MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION
PUBLIC HEARING HELD AT 7:30 P.M. ON MONDAY, SEPTEMBER 13, 2010,
IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET,
CHESHIRE CT 06410

Present
Sean Strollo, Chairman; Earl Kurtz, Vice Chairman; Martin Cobern, Patti Flynn
Harris, Sylvia Nichols, Louis Todisco. Alternate: James Bulger, Edward Gaudio,
Leslie Marinaro.
Absent: Gil Linder, S. Woody Dawson, Tali Maidelis
Staff Present: William Voelker, Town Planner

I. CALL TO ORDER
Chairman Strollo called the public hearing to order at 7:31 p.m.

Chairman Strollo read the fire safety announcement.

II. ROLL CALL
Mr. Kurtz 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
Mr. Voelker read the call of public hearing for each application.

1. Special Permit Application
   RLJ Properties LLC
   680 South Main Street
   Four – 2 bedroom apartments
   To existing office building

   Attorney Anthony Fazzone represented the applicant, stating that this application
was the subject of a public hearing on July 26th, and continued to September
13th. Mr. Fazzone stated that there was a question from the Engineering
Department about the changes to the site plan and changes to any of the
impervious surfaces. The parking requirements were reviewed at the last public
hearing, and before changes to the zoning regulations this application would
result in a fewer number of parking spaces required. The last approval called for
nine (9) deferred spaces, and this application calls for four (4) deferred spaces.
The Inland Wetlands Commission determined that there is no application
required before this commission.
The applicant has received feasibility from the WPCA with approval of the sewer design and connection to the sewer system. There was an additional award of capacity given for four apartment units.

It was stated by Attorney Fazzone that the only reason the public hearing was continued was for the fire officials requesting additional time to review the plans. A meeting was held and the apartment layout was discussed with John Ricci, developer, with a suggestion to revise the floor plans. The revised floor plans were submitted to the Planning Department and Fire Department. The Fire Department officials did not like the first set of plans with the bedroom exiting from the kitchen. Their concern was the fact that more fires start in the kitchen and the bedroom should be moved. The new floor plan resolved this issue and there are no bedrooms existing through the kitchen.

Town Planner Voelker read the Fire Department comments into the record.

Attorney Fazzone advised the Commission that the applicant will concur and abide with all the stipulations stated by the Fire Department.

At the last public hearing Attorney Fazzone said he made a statement that the elevator services the top floor. He noted that a lift is available to all tenants, and it is not limited to just handicapped or wheelchair access.

Attorney Fazzone displayed a floor plan layout for the Commissioners to look at, and this plan showed the new location of the bedrooms and kitchen.

There were no public comments or questions. The public hearing was closed.

2. Special Permit Application
   Cheshire Development Co. LLC.
   1151 South Main Street
   Mixed Use development w/Medical Office and residential units.

Ryan McEvoy, P.E. Milone & MacBroom represented the applicant for this special permit and site plan associated with a mixed use development at 1151 South Main Street. Notification of this application was sent to all abutting neighbors on September 4, 2010.

Mr. McEvoy displayed an aerial map of the site on South Main Street near King Road, with the property having frontage on both streets. He pointed out the Cheshire Fire Department station, residential properties around the site, and the Deanarose Condo Units on Route 10.

The site is in an R-20A zone. Mr. McEvoy displayed a colored rendering of the site which is one acre. The rendering showed the location of the old building and
where the two new buildings would be located. These building would be professional offices (medical) on the first floor and a one bedroom unit on the second floor. Rear parking was shown on the rendering. Drainage pitches towards the fire station or King Road. The site is mostly grass with some large maple trees which the applicant will attempt to keep on the property. The existing house is served by a septic system, but there is a sewer lateral on Route 10. There is city water and gas is available.

The proposal for this site is to keep the existing building as a professional office building, and add two new buildings to the north east and north west corners of the site which will have a mixed use. They will have medical offices and one bedroom rental units on the top floor. The building total is about 1,800 s.f. with the medical portion occupying 1,600 s.f. of finished space on the first floor. The site will be accessed by a widening of the existing driveway on South Main Street and extension of the driveway through to King Road.

The zoning regulations require 35 spaces on the site, and this can be done with a request for deferral of nine (9) spaces. The applicant proposes some landscaping along King Road, and a buffer of 7 foot tall Arbor Vides.

The three houses are proposed to tie into the sewer system, and a feasibility approval has been given by WPCA. There are sewer mains on King Road and the property will hook into these mains. All units are on gas and served by public water.

Storm drainage was reviewed by Mr. McEvoy who advised that the site is mostly sand and gravel which has excellent capabilities for storm water. A number of dry wells are proposed; and some plastic infiltration chambers are proposed for the southwest corner of the site. They have been sized to handle the increase in runoff associated with the new buildings and additional parking.

Recent comments from the Engineering Department have been received by the applicant concerning the original storm drainage layout. This has been revised and there are no additional concerns.

RWA comments and concerns about the dry wells were reviewed by the applicant, and some of their suggestions were taken, and some dry wells were moved off the roadways.

Two structures will have curbing with ultra urban filters.

Fire Department comments related to the department having a key box for each unit.

There have been discussions with Planning Staff about the site and some issues were resolved.
Discussion
Ms. Nichols expressed her concern about access which goes directly from Route 10 to King Road. Being familiar with a street intersecting with Route 10 further north, she said there is an extreme problem with traffic that goes through from South Brooksvale Road to Route 10. She asked why a driver, in bad traffic, would not go through this property to get down to South Brooksvale Road, and the hazards this could cause.

In response, Mr. McEvoy said the site is buffered by the fire station and existing commercial space to the south. The arrangement of the driveway is curved to discourage people from visually seeing through from one side to the other. The fire station has a wide and broad access coming from King Road to South Main Street. With this access this is not considered a likely site as a cut through. The subject property is close to the intersection with King Road, and there is no much time saved coming through it.

Stating she has concerns about the waiver of parking spaces, Ms. Nichols commented on the fact that two medical offices with employees, doctors, and patients, there are many parking spaces taken up. She asked how the determination for the sufficient parking were done.

According to Mr. McEvoy, he looked at regulations in other town regulations with medical office buildings, and it was appropriate that a 25% reduction was reasonable. The applicant will build out the entire parking lot, if required to do so.

Ms. Nichols said she is all for saving trees, but she also knows the practicality of office buildings which meet regulations, and the difficult time parking on these sites. She asked if there was no parking available on the applicant’s property, where would people park, i.e. King Road.

In that regard, Mr. McEvoy said the applicant is interested in having enough parking spaces. At this time it is not known who the tenants will be, and he has the right to build out the parking are to the full extent, if needed. He is just asking for the potential deferment in the event the tenants do not require a large number of spaces.

Ms. Marinaro stated her concerns about the residential unit which has the fire department/station right behind it. She noted that the Commission has had applications in the past with truck noises, lighting, etc., and with the fire department it will become an issue.

There were discussions with the fire officials about this, and Mr. McEvoy said the fire fighters come at all hours of the night, and the station may want to provide screening. There will be a buffer with 7 foot Arbor Vides. Also, anyone moving
into these apartments will be aware of the fire department being located in the rear of their building.

Ms. Marinaro asked if there is any way to not have the extension King Road, and if it is for safety reasons.

Having full access on both roads is a priority for the fire department and they want full access in and out for safety reasons. The site will not have high traffic volume and the peak volume will be 15 cars per hour on the busiest time of the day. Whether an access is required on both roads, for planning and emergency purposes, having the dual access makes sense.

Ms. Marinaro said she can see it both ways, but those areas to get out whether coming to the end of King Road or illegally cutting through, it is hard to get out taking a left onto Route 10. This will always be an issue whether the building is there or not. She does not see how the issue can be addressed.

With any site similar to this, Mr. McEvoy said that having more ability for exit and egress into the site should not be discouraged. He does not expect queuing up on this site. Having full access on both streets is most beneficial.

Mr. Cobern cited his personal opinion that having access on King Road is a major advantage, noting that having to make a left turn onto Route 10 is very difficult. Regarding Ms. Nichols’ question, Mr. Cobern asked how the applicant would feel about two speed bumps inside the property to discourage people from using the site as a cut through.

In reply, Mr. McEvoy said this is a reasonable traffic control device, and the applicant would consider it, particularly for the Route 10 portion.

Regarding the fire department situation, Mr. Cobern said that people will be aware they are renting next to a fire station house. People would not have any basis for complaints.

Ms. Flynn Harris commented about the applicant, at this point, not knowing who the tenants will be. Although they are proposed medical buildings, they may not be. It goes to the whole issue of the volume of traffic to be generated, and what plans will be looked at to estimate this flow. Because it is unknown at this time, she asked about the possibility of one of the buildings in the northwest corner not being built right away, so a buffer could be established, and the flow of traffic would be seen. She has concerns about the full use of the property and traffic, abuse of people using it as a cut through, and the volume of traffic.

It was stated by Mr. McEvoy that any other office use would have to come back before the Commission. Medical offices have a higher traffic generation than general office buildings.
Town Planner Voelker stated that the applicant would have to come back to the Commission for other professional uses of the buildings.

Given what is proposed, Mr. McEvoy said the volume stated is conservative in parking requirements and traffic generation.

Mr. Bulger applauded the use of the trees and natural runoff. He asked about the lighting for the parking lot, and if it will be neighborhood friendly with least impact on the neighbors.

Mr. Voelker advised that the regulations require full cut off lighting detail which the Commission has not yet seen. The R-20A zone requires lighting be residential in character, and the design professionals must spec something to meet the regulations.

The statement about 15 cars per hour was questioned by Mr. Todisco.

Mr. McEvoy said that this was based on the use and size of the use, and ITE handbooks and traffic estimators apply factors and ratios to the site. The total trips per day will be about 150.

Mr. Todisco asked about the doctor’s offices on the site, and if it one office per building.

The applicant is proposing two individual offices per building, with four different medical practices.

With four doctor’s offices, Mr. Todisco asked if this would only generate 15 cars an hour between 9 a.m. and 5 p.m.

Mr. McEvoy said this is at the peak time during the week days.

Exclusive of employees, Mr. Todisco asked about 15 cars in and out but not at the same time.

This is an estimate and Mr. McEvoy said this is the accepted practice in the industry.

Mr. Todisco asked if there is one residential unit in each of the new buildings or two units total, and how many parking spaces will be on the site exclusive of the deferred spaces.

There will be 35 spaces total, with 9 deferred, and Mr. McEvoy said there would be 4 on the west side, 4 in the southeast side and 1 in the area near the dumpster. The residential units are one bedroom apartments.
As it relates to the parking spaces, Ms. Nichols noted there would be four medical offices with four employees in each office. This is a total of 16 people parking cars before anyone else comes into the parking lot. Every 15 minutes people will be coming for appointments. This is all without considering the professional offices and she does not conceive there are enough parking spaces, plus inclusion of the resident parking spaces.

Mr. McEvoy advised that the applicant expects only one tenant on the first floor of each building. It is called out as two specific spaces in terms of square footage.

Ms. Nichols noted that when you visit a doctors office you sometimes drive around the parking lot looking for a space to park because there is never enough parking. She has concerns that this site will not have enough parking.

While the applicant proposes three medical office buildings, Mr. McEvoy said the owner hopes to get medical tenants. They are asking for nine (9) deferred spaces, and if they are needed, they would be constructed, bringing the site to the maximum of 35 spaces.

PUBLIC COMMENTS AND QUESTIONS
Michael Durso, 60 Bates Drive, stated he is an abutting neighbor to this development. He agrees there is not enough parking space available for the use of the site, and the numbers stated do not even come close. The answer is no parking on Route 10 and there will be parking on King Road, and we are now talking to putting several more cars in the area. Regarding access, he is concerned this site will be a cut through. There are many children (about 12) on this street and adding traffic will be a problem and safety issue. King Road is known as a cut through street now. There is emergency access only on another complex on Route 42, and Mr. Durso recommended that the King Road access be blocked. There is more traffic than this street was intended to handle. Mr. Durso asked that there be consideration to not building the third building because the original office has never been full with tenants and there is no need for more office space there. With regard to the pulling out onto Route 10, this is difficult at any location, without traffic control, and this site will be the same. Putting this traffic into an area with many children will be more dangerous.

Mr. McEvoy said he understands the concerns of the neighbors and the desire is to have full access on the property, and the majority of users will be using South Main Street exit and entrance. The property owner is looking for access on both roads for access onto Route 10. This is a small scale development. The concerns for the neighborhood and safety of the children should not be affected because the site will not generate much traffic.

In the initial design, Ms. Flynn Harris asked if there was any thought to doing one large building with mixed use, meeting all the requirements, without needing that
much of a roadway to cut through. She questioned why two buildings are the concept rather than one.

This was never considered and Mr. McEvoy said the applicant wanted to create a village like atmosphere rather than one large building. With either concept the goal was to maintain access on both roads.

Regarding Mr. Durso’s comments and those of the Commissioners, Ms. Flynn Harris said there will be employees parking on King Road to enable accommodations for those using the building. This is her concern. She drives King Road all the time and there is parking on both sides by residents.

Mr. McEvoy said that no other configuration was considered.

Mr. Gaudio expressed concern about the 26 parking spaces with the overflow going onto King Road. Depending on the occupancy there could be a large overflow with employees parking on King Road. With safety issues, the fire department uses King Road for anything in this area of town. With cars parked on King Road this will present a concern and safety issue.

This is a shared concern and Mr. McEvoy said the allowed deferred parking does not mean the owner will not build them if conditions warrant. They are requesting to not build the extra spaces in order to save some for existing vegetation. The proposed plan gives extra flexibility depending on the nature of the tenants renting the space.

Mr. Gaudio would prefer to see the parking spaces there, although he does not advocate removing trees.

Mr. Strollo asked about the distance from the property line to the fire department driveway.

Mr. McEvoy said it is about 15 feet, so the buildings are close.

In other plans the Commission has looked at, Mr. Strollo said there was the idea to tie lot to lot, and if this could be tied into the fire department property.

Mr. Voelker responded by stating that this is an operating fire department site, and whether the applicant has access to King Road or not, he could not say it could be done. The Town would have to give an easement and there are many other issues involved in such a move.

Eddie Herskowitz, 1141 King Road, commented on his property abutting the subject property. The property is used for a cut through, as is the fire department, and the new development will be a cut through as well.
The idea recommended by Mr. Cobern for speed bumps was raised again by Mr. McEvoy who said it is a good idea to discourage people from cutting through this property. The applicant will incorporate this into the site plan.

Mr. Durso commented on the speed bumps at the YMCA property parking lot, and reported that people still use the area as a cut through. He spoke with an office manager of a medical practice who informed him that the average employee number is 4 employees per doctor, plus the doctor, and this could be higher or lower depending on the number of doctors. This would mean 10 people for the two medical offices; plus 2 people for each apartment; and the professional building may have 4 people. This is 16 to 18 people before even talking about customers or patients coming onto the site. This is looking at one tenant in each medical building, and it will probably be two or more doctors, increasing the number of parking spaces. He believes employees will park on King Road.

There was a clarification by Mr. Cobern regarding the parking requirements, which are based on square footage, not on the number of offices. Therefore, the requirement is the same whether it be two small offices or one large office. In looking at the plans the offices will be small.

In general, the Commission has found the regulations tend to require many more spaces than needed. People add up all the uses on the assumption that they will all go on at the same time. Mr. Cobern noted the residents will probably leave in the morning to go to work, so their spots would be available for the office use. We should not jump to conclusions; there are sometimes miscounts in cases of restaurants and professional offices; but the full number of spaces is still specified. The parking is based on all the parking occupied by professional offices, and the residential units are not taken into consideration. This is all based on engineering standards over the years. In the interest of saving trees, you start out with fewer spaces. If there is a problem the tenants will insist on the additional spaces.

Mr. Durso is all for saving trees, but said that these are small offices, and his numbers are based on a small office. The spaces would be more with larger offices.

Mr. Cobern said these offices are small, and would have only 1 or 2 employees.

The public hearing was continued to September 27, 2010.

VI. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Kurtz.
MOVED to adjourn the public hearing at 8:35 p.m.

VOTE The motion passed unanimously by those present.

Attest:

____________________________
Marilyn W. Milton, Clerk