visconti and Mr. Fischer were the alternate Commissioners for the public hearing.

Town Planner Voelker read the call of public hearing for each application.

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| 1. Zone Text Change Amendment | PH 2/24/14 |
| <u>Town of Cheshire</u> | PH 3/10/14 |
| To amend Section 23, Definitions | PH 3/24/14 |
| Add: Recreation Active and Recreation, | PH 4/14/14 |
| Passive | PH 4/28/14 |
| To amend Section 30 Schedule A, Permitted | PH 5/12/14 |
| Uses, Item 29A | PH 5/27/14 |
| NO ACTION | PH 6/9/14 |
| | PH 6/23/14 |
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| 2. Resubdivision Application | PH 5/12/14 |
| <u>Kathie A. Welch</u> | PH 5/27/14 |
| Reservoir Road | PH 6/9/14 |
| 3 (2 new) lots | PH 6/23/14 |
| Deferred to July 14, 2014 P.H. | MAD 8/23/14 |

Mr. Voelker read a letter from Darin Overton, P.E. Milone and MacBroom into the record, requesting continuance of the public hearing until July 14, 2014.

- 3. Special Permit Application** **PH 6/23/14**
MAD 8/23/14
David Riccio
95 Brookside Place
In-law apartment

Mr. Voelker informed the Commission that the owner/applicant has lived in Cheshire for over 20 years, has taken a job in Maine, is selling the house, and requests re-approval of the in-law apartment. In his staff report, Mr. Voelker states that the apartment complies with the zoning regulations, and was originally approved in 1990, without renewals. The Commission was told by Mr. Voelker that should the new owner want to establish an in-law apartment, they would have to return to the PZC with a new application.

- 4. Zone Map Change Petition** **PH 6/23/14**
MAD 8/23/14
Ball & Socket Arts Inc.
493 West Main Street
I-1 to S.A.R.D.D. zone
To allow existing vacant manufacturing facility
To be used as an arts center with mixed uses
To include restaurant and retail spaces.

- 5. Special Permit Application** **PH 6/23/14**
Ball & Socket Arts Inc.
493 West Main Street
Special Adaptive Reuse Development District
And Special Adaptive Reuse Development

Attorney Anthony Fazzone represented the applicant, Ball & Socket Arts Inc. and its founders, Ilona Somogyi, Kevin Daly, Jeffrey Gummond. He stated there were two applications before the Commission regarding Ball & Socket Arts Center. One is a zone change application from I-1 to S.A.R.D.D. The other is a special permit application for the development of an arts center/mixed use development (including restaurants and retail space) on the 493 West Main Street site.

Ilona Somogyi, 764 Bethany Mountain Road, one of the founders of Ball & Socket Arts Center, spoke about the plans for the development of the property and history of the Ball & Socket building. Ms. Somogyi stated that the site is a former manufacturing facility that produced various types of buttons since 1910, and it has left a significant legacy in Town. The physical legacy is the factory buildings on West Main Street. Over the last 20 years these buildings have come into disrepair, but they are manufacturing buildings which are redeemable and need standard renovation. These buildings are distinct and historical. The Ball & Socket Arts Inc. is proposing an arts center, educational space, performance/recital hall, restaurants, retail space on the

manufacturing site. Ms. Somogyi commented on this type of arts renovation taking place across the country on manufacturing sites. Her group wants to bring the site back to life, and is a non-profit organization with a mission to restore the site, and bring people back to the center of Town with an appeal to all age groups.

Attorney Fazzone discussed the application for approval of a Special Adaptive Reuse Development District (S.A.R.D.D.) – a mixed use development at 493 West Main Street. He introduced a document with the current Section 45-A regulations, and the proposed language changes to the regulation. The proposal before the Commission is to permit buildings within the community with design and historical significance. The prior use is no longer practical, and there is opportunity to present to the Commission a special set of regulations for the property to be developed for uses not allowed in the I-1 zone.

Mr. Fazzone stated the applicant is seeking a zone change from I-1 to S.A.R.D.D. and this zone change is consistent with the Town of Cheshire's Plan of Conservation and Development (Plan). He read an excerpt from the Plan (page 63) into the record, and cited West Main Street as a commercial area that could benefit from being designated as S.A.R.D.D. due to the tremendous effort with renovation and upgrading taking place in this area of Town. From the Plan, Mr. Fazzone read an excerpt regarding the Ball & Socket buildings as a focal point for redevelopment efforts both east and west of the Linear Park. Mr. Fazzone stated the applicant is proposing a more favorable set of zoning regulations for this property.

