

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING
DECEMBER 2, 2003**

The Wethersfield Planning and Zoning Commission held a public hearing on December 2, 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
Richard Roberts
Theresa Forsdick, Clerk
George Oickle
John Hallisey
Scott Murphy
Philip Knecht
David Edwards

Members absent:

Joseph L. Hammer, Vice Chairman
Matthew Cholewa
Robert Jurasin
John Adamian

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

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

APPLICATION NO. 1414-03-Z. Town of Wethersfield seeking Site plan and Design approval under article XXXI, §167-137 of the Wethersfield Zoning Regulations for the renovation of Webb Middle School. located on the west side of Willow Street in an A-1 Residence Zone at 51 Willow Street.

Clerk Forsdick read a description of the application as well as a memorandum to the Commission from Peter Gillespie (dated on file - December 2, 2003) who had reviewed the plan with Michael Turner, Director of Physical Services and had provided these comments:

1. Provide a zoning table that documents zoning compliance with all required lot and bulk requirements.
2. Provide calculations regarding the proposed parking plan.
3. Provide details and calculations regarding proposed signage.
4. Designate visitor parking areas.
5. Locate proposed crosswalks throughout parking areas.
6. Add notation that the existing curb cuts that provide access to the small parking lot in front of the school will be removed.
7. Modify the details of the proposed bus lane island to include a concrete curb with a pave island surface.
8. Locate and provide details of all proposed lighting.
9. Is there a need for the sidewalk from the secondary entrance to Willow Street?
10. Post the end section of the turnaround area on the south side of the site for "no parking".
11. Expand the surface area of the sidewalk along the bus drop off area to accommodate student drop off and pick up.
12. Add entrance and exit only signs at the parking lot entrance and exit on the north parking lot.

Clerk Forsdick also read 2 letters (dated on file- November 20, 2003) addressed to Will Walter, PE. The first from Michael Turner stating his agreement with the engineer's drainage calculation conclusions that there would be no

increase in post-construction peak runoff and additionally that he had reviewed the condition and capacity of the existing municipal drainage system in Willow Street and determined that sufficient capacity exists in the system for this development. He noted that there are no regulated areas, specifically wetlands, watercourses or 100 year floodplain on this site and that the Inland Wetlands & Watercourses Commission reviewed and certified the adequacy of the erosion and sediment control plan for the project at [their November 19, 2003 meeting](#). The second letter was from the Inland Wetlands & Watercourse Commission stating their approval of the erosion and sediment control plan with the following stipulation:

1. The hay bale proposed around the catch basin at Willow Street driveway entrance shall be replaced with a "silt sack" so as not to obstruct traffic.

Mr. David Drake, Chairman of the School Projects Building committee stepped forward to explain that the plan being presented tonight was essentially the same plan that was informally shown to the Commissioners at the last meeting. He said also that they had held an informal meeting on November 19, 2003 and invited the neighbors, 5 of which attended, to allow them opportunity to express their concerns and offer comments at the Commission's suggestion.

Mr. Steve Dewey architect then stepped forward to present the site plan. He said that he would first like to address the comments made by Mr. Gillespie in his memo. Before he did that he said that the site plan had been reviewed and approved by Lt. Thomas Dillon, Wethersfield Police Department. A letter was submitted from Lt. Dillon which said that he could find nothing from a police prospective that would prevent the plan from going through. However he mentioned that he had he had a couple of concerns which centered on the possible need for a crossing guard to be added to the front of the school north of Glenwood Drive, and also possible parking restrictions in front of the school along Willow Street. However he felt that these issues could be worked at a later date closer to the planned opening. Mr. Dewey additionally wanted to say that there currently are 15 parking spaces on the west side of Willow Street but that these on street parking spaces were not included in their parking calculations. Lt. Dillon had not yet decided whether no parking signs might need to be located on the side streets due to any extra parking needs. In the event of an activity that would require more parking the areas adjacent to the playing fields in the rear could be utilized for additional on site parking. These spaces would not be striped but they are currently used by people accessing the playing fields after school hours and would be still available. That said he went on to address the comments in the memo one by one.

