

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, APRIL 8, 2013 AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Earl Kurtz, Chairman; Sean Strollo, Vice Chairman; Lelah Campo, S. Woody Dawson, Edward Gaudio, John Kardaras, Gil Linder, Louis Todisco.

Alternates: James Bulger and Leslie Marinaro

Absent: Martin Cobern

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Mr. Kurtz called the public hearing to order at 7:31 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. BUSINESS

Town Planner Voelker read the call of public hearing for each application.

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| 1. Special Permit Application | PH 3/11/13 |
| <u>Robert C. Schechinger, Jr. ASLA</u> | PH 3/25/13 |
| 267 Finch Avenue | PH 4/8/13 |
| Replace existing Chapel with a 6,048 | MAD 6/12/13 |
| Sq. Ft. Chapel with associated parking | |
| And site improvements. | |

Robert Schechinger represented the applicant, stating that most of the detail and sustentative data was presented at the prior two public hearings, along with responses to staff comments. Mr. Schechinger reported that the applicant met with the Beautification Committee (TBC) regarding the landscaping proposal for the facility and the approach being taken. The commission agreed with the flexibility of the plantings; wants more solidified plans; and the applicant will return to TBC for their approval. On the plans, Mr. Schechinger pointed out the colored areas of the site and where plant materials will be located. The TBC does not want to keep raising the berm where it is steep it becomes an erosion control problem. The TBC liked the variation of materials, and were adamant about the plants being 4 to 6 feet high; the 8 to 10 feet high trees will be great for the back area between the building and parking lot; and the commission

has information on various evergreens including dwarf specimens. Other than this, the TBC gave positive input on the landscape proposal for this application.

PUBLIC

Eric Martone, 19 Suffield Court, said that his house borders this property, and expressed concerns about the project proposed. He stated the Sisters are a semi-cloistered organization, provide a number of fixed services, hold a large annual holiday event, the complex is on Allen Avenue and Finch Avenue in Cheshire and Meriden, and the Sisters have chapters in other states. The Center is the mother house or corporate headquarters for the Sisters; they run a not-for-profit business at the Center for a multi-state corporation; and want to expand the facility/chapel for this corporation. The Sisters want to build a complex which is too large for the Sisters on site. When they hold events they bring in enough people to fill a parking garage, and with the larger chapel will bring in even more people for other services to pay for the maintenance of the facility. He believes the programs and events will be extended, and the 6000 s.f. chapel is excessive, will be on one floor, and take up more than 6000 s.f. of ground space. He displayed photos of the chapel where he works which is 1500 s.f. Mr. Martone is concerned about practical issues, stating that the 8 ft. berm is not high enough for a border, and questioned when it would be fully grown. He has concerns about increased traffic on Finch Avenue which is a narrow road. He questioned the construction project – how long it will take, the trucks, crews, and safety of the area with increased traffic. He wants the Sisters and the Center to maintain the status quo, and has no problems with the existing arrangements.

Ms. Campo asked Mr. Martone if he accepted the invitation of the Sisters to visit and walk the site with other neighbors.

In reply, Mr. Martone said he did not because the walk was about trees and berm, and his issues are the size of the facility and heavy traffic and construction, and this is not being addressed.

Mr. Campo commented on the role of the PZC as being enforcer of the zoning regulations, and said she was unclear about Mr. Martone's issues on the application violating the zoning regulations.

This applicant needs a special permit and Mr. Martone said the building is too large because this is a residential neighborhood with the larger chapel, expansion of the corporations business, disruption of the character of the neighborhood, and creation of heavier traffic which is dangerous.

With regard to the business activities, Mr. Todisco noted that the size of the chapel will not affect these activities, and greater business activities will not be conducted from the chapel. The chapel will accommodate larger groups several times a year, but will not be used on a day to day basis for larger groups.

Mr. Martone disagreed stating that there are events when vows or jubilee celebrations are held, and they will be held at the chapel, not the church in Meriden. They will have large crowds, and parking on the street.

Mr. Todisco said he did not hear this in the testimony. He agrees there will be more people coming to the campus for future events, but not on a day to day basis.

Mr. Marinaro said there will be more people for these events but this can be done now with over flow onto Suffield Court. The applicant is opening up some more parking which will take away from over flow on the streets.

