

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

June 2, 2015

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, June 2, 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 7:01 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 six (6) full members and three (3) alternate members in attendance.

2. OLD BUSINESS:

There was no old business discussed at this meeting.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO. 1864-15-Z Thomas P. Mazzarella Seeking a Special Permit in accordance with Section 3.6 of the Wethersfield Zoning Regulations for an accessory building (garage) that exceeds the maximum square footage at 600 Wolcott Hill Road.

Tom Mazzarella, 600 Wolcott Hill Road appeared before the Commission. He described a 26'x38' nine hundred eighty-eight (988) s.f. garage addition that will be attached to the existing accessory pool house. He indicated an 8'x10' connection between the two structures noting the garage will be used to store two (2) antique vehicles and lawn equipment. He has a private driveway that exits onto Stillwold Drive and this will be the access point to the garage. His lot is 1.2 acres and the garage will constitute 7.5%

coverage. Mr. Mazzarella plans to build the garage similarly to existing structures with brick and clapboard 2'x6' construction as well as matching the pool house roofline which falls below the eighteen (18') foot maximum height regulations.

Commissioner Oickle complimented the design and location.

Commissioner Dean inquired and Mr. Mazzarella indicated there will be no cupola on the garage.

Chairman Richards read staff comments regarding lighting as well as correspondence from Rosario D'Agostino, 565 Wolcott Hill Road, in favor of the Application.

There was no public comment for this Application.

Motion: Commissioner Hughes made a motion to close **APPLICATION NO. 1864-15-Z Thomas P. Mazzarella** Seeking a Special Permit in accordance with Section 3.6 of the Wethersfield Zoning Regulations for an accessory building (garage) that exceeds the maximum square footage at 600 Wolcott Hill Road.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Hughes, Oickle, Fazzina, Dean, Vasal, Standish, Allard;

Nay: none;

Vote: 9-0.

Motion: Commissioner Hughes made a motion to approve **APPLICATION NO. 1864-15-Z Thomas P. Mazzarella** Seeking a Special Permit in accordance with Section 3.6 of the Wethersfield Zoning Regulations for an accessory building (garage) that exceeds the maximum square footage at 600 Wolcott Hill Road with the condition that any exterior lighting shall be in accordance with Section 6.7 (Outdoor Lighting) of the Wethersfield Zoning Regulations and be full cut-off fixtures.

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Hughes, Oickle, Fazzina, Dean, Vasal, Standish, Allard;

Nay: none;

Vote: 9-0.

3.2 PUBLIC HEARING APPLICATION NO. 1866-15-Z Jim Arnold Seeking a Special Permit in accordance with Section 5.3 of the Wethersfield Zoning Regulations for an accessory use to offer bicycle service, sales and rentals at 304 Main Street.

Jim Arnold, 446 Hartford Avenue, appeared before the Commission regarding this Application. He proposed a bike sales, service and rental operation to be held under a temporary tent. He indicated Hart Seeds has given their permission to use space on the front lawn of 304 Main Street for the business and is unsure as of yet what the hours will be.

Commissioner Oickle voiced concern for the location and how they will maintain the grass. Mr. Arnold indicated he will move the tent daily so as not to damage the same area noting he can use the area along the front walkway which has limited use by Hart Seeds.

Commissioner Oickle inquired and Mr. Gillespie indicated there are 5 on-street parking spaces in front of Hart Seeds and various on-street parking along Main Street in general. He indicated sufficient parking in the rear and suggested that as proposed, he doesn't anticipate large volumes of people frequenting the business at one time. He also indicated the Historic District Commission will not need to approve the tent because it is not going to be a permanent structure.

Commissioner Allard inquired and Mr. Arnold indicated he would not likely be present 7 days a week in the long term but would like an opportunity to figure out what days and times work best with an anticipated time frame of Memorial Day through Labor Day.

Commissioner Standish inquired and Mr. Arnold indicated he would consider a brick and mortar store if this is successful and has looked at the Cove Deli location.

Chairman Roberts inquired and Mr. Arnold indicated he plans to have no more than 10 bikes available to rent of varying styles to cater to different needs.

Commissioner Fazzina inquired and Mr. Arnold indicated he will provide helmets with rentals.

Vice Chairman Harley is in favor of the idea likening it to hot dog cart sales and Chairman Roberts noted it is a legitimate accessory use for zoning but may require a commercial facility in the future if the business does well.

Chairman Roberts inquired and Mr. Arnold indicated there are similar set ups in Cape Cod.

Commissioner Standish inquired and Mr. Arnold indicated he will have a small inventory of parts for which to perform repairs with hand tools.

Commissioner Dean is in favor of the increase in commercial activity and support of tourism in Old Wethersfield this will bring. He inquired and Mr. Arnold indicated he is open to any conditions the Commission may set for times of operation but feels 3-7 PM will most likely work out best. He does wish to be open to different times in the beginning. Commissioner Dean feels a term from April 1 - October 31 is a sufficient timeframe and the Applicant agreed.

Commissioner Hughes suggested a ninety (90) day trial period to work on parameters with staff and come back with a report and waive the fee.

Chairman Roberts indicated it may take up to 60 days for people to realize he is there and would be inclined to give Mr. Arnold the full season.

Commissioner Oickle inquired and Mr. Arnold indicated he would be the sole employee with the exception of his daughter if he was particularly busy. He noted his request was denied by the Keeney Center prior to him asking the Hart family.

Melinda Sykura, 297 Main Street, spoke in favor of the idea of having a bike shop but voiced concern for the tent, parking and location of Mr. Arnold's truck.

Rob Hart 13 Harmund Court and owner of Hart Seeds spoke in favor of the Application indicating he has offered space for tent and has sufficient parking in rear of his building. He noted the church next door often has events that occupy much of the on-street parking.

Chairman Roberts indicated Mr. Hart would encourage parking in rear for bike rentals and Mr. Hart indicated the location by the front entry as ideal because is it not used by customers for the retail store.

David Caruk, 149 Broad Street, spoke in favor of the application saying it resembles a lemonade stand and he supports more entrepreneurs in town.

Mike Clarke, 330 Main Street, opposed this application. Even though he agrees there is a need in town for more things to do he is concerned about the visual impact on his neighborhood. He noted he lives close to a commercial area and is aware of the impact it may have on residents.

Megan Jakubowski, 97 State Street, and owner of The Old Wethersfield Country Store at 221 Main Street, likes the idea of bringing more people in to the area and feels it will have a positive impact. Her location is directly across from the crowds at Lucky Lou's but she feels parking is still sufficient in the area.

Eric Cavoli, 311 Main Street, supports business in town but is concerned about the visual impact of a large truck or signage in the area. He indicated he doesn't want people turning around in his driveway though he would patronize the business if these issues were addressed. He inquired as to whether this would set precedence and Vice Chairman Harley indicated it is a commercial use in a commercial area.

Commissioner Standish indicated Hart Seed is the only commercial facility in that residential area of Main Street and is grandfathered in.

Doug Martin, 2 Fernwood Street, spoke in favor of this application. He has two (2) children and loves the idea stating he currently brings his family to Newington for such activities.

Steve Giannini, 46 Hart Street, spoke in favor of this application. He is not concerned about the appearance and feels it will draw foot traffic of a younger crowd of bikers and kids who would spend money at local businesses.

Mr. Arnold answered concerns of residents indicated he would not set up shop during church hours to avoid parking conflicts. His truck is a 1998 f150 which will be loaded with the bikes and tent – the tent will be removed each day along with the bikes. He wishes to be open 7 days a week only initially to determine the best times and is open to residents talking with him about avoiding inconvenient times. He indicated he will place the tent closer to the Hart Seeds building but wishes for his truck to remain parked out front for convenience of accessing inventory and to avoid having to leave his rental bikes unsupervised. Mr. Arnold would love to work with other businesses to help give them more customers while bikes are being worked on and indicated his only signage as of now is already on the 10'x20' tent.

Commissioner Standish inquired and Mr. Arnold indicated he has not considered other signage and he plans to advertise on Facebook and other media outlets.

Mr. Arnold indicated he is a teacher and this would be done in his spare time after school and in the summer.

Commissioner Vasel inquired and Mr. Arnold indicated he will display 10 bikes but feels his service repairing bikes will be the biggest draw.

Chairman Roberts inquired and Mr. Arnold indicated the rental bikes will be kept under the tent.

Vice Chairman Harley inquired and Mr. Arnold indicated he will bring the bikes and tent back and forth every day.

Commissioner Oickle feels the Commission should approve a trial period to the end of the year followed by a return to the Commission to review what has been done and listen to concerns from neighbors.

Motion: Commissioner Standish made a motion to close **APPLICATION NO. 1866-15-Z Jim Arnold** Seeking a Special Permit in accordance with Section 5.3 of the Wethersfield Zoning Regulations for an accessory use to offer bicycle service, sales and rentals at 304 Main Street.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Hughes, Oickle, Fazzina, Dean, Vasal, Standish, Allard;

Nay: none;

Vote: 9-0.

Discussion:

Vice Chairman Harley indicated he is comfortable with giving it a go as the residents' concerns are not out of line, the location is ok for now, and they can allow him to go forward for one season then return.

Motion: Commissioner Hughes made a motion to approve **APPLICATION NO. 1866-15-Z Jim Arnold** Seeking a Special Permit in accordance with Section 5.3 of the Wethersfield Zoning Regulations for an accessory use to offer bicycle service, sales and rentals at 304 Main Street with the following stipulations:

1. This Special Permit shall expire on December 1, 2015.
2. The application fee shall be waived upon reapplication.
3. The tent shall be located in close proximity to the building at 305 Main Street.
4. There shall be no additional signage besides that which was presented to the Commission on the tent.
5. There shall be no more than ten (10) bicycles for rent at any time and they are to remain within the space of the tent.

Discussion:

Commissioner Hughes indicated giving approval through December and allowing the fee to be waived in the Applicant wished to return in the spring.

Chairman Roberts wishes to see the tent closer to building.

Commissioner Hughes suggested signage on the tent go before staff for approval but Chairman Roberts noted the Application as presented makes no mention of additional signage and would require an additional hearing to be included.

Vice Chairman Harley is in favor of limiting the Applicant to 10 bikes displayed under the tent.

Commissioner Fazzina suggested adding a stipulation about no presence during church hours but Mr. Gillespie felt the Applicant had made it clear he was going to do his best to follow best business practices and such stipulations as parking in rear and hours of operation would not be necessary.

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Hughes, Oickle, Fazzina, Dean, Vasal, Standish, Allard;

Nay: none;

Vote: 9-0.

4. OTHER BUSINESS:

There was no other business discussed at this meeting.

5. MINUTES – May 5, 2015 & May 19, 2015

Motion: Commissioner Oickle made a motion to approve the Minutes of May 5, 2015 as corrected.

Second: Commissioner Fazzina seconded the motion.

Commissioner Oickle indicated Commissioners names had been omitted from the motions on page 5.

Aye: Roberts, Harley, Hughes, Oickle, Fazzina, Dean, Allard;

Nay: none;

Abs: Vasal, Standish

Vote: 7-0.

Motion: Vice Chairman Harley made a motion to approve the Minutes of May 19, 2015.

Second: Commissioner Allard seconded the motion.

Aye: Roberts, Harley, Fazzina, Dean, Vasal, Standish, Allard.

Nay: none;

Abs: Hughes, Oickle

Vote: 7-0.

6. STAFF REPORTS:

Mr. Gillespie indicated there will be a ribbon cutting ceremony at Putnam Park on Thursday, June 11, 2015 at 9:00am and one at Old Wethersfield Country Store, 221 Main Street, on Thursday, June 18, 2015 at 11:00am.

Mr. Gillespie brought to the attention of the Commission there is no in-house policy for who needs to comment on applications among Town staff. He indicated his office send out agendas but there is no official directive from the Commission about required or preferred commenting from staff and he requested their input.

Vice Chairman Harley inquired and Mr. Gillespie indicated this will make things consistent for all applications going forward.

Commissioner Oickle is in favor of a simple format like email.

Chairman Roberts indicated there is no comment better than silence but if the Commission requests comments for all Applications requiring a public hearing and legal notice it would be consistent.

Commissioner Standish noted the agenda is not descriptive enough for department heads to know if they need to comment. He inquired and Mr. Gillespie indicated this would give him a formalized process to follow through with staff.

Commissioner Allard suggested an email be sent requesting response from all recipients.

Mr. Gillespie indicated they have received an application for a zone change on an open space subdivision noting it has been 20 years since last one of this kind. He indicated past practice for zone changes was a back to back presentation in the agenda where the zone change was requested followed by secondary subdivision plans. Current Regulations have different language (Section 3.3) regarding Open Space Development stating "An Open Space Development shall not be established until the Commission approves a Zone Change, a special permit and a subdivision/resubdivision". Mr. Gillespie noted it does not specify the Applicant must file for the Zone Change and special permit at the same time, just that all three (3) need to be approve by the Commission before moving ahead.

Commissioner Standish would like the opinion of the Town Atty.

Vice Chairman Harley indicated the goal is to have a concept from which to measure the second application after the zone change.

Commissioner Oickle inquired and Mr. Gillespie indicated they have had preliminary discussion with the developer about their plans.

Chairman Roberts noted if the Commission approves a Zone Change without seeing plans for the

subdivision, they put themselves into a bind to approve the subdivision afterwards.

Mr. Gillespie noted there is the need to approve a special permit in addition to the subdivision approvals to which Chairman Roberts indicated special permit for certain subdivisions may have been invalidated by the courts.

Commissioner Allard inquired and Mr. Gillespie indicated they do not require 100% complete plans at the time of the Zone Change. They do however have a nearly complete preliminary design for this upcoming application so it is close to a specific layout.

Commissioner Oickle commented about the increase in oversized garages in town.

Mr. Gillespie indicated he has been meeting with the Zoning Enforcement Officer and presented the Commission with a list of current issues.

Commissioner Standish noted the majority of the zoning issues seem to be motor vehicles.

There was a brief discussion about car sales in the town.

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:

There were no items of correspondence discussed at this meeting.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 PUBLIC HEARING APPLICATION NO. 1865-15-Z Rebecca Colello Seeking a Special Permit in accordance with Section 3.5.2 of the Wethersfield Zoning Regulations to renew Application No. 1759-12-Z to operate a home occupation (salon) at 246 Two Rod Highway.

9.2 PUBLIC HEARING APPLICATION NO. 1867-15-Z Haejenn Huang Seeking a Special Permit in accordance with Section 3.2.E of the Wethersfield Zoning Regulations for a small Buddhist Church at 15 Robeth Lane.

Chairman Roberts indicated he would like guidance from the Town Atty. regarding land use for the church as well as permissible criteria for evaluating the zoning use.

10. ADJOURNMENT:

Motion: Commissioner Oickle motioned to adjourn the meeting at 8:29pm.

Second: Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Hughes, Oickle, Fazzina, Dean, Vasal, Standish, Allard;

Nay: none;

Vote: 9-0.

Meeting adjourned.

Respectfully submitted,
Lindsay Schmitt, Recording Secretary