

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION SPECIAL MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, JANUARY 13, 2020 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl J. Kurtz III, Chairman; Jeff Natale, Secretary;

Members: Matthew Bowman, Robert Brucato, S. Woody Dawson, Gil Linder, Louis Todisco.

Alternates: Robert Anderson and Tom Selmont

Absent: Sean Strollo and Casey Downes (Alternate)

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Kurtz called the special meeting to order at 8:10 p.m.

II. ROLL CALL

The Clerk called the roll.

III. DETERMINATION OF QUORUM

Following roll call, it was determined that a quorum was present for the public hearing.

IV. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

V. ACCEPTANCE OF MINUTES – Public Hearing, 12/9/19 and Regular Meeting 12/9/19

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

MOVED to approve and accept the minutes of the Public Hearing of 12/9/19 and Regular Meeting of 12/9/19 subject to corrections, deletions, additions.

VOTE The motion passed unanimously by those present.

VI. COMMUNICATIONS

1. Letter from Anthony F. Fazzone, Esq. dated 1//2020
RE: Request for a 90-day extension to file the Resubdivision Map for the Approved Miller Napolitano Wolff LLC and Tri-Star Development LLC, North End Parcel.

(Commissioner Bowman was recused from this agenda item)

Mr. Voelker read the letter from Attorney Fazzone into the record.

MOTION by Mr. Kardaras; seconded by Mr. Brucato

MOVED that the Planning and Zoning Commission hereby authorizes a 90-day extension for the filing of the subdivision maps for the approved subdivision at 1953 Highland Avenue, 2037 Highland Avenue and MBL 3-51 as authorized under Section 8-25 of the Connecticut General Statutes.

Discussion

Mr. Voelker informed the Commissioners that the 90-day extension goes to May 5, 2020.

Mr. Dawson said this is a reasonable request.

VOTE The motion passed unanimously by those present.

VII. UNFINISHED BUSINESS

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| <p>1. Special Permit Application
 <u>A.M. Napolitano LLC</u>
 1675 Marion Road
 Rear Lot Access-way</p> | <p>PH 11/13/19
 PH 11/25/19
 PH 12/9/19
 PH 1/13/20
 MAD 3/18/20</p> |
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MOTION by Mr. Dawson; seconded by Mr. Bowman.

MOVED that the Planning and Zoning Commission finds that this application satisfies the requirements of Section 5.5 (Rear Lots) within the Cheshire Subdivision Regulations as shown on plans entitled "Resubdivision Plan, West Farm Terrace, Prepared for A.M. Napolitano, 1675 Marion Road, Cheshire CT" revised through November 9, 2019, and hereby approves this application conditioned upon the following:

1. Compliance with comments from the Cheshire Fire Department dated November 11, 2019.
2. Comments from the Town Engineer dated December 2, 2019.

VOTE The motion passed unanimously by those present.

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| <p>2. Resubdivision Application
 <u>A.M. Napolitano LLC</u>
 1675 Marion Road
 15-Lots</p> | <p>PH 11/13/19
 PH 11/25/19
 PH 12/9/19
 PH 1/13/20
 MAD 3/18/20</p> |
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MOTION by Mr. Dawson; seconded by Mr. Kardaras

MOVED that the Planning and Zoning Commission finds that the application to create 15 residential building lots at 1675 Marion Road, as shown on plans entitled "Resubdivision Plan, West Farm Terrace, Prepared for A.M. Napolitano, 1675 Marion Road, Cheshire CT" satisfies the requirements of the Cheshire Subdivision Regulations and the Cheshire Zoning Regulations revised through November 19, 2019, and hereby approves this application conditioned upon the following:

1. Compliance with comments from the Cheshire Fire Department dated November 11, 2019.
2. Comments from the Town Engineer dated December 2, 2019.
3. Homeowners Association Guidelines to be approved by the Town Attorney.

Discussion

Mr. Voelker stated that the homeowner's association guidelines have been approved. Attorney Hall will modify the guidelines to reflect this subdivision, and have them reviewed and approved by the Town Attorney.

An amendment to the motion on the floor was made by Mr. Bowman.

MOTION by Mr. Bowman; seconded by Mr. Brucato.

MOVED that the stipulation requiring an outside engineer be removed, and the procedure of the Town Engineer be used.

Discussion on the amendment

Mr. Voelker read Section 5.5(b)13 of the Subdivision Regulations into the record.

With this reading of the regulations regarding an outside engineer, Mr. Bowman said there is no reason for the stipulation in the CFD requirements.

Chairman Kurtz pointed out the regulations already have the requirement.

Mr. Todisco said he is reluctant to be critical of the CFD, which wants to insure public safety, and will not support the amendment to the motion.

Following discussion, Mr. Bowman and Mr. Brucato withdrew the amendment to the motion.

VOTE The original motion passed unanimously by those present.

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| <p>3. Resubdivision Application
 <u>Napolitano Dietrich LLC</u>
 678 Coleman Road
 2-lots</p> | <p>PH 1/13/20
MAD 3/18/20</p> |
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MOTION by Mr. Dawson; seconded by Mr. Brucato.

MOVED that the Planning and Zoning Commission finds that this application satisfies the requirements of the Cheshire Subdivision Regulations and the Cheshire Zoning Regulations as shown on plans entitled "Resubdivision, Lot 1-Coleman Farm Subdivision, Prepared for Napolitano Dietrich LLC, 678 Coleman Road, Cheshire CT" revised through January 13, 2020, and hereby approves this application conditioned upon the following:

1. Compliance with comments from the Cheshire Fire Department dated January 9, 2020.
2. Compliance with comments from the Town Engineer dated December 2, 2019.
3. Comments from the Cheshire Health District dated November 14, 2019.

Discussion

Mr. Brucato thanked the applicant for following the CFD guidelines.

VOTE The motion passed unanimously by those present.

VIII. NEW BUSINESS

1. **Special Permit Application**
 Pool and Water People of CT
 286 Industrial Avenue, Unit #1
 Swimming Pool Contractor Warehouse and office
 SCHEDULED FOR JANUARY 27, 2020

2. **Zone Map Change Petition**
 Clearview Farm Preserve LLC
 947 Cornwall Avenue Extension
 R-80 to R-20
 SCHEDULED FOR JANUARY 27, 2020

3. **Resubdivision Application**
Clearview Farm Preserve LLC
Cornwall Avenue Extension
7-lots, including existing house
SCHEDULED FOR JANUARY 27, 2020

4. **Waiver Request**
Clearview Farm Preserve LLC
Cornwall Avenue Extension
25.3.2 to Waive Subsection 9 under
Section 25.5
SCHEDULED FOR JANUARY 27, 2020

5. **Earth Removal, Filling and/or Regrading**
Clearview Farm Preserve LLC
Cornwall Avenue Extension
SCHEDULED FOR JANUARY 27, 2020

IX. ADJOURNMENT

MOTION by Mr. Kardaras; seconded by Mr. Natale

MOVED to adjourn the regular meeting at 8:26 p.m.

VOTE The motion passed unanimously by those present.

Attest:


Marilyn W. Milton, Clerk