

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

January 4, 2011

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, January 4, 2011 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

1. CALL TO ORDER:

Chairman Roberts called the meeting to order at 7:03 p.m.

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

Clerk Hammer called the roll as follows:

Member Name	Present	Absent	Excused
Richard Roberts, Chairman	✓		
Thomas Harley, Vice Chairman	✓		
Joseph Hammer, Clerk	✓		
Earle Munroe	✓		
George Oickle	✓		
Anthony Homicki			✓
James Hughes			✓
Antonio Margiotta	✓		
Vacancy (alternate)			
Thomas Dean (alternate)	✓		
Dave Edwards			✓
Angelo Robert Fazzina (alternate)			✓

Also present: Peter Gillespie, Town Planner/Economic Development Manager;
Denise Bradley, Assistant Planner;

Chairman Roberts noted that there were 6 full members and 1 alternate member in attendance at the time of roll call. All members present to participate.

Members of the public were present.

2. OLD BUSINESS:

2.1 PUBLIC HEARING APPLICATION NO. 1716-10-Z: Phillip Santavenere Seeking a Special Permit in accordance with Section 6.10 of the Wethersfield Zoning Regulations for earth removal and filling at 336 Jordan Lane. ---Continued from 12/7/10 and 12/21/10.

Chairman Roberts opened the hearing to comply with the statutory requirements to act on this Application. He noted that at this time the Applicant would have to request for an extension of the hearing beyond thirty-five (35) day statutory requirement. He inquired if the Applicant was present. The Applicant was not present.

Ms. Denise Bradley, Assistant Planner, informed the Commission of the Applicant's request of an

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extension of time in order to comply with the statutory requirements regarding the abutters' notice.

Chairman Roberts invited members of the public present at this meeting to comment on this Application, and there were no members from the public who desired to comment on this Application.

Motion: Commissioner Oickle made a motion to close the Public Hearing regarding **PUBLIC HEARING APPLICATION NO. 1716-10-Z: Phillip Santavenere** Seeking a Special Permit in accordance with Section 6.10 of the Wethersfield Zoning Regulations for earth removal and filling at 336 Jordan Lane. ---Continued from 12/7/10 and 12/21/10.

Second: Commissioner Harley seconded the motion.

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Margiotta, Dean

Nay: None

Vote: 7 – 0

Commission Comments:

Chairman Roberts suggested and Commissioner Oickle concurred that matters where the Applicant has not submitted the appropriate fee(s) not be placed on a PZC Meeting Agenda until said fee(s) is/are collected from the Applicant.

This Public Hearing was Closed.

Motion: Commissioner Oickle made a motion to deny, without prejudice, **PUBLIC HEARING APPLICATION NO. 1716-10-Z: Phillip Santavenere** Seeking a Special Permit in accordance with Section 6.10 of the Wethersfield Zoning Regulations for earth removal and filling at 336 Jordan Lane.

Second: Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Margiotta, Dean

Nay: None

Vote: 7 – 0

This Application has been Denied without Prejudice.

2.1 PUBLIC HEARING APPLICATION NO. 1722-10-Z: The Metropolitan District Commission (MDC) Seeking Site Plan and Design Review and a Special Permit for the installation of an emergency generator system located on Howard Avenue.

Mr. Steve Hallowell, P.E. of Wright-Pierce Engineers, 169 Main Street, 700 Plaza Middlesex, Middletown, CT, appeared before the Commission as a Project Engineer on behalf of The Metropolitan District Commission (hereinafter referred to as "The MDC") and described the proposal. Mr. Carlos Cruz, Manager of Maintenance and Solid Waste for The MDC also appeared before the Commission.

Mr. Hallowell indicated that the site plans and details have been modified in response to the Planning and Zoning Commission Public Meeting of Tuesday, December 21, 2010. The barbed wire fence has been eliminated and the height of the fence has been increased from six (6) feet to seven (7) feet. The

fence will be PVC coated black. He noted that the location of the emergency generator and equipment enclosure is ten (10) feet further away from the nearby adjacent house than originally planned so that the decibel level would be reduced at the nearby adjacent neighbor's house.

Mr. Hallowell provided a summary table to the Town Planning Office and to the Commissioners referring to eight (8) permanent generator and electrical equipment enclosures completed by The MDC. The installations include level two sound enclosures with no special enclosures.

Mr. Cruz indicated that the new generator system proposed is to mitigate risks associated with catastrophic events that could affect the Howard Avenue pump station. He also indicated that portable generators and manpower are not available to adequately serve the thirty (37) seven sites among eight (8) communities should there be a major power failure and that a potential of the surcharging of sewage would result. He noted that The MDC would work with the community to provide a schedule for exercising (running) the generator. He indicated that The MDC would replace said generator at least every twenty-five (25) years.

Commissioner Oickle inquired and Mr. Cruz and Mr. Hallowell concurred that the proposed generator runs at seventy (70) decibels and does not meet Town decibel level requirements.

Commissioner Oickle inquired and Mr. Cruz concurred that a schedule for year-round maintenance of the lawn and shrubbery at the site can be completed and adhered to. Mr. Cruz noted that a new maintenance manager is on board at The MDC and that site maintenance requirements have been stepped up in the area of Maintenance.

Commissioner Oickle inquired if The MDC is considered as one of those on the top of the priority list, along with hospitals, et cetera, in the event the power grid goes out. Mr. Cruz indicated that he did not know the answer to this issue, but he could let the Commission know.

Commissioner Oickle indicated and Mr. Cruz concurred that the generator system proposed would help in the event of a massive grid failure. Mr. Cruz noted that during a power grid failure, a timeframe of forty-five (45) minutes to one (1) hour would be needed to ascertain what The MDC would need to do at a larger scale to minimize risk for the thirty-seven (37) sites. He also noted that eight (8) out of the thirty seven (37) stations cannot have power generator installations and that The MDC can handle issues associated with those eight (8) stations should there be a power grid failure.

Commissioner Margiotta inquired if the existing control panel would be relocated or removed.

Mr. Hallowell indicated that a four by six (4 x 6) pre-cast equipment enclosure with doors on both sides would be installed. The existing control panels would be replaced and that if the pumping chamber failed, mechanical systems (control panels) that were previously found underground, and subject to flooding, would now be accessible above ground and be brought up to codes.

Chairman Roberts noted that an exemption for emergency circumstances exists in terms of decibel level requirements under Town ordinances.

Commissioner Oickle inquired and Mr. Gillespie indicated that comments from Don Moisa of the Town Engineering Department relative to clarification of the fence height, generator and pad details were made early on in the process and were responded to by The MDC during the Application process.

Mr. Gillespie suggested that any approvals made by the Commission reflect the revisions stated in the January set of drawings. The revisions include removing the barbed wire for the fence, location revisions, and reflect changes suggested by the Commission in the December 21, 2010 meeting of the Planning & Zoning Commission.

Public Comments:

Mr. Martin Hart, a resident of 393 Main Street for thirty-three (33) years, appeared before the Commission and stated that unless The MDC can show that their Application is a necessity, then he is not in favor of the Application. He indicated that since his arrival at his residence, there have been two (2) occasions when The MDC had to cart in a small, mobile, wheeled generator which ran four (4) to five (5) days when necessary. He believes that the same approach would result in less noise and less of an eyesore to the neighborhood than the Application proposed. He stated that when a generator is engaged to run the pump, the noise level increases dramatically. He questioned whether the proposed system is seventy (70) decibels when idling or when it is engaged. He suggested that the Town Engineering Department look into whether the large system proposed is necessary and to ascertain whether the sound level running at an idle for testing purposes will increase dramatically when the pump is engaged. He believes that The MDC can do a lot to accommodate public/Town concerns regarding this Application, as pollution of Wethersfield Cove occurred under The MDC's watch.

Mr. Bruce Kramer, a thirty (30) year resident of 21 Howard Avenue, appeared before the Commission and indicated that he is not in support of this Application. He indicated that his property is adjacent to the site and that as the proposed engine throttles upward, noise level will increase dramatically for the neighborhood. He believes there is no need for the station proposed because: (1) there were two (2) occasions when The MDC had to cart in a mobile generator at said station site; and (2) the Marsh Street Pump Station takes care of Putnam Park, and, during his employment with The MDC, he maintained those stations.

Mr. Rick DiCiccio, 2 River Road, appeared before the Commission. He believes that the expense of the project should be questioned, as noted historically, the few times the system would potentially be used. He believes that a great amount of money would be spent for the proposed project relative to the project's small size.

Mr. Eric Daigle, 8 River Road, appeared before the Commission and does not support this Application due to safety concerns for his two (2) small children, the noise levels the equipment would produce, and the aesthetics of the site as viewed from his deck. He is concerned with negative effects on his property value due to the proposed generator and site work. His property indirectly abuts to the back of the site.

Mr. Hallowell indicated that the size of the proposed generator is the standard size being used with all of the generator installations. He noted that a reduction in the size of the generator will not reduce the size of the pumping system needed. He indicated that as many as forty (40), eight (8) foot arborvitae will be installed around the site. He stated that the decibel level of 70 reflects noise when in continuous operation at twenty-three (23) feet away from the site. He noted that The MDC is having generators installed in ten (10) residential areas from as little as fifteen (15) feet away (i.e. condominium association). He also noted The MDC's desire to work with an affected neighborhood to come up with agreeable solutions and with an exercise program for the generator.

Mr. Cruz noted that reducing the noise of the generator would result with an increase of the generator

housing [from seventy-two (72) to ninety-one (91) inches] and will cost as much as fifty thousand (\$50,000.00) dollars more money per unit. The site would then have to be expanded. He noted that the proposed generator offers the optimal power to push water/wastewater forward and that a smaller generator would compromise having an optimal amount of power.

Vice Chairman Harley inquired and Mr. Cruz concurred that no additional capacity will be added to the proposed pumping system and that no changing out of the pumps is to occur. Mr. Cruz noted that the concern is for providing emergency power and providing the necessary personnel to respond.

Commissioner Dean inquired and Mr. Cruz indicated that the noise level of portable generators would be significantly higher than the proposed generator.

Commissioner Dean inquired and Mr. Cruz indicated that he could not answer whether the noise level of the portable generators used in the 1985 and 2009 major power outages was higher or lower than the noise level of the generator proposed. Mr. Cruz offered to come back to the Commission with data (test run) to answer the inquiry.

Commissioner Munroe inquired and Mr. Hallowell concurred that the fence proposed will be increased from seven (7) feet to eight (8) feet and will contain no barbed wire.

Vice Chairman Harley believes that the portable generator that was brought to the site in 2009 was an older, noisier version than the generator proposed. He stated that the main focus for him is a monthly exercise regimen of when and how often and how long the running of the generator would take place. He believes that the Town Planner could discuss with the Historic District Commission the screening modifications of the site made by the Commission in its review process. He inquired if communication with the neighbors regarding the monthly exercise regimen had been made.

Mr. Cruz noted that The MDC would entertain and set the exercise weekly (or monthly, if the residents prefer) for at least twenty (20) minutes and for one (1) day during Monday through Friday and during daytime hours.

Vice Chairman Harley inquired and Mr. Cruz concurred that grass cutting at the site would occur as necessary.

Commissioner Dean indicated that although the data relative to noise level with portable generators used in the past (1985 and 2009) at the site versus the proposed generator was not provided by The MDC, the general trend of the information provided in terms of decibel levels with older versus newer generators is sufficient information for making a decision for this Application.

Motion: Vice Chairman Harley made a motion to close the Public Hearing regarding **PUBLIC HEARING APPLICATION NO. 1722-10-Z: The Metropolitan District Commission (MDC)** Seeking Site Plan and Design Review and a Special Permit for the installation of an emergency generator system located on Howard Avenue.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Munroe, Oickle, Margiotta, Dean

Nay: None

Vote: 6 – 0

Clerk Hammer recused himself from participating in the discussion of this matter and, as such, abstained from the vote.

This Public Hearing was Closed.

Motion: Commissioner Oickle made a motion to approve, with stipulations, **PUBLIC HEARING APPLICATION NO. 1722-10-Z: The Metropolitan District Commission (MDC) Seeking Site Plan and Design Review and a Special Permit for the installation of an emergency generator system located on Howard Avenue.**

- (1) This approval applies to the revised plans submitted by The MDC dated January 2011;
- (2) There is to be a working agreement through the Town Staff for The MDC to create a generator exercise schedule, with some involvement from the neighbors, for the monthly testing regimen of exercising the generator. The schedule shall include when, how often, and how long the running of the generator would take place;
- (3) A landscape maintenance schedule is to be created by The MDC and approved by Town Staff.

Second: Vice Chairman Harley seconded the motion.

Discussion:

Chairman Roberts indicated that although residents have stressed there have been only two (2) occasions when generator power was needed at the site, he is reluctant to put himself in place of The MDC in terms of telling them how to operate their equipment and would not want to be responsible for as many as forty (40) people having sewage in their basements.

Vice Chairman Harley concurred with Chairman Roberts and defers to The MDC in terms of cost effectiveness (capital equipment outlay versus staff in perpetuity expense) for providing the service.

Commissioner Oickle concurred with the Chairman and Vice Chairman and stressed the appropriateness in The MDC's desire to avoid sewage backups for the affected residents.

Aye: Roberts, Harley, Munroe, Oickle, Margiotta, Dean
Nay: None

Vote: 6 – 0

Clerk Hammer recused himself from participating in the discussion of this matter and, as such, abstained from the vote.

Application Approved with Stipulations.

3. NEW BUSINESS

3.1 PUBLIC HEARING APPLICATION NO. 1723-10-Z Lucas Kyriakos Seeking a Special Permit in accordance with Section 5.2.F.2 of the Wethersfield Zoning Regulations for an amendment to Application No. 1700-10-Z for outdoor dining at 222 Main Street (Lucky Lou's).

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Mr. Lucas Kyriakos of 57 Windy Hill Drive, South Windsor and owner of Lucky Lou's Bar and Grill, 222 Main Street (a/k/a the Deming-Standish House), appeared before the Commission to seek an amendment to his Application No. 1700-10-Z. He indicated he is looking for a five (5) year permit and to be allowed to provide outdoor music/entertainment Monday through Thursday until 10:00 p.m. and Friday and Saturday until 11:00 p.m. He noted that it is his desire to continue to draw patrons from in and out of Town as well as maximize business revenue. He believes that a five (5) year permit is more economically sufficient than having to return to the Commission yearly for re-approval.

Commissioner Oickle inquired if the Applicant was aware of a Memo from Peter D. Gillespie & Denise Bradley to the Planning and Zoning Commission dated January 4, 2011 noting noise complaints to the police as to noise at his establishment in the past year. Mr. Kyriakos indicated that he was aware of the Memo and stated that the complaints referenced are from one (1) resident (per his inquiry to the Wethersfield Police Department) that resides behind the restaurant. Mr. Kyriakos noted that he exercised his legal right to learn the name of the individual who complained about his establishment.

Clerk Hammer noted that the report lists on two (2) occasions that more than a half an hour after 9:30 p.m., music was still played, and Mr. Kyriakos indicated that the entertainment company he hired made sure that the outdoor entertainment/music was cut off at 9:30 p.m. He noted that music would be played indoors after 9:30 p.m. and that sometimes the door to his establishment would be left open.

Clerk Hammer inquired and Mr. Kyriakos indicated that current outdoor seating is for fifty-five (55) customers, and seating will nearly double once the new expanded patio is constructed.

Commissioner Dean inquired as to why the Applicant is requesting a five (5) year permit now. Mr. Kyriakos indicated that he would like to bring in the contractors as soon as the weather permits. He also noted that the May 4, 2010 approval was too late in the season to begin construction of the new patio, as business would be interrupted during an optimal weather period for patrons.

Chairman Roberts noted the Memorandum from Mr. Kyriakos dated January 4, 2011 that indicates why he is applying for expanded hours to 10:00 p.m. Monday through Thursday and 11:00 p.m. Friday and Saturday and for occasional special events (Sunday through Wednesday to 10:00 p.m.) while referencing some positive business experiences to date.

Mr. Kyriakos referred to a letter dated January 3, 2011 from Mr. Kurt Francis, 212 Main Street. He noted that the author of the letter lives directly next door to the site near the patio (which is under forty (40) feet away from the property line), has a two-year-old, and has never complained about the restaurant. He believes that this resident would be the one to complain if necessary. He also believes that continual police visits are not good for business and that such visits are upsetting when they are not warranted. He questioned as to what point is it considered harassment for an individual to continually make complaints against an establishment.

Clerk Hammer noted that the original Application was for a one (1) year permit with the patio to be built. Since the patio has not yet been built, he indicated that he is not inclined to vote for a five (5) year permit term. He believes the Commission needs to see the results of the completed patio and how the increased number of patrons will affect parking, noise, etc.

Mr. Kyriakos indicated that he would not complete the patio build out simply with a one (1) year permit renewal because he believes that continual complaints from another resident could ruin the investment.

Commissioner Dean inquired if outdoor music/entertainment is a paradigm for bringing in customers. Mr. Kyriakos stated that he has come to realize that outdoor music/entertainment in the safe and beautiful surroundings of the Wethersfield Historic District provides helps keep customers at his establishment for a longer period of time.

Mr. Kyriakos stated that a lack of entertainment and/or stopping the entertainment at 9:30 p.m. has adversely affected his business and that the Wethersfield Police Department indicated to him that most of the complaints relative to loud music/entertainment have come from one (1) party.

Commissioner Dean referred to the Memo from Peter D. Gillespie and Denise Bradley to the Commission dated January 4, 2011. He noted that the positive trend illustrated in the police call report findings may not justify extending the permit term at this time.

Chairman Roberts noted the following items for the record: letter dated January 4, 2011 from Michael Barry, Esq. of Barry, Harvey and Later who represents the owners of Village Pizza. Atty. Barry indicated that his clients are in favor of the Application provided that the Applicant's owners, managers, employees and contractors not be allowed to park on both sides of Main Street and that deliveries be made at the rear of the site. Letter dated December 27, 2010 from Joseph Capasso & Family indicating that they are in favor of the Application. Letter dated December 28, 2010 from Sharon Skelly Carducci who is in favor of the Application. Letter dated January 3, 2010 from Guy and MaryAnn of Bijoux Rose, 277 Main Street, who are in favor of this Application. Letter dated December 29, 2010 from Linda Pricone, Manager, Comstock Ferre & Company, who is in support of this Application. Letter dated December 30, 2010 from Lucille Leclair, co-owner of Clearing House Auction Galleries. Letter dated December 29, 2010 from Enzo Faienza of Cromwell, CT, who is in favor of this Application. Letter dated January 3, 2011 from Kurt Francis, 212 Main Street, who is in favor of this Application. E-Mail dated January 3, 2011 from Charles Lyle, Executive Director of the Webb-Dean-Stevens House indicating that he is in favor of the Application. E-Mail dated January 3, 2011 from Linda Sherman Pinn, Manager, Central Block Building, requesting that noise levels be monitored periodically for compliance within legal limits if extended evening hours are approved and that a mandate be established for employees and entertainment personnel to use the parking behind the Keeney Center.

Public Comments:

Mr. Peter Baranowski, 65 Westway, appeared before the Commission and spoke in favor of the Application. He noted he has twenty (20) years in the restaurant business.

Mr. Rob Garrey, 10 Morrison Avenue, appeared before the Commission and spoke in favor of the Application.

Mr. Peter Alter, Trustee of The Josephine Daly Family Trust, appeared before the Commission and indicated that he was not in favor of the Application. The Josephine Daly Family Trust is the property owner of 26-28 Marsh Street, a four-apartment residence located directly behind the site. He noted that his Attorney, Kirk D. Tavigian, Esq., had informed the Commission at the May 4, 2010 meeting of the Planning & Zoning Commission that he was not in favor of the original application and that the conditions stated in the April 9, 2010 letter permitted the Applicant to proceed with his plans while providing reasonable protection for the property and its residents. He indicated that he wanted to see balance in the process. He noted that at this time, the one (1) year permit/analysis has not yet been completed. He indicated that the Commission is obliged to apply Article VIII of the Wethersfield Regulations in this matter. He believes that protecting an economic investment is not a consideration for this Commission to weigh and that in doing so would be a detriment to the residential properties in the area. It is his desire that the Application be denied.

Commissioner Oickle inquired and Mr. Alter indicated that it is an economic decision not to replace the overgrown shrubbery near the property line of the Applicant's establishment even though replacement of said shrubbery could provide privacy screening for the Trust's tenants.

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Ms. Heather Stevens and Mr. John Stevens, 24 Marsh Street, Apt. #2, appeared before the Commission and indicated that they were not in favor of the Application. They indicated that non-compliance with the noise ordinance occurred the first weekend after the initial permit was approved. They asked that the five (5) year permit be denied and that penalties be imposed on the proprietor should any violations of the permit occur. They also asked that if any portion of the Application is approved, that the days and hours be specified.

Mr. Bill Filbrick, 36 Marsh Street, appeared before the Commission and indicated that he was not in favor of the Application. He described the noise emanating from the site as tolerable at times and intolerable at other times. He is a Professor at Yale Medical School who spends time at his quiet residence researching and reviewing the work of his students. He mentioned that noise levels are transient and therefore difficult to regulate. He also mentioned that he has a young child and does not want his/her sleep adversely affected by excessive noise from the site. He believes that this Application does not enhance the quiet nature present in the neighborhood.

Clerk Hammer noted the decibel standards become stricter after 10:00 p.m. daily, as the decibel level is fifty-five (55) before 10:00 p.m. and forty-five (45) after 10:00 p.m.

Vice Chairman Harley inquired and Mr. Gillespie concurred that according to the May 2010 approval from the Commission, there are landscaping requirements along the edge of the patio only.

Commissioner Oickle suggested that a two (2) year permit be granted with a requirement that the Applicant report back to the Commission in one (1) year.

Chairman Roberts noted that the entertainment and patio issues are divorced from each other. He inquired if the venue could only survive as a bar and entertainment establishment. He noted that in terms of the outdoor music/entertainment hours, the ability to achieve a decibel level that would not exceed forty-five (45) would be difficult, as a normal conversation would exceed that level anyway.

Motion: Vice Chairman Harley made a motion to close the Public Hearing regarding **PUBLIC HEARING APPLICATION NO. 1723-10-Z: Lucas Kyriakos** Seeking a Special Permit in accordance with Section 5.2.F.2 of the Wethersfield Zoning Regulations for an amendment to Application No. 1700-10-Z for outdoor dining at 222 Main Street (Lucky Lou's).

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Margiotta, Dean
Nay: None

Vote: 7 – 0

This Public Hearing was Closed.

Motion: Vice Chairman Harley made a motion to approve, **PUBLIC HEARING APPLICATION NO. 1723-10-Z: Lucas Kyriakos** Seeking a Special Permit in accordance with Section 5.2.F.2 of the Wethersfield Zoning Regulations for an amendment to Application No. 1700-10-Z for outdoor dining at 222 Main Street (Lucky Lou's), with the following stipulations.

1. The outdoor music/entertainment permit is for one (1) year, seven (7) days per week, and is subject to renewal upon expiration of 12/31/11;
2. The outdoor music/entertainment must conclude at 10:00 p.m.;
3. Shrubbery is to be installed on the east side of the patio and is subject to approval by Town Staff;
4. In the event the Central Health District allows the barbeque pit to be installed at the site, then

- said barbeque pit must be fueled by natural gas or propane and not wood; and
5. Applicant is subject to all applicable Town noise ordinances.
 6. Upon 12/31/11 expiration, the Application fee of Two Hundred Eighty (\$280.00) Dollars is waived and Applicant is to assume fees associated with notice of any re-application;
 7. Applicant is to encourage staff parking in the rear parking lot at the site or at the public parking lot located at the Keeney Center;
 8. Applicant is to encourage vendors/suppliers, etc., to make deliveries at the rear of the building.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Margiotta, Dean
Nay: None

Vote: 7 – 0

Commission Comments:

Commissioner Dean is concerned with the lack of data needed when reconsidering outdoor entertainment, as stipulated to in the original Application, at the establishment for the long term, as the patio proposed and then permitted by the Commission in May 2010 has not been actually constructed to date.

Clerk Hammer expressed the Commission's ongoing desire to make something work for both the neighbors and the Applicant's establishment.

Application Approved as Stipulated.

4. OTHER BUSINESS:

There was no other business discussed at this meeting.

5. MINUTES - Minutes from the December 21, 2010 Meeting.

The Minutes from the December 7, 2010 and December 21, 2010 meetings will be reviewed at the next meeting of the Planning and Zoning Commission.

Review of Minutes is tabled to the next meeting of the Planning and Zoning Commission.

6. STAFF REPORTS:

Mr. Gillespie informed the Commission of an opportunity to attend an upcoming Connecticut Bar Association (CBA) seminar entitled "Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions" that is to be held at Wesleyan University's Exley Science Center 150, 265 Church Street, Middletown, CT on Saturday, March 12, 2011 from 8:30 a.m. to 4:30 p.m.

Mr. Gillespie indicated that the Capitol Region Council of Governments (CRCOG) is requesting that the Planning and Zoning Commission appoint a representative and an alternate representative to serve on the Regional Planning Commission (RPC) from the date of appointment through December 31, 2011.

Motion: Vice Chairman Harley made a motion to appoint Earle Munroe as representative and Antonio Margiotta as alternate representative to the Regional Planning Commission (RPC) of the Capitol Region Council of Governments (CRCOG) from now until December 31, 2011.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Margiotta, Dean

Nay: None

Vote: 7 – 0

Commissioner Munroe is appointed as the PZC representative and Commissioner Margiotta is appointed as the PZC alternate representative to the Regional Planning Commission (RPC) of the Capitol Region Council of Governments (CRCOG).

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

There were no public comments made at this meeting relative to 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. 1721-10-Z: AnnMarie Flannery Seeking a Special Permit in accordance with Section 3.6.G.4 of the Wethersfield Zoning Regulations for an accessory residential use at 130 Wells Road.

9.2 PUBLIC HEARING APPLICATION NO. 1724-10-Z Kieran Williams: Seeking a Special Permit to conduct a retail business from a roadside vehicle without a principle building. (Renewal of No. 1685-10-Z).

10. ADJOURNMENT:

Motion to adjourn at 9:23 PM – by Clerk Hammer.

Seconded – by Commissioner Harley.

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Margiotta, Dean

Nay: None

Vote: 7 – 0

Meeting adjourned.

Respectfully submitted,

Ellen Goslicki, Recording Secretary