

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING
MAY 3, 2005**

The Wethersfield Planning and Zoning Commission held a public hearing on Tuesday, May 3, 2005 at 7:00 p.m. in the Town Hall Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Theresa Forsdick, Acting Chairman
Philip Knecht, Clerk
George Oickle
Earle R. Munroe
Richard Roberts
Margaret Wagner
Robert P. Jurasin
David Edwards III

Members absent:

Joseph Hammer
Peter Leombruni
John Adamian
John Hallisey

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

Acting Chairman Forsdick opened the public hearing and explained the format.

Commissioner Oickle asked if the hearing was just for the zone change and not the site plan review. He asked if Mr. Gillespie could explain this change in format from the previous way the Commission used to handle these types of developments.

Mr. Gillespie said that under the new SRD regulations, there is a two step application process, the first being the zone change and the second being a site specific review of the site plan. The zone change application does include a conceptual site plan so that the public hearing can talk about the zone change but also some of the site specific issues as well. Also, even though the site plan review is not a public hearing, there is not necessarily a restriction on allowing public comment.

Commissioners Roberts said that he would like to make sure that the public has the opportunity to make comments on the site plan as well as the zone change. Commissioner Oickle asked Mr. Gillespie to verify whether or not the neighbors were notified within 300 feet. Mr. Gillespie said that the return receipt of the certificates of mail are in the file.

Clerk Knecht read the information into the record:

1. APPLICATION NO. 1458-05-Z. Bellsite Development LLC seeking a Change of Zone from Office District Zone to Special Residential Development Zone at the southwest corner of Folly Brook Boulevard and Spruce Street.

Bill Bellock, 50 Emily Lane Manchester, CT, introduced the proposed zone change and handed out a copy of the land use plan for the area. He said that it was directly from the Town's Plan of Conservation and Development. Mr. Bellock said that he is requesting a zone change from Office District to Special Residential Development. Pursuant to the zoning regulations, they have submitted the required forms, the required mailings were sent out and a sign was installed on the site. The site has sat vacant for 40 years and is 11.47 acres, but development of the site would be

contained to 2.5 acres east of Folly Brook. He described the zoning surrounding the property and said that the property is in a Residential B zone which allows for single family development on 7500 sf lots. There are no office buildings or office uses in the immediate area. The closest is the State of Connecticut offices on Jordan Lane. The site does not lend itself to office use except a small office use and a small office user has many opportunities to locate along one of Wethersfield's commercial corridors. Modern office tenants require significant signage, traffic counts and parking. The property is surrounded by residential uses aside from the D'Esopo property. He referred to the plan he had handed out. The subject site's designation is normally only found along commercial corridors or have existing offices or commercial uses. The subject site doesn't have either of these characteristics. The subject site is somewhat of an anomaly and the Special Residential Development zone is a floating zone. The subject site lends itself to this ideal transitional use. The plan also recommends options for senior citizens. They are proposing 12 age restricted condominium units which is permitted under the SRD. The Town has the largest percentage of residents over 55 in the capital region, according to the Town's plan. He then discussed the proposed density. He said that the site is ideal for the proposed use.

Commissioner Oickle agreed with Mr. Bellock's statement that the proposed zone change would allow for a transitional use, however he asked if the proposed use - active adult community is the best use. He also said that the office use that had been discussed for the property may not have taken the wetlands into account and therefore the site may not be easily utilized for office. He thought that it would never be developed as office, except as a small office because it is so narrow and impractical.

Mr. Bellock said that the property has sat vacant for about 40 years and the office designation has been attached to the property for a long time. He said that if there were to be an office at the site, it would be a small office because of the limitations of the site. Also, from a marketing perspective, it is an undesirable office location because there are so many small office spaces along the commercial corridors. He added that he cannot think of any small office buildings being built right now in the Greater Hartford area.

Dan Wright, 49 Hartford Turnpike Vernon, CT, the architect for the project added that if the site was used for office, it would have to be multistory in order to get the required amount of parking on site.

Commissioner Jurasin asked if there was a calculation done to figure out how much office could be done at the site and asked the applicant to define small office.

Mr. Bellock said he did not do a calculation like that, but said that a single story office building would be approximately 10,000 sf with 40-50 cars would be an acre of use. He then concluded his presentation on the zone change. He asked the commissioners if they would like to see a presentation on the proposed active adult community as part of this public hearing.

The commissioners discussed this and leaned toward hearing about the proposed development. Before they even reached a decision, Mr. Bellock said that he could do a brief overview. This satisfied the commission.

Mr. Bellock then briefly described the proposed twelve unit, age-restricted condominium units with no basements. The units would have a second floor. The Design Review Committee recommended gray vinyl siding with white trim. The units would be moved as far from Folly Brook as possible.

Commissioner Roberts asked if the Planning and Zoning Commission would be able to vote on the zone change because the Inland Wetlands Commission had not voted on the proposed condo units. Mr. Gillespie answered that the PZC probably could close the public hearing and vote on the proposed zone change, because the Inland Wetlands Commissions' comments would be specific to the site plan and not the zone change.

Commissioner Roberts asked if the public would be able to speak about the proposed condo development during this public hearing as it at the discretion of the chairman and the commission.

Acting Chairman Forsdick said that since the commission has to separate the two, they should be willing to hear from the public on the site plan as well.

Acting Chairman Forsdick asked if there was anyone present to speak in favor of the proposal. Seeing none, she asked if there was anyone present to speak against the proposal.

Robert Lehman, Hillsdale Road, spoke against the proposal. He asked the commission to consider the property's current use as open land and said that he is concerned what the development would do to the property. There is an existing inadequate sewage capacity at the site already and although that is the MDC problem and not a PZC issue, he thought that the commission should be aware that adding condos to the property will tax the sewer system. By changing the zone to residential, he said that the commission would be opening the doors to this problem. He thought that a small office building could be put in at the site, like a doctor's office. He appealed to the commission to consider this property's use as open land especially while the nearby town land is being utilized.

Mary Dobruck, Folly Brook Boulevard, spoke against the proposal. She said that she has spoken to the town council about the sewage that backs up into people's homes and asked how many MDC permits could be issued when the change from office to housing would increase the anticipated number of gallons/day into the Folly Brook trunkline. The developer needs to speak to the conditions at the site, specifically where the water will go, how it will impact the stormwater plant. There should be a change made now by having the developer work with the citizens.

Commissioner Oickle asked Ms. Dobruck if the area has been flooded since 1984 and how the water runs. He recognized that she is very knowledgeable on the subject of storm and sanitary sewer in this area.

Ms. Dobruck said that the Folly Brook interceptor runs from Country Club Lane to Jordan Lane it flows into Hartford via Franklin Avenue. Commissioner Oickle asked if the trunkline is inadequate.

Ms. Dobruck said that on a dry day, the capacity is 2.8 million gallons of sewage, on a rain day, it is increased to 28 million gallons per day. Her fear is that on a dry day it is fine, but on a wet day it is already not fine. If more is added, what will be done as it already backs up into homes on Folly Brook Boulevard near the High School. She added that the recent problem on Westway was due to a broken pipe that has not been fixed. She asked if the developer was prepared to make sure that the trunkline near the property doesn't have infiltration issues and that a stipulation be put on any approval.

Robert Welk, 109 Greenfield Street spoke against the proposal. He doesn't believe that multi family development is in harmony with the single family surrounding neighborhood. Also, he said that the storm sewers overflow during heavy storms and that he would not like to see development of the site, although he is not opposed to the zone change. He said that the proposed development doesn't seem to fit with the rest of the neighborhood.

Commissioner Jurasin said that he is hoping that the applicant can address the storm and sewer problems.

Mr. Bellock said that 2.5 of the 11.5 acres on the site is usable. Everything else is under permanent conservation easement. Also, as part of their due diligence they have letters from all of the utilities including a letter that there is no problem with the sewer capacity on the site. Commissioner Jurasin asked if the letters had been submitted for the record and Mr. Bellock answered that they had not.

Then Mr. Bellock introduced the engineer for the project, Mr. Robert Arsenault, 39 Buckland Street Unit 1231-1 Manchester, CT. Mr. Arsenault said that for a development as proposed, the expected sanitary sewer output would be approximately 1500 - 2000 gallons per day. A development like this would generate less traffic and have less use of utilities because there are only two family members. There are no good numbers from this type of development but the MDC has assured the developer that there is more than adequate capacity. Also, there would not be backup into the units as the units would not have basements. To address the storm drainage situation, Mr. Arsenault said that the property is in a flood zone and therefore there needs to be a balance of cuts and fills on the site. They had proposed sheet flow from the parking lot but were told to add curbing and install a formal drainage system with catch basins and sediment separators.

Commissioner Oickle was surprised that the Inland Wetlands commission had not allowed sheet flow as they had allowed it in the past. Mr. Arsenault said that it was too close to the brook. Also, it would be counter productive to have a stormwater detention basin on site because the development would have no effect on the stormwater.

Commissioner Oickle asked if the buildable site required a drainage system.

Commissioner Wagner asked if the roof leaders drained back onto the site or into the Folly Brook drainage system. Mr. Arsenault said that they were not planning on connecting into the Boulevard's drainage system, but actually sending all of the storm drainage into the wetlands.

Commissioner Knecht asked if the sewage problems have no chance of happening because they are sending the drainage west of the system and that the MDC has said that they have adequate capacity.

Commissioner Jurasin wants to know what type of development and land uses could be proposed for the existing zone. He also asked what type of residential could be proposed for the Special Residential District and if office can occur.

Mr. Gillespie answered that section 5.2 of the new regulations allows the following uses:

- Existing zone: single family dwelling, church, municipal office, business or medical office, park/playground, telecommunications, healthcare or fitness building.
- SRD zone: Active adult community, elderly housing, multifamily housing and accessory uses.

Commissioner Jurasin asked about the differences in these uses. He is concerned about approving the zone change without being aware of the potential land uses and types of development.

Mr. Arsenault said that they typically look at drainage, traffic and sanitary sewer as impacts.

Commissioner Jurasin asked the applicant to put the potential uses for each zone into a simple table or matrix.

Mr. Arsenault said that in terms of impacts, there would be more traffic and parking impacts with office than with the proposed active adult use. There are only 3 trips per day usually with the active adult use as opposed to 10 trips per day for typical single family residential. He said that he would be willing to look at the potential impacts.

The commissioners discussed whether or not they felt comfortable closing the public hearing and voting on just the zone change. Commissioner Oickle recommended that the Commission not close the hearing, but rather keep it open for additional information that may be submitted.

Commissioner Roberts made a motion to keep the public hearing open

Commissioner Oickle seconded the motion.

Commissioner Jurasin added that he would like to see a matrix comparison of the sizes and impacts of the possible uses in both the existing and proposed zone. The Applicant should also provide information from the MDC indicating that the proposal would be allowed under the storm and sanitary sewer requirements. Commissioner Oickle agreed.

Mr. Bellock asked for specifics on what the commission would like to see.

Commissioner Jurasin asked the applicant to put a presentation together and run it by Mr. Gillespie and his staff. He added that the commission did not need to see site plans, but realistic development sizes should be taken into account. Mr. Gillespie said that the proposed development is a control example and that a more intensive use could be proposed for the site and that should be described.

Commissioner Wagner expressed her concern that the developer would be doing a tremendous amount of work for something that would never be approved. Commissioner Jurasin said he is concerned about the types of developments that could come before them if the zone change were to be approved. He added that if the zone were to be changed, the applicant could submit a site plan for something other than active adult and that if it meets all of the regulations, then the commission would have no choice but to approve it.

Commissioner Roberts said that he was not inclined to approve a zone change unless it was accompanied by a

proposed site plan. Commissioner Oickle added that he doesn't like the new procedure of handling the zone change and site plan separately. Acting Chairman Forsdick said that the hearing would be kept open until after the Inland Wetlands meeting and after the applicant provides the information requested by the Planning and Zoning commission. She recommended that the applicant call Mr. Gillespie with any questions and that this issue be put on the next agenda as a public hearing. She added that both the change in zone and the site plan would be discussed together.

Mr. Arsenault asked if the comparison should be a narrative or if it should be graphical. Commissioner Jurasin indicated that he was looking for a table. Mr. Bellock said that he understood what was being asked and he thanked the commission for their consideration.

Acting Chairman Forsdick called for a vote on the motion.

The motion passed unanimously (8-0).

(Aye: Forsdick, Knecht, Edwards, Jurasin, Oickle, Roberts, Munroe, Wagner)

Clerk Knecht read the next application into the record:

2. APPLICATION NO. 1453-05-Z Rana Automaster LLC seeking a Special Permit for a General Repairer's License and to display and rent vehicles & trailers (both renewals for ZBA Applications), located on the east side of the road in a Regional Commercial District Zone at 1652 Berlin Turnpike.

The commission was reminded that the public hearing on this matter had been left open from their previous meeting. Also, a memo from Mr. Brian O'Connor, chief building and zoning official dated May 3, 2005 had been submitted as part of the record.

Mr. Gillespie said that the hearing had been kept open to discuss compliance with the April 4, 2005 memo which discussed the seven conditions that were a part of Mr. Rana's Permit. Mr. Gillespie read the seven conditions into the record:

- Not more than ten (10) vehicles may be parked overnight on the premises
- No parking of unregistered motor vehicles on the premises
- No outside accumulation of parts of unused tires
- No outside accumulation of parts or unused tires
- No parking over the building line
- No motor vehicles to be offered for sale or sold
- Rental vehicles including trailers shall be limited to four (4)
- Rental vehicles must be parked on the south side of the property behind the building line

Mr. O'Connor visited the site and his thoughts are listed on the memo that he submitted for the record. In addition, Mr. Gillespie passed around a series of pictures taken at the site that day. There were eight UHaul vehicles and a trailer. There were six motor vehicles without plates. On the left side of the building there was a pile of miscellaneous debris including engine blocks and oil tanks, mufflers and pipes. There were cars parked in a wide range of places, and finally an A-frame sign and tires for sale and display. Mr. Gillespie discussed with Mr. Rana ways to screen the material and debris on the site and he said that the suggestions were not met with a great deal of interest. He said that there had been a discussion about the many vehicles that were available for rent with no contracts. He added that there was no memo from him on this matter with additional conditions, because it would be too difficult to enforce additional conditions when the applicant doesn't abide by the conditions currently on his permit.

Mr. Rana came forward and listed reasons why the conditions of his existing permit were not being met. These included that half of the cars on the lot were from his customers, that UHaul has him on a list for dropoff that he has no control over and that he is trying to get a title for three of the unregistered cars on his lot.

Acting Chairman Forsdick told the applicant that he was given an operators license under certain conditions. The commission can't help the applicant because the conditions are not being met. She understands that the applicant may

have business problems, but he is not in compliance with the conditions of his license and she added that he owes the commission a reason why he has made no effort in a month to comply with the conditions.

Mr. Rana said that he cannot afford to rent another place he already doesn't have enough business to support his existing operation. He doesn't want to destroy four years of time. He added that the next time someone asks him to do business in Wethersfield he will not do it. Business is the backbone of the town's revenue and he said that the commission is not supporting his business. He added that he already closed his Oriental rug business because of the town.

Commissioner Wagner said that she doesn't understand how UHaul would allow their trucks to be parked and left without approval from the owner of the lot. She didn't think that this would be the type of operation that the commission would have approved this type of operation. Commissioner Wagner asked Mr. Rana if he understood that since he hasn't abided by the condition, that the commission cannot renew his permit. Mr. Rana said that he can take his name off of the UHaul drop-off list now, it wasn't an issue a month ago, he understood that the only issues were to clean up the lot and take care of the unregistered cars.

Acting Chairman Forsdick reminded Mr. Rana that his public hearing was continued because he had said that he could take care of all of these issues, including the UHaul trucks, cleaning up the site, the unregistered vehicles - all of the conditions of his permit. He has not stayed within the parameters of his permit.

Commissioner Oickle said that the subject property is a small site and was probably a gas station at one time. He said that Mr. Rana is trying to do too much at the site. It has become worse since the last hearing which was a month ago. He said that the applicant seems to come up with excuses and he either has to deal with it or take action. He added that Mr. Rana's attitude toward the town doesn't seem appropriate.

Mr. Rana said that he needs the town's support to run this business he has \$150,000 at stake and he wants to be considered fairly and properly by the town. He understands that he could lose his license.

Commissioner Oickle said that it seems like Mr. Rana is just making excuses rather than dealing with his own issues on his own site. Commissioner Munroe added that the number of vehicles without license plates is still a concern to him. He doesn't know why the DMV has not gone to the site to investigate. He added that Mr. Rana does not have permission to sell these vehicles, there are no used car lots in Wethersfield at all.

Mr. Rana replied that he has already filed paperwork at the DMV for many of the unregistered vehicles.

Commissioner Oickle he understands that the applicant took plates off of some of the cars so that they are not stolen, but that it looks like he has derelict vehicles. He again said that Mr. Rana is trying to do too much at the site without fencing and security.

Acting Chairman Forsdick asked if there was anyone present to speak in favor of the application. Seeing none, she asked if there was anyone present to speak against the proposal. Seeing none, she asked for a motion.

Commissioner Roberts made a motion to continue the public hearing. His inclination was to give the applicant one more opportunity over the next two weeks to meet with the town staff and come into compliance with the conditions of his license.

Commissioner Wagner seconded the motion.

The motion passed unanimously (7-0). (Aye: Forsdick, Knecht, Edwards, Oickle, Roberts, Munroe, Wagner) (Abst: Jurasin)

3. APPLICATION NO. 1456-05-Z Town of Wethersfield seeking to amend various sections of the Zoning Regulations & Zoning Map. (public hearing left open from April 5, 2005)

Mr. Gillespie presented the proposed changes to the regulations. He reminded the commissioners that they had

received a memo from him dated April 29, 2005 with all of the proposed zoning regulation amendments listed. One issue that came up in the discussion of the new regulations was that there is no way to deal with cemeteries in the new regulations. He is proposing two different ways to deal with that issue and he will explain those to the commission as he goes along.

1. Zone Map - Rezone the areas detailed on the attached maps:

He began with three areas of the town that need to be rezoned. He referred to the zoning map and described the areas. The rezoning is a housekeeping matter to correct zones that were not continued from the previous zoning map. The three areas are as follows:

- In the area around Brookside Circle and Jordan Lane which is presently zoned Residential A Zone to a Residential B zone. (approximately 60 properties)
- Properties fronting on the Berlin Turnpike and Wells Road presently zoned BP Business Park to RC Regional Commercial. (Approximately 5 properties)
- Properties on Griswold, Clayton, Two Stone, Two Brook and Maple Avenue presently zoned A-1 Residential to A Residential. (approximately 20 properties)

2. Section 2.3 - Definitions

He stated that the proposed definition of cemetery came from the Connecticut General Statutes.

Commissioner Oickle asked how the definition would deal with human, pet and existing remains. Mr. Gillespie said that the statute deals with human burials. Mr. Gillespie said that he is not sure how realistic the concern about pet cemeteries is anyway. Commissioner Oickle asked if this would cover the concern that cemeteries could only expand existing and not use open farmland to build new cemeteries. He said that the definition could include a minimum acreage requirement if needed.

Commissioner Roberts suggested the addition of "interment of human remains" to the definition.

3. Section 3.2 Permitted Principal Uses (Residential Zones)

Mr. Gillespie said that these proposed changes have been discussed in the past. The proposed changes are housekeeping matters except for the addition of cemetery.

4. Section 3.4 Special Residential Development District (SRD)

Mr. Gillespie said that the new language in 3.4.c is an attempt to make it clear which specific types of uses are allowed. Section 3.4.d clarifies that if an applicant wishes to propose an accessory building it must be in compliance with section 3.6. Section 3.4.e.4.b was changed to clarify that in certain cases, conservation areas would be considered usable open space, particularly for active adult complexes. Section 3.4.e.4 would include a new subsection f which would allow for an easement or agreement for open space. Section 3.4.e.9 would include the deletion of the word principal, so that any street could be used.

Commissioner Oickle asked for clarification on principal streets. Mr. Gillespie said that any type of street can qualify for a special residential site. Commissioner Oickle questioned some zones that may have less than 50' of frontage. Mr. Gillespie explained that this was a different issue and that is handled in the next section.

Under existing regulations, minimum lot frontage is 150', but under certain conditions, like the extension of a dead end street, the public street can be extended and the existing 50' of frontage becomes the new frontage. This would be the frontage when the site is built out.

Commissioner Roberts said that this would allow an extension of a cul-de-sac, because now there wouldn't be a way to do it with the 150' minimum.

Section 3.4.g required changes to be consistent with the single family use. Finally, the exceptions section could

be read so that all of the conditions have to be met to grant an exception. The language is proposed to change to allow one or more of the conditions, not all of them should be met.

Commissioner Roberts said that there is now more flexibility with this wording. Commissioner Oickle thought that maybe more than one criteria should have to be satisfied under the Exceptions section.

5. **Section 3.5 Residential Accessory Uses**

A lot of the language from the previous zoning regulations was not carried over. The new wording in this section is an attempt to correct this. Commissioner Oickle asked if Section 3.5.1.B.3 - Vehicular storage allowed for side yard storage. Mr. Gillespie said that it was only the rear yard, not the side yard.

6. **Section 5.3 Business Zones - Accessory Uses**

This section clarifies that accessory buildings must abide by Section 3.6 in commercial and business zones.

7. **Section 6.3 Sign Regulations**

Mr. Gillespie explained that the zoning officer was concerned that the measurement of a sign with letters attached to it may only include the letters which could result in a large sign area. Also, the wording for measurement of sign area was clarified. A menu board would be increased to 18 feet from 10 feet which seemed more reasonable.

Commissioner Oickle asked how the new regulations are working out. Mr. Gillespie said that it is better because it is easier and faster for the applicant. He also asked about Section 6.3.F.4 a-c regarding signage. He asked if the height limit of 8 feet or less would apply in a situation like the bank on the Silas Deane Highway that had been before them recently.

8. **Section 6.8 - Refuse Storage**

Commissioner Oickle asked if this was being changed to allow for more flexibility on where to locate the dumpsters. Mr. Gillespie said that it was the intention because the current regulations are specific as to location.

9. **Section 7.3.a Exceptions for Non-Conforming Conditions**

Mr. Gillespie explained that this section was added as an alternate version of the cemetery definition in order to deal with the use of cemeteries. This would be an exception for certain nonconforming uses.

Commissioner Roberts said that he would like to see cemeteries affirmatively regulated rather than an island of exception in the world of nonconforming uses. He thought that it may be useful to keep the language in Section 7.3.a.2 - "unless otherwise provided herein" to deal with some exceptions, but that cemeteries should be regulated as a permitted use with conditions that the lot be not less than 100 acres, etc. He said that this would be a cleaner way to handle it and not create the opportunity for every nonconforming use to come in with their own legislation to be considered for adoption into the regulations.

Mr. Gillespie said that Cedar Hill Cemetery did submit the proposed language as well as a letter for the record supporting these changes.

Acting Chairman Forsdick agreed with Commissioner Roberts.

Commissioner Wagner asked Mr. Gillespie to review the Residential Accessory Uses section again and asked if the word may means that it has to be parked in the rear yard. Mr. Gillespie said that Section 3.5.1.B.3 was to read "...may be parked **only** in the rear yard..." Commissioner Wagner said that she takes exception to that because a lot of people have limited access into their rear yard and could not get a boat into their rear yard. Mr. Gillespie said that it does mean only the rear yard and if it is not possible, then the applicant must go before the PZC for an exception under

special permit. In the past, the ZBA has granted variances for these situations. Commissioner Wagner asked if it has to be done now. Mr. Gillespie said yes, that the zoning officer has interpreted that it be only in the rear yard in the interim.

Acting Chairman Forsdick asked if there was anyone who wished to speak in favor of the proposed zoning regulations.

John Harvey spoke in favor of the proposed regulation changes. He also thanked Mr. Gillespie for all of his assistance with the projects that he had been working on in the special residential district. He appreciates that the Planning and Zoning Commission has a lot to review and that the cemetery definition may be a red herring. However, he encouraged the commission to act quickly on these proposed changes to the regulations. Commissioner Oickle asked Mr. Harvey as a user of the regulations, has he found any problems. Mr. Harvey said that other than typos, which he has brought to Mr. Gillespie's attention, he thinks that they are a tremendous improvement to the previous zoning regulations and more user friendly.

Acting Chairman Forsdick asked if there was anyone who wished to speak against the proposed zoning regulations. Seeing none, she closed the public hearing. She then began the public meeting.

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC MEETING
May 3, 2005**

The Wethersfield Planning and Zoning Commission held a public meeting immediately following the public hearing on Tuesday, May 3, 2005 at 7:00 p.m. in the Town Hall Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Theresa Forsdick, Acting Chairman
Philip Knecht, Clerk
George Oickle
Earle R. Munroe
Richard Roberts
Margaret Wagner
Robert P. Jurasin
David Edwards III

Members absent:

Joseph Hammer
Peter Leombruni
John Adamian
John Hallisey

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

1. **Roll Call**
2. **APPLICATION NO. 1458-05-Z.** Bellsite Development LLC seeking a Change of Zone from Office District Zone to Special Residential Development Zone at the southwest corner of Folly Brook Boulevard and Spruce Street.

The public hearing was continued, therefore this matter was continued to the next meeting.

3. **APPLICATION NO. 1459-05-Z.** Bellsite Development LLC seeking Site Plan and Design Review approval under Article XXXI to allow for development of twelve (12) age restricted Condominium units at the southwest corner of Spruce Street and Folly Brook Boulevard.

The public hearing was continued, therefore this matter was continued to the next meeting.

4. **APPLICATION NO. 1453-05-Z** Rana Automaster LLC seeking a Special Permit for a General Repairer's License and to display and rent vehicles & trailers (both renewals of ZBA Applications), located on the east side of the road in a Regional Commercial District Zone at 1652 Berlin Turnpike.

The public hearing was continued, therefore this matter was continued to the next meeting.

5. **APPLICATION NO. 1456-06-Z.** Town of Wethersfield seeking to amend various sections of the Zoning Regulations & Zoning Map (Public Hearing left open from April 5, 2005).

Commissioner Oickle asked if the regulations could frame the cemetery definition in a positive way. Mr. Gillespie said that the words "interment of human remains" could be added after the definition in Section 2.3.a. Commissioner Roberts said that deleting the proposed section 7.3.a would take care of the cemetery definition in a positive way.

Commissioner Oickle made a motion to approve the proposed changes to the Town of Wethersfield Zoning Regulations as outlined in the memo dated April 29, 2005 from Peter Gillespie to the Planning and Zoning Committee with the following exceptions:

- Section #9 outlining a proposed section 7.3.a - Exceptions for Non-Conforming Conditions, would be deleted.
- Section 3.5.1.b.3 Permitted Accessory Uses - Vehicular Storage - would be changed to "...may **only** be parked in the rear yard by the resident when treated..."
- Section 2.3 - Definitions - add "interment of human remains."

Commissioner Roberts seconded the motion.

The motion passed (7-1).

(Aye: Forsdick, Knecht, Edwards, Jurasin, Oickle, Roberts, Munroe)

(Nay: Wagner)

Mr. Gillespie indicated that the effective date would be that of the legal notice.

6. **APPROVAL OF MINUTES**

- [March 1, 2005 minutes](#)

Commissioner Roberts made a motion to approve the minutes. Commissioner Munroe seconded the motion. The motion passed unanimously (6-0)

(Aye: Forsdick, Knecht, Munroe, Roberts, Oickle, Wagner)

(Abst: Edwards, Jurasin)

- [March 15, 2005 minutes](#)

Commissioner Oickle made a motion to approve the minutes with a correction on page 21. He did not say that the sidewalks would be installed, it must have been Mr. Turner that said that. Commissioner Wagner and Acting Chairman Forsdick agreed that Mr. Turner must have said that as he would be the authority on that matter.

Commissioner Roberts seconded the motion.

The motion passed unanimously (6-0)

(Aye: Forsdick, Knect, Munroe, Roberts, Oickle, Wagner)

(Abst: Edwards, Jurasin)

o [April 5, 2005 minutes](#)

Commissioner Oickle made a motion to approve the minutes with the following corrections:

- P.10 - change meant to met
- P.15 - change big deal to recognizes design and intensity is important

Commissioner Wagner seconded the motion with the following additional correction:

- P.12- change add more to add more ramps and equipment to the park.

The motion passed unanimously (7-0)

(Aye: Forsdick, Knect, Munroe, Roberts, Oickle, Wagner, Edwards)

(Abst: Jurasin)

7. PUBLIC COMMENTS

None

8. CORRESPONDENCE

None

9. OTHER BUSINESS

- o At the Mozzicato project, they installed a retaining wall with a fence on top of it. It was supposed to be an ornamental fence and chainlink got installed instead. He asked the commission whether or not he should pursue this change or not. Acting Chairman Forsdick asked if anything could be done to the chainlink fence to make it more attractive. Mr. Gillespie said that slats could be added, but might draw more attention to it and that vinyl coating must be added during fabrication. Commissioner Oickle asked if the fence was to be a safety fence. Mr. Gillespie said that the retaining wall was built higher so that would stop a vehicle rather than the fence. Mr. Gillespie said that he would have Mr. Turner make the call on the safety of the fence. Commissioner Oickle said that he would like to see something safer there. Mr. Gillespie said that he will bring it to their attention and ask Mr. Turner to take a look at it. Commissioner Edwards said that they most likely have a chainlink fence because there is a four inch rule for a guardrail. Commissioner Roberts said that the fences at the Wethersfield Shopping Center and Peltons were what were intended as a safety fence.
- o Bob's Fruit Stand was requested to revise his parking layout due to the strange alignment. He actually gained 8 or 9 parking spaces so that was a good call on the PZC part.
- o Commissioner Oickle asked about the Mila Fabric property. Mr. Gillespie said that Absolute Mortgage is moving out so that will help the owner renovate the property.
- o Mr. Gillespie said that there is another donut shop proposal for the Carnival Ice Cream site, Tim Hortons. Mr. Gillespie said that the applicant is going to the Design Review Committee and will be on the PZC's next agenda with a pre-application.
- o Commissioner Munroe asked about the Rhode Island Job Lot site. Mr. Gillespie said that they are not in a rush to develop the site and that Stop & Shop is still paying a lease on the property. Both Mr. Gillespie and Ms. Theirren have sent letters and are trying to do something to prevent dumping, etc at the vacant site.

Fun Zone is Regional Commercial and there was an incident at that vacant site last week. There are a lot of problems with the vacant sites. Commissioner Wagner said that there are a lot of indoor recreational facilities that are so busy they can't even be booked. She is not sure if the town wants one, but she mentioned it.

10. **ADJOURNMENT**

Acting Chairman Forsdick asked if there was any other correspondence or other business. Seeing none, Acting Chairman Forsdick asked if there was motion to adjourn.

Commissioner Roberts made a motion to adjourn.

Commissioner Jurasin seconded the motion. The motion passed unanimously (8-0).

(Aye: Forsdick, Knecht, Oickle, Roberts, Munroe, Wagner, Jurasin, Edwards)

The meeting was adjourned at 9:45 p.m.

Philip Knecht, Clerk