

PUBLIC HEARING AND MEETING

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, October 4, 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 7:00 p.m. welcoming all to the Planning and Zoning Commission meeting. He explained the process and procedures of the public hearing and Clerk Richard Roberts 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)	√		

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. CONTINUED FROM 9/7/16.

Mr. Michael Hammond 120 Harding Street, Wethersfield stating he was starting where they left off from the last meeting with a revised proposal. The applicant indicated he met with Zoning Officer LaFountain and Town Planner Peter Gillespie and Assistant Planner Denise Bradley and the revision requested is to permit the storage of the RV over 18’ and one additional trailer within the enclosed fenced area and the boat. He will move the boat to the snow mobile location; The

snowmobile will be removed within 60 days, per a conversation with Zoning Officer LaFountain. The applicants will plant 5-6 Cleveland pear trees outside the fence to reduce visibility after speaking to Tree Warden Corey Christian on this matter. Further, the applicants discussed the excavation of the ground which will allow them to move the boat closer to the fence. The cost of storage off site and the neighbors were also discussed. Mr. & Mrs. Hammond's comments were provided in a letter to the Town of Wethersfield, Planning and Zoning Commission said letter was received on September 26, 2016 and Mr. Hammond read the letter.

Chairman Harley pointed out for the record a letter from Melissa St. John and Susan St. John of 119 Oakland Street, Wethersfield in support of the application received on September 26, 2016 to the Planning and Zoning Division. Also, an email from Mr. Hammond to Corey Christians the tree warden dated 9/14/2016 and the tree warden's response email dated 9/19/2016, received by Planning Division on 9/26/2106. Other emails to Zoning Officer LaFountain dated 9/19/2016 and an email to Peter Gillespie, Town Planner dated 9/9/2016 and various pictures of the house, fence, vehicles and picture of the proposed pear trees. Finally, a note from Michael and Diane Slamon of Cummings Avenue, Wethersfield in support of the application.

Commissioner Oickle asked if the applicant felt the regulations are fair or should be changed. Commissioner asked why the applicants did not come in and ask for changes prior to this date. Mr Hammond responding he did not know the regulations and does not think 18' is fair and that the new RV's are up to 31' to 32' in range.

The Chairman asked for comments from the public.

Mr. Adam DeMaria 52 Cummings, Wethersfield stating he spoke at the last meeting. Mr. DeMaria still rejects this proposal. He feels the applicant's revisions will not adequately provide blocking the view from his property. He still worries about resale value, after speaking with his real estate agent. Also, Mr. DeMaria is concerned with large vehicles entering and exiting the property. He feels the regulations should be enforced and the regulations are there to protect our investments.

Vice Chairman Margiotta asked the cost of storage that Mr. Hammond investigated. The applicant replied \$100 to \$200 per month and if you travel out to Vernon or Tolland \$85-\$90 per month. Vice Chair Margiotta asked if that was a hardship. Mr. Hammond replying it was not impossible but difficult and is concerned about security, since a break-in occurred in a storage facility he had twice.

Commissioner Oickle discussed the excavation of the yard and asked the applicant if the fence was put up subsequent to the purchase and wished to know the length of the RV. The applicant stating, he put the fence up for dogs, and he has owned the trailer for 18 months. The applicant indicating that three (3) to four (4) inches excavating down will take it below the fence. More discussion ensued on the excavating, the boat and snow mobile parking area. Other discussion was given regarding covering the boat, the time frame of when it should be covered, the color of the cover.

The applicant said they already approved larger RV's in the past. However, Commissioner Oickle pointed out the applicant is asking for a lot. The applicant is asking the approval of two vehicles

and not being a corner lot as well. Commissioner Silver and Margiotta commented that a decision needs to be made this evening since it is the second time this has come to the commission and it is not fair to the neighbors.

Vice Chairman Margiotta made a motion to close the hearing.

Commissioner Oickle **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver,

NAY - None

ABS - None

Motion to Close Passed 9-0

Commissioner Yolanda Antoniak made a motion to approve **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. **CONTINUED FROM 9/7/16.** With a time limit caveat of three years and excavating down and trees planted and covering (being worked out with staff).

Chairman Thomas Harley **SECOND**

AYE - Commissioners Allard, Antoniak, Harley, Roberts,

NAY - Commissioners Edwards, Hughes, Margiotta, Oickle, Silver

ABS - None

Motion Denied 5-4 (Time Issue Removal to be worked out with Town Zoning Staff)

Commissioner Richard Roberts made a motion to approve a portion of **APPLICATION NO. 1920-16-Z** 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. **CONTINUED FROM 9/7/16.** Said motion to approve is for the boat only with the condition of minor excavation and covering of boat (to be worked out with staff).

