

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION
REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M.
PUBLIC HEARING HELD ON MONDAY, MARCH 26, 2012 IN COUNCIL
CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl Kurtz, Chairman; Sean Strollo, Vice Chairman; Tali Maidelis, Secretary;
Lelah Campo, Martin Cobern, S. Woody Dawson, John Kardaras, Gil Linder,
Louis Todisco

Alternates – Jim Bulger, Edward Gaudio, Leslie Marinaro

Absent:

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Mr. Kurtz called the meeting to order at 8:11 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. ACCEPTANCE OF MINUTES: Public Hearing 3/12/12
And Special Meeting 3/12/12.**

MOTION by Mr. Cobern; seconded by Mr. Maidelis.

MOVED to approve the minutes of the Public Hearing of 3/12/12 and Special Meeting of 3/12/12 subject to corrections, additions, deletions.

Correction: Ms. Campo' first name should read "Lelah".

VOTE The corrected motion passed unanimously by those present.

VI. COMMUNICATIONS

- 1. Letter from Matthew D. Paradisi, Esq. dated 3/14/12;
RE: 1405 Highland Avenue – Richard Chevrolet**

Mr. Voelker read the letter into the record of the meeting.

Mr. Voelker stated that Richard Chevrolet is asking for approval of waiver of public hearing, and approval of this application. The Commission can waive the public hearing in accordance with Section 40.8 of the Regulations. It is agreed that this is not a significant amendment to the plan, but the general public interested in this application could get two weeks to review this matter. The matter could be taken up at the April 9th Commission meeting, for review without benefit of a public hearing.

MOTION by Mr. Cobern; seconded by Mr. Maidelis.

MOVED that the Planning and Zoning Commission waive the public hearing for previously approved Special Permit use for the current project for Richard Chevrolet, 1405 Highland Avenue, Cheshire CT for temporary office trailers during construction.

Discussion

Mr. Voelker stated that the applicant is asking that the public hearing be waived and a fee would be saved. Their engineer will be at the April 9th meeting for a brief presentation to the Commission; this is a modified site plan review; and Planning wants to make sure the Fire Department and other agencies are satisfied with it. His caution is that when you rush things someone will come in later and offer something which the Commission should be aware of.

VOTE The motion passed unanimously by those present.

2. Letter from Joseph Michaelangelo, Director of Public Works Dated 3/15/12 RE: Upper Mixville Pond Special Permit Hydraulic Dredging alternative.

Mr. Voelker read the letter into the record of the meeting. He said this alternative was already reviewed by IWW and approved.

Don Noelte, Engineering Technician, PW Department, stated that the Town is pursuing an alternative method to excavate the upper Mixville Pond by use of hydraulic methods rather than draining and conventional excavation. The major reason is because state and federal permits came in requiring that to do this the park must be closed for the entire recreation season, and do this work only in the summer. The department has had recent experience with hydraulic excavation and found it to be clean, efficient and an effective way to dredge, and then no longer have to abide by state permits. There would be less testing, consulting, engineers involved...and the 15,000 cubic yards previously approved in a slurry instead of creating a quarter mile road to and out of the pond, up the hill, running heavy equipment with much noise and a mess if there was adverse rain and wet conditions. This method is done in a pondful condition, no bypass of the Ten Mile River, and the excavator 85 hp diesel engine with 6 ft. wide impaler tweaks back and forth on the pond bottom, sucks up the material, and there is less

environmental impact. There is the additional cost of GO tubes, 30 ft. diameter 100 ft. long tubes which are pumped so the water coming out of the bags is clean and returned to the pond clean. If there is a problem the pumps would be shut down; there is continued monitoring by the consultant operating the equipment; and there is state oversight as to the quality of the water going back into the pond. There are two permits from the State DEP with this method. There would be less noise, emissions from heavy equipment; the bags de-water quickly; the materials dry quicker; and there is a shorter construction period. The material is taken down to the former transfer station site. The same area will be used for stock piling as was previously approved up near Mixville Road. There is a staging area, without the road going up the hill. Other sites are throughout the park, level areas, if the need arose to pump to other areas. Most has to go to the upper areas so the water is retained back into the wetland system into the upper pond, or else we would be in the dry pretty quick. The water is being recycled. Mr. Noelte is here to see if the Commission finds this consistent with the permit. He does not believe there are oppositions or concerns expressed at a special permit hearing. If it is not consistent, the Town would modify its existing permit or apply for a new one.

Mr. Cobern asked for clarity on what will happen. There will be a hydraulic dredge running along the bottom of the pond, sucking up the water, silt, mud etc. and it is pumped up hill to a giant bag. As the water goes into the bag it mixes with the chemicals that take out the solid matter, and then as the bag fills up the fresh water goes back, by gravity, through another pipe back into the pond.

Mr. Noelte said that was right; they are using stone lined swales to get the water back down.

In essence this is an open loop system and Mr. Cobern said the only thing that remains in the bag are the flocculated solids. Presumably, there is an indicator that when the bag is full, there is switch to another bag.

Mr. Noelte said this is correct. The operators traverse the top of the bag to get the air out and know when it is at maximum capacity, and transfer the water to another bag.

Mr. Cobern stated this sounds like a very efficient system.

Mr. Kurtz asked about the project itself cutting down on traffic and issues and noise in the neighborhood, and seems like a great thing to do. He thanked Mr. Noelte for coming to the meeting and describing everything to the Commission. Mr. Kurtz believes this can be done as part of the permit from a year ago, and another permit from the Commission is not needed to do this project as intended.

Mr. Voelker said his intention was Commissioners noting that what was being done was not the same as originally approved, and he wanted an understanding of this. There is no reason for the applicant to come back for a new permit.

According to Mr. Noelte there are other areas in the park which they might want to use. Work hours are the same at this point, and if it turns out to be quiet and efficient, and they can get a contractor, there could be pumping on the weekends to get the project completed sooner.

Mr. Dawson asked if this has been done anywhere else, if there is a track record, and this is the first time he has heard of this.

In reply, Mr. Noelte said it was done in town last fall with a contractor on a smaller scale, 10,000 s.f. and it was a unique solution for Weeks Pond. There is still some cleanup work to be done at this site. Staff is comfortable with the process.

MOTION by Mr. Cobern; seconded by Mr. Maidelis.

MOVED that the Planning and Zoning Commission grant the request to modify the approved special permit for the Upper Mixville Pond Special Permit Hydraulic dredging; all work will be consistent with the approved special permit conditions.

Discussion

Mr. Strollo asked about pumping up the water, and valves to keep the water from coming back down...like a backflow valve.

Mr. Noelte said "yes" and there will have to be a booster pump in line due to the elevation. The water moves slowly and animals move out of the way. IWW is comfortable with this process. There is a shroud around the area.

VOTE The motion passed 8-1-0; Dawson opposed.

3. Letter from Joan C. Molloy, Esq. dated 3/19/12 RE: 175 Wiese Road, Request to extend filing of approved subdivision maps.

Mr. Voelker read the letter into the record of the meeting.

The Commission was informed by Mr. Voelker that Attorney Malloy is unable to record the maps because it is tied to the final closing on the property. The request is for consistency with CGS, and extend to 90 days from date of publication of the legal notice. Staff recommends that the extension be granted to be consistent with Section 8-25 CGS.

MOTION by Mr. Cobern; seconded by Mr. Maidelis.

MOVED that the Planning and Zoning Commission grants the request to extend filing of the approved Subdivision Maps for 175 Wiese Road, Cheshire, Connecticut, until 90 days from the date of publication of legal notice.

Discussion

Mr. Cobern asked if the PZC should consider modifying its regulations.

Mr. Voelker said he does not know why this time period of 31 days is in there. If the applicant does not bring them to PZC per the statute, their approval could lapse.

VOTE The motion passed unanimously by those present.

VII. UNFINISHED BUSINESS

- | | |
|------------------------------------|--------------------|
| 1. Subdivision Application | PH 2/15/12 |
| Sunrise Land Associates LLC | PH 2/17/12 |
| South Meriden Road (RTE 70) | PH 3/12/12 |
| And Oregon Road | PH 3/12/12 |
| 8-lots | MAD 5/30/12 |

MOTION by Mr. Cobern; Seconded by Mr. Strollo.

MOVED that the Cheshire Planning and Zoning Commission hereby approves the eight lot subdivision as shown on plans entitled "Sunrise Farm Subdivision, South Meriden Road, (Route 70), & Reservoir Road, Cheshire, Connecticut, revised through March 23, 2012, and prepared by Milone and MacBroom, 99 Realty Drive, Cheshire, Connecticut. With this action, the Commission takes note of the applicant's description of its operation in a letter from Milone and MacBroom dated March 20, 2012, and finds this to be an appropriate response to concerns expressed during the public hearings.

Discussion

Mr. Cobern suggested adding the 2nd letter from March 22, 2012 into the motion as well. This letter talks about the drainage and the like.

Mr. Voelker noted that the Engineering Department comments have all been addressed, and there are no outstanding comments. He does not believe the March 22, 2012 letter must be included in the motion.

VOTE The motion passed unanimously by those present.

VIII. BONDS

IX. NEW BUSINESS

1. **Special Permit Application**
Stephen Pustola
1405 Highland Avenue
Richard Chevrolet
Temporary office trailers during construction
SCHEDULED FOR SPECIAL MEETING ON APRIL 9, 2012.

2. **Special Permit Application**
Bozzuto's Inc.
224 Sandbank Road
Maintenance and repair of trailers & tractors
Accessory to wholesale, warehouse trucking
And shipping facility.
SCHEDULED FOR PUBLIC HEARING ON APRIL 9, 2012

3. **Earth Removal Filing or Regrading Permit**
Bozzuto's Inc.
224 Sandbank Road.
SCHEDULED FOR PUBLIC HEARING ON APRIL 9, 2012.

4. **Other Planning and Zoning Commission business**
 1. **Monthly report from Zoning Enforcement Officer**
The report was reviewed and accepted by the Commission.

 2. **Other.**

VII. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Strollo.

MOVED to adjourn the public hearing at 9:00 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk