

**WETHERSFIELD PLANNING AND ZONING COMMISSION  
PUBLIC HEARING AND MEETING  
June 19, 2007**

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Wednesday, June 19, 2007 at 7:00 p.m. in the Wethersfield Police Department Meeting Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

**CALL TO ORDER**

Vice Chair Peg Wagner called the meeting to order at 7:03 p.m. in the absence of Chairman Hammer.

**ROLL CALL & SEATING OF ALTERNATES**

Clerk Knecht called roll as follows:

<b>Member Name</b>	<b>Present</b>	<b>Absent</b>	<b>Excused</b>
Joseph Hammer, Chairman			X
Margaret Wagner, Vice Chair (7:30 p.m.)	X		
Philip Knecht, Clerk	X		
Thomas Harley	X		
Robert Jurasin	X		
Earle Munroe	X		
Dorcas McHugh	X		
Richard Roberts	X (9:30PM)		
Frederick Petrelli	X		
James Hughes			X
Anthony Homicki	X		
George Oickle	X		

Also present:

Peter Gillespie, Town Planner  
Denise Bradley, Assistant Planner.

Vice Chair Wagner stated that there were 2 full members not in attendance at the time of roll call. She requested the services of alternate members Commissioner 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. 1574-07-Z. Town of Wethersfield Seeking a Zoning Text Amendment to allow for the creation of rear lots.---**

TABLED UNTIL 7/17/07, waiting on information from Staff.

**3.2 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.---TABLED FROM 5/15/07.**

**3.3 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.---TABLED FROM 5/15/07.**

**PUBLIC HEARING APPLICATION NO.15701-07-Z & PUBLIC HEARING APPLICATION NO. 1571-07-Z** were heard together.

Mark Domingos, Conklin & Soroka, trying to do a resubdivision for the Red Lobster. Mr. Domingos stated that there were some concerns from Commission and Mr. Gillespie. One of the items in question was not going to Inland Wetlands for approval. It was the applicant's misinterpretation of the regulations, not doing improvements on the property. On June 6, 2007 the applicant went to Inland Wetlands and got approval. The Commission received a copy of the memo dated June 7, 2007 from Donald Moisa granting this approval.

Mr. Domingos said that one of the other points that the Commission was concerned with was the shared parking agreement with the Hotel and Red Lobster. The Commission received a copy of the Easement Agreement that was received to the Planning Department on June 19, 2007. Mr. Domingos stated that Page 4, Item #4, previously read that if the Red Lobster had closed and terminated to be a restaurant, the shared parking would terminate also. Item #4 now reads, "Term. This Agreement shall continue in the perpetuity from the date hereof." Mr. Domingos sated that the agreement has gone through the Town Attorney as well as his client's attorney.

Mr. Domingos said that one of the other items that concerned the Commission was parking in the back of the Hotel. His client is willing to re-stripe, take down old signs and do beautification and repair.

Parking of the Red Lobster possibly parking in the back. The applicants would like to leave the parcel in the back just for the Hotel parking. Mr. Domingos said that he felt no one from the Red Lobster would really want to park that far away.

Vice Chair Wagner asked Mr. Domingos if he had seen the memo dated May 14, 2007 from Michael Turner. Mr. Domingos said that he has seen the memo. He stated that in regards to Item #7, they are not doing any improvements on the parcel and it would be a huge cost to his clients.

Vice Chair Wagner asked Mr. Domingos if he has submitted the plan to Rocky Hill. Mr. Domingos said he did. Commissioner Jurasin asked the applicant if he could not meet all of the conditions on the May 14, 2007 memo from Michael Turner. Mr. Domingos read Item #7 to the Commission and stated that since they are not doing any type of improvements on the property, they wish not to do the cost.

Commissioner Oickle asked for clarification on what exactly a Vortech unit is. Mr. Gillespie said that it is a mechanism, usually a subsurface part of storm water system that is an effort to improve the water quality before it discharges into an outlet or water body. The new phase 2 requirements that each town is governed by suggests that in as many cases as possible that the town make every effort as possible to ensure that each project does as much as they can to contribute to improvement of water quality. Mr. Gillespie said that Michael Turner put Item #7 in the memo because even though there are not any proposed improvements, that there is an opportunity to maybe require installations that might improve water quality, that this might be considered by the Commission.

Vice Chair Wagner asked the applicant if they have met all of the other requirements in the May 14, 2007 memo from Michael Turner. Mr. Domingos said that all of the requirements have been met.

Commissioner Oickle stated that he is still concerned about if the Red Lobster is sold, that even with an agreement, that Red Lobster is very crowded. Commissioner Oickle referenced the map of the areas in question and asked why certain portions could not be given to Red Lobster. Mr. Domingos explained the parking situation to the Commission by referencing the map.

Vice Chair Wagner asked Mr. Gillespie if when the plans for Lot A and Lot B was considered originally were they meeting the parking requirements because the lots were together with the back lot. Mr. Gillespie said yes. Vice Chair Wagner said that according to the legal document the applicant is not changing that because the terms of the shared parking agreement says that it will be there in perpetuity. Mr. Domingos said that was correct.

Commissioner McHugh recognizes a shortage of parking spaces. She said that parking lot #5 meets the necessary parking requirements but in reality no one uses it and there are parking problems in that area. Mr. Domingos said that one of the things that have been talked about is putting signage to tell the patrons of the hotel that there is additional parking in the back. Vice Chair Wagner said that it was suggested at the last meeting to sign the back parking and let people know who are going to the Red Lobster that the parking in the back is available. She noted that Mr. Domingos started his presentation saying that he did not want that to encourage that, and he would rather have them park around the hotel.

Michael Lester, Conklin & Soroka, referenced the map of the resubdivision plans and said that the line drawn creating it a way to give Red Lobster more parking, would give more issues to the hotel regarding setback lines.

Vice Chair Wagner referenced the memo dated May 11, 2007 from Peter Gillespie regarding the number of parking spaces for the resubdivision.

Commissioner Harley said that he feels that the easement for Lot B needs to be entirely on Lot A because he could not want people sent to Lot 5 if the parcels were sold. Mr. Domingos said that the overflow from the hotel is supposed to use Lot 5. Mr. Domingos stated that the parking study was done to show that there was adequate parking for both lots meeting the regulations for the hotel and Red Lobster. Mr. Domingos said that the Commission has pointed out that the back parking lot is never full. He stated that to him that shows that there is more than adequate parking, if that parking lot is empty. Commissioner Jurasin said that it is a lot that no one knows exists, being vacant does not mean that they are providing enough parking for the two (2) land uses combined. Mr. Domingos said that signage could help to have people park in the back lot (Lot 5).

Commissioner Oickle does not feel that he has enough information to make a decision.

Commissioner Homicki asked if the Easement Agreement has been signed off by grantor/grantee. Mr. Domingos said that it has been reviewed by both the buyer and the seller. Mr. Domingos said that currently his client owns both parcels. He wants to sell the hotel and the back parking lot and still maintain the Red Lobster.

Mr. Gillespie said that at the last meeting there was question as to whether there have been a rash of incidences on Executive. The Police chief checked the records and they have had four (4) requests to check incidences on Executive over the last four (4) years, one (1) per year. The Police Chief did not view that as significant. Commissioner Homicki asked if there have been any other complaints to the Planning Office. Mr. Gillespie said that they received one complaint regarding transit buses pulling into Executive Square.

Commissioner McHugh said that she is happy that the businesses are successful and happy that the parking lots are filled. Her only concern is that adequate parking be provided.

Vice Chair Wagner asked if there was going to be specific signage on the back parking lot that says Red Lobster customers are not supposed to park there. Mr. Domingos said that the signage will say something more to the effect of Excess Parking For The Hotel. Mr. Lester said that currently nothing restricts the Red Lobster customers from parking in Lot 5 and as the parking study shows it is not happening now.

Vice Chair Wagner summarized what she has been hearing from the Commission. When this was one (1) parcel, this was not an issue because there was enough parking on the entire parcel. It was not subdivided. Now that they want to

subdivide it, they are asking the Commission to vote to modify requirements.

Mr. Domingos said that there is still enough parking for both businesses. They have not added or taken away any parking. The parking remains the same.

Vice Chair Wagner asked if there was anyone in the public that wished to speak on the Public Hearings. There was no one in the public that wished to speak.

Commissioner Dorcas McHugh made a motion to close the public hearings.

Commissioner George Oickle seconded the motion.

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

Aye: Wagner, Knecht, Munroe, Jurasin, Harley, McHugh, Oickle, Petrelli, Homicki

Nay: None

Abst: None

Commissioner Robert Jurasin made a motion to approve **APPLICATION NO. 1570-07-Z & APPLICATION NO. 1571-07-Z** provided that the shared parking specifically known as LOT A and all comments in the memo dated May 14, 2007 from Michael Turner are met, except for #7.

Commissioner Anthony Homicki seconded the motion.

Addition to the motion:

- Require that all of the improvements and all agreements be completed to the satisfaction of Town Staff before the Chairman signs and approves the Mylar.
- Specific Signage that directs customers of the restaurant that they may park around the building in LOT A.
- Easement be completed and signed by property owners, approved by Town Staff and Town Attorney.

Commissioner Robert Jurasin accepted the addition to the motion.

Commissioner Anthony Homicki seconded the addition to the motion.

The members voted as follows (7-2-0)

Aye: Wagner, Knecht, Munroe, Jurasin, Harley, Petrelli, Homicki

Nay: McHugh, Oickle

Abst: None

**THE APPLICATION WAS APPROVED.**

**3.4 APPLICATION NO. 1577-07-Z. Phoenix Medical, LLC** Seeking Site Plan and Design Review for an addition and associated site improvements at 1260 Silas Deane Highway.

Clerk Knecht stated that he will abstain from voting on this application. Eight (8 )Commissioners hearing application.

Kevin Johnson, Close, Jensen & Miller, referenced a site plan of 1260 Silas Deane Hwy. Three (3) major components to the project.

1. Approximately 13,250 square foot addition to 1260 Silas Deane Hwy.
2. Reconstruction of existing parking lot on the North side of the building. This is being done to create more efficient parking, safer and more efficient traffic isles and to better align the egress entrance drive with the driveway to the North.
3. Construction of approximately 140 parking spaces on two (2) parcels East of 1260 Silas Deane Hwy. The first parcel is 100 ft wide and is owned by Northeast Utilities and the second parcel is a small triangular parcel owned by formerly Harry Gampel and others, referred to as Gampel parcel. Mr. Johnson said that these two (2) parcels are primarily wetlands and they are proposing to fill to bring the grade up. They have been to Inland Wetlands Commission and they have gotten approval for the application, which is stated in a memo dated June 7, 2007 from Donald Moisa to Harry Gampel et al.

Mr. Johnson said that they will be utilizing existing storm water system and there will be a new storm water management system for the new parking spaces. In terms of site lighting proposing to maintain existing lights on the existing building from South to East from the North sides of the building. Existing lighting in the existing parking area will be removed and new lighting in existing and new parking lot will be full cut off fixtures, mounting height of 18 feet. Erosion controls around the entire site. Also proposing extensive landscape improvements for the site. Mr. Johnson stated that on the CL&P parcel they are restricted as to what they can plant (12 foot planting restriction).

Marc Petrin, Architect for the project, showed the Commission an architectural drawing of 1260 Silas Deane Hwy. and the proposed addition to the front of the building. Mr. Petrin explained all of the architectural detail of the proposed addition and the existing building. Mr. Petrin explained that the rooftop equipment will be screened from the road.

Commissioner Oickle asked if the plans have been brought to Design and Review. Mr. Petrin said yes they went to Design and Review and everything was fine. Commissioner Oickle also asked about the memo dated June 19, 2007 from Brian O'Connor regarding the new entrance being over the building line. Mr. Petrin stated that the entrance actually steps back. He also said that it is not handicap accessible. There is a handicap accessible entrance on the side of the building.

Mr. Gillespie stated that Staff did not have the benefit of the architects plan. What appears on the site plan appeared to be bumped out, it was actually a decorative concrete sidewalk.

James Bubaris, Bubaris Traffic Associates. Conducted a traffic study. They looked at six (6) intersections along the corridor, four (4) signalized and two (2) being the site drives that serve the development. Mr. Bubaris showed the Commission a map regarding the site drives.

Mr. Bubaris measured the traffic in the AM and PM, two (2) hours each period in March of 2007. They determined the peak hour volumes at each of the intersections. Operational analysis showed that everything is working quite well. Mr. Bubaris explained the levels of service of each entrance to the Commission. Mr. Bubaris said that he does not feel that there will be a significant impact on what is already observed today.

Commissioner Oickle asked if a signal could be recommended for the North driveway. Mr. Bubaris said that he doubts that they would meet the volume warrant for the signal. A certain amount of volume on the side street is needed for eight (8) hours a day in order to warrant for a signal. Commissioner Jurasin stated that he did not receive a traffic study.

Commissioner Munroe noticed that the orientation of the parking spaces changed by 90 degrees; he wanted to know the benefit or disadvantage of this is. Mr. Johnson said that the existing parking was irregular, by straightening them out; they were trying to increase the efficiency of the parking layout as well as the traffic isles. Commissioner Jurasin said that now people will have to walk through cars rather than a traffic isle. Mr. Johnson said that they are trying to maximize the parking.

Vice Chair Wagner asked Mr. Johnson to explain who is in the back lot and how are they getting into the building. Mr. Johnson said that a portion of the rear lot is for employees and the remainder will be for patients. Mr. Johnson showed the Commission a map of the back parking lot.

Mike Panek, Phoenix Medical, explained the parking to the Commission by pointing to the map. Vice Chair Wagner asked if there is an elevation difference between the back parking along the CL&P right of way and the existing parking area. Mr. Johnson said that it will be filled and you will be able to walk across it. Commissioner Jurasin asked about a stockade fence. Mr. Johnson said that the stockade fence will be around the dumpster only.

Commissioner Homicki asked if Mr. Johnson has seen Michael Turner's memo dated June 15, 2007. Mr. Johnson said that he has seen the memo and would like to comment on it. He would also like to comment on the memo dated June 15, 2007 from Gary Santoro.

Memo dated June 15, 2007 from Gary Santoro:

1. they looked into it and they will accommodate and modify entrance radius
2. Code issues, once they have detailed architectural drawings the concerns will be addressed.
3. Existing fire alarm system and will be addressed with the detailed architectural drawings.

Michael Turner's memo dated June 15, 2007:

1. 1260 Parcel application signed by Mike Panek, CL&P parcel have been in contact with them, gave preliminary approval, met with Northeast Utilities last week, and the Gampel parcel is in the works.
2. will add to the plan
3. easement will remain
4. years ago small addition on south side of the building, part of the application the firm documented and tabulated the overall square footage. The tabulation formed the basis for the calculation.
5. Addressed
6. Submit application to State Traffic Commission
7. Not intent, on the plan it seems to illustrate. Will be corrected
8. Will be addressed
9. will be addressed, ramp is not necessary in the front entrance, but will have crosswalk
10. Will be done
11. Marc Petrin addressed
12. submitted four (4) copies of the traffic study

Mr. Johnson said that they are aware of Puritan Furniture's concerns with the height of the proposed trees. They are trying to bring the site into conformance with the current regulations for landscaping. There are numerous waivers which they are requesting. They are looking to the Commission for guidance for an acceptable compromise.

Commissioner Jurasin wanted to know what the 13,000 square foot addition will be used for. Mike Panek stated that there are 3 tenants. He showed the Commission a map of the existing building and where each of the tenants are currently. Mr. Panek stated that if he can not get a larger space for the tenants, the tenants will leave.

Commissioner McHugh noticed that there were eight (8) handicap spaces. She also asked if there is a drop-off place for patients. Mr. Panek showed Commissioner McHugh where patients get dropped off currently. Commissioner Oickle asked if deliveries interfere with the drop-off. Mr. Panek said that the delivery people park in a different spot. Commissioner Oickle asked about the X-Ray van. Mr. Panek said that the van is temporary and will be there until March 1, 2008.

Commissioner Oickle asked what the status of the Gampel parcel was. John Miller, Close, Jensen & Miller, explained the Gampel property to the Commission. Their attorney is working on the parcel.

Commissioner Harley asked about the easement with CL&P. Mr. Johnson said that they are leasing the parking from CL&P. Commissioner Jurasin asked what the terms of the lease are. John Miller said that the document has not been finalized yet.

Daniel Spinetti, Law Offices of Marc Needelman, attorney for Puritan Furniture. Mr. Spinetti stated that his client does not want trees to affect their business. He said that bushes, brush or something three (3) feet high would be fine. He would like the town to take this concern into consideration.

Commissioner Oickle asked about the species of trees. Mr. Spinetti explained the trees to Commissioner Oickle on the map.

Vice Chair Wagner summarized what the Commission has brought up.

- Close, Jensen & Miller revise parking plan to fit the SU-30 vehicle turning radius. The Commission would like to see the revised plan.
- Commission would like evidence of the agreements with CL&P, Gampel and 1260.
- Address neighbors landscaping concerns
- How pedestrians get from back parking lot into the building; sidewalks and crosswalks.
- Commission would like to see a parking study.

Commissioner Jurasin stated that he is concerned with the safety of pedestrians.

Mr. Johnson showed Commissioner Jurasin a map of the area.

Commissioner Anthony Homicki made a motion to approve APPLICATION NO. 1577-07-Z allowing the Town Staff to work with the issues on the trees, satisfy issues with the Fire Marshall, work with Town Staff on the parking observations that have been brought to the Commission this evening and all of the terms in the Michael Turner memo dated June 15, 2007 be adhered to, specifically the ownership issues from CL&P and the Gampel property.

Commissioner George Oickle seconded the motion.

The members voted as follows (7-1-1)

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

Nay: Jurasin

Abst: Knecht

**THE APPLICATION WAS APPROVED.**

## **OTHER BUSINESS**

### **4.2 C.G.S. § 8-24 Review - Proposed Bus Shelter Policy.**

Tom Maziarz, CRCOG, currently there are twenty-nine (29) individual programs, widely varying quality of shelters from one town to the next.

Proposing a new shelter policy that is still in draft form. In discussion with CT Transit and CT DOT were amenable to a regional program taking over the responsibilities from the individual towns per cost of installation and maintenance, with the condition they can offset some of the cost with revenue from advertising. Concerns from policy board, composed of twenty-nine (29) mayors, is where will the advertising be located and what is the content. These are issues that CRCOG is working on now.

A copy of the bus shelter examples from Westchester was provided to the Commission. The Commission also received a map of where all of the bus shelters/stops are located in Wethersfield.

Commissioner Jurasin asked if Mr. Maziarz has seen anything different from the other towns on the issues of advertising. Mr. Maziarz said that the other towns do have concerns on the advertising. Mr. Maziarz said that each town will choose whether it wants to participate in the program or not.

Clerk Knecht asked who approves the advertising. Mr. Maziarz said that CT Transit approves the advertising first.

Commissioner Jurasin asked Mr. Gillespie why the bus shelters were on the agenda. Mr. Gillespie stated that the Council wants input from the Commission.

Vice Chair Wagner likes the restrictions Westchester County has placed on the bus shelters in their proposal.

Commissioner Oickle said that maintenance has always been an issue. He has always been concerned with the poor upkeep of the bus shelters. Mr. Maziarz stated that CT Transit has the most vested interest in this.

Mr. Maziarz said that Westchester County uses safety glass on the shelters. Clerk Knecht asked if there will be more bus stops. Mr. Maziarz said that if there is a need for a particular stop they could always work with that. He referenced the handout on the bus stops/shelters that were in Wethersfield

Commissioner Richard Roberts made a motion to give a positive referral on the concept of participating in this program with the concern about the nature and content of the advertising, the maintenance program for these shelters, style and location of these shelters and other details that will develop the program.

Commissioner Dorcas McHugh seconded the motion.

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

Aye: Wagner, Knecht, Munroe, Jurasin, Harley, McHugh, Oickle, Petrelli, Roberts

Nay: None

Abst: None

#### **4.1 C.G.S. § 8-24 Review - 15 Heather Drive (rear).**

Mr. Gillespie summarized that at the last meeting there was concern that acquiring this property would create a zoning problem. The rear piece is a separate lot. The Commission was provided with aerial photos of the area. Commissioner McHugh stated that by accepting this lot, they would not be creating a non conforming lot. Mr. Gillespie said she was correct.

Commissioner Dorcas McHugh made a motion for a recommendation to accept the donation of the rear lot of 15 Heather Drive.

Commissioner Fred Petrelli seconded the motion.

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

Aye: Wagner, Knecht, Munroe, Jurasin, Harley, McHugh, Oickle, Petrelli, Roberts

Nay: None

Abst: None

## **MINUTES**

### **5.1 Minutes of the June 5, 2007 meeting.**

Commissioner Homicki asked to remove his name from a motion made to go into Executive Session, as he was not in attendance that evening.

Commissioner Richard Roberts made a motion to approve [the meeting minutes of June 5, 2007](#).

Commissioner Earle Munroe seconded the motion.

The members voted as follows (8-0-1)

Aye: Wagner, Knecht, Munroe, Jurasin, Harley, McHugh, Oickle, Roberts

Nay: None

Abst: Petrelli

## **STAFF REPORTS**

Comstocke Ferre has been approved by the Historic District Commission.

## **PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING.**

There was no one in the audience to speak.

## **CORRESPONDENCE**

## **PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS**

**9.1 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)

**9.4 PUBLIC HEARING APPLICATION NO. 1576-07-Z. Rana Automaster LLC** Seeking a Special Permit for a General Repairer's License and to display and rent vehicles & trailers located at 1652 Berlin Turnpike (Renewal).

## **ADJOURNMENT**

Commissioner Fred Petrelli made a motion to adjourn the meeting.

Commissioner Earle Munroe seconded the motion.

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

Aye: Wagner, Knecht, Munroe, Jurasin, Harley, McHugh, Oickle, Petrelli, Roberts

Nay: None

Abst: None

**The meeting was adjourned at 10:07 p.m.**

Philip Knecht, Clerk