

WETHERSFIELD PLANNING AND ZONING COMMISSION PUBLIC HEARING AND MEETING May 15, 2007

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Wednesday, May 15, 2007 at 7:00 p.m. in the Wethersfield Police Department Meeting Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

CALL TO ORDER

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

ROLL CALL & SEATING OF ALTERNATES

Chairman Hammer called roll as follows:

Member Name	Present	Absent	Excused
Joseph Hammer, Chairman	X		
Margaret Wagner, Vice Chair	X		
Philip Knecht, Clerk	X (7:30 pm)		
Thomas Harley	X		
Robert Jurasin			X
Earle Munroe	X		
Dorcas McHugh	X		
Richard Roberts	X		
Frederick Petrelli	X		
James Hughes	X		
Anthony Homicki	X		
George Oickle	X		

Also present: Peter Gillespie, Town Planner and Denise Bradley, Assistant Planner

Chairman Hammer stated that there were 2 full members not in attendance at the time of roll call. He requested the services of alternate members Anthony Homicki and Commissioner George Oickle to serve as full members.

OLD BUSINESS

There was no old business.

NEW BUSINESS

3.1 PUBLIC HEARING APPLICATION NO. 1565-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 95 Highcrest Road-Highcrest School (Renewal).

3.2 PUBLIC HEARING APPLICATION NO. 1566-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 50 Francis Street-Hammer School (Renewal).

3.3 PUBLIC HEARING APPLICATION NO. 1567-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 51 Willow Street-Webb School (Renewal).

3.4 PUBLIC HEARING APPLICATION NO. 1568-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 461 Wells Road-Emerson-Williams School (Renewal).

Commissioner Richard Roberts made a motion to hear **APPLICATION NO. 1565-07-Z, APPLICATION NO. 1566-07-Z, APPLICATION NO. 1567-07-Z & APPLICATION NO. 1568-07-Z** together.

Commissioner George Oickle seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Harley, Petrelli, Oickle, Homicki

Nay: None

Abst: None

Joanne Pounds, 35 Carson Ave.-Tri-Town YMCA. Provides after school care for children at Emerson Williams, Highcrest, Hammer, and Webb. The hours are from 7:00 a.m. - 8:30 a.m. and from 2:30 p.m. - 6:00 p.m. They currently use the cafeteria and some school grounds. Ms. Pounds stated that all of the sites are licensed by the State of Connecticut. She also said that 3 out of the 4 sites are accredited by the National After School Association.

Ms. Pounds stated that she was before the board this evening because the special permit has expired. Chairman Hammer said that Ms. Pounds has been approved a number of times by the Zoning Board of Appeals before coming to the Planning and Zoning Commission.

Chairman Hammer asked Ms. Pounds if all of the facilities have been in operation for more than 10 years. Ms. Pounds stated that he was correct.

Vice Chair Wagner asked Ms. Pounds how long the service has been at Webb. Ms. Pounds stated that the program was at Webb when it was a Kindergarten Center and now there as the elementary school. Vice Chair Wagner also asked why there was no service at Charles Wright. Ms. Pounds stated that the YWCA is at Charles Wright.

Commissioner Roberts asked Mr. Gillespie if everything has been done in regards to regulation 3.2.2.B.1 and 3.2.2.B.2. Mr. Gillespie stated that it has been done initially and he has forwarded to the Chief Building Official again. Mr. Gillespie said that due to the lack of commentary he is assuming that because the centers are in operation they are not in violation of any building codes.

Commissioner Oickle asked if the Environmental Health inspector was the enforcement end of the state licensing. Mr. Gillespie stated that in terms of the health code they have commented on this and it is currently licensed and in compliance.

Chairman Hammer asked if there was anyone in the audience that wished to speak on the hearing. There was no one in the audience that wished to speak.

Commissioner Fred Petrelli made a motion to close the public hearing.

Commissioner Richard Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Harley, Petrelli, Oickle, Homicki

Nay: None

Abst: None

Commissioner Richard Roberts made a motion to approve

- **APPLICATION NO. 1565-07-Z** for a special permit, 95 Highcrest Road
- **APPLICATION NO. 1566-07-Z** for a special permit, 50 Francis Street
- **APPLICATION NO. 1567-07-Z** for a special permit, 51 Willow Street
- **APPLICATION NO. 1568-07-Z** for a special permit, 461 Wells Road

With no time restrictions.

