

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING**

January 1, 2016

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, January 1, 2016 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

1. CALL TO ORDER:

Chairman Harley called the meeting to order at 7:00 p.m.

1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):

Clerk Roberts called the roll as follows:

Member Name	Present	Absent	Excused
Thomas Harley, Chairman	✓		
Antonio Margiotta, Vice Chairman	✓		
Richard Roberts, Clerk	✓		
James Hughes	✓		
George Oickle	✓		
Joseph Hammer			✓
Anthony Homicki			✓
Thomas Dean	✓		
Ryan Allard	✓		
Leigh Standish (alternate)	✓		
Yolanda Antoniak (alternate)	✓		

Also present were: Denise Bradley, Assistant Planner and Justin LaFountain, ZEO/PMO

Members of the Public were present.

Chairman Harley noted at the time of roll call there were nine (9) members in attendance. Mr. Harley also explained how the meeting would be conducted.

2. OLD BUSINESS:

There was no old business.

3. NEW BUSINESS:

Commissioner Roberts made a motion to hear Public Hearing Items 3.1 and 3.2 simultaneously. Commissioner Dean seconded the motion. The vote showed:

Aye: Harley, Margiotta, Roberts, Hughes, Oickle, Dean, Allard, Standish and Antoniak.

Nay: None

Vote: 9-0.

The motion was approved by a vote of 9 to 0.

3.1 PUBLIC HEARING APPLICATION NO. 1884-15-Z CCC Construction – Frank DiBacco – Reservoir Estates Subdivision – Seeking a Subdivision in accordance with the Wethersfield Subdivision Regulations for the creation of twenty two (22) building lots on Back Lane.

3.2 PUBLIC HEARING APPLICATION NO. 1891-15-Z CCC Construction c/o Frank DiBacco – Reservoir Estates Subdivision - Seeking a Special Permit in accordance with Section 3.3 of the Wethersfield Zoning Regulations for the creation of twenty two (22) building lots in the AAOS Zone on Back Lane.

Jim Dutton, of Dutton Associates is the civil engineer and land surveyor for the project and was present representing the applicant. He described the proposal seeking a 20 lot subdivision on just under 6 acres on the easterly side of Back Lane. The proposal consists of the construction of a new road coming in from Back Lane and discussed the overall plan and future extensions. He noted that town staff, including the Fire Marshal, are supportive of the construction of the proposed road network. There are also two permanent cul-de-sacs roadways proposed. The one to the north is approximately 280' in length and the one to the south is approximately 130' in length. He noted that this application is an AAOS proposal the proximity of the project to the 1860 Reservoir. As the open space plans showed the 25.69% open space proposed. Mr. Dutton went on to discuss that while the proposal meets the overall open space requirement, it does not meet the requirement that no more than 50% of the proposed open space can be wetlands. The applicant has received approval from the Inland Wetlands and Watercourses Agency and they are in the process of updating and revising the drainage calculations. He asked the Commission for direction regarding pavement widths on the two cul-de-sacs which will have an impact on the drainage system. Mike Turner, Town Engineer directed the drainage system be revised to intercept existing drainage. The existing plans show sidewalks on both sides of all roadways. Mr. Dutton noted that due to the number of technical issues to take care of he realized the hearing would not close. A lighting plan shall be submitted. Mr. Dutton noted that he is looking for direction on pavement width, sidewalks and open space.

Frank DiBacco, 126 Colonel Chester Drive owner of CCC Construction responded to several staff comments. Mr. DiBacco outlined the waiver requests as follows: a reduction in road width on the cul-de-sacs from the required 30' to 24', a sidewalk waiver to locate them only on 1 side of the road instead of both sides as required, reduction in the required 2 street trees per lot and for the % of open space containing wetlands. Mr. DiBacco presented the Commission with a revised open space plan.

Commissioner Oickle asked for clarification regarding the percentage of open space required and what the applicant proposed.

Mr. DiBacco described conflicts between the subdivision regulations which require a 10% open space set aside and the zoning regulations which require a 25% open space set aside and a provision that not more than 50% of the open space may contain wetlands. The plans propose an open space dedication of 25.69% or 4.1 acres however, as designed, a waiver would be required as the preferred open space layout would result in the open space parcels failing to meet the 50% wetland rule as established in the zoning regulations. Mr. DiBacco noted that the dedication of an open space area along the eastern boundary of the subdivision abutting the 1860 Reservoir to the Town as a provision of this subdivision and that staff is supportive of this waiver request. Mr. DiBacco added that the open space plan being presented at the hearing had been revised and not yet submitted to the Town.

Mr. Dutton discussed the open space requirements and what the developer is proposing in order to

preserve the reservoir.

Frank DiBacco noted proposed off-site improvements to be made to improve drainage issues.

Commissioner Oickle discussed the future roadway system.

A brief discussion ensued regarding future roadway connections.

A discussion ensued regarding additional residential development to the north of the subject property.

Chairman Harley noted the letters of correspondence in the record.

Chairman Harley asked if there was anyone in the audience wishing to speak on this matter.

Bill Anastasiades 15 Westmont Road noted his concern regarding the box culvert and the tree buffer.

Jim Dutton responded by indicating proposed off-site improvements to be made and wetland impact.

Ian Dunn Back Lane asked about the timeframe for construction if approved.

Frank DiBacco discussed the proposed phasing of the project.

A discussion ensued regarding access to the proposed project, phasing and future roadway development.

John McFarland 62 Baneberry Lane discussed water management techniques and his opposition to the sidewalk waiver.

Jim Dutton discussed water management techniques being proposed and maintenance.

Frank DiBacco discussed the request for the sidewalk waiver.

A discussion ensued regarding the sidewalk waiver being considered.

A discussion ensued regarding street lighting and proposed fixtures.

Commissioner Margiotta asked for clarification regarding the pavement width waiver being requested.

Frank DiBacco detailed the pavement waiver.

A discussion ensued regarding the open space requirement and the open space waiver being sought.

Commissioner Oickle noted his concern with the lack of access from Reservoir Road.

Commissioner Oickle made a motion to continue the Public Hearing until January 20, 2016.

Commissioner Standish seconded the motion. The vote showed:

Aye: Harley, Margiotta, Roberts, Hughes, Oickle, Dean, Allard, Standish and Antoniak.

Nay: None

Vote: 9-0.

The motion was approved by a vote of 9 to 0.

3.1 PUBLIC HEARING APPLICATION NO. 1892-15-Z Michael Lindquist seeking a Special Permit in accordance with Sections 5.2 (Permitted Principal Uses) and 5.7 (Public Garages and Filling Stations) of the Wethersfield Zoning Regulations for a Repairers License at 708 Silas Deane Highway. (Renewal)

Michael Lindquist, 4 Osborne Road Extension, Sandy Hook, CT was present representing his business at 708 Silas Deane Highway. The applicant noted that he is in the process of purchasing the business at 708 Silas Deane Highway (Cross Automotive). He noted that due to the transfer in ownership he is seeking a signoff from the Town of Wethersfield for his application to the Department of Motor Vehicles (DMV) to allow him to repair automobiles.

Chairman Harley noted that the request before the Planning and Zoning Commission was to renew the permit that is in place already with the current owner.

Mr. Lindquist noted that the permit through the DMV is not transferable between owners and a new application requires authorization from the Town.

Chairman Harley asked if the applicant proposed any changes to the approval already in place.

Mr. Lindquist responded that he was not requesting any changes.

Commissioner Oickle asked the applicant if he was considering any physical improvements to the property now or in the future.

Mr. Linquist noted that the site is operational as it is and that he had no plans at this time to complete any improvements on the site aside from general maintenance and cleaning.

Commissioner Oickle noted that there were several conditions attached to the previous approval and he noted while on the site that the previous owner didn't seem to be meeting a couple of the conditions of approval. He noted for example the number of unregistered vehicles. He noted the condition that the number of motor vehicles on the premises not to exceed 8 and he noted about a dozen and a half.

Chairman Harley asked the applicant if he was familiar with the four original conditions.

The applicant responded that he was not familiar with them.

Chairman Harley noted the conditions of approval as follows:

1. Motor vehicles on the premises not to exceed eight.
2. No parking of unregistered motor vehicles.
3. No commercial parking.
4. No outside accumulation of unused tires.

Commissioner Oickle noted that the property only seemed to be meeting the condition regarding the accumulation of tires. He also asked about the existing condition of the pavement.

Chairman Harley asked if there were any other questions from the Commission.

Commissioner Roberts noted that if all the Planning and Zoning Commission is being asked is to approve the license and they have operational issues, the applicant can come back before the Commission to modify the conditions if necessary once he takes control of the property. Otherwise, until then it's an enforcement issue. He also noted that the Commission had recently seen another application for redevelopment of the property and asked if that was off the table.

Denise Bradley noted that the Commission had seen a Pre Application Review for the property but a formal application was never filed.

Commissioner Hughes asked the applicant if he was applying to the DMV for a General Repairer's License, the same license the existing owner holds currently.

Mr. Lindquist noted that he was seeking the same permit with no changes.

Chairman Harley opened the hearing up to the public for comment.

There was no one from the public that wished to speak.

Chairman Harley then asked the Commission if there were any final comments or questions.

Commissioner Roberts made a motion to close the public hearing. Commissioner Margiotta seconded the motion. The vote showed:

Aye: Harley, Margiotta, Roberts, Hughes, Oickle, Homicki, Dean, Allard and Antoniak.

Nay: None

Vote: 9-0.

The motion was approved by a vote of 9 to 0.

Chairman Harley asked if there was any final comments.

Commissioner Hughes noted that he agreed with Commissioner Roberts regarding how any existing issues should be handled, that he was comfortable with how the property currently operates and that he is in favor of the application.

Commissioner Hughes made a motion to approve APPLICATION NO. 1892-15-Z Michael Lindquist seeking a Special Permit in accordance with Sections 5.2 (Permitted Principal Uses) and 5.7 (Public Garages and Filling Stations) of the Wethersfield Zoning Regulations for a Repairers License at 708 Silas Deane Highway. (Renewal), as submitted. Commissioner Margiotta seconded the motion. Chairman Harley asked if the motion included the four existing conditions. Commissioner Hughes responded that it did. The vote showed:

Aye: Harley, Margiotta, Roberts, Hughes, Oickle, Homicki, Dean, Allard and Antoniak.

Nay:

Vote: 9-0.

The motion was approved by a vote of 9 to 0.

4. OTHER BUSINESS:

There was no other business discussed that this meeting.

5. MINUTES – The minutes of the December 15, 2015 meeting were not available.

6. STAFF REPORTS – Justin LaFountain ZEO/PMO provided copies of the Zoning & Property Maintenance Report.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING:

There were no public comments made at this meeting regarding general matters of planning and zoning.

8. CORRESPONDENCE:

There were no items of correspondence discussed at this meeting.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 PUBLIC HEARING APPLICATION NO. 1893-15-Z Green Bee Exchange (Bemer Petroleum) seeking a Special Permit in accordance with Section 5.3 (Accessory Uses & Structures) of the Wethersfield Zoning Regulations for the installation of a propane exchange cabinet at 724 Silas Deane Highway.

10. ADJOURNMENT:

Motion: Commissioner Roberts motioned to adjourn the meeting at 8:50 pm.

Second: Commissioner Allard seconded the motion.

The vote showed:

Aye: Harley, Margiotta, Roberts, Hughes, Oickle, Homicki, Dean, Allard and Antoniak.

Nay:

Vote: 9-0.

The motion was approved by a vote of 9 to 0.

Meeting adjourned.

Respectfully submitted,
Denise Bradley, Acting Recording Secretary