

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING**

June 19, 2012

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, June 19, 2012 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

1. CALL TO ORDER:

Chairman Harley called the meeting to order at 7:04 p.m.

1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):

Clerk Roberts called the roll as follows:

Member Name	Present	Absent	Excused
Thomas Harley, Chairman	✓		
Joseph Hammer, Vice Chairman			✓
Richard Roberts, Clerk	✓		
Earl Munroe	✓		
George Oickle	✓		
Anthony Homicki	✓		
James Hughes			✓
Antonio Margiotta			✓
Dave Edwards	✓		
Thomas Dean (alternate)*	✓		
Angelo Robert Fazzina (alternate)	✓		
Alex Vasel (alternate)	✓		

Also present: Peter Gillespie, Town Planner/Economic Development Manager;
Denise Bradley, Assistant Planner

Chairman Harley noted that there were 6 full members and 2 alternate members in attendance at the time of roll call (*7:05 p.m. arrival = 3 alternate members). All members present to participate.

Members of the Public were present.

2. OLD BUSINESS:

2.1 PUBLIC HEARING APPLICATION NO. 1762-12-Z: RJD Development, LLC Seeking Re-subdivision approval for the creation of five (5) new lots at 214 Goff Road. (Continued from June 5, 2012 meeting.)

Chairman Harley indicated that at the last meeting, additional comments were made by the public and the Applicant, and this public hearing was continued. He noted that it was requested of Mr. Gillespie, Town Planner, to prepare a proposed motion.

Mr. Gillespie, Town Planner, indicated a Memo addressed to the Commission dated June 19, 2012, from Peter D. Gillespie, Town Planner and Denise Bradley, Assistant Planner had been provided at this meeting for consideration. The Memo suggests nine (9) conditions that were prepared in consultation with the Town Engineer, Town Fire Marshal and Applicant's Engineer. He noted the Applicant was present to respond to questions.

Chairman Harley asked Mr. Gillespie to summarize the nine points described in the Memorandum.

Mr. Gillespie indicated that proposed condition #1 of the Memorandum deals with the suggestion that prior to the issuance of the building permit for each of the lots, that the Applicant shall provide the Town Engineer with drainage calculations which support the individual sizing of the underground on site detention systems so that no net increase in drainage off site is achieved. Proposed condition #2 deals with conformance to blasting Regulations of the State and the Town of Wethersfield. Proposed condition #3 deals with the Applicant preparing a detailed blasting plan and schedule for submission to the Fire Marshal and for discussion with the neighbors for the required Pre-Blast meeting. The intention of these conditions is for the Applicant to make every effort to conduct blasting for the site and for the foundations simultaneously to minimize the duration of blasting activity. Proposed condition #4 deals with the requirement of a bond for Erosion and Sedimentation Control, blasting, and grading prior to the start of any site activity. Proposed condition #5 deals with a Conservation Easement being added to the plans and that a Conservation easement document be provided to the Town to protect all of the non-disturbed areas of the lots 1-5. Proposed condition #6 deals with the requirement of having the stabilization of the site occur immediately after blasting so as to minimize any potential off site erosion. Proposed condition #7 deals with the requirement of having any excavated materials being taken from this property are taken to a facility approved by the Town or the other Town to which those materials are to be deposited. Proposed condition #8 deals with the removal of the underground storage tank, etc., being completed to the satisfaction of all local officials. Proposed condition #9 deals with the requirement of having all utilities being installed underground.

Chairman Harley inquired and Mr. Gillespie indicated that the objective of obtaining the stabilization effort (topsoil amounts, etc.) opinion for the site from Clarence Welty's firm was the only objective that was not achieved at this time. He noted that during this meeting, the Applicant may provide some information relative to that request.

Clerk Roberts inquired and Mr. Gillespie indicated that it is typical of Staff, at the time of building permit, to require a detailed, individual survey and site plan for the proposed home being built on the property with all of the details to support whatever drainage is proposed for the site. Mr. Gillespie noted he envisions the proposed development occurring in two (2) phases. The first phase would be the blasting, the work on the home foundations, and work on the slope to stabilize those work details immediately. The second phase would entail obtaining the individual building permits with the possibility of the need for additional sediment and control measures on each of the lots, as demonstrated on the site plan. Mr. Gillespie also noted that it is up to the Commission whether they need to see the individual plans again or that deferring the issue to Staff (Building Official, Town Planner, and Town Engineer) is sufficient.

Clerk Roberts indicated that Staff oversight of this issue is sufficient. He suggested that review of all of the matters, other than solely site drainage (which is generally implicated in the drainage calculations), be carefully reviewed, as the proposed lots will have short and steep back yards and that Staff has the opportunity to sign off on specific oversight of stabilizing the slope based on conditions learned by Staff from re-visiting the site.

Mr. Gillespie indicated that the Engineering Department has to sign off on every building permit for every new single-family home.

Chairman Harley stated and Mr. Gillespie concurred that Staff review occurs when the site plan submission for the entire parcel is made and also when the site plan for each individual lot is made.

Clerk Roberts suggested that specific requirements/ideas, including but not limited to details regarding stabilization of the back slope, be included in the language for the Conservation Easement.

Mr. Gillespie indicated the Wetlands Commission has the standard language for Conservation Easements and noted the template used can be modified and enhanced accordingly.

Commissioner Homicki concurred with the statement made by Clerk Roberts relative to the Conservation Easement (see above). He made an inquiry regarding the details of the Conservation Easement being made on each individual site plan. He also inquired and Mr. Gillespie indicated that

Fire Marshal input is conveyed for this Application in proposed conditions 2 and 3, as noted in the June 19, 2012 Memo to the Commission (guidelines for blasting, blasting timeframe and neighbor meeting).

Clerk Roberts indicated that a note on each individual site plan with language referencing the plan submission for the entire parcel is a sufficient reference for each lot's site plan.

Mr. Jim Cassidy, P.E., of Hallisey, Pearson & Cassidy [Civil Engineers & Land Surveyors], 35 Cold Spring Road, Suite 511, Rocky Hill, CT, appeared before the Commission regarding this Application. He noted that after reviewing the proposed conditions with his client, Mr. Drisdelle, he and his client have no problems or concerns with the proposed conditions.

Chairman Harley inquired and Mr. Cassidy indicated that a plan with a defined line showing the meets and bounds of the Conservation Easement will be provided to the Town. Mr. Cassidy also realizes that the Conservation Easement language will be prepared as soon as possible.

Chairman Harley indicated the subdivision plan on record will have a defined line on the plan delineating the Conservation Easement on each of the five (5) lots, and that the individual plot plans on records for said lots will note the defined line delineating said Conservation Easement.

Mr. Gillespie suggested the Conservation Easement to include a clearly understood field marking/identification system with the boundary line made as straight as possible for preservation of said area.

Clerk Roberts asked Mr. Cassidy to identify the "undisturbed portions" area so that Mr. Gillespie and the Applicant are on the same page. Mr. Cassidy indicated that the dark green tree line noted on the plan is the "undisturbed portions" area.

Chairman Harley inquired and Mr. Cassidy indicated that Lot number 1 excavates into the existing tree line which is reflected on the tree line proposed (which is shown in the color, green) on the plan for the development of the entire site.

Mr. Cassidy read into the record a letter dated June 14, 2012, from Clarence Welty Associates regarding the back slope: "it reads, Dear Jim: I have reviewed the proposed slope treatment of the above site. From the rear view of the houses, the treatment of two horizontal to one vertical (2:1) slope is acceptable with the erosion control blanket atop the natural rain soils and the possible rock intrusions in the slope. There is a possibility that the rock will be encountered over a portion of the slope. I assume that it will be cut in a 2:1 slope. One of the other potentials of overcutting in the benches of the soil is that in the back blading of the soil surface is loose soils, with heavy rains and loose soils, initially slough. In general, slopes must be cut along the face of the proposed slope rather than in benches which then would be back bladed. If you have any questions, please call me. Very truly yours, Dr. Clarence Welty, Ph.D., PE."

Mr. Cassidy indicated he phoned Mr. Welty and asked for clarification of the last part of Mr. Welty's letter. Mr. Cassidy noted to the Commission that along the back of the lots, a 2:1 slope is proposed. In the upper portion of the slope, borings showed nine to twelve (9' to 12') feet existing soil overburden over the top of the ledge. Mr. Welty does not want the builders, when they get to the ledge portion of the site, to cut vertical benches (at the bottom eight to ten (8' to 10') feet, for example) where for example 5 foot deep bench exists and they go out at a two to one (2:1) slope and then go back down 5 feet and then take the naturally occurring soil and put it back into the voids. The result would be that it gets wet, loose, and will tend to pull away a bit and slough off. Mr. Welty wants the developer to cut the rock face at the same proposed slope and put a small overlay on it just enough to establish a small ground cover for that rock area. This ground cover will consist of six to twelve (6"-12") inches of soil with a meadow mix grass planting for establishing a small root structure. Mr. Cassidy noted that Mr. Welty concurs with Mr. Cassidy that sloughing is not foreseen, as there is no contributing drainage area going over the top of the soil and that water will only fall from the sky. Mr. Cassidy indicated that Mr. Welty suggested that the rock be cut at the final slope of the proposed grade just to be sure that no sloughing occurs.

PUBLIC COMMENTS:

Sal Marino, 115 Round Hill Road, appeared before the Commission to request that the Commission review the video of the first meeting held regarding the proposed development of the site and note the number of people who spoke against the development of this site. He indicated he concurs with Mr. Oblak's suggestion of having a Conservation Easement for the site. He requested that proposed Lot #5, which borders his (Mr. Marino's) property include a hedgerow (with notation on both the plan for the site, as well as the individual plot plan for Lot #5), due to Lot #5's proximity to his property.

John Oblak, 60 Farms Village Road, noted his preference of having one (1) house constructed at the site. He indicated Town Staff, the Developer and Mr. Cassidy have been professional during this hearing process. He asked that he be contacted, placed on a list and his property be inventoried in a Pre-Blasting Survey, as his property is beyond the three hundred (300') foot area of blasting. He stressed the importance of having the Conservation Easement in place for the development of the site.

Mr. Oblak inquired and Chairman Harley indicated that the documents received by the Commission during this meeting and not yet viewed by the public are *ex post facto* (applied to events that have already occurred, as well as to subsequent events) with regard to this Application.

Ryan Jordan, 22 Burwood Road, appeared before the Commission and noted that cutting away a hill to construct houses reflects how incomplete the Town Regulations are in terms of land preservation. He encouraged preservation of natural landscapes in Town rather than having said landscapes compromised for profit.

Chairman Harley made an inquiry regarding plantings on the north and south sides of lots.

Mr. Cassidy indicated he would have to discuss the issue with his client. He noted the requirement of two (2) street trees per lot is met on the plans submitted.

Commissioner Oickle inquired and Clerk Roberts mentioned that a request for a hedgerow, between houses for example, can be made, but it cannot be made a requirement of a subdivision Application.

Chairman Harley inquired and Clerk Roberts suggested that language in the Conservation Easement be indicated as "satisfactory to the Commission and Town Staff".

Mr. Gillespie indicated that the Chairman would have to sign the mylars.

Clerk Roberts inquired and Mr. Gillespie indicated that deeds and easements have to be satisfactory to the Town Engineer and Town Attorney.

Commissioner Homicki indicated that the proposed conditions are focused and specific and respond to issues raised during the public meetings held regarding this site. He noted that due diligence has been given to the matters raised. He also noted that Town Staff can provide anything else needed regarding this Application, including but not limited to proper language for the easement.

Mr. Ron Drisdelle, 915 Silas Deane Highway, the Developer of the site, indicated he is not opposed to providing a hedgerow of arborvitae to Mr. Marino's property at the edge requested, but he does not want the provision as a condition to this Application. Mr. Drisdelle indicated he could not guarantee how a future property owner would maintain that hedgerow.

Motion: Clerk Roberts made a motion to close the public hearing of **PUBLIC HEARING APPLICATION NO. 1762-12-Z: RJD Development, LLC** Seeking Re-subdivision approval for the creation of five (5) new lots at 214 Goff Road.

Second: Commissioner Oickle seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Homicki, Edwards, Dean; Fazzina;

Nay: None;

Vote: 8 – 0;

This Public Hearing was Closed.

Motion: Clerk Roberts made a motion to approve, with conditions [the nine (9) items as set forth in the Memorandum from Peter D. Gillespie and Denise Bradley to the Planning & Zoning Commission dated June 19, 2012], **PUBLIC HEARING APPLICATION NO. 1762-12-Z: RJD Development, LLC** Seeking Re-subdivision approval for the creation of five (5) new lots at 214 Goff Road, and with the addition that Conservation Easement, as described in Item #5, shall be to the satisfaction of the Commission and Town Staff and shall be executed prior to the final subdivision approval and filing of the mylars.

1. Prior to the issuance of a building permit for each lot, a new set of drainage calculations shall be submitted to the Wethersfield Town Engineer for approval. Such calculations shall be prepared by a licensed engineer and shall support the specific sizing of the proposed underground detention system and yard drains utilizing the “Stormtech” chamber system so as to meet the “no net increase” standard for storm water management.
2. Any required blasting shall conform to the State of Connecticut Blasting Regulations and the Town of Wethersfield Blasting Guidelines.
3. A blasting plan and schedule shall be prepared and submitted for approval to the Wethersfield Fire Marshal for discussion at the required neighborhood Pre-Blast Meeting. This plan shall be prepared with the intention that all site and foundation blasting be performed simultaneously so as to minimize the duration of neighborhood impacts.
4. The developer shall post a bond for Erosion and Sedimentation Control measures, site blasting and grading prior to the filing of any mylars and the start of any site activity.
5. A Conservation Easement area shall be delineated on the subdivision plan and field located for the undisturbed portions of Lots 1-5. This Conservation Easement shall be to the satisfaction of the Commission and Town Staff. This Conservation Easement shall be executed prior to final subdivision approval and filing of the mylars.
6. The proposed slope stabilization methods for all lots shall be implemented immediately upon completion of blasting and to the satisfaction of the Town Engineer. The erosion and sediment control bond shall not be released until site stabilization has occurred to the satisfaction of the Town Engineer. The statements made in the letter from Clarence Welty, Ph.D., P.E. to Jim Cassidy, P.E. of Hallisey, Pearson & Cassidy [Civil Engineers & Land Surveyors] dated June 14, 2012, are included in this condition, to the extent said statements modify anything previously reviewed by the Commission and/or Town Staff.
7. All excavated site materials shall be deposited at a licensed site.
8. The existing septic system, well, and underground storage tank, shall be removed to the satisfaction of all local officials.
9. All utilities shall be installed underground.

Second: Commissioner Homicki seconded the motion.

Discussion:

Commissioner Homicki inquired and Mr. Gillespie indicated that stabilization concerns are addressed in #6, which gives the Town Engineer to be involved in the process.

Clerk Roberts suggested and Mr. Gillespie and Commissioner Homicki concurred that a reference to Clarence Welty's June 14, 2012 letter regarding slope stabilization shall be included in condition #6 above to the extent that said letter modifies anything the Commission and/or Town Staff has previously reviewed.

Commissioner Dean made a POINT OF ORDER and inquired if the upcoming vote is for acceptance of the proposed language for an approval of this Application.

Chairman Harley clarified that the vote is to approve the application with the stipulations, as outlined.

Commissioner Dean indicated that since a Motion has been made and Seconded, he will vote in favor of this Application, but with some reluctance. He is concerned with and not convinced of the impacts of blasting and subsurface hydrology relative to development of the site.

Commissioner Oickle noted he has similar concerns to those raised by Commissioner Dean. He noted his thirty-six (36) year history on the Commission and not voting against a subdivision Application. He also noted the duty of the Commission as administrator of the subdivision regulations but believes this Application is an improper development of its land when considering the slopes, blasting and drainage in and at the area of the site. He believes extreme diligence has been done by all parties relative to this matter. He noted he would be voting against this Application.

Clerk Roberts indicated that although he has generalized concerns with the blasting and drainage concerns raised, he has no professional or scientific basis for reaching any conclusion contrary to those that have been provided by the Applicant and their professional staff. If the Town or neighbors brought forth someone qualified specifically to identify things that should, could, or could not be done, he may have formed a different opinion. He noted there has not been any contrary expert testimony regarding 1) the extent to which the blasting is limited to the front portion and to holes rather than up on the top of the site, 2) the testimony of there not appearing to be any naturally occurring water body on the top of the hill that would be disturbed, 3) the conclusion of the drainage plan as a matter of how ordinary rain runoff is going to be dealt with and to the extent of how the coming and going of water is being tied up as appropriate for this site.

Commissioner Oickle indicated he appreciates Clerk Roberts commentary. He noted concerns with the trap rock ridges at the site being of similar material that could be posing drainage issues in other areas of Town that have similar topography.

Aye: Harley, Roberts, Munroe, Homicki, Edwards, Dean; Fazzina;

Nay: Oickle;

Vote: 7 – 1;

This Application was approved with conditions.

2.2 PUBLIC HEARING APPLICATION NO. 1765-12-Z: Hysni Hoxholli Seeking a Special Permit to construct a detached garage that exceeds the maximum height and square footage requirements of the zoning regulations at 56 Collier Road. (Continued from June 5, 2012)

Motion: Clerk Roberts made a motion to continue the public hearing of **PUBLIC HEARING APPLICATION NO. 1765-12-Z:** Hysni Hoxholli Seeking a Special Permit to construct a detached garage that exceeds the maximum height and square footage requirements of the zoning regulations at 56 Collier Road. (Continued from June 5, 2012)

Second: Commissioner Homicki seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Homicki, Edwards, Dean, Fazzina;

Nay: None;

Vote: 8 – 0;

This Public Hearing was Continued.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO. 1767-12-Z: Capitol Region Education Council Seeking a Special Permit to construct a school at property located at 176 Cumberland Avenue.

Peter Alter, Counsel for CREC, appeared before the Commission for a pre-application review regarding the development of an elementary school at 176 Cumberland Avenue (building formerly occupied by Northeast Utilities). Also present to speak on behalf of CREC were: Ed Widofsky, AIA, LEED AP, BO of Amenta/Emma Architects; Don Walsh, Deputy Executive Director of CREC; Dr. Lynn Toper, Principal, The Discovery Academy; Bob Saunders, Jack Bradley, Esq., Attorney assisting CREC in the acquisition and development of this property; Cori from Close, Jensen & Miller, P.C., Civil Engineers; and Jane Didona, Didona Associates Landscape Architects, LLC.

CREC is looking to develop the site, by way of a special permit, a Pre-Kindergarten through Grade 5 Elementary Magnet School (named The Discovery Academy), with a science and technology theme, and offering a full-day Kindergarten program. The school will have approximately four hundred thirty-five (435) students and will have a maximum capacity for four hundred eighty (480) students.

CREC's proposal for the site is a permitted use under Town regulations. Attorney Alter indicated an erosion and sedimentation control plan will go before the Wethersfield Inland/Wetlands and Watercourses Commission for their approval, bulk regulation relief is not required, and there will be no additional Applications regarding this project to Town Commissions, other than the IWWC, as noted above. The site is three (3) separate parcels, and the CREC plan involves merging those parcels into one parcel totaling 13.3 acres. A six (6) acre parcel to the west of the CREC site would remain under ownership with an opportunity for the Town to acquire it for development at some future time.

Traffic flow onto the site is planned to begin at Jenrich Road, which is a small, public roadway off Wolcott Hill Road on the left side just past Cumberland Avenue when heading north. The site is bounded by Wolcott Hill Road (to the east), Cumberland Avenue (to the south), Route 5/15 (to the north) and to the west by the piece held for development. The Discovery Academy is currently in temporary quarters on Franklin Avenue in Hartford, and if all goes as planned, this school would open at the site proposed in the fall of 2014.

Don Walsh, Deputy Executive Director of CREC, provided a brief overview of CREC, a non-profit educational cooperative, which is owned and governed by the thirty-five (35) school districts in greater

Hartford. CREC provides educational and business support services to those districts and other school districts around the State. CREC operates Magnet Schools and schools for students with special needs. CREC operates fifteen (15) magnet schools. Thirty-Two Million (\$32,000,000.00) Dollars will be spent to renovate the existing building at the site.

Dr. Lynn Toper, Principal, The Discovery Academy Magnet School, indicated school enrollment this past year (2011-2012) was one hundred fifty (150) students and that this fall, Grade 2 will be added. She noted the theme of this magnet school is Science, Technology, Engineering and Math (STEM) and indicated the CT Science Center, the CT Children's' Museum and Roaring Brook Nature Center are three (3) community partners with the school to provide learning opportunities. The design of the school proposed will provide students with opportunities to grow vegetables, study living things and explore nature. The school will add a Grade each year until Grade 5 is added and from Grade 2 and on, robotics will be incorporated into the curriculum. Wethersfield is the number one (1) suburban Town in terms of student population in the school for 2012-2013.

Ed Widofsky, Project Manager, Amenta/Emma Architects, described the design of the school proposed in the existing building at the site. The project is considered a renovate-as-new project. The central portion of the building is three (3) stories with a full basement. There are a couple of pieces that are single stories, including a parking garage and an area used as a cafeteria and a kitchen. A two (2) story portion was constructed after the main portion of the building was built. CREC would like to keep the three story structure and build a new two story structure to its west and take down the remainder of the project. The new single-story portion of the building would house a gymnasium, auditorium and cafeteria, as the existing buildings cannot support the size needed for those spaces. The footprint of the building will be reduced from forty-six thousand (46,000) square feet to thirty thousand (30,000) square feet. The two-story existing structure would be removed. The third floor of the glass enclosed portion of the building will host student collaborative areas, the second floor will have pedestrian bridge and a portion of the media center will extend to the glass portion of that floor as a reading area. The first floor glass portion of the building will have "sheets of water effect" along that wall portion. Materials used in the design inspiration such as light wells and skylight will bring light into the building to emphasize connection with nature. High-pressure, laminate screen paneling is proposed in the design inspiration of the addition because it is durable and easy to maintain. This type of paneling proposed has a high level of breathability and is resistive to mold build up, qualities that are optimal when considering insulation of a room or building. He noted that due to this project being State funded with a renovation of over two million (\$2,000,000.00) dollars, it is required that the building be designed in accordance with, at the minimum, the equivalency of LEED Silver, as well as the State of Connecticut's high performance building requirements.

Cumberland Avenue would be made with two (2) curb cuts, which already exist, in order to segregate bus traffic from car traffic to and from the site. A covered canopy will be constructed from the drop off area to the school entrance. Automobile traffic will arrive at the site via Jenrich Road off Wolcott Hill Road leading to a one-way extension to the student drop off area. A valet-style area will exist for parents to pull up curbside and allow a staff member to assist a child from their vehicle without the driver actually having to physically exit their own vehicle. There will be a parking lot with one hundred, twenty (120) parking spaces for school staff.

Jane Didona, Landscape Architect spoke of the natural light concepts and natural materials/colors planned for use in the overall design of the learning spaces to stimulate learning indoors and out. There will be ADA compliant learning areas. She noted wetland areas will be enhanced and used for learning.

Attorney Alter indicated the criteria for a special permit has been satisfied and noted the site is highly suitable for the use, as well as the size and intensity of the use, proposed. He also indicated the use is appropriate for the surrounding area, as there are opportunities for community use of the outdoor spaces, including a U-11 irrigated soccer field, while school is not in session. He mentioned there is a reduction in the amount of impervious space and an increase in the green space for the use proposed. He noted the parking proposed for the site is in line with that of other Wethersfield schools. He also noted the former use of the site was of greater intensity and impact to the neighborhood.

Chairman Harley noted the following documents for the record: 1) May 23, 2012 Memo from Michael J. Turner, Director of Public Works/Town Engineer; to Peter Gillespie, Town Planner; and cc: to Attorney Peter Alter and Attorney Jack Bradley regarding Traffic Study; 2) June 15, 2012 Memo from

Michael J. Turner, Director of Public Works/Town Engineer, to Peter Gillespie, Town Planner; Denise Bradley, Assistant Planner; Don Moisa, PW Inspector; Cory Garro, P.E. of Close, Jensen & Miller regarding storm sewer design computations, 3) June 13, 2012 Letter from Denise Bradley, Assistant Planner on behalf of the Design Review Advisory Committee, to Edward J. Widofsky of Amenta/Emma Architects, P.C. commenting on the paved parking area to the west; 4) June 14, 2012 Memo from Peter Gillespie, Economic Development Manager/Town Planner and Denise Bradley, Assistant Planner to the Planning & Zoning Commission, a comprehensive document with suggested conditions, and discussion of issues relative to demolition activities, lighting requirements, etc.; 5) June 13, 2012 Memo from Anthony Dignoti, Fire Marshal, to Peter Gillespie, Town Planner/Economic Development Manager; cc: to Denise Bradley, Assistant Planner [Attorney Alter indicated he discussed, and is in agreement, with the Fire Marshal regarding the terms of this Memo]; 6) June 15, 2012 Letter from Susan Fennelly, 57 Country Club Road, stating her support of this Application, 7) June 13, 2012 Traffic Study prepared by GM2 Associates, Inc., Consulting Engineers. Attorney Alter requested the Drainage Study be made part of the record.

Commissioner Homicki requested the Minutes from the May 1, 2012 Planning & Zoning Public Hearing and Meeting be made part of the record, as there is some good discussion and dialogue mentioned in the Pre-Application Hearing.

Chairman Harley requested the June 15, 2012, certificate of mailing, which notified neighbors of tonight's meeting, be made part of the record. He also noted for the record that Staff made and has provided a copy of the page from the Traffic Study which refers to existing parking at Wethersfield Elementary Schools.

Commissioner Fazzina inquired and Mr. Widofsky, AIA, (Architect) indicated that a place of refuge, as defined by FEMA or a government agency, would require a much larger generator than what will exist at the site. Mr. Widofsky indicated the generator that is proposed for the site would solely support the life safety systems of the building.

Commissioner Fazzina inquired and Attorney Alter indicated that 1) CREC would run a summer school for its students during the two (2) months school is not in session, and 2) CREC would be responsible for plowing. Commissioner Fazzina noted that people who are currently accustomed to using the Wolcott Hill Road and Jordan Lane areas for their daily commute will be trained into using the Silas Deane Highway and Berlin Turnpike as alternatives due to the traffic activity post development of the site during the site's peak traffic hours.

Commissioner Homicki inquired and Attorney Alter indicated the auditorium, gymnasium and all of the outdoor spaces will be available for public use when school is not in session.

Commissioner Homicki inquired and Mr. Ruvino of GM2 Associates, Inc. indicated that access toward the drop off area comes from Jenrich Road. Mr. Ruvino noted the front-end access is solely for buses, and the only anticipated traffic from the streets off Cumberland Avenue (Park and Wood Avenues coming in from Nott Street, for example) would be for traffic from that neighborhood to gain access to the site (facility).

Commissioner Homicki commented favorably regarding the downsizing of the site's square footage, the monetary commitment to the project, the site plan details and presentation, and the thoroughness of the Traffic Study. He inquired and Attorney Alter indicated the site (less the 6 acre parcel) will be an outright acquisition. Commissioner Homicki inquired and Attorney Bradley indicated the sellers of the site agree to make a one-time payment to the Town out of the sale proceeds of two million (\$2,000,000.00) dollars, and that no taxes are required to be paid.

Commissioner Homicki inquired and Attorney Alter indicated that no significant pedestrian traffic would create the need for a sidewalk from Cumberland Avenue to Folly Brook Boulevard, as most everyone on foot would arrive from the Wolcott Hill Road side of the site. Additionally, Attorney Alter indicated there will be a diverse school population from a number of Towns that will arrive at the site, predominantly by bus and some by car.

Commissioner Homicki inquired and Attorney Alter indicated the proposed site for the dumpster is most practical, as it would be located close to the cafeteria, loading, and sanitation areas. Ms. Didona

indicated that fencing and a high evergreen screen are planned for the dumpster area.

Commissioner Homicki inquired and Ms. Didona indicated that one of the areas for snow storage would be in the area of the rain gardens. She also noted that snow storage in various appropriate areas throughout the site is optimal.

Commissioner Homicki indicated based on his professional experience that the project proposed is a compliment to the neighborhood and may potentially increase the property values in that neighborhood.

Commissioner Oickle inquired and Ms. Didona indicated that a berm is earth that is shaped by using earth and seed to create topography such as slopes and height to create three-dimensional interest at the site. This will help create enclosed, spatial areas. She noted that rain gardens are six to eight (6-8") inches deep and are created to accommodate plantings while re-charging ground water. Once the water filters through all the plant material, topsoil, and drainage material (gravel) that is under it, an overflow pipe will take that drainage to the storm water drainage system designed by Close, Jensen & Miller, P.C. This area is located on the north side of the property in the Parent "drop off" area. She noted that small rain gardens are planned in a location on the west portion of the site with another planned east of the soccer field proposed for the site.

Commissioner Oickle inquired and Ms. Didona indicated that the hedgerow in the eastern and northern areas of the site will remain, as it has a screening effect from highway traffic and noise. She noted a fence exists along the site abutting Route 15 and that a fence is proposed (at the Police Chief's request) for the west side of the site. She also noted that the area to the north side of Jenrich Road and the existing parking area will be neatened.

Commissioner Oickle inquired and Attorney Alter indicated the Fire Marshal required full circularity of fire apparatus/emergency vehicles at the site. Mr. Widofsky indicated the cafeteria (180 seats) and auditorium areas would hold at least four to five (500) hundred people.

Chairman Harley inquired and Attorney Alter noted that although the traffic report does not take into account traffic patterns for events drawing as many as five hundred (500) people, the traffic report indicates the Town will have to establish some limit of activity at the site. He noted the Town would have to regulate activity and take traffic into consideration when weighing in on any commercial activity and the parking needs for the activity in Town. Mr. Widofsky indicated the school itself, as proposed for the site, would not need parking for five hundred (500) people.

Mr. Ruvino indicated an event drawing as many as five hundred (500) people, he would expect that, generally, a three (3) people per vehicle arrival to the site would occur and that the police could be present to help control the parking demand.

Commissioner Oickle inquired and Mr. Ruvino indicated the intersection of Wolcott Hill Road and Jordan Lane, after discussions with the Police Chief, Town Planner and Town Engineer, could have lane use control established on Wolcott Hill Road in one (1) direction, heading south, to indicate a left turn lane and a right thru lane. In the direction heading north, any lane use control is encumbered by parking at the small retail plaza on the right hand side and to the intersection of Wolcott Hill Road and Jordan Lane. On Jordan Lane, lane use control is encumbered by the Route 15 overpass at the intersection.

Commissioner Oickle inquired and Ms. Didona indicated that in the eastern portion of the site, the wetlands will remain untouched (natural). She noted the area adjacent to Cumberland Avenue is not flagged as wetlands and that a pruning specification through construction will be put together for an arborist to indicate what has to be pruned and how it will be done, all of which will be provided to the contractor. She noted there will be a tree protection specification, and that there will be general cleanup and maintenance of the north portion of the site on Jenrich Road.

PUBLIC COMMENTS:

Scott Smith, 13 Lexington Street, appeared before the Commission and is concerned with the demolition work of 49,000 square feet of material being removed from the site. He noted his desire to know what time of day the work will take place, dust control measures, the routes the commercial vehicles will take during the development of this site, and how long the completion of the entire project will take. He

noted the project proposed will change the neighborhood significantly despite neighborhood enhancement. He believes traffic will be impacted with an increase and that Lexington Street is currently utilized as a cut-through street. For the average taxpayer living around this site, this project has no financial benefit. Please consider everything carefully, in particular the demolition work and its impact on the existing neighborhood.

Chairman Harley indicated that concerns of the neighborhood relative to the demolition and construction phases of the project are also concerns of Town Staff, and those concerns will be addressed.

Behn Sikora, 35 State Street, appeared before the Commission in support of this Application. He noted he spoke to the Town Council and the Board of Education regarding this project. He mentioned his six-year-old-son is a student at the school and spoke of the positive experiences his son has had at The Discovery Academy relative to learning and meeting friends from many other towns in Connecticut. He noted that as a life-long resident of Wethersfield, he is very excited about this plan, as it takes an existing vacant building into a school that will accentuate the existing schools in Wethersfield. He noted the STEM program (Science, Technology, Engineering, and Math) used in this school is highly regarded.

Andrew Rokycky, 132 Midwell Road, appeared before the Commission in support of this Application. His daughter recently completed the Pre-Kindergarten program at the school's current location on Franklin Avenue in Hartford. He noted he understands the concerns of the neighbors regarding demolition work associated with the project and indicated the proposed school is a great addition to the Town.

Diana Innaucci, 75 Oakdale Street, appeared before the Commission in support of this Application. She indicated her son is a Pre-Kindergarten student at the school and has had a great experience. She looks forward to enjoying the amenities the site would offer if this Application is approved. She mentioned that the plan proposed would add life to the neighborhood.

Dan Silver, 19 Orchard Brook Drive, appeared before the Commission in support of this Application. He described the plan as a 'win/win' for the Town, as 1) the gymnasium, cafeteria and outdoor spaces at the site are available for Town residents when school is not in session, and 2) six (6) acres of the site will remain as a development opportunity for the Town. He urged the Commission to be mindful of the demolition impact and the phases of construction relative to the residents of the neighborhood surrounding the site.

Commissioner Oickle inquired and Mr. Silver indicated that the use of this property as a commercial site in the past was a more intensive use than the use for the site now being proposed.

Glenn Terk, Esq., 81 Wolcott Hill Road, appeared before the Commission in support of this Application. He noted this project will not allow for disposition of product, as the current use in place for this site. He also noted the proposed school would be an asset to the neighborhood and believes the neighborhood values will appreciate. He believes the Commission will act on this Application mindful to the neighborhood residents.

Cheryl Gervais, 105 Wolcott Hill Road, appeared before the Commission in support of this Application. Her back yard borders the site due east, and she indicated that she likes the plan proposed. She worked in the existing building as an employee of Northeast Utilities and that her work unit was one of the last units to vacate the site six (6) years ago. She noted that leaves have been dumped in a pile at the site, and the pile has caused water backup. She is optimistic for better care of the site to occur with the plan proposed.

Clerk Roberts inquired and Mr. Walsh indicated that the State runs the lottery. Mr. Walsh noted that often times, there is a disproportionate number of applicants from the host Town of a CREC magnet school. He noted that if the Wethersfield Board of Education, or the Town, he supposes, would like CREC to have a special allotment set aside for Wethersfield children so that there were no less than a certain number of seats, then State Department of Education would understand the issue and would be willing to work on that issue. He noted that CREC just needs to be asked in order to get that request process started.

Clerk Roberts inquired and Attorney Alter indicated that eighty (80%) percent of the trips made to the site daily are made by buses [twenty (20) bus trips], and twenty (20%) percent of the trips made to the site daily are made by car [one hundred (100) car trips]. Attorney Alter indicated that CREC runs its own bus system and noted that the routes taken by buses will be a function of where the student population lies. Clerk Roberts inquired and Attorney Alter concurred it is optimal for the Applicant to work with Town traffic authorities and its traffic engineers for encouraging bus traffic and parent traffic to go in a certain direction post drop off so that the traffic issues created by the existence of the new school will not exacerbate current traffic conditions in the area and avoid the urge to use alternative routes that will burden local roads/streets that are not necessarily designed for the kind of traffic that could result as herein described.

Clerk Roberts indicated he understands the assertion of less parking areas being required than an office building at this site would entail. He noted, however, that the school would generate more trips one would think necessary based on the number of parking spots because of the example used of one hundred (100) parents coming through the site and not using any parking to drop off their children. He concluded, therefore, that the traffic study likely addresses the higher impact of traffic rather than the number of spaces alone might indicate. Attorney Alter indicated that the A&P level of service is diminished due to what exactly Clerk Roberts is speaking of herein.

Clerk Roberts noted that the premise of the parking space allotments in the Town's elementary schools is that student arrival is by walking or being driven by bus. He also noted that parents could likely attest that on more than one occasion per year, the number of parking spaces has been grossly inadequate for the use there particularly when there is an overt and intentional public use component of the facility. As such, he asked the issue of parking accommodation on and in proximity to the site with regard to public events be re-evaluated with consideration to the surrounding streets and how they are marked for parking or "no parking" to get some idea of where the overflow parking will allow.

Commissioner Dean inquired and Attorney Alter concurred that the funds for this facility are provided by a State commitment of funding to satisfy requirements of the ruling in *Sheff vs. O'Neill*.

Commissioner Dean inquired and Dr. Lynn Toper, Principal, The Discovery Academy, indicated that the upcoming lottery for the 2012-2013 academic year has been completed, and there is a total number of two hundred twenty (220) students at the school. The total number of students is from the grades Pre-Kindergarten, Kindergarten, and Grade 1. She noted that twenty one (21) students from the Town of Wethersfield (which is the largest percentage of the suburban Towns) are current students of The Discovery Academy and that the student population is from thirty-two (32) Towns.

Commissioner Dean indicated that for him to support this Application, he would have to overcome an adverse interest because he and his neighbors are going to be adversely affected by the traffic. He noted he resides off a short feeder street off Jordan Lane that is between the Silas Deane Highway and Wolcott Hill Road. He also noted there can be a wait of at least five (5) minutes just to get from his street to the route of Jordan Lane, Silas Deane Highway and then onto the entrance ramp to Route 15. He noted had difficulty in seeing the benefit to overcome that particular negative attribution to support the project proposed. Attorney Alter indicated that he certainly recognizes that people are used to seeing no traffic generated from this vacant site and indicated that it is unreasonable and inappropriate for a community to think that a hundred thousand (100,000) square foot building is going to remain vacant in perpetuity so that traffic does not change. He suggested the analysis of traffic should be mindful of the traffic generated if a fully operational office building occupied the site. He also noted that any use the current building would be used for (other than perhaps a storage facility) would generate an equal or greater amount of traffic than the use proposed. He believes that anyone attempting to quantify this to the existing traffic would have an analysis that is fundamentally flawed because the site is vacant and there is no traffic generated from the site. He noted the proposal before the Commission involves a less intense use of the site than that of the site when it was fully occupied.

Commissioner Dean inquired mentioned that the Town will receive a one-time lump sum payment and that there will be no tax revenue for the portion of the site subject to this Application.

Commissioner Dean inquired and Mr. Walsh indicated that he is not aware of any instances where CREC did not attend to property/building maintenance issues. Mr. Widofsky indicated that the roof top

cooling units are smaller and create less noise (35 decibel standard) than others used at CREC facilities.

Commissioner Dean inquired and Mr. Widofsky indicated that a renovate-as-new rather than constructing an entirely new school results in cost savings.

Commissioner Dean inquired and Mr. Walsh indicated that new legislation allows for expenses of a project [such as a possible parking lot modification with the owner of the 6-acre parcel, as may be discussed with said owner as a good-faith interest (per Attorney Alter)] to be submitted that in the past were not considered "eligible expenses".

Commissioner Dean inquired and Mr. Walsh indicated that landscaping renewal would be support by CREC's operating budget.

Commissioner Edwards inquired and Mr. Saunders, Project Manager for CREC, indicated that a remedial plan was filed by Northeast Utilities with the Department of Environmental and Energy Protection (DEEP), and a copy is forthcoming. He noted there was a spill on the site approximately seven (7) years ago and Northeast Utilities is responsible for it.

Chairman Harley inquired Mr. Walsh indicated that tuition at The Discovery Academy is four thousand (\$4,000.00) dollars and noted that the cost of educating a child in the Wethersfield Public School system is \$14,000.00. The rest comes from the 10443 Grant from the State, and the Town continues to receive the ECS of \$2,000.00 per child per year. Attorney Alter indicated that Wethersfield receives a certain amount from the State of CT per student, per year to send students to Wethersfield Public Schools. The Town of Wethersfield pays a certain amount to send its students to magnet schools. It was noted that it is State law that if a child is accepted and wishes to go to a magnet school, the Town in which the child resides will pay the tuition to send that child.

Chairman Harley inquired and Ms. Didona indicated that low impact design (LID) elements, such as permeable pavers (north parent drop off area), drought-tolerant seed with a deep root (requiring less mowing and watering), and a sprinkler system for the soccer field, are incorporated in the design/landscape of the site.

Chairman Harley noted (from the Commissioners) information needed for the next meeting from the Applicant: 1) Traffic study re-evaluation, as discussed, including but not limited to comments made by Town Staff; 2) Time line for project with information relative to phases, hours, workdays, pertaining to demolition and construction; 3) response to Town Staff observations; 4) PDF format of proposal provided to Commission for purpose of public access to the Plan on Town website.

Commissioner Dean inquired and Attorney Alter indicated that providing financial information relative to the impact on the Town over the next twenty-five (25) years in terms of savings/tuition costs, etc., is a request that is extremely outside the scope of Town regulations regarding an Application for a Special Permit Application.

Mr. Gillespie indicated that he will speak to the Town Council regarding financial information they may have reviewed relative to this Application.

Motion: Commissioner Oickle made a motion to continue the public hearing of **PUBLIC HEARING APPLICATION NO. 1767-12-Z: Capitol Region Education Council Seeking a Special Permit to construct a school at property located at 176 Cumberland Avenue.**

Second: Commissioner Homicki seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Homicki, Edwards, Dean, Fazzina;

Nay: None;

Vote: 8 – 0;

This Public Hearing was Continued to the next Meeting of the Planning & Zoning Commission (Tuesday, July 10, 2012) .

3.2 APPLICATION NO. 1768-12-Z: Wethersfield Retail, LLC, Seeking a Site Plan Modification for a building addition, loading docks and associated site improvements at 150-310 Silas Deane Highway.

Mr. Peter La Pointe, a Project Manager of the Colvest Group, 360 Bloomfield Avenue, Windsor, CT, appeared before the Commission. He noted the owner of the site, Wethersfield Retail, LLC, is assisting their tenant (owner of Price-Rite, 150-210 Silas Deane Highway) to get the local approvals for in expanding their existing facility by approximately fifteen hundred (1,500) square feet for purposes of material handling and moving two (2) tenants [Steve's Package Store and Pizza Time Restaurant] to the vacant space formerly known as Hollywood Video. The expansion would occur in two (2) areas. Approximately three hundred, fifty (350) square feet would be added to the existing loading dock facing Jordan Lane and to add approximately one thousand, one hundred (1,150) square feet of a single story building space immediately behind the space now occupied by Steve's Package Store and Pizza Time. The ten thousand (10,000) square foot space formerly occupied by Teddy's Department Store is the only vacant space remaining.

Mr. Dana Steele, Civil Engineer of RJ Russo & Associates, One Shoham Road, East Windsor, CT, prepared the site plan. Mr. La Pointe noted the overall change to the site plan is minor in terms of floor area and building coverage. Two (2) parking spaces will be eliminated in order to accommodate appropriate truck maneuverability in and out of the expanded loading dock.

Mr. Steele referred to the twenty (20) scale blow up of the area in the plan referred to herein. He noted the entire parcel is ten (10) acres with the activity being in the northeast corner (back) portion of the building which is a small portion of the site and is visible from Jordan Lane. The plan calls for expanding the loading area and adding a second dock door. One change being request is to lower the pavement grade, as Price Rite's trucks are having trouble getting into the dock door and, currently, some inconvenient alternative measures are being used to access the dock door. A challenge with lowering the grade involves work with the storm drainage system. He noted the outlet for the storm drainage is already defined, so the outlet cannot be lowered. In order to reduce the cover to that pipe, the catch basin will be replaced by a trench drain. No increase in runoff is anticipated. The three dumpsters will be screened with privacy slats in the location selected for purposes of easy access to the refuse trucks. An island with an ornamental tree and shrubs will be moved and replaced. A light pole will be re-located as well. The site has four hundred thirty two (432) parking spaces and four hundred seven (407) parking spaces are required for this plan. A contract pad will be located at the dock, and the speed lift at the dock will be removed. He noted the comments from received by Town Staff and noted a revised site plan has been submitted this evening to the Commission and Town Staff in response to the Town Staff Plan review comments of June 14, 2012.

Mr. Steele indicated that this property is located within a flood zone and has been detailed in the flood study as elevation thirty-four (34), as noted in bold print on the revised plans. The very easterly end of the larger addition and the entirety of the smaller addition are within that flood plain. The result is a decrease in flood storage of about twenty-two (22) cubic feet. However, due to the re-grading and dropping of pavement, there will a substantial increase in flood storage capacity of approximately one hundred twenty-four (124) cubic yards. He indicated that by order of magnitude, there will be compensation for the structures themselves. The finished floor of the building is more than one (1) foot

above the flood elevation for the building. He noted on the revised plan, that the fire lane signs will be replaced along the driveway to Jordan Lane. He also noted that the contractor will look at the existing drainage system and will clean it accordingly, or fix it if it is broken.

Commissioner Oickle inquired and Mr. Steele indicated he and his client agree that the suggestions made by Staff can be conditions to this Application, including the maintenance and cleaning of the drainage system. Mr. Steele noted that sheet two (2) references trees/shrubbery for the site.

Commissioner Oickle commented favorably regarding some cleaning of the site. He noted that the north area of the site by Jordan Lane needs improvement, as the pavement needs repair. The owner of the site commented that he would like to see it developed at some point.

Clerk Roberts commented that the pad site area by Jordan Lane referred to in the previous paragraph looks unsightly.

Commissioner Homicki suggested that the owner market the pad site aggressively due to the positive changes that are occurring in that area. Commissioner Homicki inquired and the property owner stated his commitment as financially responsible for the leaseholders' improvements mentioned in this Application.

Mr. Gillespie indicated that this Application is subject to a flood review at the Inland/Wetland and Watercourses Commission Meeting on June 20, 2012.

Motion: Commissioner Oickle made a motion to approve, as reflected in the revised Site Plan submission made at this meeting, **APPLICATION NO. 1768-12-Z: Wethersfield Retail, LLC**, Seeking a Site Plan Modification for a building addition, loading docks and associated site improvements at 150-310 Silas Deane Highway, and with the following conditions:

1. The contractor for the project shall check the drainage system to ensure it is clean and functional; and
2. If the drainage system is not clean and functional, the contractor shall create and implement a plan for the drainage system to be clean and functional.

Second: Clerk Roberts seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Homicki, Edwards, Dean, Fazzina;

Nay: None;

Vote: 8 – 0;

This Application, with its revision submission and conditions, was approved.

3.3 PUBLIC HEARING – APPLICATION NO. 1760-12-Z: Town of Wethersfield Proposed amendments to various sections of the Wethersfield Subdivision Regulations.

Mr. Gillespie provided the Commissioners with document that would replace the document revised in 2000. The document revised in 2000 dated back to 1962. The purpose of the revised document is to bring Town Regulations up to date with State Statute, assist with permit clarification and approval processes in place. He noted some changes to the document that were made since the last discussion of this matter.

There are some errors and omissions changes, as well as some other changes, that need to be incorporated into this document and will be made for consideration at the next meeting.

In the future, there will be more comprehensive changes which he believes will change the format of the Regulation.

There were no comments made by the Public.

Commissioner Homicki inquired and Mr. Gillespie indicated, as discussed with Clerk Roberts, that a Town Ordinance regarding fee increases can be made with language that allows for fee increases when appropriate.

Motion: Clerk Roberts made a motion to continue the public hearing regarding APPLICATION NO. 1760-12-Z: Town of Wethersfield Proposed amendments to various sections of the Wethersfield Subdivision Regulations.

Second: Commissioner Homicki seconded the motion.

Aye: Harley, Hammer, Roberts, Munroe, Oickle, Homicki, Margiotta, Dean;

Nay: None;

Vote: 8 – 0;

The Public Hearing Pertaining to this Application was continued to a future meeting of the Planning & Zoning Commission.

3.4 Referral from the Zoning Board of Appeals - Appeal No. 6095-12: Larisa and Khurshid Khan Seeking a Variance to build a two family dwelling on Middletown Avenue, east side.

Mr. Gillespie indicated the Commission has the authority by Town Regulations to review land use variances prior to hearing before consideration by the Zoning Board of Appeals. He noted that in this matter, the Appellants are seeking a variance allow for construction of a two-family dwelling in an “A” residential zone. Portions of the site are zoned C and AG, and the site is located on the east side of Middletown Avenue. The site is in proximity to a number of multi-family dwellings, and is located between addresses 326/328 and 332 Middletown Avenue. There is no house number noted on the Agenda for the site, as a residence does not currently exist at the site. There is a twenty (20’) foot wide access way leading to this rear lot. All of the property fronting on Middletown Avenue is “C” zoned. The lot is a triangular-shaped, flag lot with split zoning of agricultural (“AG”), A, and C zones. The site is also on the CT River Channel encroachment line, as well as in flood zone and wetlands areas. He noted the eight (8) acre site has limited buildable area, and that the twenty (20’) foot wide access strip to this rear lot is located in the historic district.

Commissioner Homicki inquired and Mr. Gillespie indicated that water and sewer utilities are accessible from Middletown Avenue and, the Appellants would have to extend the utilities to the rear lot.

Mr. Gillespie indicated an option of applying for a zone change was given, but the Town Plan of Development did not recommend re-zoning, and, therefore, the Appellants did not wish to pursue that option.

Commissioner Oickle inquired and Mr. Gillespie indicated the Appellants have put together a hardship

argument for consideration by the Zoning Board of Appeals due to the limitations of the property.

Clerk Roberts indicated the question is whether the use variance will allow for a two-family in a property that is in many different zones, none of which allow two-family residences, but is located behind an area with many two-family residences.

Commissioner Oickle indicated he is not in favor of multi-family residences existing in rear lots.

Chairman Harley inquired and Mr. Gillespie indicated that the Fire Marshal has provided commentary indicating that turning radius of fire apparatus and other emergency vehicles must be met.

Clerk Roberts inquired and Mr. Gillespie indicated that a single-family residence could be built at the site without a variance.

Commissioner Homicki indicated that a few years ago, the Commission spent a significant amount of time defining rear lots and putting the definition in process. He concurred with the above statement made by Clerk Roberts and indicated the question is whether a one-family or two-family residence will be permitted.

Chairman Harley indicated that no follow-through regarding the construction of either a single-family or a two-family residence would be required by the Commission other than Staff comment. He noted that the constraints of rear lot residences can be achieved in either case (single-family or two-family residence) with conditions established in the approval process.

The Zoning Board of Appeals may refer to the Commissioners' Discussion of this matter, as noted the Planning & Zoning Commission's June 19, 2012, Meeting Minutes.

4. OTHER BUSINESS:

There was no other business discussed during this meeting.

5. MINUTES – May 1, 2012 and June 5, 2012 meetings.

May 1, 2012 Planning & Zoning Commission Meeting Minutes:

Motion: Commissioner Oickle made a motion to approve the minutes, as submitted.

Second: Clerk Roberts seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Dean, Fazzina, Vasel;

Nay: None;

Vote: 7 – 0;

Commissioner Homicki and Commissioner Edwards did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of May 1, 2012.

Minutes Approved as submitted.

June 5, 2012 Planning & Zoning Commission Meeting Minutes:

Motion: Commissioner Oickle made a motion to approve the minutes, as submitted.

Second: Clerk Roberts seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Homicki, Dean, Vasel;
Nay: None;

Vote: 7 – 0;

Commissioner Edwards and Commissioner Fazzina did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of June 5, 2012.

Minutes Approved as submitted.

6. STAFF REPORTS:

There were no reports made by Staff during this meeting.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING.

There were no public comments made at this meeting regarding general matters of planning and zoning.

8. CORRESPONDENCE:

8.1 A memo from Jeff Bridges, Town Manager dated June 4, 2012 regarding the Connecticut Environmental Review Team (ERT).

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 Public Hearing Application No. 1769-12-Z Jaimin Malaviya Seeking a Special Permit in accordance with Sections 5.2 and 5.8 of the Wethersfield Zoning Regulations for the addition of restaurant, larger banquet facility, kids play hall and for the sale and dispensing of alcoholic beverages at 1330 Silas Deane Hwy. (Comfort Inn)

10. ADJOURNMENT:

Motion: Commissioner Oickle motioned to adjourn the meeting at 11:25 PM.

Second: Commissioner Fazzina seconded the motion.

Aye: Harley, Roberts, Munroe, Oickle, Homicki, Edwards, Dean, Fazzina, Vasel;
Nay: None;

Vote: 9 – 0;

Meeting adjourned.

Respectfully submitted,
Ellen Goslicki, Recording Secretary