

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION
PUBLIC HEARING HELD AT 7:30 P.M. ON WEDNESDAY, OCTOBER 12,
2011 IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET,
CHESHIRE CT 06410**

Present

Sean Strollo, Chairman, Secretary, Tali Maidelis; Lelah Campo, Martin Cobern,
Lelah Campo, John Kardaras, Gil Linder, Louis Todisco.

Alternates – Mr. Gaudio.

Absent: Earl Kurtz, S. Woody Dawson; Alternates Ms. Marinaro and Mr. Bulger.

Staff: Suzanne Simone.

I. CALL TO ORDER

Mr. Strollo called the public hearing to order at 7:30 p.m.

Mr. Strollo read the fire safety announcement.

II. ROLL CALL

Mr. Maidelis called the roll. The group Pledged Allegiance to the Flag.

III. DETERMINATION OF QUORUM

Following roll call a quorum was determined to be present.

VI. BUSINESS

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| 1. | Special Permit Application
<u>Frederick Pierson</u>
779 Allen Avenue
Rear Lot Access | PH 9/25/6/11
PH 10/12/11
MAD 12/16/11 |
| 2. | Subdivision Application
<u>Frederick Pierson</u>
779 Allen Avenue
6-lots | PH 9/26/11
PH 10/12/11
MAD 12/16/11 |

Darin Overton, P.E. Milone and MacBroom, Inc. explained that there was one open item from the prior public hearing on this application related to fire hydrants. This issue has been reviewed with the Fire Department. The conditions under item #5 have been changed to say a fire hydrant is not needed unless the furthest house extends more than 850 feet from the existing hydrant. In this subdivision the furthest house on the rear lot access way is about 755 feet from the nearest fire hydrant. The applicant has no issues with the five items being made a condition of decision. As it stands, no fire hydrant would be needed, but if any house is pushed back beyond that distance, a hydrant would be needed.

Mr. Cobern asked about the difference between this application and the 2005 application.

In response, Mr. Overton summarized these differences as follows. Lots 2, 3, and 4 rear lots, now have septic systems, with testing done and sanitation certificates received from Chesprocott. There is elimination of frontage sidewalks; there is elimination of the sewer main and easement associated with it; there are modifications to the grading between lots 4 and 5 to provide a walkout for lot #5 and a level yard around these two houses.

For the record, Mr. Cobern said that other than these changes, this is the same application as approved in 2005.

Mr. Strollo read from the minutes of the prior approved application, and asked about the two lots in the front being sewerred or have septic systems.

The Commission was informed by Mr. Overton that the existing house, lot #6, and lot #1 and lot #5, will have sewer laterals extending off the existing main, and have sewers. All lots will have public water supply.

Secretary Maidelis read revised comments from the Fire Department dated October 11, 2011 into the record.

The public hearing was closed.

3. Special Permit Application
Jorasa LLC
382 South Main Street
Professional Office Building and
Two Residential dwelling units

PH 10/12/11
MAD 12/16/11

Darin Overton, P.E. Milone and MacBroom, Inc. represented the applicant. He displayed the existing conditions plan for this already developed property, in an R-20 A zone, on .93 acres of land, at 382 South Main Street. This site is currently the location of the Cross Fit Gym, was formerly the Power Barn and Cheshire Tree Service. There are existing professional buildings to the north and south, Old Towne Condominiums to the east, and Route 10 to the west. The topography on the site is gently sloping towards the east and rear of the property. There is an existing watercourse in the back which flows into the Mill River. The high point is along Route 10 at elevation 232, and the low point along the southern property line is 212.

On the plans, Mr. Overton pointed out the former residence with garage, and then used as an office, and is now vacant. The steel building in the back is where the two former gyms were located. There is a U-shaped driveway entrance, with two existing curb cuts, and access drive to the larger rear building.

There were some wetlands delineated in the back of the parcel, and IWW has granted the application approval. The site has existing utilities off Route 10, with access to sewer, water, gas, electric, telephone, cable.

Proposed rendering of the project – Mr. Overton displayed the rendering of the 7,500 s.f. building. It is proposed for office use of 3,750 s.f. on the ground and first floors; and on the upper level will be two apartments, each about 1,400 s.f.

Parking – for the 5,500 s.f. use, the parking requirement is 28 spaces, and the apartments each require 2 parking spaces; so, the total required spaces is 32. The applicant shows 35 spaces on plan, with two handicapped spaces proposed.

The applicant has consolidated two curb cuts into one curb cut (southern), which lines up with the access driveway. There will be reconfiguration of the rear parking areas to accommodate the new configuration. The lot is 100 feet wide, and the one way configuration is the best way.

Traffic study – it is estimated there will be 12 more trips in the morning peak hours and 25 trips in the afternoon peak hours. About 800-900 trips per hour exist on Route 10, so this is a minor increase in traffic. There is no change in level of service; any delays in existing the property will deal with the site itself; there is excellent sight along the frontage; and the traffic light both north and south of this property will create breaks for people to enter and exit the site.

Architecture Plan – This site is in an R-20 A zone, and there is attention to the residential look, with floor plans and elevations provided. Mr. Overton pointed out the color to the elevations of the building on the plan, with reddish/brownish brick along the bottom, beige siding, and gray roofing. The landscaping plan is provided in the application, with the front having mixed plantings, and taller plantings along the front. Multiple textures and patterns have been used to break up the scale of the building, providing a more residential look, making it look smaller than it actually is.

Utilities – There is not much of a change in the development area on the site, and it is being re-developed in the same development area, with no loss of vegetation and rear grass area for parking. The site has some increase in impervious surface, and a low impact development design has been incorporated in the plans.

The entrance drive is curved, with a catch basin to collect runoff. The building is designed with a few steps up in front, walk out back area, and the grade difference is made up with a catch basin, a pipe running back to another structure, two bio-detention areas in the back. The parking lot will have runoff to the middle; there is some overflow into the drainage system, and the detention

area in the back spans the lot. There is enough volume for zero increase for 200 year storms.

The Engineering Department has reviewed the engineering report, and had no further comments.

Water Quality – it has been designed following the DEP Water Quality Manual. Low impact development principles are in the design; there is a deep catch basin, and proposed basins have DEP water quality volume and ground water recharge volume; both are vegetated basins for filtering, and have overflow into the existing stream in the back.

The proposed building will be served by public sewer, with reconfiguration of the existing lateral to serve the building. The water connection is the same thing. For fire protection purposes the applicant may have to have a separate line. There is an existing gas lateral to be utilized for the building, and a pole for all the electrical and communications connections.

Sediment and erosion controls are simple. There is a bio-retention area in the back to be used as a sediment basin. The existing driveway will serve as the construction entrance, or be replaced by a stone construction pad.

Mr. Cobern asked about the elevation view of the building, with the offices in the ground and first floor levels and in the rear, with two apartments on the top level. He questioned access for the apartments, and if there was an elevator in the building.

In response, Mr. Overton stated there are two stair wells to provide for emergency exits, and the building will have an elevator. Each apartment has front and rear views.

Regarding the traffic study, Mr. Todisco asked about the 12 and 25 increase in traffic, and if this is more than the previous use.

These are the increases in the peak hours, and Mr. Overton said the current volume is 2 or 3 cars. The owner has been moving towards selling the property and the current occupant has decreased its operation, and the clientele does not match the peak hours on Route 10. The clientele is more on an appointment basis. The traffic study was conducted after school opened.

Mr. Todisco asked about the runoff to a stream in the back during a large storm event.

Mr. Overton said that the roof leaders are tied into the storm drainage system. On the plans he pointed out where the pavement pitches towards the middle, the

area which fills up and overflows into the system. There is not increase in peak rates up to the 100 year storm.

Mr. Gaudio commented on taking out the north exit and combining it with the south entrance for in and out of the site. He asked about going out north rather than south and if this was a problem.

In reply, Mr. Overton said it would be difficult to switch that driveway around the front. DOT prefers less curb cuts, and the applicant wants some green space in the front. During peak hours Route 10 is backed up at this location, and the lights enable breaks for turning.

Mr. Gaudio asked about lighting on the property.

There will be safety lighting for the parking, but Mr. Overton said it is now shown on the plans. The Fire Department wants to continue this public hearing pending further review.

It was noted by Mr. Maidelis that the Old Towne residents had comments about lights shining into their homes with the prior application. He asked about a demolition sequence and when construction will begin.

The Commission was informed that the applicant expects a clean slate for this project, and is not proposing to demolish any of the existing structures. The owner will get a demolition permit with the work done before the property changes hands. Mr. Overton said the demolition will take place any time now, and was to start in October. The applicant plans to finalize his construction documents in the winter and put the project out to bid in the spring.

Mr. Maidelis expressed concerns about the demotion in the spring time when the Mill River is at its highest, and that there be a proper sequence.

Mr. Overton believes the demolition will take place this Fall with a demolition permit filed with the Town.

In response to a question on the total square footage of the building, Mr. Overton stated the gross square footage is 7,500; and the footprint is 3,750 s.f. on each level. There is 5,500 s.f. of usable space and this is on the plans.\

The two apartments, will be two bedrooms, about 1,400 s.f. for each.

Secretary Maidelis read the Fire Department comments into the record, dated October 11, 2011.

The public hearing was continued to October 24, 2011.

4. Subdivision Application
Verna Properties LLC
174 Wiese Road
(Pemberley Estates)
9-lots

PH 10/12/11
MAD 12/16/11

Joan Molloy, Esq. Loughlin FitzGerald P.C. 150 South Main Street, Wallingford CT, represented the applicant. Ms. Molloy stated that the applicant is seeking to subdivide 13.5 acres, in an R-40 zone, into nine (9) residential lots. The property is located on the westerly side of Wiese Road, about 500 feet north of Academy Road. The property is one of three parcels owned by Sharon Brownridge, and is known as the Garthwaite property, consisting of parcels A, B, C, and D. The applicant proposes to clear everything north of the Honeypot Brook and existing pond, and create new boundary lines.

The application is before the IWW and the question is whether the property is located within any watershed. A letter was submitted to the Regional Water Authority, with a response that the property is not within a watershed, so RWA would have no comments.

The plan is to remove the existing house and driveway and utility service poles, and discontinue the septic system and well. Comments have been received from the Engineering Department, and the applicant is working on them at this time. No comments from Police and Fire Departments have been received to date.

Anthony Tranquillo, P.E. pointed out the property site on the map. He said there would be a 750 ft. road with a cul de sac, driveways, for 9 lots. The lots will be about .95 acres, with the largest lot #5 having 3.2 acres. The land is meadow and lawn area with mature forest. The larger lots are shown due to the topography in the area due to large trees.

There is a water main extension from Wiese Road extending to the cul de sac to the fire hydrant. Utilities will be public water and private septic systems. The Health Department has approved the lots for septic disposal and testing has been done. A modern storm drainage system is to be installed; there will be an underground storm water management system, 48 inch concrete pipe in the roadway, and some ADS pipe off the roadway. This will require some tweaking; 800 feet of pipe is shown, and it may be slightly less if there is disposal for each individual lot provided.

Mr. Todisco asked about the length of the cul de sac.

According to Mr. Tranquillo the road length from the intersection of Wiese Road to the beginning of the cul de sac is 700 feet, with the cul de sac at the end. This meets the regulations.

Stating that this property backs up to Cheshire Academy, Mr. Gaudio asked about thoughts to a right of way into the Academy property on lot #5.

There have been no discussions between the applicant and the Academy, and Mr. Tranquillo said there are wet lands into the Academy property. There were no thoughts of extending the cul de sac beyond the requirements. Going onto Academy property would not allow for an extension and would be a major impact to the wetlands. Such a road would do major environmental damage, and it was not deemed appropriate to extend it any further than what is shown.

Mr. Maidelis asked why all the other lots are shown when the applicant is purchasing the development of the lots further up.

In response, Ms. Molloy said that with revisions to the lot lines for two lots, it made sense to show the Commission what currently exists and what will exist with approval of the subdivision. There are sidewalks shown for the subdivision's new road.

Mr. Todisco noted that 4 parcels were described, A, B, C, D, and he asked if the proposed project encompasses all 4 parcels.

The project includes all of Parcel D, the north part of Parcel A, and the northern portion of Parcel C. Ms. Molloy explained that the lot line is changing so the pond stays on the property to be retained by Ms. Brownridge. The applicant is taking everything north of the pond and brook which will be part of the subdivision. Ms. Brownridge will have two parcels, revised parcel A and B.

With regard to the one acre zoning, Ms. Campo asked about the lots that are 93.6 acres, less than one acre.

In the zoning regulations the requirement for one acre is 40,000 s.f., and a normal lot is 43,560 s.f. Ms. Molloy said that a building lot is slightly less than a normal acre, so there can be an approved lot with .93 or .95 acres.

Mr. Cobern asked about the property owner granting permission for commissioners to individually walk the property.

In response, Ms. Molloy said that there is no objection to commissioners taking an informal walk on the property at 175 Wiese Road.

PUBLIC COMMENTS AND QUESTIONS

Joe Angelicola, 176 Wiese Road, addressed the Commission, stating he lives directly across the street from the proposed development, and is not pleased to have 9 houses across from his home. He asked the following questions regarding the application:

Where is the entrance in relationship to his home?
How will construction affect the brook?
Will the houses be in a flood zone?
Can the brook accept water and drainage?

Mr. Angelicola also stated his concern about additional traffic from the proposed development.

On the plans, Mr. Tranquillo pointed out the access to the development which is directly across the street from the Angelicola home. There will be an in-ground detention system; the wetlands and pond will be protected with sediment controls; and there will be no effect on a flood zone or water over and into the brook or pond.

Ms. Simone read Engineering Department comments dated October 11, 2011 into the record.

According to Ms. Molloy the current standards for drainage is that there can be no net increase of flow off the site. The proposed storm water system is designed for less storm water flowing off than the current condition. The stream is flowing away from the Angelicola property. The water being added by the development will continue to flow to the west. IWW has made a formal site walk on the property and recognizes there is significant wet lands.

This development will not have a permanent impact on the wet lands system, brook or the pond. There will be no flooding for any property owner.

Mr. Tranquillo stated that the Engineering Department comments will be addressed, with the applicant working to satisfy these comments.

With regard to a traffic study for this project, Ms. Molloy explained that a study has not been done because a small subdivision does not trigger the requirement under the regulations for a traffic study. There is no information from the Police Department about the safety of the road, and the applicant will be consulting with Town staff.

Mr. Maidelis expressed his concern with Wiese Road being a race way, with cars speeding up and down the hilly road. He wants to visit the site because sight lines are important.

Mr. Tranquillo said there will have to be some grading and clearing on the north side of the intersection to provide appropriate sight distances.

On the plans it shows the water running and going to Cheshire Academy, and Mr. Strollo asked about lot #9, and how close the wetlands and rear setbacks are to this lot.

Mr. Tranquillo stated that the closed point to the wetlands buffer line is 50 feet. The septic system is outside of this by 52 ft. 9 in. on the back side of the house.

The public hearing was continued to October 24, 2011.

V. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Todisco.

MOVED to adjourn at 8:30 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk