

**WETHERSFIELD PLANNING AND ZONING COMMISSION
SPECIAL MEETING AND PUBLIC HEARING
JULY 29, 2004**

The Wethersfield Planning and Zoning Commission held a public hearing on July 29, 2004, at 7:00 p.m. in the Town Hall Council Chambers, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members present:

Theresa Forsdick, Vice Chairman
Philip Knecht, Clerk
Earle Munroe
Richard Roberts
George Oickle
David R. Edwards
John Hallisey
Robert Jurasin
Scott Murphy
Peter Leombruni

Also present:

Peter Gillespie, Economic Development Manager/Town Planner
Mike Turner, Town Engineer

Vice Chair Forsdick called the public hearing to order at 7:00 p.m.

Clerk Knecht read a description of the application:

1. **APPLICATION NO. 1430-04-Z.** Site Plan and Design Review to demolish existing building and construct new building and construction of a 16' x 20' outdoor dining patio at 1825 and 1841 Berlin Turnpike - Michael Karabetsos. (Tabled from July 20 meeting).

Mr. Knecht also reviewed the July 29 memo from Mike Turner Town Engineer.

James Sheehy, LLS was present to submit revised plans for the Commission and a brief review of the existing site conditions and the proposed location of the new Bob's Fruitstand. Mr. Sheehy pointed out that the new building will utilize the 2 existing curb cuts on the Silas Deane Highway, there will be a lawn area in front of the parking lot and lighting will be provided from the existing CLP pole located in the southeast corner of the lot. Additionally, approval is requested for an outdoor patio for Elaine's restaurant.

Mr. Jurasin inquired about the proposed 2 way traffic pattern and suggested that the parking lot would be more effective if 90 degree stalls were used. Mr. Jurasin asked that a note is added to the plan clarifying the extent of new pavement area throughout the entire parking area.

Mr. Monroe suggested that the plans should bear the seal of a Professional Engineer. Mr. Sheehy stated that the Town has on file a drawing prepared for the Wetlands Commission by P.E. Seb Amenta and drainage computations are also on file. Mr. Sheehy noted that the calculations did consider the impacts of the site plan that the Commission is presently looking at. The applicants attorney is presently working on the drainage easement for the site which incorporates the agreement with the property owner behind the restaurant.

Town Engineer Mike Turner confirmed that the engineering information is presently on file.

Mr. Sheehy noted that the wall signs were removed from the plans, the lights were removed from the cupola, lights were added under the canopy, the colors would be light grey with white trim and charcoal roofing material.

Mr. Oickle inquired about cleaning up the mess behind the site. Mr. Sheehy stated that they are presently negotiating with the property about the extent of the cleanup.

Mr. Edwards questioned whether the patio would be handicapped accessible. Mr. Sheehy stated that it would be accessible through the bar area of the restaurant.

Mr. Knecht motioned to close the hearing, Mr. Oickle seconded the motion and the vote showed all members in favor.

Mr. Roberts motioned to approve **APPLICATION NO. 1430-04-Z**. Site Plan and Design Review to demolish existing building and construct new building and construction of a 16' x 20' outdoor dining patio at 1825 and 1841 Berlin Turnpike - Michael Karabetsos with the following conditions:

1. The applicant may utilize the existing CLP pole mounted spot at the northeast corner of the site and add glare shields.
2. The existing mature evergreen hedgerow located along the west property line must be maintained in order to control litter and dumping.
3. The drainage easement in favor of the Town must be prepared and executed.
4. Add note to site plan regarding the extent of parking lot pavement reconstruction.
5. The applicant in consultation with the Town Engineer shall review the site plan and make the appropriate changes as it relates to the most efficient parking and circulation pattern.

Mr. Oickle seconded the motion and the vote showed all in favor except for one abstention from Mr. Murphy.

Vice Chair Forsdick called the public hearing to order at 7:40 p.m.

Clerk Knecht read a description of the application:

1. **Comprehensive Revisions to the Town of Wethersfield Zoning Regulations and Zoning Map - Applicant: Town of Wethersfield.**

Vice Chair Forsdick asked the Town's consultant to start the hearing by summarizing the proposed changes to the regulations. Glenn Chalder, Planimetrics, Avon Ct distributed a summary document of the proposed changes to the zoning regulations and noted that the Commission has been working on the proposed changes since 2001. Mr. Chalder explained the major changes to the document:

- Designed to be easier to use
- New zoning map and zoning districts
- New format to the various chapters
- New and updated definitions
- New regulations for accessory apartments and home occupations
- New multi family district SRD
- Congregate housing and assisted living permitted
- Two new conservation zones - Agriculture and Floodplain
- Significant changes to Business Zones
- New Business Districts
- New standards for landscaping, lighting, refuse, access management, parking and signage
- New Design Review process
- Consolidation of administrative regulations
- New Appendix

Peter Gillespie, Town Planner stated that the hearing had been advertised in the Hartford Courant as required by the statutes, the Regional Planning Agency had been notified, the Chamber of Commerce, a Public Information meeting was held in October 2003, a public meeting as held with residents and businesses in Old Wethersfield, Press Releases had been sent out, an article was written in Wethersfield Life, meetings and reviews had been conducted with Town

Staff and numerous workshops had been held with the Commission all in anticipation of trying to get as much public input and involvement in the process. Mr. Gillespie also noted that based on input from the Commission and from the public he had made various changes to the regulations since the October 30 public information session:

- Uses permitted in Business Zones
- Boundaries of the VB District
- Landscaping requirements
- Parking requirements
- Sign regulations
- Outdoor lighting
- Pre Application review
- Design Review
- Minor changes to zoning map

Mr. Gillespie noted that certain labels on the zoning map needed to be clarified.

Secretary Phil Knecht reviewed the correspondence submitted:

1. July 29, 2004 from Attorney John Harvey
2. July 20, 2004 from John Dolan
3. May 10, 2004 from James Woodworth
4. April 6, 2004 from Conservation Commission
5. February 9, 2004 from Charles Hart
6. February 7, 2004 from David Caulfield
7. January 25, 2004 from Linda Case
8. November 20, 2003 from Karen Zuder
9. November 19, 2003 from Karen Zuder
10. October 30, 2003 from Charles Hart
11. John Lepper, Tree Warden

Vice Chair Forsdick opened the hearing for public Comment.

Attorney John Harvey, Wethersfield, Ct referred to his correspondence regarding the proposed Sections 3.3.1 Congregate Residential Development and Section 3.5 Special Residential Development District. Mr. Harvey noted several potential problems that might arise regarding Over 55 age housing projects that would not require shared services: subsection A.2 criteria. Mr. Harvey noted meeting all of these criteria would be very difficult and suggested adding "meet one or more of the following objectives". Additionally subsection C add "inclusive of residential units where occupancy is restricted to persons aged 55 and over where there are no shared or common services".

John Miller, Wethersfield, Ct spoke as a follow up to Mr. Harvey regarding congregate housing and Section 3.3.1.d. Mr. Harvey suggested that a min lot size of 2 acres and a min square of 200' might be difficult standards to meet therefore limiting development opportunities for this much needed housing opportunity. Mr. Miller also suggested that the proposed flood plain overlay zone may have errors and may be an unnecessary addition to the zoning map since these areas are already identified on the FEMA maps. Mr. Miller also stated that rear lots should not be prohibited and that where they exist in Town you will find some very well designed and expensive properties. Mr. Miller also suggested that any property owner impacted by the proposed regulations should be notified.

Mr. Buzz Willard, Wethersfield, Ct made specific comments on the Village Business District zone regulations: Section 5.3.A.8 noted that the zero can grant approval for outdoor sales for up to 14 days in a year, 6.2.E.2 driveway width requirement of 22 feet is too wide, 6.2.G.1. should permit the use of gravel or brick surface treatment, 6.2.H.3 should have flexibility to allow an exception in the Historic District where you cannot stripe a parking space, 6.3.E. wall signs for residential occupancy should be increased to 2 s.f. Mr. Willard supported the mixture of uses presently found on Main Street.

Kelli Burke, Samuels Associates, Goff Brook Shops commented on the proposed definition of shopping center and

suggested modifications to apply the parking ratios in a more flexible way rather than counting all of the individual uses. The proposed regulations contain 3 different parking criteria and ratios and is cumbersome. This could be modified in a simpler fashion 4 per thousand would be an appropriate requirement for a center such as Goff Brook.

There were no other comments from the public.

Glenn Chalder noted that the public comments were very good and that he and Mr. Gillespie would confer and bring back possible changes to the Commission.

Vic Chair Forsdick asked for questions from the Commission members.

Mr. Monroe questioned what changes in building height were made to the regulations. Mr. Gillespie noted that Section 5.4 Business zone had been changed to 40 feet for all commercial zones.

Mr. Hallisey questioned whether any residential properties had been changed to Business zones and if so had the residents been notified. Mr. Gillespie noted that there are changes on Main Street and a public meeting specifically for those properties. Mr. Chalder noted that there may be a few properties on Wolcott Hill Rd. and he will check on that.

Mr. Leombruni noted that the SRD regulations may have some restrictions that could limit the application of the regulations. Did we want it to be restrictive? Mr. Chalder stated that Mr. Harvey's comments should be seriously considered. The regulation regarding the covenants should be maintained for age restricted projects. Mr. Chalder needed to research the section on the buildable square.

Mr. Roberts noted that the SRD zone has consolidated the 3 previous multi family districts into one new zone and we need to maintain some flexibility. Mr. Roberts noted that we had also received comments from Hesketh Associates regarding the SRD regulations that we need to consider.

Mr. Oickle commented on the confusing nature of the proposed zoning map and the color combination specifically with the overlay zone. The legend needs to be larger for people to understand. Mr. Gillespie also noted that there was an error on the VB District and that it did not appear on the map. Mr. Gillespie stated that the map still needs more detail such as street numbers, street names etc.

Mr. Jurasin supported Mr. Oickle's comments on the zoning map and the public comments made. Mr. Jurasin suggested that the staff should prepare a format for the public comments for the Commission members and an appropriate response to those comments.

Mr. Murphy referred to the memo's from the Trust and the Conservation Commission as well thought out and worthy of consideration.

Mr. Leombruni asked Mr. Turner for his thoughts on the Flood overlay zone. Mr. Turner noted that the Flood maps were not updated since FEMA mapped them. The Flood Board has permitted fill, 8 sites have approved map changes and we have a 1995 study by Milone and McBroom which would be the most accurate information. Mr. Turner noted that banks would look to the FEMA maps for lending not the zoning map, FEMA is presently looking to update the maps maybe by 2006. Mr. Turner stated that placing the overlay on the zoning map may help to avoid some confusion for applicants.

Mr. Roberts stated that if we do this it should be done right or as close to accurate as we can get the mapping. Mr. Turner stated that it would be an onerous responsibility to have staff revise the map based on past permits and map changes.

Mr. Gillespie stated that he had met with staff and they have a number of minor changes and clarifications for the Commission to consider and suggested he would bring the information to the next meeting as well as the boundaries of the VB zone in Old Wethersfield. Many properties have split zoning.

Mr. Leombruni questioned what happens when a site has split zoning. Mr. Gillespie referred to the Larson application

where the ZBA did not grant a parking variance for the residential portion of the site and the PZC wanted some off-site parking. These are the potential conflicts that a zone line can cause.

Mr. Roberts motioned to continue the hearing to the August 17 meeting, Mr. Oickle seconded the motion and the vote showed all members in favor.

Mr. Oickle thanked all of the staff members for the help on these regulations over the years and the help of Mr. Chalder.

The meeting was adjourned at 9:05 p.m.