

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION SPECIAL MEETING HELD ON MONDAY, MARCH 11, 2019, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz Jr. Chairman; Sean Stollo, Vice Chairman; Jeff Natale, Secretary; Members: Robert Brucato, S. Woody Dawson, John Kardaras, Gil Linder, Louis Todisco.

Alternates: Robert Anderson, Tom Selmont, Donald Walsh

Absent: Matthew Bowman

Staff: William Voelker, Town Planner; Gerald Sitko, Economic Development Coordinator

Guest: David Veleber, Town Council Liaison' EDC Member Mr. Dobbs

I. CALL TO ORDER

Chairman Stollo called the special meeting to order at 7:33 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: S.M. PUBLIC HEARING 2/25/19 AND REGULAR MEETING 2/25/19

MOTION by Mr. Natale; seconded by Mr. Stollo

MOVED to approve and accept the minutes of the Public Hearing of 2/25/19 and Regular Meeting of 2/25/19 subject to corrections, deletions, additions.

VOTE The motion passed unanimously by those present.

Chairman Kurtz added the approval of minutes of February 11' 2019 Public Hearing and Special Meeting to the agenda.

MOTION by Mr. Natale; seconded by Mr. Kardaras.

MOVED to approve adding the minutes of February 11, 2019 to the agenda.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Natale; seconded by Mr. Brucato

Severino Bovino, Vice President, Land Planner, Kratzert, Jones & Associates Inc. represented the applicant, Matt Switajewski.

Mr. Bovino informed the Commission that this is a small farm, 5.18 acres, at 1681 Waterbury Road, in an R-80 zone, serviced by public sewer and private well. The proposal is to build a small 40 ft. x 32 ft. building to be used to sell vegetables and produce from the farm. There will be the same existing curb cut; six (6) parking spaces; a gravel parking area; one (1) handicapped space; exit drive to be repaved; grading for drainage into rain garden; water from the rain garden will drain into a pipe to the existing rain system along the garden wall; the rain garden will achieve an increase in runoff which will alleviate most of the icing problems. The building is designed to have a natural look, stone veneers and wood posts. Lighting will be mounted on the building, directed towards the ground, and will be LED lighting. Landscaping is proposed with flowering shrubs and boulders.

Engineering Department had two comments and the applicant will comply with these comments.

Mr. Voelker read the Fire Department comments dated 3/8/19 into the record.

There are extensive comments from the State Department of Transportation (DOT). Mr. Voelker explained that the applicant can do nothing with the DOT until the Commission approves the application. The State requires the applicant to satisfy the DOT prior to certificate of occupancy for the property.

A rendering of the property/site, building and parking area were reviewed by the Commission.

Mr. Natale asked about the hours of operation for the farm stand.

Mr. Switajewski stated it would be normal daytime hours in the summer and fall seasons.

With regard to the produce sold at the farm stand, Mr. Voelker pointed out that the regulations states "most" of the products sold must come from the farm.

According to the regulations, Mr. Switajewski stated that "most"...a majority of the items sold will be produced on premises.

Mr. Dawson asked about Christmas Trees...as they would not be produced on site, but could be sold on the property. He agreed the applicant should state "most" and not "all" products will come from the premises.

In the regulations, Mr. Kurtz pointed out there are restrictions that a portion of the products must be raised or produced on a bona fide farm.

Mr. Voelker read an excerpt from the regulations...which states "a major portion". But, the applicant could bring in other products from other farms.

A concern was cited by Mr. Walsh regarding the road conditions on Waterbury Road and underground springs. He noted the State will not sign off on the application until the PZC passes the application.

Mr. Voelker noted that the State gave comments. The revised plans were done against the State comments. He has spoken with representatives from the State, and the revisions submitted are satisfactory. The applicant will not get a certificate of occupancy until Commission approval is received. If the State thought there were problems with the applicant, Mr. Voelker said he would have been so advised. At this time the State is satisfied with the revisions submitted against their comments.

There has been a temporary stand on the site for the last few years, and Mr. Walsh asked if the new stand would be self-service, as many customers come after work. He also asked about the six (6) parking spaces being enough parking. Mr. Walsh commented that the new farm stand will be great for the community.

According to Mr. Switajewski, the farm stand has customers throughout the entire day.

The Commission was informed by Mr. Voelker that the six (6) parking spaces meet the ratio for retail use.

Mr. Linder has concerns about the parking, and asked if the parking and curb cuts are according to State standards.

There is no paved parking lot and Mr. Voelker reiterated it will be crushed stone, and the applicant meets the dimensional requirements and has curb cuts.

Mr. Bovino pointed out there is a 24 foot wide curb cut there now; the parking spaces are 9 ft. x 18 ft. with one (1) handicapped space. The parking area is more than adequate. If there is much activity the applicant could expand the parking area.

At the request of Mr. Anderson regarding the DOT comments, Mr. Bovino explained the revised plan submitted to the State...doubling the rain garden, getting to the discharge point, 90 degree drainage into the State system and out, and more extensive drainage calculations were done to prove the plans would work.

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

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to construct and operate a roadside farm stand as shown on plans entitled "Site Plan for Francis H. & Tracie Switajewski, 1681 Waterbury Road, Cheshire CT revised through February 5, 2019 are consistent with the requirements set forth within the Cheshire

Zoning Regulations and hereby approves this application conditioned upon the following:

1. Comments from the Cheshire Fire Department dated March 8, 2019.
2. Comments from the Town Engineer dated March 4, 2019.
3. Comments from the Connecticut Department of Transportation, District 1, dated February 6, 2019. Satisfaction of all DOT comments must be completed prior to the issuance of a Certificate of Occupancy and/or any operation of this facility.

Discussion

Mr. Brucato asked if the temporary stand will be open while the new building is being constructed.

In reply, Mr. Switajewski said the drainage will be taken care of, and he will do the building in the Fall season. The farm stand will be open and customers coming in during the summer and fall seasons.

Mr. Brucato stated he appreciates the new building for the farm stand, and it will look nice.

Mr. Dawson stated it is a nice building; it will be an asset and good for the town, and the applicant did a nice job in the building design.

Stating he has concerns about the icing in the winter time, Mr. Walsh is okay with the plans as long as the State signs off on the plans. He hopes there is correction to the water going down RT 70 in the winter as a result of the applicant's plans, and if so it would be great. He likes the look of the building and will support approval.

Chairman Kurtz stated this is a good business for the town, and asked about expansion of the parking area.

Mr. Switajewski stated that nothing will be done on the property before approval of the Commission and then pending State approvals.

With regard to the icing problems, Mr. Bovino said there will be additional frontage heading west. There could still be some possible icing. In front of the property there will be rain gardens along the frontage.

VOTE The motion passed unanimously by those present.

VII. NEW APPLICATIONS

1. **Zone Text Change Petition**
The Cheshire Housing Authority

**To delete existing Section 44A Omnibus
Affordable Housing Development and
Regulation...and
Add: Section 44A Affordable Housing Development
SCHEDULED FOR APRIL 22, 2019**

- 2. Request to Waive Fee for Zone Text Change petition
The Cheshire Housing Authority
WITHDRAWN, FEE PAID**

3. TABLED APPLICATIONS

- a. Special Permit Application PH 01/28/19
Royal Vision Management & Investments PH 02/11/19
831 South Main Street PH 02/25/19
Conversion from Motor Vehicle repair use to PH 3/11/19
Retail use and parking improvements. MAD 5/8/19
PUBLIC HEARING TABLED TO 3/25/19
Per request from Applicant**
- b. Amendments to the 2016 Plan of Conservation
and Development
Planning and Zoning Commission
Public Hearing 3/25/19**
- c. Special Permit Application PH 3/25/19
Sheela Tummala MAD 5/29/19
95 Higgins Road
Cottage food operator
PUBLIC HEARING 3/25/19**
- d. Special Permit Application PH 3/25/19
Wally Kerrigan, Engineer, Greenskies MAD 5/29/19
490 Highland Avenue
Installation of two solar carports in the
Police Dept. parking lot in the rear of the
Building.
PUBLIC HEARING 3/25/19**

The Commission was informed by Mr. Voelker that the meeting with the Town Attorney and PZC will be scheduled for April, but no date has been confirmed.

VIII. ADJOURNMENT

MOTION by Mr. Dawson; seconded by Mr. Anderson

MOVED to adjourn the meeting at 8:05 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk