

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION
PUBLIC HEARING HELD AT 7:30 P.M. ON MONDAY, NOVEMBER 14, 2011
IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET,
CHESHIRE CT 06410**

Present

Earl Kurtz, Vice Chairman; Tali Maidelis, Secretary; Lelah Campo, Martin Cobern, S. Woody Dawson, Gil Linder
Alternates – Ed Gaudio and Leslie Marinaro
Absent: Sean Stollo, Louis Todisco; Alternate – Jim Bulger.
Staff: William Voelker, Town Planner

I. CALL TO ORDER

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

Mr. Kurtz read the fire safety announcement.

II. ROLL CALL

Mr. Maidelis called the roll.

III. DETERMINATION OF QUORUM

Following roll call a quorum was determined to be present.

IV. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

V. COMMUNICATIONS

VI. BUSINESS

Town Planner Voelker read a letter into the record from the applicant, Jorasa, LLC requesting the public hearing be rescheduled for November 28, 2011.

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| 1. Special Permit Application | PH 10/12/11 |
| <u>Jorasa LLC</u> | PH 10/24/11 |
| 382 South Main Street | PH 11/14/11 |
| Professional Office Building and | MAD 1/18/12 |
| Two Residential dwelling units | |
| PUBLIC HEARING SCHEDULED FOR NOVEMBER 28, 2011 | |

Town Planner Voelker read a letter into the record from the applicant, Midstate Medical Center requesting the public hearing be rescheduled for November 28, 2011.

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| 2. Zone Text Change Application | PH 1/14/11 |
| <u>Midstate Medical Center</u> | MAD 1/18/12 |
| To amend Section 34.3A and 34.8 | |
| To allow directional signage for critical/urgent | |

Care facilities.

PUBLIC HEARING SCHEDULED FOR NOVEMBER 28, 2011

Mr. Voelker read a letter into the record from Verna Properties, LLC, requesting continuation of the public hearing until December 2011.

- 3. Special Permit Application PH 11/14/11
Cheshire Youth Baseball MAD 1/18/12
520 South Main Street
Deck for the baseball/softball concession stand**

Mr. Voelker stated that CYB received approval for the concession stand in 2009, and a deck is being proposed around the perimeter of the concession stand building.

William Lyon, Eagle Scout, informed the Commission that, as part of his Eagle Scout program, he will build a 16 ft. x 18 ft. deck on the perimeter of the Bartlem Park Concession Stand. The deck will be facing Route 10, and it will be a safe place for people to enjoy food and drinks and watch the games.

Mr. Cobern thanked Mr. Lyon for undertaking this project.

In response to a question on visibility of the deck, Mr. Lyon advised it can be seen from Route 10.

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

- 4. Special Permit Application PH 11/14/11
F.L.U. Colburn LLC MAD 1/18/12
1755 Highland Avenue
Section 30. Sch. A. Para. 37
Health and Exercise Facility**

Attorney Joseph Bowman represented the applicant for the special permit to operate a health and exercise facility in an I-1 Zone per the zoning requirements. F.L.U. Colburn will be the parent company applying for the permit. The operation of the facility is known as CrossFit System. CrossFit currently operates at 382 South Main Street, and due to sale of this property, the applicant sought a new location for the facility at 1755 Highland Avenue. The hours of operation will be six (6) days a week. Monday through Thursday, 5:30 a.m. to 8:00 p.m.; Friday 5:30 a.m. to 7:00 p.m.; and Saturday 8 a.m. to noon. The facility is closed Sundays and holidays. During the hours of operation there are classes conducted, usually 2 to 5 classes a day.

The location at 1755 Highland Avenue is the former Nutmeg Utilities business. It is currently office space and a warehouse. In 1999 this property received PZC approval for a 50 ft. x 120 ft. addition to the warehouse on the site. Due to excessive snow loads this past winter the addition was affected and had to be demolished in accordance with the appropriate regulations. There is no current tenant at the facility, and the current property owner just stores material in the warehouse.

Attorney Bowman said the intention of the applicant is to apply for the special permit to move the business to the north end of town. This location is just south of the intersection of East and West Johnson Avenues by a few curb cuts.

Parking spaces, per the 1999 approval, is 34 spaces, and the parking ratio for the new use is not sufficient per the regulations. Attorney Bowman said that based on the use of the building, a mixed use for office space vs. a gym, the times of day for each use do not conflict. Activity at the gym happens between 5:30 a.m. and 7 a.m. and at 5 p.m. to 7 p.m. This is not the time when most offices staff would be occupying the area in the rear of the building.

Attorney Bowman requested the Commission to give consideration to this application.

During peak occupancy, Mr. Voelker asked how many people would be in the gym.

According to Mr. Bowman, the maximum number would be 12 people – 10 guests and 1 or 2 staff members.

The office in the rear is 6,000 s.f. with 3,000 s.f. on each of the two floors, and it is unoccupied. The hours for the office use, 8 a.m. to 5 p.m. do not conflict with the activity at the gym.

When the office is occupied, Mr. Maidelis asked how many people would be there, and it is assumed this space will be leased out.

Mr. Bowman said that the lower level is a large open area office space which was used by Nutmeg. He is uncertain about the landlord's plans for leasing the space.

With 6,000 s.f. of space, Mr. Voelker said that 85% = 5,100 s.f. which requires 25 parking spaces. The need for parking spaces depends on the tenant, but the minimum is 25 spaces.

The Commission was informed by Mr. Bowman that there are 34 spaces there now. Based on 150 s.f. per finished space, the design would call for 52 spaces. He said the set up of CrossFit is based on programs, with not too many people in

one area at one time. There will never be a need for 52 people to park at one time. At the current location CrossFit has 12 to 15 parking spaces.

Mr. Maidelis commented on the good web site and business of CrossFit, and the potential for the business to increase with more classes. He questioned the shaded area on the plans.

In reply, Mr. Bowman said the class set up will be the same as the current classes. The shaded area on the plans is the warehouse space. He noted there is the possibility of more parking spaces in the front of the building.

There is additional space on this property and Mr. Voelker said the applicant can improve the site or find somewhere else with more parking. The tenant will use some of the parking spaces, and the owner would have to show on the site plan how to support additional tenancy.

Mr. Dawson questioned why the applicant is here for a special permit.

Attorney Bowman explained that the property is in an I-1 Zone, and a special permit is required under the regulations.

Regarding the traffic impact on Route 10, Mr. Maidelis asked if this had been looked into.

A traffic study was not conducted, and Mr. Bowman said most people will be coming into the facility from Route 10 and exit Route 10. Those going towards I-691 would exit Reinhard Avenue to Route 10 to the traffic light. The site layout gives the opportunity to exit on either side without severe impact on either road.

Mr. Dawson said the amount of parking is important because it depends on how many handicapped spaces are needed. The site is approved for 34 spaces.

It was stated by Mr. Voelker that this is a hybrid use, and the regulations give more ability to evaluate the specific needs and use and whether or not it is appropriate. At peak hours no more than 10 to 12 people will be on site. The applicant wants to satisfy the sections of the regulations for the Commission to decide whether there is enough parking.

Mr. Gaudio asked if there was an attempt to replace the demolished building.

Stating he does not represent the landlord, Attorney Bowman does not believe there are plans to rebuild at this time. The landlord does have the right to reconstruct the building with PZC approval.

The Commission was informed by Mr. Voelker that the Planning Department has had no discussions about reconstructing the building on this site.

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

5. **Special Permit Application**
F.L.U. Colburn LLC
Section 30. Sch. A. Para. 37
Health and Exercise Facility
APPLICATION WITHDRAWN

PH 11/14/11
MAD 1/18/12

VII. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Dawson

MOVED to adjourn the public hearing at 8:00 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk