

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

Tuesday, March 15, 2016

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, March 15, 2016 at 7:00 p.m. in the Wethersfield Town Hall Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

1. CALL TO ORDER

Chairman Thomas Harley called the meeting to order at 7:02 p.m. explaining the Rules and procedures of the meeting and how it shall be conducted.

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

| Member Name | Present | Absent | Excused |
|----------------------------------|---------|--------|---------|
| Thomas Harley, Chairman | X | | |
| Antonio Margiotta, Vice Chairman | | | X |
| Richard Roberts, Clerk | X | | |
| James Hughes | | | X |
| George Oickle | X | | |
| Joseph Hammer | | | X |
| Anthony Homicki | X | | |
| Thomas Dean | X | | |
| Ryan Allard | X | | |
| Leigh Standish (alternate) | | | X |
| Yolanda Antoniak (alternate) | X | | |

Also present: Peter Gillespie, Director of Planning & Economic Development, Denise Bradley, Assistant Planner and Mary Lou Wall, Recording Secretary

Members of the Public were present.

2. OLD BUSINESS

There was no old business

3. NEW BUSINESS

3.1 Review of a Mandatory Referral in accordance with C.G.S. § 8-24 on the proposed Wethersfield Transition Academy to be located at 370 Silas Deane Highway. The Chairman reviewed the rules and procedures of the hearing and meeting and asked for applicants to join and present their projects.

3.2 PUBLIC HEARING APPLICATION 1898-16-Z Wethersfield Public Schools Seeking a special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to locate the Wethersfield Transition Academy at 370 Silas Deane Highway.

Chairman Harley suggested that both agenda items be combined for deliberating.

Michael Emmett Superintendent of Schools, explained their vision statement, which is to transition students between the ages of 18 to 21 to the adult world, who have met all their academic requirements and have a developmental disability and are entitled to an education until they turn 21, by helping them to gain knowledge and authentic experience in the areas of employment, life skills, social and communication skills and age appropriate leisure skills in a community setting; therefore, they are in need of new space. Discussion on the hours of operation, safety, landscaping, access and egress, handicap accessibility, trash enclosure, potential elevator in future, second floor accessibility for all students. Commissioner George Oickle actively engaged in questioning.

Fred Bushey, BOE Maintenance, indicated to commission based on Commissioner Oickle's line of questioning that he will work with the owner, Mr. Michael Castro, SEENM Properties, LLC and get back to Commission again to address any unanswered issues.

Patti Silver 24 Hillcrest, Wethersfield with daughter who will be in the Transition Program, thanked the Commission for going forward with this and gave her thoughts as to the great amenities of the program and with hope of consideration of an elevator. Also, having only the first floor would limit the transition. She cited an Academy in Middletown, as an example, and with hope to pursue a grant to help maximize the use of the building; however, the current lack of elevator should not discourage going forward. Kathleen Kanya 27 Meadowview - a letter was read for her by Ms. Silver regarding the elevator and positive feedback on the Program site.

Charles Epp 11 Windmill Hill has a daughter in the Transition Academy and feels that presently it is not large enough (upward to 19 children next year). As formerly discussed, the second floor is not accessible and after the parents visited, they fully support having an elevator. They do support 2016 effort to go forward regardless of that fact.

Lisa Flynn 19 Nathaniel Drive has a son in a wheelchair and fully supports what Kathleen Kanya and Charles Epp said.

Commissioner Ryan Allard questioned Memo Dated February 26, 2016 i.e. capacity of site for number of students, number of staff, how much activity coming and going, adequate parking, and 100 year flood plain. Ms. Emily Daigle a member of the Transition Program commented, there will be around 20 students and 30 next year possible 30 aging out, some and large number coming up. The program is taking in other districts and the large room in the center will be used as a "Group Room" indicating they seldom have students driving and the BOE will be funding a Van and that they arrive in small groups. She indicated they often use ADA transportation and bus line as well.

Commissioner George Oickle questioned Mr. Emmett regarding whether it was a state program and stating that you could take in from other towns and asking whether the noise from the Silas Deane traffic was an issue. Mr. Oickle indicated that there is an occasional large noise but not a disruption. Mr. Emmett remarked that he was proud of this program and a group came in from New Orleans to look at our program. Commissioner Tom Dean indicated there was talk from parents regarding accessibility regulations and are you asking for our approval for use of the whole building. Mr. Emmet said they will split group up or relocate services if accessibility becomes an issue. Also, answered yes to the question of program audit from State/Government. A discussion ensued regarding access to sinks, bathroom facilities, any plans for Build out to conform. Mr.

Fred Bushey indicated slight modifications to kitchen area are being made. Mr. Dean commented on water fountain and Mr. Bushey replied that they were adding water now.

Chairman Harley asked if plan in place for elevator, Fred indicated the Owner did look into this in the past but did not go any further. We can open that line of thought in pursuit of a grant. Mr. Dean commented to the Chairman that in regard to that issue, in the event you have a 20 year lease, state does have and will make eligible for a consideration incentive and cost of lease and build out can be a means of leverage. Mr. Fred Bushey said 56% - laws have changed dramatically. It is worth the effort to pursue this in the future.

Commissioner Yolanda Antoniak asked if any students will live in the building. Mr. Emmet indicated, no.

Motion made by Commissioner Roberts to close the public hearing.

Second by Commissioner Homicki.

Motion made by Richard Roberts to forward a positive referral in reference to the Mandatory Referral in accordance with C.G.S. § 8-24 on the proposed Wethersfield Transition Academy to be located at 370 Silas Deane Highway.

Second by Commissioner Oickle.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - None.

Abs - None.

Motion passes.

Motion made by Commissioner Roberts to approve APPLICATION 1898-16-Z Wethersfield Public Schools Seeking a special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to locate the Wethersfield Transition Academy at 370 Silas Deane Highway subject to the following:

1. Add zoning table and parking computation required vs provided
2. Add building square footage (UL 3200 sf, LL 2560 SF)
3. Add note no wetlands or 100 year floodplain on property (Clarify line depicting 100 year floodplain was from an older, outdated flood study.)
4. Indicate in lease description if BOE is leasing upper, lower or both floors
5. Add dumpster pad and enclosure; provide details on plans
6. Add shields to make rear building mounted lights full cutoff (or replace fixtures)
7. Add note to restripe parking stalls to accommodate the required minimum 40 parking spaces.

8. Denote one space as HC van accessible space with appropriate striping and signage
9. Confirm slopes, widths and railings on HC ramp to Silas Deane Sidewalk are to code
10. The proposed floor plan and any associated improvements required must be approved by the Chief Building Official, the Fire Marshal and the Health District.
11. Any new signage will require approval in accordance with Section 6.3 (Sign Regulations) of the Wethersfield Zoning Regulations.

Second by Commissioner Anthony Homicki

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - None.

Abs. - None.

Motion passes.

3.3 PUBLIC HEARING APPLICATION NO. 1900-16-Z John Kocur Seeking a Special Permit in accordance with Section 5.6 (Exceptions for Business Redevelopment) for exterior site improvements (handicap ramp) at 282-284 Silas Deane Highway.

Chairman Harley described application. Commissioner Oickle asked how far the ramp will be located from the side yard, Mr. Kocur answered, a couple of feet. Chairman noted that he had the letter from Mr. George Gonsalves, the neighbor (266-274) Silas Deane indicating he is not opposed to the application, said letter dated 2/23/16. Commissioner Dean indicated that they should do an "as built" and correct contours.

There was no public comment.

Motion by Commissioner Oickle to close the Public Hearing.

Second by Commissioner Dean.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - None.

Abs. - None.

Motion passes.

Motion by Rich Roberts to approve **APPLICATION NO. 1900-16-Z John Kocur Seeking a Special Permit in accordance with Section 5.6 (Exceptions for Business Redevelopment) for exterior site improvements (handicap ramp) at 282-284 Silas Deane Highway subject to the following:**

1. The Zoning Summary shall be revised to reflect the proposed side yard setback of the proposed handicap ramp.

2. The side yard setback of the proposed handicap shall be added to the site plan.
3. The required minimum side yard setback in the General Business (GB) Zone is 12'. Due to the proximity of the side yard setback an "As Built Survey" should be submitted to Town Staff once the handicap ramp has been put in place.

Second by Commissioner Tom Dean.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - None.

Abs. - None.

Motion passes.

3.4 APPLICATION NO. 1901-16-Z OM Foods LLC Seeking Site Plan and Design Review in accordance with Section 5.2 of the Wethersfield Zoning Regulations for an Indian/Asian grocery store at 1321 Silas Deane Highway.

Chairman Harley noted that this application is not a public hearing.

Harry Patel, P. O. Box 185598, Hamden, CT detailed his proposal to open an Indian/Asian grocery store with prepackaged groceries. Commissioner Dean asked Mr. Gillespie if there was a parking issue. Mr. Gillespie said there is not a parking issue. He noted that the former tenant had propane storage area and staff recommended removal fence in area which will bring into compliance. Mr. Gillespie noted staff comments and a brief discussion ensued.

Motion to approve by Commissioner George Oickle with conditions as follows:

1. Additional parking lot lighting may be required- provide photometric of current lighting plan for 3 lights along south edge Chips parking to determine if sufficient. (Staff recommends applicant consider adding heads on south side existing 3 poles); note existing lighting at west end parking does not meet fill cutoff requirement and must be replaced.
2. Driveway travel way in poor pavement condition- provide deep surface repairs.
3. Handicap space at east end row parking front of building needs new sign and restriping.
4. Repaint all line striping.
5. Fenced area for true value storage eliminated 5 parking spaces, and the parking in 1984 provided less than required number. Provide zoning table and parking calculation, along with cross property easements and parking agreement with Goff brook Shoppes. Add notes whether storage area fencing to be removed.

Second by Commissioner Dean.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - None.

Abs. - None.

Motion passes.

3.5 APPLICATION NO. 1901-16-Z Leonardo Gugliotti Seeking Site Plan and Design Review for exterior improvements at 446 Silas Deane Highway.

Chairman Harley noted this is not a public hearing.

Leonardo Gugliotti, 632 Silas Deane Highway, recently purchased 446 Silas Deane Highway and began by showing before and after renderings of subject building and a site plan prepared by Close, Jensen and Miller. Commissioner Oickle began questioning by asking the use of the property? The applicant Leonardo Gugliotti replied, we don't know yet. Mr. Peter Gillespie remarked, if the use is different they will have to come back to comply with parking etc. Applicant will restrict occupancy or find additional parking. Commissioner Homicki asked if he looked at memos from Mr. Gillespie and Mr. Turner. Commissioner Oickle added that there is junk in the driveway and waiting for response on fence. Applicant indicated they will redo the pavement and fencing. Conversation ensued between Commissioner Oickle, Dean and Town Planner Gillespie. Commissioner Dean asked Peter Gillespie if Fire Marshall is okay. Mr. Gillespie indicated he had not received any concerns. Also indicated there are two (2) waivers necessary for landscape and width waiver for driveway. Commissioners Dean and Roberts felt comfortable with landscaping waiver. Mr. Gillespie noted that Mr. Turner would like to see note, reconstructing existing stairs and grading modified; additionally, Mr. Turner wants note added to plans regarding the landscaping waiver. A further discussion from Mr. Gillespie on additions to sheets regarding width of driveway, a/c, wall, parcel added and s.f., suggesting power placed underground and drainage calculations added to plans.

Chairman Harley asked for questions or motions.

Motion to approve by Richard Roberts with conditions as follows:

1. A waiver was granted in accordance with Section 7.4 (Waivers to Regulations) of the Wethersfield Zoning Regulations to reduce the driveway width to 17'. Final plans shall be submitted and approved by town staff. The driveway width may need to be modified to accommodate a future tenant.
2. Add a note to the plans indicating the removal of the existing retaining wall at the southeast corner of the building. The plans shall be revised to incorporate a new wall and modified grading.
3. Add a note to the plans for the contractor to remove/reconstruct, if required, the existing stairs, to accommodate the new site grading on the south of the building.
4. A waiver was granted in accordance with Section 7.4 (Waivers to Regulations) of the Wethersfield Zoning Regulations to reduce the required parking area landscaping.
5. A waiver was granted in accordance with Section 7.4 (Waivers to Regulations) of the Wethersfield Zoning Regulations to park between the street line and the building line.

6. Add a note to the plans, Sheet 3 of 9, for the Owner to evaluate the existing fence and determine if it is to be removed or remain. If remaining, it shall be relocated totally onto the Owner's property and replaced in kind if portions are deteriorated.

7. Add a note to the plans with the parcel area in acres and square feet.

8. Drainage calculations for the rain garden will be submitted for approval by the Engineering Department.

Second by Commissioner Anthony Homicki

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - none

Abs. - None.

Motion passes.

3.6 PUBLIC HEARING APPLICATION NO. 1899-16-Z Larissa Lake & Antonio Lenoci seeking a Special Permit in accordance with Section 5.2.D.1 of the Wethersfield Zoning Regulations for a change of use to operate a salon and spa at 146 Main Street.

Ozzi Torres, Torres Engineering Inc. 63 Reed Drive representing Larissa and Antonio Lenoci. Mr. Torres stated that the site is presently ¼ of an acre and is requesting to add an addition and porch on the side of the building and porch in the back on left to serve handicap - approved by The Historic District Commission and approved to widen driveway to 21' (enlarges as it goes back). In rear, 10 parking spaces proposed. Commissioner Oickle questioned Mr. Torres regarding various items including drainage, about the business, number of customers. Larissa Lenoci indicated that the business is by appointment only not weekends and if a parking problem will direct them to park at Keeney Center. Town Planner said a waiver or S.F., parking area, removed signage, zoning revised, light fixtures will need to see in final plan, fire escape will be up to the Fire Marshal, who has been consulted and requirements will be met by applicants.

Chairman Harley asked for any public comment.

Lorraine Powers 126 Main Street. Stated she was glad they are coming however, would like them to consider lower lighting since it is in her windows and expressed concern about the drainage system and flooding. Ms. Powers property is located on South side subject property. Ms. Lake indicated she will look into lower lights, provided the town concurs.

Chairman Harley asked for any further public comment.

Charles Ford 147 Main Street across the street "House of Images" since 1976, seeing this application as a very fine improvement. In respect to drainage it has always been an issue at intersection of Center and Main.

Tom Sapia 136 Main Street, my wife and I are in favor of addition, lower lights, low impact business, and we are looking forward to it.

Mrs. LeClair 330 Main Street, in business since 1985, a new family, wonderful plans and beautiful improvements and she appreciates young ambitious people taking over, a large plus to Wethersfield.

Cindy Hughes 14 Meggat Park, excited that they have taken over and good foot traffic.

Amy Northrop Wittorff 17 Center Street and works as the Executive Director of the Wethersfield Historical Society, an email was sent to Mr. Peter Gillespie in favor of application, and she remarked that they have taken extraordinary care in their plans for this site, and she welcomes their investment in our community and urges approval.

Chairman Harley requests questions or comments from Commissioners.

Motion by Commissioner Thomas Dean to close hearing

Second Commissioner Anthony Homicki.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - none

Abs. - None.

Motion passes.

Motion by Chairman Harley to approve **APPLICATION NO. 1899-16-Z Larissa Lake & Antonio Lenoci** seeking a Special Permit in accordance with Section 5.2.D.1 of the Wethersfield Zoning Regulations for a change of use to operate a salon and spa at 146 Main Street as follows:

1. Exterior lighting shall be in accordance with Section 6.7 (Outdoor Lighting) of the Wethersfield Zoning Regulations and the details of the fixtures shall be submitted and approved by town staff.
2. Add a note to the plans that a landscape waiver was granted in accordance with Section 7.4 (Waivers to Regulations) of the Wethersfield Zoning Regulations
3. A Hold Harmless Agreement with the town for drainage connection to the town's system shall be filed in the Town Clerk's Office.

Second by Commissioner Thomas Dean.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - none

Abs. - None.

Motion passes.

4. OTHER BUSINESS

4.1 Review of a Mandatory Referral in accordance with GGS § 8-24 on the Acceptance of Princeton Street as a Public Road

Attorney Mario Borelli, of the firm, Leone, Throwe, Teller & Nagle, representing Billings Gate summarized the issue. Intention is to construct road for public use in order to access four (4) interior lots that they own as described in Memo to Peter Gillespie dated 2/26/2016:

1. Approval Subdivision 1915.
2. Road specifications approved
3. Legal title to paperstreet.

Commissioner Oickle asked what legal permission they need. Mr. Borelli stated, “we want the road dedicated for public use dedication.” We want it to be a street rather than access. We don’t own 50’ of the paper road. It is owned by original owner who we are unable to find. It is in litigation. Questions ensued between Commissioners Oickle, Dean and the Chairman. Attorney Borelli indicated that one is in denial, a woman on Wilmont Street, and 3 approved access to lots. Chairman asked for questions. A brief discussion ensued. Commissioner Dean stated that these lots go back to 1915 and they were intended to dedicate these as a street, a public street, intended to be dedicated as a public street.

Motion by Commissioner Richard Roberts to forward a positive referral to the Town Council regarding the review of a Mandatory Referral in accordance with GGS § 8-24 on the Acceptance of Princeton Street as a Public Road

recommend Princeton Street item 4 provide bonds for public improvement

Second by Commissioner Anthony Homicki.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - none

Abs. - None.

Motion passes.

5. MINUTES

Motion by Commissioner George Oickle to accept minutes of January 5, 2016.

Second by Commissioner Richard Roberts with Date Change from January 1 to January 5.

Aye - Harley, Roberts, Dean, Oickle, Homicki, Allard and Antoniak.

Nay - none

Abs. - None.

Motion passes.

6. STAFF REPORTS

6.1 A discussion regarding Whipporwill Estates (Whipporwill Way).

Mr. Peter Gillespie discussed staff comments regarding Whippoorwill Estates. Developer Uccello proposes a connection at Old Reservoir to Whippoorwill Way. Staff has prepared 3 plans and is looking for guidance. Mr. Uccello's plan is not preferred. The preferred plan is the Lt. Crabtree endorsed plan is more gradual and tapers. Mr. Uccello is willing to make improvements and willingness in memo to put in a row of 22 arborvitae on the east side of Old Reservoir Road as a visual shield to headlights and traffic.

Conversation between Commissioners Allard, Dean and Oickle ensued. The Commission preferred the plan by Lt. Crabtree with drainage work added to the plan.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING

Cindy Lesser - was in favor of Lt. Crabtree Endorsed plan due to the fact she has 2 small children and the site line when heading north in a car provides extra protection for her children due to the fact that it tapers.

Commissioner Oickle asked who is paying for this.

Mr. Peter Gillespie indicated that the Developer is paying. They just wanted input from Planning and Zoning on the preferred design.

8. CORRESPONDENCE

8.1. Chairman Harley noted that Commissioner Yolanda Antoniak received certificate from the CT Land Use Academy. Congratulations.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

No pending applications.

Chairman Harley indicated that a copy of the Capital Improvement Plan has been distributed for the next meeting agenda.

10. ADJOURNMENT a Motion to adjourn at 9:49 p.m.

Respectfully submitted,

Mary Lou Wall

Recording Secretary

