

WETHERSFIELD PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND MEETING

MAY 3, 2016

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, May 3, 2016 at 7:00 p.m. in the Wethersfield Town Council Chambers located at the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

1. CALL TO ORDER

Chairman Thomas Harley called the meeting to order at 7:03 p.m. welcoming all to the Planning and Zoning meeting. He explained the process and procedures of the public hearing and Vice Chairman Antonio Margiotta commenced the roll call.

1.1. ROLL CALL AND SEATING OF ALTERNATES (5 members required for a quorum).

Member Name	Present	Absent	Excused
Thomas Harley, Chairman	√		
Antonio Margiotta, Vice Chairman	√		
Richard Roberts, Clerk	√		
James Hughes	√		
George Oickle	√		
Joseph Hammer			√
Anthony Homicki	√		
Thomas Dean	√		
Ryan Allard	√		
Daniel Silver (alternate)	√		
Yolanda Antoniak (alternate)	√		
David Edwards (alternate)			√

Also present, Mr. Peter Gillespie, Economic Development/Town Planner, Ms. Denise Bradley, Assistant Town Planner and Mary Lou Wall, Recording Secretary.

Members of the public were present.

Chairman Harley indicating there are 8 members present. Note: Commissioner Roberts and Commissioner Dean joined the meeting shortly after the roll call. 10 members present.

2. OLD BUSINESS

None

3. NEW BUSINESS

3.1 PUBLIC HEARING APPLICATION NO. 1904-16-Z Vet Med LLC seeking a Special Permit in accordance with Section 5.2.1 of the Wethersfield Zoning Regulations for demolition, new construction of a veterinary hospital and associated site improvements at 434-442 Silas Deane Highway.

Mr. Christopher Juliano, PE, LS, Juliano Associates LLC. 405 Main Street, (Yalesville) Wallingford, CT., Engineer and Surveyors for Applicant. The plans were described in detail and shown to the Commissioners, the site for demolition, the new building that will be constructed, discussion of all the parking, lighting and landscaping. He indicated they are proposing three rain gardens since there is not much vegetation except a small piece on the east; to improve storm water quality leaving the property prior to getting into wetlands. Also, there was an explanation of easements of the neighboring sites. The revised set of plans were given to the Planning and Zoning today for all to review. The presentation specifically was on the Property and Topographic Survey, the Site Layout Plan, Site Landscaping Plan, Site Grading and Erosion Control Plan, Site Details, and Erosion Control Specifications of the Beaver Brook Animal Hospital.

Chairman Harley and Commissioner Oickle asked about the easements regarding the (MDC) and the sanitary sewer easement on the south side of the property. Applicant noted that CLP has a major utility easement going across the back of the subject property and the use of the property is extremely limited. There is also an access right of way for a mutual driveway with the property to the south of 446 Silas Deane.

The Memo dated 4/25/2016 to Peter Gillespie, Town Planner, from the Engineering Division, Department of Public Works, the subject of Site Plan Review for applicant in regard to proposed site improvements, was discussed. Mr. Juliano commented that, the site layout plan items are minor in nature and can be dealt with. Mr. Juliano discussed the Property and Topographic Survey. The Wethersfield Fire Marshall letter dated April 28, 2016 was referenced.

Discussion was held on the Site Layout Plan item number 6, he indicated the proposed handicap parking stall sign is shown.

Item number seven (7) all building dimensions need to be done, and it will be referenced to the architectural drawings with specific dimensions.

Item number eight (8) Zoning Table - they are proposing 25 spaces and those will be sufficient for the use but if 3 additional spaces are required, they could be added but prefer not to.

Commissioner Homicki asked for a narrative of the business and if the operation of the business expects to hire more people and is more traffic flow expected. Commissioners Allard and Silver continuing with questions of parking, additional spaces, peak times of day and asked if any of these will have any impact. The applicant indicated that the parking area is never full and they feel that based on the historic use, they do not foresee any problems with parking. Mr. Juliano stated it is all appointment based and spread out during the day.

Item number ten (10) consider HC ramp at sidewalk area. They did check the grades today and they just comply. Regarding this recommendation, they would have to put a rail and it is something they will consider but they do not necessarily want to do, due to the additional cost.

Item number twelve (12) propose 2 parking spaces in front yard setback modification/waiver in writing that has been submitted.

Building Footprint item number fifteen (15) regulations only permit 18 inch overhang this is a simple fix by moving footprint back a foot and a half and will be done.

Item number sixteen (16) identify location of hvac, mechanical or condenser units, at this time it is too early to do so since the design has not been done until an application for a building permit is made and at that time, they will provide the modification.

Chairman Harley asked if they can offer an expectation of where it will be. He indicated the condensers will not be on the roof since it is pitched, and showed where the mechanicals may be placed on site plan. (Rear of building)

Item number twenty-one (21) Regarding Site Grading, the applicant will reach out for contact information to Close, Miller and Jensen, it will require coordinating improvements so everything works out for each person's use with the shared properties.

Site lighting item number twenty-two (22), once the final structure is determined, the applicant will get a full photometric design to the Town and correct any exterior elevations necessary.

Site Demolition Plan item number three (3), the entire site from the Silas Deane to the rear property will be removed, pavement, dirt, gravel; highly doubt a demolition plan will be needed, if the town wants applicant to do it, they will. Planner Gillespie indicated that it is up to the commission if they want to go with that, since there is not a specific requirement for site demolition plan in the regulations.

Commissioner Oickle asked about the utilities and the area near Dunkin Donuts where people tend to cut through. Planner Gillespie indicated that it is necessary to seek permission from the owners and concern is primarily about the tower, the power company. Also, a cut through from Dunkin Donuts but cutting it off does not mean not to allow the cut through, so the rain garden area should help with that situation and discussion ensued.

Site landscaping plan item number eighteen (18) plans do not meet requirements of Section 6.1 Landscaping Requirements of regulations. Town Planner indicated that he was not provided information to make that determination; applicant will need to submit a plan. The Engineer indicated what they will do with plantings of trees and explained that they believe they do meet the requirements. Commissioner Oickle indicated he wants them to comply regarding the landscaping/vegetation. This discussion included items number nineteen (19) and twenty (20).

Chairman Harley he indicated that he went through memo of 4/26/2016 from Peter Gillespie, Town Planner and Assistant Planner, Denise Bradley; 4/28/2016 memo from the Fire Marshall, Anthony Dignoti; 4/25/2016 memo from the Engineering Division, Department of Public Works, Don Moisa, Acting Director of Engineering and Chris Zibbideo, PE, LS Engineering Technician III, and asked if there were any other correspondence. He asked for questions before turning to the public for comments.

Commissioner Oickle asked for clarification of concrete and asphalt and the one way in and out of the site and the railing issue and the comments were clarified in detail. Commissioner Allard asked about how they are trying to discourage Dunkin Donuts patrons other than landscaping. Discussion was held determining they will need to figure out how to restrict parking in new site's lot. Commissioner Hughes, responded it will be figured out and if not, the applicant will have to take corrective measures. Commissioner Antoniak asked if calculations were given to the Engineer or Town Staff regarding the rain gardens, and requested they provide details of the rain gardens so it will clarify better to the Commission as to how it will be constructed. Discussion

continued on the drainage, grades of the site. Chairman Harley commented that a drainage report was attached and said report was done by Mr. Juliano.

Commissioner Oickle directed questions to Town Planner regarding the history of the property and if the Design Review took a look at the application. Town Planner indicated the DRAC did look and approved the property and that the applicant owns the property in the back and the utility companies have an easement over applicant's property.

Commissioner Hughes gave some history on the property and asked about gas/oil tanks in the ground. Commissioner Dean asked absent of demolition plans should the debris be tested for any hazardous material. It will have to be tested during construction and in accordance with state regulations and removed it will be removed if necessary according to regulations, Mr. Juliano stated. Commissioner Dean believes it is called a T-clip test and requested the applicant to forward the test results to this Commission. Dr. Monica Dijanic stated they are waiting for Phase two results and much conversation continued in regard to environmental testing.

Chairman Hartley requested to move on to public comment.

Paul Nock, 71 Stillman Walk his home is behind this location concern is related to the noise and light and if it restricted to normal hours, about the animal boarding, will the building be sound proofed. Also, the location of the dumpster and if the servicing time of the dumpster will be during normal hours rather than like Dunkin Donuts, indicated they pick up extremely early in the morning. Mr. Nock is hoping the owners will put some type of landscaping barriers along Beaver Brook.

Judy Arthmann 26 Stillman Walk since it is an animal hospital and surgical units, oxygen and other chemicals are of concern and asked if the hospital will be staffed overnight or unattended in case of fires. Also, animal feces concerned over rodents and are parts from surgery placed in dumpsters and odors. Additional concern about defecation on property at the end of the brook.

Chairman Hartley the questions seem to be about operation in general and asked who owned the buffer in the back 122' from the common property line.

Mr. Juliano indicated that they will comply with regulations to the east to leave it in a natural state and not an area for pet use. The intention is to be a good neighbor. They take the dogs out and bring them back in; it is not a doggy day care. This is a medical facility and there is boarding here at the facility. Commissioner Homicki indicated that it is not an outside wall and the noise should be contained. Discussion on the noise factor was continued by Mr. Juliano and Town Planner Gillespie and Commissioners.

Grace Tanner 77 Stillman Walk concerned about dogs in and out and barking and feels the facility will impact the value. Ms. Tanner lives right behind the facility.

Chairman Harley asked for an explanation to describe the location of the animals, hours of operation and how the animals are exercised and relieved. Asking the difference between this facility and the other facility down the street. Mr. Juliano described location on the plans for the animals use and deferred to the doctor to speak to the rest of the questions. Discussion continued with describing the buffer.

Dr. Monica Dijanic stated the other facility is a hospital only and not a true kennel maybe that is why they may not have sound proofing. The animals will be exercised and they will be brought outside three times a day and then brought back inside and they are supervised. The hospital is open 7 days a week. Monday, Tuesday, Thursday and Friday from 9 a.m. to 6 p. m., Wednesday 8 a.m. to 8 p.m. and Saturday 9 a.m. to 2 p.m. and Sunday 9 a.m. to noon, staff comes in to check.

Commissioner Dean asked about basic insulation in wall and ceiling regarding internal sound attenuation. Eric Doering, TWC Construction Inc., (in public seating area) indicated in the lower level the building will have concrete walls and will give them the sound abatement they are looking for giving an STC 50. An explanation was given on construction elements and ratings and how that will attenuate a lot of sound and stated sounds transferred through energy - insulation is a big component how sounds are mitigated. Conversation continued between Commission and Mr. Doering.

Commissioner Silver stated this will be an improvement and assumes a state of the art facility more than the existing one, with overall a lot of detail and quality and asking if staff will look into some of the other facilities to put concerns by neighbors aside. Vice Chairman Margiotta thanked them for staying in town and stated they will be good neighbors. Also, Commissioner Margiotta stated it will be a beautiful building, discussion ensued. Chairman Harley asked about the dumpster. Commissioner Silver stated perhaps staff can look into the other neighboring location.

Mr. Juliano in general preferred a chain linked fence with a privacy enclosure and understands the neighbors concerns and will work refuse company that pick up the dumpsters to come in during normal hours. Regarding Bio waste, material is stored inside and taken away by professionals. Also noted that dumpsters will be covered and indicated that both the doctor and the staff want to be good neighbors and will minimize the impact on the neighbors.

Jim Macrae 65 Stillman Walk indicated he thinks the soundproofing has been dodged, living in back of where the driveway will be from the building once the dogs start barking, they all start barking.

Chairman Harley commented that there will be more soundproofing than a normal home would receive and the hospital house the animals inside not outside unlike the other facility.

Barbara Mead 54 Stillman Walk voiced concern with the noise and in the winter there is clear line right through the vegetation and wants to see something tall and permanent as a sound barrier and concerned about the sound of the compressors.

Mr. Juliano indicated that the town departments have asked CLP to remove some gravel and plant some evergreens but it will be a longer process. With respect to the compressors, they are newer style compressors and should not be a problem and showed the general location of them on the property and pointed to where the vegetation shall be on the east side so that visually they will not see them. Once they have permission from CLP that will provide another layer of vegetation to help with noise protection. Discussion ensued.

Commissioner Homicki indicated that they are in a general commercial zone. Commissioner Hughes indicated that this use has less impact than other uses permitted in the zone and is a welcome change rather than what was there before.

Chairman Harley indicated this is a public hearing and felt enough information has been provided. A few issues he heard can be handled by the staff. A motion can be crafted with a series of conditions and any issues that cannot be handled by the staff will come back to the Commission to review, Planner Gillespie stated. Mr. Gillespie added some of the issues that should be in the motion. The critical thing is for Commission to be comfortable primarily with parking, we do not have a parking regulation for animal hospitals so the commission must decide. Also, lighting can be addressed with documentation to prove that, landscaping calculations, demolition plan whether they provide to town planner or building inspector and that the record reflects other issues for example soundproofing details. The Chairman suggested that other issues can be handled with a number of conditions, and that parking is provided will be sufficient for demand, so when that is resolved a decision can be made. A request for waiver of parking in the front yard has been requested.

Chairman Harley asking for a Motion to close the hearing.

Commissioner Homicki made a **Motion to Close** hearing and **Second** by Vice Chairman Margiotta.

Aye - All Commissioners Allard, Antoniak, Dean, Harley, Homicki, Hughes, Margiotta, Oickle, Silver

Nay - None

Abs. - Commissioner Roberts

Chairman Harley clarified that the Commission, we have two additional Commissioners seated, Commissioner Dean and Commissioner Roberts sitting out. Vote 9-0

Commissioner Oickle made a Motion to approve Application No. 1904-16-Z Vet Med LLC seeking a Special Permit in accordance with Section 5.2.1 of the Wethersfield Zoning Regulations for demolition, new construction of a veterinary hospital and associated site improvements at 434-442 Silas Deane, with the condition that the site plan be revised as follows:

1. Add limits of Flood Zone, Inland Wetlands and drainage calculations on the rear of property.
2. A demolition plan shall be submitted.
3. Utility plan with all electricity underground.
4. PZC approval block to all sheets.
5. HC parking stall sign location add note that main entrance HC space shall conform with ADA standards.
6. Add building dimensions.
7. Revise the zoning table to include gross floor area.
8. Tactile pads shall be added to all HC ramps.
9. Add traffic direction signs at all entrance/exits and pavement markings.
10. Add a concrete pad and gate for dumpster.
11. Add sidewalks for the 2 rear doorways to the lower level of building.
12. Revise building location to ensure building overhang complies with the required minimum front yard setback.
13. Locate all hvac, mechanical or condenser units with appropriate screening.

14. Extend sidewalk to connect to existing sidewalk on Silas Deane Highway.
15. Include required Landscape Calculations per Section 6.1 of the Wethersfield Zoning Regulations.
16. Provide plant list with plant names (common and botanical), quantities, size at planting and size when mature.
17. Additional street trees shall be added within the snow shelf on the Silas Deane Highway.
18. Identify the location of all wall mounted fixtures and the photometric light levels as specified in Section 6.7 of the Wethersfield Zoning Regulations.
19. Add building height dimensions.
20. Fire lanes shall be posted along the east driveway to the satisfaction of the Fire Marshal.
21. Include a rear yard buffer strip to the satisfaction of town staff.
22. Provide documentation of environmental clean-up that has been performed or will be performed as part of site improvements.
23. Provide details of basement level sound ratings (STC) for sound attenuation.
24. Revise parking calculations to note that the Commission determined the proposed parking was sufficient for the proposed use per Section 6.2.C.8.h.2 of the Wethersfield Zoning Regulations.
25. Provide a maintenance plan for the proposed rain garden to the satisfaction of the Town Engineer.
26. Add notation of monumentation/iron pins to be set or found at all property corners.
27. Add notation regarding broken sidewalks and driveway curb cut sidewalk replaced prior to CO issuance.
28. Barrier system to block traffic from rear of 416 Silas Deane Highway where rain garden is proposed.
29. Add note to restore ground/paved area on CL&P parcel to a natural state.
30. Pavement cross sections should match our standard details as should the details for sidewalks and bituminous curbing.
31. Add note to the E&S plan: Require a supply of silt fence and/or hay bales to be stored on site for emergencies.
32. Discuss with CT DOT driveway cuts, line striping and turning lanes on the Silas Deane Highway.
33. Street address will be 434 Silas Deane Highway.:

Second by Commissioner Antonio Margiotta

Aye - All, Commissioners Allard, Antoniak, Dean, Harley, Homicki, Hughes, Margiotta, Oickle, Silver

Nay - None

Abs. - Commissioner Roberts

Motion passed 9-0

For the record, Town Planner stated he will contact Dunkin Donuts concerning trash pick up to see if he can do something about that for the neighbors. Commissioner Roberts asked if the waiver is required or not under item number 8. Chairman stated those are two issues, the Commission is comfortable with the 25 parking spaces proposed in this plan and it is sufficient but

two spaces in the back will need the waiver, which is part of the motion. Additionally, someone should see that Veterinary AA should be checked for sound; Planner Gillespie will check on it.

3.2 APPLICATION NO. 1905-16-Z Andrezej Golka/5th Avenue Motel seeking a site plan and design review in accordance with Section 5.2 (Permitted Use) of the Wethersfield Zoning Regulations to construct a single family residential addition to the existing structure and associated site improvements at 1695 Berlin Turnpike, west side.

Mr. Andrezej Golka Architect, AMG architecture and design LLC, 29a North Main Street, Marlborough, Connecticut 06447, proposed to demolition an office building and add an additional 500' of space creating 2000 square feet of living quarters for owner and manager. Mr. Golka described the colors of the building and the roof and reconfiguration of the parking which included an additional handicap parking and letter restriping location. The following plans were discussed during his presentation, which included List of Drawings, General Information, Demolition Plans, Existing Site Plan, Proposed Site Plan, and Partial Plans - Ground Level, Roof Plan and Roof Demolition Plan, Ground Level- Addition Partial Floor Plan and Second Floor - Addition Partial Floor Plan, Building Elevations, Building Sections and Foundation Plan and Framing Plans.

Commissioners asked about parking lot entrance, accessory living quarters use, pavement elevation and plowing, mislabeling on plans, parking area, lighting, and stop light questions, and discussion was held. Commissioner Dean asking if there will be any future intent for a garage and the architect commented that there will not be.

Chairman Harley stated there is a memo dated April 29, 2016 Memo from Peter Gillespie - Economic Development Manager/Town Planner & Denise Bradley Assistant Planner to Wethersfield Planning and Zoning Commission and asked the applicant if the memo had been seen along with the comments. The applicant did have the memo. Discussion continued in regard to signs and parking and any additional lights but issues shall be resolved.

Town Planner Gillespie commented that there was no need for a landscaping waiver again and that DRAC, Design Review Advisory Committee, approved on April 6, 2016. As this goes forward, they may have to look at it a second time but is was approved. Commissioner Roberts stated that this construction will make the site more attractive than what is there now and will harmonize the kind of purpose the owner is seeking for a motel and their own abode and asked if the owner will park his vehicle in the existing parking spaces that are there; there is no intent for future use for accessory parking/garage explained that this approval will run with the land not with the current owner. Mr. Golka indicated the intention of the owners is not for any future accessory parking/garage. Discussion continued.

Chairman Harley asked if any questions and asked for a Motion.

Commissioner Homicki made a Motion to approve Application No. 1905-16-Z Andrezej Golka/5th Motel seeking site plan and design review in accordance with Section 5.2 (Permitted Uses) of the Wethersfield Zoning Regulations to construct a single family residential addition to the existing structure and associated site improvements at 1695 Berlin Turnpike, west side with the condition the site plan is revised as follows:

1. PZC Approval Block to all pages.

2. Building dimensions.
3. Building height.
4. Zoning table.
5. Proposed setbacks.
6. HC parking stall signs and pavement marking.
7. Wall mounted light fixtures, details and photometric.

Additionally,

8. An as-built survey of the foundation shall be submitted prior to framing.
9. A landscape waiver was granted in accordance with Section 6.1 of the Wethersfield Zoning Regulations.
10. The residential accessory unit to be used as residential for the owner/manager and not to be rented as a separate unit.

Second by Commissioner Roberts

Aye - All Commissioners Allard, Antoniak, Dean, Harley, Homicki, Margiotta, Oickle, Roberts, Silver

Nay - None

Abs. - Commissioner Hughes

Motion passed 9-0

4. OTHER BUSINESS

NONE

5. MINUTES - April 19, 2016

Motion to approve Minutes of April 19, 2016. By Commissioner Roberts

Second. By Commissioner Anthony Homicki

Aye - All Commissioners Allard, Antoniak, Dean, Harley, Homicki, Margiotta, Oickle, Roberts, Silver

Nay - None

Abs. - Commissioner Hughes

Motion Passed 9-0

6. STAFF REPORTS

In August of 2015, Town Planner Gillespie indicated that approval was given on an accessory for 192 Clearfield Road and the plans were not clear and showed the building being attached to the rear to the garage; now they are showing a detached building with a breezeway into the house and windows etc. It is certainly different than what you approved and the owners may have to advertise it again. Discussion was held. And, per the regulations the accessory building will have to be a permanently enclosed breezeway, Town Planner stated.

Commissioners Homicki, Oickle, Margiotta questioned the various changes and whether to bring this back into the Commission, since there may be new laws, distance of the breezeway and commented to Town Planner if he does not see anything negative to go forward. Commissioner Dean questioned fundamentally, their plans for the building permit how it comports with the Commission at the time. Town Planner stated they basically do, it is the same footprint.

7. PUBLIC COMMENTS ON GENERAL MATTER OF PLANNING AND ZONING
NONE

8. CORRESPONDENCE
NONE

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

Town Planner Gillespie indicated that there will be a number of hearings for the next meeting and more coming, it was suggested that possibly a special meeting could be held between this one and the one in June, which can be discussed at a later time.

9.1 PUBLIC HEARING APPLICATION NO. 1903-16-Z CEI Engineering seeking a Special Permit in accordance with Section 5.2 (Permitted Uses) of the Wethersfield Zoning Regulations for an addition and site improvements to operate a truck service repair shop at 1024 Silas Deane Highway.

9.2 PUBLIC HEARING APPLICATION NO 1906-16-Z John Anagnos seeking a Special Permit in accordance with Section 6.3 (Sign Regulations) of the Wethersfield Zoning Regulations to modify Application No. 1847-14-Z at 884 Silas Deane Highway (City Fish).

9.3 PUBLIC HEARING APPLICATION NO. 1907-16-Z Henry M. Reyes seeking a Special Permit in accordance with Section 3.6 (Accessory Buildings & Structures) of the Wethersfield Zoning Regulations to install a shed (12' x 24') larger than permitted in a residential zone at 740 Prospect Street.

9.4 PUBLIC HEARING APPLICATION NO. 1908-16-Z Bianca Signs, Inc. seeking a Special Permit in accordance with Section 6.3 (Sign Regulations) to modify an existing monument sign to include an electronic message center at 36 Silas Deane Highway

9.5 PUBLIC HEARING APPLICATION NO 1909-16-Z Denisa Berbic seeking a Special Permit in accordance with Section 3.5.3 (Accessory Apartment) of the Wethersfield Zoning Regulations to construct an accessory apartment in a residential zone at 52 Linden Street

9.6 PUBLIC HEARING APPLICATION NO. 1910-16-Z Cedar Hill Cemetery Association 9.2 seeking a Special Permit in accordance with Section 3.6 (Accessory Buildings & Structures) of the

Wethersfield Zoning Regulations to construct a mausoleum in a residential zone at the Westerly side of the Berlin Turnpike at the Wethersfield/Hartford town line.

9.7 PUBLIC HEARING APPLICATION NO. 1911-16-Z Edwin Sepalveda seeking a Special Permit in accordance with Section 5.2.F.4 (Permitted Principal Uses - Hospitality Uses) to operate a fraternal organization at 500 B Silas Deane Highway.

10. ADJOURNMENT

Motion to Adjourn by Commissioner Dean

Second by Commissioner Homicki

Aye - All

Nay - None

Vote - 9-0

Adjourned at 9:17 p.m.

Respectfully Submitted,

Mary Lou Wall

Recording Secretary