According to Mr. Martone the largest crowd is at the holiday event, and the extra spaces will reduce the overflow to the streets.

It was stated by Ms. Marinaro that the extra parking spaces go along with the guidelines in the zoning regulations, and will allow accommodation of larger groups coming for events. These functions could be held anyway, and the extra parking spaces will help neighbors without over flow to the street.

If there are 300 people in the chapel Mr. Martone said 10 spaces will not accommodate this large number.

Mr. Kurtz stated that the existing parking on site will be used along with the extra spaces, so people will not use Suffield Court.

To get to the Center, Mr. Martone said you must go down narrow Finch Avenue which runs parallel to the Meriden border, and any increase in traffic is a problem.

For a comparison, Mr. Stollo described people who used to build 1200 s.f. houses, and now build 5000 s.f. houses, and this cannot be regulated. If the Sisters need a 6000 s.f. chapel, the Commission cannot tell them "no" as long as the lot size works.

Mr. Dawson commented on the applicant trying to do best by going to TBC to protect the neighbors. He has walked the area; Finch is a small street; but there could be other types of structures on this site...such as condo's baseball fields. Going through the site, and from the outside, plantings, maintenance, the gate... you cannot see out. There are nice houses on the street, and said the people could not have better neighbors. Mr. Dawson said that what you have is sometimes better than what you might have.

Charles Giampietro, 136 Skyline Drive, Meriden CT, addressed the Commission, stating he has lived in this area for 12 years, and served on the Meriden PZC. As far as concerns for the Sister's Center and community, this is a 20 to 25 acre site and could have multi-houses on the property, creating larger traffic problems. Today, people build 4000 to 5000 s.f. houses for 4 people. He does not believe 500 s.f. per person for the chapel is such a big deal, and it is fine for the neighborhood as long as this property sits

undeveloped. Mr. Giampietro stated that he has never seen anyone maintain their property the way the Sisters do...as well as care about the neighbors, neighborhood, and he is fine with this project.

THE PUBLIC HEARING WAS CLOSED.

2. Special Permit Application
Joseph R. Udinsky, Jr.
Bloom Energy
475 Knotter Drive
Construction of 3 fuel cells

PH 4/8/13
MAD 6/12/13

(Mr. Todisco was recused from this application)

Robert Streker, Core Studies Group, engineering company for Bloom Energy, presented the application for three (3) fuel cells at the Macys Distribution Center on Knotter Drive, in an I-2 zone, on a 72 acre site. Bloom Energy will engineer the electricity on the project, connecting into the grid, service the power needs for Macys, and provide emergency electrical service when power goes out. The fuel cells are run by gas, have wafers of silicone, take gas and combine it with steam and these wafers and generate electricity; they are not combustible; there are no motors or compressors; it is a quiet operation, and they do exhaust steam. For the installation of the fuel cells it is critical to be near the electrical connection to the building. The cells will be on the south side of the building; there is a gravel pad installed; and this is the best location for the fuel cells. The pad was installed before a special permit was provided for the site; it serves as seasonal parking for the trucking operation in the area; and the gravel pad area did not have dedicated parking identified or plans to stripe out this area.

Mr. Voelker said they have a special permit, and Macys will continue to use it as a parking as needed. With any further expansion of the gravel pad, the applicant must come back for an approval.

Mr. Streker pointed the pad on the site plan, stating that access to the pad can be done by backing directly out of the loading docks onto the gravel pad, as is done today. Or, the vehicle can circulate through the parking lot that is there near the gravel pad.

The PZC was informed by Mr. Streker that IWW has been received; the amount of parking required is 214 spaces; the applicant has 408 spaces; Fire Department had no comments; and Engineering Department wants storm management issues resolved, and this will be done. For storm water management, a dry well will be installed or perforated pipe system with the gravel pad area.

Mr. Voelker said the Town will be seeing more and more of these applications for larger facilities as there are efficiencies, and it is a great idea.

The Commission was told by Mr. Streker that the building is 270,260 sq. ft., and the fuel cell is a 600 kw system.

Mr. Bulger asked about the fuel cells being in a parking area and if they are protected in any way from run away trucks/broken breaks, etc.

According to Mr. Streker they are protected. What is proposed is a series of bollards around a concrete pad; the pad is 6" off the ground; the fuel cells sit on the concrete pad 6" high; so it will be one foot off the ground.

Mr. Voelker informed the Commissioners that the public hearing can be closed. Or, it can be continued pending action on the Engineering Department comments, which are minor requirements before the special permit is issued.

THE PUBLIC HEARING WAS CLOSED.

**3. Special Permit Application
Town of Cheshire
Marion Road (West Side and 225
Feet north of Jarvis Street)
Construct an unpaved ten-space
Parking area.**

**PH 4/8/13
MAD 6/12/13**

(Mr. Todisco was recused from this application)

Don Nolte, Engineering Technician, Town of Cheshire, presented the application for ten unpaved parking spaces on Marion Road on the west side, and 225 feet north of Jarvis Street with frontage on Huckins Road. This is a large wetlands area, and is across the street from a large agricultural farm site. Mr. Nolte displayed a board showing the location of the proposed parking spaces, with suitable access to the site. The sight lines are good, and you can see to the intersection, and 700 feet to the north. The parking spaces will not be lined; the area has been cleared by Town crews; it is fairly level; and minor grades and changes of less than one foot will keep water moving into the woods and not into the driveway and to the farm field.

The storm water management plan will be a milling surface using recycled material from the road projects. It takes 160 cubic yards to form an 8 inch compacted surface. That drainage will go through a 60 foot long infiltration swale, 3 to 4 feet wide, and continue down slope to a 10 inch deep bed of crushed stone for about 35 feet where there will be a level spreader 2 feet high to capture the water and disperse it into the ground before it travels 140 feet through the woods. There is a low point before it can jump out and get into the nearest catch basin, the low point of the road. There will be no impact on the runoff with the calculations stated, signed and sealed by the town engineer. Three trees will be removed, and the proposal to protect the neighbor from trespass there will be a 150 foot long split rail fence 5 feet into town property. A 2 foot high x 30 foot long earth berm will be constructed to preclude anyone cutting through the vacant property

or trespass. The town will maintain 75 feet of separation from the road to the near edge of the parking area. Parks and Rec Department will rehab the open space/overgrown trails area along with boy scout troops doing some trail work.

Mr. Strollo asked about over flow parking and where the road would be widened to accommodate emergency vehicles.

There could be some add on of some gravel to provide an area for additional cars, and Mr. Nolte said there is room to do this. He said there is no right of way from the Carmody property to the site and parking area.

Mr. Dawson commented on using the reclaimed material, and thinking ahead, without having to come back for more parking in the future.

According to Mr. Nolte a letter and maps were sent to Mr. Carmody about the project. Enhancement notices were sent to all abutters, but no responses have been received.

THE PUBLIC HEARING WAS CLOSED.

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| <p>4. Special Permit Application
Elim Park Baptist Home Inc.
140 Cook Hill Road
Renovation & Expansion of existing
Dining room.
PUBLIC HEARING POSTPONED TO APRIL 22, 2013</p> | <p>PH 4/8/13
MAD 6/12/13</p> |
| <p>5. Special Permit Application
<u>Apex Developers LLC</u>
South Meriden Road
Rear Lot Access</p> | <p>PH 4/8/13
MAD 6/12/13</p> |
| <p>6. Subdivision Application
<u>Apex Developers LLC</u>
South Meriden Road
6-lots</p> | <p>PH 4/8/13
MAD 6/12/13</p> |

Ryan McEvoy, P.E. Milone and MacBroom, represented the applicant, for the 6-lot subdivision on two properties both owned by Cornwall Associates on the west side of South Meriden Road across from Yalesville Road.

The plans were displayed by Mr. McEvoy. Wooded areas were colored in dark green; open space areas in light green; and wetland areas colored yellow. These parcels total 24.5 acres in an R-40 zone. The majority of this site is currently wooded. The western 2/3rds of the property is heavily wooded and all wetland areas. There are two upland areas out of the regulated area for wetlands. On the southern and north eastern portion of the property is where the new lots will be developed. The topography of the

site slopes away from the state highway, and much of the road drains onto the site and heads westerly towards Honey Pot Brook. Abutting properties are Norton Farm to the west, residential properties across the street, and other properties are vacant to the north. The highest point is 285 in the northeast corner and the lowest point is 240. The property generally slopes mildly for most of the property, particularly the wetland areas, and as you approach the road the slope is about 10%.

The development will be 6 lots in the northeast part of the parcel. One lot is in the southern part of the parcel, about 18 acres. All lots will be served by septic system and wells, and septic systems have received Chesprocott approval and for feasibility by IWW. Three of the lots will take direct access off the state highway with driveways; 3 lots will take access off a common driveway. There are two rear lots, and one standard frontage lot will take access off the common driveway.

Mr. McEvoy advised that the storm water management plan is fairly low key in nature with common driveways being directed towards rain gardens, dry wells, with roof areas being directed to infiltration galleries on the individual properties. The sight lines have been reviewed for these driveways. In all cases a minimum of 500 feet can be achieved in either direction with no easements required across any other parcels, and some minor clearing required for lot #1. There are no geometry obstructions on RT 68 and RT 70 at that location. It is just a question of how much clearing must be done to achieve this sight line. The developer is working with the Connecticut Department of Transportation at the request of the Cheshire Police Department.

As with any rear lot access, Mr. McEvoy said regulations place a burden on the applicant to verify it is feasible and prudent. The development of this particular lot, given that the vast majority of the parcel is un-developable, there is no feasible way to extend a town road or develop lots in the western part of the parcel. The rear lot access does provide for the development of the western most areas of the upland soil, and will limit the number of curb cuts onto the State highway. If this were constructed as a town road, given the vertical geometry requirements, it would require the road be built in 6 to 8 feet of fill, which is not something the town would want to take ownership of for long term purposes. And this is not something the applicant is looking to construct.

There is Chesprocott approval. The Fire Department has reviewed the plan, and their concern is that the driveway be constructed at no more than 10%, and this is shown on the plans. Engineering Department had comments and questions regarding the infiltration measures, how long they take to drain. All of the dry wells and rain gardens and infiltration galleries are located in areas suitable for infiltration based on percolation tests performed. In some cases they are in areas for proposed in fill where it is specified that the fill around the measures be comprised of free draining material or gravel.

Mr. Dawson asked about city water on the road.

In response, Mr. McEvoy said there is city water in the area. The nearest location of public water to assist the Fire Department is by Hickory Farms, on Talmadge Road, about 340 feet is the closest approach along Routes 68 and 70. Regulations require that water be extended when the sum of the lots x 50 feet = 300, and the location of the water exceeds this distance. So, regulations do not require water be extended to this property.

On the plans, Mr. McEvoy pointed out where RT 68 comes into this property area.

Ms. Marinaro asked about concerns for the single house on the curve, coming out there.

According to Mr. McEvoy there is no high or low point on the road. With minimum clearing there can be achievement at least 500 linear feet of sight distance which is appropriate for a 45 an hour mile speed. The sight lines are being reviewed with the Police Department.

Mr. Dawson commented on the fence stating that cars go through it once a week.

Mr. Voelker said the applicant staked the driveways, reviewed them with the Police Department at a staff meeting, and they are suggesting the State look at it right now. This is being coordinated and any comments will be available at the next hearing. This application will stay open; it is before IWW; there are some issues and we are not aware of what the State comments will be after they go out there. Mr. Voelker noted that staff met very early on with this applicant, and told them this particular driveway will have some questions as it is on the side of the curve. There must be assurance there is sufficient sight distance in either direction. Whether selective clearing is needed, this must be identified now so they are part of the record if the lot is approved and the home constructed. Prior to issuance of a certificate of occupancy everyone will know what their responsibilities are.

Mr. Dawson asked about the size of the houses for this development.

Regarding the larger lot, Mr. Strollo pointed out that this lot could have horses and barn, and could be a beautiful piece of property. He asked about the back area of the lot.

Mr. McEvoy said the septic systems are designed for a four bedroom house. They will not be extremely larger houses. Part of the property will be undeveloped/open space on the 18 acre parcel. This area has the most wetlands.

Regarding the undeveloped area, Mr. Voelker said this would be open land, undeveloped property.

The Commission was told by Mr. Voelker that part of the 18 acres is a significant wet land area, and it is unlikely it can ever be developed.

THE PUBLIC HEARING WAS CONTINUED TO APRIL 22, 2013.

Mr. McEvoy extended an invitation to the Commissioners to visit the site.

VI. ADJOURNMENT

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

MOVED to adjourn at 8:40 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk