

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, MAY 8 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl J. Kurtz III, Chairman; David Veleber, Secretary. Members: S. Woody Dawson, Edward Guadio, John Kardaras, Gil Linder, Vincent Lentini, Louis Todisco. Alternates – Jeff Natale and Jim Jinks. Absent: Gil Linder and Jon Fischer  
Staff: William Voelker, Town Planner

**I. CALL TO ORDER**

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

**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**

Secretary Veleber read the call of public hearing for all the applications.

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| 1. | <b>Special Permit Application</b><br><b><u>CK 306 E. Johnson Avenue LLC</u></b><br><b>306 East Johnson Avenue</b><br><b>Regrading for Agricultural Purposes</b><br><b>TABLED TO MAY 22, 2017</b> | <b>PH 4/11/17</b><br><b>PH 4/24/17</b><br><b>PH 5/8/17</b><br><b>MAD 7/12/17</b> |
| 2. | <b>Waiver Request</b><br><b><u>CK 306 E. Johnson Avenue LLC</u></b><br><b>306 East Johnson Avenue</b><br><b>To waive Section 25.3.2 Subsection 3</b><br><b>TABLED TO MAY 22, 2017</b>            | <b>PH 4/11/17</b><br><b>PH 4/24/17</b><br><b>PH 5/8/17</b><br><b>MAD 6/12/17</b> |
| 3. | <b>Earth Removal, Filling or Regrading Permit</b><br><b><u>CK 306 E. Johnson Avenue LLC</u></b><br><b>East Johnson Avenue</b><br><b>TABLED TO MAY 22, 2017</b>                                   | <b>PH 4/11/17</b><br><b>PH 4/24/17</b><br><b>PH 5/8/17</b><br><b>MAD 7/12/17</b> |
| 4. | <b>Special Permit Application</b><br><b><u>St. Bridget Church Corporation</u></b><br><b>175 &amp; 185 Main Street</b><br><b>Expansion of existing parking to 185 Main Street</b>                 | <b>PH 5/8/17</b><br><b>MAD 7/12/17</b>   |

Town Planner Voelker advised that the plans have been amended, and were received in the Planning Office on May 8, 2017. The public hearing will be continued to the next meeting.

Mr. Voelker read the following comments and information into the record:

Fire Department comments dated May 8, 2017

Original approval dated 7/25/17

Engineering Department comments dated May 4, 2017

Regional Water Authority comments dated April 25, 2017.

Ryan McEvoy, P.E. Milone & MacBroom represented the applicant. Mr. McEvoy stated the St. Bridget Church property is at 175 Main Street, and is a 12+ acre site. The Church recently purchased 185 Main Street, the property to the north. A rendering of the properties was displayed, and Mr. McEvoy said it represents existing site conditions, and location of the property where improvements are proposed. He pointed out location of the buildings on the Church property – 185 Main Street, a single family residential home on ½ acre lot; to the north is a gas station; to the northwest Main Street Café; to the west residential lots along Cherry Street; across the street is the Rite Aid store.

This portion of the Church has a small parking lot used for school during the week and services on weekends. The proposed improvements are almost entirely on the 185 Main Street property with some modifications to the 175 Main Street property. On the 185 Main Street property from a topography perspective the house is at the highest location, elevation 175. The site drains to rear to the west; rear elevation is 155. The lawn does drain to the rear through properties along Cherry Street, into a drainage system on Cherry Street. The Church property drains toward the edge of the existing parking, runs along the curb, down Cherry Street into the drainage system. The parking lots to the north drain to dry wells. The 185 Main Street house is connected into the sewer system and has public water.

The Church is proposing to address ongoing parking issues, provide more parking for parishioners and larger events. 41 more parking spaces will be added at 185 site. The rendering shows the proposed conditions of the site. Per the regulations the two properties, 175 and 185 must be joined which will be done pending approval of the subject application. There will be extension within the borders of the lot; no new curb cuts; providing six (6) parking spaces for the driveway towards the front of the lot; will use existing two-way in and out access between the house at 185 and the Rectory house; circulation patterns will be the same; the existing garage and small shed at 185 will be removed. The result of the proposal is 41 additional parking spaces on the St. Bridget site. There is a small dumpster pad in the north corner of the lot; garage will be relocated to behind the Rectory.

