

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, OCTOBER 27, 014, IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz, Chairman; Sean Stollo, Vice Chairman; S. Woody Dawson, Edward Gaudio, Gil Linder, Vincent Lentini, John Kardaras, Louis Todisco. Alternate – Diane Visconti.

Absent: Lelah Campo; Alternates Leslie Marinaro and Jon Fischer.

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Kurtz called the regular meeting to order at 8:06 p.m.

Mr. Stollo read the fire safety announcement.

II. ROLL CALL

Mr. Stollo 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. 10/15/14 and Special Meeting 10/15/14

MOTION by Mr. Kardaras; seconded by Mr. Lentini.

MOVED to accept and approve the minutes of the Public Hearing of 10/15/14 and Special Meeting of 10/15/14 subject to corrections, deletions, additions.

Correction: Louis Todisco was absent from the public hearing and special meeting; public hearing, page 3 para. #2 should read... "has been upset".

Mr. Dawson stated he has read all the minutes, is familiar with the applications, and can take action on them.

VOTE The corrected motions passed 8-0-1; Todisco abstained.

VI. COMMUNICATIONS

None.

VII. UNFINISHED BUSINESS

1. Request for Sidewalk Waiver
A.M. Napolitano
Cook Hill Road

PH 9/8/14
PH 9/23/14
PH 10/15/14
PH 10/27/14
MAD 12/19/14

MOTION by Mr. Dawson; seconded by Mr. Kardaras.

MOVED that the Cheshire Planning and Zoning Commission finds that the applicant has provided sufficient evidence as required by Section 11.1 of the Cheshire Zoning Regulations in their request for a waiver of Section 6.10.1 of the Cheshire Subdivision Regulations to construct public sidewalks only on the westerly side of the proposed street known as Farmers Court and to waive the requirement for the construction of sidewalks on the easterly side along the frontage of proposed Lot 8, as shown on plans entitled "Farm Meadows at Cook Hill, Overall Site Layout Plan", prepared for A.M. Napolitano LLC, 566 and 540 Cook Hill Road, Cheshire CT, dated May 6, 2014, and revised through September 22, 2014, and hereby approves this waiver request.

Discussion

Mr. Todisco stated the waiver is granted if all the requirements are met, particularly Section 11.1.1. for conditions affecting the particular subject land are generally applicable to other land in the area. This has been met with this application.

VOTE The motion passed 8-0-1; Strollo was recused.

2. Subdivision Application
A.M. Napolitano
Cook Hill Road
8-lots

PH 7/28/14
PH 9/8/14
PH 9/23/14
PH 10/15/14
PH 10/27/14
MAD 12/19/14

MOTION by Mr. Dawson; seconded by Mr. Kardaras.

MOVED that the Cheshire Planning and Zoning Commission finds that the application to create eight residential building lots on the property known as 566 and 540 Cook Hill Road is consistent with the Cheshire Zoning Regulations and otherwise consistent with the Cheshire Subdivision Regulations, as shown on plans entitled "Farm Meadows at Cook Hill, Overall Site Layout Plan" prepared for A.M. Napolitano, LLC, 566 and 540 Cook Hill Road, Cheshire CT dated May 6, 2014 and revised through September 22, 2014 and hereby approves this application, conditioned upon removal of all the debris and material noted at the public hearing concluded on October 27, 2014.

Discussion

Ms. Visconti stated the Commission just heard about the possible environmental issues and problems, and questioned waiting until the property is cleaned up, with a clean environmental report, before approving this application.

It was stated by Chairman Kurtz that the applicant could not get building permits, etc. without following the approval and conditions cited.

Town Planner Voelker informed the Commissioners that based on the evidence presented it is inappropriate for them to such an action at this time. Mr. Voelker noted there is no sufficient evidence or record; there is anecdotal evidence; the public hearing is closed; and the applicant has agreed to clean up the property. This is the record on which a decision must be based.

Mr. Dawson noted this is what the applicant testified to, in that the property will be cleaned up under DEEP regulations, and there is nothing more the Commission can do.

Regarding a comment about oil possibly getting into the ground and well water, Chairman Kurtz reiterated that the applicant must do the clean up under DEEP standards and regulations.

There is no evidence oil is getting into the water, and Mr. Voelker said these are anecdotal statements. He commented on the fact that the applicant did not create this situation, but will be cleaning it up according to DEEP standards. Regarding environmental testing, he explained that this takes months, and there would not be enough time to process the application. The issue is between the buyer and seller.

For the record, Mr. Todisco commented on the necessity for clean up being incorporated in the motion, and said this is taken care of substantially.

Mr. Lentini stated someone purchasing a property would be checking all aspects of the land to insure everything is covered under the rules. If something is discovered, it must be disclosed by law, and the situation must be remedied.

Mr. Dawson noted the attorney testified the applicant would get experts in the field to clean up the property. If something is found the applicant would be informed, testing done, etc. and the applicant would have professionals clean up the site.

For the record, Chairman Kurtz confirmed that the applicant stated the property would be cleaned up.

VOTE The motion passed 8-0-1; Strollo recused.

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| 3. Waiver Request of Section 5.5.B.5
of the Subdivision Regulations
<u>Estate of Anneliese L. Platt</u>
628 Wallingford Road
CONTINUED TO NOVEMBER 10, 2014 | PH 9/23/14
PH 10-15-14
PH 10/27/14
MAD 12/31/14 |
| 4. Subdivision Application
<u>Estate of Anneliese L. Platt</u> | PH 9/23/14
PH 10/15/14 |

**628 Wallingford Road
3-lots
CONTINUED TO NOVEMBER 10, 2014**

**MAD 12/19/14
PH 10/27/14
MAD 12/31/14**

- 5. Special Permit Application
Estate of Anneliese L. Platt
628 Wallingford Road
Rear Lot Access
CONTINUED TO NOVEMBER 10, 2014**

**PH 10/15/14
PH 10/27/14
MAD 12/31/14**

- 6. Special Permit Application
Ana Dolores Rey
470 West Main Street
Head Lice Treatment Center**

**PH 10/27/14
MAD 12/31/14**

MOTION by Mr. Dawson; seconded by Mr. Kardaras.

MOVED that the Cheshire Planning and Zoning Commission finds that the application to establish a head lice treatment center is consistent with Section 30, Schedule A, Item 46, of the Cheshire Zoning Regulations which regulates hair and beauty salons as Special Permit Uses within the C-3 zone and Section 40 of the Cheshire Zoning Regulations as shown on plan s submitted by the Applicant and hereby approves this application.

VOTE The motion passed unanimously by those present.

VIII. NEW BUSINESS

1. Other Planning and Zoning Commission Business

- a. Plan to Conservation and Development
Speaker: Vincent Masciana,
Director of Management Services.
RE: Board of Education**

In a power point presentation to the Commission, Mr. Masciana reviewed the BOE Five Year Capital Plan which totaled \$17.8 million, with a funding request for FY 2014-15 of \$2.3 million.

School Buildings – the district school buildings are aged; Highland School is 43 years old; Humiston School is 102 years old; and the average age of all the schools is 63.5 years. Upgrades since 2000 to the schools included the \$2 million addition to Dodd Middle School in 2002, and \$9.3 million addition to CHS in 2000. There has not been a full renovation to a Cheshire school since 1971.

Connecticut School Upgrades since 2000 – there has been \$293 million in grant applications by school districts for new schools or full renovations in surrounding districts (Southington, Meriden, Hamden, Wallingford, North Haven). Based on this information, and from a competitive point of view, Cheshire is falling behind with its schools.

CEP FY 14-15 to FY 18-19 BOE Request was \$17.8 million, with 96% of the request for physical plant maintenance and replacement needs; the first year, FY 13-15 was \$2.28 million for school projects – code compliance, ADA and Title 19 compliance at CHS, and \$145,000 for a School Building Master Plan. The Council approved \$1.050 million for the BOE capital budget FY 2014-15.

Projects in the five year CEP included the following:

- CHS Roof and re-seaming project -\$125,000.
- Code Compliance – 25% of the Five Year Plan - \$2 million in years 2 and 3 for CHS, plus code compliance costs \$2 million in FY 18-19 for Humiston School.
- Cafeteria Improvements - 16% of the five year CEP for cafeteria projects CHS, Highland, Norton, Chapman and Doolittle Schools. The budget request for the CHS cafeteria renovation is short at \$1.5 million, as Fletcher Thompson estimates the cost to be \$3.5 million. The request for the other elementary school projects is also under-stated.
- Window Replacement - \$1 million for CHS; windows must be done at Chapman and Darcey schools; total cost of window replacement is \$3 million, or 16% of the CEP.

Mr. Masciana pointed out that these were necessary requests to keep the school buildings functional and operationally sound.

The FY 2014-15 request of \$2.28 million included the following projects:

- \$750,000 for the CHS cafeteria renovation is moved out to year #2 , \$1.5 million, but the Fletcher Thompson cost estimate is \$3 million.
- CHS storage solution cost is \$260,000 for a 4,000 sq. ft. prefab storage building to replace the old and rotted out 9 trailers.
- Lavatories – the request in FY 14-15 is \$125,000 in each of the five years for Norton and Doolittle Schools, with replacement of the original lavatory facilities (60 year old vintage facilities) with many issues.
- CHS Window Replacement over 4 years, \$250,000 each year; for State reimbursement there must be PCBs testing, and this may be present and expensive to abate.
- Code and Facilities Improvements - \$125,000.
- Flooring costs \$225,000 to replace old carpeting in school buildings with vinyl tile.
- Facilities Master Plan -\$145,000. This is a proposal prepared by Milone and MacBroom. Mr. Masciana stated this is an investment in what should be done in the schools over the next 10 years. The master plan will focus on demographics, housing, enrollment patterns and projections, educational (programmatic review, trends state, region and national, classroom facilities

(facility inventory, utilization, condition). This plan would provide a solid roadmap for development of a long term modernization plan for the public schools. The recommendation is for formation of a committee to work through the facilities master plan.

The Council approved \$1.050 million for the BOE capital budget FY 2014-15.

For the facilities master plan, The Council approved \$50,000 added to the capital planning account of \$86,000; the BOE was asked to put together an RFP and this has been done; four proposals were received and being reviewed by the BOE Planning Committee; the matter will go back to the Council for approval to go forward with the study.

Mr. Masciana stated the BOE has information and plans from other school districts that have a road map for the next 10 years. He explained that State funding has been reduced; enrollment in some districts is declining; buildings are aging; and school funding and capital budget funding comes from the local taxpayers, with larger cities getting up to 90% of state funding for education.

In the POCD, Mr. Voelker said the PZC can reflect support of the long term improvements to the capital projects.

The Commission was informed by Mr. Masciana that the school district receives some State grant funding through the Dept. of Education for projects such as window replacement (windows only), roofing, code compliance etc. at about 40%. The BOE researches grants, and major construction or reconstruction is reimbursed about 40%.

Mr. Masciana explained to the PZC that over the last 7 years only 45% of funding was approved, and this is a disappointing number and too low to sustain the school system going forward. 45% capital budget funding + insufficient operating funding + aging buildings equals growing facility liabilities.

Student Enrollment – a graph displayed the enrollment from 1981-2013, an average of 4,660 students; 2014-15 there are 4,500 students enrolled in the school district; the capacity of the school buildings is 5,200 students. The BOE wants to conduct an in-depth enrollment study over the next 10 years, and receives NESDEC enrollment projections twice a year. For 2020 the NESDEC projection is 3,900 students in Cheshire. Mr. Masciana pointed out that understanding of enrollment is an important component for school building needs in the next decade. Full day kindergarten was introduced into the school district this year and is important to the community.

Technology Upgrade – there has been \$1 million in funding approved for technology, updating infrastructure from a network standpoint over the last 3 years for the school system. There is an Town energy performance contract for \$10.2 million, with about \$8 million being used to upgrade infrastructure in the school buildings. These projects include boiler replacement, conversion from electric heat to natural gas heat at CHs,

Highland School, replacement of lights with computer controlled LED lighting. Energy savings fall back to the Town after payment of the loan.

Chairman Kurtz thanked Mr. Masciana for the BOE input into the POCD and for his excellent presentation to the Commissioners.

b. Monthly ZEO Report

The report was in the packets and accepted.

IX. ADJOURNMENT

MOTION by Mr. Kardaras; seconded by Mr. Lentini.

MOVED to adjourn the regular meeting at 9:05 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk