

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING
April 17, 2007**

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, April 17, 2007 at 7:00 p.m. in the Wethersfield Police Department Meeting Room, 250 Silas Deane Highway, Wethersfield, Connecticut.

CALL TO ORDER

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

ROLL CALL & SEATING OF ALTERNATES

Clerk Knecht called roll as follows:

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

Also present:

Denise Bradley, Assistant Planner

Chairman Hammer stated that there was 1 full member not in attendance at the time of roll call. He requested the services of alternate member Commissioner James Hughes to serve as a full member.

OLD BUSINESS

There was no old business.

NEW BUSINESS

PUBLIC HEARING 3.1 APPLICATION NO. 1562-07-Z. Lisa Enxuto Seeking a Special Permit in accordance with Section 3.5.B.4 of the Wethersfield Zoning Regulations to park a recreational vehicle larger than permitted in a

residential zone at 46 Kimball Road (Renewal).

Lisa Enxuto, 46 Kimball Rd, seeking a renewal for a special permit for parents to park their motor home in her driveway. Ms. Enxuto's mother is handicap and suffers from Post Polio Syndrome. She uses a wheelchair to get around. Ms. Enxuto stated that she has a tri-level home which makes it extremely difficult for her mother to get around. Ms. Enxuto said that her parents' motor home has everything that her mother needs inside it.

Ms. Enxuto stated that their neighbors directly abutting their property do not object to the motor home. She noted that a neighbor that originally complained three years ago has not had a complaint since.

Chairman Hammer asked if the motor home stays all of the time or only when Ms. Enxuto's mother comes to town. Ms. Enxuto replied that the motor home is in the driveway only when her mother comes to town. She noted that her parents live in South Carolina.

Chairman Hammer asked if the conditions from the 2004 approval were still agreeable to Ms. Enxuto. Ms Enxuto said the conditions were fine, but she wanted to know if she could get a longer time period for the permit. She stated that \$300.00 every two years to renew the permit is very costly.

Clerk Knecht asked if the motor home is equipped to service Ms. Enxuto's mother's needs. Ms. Enxuto stated that it does service her needs.

Denise Bradley noted that the original complainant came to the office today to look at the file and was in full support of what the applicant was asking for. Chairman Hammer asked where the original complainant lived in proximity to Ms. Enxuto. Ms. Enxuto said that they live diagonally across the street from her.

Commissioner McHugh asked if the Commission could approve the special permit for a longer period of time. Chairman Hammer stated that the Commission could approve the permit for any period of time that they see fit. Commissioner McHugh said that she felt it was not fair for the applicant to keep paying to renew the special permit. Commissioner Petrelli also noted that it is outrageous for Ms. Enxuto to pay every two years to renew the permit.

Chairman Hammer asked if there was anyone in the audience who would like to speak on the public hearing.

There was no one in the audience to speak.

Vice Chair Peg Wagner made a motion to close the public hearing.

Commissioner Richard Roberts seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

Commissioner Fred Petrelli made a motion to approve **APPLICATION NO. 1562-07-Z** without a finite time period provided the applicant continues to own the property, subject to the same three existing conditions listed on the memo dated March 26, 2007 from Peter Gillespie to the Planning and Zoning Commission.

Commissioner Earle Munroe seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

PUBLIC HEARING 3.2 APPLICATION NO. 1563-07-Z. Steven Czako Seeking a Special Permit in accordance with Section 5.2.E.3 of the Wethersfield Zoning Regulations for a general repairer's license at 58 Maple Street.

Steve Czako, 14 Pearl Street, Terryville, seeking a special permit for a used car dealer license.

Commissioner Roberts asked for clarification on the type of license. Mr. Czako said dealer and repairers license. Chairman Hammer asked which part of the building at 58 Maple Street Mr. Czako would be occupying. Mr. Czako stated the 5 bays to the right in a picture.

Commissioner Hughes asked for clarification once again on the type of license Mr. Czako is applying for. Mr. Czako stated a used car dealer's license. Commissioner Hughes stated that the application submitted says that he is seeking a permit for a general repairer's license. Mr. Czako stated that the used car dealer's license encompasses the general repairer's license.

Commissioner Jurasin asked if Mr. Czako will be selling cars. Mr. Czako stated yes he would be selling cars. He noted that it would be general repair along with selling used cars.

Vice Chair Wagner asked Mr. Czako how he would be advertising the used cars for sale. Mr. Czako said that he would advertise online and in the newspaper. Chairman Hammer asked where Mr. Czako would be keeping the used cars if they were not outside. Mr. Czako said that he would be keeping the cars inside within the five bays. Mr. Czako stated that his mainstay will be the repairs, but he still wants to be able to sell a few cars.

Commissioner Roberts noted that the public was aware of the general repairer's license only and he feels that the Commission should only be allowed to act on what was on the application this evening.

Commissioner Jurasin stated that he would like to see more definition as to what will take place at the business. Commissioner Jurasin noted that the business is located in a very congested area of town and he would like to know more about the operations and a site plan on how all of the operations take place. Commissioner Jurasin noted that there was much more involved than what the application advertised.

Denise Bradley stated that she was under the impression that the application was specifically for a general repairer's license. She noted that this was the first time she has heard about the used car sales. The staff had been looking at the permit as being historically identical to what the building was erected for.

Commissioner Munroe asked if all of the cars would be registered. He noted that the town regulations state that there shall be no storage of vehicles which are unregistered or unfit for repair.

Commissioner Hughes asked if there will be anything other than cars, for example large trucks. Mr. Czako stated that the largest truck he would have would be a regular sized pick up truck. Commissioner Hughes asked if he would have Class A trucks. Mr. Czako said he would not.

Chairman Hammer asked how many employees Mr. Czako would have. Mr. Czako stated that at the start he would have 3 employees. Chairman Hammer also asked if Mr. Czako was planning to do anything to the outside of the building. Mr. Czako said that he does intend to stripe the parking spaces. Mr. Czako noted that there are 12 parking spaces in the front of the building and 9 parking spaces to the side near Steben's glass.

Vice Chair Wagner asked if Mr. Czako plans to park all of the vehicles inside. Mr. Czako stated that his mainstay is not to sell the used cars. He wants to be able to sell the used cars, but that is not his primary focus.

Chairman Hammer asked if there was anyone in the audience who would like to speak on the public hearing.

Harold Colby, 32 Lincoln St., Plainville, in the auto business as well. Mr. Colby stated that he used to be partners with Mr. Czako at C&C Auto in Plantsville. He is in attendance to testify to Mr. Czako's honesty and integrity. Mr. Colby stated that Mr. Czako will not have a used car lot. Mr. Colby stated that he feels Mr. Czako would be an asset to the community.

Chairman Hammer asked Denise Bradley if she was comfortable with what was being described this evening. Ms. Bradley stated that she is comfortable.

Commissioner Jurasin asked if the general repairer's is different from the license that is at the business now. Ms. Bradley stated that when it was approved, it was approved under the town's other regulations. It was classified as being changed to automotive repair to automotive service. Ms. Bradley stated that it would be very similar to going from a general repairer's to limited repairer's license. Commissioner Jurasin asked which license allows more. Ms. Bradley stated a general repairer's license.

Ms. Bradley stated that historically the site was built for a general repairer's license.

Mr. Czako stated that he had no plans for major auto body repair.

Commissioner Hughes asked if the cars would stay inside. Mr. Czako stated that he would have no dismantled cars outside. Vice Chair Wagner asked if the Commission could stipulate that any vehicles sold onsite would have to be inside and no advertising of car sales could occur outside the building.

Commissioner Roberts stated that his concern was more basic, the public hearing was noticed for an application for a general repairer's license under 5.2.E.3. He noted that car sales are completely different under 5.2.E.4. Commissioner Roberts stated that there was not a hearing about 5.2.E.4 tonight. He noted that he was not too concerned about the general repairer's license, since that is what it has been for a long time. Commissioner Roberts stated that they have not advertised a public hearing for used car sales. Chairman Hammer stated that the application was only for 5.2.E.3.

Commissioner McHugh asked if there could be a stipulation that states that if the applicant comes back for the used car sales permit, he does not have to pay the full filing fee, only the costs that the town incurs for advertising. Chairman Hammer stated that the Commission does have the ability to do that if everyone felt it was the right thing to do.

Commissioner Hughes outlined the original conditions in Peter Gillespie's memo dated April 17, 2007. The conditions were in an original memo dated July 23, 1963.

Commissioner James Hughes made a motion to close the public hearing.

Vice Chair Peg Wagner seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

Commissioner Richard Roberts made a motion to approve **APPLICATION NO. 1563-07-Z** granting a special permit for a general repairer's license under Section 5.2.E.3 with the stipulations of no overnight outside parking, no parking of unregistered motor vehicles, no parking shall be in the rear of the premises and no commercial parking. The general repairer's approval does not constitute the permission to sell vehicles at the premises at this time. If the applicant applies for an automobile sales permit under 5.2.E.4 he will only be charged for the actual costs of the town noticing the hearing within 3 months.

Commissioner James Hughes seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

PUBLIC HEARING 3.3 APPLICATION NO. 1564-07-Z. Bright Beginnings Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a preschool/nursery school at 511 Maple Street (Renewal).

Peter Coy, 11 Highview Dr., Rocky Hill, trustee at Wethersfield Evangelical Free Church. The preschool/nursery school has been in existence since 1984. The preschool meets 5 mornings a week, the 4 year old program meets Monday, Tuesday, Thursday and Friday and the 3 year old program meets Tuesday, Wednesday and Thursday. The room location is ground level at the back of the church. The present enrollment is 28 children, (16) 4 year olds and (12) 3 year olds. The capacity enrollment is 31 children.

Chairman Hammer asked Denise Bradley if there have been any issues. Ms. Bradley stated that they have not received any complaints and there have been no calls regarding the nursery school.

The Fire Marshall's stipulations are in a memo dated February 8, 2007.

Cindy Nicewonger, Stillwold, Director of Children's Education at the Church and also Chairman of the Nursery School/Preschool committee. Since the school is licensed by the state, the state does not allow exceeding 31 children; therefore they will not exceed 31 children.

Chairman Hammer asked if there was anyone in the audience who would like to speak on the public hearing.

There was no one in the audience to speak.

Ms. Nicewonger noted that Ms. Bradley mentioned something regarding run with the land.

Vice Chair Peg Wagner made a motion to close the public hearing.

Commissioner Richard Roberts seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

Vice Chair Peg Wagner made a motion to approve **APPLICATION NO. 1564-07-Z** to renew a special permit to establish a day care center at 511 Maple Street with the stipulations that the applicant comply with the Fire Marshall's stipulations and not exceed 34 children. Also the special permit should go along with the land deed for the parcel and be indefinite as long as this church continues to operate the school and is licensed by the state.

Commissioner Robert Jurasin seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

THE APPLICATION WAS APPROVED.

OTHER BUSINESS

No other business.

MINUTES

Minutes of the April 4, 2007 meeting.

Commissioner Richard Roberts motioned to approve [the Minutes of the April 4, 2007 meeting](#).

Commissioner Fred Petrelli seconded the motion.

The members voted as follows (7-0-2)

Aye: Hammer, Wagner, Roberts, Jurasin, Munroe, Petrelli, Hughes

Nay: None

Abst: Knecht, McHugh

STAFF REPORTS

Denise Bradley reported that they have received a request from TD Banknorth to revise their landscape plan. There are existing trees that they originally intended to keep; they are now looking to have removed. The tree warden will be looking into this.

PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING.

No public comments.

CORRESPONDENCE

8.1 A letter dated April 11, 2007, from Thomas Cocomo to the Wethersfield Planning & Zoning Commission regarding Application 1552-07-Z.

Commissioner Richard Roberts made a motion to approve the request for a 65 day extension from Thomas Cocomo.

Vice Chair Peg Wagner seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Knecht, Jurasin, McHugh, Munroe, Petrelli, Hughes

Nay: None

Abst: None

Denise Bradley noted that Thomas Cocomo has withdrawn from HDC and is reapplying. The Commission agreed that if they reapply for the application they should only have to pay the incremental out of pocket publication funds.

Commissioner Roberts noted that he wants the Commission and staff to have enough time to review the application. Denise Bradley will let the applicant know of the reapplication of their request.

PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS

PUBLIC HEARING 9.1 APPLICATION NO. 1552-07-Z. CP Equity Holding, LLC Seeking a Special Permit, in accordance with Section 5.2.A.2. of the Wethersfield Zoning Regulations, to renovate existing structures, construct an additional building, convert property into a mixed retail, office and residential development and associated site improvements at 249-263 Main Street. (Request for 65-day extension)

9.2 APPLICATION NO. 1558-07-Z. Vinnie DeFillipo Seeking Site Plan and Design Review to construct two (2) new structures for office use and associated site improvements at 1912 Berlin Turnpike.

PUBLIC HEARING 9.3 APPLICATION NO. 1559-07-Z. CP Equity Holding, LLC Seeking a Change of Zone from B Residence to Village Business (VB) Zone at 249-263 Main Street.

PUBLIC HEARING 9.4 APPLICATION NO. 1565-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 95 Highcrest Road (Renewal).

PUBLIC HEARING 9.5 APPLICATION NO. 1566-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 50 Francis Street (Renewal).

PUBLIC HEARING 9.6 APPLICATION NO. 1565-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 51 Willow Street (Renewal).

PUBLIC HEARING 9.7 APPLICATION NO. 1567-07-Z. Tri-Town Y.M.C.A. Seeking a Special Permit in accordance with Section 3.2.2. of the Wethersfield Zoning Regulations to operate a child day care center at 461 Wells Road (Renewal).

ADJOURNMENT

Commissioner Richard Roberts motioned to adjourn the meeting.

Commissioner Fred Petrelli seconded the motion.

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

Aye: Hammer, Wagner, Roberts, Jurasin, Munroe, Petrelli, Hughes, Knecht, McHugh

Nay: None

Abst: None

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Lori Keleher
Planning and Zoning Recording Secretary

