

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, FEBRUARY 23, 2015, IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410.**

Present

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

**I. CALL TO ORDER**

Chairman Kurtz called the regular meeting to order at 9:58 p.m.

Ms. Visconti was the Alternate Member for the meeting.

**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. ACCEPTANCE OF MINUTES - PUBLIC HEARING JANUARY 12, 2015 AND SPECIAL MEETING JANUARY 12, 2015**

MOTION by Mr. Lentini; seconded by Mr. Todisco.

MOVED to approve the minutes of the Public Hearing of January 12, 2015 and Special Meeting of January 12, 2015 subject to corrections, additions, deletions.

VOTE           The motion passed unanimously by those present.

**VI. COMMUNICATIONS**

1. Letter from Michael Masella dated 1/15/15 RE: In-Law Apartment renewal for 25 Bearpath Court.

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

MOVED that the Planning and Zoning Commission grant a five year extension of the approval for the in-law apartment, property located at 25 Bearpath Court, Assessors Map No. 56, Lot No. 155, in an R-20 zone.

With the following stipulations:

1. All previous stipulations shall remain in effect.
2. This approval shall expire on February 23, 2020. 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. Connecticut Federation of Planning and Zoning Agencies 67th Annual Conference to be held March 26, 2015.

Planning and Zoning Commissioners were invited to attend this conference. If interested in attending, please contact Ms. Patrignelli in the Planning Office.

## **VII. UNFINISHED BUSINESS**

1. **Special Permit Application** **PH 1/12/15**  
**220 Realty Drive** **PH 1/26/15**  
**220 Realty Drive** **PH 2/23/15**  
**To develop a cemetery** **MAD 4/29/15**  
**P.H. CONTINUED TO MARCH 23, 2015**
2. **Waiver Request: 220 Realty LLC** **PH 2/23/15**  
**220 Realty LLC** **MAD 4/29/15**  
**220 Realty Drive**  
**Requesting waiver of subsections (3) and (9)**  
**of Section 25.5 Earth Removal, Fill**  
**or Regrading Permit**  
**P.H. CONTINUED TO MARCH 23, 2015**
3. **Earth Removal, Filling/Regrading Permit** **PH 2/23/15**  
**220 Realty Drive** **MAD 4/29/15**  
**220 Realty Drive/Highland Avenue**  
**P.H. CONTINUED TO MARCH 23, 2015**
4. **Special Permit Application** **PH 2/23/15**  
**138 Highland Avenue LLC** **MAD 4/29/15**  
**Construction of two buildings, 11 residential**  
**dwelling units with parking and utilities as per**  
**Section 43.8**  
**P.H. CONTINUED TO MARCH 23, 2015**

5. **Special Permit Application**  
**Fifteen North Plains Industrial Road LLC**  
1430 Highland Avenue  
Childrens Day Care Center  
P.H. CONTINUED TO MARCH 9, 2015  
PH 2/23/15  
MAD 4/29/15
  
6. **Planned Residential Resubdivision Development Application**  
**Apex Developers LLC**  
Jarvis Street  
15 Lots  
P.H. CONTINUED TO MARCH 23, 2015  
PH 2/23/15  
MAD 4/29/15
  
7. **Special Permit Application**  
**Apex Developers LLC**  
920 Jarvis Street  
A 15 lot PRRD with 3 affordable units  
Sections 44 and 40  
P.H. CONTINUED TO MARCH 23, 105  
PH 2/23/15  
MAD 4/29/15
  
8. **Waiver Request: 920 Jarvis Street**  
**Apex Developers LLC**  
920 Jarvis Street  
Requesting waiver of subsections (3) and (9)  
of Section 25.5 Earth Removal, Fill or  
Regrading Permit  
P.H. CONTINUED TO MARCH 23, 2015  
PH 2/23/15  
MAD 4/29/15
  
9. **Earth Removal, Filling/Regrading Permit**  
**Apex Developers LLC**  
Jarvis Street  
P.H. CONTINUED TO MARCH 23, 2015  
PH 2/23/15  
MAD 4/29/15

**VIII. BONDS**

1. **Release of Performance Bond for the Cheshire Crossing Project by Pulte Homes of New England LLC**

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

MOVED that in accordance with the letter from Milone and MacBroom dated August 6, 2014, and requested by Pulte Homes of New England, and acknowledged by the Cheshire Crossing Home Owners Association, the Planning and Zoning Commission authorizes the release of the Performance Bond in the amount of \$10,000.00.

VOTE           The motion passed unanimously by those present.

**IX.    NEW BUSINESS**

**1.    Waiver Request of PABCO Inc., Lot 6 Saddlebrook, pursuant to Section XI of the Town of Cheshire Subdivision Regulations to waive the sixty (60) foot set back requirement set forth in Section 5.5 B-16.  
THIS APPLICATION WAS SCHEDULED FOR MARCH 23, 2015**

**2.    Other Planning and Zoning Commission Business**

**a.    Monthly Report from the Zoning Enforcement Officer.**

Commissioners reviewed the report. Mr. Voelker informed the Commissioners that the Maple Avenue item involves a two-family house turned into a four-family house, and going back to a legal two-family house. The conditions of the house have been looked at to insure safety and there are no issues of concern.

**VI.   ADJOURNMENT**

MOTION by Mr. Veleber; seconded by Mr. Kardaras.

MOVED to adjourn the regular meeting at 10:06 p.m.

VOTE           The motion passed unanimously by those present

Attest:

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Marilyn W. Milton, Clerk