

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION SPECIAL MEETING PUBLIC HEARING HELD ON MONDAY, JULY 13, 2020 AT 7:30 P.M. VIA VIDEO TELECONFERENCE (PER EXECUTIVE ORDER OF THE GOVERNOR OF CONNECTICUT)

*Public access made available through live streaming on YouTube at https://www.youtube.com/channel/UC4_xey3QjJmwe57R_6K94Dw
Public comments accepted at Comments@cheshirect.org and by voice mail message at 203 271-6638. Video will be available on Channel 14 and on demand at www.cheshirect.org as soon as possible.*

Present

Earl J. Kurtz III, Chairman; Sean Strollo, Vice Chairman; Jeff Natale, Secretary; Matthew Bowman, Robert Brucato, S. Woody Dawson, John Kardaras, Gil Linder, Louis Todisco.

Alternates: Robert Anderson, Tom Selmont;

Absent: Casey Downes (Alternate)

Staff: William Voelker, Town Planner; Suzanne Simone, Environmental Planner

I. CALL TO ORDER

Chairman Kurtz called the public hearing to order at 7:30 p.m.

II. ROLL CALL

Secretary Natale 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. BUSINESS

Commissioner Brucato was recused from application #1; Commissioner Todisco was unconnected from the Zoom virtual meeting; Alternate members Anderson and Selmont were seated for application #1.

1. **Special Permit Application**
LaBarge, LLC member Jamie C. Ferguson
125 Commerce Court
Manufacturer Permit for beer and brew pub

PH 7/13/20
MAD 9/16/20

Attorney Matt Hall, Cheshire CT, and Ryan McEvoy, P.E. Milone and MacBroom LLC represented the applicant.

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Attorney Hall stated the special permit application is for the manufacturing and consumption of beer at the premises at 125 Commerce Court, in accordance with Section 30, Schedule A, Item 58 of the Cheshire Zoning Regulations.

Mr. Hall noted submission of his letter of June 18, 2020 to the Commission for the subject application, and highlighted salient points in the letter.

- The applicants are seeking approval to manufacture beer through the brewing process at 125 Commerce Court, Cheshire CT, the “Premises”, in compliance with State regulations and guidelines.
- The applicant will operate with a beer license.
- The establishment will be a 2,400 S.F. brewery; it will have a 1,500 S.F. outdoor seating area in the rear to accommodate about 44 patrons; the outdoor space will be made as safe as possible, and is a mobile area.
- The property is zoned I-1; is 2.57 acres; and served by public water and sewer.
- The application has received WPCA feasibility approval.
- There will be no preparation of food on-site; food will be provided by a food truck vendor; or patrons can bring their own food or have food delivered.
- It is not the intent of the applicant to contemplate infrastructure or use in the form of a restaurant.
- Applicant will manufacture, serve and sell their product on-site in accordance with State laws, and in cooperation with abutting neighbors and respect for the Cheshire community.
- Peak hours of operation are expected to be from 6 p.m. to 9 p.m. on weeknights, and 2 p.m.-10 p.m. on weekends.
- The facility expects to have seven (7) employees on-site during peak weekend hours, and one (1) to three (3) employees during off peak times.

The Premises is one unit (#7) of an eleven (11) unit condominium complex; one unit is currently unoccupied; and other units are small office tenants and one light manufacturing use.

Parking – Mr. Hall explained that the parking plan takes into consideration the office type uses which will have parking demands that do not peak at the same time as the applicant’s facility. There is no expectation of high parking demands. The applicant has been working with the Cheshire Fire Department staff to accommodate any concerns with location of the food truck, access to neighboring units, and keeping patrons in a safe location in the rear of the facility.

With regard to parking in the rear, Mr. McEvoy said there are no formal spaces back there, and there is insufficient lighting to support a formal parking area.

Ryan McEvoy, P.E. stated the plan is to use the existing parking area in the front of the building. The south side of Commerce Court has 11 units occupied by industrial and

quasi-industrial and office space. There is no anticipation of a need for parking in the rear; there is insufficient lighting in the rear for formal parking. The applicant will occupy unit #7; it is 1,200 S.F. for the brewing operation; outdoor space is 30 ft. x 50 ft. There is substantial space (28 feet wide) for vehicles traveling to the rear of the building. The area will be protected by “jersey barriers”.

Food Truck – This vendor will be within a gated area; the food truck is mobile; the area will be safe for people using the outdoor space; lighting will be done for the outdoor seating area (overhead lighting); the outdoor seating is mobile in nature.

Hours of Operation – Mr. Hall cited the hours of operation – Weekends from 2:00 p.m. to 10:00 p.m.; Weekdays 5:00 p.m. to 9:00 p.m.; Peak Hours – 6:00 p.m. to 9:00 p.m.

In response to a question about “entertainment” at the facility, Mr. Hall stated that is not a consideration at this time and is not part of the initial business plan. In the future it is possible there could be bands playing, but the applicant wants to be considerate of neighbors. This site does not lend itself to entertainment.

License – The license from the State of Connecticut is for beer only...it is a beer license.

Parking in the Rear – In response to a question from Mr. Bowman on current businesses parking in the rear, Mr. McEvoy reported he has not see rear parking during his site visits.

Town Planner Voelker advised that this is a loading area, and the applicant does not want to impair this area for the other businesses.

With regard to the other businesses in the complex and their hours of operation, Attorney Hall explained that they are small operations, and not usually open for weekend business hours. They are not “customer” type business uses or customer driven establishments.

Mr. Todisco commented on the fact that when the subject business starts at 6:00 p.m. the other businesses will be closed...and their parking spaces used by the applicant.

Stating that is correct, Mr. Hall reiterated that the other businesses are generally office use, not open on weekends, and they will not have extra parking demands on weekends.

Mr. McEvoy stated that the number of parking spaces is based on compliance with the zoning regulations and hours of operation. He does not believe there will be a significant overlap for use of the parking spaces.

There were no further questions or comments. Chairman Kurtz closed the public hearing.

**2. Special Permit Application
Brocach Copper Ridge LLC
11 Copper Valley Court
Accessory Apartment**

**PH 7/13/20
MAD 9/16/20**

Attorney Anthony Fazzone represented the applicant. He cited the staff report and the fact it clearly summarizes the application for a 600 S.F. accessory dwelling in a new construction at 11 Copper Valley Court. With the house under construction, it is easier for the applicant to comply with the regulations for a unit to be occupied by one of the homeowner's parents. The unit will have a private entrance and connect to the rest of the house. The unit complies in all respects to Section 30, Schedule A, #5, Accessory Apartment.

Town Planner Voelker read comments from the Cheshire Fire Department dated July 2, 2020 into the record.

There were no further questions or comments. Chairman Kurtz closed the public hearing.

CHAIRMAN KURTZ RECESSED THE PUBLIC HEARING AT 7:50 P.M.

CHAIRMAN KURTZ RECONVENED THE PUBLIC HEARING AT 7:56 P.M.

Chairman Kurtz explained that the Commission is holding Zoom/virtual meetings to be in compliance with the Governor's Executive Order and consultations with the Town Attorney and Town staff. At this time, the virtual meeting is the only viable way to conduct town business. Until different advice is received from the Governor and/or the Town Attorney, the Commission must continue to conduct its business through virtual meetings.

**3. Zone Map Change Petition
Lamp Realty LLC
50 Hazel Drive
From SARDD/R-80 to AHD (Affordable
Housing Development)
Section 44A**

**PH 7/13/20
MAD 9/16/20**

**4. Special Permit Application
Lamp Realty LLC
50 Hazel Drive
Construction of a 114-unit affordable
Housing development (2 residential
Buildings)**

**PH 7/13/20
MAD 9/16/20**

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For the subject applications, Town Planner Voelker read the following comments into the record. Cheshire Fire Department dated July 9, 2020; Cheshire Police Department dated April 29, 2020; Town Engineering Department dated June 15, 2020.

Attorney Joseph P. Williams, Shipman & Goodwin LLP, New Haven CT, Land Use and Environmental Attorney, represented the applicant, Lamp Realty LLC.

Attorney Williams cited the names of other representatives for the application:

John Cruet, Jr. A.I.A., Guilford CT;

Anthony Nizzardo, Lamp Realty LLC;

Ryan McEvoy, P.E. Milone & MacBroom Inc. Cheshire CT;

David Sullivan, Traffic Engineer, Milone & MacBroom Inc.

Attorney Williams stated that the applications are brought forward to work with the Commission to implement the vision established with the Town of Cheshire's Affordable Housing Regulations established a year ago. The regulations create more affordable housing in Cheshire affordable to moderate income households and make a positive enhancement to the housing stock in Cheshire. The proposal for Lakeside of Cheshire at 50 Hazel Drive does exactly this.

Anthony Nizzardo, Lamp Realty LLC, Stratford CT, introduced himself and the Nizzardo Family Business to the Commission. Mr. Nizzardo gave a short history of the company, started in 1978, in the building and construction industry, with development of over 700 residential housing units. In 2005, the 50 Hazel Drive property was purchased by the Nizzardo Family/Lamp Realty to develop and sell fifty (50) age-restricted residential units, Larsons Landing, and the application received Commission approval. Demolition started on the nursing home buildings, retaining two wings as required by the zoning regulations. In 2007, the market disappeared and the project did not move forward.

Mr. Nizzardo reported that the business held onto the land. Last year, the Cheshire Planning and Zoning Commission adopted new Affordable Housing Regulations rather than rely on State statutes. Milone & MacBroom designed the 50 Hazel Drive site; John Cruet is the Architect designed the building; Attorney Joseph William is the Land Use Attorney. The project is designed in complete compliance with the new regulations, and is a project well needed in Cheshire. The company has done a similar project in Stratford CT, 10-15 minutes from Bridgeport Hospital. Multiple doctors, nurses, residents, young professionals, empty nesters, some elderly couples are renters for this housing development.

Rents for the Cheshire AH units will range from \$1,200 to \$2,400per month depending on the number of bedrooms. The site is near I-84, RT 70/Waterbury Road with shopping and restaurants nearby. Mr. Nizzardo believes this project will be a great asset to Cheshire; it will be a substantial contribution to the tax base; and is a need in Cheshire and Connecticut. Mr. Nizzardo thanked the Commission for its time.

Attorney Williams presented some historical points about the property, and status of the proposal at this time.

1972 – Lakeview Nursing Home built on the site; 210 residents and a large staff; the home was operated in two (2) concrete buildings; there was an X type connector between the buildings; the home closed and was vacated before 2005. This home had a greater building coverage than what is proposed for the new project.

PZC gave approval to the application for age-restricted residential housing units under SARDD regulations. This included a landing and dock down to the pond, an increase in building coverage, lot coverage, and was closer to the pond and wetlands than the subject application. In 2005, the market died, as did this project.

Fall 2018 – The idea of a multi-family housing proposal moved ahead for the site. John Milone and Attorney Williams met with Town Planner Voelker to discuss the proposal, do something under town's regulations, and not need a Section 8-30 for the application. Mr. Voelker informed them that the POCD recommended revising the town's Affordable Housing regulations, and this was being worked on by the Cheshire Housing Authority (CHA).

May 2019 – The Planning and Zoning Commission adopted an amendment to Section 44A, added affordable housing stock, encouraged collaboration with the private sector. Attorney Williams commended the PZC for amending the regulations. The applicants saw the adopted regulation and decided they could work with it, and decided to put forward an application to the Commission.

When the plan was completed, the applicants and their representatives began discussion with town staff and feedback was received from town staff.

April 23, 2020 – The Water Pollution Control Authority (WPCA) granted preliminary approval for septic system capacity.

May 7, 2020 – Attorney Williams and the applicants had a meeting with town staff to present plans, received staff feedback, which was incorporated into the plans.

July 7, 2020 – The Inland Wetlands & Watercourses Commission (IWW) approved the wetlands permit for the development. There were no hits on the National Diversity Data Base.

June 21, 2020 – The applicant filed the zoning applications pending before the PZC; letters were mailed to neighbors about the proposed application with invitation to a meeting via web-x; multiple e-mails and calls with questions were received, and they received responses; the applicant provided everyone with a drop-box for all application materials to avoid people having to go to town hall to view the documents.

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Attorney Williams informed the Commission that the applicant has read all the comments submitted, and the team will be addressing them as they go through the presentation. If the applications are approved by PZC, Mr. Williams stated there will be applications made to the State Office of Traffic Administration and DOT.

The applicant has two applications before the Commission...Zoning Change to Affordable Housing District and for Special Permit to allow the development.

Attorney Williams cited Section 44A of the regulations. Both applications comply with this regulation. The zone change meets the standards under Section 44A.3 for which properties and areas of town qualify for this type of development, and the subject site meets this requirement.

Attorney Williams cited reasons why Hazel Drive is good location for multi-family housing.

- For 50 years the property has been approved for multi-family housing and developed for it;
- The site is served by public water and sewer;
- Apartment buildings adjoin the Hazel Drive property on two sides to the south and west. Properties accessing Hazel Drive are in use for multi-family housing.
- The property is in a transitional area, between single family neighborhood, existing apartment properties, commercial and other businesses, and is buffered to the north by a large undisturbed portion of the parcel/open space owned by the town, and east to the pond on the site.
- The property is near an arterial road, Waterbury Road, near I-84 and commuter parking lot.
- Property is within walking distance to the CT Transit bus line

The Commission designated appropriate areas of town for multi-family affordable housing development under Section 44 A3.1. The parameters in the regulation include properties fronting on or within 500 feet of Waterbury Road.

Section 44 A.5 – provides that the Commission, in looking at a zone change, shall consider the consistency with the POCD. The 2016 POCD recommends revision of Section 44A and making it a more effective tool for creation of affordable housing. In the plan it was noted that 2/3 of community responders to the survey stated support of moderately priced housing, which is what the applicant is proposing. The zone change achieves these goals and is consistent with the POCD.

Data and analysis was provided to the Commission on the need for affordable housing in Cheshire. Attorney Williams cited the large proposal submitted which includes studies, reports, summary memo, and documentation clearly shows the need for

affordable housing in Cheshire is substantial and undeniable. This is true across the state and nation.

The profile of Cheshire confirms that the middle of the market has a great need, and Attorney Williams read an excerpt from the profile (page 2) into the record of the meeting. Cheshire has 3.78% affordable housing units of the total dwelling units in town, and 22% of rents do not have affordable housing rates. The zone change will enable the Commission to implement the vision under Section 44A. The community supports more housing for moderate income people such as police officers, teachers, firefighters and others in the median income level (cited on page 4 of the memo). In the regulation Cheshire shows 80% of median income and this is an important segment of the community for this type of housing.

The zone change standards for approval in Section 44A.5 was read into the record by Attorney Williams. He stated the zone change petition is eligible for and should be granted.

Special Permit Application – Attorney Williams stated the plan complies with the standards in Section 44A. The size of the site is 22 acres, which permits 147 units for this density. The applicant is proposing 114 units, or 22% less than what is permitted in the regulations.

The plan asks the Commission to defer 45 parking spaces which is permitted under the regulations; the plan complies with the regulations and shows where these spaces could be built; and two (2) spaces per dwelling unit is not necessary.

Site Design – The design is thoughtful, is sensitive to site constraints, will bring environmental benefit by improving quality of storm water discharge to the pond, and will revitalize and upgrade the site in an attractive way. The plan maintains a substantial area of the site undisturbed, protects the wetlands and the pond, and IWW unanimously approved the application.

Engineering Department comments have been addressed; the Cheshire Fire and Police Department comments will be addressed.

Apartment Units – The plan is for 114 dwelling units; 18 will be two (2) bedroom units; the rest of the units will be evenly split as studio and one (1) bedroom units; the development has set aside 25% of the units as affordable dwelling units; 29 units will have rent capped in compliance with the affordable housing regulations.

Tab #8 Regulation Package – Details the affordability plan, how affordable housing units will be rented, with all terms and rules.

Income up to \$54,000 can rent studio and one (1) bedroom units; up to \$65,000 can rent two (2) bedroom units; based on current median income the rents would be \$1,200 and \$1,500 a month.

There is lots of focus on the affordable units; they are only 25% of the units; the majority of the units, 75% (or 85 units) will be rented at market rates. The development is designed to be very attractive, and to be maintained that way.

Attorney Williams explained that David Sullivan, Traffic Engineer, will report on the traffic study, State DOT requirements, need for OSTA approval. John Cruet, Architect, will give an overview of the building craftsman style design and exterior finishes.

After review of the information and testimony, Attorney Williams is confident the plan complies with the regulations and standards in Section 44A.7.

Mr. Strollo raised a question on the affordable housing unit rents. He cited the \$54,000 income level (1 or 2 person income), \$2,400 monthly rent for a two(2) bedroom unit as not being affordable, excessive and not comfortable for most people, and such a high rent pushing out the average/working family of four(4). He also asked about units for senior citizens, people over age 65.

The Commission was told by Attorney Williams that a one-bedroom unit assumes 1.5 persons per bedroom. \$54,000 could be one or two people. There was clarification stated by Mr. Williams for studio/one bedroom/two bedroom unit rentals.

Attorney Williams referred to Section 8 of the Lamp Realty application which details how rent for a studio or one(1) bedroom unit or two (2) bedroom unit is determined (by HUD). The factor of 80% is the middle range for affordable housing. The applications for affordable housing units are done on a case by case basis by the administrator. There is no focus on age for this development.

Mr. Todisco asked about qualified people for affordable units whose incomes increase during the rental period, i.e. do they have to vacate their unit.

In such situations, Mr. Williams said the person can move into a market rate unit; or their unit could become a market rate unit; or they would have to find another place to live.

Ryan McEvoy, P.E. Milone & MacBroom – The engineering components of the application were presented by Mr. McEvoy. He referred to Sheet #2 of the plans.

Mr. McEvoy cited the following.

- The subject property is located on the east side of Hazel Drive, north end of Larson/Lakeside Avenue, with Larsen's Pond in the south as a defining physical feature.
- The site is of irregular shape; it is 22 acres +/-; the pond is central to the site; it is a split zone – SARDD, R-80; it was formerly a convalescent home with hundreds of patients and staff.
- Adjacent land uses are multifamily apartment complexes; single family residential homes are to the east on the opposite side of the pond and northwest along Hazel Drive; there are large tracks of open space adjacent to the northeast.
- The west side of the site proposed is for parking; a large portion will be for an underground sub-surface sewer disposal system.
- On the eastern portion of the site no development is proposed; there were sub-surface disposal systems, underground utilities since 1993 when sewers were installed.
- There is a large open space area, undeveloped land; topography is well defined; there are steep, moderate and flat slopes; grades range 580 to the pond at 520; the existing building had elevation of 526 at the lowest level; front grade is at 540.
- The site had little formal storm water management; there was runoff from the buildings to the wetlands and pond; there was a small drainage system from Hazel Drive to the point of discharge above the wetlands; there is public water and sewer on Hazel Drive; WPCA approved feasibility for the application.

Proposed Development /Conditions – Mr. McEvoy highlighted the proposed development for two (2) multi-family residential buildings; each will have 57 residential dwelling units – studio, one (1) bedroom and 20% will be two (2) bedroom units. The first building will be in the same location of the former convalescent home; it will be smaller in size; the distance from the pond/wetlands to the building will be increased by 100 feet. The second building is to the north (previous septic system area); a buffer will be left in place, with minimizing need for retaining walls near the wetlands and regulated areas.

Driveways - The applicant is looking to relocate two driveways on the site to locations on Hazel Drive; this will remove encroachment on other parcels. There will be maximizing of sight distance from the driveway locations; allow for driveways at suitable grade for reasonable approach to buildings and roadway, under 10% of grade.

Parking – 228 spaces are required under the regulations, 2 parking spaces per dwelling unit; 45 deferred parking spaces (and their location) are requested in the application; there are 183 parking spaces proposed, ratio of 1.6 per DU; the unit matrix is weighted towards studio and one(1)bedroom units. More information will be submitted by Mr. Sullivan during the traffic study portion of the presentation.

Landscaping – The landscaping plan has a color rendering (sheet #4). There are shade trees in the parking areas per the regulations; enhanced vegetation along the area between parking and pond; scattered vegetation, evergreen trees, outdoor patio seating area with linkage to the pedestrian access, pedestrian friendly linkage between the two buildings and parking bays. The landscaping plan provides enhancement to visual buffers between roads, buildings, pond, parking areas, and outdoor seating area.

Stormwater Management – There will be runoff from paved surfaces. The proposal is for a catch basin and pipe system for runoff and directing runoff to one of the two storm water management areas on the site. These areas/basins are designed to provide continuation of peak flows of runoff from the property, and there is provision of enhanced water quality issues. Each basin will have pre-treatment of OGS units to remove 80% of TSS and handle water quality flow swirl chamber. There will be continuation of runoff collection from Hazel Drive and directing separate discharge out towards the wetlands system.

Mr. McEvoy stated that the application meets the zoning regulations and requirements, and will provide substantial increase in water quality and decrease in the amount of pollutants from the site.

Erosion and Sediment Control – The controls will be according to the 2002 CT guidelines and town regulations. Clearing areas will be protected by silt fencing, hay bales and runoff from roadway construction directed towards temporary sediment traps.

Fire Department Comments will be reviewed by Mr. McEvoy with CFD Marshal Kozlowski.

Citing Section 44 A.8.7, Mr. Natale asked about plans for sidewalks on property on Hazel Drive. In looking at the buildings there are no sidewalks or cross walks for kids to cross, and he asked how they can safely navigate.

Mr. McEvoy said sidewalks are provided; there is a link between the buildings; there are sidewalks on Hazel Drive on the opposite side; there can be a cross walk to get to the existing sidewalk. This will be reviewed with the local traffic authority.

The Commission was informed by Mr. Voelker that under Section 44A.8-7(d) they cannot require sidewalks on Hazel Drive but they can be required on private property improvements. For a subdivision, the Commission cannot require the developer to install sidewalks on town roads.

It was pointed out by Mr. McEvoy that there are sidewalks around the entirety of the north and south buildings, and direct linkage building to building, along the front of the south building. There is ability for pedestrians to cross Hazel Drive on a cross walk; there are sidewalks throughout the site...adjacent to parking areas, buildings, and in front of each building. There can be sidewalks added in the southerly building to get out to Hazel Drive. The parking spaces are 9 ft. x 18 ft.

Mr. Natale raised the issue of the parking spaces per unit in the affordable housing regulations, and asked about enforcement of parking on roadways. He is in favor of two (2) parking spaces per DU; a two (2) bedroom unit could have three (3) people minimum and two (2) spaces are needed. He also asked about the State DOT approval of the number of spaces.

There is a definition of what is required by zoning and Mr. McEvoy said that based on data the 1.6 spaces per DU is adequate. More spaces could be added, but the applicant wants to limit unnecessary parking spaces, and demonstrate they are not necessary at the start of the development.

Mr. Voelker advised that the applicant meets the threshold of the number of parking spaces.

Mr. Sullivan stated one of the inputs to DOT is parking approved by the local PZC, and Mr. Voelker will be vouching for whatever number of spaces is on the application.

Based on the middle section of the parking area, Mr. Brucato said there is a 12 ft. to 14 ft. drop and he questioned grading now or later. He also noted the last application had a dock to the pond, and asked about water access.

The Commission was told by Mr. McEvoy that a retaining wall will be built, if needed. There is limited pond access through the trail along the edge; there is a 4 ft. drop; it is not conducive to just walk to the pond; and it is not intended for anything formal in that area.

For this application, Mr. Todisco noted the footprint is smaller than the convalescent home. He said the impervious surface area (parking lots) will have a slight increase.

Stating that is correct, Mr. McEvoy said the existing building is 36,000 S.F. and new buildings will be 30,000 S.F. With the parking areas there will be a slight increase in runoff.

Mr. Linder asked about the comparison of the new building height to the current buildings.

According to Mr. McEvoy, the current buildings are two (2) stories in front and three (3) stories in the back. The proposed buildings will have four (4) stories in the back and

three (3) in the front...they will be higher than the existing buildings, with a pitched roof. The architectural plans and rendering of the buildings are on the PZC web site.

- John Cruet, Architect, A.I.A. Guilford CT – Mr. Cruet reviewed the architectural features of the proposed identical two buildings, stating he went for a traditional approach. There is inclusion of craftsman style elements; the roof is pitched; exterior materials include vinyl shingles, clapboard, stone veneer, vertical barn board siding.
- The west façade faces Hazel Drive and is three (3) stories; the buildings are built into the site; the rear shows four (4) story elevation.
- A pitched roof is used for more residential characteristics; the roof is pitched around, 4 to 5 and 12, which means it adds about 10.5 ft. to the 3rd story.
- The pitched roof approach has a more residential character.
- Front of the building has a predominant front entrance, exterior columns designed to evoke a more craftsman character.
- The center portion of the building is about 4 ft. higher than the balance of the building, and all buildings have elevator access.
- Apartment units are designed to comply with ANSI-A117.1/handicapped accessibility for dwelling units.
- Units are Type A, directly focused for wheelchair ridden; the balance of the units are Type B for less handicapped residents; these units have an appeal to the market rate.
- Lower floor is the parking garage; there is a lower level lobby; there is a fitness center (one) in each of the buildings.
- Upper floors have a larger lobby with room for furniture.
- Landscaping (on the rendering) shows it being some of what is on the site; there are foundation plantings, shade trees.

10% of the units must be “A” units; the project complies with this requirement.

Construction – The building is constructed of materials approved by the State Building Code. It is predominantly wood construction; parking garage contains non-combustible materials (round concrete columns and paved area is concrete slab) to be drained into the sewer system as required by code, as shown on mechanical plans.

Building Code Classification is 5A. This means the exterior of the building must have a fire rating of 1R; corridors must be 1R; and dwelling unit separation must also be 1R. The buildings will be protected with an automatic fire protection system, and this building construction requires it to be totally protected by a sprinkler system.

Mr. Cruet stated the project complies with the zoning code; is in full compliance with 2018 CT Basic Building Code and State Fire Safety Code, and other related codes required for this project. He hopes the application is approved as it will be a good neighbor to the existing neighborhood.

A question was asked by Mr. Brucato about the enclosed garage and 24 hour ventilation. He said the buildings are attractive.

Mr. Cruet replied that the code requires mechanical and natural ventilation, and this is shown on the mechanical plans.

Regarding the 6,000 S.F. roof being less than the current roof, Mr. Bowman asked for the difference in square footage of the two roofs. He also asked about the sprinkler system being residential or commercial design.

Mr. Cruet said it is about 10% to 15% more roof area in the new buildings, and he would get the calculations for the Commission. The sprinkler system is in accordance with NFPA13 requirements, and is NFP13R. There will be a consultation with a fire protection engineer for guidance on properly protecting these buildings.

Dave Sullivan, Traffic Engineer, Milone & MacBroom – Mr. Sullivan said a traffic study and analysis was done, and there were many comments and questions from the staff and the public. The study used the Institute of Transportation Engineers (ITE) publication.

Traffic Report/Study - The traffic impact study shows the present conditions and future conditions at the site and impact of the development on the future conditions. The study area was Waterbury Road and Hazel Drive for the impact analysis. There was also an automatic traffic recorder counts. Data shows estimates 41+ trips in the a.m., 50+ trips in the p.m. and 620 trips all day long. Traffic is generated all day long. The data is for trips in one (1) peak hour during the commuter times.

Sight Distances – Three (3) locations were used and all meet the required sight line requirements; speed was based on 95th percentile of 45mph and 30mph for these locations.

It was pointed out by Mr. Sullivan that the State of CT DOT is responsible for sight line clearing in the area of Hazel Drive, and this will be discussed with the DOT if the application is approved.

Level of Service – Level A is very good; Level F is poor; and Level C is average/adequate. Waterbury Road and Hazel Drive intersection (turn left or right) is Level C in the morning and afternoon without the development. Going into Hazel Drive is Level A.

Mr. Sullivan addressed the many e-mails, comments, petitions, etc. regarding this proposed project, with many having the comment theme repeated throughout. He noted Route 70 is a State highway and issues with this road will be discussed with DOT.

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Route 70 is a State highway; it has 11,000 to 13,000 vehicles each day; it is a two-lane road with speed limit of 40mph; it is Level Service C today and will remain at this level.

As part of the application to the State DOT, Mr. Sullivan explained that Cheshire Police Chief Neil Dryfe is part of the process. Chief Dryfe will review traffic studies, evaluate data and work with the applicant.

Data for the intersection, over a 25 year span of time, shows 11 accidents in the vicinity of Hazel Drive; 5 accidents with vehicles entering Hazel Drive.

Mr. Sullivan commented on lots of narrative on what is happening on Route 70/Waterbury Road, and acknowledged these issues/concerns/questions will be addressed with the DOT along with suggestions for improvements.

The traffic study included information and data on impact to neighborhood streets. The study determined there would not be many new cars and little impact on the streets.

Roadway Width – The road is 29 ft. wide which is ample width.

Responses to Comments – This has been addressed and explained, and the number of parking spaces in the development do not generate traffic.

Pedestrian Environment – There should be a connection from the interior sidewalks to the exterior cross walk, and there should be a consistent pedestrian network.

School Buses – The BOE Transportation Dept. advised that students from Hazel Drive would be picked up on Waterbury Road. There is a sidewalk in poor condition that will be cleaned up; a crosswalk will be installed with appropriate signage for student safety and bus pickup.

Parking Demand – The development will have 114 DU; 2 spaces per DU = 228 parking spaces; the request is to defer 45 parking spaces for a total of 183 spaces provided (in parking area and underground garage).

Studio/Efficiency Apt. (48) – 1 space per DU
One Bedroom Unit (48) - 1.05 spaces per DU
Two Bedroom Unit (18) - 1.8 spaces per DU
45 deferred parking spaces

Regarding parking spaces per DU, Mr. Natale stated his strong support for one bedroom units having two (2) spaces. He has visited the site many times and said the sidewalk is used for overflow parking, sight lines...and where sight lines come from.

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According to Mr. Sullivan, there are variables to be considered, the direct correlation between the size of units and number of cars. The sight lines come 10 to 15 feet into the intersection.

Mr. Natale said there is "0" sight line at one intersection, and this must be looked at by the DOT.

This should be cleared by DOT, and Mr. Sullivan advised the sight line review was done in February or March.

Mr. Anderson agreed with Mr. Natale's support of 228 parking spaces, and asked how much impervious surface will be on the site...and if it is a significant increase.

According to Mr. McEvoy the impervious surface will be about 7,300 S.F.; this equates to six (6) houses worth of impervious surface; it represents 20% of the overall parking spaces shown; and the data shows the 45 spaces to be deferred at not necessary at this time.

One thing for consideration is the environmental impact of this project and Mr. Anderson said increasing this is of concern to him.

Town Planner Voelker commented on the shared parking, and noted to rent all the units there must be parking on site. There are market rate units and without sufficient parking they may not be rented...and the extra 45 spaces can be required to be installed if the Commission determines the parking is not working. He stated that CFD and CPD are out in the area and monitor the cars parked, and by code can require additional parking spaces.

Attorney Williams talked about the applicant wanting to rent the units, and they would come to the PZC for the extra parking spaces. The two other apartments in the area were built in 1963, are light on parking, and current data shows 1.5 spaces per DU. He said there would be 28 underground garage parking spaces per building for a total of 56 spaces.

Mr. Selmont stated agreement with the comments by Mr. Natale about the number of parking spaces, and wants more adequate parking.

A question was asked about trip generation from the convalescent home, and Attorney Williams said he would get this information and report back to the Commission.

PUBLIC COMMENTS

Ms. Simone read public comments into the record from the following members of the public. The comments and public communications are part of the application file.

Two (2) petitions; one with 22 signatures and one with 95 signatures.

Denise Bastin
Linda Btza
Kathleen and Michael Catlin
Gary Carter
Richelle Crino
Danyell Danielson
Robin and Stanley Emond
Dennis Fox
Jeff and Jessica Repko
Judith Slisz

At 11:18 p.m. Chairman Kurtz made the decision to continue the public hearing and reading of comments to July 27, 2020, the next public hearing of the PZC.

VI. ADJOURNMENT

MOTION by Mr. Linder; seconded by Mr. Strollo

MOVED to adjourn the public hearing at 11:18 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk