

WETHERSFIELD PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND MEETING

September 7, 2016

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

1. CALL TO ORDER

Chairman Thomas Harley called the meeting to order at 7:05 p.m. welcoming all to the Planning and Zoning Commission meeting. He explained the process and procedures of the public hearing and Vice Chairman Antonio Margiotta commenced the roll call.

1.1 ROLL CALL AND SEATING OF ALTERNATES (5 members required for a quorum).

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	√		
David Edwards, (alternate)			√
Daniel Silver (alternate)	√		
Yolanda Antoniak (alternate)	√		

Also present, Mr. Peter Gillespie, Economics Development/Town Planner, Ms. Denise Bradley, Assistant Town Planner, and Mary Lou Wall, Recording Secretary.

Members of the public were present.

Chairman Harley stated that 8 members are present.

2. OLD BUSINESS

None

3. NEW BUSINESS

3.1 PUBLIC HEARING APPLICATION NO. 1920-16-Z Michael & Beatrice Hammond seeking a Special Permit in accordance with Section 3.5 (Accessory Uses) to park a

recreational vehicle larger than permitted and for the storage of three trailers in a residential zone at 120 Harding Street.

Michael Hammond 120 Harding Street Wethersfield, the applicant read a letter to the Town of Wethersfield, Planning and Zoning Commission from the applicants, Mr. & Mrs. Hammond, which described in detail his request for the special permit, to the Commission; Said two-page letter was undated.

Commissioner Antoniak asked the applicant if he looked at other options. Mr. Hammond replied that the cost would be seventy five to one hundred and twenty five a month to store off the property, which would be a stretch for them and difficult to maintain as well. Commissioner Antoniak questioned the amount of times they used vehicle. The applicant indicated he used the vehicle six or more times this year and next year he will be using it eight to ten times.

Commissioner Silver stated that this Commission has a responsibility and an obligation to follow the zoning regulations pointing out that there are three (3) vehicles the applicant is asking for special permits on.

Chairman Harley asked about the time of year the applicants uses the vehicle. The applicant stating from May to this time of year, about six months of the year. Chairman Harley stated for the record two letters received for the file; a letter of support from the Bairos Family of 102 Harding Street, Wethersfield to the Planning and Economic Development Department dated August 29, 2016 and the other from Mr. Adam DeMaria, 52 Cummings Avenue, Wethersfield not in support of the application, letter dated 9/30/16 [sic] among some objections were due to the fact the vehicle is visible. A Memo to the Planning and Zoning Commission from Peter Gillespie and Denise Bradley dated September 2, 2016 stating this application was the result of an enforcement action by ZBA.

Ms. Pamela Fitzgerald 108 Harding Street, Wethersfield. Ms. Fitzgerald read a letter that she handed to the Commission. She was in support of the application.

Ms. Jimenez 119 Harding Street, Wethersfield is in support of the application and lives across from the applicant and commented that the applicants keep the property in impeccable condition.

Mr. John Tremblay 108 Crystal Street, Wethersfield commented that they did a great job on their property but is not in favor of the application. He does not agree with people parking vehicles in their yards and prefers they find an alternative. He felt it was his right to disapprove.

Mr. Adam DeMaria 52 Cummings Avenue, Wethersfield, read a statement previously filed and referenced by the Chairman earlier. Mr. DeMaria was in complete opposition to these items being stored stating that his house is directly across the street and sees the

vehicles from any front window. He submitted photos to show the commission his views. He is also concern with devaluation of his property and future resale value. He feels zoning regulations exist for a reason and asked how others would feel should that be in their yard.

Chairman Harley asked the applicant to join them. Chairman Harley expressed that a special permit runs with the land and the next person moving in could take care of their property in a much different fashion and is concerned on how it will affect the property long term. Discussion ensued regarding the location being a problem, a corner lot, and the size of the RV, and the number of vehicles discussed.

The applicant indicated that the camper is most important to him, since it was the biggest investment and would love to keep the boat and the camper; stating there is no place to put it being a corner lot. Vice Chairman Margiotta asked about additional screening and the applicant said he did look into five feet arborvitaes. Commissioner Antoniak asked how high the camper is and applicant stating about nine (9 feet).

Commissioner Harley indicated that five (5) positive votes were necessary to get approval. The Chairman asked to the applicant to go home and discuss with Planning and Zoning Department in more detail and return with another proposal at another meeting. Much discussion ensued on screening and duration etc.

Commissioner Roberts moved to **continue the hearing**.

Commissioner Dean **seconded**.

AYE - Commissioners Allard, Antoniak, Dean, Hammer, Harley, Margiotta, Roberts and Silver.

NAY - None.

3.2 PUBLIC HEARING APPLICATION NO. 1923-16-Z Michael & Diane Slamon seeking a Special Permit in accordance with Section 3.5 (Accessory Uses) of the Wethersfield Zoning Regulations to park a vehicle (mini bus) larger than permitted in a residential zone at 26 Cummings Avenue.

Mr. Michael Slamon 26 Cummings Avenue, indicated to the Commission that they purchased a mini bus and are turning it into a recreational vehicle. The applicant stated the vehicle is a little over 21' and it is not visible in the rear yard. The applicant said they take care of their property and their vehicles. Mr. Slamon stated here is a fence in the back of the house.

Chairman Harley asked if they can get into the back yard and asked the size and type of fencing. The applicant indicted they could push it back more, since it is a long driveway

and that the fence is wood and six feet high. Chairman Harley asked for questions from the public to speak on this application.

Chairman Harley indicated that there were a number of written letters in support of the application; Mr. Babineau, 560 Nott Street, Mr. Robert DiGregorio, 20 Cummings Avenue, Ms. O'Neill 32 Cummings Avenue, Ms. Chelsea Bourn 120 Crystal Street, Mr. Raymond Wiley 113 Crystal Street, Mr. Aldo Mantilla 114 Crystal Street, Mr. Zbigniew Filip 119 Crystal.

Ms. Pamela Fitzgerald 118 Harding Street, Wethersfield, is in support of this application.

Mr. Trevor Horn 102 Harding Street, Wethersfield, is in support of this application.

Chairman Harley noted the location of the 21' vehicle with discussion and asked to close the hearing. Commissioner Dean discussed those properties most affected by the application, which were number 21 and 29 Spruce Street. More discussion ensued regarding landscaping in the back.

Commissioner Dean made a **motion to close the hearing**.

Commissioner Silver **seconded**.

AYE - Commissioners Allard, Antoniak, Dean, Hammer, Harley, Margiotta, Roberts and Silver.

NAY - None.

ABS. - None.

Commissioner Silver made a motion to approve **PUBLIC HEARING APPLICATION NO. 1923-16-Z Michael & Diane Slamon** seeking a Special Permit in accordance with Section 3.5 (Accessory Uses) of the Wethersfield Zoning Regulations to park a vehicle (mini bus) larger than permitted in a residential zone at 26 Cummings Avenue approved with special conditions that it will be parked in the rear of the lot adjacent to rear fence and to maintain a six (6) foot fence on all three (3) sides of the subject property and with a duration for five (5) years.

Commissioner Margiotta **seconded**.

AYE - Commissioners Allard, Antoniak, Dean, Hammer, Harley, Margiotta, Roberts and Silver.

NAY - None.

Motion Passed 8-0

4. OTHER BUSINESS

Town Planner Gillespie had a discussion on his memorandum dated 8/24/2016 regarding boats, trailers and recreational vehicle regulations. In the memorandum, Permit Activity for the last ten years was given, Existing Zoning Regulations, how regulations applied. The memo gave a History of the Regulations of Boats, Trailers and RV's from 1961. ZBA permit Activity from 1993 to 2003. An outline of "Other Towns Regulations" from Newington, Glastonbury, Manchester, Cromwell, East Hartford, Windsor and stated he also spoke within the last couple of days to West Hartford and lastly, the Comments and Observations in this memo. He was looking for guidance from the Commission. The Vice Chairman Margiotta thanked Mr. Gillespie and Ms. Bradley for a thorough job.

Commissioner Silver stated that this discussion started two weeks ago and suggested a moratorium but commented that we certainly would not want to stop the Zoning Enforcement Officer from doing his job. Discussion continued regarding the consequences of a moratorium. A public hearing would still be necessary to get a moratorium and perhaps it would be more prudent to work on changes/updating to the regulations commented Town Planner Gillespie.

Chairman Harley stated he made a list summarizing some of the topics that the Commissioners discussed i.e. ZBA, Vehicle Specificity, Guidance Language, Property Offsets, Size of Numbers and Screening. The discussion was to have Town Planner Gillespie draft something and have a similar conversation before things are finalized and in a couple of weeks or so, put results into a memo for further discussion. Planner Gillespie felt he had received good comments to help draft something for the Commission.

5. MINUTES

August 16, 2016

Commissioner Roberts made a **motion to approve the minutes** August 16, 2016.

Commissioner Margiotta **seconded**.

AYE - Commissioners Allard, Dean, Harley, Roberts and Silver.

NAY - None.

ABS. - Commissioners Antoniak, Hammer and Margiotta.

Motion Passed 5-0-3

8. CORRESPONDENCE

8.1 A letter from Charles Brown, Director of the Central Connecticut Health District regarding House Bill 5027 (Production of Cottage Foods).

Planner Gillespie said the ramifications for the regulations is it that it is still technically considered a Home Occupation and must be sold directly to consumers such as Farmers Markets. Town Planner Gillespie said the town may still require a Home Occupation Permit and just wanted to bring this to the Commissions attention and Planning and Zoning will work with the Health District to make sure we figure out a methodology to deal with the changes in this letter from CCHD.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

9.1 PUBLIC HEARING APPLICATION NO. 1922-16-Z Cedar Mountain Stone & Mulch seeking a Special Permit in accordance with Section 10.1.C of the Wethersfield Zoning Regulations for an amendment to Application No's 1489-05-Z and 1835-14-Z at 1943 Berlin Turnpike.

Town Planner Gillespie stated that application is being withdrawn.

10. ADJOURNMENT

Commissioner Hammer made a **Motion to Adjourn**

Commissioner Dean **Second**

AYE - Commissioners

NAY - None

Adjourned at 8:45 p.m. September 7, 2016.

Respectfully Submitted,

Mary Lou Wall.

Recording Secretary.