

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JUNE 27, 2016 AT 7:30 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl J. Kurtz, Chairman; Sean Stollo, Vice Chairman; Members: S. Woody Dawson, Edward Gaudio, John Kardaras, Vincent Lentini, Gil Linder, Louis Todisco, David Veleber.

Alternates - Jon Fischer, James Jinks; Absent: Jeff Natale

Staff: William Voelker, Town Planner

**I. CALL TO ORDER**

Mr. 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**

Secretary Veleber read the call of public hearing for all the applications.

Mr. Veleber was recused from the BFAM applications; Mr. Fischer was the alternate.

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| <b>1. Waiver Request</b>             | <b>PH 5/23/16</b>  |
| <b>Special Permit Application</b>    | <b>PH 6/13/16</b>  |
| <b><u>BFAM Investments LLC</u></b>   | <b>PH 6/27/16</b>  |
| <b>129 Mountain Brook Circle</b>     | <b>MAD 8/31/16</b> |
| <b>Rear Lot Access Way</b>           |                    |
| <br>                                 |                    |
| <b>2. Special Permit Application</b> | <b>PH 5/23/16</b>  |
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| <b>Rear Lot Access Way</b>           |                    |

Attorney Tony Elia, 270 Quinnipiac Avenue, North Haven CT, represented the applicant. At the last public hearing the application was referred back to the Cheshire Fire Department (CFD) for further review. The CFD responses have been received and reviewed by the applicant who will be in compliance with all recommendations.

CFD recommendations include a compliant sprinkler system installed at the house; provide an NFPA compliant fully monitored fire alarm system including water flow from the system; and all systems fully functional, inspected by CFD, prior to issuance of a Certificate of Occupancy.

Town Planner Voelker read the CFD letter dated 6/16/16 into the record.

It was stated by Attorney Elia that under Connecticut Case Law a hardship is required that is unique to the property which prevents reasonable use. In this instance the topography is one of the hardships to obtain a variance.

Mr. Todisco pointed out that in addition to the sprinkler system there is a monitored fire alarm system. He asked if activation of the sprinkler system would activate the monitoring system.

The Commission was informed by Attorney Elia that the monitored fire alarm system is tied into a central alarm station and the alarm company notifies the CFD.

Mr. Todisco said the alarm company would know about a fire problem before CFD with two systems on the property.

#### PUBLIC

Cindy Kleist, 251 Lancaster Way, questioned the waiver application and what it as for.

Chairman Kurtz stated it is a waiver of the 10% grade of the driveway.

Mr. Voelker explained that the layout was put together in 1994 before adoption of the 10% grade requirement. The owners never constructed the house; the approval expired in 1999; and the applicant is bringing it back now to the Commission. The subject lot can only be accessed through a rear lot Accessway.

The public hearing was closed.

**CHAIRMAN KURTZ ADJOURNED THE PUBLIC HEARING AT 7:42 P.M.**

**CHAIRMAN KURTZ RECONVENED THE PUBLIC HEARING AT 7:51 P.M.**

- 3. Update to the Cheshire Plan of Conservation and Development as amended. For review on the Town of Cheshire Website at: <http://www.cheshirect.org/planning-zoning-andwetlands/plan-of-conservation-and-development-update/>**

#### PUBLIC COMMENTS AND QUESTIONS

Matt Bowman, 422 Maple Avenue, commented on affordable housing being low in Cheshire, and asked if the Plan took this into consideration.

Chairman Kurtz stated that the affordable housing is addressed in the Plan, and Cheshire must continue to bring in affordable housing, when possible.

Mr. Voelker noted there must be review and amendments to the affordable housing regulations so they are consistent with Section 8-30g of the CGS. There must be a look at the cluster regulations to make them more user friendly. He stated affordable housing has recently been used in the subdivision off Jarvis Street.

It was stated by Mr. Bowman that cluster regulations have been tougher in the past, ending up with open space backing up to each other. More open space is desired, and the town set aside open space for non-development. Mr. Bowman asked if the Plan takes into consideration development swap which can preserve more open space without cost to the taxpayers.

Mr. Todisco said this particular concept was not discussed. The Plan cites Section 42. There has been review without the exact concept cited by Mr. Bowman.

According to Mr. Voelker there are questions and issues with this concept, and it is similar to cluster. The TDR strategy requires many evaluations, with the PZC petitioned for amendments to the Plan for this consideration. When open space is acquired, the Plan is adequate using tools we have.

Cindy Kleist, 251 Lancaster Way, displayed the draft copy of the Town of Wallingford Plan, and pointed out things in this Plan which Cheshire should undertake. She talked about housing (not Section 8)...for younger people, singles, couples, senior citizens, and the unmet demand for condos, apartments, one bedroom and studio. Ms. Kleist said Cheshire needs more retail, industrial, commercial development near the highway, building the tax base, and lack of this type of development possibly due to the high cost of land in town.

Tracey Jewett, 920 Cornwall Avenue, stated she has read the Plan, and applauded the Commissioners for their work, particularly preservation of open space, wild life, trees, water shed, and discouraging use of rear lot access and public safety. Ms. Jewett said all this means nothing without enforcement, i.e. Clearview Estates.

Mr. Veleber commented on the summary submitted to the Town Council, particularly the WPCA Facilities Plan. He asked if there is anything in that plan which would expand sewers throughout the town.

In response, Mr. Voelker pointed out that it is the WPCA Plan; there is no public sewerage in the R-80 zone, some R-40 and R-20 districts. When Town Engineer Gancarz visited the POCD meeting he discussed the issue of whether or not there is sufficient sewer coverage for reasonable development growth areas. The answer is "yes"...and there is nothing in the WPCA Plan that would extend sewers into areas that would be a surprise.

Martin Cobern, 7 Carriage House Road, served on the POCD committee, and clarified some information about Cheshire. There is a 50,000 square foot limit on building size; this is not applicable to the area of the I-691 intersection; it supports the interchange zone to attract business. The new Plan offers more flexibility for business parks. There are two important sections in the Plan -- one is Main Street downtown redevelopment with many options; and the other is West Main Street region. Mr. Cobern pointed out the Plan does not create anything; it is a framework to provide regulations; it sets the ground work; and everything possible is done to encourage tax producing development in town. Many of the concerns expressed are included in the Plan and Mr. Cobern said they have been addressed.

It was stated by Mr. Bowman that the PZC should be planning for development and growth of the town, not the WPCA. The PZC should filter information down to the WPCA to determine what can be done with its Plan. PZC should be taking the lead. He commented on the north end of town soil being sandy and better for septic systems not sewers. Flows for new toilets are 1.375 gallons, and sinks and showers are down to 2 gallons a minute. Summer flows are lower; there is infiltration; this affects people tying into the sewers. With the new sewer plant upgrade, Mr. Bowman noted there is not one more gallon per day of usage included.

## **VI. ADJOURNMENT**

MOTION by Mr. Dawson; seconded by Mr. Strollo

MOVED to adjourn the public hearing at 8:25 p.m.

VOTE The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk