

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

May 6, 2014

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, May 6, 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):

Clerk Margiotta 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 were: Peter Gillespie, Town Planner/Economic Development Manager;
Denise Bradley, Assistant Planner.

Chairman Roberts noted at the time of roll call there were eight (8) full members and two (2) alternate members in attendance. All members present to participate.

Members of the Public were present.

2. OLD BUSINESS:

There was no old business discussed during this meeting.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO. 1818-14-Z: Dianne & Dave Doot seeking a Special Permit in accordance with Section 3.5 of the Wethersfield Zoning Regulations to park a recreational vehicle larger than permitted at 420 Church Street.

Applicants Dianne and David Doot, 420 Church Street, appeared before the Commission regarding their Application. David Doot noted an approval to store a light-weight towable trailer (recreational vehicle) on their property behind their garage is sought. The trailer exceeds eighteen (18') feet, as it measures

twenty-five (25') feet, eleven (11") inches in length. It was noted that when the trailer is not in use, it would be stored behind their two (2) car garage and said trailer would not be visible from the street. Mr. Doot noted that neighbors have been notified as required by Town regulations. Two (2) photographs taken today of the proposed site location, and a plot map, were provided to the Commission for their review. One photograph depicts a view of the proposed site location from neighbor perspective to the rear side of the Applicants' garage. The other photograph depicts a view of the Applicant's garage from the perspective of the Applicants' back yard (from Fairview Drive).

Commissioner Oickle inquired and Mr. Doot indicated the two (2) axle trailer will rest on gravel that will be placed at the rear of the garage. Commissioner Oickle indicated that when reviewing the site, the property of the adjoining neighbor to the right sits approximately seven (7') feet higher (with stacked wood at the neighbor property) than the proposed location for the trailer. He also noted that the rear property line is a fair distance from Fairview Drive and is wooded. Mr. Doot mentioned the neighboring property referred to herein agrees to this Application and will be installing the gravel behind the garage.

Mrs. Doot indicated the willingness to place evergreens at the property line behind the garage if it would make a difference.

Vice Chairman Harley inquired and Mrs. Doot indicated the neighboring property described above is #410 Church Street. She noted that access to the trailer behind the garage would come between two (2) garages and from the northeast corner of the property.

Chairman Roberts inquired as to how much of the time the trailer would be off site verses on site and how many trips are expected annually. Mrs. Doot anticipates that for the first few years, the trailer would only be used in the summer for shorter trips and that eventually (as they age) more use of the trailer would occur. Mrs. Doot indicated that no one will live in this trailer.

Commissioner Oickle inquired and Mrs. Doot indicated that the trailer would not be stored on the driveway at the site. She clarified when the trailer is in use, it will not be located at the site. She explained that when the trailer is not in use, it will be stored directly behind the garage.

Commissioner Standish indicated the setback of the Applicants' property line is six (6') feet in width and that the subject trailer is eight (8') feet in width. Mr. and Mrs. Doot indicated they have consent of the neighbor to use said neighbor property when towing the trailer to and from the Applicants' property. Mrs. Doot indicated that if the neighboring property ownership changes, the other side of the Applicants' property will be used when towing the trailer to and from their property.

Commissioner Dean inquired of Staff that if the six (6') foot buffer between the end of the trailer and the property line as proposed was an accessory structure, would the structure conform to the boundary regulations. Mr. Gillespie indicated that accessory structures require a five (5') foot setback. Mrs. Doot indicated that no one she and her husband have spoke to has raised concerns/objections to this Application.

PUBLIC COMMENTS:

Ms. MaryAnne Pappas, 35 Fairview Drive, appeared before the Commission regarding this Application. She noted her property is located to the right of the Applicants' 39 Fairview Drive neighbor (who abuts directly behind the Applicants' property). Ms. Pappas requested that the applicant provide arborvitae

screening along the property line, as the garage and the site proposed for storage of the trailer are in direct view from her backyard. She provided photographs that depicted a clear view of the Applicants' garage from her property.

Mr. and Mrs. Doot indicated they would meet with Ms. Pappas to discuss their consent for evergreen screening at the property line.

Commissioner Fazzina suggested the Applicants engage in a cooperative effort with the owners of 35 Fairview Drive to accomplish the screening desired.

Motion: Commissioner Dean made a motion to close the Public Hearing of **PUBLIC HEARING APPLICATION NO. 1818-14-Z: Dianne & Dave Doot** seeking a Special Permit in accordance with Section 3.5 of the Wethersfield Zoning Regulations to park a recreational vehicle larger than permitted at 420 Church Street.

Second: Clerk Margiotta seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Edwards, Fazzina, Dean, Standish;

Nay: None;

Abs: Hammer;

Vote: 9 – 0– 1;

Public Hearing Closed.

Motion: Vice Chairman Harley made a motion to approve, as stipulated, **PUBLIC HEARING APPLICATION NO. 1818-14-Z: Dianne & Dave Doot** seeking a Special Permit in accordance with Section 3.5 of the Wethersfield Zoning Regulations to park a recreational vehicle larger than permitted at 420 Church Street.

1. This Special Permit pertains to the 2014 Vista Cruiser trailer made by Gulf Stream, which measures twenty five (25) feet, eleven (11") inches;
2. Subject to Town Staff approval, a reasonable landscape buffer shall be installed along the property line at the rear of the Applicants' property. The landscape buffer shall be agreeable to the Applicants and to the abutting neighbor properties to the north; and
3. The trailer is to be parked solely in the location depicted in the photographs (on the side of the property), as presented by the Applicants.

Second: Commissioner Hughes seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Edwards, Fazzina, Dean, Standish;

Nay: None;

Abs: Hammer;

Vote: 9 – 0– 1;

Motion Approved as Stipulated.

4. OTHER BUSINESS:

4.1 Discussion regarding Medical Marijuana.

Mr. Gillespie and the Commissioners discussed the one (1) year moratorium for Medical Marijuana Dispensary and Production Facilities that was approved at the April 15, 2014 Planning & Zoning Commission meeting. During the moratorium period, Town Staff is to investigate and provide information to the Commission regarding the implementation of dispensaries, including but not limited to dispensaries located in the State of Connecticut.

It was noted the adoption of CT State law for regulation of medicinal marijuana use is based on a State goal of promoting public health, and therefore, a prohibition type status pertaining to medicinal marijuana dispensaries in CT could not be obtained. The Commissioners discussed a focus of looking areas more appropriate for a dispensary, having Staff obtain information relative to experience learned from the six (6) dispensary facilities approved by the State of Connecticut, and incorporating information into a regulation. Creation of a regulation was suggested for a proper response mechanism to potential legal challenge/judicial remedy matters regarding dispensary location in Town. In addition, the Commissioners would like Staff to find out if the Town is actually authorized to say no to a dispensary. Other data variables desired by the Commission are: number of eligible patients (increase/decreased month to month), number of those who have applied for a prescription, and the number of people a dispensary is allowed to distribute to in one (1) day. Input from the Town Attorney and from our legislators regarding this matter is also desired.

4.2 Discussion regarding Bus Shelters.

Mr. Gillespie and the Commissioners discussed this CROG and CT Transit program which has support from Town Council. Nine (9) locations in Wethersfield would benefit from this program. Five (5) of the locations are areas where there are existing shelters that would be replaced and four (4) of the locations are considered as areas with new shelters. Maintenance and replacement of the shelters would be handled by CT Transit. Litter, trash, cleaning, graffiti, snow removal and replacement/repair of shelters in this program would be covered by selling advertising space in the shelters. Advertising (restrictive in content) would occur at shelters only in commercial areas. The Commissioners agreed the special permit process is an appropriate mechanism to address bus shelter placement in proposed locations or the issue of advertising on bus shelters. The issue of routing buses through shopping centers rather than locating some shelters in front of residential properties, businesses, etc., and Town enforcement of commercial land owners as responsible for retrieving abandoned shopping carts left at bus stops/shelters (perhaps creation of an ordinance with remedies) were topics discussed. Mr. Gillespie will communicate information discussed at this meeting to CROG and CT Transit.

5. MINUTES – April 15, 2014 Planning & Zoning Commission Meeting Minutes

Commissioner Oickle noted that on Page 4, Paragraph 8, Line 4, the language “Hartford and Tolland Counties” is to be deleted and changed to “Hartford County.”

Commissioner Dean noted that on Page 5, Paragraph 2 (after Discussion:), Line 7. The word “not” (which is the fourth word in the sentence) is to be deleted.

Chairman Roberts noted that in the last paragraph on Page 6, Line 1, the following language is to be deleted: regarding **PUBLIC HEARING APPLICATION NO. 1817-14-Z: Jessica Pelletier** seeking a

Zoning Text Amendment in accordance with Section 10.1.F of the Wethersfield Zoning Regulations.

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

Second: Commissioner Standish seconded the motion.

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

Nay: None;

Vote: 8 – 0;

Commissioners Hughes and Hammer did not participate in the vote, as they were not present for the Planning & Zoning Commission Meeting of April 15, 2014.

April 15, 2014 Planning & Zoning Commission Meeting Minutes approved as corrected.

6. STAFF REPORTS:

Mr. Gillespie referred to his May 2014 Town of Wethersfield Planning and Economic Development Report as provided to the Commissioners. He noted: 1) a certificate of occupancy was issued for the addition to the Hartford Hospital medical building at 1260 Silas Deane Highway; 2) plans were approved by PZC for renovations/additions for residential use at 245 Main Street (f/k/a the Masonic Hall); 3) a building permit has been issued for the freestanding building (Chips Restaurant) in the Goff Brook Shops; 4) work on the parking lot, as well as garden improvements, have begun at the Comstock Ferre property; 5) construction of an addition is underway at 106 Nott Street (Double A Veterinary Clinic); and 6) discussions of vacant properties (580 and 672 Silas Deane Highway) have occurred with interested parties.

Mr. Gillespie noted that Denise Bradley has been chosen as Municipal Town Employee of the Year, and she will be honored at the Chamber of Commerce Annual Meeting on Wednesday, May 14, 2014, at Wethersfield Country Club. Tickets are available for the event.

Mr. Gillespie also noted that the Wethersfield Farmers Market is opening on Thursday, May 15, 2014, at the Solomon Welles House.

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

David Caruk, 149 Broad Street, discussed the stigma associated with marijuana and noted that despite the adoption of CT State law in the regulation of medicinal marijuana use, a dispensary location in Wethersfield is not ideal for promoting a positive image of Wethersfield. He also discussed bus shelters as necessary structures for riders use. He noted that a proposed location at an existing bus stop on Town Line road may be the only option for the Town Line Plaza, as ingress and egress from the interior of that plaza may be difficult for buses.

8. CORRESPONDENCE:

There were no items of correspondence discussed at this meeting.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 PUBLIC HEARING APPLICATION NO. 1819-14-Z: John Jakubowski seeking a Special

Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations for a change of use (yoga studio to small grocer/specialty general store) and outdoor seating at 221 Main Street.

An Application for a re-subdivision or subdivision may also appear on the Agenda for the next meeting.

10. ADJOURNMENT:

Motion: Commissioner Hammer motioned to adjourn the meeting at 8:45 p.m.

Second: Commissioner Dean seconded the motion.

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

Nay: None;

Vote: 10 – 0;

Meeting adjourned.

Respectfully submitted,
Ellen Goslicki, Recording Secretary