Commissioner Daniel Silver **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver,

NAY - None

ABS - None

Motion Passed 9-0

Chairman Harley suggested the applicant speak to Mr. Justin LaFountain and then requested the next application.

3.2 **PUBLIC HEARING APPLICATION NO. 1925-16-Z Michael & Michelle Pacheco** seeking a Special Permit in accordance with Section 3.5 (Accessory Uses) of the Wethersfield Zoning Regulations to park a vehicle (RV) larger than permitted in a residential zone at 107 Harding Street.

Mr. Michael Pacheco 107 Harding Street purchased the home in 2004 and he owned a camper trailer. He indicated he did contact the town. At that time, he was not told there was a length restriction when he called the town. He indicated he has put a gravel driveway down and proper irrigation and spoke to the neighbors. The camper is 28' long and an 18' RV will not accommodate a family of four. The applicant stating, he makes a modest living and cannot afford vacations with a \$100 a month storage fee, since he has two children going to college. He was told the laws have changed, and he has had the camper for twelve (12) years.

Commissioner Oickle discussed the height of the camper and if applicant can move it back and is concerned about the view the neighbors have. The applicant stating the camper is nine to twelve feet high the back of the property is a swamp, which creates a dilemma.

Commissioner Silver asked the Town Planner when did the regulations change. Town Planner Gillespie indicated that the regulations did not change; what did change was transferring from Zoning Board of Appeals to the Planning and Zoning Commission. Chairman Harley asked if anyone would like to speak.

Ms. Pamela Fitzgerald 108 Harding Street, Wethersfield indicating she supports the request and lives across the street, requesting the board to reconsider the size of the camper and the cost to store the camper, which is prohibitive for some people.

Chairman Harley stated for the record a letter in the file from the Bairos-Horn Family who reside across the street and they are in support of the application; said letter addressed to Planning and Economic Development Department was dated September 17, 2016.

Mr. Michael Hammond 120 Harding Street, Wethersfield is in support and has no problem or issues.

Mr. Trevor Horn 102 Harding Street, Wethersfield is in support of the Special Permit and never noticed it was there...no issues.

Terry 101 Harding Street, Wethersfield is in support does not have any issues moving it over toward her side a little; she is fine with that.

John Tremblay 108 Crystal Street, Wethersfield is concerned if a new neighbor comes in and may not want that on his property asking what are the regulations and feels it would devalue the property.

Commissioner Ryan Allard asked how far the applicant can push it back and the applicant responded he has three to five feet to play with.

Commissioner Roberts made a motion to close the hearing.

Vice Chairman Margiotta **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver,

NAY - None

ABS - None

Motion to Close Passed 9-0

Commissioner Daniel Silver made a motion to approve **APPLICATION NO. 1925-16-Z Michael & Michelle Pacheco** seeking a Special Permit in accordance with Section 3.5 (Accessory Uses) of the Wethersfield Zoning Regulations to park a vehicle (RV) larger than permitted in a residential zone at 107 Harding Street. Said Motion to approve is conditioned on a three (3) year length of time for the Special Permit and a special condition to move the vehicle back five (5) feet and property to be kept in similar condition.

Commissioner George Oickle **SECOND**

AYE - Commissioners Allard, Antoniak, Hughes, Margiotta, Oickle, Roberts, Silver

NAY - Commissioners Edwards, Harley

ABS - None

Motion Passed 7-2

3.3 **PUBLIC HEARING APPLICATION NO. 1926-16-Z Alexandra McGee** seeking a Special Permit renewal in accordance with Section 3.5.3 (Accessory Apartment) of the Wethersfield Zoning Regulations for an accessory apartment in a residential zone at 102 Fairlane Drive.

Voice and Sign Interpreter Present for Mr. & Mrs. McGee.

Ms. Alexandra McGee 102 Fairlane Drive, Wethersfield, stating she has lived on Fairlane for 14 years requesting a Special Permit for an Accessory Apartment. The applicant stating her Mother-in-law, Bertha McGee, has moved to Assisted Living and may come back home. The applicant stating, she will not sell her house and wishes to renew the special permit for that apartment.

The applicant was asked by the Chairman who is living in the main house. She stated that she and her husband live in the main house, and the apartment is for her mother-in-law. He further discussed the previous time frame was a five-year term given to 2014. The applicant never received a notice letter from the town so they placed the house on the market.

Mr. Peter Formica 91 Fairlane Drive, Wethersfield stating the apartment has been there for 41 years and has no problem with it.

Commissioner Roberts made a motion to close the hearing.

Commissioner Edwards **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver

NAY - None

ABS - None

Motion to Close Passed 9-0

Commissioner Dave Edwards made a motion to approve as presented **APPLICATION NO. 1926-16-Z Alexandra McGee** seeking a Special Permit renewal in accordance with Section 3.5.3 (Accessory Apartment) of the Wethersfield Zoning Regulations for an accessory apartment in a residential zone at 102 Fairlane Drive.

Commissioner George Oickle **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver,

NAY - None

ABS - None

Motion Passed 9-0

3.4 **APPLICATION NO. 1927-16-Z Jay Belanger** seeking a review of a temporary sign at 1285A Silas Deane Highway

Mr. Jay Belanger seeking to put temporary signs (banner) for the next three years. Mr. Belanger is located in the Goff Brook Shops' plaza and serve many Wethersfield residents during the open enrollment period that specializes in Medicare.

Commissioner James Hughes made a motion to approve for a three (3) year term **APPLICATION NO. 1927-16-Z Jay Belanger** seeking a review of a temporary sign at 1285A Silas Deane Highway.

Vice Chairman Antonio Margiotta **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver

NAY - None

ABS - None

Motion Passed 9-0

3.5 **APPLICATION NO. 1929-16-Z Rocky's Ace Hardware c/o Kevin Bradley** seeking a review of a temporary sign at 192 Silas Deane Highway.

Mr. Steve Poulin representing Rocky's Ace Hardware requesting an extension to the 23th of December. The store is closing and the request is being made in order to display temporary store closing signs.

Planner Peter Gillespie asked Mr. Poulin to move the signs in back of the sidewalk; they are not permitted within the right of way. The applicant agreed.

Commissioner James Hughes made a motion to approve until the end of the year December 2016 **APPLICATION NO. 1929-16-Z Rocky's Ace Hardware c/o Kevin Bradley** seeking a review of a temporary sign at 192 Silas Deane Highway.

Commissioner George Oickle **SECOND**

AYE - Commissioners Allard, Antoniak, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver

NAY - None

ABS - None

Motion Passed 9-0

4. OTHER BUSINESS

4.1 A discussion regarding Recreational Vehicles, Trailers and Boat Regulations.

Town Planner Gillespie provided a rough draft of a series of amendments to the Wethersfield Zoning regulations in regard to the parking and storage of boats, RV's and trailers, which was summarized and discussed in his memorandum to the Planning and Zoning Commission dated September 29, 2016.

Planner Gillespie discussed the highlights of the changes. Further, he discussed the *Sections 2.3 Definitions, Section 3.5.1.B - Residential Permitted Accessory Uses - Vehicular Storage - Permitted By Right, Section 3.5.1.B - Residential Permitted Accessory Uses - Vehicular Storage* and *Section 5.3.A Accessory Uses & Structures in Business Zones* showing the suggested highlighted changes to the regulations.

Much discussion ensued with Commissioners commenting and discussing what they are charged with and their concerns. The Commission did appreciate the efforts of Town Planner Gillespie and all of his staff. Town Planner Gillespie did conclude that the Commission agrees on moving the authority back to the Zoning Board of Appeals with some added aspects to it. There will be more discussions with the Commission and a public hearing, when completed, would be necessary.

5. MINUTES - September 7, 2016

Commissioner Richard Roberts made a motion to approve the September 7, 2016 minutes.

Commissioner Ryan Allard **SECOND**

AYE - Commissioners Allard, Antoniak, Harley, Margiotta, Roberts, Silver

NAY - None

ABS - James Hughes

Motion Passed 6-0-1

6. STAFF REPORTS

NONE

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING

NONE

8. CORRESPONDENCE

The pending lawsuit has offered a potential settlement. The town will continue to go forward legally with the court case until a settlement can be reached.

The Veterinarian Clinic completed its ground breaking and there may be a ribbon cutting ceremony.

The Planners of Wethersfield, Rocky Hill, Newington and Berlin will have joint session on *land use training* and welcome all to come to these training opportunities. The cost will be picked up by the town.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

A delegation has received a state bond for a Fun Zone for a developer. The site, a mixed use regulation, which is what they want to use. The Mixed Use regulations have not been utilized yet, and therefore, we will keep you informed to discuss on the upcoming agenda on Mixed Use.

10. ADJOURNMENT

Meeting was adjourned at 9:15 p.m. all in favor.

Respectfully Submitted,

Mary Lou Wall.
Recording Secretary

