

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON TUESDAY, SEPTEMBER 23, 2014, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Sean Strollo, Vice Chairman; John Kardaras, Vincent Lentini, Gil Linder, Louis Todisco.  
Alternates: Jon Fischer and Diane Visconti.  
Absent: S. Woody Dawson, Edward Gaudio, Earl J. Kurtz; Alternate – Leslie Marinaro  
Staff: William Voelker, Town Planner

**I. CALL TO ORDER**

Mr. Strollo called the public hearing to order at 7:31 p.m.

Mr. Strollo read the fire safety announcement.

**II. ROLL CALL**

Mr. Todisco 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.

**(Mr. Strollo was recused from applications #1 and #2)**

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|----|---|---|
| 1. | <b>Request for Sidewalk Waiver</b><br><b><u>A.M. Napolitano</u></b><br><b>Cook Hill Road</b>              | <b>PH 9/8/14</b><br><b>PH 9/23/14</b><br><b>MAD 11/27/14</b>                      |
| 2. | <b>Subdivision Application</b><br><b><u>A.M. Napolitano</u></b><br><b>Cook Hill Road</b><br><b>8-lots</b> | <b>PH 7/28/14</b><br><b>PH 9/8/14</b><br><b>PH 9/23/14</b><br><b>MAD 11/27/14</b> |

**Commissioner Todisco was Acting Chairman for applications #1 and #2.**

Mr. Todisco informed the applicant and his representative, Attorney Hershman, on the fact there are only six (6) Commissioners to vote on the Napolitano applications, and a sidewalk waiver requires seven (7) affirmative votes. This situation requires continuing the public hearing to the next PZC meeting, or the applicant can table the application until that hearing date.

Attorney Hershman stated the applicant wished to open the hearing, present the application, and the public hearing can be continued to October 15<sup>th</sup>.

Attorney Jay Hershman represented the applicant for the sidewalk waiver request and subdivision application before the Commission. Attorney Hershman stated the applicant is requesting a waiver of sidewalk requirements, Section 11.1 of the regulations. The waiver is for one side of the street, sidewalk of 1100 feet, one house, and property line extending down the street.

Section 11.1 of the Sidewalk Regulations was read into the record by Attorney Hershman.

The Commission was informed by Attorney Hershman that the 1100 feet of sidewalk would be owned by one lot, which poses a significant hardship for this property owner to maintain and clear this much sidewalk. It also creates difficulty for anyone who purchases this property in the future, and the developer. Having one side of the street with a sidewalk will not present any impact on adjacent property owners; all homes will have access to the sidewalk; the home without the sidewalk will have access to the cul de sac to continue down the street; and the bus stop is at the end of the street where there is safe access for children. Mr. Hershman reported there are no plans to extend sidewalks down Cook Hill Road; there are no schools in this area of Town; and there is no sidewalk for connection in the immediate vicinity.

A question was raised by Ms. Visconti about giving a waiver due to length of the sidewalk, and precedent being set for other applicants in the same situation.

With regard to a sidewalk waiver, Mr. Voelker explained that the circumstances must be unique and are not precedent setting. He noted that Attorney Hershman has identified aspects of the subject property that are unique. An applicant with another waiver request must demonstrate how the sidewalk is unique; a precedent is not being set with the Napolitano application; and the Commission is not setting a precedent, and must look at an individual application and circumstances of the property.

Mr. Todisco commented on the 1100 feet of sidewalk, asking if there is room for another house on this street. He also asked about a detention pond on this property.

In response, Attorney Hershman stated that the only way to develop this area was for the entire sidewalk for one house. The westerly side of the street will have 5 houses which will share clearing and maintaining the sidewalk. Mr. Hershman pointed out the detention pond on the property, near the end of the street, and said it will not hold water for extended periods of time.

Dennis McMorrow, P.E. Berkshire Engineering & Surveying LLC, stated there would be a detention/water quality basin on the east side of the road, 400 feet coming into the road, and after that you can see the extent of the natural wetlands. There is a unique

situation with lot #8/sidewalk waiver request, as the east side of the road is one property, cannot be subdivided due to the water quality basin.

According to Attorney Hershman there is a safer environment created with people walking on the sidewalk (westerly) side of the street.

Mr. Todisco questioned the large detention pond being unique to the property, and prevents further development on this side of the street.

Stating that is correct, Attorney Hershman said there are wetlands on the easterly side of the street, preventing future development.

On the layout, Mr. Linder noted a gap between the end of the driveway and beginning of the sidewalk which continues around the cul de sac, lot #8. and he asked about the gap.

Town Planner Voelker stated that under the regulations, sidewalks cannot be installed around the cul de sac.

For children going to the bus stop, Mr. Linder asked if they would be taken across the street for the bus stop.

Children would be escorted across the street and Mr. Hershman said pointed out his crossing on the plans, noting there would be only 3 houses to pass, and there is minimum traffic.

### PUBLIC

Kris Leach, 540 Cook Hill Road, has lived in this area of town for 12 years in one of the lots soon to be in this development, is familiar with all the roads. She said buses do not go near the cul de sac, pick up at the end of the road, and there should be more concern about safety on Cook Hill Road than the roads in the development.

For clarification, Attorney Hershman stated lot #8 would be the only house without a sidewalk in this development.

With the consent of the applicant's representative, Attorney Hershman, the Commission kept the application open, and it was continued to the next meeting.

THE PUBLIC HEARING WAS CONTINUED TO OCTOBER 15, 2014.

**3. Resubdivision Application**  
**Thirty Five Warren Corporation**  
**Warren Street & Willow Street**  
**8-lots**

**PH 9/8/14**  
**PH 9/23/14**  
**MAD 11/27/14**

Matthew Dusgay, P.E. Milone and MacBroom, LLC, informed the Commission that the Regional Water Authority comments have been received for this application, and RWA has no concerns.

THE PUBLIC HEARING WAS CLOSED.

- 4. Special Permit Application** **PH 9/23/14**  
**George Noewatne, Director of Public Works** **MAD 11/27/14**  
**And Engineering for the Town of Cheshire**  
**520 South Main Street**  
**Section 30, Sch. A. 29A & Sec. 32, Sch. B. Item #7**  
**Tension Membrane Dome to cover the Cheshire**  
**Community Pool**

Mark Nash and Art Crooker, Public Building Commissioners and Pool Committee members, presented the application to the Commission. Mr. Nash stated the application is a waiver to build a permanent structure over the pool.

Town Planner Voelker stated this is a special permit request to increase the height for the pool dome, an amendment to the plan for the permanent structure which was previously approved. The proposed height of the dome is 54 feet, 8.5 inches.

Mr. Nash thanked the PZC for moving this matter forward so the project can move along and the structure can be built and installed. Renderings and elevations were displayed and Mr. Nash noted they were also in the Commission packets. The permanent enclosure has a 1 foot 8 inch difference in height between the old roof (bubble) and the permanent roof.

Stating the plans submitted to the Commission look good, Ms. Visconti asked about this being the definite plan, and if other scenarios were looked at, and why this plan was chosen.

In reply, Mr. Nash stated the budget numbers for this plan are good, and the project will come in at or under the \$3.2 million budget approved at referendum by the voters. He commented on a proposal from a few years ago for a glass pool enclosure, \$7 million cost, and this was rejected at referendum. For this application, many different structures were looked at, and the idea was for a permanent structure that could withstand the State's weather conditions. The tension membrane dome to cover the community pool is the best option.

The structure can be opened during the summer months, and Mr. Nash displayed a rendering of the new dome with the openings for the summer season. He said the pool committee and PBC has spent many months looking at proposals and making decisions. The pool is a large structure, difficult to deal with, has many demands to be met, and compromises have been made for a structure that is appealing to everyone for enjoyment of the pool.

Mr. Nash informed the Commission that there is no increase in the size of the building or the pool, and Arizon Structures Co. will be working just beyond the existing grade beam for the new foundation. There is no encroachment on either side of Bartlem Park.

A question was raised by Mr. Linder on the tension membrane, structure frame, material to be used and its flexibility, ripping potential, durability.

Tom Soehngen, Arizon Structures, St. Louis MO, reported the structure will be a steel frame, individually assembled and installed, tied together for a solid structure, and the fabric is installed over the top of the frame. The structural design is a frame strong enough for the entire design; it can handle the winter weather and snow load; any rip or tear in the fabric can be repaired and does not affect the integrity of the frame or design. The fabric is pvc coated polyester fabric, with a strength of 500 pounds per 1 inch. The roof/frame has a 30 year warranty, and the fabric has a 25-30 year warranty.

The Commission was informed by Mr. Soehngen that Arizon has built over 100 buildings around the country, both air and frame supported structures. The company has dealt with tears, does repairs nation wide, damage/tears are not common but sometimes they do happen, and can be repaired.

Mr. Fischer asked about heavy accumulation of snow and removing it from the top of the frame.

Stating this building is designed for heavy snow, Mr. Soehngen said the snow can be removed from the top of the building, as is done with any structure in town.

Mr. Strollo asked about the largest clean span every built by Arizon, noting the pool is 235 feet. He also asked if the Cheshire Pool is the largest in the New England area.

According to Mr. Soehngen the Cheshire Pool is on the realm of one of the largest sized buildings.

Ryan Widger explained that as long as the structure is designed for snow, there is no problem, and there is a good pitch on the roof. This roof can take a 40 inch snow storm, and State code is 35 pounds of snow per square foot. The pitch is higher than requested and is the height needed, per Arizon's engineering department.

The Commission was informed that Arizon built the New England Patriots fabric tension membrane building, 250 feet wide, in 2003/04. For this structure there was replacement of some fabric due to a quality issue, nothing to do with the building design.

Mr. Linder pointed out the regulations for the site approve a 60 foot height, and asked if this influenced the engineering, i.e. 70 feet, making the building taller. He asked if Arizon is comfortable and accepting of 54 feet 8.5 inches.

Mr. Widger said the height is totally acceptable, and Arizon is comfortable with this height.

The interior with the cross bracing and depth of the bracing was questioned by Mr. Stollo.

Mr. Widger displayed a rendering of the interior, noting the truss depth is 6 feet, and only fabric can be seen from the inside of the structure.

For summer days, Mr. Linder asked about heat and air circulation inside the dome.

Mr. Soehngen pointed out that there are vents at the top of the building, and air handling units bringing in 100% of outside air. There are 17 overhead doors, 12 ft. x 12 ft. each, to be opened for cross ventilation to the building.

Mr. Voelker informed the Commission that Fire Department and Engineering Department reviewed the application and plans, and no comments were received.

THE PUBLIC HEARING WAS CLOSED.

**5. Special Permit Application**  
**Joseph Whitright, Whitright Realty LLC**  
**312 East Johnson Avenue**  
**Section 30, Sch. A. Para 27**  
**CT Florist Association**

**PH 9/23/14**  
**MAD 11/27/14**

Joseph Whitright, property owner and applicant, stated the proposed use of the florist association is good for Cheshire, and they will occupy 5,200 sq. ft. in the front building on the left. No exterior changes are proposed.

A memo from Sylvia Nichols, Director CT Floral Design School, was made part of the record.

Mr. Voelker explained that the CT Florist Association will have classes and offices at the site, as part of the special permit regulation adopted by the Commission many years ago. The classes will have 10 to 12 people per session; there is ample parking with no impact on parking; classes are held on off-peak hours; and the operation will not interfere with other operations in the building.

THE PUBLIC HEARING WAS CLOSED.

Mr. Voelker read a letter into the record from the applicant (Estate of Anneliese L. Platt) requesting postponement of the public hearings to October 15, 2014. He also advised the Commission that another (new) application has been received from the Estate of Anneliese L. Platt, and his recommendation is to continue it to October 15, 2014.

6. **Waiver Request of Section 5.5.B.5  
of the Subdivision Regulations  
Estate of Anneliese L. Platt  
628 Wallingford Road  
PUBLIC HEARING TABLED UNTIL 10/15/14**

**PH 9/23/14  
MAD 11/27/14**

7. **Subdivision Application  
Estate of Anneliese L. Platt  
628 Wallingford Road  
3-lots  
PUBLIC HEARING TABLED UNTIL 10/15/14**

**PH 9/23/14  
MAD 11/27/14**

**VI. ADJOURNMENT**

MOTION by Mr. Todisco; seconded by Mr. Kardaras.

MOVED to adjourn the public hearing at 8:15 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk