

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

August 5, 2008

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, August 5, 2008 at 7:00 p.m. in the Wethersfield Police Department Meeting Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

CALL TO ORDER

Chairman Joseph Hammer called the meeting to order at 7:05 p.m.

ROLL CALL & SEATING OF ALTERNATES

Clerk Knecht called the roll as follows:

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

Also present: Peter Gillespie, Town Planner

Commissioner Roberts noted that there were 8 full members and 3 alternates in attendance at the time of roll call. Alternate James Hughes was called on to participate.

Commissioner Hammer then asked for a motion to view application 1626-08-Z first. Commissioner Roberts made a motion to view application 1626-08-Z first. Commissioner Homicki seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

OLD BUSINESS

None.

NEW BUSINESS

PUBLIC HEARING APPLICATION NO. 1626-08-Z. Wethersfield Public Schools seeking a Special Permit in accordance with Section 6.7 of the Wethersfield Zoning Regulations to install outdoor athletic field lighting at 411 Wolcott Hill Road (Wethersfield High School – Cottone Field).

Correspondence for this application is as follows:

- A memo dated August 1, 2008 from Peter Gillespie and Denise Bradley
- A letter from Shirley King.
- Two letters dated July 14, 2008 and May 27, 2008, from Attorney General Richard Blumenthal
- A Neighbor Notification letter dated July 25, 2008

- A letter dated July 2, 2008, from Christopher Cignoli of Purcell Associates
- A memo dated April 9, 2008 from Chandler Rose
- A letter dated January 3, 2008 from Michael Kohlhagen
- A letter dated June 22, 2006 from Peter Gillespie

Commissioner Hammer opened the public hearing. Daniel O'Connor, of 374 Main Street, appeared before the Commission seeking approval of the Special Permit for the installation of athletic lights at Cottone Field. Commissioner Hammer suggested that Mr. O'Connor have his project team present an overview of the project to the Commission specifically addressing such concerns as how many lights will be used, how high the lights will be, and the expected frequency of use.

Sheila Suppicich of 24 Oxford Street and Brian Fox appeared before the Commission as the project team for the application. Ms. Suppicich explained that the athletic lighting design calls for two poles at 70 feet and two poles at 60 feet based on elevation differences at either end of the field. The lighting will be of metal halide. Ms. Suppicich also noted that the proposed lighting meets all of the requirements for both the Town of Wethersfield, as well as for the Illuminating Engineering Society. She also noted that many people are concerned about the "spillage" that will be caused by the athletic lighting and she assured the Commission that there is more spillage in a residential yard spot light, than from the proposed lighting for Cottone Field.

Brian Fox explained that there will be 90 light fixtures mounted on cross arms of the four poles. Two poles will each have 22 fixtures on them, and the other two poles will each have 23 fixtures on them. Mr. Fox also addressed the issue of 'spillage' by stating that the proposed light fixtures all contain internal glare shields, as well as installed visors on the external portion of the fixture. He also added that the poles and fixtures are built to withstand 135 mile per hour wind which is the standard recommendation for Connecticut.

Commissioner Hammer asked the project team if they could explain the usage of the lights specifically referring to the seasons, days of the week, and times. Jay Cottone of 37 Drummer Lane responded to this question. Mr. Cottone stated that the high school teams that will be making use of the athletic lights will be boys football, girls and boys soccer, and girls field hockey. Additionally, the band may also use it sparingly. He also stated that the lights will only be used by the high school's athletic teams in the fall season of play. He explained to the commission that the high school teams will utilize the athletic lights for no more than 40 events in a year. They will be used beginning the last week in August until the third week in November. Mr. Cottone stated that there will be no more than 16 athletic events in that time frame on Monday through Thursdays. They could also possibly be used every weekend (Friday and Saturday) starting September 1 for ten weeks following. The times of use during such events would be 7:00 p.m. until no later than 10:00 p.m. He then informed the commission that no athletic events would be played on Sundays due to CIAC restrictions. He feels that this would allow parents to attend evening games to watch their children in these athletic events; as opposed to the 3:30 p.m. games which are now played. Mr. Cottone then clarified for Commissioner Oickle regarding his question about lowering the lights as stated in the proposal by saying that the lighting would be lowered immediately after the athletic event ends. They would still be bright enough so that the players and spectators may leave the premises' safely; however, they would be lowered to both save on electricity, and to be less disturbing for the surrounding neighbors.

Commissioner Hammer asked if any of the Commissioners had any questions or comments. Commissioner Jurasin asked if there had been either a written or verbal report received from the town engineer as of yet. Peter Gillespie explained that the preliminary electrical design came in late this afternoon so it had not yet been reviewed. Commissioner Roberts was also concerned that the proposal was not conforming to the .2 foot candle regulations. Ms. Suppicich responded by saying that it is difficult for people to differentiate between 1.3 and .2 foot candle levels. Commissioner Roberts then posed a question to Peter Gillespie regarding the glare controls and visors; to which Peter Gillespie explained that the commission has the authority to waive the .2 foot candle levels.

Commissioner Drake questioned the applicants on whether the amount of 'spillage' could be amended if it ever became a problem for the surrounding neighbors. Mr. Fox explained that, if done properly, light is controllable. If the 'spillage' became an issue, they could easily add a lower visor and/or re-aim the pole. Mr. Fox also stated that the proposed lights require a process of 100 hours to burn in. At that point, if they are not satisfactory, the lighting issues can be easily remedied. Ms. Suppicich added that the proposal does not include shrubbery and that trees may also act as a lighting barrier for the neighbors. Mr. O'Connor also included that they have attempted to be respectful of the neighbors' concerns throughout the proposal. They are simply trying to create an opportunity to bring the

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community together and to allow all of the parents to be able to attend the athletic events.

Commissioner Hammer asked if there was any one from the public who wished to speak on this item.

Steve Clark of 83 Main Street spoke in favor of the application.

Louis Sanzaro of 41 Ro beth Lane spoke in favor of the application.

Stathis Manousos of 136 Windmill Hill spoke in favor of the application.

David Schroeder of 657 Wolcott Hill Road spoke in favor of the application.

David Glen of 34 Hayrake Drive spoke in favor of the application.

Joseph Tata of 12 Wilton Road, Windsor spoke In favor of the application.

Megan Delivron of 77 Westway spoke in favor of the application. She does feel, however, that there needs to be boundaries as to who can use the athletic lights and when.

Joseph Frutuoso of 492 Church Street spoke in favor of the application and agreed that there needs to be boundaries created.

Doug Turner of 88 Westway spoke in favor of the application. He expressed a concern that the gates be kept closed and that parking remains only at the high school.

Kathy Bagley of 505 Silas Deane Highway spoke in favor of the application. She explained to the commission that there is currently a policy in place regarding not opening the gates. She added that all of the locks have recently been changed, and there is a new procedure requiring people to sign out a key to the gates and they are informed at that time of which gates can and cannot be opened. She stated that the Board of Education and the Town Council are in charge of the policies governing the field and its usage. She then added that approximately 90% of all of the athletic activity in the fall on Cottone Field is that of the high school athletic teams.

Lynn Dillon of 4 Penwood spoke in favor of the application.

Peter Barry of 55 Old Pewter Lane spoke in favor of the application.

Vincent Decaro of 60 Blueberry Hill spoke in favor of the application.

Mr. O'Connor spoke again; this time stating that no one had spoken in opposition to the application. He added that any traffic concerns that the neighbors have is an issue that should be handled by the Wethersfield Police Department. He also stated that there was a possibility to impose an entrance fee for residents, and an entrance fee for non-residents to raise money.

Steve Bielenda of 141 Fox Hill Road spoke in favor of the application.

Commissioner Hammer asked if there were any additional questions or remarks. There being none, Commissioner Hughes made a motion to close the public hearing. Commissioner Homicki seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

Commissioner Roberts then made a motion to approve the application as submitted with the testimony and exhibits provided.

Commissioner Knecht seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

The application was approved.

PUBLIC HEARING APPLICATION NO. 1615-08-Z. Patel Ramesh Seeking a Special Permit in accordance with Section 6.10 (Earth Removal & Filling) of the Wethersfield Zoning Regulations for the receipt of fill at 35 Arrow Road (Almar Motel).---TABLED FROM 6/17/08.

Correspondence for this application is as follows:

- A memo dated July 9, 2008 from Peter Gillespie and Denise Bradley
- A memo dated July 10, 2008 from Michael Turner
- A memo dated May 28, 2008 from Gary Santoro
- A memo dated June 16, 2008 from Rebecca Drew

Commissioner Hammer opened the public hearing. Chris Conklin, of Conklin & Soroka, Inc – 1484 Highland Avenue, Cheshire, appeared before the commission and explained that his client, Patel Ramesh, had recently re-graded an area of 50' by 150' at 35 Arrow Road. A large slope came up to the driveway so they attempted to fill it in; thus increasing the slope. Mr. Conklin stated that they submitted plans to the Town of Wethersfield showing a 2 to 1 slope seeking feedback. He claimed that they received written correspondence from the Town of Wethersfield stating that they needed to re-grade the property with a 3 to 1 slope and needed to include a guardrail. Mr. Conklin stated that they re-submitted the plans with the slope remaining at 2 to 1 and added in the guardrail. The Town of Wethersfield insisted there be a 3 to 1 slope. The applicants complied to the 3 to 1 slope with a guardrail. Mr. Conklin added that they have also implemented tree protectors at the base of the slope.

Peter Gillespie stated that there had been correspondences from Michael Turner, the Planning Department, and the Fire Marshal with no issues to be found.

Commissioner Roberts then asked if anyone from the public wished to speak.

There were no comments from the public.

Commissioner Hammer asked if there were any additional questions or remarks. There being none, Commissioner Oickle made a motion to close the public hearing. Commissioner Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

Commissioner Oickle then made a motion to approve the application as submitted.

Commissioner Homicki seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

The application was approved.

PUBLIC HEARING APPLICATION NO. 1620-08-Z. Rana Automaster Seeking a Special Permit in accordance with Section 5.2.E.3 of the Wethersfield Zoning Regulations for a General Repair's License at 1652 Berlin Turnpike.

Correspondence for this application is as follows:

- A memo dated July 11, 2008 from Peter Gillespie and Denise Bradley
- A letter dated July 15, 2008 from Anees Rana
- A memo dated July 14, 2008 from Rebecca Drew
- A letter dated May 14, 2008 from Anees Rana
- A letter dated September 13, 2007 from Peter Gillespie
- A letter dated April 28, 2008 from Peter Gillespie

Commissioner Hammer opened the public hearing. Anees Rana, of 61 Ledgecrest Drive, Newington appeared before the commission. He explained that he is not changing anything in his application. Peter Gillespie stated that on 5/16/08 the Planning Department sent a request to the applicant seeking an updated site plan explaining how Mr. Rana proposes to continue to operate the site, as well as a narrative explaining how he proposes to operate the business in relation to the previous conditions that were set forth. He added that Mr. Rana has yet to submit these items. Peter Gillespie stated that the application is incomplete without the requested site plan.

Commissioner Hughes stated that approximately one year ago, Mr. Rana came before the commission stating that he had no control over many aspects of his business and was sited for numerous zoning violations. Commissioner Hughes added that he was told to have a plan of action to remedy the actions that violated his permit and had yet to do so. The components needed to be remedied were things such as how Mr. Rana was going to screen in the area, how he was going to clean up the site, and where he was going to store the oil.

Peter Gillespie stated that the sketch that was included with the application does not show basic information such as parking. He stated that he feels that a site plan would help to clarify some of the basic necessities.

Mr. Rana stated to the commission that he would like to maintain 5 vehicles with 1 repair license plate; 3 of which would be unregistered at any point in time. For the business, he is seeking to take 2 separate vehicles and build one vehicle from their parts.

Commissioner Hughes questioned whether or not Mr. Rana would need a Disassembling License to do that. Mr. Rana did not know if a Disassembling License was necessary, but stated that he would inquire with the Department of Motor Vehicles.

Commissioner Oickle questioned if it was allowed to store unregistered vehicles without storage. Peter Gillespie stated that, to his knowledge, there were no restrictions to storing unregistered motor vehicles. Commissioner Oickle went on to suggest that Mr. Rana add on to the current structure for storage purposes, to screen in the property, or to move excess vehicles to an off-site location. Mr. Rana added that he has had previous issues regarding larceny of marker plates. Commissioner Hughes feels that screening would help for security purposes. Mr. Rana stated that he did not want to spend the money on screens or fences as he may change the purpose of the building in the future.

Commissioner Roberts asked if there was any one from the public who wished to speak on this item.

There were no comments from the public.

Commissioner Roberts then asked if there were any additional questions or comments. Commissioner Hughes suggested that the applicant meet with Peter Gillespie and the town staff and return to the next meeting. Commissioner Roberts made a motion to table the application. Commissioner Petrelli seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

The application was tabled.

PUBLIC HEARING APPLICATION NO. 1621-08-Z. Phoenix Medical LLC Seeking Site Plan and Design Review to modify Application No. 1577-07-Z to construct a 12,865 s. f. addition with associated site improvements at 1260 Silas Deane Highway.

Correspondence for this application is as follows:

- A memo dated July 9, 2008 from Peter Gillespie and Denise Bradley
- A memo dated July 8, 2008 from Michael Turner
- A memo dated July 14, 2008 from Rebecca Drew
- A letter dated June 19, 2008 from Antonio Margiotta
- A letter dated May 8, 2008 from Denise Bradley
- A letter June 30, 2005 from Diane Matrone
- A letter dated October 27, 2005 from Diane Matrone

Commissioner Hammer opened the public hearing. Kevin Johnson, of Close, Jensen and Miller, P.C.- 1137 Silas Deane Highway, came to commission seeking approval of an addition to a previously approved application. He stated that there would be no changes made to the architecture or the floor plan. They would, however, be realigning the current parking aisles to the rear of 1260 Silas Deane Highway. There would also be minor changes made to the storm drainage; primarily to the rear, and they will continue to use grease oil separators. Mr. Johnson stated that the lighting will remain the same and that they will be using Somerset fixtures by Holophane. Mr. Johnson added that they will be re-doing the lighting at 1190 and 1206 Silas Deane Highway. He stated that there will also be minor modifications to the landscape plans. They were not able to include a sufficient number of end islands. A memo from Michael Turner suggested that the applicant add a ramped handicapped sidewalk. Mr. Johnson responded by saying that the north side of the building already provides handicapped access and the door for such access is nearest to the provided handicapped parking spaces. Mr. Johnson stated that they would be willing to add signage to the Silas Deane Highway side of the building, directing handicapped persons to the proper entrance if necessary. Mr. Johnson also clarifies for the commission which parking spaces will be designated for employees, and which will be for the public. Behind 1190 and 1206 Silas Deane Highway, there is a 59 space row of parking. Mr. Johnson explained that half of these spaces will be employee parking and the other half will be for the public use.

Commissioner Hammer asked if any of the Commissioners had any questions or comments. Commissioner Roberts asked the applicant if the landscaping will be comparable to the landscaping that was previously approved. Mr. Johnson confirmed. Mr. Johnson added that all of the landscaping that is visible to the public, will remain in tact. Mr. Johnson also stated that the size of the trees had been reduced from 45 feet to approximately 25 feet so as not to obstruct the visibility of the sign for the furniture business situated behind this property.

Commissioner Roberts asked if there was any one from the public who wished to speak on this item.

There were no comments from the public.

Commissioner Hammer then asked if there were any additional questions or comments. There being none, Commissioner Jurasin made a motion to close the public hearing. Commissioner Roberts seconded the motion.

Commissioner Jurasin then made a motion to approve the application with the following stipulations:

1. A waiver in accordance with Section 7.4 of the Wethersfield Zoning Regulations, as reflected on the Landscape Plan (Sheet 8 of 11 of the site plan documents), is granted.
2. A revised shared parking agreement shall be filed in the Town Clerk's Office.
3. The locked gate for emergency access shall remain.
4. The plans should be approved by the Fire Marshal to ensure that access for emergency vehicles can be made through the easement and that a cul-de-sac is not required.
5. Signage for the handicap entrance shall be added; and
6. The site plan shall be revised to indicate the parking areas to be designated for employee use only.

Commissioner Roberts seconded the motion.

The members voted as follows (8-0-1)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: Homicki

The application was approved.

PUBLIC HEARING APPLICATION NO. 1624-08-Z John Tartaglia Seeking a Zoning Text Amendment to Section 3.4.C.2 and Section 3.2.1.E of the Wethersfield Zoning Regulations (Congregate Residential Development).

Correspondence for this application is as follows:

- A memo dated July 9, 2008 from Peter Gillespie and Denise Bradley
- A letter dated June 23, 2008 from Rebecca Augur
- A memo dated July 14, 2008 from Rebecca Drew

Commissioner Hammer opened the public hearing. Peter Barry, of Barry, Harvey & Later, P.C.- 1177 Silas Deane Highway, stated to the commission that the regulations are too ambiguous and proposed two amendments to the regulations. Mr. Tartaglia is currently preparing an application to build a three story assisted living facility in Wethersfield. Mr. Barry suggested that the commission modify the Wethersfield Zoning Regulations by adding a Section 2.E. to the Special Residential Development District which would allow the applicant to build a assisted living facility on a collector or arterial street. He also suggested that the Congregate Residential Development regulations be revised to allow for a 3 story, or 45 foot maximum building height.

Commissioner Jurasin questioned that the Congregate Residential Development regulations do not address 2.5 to 4 story buildings. Peter Gillespie clarified that the regulations do not define a low-rise building. A midrise is a building that is three or fewer stories in height; and a high-rise is a building in which there are four or more stories. He also stated that the commission would have to add language to the current regulations in order to modify the height restrictions.

Commissioner Roberts asked if there was any one from the public who wished to speak on this item.

There were no public comments.

Commissioner Hammer asked if there were any additional questions or remarks. There being none, Commissioner Petrelli made a motion to close the public hearing. Commissioner Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

Commissioner Roberts then made a motion to approve the application and the following amendments were made:

- Section 3.4.C.2. of the Special Residential Development district was amended by adding section 2.e. which states that Congregate housing, assisted living or life care facility on a collector or arterial street in accordance with Section 3.2.1
- Section 3.2.1.E is amended by stating that the maximum building height of a mid-rise residential units when restricted to persons aged 55 and over is 3 stories / 45 feet

Commissioner Harley seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

The application was approved.

PUBLIC HEARING APPLICATION NO. 1625-08-Z Town of Wethersfield Seeking a Zone Change from Office (O) Zone to General Business (GB) Zone for properties located on the easterly side of the Silas Deane Highway and on the northerly side of Nott Street as depicted on a map prepared for the Town of Wethersfield revised to July 2, 2008.

Correspondence for this application is as follows:

- A memo dated July 24, 2008 from Peter Gillespie and Denise Bradley

Commissioner Hammer opened the public hearing. Peter Gillespie, Wethersfield Town Planner and Economic Developer, stated that the commission reviewed almost the exact application on June 3, 2008 as presented by Paul Randazzo; however, the Mr. Randazzo withdrew the application so the Town of Wethersfield assumed the applicant position. He explained that the following properties on the Silas Deane Highway: 300, 308, 312, 318, 322, 326, 330, 334, 338, 350, as well as other properties not on the Silas Deane will be subject to this application. Commissioner Oickle asked how many of the properties included in this application are currently businesses. To which Peter Gillespie replied that approximately 60% of the properties are currently businesses. Mr. Gillespie added that there are only two stretches of property that are left as an Office Zone in the area of Morrison Avenue and Hillcrest Avenue. Also, many of the spaces left at Office Zone are vacancies. The Town of Wethersfield mailed a notice to 116 surrounding property owners notifying them of the pending application and explaining the difference between the General Business and Office Zones. Mr. Gillespie also stated that there are no pending building plans at this time.

Commissioner Roberts asked if there was any one from the public who wished to speak on this item.

Vincent Fabi, owner of 344-350 Silas Deane Highway spoke in favor of the application as he felt that it would bring balance to the Silas Deane Highway.

Phyllis Risley of 331 Silas Deane Highway spoke in opposition to the application.

Commissioner Hammer asked if there were any additional questions or remarks. There being none, Commissioner Oickle made a motion to close the public hearing. Commissioner Hughes seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

Commissioner Oickle then made a motion to approve the application as submitted.

Commissioner Hughes seconded the motion.

A discussion then ensued regarding control over the types of businesses that should or should not be allowed to operate in the vicinity so as not to have a depressing affect on the area.

Commissioner Oickle made a motion to amend his previous motion including an effective date of October 15, 2008.

Commissioner Hughes seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

The application was approved.

Commissioner Roberts made a motion to hear applications 1627-08-Z and 1628-08-Z together.
Commissioner Harley seconded the motion.

PUBLIC HEARING APPLICATION NO. 1627-08-Z Emanuel & Helene Cavalieri seeking a resubdivision for the creation of one (1) new lot at 140 Highland Street.

PUBLIC HEARING APPLICATION NO. 1628-08-Z Emanuel & Helene Cavalieri seeking a Special Permit in accordance with Section 3.9 of the Wethersfield Zoning Regulations for the creation of one (1) rear lot at 140 Highland Street a waiver to Section 3.9.3 of the Wethersfield Zoning Regulations to allow an existing structure in the proposed access strip to remain.

Correspondence for this application is as follows:

- A memo dated July 31, 2008 from Peter Gillespie and Denise Bradley
- A memo dated July 31, 2008 from Michael Turner
- A memo dated July 30, 2008 from Gary Santoro

Commissioner Hammer opened the public hearing. Kevin Johnson, of Close, Jensen, & Miller P.C.- 1137 Silas Deane Highway, appeared before the commission on behalf of Emanuel and Helene Cavalieri of 140 Highland Street. He stated that the applicants would like to create two lots on the property and build a new structure on the rear lot. One driveway will service both homes on the property. The applicant will be keeping the existing driveway and adding on to it so that will be able to service both lots. They have ensured that the driveway will be wide enough, as well as include an area for turn around, for fire apparatus and other emergency vehicles. They will also be adding more hardscape to enable the parking of a second fire apparatus. Mr. Johnson also stated that the property slopes east to west to the proposed catch basins. They also have a full erosion and sedimentation plan. Mr. Johnson stated to the commission that the applicants are seeking a waiver to keep the existing garage as it is. Mr. Johnson also added that the trees on the lot will also remain as they are. It was noted that there is no possibility for subdividing the property again in the future; which the owners agreed to.

Commissioner Deane liked the idea of having one driveway to service both lots as it reduces the runoff from two impervious surfaces. The commissioners also discussed the possible issues that may ensue in the future regarding the use of the remaining garage, should the owners decide to rent or sell the house on the front lot, as they state they will make use of it; however, it is situated on the front lot and they will be living in the house on the rear lot. This could bring about legal problems. Peter Gillespie stated that this does not necessarily have to have legal consequences as the owners of the properties could create cross agreements for the use of the garage.

Commissioner Roberts asked if there was any one from the public who wished to speak on this item.

There were no public comments.

Commissioner Hammer asked if there were any additional questions or remarks. There being none, Commissioner Homicki made a motion to close the public hearing. Commissioner Roberts seconded the motion

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

Commissioner Roberts then made a motion to approve application 1628-08-Z with the following conditions:

1. An approval block for the signature of the Chairman of the Commission shall be added.
2. Indicate if the two (2) Maple trees within the proposed easement will be saved.
3. A restricted deed covenant shall be filed on the Town Land Records which clearly provides that

- the Town of Wethersfield shall not be required to maintain or take ownership of said access strip as a public street.
4. A landscape maintenance agreement shall be filed on the Town Land Records to insure that the property owner maintains the access strip for adequate emergency vehicle access.
 5. Indicate if the vehicular turnaround for the proposed rear lot was designed for an SU-30 turning radius to accommodate emergency vehicles.
 6. A waiver of Section 3.9.3 must be sought if the existing structure in the proposed access strip is to remain.
 7. The Town street entrance to the rear lot shall be posted with a house number identification sign with numbers at least 6" high.
 8. The applicant should note that prior to the filing of these plans on the Land Records and in addition to this resubdivision plan the Town will require the filing of an individual plot plan for 140 Highland Street and the newly created lot with the Engineering Department.
 9. The proposed shared driveway is located partially on both lots. An easement and maintenance agreement must be filed.
 10. In addition to reconstructing the sidewalk in the location of the proposed shared driveway, the Engineering Department has identified two (2) additional slabs that will need to be replaced.

Commissioner Oickle seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.

Nay: None

Abs: None

The application was approved.

Commissioner Roberts then made a motion to approve application 1627-08-Z with the following conditions:

1. An approval block for the signature of the Chairman of the Commission shall be added.
2. Indicate if the two (2) Maple trees within the proposed easement will be saved.
3. A restricted deed covenant shall be filed on the Town Land Records which clearly provides that the Town of Wethersfield shall not be required to maintain or take ownership of said access strip as a public street.
4. A landscape maintenance agreement shall be filed on the Town Land Records to insure that the property owner maintains the access strip for adequate emergency vehicle access.
5. Indicate if the vehicular turnaround for the proposed rear lot was designed for an SU-30 turning radius to accommodate emergency vehicles.
6. A waiver of Section 3.9.3 must be sought if the existing structure in the proposed access strip is to remain.
7. The Town street entrance to the rear lot shall be posted with a house number identification sign with numbers at least 6" high.
8. The applicant should note that prior to the filing of these plans on the Land Records and in addition to this resubdivision plan the Town will require the filing of an individual plot plan for 140 Highland Street and the newly created lot with the Engineering Department.
9. The proposed shared driveway is located partially on both lots. An easement and maintenance agreement must be filed.
10. In addition to reconstructing the sidewalk in the location of the proposed shared driveway, the Engineering Department has identified two (2) additional slabs that will need to be replaced.
11. The plans should indicate appropriate use of additional sediment barriers at the north property line, and along the new driveway and check dams along the drainage swale until it is established.
12. Any deviation from the specific configuration of the house and driveway shall be considered an amendment to the site plan and require at minimum an administrative signoff from the following departments: Fire Marshal, Town Planner and Town Engineer.

Commissioner Homicki seconded the motion.

The members voted as follows (9-0-0)

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Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.
Nay: None
Abs: None

The application was approved.

OTHER BUSINESS

C.G.S. 8-24 Review No. 08-08-MR- Review proposed acceptance of parcels 141-019 and 140-001 from LaCava Construction to the Town of Wethersfield.

Due to time constraints, Peter Gillespie stated that this section of the meeting would be tabled until the next meeting.

C.G.S. 8-24 Review No. 09-08-MR- Review of the property lease for the Deming Standish House.

Commissioner Hammer suggested, then made a motion to recommend that the Ton Council work closely with the Town Attorney to ensure that the document protects the Town's interest to the greatest extent possible. Commissioner Harley seconded the motion.

The members voted as follows (8-1-0)

Aye: Hammer, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.
Nay: Roberts
Abs: None

Commissioner Hammer asked for a motion to cancel the second Planning & Zoning Commission meeting in August. Commissioner Hughes made a motion to cancel the second Planning & Zoning Commission meeting in August. Commissioner Roberts seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.
Nay: None
Abs: None

Minutes

Commissioner Hammer noted suggested revisions to the minutes of the June 17, 2008 meeting. Commissioner Roberts made a motion to approve the minutes with changes. Commissioner Harley seconded the motion.

The members voted as follows (9-0-0)

Aye: Hammer, Roberts, Knecht, Harley, Hughes, Jurasin, Homicki, Petrelli, and Oickle.
Nay: None
Abs: None

STAFF REPORTS

There were no staff reports.

PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING

There was no public comment.

CORRESPONDENCE

There was no correspondence.

ADJOURNMENT

Commissioner Hughes made a motion to adjourn the meeting at 11:50 p.m. Commissioner Roberts seconded the motion and all voted in favor.

Respectfully submitted,

Brittany Christensen