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**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING
FEBRUARY 18, 2004**

The Wethersfield Planning and Zoning Commission held a public hearing on February 18, 2004, at 7:00 p.m. in the Council Chambers of the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Earle Munroe, Chairman
Theresa Forsdick, Clerk
Richard Roberts
John Hallisey
Scott Murphy
Philip Knecht
Matthew Cholewa
David R. Edwards
John Adamian

Members absent:

Joseph L. Hammer, Vice Chairman
George Oickle
Robert Jurasin

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

Chairman Munroe called the public hearing to order at 7:00 p.m.

APPLICATION NO. 1418- 04- Z. Thomas Vencuss, Pastor for Wethersfield United Methodist Church seeking Site Plan and Design Review approval under Article XXXI, § 167-137 of the Wethersfield Zoning Regulations to construct a 6,255-sq. ft. addition to the south of the existing church, located on the south side of Prospect Street in an A-1 Residence Zone at 150 Prospect Street.

Clerk Forsdick read a description of the application as well a memorandum from Michael Turner, Director of Public Works/Town Engineer (dated February 13, 2004 - on file) to Peter Gillespie which said that he had reviewed the application and had the following comments to offer:

1. Building height as proposed exceeds Residence Zone A-1 allowable building height of 2.5 stories or 35 feet maximum. (§167-75).
2. Handicap ramp from parking lot to new addition may have to be extended to maintain 1 to 12 pitch.
3. Recommend relocation of several of Handicap parking stalls to area of new ramp for addition.
4. Indicate on the plans proposed dumpster and enclosure.
5. Confirm no building mounted lights, or provided details if proposed.
6. Commission may wish to consider addition of landscaping around new building addition.

Clerk Forsdick also read a letter to the applicant (dated January 22, 2004 - on file) from the Inland Wetlands and Watercourses Commission which said that the application had been approved and the Erosion and Sedimentation Control Plan was certified at the January 21, 2004 meeting.

In addition a letter from the Central Connecticut Health District (dated February 9, 2004 - on file) was read which

commented that the proposed method of exterior storage and disposal of refuse should be stated or shown and recommended that the Town approve this plan before any approval by the Planning and Zoning Commission.

Mr. James Sheehy L.S., 87 Randy Lane appeared before the Commission representing the applicant said that the site consisted of 5.6 acres, which was bordered on the north by Prospect Street, and adjacent Mill Woods Park. The site is served by the Mill Woods access road with an existing easement allowing the church access to the road way, he added that if the plans for Mill Woods Park go through, realigning the road will be part of it. There is also a utility easement to feed into the building. An existing water line serves the building; the proposed addition will be sprinkled so there will be a fire line as well. The site is bordered on the east by a considerable amount of wetlands and he explained that there are actually more wetlands than are shown on town maps, but that they had it tested and the map he produced accurately showed the wetland areas. The proposed construction would not disturb any of it. The current parking area is on the western side between the access road and the church, this lot provides 81 parking spaces including 5 handicap spaces. He explained that meetings with Town staff resulted in calculations for parking based upon several factors. When based upon 377 linear feet of pew space, at 4 occupants per vehicle it comes out to a requirement of 63 parking spaces. He further explained that when the church is in use, the auditorium will not be in use and when the auditorium will be in use, the church would not be in use. Currently the parking works fine.

Commissioner Roberts asked if the Town agreed with these calculations. He questioned the requirement being based solely upon the church pew footage and wondered if people standing up or sitting elsewhere like in downstairs meeting rooms, had been considered.

Mr. Gillespie said the parking requirement and how that would be calculated had been one of the first concerns. Staff had even reviewed building code calculations of how they measure church space occupancy in terms of inches per pew space. However after discussions with the applicant revealed how the space would be utilized, the timing and the off-peak usage, Staff felt comfortable with parking as it is proposed.

Commissioner Roberts explained that part of his concern was because the Commission had spent the last few years revising the regulations in an effort to making them modern, consistent and understandable. But if they had to make a custom calculation to fit the site every time, then that might undermine the intention of what they are doing. He wanted to make sure there was logic behind the calculations.

Mr. Gillespie said that they had looked at this situation from several different perspectives, and that churches are typically rated for occupancy by the Fire Marshall as well. He added that calculation based upon the anticipated use and the hours of usage was becoming a standard method for calculation. In this case the church and the addition occupancy have opposite hours of usage and so all these things in conjunction led Staff to approve of the parking as it is proposed.

Commissioner Cholewa wasn't sure if the parking requirements were based upon the zoning or the building regulations. He also commented that 1 person per 18" seemed to be based upon a somewhat svelte person.

Mr. Sheehy answered that the Fire Marshal, Gary Santoro had used the 15 per sq. ft calculation for years, but did not think there was anything in the zoning regulations that specified it.

Mr. Gillespie said in the zoning regulations, under Places of Assemblies there is a requirement of one parking space for every 4 seats. Commissioner Cholewa thought that perhaps the Commission's discretion might be somewhat limited for religious uses. But he wondered what the experience had been with the existing parking situation. Specifically he wondered if there were problems with overflow during periods of high attendance like Easter Sunday.

Mr. William Brown, Project Manager and Facility Coordinator for Wethersfield United Methodist Church, stepped forward and explained that he had not been a church member before the last addition had been built and 41 parking spaces had been added approximately 10 years ago. He thought there might be an incidence or two of overflow but it is certainly not the norm even at peak attendance and that as far as knew the parking has been adequate.

Mr. Robert Powell, Architect and church member, stepped forward and said that the 18" per person came out of the building codes for a fixed seating arrangement but that it didn't really work. He said that he couldn't fit into 18" and

most people probably couldn't either, however that was how they arrived at the calculation for the total occupancy for the sanctuary.

Mr. Sheehy said that the memorandum had mentioned adding handicap spaces where the auditorium will be. He said that they currently have 5 handicap spaces at the very north of the parking lot, at the ramp going into the sanctuary and these didn't always get used. They proposed to move 2 of them to the south adjacent to the ramp serving the auditorium and would add this to the plan but if the Commission desired they could stipulate it.

Commissioner Roberts asked if it was the applicant's opinion that there were few if any places where parking could be added without going into the setbacks or the wetlands or the landscaping areas. Mr. Sheehy agreed that the site is pretty much developed.

Commissioner Edwards noted the existing mechanical units on the site plan and wondered about them being trapped by the proposed addition. Mr. Sheehy said that this would be explained by Mr. Powell during his presentation.

Mr. Sheehy said that there would be a sanitary sewer connected out into the YMCA property and that there were easements on file since they started this project. In addition, the surface drainage would hook into a 48" drain on Prospect Street. The parking lot is all currently sheet flow which drains off into a ditch, and no additional work is proposed. He also said that the building height as commented upon in Mr. Turner's memorandum would not be a problem in the new building regulations and that §167-184 of the current regulations allows churches to go beyond the 35' height. He had discussed this with Mr. Gillespie and so this was not a problem. He addressed the concern of the pitch of the handicap ramp and said that when the final grading is done it will certainly meet the state requirement of 1 to 12 pitch. The dumpster location and the enclosure had not been decided upon yet by the Church Committee but when it was, it would certainly be in compliance and they would accept that as an additional stipulation.

Mr. Powell stepped forward and explained that the church was fortunate enough in the last 6 or 7 years to increase its membership with the addition of many new families and young children. As a result of the increase in membership there is a need for a new fellowship hall, which is the major element of this addition and would be primarily for the use by the congregation and there would be occasional usage after hours. He said that the proposed 6,200 sq. ft addition would be connected to the existing building by a corridor. The fellowship hall itself would take up about 47' X 70'.

Chairman Munroe asked what the maximum occupancy for the hall would be. Mr. Powell answered that the Fire Marshal would say 7-sq. ft. per person, which would be 300 people, but from a practical standpoint they would say about 15-sq. ft. per person so a maximum occupancy of 175 people would be more accurate which is comparable to the occupancy of the sanctuary and close to the membership of the church at 200 people.

Commissioner Adamian asked how many people typically attend Sunday services and was told 150 people.

Mr. Powell went on to describe the current building which was built about 45 years ago. He said that it was built of brick in a colonial style with double hung windows. Their idea was to duplicate the original building to be as seamless as possible, with the same brick, same wood windows, same rake and crown molding. The height will be about 35'9" which is about 9" over what they had thought was the maximum height.

Mr. Gillespie confirmed the maximum height for church buildings as written under Height Exceptions §167-84 could be built up to 50'.

Commissioner Edwards asked about the exterior mechanicals shown on the plans. Mr. Powell explained the units would still be accessible because the area of the center courtyard was open at the rear, the mechanicals for the new building would all be placed inside.

Mr. Brown said that the landscaping shown on the plans was not the exact landscaping that would be proposed. The landscaping had yet to be designed by a Landscape Committee which was made up of church members. The idea he continued was to put together a memorial garden. All areas disturbed by the construction would be regraded and landscaped, even where there is presently none. There would be no building mounted lights; all exterior light would be

provided by the parking lot lights.

Commissioner Cholewa asked if anything had been submitted yet for the landscaping. He was told that that the Committee had not finished with the plan yet.

Mr. Gillespie added that he had made a note that Staff would need the landscaping details submitted before a Certificate of Occupancy (CO) was granted.

Mr. Sheehy explained that the Committee members were all volunteers but they were made up of qualified people and they would surely do an outstanding job and were willing to accept as a stipulation that approval of the landscaping plan be granted before a CO is granted.

Commissioner Edwards asked if the auditorium/fellowship hall would be accessible during services or would they be used concurrently.

Mr. Powell said that the sanctuary was not used for any public assembly, and was used at 10:30 Sunday mornings for about an hour and 15 minutes after services people move on into the fellowship hall. The two areas would not be used simultaneously.

Mr. Sheehy said in conclusion that the church was very anxious to get going on the project as soon as the ground was thawed enough; he asked the Commission to please consider approving this application tonight in order to move forward.

Commissioner Cholewa asked if Staff was okay with the explanation of the lighting. Mr. Gillespie said that there was at least one pole light in the lot that ties into the park access road. He believed the lighting to be adequate.

Commissioner Cholewa suggested that with the new fellowship hall there might be more evening programs and perhaps it might need to be more well lit. Mr. Powell said that the current fellowship hall was being used less and less for non-church activities because keeping it open cost the church money. He explained that when groups used their facility they didn't expect to pay much, so it actually cost the church money to allow outside users to use it. The intent of the church was to use the new fellowship hall for church activities, not to rent the hall out. The light in the parking lot is sufficient at this point for any evening meetings that take place.

Commissioner Roberts asked if there was any restriction in whatever document grants the right of passage by the access road, which would prevent this application. Mr. Sheehy said that he had the attorney who represents the church get into contact with the Town attorney. It was found that at one time the park and church properties had been all one property. When the owner had sold the property to the Town for Mill Woods Park, the church property was still privately owned. The owner had the foresight at that time to draw up a utility and access easement granting access for the heirs and subsequent owners of the property. This was all spelled out in the deed, which was agreed to by the Town Attorney. He added that only new line that would be brought in would be the fire line, for the sprinkler system. They were also in negotiation with the gas company to bring a gas line, and they hope to also get a line to the Mueller Home at the same time.

Commissioner Munroe asked where the construction material would be placed during the work. Mr. Brown answered that the construction materials would be placed in the parking lot adjacent to the area and there was another area set aside on the side area for the stockpile area. The main frame of the building would have a metal frame and pieces would be assembled from the parking lot area. The general contractor had said that it would take place over a week or so. A small area on the side can hold any other materials. The stockpile area would be backfilled in and regraded when the work was done.

Commissioner Munroe asked if ZBA had asked that question and was told that they had not.

Mr. Sheehy said that any additional material would be placed in a stockpile area between the YMCA area and the church. They would be a silt fence for the erosion and sedimentation plan.

Commissioner Munroe asked that the church members keep an eye on how the area was cleaned up, and make sure it is returned to at least the original state if not better. Mr. Brown said that this was already written into the provisions for the contract.

There being no one else who wished to speak in favor or in opposition to this application, this portion of the hearing was declared closed.

There being no one else who wished to speak, the public hearing was closed.

A short break was taken at this time.

Theresa Forsdick, Clerk

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC MEETING
FEBRUARY 18, 2004**

The Wethersfield Planning and Zoning Commission held a Public Meeting on February 18, 2004, immediately following the Public Hearing, in the Council Chambers of the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Earle Munroe, Chairman
Theresa Forsdick, Clerk
Richard Roberts
John Hallisey
Philip Knecht
Scott Murphy
Matthew Cholewa
David R. Edwards
John Adamian

Members absent:

Joseph L. Hammer, Vice Chairman
George Oickle
Robert Jurasin

Also present:

Peter Gillespie, Economic Development Manager/Town Planner

APPLICATION NO. 1418- 04- Z. Thomas Vencuss, Pastor for Wethersfield United Methodist Church seeking Site Plan and Design Review approval under Article XXXI, §167-137 of the Wethersfield Zoning Regulations to construct a 6,255-sq. ft. addition to the south of the existing church, located on the south side of Prospect Street in an A-1 Residence Zone at 150 Prospect Street.

Commissioner Roberts wanted to say that he understood how the parking calculations were arrived at but he would like to see a more consistent measure for figuring out parking requirements to avoid having to tailor each application.

He also wanted to note the fact that in this situation there was absolutely no area to add any additional parking due to the development and the wetlands, without totally ruining the site and this was a factor in allowing the building code parking calculations to be accepted, in addition to there being no demonstrated overuse of the present parking lot.

Upon motion by Commissioner Roberts, seconded by Commissioner Forsdick and a poll of the Commission it was unanimously voted to APPROVE Application No. 1418-04-Z. Thomas Vencuss, Pastor for Wethersfield United

Methodist Church seeking Site Plan and Design Review approval under Article XXXI, §167-137 of the Wethersfield Zoning Regulations to construct a 6,255-sq. ft. addition to the south of the existing church, located on the south side of Prospect Street in an A-1 Residence Zone at 150 Prospect Street with the following stipulations:

1. At least two (2) of the handicap parking stalls shall be relocated to the area of the new handicap ramp;
2. The proposed dumpster and enclosure shall be constructed to Health District satisfaction and be shown on the plans;
3. A planting and landscaping plan shall be presented to the Commission prior to the issuance of a Certificate of Occupancy (CO);
4. The parking lot shall be re-stripped prior to the issuance of a Certificate of Occupancy (CO).

Commissioner Murphy left at this time.

DISCUSSION OF ZONING REGULATIONS

After a 5 minute break the Commission reviewed revised portions of the new zoning regulations page by page and commented on the comments Glenn Chalder of Planometrics had made on them.

- The Commissioners agreed that the definition of Density Bonus, on page 12 could be eliminated since there was no reference to it in the regulations other than the definition.
- The Commissioners discussed the definition meant by family on page 13. Although it was generally agreed that a family was any number of people related by blood, marriage or adoption living and cooking together, there was a concern raised by Mr. Gillespie that in certain zones there was a provision for up to 3 paying guests, which had not been included in the new regulations. Commissioner Cholewa thought that it should be allowable for someone to take in a boarder or 2 if it allowed them to keep their home. He didn't think that there had been any big problem in town with boarding houses. The general consensus was that any allowance of paying guests as part of the family definition needed to be consistently applied and not limited to one zone and not another. Mr. Gillespie thought that the broad category of house guest was acceptable but the paying guest part still needed to be resolved.
- The definition/reference of Rear Lot on page 17 was agreed to be eliminated because it is not otherwise referenced in the regulations.
- Mr. Gillespie said that he had done some research on sites and landscaping calculations and he had a separate memo he would pass out when they got through this. He thought that this required an involved discussion and they should come back to this at another time.

On page 31, Telecommunications, Commissioner Munroe thought that the existing regulations call for a minimum of 5' from the property line for a telecommunications tower. He felt that this was not adequate. He had looked through other town's regulations and found that they require a 125% of the tower height for setbacks from the property line. He thought that this was reasonable in order to give the neighbors a reasonable amount of comfort in the event that the tower should fall over. Commissioner Edwards thought that there would have to be a clause whereby property without enough footage is not required to put the tower on top of the building itself, in order to meet the setback. It was noted by the other Commissioners that if the tower were mounted on top of the building then it wouldn't need to be so massive. Commissioner Munroe clarified that he was talking about freestanding towers. In his opinion if the lot was not large enough to accommodate the setback they should not be allowed to erect the tower. Commissioner Cholewa asked Mr. Gillespie to check out the color of the antennae mounted on Executive Square. He thought that the Commission generally required that antennae be the same color as the facade. These are white and not the same color as the facade. Mr. Gillespie agreed to look into it.

- Commissioner Roberts asked what the difference was to the definition of Home Occupations, on page 34. Mr. Gillespie answered that there were no general standards for special permit allowance so Glenn Chalder reorganized to give specific definitions. Commissioner Cholewa asked why it was necessary to limit what is being created at a home if in fact no customers or clients are arriving at the dwelling, as was stated under B 3 + 4. It was agreed to eliminate #4. Commissioner Cholewa wondered if the Commission was boxing themselves into requiring a public hearing for every application seeking a special permit for home occupations. Mr. Gillespie

- thought it could be worded in order to leave it to the discretion of Staff as to whether it should come before the Planning and Zoning Commission. Commissioner Knecht wondered if existing homes would become non conforming by the changes suggested by the new zoning regulations as pertaining to Open Space Development on page 42. Commissioner Roberts answered that they applied only to future development.
- Commissioner Cholewa suggested that items C, D, and E under Consolidated Parcels on page 64 be changed to sub items under B. Mr. Gillespie explained that D is the only new item in the regulations, and that if there is any agreement it must be reviewed by the Town.
 - Commissioner Cholewa asked who paid for the Town Attorney, and was told that the Town did. Mr. Gillespie suggested that they might want to discuss modifying a fee schedule for the town Attorney, because currently there is a flat fee of \$100.00 no matter how long or involved the review is. Commissioner Cholewa thought perhaps a clause might be included where the applicant is required to foot the bill if the Commission is required to consult an expert.
 - The Commissioners agreed to eliminate Parking Requirements in the residential uses section for Home Occupation and Home Occupations (Medical). In the Parking Reduction section page 73, there was some question as to what Glen Chalder's intent was for a temporary reduction in parking. Mr. Gillespie agreed to find out what was meant. Under the Parking Configuration section page 74, Commissioner Munroe said that he had checked the section against a couple of manuals and they were all about the same with the exception of a foot or two but he had doubts about the 30' parking angle, he had never seen it before and thought it was a such a very flat angle that they might as well go with parallel parking. Commissioner Cholewa had concerns about the Village Business District parking reduction as specified on pages 5 and 7 of the memo they were discussing. With the assumption in place that parking there was a difficult situation this further implied that they could take into account that there are other places for parking without much more in the way of standards. It seemed to him that there wasn't much in the way of standards there now, and wondered if anyone thought this would help it. Mr. Gillespie answered that he had met with about 50 people from Old Wethersfield last week and this had been one of the concerns that they had raised, that this might create a loophole that would be consistently taken advantage of. They had asked that the language be strengthened to make it clear that applicants are expected to provide onsite parking. Commissioner Cholewa agreed and gave the example where during a pre-application review an applicant had complained that they could not provide enough parking because they were building such a large building. He felt that if the wording was strong enough it would be made clearer that all reasonable avenues for providing the adequate number of parking spaces needed to be exhausted first.
 - Mr. Gillespie mentioned that another issue that had been raised at the meeting with the Old Wethersfield people was that under Sign Regulations pages 77-81, free standing signs would not be permitted in the Village Business District. The business owners there would like to be able to keep their signs. Commissioner Cholewa said that while he understood the desire for a simpler system, he wondered if these regulations were decreasing or increasing what would be allowed in terms of the square footage and the height of typical buildings. He didn't think that they had ever gotten a clear idea from Glenn about this. Mr. Gillespie said that he was still researching this and he would be providing a memorandum which would show several examples to show the impacts. He mentioned that when Stuart Popper was still Town Planner he been in the process of reviewing other town regulations and there had been an ad hoc Sign Committee but it didn't seem that anything had come from either the review or the Committee. He hoped to have that information for the next meeting. The Commissioners discussed ways in which a simple table for sign size calculation might be figured. On page 10 of the Planometrics memo the last 3 descriptions under Wall Signage as well as the last 3 descriptions under Detached Signage had been changed from special permits by Planning and Zoning approval to Staff approval. Commissioner Cholewa suggested that perhaps those applicants who demonstrated excellence in sign design might receive an up to 10% increase in size permitted. Mr. Gillespie said that this was an exception in some other places too. He thought it was a good idea to provided incentive and would provide the language for such an exception at the next meeting.
 - Under Erosion and Sediment Control page 87, Mr. Gillespie mentioned that the language would be modified in order to allow the Planning and Zoning Commission power to review erosion and sediment control plans, rather than forcing applicants to go before the Inland Wetlands and Watercourses Commission for that.
 - There was question as to why under Towers and Antennae page 105 there was so much seemingly non-related information was included. Commissioner Roberts thought that perhaps many of these sections previously had references to Towers and Antennae but had now been taken out. Mr. Gillespie pointed out that the Telecommunication Facilities had been removed and was now given its own section. Commissioner Roberts

- questioned what was intended by D13 on page 17 of the memo which stated that windmills were allowed by special permit if no higher than 50'. He wondered if that meant that they needed to come before that Commission in all cases but they could not be over 50' high. It was agreed that any windmills need to come before the Planning and Zoning Commission but the wording should be modified to say more clearly what was intended.
- Mr. Gillespie suggested that under the ZBA section they might want to add the proviso that any ZBA variance does not preclude any need to appear before the Planning and Zoning Commission.
 - Under Alcoholic Beverages page 109 there was a new addition to remove it from ZBA jurisdiction. Mr. Gillespie pointed out that Planning and Zoning typically handles these, but not in Wethersfield; this was included with the idea of speeding up the process, for receiving a liquor license since ZBA only met once a month. The Commissioners agreed that they had saw no reason to further burden their agendas with this jurisdiction and felt that it should remain with ZBA. Commissioner Roberts said that if applications needed to come before the Commission for site plan review it would be one thing but if it's only about a liquor license then why not keep it with ZBA. Because of the distance restrictions most applications would need to go to ZBA anyway.
 - Mr. Gillespie passed out excerpts from the regulations which dealt specifically with the Village Business District zone and walked the Commissioners through the sections that had raised some concerns. He said business people and residents there would like to have some reference to the historic nature of the District.
 - Under the Table of Permitted Principal Uses, subsection C, Office Use, we do not permit drive-thru restaurants but they were concerned that since we do allow banks, credit unions and financial institutions that we could theoretically allow drive-thru banks or any drive-thru facilities of any nature. Commissioner Adamian thought it unreasonable to not allow one if tastefully designed and executed. Commissioner Cholewa couldn't imagine a bank being interested in setting up in Old Wethersfield, however if the people there feel strongly enough about not allowing it why not defer to their wishes.
 - Mr. Gillespie said that another thing that was a curiosity to the people was the special permit for Office Uses of 2500 - 20,000 sq. ft. Although they thought the high end rather high, they were more curious as to how this number was arrived at. The Commissioners discussed what present buildings might be as large as 20,000 sq. ft.
 - Under Retail and Service Establishments, the ceiling of 3000 sq. ft. was considered too small and they might want to consider increasing that number.
 - Mr. Gillespie said that currently there are exceptions in the B-2 Zone for Seed Businesses and it was discussed that there should be some provision for that sort of business in the Village Business District. The Commissioners agreed to just re-include what was deleted from the current regulations.
 - Mr. Gillespie said that business owners were also concerned about the allowance for outside merchandise for only 7 days of the calendar year. He pointed out that part of the ambience of some of the stores was the display of wares outside. However it was agreed that they could not regulate the quality of what was being displayed or left out on the sidewalk. Somehow a magic number for the legal number of allowable days needed to be arrived at.
 - There had also been discussion at the meeting with business owners on the possibility of allowing outdoor cafes, currently there are no provisions for it, and the Commissioners might want to address that in the regulations. Commissioner Roberts noted that on page 59 of the regulations there was a mention of outdoor dining which would allow it.
 - Mr. Gillespie mentioned that the current regulations have a 40' height limit, in the new regulations the height is reduced to 30', the people said that they would like to see it returned to 40'. There was discussion that the height should be remaining higher for all zones. Commissioner Roberts thought they might end up with greater opportunity for green space if the buildings were allowed to go higher.
 - In conclusion Mr. Gillespie said that there was general concern among the residents and business owners alike that the new zone would create a lot of non-conforming situations to be created and they wanted to make sure that there was documentation provided by the Town that they would be grandfathered in. Certain individuals also felt that it would be the onus of the Town to provide written documentation that they were not in non-conforming situations. Mr. Gillespie tried to explain how difficult and complicated that would be as well as unnecessary. However there were still some people who were worried.
 - Mr. Gillespie then showed the Commissioners an enlarged copy of the zoning map which showed the new Village Business Zone and its boundaries.
 - Another memorandum was handed out which showed suggestions the EDIC had made to the regulations in regard to Design Review. The Commissioners discussed among themselves who they thought should appoint the members for this committee. It was agreed that they should not be appointed by the Town Council to avoid any

political appointments. It was also agreed that this was a separate committee and not a sub-committee of the Planning and Zoning Commission. The Commissioners also discussed the criterion for what applications would qualify for Design Review by this special committee. Mr. Gillespie said that by definition anything that Planning and Zoning reviews should go through the Design Review Committee. However there was some question as to how applications that would ordinarily go through the Historic District Commission should be treated so as not to double up design review on the same application.

OTHER BUSINESS

Mr. Gillespie mentioned that at one time the Folly Brook Market at Nott Street was zoned business and he wondered if anyone knew why. No one present did. He went on to say that the current owner of the market wants to create a new business next door and that this would be a change in use.

Commissioner Roberts said that maybe 15 years ago they went through ZBA for something, perhaps reviewing that application would reveal what happened. Mr. Roberts did not recall making any change to the commercial zone.

Mr. Gillespie said that on March 2, 2004 he was trying to organize a meeting with Town Council, EDIC, Planning and Zoning as well the Silas Deane Revitalization Ad Hoc Committee to make sure that they are all working toward the same goals. This meeting would come before the Planning and Zoning regular meeting.

The last item the Commissioners discussed was a bill being introduced in the State Legislature regarding municipal ethics codes. It was generally agreed what was being proposed would make it harder to find people willing to serve on public committees and commissions.

APPROVAL OF [MINUTES OF: January 21, 2004](#)

Upon motion by Commissioner Knecht and seconded by Commissioner Hallisey and a poll of the Commission it was voted to approve the minutes as submitted

Aye: Cholewa, Knecht, Edwards, Munroe, Hallisey, Munroe

Abst: Roberts, Forsdick, Adamian

The meeting was adjourned at 10:30 p.m.

Theresa Forsdick, Clerk