

WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING
August 16, 2005

The Wethersfield Planning and Zoning Commission held a public hearing on Tuesday, August 16, 2005 at 7:00 p.m. in the Wethersfield Police Department Meeting Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Joseph Hammer, Chairman
Theresa Forsdick, Vice-Chairman
Thomas Harley
Margaret Wagner
Fred Petrelli
Dorcas McHugh

Members absent:

Peter Leombruni
Daniel Camilliere
Philip Knecht
Robert Jurasin
John Hallisey
David Edwards

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

Chairman Hammer opened the meeting and explained that the matter concerning the new restaurant building at 486 Silas Deane Highway had been continued. He announced for the benefit of the public that those who were present for that public hearing may want to come back to the first meeting in September instead.

Chairman Hammer then called the public hearing to order and explained the format.

APPLICATION NO. 1474-05-Z. Premier Building & Development, Inc. seeking a Change of Zone from AA Open Space Development District to Special Residential Development Zone at the easterly side of Back Lane also at the end of Old Reservoir Road, known Tax Assessor's Map 43 Block 11 & Map 42 Block 16.

Chairman Hammer asked Commissioner Forsdick to identify the correspondence for the record. Commissioner Forsdick identified the following correspondence:

- Letter dated June 23, 2005 to Mr. John Harvey from Mr. Frank Levine commenting that the application is consistent with the Real Estate Sales Agreement dated December 29, 2004.
- Letter dated August 9, 2005 to Mr. Peter Gillespie from Ms. Becky Albert representing Central Connecticut Health District offering no comment on the application.
- Letter dated August 16, 2005 to the Planning and Zoning Commission from Ms. Betty Heller Rosana offering support for the proposed project.

Attorney John Harvey identified himself as representing Pat Snow from Premier Building & Development Inc. Mr. Harvey also introduced the engineer working on this project, Kevin Johnson from Close, Jensen and Miller and Sean Hagearty, a real estate appraiser from R.F. Hagearty & Associates, Inc. Mr. Harvey then distributed a handout to each of the commissioners dated August 16, 2005. He said that this application is for 39 single family detached residential units on the 15.8 acres currently owned by the Harris family. He said that they have no intention of having traffic come out onto Back Lane. They are requesting a zone change to the Special Residential District from the AA zone. The proposed units would be limited to a 55 and over population and would be single family ranch style homes (1400-

2200 s.f.) with the option of a second floor loft. The units would be priced around \$350,000 and have full basements and two car garages. The project would include the construction of another piece of Old Reservoir Road.

Mr. Harvey then went through the handout that had been given to the commissioners.

1. **Application** - A copy of the application was included with the plan of the affected area and a schematic. He added that the developer had gone through the pre-application process, so some of the commissioners may be familiar with the project.
2. **Zoning Regulations** - An excerpt of the pertinent zoning regulations were included. They are seeking a zone change first and then site plan approval in order to build active adult housing. The units would surpass the required 900 minimum square feet.
3. **Plan of Conservation and Development** - The 2000 Plan confirms that 35% of the population of Wethersfield is over 55 years of age. The conservation section of the plan encourages open space particularly along the reservoir as proposed by the applicant. The applicant intends to convey the proposed open space to the town. Also, Mr. Harvey paraphrased the housing issues section on p. 61 of the plan.
4. **2000 Census Data** - Mr. Harvey said that the census data shows the large segment of the population of Wethersfield is over 55 and that five years later that group would be even greater.
5. **Market Analysis** - Mr. Harvey introduced Sean Hagearty from R.F. Hagearty as their real estate appraiser who had information on the market and how the surrounding property values would be affected. Mr. Hagearty said that he has been in business for 21 years and discussed how he reached his conclusion that the surrounding property values would not be negatively affected by this proposed development.

First, he reviewed the demand. He said that Wethersfield is one of the "older" towns in the state meaning that it has the largest percentage of residents over 55 years old. West Hartford may have more population over 55, but Wethersfield has a higher percentage of the population. Therefore, there is a huge demand for active adult housing. Next, he looked at the scope of the development in light of the existing neighborhood uses. The proposed development is detached single family which is consistent with the surrounding uses. The intended resident would be most likely coming from a single family style of house. The size range of the ranch style homes at 1400-2400 s.f. with a basement and two car garage is also in keeping with the style of homes in the neighborhood. He noted that the \$350,000 is typical and that this asking price is not a lower end price. He compared the Harry James property in Rocky Hill which recently sold in the \$300,000's and a new James project which is priced at \$350,000. Mr. Hagearty added that the proposed layouts combined with the setbacks of 20-30 feet show that these homes will blend in with the housing types in the surrounding 500 foot radius. He added that although he is not a traffic engineer, the traffic flow would be the same as a conventional single family subdivision, and actually may even be less.

Mr. Hagearty said that his qualitative analysis was done by walking the land. He found there to be a good buffer between Westmont and Back Lane. His quantitative analysis included market research from single family homes sold near similar projects. These were sales done in 1992 and 2002, he extracted the appreciation value in order to make a comparison. There are no completed projects in Wethersfield to support such an analysis, therefore he looked at the abutting town of Rocky Hill. He looked at four different projects in Rocky Hill and said that three of them were able to provide enough data:

- o Rose Court on Hayes Road
- o The Green at Maple on the west side of Maple street
- o Brimfield Village at Main & Brook Streets

Out of 18 sales and listings, there was one outlier that appeared to be a foreclosure sale. Overall, he didn't see anything showing that the value of the homes in the immediate area would be harmed. He added that his sale-resale analysis for Rose Court showed no series of properties lagging the town's appreciation rate. There was no trend of negative impact.

6. **Renderings** - Mr. Harvey also introduced Kevin Johnson from Close, Jensen and Miller to discuss the project in more detail. Mr. Johnson explained the plan to extend Old Reservoir Road as a 30 foot wide road that would

terminate in a cul-de-sac. There would also be other private roads constructed as part of the proposal. A gated exit would be created as an emergency access to Back Lane. All utilities would be located underground and landscaping would be provided as part of the condo association. 4.2 acres of land would be set aside as open space, with more than 3 of those acres are being conveyed to the Town as land along the reservoir. The balance would remain as part of the condo association. The setbacks were taken on the overall parcel of the property and would be 50 feet from Old Reservoir Road, 50 feet from the rear property line along Back Lane and 30 feet on either side of the property. Mr. Johnson explained that a diversity of building styles and sizes would be proposed as part of this development. The renderings of similar projects are enclosed as part of the handout.

Mr. Harvey then continued with his presentation. He said that Mr. LaCava had an option on the property for 24-27 lots. Had he gone ahead, the abutters would have been more negatively affected by the potential pools, and, although he loves children, the noise from children at those properties. The proposed type of development is positive for the tax base because there are no services required. He asked for the commission's consideration and welcomed questions and comments.

Commissioner Petrelli asked about the condo association and would it take care of the shoveling, etc. Mr. Harvey said that it would and that it is the ideal setup for 55 and over. Chairman Hammer referred to the comments made about the proposed LaCava property and asked if the applicant had considered how many homes could be built under existing zoning. Mr. Harvey said that it would be 24-27 units. Chairman Hammer then asked if there would be more open space. Mr. Harvey said no, that all of the open space was proposed on the east side of Old Reservoir Road.

Commissioner Wagner said that the requested zone change to SRD allows for six units per acre but that they are only proposing half of that density, the project could be much denser and if the zone change was granted, would they come in with a much denser project. Mr. Harvey said that isn't going to happen based upon setbacks and other open space requirements. Mr. Johnson added that it wouldn't work based upon the minimum separation distances for detached single family homes. Chairman Hammer asked if all of the engineering work had been done to see if the lot can sustain the units. Mr. Johnson said that there were no final engineered drawings but based upon previous plans done for that site this is what they think it will support. Chairman Hammer asked if all of the land on the other side of Old Reservoir Road was proposed to be open space. Mr. Harvey confirmed that it was. Commissioner Harley reminded the applicant that they may not meet the requirement that at least 50% of the proposed open space be non-wetland. Mr. Harvey said that there is a waiver request allowed as part of the SRD and that they don't have all of the final numbers. Chairman Hammer then opened the hearing to the public.

Shirley Shaefer, 8 Mountain Laurel Court Cromwell, CT - Ms. Shaefer is the property manager for Glen Oaks Condominiums and represents the 462 units. A lot of her concerns subsided with the fact that there would be a fire gate only access onto Back Lane. She wondered how far onto Back Lane the gate would be located. If it is too far in and not on the street, how do they plan to protect it from vandalism and kids hanging out there at night. She is also concerned about the construction traffic on Back Lane. Mr. Harvey answered that they could put the gate at the street line and he agreed that Back Lane probably would be a handy access for the construction vehicles. Chairman Hammer asked how long the overall construction time would be. Mr. Snow from Premier Building and Development answered that it probably would be 24 months. Ms. Shaefer then asked how they would protect the extra traffic cutting through the gate. Mr. Harvey answered that he did not know and that he had thought that the other access were gated.

Anna Marie Forino, 329 Back Lane - She asked what the fire gate would look like. She said that she would not like it right up on Back Lane, but rather set back further. She would also like to see a study done on emergency traffic on a development this size. She is a Glen Oaks resident although she has a single unit.

Paul Meskiewicz, 21 Westmont Road - He is in receipt of a letter dated August 2, however he is aware that at the public meeting of the Planning and Zoning Commission on January 5 the developer said that the neighbors would be contacted early on in the process, which didn't happen. If there is a decision made tonight, he does not feel that that the neighbors have been given enough time to get their information together since August 2. He presented pictures of his property and the flooding conditions in April. There is a two inch drop from Back Lane to Old Reservoir Road. He added that due to a mosquito issue the reservoir has been raised to a higher level in recent years. When he bought his house he looked at the zoning map and saw AA, single family residential. He doesn't see how 39 units at \$350 k

compares with 25 units at \$500- \$700 k. He works in public finance. He thinks that these houses would be for an upper tier retiree and would rather see family housing built so that the residents could contribute to the town. He looked at Rose Court himself and has never seen a sale above \$327,000. He asked the commission not to make a decision tonight to give him time to come back with additional information. He added that the properties on Westmont Road have appreciated at a greater rate than the town's rate and thinks that the appraiser has made a faulty analogy. He said that the southern border of the development provides only a 30 foot border and asked the commission to seriously consider allowing a development of this size.

Chairman Hammer informed the public that they have noticed all of the abutters to the property and that the commission needs to decide if they have enough information to make a decision or have another session of this public hearing. In addition, the new regulations provide for a two step process, one public hearing for the zone change and then another one for the specific proposal. This hearing is not intended to deal with the issues related to drainage, runoff etc., and to that end the developer must comply with the regulations.

Mr. Meskiewicz added that he doesn't see why the town needs to allow a zone change because the developer still would make money on a 25 unit development of homes with values from \$400 - \$600 thousand.

Dr. Ali Erol, 31 Westmont Road - Dr. Erol both lives and practices medicine in Wethersfield. He is opposed to an over 55 development. He said that the average age of the residents of the surrounding streets is much less than 50 years. It is not a selling point to him. He said that it is going to be over 65 years old in actuality. He asked the commission why they would lower their expectations about what could be built there. He doesn't think that the appraiser's comparison is correct that they need to look at the property that they are trying to sell. He hopes that the commission looks into this.

Arturo Ronderos, 36 Westmont Road - Mr. Ronderos seconded the neighbor's objections to the proposal. He is concerned about the impact on his property values, he thinks that the type of neighborhood that is currently there should be maintained. The purpose of zoning is to maintain the quality of life that they have today. He thinks that this should be done by keeping the type of houses that are there today. He is also concerned about the construction traffic considering there are a number of families with small children. He requests that the developer does a study about the habitat of the nesting turtles in the area. Some of them nest 500-600 feet away from the reservoir.

Bill Randazzo, 424 Old Reservoir Road - His family developed the property in that neighborhood and his father donated land to the town for the reservoir. He remembered that Rose Court was going to be a highway and said that he would take those houses there instead of a highway any day. He said that if this development is allowed, the traffic would be two times what it is now. Also, there are two other land owners after this and if this dense development is allowed on this parcel, then there will be more cluster development in the future and the next guy won't build \$500,000 homes either. Mr. LaCava pulled out and he asked why, he is looking for a successful development in the town of Wethersfield and the existing homes are \$500-\$700,000. He added that everyone in town will pay for this atrocity.

John Cebelius 35 Westmont Road - He asked why there is a 50 foot buffer to Back Lane but only a 35 foot buffer to Westmont Road. As Old Reservoir Road has been extended each time, a development of ten homes has been built and everyone has felt that similar 10 lot subdivisions would continue to be built. He can't comprehend that the values would not be negatively impacted if this development is allowed. He said that this project couldn't be less appropriate and that another cul-de-sac of ten homes should be built there. The town is doing a disservice by not protecting the homeowners.

Elio Lagana, 15 Westmont Road - He moved from Rocky Hill expecting that his property value would hold. He wanted to emphasize the drainage problem in the area. There is a culvert that is too small to handle the runoff and he is concerned about the natural waterway going through. He would like to see consistent development with all of the homes of the same style.

Matt Daly, 6 Palomina Way - He has three young children and is concerned about traffic. He also thinks that an independent real estate appraiser is needed to do an analysis.

Lucy Toffoli, 276 Back Lane - She is concerned about the trees on the property being leveled. She said that the beauty of the property is the privacy. She is concerned about the size of the development, the noise that would be created, and

the number of houses. She thinks that there are too many houses proposed and she is also worried about the traffic.

Kevin Borstead, 469 Old Reservoir Road - He is in general agreement with the concerns presented by the neighbors, but is against the entire development itself. He doesn't think that the town has the ability to deal with the infrastructure changes. The town has trouble building new sections of sidewalk for the kids to walk to Highcrest in that area and therefore is against any development there because he is not comfortable that the town can deal with it.

Anna Marie Zacco, 326 Back Lane - She is concerned about the entrance to Back Lane. She also wanted to know how much traffic there would be. She said that there are five little kids under six years old between her house and the house next door. She is worried about the construction time and wondered what kind of assurances she could get that there wouldn't be construction equipment on her property.

Lawrence _____ 8 Whippoorwill Way - He would like to see that the emergency exit only policy is adhered to. He wonders what happens if that is changed. Glen Oaks was supposed to have a padlocked entrance and now that is not true. He wonders what the penalty is if the gate is not used just for emergencies.

Herb Northrup, 294 Back Lane - When he bought his house the agent assured him that the Harris property would be developed with similar homes to those in the neighborhood. He has a question about the clear cutting of the beautiful treeline. He said that he has a fifty foot backyard and then a stand of trees. He doesn't want to be sitting on top of 39 new houses. He has been concerned about the Glen Oaks entrance onto Back Lane and says that the street is loaded down with Glen Oaks traffic and the police do nothing about it. He doesn't see how this entrance would only be for emergency. He is against the project.

Philip Coviello, 376 Cypress Road - He said that he had always thought that a commercial building would be located here. Chairman Hammer informed him that it has always been zoned residential.

Commissioner Petrelli asked if Glen Oaks was in Newington, and was answered that it was. He said that the problem with the emergency exit should be addressed with the authorities in Newington.

Ms. Fanino spoke again saying that the Back Lane/Cottonwood access was always supposed to be strictly for emergencies and that the association has repeatedly bought gates that have been broken through. She added that the back yards in that area get full of water and the resident's children have to play in the front yard.

Mr. Lagana spoke again saying that it is obviously an economic difference to build 39 homes instead of 24 homes however he bought the development with the intent that the homes would be the same and that if a smaller development cannot be built, then the price of land is too high.

Mr. Harvey answered that he understands the concern about construction traffic however that would be a concern no matter what was built there. He said that Mr. LaCava backed out because of a bog which was a \$250,000 problem for him. That was 15 years ago, and now this developer can address that problem. They would also not be adding a new drainage problem. He added that if you put this type of development anywhere, no one wants it. He is looking to the town to step up to the plate. The appraiser said that there is not a lot of data, however there is no trend of a significant downfall. He would like to see the commission do what is best for the town.

Chairman Hammer asked the commissioners to decide if they would like to keep the hearing open or not. He said that he had additional questions. He understands that there is not a lot of data out there but he would like a sense of the additional traffic generated, also interested in the property value increase or decrease. He wonders about the developments in Rocky Hill, he would like to have some idea of the preexisting value of homes versus the selling price of Active Adult complexes. Are they putting \$500,000 homes next to \$200,000 homes?

Commissioner Forsdick said that she had heard mentioned that Mr. LaCava did not build on this site because it was not practical, and now it has sat for more than ten years. How are they dealing with the bog issue? She doesn't want specifics but would like to generally know what they are planning to do, obviously they have given this some thought and are very serious about it. She doesn't see why they can't keep the gate closed. Also she mentioned that Mr. LaCava did an excellent job with the 55 and over development at Willow Street and Prospect Street and the emergency access

was approved there.

Commissioner McHugh said that she has heard the correlation to Rose Court being drawn by the developer. She wondered if this development planned to be on the level of Rose Court or on a higher scale. She would like a better sense of the type of quality of housing proposed.

Commissioner Wagner asked if the quantity of units was determined on a break even basis. She asked about the possibility of a similar development with less units on the acreage that they have. She said the biggest concern that she heard was that these would not be consistent. She also mentioned the traffic concerns, the drainage concerns and habitat concerns as things that the developer should address. She asked where the drainage is going and if it is going into the reservoir. Mr. Johnson said that it was going into the reservoir. Commissioner Wagner said that she is not sure if they can answer the question of consistent development without knowing if this is the minimum number of units to make the project work.

Chairman Hammer said that it would be helpful to have more understanding of the single family zoning and how many houses could be built with the minimum lot size and open space as a point of comparison. He added that a lot of people spoke tonight and the commission looks at that and lot of other factors. They recognize that there is a lot of flexibility under the Special Residential District and that other than that there are wetlands, there is an advantage in theory for the developer and the commission. There is more flexibility in a positive way. Although taxes are an issue, they are not the one.

Commissioner Forsdick made a motion to continue the public hearing. Commissioner McHugh seconded the motion. All members present voted in favor of the motion. (Aye: Hammer, Forsdick, Harley, McHugh, Wagner, Petrelli)

The commission asked the applicant to present more information at he next meeting which would be held on September 6, 2005.

There was a brief discussion about when the next meeting would be held and the commissioners decided to hold it on Tuesday, September 6, 2005 in the Police Department Community Room.

APPLICATION NO. 1478-05-Z. John Tartaglia seeking a Special Permit to convert an existing building into twelve (12) apartment units located at 295 Ridge Road, Church/Granberry Homes.

John Tartaglia introduced the project and the team of professionals that he has assembled to work on the project, Doug Ellis from Buck & Buck Engineering, Jeff Gebrain from CR3 LLP Site Planning Landscape Architecture. Doug Ellis began the presentation. He said that to date they have focused on the thirteen apartments in the existing building. There would be twenty parking spaces with 15 covered and in the rear of the existing building and another 9 in angled spaces in front of the building. They would widen the driveway to create enough space for two-way traffic and the remainder would allow for one-way traffic to the south. A retaining wall and landscaping would screen the proposed parking in front of the property per the request of the Design Review Committee.

Jeff Gebrain, landscape architect for the project then spoke. He referred to a memo dated August 2 from Peter Gillespie to the Design Review Advisory Committee and the Planning and Zoning Commission which listed 25 comments on the plans prepared by Buck & Buck. Mr. Gebrain responded to those comments saying that the existing complex of buildings needs a handicapped access in order to maintain ADA accessibility in the front as well as in the rear of the building. In addition, three handicapped accessible spaces are being provided in order to comply with the Fair Housing Act's requirements of handicapped accessible spaces in both the front and rear of the building. There would be a community room located in the basement. He went on to describe the location of the landscape features including the gazebo. He said that they would come back to the commission with the location of the sign and light pole locations.

Chairman Hammer said that the types and sized of the trees were not on the sheet provided to the commissioners, and hopes they plan to be more specific. Mr. Gebrain said that they will be more specific on the revised plan. Chairman Hammer noted that it would be helpful to get a sense of how visible the landscaping will be and asked if the staff has had the opportunity to review the landscape plan. Mr. Gillespie said that they have not had the chance to review the

landscape plan and mentioned that they will need specifics in order to complete a staff review. More detail is required for the review, however it is not a new development so the town would not apply the new landscaping requirements. However they will do a comparison to the existing to see if it is close. He added that the handicapped accessible ramp in the front is changed, covered parking in the rear has been added and some other changes have not fully been reviewed yet by the staff.

Chairman Hammer then asked Commissioner Forsdick to read the correspondence on this application into the record. Commissioner Forsdick identified the following for the record:

- August 15, 2005 letter to Brian O'Connor from Mr. Peter Bugryn, Architect/Consultant regarding the location of accessible parking during the Phase I Renovations and Improvements to the existing building at 295 Ridge Road.
- August 1, 2005 memo to Peter Gillespie from Gary Santoro, Fire Marshal regarding a trench that had been dug across the front of the property posing a serious hindrance to firefighting operations on the site.
- August 2, 2005 memo to Peter Gillespie and Don Moisa, IW Agent from Michael Turner, Town Engineer with cc to Bonnie Therrien, Brian O'Connor, Gary Santoro and John Tartaglia regarding shutting down the construction occurring at the above site because work was being done without the necessary permits.
- August 3, 2005 memo to Peter Gillespie and Don Moisa, IW Agent from Michael Turner, Town Engineer with cc to Bonnie Therrien, Brian O'Connor, Gary Santoro and John Tartaglia regarding four things that Mr. Tartaglia was directed to do on the site.
- August 2, 2005 memo to DRC and PZC from Peter Gillespie listing 25 comments from the planning staff on the plans prepared by Buck & Buck Engineers as last revised to 7/29/05.
- August 9, 2005 memo to Peter Gillespie from Fred Valente, Asst. Building Official regarding handicapped accessible parking to be located in the rear of the site and stating it is his opinion that the code requirements would be satisfied by the arrangement that he has recommended.
- August 12, 2005 letter from Peter Gillespie to John Tartaglia, Owner stating that the DRC approved their application with four stipulations.
- July 15, 2005 memo from Peter Gillespie to the PZC regarding the application to be reviewed.
- June 30, 2005 fax to Peter Gillespie from John Tartaglia with plans.

Chairman Hammer asked if the applicant has addressed the comments outlined by the staff in the August 2 memo, particularly the lighting plan. Mr. Ellis responded that they have not located the lights yet. Chairman Hammer asked the applicant if they need accessible parking in the front and rear to be compliant. He asked if they could have handicapped accessible spaces only in the front and not any non-accessible spaces in the front. Mr. Tartaglia pointed out that the first floor would consist of five apartments. Also, they are planning a grand front entrance to the building that would attract visitors and/or deliveries to be made to the property. Therefore he would like to have at least five spaces on the first floor. There would be twelve apartments overall and a caretaker apartment. A hallway would be located from the front end to the elevator. He said that the parking spaces in the front at least make sense for the apartments on the first floor. If all of the parking is in the rear it would make this building into just a common apartment building. He has developed three properties in Hartford and has rehabbed apartment buildings, and admits that they look like apartment buildings that overlook a parking lot. In this case, he would like to preserve the patio in the rear and all of the green space and trees. The existing and proposed trees in the rear are the buffer to the Berlin Turnpike. He is trying to achieve a cleaned up building and some parking in the front so that visitors are drawn to the front.

Chairman Hammer then opened the hearing to the public.

John Beretta, 40 Tollgate Road - This property is in his backyard and is very concerned what would happen in the rear of this property. There has been a discussion about the building in the front, but none about what would happen in the back. He also asked why there is a sign with 'apartments for rent' when no approval has been given.

Chairman Hammer explained that the last meeting was an informal presentation and that since then the applicant was supposed to be doing some interior work. He asked Mr. Gillespie to address the issue about the sign. Mr. Gillespie responded that a demolition permit was issued for the inside of the existing building. However, the contractors proceeded ahead of schedule and work was done that was not covered under the demo permit. There has been

correspondence among the Town Engineer, Building Official, Mr. Tartaglia and planning Staff describing this in detail. All of this correspondence has been submitted for the record. Mr. Gillespie said that they are before the commission tonight with an application and hope that an approval will bless the work that they have already done and allow them to continue with the work on the existing building.

Chairman Hammer asked if they would like to work on the rear would they need another special permit. Mr. Gillespie said that they need both the requested zone change and a special permit. Chairman Hammer then said that if they want more than the existing number of units that is not just as of right but rather they would need something else and the neighbors would be notified and allowed to comment.

Mr. Beretta spoke again saying that the town is making a mistake if they approve this. A drainage pipe under Tollgate Road has not been taken care of and during heavy rains his backyard is a swamp.

Lyn Krabb, 294 Ridge Road - She is in favor of the development. She is confused about the terminology regarding the units in the existing building. She has heard them referred to as both apartments and condominiums. She said that condos are more preferable and if approved, she would rather see condos.

Mr. Gillespie responded that they would be apartment style units but that they would be condominium by ownership. Mr. Tartaglia added that the existing building would not be twelve apartments, but rather condos. The property has existing apartments on the site Church Home has been renting them to three families. The remainder of the apartments on the site would plan to be rented until they come back with a plan. He would like to put new buildings in the style of Boston's Beacon Hill - Bulfinch style buildings with a total of 25-27 units maximum. He said that the intention would be an active adult community with upscale units. This site has historically housed retired priests and nuns and therefore lends itself nicely to this use. The existing building, he calls the "big house" would have units with high ceilings and 2 bedrooms, 1 bath. They would be priced at a couple of hundred thousand. A small meeting room and caretaker apartment would also be located in the existing building. During Phase I they were trying to rent the existing units in the rear.

Don Reilly, 37 Tollgate Road - He didn't have enough time to plan and speak as he was on vacation. However, he would like to echo his neighbor, Mr. Beretta's point about the drainage and flooding. He would like to see a study done before Phase II goes through because their have been water problems in his neighbor's yards. He is concerned about the apartments for rent sign.

Phil Motello, 26 Tollgate Road - He is concerned about the current approvals that have been issued. He said that there is a lot of activity at that address right now. He wants to know how many units are allowed under existing zoning. Chairman Hammer informed the public that the PZC has not issued any approvals to date. Mr. Gillespie stated that the proposal is for twelve units and a caretaker unit in the existing building. The current zoning is residential, however the existing building held a preexisting nonconforming use as rooms for elderly clerical folks. The record is not clear if there were more than twelve rooms in the existing building. There are no special rights for a preexisting nonconforming use. When asked what the proposed zoning would be, Mr. Gillespie responded that the applicant is seeking a Special Residential District designation.

Mr. Motello said that it is unreasonable to allow a spot zone change without knowing what is happening in the rear. The residents need the whole picture. He also asked if the applicant had responded to all of the town comments. Chairman Hammer said that the applicant has not yet responded to all of the town comments. Mr. Gillespie added that work was stopped that was outside of the issued demo permit, however they were permitted to continue with the cleanup work.

Mr. Motello asked if there was a rendering that showed the retaining wall and the new and exiting trees to scale. Mr. Gebrain pointed out the existing trees on the plan and said that they were to scale.

Paul Hoey, 15 Tollgate Road - He is concerned about the property values in the area even though the surrounding properties may not be worth a half million dollars. He would like to know how his property would be impacted. The Village apartments negatively impacted the property values and they declined as a result of that construction. He is concerned that the same thing would happen here. He added that it is not fair to the residents to not know what is

happening on the whole parcel.

Andy Wohls, 25 Tollgate Road - He is concerned about the drainage on his property. He already has a lot of water when there is only one inch of rain, he wonders what will happen when there are thirteen apartments and 24 cars. He wanted to know where the visitors to the site will park. He also said that if the units are only 700 s.f. they will never sell for \$200,000. He is concerned that these will be low end units.

Santo Paul, corner of LaCava and Ridge Roads - He said that these apartments will be rented out to Section 8 residents. He wondered who would buy them if the house across the street sold for \$225,000. They already have a sign up stating apartments for rent which should be removed. He wondered why the town would change the zone here because it will not sell as condominiums and then just be apartments rented to section 8 residents.

Mark Krabb, 294 Ridge Road - He is concerned about snow removal and wondered if it would be handled on site or be pushed across the street to his house. Mr. Gebrain responded that the snow would be retained on site.

Mr. Tartaglia then jumped in to respond to all of the comments made. The units would be around 1000 s.f. each with two of the units on the third floor slightly smaller at 925 s.f. the third floor may even be a 1600 sf. Penthouse. He has hired a consultant who told him that this area was in need of active adult housing. The units will not be Section 8 housing. He has a feeling that they are going to sell for \$200-\$250,000 but he can sell them for less if he needs to. The typical unit would have two adults and no children. It would be for residents over 55 and they would have a condo association with extensive amenities. The site has always been rented and occupied by retired priests. He said that the existing building was full of rodents and that the neighbors should be happy with the interior work that is being done. He plans to fix the big building and then hear objections to the rear. He also said that his company knows how to plow and they will put the snow on the property and maintain the property.

A loud discussion followed between the applicant and the members of the public. Chairman Hammer had to remind the applicant to direct all comments and responses through the chair, and seeing this not happening abruptly asked for a motion to continue the public hearing to the next meeting.

Commissioner Petrelli made a motion to continue the public hearing. Commissioner Forsdick seconded the motion. All members present voted in favor of the motion. (Aye: Hammer, Forsdick, Harley, McHugh, Wagner, Petrelli)

Commissioner Wagner said that she was concerned as to how the commission will proceed on this matter. Mr. Gillespie said that the special permit application is for the front building only. Commissioner Wagner asked about the covered spaces and landscaping behind the building. Mr. Gillespie said that the original plan submitted showed the border of what was to be included in this special permit application. Commissioner Wagner asked if it was possible to put that line on every document. Chairman Hammer reminded the commission that the public hearing has been continued and he cannot allow any substantive discussion on the matter. Mr. Gillespie said that they can report at the next meeting and he will make sure that the applicant knows that he has to respond to outstanding comments.

APPLICATION NO. 1479-05-Z. Town of Wethersfield seeking a Zoning Text Amendment to Section 5.2.H, subsection 3 & 4 regarding Storage Facilities.

Mr. Gillespie said that he has been approached by a property owner on the Berlin Turnpike that needed a modification of the current regulations to provide a storage facility. He said that there were two pieces of correspondence for the record:

- July 11, 2005 memo from Peter Gillespie to PZC

"Presently, the Wethersfield Zoning Regulations Section 5.2.H.3 permit storage Facilities with interior access to storage bays in the RC Zone as a Special Perit Use and in the BP Zone through Site Plan Approval. We also permit in Section 5.2.H.4 Storage Facilities with exterior access to storage bays as a Special Permit Use in the PB Zone and we do not permit this use in the RC Zone. Attached please find a proposed amendment to Section 5.2.H of our Business Zone regulations as they relate to storage Facilities. Specifically we are proposing to combine subsections 3 and 4 which would permit storage facilities with interior and exterior bays as special

permit uses in the RC and in the BP zones."

- August 1, 2005 letter from Rebecca Augur, Community Development Planner, Capitol Region Council of Governments saying that there is no apparent conflict with regional plans and policies or the concerns of neighboring towns.

Chairman Hammer asked if there would be a higher level of control with the special permit. Mr. Gillespie said that a special permit use is subject to a mandatory public hearing and all neighbors get a notice. Previously, it was regulated by site plan approval with does not require a public hearing or neighborhood notice. This change would provide an additional level of notice. Chairman Hammer said that he thought this would be a positive change to the regulations and create uniformity. Mr. Gillespie said that it is important to have consistency between the uses.

Chairman Hammer asked if there was anyone present who wished to speak. Anthony Gallucio spoke in favor of the proposal.

Commissioner Forsdick made a motion to close the public hearing. Commissioner Harley seconded the motion. All members present voted in favor of the motion. (Aye: Hammer, Forsdick, Harley, McHugh, Wagner, Petrelli)

WETHERSFIELD PLANNING AND ZONING COMMISSION PUBLIC MEETING August 16, 2005

The Wethersfield Planning and Zoning Commission held a public meeting immediately following the public hearing on Tuesday, August 16, 2005 at 7:00 p.m. in the Wethersfield Police Department Meeting Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Joseph Hammer, Chairman
Theresa Forsdick, Vice-Chairman
Thomas Harley
Margaret Wagner
Fred Petrelli
Dorcas McHugh

Members absent:

Peter Leombruni
Daniel Camilliere
Philip Knecht
Robert Jurasin
John Hallisey
David Edwards

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

ROLL CALL & SEATING OF ALTERNATES

Chairman Hammer opened the public meeting and took roll call. He indicated that all members would be eligible to vote tonight.

APPLICATION NO. 1474-05-Z. Premier Building & Development, Inc. seeking a Change of Zone from AA Open Space Development District to Special Residential Development Zone at the easterly side of Back Lane also at the end of Old Reservoir Road, known Tax Assessor's Map 43 Block 11 & Map 42 Block 16.

Continued to the September 6, 2005 meeting.

APPLICATION NO. 1478-05-Z. John Tartaglia seeking a Special Permit to convert an existing building into twelve (12) apartment units located at 295 Ridge Road, Church/Granberry Homes.

Continued to the September 6, 2005 meeting.

APPLICATION NO. 1479-05-Z. Town of Wethersfield seeking a Zoning Text Amendment to Section 5.2.H, subsection 3 & 4 regarding Storage Facilities.

Commissioner Forsdick made a motion to approve Application No. 1479-05-Z. Commissioner McHugh seconded the motion. All members present voted in favor of the motion. (Aye: Hammer, Forsdick, Harley, McHugh, Petrelli, Wagner)

APPLICATION NO. 1480-05-Z. Steve Fielder seeking a Special Permit to allow construction of a new restaurant building located at 486 Silas Deane Highway. Continued to the September 6, 2005 meeting.

PRE-APPLICATION REVIEW Jim D'Amato seeking to construct a car wash located at 1715 Berlin Turnpike.

Chairman Hammer explained that the pre-application review is offered as an informal process. Jim D'Amato introduced himself and said that he would like to open a two bay automatic car wash at 1715 Berlin Turnpike. He introduced his partners Frank Giangrave and Paul Giangrave as well as his land surveyor Alan Bongiovanni and his carwash consultant Todd Mills.

Alan Bongiovanni started the presentation and explained that they have created a concept study for an existing 25,000 s.f. vacant parcel west of Hooters and south of a motel. They would like to construct a two bay automatic carwash. They would have to adjust the final site plan to accommodate the side yard setback and also get sewer and water to the site. The impervious surface on the site would be brought down to 60%. The current regulations do not call out the car wash use therefore they would like some direction from the commission as to whether or not this would be permitted. Mr. Gillespie explained that he had discussed with the applicant that they would come before the commission to gage whether or not there was an interest in changing the regulations to allow for the use and then pursuing site plan approval.

Chairman Hammer asked about a prior site plan where George Lazarus asked for 5000 s.f. of retail and storage. Mr. Bongiovanni reminded the commission that the previously approved use was much more intense than the self serve touchless car wash. Chairman Hammer asked if it would be like the laser lane at Mr. Sparkle. Mr. D'Amato said it would be similar.

Commissioner Forsdick asked if there would be an attendant present. Mr. Bongiovanni said that there would be an attendant during peak times, but not all of the time. He went on to say that there are only thirty days out of the year that are busy for a carwash. It is not really a year round intense use.

Mr. Gillespie asked about noise and hours of operation especially with regard to the abutting hotel use. Mr. Bongiovanni said that they had not determined the hours of use. Todd Mills said that the car wash can operate 24 hours per day unattended. The noise levels are low, with the loudest part being the dryer. The dryer operates at 70 decibels which is about the same as passing traffic when it is unsilenced. Chairman Hammer asked if it is much lower with the silencer. Mr. Mills said that it would not be. Chairman Hammer asked if the dryer at Mr. Sparkle was silenced. Mr. Mills said that it is probably not and explained that the silencer is expensive and only buys 5-7 decibels.

Chairman Hammer asked if the carwash could be closed and not operated 24 hours. Mr. Mills said that it is better for vandalism if it is not shut down, however they can install automatic doors.

Chairman Hammer asked how close the motel is to the site. Mr. Bongiovanni indicated that it was in excess of fifty feet. He added that a typical conversation is at 60-65 decibels. Mr. Mills said that this is the ideal site it has a small footprint and because there is no designation there are no parking requirements. Chairman Hammer asked how many

cars could stack at the site. Mr. Bongiovanni said that twenty cars could fit but they would have to work with a traffic engineer.

Mr. Mills said that 15-20 cars would be for very busy days and that the system works very quickly, twice as fast as a conventional car wash because it does three sides of the vehicle at once.

Chairman Hammer asked from a functional standpoint what would the car wash be classified under. Mr. Gillespie said that it would be closed to an automotive use, but wouldn't fall under the existing specific categories, a new category would need to be added. Mr. Gillespie said that he just wanted to see how the commissioners would feel about the use and whether they would like to see it permitted. Mr. Bongiovanni indicated that there was no clear cut provision. Mr. Gillespie said that they could propose to change the regulations to define the use and proceed with haste on a parallel track with a regulation amendment and a site plan. The applicant just wanted feedback from the commission. Mr. Gillespie reminded the commission that there are only two zones where automotive uses are currently permitted.

Commissioner Wagner asked how far the traffic light is from the entrance. The applicant responded that it was 400-500 feet away. Commissioner Wagner then said that the merge is past the traffic light and she mentioned that a traffic study would be required. Commissioner Wagner also asked where the wastewater goes. Mr. Bongiovanni said that it is recycled. Mr. Mills responded that they use half of the amount of water from the previous use during the wash cycle of the next use. The rest goes to a silt and oil separator which is attached to the sewer. All of the solids collected stay on site. They are permitted to discharge to the MDC sewer.

Commissioner McHugh asked how the Mr. Sparkle was permitted if there is no defined use. Mr. Gillespie said that the previous regulations prohibited certain things but allowed everything else, now only enumerated uses are permitted.

Chairman Hammer asked how much water would be used. Mr. Mills said that it would be an average of 65 gallons per car. Mr. Bongiovanni said that 32.5 would be discharged and 32.5 would be recycled. The wash cycle uses recycled water and the rinse cycle uses clean water.

Commissioner Harley said that they may have issues with the DOT. Commissioner Forsdick said that she liked the idea. Commissioner Harley said that he did not have a problem with it. Chairman Hammer said that he thought it may be a good use for an undersized lot. He recommended that the applicant look at the issues of traffic and noise and touch base with the State. However he thought they may want to pursue the regulation change.

G.S. 8-24 Review - Purchase of Open Space located at 15 Heather Drive (rear)

Chairman Hammer explained that an 8-24 referral comes to the PZC when the town council plans to buy or sell land. The council asks the commission for advice on whether or not they should purchase the land and if the PZC does not advise the council to buy it then they need more votes in order to purchase it.

Mr. Gillespie explained that the property is 15 Heather Drive and is off of Nott Street. It abuts Wintergreen Woods. The Town felt that this piece should be purchased and added to the Wintergreen Woods open space. He referred to the memo submitted to the PZC with the attached report from the real estate appraiser J.F. Mulready Company.

Commissioner Forsdick asked why this property was being sold. Commissioner Wagner indicated that it was probably because the owner did not want to pay the taxes on it anymore. Mr. Gillespie explained that the lot size was about 0.17 acres and is heavily wooded. It is not a buildable lot. Commissioner Forsdick asked why the Town would want to buy it. Mr. Gillespie said that the only reason he knew of was to add to the Town's open space. He is not sure but maybe it is a link to the Heritage Way Trail. Commissioner Forsdick said that the appraiser's report does not indicate why the Town would want this property, it just discusses what it is worth.

Chairman Hammer asked if it was possible to ask the council for more information as to why they want the property. Mr. Gillespie indicated that he could ask. Commissioner Forsdick read from the report that the taxes are \$417.72 per year. She said that the report doesn't make much sense. Chairman Hammer said that if the council voted unanimously it doesn't matter what the PZC does. Commissioner Forsdick said that it does matter because they are spending \$30,000 for a piece of property that isn't worth anything. Chairman Hammer suggested that the commission not take action

tonight but rather ask the council why they would like to purchase the property. Commissioner Wagner said that the way she reads the Town Manager's letter is that the Town would like to increase the Town's open space and this will increase it.

Chairman Hammer said that he would like to know much this adds to the Town's open space and if there is some sort of grant money that is being used to purchase this property so that it isn't coming from the Town's pocketbook. Commissioner McHugh said that she would like to know if this property is being designated as parkland.

Chairman Hammer asked for a motion. Commissioner Forsdick made a motion to table this matter until the commission receives more information. Commissioner Petrelli seconded the motion. All members present voted in favor of the motion. (Aye: Hammer, Forsdick, Harley, McHugh, Wagner, Petrelli)

PUBLIC COMMENT

Tom LeClair, 37 Farmingdale Road - He commented that the donated land should always be open space.

MINUTES

[Minutes of the July 19, 2005 meeting](#)

Commissioner Forsdick made a motion to approve the minutes. Commissioner Petrelli seconded the motion. All members present voted in favor of the motion. (Aye: Hammer, Forsdick, Harley, McHugh, Petrelli, Wagner)

STAFF REPORTS

Regulation of Athletic Field Lighting

Mr. Gillespie said that the commissioners should have a memo dated August 11, 2005. He presented the staff report detailing the different approaches to regulating lights in the town. He said that they did receive some guidance at the last meeting and this memo is a draft of the regulation. They clarified some things:

- referenced lighting standards
- established lighting levels
- added language regarding lighting of signs
- included detailed section about submission requirements for site plans with outdoor lighting proposals
- established special uses especially sport and athletic field lighting
- established exceptions to the rules, specifically public roads and special events
- Also included were those things to prohibit

The staff still needs to add definitions that relate to this proposal. Chairman Hammer asked if the staff had looked to other towns. Mr. Gillespie indicated that other town's ordinances were sampled, the Town of South Windsor had decent regulations. He also pointed out that he went through past permit records that dealt with outdoor lighting and all of those would not be permitted under these standards. He said that it indicates that the lighting levels in town can be improved, particularly gas stations and parking lots. He said that this information can be valuable to many applications.

Commissioner Wagner asked about the special uses section, particularly special events and would the lighting have to be extinguished at 10:30 p.m. She asked specifically about band competitions that go past 10:30 p.m. and whether or not the Town would allow a special exception in that case, or when the exceptions would be allowed and whether that was a loophole. Mr. Gillespie said that the special events section is meant to be a catchall for those types of events.

Commissioner Forsdick commended the planning staff on an excellent job with the draft. Commissioner McHugh also said that she was very impressed with the draft especially that it was done so quickly. Commissioner Wagner also said she was impressed by the format.

Mr. Gillespie said that the earliest hearing would be October 4, 2005 as it would have to be referred to the regional planning agency for comment. Commissioner Wagner asked if he needed a motion to move forward. Commissioner Forsdick made a motion to move forward. Commissioner Wagner seconded the motion with the provision that the definitions are added and the loophole is cleared up. Commissioner Forsdick agreed with the stipulations on the second.

Chairman Hammer asked for comment. Sheila Suppicich, 24 Oxford Street commented that she liked the format of the regulations. She had concerns with #11e regarding 20 footcandle limits under canopies. She said that 100 footcandles should be allowed for safety reasons and that they may be backing themselves into a corner by maxing that out. Also, the special uses section #4 - 0.2 footcandles are normally exceeded unknowingly by a neighbor's floodlight or common home lighting. Mr. Gillespie said that section only applied to athletic field lighting. He added that he would like to either wrap this up this week as he is going to be on vacation or leave it with Denise to finish, or else the commission can revisit this at their next meeting and make a motion then.

Commissioner Wagner asked if they should take away the motion and see a draft again on September 6. Commissioner Wagner retracted her second. Commissioner Forsdick retracted her motion. They would like to see this again on September 6.

Chairman Hammer asked why they felt the need to advance this issue. Commissioner Forsdick said that the town voted on it and approved it and the commissioners are the policy makers. Also, since they are our regulations she would not like to wait for someone else to say this is what we want and then have to go back and get more information and set up changes. Commissioner Wagner agrees that the town made a statement. There has been a lack of clarification regarding the lighting. Also tonight Mr. Gillespie indicated that the regulations are substandard. Finally, the commission is lacking the ability to approve any proposed lighting that the town is interested in seeing. The town interest is shown by the two referendums that have been voted on. Chairman Hammer said it is a good idea to present the revisions on September 6.

Public Comment

Thomas LeClair, 37 Farmingdale Road - asked about 486 Silas Deane Highway. He was informed that it was tabled and rescheduled for the first meeting in September.

Correspondence

Chairman Hammer asked if any new applications could be put on the second September agenda. The number of applications that have been continued will take up a lot of time at the next meeting.

Mr. Gillespie wanted to make sure that the meeting was to be moved to Tuesday September 6, 2005. The commissioners agreed to this.

- **253 Main Street - Old Wethersfield**

Mr. Gillespie said that the new owners of the building at 235 Main Street have come to him with questions. This is the brick building at the corner of Church and Main. IT has changed ownership and the new owners did not talk to him before they bought it. However, their concept is to convert it to six condo units, possibly over 55 restricted, but not necessarily. It is in the Village Business district zone which does not allow multifamily housing. It is on a small lot and may be dealt with in two ways, either as a rezone to SRD which may be an odd way to deal with it or as a preexisting nonconforming building. There are obvious parking issues and Mr. Gillespie discussed them coming in as a pre-application.

Commissioner McHugh asked when they would go before the Historic District Commission. Mr. Gillespie said they would go there before final approval. Commissioner McHugh indicated that there are apartments next door to this building. Chairman Hammer asked if six units would need twelve parking spaces. Commissioner Forsdick

said that the parking requirements should prohibit the use. Chairman Hammer said that there is no overnight parking on the street and does it even make sense for them to come in. Commissioner McHugh agreed that parking is a big issue in Old Wethersfield.

Chairman Hammer allowed one public speaker.

Thomas LeClair 37 Farmingdale Road - he said that the property sold for next to nothing which is consistent to what it can be used for. The owner had been talking about raising the first floor and putting parking there inside of the building. This may not work.

Chairman Hammer asked that it not be put on the long agenda for the next meeting.

- **Prohibition of A frame signs**

Mr. Gillespie also wanted to discuss the zoning officers recent enforcement of the prohibited A frame signs, banners and flags. These have been found most often in Old Wethersfield. There is a letter dated August 11, 2005 from the Old Wethersfield Shopkeepers Association requesting that the Commission revisit the regulations controlling signage in the Village Business zone. Chairman Hammer said that this is worth learning more about and talking about. Mr. Gillespie said that he can do some research about what is allowed in other towns. The commissioners agreed that this is a good idea.

- **Withdrawn Application**

Commissioner Wagner asked if the letter to withdraw the Dunkin' Donuts application had been read into the record. Mr. Gillespie said that it hadn't, however they are just withdrawing the application because they have run out of extensions. They have to change the site plan significantly because of the requirements of the DOT. These mainly have to do with the stacking distance, also the building may become two stories to do an adequate stacking lane. They have already resubmitted an application and are scheduled to appear.

Other Business

Commissioner Wagner asked about Rana Automaster. She was informed that he was approved - she was not in attendance at that meeting. Finally she asked about PODS that are found around town. She said that they are ugly and asked what the regulations allow. Mr. Gillespie said that they are only allowed by special permit and that sites without special permit are in violation. Commissioner Wagner asked if Mr. O'Connor could look into them. Mr. Gillespie said that Mr. O'Connor was letting people have them due to their temporary nature unless someone complained about them.

Commissioner Harley asked why they could not talk about the Granberry Homes application. Chairman Hammer said that they should not discuss this outside of the public hearing. Commissioner Harley asked how the applicant is going to be preparing to respond when the commissioners did not offer their comments. Chairman Hammer suggested that he talk to Mr. Gillespie who will be communicating with the applicant.

Commissioner McHugh asked if the neighbor who said they were on vacation really did only get the notice this morning or did they just not receive their mail because of vacation. Mr. Gillespie said that the notices are to be mailed out ten days in advance and that the receipts are given to the planning department so that they know that they have been mailed out.

ADJOURNMENT

Chairman Hammer made a motion to adjourn the meeting.

Commissioner Petrelli seconded the motion. All members present voted in favor of the motion and the meeting adjourned at 10:50 p.m.

Philip Knecht, Clerk