

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION SPECIAL MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, MARCH 11, 2013 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl Kurtz, Chairman; Sean Strollo, Lelah Campo, Martin Coburn, John Kardaras, Gil Linder, Louis Todisco.

Alternates: Leslie Marinaro and Edward Gaudio

Absent: Sean Strollo, and Alternate Jim Bulger.

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Mr. Kurtz called the special meeting to order at 8:31 p.m.

Mr. Kurtz read the fire safety announcement.

II. ROLL CALL

Mr. Kurtz 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

SM Public Hearing 2/25/13 and Regular Meeting 2/25/13

MOTION by Ms. Marinaro; seconded by Mr. Kardaras

MOVED that the minutes of the SM Public Hearing of 2/25/13 and Regular Meeting of 2/25/13 be accepted subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

VI. COMMUNICATIONS

1. Letter from Raymond Sirico, dated February 25, 2013

RE: In-Law Apartment Renewal – 129 North Timber Lane

MOTION by Mr. Dawson; seconded by Mr. Kardaras

MOVED that the Planning and Zoning Commission grant a five year extension of the approval of the in-law apartment, property located at 129 North Timber Lane, Assessor's Map No. 48, Lot No. 182, in an R-20 zone.

With the following stipulations:

1. All previous stipulations shall remain in effect.
2. This approval shall expire on March 11, 2018. The applicant may request an extension of the permit by providing the Commission with a notarized statement verifying that the use of the in-law apartment complies with the regulations and that the resident of the in-law apartment qualifies under these regulations.

VOTE The motion passed unanimously by those present.

2. **Letter from David Santopietro, dated March 1, 2013**
RE: In-Law Apartment Renewal – 2071 Scott Road.

MOTION by Ms. Marinaro; seconded by Mr. Kardaras.

MOVED that the Planning and Zoning Commission grant a five year extension of the approval of the in-law apartment, property located at 2071 Scott Road, Assessor's Map No. 32, Lot No. 9. in an R-80 zone.

With the following stipulations:

1. All previous stipulations shall remain in effect.
2. This approval shall expire on March 11, 2018. The applicant may request an extension of the permit by providing the Commission with a notarized statement verifying that the use of the in-law apartment complies with the regulations and that the resident of the in-law apartment qualifies under these regulations.

VOTE The motion passed unanimously by those present.

3. **Letter from Richard Merrell AIA date stamped 3/4/13**
RE: Cupola – 435 Highland Avenue Office Building

Town Planner Voelker read the letter into the record of the meeting.

Mr. Voelker stated that the building is being constructed; that a cupola is on the building, but is not on the original plans; this property is in an R20-A zone and it is a special permit. Mr. Voelker informed the Commission that this was a major change to the plans, and should not be approved administratively.

Richard Merrell, Architect for the project, 969 West Main Street, Waterbury CT, apologized for the error in the plans, and stated that the cupola is for the two upper units exhaust pipes and front air intake which is needed for each unit. He submitted

photographs of other buildings with cupolas which are used for light or ventilation. Hew noted that the owners and contractor have spent money to have the cupola to house the HVAC.

In looking at the two photographs, Mr. Dawson saw two roof linings and asked which would be used.

Mr. Merrell said the roof will be extended down and pitched.

According to Mr. Merrell the eve of the cupola is 6.8 feet above the ridge. The drawings show the cupola's full size, and it is proportionate to the structure itself. Much care was taken to put the two story building into the hillside, so on the back side it is a one story structure. There are hip roofs without large exposed gables, trying to keep the building as low as possible.

Mr. Dawson commented on this building being attractive and well designed.

MOTION by Mr. Dawson; seconded by Ms. Marinaro.

MOVED that the Planning and Zoning Commission approves and finds that the proposed change is consistent with the original design scheme of the approved building.

Discussion

Mr. Voelker stated that this is an R20A zone and changes must come in before they are done. It is a matter of how the neighbors perceive things and how they are done, and this is the reason this was brought forward to the Commission.

VOTE The motion passed unanimously by those present.

VII. UNFINISHED BUSINESS

- 1. Special Permit Application**
Nadine Phillips
355 Highland Avenue Suite 202
Pilates Instruction

MAD 4/30/13

Mr. Voelker stated that this is the applicant moving her business from one building to another in the Waverly Building Complex on Highland Avenue. There is no reason for concerns with this application; it is an R20A zone; and the use is allowed by special permit. This is a modification to the facility, and Mr. Voelker recommended that the Commission grant the special permit for moving from one building to another.

MOTION by Mr. Dawson; seconded by Mr. Kardaras.

MOVED that the Planning and Zoning Commission grants the modification to the special permit to allow the applicant to move the Pilates Studio, a special permit use in

an R20A zone, from 345 Highland Avenue, Suite 202 to 355 Highland Avenue, Suite 202, as requested.

Discussion

Mr. Voelker said this with a special permit granted by the Commission, any modification should be brought to the Commission.

VOTE The motion passed unanimously by those present.

2. **Special Permit Modification Application** PH 2/11/13
Dr. Jeffrey Norwood PH 2/25/13
Old Lane Road PH 3/11/13
Modification to Rear Lot Accessway MAD 5/15/13
Application Withdrawn

3. **Special Permit Modification Application** PH 2/11/13
Dr. Jeffrey Norwood PH 2/25/13
Old Lane Road PH 3/11/13
Modification to Subdivision Regulations
5.5B4 MAD 5/15/13
Application Withdrawn

4. **Special Permit Application** PH 3/11/13
Robert C. Schechinger, Jr. ASLA MAD 5/15/13
267 Finch Avenue
Replace existing Chapel with a 6,048 Sq. Ft.
Chapel with associated parking and
Site improvements
PUBLIC HEARING CONTINUED TO 3/25/13

VIII. NEW BUSINESS

1. **Special Permit Application**
Hanna Choi
1033 South Main Street (1021)
Nail Salon
PUBLIC HEARING SCHEDULED FOR 3/25/13.

IX. ADJOURNMENT

MOTION by Mr. Dawson; seconded by Mr. Kardaras.

MOVED to adjourn the meeting at 8:52 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk