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

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

I. CALL TO ORDER
Chairman Strollo called the special meeting to order at 8:15 p.m.

II. ROLL CALL
Mr. Maidelis 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. APPROVAL OF MINUTES – 9/27/10 P.H. and Regular Meeting.

MOTION by Mr. Cobern; seconded by Mr. Maidelis.

MOVED to approve the minutes of the September 27, 2010 Public Hearing and Regular Meeting subject to additions, deletions, corrections.

Corrections: Public Hearing 9/27/10, page 4, para. 4, change “exists” to “exists”
Page 7, para. 1, “noisy”; page 8, #3 application, para. 2, “Cuff Brook is in the rear…”, page 9, last para. “the sight line…”

VOTE The motion passed unanimously by those present.

VI. BUSINESS

1. Special Permit Application
   Cheshire Development Co. LLC.
   1151 South Main Street
   Mixed Use development w/Medical
   Office and residential units.
   PH 9/13/10
   PH 9/27/10
   PH 10/13/10
   MAD 12/17/10
   SET FOR 10/25/10 MEETING
2. Special Permit Application
   Saddlebrook LLC
   Huckins Road
   Construction of (2) dwellings on a rear lot.

   MOTION by Mr. Cobern; seconded by Mr. Maidelis.

   MOVED that the Planning and Zoning Commission approve the Special Permit Application of Paul A. Bowman for an additional dwelling unit on a single rear lot as regulated by Section 30, Schedule A, Item 1A of the Cheshire Zoning Regulations. The Commission finds that this application is consistent with those regulations.

   The approval is conditioned upon compliance with the Cheshire Fire Department comments dated July 21, 2010.

   VOTE The motion passed 6-3; Bulger, Dawson, Flynn Harris recused.

3. Subdivision Application
   Peter & Sia Skabardonis
   Prospect Road
   1-lot

   MOTION by Mr. Cobern; seconded by Mr. Bulger.

   MOVED that the Planning and Zoning Commission approve the subdivision application of Peter and Sia Skabardonis for the creation of a single building lot as shown on Assessor’s Map No. 48, Lot 5-1, and plans entitled “Subdivision Map, Peter Estates, Prospect Road (Conn. Rte #68), Cheshire, Connecticut, prepared for Peter and Sia Skabardonis” revised through October 5, 2010, prepared by Land Data Engineers 567 Watertown Avenue, Waterbury CT 06708.

   Discussion
   Under the zoning regulations, Mr. Voelker said a retaining wall cannot be required. The professional engineer proposed the wall for the site plan he devised. There could be another engineering solution without the wall on the property. This engineer does not choose this based on the amount of grading the applicant proposed. There is a cost associated with a retaining wall which could be modified depending on the house to be built.

   Mr. Todisco stated his understanding that the non-encroachment line is sufficient to protect the integrity of the slope.

   Mr. Maidelis believes the retaining wall should be there as shown, and noted this has been a troublesome piece of property.
According to Mr. Voelker the only reason for the retaining wall is having a certain construction type and design which requires it.

With a different design solution, Mr. Maidelis said the Commission should have another look at it.

This is a subdivision application and Mr. Cobern stated they are just coming off part of the lot in Cheshire, and stipulations and conditions cannot be put in. It is a matter of right.

VOTE The motion passed 5-1-3; Maidelis opposed; Bulger, Dawson and Flynn Harris recused.

4. TABLED APPLICATIONS

1. Subdivision Application
   Diversified Cook Hill LLC
   Plank Road
   14-Lots
   SET FOR PUBLIC HEARING ON OCTOBER 25, 2010

2. Special Permit Application
   Ruth A. Podgwaite
   353 Mount Sanford Road
   3-lots (2 lots to be accessed from rear lot)
   SET FOR PUBLIC HEARING ON OCTOBER 25, 2010

3. Subdivision Application
   Ruth A. Podgwaite
   353 Mount Sanford Road
   3-lots and Modifications to Section 11.1
   Waivers of Regulations, Waivers of Regulations,
   Waivers of Sections 5.4.1 Subdivision Lots
   Existing Streets, and Section 5.5 Rear Lots
   Subsection A. General Provisions.
   SET FOR PUBLIC HEARING ON OCTOBER 25, 2010

VII. NEW BUSINESS

1. Special Permit Application
   Donald J. Ciampi Sr. & Lucille D. Ciampi
   2278 Waterbury Road
   To modify previously approved parking lot;
   Deferral of two parking spaces.
   SET FOR PUBLIC HEARING ON NOVEMBER 8, 2010
2. Zone Text Change
   Subdivision Text Change
   Planning and Zoning Commission
   Section 46 Flood Plain Management
   To follow the DEP Comprehensive Review
   SET FOR PUBLIC HEARING ON NOVEMBER 8, 2010

VIII. ADJOURNMENT

MOTION by Mr. Cobern; seconded by Mr. Dawson.

MOVED to adjourn the special meeting at 8:25 p.m.

VOTE The motion passed unanimously by those present.

Attest:

_________________________________________
Marilyn W. Milton, Clerk