

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

September 17, 2013

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, September 17, 2013 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

1. CALL TO ORDER:

Chairman Roberts called the meeting to order at 7:00 p.m.

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

Clerk Margiotta called the roll as follows:

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

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

Chairman Roberts noted at the time of roll call there were six (6) full members and two (2) alternate members in attendance. All members present to participate.

Members of the Public were present.

2. OLD BUSINESS:

There was no Old Business discussed at this meeting.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO. 1805-13-Z: PDS Engineering & Construction Inc. c/o Chris Eseppe Seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to construct a church on Russell Road.

Mr. Chris Eseppe, PE, PDS Engineering & Construction, Inc., appeared before the Commission on behalf of the Applicant, St. Mary's Kananya Church (which is currently located in West Harford, CT). The Applicant is requesting special permit approval to construct a five thousand, four-hundred sixty (5,460) square foot church with fifty-six (56) parking spaces (four (4) of which will be designated for

handicap parking) at 648 Russell Road. The site, consisting of approximately 1.85 acres with two hundred, forty-seven (247) feet of frontage, is vacant and wooded. The site is located in a regional commercial zone. A landscaping waiver is being sought, as the perimeter of the site will be lined with existing trees. Mr. Eseppi indicated extra trees, as depicted in the plans, will be planted in the center of the parking area. October Gloria maple trees and pear trees will be planted in areas depicted in the plans.

Mr. Eseppi indicated there is no sewer in the proposed area on Russell Road, and, therefore an approval was sought and granted from the Health Department for the septic system (subsurface disposal system) proposed for the site. A subsurface storm water drainage system has been reviewed with the Engineering Department (who commented as well).

Mr. Eseppi submitted for the record a letter from John P. Ianni, M.S. of Highland Soils, LLC. Mr. Ianni noted there are no wetlands on the property.

Mr. Eseppi indicated there is no issue with comments from the Engineering Department, including but not limited to their asking for details regarding: the retaining wall, handrails, and what Mr. Eseppi described as some housekeeping notes.

Mr. Eseppi mentioned there was a meeting with the Town Fire Marshal today and the Applicant is in agreement with the ideas pertaining to turning radius when accommodating fire/emergency apparatus.

Mr. Eseppi explained the hours of service include Sunday prayer service at 9:00 a.m. with Sunday School from 11:00 a.m. to 12:00 p.m. Yearly Thursday and Good Friday services are from 9:00 a.m. to 2:00 p.m., and the first Saturday in June service from 6:30 p.m. to 8:30 p.m. He noted there is no dance hall type of use proposed for the site and requested in this Application.

Commissioner Fazzina inquired and Mr. Eseppi indicated this site has historically been wooded with no other use occurring therein. Mr. Eseppi indicated Phase I soil testing was completed on this property as part of the purchase agreement. Deep pits had to be completed (7-8 feet to ledge) for the septic design. Fill will be added to the site to accommodate retaining wall and other necessitated areas for grading. Mr. Eseppi asserted that although the proposed retaining wall depth may exceed six (6') feet, geotech is not needed, as test pit studies revealed the existing material as sufficient. The storm tech system was moved because it needed to be located seventy-five (75') feet from the subsurface sewage disposal system (refer to resubmission of plans). The system is sidewall discharged, and weeps will be installed to accommodate any lateral water pressure.

Clerk Margiotta inquired and Mr. Eseppi indicated the bottom of the leaching gallery of the septic system as proposed (and knowing ledge is present at the site) meets the Connecticut code requirements and test holes were inspected by the Local and State Health Departments. Mr. Eseppi noted additional drainage flow from the parking area into area of the level spreader and leaching areas will be mitigated by swales installed at the site.

Vice Chairman Harley inquired and Mr. Eseppi described the retaining wall materials as including a fence on top with reinforced concrete of curb height and syntax.

Chairman Roberts inquired and clarified with Mr. Eseppi that details in a previous plan for this property referring to roof mounted equipment and sidewalk along Jordan Lane do not pertain to the subject Application. Mr. Eseppi clarified that traffic generated at the site would result from forty-five to fifty (45-50) families. Chairman Roberts suggested and Mr. Eseppi agreed that encouraging parishioners to utilize Arrow Road and the Berlin Turnpike from their ingress into and egress from the site is optimal given the traffic patterns of Wells Road (Route 175) and the Berlin Turnpike (Route 15).

