

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JANUARY 8, 2018, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz III, Chairman; Sean Stollo, Vice Chairman; Members: S. Woody Dawson, John Kardaras, Vincent Lentini, Gil Linder, Jeff Natale, Louis Todisco.

Absent: Edward Gaudio

Alternates: Robert Brucato and Robert Anderson

Staff: William Voelker, Town Planner

I. CALL TO ORDER

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

Mr. Brucato was the alternate for the public hearing.

II. ROLL CALL

The Clerk called the roll and a quorum was determined to be present.

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 Linder read the call of public hearing for the applications.

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| 1. | Waiver Request – Section 11.1 | PH 12/11/17 |
| | <u>Michael Krasnovsky</u> | PH 1/8/18 |
| | 867 Ives Row | MAD 3/14/18 |
| | Section 5.6.1 of the Subdivision Regulations | |
| 2. | Resubdivision Application | PH 12/11/17 |
| | <u>Michael Krasnovsky</u> | PH 1/8/18 |
| | 867 Ives Row | MAD 3/14/18 |
| | 2-lots | |

Town Planner Voelker read the following letters into the record:

Regional Water Authority dated 1/8/18

Michael Krasnovsky dated 12/11/17

Richard and Aimee Uluski dated 1/8/18

DEEP, Dawn M. McKay dated 11/8/17

Cheshire Fire Department, Chief Jack Casner, dted 12/8/17.

With regard to the request in the Uluski letter for repair of sidewalks, Mr. Voelker advised that the Commission has no legal ability to do this work. The applicant cannot be required to repair sidewalks. Other items requested in the Uluski letter will be addressed by the applicant.

Mr. Strollo asked about the property which is in an R-20 zone, +40,000 sq.ft. and there being two lots.

The Commission was told by Mr. Voelker that, geometrically, it is three lots, and the applicant is proposing two lots within the Natural Diversity Data Base (NDDB). He also noted that with the DEEP letter there was information included about Wood Turtles and Box Turtles.

Kevin Solli, P.E. Solli Engineering, Monroe, CT, represented the applicant, Michael Krasnovsky. The application is for a two lot subdivision at 867 Ives Row; the property is 1.92 acres; the single family dwelling has access off Ives Row; there are no wetlands and the property is outside the flood plain areas; it is in the NDDB data base, and located in the water shed.

The applicant wrote a letter to the Commission which was read into the record. The property has been in the Krasnovsky family since 1960, prior to the restriction in 1986 on the number of lots allowed in a cul de sac. The application is for the lot to be subdivide into two parcels, not three parcels. The existing home will remain (+1 acre) and a new home will be built (.92 acres). The proposed new house will be a single family home, 4 bedrooms. The property has good soils; has passed Chesprocott testing; the septic system design agrees with regulations and the 2004 storm water quality manual; roof water runoff complies with storm water regulations; utilities will be underground and will come from Timber Lane; access to the new lot will come from North Timber Lane. The current property is on the corner of Ives Row and Timber Lane.

The applicant is requesting a waiver from the subdivision regulations on the maximum number of lots on a cul de sac, which can be granted by the Commission. Incorporated into the plan are two notes – one indicates construction of the home will require sprinklers, and this conforms with the CFD letter. The second is the property will no longer be subdivided in the future if the application is approved.

Given these conditions being placed on the property, Mr. Solli said it should give the Commission sufficient information to address concerns regarding the waiver for the additional lot on the cul de sac.

Mr. Solli noted there is a letter of support from Mr. and Mrs. Uluski, 129 North Timber Lane, the abutting neighbor. With regard to sidewalks mentioned in the letter, Mr. Solli said they are not part of the application. The other comments regarding the knoll in

front of the corner of the property adjacent to the driveway is part of the application and the knoll will be removed. Regarding clearing of the vegetation along the shared property line, the applicant is willing to meet with Mr. and Mrs. Uluski and make sure this concern can be addressed and they are comfortable with the development on the lot. The plan was slightly modified to address the Uluski concerns.

On the plans there is a drainage system shown, which was relocated to the north of the property away from the Uluski property.

Mr. Solli stated the applicant is willing to comply with all the requirements cited in the letters that were read into the record.

Regarding the applicant willing to put "notes" on the plans about future subdivisions, Mr. Linder asked about these notes.

It was explained by Mr. Solli that on the subdivision plans which are filed on the town land records, there will be two notes cited. Any future modifications of these plans would require Commission approval. Mr. Solli read notes #12 and 13 into the record. They memorialize the fact that the properties cannot be further subdivided in the future, and there is a requirement for a fire sprinkler system. When the subdivision maps are filed it establishes a legal encumbrance on the two lots, with any modification requiring Commission approval.

Mr. Voelker said the owner of the property is conveying this with the application; everything has a condition of approval; a future owner would have to cite a reason why the condition would be overcome.

Mr. Todisco said there would be difficult to further subdivide this property with a house in the middle of the lot.

Sheet 2.11 was cited by Mr. Solli who said it shows how the home would be constructed. There must be testing with Chesprocott for the septic system based on the two lot subdivision.

It was stated by Mr. Todisco that the owner is doing all he can for a two lot subdivision. He asked about the turtles and if there is reason to believe they are on this one acre to be developed.

According to Mr. Solli there is no evidence of turtles on the property after the owner's investigation, and no reason to believe a population exists. DEEP draws maps with wide areas of turtle hatches. There is no evidence turtles exist on the property, but the application must go through the process. The DEEP letter is standard with any area where there, historically, have been turtles.

Mr. Todisco asked that the applicant try to avoid any damage to turtles if they are found on the property.

With all the new information submitted for this application, Chairman Kurtz said the Commissioners must review the submissions.

THE PUBLIC HEARING WAS CONTINUED TO JANUARY 22, 2018.

VI. ADJOURNMENT

MOTION by Mr. Strollo; seconded by Mr. Lentini.

MOVED to adjourn the public hearing at 8:00 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk