

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION SPECIAL MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING HELD ON MONDAY, JUNE 12, 2017 IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

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

**I. CALL TO ORDER**

Chairman Kurtz called the special meeting to order at 8:51 p.m.

**II. ROLL CALL**

The clerk called the roll.

**III. DETERMINATION OF QUORUM**

Following roll call a quorum was determined to be present.

Mr. Fischer was the alternate for the special meeting.

**IV. PLEDGE OF ALLEGIANCE**

The group Pledged Allegiance to the Flag.

**V. ACCEPTANCE OF MINUTES – MAY 22, 2017 PUBLIC HEARING AND MAY 22, 2017 REGULAR MEETING.**

MOVED by Mr. Veleber; seconded by Lentini.

MOVED that the Planning and Zoning Commission approve and accept the minutes of the Public Hearing of May 22, 2017 and Special Meeting of May 22, 2017 subject to corrections, deletions, additions.

VOTE The motion passed 8-0-1; Linder abstained.

**VI. UNFINISHED BUSINESS**

- Special Permit Application**  
**St. Bridget Church Corporation**  
**175 and 185 Main Street**  
**Expansion of existing parking to**  
**185 Main Street**

**PH 5/8/17**  
**PH 5/22/17**  
**MAD 7/26/17**

MOTION by Mr. Dawson; seconded by Mr. Lentini.

MOVED that the Cheshire Planning and Zoning Commission find that the proposal to expand the parking area as shown on plans entitled "St. Bridget Parking Church Parking Expansion, 185 Main Street, Cheshire CT" revised through May 17, 2017 are consistent with the requirements of Section 40 (Special Permits) of the Cheshire Zoning Regulations and hereby approves this application conditioned upon the following:

1. Satisfaction of comments submitted by the Town Engineer dated May 22, 2017
2. Satisfaction of comments submitted by the Cheshire Fire Department dated May 8, 2017
3. Satisfaction of comments from the Regional Water Authority dated April 25, 2017.

Discussion

Mr. Dawson stated that lots of time and questions went into this application, and it is a reasonable request.

Mr. Todisco said there were concerns with surrounding property owners. He commented on the facts that the Town Engineer reviewed the drainage plan to make the determination of zero increase in runoff and approved the plan. Ryan McEvoy, P.E. Milone and MacBroom, testified that in his experience as an engineer the situations will be better for the adjacent property owners. The minutes will reflect the evidence received from the Town Engineer.

Mr. Veleber agreed with the statements made, and said it is difficult to balance concerns of the owners and neighbors. The drainage plan has been addressed; problems could be made better; the plan will alleviate some of the parking problems of the Church; and it is an important step to provide the needed parking spaces for the Church needs.

Chairman Kurtz stated his support of the subject application for the reasons cited by his fellow Commissioners, the Town Engineer and the applicant's professional engineer. It was stated by professionals that the situation will be better than what is there now. The plan looks to be much neater and clearer than the current situation.

VOTE            The motion passed unanimously by those present.

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| <b>2.      <u>Special Permit Application</u><br/><u>CK 306 E. Johnson Avenue LLC</u><br/>306 East Johnson Avenue<br/>Regrading for Agricultural Purposes</b> | <b>PH 4/11/17<br/>PH 4/24/17<br/>PH 5/8/17<br/>PH 5/22/17<br/>PH 6/12/17<br/>MAD 8/16/17</b> |
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MOTION by Mr. Dawson; seconded by Mr. Strollo.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposed regarding of 306 East Johnson Avenue as shown on plans entitled "Site Plan for CK 306 E. Johnson Ave. LLC, 306 East Johnson Avenue, Cheshire CT" revised through May 12, 2017 are consistent with the requirements set forth in Section 40 (Special Permits) and Section 25 (Earth Removal, Filling and Regrading) of the Cheshire Zoning Regulations and hereby approves this application conditioned upon the following:

1. Satisfaction of comments submitted by the Town Engineer dated May 22, 2017
2. Satisfaction of comments submitted by the Cheshire Fire Department dated April 7, 2017
3. Satisfaction of comments from the Connecticut Department of Energy and Environmental Protection dated April 3, 2017.

VOTE           The motion passed unanimously by those present.

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| <b>3.    Waiver Request</b>                     | <b>PH 4/11/17</b>  |
| <b>    <u>CK 306 E. Johnson Avenue LLC</u></b>  | <b>PH 4/24/17</b>  |
| <b>    306 East Johnson Avenue</b>              | <b>PH 5/8/17</b>   |
| <b>    To waive Section 25.3.2 Subsection 3</b> | <b>PH 5/22/17</b>  |
|   | <b>PH 6/12/17</b>  |
|   | <b>MAD 8/16/17</b> |

MOTION by Mr. Dawson; seconded by Mr. Strollo.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposed regarding of more than one undivided area of 5 acres of property as regulated under Section 25.5 Subsection 3 of the Cheshire Zoning Regulations, at 306 East Johnson Avenue as shown on plans entitled "Site Plan for CK 306 E. Johnson Ave. LLC, 306 East Johnson Avenue, Cheshire CT" revised through May 12, 2017 are consistent with the requirements set forth in Section 40 (Special Permits) and Section 25 (Earth Removal, Filling and Regrading) of the Cheshire Zoning Regulations and hereby approves this waiver conditioned upon the following:

1. Satisfaction of comments submitted by the Town Engineer dated May 22, 2017
2. Satisfaction of comments submitted by the Cheshire Fire Department dated April 7, 2017
3. Satisfaction of comments from the Connecticut Department of Energy and Environmental Protection dated April 3, 2017.

Discussion

Town Planner Voelker said this for agricultural purposes. With the waiver there is extra scrutiny of the operation and the applicant demonstrated why it is necessary.

VOTE           The motion passed unanimously by those present.

4. **Earth Removal, Filling or Regrading Permit** PH 4/11/17  
**CK 306 E. Johnson Avenue LLC** PH 4/24/17  
**East Johnson Avenue** PH 5/8/17  
PH 5/22/17  
PH 6/12/17  
MAD 8/16/17

MOTION by Mr. Dawson; seconded by Mr. Strollo.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposed regarding of 306 East Johnson Avenue as shown on plans entitled "Site Plan for CK 306 E. Johnson Ave. LLC, 306 East Johnson Avenue, Cheshire CT" revised through May 12, 2017 are consistent with the requirements set forth in Section 40 (Special Permits) and Section 25 (Earth Removal, Filling and Regrading) of the Cheshire Zoning Regulations and hereby approves this waiver conditioned upon the following:

1. Satisfaction of comments submitted by the Town Engineer dated May 22, 2017
2. Satisfaction of comments submitted by the Cheshire Fire Department dated April 7, 2017
3. Satisfaction of comments from the Connecticut Department of Energy and Environmental Protection dated April 3, 2017.

VOTE The motion passed unanimously by those present.

5. **Waiver (partial)** PH 6/12/17  
**Apex Developers LLC** MAD 8/16/17  
**Coleman Road**  
**Section 6.10.1 Cheshire Subdivision**  
**Regulations; Sidewalks to be constructed**  
**On the north side of roadway only**  
**PUBLIC HEARING CONTINUED TO JUNE 26, 2017**

6. **Subdivision Application** PH 6/12/17  
**Apex Developers LLC** MAD 8/16/17  
**Coleman Road**  
**7 Lots (6 new; 1 existing house)**  
**Coleman Farm Subdivision**  
**PUBLIC HEARING CONTINUED TO JUNE 26, 2017**

VII. **NEW BUSINESS**

1. **Special Permit Application**  
**Dean and Judith Monllos**  
**141 Braemar Drive**

**In-Law Apartment  
Section 30, Sch. A. Para. #5  
SET FOR PUBLIC HEARING ON JUNE 26, 2017**

- 2. Zone Text Change Petition  
Cheshire Medical Associates LLC  
To amend Section 45.7.2 Time Limitation  
SET FOR PUBLIC HEARING ON JULY 10, 2017**
- 3. Waiver Request of Clearview Farm Preserve  
Mountain Road/Cornwall Avenue  
Pursuant to Section 11.1 Variances  
Or Waivers of Regulations  
Requesting a waiver of Section 6.5 Intersections  
SET FOR PUBLIC HEARING ON JULY 10, 2017**
- 4. Resubdivision Application  
Clearview Farm Preserve LLC  
Mountain Road/Cornwall Avenue  
12 Lots  
SET FOR PUBLIC HEARING ON JULY 10, 2017**

**VI. ADJOURNMENT**

MOTION by Mr. Veleber; seconded by Mr. Strollo

MOVED to adjourn the special meeting at 9:10 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk