

MINUTES OF THE SPECIAL MEETING OF THE PLANNING AND ZONING  
COMMISSION HELD ON WEDNESDAY, MAY 22, 2013, AT 7:00 P.M. IN ROOM 207,  
TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Sean Strollo, Vice Chairman; Martin Cobern, Gil Linder, John Kardaras, Louis Todisco  
Absent: Earl Kurtz, Lelah Campo, S. Woody Dawson, Edward Guadio.  
Staff: William Voelker, Town Planner.

I. CALL TO ORDER.

Mr. Strollo called the meeting to order at 7:02 p.m.

II. ROLL CALL

The clerk 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. DISCUSSION

A. Plan of Conservation and Development (Plan) – Review of Community Profile Information.

Mr. Voelker distributed information on the community profile for single family dwellings 1960 to 2012, and school buildings (date of construction and school enrollments) number of building permits 1960 to 1976, breakdown of condo units (number of bedrooms and children), Cheshire population data, school district student enrollment.

Single Family Dwelling Permit – 1960-1969 there were 1,257 permits issued; in 2012 23 permits were issued. Mr. Voelker commented on the numbers going down in the years 2010-2012, and the lack of land available for housing development.

Building Permits – there was new construction and community growth between 1960 and 1976 for single family and multi-family buildings. At this time there are no R-20 zone - 10 acre sites available, but there may be a few smaller lots. In R-40 zone there would be no water or sewer, and more of the applications coming before the Commission have limitations due to challenges on properties.

Mr. Voelker will provide information on R-20 land sales with an estimate of buildable lots.

It was stated by Mr. Cobern that over the last few years many large properties were taken off the market, and he cited Ives Farm as an example. This property was given to the Land Trust, and had it been on the market it could have had 150 homes built.

Mr. Linder asked about the existing Plan which was done about 11 years ago, and the characteristics of Cheshire at that time. He noted that demographics have changed somewhat (age, population, retirees, school enrollment, etc).

Mr. Cobern was Chair of the committee on the Plan 11 years ago, and on page 60 of the Plan he noted the list of zones, number of acres, lot size, potential of 2788 dwelling units still to be built. With respect to residential buildings now, he said the growth rate has slowed down over the last 10 years.

According to Mr. Voelker the growth rate will be slower with single family homes because there is not much land out there. Tear downs are not in Cheshire, and there are regulations which preclude this.

The Commission was told by Mr. Voelker that the challenge is the State Plan, under CGS 8-23, which requires diversity in housing stock (affordable housing) and the problem in Cheshire is that there is not enough land left to do this. The main town roads are the best areas for higher density housing in a reasonable way to achieve the goal. In Cheshire, 3% of the housing stock is affordable; and 10% is the requirement to be exempt from 8-23. Cheshire will never meet this percentage, and this could endanger the town's funding from the State for projects such as roads. There must be a good reason for the town not meeting the State's percentage compliance.

Mr. Voelker informed the Commission about 8-30 G, which is the appeal section to override local zoning. It is not applicable to commercial properties. In any zone where there is residential housing it permits a developer to come in, ignore local zoning regulations for affordable housing projects, with 20% of their project for affordable housing. The burden of proof in the appeal process is on the community.

Mr. Todisco asked about 2 and 3 acre zoning, and putting in smaller lots and encourage affordable housing.

The WPCA has a facilities plan, and Mr. Voelker explained that with smaller acres they must be on the sewer system. Most of the land left cannot be on the system.

In the last Plan, Mr. Cobern said one of the considerations was mixed use, with commercial on the first floor and residential on the upper floor of a building, with some of these apartments being affordable. The affordable housing criteria requires someone to meet 80% of the median income of the town and 20% of the units being affordable.

Mr. Cobern commented on trying to get affordable housing in areas where it is beneficial to the community, i.e. West Main Street, which would be an ideal location.

There must also be enough of a market rate for the developer to make sense with the project.

8-30G is a complete override of the town's zoning regulations. Developers like this statute because it gives them another housing type to build.

In the current Plan, Mr. Cobern said it did not specifically refer to affordable housing; the Plan must be very general; it is a framework on which to build regulations. Mr. Cobern read an excerpt from the Plan on the mixed use development.

Mr. Todisco questioned whether the Commission should ask the public about affordable housing being good for the community.

In reply, Mr. Voelker said affordable housing must be dealt with in the Plan.

Mr. Cobern advised that Cheshire Interfaith Housing started so town employees could afford to live in town.

In his professional opinion, Mr. Voelker said affordable housing should be in areas where there is public transportation available, i.e. Routes 10, 68 and 70.

Mr. Cobern read an excerpt from page 60 of the Plan into the record.

There was a brief discussion on the Marion Road property, about 100 acres, being a site for affordable housing. Mr. Voelker noted it is nowhere near public transportation, and he sees the center of town as the best area for mixed use development.

Mr. Kardaras stated that the Commission must take into consideration the fact that the only land available for further development is agricultural land.

This land is becoming more and more expensive than it was 10 years ago, and Mr. Voelker said the trend is to preserve and protect open space in communities. The Town and the Land Trust continue to do this. He also said that some of the farm land is well suited for residential development, but has many other issues, including wet lands.

Mr. Linder has been reading Plans from other communities, and said that Avon CT did a survey, used feedback from the survey (residents and businesses) in review and updating of their Plan. Avon also used consultants from UConn for their Plan revisions. He suggested that Cheshire do a town wide survey. He offered to review surveys on line, develop a model for Cheshire, and bring it to the Commission for review and consideration at the next meeting. Mr. Linder advised that PlanOMatrix has a web site and the firm does many plans for many towns, has many ideas available on how to structure Cheshire's Plan.

For the last Plan the committee took 18 months, and Mr. Cobern said there was a public hearing each month for a year. The Plan was broken into sections for meetings, and

the Town Attorney and Town officials attended meetings related to their offices and duties. Lots of time was spent on the residential, commercial and town center portions of the Plan.

The Commission reviewed some of the information submitted by Mr. Voelker on population, school buildings, projected student enrollment, breakdown of condo units/bedrooms/number of school children. Mr. Voelker asked the Commissioners to further review and present ideas on this section of the Plan.

Mr. Strollo commented on taking into account the number of children in town that do not attend public schools, that family sizes are smaller, and many people are leaving the State of Connecticut. With regard to population he noted that Cheshire has not grown in the last 10 years, and the population includes the prisoners.

Regarding the proposed north end development, there was an amendment made to the Plan in 2007 enabling regulations to be adopted for the north end. This went to the Council and was approved by the Commission. At this time there is no project for the north end, and there is a question on public safety for fire and police needs and infrastructure which have been discussed. Changes to the Plan were for regulations proposed and adopted. The Plan does not contain anything about the north end development and commitment for fire trucks, or how this development would affect the operation of the fire department.

Page 73 of the Plan – Mr. Cobern read an excerpt about the Interchange Zone into the record. He said there was talk about making the I-C zone a real benefit to the town, things which the town would like to have done, and staff did come to meetings for discussions on the I-C Zone, roadwork improvements, fire department, police department, widening of Route 10 and other issues.

The Route 10 traffic problems were raised by Mr. Strollo who asked if the progress of this issue was raised 10 years ago.

Mr. Linder said this is a problem that must be addressed, and Route 10 and Town Center are issues requiring traffic calming. He also commented on the major increase in traffic on roads such as Mountain Road, Peck Lane, Higgins Road, Peck Lane, Talmadge Road.

The Commission will hold a public hearing on the Plan revisions once they are done and ready to be addressed. The revised Plan must be brought to the Town Council 65 days before the public hearing; the Council can have its own public hearing; and the Plan must be adopted by July 1, 2014.

The next meeting was scheduled for Wednesday, June 5, 2013, at 7:00 p.m.

VI. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Linder.

MOVED to adjourn at 8:30 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk