

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

**January 22, 2014**

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Wednesday, January 22, 2014 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

**1. CALL TO ORDER:**

Chairman Roberts called the meeting to order at 7:02 p.m.

**1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):**

Vice Chairman Harley called the roll as follows:

Member Name	Present	Absent	Excused
Richard Roberts, Chairman	✓		
Thomas Harley, Vice Chairman	✓		
Antonio Margiotta, Clerk			✓
James Hughes			✓
George Oickle	✓		
Joseph Hammer	✓		
Anthony Homicki			✓
Dave Edwards	✓		
Angelo Robert Fazzina	✓		
Thomas Dean (alternate)	✓*		
Alex Vasel (alternate)			✓
Leigh Standish (alternate)	✓		

Also present: Peter Gillespie, Town Planner/Economic Development Manager;  
Denise Bradley, Assistant Planner

Chairman Roberts noted at the time of roll call there were six (6) full members and two (2) alternate members in attendance (\*with Commissioner Dean arriving at 7:10 p.m.). All members present to participate.

Members of the Public were present.

**2. OLD BUSINESS:**

**2.1 PUBLIC HEARING APPLICATION NO. 1811-13-Z: Roger Tabshey** Seeking a Special Permit in accordance with Sections 5.2, 3.6 and 5.4 of the Wethersfield Zoning Regulations to permit a 2 family residence in the Village Business Zone, a garage that is larger than permitted and a reduction in yard requirements at 245 Main Street.

Mr. Jim Cassidy, P.E., of Hallisey, Pearson & Cassidy [Civil Engineers & Land Surveyors], 35 Cold Spring Road, Suite 511, Rocky Hill, CT, appeared before the Commission on behalf of Applicant, Roger Tabshey (Karen Tabshey) regarding this Application. Mr. and Mrs. Tabshey wish to purchase the subject property [which exists in the Village Business (VB) Zone] and convert the existing building to a two (2) family residential use (variance from the ZBA allowing for the conversion was approved on

June 24, 2013 – refer to Application #6123-13). The first (1<sup>st</sup>) floor of the building would be occupied by the property owners with second (2<sup>nd</sup>) floor occupancy by in laws and the property owners' daughters. The plan is for the installation of a covered porch and front stairway, as well as a covered entrance and stairs on Church Street, new windows and trim for the entire building, a three (3) car garage addition at the rear of the site that will connect to an elevator tower and entrance planned at the northwest corner of the existing building. Proposed improvements include a new curb cut and asphalt/brick parking with three (3) parking spaces, a wrought iron fence and gates, storm water drainage and catch basin, ac ground units, lighting, removal of stockade fence and some landscaping with placement of a row of arborvitae at the west property line, removal of block shed on rear of existing building, installation of underground utilities on Church Street.

Permission is being sought with the Town for a right of way in order to facilitate a portion of the proposed wrought iron fence street side. The following waivers are requested by the Applicant: 1) side yard provision for the garage addition at a setback of 3.19 feet from the property located on the north (as allowed in Section 5.4.A. and B. of the Wethersfield Zoning Regulations); 2) application of 3.6.B.1. of the Wethersfield Zoning Regulations to allow for the 1,158 square foot garage proposed (which exceeds the 850 square foot maximum allowed); 3) application of 6.2.H.2. of the Wethersfield Zoning Regulations to allow the three (3) parking spaces in the minimum required front yard on the Church Street side of the property; 4) application of 7.1 of the Wethersfield Zoning Regulations which would allow for the elevator tower proposed [fifty (50') feet] as an exception to the forty (40') foot height requirement in the VB zone; and 5) application of 6.1 of the Wethersfield Zoning Regulations as not applicable to this project, as the regulation does not apply to projects involving two (2) family dwellings.

Commissioner Oickle inquired and Mr. Gillespie indicated that any §8-25 concerns would return to this Commission for review at a later time. Chairman Roberts indicated the Town and a property owner could ultimately enter into a revocable license agreement to achieve the desired outcome of a property owner wishing to erect a fence (the majority of said fence being on the property owner site) on a portion of Town-owned property.

Commissioner Standish inquired and Mr. Gillespie indicated the required number of parking spaces for the site (residential use) is four (4). (Commissioner Standish noted a granting of the proposed Application would allow for six (6) parking spaces at the entire site.)

Mr. Gillespie noted that there is a potential to create some on street parking spaces if striping occurred on the Church Street portion area of the site.

Commissioner Oickle inquired and Mr. Cassidy indicated the Applicant is awaiting a determination from the Building Department as to whether the existing fire escape structure is to remain on the building.

Commissioner Oickle inquired and Mr. Cassidy noted the surface of the parking area will be of bituminous pavement.

Commissioner Standish inquired and Mr. Cassidy indicated a deck is planned on the roof (3<sup>rd</sup> floor) of the structure and will be accessible by the elevator and stairwell proposed. A parapet wall of four to five (4-5') feet that will surround the perimeter of the roof of the structure is noted in the plans. Mr. Cassidy noted the deck would be set back from the parapet wall.

Commissioner Hammer noted the Applicant's reference to the Regulation exception to the height restriction as applicable for the proposed elevator shaft and asked Mr. Gillespie for clarification of the assumption. Mr. Gillespie indicated Section 7.1 does allow for the exception without limitation for an elevator shaft. As such, three (3) waivers are requested [1] set back variance for the garage addition; 2) garage size; and 3) parking in front yard], and therefore, the height and landscaping waivers do not apply for this particular use.

Commissioner Standish inquired and Mr. Gillespie noted there were five (5) conditions in the HDC approval of the subject Application.

Chairman Roberts inquired and Mr. Tabshey (80 Hunter's Ridge, Rocky Hill, CT) indicated that in terms of keeping existing trees at the site, the power company did some trimming and really hacked up many trees. Therefore, the plan is to trim trees on Main Street and replace trees and shrubbery with nice landscaping accordingly.

Chairman Roberts noted that in comparison to the many other proposals for this site, this Application is the least intensive. Mr. Gillespie noted the porch proposed is consistent with previously approved plans for this site.

**Public Comments:**

Pam McGraw, Store Manager for Comstock Ferre (and representing Comstock Ferre and Belden House) appeared before the Commission and commented favorably regarding the plans for the site. She expressed concerns with the air-conditioning venting unit (production of heat, noise, etc.) planned for the site which would be situated approximately thirty (30') feet of living area (near the Belden House).

Mr. Cassidy responded that the AC unites would be placed on a concrete pad north of the existing structure. The two (2) ground mounted units can be screened (with fencing) from the abutting house and does not see heat as an issue for the abutting site owner.

Sharon Carducci, 361 Two Rod Highway, (and Realtor @ William Raveis Realty) appeared before the Commission in support of this Application. She noted her mom is the current owner of the site (as of 2004) and that there was a four (4) condominium, three car garage project approved for this site. Her mom decided not to take on the project and to sell the property. She indicated the likelihood of this Application being so well received by the HDC is due to the community-at-large desire to turn this vacant and vandalized site into something appealing. She noted the plans submitted in this Application are beautiful.

Vice Chairman Harley inquired and Mr. Cassidy indicated the stockade fence may not be desired on the north property line but something will likely be placed in that location for purposes of sound attenuation.

Commissioner Standish inquired and Mr. Cassidy indicated the need for a variance is essential because any additional parking over one (1) space at this site would require a waiver of its setback.

**Motion:** Commissioner Oickle made a motion to close the public hearing of **PUBLIC HEARING APPLICATION NO. 1811-13-Z: Roger Tabshey** Seeking a Special Permit in accordance with Sections 5.2, 3.6 and 5.4 of the Wethersfield Zoning Regulations to permit a 2 family residence in the Village Business Zone, a garage that is larger than permitted and a reduction in yard requirements at 245 Main Street.

**Second:** Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Oickle, Hammer, Edwards, Fazzina, Standish;

Nay: None;

Abstain: Dean;

Vote: 7 – 0 – 1;

**This Public Hearing was Closed.**

Discussion:

Commissioner Oickle suggested a condition pertaining to screening at the site.

**Motion:** Vice Chairman Harley made a motion to approve **PUBLIC HEARING APPLICATION NO. 1811-13-Z: Roger Tabshey** Seeking a Special Permit in accordance with Sections 5.2, 3.6 and 5.4 of the Wethersfield Zoning Regulations to permit a 2 family residence in the Village Business Zone, a garage that is larger than permitted and a reduction in yard requirements at 245 Main Street with the following stipulations:

- 1) The side yard provisions pertaining to the garage addition setback are waived, and the proposed garage addition at a setback of 3.19 feet from the property located on the north is permitted;
- 2) The maximum square footage requirement pertaining to garage space is waived, and a three (3) car garage of 1,158 square feet is permitted;
- 3) Three (3) parking spaces are permitted, pursuant to Section 6.2.H.2. of the Wethersfield Zoning Regulations, in the minimum required front yard on the Church Street side of the property;
- 4) The Applicant is to coordinate with Town Staff regarding appropriate screening of the ac units and the north side of the property;
- 5) Town Engineer Staff shall review any proposed exterior lighting, and the proposed lighting shall be designed with full cutoff fixtures;
- 6) A revision to the site plans shall include notation of the porch and stair improvements on the Church Street side of the building;
- 7) The notation choice (retain or potentially remove) of the proposed fire escape on the north side of the building shall be made on the plans;
- 8) Details pertaining to screening and/or ac unit screening with the stockade fence on the north side of the proposed garage are to be illustrated on the plans;
- 9) The zoning table shall be modified to show that the three (3) waivers have been granted;
- 10) All property line pins and monuments shall be set prior to issuance of certificate of occupancy.

**Second:** Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Oickle, Hammer, Edwards, Fazzina, Standish;

Nay: None;

Abstain: Dean;

Vote: 7 – 0 – 1;

**This Public Hearing was Approved as Stipulated.**

Discussion:

Commissioner Fazzina inquired and Chairman Roberts indicated if the Town Council agrees to the Applicant's placement of the wrought iron fence as proposed, a §8-25 referral will be brought to this Commission.

Commissioner Fazzina inquired and Mr. Gillespie indicated that Town Staff would handle matters pertaining to a/c unit emissions.

**2.1 APPLICATION NO. 1812-14-Z Chris Richardson & Holly McGrath** Seeking Site Plan and Design Review in accordance with Section 5.2 of the Wethersfield Zoning Regulations to operate a personal fitness studio at 1321 Silas Deane Highway.

Chris Richardson and Holly McGrath of S.U.P.A. HardCore Fitness, appeared before the Commission to describe their Application. Mr. Richardson described the business as a personal training studio offering one on one personal training, small group classes, and nutritional consultations. He noted the hours for this business are Monday through Thursday 6:30 a.m. to 8:00 p.m., Friday 7:00 .am. to 6:00 p.m., and Saturday 7:00 a.m. to 2:00 p.m. There will be two (2) employees at the site during the hours of operation and thirty to forty (30-40) clients per week will be served. There will be small group classes of three to six (3-6) people per class, and there is no power lifting in the facility.

The Applicants submitted seven (7) photographs of the interior of the facility for review by the Commissioners.

Commissioner Oickle inquired and Mr. Gillespie indicated this Application is before the Commission because of a change of use from the existing site.

Vice Chairman Harley inquired and Mr. Gillespie noted there is plenty of parking for this business. There is a parking lot in the back of the building.

Motion: Vice Chairman Harley made a motion to approve **APPLICATION NO. 1812-14-Z Chris Richardson & Holly McGrath** Seeking Site Plan and Design Review in accordance with Section 5.2 of the Wethersfield Zoning Regulations to operate a personal fitness studio at 1321 Silas Deane Highway, as submitted.

**Second:** Commissioner Fazzina seconded the motion.

Aye: Roberts, Harley, Oickle, Hammer, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

**Application Approved as Submitted.**

**3. NEW BUSINESS:**

There was no New Business discussed at this meeting.

**4. OTHER BUSINESS:**

**4.1 Pre-Application Review – Lifestyles Unlimited LLC** Discussion regarding Harris Property Old Reservoir Road/Back Lane.

Jeff Lefkovich, President/CEO, Lifestyles Unlimited, Inc. - a nationally-recognized developer of assisted living facilities (i.e. Emeritus of Rocky Hill), appeared before the Commission and described the possible purchase of the 15.8 acre parcel for the purpose of developing a memory care facility four (4) buildings of two (2) stories resulting in eighteen (18) apartments per building [totaling seventy-two (72) apartments at the site]. Mr. Lefkovich noted the site falls within the anticipated use allowable pursuant to the existing approvals and the plan would involve the extension of Old Reservoir Road. There would be no access to the site from Back Lane. The plan would include plantings and a tree lined buffer along the perimeter of the site. Adjacent neighbors would view a single story of the abutting buildings if there is a cut into the existing land's grade. A public area for use by the adjacent neighborhood would be included in the plan that would offer a view of the reservoir. The Commissioners suggested that Applicant be prepared to discuss with this Commission and the public information pertaining and not limited to mechanical systems (including decibel levels during operation), traffic, and deliveries at the site.

The Applicant will soon be reaching out to the community with more information of the plan.

**5. MINUTES – January 7, 2014 Planning & Zoning Commission Meeting Minutes**

Chairman Roberts noted “Chairman Roberts” [in section 1. CALL TO ORDER] shall be changed to “Vice Chairman Harley”.

**Motion:** Commissioner Oickle motioned to approve the minutes, as corrected.

**Second:** Vice Chairman Harley seconded the motion.

Aye: Harley, Oickle, Edwards, Fazzina, Standish;

Nay: None;

Vote: 5 – 0;

Chairman Roberts, Commissioners Hammer and Dean did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of January 7, 2013.

**January 7, 2014 Planning & Zoning Commission Meeting Minutes approved as corrected.**

**6. STAFF REPORTS:**

Mr. Gillespie informed the Commissioners that Town Council approved the job description and upcoming recruitment for the Zoning Officer position and that he will keep the Commission posted.

Mr. Gillespie noted the Connecticut Federation of Planning & Zoning Agencies (CFPZA) is holding its Annual Conference of Thursday, March 13, 2014, at the Aqua Turf in Southington, CT. The speaker will be presenting information on the State Law "An Act Concerning the Palliative Use of Marijuana". Registration is required.

Mr. Gillespie indicated the Zoning Office has received a Notarized Statement from Mr. Cantania regarding the annual permit condition Affidavit (**PUBLIC HEARING APPLICATION NO. 1798-13-Z**) which is due no later than February 1 of each calendar year pertaining to said permit activity year. Mr. Gillespie mentioned there have been no reports of violations to that permit.

Mr. Gillespie indicated the Commission will be kept informed of Bus Shelter project as it progresses.

Mr. Gillespie noted the State of the Town [Wethersfield Business Breakfast Meeting] is scheduled for Thursday, January 30, 2014, from 8:00 a.m. to 10:00 a.m. at the Keeney Memorial Cultural Center. Registration is required. Mayor Montinieri, the Wethersfield Economic Development & Improvement Commission (EDIC), the Chamber of Commerce and the CT Department of Economic & Community Development (DECD) invite Commercial Property Owners, Business Owners interested in expansion or improvements, Commercial Realtor's, Lawyers, CPA's, Financial Advisors, etc. to learn about how the DECD and the Town are committed to providing financial assistance for our local business community.

Mr. Gillespie reported Buffalo Wild Wings at The Goff Brook Shops location is proceeding accordingly, and work on the pad site (moorings) is occurring.

Mr. Gillespie noted there is an advisory committee being formed to focus on the Old Wethersfield Heritage Trail. The committee will be meeting monthly to address historical signage planning and implementation. Its first meeting will be held on Thursday, February 13, 2014, and Mr. Gillespie asked that the Commissioners contact the Planning Department if they wish to be on the committee.

Chairman Roberts acknowledged Betty Suzanne (Heller) Rosania, a Wethersfield resident who died on January 17, 2014, and noted her many years of service to the Town of Wethersfield as an Assistant Town Manager, Mayor, and Chairperson of the Economic Development and Improvement Commission (EDIC). He said she will be sorely missed.

**7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING:**

There were no public comments made at this meeting regarding general matters of planning and zoning.

**8. CORRESPONDENCE:**

There were no items of correspondence discussed during this meeting.

**9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:**

At the time of this meeting, there were no pending Applications to be heard at future meetings.

**10. ADJOURNMENT:**

**Motion:** Commissioner Oickle motioned to adjourn the meeting at 8:43 p.m.

**Second:** Vice Chairman Harley seconded the motion.

Aye: Roberts, Harley, Oickle, Hammer, Edwards, Fazzina, Dean, Standish;

Nay: None;

Vote: 8 – 0;

Meeting adjourned.

Respectfully submitted,  
Ellen Goslicki, Recording Secretary