S.A.R.D.D. Current Language of Underlying Zone and Proposed Language

Attorney Fazzone reviewed the format for the zoning regulations as they relate to the Ball & Sockets Arts Inc. request for a zone change to S.A.R.D. D. With the existing buildings staying where they are, some come within 2 feet of the side lines, and the proposed regulation seeks side lines, coverage, setbacks, parking setbacks, as shown on the site plan, and they vary along different lines, going from 2 feet to larger setbacks. Because it is unique in nature, a verified copy of the map and survey must be filed on the land records. There is a requirement of Commission approval for the different uses to be allowed.

On page 2, the proposed language shows the uses to be allowed within the building. These uses would be galleries, facilities for music performances, lectures and video screenings, artists' studios, instruction facilities, businesses where goods are sold or services rendered. For retail space the gross floor area shall not exceed 6,500 square feet.

Page 3 - The proposal shows restaurants and other food service establishments, with or without a liquor permit, and food vendors, ice cream parlors or ice cream vendors.

Off Street Parking and Loading (33.1) – the proposal is for 5 feet from all property lines; no residential zones abut this property; 3 parking spaces per 1,000 sq.ft. of overall gross floor area.

The application before the Commission is for the first phase of the development due to the constraints of space and amount of parking to be located on the site.

Sign regulations – Mr. Fazzone pointed out that the applicant will comply with all of the Town of Cheshire's sign regulations.

Mr. Fazzone reported the applicant has increased the specific time for completion of the project to 5 years.

According to Mr. Fazzone everything cited at the public hearings is in the proposed regulations, will be on the site plan, along with project data for Phase #1, and is attached as part of the regulation.

David Arai, Architect, Maier Group, 150 Harrison Road, Cheshire CT, presented information on the history of the Ball & Socket property, its importance and legacy in Cheshire. The company started operation in 1850, later combined with another company, and was a manufacturing facility in Cheshire until 1996. He noted there are 5 main buildings on the site along Willow Street and West Main Street. Over the years the company gave money to its employees to build houses, supported the community, formed the Balso Foundation which donates scholarships to Cheshire students and still supports the Cheshire Education Foundation. The company manufactured clamps for clothing, decorative buttons, military uniform buttons for the U.S. and its allies. Over 140 people were employed between 1950 to the 1980's.

The Commission was informed by Mr. Arai that the existing buildings are historical in nature, and the applicant has completed the process with the Connecticut State Registry of Historical Places. The buildings are considered functionally obsolete, do not fit the modern model, and will not be reused as a factory.

Mr. Aria described the idea, which is to take the historical buildings and re-purpose them to be something which benefits the local community. The primary use will be an arts center, museum, gallery space, retail and restaurants. 10% will be retail; 14% will be restaurants; 17% will be educational space; and the majority of the space will be used for the arts. There is collaboration with the Capital Region Arts Council as program manager.

Building #1 – 1st floor - will be the arts center, museum, galleries, visitors center, lecture hall. Mr. Aria said that there will be little done to the architecture of the buildings as they are in good condition for their age. The 2nd floor will have a performance hall and conference room. All of building #1 has a sprinkler system; ½ of building 1.5 has a sprinkler system; and the remaining buildings do not have sprinkler systems.

Mr. Arai gave detailed architectural information in his commentary on the colored photographs of the site and buildings. He pointed out the location and proposed use of 1st and 2nd floors of the numbered buildings. Building #1 is the largest building; 1.5 is

the red building on West Main Street, connected to #1; buildings #2 and #3 are on Willow Street; building #4 (dash building on the plans) has no historical significance and will be removed; and #5 is the coal tower with coal elevator. Building #2, a two floor building, will be used for artist studios. Part of Phase #1 will remove the lean to additions.

Copies of all printed material and photographs were made part of the application file.

Sheet A001 – Colors: Yellow – Arts Center; Blue – phase #2 for future development; Green – retail; Brown – dining; Orange – kitchen, food service and prep area; Gray – circulation space and utility areas.

Mr. Aria stated that for the renovations the applicant will be going for State historical tax credit as part of the financing. Repairs and renovations are covered by the National Parks Service, and must meet national standards in the process. There are dimensional restrictions on how materials are replaced and Mr. Aria cited the fact that windows must be within 16th of an inch of all original dimensions.

Photographs of the Ball & Socket site were reviewed and described by Mr. Aria for the Commission and the public.

Photographs – Mr. Aria described in detail the location of the buildings, original use, proposed use and their historical value. Garage bays will be removed. Interior photographs showed where the future main gallery, recital room, teaching kitchen, performance area in the Tudor Room and other amenities will be located. There will be little interior demolition, and the site and buildings are ideal for an adaptive use project. Exterior photographs of the West Main Street area are from 1910 to 1917.

Tom Sheil, P.E. Milone and MacBroom, stated that the group is working to develop the historical part of the project under S.A.R.D.D. and he displayed a rendering of the site. This is a small site, 3 ¼ acres in size; total square footage is 69,000; 47,000 square feet for the subject application/site plan; and 22,000 square feet for phase #2. The site conditions to be worked include topography and grades, access points, pedestrian circulation system, and the Farmington Canal.

Mr. Sheil noted that access to the site is important, and one feature on Willow Street is the drop-off area with a ramp. The southern portion of the site is the high point and the lower portion is on the Canal side. There will be access points for vehicular use to include one access point off West Main Street, and DOT approval is needed for the 2nd access point off RT 68/70. There are about 29 parking spaces in the front; to the south will be the bulk of the parking with 144 spaces for phase #1. He pointed out the current access from the south which will be matched. Grades will be matched; there is very little cut and fill proposed on the site because of all the controls, and this is the way the regulations are structured for grades and setbacks. The buildings are within 2 feet of the property line as reflected in the regulation.

Mr. Sheil discussed details of the site such as lighting, and stated the same lighting will be used as on West Main Street, probably using LED lights. There will be creation of walkways, creation of pedestrian access ways, and much of the area around the building will be paved. There are technical issues associated with grades and IWW approval is required.

Ryan McEvoy, P.E. Milone and MacBroom, stated the building is hooked up to the sewer system and public water and has a sprinkler system. As part of the application the proposal was reviewed with WPCA. Feasibility was granted to continue use of the existing sewer going underneath the canal to a trunk line on the opposite side of the brook. The line must be inspected for issues with inflow and infiltration.

Mr. McEvoy reviewed the storm drainage on the site. The property drains towards Willow Brook, and the building is only a few feet above the water elevation, drains into the brook, and everything drains towards the canal. The intent for the drainage plan is to collect and convey water from the site to the new piping systems which discharge into the canal side of the retaining wall. And, the intent is to provide enhanced water quality and continuation of increase in runoff.

The site will have an increase in impervious surfaces to 80% with the majority in the southern most area of the parking lot. Mr. McEvoy stated there are no water quality features on the current drainage, with water coming off the industrial site goes directly into the canal. The plan proposes discharges to the north of the property, south central site area, and the southern most region. CDS units will provide for 80% removal through the site. There is little change in grade to the buildings to the canal; piping will be concrete pipe and capable of handling the loads.

Mr. McEvoy recognized comments from the Engineering Department and Fire Department which the applicant will formerly address. RWA comments are general in nature with no exceptions noted by the applicant.

Dan Sullivan, Traffic Engineer, Milone and MacBroom, informed the Commission that this unique site was evaluated regarding parking requirements, and parking has driven the phasing in of this project.

Using charts and a graph, Mr. Sullivan outlined the methodology used to determine a parking demand of 3 spaces per 1,000 square feet. Total parking is 210 spaces for the site, with 142 spaces in phase #1 and 68 spaces in phase #2. Similar type sites were looked at with similar ancillary uses; the average is 1 space per 360 square feet; the median is 1 space per 333 square feet; and the proposed parking for this project is 1 space per 333 square feet.

In looking at similar type facilities, Mr. Sullivan researched sites with 6 uses (arts center, galleries, etc.) that averaged 1 parking space per 400 square feet, with a median of 1 space per 300 square feet. In the museum category the average parking was 1 space per 1,000 square feet, without ancillary uses. All of the data was reviewed along with

Town parking regulations, and the average was 1 space per 277 square feet. This does not take into account individual people going to various ancillary uses or shared trips during different peaks use.

On a graph, Mr. Sullivan identified the proposed uses in color code – blue is educational use; red is kitchen/food prep use; green is the museum; purple is office area. The peak demand weekdays and Saturday equates to 188 vehicles on the site, and this equates to 1 space per 277 square feet and goes up to 1 space per 371 square feet. With all of the uses proposed for the subject property, the parking requirement would be 1 space per 333 square feet. Total parking spaces would be 210; 142 to 144 in phase #1 and 68 spaces in phase #2.

A traffic impact study was done for the site and submitted to the Commission. A conservative approach was taken of all the uses and the analysis found there are delays coming out of Willow Street to West Main Street of +5 to 10 seconds. Mr. Sullivan pointed out the bus pull up area on the site, and noted there is no defined bus parking on site.

Town Planner Voelker informed the Commission that the Engineering Department is not in favor of the pull out on West Main Street.

In response to a question from Mr. Strollo about kitchen deliveries, Mr. Voelker believes this would probably be done in the back of the building.

Mr. Aria confirmed that most of the deliveries will to through the central back patio.

(Mr. Strollo left the meeting at 9:00 p.m.)

In response to a question from Mr. Gaudio about the total footprint, Mr. Sullivan advised that 70,000 square feet is the gross floor area of the building.

A question was posed by Mr. Linder about a performance with a large audience and the impact on parking.

This is all part of the parking study and Mr. Aria noted that the recital hall is 1,723 square feet including the stage area, with maximum of 100 people in attendance.

For the 10,000 square foot kitchen area, Mr. Gaudio asked about the teaching section, and whether this is part of the kitchen or a separate area.

Mr. Aria replied that the dining, teaching kitchen, and cooking areas are combined in the 10,000 square foot section.

Ms. Visconti questioned the impact of the Linear Trail on West Main Street.

In reply, Mr. Aria commented on the trail being a great part of the site, and the goal is to encourage green transportation – people on bikes or walking to the site. The railroad crossing will remain, and there is ability to go into the plaza area from the trail. There will be bike racks for riders.

Mr. Todisco commented on 100 people attending a recital along with people in other areas, and asked about enough parking on site to handle everything going on at the same time.

It was stated by Mr. Sullivan that the design was not done for the worst possible event, and the parking design represents a busy day. With events coinciding, there will be days when the parking lot is full, i.e. the grand opening day. For normal days, typical events, restaurant business etc. the parking will be more than adequate.

Attorney Fazzone commented on the fact that the building management has control when there is a performance event and conflicts with usage of the rest of the facility.

Since this has been an industrial use for over 100 years, Mr. Fischer asked about issues of contamination on the site.

Attorney Fazzone said many studies have been done, cleanup efforts have been done, and Cheshire received a State grant to reimburse the applicants for the cleanup site work. There is another State grant/loan for remediation work. He said everything will be done under the direction of a licensed environmental professional and DEEP, and all of this has been taken into consideration.

Mr. Voelker read a letter of support for the project from Aleeta Looker.

Attorney Fazzone confirmed that some of the remediation costs will be undertaken through a loan from the State of Connecticut Economic and Community Development program.

PUBLIC COMMENTS AND QUESTIONS

Matt Hall, 445 Wallingford Road, Board Member of Ball & Socket Arts Inc. commented on the vision of the group, and opportunities for remediation and cleanup of the site. Mr. Hall noted there has been talk about this parcel and the trail for over 20 years, and this is the perfect opportunity for this part of West Main Street and the Town. He requested the Commission look favorably on the two applications.

Deb Koszas, 432 Oak Avenue, stated her support of the proposed project and the zoning change request for the arts center. She noted this site has been vacant and unused for many years, and she wants the site rejuvenated with the exciting plans proposed. Ms. Koszas stated her personal support of the arts center because her children enjoyed the arts through school projects and programs, and arts are important to our lives.

Terry Terzakis, 226 Mixville Avenue, supports the arts center project as a professional artist who is dedicated to the arts for children and adults. Schools often cut arts programs due to budget constraints, and having an arts center in Cheshire will promote the arts with more people coming into the west end area of Town with increased pedestrian traffic.

Joan Shackford, Robin Lane, commented on living close to the proposed arts center, and being an artist involved with arts programs. She said the consensus is that the Ball & Socket site should be turned into an arts center, and is pleased people with a vision and energy will move this project forward. Ms. Shackford stated that the Farmington Valley Arts Center and other such sites were former manufacturing facilities and are now a wonderful asset to their communities. She said the Ball & Socket Arts Center will be an asset to Cheshire and the West Main Street area. Ms. Shackford encouraged the Commission to support the zone change to make this project happen.

Kim Wantroea, 1804 Old Waterbury Road, supports the Ball & Socket project which will compliment the Linear Trail. She said people from out of town will visit the site and Cheshire needs this facility to bring people into town. She requested the Commission support the application for a zone change.

Gary Richards, 67 Diane Terrace, Waterbury CT, stated he is a former Cheshire resident, and noted the key word is "destination". He supports the Ball & Socket Arts Center which will bring people to Cheshire, and the Town needs this "destination" place. As a photographer he has taken many photos of the industrial site and said the Town needs the arts center.

Joanne Pilarczyk, Director of Arts Place, commented on seeing the joy in art in people, and said this arts center will be a great collaboration of the arts in Cheshire. She commended the group and all the professionals on the project, and asked the Commission to look favorably on the applications.

Gary LeClerc, Willow Street resident and business owner, said he grew up with restoration and bringing projects back to life. He believes in local businesses, artisans, craftsmanship, and the Ball & Socket factory enhancing new artisans of today. If approved this Center will make Cheshire great.

Tracy Burrill, 291 Patton Drive, stated she is a former director of Cheshire's youth theater, is a performer and teacher, and owner of Funky Monkey Café which supports the arts. Ms. Burrill said the downtown is what makes a small town great, and this arts center will create enjoyment of the arts, and she supports the project.

Steve Maynard, 165 Mixville Road, stated that the Ball & Arts Center project will be the crown jewel of the West Main Street project. The center will give a welcoming place for the youth to display and hone their arts, and will contribute with taxes and a new dimension of life in the community.

Jeanne Chesanow, 214 Cornwall Avenue, Town Historian and member of the Cheshire Historical Society, commented on the tremendous support of this project in the community. She considers it a glorious project that encompasses history and the arts, and everyone should work to help this project come to pass.

Town Planner Voelker read Engineering Department comments dated 6/4/14 into the record; and read the RWA comments dated 6/16/14 into the record.

Mr. Kardaras questioned the 25% limitation of the area to retail and restaurants, and whether this will limit the ability to raise funds for the arts programs.

The Commission was informed by Mr. Aria that this limitation is driven by the parking as retail and restaurants have a higher demand in parking. The number stated is what the applicant is comfortable with, and is driven by parking limitations. Mr. Aria further informed the Commission that abutting property owners have been informed, in writing, of the project (and legal notice) and an affidavit has been filed to this effect. The State Department of Public Health has been notified in accordance with State statutes.

With regard to “outdoor space” at the site, Ms. Visconti asked if this has been considered.

In response, Mr. Fazzone noted there is a patio area as part of the lower level where there will be a small food court with people able to eat outside – and if this was a “seating area” more parking would be required.

Regarding the traffic, Mr. Voelker pointed out this is an abandoned industrial site now, and there is an increase in parking because there is “zero” parking there now...and there will be additional trips.

Mr. Kardaras asked the architecture interests outside Cheshire or Connecticut, and what the attraction would be.

Mr. Aria said one of the key pieces regarding the architecture is it being different from other industrial buildings of the era. An interesting piece is the organic growth, things being in tact, and the architecture is unique to the building. The interior of the building defies its industrial roots. There are areas in the manufacturing floor with button remnants pressed into the paving material of the floor. Mr. Aria commented on it being more the purpose/history of the building, its legacy to the Town being more than the architecture itself, and the beauty of preserving these buildings for the future.

THE PUBLIC HEARING WAS CONTINUED TO JULY 14, 2014.

VI. ADJOURNMENT

MOTION by Mr. Kardaras; seconded by Mr. Todisco.

MOVED to adjourn the public hearing at 10:00 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk