

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION
SPECIAL MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M.
PUBLIC HEARING HELD ON MONDAY, JULY 11, 2011 IN COUNCIL
CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl Kurtz, Vice Chairman; Martin Cobern; S. Woody Dawson, John Kardaras,
Gil Linder, Louis Todisco, Tali Maidelis

Alternates: Edward Gaudio

Absent: Sean Strollo; Alternates - James Bulger and Leslie Marinaro.

Staff: William Voelker, Town Planner.

I. CALL TO ORDER

Mr. Kurtz called the meeting to order at 8:35 p.m.

Mr. Kurtz read the fire safety announcement.

II. ROLL CALL

Mr. Kurtz called the roll.

III. DETERMINATION OF QUORUM

Following roll call a quorum was determined to be present.

IV. ACCEPTANCE OF MINUTES

PUBLIC HEARING 6/27/2011 and REGULAR MEETING 6/27/2011

MOTION by Mr. Dawson; seconded by Mr. Gaudio.

MOVED to accept the minutes of the Public Hearing of 6/27/11 and Regular Meeting of 6/27/11 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

V. COMMUNICATIONS

**1. Letter from Ravi Date dated 6/24/11 RE: In-law apartment
Renewal, 350 Wallingford Road.**

MOTION by Mr. Maidelis; seconded by Mr. Dawson.

MOVED that the Planning and Zoning Commission grant a five year extension of the approval for the in-law apartment, property located at 350 Wallingford Road, Assessor's Map No. 65, Lot No. 62, in an R-40 zone.

With the following stipulations:

1. All previous stipulations shall remain in effect.
2. This approval shall expire on July 11, 2016. The applicant may request an extension of the permit by providing the Commission with a notarized statement verifying that the use of the in-law apartment complies with the regulations and that the resident of the in-law apartment qualifies under these regulations.

VOTE The motion passed unanimously by those present.

VI. UNFINISHED BUSINESS

1. **Combined Application for Zone Change to and Approval as a Special Development District (S.D.D.) and Approval of Special Design Project PABCO Inc. and 200 OTR Associates, LLC 200 Old Towne Road & 168 South Main Street Zone Change to and approval as a Special Design District (SDD) and approval of a Special Design Project (SDP). PUBLIC HEARING CONTINUED TO JULY 25, 2011.** PH 6/27/11
PH 7/11/11
MAD 9/14/11

(Mr. Dawson and Mr. Todisco recused themselves from Application #2).

2. **Special Permit Application Joseph Michaelangelo, Director Of Public Works 525 South Main Street Approx. 3.660 cubic yards of material to be Excavated, replaced and graded for a new Synthetic turf field.** PH 7/11/11
MAD 9/14/11

MOTION by Mr. Cobern; seconded by Mr. Gaudio.

MOVED that the Planning and Zoning Commission hereby finds that the application of Joseph Michaelangelo, Director of Public Works, for the excavation, replacement and grading of approximately 3,650 cubic yards of material at Cheshire High School, as shown on plans entitled "Site Plan Grading and Erosion Controls, Cheshire High School, Synthetic Turf Field & Track Improvements, 525 South Main Street, Cheshire CT" prepared by Milone & MacBroom, 99 Realty Drive, Cheshire, Connecticut, is consistent with the Cheshire Zoning Regulations and, therefore, approves this Special Permit application.

VOTE The motion passed 6-0-2; Todisco and Dawson abstained.

3. Special Permit Application

PH 7/11/11

Samuel DeFrancesco

174 East Johnson Avenue

Replacement of existing collapsed building

To be used as a church.

Town Planner Voelker noted that the Commission waived the public hearing for this application. He advised that the footprint for the replacement building will be smaller than the prior building, and there will be a smaller seating count.

Stephen Guidice, L.S. Harry Cole & Son, presented the application before the Commission. Mr. Guidice commented on the unfortunate event suffered by the church building collapse during winter storms this year. There have been meetings with Mr. DeFrancesco on the site, along with the architect. The replacement building will be in the same location as the prior building, with a change in the footprint for a smaller building. There are no modifications to the parking lot; there is less seating which reduces some of the deferred parking; the building will be one level without a sloped floor; and it will be constructed in one phase.

Site changes were reviewed by Mr. Guidice, who stated the building will be 6 inches lowered for additional handicapped accessibility. There is a proposal to relocate a small section of drainage pipe to get around the corner of the building. There are no changes to the actual parking lot. A sidewalk will be added to the back side of the building. The site work will be at a minimum. The foundation of the old building has been removed because it was not structurally sound, and did not work with the proposed master plan before the Commission. The applicant has submitted revised plans, with a letter explaining the drainage position with zero increase in peak runoff from the site, and Engineering Department comments have been addressed. Mr. Guidice advised that staff has been working very closely with the applicant on the proposal, and it has been a very smooth project, with staff cooperation.

MOTION by Mr. Dawson; seconded by Mr. Cobern.

MOVED that the Planning and Zoning Commission here by finds that the application of Samuel DeFrancesco for the replacement and modifications to Calvary Life Church located at 174 East Johnson Avenue, as shown on plans entitled "Calvary Life Church, 174 East Johnson Avenue, Cheshire CT" dated June 9, 2011 and prepared by Harry E. Cole & Son, 28 Werking Street, Plantsville, CT is consistent with the Cheshire Zoning Regulations and, therefore, approves this Special Permit Application.

VOTE The motion passed 7-1; Gaudio opposed.

VII. NEW BUSINESS

1. **Site Plan Application** **MAD 9/13/11**
Batista LLC
312 South Main Street
Outside Seating Area
SET FOR JULY 25, 2011.

2. **Site Plan Application**
Whole Foods Market
400 East Johnson Avenue
Proposed 3,000 S.F. addition/addition
To two modular office buildings
SET FOR JULY 25, 2011.

VIII. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Kardaras.

MOVED that the special meeting be adjourned at 8:50 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk