

WETHERSFIELD PLANNING AND ZONING COMMISSION

PUBLIC HEARING AND MEETING

May 17, 2016

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, May 17, 2016 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 Harley called the meeting to order at 7:03 p. m. welcoming all to the Planning and Zoning Commission meeting and explained the process and procedures of the public hearing.

1.1 ROLL CALL AND SEATING OF ATLERNATES (5 members required for a quorum). The Clerk, Commissioner Roberts, commenced the roll call.

| 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 Planner, and Mary Lou Wall, Recording Secretary.

Members of the public were present.

Chairman Harley noted the number of members present at the roll call were nine. Commissioner Hammer joined the meeting shortly after the roll call; 10 members present.

2. OLD BUSINESS

None

3. NEW BUSINESS

3.1 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, -----Continued from 4-19-2016.

Attorney Neil Marcus representing applicant, CEI Engineering, stated Mr. Kirk was out of state and not available for this meeting. Mr. Marcus stated that all of the information has been submitted, which was discussed at the 4/19/2016 meeting, including an application for the waiver dealing with landscaping and interior parking, Sections of the regulations are 6.1.E (Perimeter Landscaped Area Requirements) and 6.1G (Parking Area Landscaping Requirements). Applicant has responded to all the issues in the April 15th Site Plan Review comments numbers 1-12 the narrative has been submitted and asked the Commission to consider this as a complete application.

Chairman Harley stated Mr. Peter Gillespie's has provided a summary memo dated May 12, 2016 and in his review, there are a few minor items left that Mr. Gillespie discussed.

Item (1) A proposed tire storage enclosure on the south side of the new building to address the Fire Marshals comments. Add details of fencing so that the area is screened from public view.

Town Planner Gillespie stated applicant did add a storage enclosure area for the tires per the Fire Marshals comments but applicant needs to provide the details that the area will be screened from public view.

Item (2) A landscape strip has been added along the south property line to address both staff and commission concerns. It appears that the proposed landscaping will still require a waiver from the Commission as the site plan does not satisfy some of our landscaping requirements. Additionally, the Commission members commented on the need for some more significant barrier to prevent the trespass of vehicles from the drive thru next door. Mr. Gillespie noted that some type of wooden guard rail type structure may be the appropriate treatment in addition to the landscaping and is what the Commissioners had in mind.

Town Planner Gillespie stated applicant did add a landscape strip between the property and to the south near Dunkin Donuts. Commission recommended a more structural method should be put in place; the suggestion was some type of wooden structure or guardrail, along with landscaping.

Item (3) We have not yet reviewed the sign details as that review is typically handled separately by the Zoning Officer and the Wethersfield Design Review Committee.

The sign will be reviewed at a later date.

Item (4) Revise the note on the site plan regarding the new pavement/reconstruction that your contractor will consult with the Wethersfield Town Engineer when the paving is being evaluated.

Note on site plan needs to be slightly revised and a waiver needed on the landscaping and consultation prior to any work with the Town Engineer. Regarding parking, a waiver may be necessary or an acknowledgement of the proposed parking by the Commission, since it is not specifically noted in the regulations.

Discussion ensued regarding the parking lot and landscaping islands, perimeter landscaping, shed removal (shed removal should be noted); Number of parking area trees and perimeter tree requirements, which applicant is asking a waiver for. Paving was also discussed. Town Planner stated that the Town Engineer will be involved; however, there are two distinct parcels and applicant is only in control of one parcel in this application.

Attorney Marcus stated that the 50' strip access going into the property will be paved. Commissioner Oickle wanted the entire site paved and requested thoughts from other members on this Commission. Commissioner Silver stated; it would be difficult to answer this question since there is not enough information regarding land use ownership and suggested that it should be left to the town staff to be sure it will be done properly and not hold up this application. Commissioner Roberts stated ownership and affiliation is irrelevant as long as the 50' access drive is there and that it is monitored. Commissioner Hughes commented on the overall effect with the strip between Dunkin Donuts and applicant's property. He stated there may be a problem regarding snow removal. Planner Gillespie suggested input from the neighbor is missing and this issue should be done in conjunction with the neighbor. Chairman Harley suggested leaving it to staff to handle. Conversation ensued.

Chairman asking for Public Comments on Application. No comments from public.

Commissioner Roberts made a **Motion to close the hearing.**

Commissioner Hughes **Second.**

Aye - Commissioners Allard, Dean, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts, Silver.

Nay - None

Abs. -

Motion Passed 9-0-0

Commissioner Roberts made a **Motion to Approve Application #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 subject to the following conditions:

1. A proposed tire storage enclosure on the south side of the new building to address the Fire Marshals comments. Add details of fencing so that the area is screened from public view.
2. A landscape waiver was granted in accordance with Section 7.4 (Waivers to Regulations) of the Wethersfield Zoning Regulations to the overall landscape requirements.
3. The applicant shall install a wooden guard rail type structure in addition to landscaping to provide more significant barrier to prevent the trespass of vehicles from the drive thru next door.
4. Revise the note on the site plan regarding the new pavement/reconstruction that the contractor will consult with the Wethersfield Town Engineer when the paving is being evaluated.
5. A waiver of the minimum parking requirement in accordance with Section 6.2.C.8.4 (Parking & Loading Regulations - Motor Vehicle Repair and Service) for 3 parking spaces for one service bay.
6. A waiver of the perimeter tree requirement in Section 6.1.E (Landscaping Requirements - Perimeter Landscaped Area Requirements) of the Wethersfield Zoning Regulations.
7. The storage shed shall be removed, and
8. Consultation with the Town Engineer regarding the evaluation of the paving specifically include the 50' access out to the highway.

Commissioner Oickle **Second**

Aye - Commissioners Allard, Dean, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts and Silver.

Nay - None.

Abs. - None.

Motion Passed 9-0

3.2 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).

Mr. John Anagnos 884 Silas Deane Highway, Wethersfield. As a stipulation of the original permit, he agreed to return after one year of the sign installation to review the EMC sign and the impact it would have on the motorists and highway safety issues. The applicant indicated that the sign has been well received and after experimenting with sign turning times, City Fish received a letter from the zoning officer reminding them to return to the one minute permitted page turning time. The sign guidelines have not been determined in the regulations for the EMC signs. Mr. Anagnos did speak to his sign company regarding EMC regulations. After research by the applicant, State of Connecticut regulates billboards with comments regarding message intervals.

Connecticut regulates off premises with a message interval 8 seconds and 6 seconds as of 2/12/14, but billboards do not apply to on premises electric signs. Also stated that there is no impact on safety. City Fish would like the condition revised to six or to eight seconds, which is acceptable in most states.

Town Planner discussed the first EMC sign, which was 449 Silas Deane Highway and had a hold time of six seconds with conditions in 2007. Planner Gillespie also questioned the applicant if the sign had an ability to adjust light. Applicant Anagnos stated the light could be auto adjusted. Discussion of various regulations from DOT to State of Connecticut with some statistics. And, no significant evidence that the signs are causing safety problems, Planner Gillespie noted. More discussion ensued.

Commissioner Hammer stated car safety and aesthetics is relevant. The sign in 2007 was a real estate sign and had nothing to do with the current applicant. Commissioner Hammer is concerned with not having the Silas Deane look like a Las Vegas Strip and will consider going to 30 seconds. Chairman Harley does not want it to change more than once while you are passing it, and to Commissioner Hammer's point, not just safety but also the aesthetics. Commissioner Oickle stated the applicant did reduce the amount of nonconforming signage when he received his special permit and also is concerned about the aesthetics of the Silas Deane and stated we are trying to improve the highway. Commissioner Roberts dovetails others and commented that there is a town standard regarding this type of signage, which requires a special permit and to change it should be a compelling argument and inclined to reduce to thirty seconds.

Commissioner Roberts after listening to all the comments, later decided to go to 15 seconds. Commissioner Silver stated we do not have any regulations. Further adding that since an approval was given to the applicant a year ago, this should not be held against the applicant. We do need to look at the regulations and act, since there could be legal issues with some case law and from that stand point would be in favor of it. Commissioner Hughes pointed out the sizable cost of applicant's sign (60K) and if businesses want to survive they need to adjust marketing avenues; he stated also that the applicant has been committed to the town over the years, and the applicant made a big trade off with signage to bring the site into more compliance. The Commission should listen to studies of Federal Regulations and highway studies and is in favor of the application.

Mr. Anagnos commented that he is now below the town requirement for overall signage and the company lost the use of the Hartford Courant for advertising, because of that fact, the applicant had to use other means of advertising since times are changing. Mr. Anagnos stated there was a time when we could not have freestanding signs now we do. The applicant will comply with whatever the Commission wants but feels turning time should be changed. If the Commission wants applicant to come back in a year, he stated he will.

Chairman Harley asked if there were any public comments and there were none.

Commissioner Hughes made a **Motion to Close the public hearing**

Commissioner Allard **Second**

Aye - Commissioners Allard, Dean, Edwards, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts.

Nay - 0

Vote 9-0

Commissioner Roberts made a Motion to Approve 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) subject to the following conditions:

1. Sign brightness shall be subject to town staff review and approval.
2. Message interval shall be not less than 15 Seconds apart with an instant change over to next message.
3. Removal of existing signage as proposed to the Commission.
4. The sign shall remain static from midnight to 5 am.
5. Applicant shall return one (1) year after installation to review sign operations to the satisfaction of town staff.

Aye - 8 Commissioners Allard, Dean, Edwards, Harley, Hughes, Margiotta, Oickle, Roberts

Nay - 1 Commissioner Hammer

Abs. - 1 Commissioner Silver

Motion Passed 8-1

3.3 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.

Mr. Henry Reyes, 740 Prospect Street, Wethersfield seeking to install a shed, applicant stated he has talked to people in his neighborhood who support this. Applicant has small children and wishes to store mowers and toys to condense his space in the garage. He proposes 288' s. f. which is over 200' s. f. allowable. Commissioners questioned the height and the site layout. The comments continued and Town Planner Gillespie indicated that there were no height issues.

Chairman Harley asked if there were any public comments, there were none.

Commissioner Hammer made a **Motion to Close the hearing** and Commission Oickle made a **Motion to Approve** Application No. 1907-16-Z Henry Mr. Reyes seeking a Special Permit in accordance with 3.6 (Accessory Buildings and Structures) of the Wethersfield Zoning

Regulations to install a shed 12x24 which is larger than permitted in a residential zone at 740 Prospect Street.

Commissioner Roberts **Second**

Aye - Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts, Silver

Nay - None

Motion passed 9-0

Commissioner Oickle made a **Motion to Approve** the application as submitted.

Commissioner Hughes **seconded**.

Aye - Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts, Silver

Nay - None

Motion passed 9-0

3.4 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.

Mr. Paul Bianca Bianca Signs, Inc., his client has a free standing sign but he indicated that his client still gets phone calls indicating they do not realize his business is there and would therefore he would like an EMC sign. Town Planner Gillespie discussed the limitations on EMC signs. There was discussion regarding brightness and safety and time elements. Commissioner Roberts discussed the need for a level of consistency of these types of signs, since Commission is seeing more of these signs. Commissioner Dean indicated he did not see a compelling case for approval simply to use it as a means for advertising unless all avenues have been exhausted. He used City Fish as an example where the advertising avenue was eliminated. Commissioner Hammer is not in favor and felt it is going in the wrong direction for the beautification of the Silas Deane. Commissioner Silver is still very uncomfortable not having some type of regulations; furthermore, it has been established that it is not a safety issue or a health issue. Commissioner Oickle was not in favor without some regulations. Commissioner Hughes commented on the challenges for retailers and the location of this applicant is not so unreasonable to approve this application.

Mr. Bianca stated the sign is not any different from a gas station price sign, something you can see during the day. The applicant's client will use the sign for notice for people to recognize the location. Mr. Bianca could not specify exactly what his client will place on the changeable sign.

Chairman Harley asked for any public comments. There were no public comments.

Commissioner Hughes made a **Motion to Close the hearing.**

Commissioner Roberts **Second**

Aye - Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts, Edwards.

Nay - None

Motion passed 9-0

Commissioner Roberts made a **Motion to Approve 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 with stipulations:

1. Website shall be removed from the sign.
2. Sign brightness shall be subject to town staff review and approval.
3. Message interval shall be not less than one (1) minute apart with an instant change over to next message.
4. The sign shall remain static from midnight to 5 am.
5. Applicant shall return one (1) year after installation to review sign operations to the satisfaction of town staff.

Commissioner Hughes **Second**

Aye - Commissioners Allard, Harley, Hughes, Margiotta, Roberts and Silver.

Nay - Commissioners Dean, Hammer and Oickle.

Abs. - None.

Motion Passed 6-3

3.5 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.

Ms. Denisa Berbic 52 Linden Street, Wethersfield stated her parents are living with her, and she will be getting married and therefore needs more room. The applicant would like to build an accessory apartment on the second floor and add an enclosed porch to the first floor, which will exceed the 850's. f. maximum allowable in accordance with the zoning regulations. The accessory apartment will be for Ms. Berbic and her parents will live on the first floor, she stated; the footprint will expand.

Commissioners questioned who will reside in the residence, renting was questioned. Mr. Berbic, applicant's brother spoke and indicated he drew the plans for the house and gave an explanation

and description of the new footprint and indicated that Sunbeam Construction will do the building. Town Planner Gillespie indicated that in an accessory apartment owners must certify each year that the owner is residing in the premises, which covers any concerns. Conversation continued on the pros and cons of accessory apartments.

Chairman Harley asking for any public comment. There were no public comments.

Commissioner Hughes made a **Motion to Close the hearing.**

Commissioner Roberts **Second.**

Aye - Commissioners Allard, Dean, Edwards, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts.

Nay - None

Abs - None

Motion Passed 9-0

Commissioner Dean made a **Motion to Approve 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 with Conditions:

1. All lighting will comply with Section 6.7 of the Wethersfield Zoning Regulations.
2. An As-Built Foundation Survey shall be provided to the town staff to confirm that it is not encroaching further into the side yard.

Commissioner Hughes **Second**

Aye - Commissioners Allard, Dean, Edwards, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts

Nay - None

Abs. - None

Motion Passed 9-0

3.6 PUBLIC HEARING APPLICATION NO. 1910-16-Z Cedar Hill Cemetery Association 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 on the Westerly side of the Berlin Turnpike at the Wethersfield/Hartford town line.

Mr. William Griswold, Executive Superintendent of Cedar Hill Cemetery, seeking to build a mausoleum on the Western Hills of the cemetery similar to the one built in 2005, since that one

is sold out. The location was selected by the Board of Directors. Mr. Griswold pointed out the mausoleum contains areas for cremation urns as well. Mr. Griswold indicated the increase in demand for this product and the high percentage increase over the years for cremation. The Commissioners discussed signage. Mr. Griswold commented that this cemetery is low keyed on signage but there is information as you enter the cemetery and there is a website with a GPS to assist any individual to find any given location. This property is on the National Register of Historic Places and has State Champion Trees inside its gates. Mr. Griswold provided a rendering of the mausoleum to the Commissioners.

Chairman Harley asking for public comments.

Mr. Frank DiBacco told the commission he lost his wife ten years ago with children under the age of six and to see Mom under a shelter from the elements, when you want to visit your loved ones in the mausoleum at Cedar Hill Cemetery, was greatly appreciated. Mr. DiBacco is in full support of this application.

Commissioner Hughes **Motion to close the hearing.**

Commissioner Hammer **Second.**

Aye - Commissioners Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts and Silver.

Nay - None

Abs. - None **Motion passed 9-0** Commissioner Roberts made a **Motion to Approve Application No. 1910-16-Z** 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 on the Westerly side of the Berlin Turnpike at the Wethersfield/Hartford town line with a stipulation that the building should be numbered or named to identify it and that the applicant will work with the Fire Marshal to develop some form of signage to be posted at the Mausoleum.

Commissioner Oickle **Second**

Aye - Commissioners Allard, Dean, Hammer, Harley, Hughes, Oickle, Roberts and Silver.

Nay - None

Abs. - Commissioner Margiotta

Motion Passed 9-0 -1

3.7 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.

Mr. Ricky Martinez 500 B Silas Deane, Wethersfield looking to acquire/renting one of the units to create a retail area to partake in a smoking retail store predominately cigars (Gentlemen's Aroma). Chairman Harley indicated the letter in the package showed the hours of operation. Town Planner Gillespie indicated there is a struggle as to what to call this since there is a fraternal organization aspect and a retail aspect and the classification is a little bit of both. Town Planner Gillespie discussed with the Commission some concerns regarding times of day, available parking spaces, other tenants in the building, and whether it rises to a place of assembly, Town Planner Gillespie is not sure it will. The Building Department has a concern about the air quality and they are working with the state to get pieces of equipment approved for air quality. Commissioner Silver would feel more comfortable approving something, if the health department reviewed it as far as its compatibility with the state statue dealing with smoking. A survey was provided to the Commission and that was discussed in detail and conversation continued. Commissioner Hughes requested, for sake of comparison, a few locations of similar businesses and applicants indicated a few good comparisons were Pratt Street, Up in Smoke, Mickey Blake's in Southington.

Chairman Harley was concerned about the issue of alcohol. Commissioner Roberts is concerned about the customers smoking outside in the parking lot and that the applicants remain considerate and understanding of neighbors. Commissioner Edwards asked if the Fire Marshal is looking at this as a retail establishment.

The applicant indicated that there will not be any alcohol or food sold nor smoking apparatus, just cigars. Additionally, the applicant described the group as being in the law enforcement field and would only have alcohol on the premises (BYO) if the law permits.

Chairman Harley stated this is a public hearing would anyone wish to speak.

Mr. Thomas Sherman questioned the BYOB aspect and why it isn't regulated.

Mr. Martinez said the law allows you to bring liquor anywhere as long as you are not selling it. A comparison to the Elks Club; he stated the law pertains to selling, only regulating the selling not consumption. Chairman Harley discussed the hours of operation and asked for a clarification of "based on request." The discussion ensued.

Commissioner Oickle made a **Motion to Close the hearing.**

Commissioner Hammer **Second.**

Aye - Commissioners Allard, Dean, Hammer, Harley, Hughes, Oickle, Roberts, Margiotta and Edwards.

Nay - None.

Abs. - None.

Motion Passed 9-0

Commissioner Roberts made a **Motion to Approve 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 as submitted with the addition that:

1. The business hours shall be Monday from 12:00 PM - 10:00 PM, Tuesday from 12:00 PM - 10:00 PM, Wednesday from 12:00 PM - 10:00 PM, Thursday from 12:00 PM - 12:00 AM, Friday from 12:00 PM - 1:00 AM, Saturday from 12:00 PM - 1:00 AM and Sunday from 12:00 PM - 10:00 PM.
2. Applicant and their business shall comply with all applicable laws and regulations.
3. The permit shall be renewed in one (1) year on May 17, 2017.
4. In consultation with Town Engineer to be involved with patching and repairing the parking lot and associated site improvements to the satisfaction of town staff.

Commissioner Oickle **Second.**

Aye - Commissioners Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts and Edwards.

Nay - None

Abs. - None

Motion Passed 9-0

4.0 OTHER BUSINESS - A discussion regarding setting the bond for APPLICATION NO. 1891-15-Z CCC Construction c/o Frank DiBacco seeking a Special Permit in accordance with Section 3.3 of the Wethersfield Zoning Regulations for the creation of twenty two (22) building lots in the AAOS Zone at the Terminus of Old Reservoir Road, easterly of Back Lane and northerly of Westmont Road (Parcels 043011 & 042016).

Town Planner Gillespie stated that as a condition of subdivision approval the need for the Commission to establish a bond amount before the town can issue a building permit for Phases I, II and III for the individual building lots. The applicant and the Commission need to be in agreement with that bond amount. Mr. DiBacco felt the numbers are extremely excessive and he does not use Means, as the Town does, to determine the amount. Planner Gillespie went over the figures with the Commission and stated the overall estimate is 1,907,200 for the entire project. Phase I approximately 962K, Phase II approximately, 556K and Phase III approximately 353K.

He stated that Mr. DiBacco is interested in bonding Phase I in order to start the project. The applicant explained some of the discrepancies in the figures and various bids from low to high. The items discussed were for the whole job as well as quotes from the MDC and utilities for the

construction phase. Reference was made to the Memo from the Engineering Department To Commissioner Roberts, Planning and Zoning from Don Moisa, Acting Director of Engineering Dated 5/12/16 Re: Bond Estimates: Reservoir Estates, entire project except underground electric and telecommunications (noted, page two was not on this memo). Applicant stated that the Water main, incl. laterals to street line and two fire hydrants, noted as item number 3 on said memo was the largest discrepancy. The applicant would like to sit down with the Planner and the Engineer and go through the list.

Commissioner Hammer stated that the applicant should sit down first with the Engineer and Planner and then come back to the Commissioners. The applicant wants to be fair with the town and use a reasonable bond agreement number. Chairman Harley asked the applicant to give them two weeks to act on this. Town Planner Gillespie suggested to move it along conditioned on a mutual agreement, and if an agreement cannot be made, the applicant will come back to the Commission.

Commissioner Hughes made a **Motion to approve** the bond amount for Application No. 1891-15-Z with condition that Town Staff and Developer shall come to a mutual agreement upon a number for the bond and then authorized to proceed. If Town Staff and Developer cannot come to a mutual number agreement, then they shall come back to the Commission in regard to APPLICATION NO. 1891-15-Z CCC Construction c/o Frank DiBacco seeking a Special Permit in accordance with Section 3.3 of the Wethersfield Zoning Regulations for the creation of twenty two (22) building lots in the AAOS Zone at the Terminus of Old Reservoir Road, easterly of Back Lane and northerly of Westmont Road (Parcels 043011 & 042016).

Commissioner Roberts **Seconded**

Aye - Commissioners Allard, Dean, Edwards, Hammer, Harley, Hughes, Margiotta, Oickle and Roberts.

Nay - None

Abs. - None

Motion passed 9-0

4.1 Commissioner Roberts made a **Motion to add the C.G.S. 8-24 Referral for a new play scape for the Emerson Williams Elementary School to the agenda.**

Commissioner Hughes **SECOND**

Aye - Commissioners Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts and Silver.

Nay - None

Abs. - None.

Motion passed 9-0

Town Planner Gillespie discussed a referral with supporting documentation from Town Manager's Office, Mr. Jeff Bridges dated May 7, 2012 for new play scape and includes attachments:

- a. Request from the Emerson Williams PTO
- b. Schematic design
- c. Aerial photo of location
- d. Picture of current playground
- e. Rendering of new playground

Also included is an email from Ms. Colleen Mattatall, Chairperson of the Future Projects Committee of the Emerson Williams Elementary School PTO dated Monday 4/25/16 at 2:02 PM. Mr. Gillespie indicated a need to approve this as soon as possible in order to complete the construction before the summer ends. By getting the 8.24 out of the way it will help speed up the process and then will come back with the application to the Commission.

Commissioner Hammer **Moved** to make a positive recommendation on the C.G.S. 8.24 Referral regarding a new play scape for Emerson Williams School.

Commission Oickle **SECOND**

Aye - Commissioners Allard, Dean, Hammer, Harley, Hughes, Margiotta, Oickle, Roberts and Silver.

Nay - None

Abs. - None

Motion passed 9-0

Commissioner Dean asked about the specific requirements and mandates in the Rehab Act 504 of 1973 and discussion ensued.

5.0 MINUTES - May 3, 2016 - The minutes were not available.

6.0 STAFF REPORTS

Town Planner Gillespie stated the town will be in court on May 18, 2016 regarding 61 Arrow Road, which is an ongoing enforcement action regarding trucks and complaints from the neighbors.

Regarding 295 Ridge Road a pending appeal (lawsuit) for denial of that project, the town had a meeting today with both parties. The attorney and developers have proposed changes to the plans and will draft something for the Commission. This may be added to the agenda as Executive

Session or not. Planner Gillespie stated any changing of the plan will require another hearing in an effort to resolve this and will keep the Commission informed.

7.0 PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING

None

8.0 CORRESPONDENCE

None

9.0 PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS.

9.1 APPLICATION NO. 1912-16-Z Wethersfield Cove Yacht Club seeking a Site Plan and Design Review in accordance with Section 3.6 (Accessory Buildings & Structures) of the Wethersfield Zoning Regulations to add fifteen (15) doc slips to the existing twenty (20) at 270 Hartford Avenue.

9.2 PUBLIC HEARING APPLICATION NO 1913-16-Z Town of Wethersfield c/o Kathleen A. Bagley seeking a Special Permit in accordance with Section 3.6 (Accessory Buildings & Structures) of the Wethersfield Zoning Regulations to install a play scape at 461 Wells Road (Emerson Williams School).

10. ADJOURNMENT

Commissioner Roberts made a **Motion to Adjourn the Meeting.**

Commissioner Hughes **SECOND**

Aye - Commissioners Allard, Dean, Edwards, Hammer, Harley, Hughes, Margiotta, Oickle and Roberts.

Nay - None

Abs - None

Motion passed 9-0

Respectfully Submitted,

Mary Lou Wall

Recording Secretary