

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, JUNE 25, 2018 IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Sean Stollo, Vice Chairman; Gil Linder, Secretary; Members: S. Woody Dawson, John Kardaras, Jeff Natale, Louis Todisco.

Alternates: Robert Anderson, Robert Brucato, Donald Walsh

Absent: Matthew Bowman, Edward Gaudio, Earl J. Kurtz

Staff: William Voelker, Town Planner; Guest: Town Council Liaison David Veleber

I. CALL TO ORDER

Mr. Stollo called the meeting to order at 8:06 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

They group Pledged Allegiance to the Flag.

V. ACCEPTANCE OF MINUTES – Public Hearing 6/11/18 and Special Meeting 6/11/18.

MOTION by Mr. Natale; seconded by Mr. Dawson.

MOVED to accept and approve the minutes of the Public Hearing of 6/11/18 and Special Meeting of 6/11/18 subject to corrections, additions, deletions.

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

VI. COMMUNICATIONS

**1. Letter from Maureen Fitzpatrick dated June 14, 2018
RE: In-Law Apartment renewal for 25 Whispering Hollow Court.**

MOTION by Mr. Kardaras; seconded by Mr. Brucato.

MOVED that the Planning and Zoning Commission grant a five-year extension of the approval for the in-law apartment, property located at 25 Whispering Hollow Court, with the following stipulations:

1. All previous stipulations shall remain in effect.

2. This approval shall expire on **June 25, 2023**. 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 qualified under these regulations.

VOTE The motion passed unanimously by those present.

Mr. Strollo moved Unfinished Business, Application #2, (Steven Bullock) to current status on the agenda.

2. **Special Permit Application** **PH 6/25/18**
MAD 8/29/18
Steven Bullock
3 Dover Court
In-Law Apartment

MOTION by Mr. Dawson; seconded by Mr. Brucato

MOVED that the Planning and Zoning Commission grant a five-year extension of the approval for the in-law apartment, property located at 3 Dover Court, with the following stipulations:

1. All previous stipulations shall remain in effect.
2. This approval shall expire on **June 25, 2023**. 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 qualified under these regulations.

VOTE The motion passed unanimously by those present.

2. **Pre-Application Review dated June 20, 2018**
Miller Napolitano & Wolff LLC and Tri-Star Development LLC.
RE: 1953 and 2037 Highland Avenue.

This is the first pre-application review to come before the Commission. It will be held on July 11, 2018 as part of the POCD meeting.

VII. UNFINISHED BUSINESS

1. **Special Permit Application** **PH 6/11/18**
PH 6/25/18
MAD 8/29/18
James A. Fazzone Developers LLC
Highland Avenue
Self-Storage Facility
PUBLIC HEARING CONTINUED TO JULY 9, 2018

2. **Special Permit Application**
Steven Bullock
3 Dover Court
In-Law Apartment

PH 6/25/18
MAD 8/29/18

VIII. NEW BUSINESS

1. **Waiver Request Pursuant to Section 40.8 Revisions**
To waive the Public Hearing
Rondo's Realty LLC
1721 Highland Avenue
To expand restaurant facility

Mr. Voelker explained there was a public hearing with PZC approval for the parking lot portion of the restaurant expansion. At the time of that public hearing, there was submission of the site development plans and the addition was shown.

Mr. Voelker sees no problem with waiving the public hearing, and stated the application will be subject to the same level of discretion as the public hearing. Section 40.8 permits the Commission to waive the public hearing. This application is a modification of the site plan, and what was done at the prior public hearing was accomplished for this application. The footprint is the same, without any amendments to the site plan.

It was stated by Mr. Dawson that at the public hearing there were plans for the parking lot and addition.

MOTION by Mr. Dawson; seconded by Mr. Brucato.

MOVED that the Planning and Zoning Commission approves the waiver of public hearing for Rondo's Realty LLC, to expand a restaurant facility.

VOTE The motion passed unanimously by those present.

Mr. Voelker restated the fact that the Commission does not give up any discretion by waiving the public hearing, and the applicant has the same tests under the special permit application.

2. **Special Permit Application**
Rondo's Realty LLC
1721 Highland Avenue
To expand restaurant facility
SET FOR JULY 9, 2018

**3. Waiver Request Pursuant to Section 40.8 Revisions
To waive the Public Hearing
J&A Enterprises LLC
1322 Waterbury Road
Proposed 7,350 s.f. building
Industrial Warehouse**

This is a 7,350 sq.ft. auto body repair building in an I-2 zone. Mr. Voelker said the applicant is requesting waiver of the public hearing for the continuation and enlargement of the use of the property.

MOTION by Mr. Brucato; seconded by Mr. Walsh.

MOVED that the Planning and Zoning Commission approves the waiver of public hearing for J&A Enterprises LLC, for a proposed building industrial warehouse.

Discussion

Mr. Voelker stated this is an adjustment of the site plan, and there was prior approval for special buildings.

VOTE The motion passed unanimously by those present.

**4. Special Permit Application
J&A Enterprises LLC
1322 Waterbury Road
Proposed 7,350 s.f. building
Industrial Warehouse
SET FOR JULY 9, 2018**

**5. Special Permit Application
Nosal Builders Inc.
To waive the Public Hearing
85 Fieldstone Court
Construction of an approximate 5,000 S.F. addition
To existing building**

Mr. Voelker reviewed the information for this special use...an indoor medical waste recycling facility. This application is currently before IWW. The principle use at this time is "shredding", and 5,000 sq. ft. is a small addition to the building. The proposed use is 100% medical waste recycling, and it is an added use.

Mr. Todisco talked about the issue of having a public hearing for the special permit application.

MOTION by Mr. Brucato; seconded by Mr. Natale.

MOVED that the Planning and Zoning Commission hold a public hearing on the Nosal Builders Inc. application to construct a 5,000 sq. ft. addition to the existing building.

Discussion

It was made clear by Mr. Voelker that there is no burning of waste or fumes under this application.

Mr. Todisco said a vote on the public hearing does not reflect on the application.

The public hearing can be scheduled for July 9, 2018.

VOTE The motion passed 7-2; Dawson and Kardaras opposed.

Following the motion, the public hearing for the subject application was scheduled for July 9, 2018.

6. Special Permit Application
Nosal Builders Inc.
85 Fieldstone Court
Construction of an approximate 5,000 S.F. addition
To existing building
SET FOR JULY 9, 2018

7. Special Permit Application
Dr. Joshus Medeiros-Parks & Recreation
559 South Main Street
To operate a seasonal farmers market
SET FOR JULY 23, 2018

6. Other Planning and Zoning Commission Business

IX. ADJOURNMENT

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

MOVED to adjourn the meeting at 8:28 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk