

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

March 17, 2015

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, March 17, 2015 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 7:03 p.m.

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

Vice Chairman Harley 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			✓
Angelo Robert Fazzina	✓		
Thomas Dean	✓		
Alex Vasel (alternate)			✓
Leigh Standish (alternate)	✓		
Ryan Allard (alternate)	✓		

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

Members of the Public were present.

Chairman Roberts noted at the time of roll call there were seven (7) full members and two (2) alternate members in attendance.

2. OLD BUSINESS:

2.1 PUBLIC HEARING APPLICATION NO. 1851-14-Z 530 Silas Deane Associates LLC Seeking a Special Permit in accordance with Section 5.3 of the Wethersfield Zoning Regulations for outdoor storage container at 530 Silas Deane Highway - Continued from February 3, 2015.

Atty. Richard Case appeared before the Commission regarding this Application. He indicated his client no longer wishes to keep the storage container on site and has requested a temporary permit to allow them time to empty the container. He noted the owners believe this may take up to a year to complete. He also noted they would not be moving the storage container to maintain a five (5') foot zoning setback because the container will be removed from the property once emptied.

Commissioner Oickle inquired and Atty. Case indicated they would like eighteen (18) months to sort and shred. Commissioner Oickle indicated he would like to see the storage container painted

Atty. Case indicated they could do a seven (7) month minimum timeframe but couldn't guarantee completion by that time.

Commissioner Standish inquired and Atty. Case indicated ninety (90) days would not be enough time due to excess snow in the lot surrounding the trailer.

Commissioner Oickle inquired and Mr. Gillespie clarified what could be considered an accessory structure or building.

Commissioner Roberts indicated he felt six (6) months was reasonable and pointed out that schools have used outdoor storage units as accessory structures. He also noted that the original notice of violation went out on October 16, 2014 which would bring them close to one (1) year if given an additional six (6) months. Atty. Case indicated the Applicant did respond immediately to the violation notice by filing an application.

Commissioner Oickle noted the Applicant could come back for an extension if granted the special permit.

Atty. Case requested the Commission give him a firm date as a deadline rather than a period of time.

Commissioner Oickle inquired and Atty. Case indicated the points brought up in the memo from Mike Turner would only apply if the storage container was to remain on site.

Motion: Commissioner Standish made a motion to close the Public Hearing regarding **APPLICATION NO. 1851-14-Z 530 Silas Deane Associates LLC** Seeking a Special Permit in accordance with Section 5.3 of the Wethersfield Zoning Regulations for outdoor storage container at 530 Silas Deane Highway.

Second: Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Fazzina, Dean, Standish, Allard;

Nay: None;

Vote: 9-0.

Motion: Vice Chairman Harley made a motion to approve **APPLICATION NO. 1851-14-Z 530 Silas Deane Associates LLC** Seeking a Special Permit in accordance with Section 5.3 of the Wethersfield Zoning Regulations for outdoor storage container at 530 Silas Deane Highway.

- This permit shall expire on October 1, 2015.

Second: Commissioner Margiotta seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Fazzina, Dean, Standish, Allard;

Nay: None;

Vote: 9-0.

3. NEW BUSINESS:

Chairman Roberts asked the Commission for a vote to hear the Applications 6.2 immediately after 3.1.

Motion: Vice Chairman Harley made a motion to hear 6.2 Discussion regarding the Main Street, Church Street, Marsh Street Intersections Improvements immediately following 3.1 C.G.S. § 8-24 Review No. 22-10-MR - Review of the five-year Capital Improvement Program.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Fazzina, Dean, Standish, Allard;

Nay: None;

Vote: 9-0.

3.1 C.G.S. § 8-24 Review No. 22-10-MR - Review of the five-year Capital Improvement Program.

Mike Turner, Town Engineer for the Town of Wethersfield and Les Cole, Chairman of the Capital Improvements Advisory Committee appeared before the Commission regarding this review. Also present were Tony Martino, Town Council Liaison to the Capital Improvements Advisory Committee and Jeff Bridges, Town Manager.

Mr. Cole indicated they had received one hundred fifteen (115) requests for a total of just over \$8.1 million. The requested budget amount was \$900,000. He noted that they prioritized by safety, government mandates, money matching and grants, and items that had remained on the list for a longer period of time.

Mr. Cole and Mr. Turner walked the Commission through the listed items. Mr. Turner noted the additional fire hydrants being added along the east side of the Silas Deane Highway would coincide with work being done by MDC (Metropolitan District) to replace water mains in that area.

Commissioner Oickle inquired and Mr. Turner indicated the work proposed on the front doors of the police department will make it more handicap accessible by adding electric operators with a push button paddle along with bollards added to the front of the building.

Mr. Cole indicated there is a total of \$905,000 being requested. He also noted that if additional funding becomes available, they have ranked nine (9) additional projects they wish to see completed for a total of \$300,000.

Commissioner Oickle inquired and Mr. Cole indicated that several of the items appear each year as they are being funded over several years to allow more projects to be done per year.

Commissioner Oickle inquired and Mr. Turner clarified the CCTV (closed caption TV) requests were for security cameras within the Town Hall. He also inquired and Mr. Cole indicated school security (doors) was an ongoing project.

Commissioner Dean inquired and Mr. Cole indicated they met with all departments in Town to obtain priority lists in order to get as many projects done or moving forward as possible each year. Some larger projects will be funded over time.

Vice Chairman Harley inquired and Mr. Turner indicated the CCTV, Firehouse #2 and salt shed are items that are being funded over time because the Town cannot afford to complete them in one budget. He indicated they have put aside \$100,000 for the salt shed which will total \$300,000 for repairs. The CCTV is an expandable program which allows for cameras to be added on as needed.

Commissioner Standish inquired and Mr. Turner indicated the \$25,000 for the Town Docks project was a contingency fund since the project has not gone out to bid yet. Mr. Cole indicated there was \$400,000 in grant money and the committee matched \$80,000.

Chairman Roberts inquired and Mr. Bridges indicated there was \$1.5 million budgeted for roads with \$900,000 coming from the Town.

Commissioner Allard inquired and Mr. Turner indicated MDC would be milling and paving curb to curb within lateral project areas.

Chairman Roberts inquired and Mr. Turner indicated the Emerson Williams flooring replacement in the gym was not due to a leaky roof. He also inquired as to the presence of PCB's in the schools and Both Mr. Turner and Mr. Cole indicated they would not be looking for this unless it came up within the parameters of a specific project.

Motion: Commissioner Oickle made a motion to positively report on **C.G.S. § 8-24 Review No. 22-10-MR - Review of the five-year Capital Improvement Program** to the Town Council.

Second: Commissioner Fazzina seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Fazzina, Dean, Allard;

Nay: None;

Abs: Standish;

Vote: 8-0.

6.2 Discussion regarding the Main Street, Church Street, Marsh Street Intersection Improvements.

Mike Turner appeared before the Commission regarding this discussion. He explained that the Town received a grant to reconstruct the intersection of Main, Church and Marsh Streets. The Town has hired the Engineering firm of Luke's Associates to design the intersection. He noted a similar design was presented in January and received many recommendations which they took into account and came back with a new design that has been endorsed by the Town Council to move forward. The new intersection will remain within the current Town Right of Way while bringing the curb lines into the street to create a traditional 4-way stop intersection. There will be additional landscaping and the island on Marsh Street will remain but will be reconfigured to remove the crosswalk running through the island and landscaping will be kept low. New lighting will be installed to match existing lighting.

Commissioner Standish inquired and Mr. Turner indicated the flagpole and historic marker will remain in their current positions on the Marsh Street island.

Commissioner Oickle inquired and Mr. Turner indicated catch basins are adequate and there will be three (3) additional catch basins installed.

Commissioner Allard inquired and Mr. Turner indicated catch basins are already in place on both sides of Church Street.

Mr. Turner noted this will become a 4-way stop with the changes in sightlines.

Commissioner Fazzina is in agreement with making this a 4-way stop and also approves of the additional lighting.

Commissioner Margiotta also approves of the 4-way stop and overall design. He inquired and Mr. Turner indicated the five (5') foot bike lane will be painted through the intersection but it is not part of the Towns current Heritage Way bike path. Commissioner Margiotta inquired and Mr. Turner indicated the brick walkways would be reused in new crosswalks. He indicated the curbing would be added on top of the existing road and noted the Town has received a STEAP (Small Town Economic Assistance Program) grant for \$250,000.

Commissioner Standish inquired and Mr. Turner indicated there would be no change in parking.

Chairman Roberts inquired and Mr. Turner indicated the changes were prompted by a study done in 2006 called the Wethersfield Master Plan. Public meetings were held regarding how to improve Old Wethersfield and it was felt that four (4) intersections needed to be changed, this being the first. Chairman Roberts indicated his concern for more accidents in a traditional intersection.

Commissioner Dean indicated a historic safety concern due to poor sightlines and commended the changes being made.

Commissioner Hammer inquired and Mr. Turner indicated the inlays would be dimpled into the asphalt and are a thermoplastic material used by DOT (Department of Transportation). He indicated there would be no additional signage for pedestrians. The intersection at Main St. and Hartford Ave would be addressed if additional funding became available from CIP.

Commissioner Standish indicated he was in favor of this plan but recommended the Town look at public comments about the other intersections before moving forward.

Commissioner Allard inquired and Mr. Turner indicated the pedestrian refuge on the Marsh Street island would not be maintained but the width of the island will make for sufficient refuge in the case a pedestrian cannot fully cross in the set timeframe.

3.2 Pre Application Review for a proposed education center at 211 Main Street (Webb-Deane-Stevens Museum).

This Application was not heard at this meeting.

3.3 Pre Application Review for a proposed zone change from Residence “AA” to Residence “AA-Open Space Development” and subdivision at Back Lane Assessors Map 43/011 & 42/016.

Atty. Diane Whitney (Pullman & Comley LLC), representing CCC Construction appeared before the Commission. She introduced Richard Megson (Megson, Heagle & Friend) the project engineer and Frank DiBacco (CCC Construction) the developer. She described the property as 15.8 acres off of Back Lane. The property is surrounded on three (3) sides by AA-Open Space with the fourth side being the reservoir. There is an open space requirement of twenty-five (25%) percent and they wish to increase that to thirty (30%) percent with the caveat that more than fifty (50%) percent of the open space is wetlands bordering the reservoir. They are proposing 1.325 acres of upland open space to the required 1.98 acres to create this twenty-four (24) lot subdivision.

Chairman Roberts inquired and Atty. Whitney indicated they had not yet calculated the number of lots they would have under AA without changing the zone. Chairman Roberts noted it would be helpful for the Applicant and Commission to have this information as a comparison.

Atty. Whitney noted a discrepancy in the Subdivision Regulations which only require ten (10%) percent open space as well as a different balance between wetland and upland open space.

Commissioner Standish inquired an Atty. Whitney indicated the Town would be given slightly less than an additional acre with their proposal.

Commissioner Hammer inquired and Mr. Gillespie indicated that in a traditional subdivision of sixteen (16) acres, the open space would be 1.6 acres.

Vice Chairman Harley noted there would be the same amount of homes with the increase in the open space wetlands.

Chairman Roberts noted an aggressive configuration for several of the lots.

Mr. DiBacco indicated the subdivision needed to be developed for sewer and water prior to the roads being constructed so it would not hinder any other residents.

Atty. Whitney inquired and Chairman Roberts indicated open space has been incorporated into lots with conservation easements such as for privacy buffer before.

Commissioner Oickle asked for clarification on how the open space would be incorporated on an already reduced lot and Commissioner Roberts responded.

Commissioner Oickle noted it was less desirable to have several small areas of open space versus one larger parcel.

Atty. Whitney noted that allowing for open space to be part of the approved lots would mean no maintenance obligations for the Town and it would prevent open space disputes and complaints over this maintenance.

Commissioner Fazzina inquired and Mr. DiBacco indicated he would not be clear cutting and leveling the lots rather he would be selectively cutting trees in order to accommodate houses while leaving he majority of the vegetation intact.

Vice Chairman Harley inquired and Mr. Gillespie indicated conservation easements are generally put in place when lots go above and beyond the minimum lot size.

Mr. DiBacco inquired and Mr. Gillespie indicated there is a minimum requirement for access to a public street for dedicated open space.

Commissioner Oickle inquired and Mr. DiBacco indicated his reason for not accessing the development via Old Reservoir Road was due to historical opposition from neighbors. He is also attempting to make this development accessible to emergency personnel while having the least impact on the environment. It is his opinion that the Army Corps of Engineers will not approve the roadway due to the excessive wetlands and he is seeking alternatives.

Mr. Gillespie indicated his office has already begun to receive calls regarding this proposal and roadway and advised the Commission that there would be significant community interest.

Mr. Megson addressed the Commission regarding the Army Corps of Engineers requirements for prudent and feasible alternatives.

Commissioner Oickle inquired and Mr. DiBacco indicated the wetlands in lot numbers 2, 4 & 5 are not water based but soil regulated and the properties they back up to have all been filled to accommodate the homes which were built.

Vice Chairman Harley inquired and Mr. DiBacco indicated the proposed roadway would enter through Back Lane and eventually connect to Whippoorwill Way and Old Reservoir Road. Vice Chairman Harley suggested a second access point in the event that the other development does not move forward.

Commissioner Oickle inquired and Vice Chairman Harley indicated they should be concerned about a singular outlet while attempting to avoid the creation of a cut-through roadway.

Mr. Gillespie indicated it would be less likely to create a cut through coming in from the north versus the south.

Commissioner Oickle inquired and Mr. DiBacco indicated the developer for the Ireland Estates is further along in his project but awaiting final confirmation of the dedication of the parcel of land for Right of Way purposes. Mr. DiBacco owns seven (7) lots within the Ireland Estates and plans to connect the developments. He offered a solution by breaking the project into two (2) phases to bring the roadways in first and reduce the initial number of homes constructed on the cul-de-sacs.

Commissioner Oickle inquired and Mr. DiBacco noted an area of open space that could be given to the Town to preserve the current drainage via culverts or it could be filled in and force the water drainage.

Commissioner Oickle inquired and Mr. Gillespie indicated the surrounding subdivisions are AA-Open Space zoned.

Mr. Gillespie noted the Inland Wetlands Commission would be involved. He also indicated the buildable square requirement for all conventional residential zones does not apply to open space subdivisions and while precedent is to not require the buildable square (as with Westmont Road), further review is needed.

Commissioner Oickle inquired and Mr. Gillespie indicated the subdivision regulations allow the Commission to modify some of the open space requirements. Because of the conflict between the zoning and subdivision regulations regarding open space, Mr. Gillespie indicated he would get the opinion of the Town Atty. On the matter.

Vice Chairman Harley indicated his opinion for accessing the development from Old Reservoir Road.

Commissioner Standish inquired and Mr. Gillespie indicated further research was needed in regards to the open space requirements and wetlands.

Mr. Gillespie indicated a potential need to go before the Zoning Board of Appeals for certain waivers and amendments regarding the 50/50 wetlands requirements.

Mr. DiBacco noted his intention is to preserve the reservoir as much as possible.

Mr. Gillespie indicated the current proposal was for 4.72 acres of open space. With the 50/50 upland versus wetland requirement there would need to be approximately 2 acres of each. Mr. DiBacco indicated he was willing to work with the Commission by giving more than the required open space to preserve the reservoir but did not wish to be penalized for doing so.

Atty. Whitney inquired and Mr. Gillespie indicated the Town staff would meet with the developer to discuss options and then contact the Town Atty. only if necessary. He noted they could redesign to meet requirements but appearing before the Zoning Board of Appeals would also be an option.

Mr. Gillespie asked Mr. DiBacco for directional clarification regarding the access to this development.

Mr. DiBacco indicated the access point on Old Reservoir Road poses a major wetlands issue for construction and Back Lane is his feasible alternative. He noted getting approval from the Fire Marshall and Police Chief.

Commissioner Oickle inquired and Vice Chairman Harley indicated the Army Corps of Engineers will require various levels of permitting if the land is deemed unsuitable for a roadway.

Mr. Gillespie indicated Town staff are aware of the overall picture of this development and the likely direction for its occurrence.

Mr. DiBacco inquired and Chairman Roberts suggested he meet with his engineer and Mr. Gillespie regarding compliance of open space requirements and what will be feasible for open space and wetlands encroachments and return to the Commission with those plans.

Commissioner Oickle inquired and Mr. Gillespie indicated they could return for further pre-application hearings as well as the Inland Wetlands Commission.

Chairman Roberts indicated a preference for seeing open space added into lots versus open space given to the Town to maintain.

4. OTHER BUSINESS:

There were no matters of Other Business discussed during this Meeting.

5. MINUTES – February 3, 2015. Planning & Zoning Commission Meeting Minutes

Motion: Vice Chairman Harley motioned to approve the February 3, 2015 minutes.

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Dean, Standish, Allard;

Nay: None;

Abs: Fazzina, Hammer;

Vote: 7-0.

Minutes for the February 3, 2015 Planning & Zoning Commission Meeting Approved.

6. STAFF REPORTS:

6.1 Presentation of the Wethersfield Heritage Walk Signs.

Mr. Gillespie presented the Commission with signs to be placed in Old Wethersfield as a part of the Heritage Walk Project. He indicated his memo which summarized proposed locations and subject matter. There will be two (2) types: five (5) larger kiosks and eighteen (18) wayside. Each will depict different historical information along the history walk and signs were approved by the Historic District Commission and the Town Council. Wayside panels will be positioned on granite posts, off the sidewalk but handicap accessible.

Commissioner Oickle inquired and Mr. Gillespie indicated they would be exclusive to the Historic District but they could expand in the future to Griswoldville as a separate project. Commissioner Oickle inquired and Mr. Gillespie indicated the panels would be sealed and protected from graffiti and held in place with tamper proof hardware

6.2 Other Reports

Mr. Gillespie indicated that CREC has completed most of the exterior work and has moved to the interior and will be allowed more flexible hours for working while they are indoors. He noted one lighting complaint that had been addressed.

Vice Chairman Harley inquired and Mr. Gillespie indicated the Town staff would be meeting with contractors regarding time frame for completion.

Discussion ensued regarding a property in disrepair on Wolcott Hill Road.

Mr. Gillespie brought attention to the memo from the Town of Newington regarding the Assisted Living Facility being constructed.

Commissioner Oickle voiced concern for traffic along the ramps off Rt. 175 and Mr. Gillespie indicated that being on state roads they would be required to go through a review with the State. He will be receiving a copy of documentation and will offer a staff report.

Discussion ensued regarding fencing on Ridge Road, Weight Watchers and Fun Zone.

Denise Bradley reminded the Commissioners of the CFPZA dinner and also noted Peter Gillespie will be the recipient of a Lifetime Achievement Award.

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 letter dated March 11, 2015 from Newington Town Planner Craig Minor regarding A Special Permit for a continuing care retirement facility at 751 Russell Road, Newington.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 APPLICATION NO. 1853-15-Z Carlos Couto seeking a resubdivision in accordance with subsection 143-20 of the Wethersfield Subdivision Regulations for the creation of one (1) building lot at 330 Middletown Avenue.

9.2 PUBLIC HEARING APPLICATION NO. 1854-15-Z Carlos Couto Seeking a Special Permit in accordance with Section 3.9 of the Wethersfield Zoning Regulations for a rear lot at 330 Middletown Avenue.

10. ADJOURNMENT:

Motion: Vice Chairman Harley motioned to adjourn the meeting at 9:35 pm.

Second: Commissioner Hammer seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Hammer, Fazzina, Dean, Standish;

Nay: None;

Vote: 9-0.

Meeting adjourned.

Respectfully submitted,
Lindsay Schmitt, Recording Secretary