

## WETHERSFIELD PLANNING AND ZONING COMMISSION

### PUBLIC HEARING AND MEETING UNOFFICIAL MINUTES UNTIL VOTED UPON **November 15, 2016**

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, November 15, 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 7:02 p.m. welcoming all to the Planning and Zoning Commission meeting. Chairman Harley 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)	√		

Chairman Harley stated there are 6 members present and everyone will participate.

Also present were Mr. Justin LaFountain, Zoning Enforcement Officer, Mr. Peter Gillespie, Town Planner, Ms. Denise Bradley, Assistant Planner and Mary Lou Wall, Recording Secretary.

#### 2. OLD BUSINESS

None

#### 3. NEW BUSINESS

**3.1. PUBLIC HEARING APPLICATION NO. 1930-16-Z Jacek Piwowarski** seeking a Special Permit in accordance with Section 3.6 (Accessory Buildings & Structures) of the Wethersfield Zoning Regulations for a garage exceeding 18' at 336 Jordan Lane.

Mr. Jacek Piwowarski 336 Jordan Lane, Wethersfield requesting to build an accessory garage 22' tall, which exceeds the maximum height regulations allow.

Chairman Harley referred to a memo from Town Planner Peter Gillespie dated November 11, 2016 and asked for discussion.

Town Planner Gillespie started the discussion explaining multi-family zone and SRD Zone indicating a slight wrinkle in this application due to that. This property is in an SRD Zone. He stated that approval was obtained from Inlands/Wetlands Watercourse Commission on 10/19/2016; the site does have wetlands and is in a flood zone. The letter dated 10/20/2016 from Inland Wetlands & Watercourses Commission, Don Moisa IWWC Agent, addressed to the applicant, Mr. Jacek Piwowarski (Application No 676-16 Parcel #118-016), did have some added stipulations. The stipulations were to revised the location of silt fence below all proposed grading shown near the eastern property line and show erosion controls immediately below stockpile area. Also, Planner Gillespie discussed a Memo dated 9/21/2016 from Town Engineering, Dick Gregor. The Planning and Zoning Staff needs to have the height of accessory building and all outdoor lighting reviewed to comply with regulations Section 6.7. Site and building plans were provided to the commissioners.

Town Planner Gillespie noted that there were no phone calls regarding this application. There is evidence in the file of notification to the neighbors showing the certificates of mailings. Mr. Piwowaski confirming that approximately 55 to 56 mailings were sent out.

Commissioner Oickle inquired as to who owns the right of way. The applicant indicated he owns the right of way. Commissioner Oickle wanted to know what the applicant will use the garage for to be sure it is not for commercial use, since he noticed some unregistered vehicles on the property. The applicant indicated it will be for regular use a two-car garage, and he has a lot of equipment to store for the upkeep of the land and driveway. Mr. Piwowaski stated that one of the vehicles he is converting to a camper and the other his parent's car.

Chairman Harley asked if the garage will be bigger than the house. Mr. Piwowaski indicated it will be the about same. Commissioner Oickle and Town Planner Gillespie had a discussion on the foundation and grading. Commissioner Homicki asked if there was city sewer and city water and are there any lighting or plumbing concerns. Town Planner Gillespie said there are no concerns and it meets all sideline requirements. The applicant stated that he has septic and it is near the house. Chairman Harley asked for any further discussion.

Commissioner Anthony Homicki made a **Motion to Close** the hearing.

Commissioner/Vice Chairman Antonio Margiotta **Second**

**AYE** – Commissioners Antoniak, Harley, Homicki, Margiotta, Oickle, Silver

**NAY** – None

**ABS.** – None

**Motion to Close hearing 6-0**

Commissioner Daniel Silver made a Motion to Approve **APPLICATION NO. 1930-16-Z Jacek Piwowarski** seeking a Special Permit in accordance with Section 3.6 (Accessory Buildings & Structures) of the Wethersfield Zoning Regulations for a garage exceeding 18’ at 336 Jordan Lane with conditions set forth by Staff.

Commissioner George Oickle **Second**

**AYE** – Commissioners Antoniak, Harley, Homicki, Margiotta, Oickle, Silver

**NAY** – None

**ABS.** – None

**Motion Passed 6-0**

**4. OTHER BUSINESS**

- 4.1** A discussion regarding Zoning Board of Appeals Application 6183-16, Request for a use variance to permit a church in the Agricultural (AG) Zone at 105 Marsh Street.

Chairman Harley asked Zoning Enforcement Officer Justin LaFountain to summarize ZBA Use Variance Request for Case #6183-16, 105 Marsh Street (Owner James Clynych and Applicant Mark Schabert) said letter dated November 9, 2016. Zoning Officer LaFountain stated the applicant for 105 Marsh want to permit a church at 105 Marsh Street in an Agricultural Zone. Although, it does not require a vote from this Commission, it does require comments from the Planning and Zoning Commission. The Agricultural Zone does not permit a church without a use variance.

Chairman Harley indicated it would work for him and feels the property is underutilized. Enforcement Officer LaFountain indicated that the applicants were present for any questions or comments. Commissioner Oickle asked if it meets the parking requirements and if lighting is adequate in the parking lot. Officer LaFountain indicated that it did meet parking requirements and well over. The applicant who was sitting in the public seating area, noted that two lighting posts are in the yard. Town Planner Gillespie will consider the lighting to include walkways etc. to be sure it is adequate at dusk and pass that information along to the Zoning Board of Appeals. Planner Gillespie noted that if they are not making any significant changes to the property, they will not likely be coming to this Commission other than if proposing changes to site and/or changes to the outside of the building. Town Planner Gillespie reminding the

commissioners that any observations should be made into the record today and those observations will be passed on to the Zoning Board of Appeals.

Commissioner Homicki asked If it were in a residential zone rather than an Agricultural Zone, it would be with this commission rather than ZBA. Town Planner stated that would be the case. Discussion ensued.

Planner Gillespie responded to Chairman Harley questioning what would be the next step and he stated that overall they would look at, limitations on seating, lighting, confirm parking is adequate, pavement conditions, traffic control, driveway exit etc. Planner Gillespie would ask for a full site plan review to be deferred to Enforcement Officer LaFountain. Discussion ensued.

#### **4.2** A discussion regarding air-conditioned/generator setbacks.

Zoning Enforcement Officer LaFountain indicated that these are very common questions as to where the a/c and generators can go. Generally, they follow the principles to meet the setback requirements for principle structure and gave examples to the Commissioners. Basically, he feels that an amendment would potentially benefit most people regarding the locations for air conditioners and generators. Therefore, he thought he would bring it to the Commission for comments. He has looked at surrounding towns and gave the Commission possible amendments as set forth in his Memo to the Planning and Zoning Commission dated November 11, 2016 from Justin LaFountain, Zoning Enforcement Officer titled "Zoning Regulation Amendment". Much discussion on this topic ensued and the noise factor and size seemed to be of concerned to some of the commissioners and generated constructive conversation. After much discussion, Planner Gillespie will to be more specific on what we allow and do not allow. A decision was made to come back to this discussion for change after more research can be completed.

### **5. MINUTES – October 4, 2016 & November 1, 2016**

Commissioner Oickle made a motion to approve the October 4, 2016 minutes.

Chairman Harley **SECOND**

**AYE** – Commissioners Antoniak, Harley, Homicki, Margiotta, Oickle, Silver

**NAY** – None

**ABS.** – None

**Motion Passed 6-0**

The Minutes of November 1, 2016 will be taken up at the next meeting since there was not a voting quorum.

### **6. STAFF REPORTS**

Town Planner Gillespie stated he is working on RV regulations and has generated some conversation in this regard. Planner Gillespie seeking direction and asking how to reach the public on this issue from the commission. Planner Gillespie suggested to have this on the agenda and provide a presentation. He is still in research mode.

Chairman Harley suggested to have a hearing, not getting into how to advertise it, but a proposal and then come back. The commissioners discussed different aspects of how to move on this.

The Town Manager is looking for feedback on the High School roof top situation and would like input from this Commission. The town would like guidance on whether the paint alone will do it or physical screening or both. These units are visible from the streets. Commissioner Antoniak drove by the high school and shared with the Commissioners that it was very industrial looking. Commissioner Antoniak suggested to ask if the architect has some suggestions. Commissioner Homicki feels something should be done to the units on the roof but the high school is gorgeous otherwise. Some discussion continued but Planner Gillespie will wait when there are more commissioners present at the meeting for comments. The Town Manager does want to inform the neighbors and public to have an opportunity to weigh in on this. The Magnet School roof top issue is not resolved, Town Planner Gillespie added.

Town Planner Gillespie reminded the Commission that at the next meeting, he is planning for a pre-application review. Invitations have been given to Design Review, Inlands/Wetlands and Town Council members who are invited to attend. This will eliminate the developer going to four different meetings and will give to the town their presentation at one time. This presentation shall initiate questions and get answers and provide important input to the developers. The meeting will be on the December 6, 2016.

Planning and Zoning will give those in attendance a full package of information and the developers will give a full pre-application presentation. The project will be a mixed use, a little different to what the Commission has seen before, Planner Gillespie pointed out and that it is a thirty-million-dollar project. The developers need to hear from the Town with comments on their proposal.

Commissioner Daniel Silver made a Motion to Adjourn

Commissioner Homicki **SECOND**

**AYE** – Commissioners Antoniak, Harley, Homicki, Margiotta, Oickle, Silver

**NAY** – None

**ABS.** – None

Meeting Adjourned at 8:03 PM

Respectfully Submitted,

Mary Lou Wall

Recording Secretary