

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING
January 16, 2007**

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, January 16, 2007 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 7:00pm.

ROLL CALL & SEATING OF ALTERNATES

Chairman Hammer called roll as follows:

Member Name	Present	Absent	Excused
Joseph Hammer, Chairman	X		
Philip Knecht, Clerk	X		
Richard Roberts	X		
Thomas Harley	X		
Robert Jurasin	X		
Earle Munroe	X		
Dorcas McHugh	X		
Margaret Wagner, Vice Chair			X
Anthony Homicki	X		
James Hughes	X		
Frederick Petrelli	X		
George Oickle	X		

Also present:

Peter Gillespie, Director of Planning and Economic Development

Denise Bradley, Assistant Planner

Chairman Hammer noted that Vice Chairman Wagner was not in attendance at the time of roll call and requested the services of alternate member Mr. George Oickle serve as a full member.

OLD BUSINESS

None

NEW BUSINESS

None

OTHER BUSINESS

4.1 Discussion of Advertising Signs on Athletic Fields.

Kathy Bagley , Director of Wethersfield Parks and Recreation Department, was in attendance to discuss the proposal for the Wethersfield Little League to have advertising signs on the fences at Mill Woods, Highcrest, Greenfield and the lighted softball field at Mill Woods (Fusco Field). The Wethersfield Little League would like these signs in time for the spring season. The signs would be 4ft x 8ft and weatherproof. The signs would only be displayed for the baseball season, which runs from the end of April through July. The softball field would have the signs displayed from May through the middle of August.

Ms. Bagley surveyed other towns to see how they go about getting their advertising signs in place and every town had different ways of going about it. Some towns go through Planning and Zoning, some don't have any regulations and leave it up to the Parks and Recreations Departments and some have rules and regulations that go through the Town. Ms. Bagley stated that there is a wide mix of how the signs are viewed. She wanted to get a feel for how the Planning and Zoning Commission felt about the signs being placed on the fences of the parks mentioned above.

Chairman Hammer asked if there were any towns that did not allow the signs at all in the area or if it was more common that they do allow them. Ms. Bagley stated that it is more common that the signs are allowed, she hadn't come across a town that did not allow the signs. Ms. Bagley also noted that they are still in the process of surveying other towns. Chairman Hammer asked if the signs would be visible from the outside of the fences. Ms. Bagley stated that the proposal would have the signs facing inside the field. When driving by the fields, the backs of the signs will be visible. Commissioner Oickle stated that he met with Joe Hickey to review the sign proposal and concluded that the backs of the signs would be seen when driving by.

Ms. Bagley stated that the Little League is looking for ways to raise additional funds and would like the advertising signs to do so. Commissioner McHugh asked what color the back of the signs would be. Ms. Bagley stated that the backs of the signs would be a soft white/off white. Commissioner Oickle asked if the Little League anticipates lighting the signs. Ms. Bagley stated that they will not be lighting the signs.

Commissioner Homicki asked how many businesses would be attracted to this advertising. Ms. Bagley stated that she did not know at this time. Commissioner Harley asked if the Parks and Recreation Department will set up guidelines to determine what types of businesses can advertise on the Little League fields. Ms. Bagley stated that they have discussed setting up guidelines. Mr. Peter Gillespie and Ms. Bagley will follow up with other towns to see what standards and experiences they have had with the advertising signs at their Little League fields.

Commissioner Roberts stated that the regulations may need to define which types of fences these signs could be placed on. Chairman Hammer stated that the Commission may need to amend the regulations and in order to do so they should get the type information that has been asked for. Once the information is received a decision can be made on how to proceed with the signs. Chairman Hammer asked Ms. Bagley if that was OK and Ms. Bagley stated that it would be fine. Mr. Gillespie stated that he would like to aim for this for the next Planning and Zoning Meeting, since the Little League organization would like to get things in place for the start of the spring season. Chairman Hammer thanked Ms. Bagley for attending the meeting.

4.2 Discussion of Rules and Procedures.

Mr. Peter Gillespie stated that the memo dated January 12, 2007 summarized all of the proposed changes of the Planning and Zoning Commissions Rules and Procedures. Mr. Gillespie suggested that the Commission go through each page of the Rules and Procedures and comment on any questions they may have. Chairman Hammer stated that he did not think that the 7 items in Article II, Section 2 covered everything. Instead of saying *Specifically, the Commission shall perform the following principal powers and duties* the wording shall be changed to *The Commissions principal powers and duties include without limitations the following*. Regarding Article IV,

Commissioner Jurasin suggested that Mr. Gillespie or Ms. Bradley's email addresses be available in the event that one of the Commissioners will be unable to attend the PZC meeting. Mr. Gillespie stated that request would be granted. In regards to Article IV, Section 5, Mr. Gillespie noted that the Town's new policy to establish protocol for meeting attendance.

The Commissioners discussed how many votes would be sufficient to cast a vote. The Commissioners discussed that the 5 votes to pass makes more sense. Commissioner Roberts stated that he did not particularly like the 11 o'clock rule. Chairman Hammer suggested that a majority vote to go past 11:00 PM be taken rather than a unanimous vote. Commissioner Roberts noted that somewhere in the procedures that it state as long as 5 people are present the Commission can continue past 11:00 PM.

Chairman Hammer asked if the Final Public Comments in Article XI, Section 6.h, be removed since there is already Public Comments in Article XI, Section 6.d and Article XI, Section 6.e.

Article XI, Section 9, reasonable limitations. Commissioner Hughes suggested that the time limit be put in writing and it would be up to the discretion of the chairman to grant more time if needed.

Commissioner Oickle and Commissioner Roberts stated that they did not feel that Article XV and Article XVI should be in the Rules. Commissioner Roberts felt that it should be in the Charter rather than the Rules.

Chairman Hammer stated a redraft of the Rules and Procedures with the changes that were discussed.

4.3 Discussion of Commercial Vehicle Regulations.

Mr. Gillespie stated that the existing regulations regarding Commercial Vehicle has a loophole, Commercial vehicle over 10,000 lbs you can park it in your rear yard with no permit required. That was not always the case. Mr. Gillespie stated that in the memo regarding the Regulation of Commercial Vehicles, dated January 12, 2007, he has proposed the redefining of commercial vehicles and what the criteria should actually be. Mr. Gillespie has also established a proposal for a 3-Tier permitting process. 1st tier: certain commercials vehicle could be parked in a residential zone as long as it met the reasonable criteria. 2nd tier: certain other commercial vehicles could be parked in residential zones, but they would be subject to a zoning permit issued by the zoning officer. 3rd tier: established exceptions by special permit by the PZC where under individual applications would need approval for certain commercial vehicles subject to meet some thresholds committed based on performance of the application. Mr. Gillespie also stated that in the proposal certain vehicles would be exempt from the commercial vehicle regulations.

Chairman Hammer asked if in Section 3.5.5.A, #2.d, not limited to rear yard or garage, would they be able to park the vehicle in the driveway. Mr. Gillespie stated that it was correct; the vehicle would be able to be parked in the driveway as well. Chairman Hammer also asked if in Section 3.5.5.A, #4.b, Vehicles used as part of a permitted agriculture, farming, forestry, or nursery gardening use would be conducted on the premises as opposed to somewhere else. Mr. Gillespie stated that it was the intent of the definition, but it would be wise to clarify that.

Chairman Hammer added that there had previously been discussion on sending the commercial vehicle proposal back to the Zoning Board of Appeals as a special exception. Mr. Gillespie stated that there has been discussion, but a decision was never made. Chairman Hammer stated that he would like to send the regulations regarding commercial vehicles back to ZBA since it is almost like a variance the way it is drafted and would need to be a case by case situations based on neighbors, etc. Chairman Hammer asked that the commercial vehicle proposals put on the To Be Continued list while Mr. Gillespie approaches the Zoning Board of Appeals with taking over the commercial vehicle regulations.

4.4 Discussion of Rear Lot Regulations.

Mr. Gillespie started by stating that he has provided the PZC with draft regulations and a matrix with a brief summary of research on other towns as to how they regulate rear lots. The majority of towns regulated the rear lots established special permits to set up rear lots. Out of 15 communities surveyed only 2 communities regulated by site plan review. Almost all of the communities except 1 increased the minimum lot size. He also added that almost all of the

communities increased the dimension requirements, required an access way in fee of simple ownership and provided criteria on the length, width and # of access ways. Four of the communities provided a requirement that there be a landscape buffer. Mr. Gillespie also noted that he provided the PZC with a summary of the minimum lot size requirements for rear lots in the communities surveyed.

Mr. Gillespie summarized all of the conditions that permitting a rear lot would require. Commissioner Oickle asked what the basis for having each lot be connected by an access strip of at least 25 feet in width. Mr. Gillespie stated that the 25 feet seemed to be a reasonable requirement. Commissioner Oickle asked if all of the requirements work with the 500 feet. Mr. Gillespie noted that he did look at some sites and some can meet the requirements and some can not based on other reasons. Mr. Gillespie also stated that if the rear lot regulations does go forth with a hearing he will do quite a bit more research on how many properties they expect to plan.

Commissioner Oickle questioned that the wording in #8 of the rear lot regulations be changed. Commissioner Jurasin suggested that it be changed from A landscape buffer may be required, to A landscape buffer shall be required. Mr. Gillespie stated that he did not want to say that it was required in cases that the buffer may not be necessary.

Commissioner Munroe asked if the linear dimension parallel to the street would include a driveway. Mr. Gillespie stated that another line should be added to clarify the lot width requirement. Commissioner Munroe was also concerned with #11 stating that it was judgment and could be very prejudicial. Mr. Gillespie stated that the #11 proviso could be left out. If the proviso was left out it would be up to the Zoning Board of Appeals. Mr. Gillespie stated that the buildable square definition needs to be changed to state that except for rear lots approved by Planning and Zoning. Commissioner Roberts stated the regulations should that each of the lots should only be used for one single family residence. Mr. Gillespie stated that #2 attempted to state that and that he can tweak the wording to make sure that it is defined within the regulations.

Chairman Hammer asked that the regulations pertaining to rear lots be put on the To Be Continued list.

Carol Modugno of South Windsor was in attendance to discuss property on Thornbush Road that she owns with her siblings. The property is 1.5 acres. Ms. Modugno stated that she and her siblings have been waiting to see what decision Planning and Zoning will make regarding the rear lots. Ms. Modugno gave a background on the property had been landlocked through the years and also how there are sewers and water in the back of the property. Ms. Modugno would like the Commission to make a decision soon so they can make a decision regarding the property.

4.5 Discussion of Section 6.3.F.3. (Signs Permitted in Business & Industrial Zones).

Mr. Gillespie stated that no wall sign can exceed 125 sqft. Also if more than one sign, the total can not exceed 125 sqft. Recently the Zoning Commissioner has interpreted this differently saying that each sign can not exceed 125 sqft if the building has frontage. Chairman Hammer asked if the total of all wall signage shouldn't exceed 125 sqft. Mr. Gillespie stated that he was correct, but on corner lots they have two signs because they have two building fronts. The zoning officer is under a different interpretation. Mr. Gillespie wants to clarify what the position regarding the signs is so when this arises in the future there will not be a problem. Commissioner Oickle stated that he prefers the 125 sqft. maximum.

Chairman Hammer stated that he would like to have Mr. Gillespie move forward with amending the regulation as soon as possible.

4.6 Discussion of Section 3.6.E. (Guesthouse).

Mr. Gillespie stated when the regulation was written they anticipated that people would be building the guesthouses and not pre-existing guesthouses. There are instances where people have older homes with outbuildings that are 25ft from the side and rear lot line. Mr. Gillespie stated that the 25 ft does not apply to normal accessory structure; it is only unique to the requirement of guesthouses. Two people have been wondering if they should go to the Zoning Board of Appeals first to get this waived or if because it is an existing building that they should come to the Planning and Zoning Commission. The regulations currently do not deal with existing structures. Mr. Gillespie stated that he will send the two people to the Zoning Board of Appeals.

MINUTES

5.1 Minutes of the December 5, 2006

Commissioner Oickle asked that his name be changed from George to Mr. George Oickle in the 8th paragraph of Section 3.1.

Chairman Hammer, Commissioner Jurasin and Commissioner Munroe asked that their attendance for the 12-5-06 meeting be changed from Absent to Excused.

Commissioner McHugh made a motion to approve the 12-5-06 Meeting Minutes with the above changes.

Commissioner Roberts seconded the motion.

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

Aye: Hammer, Knecht, Roberts, McHugh, Petrelli, Jurasin, Harley, Munroe, Oickle

Nay: None.

Abst: None.

EXECUTIVE SESSION

Commissioner Roberts made a motion to move in to an Executive Session to discuss pending litigation.

Commissioner Oickle seconded the motion

The Commission went into an Executive Session at 9:20pm and came out of Executive Session at 9:35pm. There were no votes taken during this session.

STAFF REPORTS

None

PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING.

No public comments.

CORRESPONDENCE

8.1 The Meadow View, January 2007.

8.2 Connecticut Bar Association Education and Training Seminar entitled *Connecticut Land Use Law for Municipal Land Use Agencies, Boards, and Commissions* to be held on Saturday, March 17th.

8.3 1st Quarterly Land Use Committee Meeting

UPCOMING BUSINESS

9.1 APPLICATION NO. 1545-06-Z. Bosnian American Islamic Cultural Center Seeking a Special Permit in accordance with Section 3.2.E.2 of the Wethersfield Zoning Regulations to construct a mosque in a residential zone at

119 Goodwin Avenue Lot "B".

9.2 APPLICATION NO. 1547-06-Z. Amerada Hess Corporation Seeking and creation of a new lot in accordance with Section 143-1 of the Wethersfield Subdivision Regulations at 50 Burbank Street.

ADJOURNMENT

Commissioner Jurasin made a motion to adjourn the meeting.

Commissioner Roberts seconded the motion.

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

Aye: Hammer, Knecht, Roberts, Munroe, McHugh, Harley, Jurasin, Petrelli, Oickle,

Nay: None.

Abst: None.

Meeting adjourned at 9:40pm