

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

May 5, 2009

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, May 5, 2009 at 7:00 p.m. in the Wethersfield Police Department Community Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

1. CALL TO ORDER

Chairman Hammer called the meeting to order at 7:00 p.m.

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

Clerk Knecht called the roll as follows:

Member Name	Present	Absent	Excused
Joseph Hammer, Chairman	✓		
Richard Roberts, Vice Chairman			✓
Philip Knecht, Clerk	✓		
Thomas Harley	✓		
Robert Jurasin			✓
Frederick Petrelli	✓		
Earle Munroe	✓		
George Oickle	✓		
Anthony Homicki			✓
James Hughes (alternate)	✓		
David Drake (alternate)	✓		
Thomas Dean (alternate)	✓		

Also present: Peter Gillespie, Town Planner
Denise Bradley, Assistant Planner.

Chairman Hammer noted that there were 6 full members and 3 alternates in attendance at the time of roll call. All members present to participate.

2. OLD BUSINESS

There was no old business.

3.0 NEW BUSINESS

3.1 PUBLIC HEARING APPLICATION NO. 1658-09-Z Wethersfield Game Club, Inc. Seeking a Zoning Text Amendment to Section 4.1.B of the Wethersfield Zoning Regulations regarding permitted uses in the Agricultural (AG) Zone.

William Knapp, 171 Collier Road spoke on behalf of the Wethersfield Game Club. He noted that the club had used the property as a range for over 40 years and they have hosted turkey shoots almost from the start. Mr. Knapp indicated that the club was unaware of the adoption of new Zoning Regulations in 2004 that eliminated target, trap and skeet ranges as permitted uses. The proposed Zoning Text Amendment would allow target, trap and skeet ranges including accessory uses and structures.

Mr. Knapp noted that the club has approximately 131 acres of additional land holdings in the meadows that are currently used for hunting and fishing that could possibly house the range if the club needed to move. He added that the land would be undesirable for most other uses, that the club has a perfect safety record and that they have been a good neighbor.

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

May 5, 2009

Chairman Hammer asked Denise Bradley to explain the history surrounding the drop in text from the Zoning Regulations. Denise Bradley stated that prior to the adoption on the current Zoning Regulations on November 15, 2004 target, trap and skeet ranges were permitted uses of right in the former Flood Plain Zone. She noted that the former Flood Plain Zone became the Agricultural (AG) Zone and with the exception of the subject text, the permitted uses of right in the Flood Plain Zone remained as such in the Agricultural Zone.

Commissioner Oickle commended the Wethersfield Game Club for their exemplary stewardship of the land.

Chairman Hammer asked if the use was regulated by the State of Connecticut. Mr. Knapp responded that the activities are regulated by the Department of Environmental Protection and require a minimum distance of 500'. Commissioner Hughes asked how the 500' rule was applied. Mr. Knapp indicated that 500' from any building or structure had to be maintained.

Chairman Hammer stated that other less obtrusive uses are permitted only by special permit approval in the Agricultural Zone. Commissioner Dean asked why the subject text was being proposed as by right. A brief discussion ensued regarding the appropriate mechanism for approval.

Commissioner Munroe asked if other towns had to sign off on this permit application. Denise Bradley stated that while the surrounding towns do not have to sign off on the permit, that the Town of Wethersfield notified the Capitol Region Council of Governments (CRCOG) of the proposed amendment of the Wethersfield Zoning Regulations because it applies to a zone within 500' of another Capitol Region Municipality. Ms. Bradley noted that in a report dated April 20, 2009, the Planning Division of CRCOG commented that the amendment had been reviewed and found no apparent conflict with regional plans and policies or the concerns of neighboring towns. She added that the Town of Wethersfield notified the Offices of the Town Clerk in Hartford, Newington, and Rocky Hill of the proposed amendment.

Commissioner Oickle stated that he was inclined to not require special permit approval for the subject use because it is already regulated by the state. Chairman Hammer noted that he was not concerned with the Wethersfield Game Club but if a commercial operator became interested in locating in the meadows. Mr. Hammer asked area the Agricultural Zone encompasses. Denise Bradley showed a copy of the Land Use Map from the 2000 Plan and Conservation and Development. Mr. Hammer then asked if a map showing streets, property lines and a line depicting the 500' buffer regulating the subject uses could be compiled. Ms. Bradley responded that a map showing those features could be generated.

Chairman Hammer questioned whether a larger minimum buffer should be required. Commissioner Hughes asked why the town would require an increase in that buffer if the established safety zones are code compliant with the DEP. Chairman Hammer noted that with a special permit application there is more control with regards to traffic impacts and intensity. He added that he fully supports the subject uses be permitted but only by special permit approval. Commissioner Drake agreed that the use should be permitted by special permit approval.

Chairman Hammer asked if there were any additional comments from the applicant or public. There was none.

Motion: Commissioner Harley made a motion to close the public hearing.

Second: Commissioner Munroe seconded the motion.

Vote: 9 - 0 - 0

Aye: Hammer, Knecht, Harley, Petrelli, Munroe, Oickle, Hughes, Drake, Dean

Nay: None

Abs: None

Motion: Commissioner Hughes made a motion to approve APPLICATION NO. 1658-09-Z Wethersfield Game Club, Inc. Seeking a Zoning Text Amendment to Section 4.1.B of the Wethersfield

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

May 5, 2009

Zoning Regulations regarding permitted uses in the Agricultural (AG) Zone, as submitted.

Second: George Oickle seconded the motion.

Discussion: Commissioner Harley asked if the approval should be by special permit. Chairman Hammer noted his concern that the approval of this application is not specific to the applicant's property or a specific operator. Commissioner Hughes stated that some of the permitted uses in the Agricultural Zone that would generate the same issues do not require special permit approval. Commissioner Oickle noted that many of the more involved uses require special permit approval but target, trap and skeet ranges belong permitted by right.

Vote: 6 - 3 - 0

Aye: Knecht, Harley, Petrelli, Munroe, Oickle, Hughes,

Nay: Hammer, Drake, Dean

Abs: None

Application approved as submitted.

3.2 PUBLIC HEARING APPLICATION NO. 1663-09-Z Angelo Casanelli Seeking a Special Permit in accordance with Section 3.6.B.2 of the Wethersfield Zoning Regulations to construct a garage larger than permitted in a residential zone at 10 McMullen Avenue.

Angelo Casanelli, 10 McMullen Avenue described his proposal to construct a new garage. He noted that he has lived in the home for 44 years and would like to use the additional garage space to restore vehicles and to work on antique motorcycles. He added that his existing two car garage is used for landscape storage and his wife's vehicle. The proposed garage would be used to store his vehicle and for personal workshop space.

Commissioner Oickle asked if there would be any commercial use of the proposed garage. Mr. Casanelli responded that there would be no commercial operation.

Chairman Hammer asked the applicant if he had spoken with any of his neighbors. Mr. Casanelli responded that he had notified all abutter's within 300' by Certificate of Mailing and that one of his neighbor's was present.

Commissioner Oickle noted that in terms of visibility the site is shrouded and that the proposed garage is in a location protected by large maple trees. He added that he is concerned with what could happen if the property is sold.

Chairman Hammer asked if there was anyone in the audience that wished to speak.

Steve Graff, 128 Jordan Lane noted that he has had a good relationship with his neighbor, even recently permitting Mr. Casanelli to fall trees on his property. Mr. Graff questioned the need to construct such a large structure and expressed concern over increased noise, contaminants and fire safety hazards.

Chairman Hammer asked the applicant to describe the need for the larger than permitted garage. Mr. Casanelli noted that he has little room to work in his existing garage and that he would be doing only minimal body and patch work. He added that he would be willing to install an alarm in the proposed garage. Chairman Hammer asked the applicant if any landscaping is proposed. Mr. Casanelli responded that he would like to plant some cedar trees. Commissioner Oickle asked the applicant if he would be willing to install a fence. Mr. Casanelli responded that he would be willing to install a vinyl or stockade fence.

Commissioner Drake asked for clarification of what is permitted by right and what makes this proposal a special permit. Denise Bradley stated that the applicant is proposing a 28' x 40' (1,120 s. f.) detached garage. Section 3.6.B.1 of the Wethersfield Zoning Regulations permits one detached garage no larger than 850 s. f. Section 3.6.B.2 of the Wethersfield Zoning Regulations permits the Commission to grant a Special Permit in situations where the specific provisions of the regulations are not being met.

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

May 5, 2009

Chairman Hammer asked the applicant if he would be able to accomplish what he wanted to do with the permitted 850 s. f. Mr. Casanelli responded that he was set on installing a larger garage for the purpose of a workshop.

A brief discussion ensued and Chairman Hammer asked if there were any additional comments from the applicant or public. There was none.

Motion: Commissioner Harley made a motion to close the public hearing.

Second: Commissioner Oickle seconded the motion.

Vote: 9 - 0 - 0

Aye: Hammer, Knecht, Harley, Petrelli, Munroe, Oickle, Hughes, Drake, Dean

Nay: None

Abs: None

Discussion: Commissioner Harley noted that he was not convinced of the need. Commissioner Oickle noted concern that the garage could be used commercially by a subsequent owner. Commissioner Hughes noted that the applicant has the opportunity to modify the dimensions and comply with the maximum square footage permitted.

Motion: Commissioner Harley made a motion to deny APPLICATION NO. 1663-09-Z Angelo Casanelli Seeking a Special Permit in accordance with Section 3.6.B.2 of the Wethersfield Zoning Regulations to construct a garage larger than permitted in a residential zone at 10 McMullen Avenue.

Second: Commissioner Drake seconded the motion.

Vote: 8 - 0 - 1

Aye: Hammer, Knecht, Harley, Petrelli, Munroe, Oickle, Hughes, Drake

Nay: None

Abs: Dean

Application denied

3.3 PUBLIC HEARING APPLICATION NO. 1665-09-Z Chris Vail Seeking a Special Permit to park a camper larger than permitted in a residential zone at 121 Brookside Circle.

Chris Vail, 121 Brookside Drive described his request to continue parking his oversized camper in his driveway. He stated that the camper has been parked in the driveway for over four years and that he was not aware of any neighborhood complaints. He discussed his submission of memo signed by 19 neighbors stating that as abutting property owners on Brookside Circle, they had no objection to allowing the camper to remain. Mr. Vail noted that his backyard was not accessible due to the location of a fence.

Chairman Hammer asked the applicant the length of the camper. Mr. Vail responded that it is 21' long.

Chairman Hammer asked staff if there had been any complaints received. Denise Bradley responded that the applicant was directed to apply for a Special Permit by Brian O'Connor, Chief Building Official/Zoning Enforcement Officer after he noticed the vehicle during an inspection. Ms. Bradley noted that the applicant posted a public hearing sign and notified all abutting property owners within 300'. The Planning Department received no complaints regarding that notice. She explained that Section 3.5.1.B.3. of the Wethersfield Zoning Regulations permits the outside storage of one

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

May 5, 2009

recreational vehicle not more than eighteen (18) feet in length and parked in the rear yard by right without the need for any permits. In this case, the applicant requested permission to park a camper larger than permitted in the driveway. Section 3.5.1.B.4., of the Wethersfield Zoning Regulations allows the Commission to grant permission in situations where the specific provisions of the regulations are not being met.

Chairman Hammer asked if the applicants request is that the approval would run with the land. Commissioner Drake asked how long the applicant intended to keep the vehicle and expressed concern that there is no protection without imposing a timeframe. He suggested 2-3 years. Chairman Hammer noted that he would support a 3 year timeframe.

Rebecca Vail, 121 Brookside Circle noted that she plans to retire at the subject location and that they would like to keep the vehicle until it no longer runs. Chris Vail added that the application fee and associated mailing was very costly.

Chairman Hammer asked staff if it was possible to waive a special permit renewal fee. Denise Bradley responded that it has typically been practice to have the applicant make that request formally prior to submitting to the Planning and Zoning Commission for renewal. Ms. Bradley noted that over time the fees are likely to change and that there is a fee incurred to the town by advertising the Legal Notice. She also noted that the applicant would still be responsible for the cost associated with the public hearing sign and the neighbor notification.

Chairman Hammer asked if there were any additional comments from the applicant or public. There was none.

Motion: Commissioner Harley made a motion to close the public hearing.

Second: Commissioner Knecht seconded the motion.

Vote: 9 - 0 - 0

Aye: Hammer, Knecht, Harley, Petrelli, Munroe, Oickle, Hughes, Drake, Dean

Nay: None

Abs: None

Motion: Commissioner Harley made a motion to approve APPLICATION NO. 1665-09-Z Chris Vail Seeking a Special Permit to park a camper larger than permitted in a residential zone at 121 Brookside Circle subject to the following:

1. The approval shall have a term of 3 years and will expire on May 5, 2012, and
2. The town shall waive the application fee to renew this approval except for the fees associated with all public notice requirements.

Second: Commissioner Hughes seconded the motion.

Vote: 9 - 0 - 0

Aye: Hammer, Knecht, Harley, Petrelli, Munroe, Oickle, Hughes, Drake, Dean

Nay: None

Abs: None

4. OTHER BUSINESS

There was no other business.

5. MINUTES – Minutes of the April 21, 2009 meeting.

Commissioner Oickle noted suggested revisions to the draft minutes.

Motion: Commissioner Munroe motioned to approve the minutes with suggested revisions.

Second: Commissioner Oickle seconded the motion.

Vote: 8 - 0 - 1

Aye: Hammer, Knecht, Harley, Munroe, Oickle, Hughes, Drake, Dean

Nay: None

Abs: Petrelli

Minutes approved as drafted.

6. STAFF REPORTS

There were no staff reports.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING

There was no public comment.

8. CORRESPONDENCE

8.1 A letter dated April 15, 2009 from James Sollmi, Director of Rocky Hill Engineering/Highways regarding a wetlands application within 500' of Wethersfield.

8.2 An invitation from the Capitol Region Council of Governments to attend a two-part workshop on sustainable development.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

9.1 PUBLIC HEARING APPLICATION NO. 1664-09-Z Douglas and Theresa Benedetto Seeking a Special Permit to construct an accessory outbuilding larger than permitted in a residential zone at 545 Highland Street.

9.2 PUBLIC HEARING APPLICATION NO. 1667-09-Z Ronald Gronback Seeking a Special Permit to park a camper larger than permitted in a residential zone at 299 Goff Road.

10. ADJOURNMENT

Motion to adjourn at 8:40 PM – by Commissioner Munroe.

Seconded - by Commissioner Petrelli.

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

May 5, 2009

Vote: 9 - 0 - 0

Aye: Hammer, Knecht, Harley, Munroe, Petrelli, Oickle, Hughes, Drake, Dean

Nay: None

Abs: None

Meeting adjourned.

Respectfully submitted,

Denise Bradley, Assistant Planner