

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

September 1, 2015

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, September 1, 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 7:02 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			✓
Thomas Dean	✓		
Ryan Allard	✓		
Leigh Standish (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 (7) full members in attendance.

2. OLD BUSINESS:

There was no old business discussed at this meeting.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO. 1876-15-Z Julia & Spiro Koulouris seeking a Special Permit in accordance with Section 5.2 (Permitted Uses) of the Wethersfield Zoning Regulations for retail market, café/dining, outdoor storage and outdoor seating at 263 Main Street (Church Street).

Julia and Spiro Koulouris, 67 Hartford Avenue, appeared before the Commission. They are tenants of Comstock & Ferre seeking to open a cafe and natural foods market to coincide with the existing seed business. Mr. Koulouris indicated they are no longer seeking permission for outdoor storage. They plan to expand upon the seed sales and will operate under the name Heirloom Market at Comstock. They will have a selection of local, non-GMO goods to include dairy, produce and dry goods for sale as well as a small cafe with coffee, teas, espresso, a juice bar and they are hoping for a vintage soda fountain. They will be adding two (2) ADA compliant bathrooms along with one wall with counter space for the cafe.

Chairman Roberts inquired and Mr. Koulouris indicated they will be open seven (7) days a week, 8am-8pm Monday – Friday and 10am-5pm Saturday & Sunday.

Chairman Roberts inquired and Mr. Gillespie indicated the proposed market area was previously a seed/gift shop – the seed shop will move to the front of the building.

Mr. Koulouris indicated they will be creating a new café with checkout, public restrooms, lower space for office and storage. Mrs. Koulouris noted the grey areas on site plan indicate areas that are not open to the public.

Chairman Roberts inquired and Mrs. Koulouris indicated they will have 14-15 seats inside and 14 outdoors which can be moved seasonally.

Commissioner Oickle inquired and Mr. Koulouris indicated there is handicap access via an existing ramp in the front of the seed shop. There is no handicap accessibility to the second floor though they plan to have a small selection of everything available on the market level. Mr. Gillespie indicated the condition of the building is pre-existing and the proposed accommodations are a good compromise.

Commissioner Oickle inquired and Mrs. Koulouris indicated there are no plans to use the greenhouse at this time other than for display.

Chairman Roberts and Mr. Gillespie discussed the parking situation and past approvals for parking.

Mr. Koulouris indicated he and Mrs. Koulouris will walk to work and only plan for 2-3 employees working at one time. He noted between the pavers and the on-street parking it will be ample for the use.

Commissioner Oickle inquired and Mrs. Koulouris indicated they hope to work in harmony with the church and utilize the crowds for their customer base.

Commissioner Margiotta inquired and Mr. Koulouris indicated he wishes to be respectful to the historical significance of the property. They do not intend for outdoor music but would like to host seasonal festivals.

Commissioner Oickle inquired and Mr. Gillespie indicated the Health Department has looked at the plans and are in an ongoing discussion with the Applicants. He also indicated the previous plans resulted in the brick parking surface which reduced the trees but added significant greenspace.

Chairman Roberts referenced a memo with approvals from 2013. Mr. Gillespie suggested the parking surface will be complete at the same time as the interior renovations and the lot is scheduled to be striped soon.

Vice Chairman Harley inquired and Mr. Koulouris indicated there will be no amplified music or outdoor service.

Mr. Gillespie inquired and Mr. Koulouris indicated they have found space inside the market to store items noting only the refrigerator compressor will remain permanently outside. They would like to have seasonal displays outdoors.

Chairman Roberts inquired and the Applicants indicated the outdoor displays would be kept around seating areas and within the gardens.

Commissioner Oickle inquired and Mr. Gillespie indicated an A-2 survey was submitted and approved as a part of the last Application.

PUBLIC COMMENTS:

The following persons spoke in favor of this Application:

1. Antonio Lenoci, 281 Main Street
2. Michael Rell, 57 Broad Street, Town Councilman and former Historic District Commissioner
3. Robert Smart, 62 Church Street
4. Anne Dillon 48 Marshalls Meadow
5. Shirley Alderman, 265 Main Street
6. Martha Smart, 62 Church Street
7. Jim Woodworth, 33 Mill Street
8. Paul Lisella, 32 Hartford Avenue

Kristin Lamson, 23 Fletcher Road, is concerned there is already a specialty market on Main Street and will be in direct competition.

John Jakubowski and Megan Kirk, owners of the Old Wethersfield Country Store, like the idea of new businesses coming in and what is proposed but are concerned with the overlap in services provided by their business only 500' away. Mr. Jakubowski referenced an article in the Wethersfield Life highlighting the area and their business. He indicated they were recently granted a special permit for grocery store beer sales and feels they have found their niche in the community. He is in favor of the proposal as a whole, particularly the seasonal shop and produce, but still has concerns.

Commissioner Oickle commented the businesses can be compatible with one another and bring more people to the area. He noted the Commission doesn't regulate by keeping businesses of like use out of Town.

Ms. Kirk indicated they would like to be compatible with this proposed use and likes the idea of produce at the market. She noted they pay their rent with their grocery sales which is 71% of the business.

There was discussion about alcohol sales and Mr. Gillespie indicated it is not included in this current Application.

Christina Brine, 52 State Street, spoke about the businesses being able to co-exist.

Chairman Roberts indicated there was correspondence from the following in favor of this application:

1. Sara Westergard, 11 Hartford Avenue
2. Bryan Wolf, 20 Main Street
3. Nicole Ferrari, 25 Belmont Street
4. Tracey McDougall, 45 Nott Street

5. Bryon Kamay, 38 Hartford Avenue
6. Robert Heath, 61 Hartford Avenue
7. Christine Kelly Lisella, 37 Belmont Street
8. Jason Perrone, 59 Footpath Lane
9. John Cascio, 33 Colonial Drive

Mrs. Koulouris indicated the interior of the building will remain unchanged with the exception of adding the bathrooms and café wall. By moving seed sales to the front building it will restore that portion to its original use. Mr. Koulouris addressed the concerns of Mr. Jakubowski and Ms. Kirk by exchanging his contact information and stating he was open to communicating with them. He insisted he would not carry the same products from the same farmers as the Old Wethersfield Country Store. Produce is his priority as is providing all non-GMO foods.

Commissioner Harley inquired and Mr. Koulouris indicated they hope to be open by mid-October for food services, but sooner for seed sales.

Motion: Commissioner Hughes made a motion to close **APPLICATION NO. 1876-15-Z Julia & Spiro Koulouris** seeking a Special Permit in accordance with Section 5.2 (Permitted Uses) of the Wethersfield Zoning Regulations for retail market, café/dining, outdoor storage and outdoor seating at 263 Main Street (Church Street).

Second: Commissioner Oickle seconded the motion.

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

Nay: none;

Vote: 7-0.

Public Hearing Closed.

Motion: Vice Chairman Harley made a motion to approve **APPLICATION NO. 1876-15-Z Julia & Spiro Koulouris** seeking a Special Permit in accordance with Section 5.2 (Permitted Uses) of the Wethersfield Zoning Regulations for retail market, café/dining, outdoor storage and outdoor seating at 263 Main Street (Church Street) with the following conditions:

1. All conditions from the prior Application ,1803-13-Z, must be completed prior to the issuance of a Certificate of Occupancy;
2. The outdoor display of seasonal objects & products shall be done to the satisfaction of Town Staff;
3. There shall be no outdoor table service;
4. There shall be no amplified outdoor music;
5. Garbage shall be kept in an inconspicuous location and be maintained regularly;
6. The hours of operation shall be as submitted: (7) days a week, 8am-8pm Monday – Friday and 10am-5pm Saturday & Sunday.

Second: Commissioner Hughes seconded the motion.

Discussion:

Commissioner Oickle inquired and Mr. Gillespie indicated the parking lot is a porous surface due to the pavers and drainage is sufficient.

Chairman Roberts and Mr. Gillespie went into discussion about parking. There was question about a condition from the prior approval in 2013 regarding parking plan revisions.

Commissioner Dean indicated parking is not a significant issue with this Application.

Commissioner Margiotta indicated he is comfortable with the parking situation as people frequently park and walk along Main Street.

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

Nay: none;

Vote: 7-0.

3.2 PUBLIC HEARING APPLICATION NO. 1877-15-Z Mike Panek seeking a Special Permit in accordance with Section 5.6 (Exceptions for Business Redevelopment) for façade renovation, exterior site improvements and a parking lot expansion at 860-862 Silas Deane Hwy.

Mike Panek, President of Phoenix Realty Management, owner of several commercial properties on the Silas Deane Highway, including 860-862 Silas Deane Highway appeared before the Commission. His property lies directly next door to Burger King and is 100% vacant. He wants to make it into something the Town will be proud of. Kevin Johnson, Close, Jensen & Miller, also appeared before the Commission. He indicated the parcel to the rear is owned by Eversource and they are seeking to lease the space for parking. Mr. Johnson explained the details of their proposal to renovate the property inside and out. The rear parcel is at a lower grade with nineteen (19) proposed spaces and all vegetation must be limited to twelve (12') feet maximum height due to the powerlines. He stated Eversource will not allow a light fixture on the leased property and they are proposing a single pole at the rear of the owned property with four (4) luminaire. They addressed all staff comments from Mike Turner, Town Engineer and Mr. Gillespie.

Commissioner Oickle inquired about a landscape waiver and Mr. Johnson indicated the property is small but they will meet most of the requirements.

Commissioner Oickle inquired and Mr. Panek indicated he went to the Design Review Board to present plans. The building has potential for two (2) 3,500 s.f. tenants of which he will be seeking high end only. He has spoken with Mr. Gillespie about the façade improvement program but plans to invest \$400,000 in improvements to the site. Design Review made comments on signage preferring that it be uniformed and he will not be seeking to install a free standing sign. Mr. Johnson noted all vegetation will be low growing so as not to block the windows.

Commissioner Allard inquired and Mr. Johnson indicated the existing angled parking will remain and traffic will be encouraged to follow a one way pattern around the lot. Mr. Panek indicated he plans to use the rear lot as employee parking to minimize traffic flow to the rear.

Vice Chairman Harley inquired and Mr. Panek indicated the parking calculations have been made under the assumption of a medical tenant which is the exact number of spaces they would need for this use and will not be returning to seek a parking waiver.

Commissioner Oickle inquired and Mr. Panek indicated Eversource will not allow for a light pole on the leased property but he presented a rendering which noted the light shed to be sufficient from the rear of the property at 860-862 Silas Deane Highway.

The Commissioners and Applicant went into discussion about drainage on the property.

Chairman Roberts inquired and Mr. Panek indicated there will be no curbing to the rear but he will install a timber guiderail.

Vice Chairman Harley inquired and Mr. Gillespie indicated the landscaping coverage is ok – the 25% is not met but they have maximized what they could on all sides.

Commissioner Dean questioned the wording of the Application and Mr. Gillespie indicated it was noticed to the public as a Special Permit Application and referenced correctly in memos.

PUBLIC COMMENTS: There were no comments made by members of the Public at this time

Motion: Commissioner Dean made a motion to close **APPLICATION NO. 1877-15-Z Mike Panek** seeking a Special Permit in accordance with Section 5.6 (Exceptions for Business Redevelopment) for façade renovation, exterior site improvements and a parking lot expansion at 860-862 Silas Deane Hwy.

Second: Commissioner Hughes seconded the motion.

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

Nay: none;

Vote: 7-0.

Public Hearing Closed.

Motion: Vice Chairman Harley made a motion to approve **APPLICATION NO. 1877-15-Z Mike Panek** seeking a Special Permit in accordance with Section 5.6 (Exceptions for Business Redevelopment) for façade renovation, exterior site improvements and a parking lot expansion at 860-862 Silas Deane Hwy with the following conditions:

1. A landscaping waiver shall be granted to the extent and satisfaction of Town Staff;
2. A copy of the signed lease agreement with Eversource shall be provided to the Town;
3. Applicant shall incorporate comments from Town Engineer and Town Planner into revised plans submitted to satisfaction of Town Staff;
4. Applicant shall incorporate recommendations from Design Review;
5. Plans for pavement, parking and signage shall be submitted to satisfaction of Town Staff.

Second: Commissioner Hughes seconded the motion.

Discussion:

Commissioner Allard and Mr. Gillespie discussed the traffic patterns in the parking lot.

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

Nay: none;

Vote: 7-0.

3.3 APPLICATION NO. 1843-14-Z HESA LLC seeking a site plan amendment at 974-990 Silas Deane Highway.

Kevin West of Prescott Construction Management appeared before the Commission regarding the Application. He indicated he had applied to the state for a permit regarding a parking lease but has since chosen to redesign the parking area to avoid leasing land back from state. He's modified areas on the north side of the building to make snow removal easier and has addressed staff comments for curb bumpers which will be placed along the building. All previously required conditions are to remain in place.

Commissioner Margiotta inquired and Mr. West indicated he is not opposed to narrowing the southerly driveway. He indicated a need for the entrance noting he cannot reverse the angled parking spaces but can change the signage to read entrance only.

Vice Chairman Harley inquired and Mr. West indicated he received no comment from the State regarding the southerly driveway.

Chairman Roberts inquired and Mr. Gillespie indicated there were Staff comments from the Building Official as to the missing fifth (5th) handicap parking space which is required and Mr. West addressed these concerns.

Motion: Vice Chairman Harley made a motion to approve **APPLICATION NO. 1843-14-Z HESA LLC** seeking a site plan amendment at 974-990 Silas Deane Highway with the following conditions:

1. A revised site plan shall be submitted that shall address the following items;
2. The southerly driveway shall be narrowed to 36';
3. The Applicant shall add one (1) handicap space bringing the total to five (5);
4. Curb stops shall be installed along the front of the building and may be eliminated elsewhere subject to Town staff approval;
5. The parking spaces on the south side of the building shall be angled;
6. Conditions number 1-2 & 4-12 of Application 1843-14-Z are to remain in effect.

Second: Commissioner Margiotta seconded the motion.

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

Nay: none;

Vote: 7-0.

4. OTHER BUSINESS:

There was no other business discussed that this meeting.

5. MINUTES – August 4, 2015

Motion: Commissioner Oickle made a motion to approve the Minutes of August 4, 2015.

Second: Vice Chairman Harley seconded the motion.

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

Nay: none;

Vote: 7-0.

6. STAFF REPORTS:

Mr. Gillespie indicated 565 Wolcott Hill Road has made progress and the house is closed up. He also reported on correspondence received from the Town Attorney for the Whippoorwill Way subdivision. Mr. Gillespie noted the developer has begun to move forward and gone through the Inland Wetlands Commission.

Mr. Gillespie reported the on the Right of Way for a paper street known as Princeton Street. He indicated developers are working their way through Superior Court to get a judgement for their rights to use this paper street as a Right of Way in order to come in with a new subdivision proposal. At the moment there is insufficient title to accept this as a public street and the Town doesn't allow for private roads within the subdivision regulations.

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:

APPLICATION NO. 1878-15-Z Wingfoot Commercial Tire Systems, LLC dba Goodyear Commercial Tire & Service Centers Seeking a Special Permit in accordance with Section 5.7 (Public Garages and Filling Stations) to amend Application No. 1849-14-Z for a motor vehicle repair license at 1024 Silas Deane Hwy.

10. ADJOURNMENT:

Motion: Commissioner Hughes motioned to adjourn the meeting at 10:05 pm.

Second: Commissioner Allard seconded the motion.

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

Nay: none;

Vote: 7-0.

Meeting adjourned.

Respectfully submitted,
Lindsay Schmitt, Recording Secretary