Chairman Roberts inquired and Mr. Gillespie indicated concerns of the Fire Marshal were: 1) site layout is tight in terms of turning radius (in particular the lower parking lot and lower level areas of the site) he will review the plan prior to the issuance of a building permit to see if any adjustments can maximum turning radius for emergency vehicles; and 2) that a fire service connection service (hydrant) be installed on Russell Road at the right side of the driveway as to not rely solely on accessing a hydrant directly on site, and 3) since the parking demand in this Application is based on occupancy of the main building (church) and not the basement level, a condition reflecting parking based on the Church section only,

and not the basement level, is made in an approval of this Application. Other comments relating to knock box, sprinkler connections, fire lane requirements were also mentioned in the Fire Marshal's comments. The Fire Marshal is okay with this Application based on everything discussed, re-addressed and decided, in the discussion that took place at the meeting held late this afternoon, and he could not create a revised Memo due to the late meeting of today. Chairman Roberts inquired and Mr. Eseppi indicated that his client understands, is in agreement, and will comply with the matters discussed with the Fire Marshal today. Mr. Eseppi explained which trees are owned and not owned at the perimeter of the site and noted trees that are not owned by his client are not being counted in the landscaping requirement.

Commissioner Hughes inquired and Mr. Eseppi indicated the location of the septic tank will be able to support fire apparatus.

Clerk Margiotta inquired and Mr. Eseppi noted there is a warming kitchen in the community area (room) at the site and no major cooking will be going on at the site.

Mr. Gillespie noted the following correspondence in the file: 1) Fire Marshal comments; 2) Central Connecticut Health District (CCHD) approving the septic design; 3) Town Engineer comments; 4) Planning Department comments; and 5) Design Review Advisory Committee comments. He noted that although there are no wetlands at the site, tomorrow evening the Inland Wetland and Watercourses Commission is reviewing erosion and sediment control plan. He reminded the Commissioners to address the landscape waiver request. Comments of the Fire Marshal and lighting with consideration to the neighbors (poles are commercial in nature and are approximately twenty five (25) feet in height) are matters of inclusion when considering conditions to an approval of this Application. There are comments, concerns, details and plan revisions required by the Town Engineer, as well as a dual occupancy provision that should be incorporated into any action taken on this Application. The site is located on a State owned road and therefore permits from the State Department of Transportation will be required for the new driveway.

Mr. Gillespie noted the first set of plans received by the Commission was architectural drawings for this Application, and the second set (revised plans) reflects the comments made by the Town Engineer. The plans were referred to the Town of Newington due to the site's location being in proximity to the Newington Town line. No comments were received by the Town of Newington.

Mr. Gillespie noted that despite receiving no comments by the Town of Newington, its Town Planner was present at this meeting and may wish to comment.

Vice Chairman Harley inquired and Mr. Gillespie indicated the status of the land across the street from the Applicant's site is winding its way through the legal process with a potential resolution on the horizon.

Mr. Eseppi submitted a plan depicting the lowering of lighting at the site.

Mr. Gillespie indicated there is a residence at 632 Russell Road (nearest and most proximal home impacted), and a lot with a residence adjacent to it on the other side of the site. He also noted that in the back portion of the Applicant's lot, there is a residence located on the Berlin Turnpike to the left. The lot directly behind the site is wooded and vacant (with this area and the area to the right and front, perhaps measures for lighting would be taken). Buffer trees are also of consideration.

Vice Chairman Harley inquired and Mr. Eseppi indicated there would be considerations taken to properly buffer the proposed retaining wall.

PUBLIC COMMENTS:

Craig Minor, Newington Town Planner, indicated he is not aware of the status of the residentially zoned land across the street from the Applicant's site. He mentioned a Conservation Commission meeting is being held this evening and that the matter may be discussed.

There were no additional comments made by the public regarding this Application.

Motion: Vice Chairman Harley made a motion to close the public hearing of **PUBLIC HEARING APPLICATION NO. 1805-13-Z**: PDS Engineering & Construction Inc. c/o Chris Eseppi Seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to construct a church on Russell Road.

Second: Commissioner Fazzina seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

This Public Hearing was Closed.

Motion: Vice Chairman Harley made a motion to approve **PUBLIC HEARING APPLICATION NO. 1805-13-Z**: PDS Engineering & Construction Inc. c/o Chris Eseppi Seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to construct a church on Russell Road, with the following stipulations:

1. Applicant shall incorporate comments made of the Fire Marshal in the memo dated September 16, 2013 to the satisfaction of Town Staff;
2. Applicant shall incorporate comments made of the Town Engineer to the satisfaction of Town Staff;
3. A restriction on the dual occupancy/use of the first and second floors shall be included in this Special Permit;
4. A landscaping waiver shall be granted to the extent and satisfaction of Town Staff at the site, including but not limited to the inclusion of additional landscaping as a buffer on the North and South sides of the site;
5. Required lighting at the site shall be in accordance with Section 6.7 (Outdoor Lighting) of the Wethersfield Zoning Regulations and the satisfaction of Town Staff to ensure adequate coverage of lighting at the site and in consideration of the residential nature and some of the existing uses of the neighborhood.
6. Signage shall be reviewed and approved by the Design Review Advisory Committee.

Second: Commissioner Margiotta seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

COMMENTS:

Commissioner Dean commented favorably regarding the work Town Staff completed in their review of this Application. He noted the appreciation of comments made by Staff that reflect the promotion of a reduction of the height and degree of light contamination within the existing neighborhood, as well as spin over light into that existing neighborhood.

Commissioner Standish concurred with the comments made by Commissioner Dean. He mentioned the balance of adequately lighting the parking lot and shielding the existing neighborhood from light contamination made necessitate a light other than what is proposed to accomplish both results.

This Application was approved, as stipulated.

4. OTHER BUSINESS:

4.1 Pre-Application Review for 2180 Berlin Turnpike – JPG Partners LLC.

Jon C. Leary, Esq., 675 Berlin Turnpike, Berlin, CT, appeared on behalf of JPG Partners LLC. There was a discussion regarding a proposed development of a sixty (60) residential rental units that would consist of five (5) buildings with twelve (12) units in each building. There would be one (1) and two (2) bedroom units offered and a total of one hundred (100) parking spaces created for the site. The property is currently zoned RC (Regional Commercial), and the Applicant would first have to seek a zone change. A large portion of the site is located in a flood zone and an existing sanitary line would be needed.

Chairman Roberts noted that previous discussions regarding plans for the subject property revealed the complexity of not having secondary access to the site, as the density proposed herein would necessitate having such access. Attorney Leary indicated there have been discussions with neighboring property owners regarding the issue of obtaining a permanent access agreement and noted there will be an ongoing effort to obtain an agreement.

Commissioner Fazzina inquired and Attorney Leary indicated plans for handicap accessibility will be included in a plan but are not yet completed. Attorney Leary mentioned that second (2nd) floor rental units would be seven hundred, sixty-five (765) square feet and first (1st) floor rental units would be one thousand, twenty (1,020) square feet. He indicated the methods to reduce impacts on the wetlands would have to be explained as the proposed plan is intensive.

Vice Chairman Harley mentioned a plan with reduced density and in consideration of SRD may want to be explored.

Chairman Roberts indicated the layout of the site may not be highly desirable to a retail user, but he is somewhat reluctant to have a commercial site re-zoned when so few are available unless there is evidence that keeping a site commercially zoned is meaningless to either the property owner or the Town. He noted his understanding of the dilemmas at this site regarding the access issue. He is uncertain that two (2) driveways immediately next to each other (as contemplated egress and ingress) would be sufficient to a residential development on the Berlin Turnpike, as a residential development appears to be out of place due to lack of sidewalks and bus stops. He mentioned it preferable that if a zone change application was pursued, a meaningful site plan application would have to accompany it.

Attorney Leary indicated the plan would include addressing as many issues as possible that were raised herein.

Chairman Roberts indicated this Commission is not rejecting the proposal out of hand, as they are relaying information based on previous applications.

Commissioner Standish inquired and Attorney Leary indicated the Fire Marshal has reviewed the proposal. Mr. Gillespie indicated the Fire Marshal's comments regarding access at the site (for example access to proposed Unit 5) are motivated by the complexities raised.

Commissioner Margiotta inquired and Mr. Gillespie indicated the police and emergency contact representatives will be made aware of an Application and that there would be a meeting with those contacts (and those contacts in neighboring Towns) prior to the filing of an Application.

Mr. Chris Spain, 105 Merriman Road, appeared before the Commission with over a dozen (12) of the property owners present in the audience and in support of the concept proposed. He noted there are eighteen (18) family members who own the site, which has been in the family for seventy (70) years. He also communicated the site is admittedly challenged, and the family members would like and have been ready to move the property. He asked the Commissioners to seriously consider granting a plan for

the property.

4.2 Referral from the Zoning Board of Appeals regarding Appeal No. 6131-13 Robert & Nancy Jones seeking a variance for a change of use from café/coffee house to an insurance agency at 7 Railroad Place.

Mr. Gillespie and the Commissioners discussed this matter and concluded that the proposed use is less intensive than the café/coffee house use recently approved with a recommendation that a stipulation be attached clearly limiting the proposed use so as to limit any future uses to a more intensive office use.

4.3 A discussion regarding PA 12-55 – An Act Concerning the Palliative Use of Marijuana.

Mr. Gillespie and the Commissioners discussed this matter and agreed that the rudimentary analysis completed pertaining to boundaries of churches, schools, etc., indicates dispensaries could be an area of focus and concluded that the Planning Department will continue to obtain regulations from other communities to draft a proposed regulation for the Commissioners to consider. Mr. Gillespie indicated he will plan to have a draft ready to discuss with the Commissioners by the end of this year.

5. MINUTES – August 20, 2013 Planning & Zoning Commission Meeting Minutes

Motion: Vice Chairman Harley motioned to approve the minutes, as submitted.

Second: Commissioner Standish seconded the motion.

Aye: Roberts, Harley, Fazzina, Dean, Standish;

Nay: None;

Vote: 5 – 0;

Clerk Margiotta, and Commissioners Hughes and Edwards did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of August 20, 2013.

September 4, 2013 Planning & Zoning Commission Meeting Minutes

Motion: Vice Chairman Harley motioned to approve the minutes, as submitted.

Second: Commissioner Fazzina seconded the motion.

Aye: Roberts, Harley, Margiotta, Edwards, Fazzina, Standish;

Nay: None;

Vote: 6 – 0;

Commissioners Hughes and Dean did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of September 4, 2013.

6. STAFF REPORTS:

Mr. Gillespie and the Commissioners briefly discussed an article in the September 15, 2013 edition of the *Hartford Courant*, pertaining to illustrations created by a Wethersfield resident and graphic artist

named Phil Lohman. The article is entitled Artist Draws Maps for Wethersfield Development Plan (Maps Depict Development of Town Over the Centuries). Mr. Lohman's illustrations for the Wethersfield Plan of Conservation and Development depict the evolution of Wethersfield from Puritan Village to suburban enclave. Mr. Lohman will be speaking about the illustrations Tuesday, October 8, 2013, 7:00 p.m. at Wethersfield Public Library. These illustrations are currently on display at the Wethersfield Public Library.

Motion: Commissioner Standish made a motion to support and authorize the submission of a nomination filing (to be made on or before September 30, 2013, and to include letters of support from the community) for eligibility to receive one (1) of the annual planning awards given by the Connecticut Planning Association. This filing pertains to the Wethersfield Plan of Conservation and Development and its mapping illustrations created by Phil Lohman.

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

A Motion to Support and Authorize Nomination Filing to Connecticut Planning Association was Approved.

Commissioner Standish made a motion to support the nomination approve, with conditions, a one-year extension regarding **APPLICATION NO. 1636-08-Z and 291 Ridge Road.**

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

This Application was approved with conditions.

Mr. Gillespie mentioned the following groundbreaking ceremonies: Wethersfield High School Renovation Project on Monday, September 23, 2013, 9:00 a.m.; and CREC Discovery Academy Magnet School Project on Thursday, October 3, 2013, 2:00 p.m.

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 APPLICATION NO. 1636-08-z/291 Ridge Road – Request for a one-year extension will be reviewed at the next meeting (Tuesday, October 1, 2013) of the Planning & Zoning Commission.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 PUBLIC HEARING APPLICATION NO. 1806-13-Z: Erica Freeman seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations for outdoor seating and associated site improvements at 1267 Silas Deane Highway (Goff Brook Shops).

10. ADJOURNMENT:

Motion: Commissioner Standish motioned to adjourn the meeting at 8:17 p.m.

Second: Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

Meeting adjourned.

Respectfully submitted,
Ellen Goslicki, Recording Secretary