

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, DECEMBER 9 2013, IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

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

Alternates: Jon Fischer and Diane Visconti. Absent: Leslie Marinaro

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Mr. Kurtz called the regular meeting to order at 11:27 p.m.

Mr. Kurtz read the fire safety announcement.

II. ROLL CALL

Mr. Strollo 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 11/25/13 and Regular Meeting 11/25/13

MOTION by Mr. Strollo; seconded by Mr. Dawson.

MOVED to accept the minutes of the Public Hearing of 11/25/13 and Regular Meeting of 11/25/13 subject to corrections, additions, deletions.

VOTE The motion passed 8-1; Lentini abstained.

VI. ELECTION OF OFFICERS

Chairperson

MOTION by Mr. Strollo; seconded by Mr. Dawson.

MOVED that Earl J. Kurtz be nominated and elected Chairperson of the Planning and Zoning Commission.

Nominations were called for three times. There were no other nominees

MOTION by Mr. Lentini; seconded by Mr. Dawson.

MOVED to close nominations for Chairperson.

VOTE The motion passed unanimously by those present.

VOTE The motion to elect Earl J. Kurtz as Chairperson of the Planning And Zoning Commission passed unanimously by those present.

Vice Chairperson

MOTION by Mr. Dawson; seconded by Mr. Gaudio.

MOVED that Sean Strollo be nominated and elected as Vice Chairperson of the Planning and Zoning Commission.

Nominations were called for three times. There were no other nominees.

MOTION by Ms. Campo; seconded by Mr. Kardaras

MOVED to close nominations for Vice Chairperson.

VOTE The motion passed unanimously by those present.

VOTE The motion to elect Sean Strollo as Vice Chairperson of the Planning and Zoning Commission passed unanimously by those present.

Secretary

MOTION by Mr. Strollo; seconded by Mr. Dawson.

MOVED that Lelah Campo be nominated and elected as Secretary of the Planning and Zoning Commission.

Nominations were called for three times. There were no other nominees.

MOTION by Mr. Todisco; seconded by Mr. Kardaras

MOVED to close nominations for Secretary.

VOTE The motion passed unanimously by those present.

VOTE The motion to elect Lelah Campo as Secretary of the Planning and Zoning Commission passed unanimously by those present.

VII. APPROVAL OF 2014 MEETING DATES

MOTION by Mr. Strollo; seconded by Mr. Kardaras.

MOVED to accept the meeting dates for Calendar Year 2014 as presented.

VOTE The motion passed unanimously by those present.

VIII. COMMUNICATIONS

IX. UNFINISHED BUSINESS

- | | |
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| <p>1. Special Permit Application
<u>Marbridge Retirement Center</u>
665 & 655 West Main Street
Assisted Living Convalescent Homes
And the Like.
Sec. 30. Sch. A., Item 7.F
PUBLIC HEARING CLOSED.</p> | <p>PH 10/28/13
PH 11/13/13
PH 11/25/13
PH 12/9/13
MAD 02/12/14</p> |
| <p>2. Zone Text Change Petition
<u>Ball & Socket Arts Inc.</u>
To amend Special Adaptive Reuse
Development District
Section 45.A.1.2
To add flexibility to the Special Adaptive
Reuse Regulation</p> | <p>PH 10/28/13
PH 11/13/13
PH 11/25/13
PH 12/9/13
MAD 02/12/14</p> |

MOTION by Mr. Strollo; seconded by Mr. Todisco.

MOVED that the Cheshire Planning and Zoning Commission approves the proposed amendments to Section 45.A.1.2 and Section 45A.4 contained within the Special Adaptive Reuse Development District (Section 45A) portion of the Cheshire Zoning Regulations. The Commission agrees that these amendments will provide greater flexibility for the planning and development of adaptive reuse projects, and the Commission also finds that these amendments are not in conflict with the 2002 Cheshire Plan of Conservation and Development.

This shall be come effective on December 27, 2013, at 12:01 A.M.

VOTE The motion passed 7-1-1; Dawson opposed; Lentini abstained.
In favor: Kurtz, Strollo, Todisco, Kardaras, Campo, Gaudio, Linder.

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| <p>3. Special Permit Application
<u>Core Development LLC</u></p> | <p>PH 10/29/13
PH 11/13/13</p> |
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**589 South Main Street
13 Unit Planned Residential
Infill Development**

**PH 12/9/13
MAD 02/12/14**

PUBLIC HEARING CONTINUED TO JANUARY 13, 2014

- 4. Waiver request of Section 11.1 of the
Subdivision Regulations
Karen A. Reims
27 East Ridge Court
Requesting waiver of Section 5.6 CUL-DE-SAC
STREET OR DEAD END STREET LIMITATIONS
Subsection 5.6.1
CONTINUED TO JANUARY 13, 2014**

**PH 12/9/13
MAD 02/12/14**
- 5. Special Permit Application
Karen A. Reims
27 East Ridge Court
Two dwelling units in one dwelling
CONTINUED TO JANUARY 13, 2014**

**PH 12/9/13
MAD 02/12/14**
- 6. Earth Removal/Filling or regrading permit
225 Blacks Road LLC
225 Blacks Road
CONTINUED TO JANUARY 13, 2014**

**PH 12/9/13
MAD 02/12/14**
- 7. Site Plan Application
225 Blacks Road LLC
225 Blacks Road
Contractor's warehousing and storage building
CONTINUED TO JANUARY 13, 2014**

**PH 12/9/13
MAD 02/12/14**

MOTION by Mr. Dawson; seconded by Mr. Strollo.

MOVED that an independent traffic study be conducted, at the expense of the applicant, Core Development LLC.

Discussion

Mr. Strollo stated that evidence was brought forward by the residents of Elmwood Drive about traffic problems, concerns and issues with this application. He said the applicant's traffic study did not put the information in perspective.

According to Town Planner Voelker, there is a timing issue with conducting an independent traffic study. There must be public notification in the newspapers, and the study may not be able to be done in time, and there may be difficulty in this stage of the

process to demand a review of the traffic study. Mr. Voelker said he does not have the time to sit with the parties and have a discussion on the traffic study.

It was stated by Mr. Linder that all the discussions about the traffic issues have nothing to do with this application. The public comments centered on the funeral home, high school traffic, turning right and left from Elmwood Drive onto Route 10, and these issues have been in existence for many years. The traffic engineer stated the impact of this development was minor with 11 multi-family units.

Mr. Voelker stated that these engineers used the ITE Manual; there will be 5 or 6 more trips per day; and there will, probably, be no children in these units. Mr. Voelker said the Commission will be forcing the applicant to pay for something which their traffic study already stated.

Mr. Linder commented on the resident being upset about the entire traffic pattern from Elmwood Drive to Route 42 along Route 10 and said it has nothing to do with this application.

Mr. Dawson wants a traffic study done by an independent group, and it will say whether or not the applicant's study is accurate.

Mr. Todisco concurred with Mr. Linder's statement on the traffic issue, and is confident the next study would say exactly what has been stated, and what Mr. Voelker has told the Commission.

Mr. Kardaras also agreed with the comments made by Mr. Linder, and said the only scientific and objective material presented was the traffic study, and not the opinion of people who live on the street. He acknowledged that traffic on Route 10 is bad, and the only good evidence before the Commission is the traffic study. A review of this study, using generally accepted scientific evidence, will provide the same answer.

It was said by Mr. Todisco that a resident stated 22 more cars will impact the traffic and trips, and the Commission can consider this when making its decision.

VOTE In favor 3; Dawson, Gaudio, Stollo; Opposed -6; Kurtz, Campo,
 Linder, Lentini, Kardaras, Todisco.
 The motion failed to pass by a vote of 3 to 6.

8. TABLED APPLICATIONS

- a. Site Plan Application**
Whole Foods Market
400 East Johnson Avenue
Delivery Truck Queuing Area
TABLED UNTIL JANUARY 13, 2014

MAD 01/28/14

X. NEW BUSINESS

- 1. Site Plan Application**
Cheshire Route 10 LLC
1953m 1973, 1989, 2037 and 2061 Highland Avenue
Dickerman Road and I-691
Final Development Plan for The Outlets at Cheshire
I-C.S.D.D. and Interchange Special Development Project
SET FOR JANUARY 13, 2014

Mr. Voelker informed the Commission that this application is scheduled for January 13, 2014. There is a storm water management and traffic analysis ongoing, and documentation of the findings must be submitted to the Commission.

2. Other Planning and Zoning Commission Business

- a. Monthly Report from Zoning Enforcement Officer**
The report was reviewed and accepted by the Commission.

- b. Other**

XI. ADJOURNMENT

MOTION by Mr. Strollo; seconded by Mr. Kardaras.

MOVED to adjourn the regular meeting at 11:45 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk