

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING
NOVEMBER 5, 2003**

The Wethersfield Planning and Zoning Commission held a public hearing on November 5, 2003, at 7:30 p.m. in the Council Chambers of the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Earle Munroe, Chairman
Joseph L. Hammer, Vice Chairman
Theresa Forsdick, Clerk
George Oickle
John Hallisey
Scott Murphy
John Adamian
Philip Knecht
Matthew Cholewa

Members absent:

Robert Jurasin
Richard Roberts

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

Chairman Munroe called the public hearing to order at 7:30 p.m.

APPLICATION NO. 1411-03-Z. Bed Bath & Beyond seeking Site Plan and Design approval under Article XXXI, § 167-137 of the Wethersfield Zoning Regulations for the redevelopment of an existing retail store located on the west side of Silas Deane Highway in a Planned Development Business Zone at 1065 Silas Deane Highway.

Clerk Forsdick read a description of the application and a letter (dated October 1, 2003 - on file) to Richard Wessells from Peter Gillespie which coordinated comments made by Town review staff and then provided responses to the comments by Mr. Wessells. Brian O'Connor, Chief Building Official/Zoning Officer had questions about the free standing/pylon sign and pointed out that zoning regulations presently state that if a center has a free standing sign, then all wall signs have to be 5% of the wall area, which could impact the rest of the center. The regulations also only allow a maximum size of 10% of the front wall area of the store front. He suggested that the trailer shown on the plan be relocated to the rear of the center. He suggested that perhaps they would want to schedule facade work during off peak hours, citing that the area is a very busy location and that a plan would need to be submitted for managing pedestrian and vehicular traffic. His final question asked if the building footprint was going to be enlarged.

In regard to the signage Mr. Wessells said that within their lease they had the right to install a pylon sign at a later date but they had no plans to do so at this time. As far as other signage he would prepare any and all required square footage comparisons and submit them for review. Any job trailers he said would be installed in the rear of the center but the trailer depicted on the site plan was a hiring trailer and it would be in place for approximately 60 days in and around the anticipated opening date. The footprint of the building would not be changing and a traffic management plan would be prepared and submitted to staff for review.

Comments from Mike Turner, Town Engineer were discussed in detail in a separate letter.

Peter Gillespie, Town Planner asked for; details to any changes to rooftop mechanicals, roof drainage or gutter plans, color renderings or photographs with their application, and whether the staging areas would be fenced or otherwise secured. He also suggested that they might want a hanging sign under the canopy similar to other stores in the center.

Mr. Wessells answered that all new HVAC units would be installed and their details would be submitted for review. Rain water calculations were being developed for the premises and the results would be submitted for review. Staging areas established within the front parking field would be fenced and secured; privacy screening could be arranged if required.

A letter (dated October 2, 2003 - on file) from Michael Turner to Peter Gillespie asked several questions; he wanted details of all exterior lighting because he was concerned that sconces might uplight or provide glare. He asked if the pavement and/or sidewalk would be reconstructed so as to be flush. Mr. Turner responded that where this condition occurred at other stores they had required bollards or planter barrels to stop vehicles from driving up on the walk when dropping off or picking up passengers and to keep UPS style trucks from driving up and scraping the top of the truck onto bottom of the soffit overhang. He also asked that a concrete pad be installed for the trash compactor and that noise levels associated with the compactor be provided.

Richard Wessells indicated that there would be no proposed changes to the current layout of parking lot lights and that the sidewalk would be modified to ensure that an ADA compliant curb cut be provided at the new entrance door location. He felt that the use of bollards might tend to clutter the storefront but they would evaluate the suggestion. A concrete pad would be installed for the compactor and they would provide information to assure compliance with local noise ordinances.

Commissioner Cholewa asked what would be changing, since this was a retail for retail application. Peter Gillespie answered that this was a situation for the Commission to use their design and review capacity. The applicant was proposing a facade and sign change and other than some sidewalk changes, a trash compactor in the rear and some temporary trailers there were no other major changes. He added that there is some desire to potentially have a free standing sign somewhere in the center, but that would be a separate matter and it would need to be determined by staff what sorts of permits, if any, would be necessary.

Commissioner Munroe asked if all staff comments had been adequately addressed.

Mr. Richard Wessells, Architectural Project Manager for the Corporate Office of Bed Bath and Beyond responded that there had been pedestrian and vehicular traffic concerns. They had considered a pedestrian tunnel under the canopy. They felt that bollards would be more of a hindrance especially since the bus stop is directly in front of the store entrance which is right in the middle of the center drive aisle. All deliveries would be taken through the rear so there would be no problems caused by delivery trucks in the front of the store.

Mr. Gillespie asked how wide the handicap ramp would be. Mr. Wessells replied that it would be 34' across.

Commissioner Oickle said that he was not much in favor of bollards because there are already posts that support the canopy in place to deter vehicles. However, he was concerned that there would be curbs at the handicap entrance which he felt could be unsafe. He didn't think there would be a runaway car issue at this location and asked for comment on the suggestions of Mr. Turner. Mr. Gillespie agreed that the posts would provide adequate deterrence and perhaps the solution would be to minimize the handicap ramp. Although he agreed that this was a busy spot he didn't think that there were any other bollards at this center and didn't anticipate the need for them here.

Chairman Munroe asked why the ramp would be so wide. Mr. Wessells answered that it was standard practice for them as a corporation it would just allow full access to the store front glazing because of the shopping cart traffic.

Commissioner Oickle asked how wide the doorway would be. Mr. Wessells said that they have 4 sliding doors which would end up with an 8' opening at its maximum, 16' for egress with break away doors, but added that they do have an enormous amount of shopping cart traffic.

Commissioner Oickle asked if there were any other handicap access in shopping center sighting the older nature of the center as the probable reason for any lack thereof. Mr. Gillespie said that he did not visually recall any.

Chairman Munroe said that the only other additional business he could see concerned the rooftop HVAC units. Mr.

Wessells said that he thought that would be discussed under the construction discussions when they applied for the permit.

Commissioner Oickle asked if the units would be visible. Mr. Wessells said that the existing pitch roof would be maintained and the units would not be visible.

Mr. Gillespie said that all the staff comments that had been reported were not necessarily applicable to the detail in front of the Commissioners but staff had thought it fair to Bed Bath and Beyond to inform them at the earliest possible stages that these are issues that would have to be addressed prior to issuing a building permit.

Commissioner Oickle asked if the trash compactor would be temporary during construction or a permanent entity and do they require it to be screened. Mr. Gillespie said that it would be permanent and that they do not historically require all mechanicals to be screened. Trash compactors are not aesthetically pleasing but they are usually located close to the building directly accessed by the loading dock and access is required to them from many sides. He explained that dumpsters are required to be screened because they tend to get unsightly with garbage left next to and around them. Mr. Wessells added that there was currently a compactor in place which served CVS, but that they would require their own.

Commissioner Knecht asked what the current square footage of the store was. Mr. Wessells said that the square footage would remain the same at 30,226 square feet.

Commissioner Oickle asked about the pylon sign. Mr. Wessells said that they have no thought process of installing a pylon sign at the center at this time, citing that there were too many legal ramifications for the current developer at this time. If they entertained that at a later date, they would make an application for it.

Commissioner Oickle asked if the color on the rendering was brown or red. Mr. Wessells said that the color reproductions did not come out accurately, but it was in fact a subtle shade of brick red with shades of grey and other neutrals, which would be compatible with the tans and neutral shades of the rest of the center.

Commissioner Cholewa asked about the tenant's trailer, which would be placed in the rear. Mr. Wessells said that one of the trailers was a temporary trailer used as a hiring trailer for about 45 days prior and 15 days after the opening date. Job trailers would be located in the rear as shown on the site plan.

Commissioner Knecht asked how many employees they intended to have. Mr. Wessells answered that they usually have 30 full and part time employees.

Mr. Gillespie said that in his experience when a national retailer comes in it is not unusual for a temporary trailer to be set up for hiring purposes. Sometimes a vacant storefront is used if available, or a separate trailer.

Commissioner Knecht said that from his 25+ years in retail it was crucial for everyone concerned that there is easy access for potential employees to fill out applications, and be interviewed.

There being no one else who wished to speak in favor of or in opposition to this application, this portion of the hearing was declared closed.

There being no one else who wished to speak, the public hearing was closed.

WETHERSFIELD PLANNING AND ZONING COMMISSION

Theresa Forsdick, Clerk

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC MEETING
NOVEMBER 5, 2003**

The Wethersfield Planning and Zoning Commission held a public meeting on November 5, 2003, immediately following the public hearing, in the Council Chambers of Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Earle Munroe, Chairman
Joseph L. Hammer, Vice Chairman
Theresa Forsdick, Clerk
George Oickle
John Hallisey
Scott Murphy
John Adamian
Philip Knecht
Matthew Cholewa

Members absent:

Robert Jurasin
Richard Roberts

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

APPLICATION NO. 1411-03-Z. Bed Bath & Beyond seeking Site Plan and Design approval under Article XXXI, § 167-137 of the Wethersfield Zoning Regulations for the redevelopment of an existing retail store located on the west side of Silas Deane Highway in a Planned Development Business Zone at 1065 Silas Deane Highway.

Upon motion by Commissioner Oickle, seconded by Commissioner Cholewa and a poll of the Commission it was unanimously voted to Approve Application No. 1411-03-Z. Bed Bath & Beyond seeking approval for the redevelopment of an existing retail store located on the west side of Silas Deane Highway in a Planned Development Business Zone at 1065 Silas Deane Highway with the following stipulations:

1. A separate sign application to be submitted to and approved by staff with appropriate supporting documentation.
2. The hiring trailer will be allowed to remain in front of the building for a period of time not to exceed 45 days prior to opening and 15 days after store opening.
3. The proposed pylon sign shall be removed from the site plan.
4. The applicant shall provide staff with manufacturers specification on noise generated by the proposed trash compactor and HVAC units to insure compliance with Town ordinance prior to staff approval.

APPLICATION NO. 1408- 03 -Z. Colvest Wethersfield, LLC presentation of revised architectural and building plans for the 2nd building at 1080 Silas Deane Highway.

Chairman Munroe mentioned that this applicant had been before the Commission twice before. They were back tonight to seek approval for compliance with certain permit conditions.

Mr. Peter LaPointe, Project Manager for Colvest Group stepped forward to explain the revisions made to the plans in response to Commission comments. He showed the original plan and the new proposal. The CVS facade sign colors had been revised to be less bright. The primary color would no longer be bright white, but would be a more subdued grey. The 2nd building which had been shown with a green metal raised hip roof over end caps was now shown in the new plans with the facade raised and the hip roof removed.

Commissioner Cholewa responded somewhat apologetically and said that he did not recall comments requesting the removal of the hip roofs and raising the facade. Mr. LaPointe said that a number of Commissioners indicated that they wanted them to increase the mass of the structure relative to the CVS structure and that one of the things that should happen would be to raise the facade.

Commissioner Cholewa asked which design Mr. LaPointe preferred. The original design was preferred.

Mr. LaPointe said that in the revised plan they also raised the bottom of the soffit about a foot and a half so that more of the upper portion of the storefront windows would be visible and it would be more in keeping with the height of the CVS soffit. In addition they had wrapped the steel columns supporting the canopy in brick to appear more like the CVS brick supporting columns.

Commissioner Murphy said that although the applicant's recollection of some of the Commissioners comments was accurate, this might be a case of being careful what one wishes for. Although this literal interpretation of those wishes might not be the only possible interpretation, if they had to choose between the 2 designs they would have to go with the first, which would leave some comments unaddressed.

Mr. Frank Colaccino, principal with the Colvest Group, stepped forward to discuss the Commission's comments. After some discussion it was decided that by raising the soffits and lowering the facade of the 2nd building, bringing back the end caps and hip roof, while wrapping the steel columns in brick which was a combination of the 2 designs would be pleasing to all.

Upon motion by Commissioner Cholewa, seconded by Commissioner Oickle and a poll of the Commission, it was unanimously voted to APPROVE Application No. 1408-03-Z. Colvest Wethersfield, LLC revised architectural and building plans for the 2nd building at 1080 Silas Deane Highway with the following stipulations:

1. Plans to be revised to show hip roof on end caps, the lowering of facade height per staff approval and brick wrap around steel columns.

MANDATORY REFERRAL in accordance with C.G.S. 8-24 referred by the Town Council to the Planning and Zoning Commission a request by Steven Kelly to exchange Town owned land with an abutting piece of property on Columbus Street owned by Mr. Kelly if the exchange is of equal land size and the property has no buildable lots.

Clerk Forsdick read a description of the item and a letter (dated July 2, 2003 - on file) to the Town Council from Bonnie Therrien, Town Manager which described Mr. Kelly's previous request for abandonment of Town property on Columbus Street, which was denied, and her own recommendation that since there were residents who were against this proposal he go door to door to receive written approval from residents of this area as to his request. She had not received any such written signatures from residents. Ms. Therrien recommended that the Council may want to refer this back to the Traffic and Transportation Committee until such time as signatures of abutters are obtained from Mr. Kelly. A letter was also read from Steven Kelly (dated June 24, 2003 -on file) to former Town Manager, Lee Erdman which requested that he would be interested in swapping parcels of land that he owns for parcels of Town land on Columbus Street, a paper street south of Wells Road, which by his reckoning are nearly identical in footage. He said that he has owned and paid taxes on his parcels since 1981 and has never been able to set foot upon them. He added that he might be interested in buying adjacent lots but didn't think they would be very valuable to him. However, the swap would be beneficial to him and he would appreciate it.

Commissioner Cholewa asked about the status of Columbus Street. Mr. Gillespie told him that it was a paper street.

Commissioner Cholewa asked how this referral came to be before the Commission. Mr. Gillespie explained that the previous request for abandonment would have created problems and land locked the farthest properties along Columbus Street. However with this new proposal Mr. Kelly was hoping to be able to take a portion of the Town land immediately abutting his property and switch it for land which he owns also on the opposite side of that Town property. He currently has a three-family home abutting the property in question.

Commissioner Oickle asked if Mr. Kelly would be able to build on the property. Mr. Gillespie answered that the land is almost completely wetlands and would require a permit from the Conservation Commission.

Chairman Munroe asked of what value this land would be to Mr. Kelly. Mr. Gillespie could not answer to that but he said that in order to dispose of the entire property, the Town would have to go through the competitive bidding process.

Commissioner Oickle asked if under the new regulations that land would be called a floodplain, and was told that it would.

Commissioner Forsdick didn't quite believe that people owned these parcels and paid taxes on them but couldn't do anything with them. It appeared to her that since Columbus Street was in fact a paper street, then Mr. Kelly's land stretched from his lot on Wells Road through Columbus Street and down to the sliver of land he owned at the bottom of Columbus Street. She couldn't quite believe that he was not using that land whether he owned it or not.

Commissioner Hallisey asked if abutting landowners had all been notified. Mr. Gillespie thought that the Commission could recommend that they be notified.

Commissioner Hammer thought it would be helpful to have Mr. Kelly come in and explain why he wants the land. He said that it would also be helpful to know if the Town has something to lose by making the swap. He didn't think he had enough information to make an intelligent decision tonight. He wondered if theoretically some landowner could go to court and say that the paper street is abandoned due to lack of use and gain another building lot.

The Commissioners and Mr. Gillespie talked about getting an opinion from the Town Attorney about this matter and discussed whether or not they felt they should be holding hearings about abandonment's, and whether or not the Council or one of their subcommittees should be handling these issues instead.

Commissioner Knecht thought that perhaps they ought to know a dollar value for the lots, because it might affect how valuable it would be to Mr. Kelly or to the Town.

Upon motion by Commissioner Oickle, seconded by Commissioner Hammer and a poll of the Commission, it was unanimously voted to TABLE the Mandatory Referral and made the following comments:

1. Mr. Kelly should state his reasons for requesting the swap.
2. The Town Attorney be requested to explore the potential ramifications of this swap.
3. The abutters should be notified.

APPROVAL OF [MINUTES OF: OCTOBER 8, 2003](#)

Upon motion by Commissioner Oickle and seconded by Commissioner Hammer and a poll of the Commission, it was voted to approve the minutes with the following changes;

1. On page # 8, paragraph 3, 1st line should read Maple Street, not Maple Hill Avenue.

Aye: Oickle, Murphy, Hallisey, Knecht, Adamian

Abst: Cholewa, Munroe, Forsdick

Commissioner Hammer left at this point in the meeting.

OTHER BUSINESS

Webb School preliminary Site Plans for review

Mr. David Drake appeared before the Commission to let the Commissioners know that some major changes were being made to the site plan for the Webb School. They would be coming in later for a formal review, however tonight they were only giving a general overview of the changes and allow the Commissioners the opportunity to make comments.

Mr. Steven Dewey, architect, stepped forward and explained that there would be changes to the parking areas and the way the buses entered and exited the site. The area where the buses dropped off the students would be made a teachers/staff only parking area to separate the buses from the vehicular traffic.

Commissioner Cholewa suggested that the jersey barriers be removed. Mr. Dewey said that it would be possible to

replace it with a wooden guardrail with openings to allow pedestrian crossing.

Mr. Dewey said that the front playscape would be dismantled and a new one erected in the rear corner of the building where the kindergarten section would now be located. Parking and delivery areas would still be maintained in the back but would be separated from the play areas by a gate.

Commissioner Oickle asked if they would be removing any green area. Mr. Dewey said that they were very sensitive to keep any and all mature trees. He also mentioned that they would be requesting advice from the Town arborist about several honey locust trees, which might be close to or past their life expectancy. If they needed to be removed they would be replaced.

Commissioner Knecht asked about visitor parking. Mr. Dewey told him that they did not have all the details worked out yet but there would be more parking than they had now.

Mr. Gillespie asked how many students there would be. He was told that there would be 420 students and 21 classrooms.

Mr. Gillespie asked if the abutting neighbors had been contacted because there would be quite a bit more noise and activity at the school with all the proposed changes than there had been when it was just used for the board of education. He thought the neighbors should be given the opportunity to comment.

Mr. Drake asked how they would go about doing that. Mr. Gillespie suggested setting up an informational meeting.

CORRESPONDENCE

Mr. Gillespie told the Commission that a letter had been received from Halloran & Sage LLP informing him of an administrative appeal filed by Edward Murphy regarding the approval of the Steven Frechette application for a horse barn. Mr. Murphy asked for a final site plan from Mr. Frechette detailing exactly how the barn would be laid out, they were still waiting. He would keep the Commissioners informed but all parties were hoping to reach an agreement without resorting to legal action.

Mr. Gillespie informed the Commission that the Stop & Shop of Wethersfield was moving to Rocky Hill. The store had applied for a variance from ZBA for the number of parking spaces required, and had been denied. Mr. Gillespie had asked them to wait because he knew that in the new regulations the variance would not be necessary, but they were unwilling due to a narrow window of time and so are now going to move to a new location next to Wal-Mart in Rocky Hill. They had not returned his calls but he would continue to try to talk to them.

The meeting was adjourned at 10:00 p.m.

WETHERSFIELD PLANNING AND ZONING COMMISSION

Theresa Forsdick, Clerk