

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
NOVEMBER 1, 2010**

**ROLL CALL:**

Members Present: Eugene Sierakowski, Chairman  
Joseph Diminico, Vice Chairman  
Kevin Dougan, Secretary  
Andy Kidd  
Eric Prause

Alternates: Anthony Petrone  
Horace Brown

Absent: Susan Shanbaum

Also Present: Mark Pellegrini, Director of Planning  
Renata Bertotti, Senior Planner  
Ginger MacHattie, Recording Secretary

Time Convened: 7:08 P.M.

**OLD BUSINESS:**

CLEARWIRE, LLC – 150 Pine Street – Historic Site Plan (C-228) – to install telecommunication antennas on the Ribbon Mill smoke stack in a historic zone

Mr. Diminico said he has mixed feelings regarding the regulations. The word camouflage is nebulous. He looked at both the Clock Tower stack and the Ribbon Mill stack and he thinks the Clock Tower stack looks clean. There are three antennas in tandem positioned in an orderly manner, and they look sleek. On the Ribbon Mill smoke stack, the equipment is positioned in a disorderly manner; there are different sized antennas and they are quite large. He is curious how many square feet are covered by equipment. The applicant now wants to add three more antennas and three more dishes. He wondered when this goes beyond camouflaged equipment. The argument can be made that this has been allowed for others. The Commission needs to look at these regulations; he would have thought the Cheney Historic Commission would have addressed this issue already. Mr. Diminico said if he lived in the area, he would get used to the equipment and not notice it after a while, but that doesn't make it right. He questioned who is in charge of maintenance of the structure and equipment. There are different shades of antenna and dish color now and he asked if that is because some faded.

Mr. Prause echoed Mr. Diminico's concerns. The regulations state if equipment is not used for twelve consecutive months, it must be removed. Regulations also call for camouflage, but he thinks these criteria should be more specific. There is one antenna there now that does not match. Because the Commission has accepted this type of application in the past, it does make it difficult to deny this applicant. In the future, it is important that regulations are clear that the equipment should match the structure and there should be overall limits on the ratio of equipment to structure space.

Mr. Kidd said he concurs with the comments made but is not leaning toward denial. The regulations are fairly clear and if this application meets the requirements of the regulations; he does not see how this Commission can deny the application. He is in favor of a full review of the regulations.

Mr. Sierakowski said he also concurs with the comments made. The regulations should be reviewed, but the Commission has an application before it that must either be approved or denied.

#### Historic Site Plan (C-228)

**MOTION:** Mr. Dougan moved to approve the historic site plan to install camouflaged telecommunication antennas on the Ribbon Mill smoke stack. Mr. Prause seconded the motion and all members voted in favor.

Mr. Diminico asked Town staff to get an overview of cell tower regulations from other towns and cities.

#### **NEW BUSINESS:**

#### 515 WEST MIDDLE TURNPIKE ASSOCIATES LIMITED PARTNERSHIP – 515 Middle Turnpike West – to increase the size of the building, remove a curb cut and associated site modifications – Special Exception Modification (F-161)

Charlie Neighburg of Associated Architects reviewed the increase in size of the building. Originally the building was to be 190' x 132' but after evaluating the size with the second tenant; he found the size needs to increase to 200' x 142', which adds 28,100 square feet of floor area. The site plan has been reworked quite extensively, eliminating a curb cut at the right hand side of the site and providing screening there instead. Plantings have been added in the parking area. The revised site plan has been reviewed by the Fire Marshal and he has required a fire lane and the ability to circulate around the site.

There are 142 parking spaces based on the layout of the floor plan and as a result of working with the Zoning Enforcement Officer. The required number of parking spaces is approximately 130. The building has two entrances, one from the east for tenant one and one from the west for tenant two. The main tenant occupies two-thirds of the floor plan. The second means of egress is from the rear of the building. This egress leads to the staff parking and dumpsite areas. Mr. Neighburg pointed out the building elevation displayed and explained that the front of the building has been altered to remove the strip mall look.

The materials will be brick masonry with a limestone header and sill. The aluminum storefront windows will be hunter green. The building will have a full fire protection system.

Geoffrey Sager of Metro Realty said the Town's Traffic Engineer embraced the new parking area because it gives more parking and green space. There is a reciprocal agreement in place with Sovereign Bank allowing drivers to go through the bank's parking lot to Adams Street.

John Stewart, Landscape Architect, explained there are now two islands in the parking lot and handicap parking was added in front. The major changes to the plan allow for the maximizing of parking in the front of the building and the elimination of an entrance, which allows for more screening and additional parking.

Ms. Bertotti said Town staff has reviewed this plan and the only comment comes from the Eighth Utilities Fire Marshall requesting a note be placed on three sheets of the plans.

In response to a question from Mr. Diminico, Mr. Stewart explained that the entrances were separated by building design and the walking configurations were redesigned. A birch tree was added to each planting bed, as well as more upscale planting materials. The trees in the parking lot are the same as before. The berm plantings will be the same. In the corner, where the berm bends, it has been made wider to allow for more screening. Plantings will surround the transformer.

Special Exception Modification (F-161)

**MOTION:** Mr. Diminico moved to approve the special exception modification with modifications as noted in the staff memoranda from Thomas R. O'Marra, Eighth Utilities Deputy Fire Marshal, to Renata Bertotti, dated October 20, 2010. Mr. Kidd seconded the motion and all members voted in favor.

McKEE BROTHERS, LLC – 435 West Center Street – Special Exception (M-385)

Special Exception (M-385)

**MOTION:** Mr. Dougan moved to approve the 65-day extension of the special exception application. Mr. Prause seconded the motion and all members voted in favor.

**APPROVAL OF MINUTES:**

August 9, 2010 – Public Hearing/Business Meeting

**MOTION:** Mr. Dougan moved to approve the minutes as written. Mr. Diminico seconded the motion and all members voted in favor.

**ADOPTION OF 2011 MEETING SCHEDULE:**

**MOTION:** Mr. Diminico moved to adopt the 2011 Planning and Zoning Commission meeting schedule as submitted. Mr. Kidd seconded the motion and all members voted in favor.

The chairman closed the business meeting at 8:00 p.m.

I certify these minutes were adopted on the following date:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Joseph Diminico, Chairman

**NOTICE:** THE CASSETTE TAPE RECORDING OF THE BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.

OFFICIAL TAPE NO. 1094