Commissioner Anthony Homicki seconded the motion

Vice Chair Wagner asked Mr. Gillespie if there was any reason why there is a renewal time period. Mr. Gillespie stated that the Zoning Board of Appeals has made it its practice to keep tabs on most of the applications that they have in front of them so they have to come back. They determine on a case by case basis how periodic that would be. Mr. Gillespie said that the Commission does have means available rather than having applicants coming back to the Commission for the same thing when there are no problems.

The members voted as follows (8-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Harley, Petrelli, Homicki

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

3.5 PUBLIC HEARING APPLICATION NO. 1569-07-Z. Steven Czako Seeking a Special Permit in accordance with Section 5.2.E.4. of the Wethersfield Zoning Regulations for the sale of automobiles at 58 Maple Street

Steven Czako, 14 Pearl Street, Terryville, is before the Commission this evening because he had to reapply for application for the right to apply for a used car dealer license.

Chairman Hammer stated that Mr. Czako wrote a letter to the Commission dated April 26, 2007, which sets forth the parameters involved with the sale of the motor vehicles.

Chairman Hammer stated that there was also a memo from staff dated May 7, 2007 which he read out loud to the Commission and Mr. Czako.

Commissioner Hughes asked Mr. Czako how many cars he would have for sale at any one time. Mr. Czako replied that he would have 2 or 3 cars for sale at one time and they will be displayed inside. Commissioner Hughes also asked Mr. Czako how many parking spaces there are. Mr. Czako said that he was told by the owner that there were 21, but he sees from the A2 that there are 16 parking spaces. Mr. Czako showed Commissioner Hughes the parking spaces on the map that was provided to the Commission.

Commissioner Hughes asked Mr. Czako how many employees he will have. Mr. Czako said that he will have 1 employee in the office, 2 in the shop and himself. Mr. Czako noted that the tire company that was in the building previously survived with the amount of parking spaces.

Commissioner Hughes asked Mr. Czako if he put a dealer plate on the cars for sale outside would that be considered registered. Mr. Czako stated that technically it would be, but he will not be selling any cars outside.

Commissioner Hughes asked what kind of repairs Mr. Czako will be making to the cars. Mr. Czako said that he will only be making minor repairs to the cars. Commissioner Hughes noted that there were no intentions for a spray booth or exhaust station. Mr. Czako stated that he was more interested in the mechanical aspect.

Commissioner Oickle wanted the Commission to know that he was surprised to see that this town has never had a retail sales car sales operation.

Chairman Hammer asked if there was anyone in the audience with a comment.

There was no one in the audience with a comment.

Commissioner Roberts asked the applicant if he has looked the May 14, 2007 memo from Mike Turner. Mr. Czako stated that he has looked at the memo.

Commissioner Roberts stated that items 3 and 4 on the memo dated May 7, 2007 from Peter Gillespie, should have been done last month under the general repairer, rather than this month with the used car dealer.

Mr. Gillespie stated that conditions should be factored in to the decisions the Commission makes to cover Mike Turner's issues and the applicant's suggested conditions.

Mr. Czako stated that #4 in the memo dated May 14, 2007 from Mike Turner does not have anything to do with what he is trying to do. Mr. Czako showed Mr. Gillespie the map and how the area in question is not near his side of the business. Mr. Gillespie said that it would be southwest, not southeast.

Commissioner Oickle asked Mr. Czako if he will have any additional landscaping or façade improvements. Mr. Czako stated that he has been approved for signs on the front of the building and he will put flowers near the building.

Vice Chair Peg Wagner made a motion to close the public hearing.

Commissioner Dorcas McHugh seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

Commissioner Richard Roberts made a motion to approve **APPLICATION NO. 1569-07-Z** with the following stipulations:

1. Hours of operation will be Monday through Friday 7 a.m. - 7 p.m. and Saturday's from 7 a.m. - noon.
2. Sell not more than 3 cars per month.
3. No storage of any unregistered motor vehicles outside.
4. No storage of any vehicles unfit for repair outside.
5. No storage of dismantled vehicles outside.

6. Not sell any vehicle larger than a full size pick up truck or sports utility vehicle.
7. No advertising of vehicles for sale outside the building.
8. No balloons or streamers shall be displayed for the purpose of selling cars.
9. Survey be revised to reflect the comments in Mike Turner's May 14, 2007 memo as applicable and that details on landscaping and building mounted lights be provided to staff for approval.

Vice Chair Peg Wagner seconded the motion

Commissioner Richard Roberts removed stipulation #9 from the motion on the condition that town staff follows up on the point with the appropriate party.

Vice Chair Peg Wagner seconded the amendment to the motion

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

3.6 PUBLIC HEARING APPLICATION NO. 1570-07-Z. Shield Hotel Management Seeking a resubdivision for the creation of one (1) new lot at 1324 and 1330 Silas Deane Highway.

3.7 PUBLIC HEARING APPLICATION NO. 1571-07-Z. Shield Hotel Management Seeking a Special Permit in accordance with Section 6.2.D.4. for the reduction of required parking spaces due to a shared parking agreement at 1324 and 1330 Silas Deane Highway.

Commissioner Richard Roberts made a motion to hear **APPLICATION NO. 1570-07-Z & APPLICATION NO. 1571-07-Z** together.

Commissioner Fred Petrelli seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

Mark Domingos, Conklin & Soroka, Inc., Cheshire Connecticut. Conklin and Soroka prepared a survey. Mr. Domingos noted that currently his client owns 2 parcels. One parcel is adjacent to I-91 and is entirely a parking lot. The other parcel consists of the Camelot Best Western Hotel and the Red Lobster. Mr. Domingos stated that they were proposing to split off Red Lobster from the Hotel. Mr. Domingos showed the Commission a map and pointed out the areas he was speaking of.

Mr. Domingos stated that currently they meet all of the setback requirements for the proposal. He noted that that at this time parking is shared by the Red Lobster and the Hotel. Chairman Hammer asked if Red Lobster and the Hotel will continue to share the parking under the proposed shared parking agreement. Mr. Domingos stated that they would still share two lots. He noted that the main parking lot in the back will only be used for the Hotel. Chairman Hammer asked what the parking lot was used for currently. Mr. Domingos said that the parking lot is currently used for the Hotel and

for the Red Lobster, but people from Red Lobster do not tend to park in the back parking lot.

Mr. Domingos noted that they conducted a brief parking study and they determined that all three parking lots were never filled to capacity. The Red Lobster was generally full and part of the Hotel parking lot. He said that very few cars and a few tractor trailers were parked in the rear parking lot.

Clerk Knecht asked if the proposed parking lot would alleviate the parking on the street next to Red Lobster. Mr. Domingos stated that this would not alleviate the parking on the street. He suggested that the town put No Parking signs on the street to alleviate that problem.

Chairman Hammer asked Mr. Domingos to explain Lot 5 (rear, near CL&P easement area). He wanted to know if they were proposing it as part of the shared parking. Mr. Domingos stated that Lot 5 is not part of the shared parking. The shared parking will be between the Hotel and Red Lobster. Chairman Hammer asked if the rear lot was included in the shared arrangement with the Hotel. Mr. Domingos said that it is already included in the Hotel parking. Chairman Hammer asked if there was a written agreement. Mr. Domingos stated that the Hotel owns it currently.

Michael Lester, Conklin & Soroka, stated that currently all the lots are currently owned by the same company.

Chairman Hammer noted that if the application were to be granted that it would no way be interpreted as separating the rear lot from being tied to the Hotel itself. Mr. Domingos stated that the Hotel could not separate that rear lot because they would not have enough parking spaces for the Hotel itself.

Clerk Knecht asked if half of the rear lot was wetlands. Mr. Domingos pointed out on the map where the 100 year flood zone was in regards to the rear lot.

Commissioner Roberts noted that he drove by Red Lobster and the Hotel on three different occasions and all three times the parking lots were full. Commissioner Roberts stated that in the instance that no parking signs were erected, he feels that it is in everybody's best interest to put Lot 5 in a condition where it can be actually used for parking. He noted that if they are counting Lot 5 as satisfying parking requirements then it should be fixed and made usable.

Commissioner Roberts asked Mr. Gillespie if the parking lot would be striped to count as parking. Mr. Gillespie stated that the regulations do require approved parking does need to be striped. He noted that he needs to take a look at the historical approvals and get a handle on what was approved.

Commissioner Roberts referred to a memo dated May 14, 2007 from Mike Turner.

Commissioner Harley noted that the subdivision will not change the parking situation. He said that Lot 5 should be made more user friendly. Commissioner Harley asked what would happen if Red Lobster went out of business and parcel A gets reused, would the agreement still remain in effect. Mr. Lester stated that if Red Lobster ceased the shared parking agreement would no longer be in effect.

Commissioner Oickle stated that the corner to the south should go to Red Lobster. He noted that the restaurant parking is always filled to capacity. He suggested that signs be placed to show customers where additional parking is located. Commissioner Oickle asked if the Hotel has complained of Red Lobster issues and if that is why they are doing this. Mr. Domingos stated that the Hotel has not complained.

Vice Chair Wagner stated that the Commission could not vote on these applications this evening.

Chairman Hammer stated that if the parking sharing terminates when Red Lobster is no longer a restaurant then we are left with an existing building of X-thousand square feet. If the next tenant that comes in would be an office, would the parking spaces be sufficient. Chairman Hammer asked if staff could find out if the building was an office, how much parking would be required.

Vice Chair Wagner noted that she agreed with all of the comments that would make the parking lot more substantial so that people would park there.

Chairman Hammer asked Mr. Gillespie to take a look at the permitting history of the Hotel and see exactly what the requirements were.

Vice Chair Peg Wagner made a motion to continue the public hearing for **APPLICATION NO. 1570-07-Z & APPLICATION NO. 1571-07-Z**

Commissioner Richard Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

3.8 APPLICATION NO. 1572-07-Z. Carol Kober-Narciss Seeking Site Plan and Design Review for a change that is not significant (site improvements) at 7 Railroad Place.

Carol Kober Narciss, 34 Griswold Road, opening a Boutique/Café at 7 Railroad Place. She stated that she needs to make renovations including handicap ramp, new brick front stairs and new signs (enlarging slightly-3X5) on the front, 3X4 detached sign. Ms. Narciss noted that she will have 9 parking spaces, she will remove the large dumpsters and use (3) 90 gallon Paine's pails which will be placed in the back of the building.

Ms. Narciss also stated that she will put awnings over the doorway and the two windows which will be a waterfall design in dark green. She will be putting bushes and plants in the front. Ms. Narciss will replace the rotted front door as well.

Ms. Narciss said that the hours of operation currently approved by ZBA is Monday through Saturday 10 am - 7 p.m. She would like to expand the hours of operation to Monday through Thursday, 8 a.m. - 8 p.m., Friday & Saturday 8 a.m. - 10 p.m. and Sunday 9 a.m. - 2 p.m. Ms. Narciss also noted that in the future she would like to put a 10x10 gazebo and a 6 ft fence along the border of the rail line.

Chairman Hammer stated that regarding the hours, Ms. Narciss would need to talk to Brian O'Connor, since the ZBA had approved those.

Vice Chair Wagner asked if Ms. Narciss was baking or cooking anything at 7 Railroad Place. Ms. Narciss stated that she will not be cooking or baking. She will have a lounge area and tables. Ms. Narciss noted that she will be selling arts and crafts, coffee, hot chocolate and chocolates. All of the desserts will be from David Glass.

Commissioner Oickle asked if there was sufficient parking. Mr. Gillespie stated that based on the zoning regulations there is sufficient parking (9 spaces). Mr. Gillespie how many employees Ms. Narciss will have. Ms. Narciss stated she will have 1-2 employees.

Commissioner Richard Roberts made a motion to approve **APPLICATION NO. 1572-07-Z** as submitted.

Commissioner Earle Munroe seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

3.9 APPLICATION NO. 1573-07-Z. Town of Wethersfield Seeking Site Plan and Design Review to expand the parking area at 193 Wells Road (Little Red School House).

Jean Ryan stated she had met with Mike Turner and came up with 4 plans. The first two plans did not solve any of their problems. Ms. Ryan stated that the steps are in bad shape. She said that currently there is no handicap parking. Ms. Ryan referred to a map that was supplied to the Commission regarding the property.

Commissioner Oickle asked why Ms. Ryan feels that she needs more parking spaces. Ms. Ryan noted that she has more members and more activity and that she will need more parking. Commissioner Oickle asked Mr. Gillespie where this money was coming from. Mr. Gillespie stated that he thinks this is coming out of the Capitol Improvement Program budget. Commissioner Oickle stated that it would be good to see it done.

Chairman Hammer asked Ms. Ryan if she had spoken to the neighbors about the parking area. Ms. Ryan stated that all of the neighbors were happy with the parking area.

Commissioner McHugh asked what year this was scheduled in the Capitol Improvement project. Mr. Gillespie stated next year, which would be July.

Commissioner Dorcas McHugh made a motion to approve **APPLICATION NO. 1573-07-Z.**

Commissioner Richard Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

OTHER BUSINESS

There was no other business.

MINUTES

5.1 Minutes of the April 17, 2007 meeting.

Vice Chair Wagner made a motion to approve [The April 17, 2007 meeting Minutes.](#)

Commissioner Richard Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

Commissioner Richard Roberts made a motion to add an Executive Session to the agenda.

Commissioner Dorcas McHugh seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

EXECUTIVE SESSION

Commissioner Roberts made a motion to move in to an Executive Session to discuss potential pending claim regarding the Creamery.

Commissioner Petrelli seconded the motion

The Commission went into an Executive Session at 8:30 p.m. and came out of Executive Session at 8:38 p.m. There were no votes taken during this session.

STAFF REPORTS

PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING.

There was no public comment.

CORRESPONDENCE

- **8.1** A letter dated April 20, 2007, from the Capitol Region Council of Governments to the Planning and Zoning Commission regarding a report on Zoning Referral Z-2007-31 by the Town of Wethersfield regarding proposed rear lot regulations.
- **8.2** A letter dated April 20, 2007, from the Capitol Region Council of Governments to the Planning and Zoning Commission regarding a report on Zoning Referral Z-2007-19 by the Town of Rocky Hill regarding a proposed zone change.
- **8.3** A letter dated April 24, 2007, from Martha Mayer of the Griswoldville Preservation Association to the Planning and Zoning Commission regarding commercial advertising on ball field fences.
- **8.4** A letter dated April 27, 2007, from the Peter Gillespie to Paula Rubinow (Main Street Creamery & Café) regarding the expiration of Application No. 1504-05-Z.
- **8.5** A letter dated May 2, 2007, from Ann Grunbeck Monaghan to Peter Gillespie regarding Main Street Creamery & Café.
- **8.6** A letter dated May 10, 2007, from Vinnie DeFilippo to the Planning & Zoning Commission requesting an extension of Application 1558-07-Z.
- **8.7** A letter dated May 10, 2007 from Thomas Cocco to Peter Gillespie requesting an extension of Application 1559-07-Z.
- **8.8** An invitation to attend the Wethersfield Chamber of Commerce 2007 Awards Dinner & Annual Meeting on Wednesday, May 16, 2007, at the Wethersfield Country Club.
- **8.9** An invitation to *A Tribute To Ol' Blue Eyes* to benefit "The Jimmy Fund" Friday, June 8th from 7-11 p.m. at the Pitkin Community Center.
- **8.10** An invitation the Wethersfield Chamber of Commerce *State of the Town* Wednesday, May 23rd at 7:30

a.m. at the Wethersfield Country Club.

- **8.11** An invitation to the *Silas W. Robbins House Tour*.
- **8.12** A copy of the Available Properties List.
- **8.13** A copy of the Monthly Economic Development Report.
- **8.14** An invitation to attend a Professional Development Course on Comprehensive Planning.
- **8.15** A listing of upcoming courses offered by the Community Builders Institute.
- **8.16** Keane Foundation 9/11 Memorial 6th Annual 5K Walk/Run.

PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

- **PUBLIC HEARING 9.1 APPLICATION NO. 1552-07-Z. CP Equity Holding, LLC** Seeking a Special Permit, in accordance with Section 5.2.A.2. of the Wethersfield Zoning Regulations, to renovate existing structures, construct an additional building, convert property into a mixed retail, office and residential development and associated site improvements at 249-263 Main Street.
- **APPLICATION NO. 1558-07-Z. Vinnie DeFillipo** Seeking Site Plan and Design Review to construct two (2) new structures for office use and associated site improvements at 1912 Berlin Turnpike. (Request for 65-day extension)
- **PUBLIC HEARING 9.3 APPLICATION NO. 1559-07-Z. CP Equity Holding, LLC** Seeking a Change of Zone from B Residence to Village Business (VB) Zone at 249-263 Main Street. (Request for 65-day extension)
- **PUBLIC HEARING 9.4 APPLICATION NO. 1574-07-Z. Town of Wethersfield** Seeking a Zoning Text Amendment to allow for the creation of rear lots.

ADJOURNMENT

Vice Chair Wagner made a motion to adjourn the meeting.

Commissioner Richard Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Wagner, Roberts, McHugh, Munroe, Knecht, Harley, Petrelli, Homicki

Nay: None

Abst: None

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Lori Keleher
Planning and Zoning Recording Secretary