1. He said that because the project is essentially replacing the existing ramp and making perhaps only minor extensions, there would be no increase or decrease in the footprint of the building and no change to the setbacks.
2. The project would require per the zoning regulations 100 parking spaces as determined by the public assembly maximum occupancy of 400 people. The current parking arrangement supplies 82 spaces. They were proposing 101 spaces, and he passed out a sheet which outlined their locations. He said that 12 spaces in the existing lot would be eliminated, but that they would be adding 14 spaces in the new lot being built on the south of the property. These 14 spaces would be used primarily as visitor spaces during the day. 75 spaces would be provided for staff parking in the north parking lot.

Commissioner Roberts asked where the 101 parking spaces were located since the cLepper that was passed out only indicates 14 visitor spaces, the 75 employee and an additional 5 spaces for handicapped parking, for a total of 94 parking spaces. Mr. Dewey explained that there are actually a total of 87 spaces currently in the staff parking lot. Those spaces and the 14 visitor spaces would bring the total number of parking spaces to 101.

Commissioner Roberts asked how far the sidewalks extended on either side of Willow Street. Mr. Dewey was not sure.

3. The proposed sign would read Samuel B. Webb Elementary School made up of 8" high metal lettering on the north elevation for a total of 28 sq. ft., and 12" high metal lettering on the east elevation for a total of 45 sq. ft. Mr. Dewey said that he wasn't sure if the signage proposed might necessitate the need for a special permit because this was a municipal building located within a residential zone.

Mr. Gillespie said that historically the practice has been for the zoning official to review the proposed plan and give subsequent approval or decide if any special permits were required.

4. The visitor parking with a turn around and designated signage would be located on the south of the property.
5. Mr. Dewey said that there would be one crosswalk associated with the handicapped parking in the northern lot, also another striped area at the entrance to the service area in the rear. In addition there might be an additional striped area at the Willow Street entrance and perhaps another one at the possible crossing guard at Willow Street.
6. The 2 curb cuts entering into the existing parking lot would be eliminated.
7. Mr. Dewey explained that they had tried to balance any new impervious surfaces with the addition of more pervious surfaces. To that end they had proposed replacing the jersey barriers the Commissioners had wanted removed in the bus lane/parking area with a grassy area. But the Town staff felt that it would become a maintenance problem and had suggested a paved island instead. They would do what ever was required.
8. Mr. Dewey explained that they were hoping to go before the State Department of Education in February with the plan and had not come up with a formal lighting plan yet. However he had a few cut sheets describing the types of lights they would be suggesting. He said that any egress door requires an emergency fixture and that the building mounting lights would also double as emergency fixtures. On the west side of the building there would be more industrial looking fixtures, but the northern side would be given a more decorative and as result more expensive style of fixture. Both would be down-shining only and cast virtually no off-site light. Exterior lighting would remain minimal. 2 pole mounted lights for the new parking areas. There were 5 existing utility poles, 3 to the west and 2 to the south. These would need to be removed because they will interfere with construction and because the transformers on them may not be upgraded.

Commissioner Oickle asked if they would want to bury the utilities. Mr. Dewey said the Town currently pays CL&P to maintain these poles; therefore it would be economical to eliminate them. The new transformers would be located just above the entrance to the service area.

There was some general discussion on the preferred aesthetics of but the excessive expense of burying existing utilities.

Mr. Drake explained that the new utilities would be underground but that they would be supplied from the CL&P poles but they could certainly look into the feasibility of burying these. He added that for what they were spending on the project as a whole perhaps this expense could be lost in it.

9. Mr. Dewey said that they would like to retain the sidewalk because it provides access for cars parked on Willow Street as well access to the flag pole located there. He thought that by removing the sidewalk it would just encourage people to walk across the grass.
10. There would be "no parking" signs posted in the turn around section of the new parking area.
11. Mr. Dewey explained that the sidewalk area is 8' wide all the way from Willow Street across the front of the school entrance. There is a planting area in the front center section that could be used for any additional impervious area if need be.
12. Mr. Dewey pointed out that there is existing signage indicating entrance only and exit only at the Willow Street openings of the north parking lot.

Mr. Dewey said that they had been in communication with the Town Tree Warden concerning the state of several existing trees on the site, and he was present to report.

Mr. John Lepper, Tree Warden appeared before the Commission and gave his recommendations for the site. He said that on the southern property edge there were several mature hemlocks and others trees but it was quite a messy area. In addition as a result of a microburst several years ago some of the trees had been damaged and although the hemlocks were healthy they were nearing the end of their life expectance. In addition there was quite a lot of invasive type growth and he recommended the clearing of the entire area. In the north area of the parking lot, 2 trees had been proposed; he recommended that only 1 tree be planted for the 40' wide area. He said that the 4 honey locust trees by the front entrance on the property were in questionable condition and that because that type of tree was so high maintenance anyway, he recommended their removal and the one that was leaning at a precarious angle really should be removed. Since they had proposed replacing them with 4 new trees he considered it a wash. He said that while he

was visiting the site he had the opportunity to speak with an abutting property owner to the south who commented that the growth on that boundary provides quite a bit of screening for his property.

Commissioner Oickle asked if he was recommending a barrier for the south side. Mr. Lepper said that some screening would be called for. He said that the trees called for in the landscaping plan were good size and a nice mix of flowering and other trees.

Commissioner Oickle asked if the applicant agreed to all of these recommendations. Mr. Dewey said that they had requested information on the lifespan of the existing trees only since grading would be necessary on the south side. He said that cost issues were certainly a factor and he wasn't sure who would end up paying for it although he did agree with the recommendations.

Mr. Lepper said that they would need to clarify exactly where the property boundaries are; to be sure they remove trees from only their property. He also said that he had recommendations for species to be used. He noted that while the designers are following one organizations rules for planting the Town followed another, and not all landscape plans are the same. He felt that some he had seen left a lot to be desired.

Chairman Munroe asked what the BSC on the plans stood for. He was told it stood for Boston Service Company. Mr. Dewey said that while the proposed plans may not be the 100% best plans, they were the best they could come up with for the existing site.

Commissioner Oickle asked if all of the pavement on the site would be new. Mr. Dewey said that there would be new curbs at the bus drop off and the new parking areas would be of course new, the other areas would not. He recognized that some of the pavement was not in the best of shape, but it had to be said that anything that was maintenance item and not new would not receive State reimbursement. He said that they preferred to use the money allotted on other areas of the construction.

Mr. Drake said that they were basically on track budget-wise, and that right now they were placing the items they could be reimbursed for on the a-list for consideration. He said that items like the pavement could be done outside of this project substantially cheaper.

Commissioner Oickle lamented the fact that repavement was continually being put off as not being a priority even when it is needed as it is in the rear parking area of this project. He then asked what was located in the fenced SW area. Mr. Dewey said that it was only fenced in the corner area to contain a paved play area.

Commissioner Oickle asked if a traffic study had been for the area. Although he said he wasn't suggesting that they open up Wells road for turn lanes he wondered if a turn lane might be good idea or perhaps a slow down lane. Mr. Dewey said that one of the primary reasons he had tried to meet with Lt. Dillon was to get his opinion on these types of things although he had been unable to relook at the location. He suggested that perhaps the Town might want to ask him.

Commissioner Oickle said that confidentially he did not get too excited about traffic studies, they seemed like a lot of numbers, however there are legitimate reasons a study should be done here. He pointed out that the current traffic on Wells Road was high enough to cause tie ups at certain times of the day and there was potential for greater problems with the increase caused by school drop offs, pick ups etc.

Commissioner Roberts mentioned that these were issues that had been talked about at the previous informal meeting and that some of that information was available or maybe even asked for but not received.

Commissioner Murphy spoke from the experiences of a commuter who travels on Wells Road and said that the traffic problems were a very valid point. He also pointed out that the traffic was much heavier now than it was when this building was used as a school.

Mr. Dewey said that he could contact Lt. Dillon again but he could only make suggestions, reimbursements went only so far as property and this is an existing building.

Commissioner Oickle said that he counted approximately 36 houses along Glenwood Drive. He wondered if they should have tried to align the driveway with the street more. Mr. Dewey said that they had actually widened it to align more.

Commissioner Oickle said that he was there today and it did not align. Mr. Dewey pointed out that the proposed driveway would be wider than the existing driveway.

Commissioner Oickle asked if there were any colored renderings. Mr. Dewey then showed the colored renderings. He said that the north side was the only side to receive any new construction other than window replacements. They had not chosen a color yet for the windows but they would probably be a tan color, because they are the same color inside and out and tan would lend a better hand to decorating for the interior. The new entrance will not be the same matching brick as the rest of the building.

Chairman Munroe asked if the existing play ground in the front would remain. Mr. Dewey said that it did not meet the current accessibility requirements and so it would be removed. But a new playscape would be built in the back kindergarten area.

Chairman Munroe asked if it would be fenced, or available to use after school hours. Mr. Dewey said that it would be open. Chairman Munroe felt that an unfenced play area would open the Town up to liability issues.

Chairman Munroe asked if this would be financed by bonding. Mr. Drake said that a referendum had been already been passed for it. He added that if bids came in for some of these alternative suggestions, like the utilities or the paving, they may be included.

Chairman Munroe clarified that they were only being asked to endorse the exterior alterations to the property.

Commissioner Roberts asked if the purplish arch shown in the north side rendering was final. Mr. Dewey said that although it was still open for discussion, the curved piece was actually a canopy that comes out from the recessed door area below and keeps water or snow from falling onto the entrance area below and creates a small patio area. They had intentionally introduced the curved shape in order to get away from all the box-like institutional shapes of the rest of the building.

Commissioner Roberts commented that perhaps it would look better in 3-D but in the flat dimension it just appeared strange to him. He said that he might just have to take his word for it.

Commissioner Edwards asked if there was anything housed within the pitched green metal roof. Mr. Dewey said that the hydraulic elevator needed a higher roof, and it was contained under the roof area.

Mr. David Ambrose, 24 Justin Lane stepped forward and said that he was one the neighbors who attended the neighborhood meeting. He said that his only concern was that if the existing buffer was removed he would want some significant plantings replaced, in order to protect his privacy.

Chairman Munroe asked how far his property was from the property line. Mr. Ambrose said the edge of his deck would be about 15 feet from the asphalt.

Chairman Munroe asked if there was much screening on his property as well. Mr. Ambrose said that his property was mostly cleared.

Ms. Liz Jensen, 22 Willow Street stepped forward and said that her home was almost right across from the entrance and exit drives on the north side for anyone going north on Willow Street and all the buses coming and going her driveway is right there. She wanted to repeat all the traffic concerns that had been voiced. She said that there was quite a build up of traffic right now when the buses and parents came to pick up and drop off.

Commissioner Oickle asked if she experienced any trouble getting out of her driveway. They negotiated the traffic but there were times when the traffic waiting at the light at Wells Road and Willow Street came all the way back to her

home at Ridgewood Circle. She answered that she did not have major trouble and it was not a huge issue now, but she was unfamiliar with the kinds of numbers associated with a K-6 school.

Commissioner Oickle said that he didn't either based upon the information presented tonight.

Mr. Louis Nieves 73 Willow Street said that he had a side driveway and with all the buffer area cleared it would allow a clear view into his garage and he would like to maintain his privacy.

Commissioner Oickle asked why there was no right- turn on-red onto Willow Street going north when there was no ridge or crest there and the view seemed pretty clear. Commissioner Munroe said that normally when you have a grade school it is preferred that there be no right hand turn whenever there is a crosswalk.

Commissioner Oickle said that it was just the same as wanting to have sidewalks within a mile of a school.

Ms. Jensen returned to ask if there was any plan to make more sidewalks on Willow Street. She said that they did not run continuously and not consistently on one side of the road either.

Mr. Gillespie said that there were minor sidewalk repairs proposed on either side of the modified driveway locations but otherwise there were no other sidewalks planned for this project. However he said that there was a Sidewalk Improvement Master Plan for the Town and he was aware that the condition of Willow Street separate from the sidewalks was on that list of improvements but that would be a separate initiative.

Commissioner Forsdick suggested that this was something that she could be brought up with the Town Council to see if they couldn't upgrade Willow Street to a higher priority on the list.

Mr. Gillespie said that she should speak to Michael Turner about this and he would be able to tell her where Willow Street would be on the list and give her guidance as to what the next step to take would be.

Chairman Munroe said all kindergarten students were bused, but it would be even more important to have adequate sidewalks for the older children who might live close enough to walk.

Chairman Munroe said Willow Street looked to be about 30' wide and asked how wide it was. Mr. Dewey looked at the rendering, measured it, and said it was about 36'.

There being no one else who wished to speak in favor 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.

Theresa Forsdick, Clerk

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC MEETING
DECEMBER 2, 2003**

The Wethersfield Planning and Zoning Commission held a public meeting on December 2, 2003, immediately following the public hearing, in the Council Chambers of the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Earle Munroe, Chairman
Richard Roberts
Theresa Forsdick, Clerk
George Oickle

John Hallisey
Scott Murphy
Philip Knecht
David Edwards

Members absent:

Joseph L. Hammer, Vice Chairman
Matthew Cholewa
Robert Jurasin
John Adamian

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

APPLICATION NO. 1414-03-Z. Town of Wethersfield seeking Site plan and Design approval under article XXXI, § 167-137 of the Wethersfield Zoning Regulations for the renovation of Webb Middle School located on the west side of Willow Street in an A-1 Residence Zone at 51 Willow Street.

Commissioner Roberts asked if Mr. Gillespie was satisfied with the responses to all of the 12 comments and was he comfortable enough with the responses to go ahead with acting on it tonight. Mr. Gillespie answered that he would modify #3 of the comments to defer that approval and subsequent review to the zoning officer for his approval. #9 can be deleted because they indicated that that entrance is still in fact necessary. A 13th comment should be added to incorporate the recommendations from the Tree Warden specifically a further review and modifications to the plan for a landscape buffer on the southern property line to maximize buffer/shielding for the neighbors on that side. He said that he was still not entirely comfortable with the information provided on parking. He was looking for more practical information like the # of teachers, the # of classes, and the # of teacher's aides and what the standard practice for visitors and parents visiting the school would be. He felt that the parking scenario was pretty much a wash because they were adding some and losing some parking. He said that there were a lot of traffic issues for the neighborhood and the intersection serving it and it was clear that there are bigger issues than this project can take on like the traffic signal and perhaps the need to retime it. He thought that perhaps those types of recommendations needed to be included in any action taken and passed on to the Town Council. He would also include in their action taken and identify the preference for these issues: the existing overhead utilities be placed underground, and existing parking be repaved.

He also mentioned that the Parks and Recreation Commission had contacted him and said that they have a staff person who has a very considerable amount of expertise and knowledge in playscape design and placement and they should have an opportunity to review and approve any plan that comes forward.

Commissioner Murphy suggested adding the continuous sidewalks on Willow Street.

Commissioner Oickle asked how they could make conditions on an approval for things they might not have any money for.

Mr. Gillespie said that this project would need to be a 2 Phase motion: approve it with the 13 conditions and a secondary motion or strong recommendation for the other things to be somehow looked at whether it is by the Council or capitol improvement program or whatever other vehicles they have at their disposal to get them at someone's agenda and maybe it would trigger some additional actions that hadn't been thought of when this whole bonding package had been put together. He pointed out that it's always the case that there are things that no one thought of at the time.

Commissioner Roberts said that on a lot of private applications they have included stipulations that are to the extent feasible. He agreed the biggest wild card was the parking issue. He said that technically the area of assembly was what the parking calculations are based upon. But he felt that there would be more than a few days when off site parking would have to be a consideration and asked if people should be expected to troop through the streets to get to the assembly.

Commissioner Murphy agreed and gave the example of conditions at Emerson Williams School where they had almost doubled the parking because of the need far exceeding the required number of spaces when they had assemblies. He said that even then they would end up with people parking across Wells Road and not always using the crosswalks and he worried that they might be heading toward a similar situation here.

Commissioner Oickle asked when the parking for the playing fields was commonly used. Mr. Dewey said that it was his understanding that they were primarily used after school and on weekends.

Chairman Munroe said it bothered him that there was not enough parking for the staff without the 15 spaces on Willow Street and that people might be forced to have to use both sides of Willow Street which was only 36'. He didn't think that would leave much room for traffic flow. On the other hand he said that there was a lot of land behind the school that might be used to create more parking. He said that the public was required to supply all of its parking needs and the Town should also be held to the same requirement.

Mr. Dewey said that he wanted to clarify that the 15 spaces on Willow Street that were mentioned were not part of the 100 spaces required the zoning requirements, they were simply mentioned as additional allowable off site parking. They supplied all the staff parking in the parking lot. He also pointed out that by law they can not have more than 400 people in the building for any assembly the Fire Marshall would not allow it.

Chairman Munroe asked if it would bother him to require no parking signs on both sides of Willow Street. Mr. Dewey said that there was current only parking on one side.

Commissioner Forsdick asked if anyone was present to answer questions, from the Board of Education. Mr. John Cascio stepped forward and said that there would be 420 students.

Commissioner Forsdick projected that if there were 420 students, and 75 staff members, and the parents of those students attended as well as several staff members, then over 1000 people would be in attendance. Not to mention that there would have to be more than 400 people in the school at any given time.

Mr. Drake said that the 400 maximum occupancy number is based upon the area of assembly, not within the entire school and that they would have to arrange programs or otherwise figure out ways to split-schedule the programs so that no more than 400 people were ever in attendance at any one time in one area. Also he mentioned that assemblies would happen after hours. He also asked that they keep in mind that the school was designed as a middle school with a lot bigger capacity than what was being proposed now and it really shouldn't be an issue.

Commissioner Forsdick said that if they intended to use the back area for parking then they really should stripe it. Mr. Dewey said that they really didn't intend to use it as a parking area; it was primarily a service area. But it was certainly available as an additional parking site.

Upon motion by Commissioner Roberts, seconded by Commissioner Oickle and a poll of the Commission, it was unanimously voted to APPROVE Application No. 1414-03-Z. Town of Wethersfield seeking Site Plan and Design Review approval under article XXXI, §167-137 of the Wethersfield Zoning Regulations for the renovation of Webb Middle School, located on the west side of Willow Street in an A-1 Residence Zone at 51 Willow Street with the following stipulations:

1. Provide a zoning table that documents zoning compliance with all required lot and bulk requirements.
2. Show on the plans and provide calculations regarding the proposed parking plan.
3. All the proposed signage should be referred to the zoning compliance official to ensure compliance with applicable regulations.
4. Designate visitor parking areas on the plans.
5. Locate proposed crosswalks throughout parking areas.
6. Add notation that the existing curb cuts that provide access to the small parking lot in front of the school will be removed.
7. Modify the details of the proposed bus lane island to include a concrete curb with a paved island surface if necessary or otherwise to staff satisfaction.

8. Locate and provide details of all proposed exterior lighting on the site.
9. Post the end section of the turnaround area on the south side of the site for "no parking".
10. Expand the surface area of the sidewalk along the bus drop off area to accommodate student drop off and pick up to the extent feasible.
11. Show entrance and exit only signs at the parking lot entrance and exit on the north parking lot.
12. Revise the plan for the landscape buffer on the southerly property line consistent with the recommendations of the Tree Warden and after consultation with the adjacent property owners.
13. To the extent feasible attempt to have the existing overhead electrical lines placed underground.
14. To the extent feasible repave the existing deteriorated parking lots.
15. At the point at which the playscape is being designed, obtain input from the Parks and Recreation Department.
16. To the extent necessary review the impact on intersections at Willow Street and Route # 175.
17. As part of the opening of the school review the adequacy of sidewalks along Willow Street to accommodate students who will be walking to the property.
18. Generally review the availability of on street parking so as to know where on street parking would be available to be the most convenient and least obtrusive to the neighbors.
19. Recommend to the Town Council that the possible need for additional on-site parking be taken up by the Capitol Improvement Committee.

APPLICATION NO. 1415-03-Z. Richard Lagana seeking approval under Article XXXI for a change that is not significant--- change of use from a retail to a self defense studio, installation of a handicap ramp and a bathroom at 965B Silas Deane Highway.

Clerk Forsdick read a description of the application.

Mr. Richard Lagana the owner of 965-967 Silas Deane Highway stepped forward to explain that the plans submitted are the final phase of the 2 phase renovations to the building. This phase includes building handicap access. The difficulty in doing this was the L-shape of the building and the fact that the building is raised 24" higher at this point than the front of the building which necessitated the building of a ramp to reach the walkway. The ramp had to be placed in front of the building because of the pitch of the lot. However because the building is L-shaped at this point the ramp had to be somewhat horse shoe shaped otherwise he would have preferred it to be straight run. This access would meet federal regulations. The 60" platform extends into the parking lot, but this area has no parking anyway and so no spaces would be lost.

Commissioner Edward asked if the door that opened closest to the ramp had automatic openers on it. Mr. Lagana answered that it could be added.

Commissioner Munroe asked how many students were expected to be accommodated at any given time. Mr. Lagana answered that he would allow the tenant to answer this question.

Mr. Gary Italia answered that it would be a maximum of 12 people at any given time, with classes lasting approximately 45 minutes. The classes would be 3 days a week, Monday, Tuesday, and Thursday evenings from approximately 6:15 p.m.- 8:30 p.m. and perhaps some kids classes from 3:30 p.m. to 5:30 p.m. a couple of days a week. Typically with the children's classes the parents would drop them off and then come back to pick them up. It may run the same days or every day, but the adult classes would only be 3 days a week.

Commissioner Roberts asked if there would be any changes in the parking requirements. Mr. Gillespie said that they had considered several different arrangements and that given the flexibility of the hours and the nature of the occupancy of the space and the off peak times we felt that would the plaza had adequate parking and that this arrangement would not affect the parking.

Commissioner Roberts asked if that meant that it would be important to require that the hours and days of operation be included as a condition in this application. Mr. Gillespie answered that it would certainly be in everyone's best interest and that he be given some flexibility to operate out of the box on occasion.

Mr. Lagana wanted to mention that there had been 6 tenants for many years and now that Sterling Jewelers had

expanded there were 5 and the parking had not changed, no other business had been added to it.

Commissioner Roberts commented that this might be one of those situations where the parking requirements being based upon the square footage of the space might not be an accurate indication of the actual parking needs.

Commissioner Munroe asked if there would male and female students. He was told that there would be both sexes.

Commissioner Munroe commented on the single bathroom and the lack of changing facilities. Mr. Italia answered that it was not a health club where patrons would desire to shower after a workout. Typically people would come dressed in the appropriate outfit already but there was a sort of closet area and he thought he would up a partial wall to allow changes if desired. Other self defense studios were set up the same way.

Mr. Italia wanted to mention that he was a chiropractor and this was not his regular job. He had been doing this for 25 years as a hobby. He said that although these are the hours for now he requested that he be allowed to run occasional classes on Saturday for an hour or 2 from perhaps 9:00 a.m. - 11:00 a.m. not every Saturday because he liked his day off.

Upon motion by Commissioner Roberts, seconded by Commissioner Forsdick and a poll of the Commission it was voted to APPROVE Application No. 1415-03-Z. Richard Lagana seeking approval under Article XXXI for a change that is not significant--- change of use from a retail to a self defense studio, installation of a handicap ramp and a bathroom at 965B Silas Deane Highway with the following stipulation:

1. The hours of operation are limited to Monday, Tuesday and Thursday afternoons and evenings and Saturdays unless otherwise approved by staff.

APPROVAL OF [MINUTES OF: November 5, 2003](#) and [November 18, 2003](#)

Upon motion by Commissioner Oickle, seconded by Commissioner Forsdick and a poll of the Commission it was unanimously voted to approve the minutes as submitted.

PUBLIC COMMENTS

Mr. James Sheehy, 87 Randy Lane appeared before the Commission to informally discuss a zoning issue with them he said because they were in the process of changing their zoning regulations. He was representing the interests of James McNamara 2 Rod Highway who had owned this particular parcel of land since 1963. All the land had been AA residence zone which by current standards of 20,000 square feet.

The area had seen a lot of development since then and when Jefferson Estates was developed it had started the trend of AA special residence. When you do this you have to give up a certain amount of land for open space. To the west of his property it was all developed. On the east side of his property it was developed and remained as AA residence zone he believed because there was no land available for open space. At that point the developer approached Mr. McNamara and he sold off the northern portion of his land which was originally 950' which then became rear portion of 3 lots on Glory Lane. So he was left with his lot which is 450' but is 85' wide in the front and is theoretically non-conforming. At that point he owned a piece of land in-between the developments of Liberty Hill and Liberty Hill east and the developer of Orchard Gardens gave him a 6' piece of land which gave him over 90' of frontage thinking that he was in AA special residence zone. He put the lot on the market and he came to me for the survey. However I told him that he needed 110' of frontage because he was in an AA residence zone. He had sought a variance in order to be able to divide his lot but was denied because of overwhelming opposition by his neighbors. He had taken a survey and made up a map showing all property within 500' of the property, and it showed that 2/3 of the properties were under the 110' foot requirement although the majority of them were in special residence. Some were short by only a few feet but some by more than this parcel. In the cul-de-sacs of which there 2 in the section, the frontage went down to 50' and 60'. He thought that it would be ridiculous to request a zone change for the property a month before the new zoning regulations go into effect, but what he was asking for was consideration by the Commissioners to move the zone district boundary line over a few feet from his west property line to his east property line when drawing up the new maps and then his lot would conform to special residence zone. To ask for a zone change would open him up to the

requirement for open space which he did not have. Then there is the issue of the road and he told Mr. McNamara that if he had the zone variance for instance that the Town might want to put the road through and he is fully aware of that. He didn't think some of the neighbors would approve but from an engineering perspective it would be a good circulation pattern plus they could connect the water lines through which currently end at either side.

Chairman Munroe asked if this type of change would require a public hearing. Mr. Gillespie answered that as a separate application it would but if bunched in with the comprehensive changes made by Planimetrics it would probably not. Of course he reminded everyone that this was one of those situations that would be difficult to provide notice to everyone who might be affected by it.

Commissioner Oickle thought he would rather do it separately in order to allow public comment. He also thought the road should be built in order to connect the disconnected roads on either side of it.

Commissioner Forsdick said that although she lived up the road it would not affect her, but she thought that the people who did live near it would go ballistic. Because of the changes it would cause to their properties, even though it would create a safer situation for an emergency vehicle to have more direct access.

Mr. Sheehy said that candidly he thought that was the reason the neighbors objected because they did not want the road to go through either.

Commissioner Forsdick disagreed, she felt they objected solely because they would not want to see home on such a small lot.

Mr. Sheehy said that is exactly what they said at the hearing for the variance although the truth is that the neighborhood is not made up of lots with large frontage. Commissioner Forsdick said that although the frontage may be smaller particularly on the cul-de-sacs where the lots open up as they go back and were large and the houses were huge.

OTHER BUSINESS

Mr. Gillespie mentioned that tomorrow night, December 3, 2003 from 5:00 to 8:00p.m. the EDIC would hold its annual Salute to Business and everyone was welcome and invited to attend.

Mr. Gillespie also asked if it had ever been considered that the Commission begin their meetings at 7:00 p.m. instead of 7:30p.m. The Commissioners discussed the merits or disadvantages of starting 1/2 hour earlier.

Upon motion by Commissioner Murphy, seconded by Commissioner Hallisey and a poll of the Commission it was voted to Begin Meetings at 7:00 p.m. starting in January 2004.

Aye: Murphy, Knecht, Forsdick, Munroe, Hallisey, Edwards

Nay: Roberts, Oickle

The meeting was adjourned at 10:30 p.m.

Theresa Forsdick, Clerk