Grading of the site – Mr. McEvoy said to meet zoning regulations and create a reasonable parking area, it is proposed that grading of the new parking lot be no more than a 3% grade. This is slightly higher grade than the existing parking lot. Behind the house there will be some excavation. Because of the grade between 175 and 185

properties there will be filling as the rear of the property is approached towards the residential lots. The elevation difference will be about 6 feet in grade, at 2-1 slope. This is similar to the current condition of the existing parking lot with less gradient than along Main Street Café property.

Mr. McEvoy said there is proposal for mitigation for storm water runoff, with proposing to contain increase in runoff to 100 year storm with 4x4x8 concrete galleys.

The Commission was informed that the applicant and engineer met with the Engineering Department to discuss ideas to handle storm water management. It was suggested to spread out and lessen the concentration of storage of storm water. This is shown on the revised plans. Mr. McEvoy explained the “spreading out”...three (3) rows with 20 separate individual leaching structures, underground detention, and catch basins will catch runoff across the parking lot into the sizable underground system.

The fill to be used is free draining material, and is referred to on the plans. It allows for infiltration of storm water runoff. Perforated pipe (down slope) will accumulate storm water collection and redirect it to the Cherry Street drainage system.

Fire Department Comments – the CFD has concerns about fire hydrant installation as part of the 2008 school expansion project, and is looking for a hydrant on the St. Bridget side of Main Street. There is a hydrant immediately opposite the Church and at Rite Aid. The applicant is working with CFD to provide a hydrant suitable for CFD purposes.

Sediment and Erosion Control- silt fence and hay bales will be in place to protect down slope properties.

The existing house will remain; it is in a C-3 zone and is non-conforming. It will be used for storage in the future by the Church and the non-conforming use will be eliminated.

Mr. Gaudio confirmed the house is staying, the garage location is being moved, there is a 2-1 slope, and 6 feet of fill at the highest.

With the fill, Mr. Kurtz asked if it would be a continuous parking lot or dividers, and asked about current drainage system.

The parking lot will be continuous, and Mr. McEvoy said the existing parking lot drains and runs along the curb, and this is surface water. There is a fair amount of runoff going across 185 to Cherry Street properties. The new drainage system will go around these properties, and normal flow will be reduced or not exist.

Mr. Lentini asked about lighting on the parking lot(s).

There are two (2) proposed parking lot lights, and Mr. McEvoy advised one is adjacent to the existing garage focused to the east, and one half-way between Main Street Café and gas station to the south.

Abutting property owners were invited to meet with the applicant and engineer, and Mr. McEvoy reported some neighbors did attend. They expressed concerns about the nature of the construction duration, trash pickup at 2:30 a.m. delayed to a more reasonable hour. The applicant will contact A.J. Waste on rescheduling pickup at a later time in the morning.

The existing garage will be removed; a new garage will be built of the same size; it will be located behind the Rectory.

Mr. Strollo asked about reconstruction and tapering the roof towards the back for water runoff.

In reply, Mr. McEvoy said it is proposed to cut the grade between the Rectory and parking lot, and a change in the roof style will not have any benefit. The garage will be about 5 to 10 feet from the Rectory, but will not be connected.

Along the back corner where the runoff system is to be located, Mr. Strollo asked about curbing or protection from gusher water, snow build-up, and what will keep things from going over this area and affecting neighbors.

Mr. McEvoy said with smaller storms there will not be bypass of the drainage system. With heavier flows, some may be seen, but with proposed curbing, water will not gush or collect.

Mr. McEvoy informed the Commission that there are lights on the existing parking lot for illumination of the lot.

With regard to the current parking situation, Mr. Veleber noted there are 184 existing spaces. Zoning regulations require 250 parking spaces, and the plan proposed gets to 227 parking spaces. He asked if there will be enough parking. With the consolidation of Churches there will be an increase in congregation size.

On most Sundays, the parking lot in the rear is full, and Mr. McEvoy pointed out people also park at Rite Aid, Stop & Shop, post office...particularly on significant religious days. The current plan will help this situation. It will be difficult to extend parking further due to the large slope in the rear of the school building. The Church has purchased the 185 property and recognizes the need for more parking spaces.

It was stated by Mr. Gaudio that with more parishioners the Church will, probably, have more Masses which will spread out the use of the parking lots.

Engineering Department comments have been satisfied, and Mr. Voelker said the revised plans will be reviewed by Commissioners.

## PUBLIC COMMENTS AND QUESTIONS

Frank Solla, 16 Cherry Street, said he has significant water problems on his property, and has gone to Public Works and Engineering for help, but nothing has been done for him. He spent \$9,500 for curtain drains along the back of his property and the west side of the house. This brings the water around his property and puts it out in the road into the dry well. His sump pump runs every five minutes on a wet day. With a parking lot up on the Church property, all saturation will be gone, with heavy snow coming down onto his property, which is thousands of gallons of water onto his property. This increases his water problem by 95%, as water will rush down the hill. He showed his letter from the Engineering Department, dated June 1, 2015 to Mr. Voelker and the Commissioners. Mr. Solla talked about the storm drains, with nothing at his house to tie into. Engineering Department inspected, took measurements for the proper pitch, etc. and they came up with it being solely helping him, and they would not bring up a storm drain for him to tie into, and he would have to pay and be bonded. Mr. Solla said his complaint is with the parking lot and drainage system, and anything pushed over the drain will not help him...it will go up over the curb and onto his property. The Main Street Café has a concrete culvert in the middle of the driveway, and he gets water from this too. According to Mr. Solla, 6 feet of fill is not proper for the height due to the steep slope, and from his property it is 15 higher. The fill will wash down to his property as he is directly in back of the proposed Church development. With regard to the perforated pipe, Mr. Solla said it will leach out into the ground; will be more of a water problem for him and neighbors; it will not take water, but will put it out.

Mr. McEvoy said that behind the curb there is a small shelf. With respect to concerns, the Engineering Department relayed the stated concerns. With the lot design it takes into consideration runoff for neighbors which will be redirected so there is a net surface discharge. The proposal can benefit some of the problems, but will not entirely solve everything due to the elevation differences between the Church and neighboring properties. What is possible to be done, will be done to reduce runoff with the proposed design. The perforated pipe is proposed on the plans. The purpose of this pipe is for collection of storm water in the galleries, allowing for flow to migrate through the fill system into the pipe. The intent is to keep away any accumulation of storm water, and no increase in runoff. With grading of the lot, curbing, and direction of the storm water, if there is overflow it will continue along the new curbing and bypass so other properties. It will be less but not eliminated. The percolation tests were done; the soil drains one inch every 20 minutes. The purpose of the pipe is to collect any concentration overtime; it will not overwhelm the system on Cherry Street; and will allow for accumulation of water in the galleries to go away. The Town Engineering Department was satisfied with this project.

Without the perforated pipe, Mr. Todisco asked how it would harm his plan.

The pipe would not do anything, and Mr. McEvoy said this is all underground. We do not want to bring water to Cherry Street. Two things are to be done...one, is no increase in runoff in a global sense; and two, is redirect runoff around these properties, still getting into Cherry Street drainage, but not through the lots.

Mr. Todisco said the overall position is less water than there is today, and this should not make the neighborly situation worse...it should improve it.

According to Mr. McEvoy, the applicant cannot make the representation that residents will not have ground water problems...but they will be lessened.

As in other applications, Mr. Voelker said there could be designated areas for no stock piling of snow, and keep snow away from the edge of the parking lot.

Mr. Solla said the drainage system plan will not take away water off his property, and is designed to catch it and let it filter off slowly. Solid pipe will take and get rid of water. Now it will go into the collection tank and leach out through the perforated pipe onto Cherry Street's water. A solid pipe might do better. He said snow plowing could be done by code, but if code is broken, it will be onto neighboring property.

Chairman Kurtz said it would be up to the neighbors to inform Town Hall about this right away, as it would be a violation of the approval.

Mr. Voelker said once the snow area is designated, and violated, it is actionable and there can be enforcement taken.

Phil Perschbacher, 26 Cherry Street, lives in back of the current parking lot, has looked at the plans, and commented on the curbing in the lot. He suggested the curbing be poured concrete, which is more durable during winter months. Regarding the manner in which the perforated pipe will be buried or replaced along the curb line, he said the plan is to end up doing excavation and removing some trees along the back driveway for exiting out to Cherry Street. The proposal is to bury the pipe under the pavement as opposed to on the slope, and if the slope is disrupted with many trees removed, he requested replacement trees.

Mr. McEvoy said this has been discussed and the replacement trees would be White Pines, and the number of trees may have to go up.

It was recommended by Mr. Voelker that trees other than White Pines be considered.

Robert Ancona, 38 Cherry Street, lives behind the parking lot, and commented on increased traffic with 41 more parking spaces exiting to Cherry Street. There will be an increase in light, noise and pollution. This warrants more of a sound and light barrier between the properties. This will be more effective with drainage and insure snow removal is directed where it should go. He complained about garbage collection between 11 p.m. and 2 a.m. and asked there be designated garbage pickup times, but not between 12 a.m. and 6 a.m. Mr. Ancona said just because you build it does not mean it will be used; people are parking at Rite Aid, Stop & Shop and will continue to do so; and lots of traffic is a major concern to him.

From the parking lot, Mr. McEvoy said traffic can get to Cherry Street, but this street is limited to weekend use entering and exiting. During school hours there is a restriction to exit only during school hours.

Lyn Remmele, 233 West Main Street, said she has many issues. The area is a swamp, and the extra lane on West Main Street has runoff going down Cherry Street, and melting snow becomes ice. Traffic is significant, and more traffic will be added, and for her visitors she has them come after church services are over. She looks out her back yard and sees cars and a parking lot. Ms. Remmele said there have been considerable changes in 20+ years, with lights shining into her home, and people do not want to look into flood lights and cars. There is extra water into the drains and additional water within West Main Street with serious problems. She said there should be additional landscaping and more detailed are needed to the plan.

Mr. Ancona said he Cherry Street extension is used daily with school buses with traffic backed up.

John Palmeri, 125 Flager Avenue, commented favorably on the St. Bridget parking lot expansion plan, and said it is a matter of safety. People sometimes park across Main Street, go into the middle of the roadway to cross to the Church, and it is a safety hazard. He hopes the additional parking spaces will create less need for people to park elsewhere. Mr. Palmeri supports the proposed parking lot plan.

Mr.Solla talked about the large field in the back of the St. Bridget property where a huge parking lot could be installed. The school put in a baseball field. They could put in steps to get to the main parking lot; no fill is needed; and it is an alternative to the proposed parking lot.

Secretary Veleber read a letter into the record from Inez Zemaitis, dated 4/24/17.

Fr. Jeffrey Romans, 175 Main Street, Pastor of St. Bridget Church, addressed the Commission, and commented on his concerns about the safety of people who attend Mass and other Church services. The Church does not have adequate parking. Fr. Romans said he cannot answer for what has happened in the past. When the subject property 185 Main Street became available the Parish Finance Council, Building and Grounds Committee met and discussed the opportunity for the future of the Parish. Under the new consolidated Archdiocese plan, there will be an increase in the Parish membership. There are two worship sites, St. Thomas and Epiphany Churches. St. Bridget Parish will be the core entity, Masses can be held at the other Churches. Fr. Romans feels for the Church neighbors and he reached out to everyone. With regard to moving the parking lot to the field, there are wetland issues, and would propose more significant issues than the current plan. Fr. Romans said the Parish will be mindful of neighbor's concerns, address those that are financially viable to be addressed, and those the Commission feels must be done for approval of the application. Fr. Romans thanked the Commission and public for their time.



THE PUBLIC HEARING WAS CLOSED.

**6. Zone Text Change Petition  
Cheshire Medical Associates LLC  
To amend Section 33-Off Street Parking & Loading  
Subsection 33.1.7(a) & Section 23  
Definitions – Finished Space**

**PH 5/8/17  
MAD 7/12/17**

Attorney Anthony Fazzino represented the applicant, which is an LLC, and interested in building a medical building in Cheshire, with contract for acquisition of a parcel of land. They have built other facilities throughout Connecticut including Glastonbury, Mansfield, and South Windsor. The applicant is seeking an amendment to the parking regulations which will change the parking computation from one parking space for each 150 s.f. of finished space to one parking space for each 200 s.f. of finished space. The proposal is to change the definition of “finished space” to eliminate elevators, stairs, stairwells, which would require less parking for medical buildings.

Phil Doyle of Simsbury, is associated with the principles of Cheshire Medical Associates, and statistics prepared by him were forwarded to the Commissioners. Mr. Doyle stated there have been no changes in municipal parking regulations in 20+ years, and Cheshire’s regulations reflect the average parking requirements for medical buildings in the State. He commented on parking lots being filled 30 years ago, and today these lots are 50% filled. Medical offices are renting medical space in various towns; have office hours at varied times in these towns; and parking lots are 50% filled. Individual doctors are in group practices, share office space, staff, transfer information electronically.

In Cheshire, Mr. Doyle’s staff did a count of parking utilization for a week or two, 8 a.m. to 5 p.m. (10 hours a day) and, on average, medical parking lots were 40% to 45% occupied. During peak hours the percentage is higher, and these hours are averaged to 43% utilization in Cheshire. Too much parking is being built.

For Hartford Health Care’s new building in Southington CT, Mr. Doyle made a presentation to the Planning Commission on inappropriate parking. Southington CT modified its parking regulations accordingly. It is his suggestion that every building across the State should be based on one parking space for each 200 sq.ft. of finished space.

Mr. Doyle reviewed the summary data he compiled for sites in other towns and pointed out the differences in parking spaces @ 1/200. He wants to see parking lots to 80% utilization. Parking lots are not being used to the extent of expectations.

Institute of Traffic Engineers (ITE) has noted the decrease in use of medical office parking spaces on a national level.

Mr. Doyle noted that the towns of Southington, Mansfield, Enfield...and many others...have looked at the data and made changes to regulations. His client wants to make sure the parking is not being over-built.

Town Planner Voelker said the public hearing would be continued. He read comments from CROCG dated 4/27/17 and RWA dated 4/18/17 into the record.

The Zoning Regulations for professional offices (lawyers, doctor, dentist) have parking spaces at one per 200 s.f. of finished space...but medical offices are not defined. Mr. Doyle is requesting that Section 33.7.A match Section 33.7 for professional office space parking regulations.

The issue of a mixed use building was raised by Mr. Strollo, and he cited 680 South Main Street as such a building, and he asked how this is handled for parking decisions.

Mr. Voelker stated that the proposal before the Commission is for a 100% medical use.

For 680 South Main Street, Mr. Doyle said the residential parking spaces (8) are backed out of the calculations. Four (4) spaces are used during the day; 4 are not used; this frees up these spaces for medical office use; the 8 spaces were not in the total number. For mixed use buildings there are parking calculations generated by ITE and ULI that show the inter-related uses. The Town of Glastonbury wrote mixed use regulations (9.6) and ended up with a parking component.

At the 680 South Main Street mixed use building, Mr. Strollo said he has been in it many times and the parking lot is full. He sees a multiple use building having problems with parking. He likes the regulation for specifics, but to use this building as an example is not a good one.

Mr. Doyle pointed out Cheshire does not have too many pure medical use buildings, and 680 South Main Street has high utilization of medical offices. 1154 Highland Avenue has insurance offices in the building.

Mr. Kardaras said we are talking about emerging standards and asked how far into the future is this anticipated to go.

In the next 10 to 15 years, Mr. Doyle said we will be looking at half the number of parking spaces. People want to take trains and buses to work, and numbers are dropping in the sub-locations because of high costs of driving. Medical offices have less staff, use electronic medical records, and work with many offices.

Mr. Todisco asked about the chart showing "@.8" and what this means.

This reflects unusable space (i.e. stairs) on the sites listed, and it means 80% efficiency. There are no floor plans seen, so a conservative guess is used for building efficiency.

For peak usage/average, Mr. Doyle stated that 100 hours of counting falls within the range; peak hours are 10 a.m. to 2 p.m. and one day peak was 72 parking spaces.

Mr. Natale asked about proposed regulations stating “and the like”.

Mr. Voelker said it would have to be a legitimate medical use, with some type of licensed facility. It could be physical therapy...but it must be a licensed facility.

On a personal note, Mr. Dawson said for his various doctors they are in various towns with staff running the office. His Hamden CT doctor’s office usually has a full parking lot. If an office is not busy it is, probably, due to rotation.

Richard Lee, principal of the applicant company, talked about the history of the automobile, seeing different platforms of moving around, and noted Huber is the first of these. He also said no driver is 5 years away, and parking proposed today may be 20% occupancy in the future.

Mr. Strollo said Cheshire is a suburb, not a city, and we are looking at a 15 year curve.

THE PUBLIC HEARING WAS CONTINUED TO MAY 22, 2017

**7. Special Permit Application**  
**Sandra Chase**  
**275 N. Brooksvale Road**  
**In-Law apartment**

**PH 5/8/17**  
**MAD 7/12/17**

Andy Napolitano represented the applicant who is looking to add a 726 s.f. apartment to her residence for in-law use. The apartment meets the regulations, and plans and elevations have been provided to the Planning Department.

THE PUBLIC HEARING WAS CLOSED.

## **VIII. ADJOURNMENT**

MOTION by Mr. Dawson; seconded by Mr. Natale

MOVED to adjourn the public hearing at 9:40 p.m.

VOTE The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk

