

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JULY 27, 2015, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410.

Present

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

I. CALL TO ORDER

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

Overview of Draft Revisions to the Cheshire Plan of Conservation and Development. Chapters Include:

- **Commercial Areas**
- **Industrial Areas**
- **Residential Considerations**
- **Community Facilities**
- **Environmental Resources**
- **Historic and Cultural Resources**

Town Planner Voelker read the public hearing notice into the record.

Plan of Conservation and Development

Mr. Voelker informed the Commission and the public present that the draft of the Plan is being introduced for their review. The Plan will be on the Town web site. He is in the process of writing the section of the Plan to have consistency with the State Plan and Regional COG Plan. Cheshire's Plan is not in conflict with either of these documents. The public hearing is held to stimulate discussion on the Plan, which will be referred to the Town Council for an October public hearing and adoption thereafter.

The last Plan was adopted and updated in 2002. The State requires updating of the Plan every 10 years, but due to significant revisions to the State Plan the time frame

has been extended to July 2016. Cheshire's Plan has recommendations for land use policy, and could have an influence on PZC regulations, Subdivision Regulations, and capital projects. The document is general in nature and is not a law onto itself. There are chapters within the Plan, and Mr. Voelker advised he would be discussing the Commercial, Industrial and Residential chapters for this public hearing. The Plan also has chapters on Municipal Facilities, Environmental Resources, Historic and Cultural Resources. There is a breakdown of the Plan into focus areas along with maps. The Commission has held 20+ meetings on the Plan, and various Town departments, agencies, organizations and interested parties have participated in these meetings. The Plan will be referred to other agencies for comments.

Mr. Voelker presented a policy overview for Commercial, Industrial and Residential Chapters of the Plan.

Commercial - Town Center Focus Area - This area of Town includes C1, C2, R20 and R20A zoning designations; there is some pedestrian activity due to Cheshire Academy, Churches, and Board of Education. The Cornwall Historic District is within the Town Center area; the Historical District sets context for review for special permit applications; context area is set by the Historic District Commission.

Recommendations - look at the Special Development District (SDD) which was created in 1977 as an overlay district; the SDD is regulated under Section 45 of the regulations; an SDD must have 1.5 acre minimum lot area and there should be consideration of reduction in the lot acreage; this would help with rehabilitation of buildings in the area, development and investment. In the SDD there should be a flexible approach to development, making residential options easier, having a more dynamic Town Center area. The former theater property site could be redeveloped; this 2 acre site is in the aquifer area; it is a gateway to the Town Center area. Curb cuts are limited but the area has heavy activity during rush hour. The gas station site, 687 South Main Street, is a non-conforming use, with a recommendation to rezone it to R20A for professional office use. There is good access management in this area of Town.

Main Street Focus Area - This area includes C2, C3 R20 and R20A zoning designations; there are industrial uses (Public Library, St. Bridget Church and School, Post Office, Cheshire Senior Center, CFD Headquarters). The Plan recommends maintaining this area, minimize curb cuts, flow of traffic is important, the area has some historic buildings, and the character of the area is important and should be maintained.

West Main Street Focus Area - Redevelopment is taking place in this area of Town, which has C3, I-1, R20 and R20A zoning designations, and it is a commercial village area. The dominant feature is the Ball & Socket site which is being converted into a community arts facility and adaptive use. The area is surrounded by older, well maintained residential neighborhoods, and it is an active community. The Plan recommendation is to find ways and techniques to enable more flexibility with redevelopment in this area. State building codes must be enforced making rehabilitation more expensive. The PZC recognizes this and will take a look at the

zoning in the area with plans for continuation of the character of the community, involved property owners, and find ways to make it happen. Some West Main Street area have potential for SDD and property development.

South Main Street Focus Area - This area has zoning designations of C3, C2, R20A and R20, and is located within the aquifer protection district. 830 South Main Street is a cluster of three buildings owned by Bovano Industries, and they are used for commercial and industrial purposes, are of historic interest, are residential in character, and maintained by the property owner. Cheshire Nursery is in the R20 zone, is a non-conforming use, built in 1910, and the plan recommendation is to keep the zoning at R20.

The overall strategy for South Main Street is to continue with good access management, minimum curb cuts, encourage additional landscaping and screening of high commercial usage.

Comments and Questions from Commission and Public

Ms. Marinaro asked about SDD in Town Center, elimination of curb cuts and whether the use of drive throughs in this area was considered.

According to Mr. Voelker the Town Center has no stacking areas, no extra lane width, and the Plan does not state "elimination of drive throughs". He commented on use of the old theater property which would not require left turns in and out. The Plan is cautious about access management, and Mr. Voelker noted CPD reviews all applications and would be concerned about left turn movements, particularly during rush hours.

Robert Brucato, 1140 Wolf Hill Road, asked about the former Huxley Garage site and its clean up.

This property is relatively cleaned up and Mr. Voelker advised that from an environmental standpoint there are remedial levels for all commercial uses. Residential uses are not recommended for this location.

With narrow front area parking, Ms. Marinaro said the Town Center strip mall is not conducive to any development, and asked if this is a non-conforming site and if it would be permitted.

Mr. Voelker said this would be done only if the Commission approved it; the developer would have to lease with tenants; and the Town can insist on standard parking requirements.

Industrial Area - There are 3 zoning classifications -- Industrial I-1, Industrial I-2 and Interchange Zone I-C.

The I-C zone is the I-691 and Route 10 Interchange; much of the area is within the aquifer protection district.

I-1 is the west side, and the majority of the zoning in Cheshire is in this area; minimum lot size is one acre.

I-2 is also on the west side, minimum lot size is 3 acres; this zone requires larger scale development; and the plan recommends changes in the minimum lot sizes. Total industrial area is 2500 acres; 400 acres lie within the I-C zone; a smaller I-1 zone lies in the West Main Street area.

In 1988 a Route 10 Corridor Study was done to minimize access on Route 10, and keep the highway running smoothly during rush hours.

Building Lot Coverage - Mr. Voelker cited Cheshire at 25% maximum lot coverage; the Plan recommends increasing this to 35%; this would be consistent with surrounding communities and keep Cheshire competitive in a difficult market. Building coverage is for structures only; most industrial users have more parking than required; and under the regulations a company can defer 50% of its parking ratio.

There was a brief discussion about "lot coverage", increasing it to 35%, problems arising when industrial lots abut residential properties, and changing lot coverage to 25% to 35% depending on the property. Mr. Voelker pointed out Meriden and Southington with high coverage ratios and major employers needing higher lot coverage and it being granted. The Plan recommends Cheshire having 35% lot coverage; this is conservative; and the coverage could be 35% with a public hearing and special permit.

Mr. Dawson asked about I-691 area and how close it is to utilities (water, sewer, gas) and how it bears on the areas.

There is one developer with a project on the northwest corner and Mr. Voelker stated there are utilities to be extended to the site. The Town has no responsibility for extension of public utilities for any developer.

With the large north end development, Ms. Marinaro said there could additional Town services needed, i.e. fire, police, etc. and asked if this would be at the cost of the developer.

For this site a fiscal impact study was done which showed significant benefit to the community for this development. Mr. Voelker explained that the Town, under State mandates, has no authority to place impact fees on anyone because the developer will pay taxes.

It was stated by Mr. Dawson that the Cheshire residents need to think about expansion in the future to increase the tax base. He noted that the Town of Southington spends money investing in the community and there is a return on this investment.

In the Plan, Mr. Voelker said there is a recommendation to keep these properties zoned as they are now. The context of the Plan is not to "remake Cheshire" but to reinforce what is there now, to prevent erosion of the industrial portion of the economic base with rezoning properties, and to look at expansion on the small part of Cheshire on Route 322. He said the Town should never give up industrial land because it cannot be replaced. There is a good benefit with industrial uses which creates employment.

PUBLIC

Karen Schnitzer, 18 Currier Place, came to town for the rail/trail, and asked what it means to citizens to "not change the industrial zone", i.e. nice business versus industrial business not pleasant to live near.

Ms. Brucato, 1140 Wolf Hill Road, commented on the red sky (light pollution) driving on I-84 near Southington, and the clear blue sky coming into the Cheshire area. She loves Cheshire which is a beautiful town, has rolling acres, and colonial homes. Industry is good, growth is good, but she asked for facts and figures to support this. She questions competing with other towns at 35% or more lot coverage, prefers staying within current limits, and said some communities have found ways to support this.

Martin Cobern, 7 Carriage House Way, noted that Mr. Voelker stated the Town will not convert the north end to commercial; it will remain industrial; and Cheshire has a zoning regulation prohibiting any big box stores. The Town has the largest amount of open space of any town in Connecticut, including Ives Farm which was given to the Land Trust for preservation as farm land. Mr. Cobern stated industrial development is important to the Town, creates large tax revenue, and the purpose of the industrial section is to allow economic growth consistent with the current and future nature of the Town. Route 10 will not be rezoned as an industrial zone.

Some of this comes from zone text changes and Mr. Brucato commented on a 100 story building, and wanting to widen Route 10.

Mr. Stollo said that leaving I-84 from Southington to Waterbury most of the area is open space which will not be developed.

It was stated by Ms. Marinaro that the Commissioners have an interest in the Town, must find the balance, and there are special permits for certain areas. She noted The Beautification Committee helps with the beautification of the Town.

Ms. Schnitzer stated she tells friends and family that people on boards and commissions have the best interests of the Town at heart, they care, and are important to the community.

An invitation was extended by Ms. Visconti for people to join boards and commissions, and she said it is exciting and reassuring to have new people in Town.

A statement was made by Mr. Voelker that there is no plan to expand industrial districts, but the Town wants to expand its economic base.

Residential - 87% of land in Cheshire is zoned residential; the density pattern is typical for a suburban community; it is mostly single family development; it is a community of neighborhoods; population is fairly steady, getting lower with out migration.

The Commission is aware that the residential chapter is driven by CGS 8-23, and Mr. Voelker cited a section into the record... "the commission shall consider the need for affordable housing" and housing diversity. Affordable housing is factored into the cluster zoning regulations; the State requires consideration of this housing; and the Plan recommends a review of the affordable housing regulations and cluster subdivision regulations.

Of the 8,082 dwellings in Cheshire, 337 qualify as affordable households with income levels at or below the 80% of median income for a family of four. Nothing in the Plan encourages extensive ordinance changes in the density ratios. All residential zoned land is available for affordable housing under CGS 8-23. Cheshire's ratio of affordable housing is at 3%; State requirement is 10%; and Cheshire will never meet this percentage.

There are two areas not being dealt with -- young people coming out of college and older residents who cannot afford to live in Cheshire. Ms. Marinaro stated the need to encourage housing for this population of the community due to generation after generation being lost. Mr. Kardaras suggested deregulating in-law apartment regulations.

In the Town Center with SDD and the West Main Street area, Mr. Voelker said there could be smaller sized residential development, but infill housing will not be affordable in the market.

PUBLIC

Ms. Brucato commented on affordable housing being controlled by "means" and said there must be a floor in there.

The public was informed by Mr. Voelker that State law controls affordable housing, and nothing contrary can be done. The law is a deliberate override of local zoning regulations for towns with less than 10% of affordable housing. The law allows a developer to buy land and put up 40 homes under CGS 8-30(g). If there is a market for this housing, it cannot be stopped.

Mr. Todisco commented on the POCD meetings not looking at CGS 8-30(g) as a threat, and asked about consideration to have more affordable housing, i.e. 5% to 6%. This would provide better variety of housing in town.

In looking realistically, Mr. Dawson commented on the fact that government has control over housing situations, not the municipality.

A comment was made by Chairman Kurtz that pointed out the fact that developers cannot afford to build affordable housing units.

There are existing regulations, and Mr. Voelker said the PZC can look at them, recognizing there is a need for affordable housing. He noted this housing is good for the community, and enables the younger population to remain living in town.

Mr. Veleber cited the NVR profile and read an excerpt into the record. He commented on construction of 1,554 more dwelling units, potential population increase of 4,134 persons, rate of 2.66 people per household, and the Plan not challenging these assumptions/predictions.

2.66 people per household is an average number and Mr. Voelker said the Town Center with an SSD would be a lower number, and more and more people are leaving the State. There will be no pressure on the infrastructure; family sizes are what they are; enrollment projections indicate this; and residential shifts will not change anything.

The Linear Trail is recognized in the Plan; there is a recommendation for community activities; West Main Street area will be enhanced by the Linear Trail Park which is recognized as an important part of the Plan.

PUBLIC

Tim White, 1682 Orchard Hill Road, asked if the Plan committee requested feedback from Energy and Environment Commissions, as the Plan has energy and environment issues. He said DEEP has a number of things on solar subdivisions, and solar energy should be part of the discussions, not a mandate.

According to Mr. Voelker the draft of the Plan will go to all board and commissions with a request for feedback. The POCD committee met twice with the Economic Development Commission, department heads, and board and commission members were invited to participate. There is one more public hearing before the Plan is adopted and Mr. Voelker invited everyone to call for an appointment to meet with him.

Regarding new developments, Ms. Brucato asked about public input on recommendations and design of structures etc.

Mr. Voelker commented on the fact that design is difficult to regulate and changing designs is limited and hard to do. Cheshire does not have a design review board.

A statement was made by Ms. Marinaro that the Commission has the ability to recommend design changes to an applicant.

The Plan of Conservation and Development will have another full public hearing, and Mr. Voelker noted this public hearing was the introduction of the Plan to the public. The Plan will be on line next week; public comments are welcomed; and the Plan should be formally adopted in October or November.

Joy Vonderlek asked that there be more publication about the Plan and future meetings. She noted the Cheshire Herald stated it was a meeting on "conservation" which was not discussed at this public hearing, and asked for a specific meeting on conservation issues.

There was no further Commission or public discussion or comments.

Chairman Kurtz closed the public hearing.

VI. ADJOURNMENT

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

MOVED to adjourn at 9:25 p.m.

VOTE The motion passed unanimously by those present.

Attest:


Marilyn W. Milton, Clerk