

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION REGULAR MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARING ON MONDAY, SEPTEMBER 28, 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; Edward Gaudio, Secretary;
Members: John Kardaras, Vincent Lentini, Gil Linder, Louis Todisco, David Veleber.
Alternates - Jon Fischer and Diane Visconti
Absent: S. Woody Dawson and Leslie Marinaro (alternate)
Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Kurtz called the regular meeting to order at 9:44 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. ACCEPTANCE OF MINUTES - POCD Minutes 9/9/15; Public Hearing 9/16/15; Special Meeting 9/16/15; Public Hearing, POCD, 9/21/15

MOTION by Mr. Gaudio; seconded by Mr. Kurtz.

MOVED to approve and accept the minutes of the following meetings -
POCD Minutes 9/9/15 and POCD Minutes 9/21/15 subject to corrections, additions,
deletions.

Discussion

POCD Minutes 9/9/15 - Mr. Veleber corrected page 3 to delete "and questioned its validity".

VOTE The motion passed 6-0-3.

MOTION by Mr. Stollo; seconded by Mr. Todisco.

MOVED to approve and accept the minutes of the following meetings -
Public Hearing 9/16/15 and Special Meeting 9/16/15 subject to corrections, additions,
deletions.

VOTE The motion passed 7-0-2; Lentini and Kurtz abstained.

VI. COMMUNICATIONS

VII. UNFINISHED BUSINESS

1. **Site Plan Modification Application** **MAD 12/1/15**
Western International Gas
325 McCausland Court
To install two (2) additional 1,990 gallon propylene tanks

Phil Kruse, Project Manager, AirGas, represented the applicant, stating Western International Gas is the company's supplier for propane. The proposal is to install two (2) 1,990 gallon propylene tanks at 325 McCausland Court to increase the supply for new business. Mr. Kruse informed the Commission that the company has hired Milone & MacBroom to do new CAD drawings showing all the tanks on the property.

On the plans, Mr. Voelker pointed out the location of the tanks (shown in red). It is known where the tanks are; the company wants updated drawings; and the company has well below the 50,000 gallon maximum allowance on the property. The application came before IWW and no permit is necessary. A new oversight plan can be requested, but he is confident that what is proposed meets the regulations.

MOTION by Mr. Veleber; seconded by Mr. Lentini.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to install tow (2) additional 1,990 gallon Propylene gas tanks at 325 McCausland Court as shown on plans provided by the applicant are consistent with the requirements of Section 30, Schedule A., Item 64A of the Cheshire Zoning Regulations and here by approves this application conditioned upon satisfaction of the following conditions:

1. Provision of a new overall site plan that accurately reflects all on-site conditions.
2. Conformance to the comments from the Regional Water Authority dated July 22, 2015.

Discussion

In response to a comment from Mr. Veleber about the overlay, Mr. Voelker stated that the plans must coincide with what is presented to the Commission. If not, the applicant would have to come back to the PZC.

VOTE The motion passed unanimously by those present.

2. **Sidewalk Waiver Request** **PH 9/16/15**
Apex Developers LLC **PH 9/28/15**
Coleman Road **MAD 12/2/15**
CONTINUED PUBLIC HEARING TO OCTOBER 14, 2015

3. **Subdivision Application** **PH 9/16/15**
Apex Developers LLC **PH 9/28/15**
Coleman Road **MAD 12/2/15**
7 lots (6 new; 1 existing)
CONTINUED PUBLIC HEARING TO OCTOBER 14, 2015

4. **Zone Text Change Petition** **PH 7/13/15**
Fredric M. Kudish **PH 9/28/15**
Section 30, Schedule A **MAD 12/2/15**
Subsection 23C-to permit outdoor events
On a working farm.
CONTINUED PUBLIC HEARING TO OCTOBER 14, 2015

5. **Special Permit Application** **PH 9/28/15**
RPG Holding LLC **MAD 12/2/15**
1154 Highland Avenue
Urgent Care Medical Clinic in Existing Building

MOTION by Mr. Veleber; seconded by Ms. Visconti.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to locate an urgent medical care facility within the existing building at 1154 Highland Avenue as shown on plans entitled "As Build Map for Marshall Enterprises, 1154 Highland Avenue, Cheshire CT" dated January 12, 2004, are consistent with the requirements set forth in Section 40 of the Cheshire Zoning Regulations and hereby approves this application.

VOTE The motion passed unanimously by those present.

6. **Special Permit Application** **PH 9/28/15**
Dennis P. Matfus **MAD 12/2/15**
8 East Ridge Court
In-law Apartment

MOTION by Mr. Lentini; seconded by Mr. Strollo.

MOVED that the Cheshire Planning and Zoning Commission finds that the proposal to renew an expired permit for an in-law apartment at 8 East Ridge Court, as shown on plans provided by the applicant, is consistent with Section 30, Schedule A, Item 5, of the Cheshire Zoning Regulations and here by approves this application.

VOTE The motion passed unanimously by those present.

7. **Digital Format of the updated Cheshire Zoning Map.**

MOTION by Mr. Veleber; seconded by Mr. Strollo.

MOVED that the Cheshire Planning and Zoning Commission hereby endorses the use of the digital format for the Cheshire Zoning Map, and in so doing approves no changes to the Zoning Map, other than corrections that are based upon specific actions made by this Commission.

VOTE The motion passed unanimously by those present.

VIII. NEW BUSINESS

1. **Zone Text Change Petition Application**
Airgas USA LLC
To add Section 32.7.2 to Section 32.7
Outside Storage
(Application available in the Planning Office for Review)
SET FO PUBLIC HEARING ON NOVEMBER 9, 2015

2. **Special Permit Application**
Sharad Jain
1127 Highland Avenue
Patio
SET FOR PUBLIC HEARING ON OCTOBER 14, 2015.

3. **Other Planning and Zoning Commission Business**
 - A. **Monthly report from Zoning Enforcement Officer**The Commission reviewed and accepted the ZEO report.

Before adjournment, Mr. Veleber informed the Commission that the issues involving the cell tower at 1338 Highland Avenue, Tower Farms, were turned over to the Siting Council (DPUC) for assistance with resolution.

IX. ADJOURNMENT

MOTION by Mr. Strollo; seconded by Mr. Veleber

MOVED to adjourn the regular meeting at 10:07 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk