



Department of Development Services
Planning Division
Meeting Minutes of the
Planning & Zoning Commission
(Approved)

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, July 24, 2012

Commissioners Present

Sandra Bobowski
David Blatt
Temple Shannon
Anthony Koos
Vargas, Jr.
Valerio Giadone
John Lupo, Jr.
Gerald Pleasent(Alternate)

Staff Present

Roger J. O'Brien
Lynda Crespo
Jeff Cormier
Jillian Hockenberry
Jonathan Mullen

Chairwoman Bobowski called the meeting to order. Secretary O'Brien read the roll call. There was a quorum.

I. Public Hearing

- a. **Land on north side of Ely Street at the corner of Main Street abutting the train tracks to the north and property of Sacred Heart Church to the east known as 1400 Main Street and 16 Ely Street-Application to change the One City, One Plan POCD land use map designation from EPUB Educational, Public Administration, Health Care to CORMU-Mixed Use Commercial Office Residential. Applicant-City of Hartford.**

The application was tabled to a future date at the request of the City.

- b. **Text Amendment to Section 1007(7)h in the City of Hartford Zoning Regulations to allow the signs at a distance of no less than 500 feet from other static or changeable electronic outdoor advertising signs when the current permitted minimum distance is 650 feet. Applicant-Independent Outdoor III, LLC.**

Principal Planner Jon Mullen presented a summary of the Text Amendment application to reduce the required distance between digital advertising sign from 650 feet to 500 feet. The Commission granted a reduction between digital outdoor advertising signs, from one-thousand (1,000) feet to six-hundred fifty (650) feet in November, 2011. The proposed reduction would result in approximately forty-seven

(47) potential sites for new changeable electronic outdoor advertising signs. Planning Division staff recommended denial of the proposed text amendment.

Commissioner Vargas recalled the public hearing several months ago when the subject applicant came before the Commission with a text amendment application to reduce the required distance between electronic outdoor advertising signs from six-hundred fifty (650) feet to five-hundred (500) feet. Commissioner Vargas asked how many applications had been received since November, 2011. Principal Jon Mullen responded that the Planning Division received one application since November, 2011.

Chairwoman Bobowski invited the public to speak on the matter.

Attorney Lewis Wise represented Independent Outdoor Advertising (Applicant). Attorney Wise stated that the text amendment application was for existing billboards only, and that the State and Federal standards were of five-hundred (500) feet. Attorney Wise read a portion of the November, 2011 minutes that stated the Commission's agreement to reconsider the distance after a six month trial, to determine the impact of conversions during that period.

City of Hartford Councilman Larry Deutsch was asked if he was testifying as a resident or as member of City Council. Councilman Deutsch stated he was speaking as a member of City Council because he received feedback from the public. Councilman Deutsch was concerned about the safety for motorist. He stated that highway accidents affect the City. Councilman cited research from the Department of Transportation in Wisconsin, regarding an increase in motor vehicle side swiping near digital billboards. Councilman suggested that more research be done to determine the correlation between electronic billboard and highway accidents.

Attorney John Kennelly, represented Lamar Outdoor Advertising and TLC, LLC. Attorney Kennelly stated that although his client would benefit from the change, he felt that the reduction was premature.

Attorney Lewis Wise submitted a letter for the record, in reference to the application of Independent Outdoor III, LLC/Text Amendments, Section 1007.

There were no other testimonies heard. The public hearing was closed.

c. 1093 Albany Avenue-Special Permit Application for a café use with a new liquor license in the B4 zoning district. Applicant-Horace Pinkey, Owner-Pinkey-Miller and Colguhoun.

Principal Planner Jeff Cormier presented a summary of the special permit application for a café with new liquor license. The proposed location had several certificate of occupancy for the sale of liquor. The proposed location was in the B4 zoning district;

the proposed business was a permitted use by special permit. To meet the usable open space requirement, staff recommended that a small grass area behind the building be added to provide separation from the parking area. Lighting was not indicated on the site plan.

Chairwoman Bobowski invited the public to speak on the matter.

Councilman Larry Deutsch posed the following questions and requested that the Commission provide a written statement to the Council in response: have the residents in the immediate area been questioned, and was there anything in writing that stated their approval or disapproval? Councilman Deutsch stated that some residents have found out about approvals, after the fact.

Commissioner Bobowski responded that the special permit was published twice in the newspaper.

Planning Director and Secretary of the Commission Roger J. O'Brien, informed Councilman Deutsch about the standard practice of the Planning Division. Property owners within 150 feet of the proposed location were sent a certified letter that notified them of the special permit.

Councilman Deutsch stated that it would be nice to see the responses in writing.

Horace Pinkey, applicant and owner of the property stated the he purchased the assets of the business and proposed to continue the use.

Councilman Raul DeJesus Jr. asked the Commission to make sure they do not assume on issues when the neighborhood is not represented at a meeting.

Commissioner Giadone stated that he has been a part of the Zoning Board of Appeals and the Planning and Zoning Commission for fifteen (15) years and that the rules regarding notifying the neighborhood had not changed.

There were no other testimonies heard. Chairwoman Bobowski informed Councilman DeJesus that the Commission would add the subject matter to the agenda after the regular meeting to discuss the issue. The public hearing was closed.

II. Regular Meeting

a) Consideration of Public Hearing Items

- i. Text amendment to Section 1007(7)h. in the City of Hartford Zoning Regulations to allow the signs at a distance of no less than 500 feet from other static or changeable electronic**

**outdoor advertising signs when the current permitted minimum distance is 650 feet.
Applicant-Independent Outdoor III, LLC.**

After deliberation, a motion to deny the text amendment application was made by Commissioner Vargas, and seconded by Commissioner Lupo, Jr. The following resolution passed:

- WHEREAS, The City of Hartford Planning and Zoning Commission has reviewed the amendments to Section 1007, Zoning Districts where signs are permitted, and Section 1009, Location and height of signs of the City of Hartford Planning and Zoning Regulations regarding the conversion of existing outdoor advertising signs to changeable electronic outdoor advertising signs; and
- WHEREAS, A notice was published in the Hartford Courant regarding the proposed text amendments; and
- WHEREAS, The proposed text amendments were submitted to the Capitol Region Council of Governments for comment; and
- WHEREAS, The Planning and Zoning Commission has recently approved a similar text amendment for a reduction in distance between electronic outdoor advertising signs from 1000 feet to 650 feet; and
- WHEREAS, The reduction in distance from 650 to 500 feet would increase the number of static outdoor advertising signs potentially eligible for upgrade by approximately ten times; Now Therefore Be It
- RESOLVED, The City of Hartford Planning and Zoning Commission hereby denies the amendments to Section 1007, Zoning Districts where signs are permitted, and Section 1009, Location and height of signs of the City of Hartford Planning and Zoning Regulations.

NOW THEREFORE BE IT FURTHER

RESOLVED, This twenty-fourth day of July, 2012.

The following Commissioners voted in favor of the motion: Bobowski, Blatt, Koos, Lupo, Jr., Shannon and Giadone.

The following Commissioner were not in favor of the motion: Vargas

ii. 1093Albany Avenue-Special Permit application for the continuation of a café use with a new liquor license in the B4 zoning district. Applicant-Horace Pinkey, Owner-Pinkey-Miller and Colguhoun.

A motion to approve the following resolution was made by Commissioner Lupo, Jr., and seconded by Commissioner Shannon:

Whereas: The Planning and Zoning Commission has reviewed the application for a Special Permit for 1093 Albany Avenue; and

Whereas: The use has several certificates of occupancy for liquor dating back to 1961; and

Whereas: The mixed use building is compatible with the Plan of Conservation and Development designation; and

Whereas: A small grass area can be installed adjacent to the building to meet the usable open space requirement; and

Whereas: Lighting on site must be installed to properly illuminate the parking lots for safety purposes; now be it

Resolved: That the Planning and Zoning Commission hereby approves the application for special permit as shown in the plans entitled “Plot Plan of 1093-1097 Albany Avenue, Hartford, Connecticut, prepared for Horace Pinkney” prepared by Oswald Blint Surveying, 88 Farmstead Lane, Windsor, Connecticut, scale of 1”=10’ dated June 29, 2012 for the property located at 1093 Albany Avenue with the following conditions:

1. A grass area as depicted in the report be added to the site to meet the usable open space requirement.
2. A lighting plan be submitted for approval by the Director of Planning.

The following Commissioners voted in favor of the motion: Bobowski, Blatt, Vargas, Koos, Lupo, Jr., Shannon and Giadone.

b) Site Plan Review

i. 461 Wethersfield Avenue-Site Plan review for the addition of two residential units in an existing mixed use commercial building. Applicant-Dominic LaPenta, Owner-Northeast Real Estate II, LLC.

Principal Planner Jeff Cormier presented a summary of the Site Plan application for the addition of two (2) dwelling units to the existing building. The site is located in the B-3 zoning district; therefore, the proposed use is permitted. The site was granted a variance in 1975 from 50’ minimum lot width and in 1999 from side yard requirement for second story addition. Staff recommended approval of the site plan with the following conditions:

- A revised site plan be submitted for approval by the Director of Planning showing the pavement in front of the building removed, and a grassy area planted as depicted in the Planning Division's Report
- The curb cut in front of the building be closed in accordance with City standards
- The church occupancy be limited to sixteen (16) people
- The salon and church use both pull sign permits

The applicant agreed to the conditions of approval.

A motion to approve the following resolution was made by Commissioner Lupo, Jr., and seconded by Commissioner Vargas:

- Whereas: The Planning and Zoning Commission has reviewed the application for a site plan for 461 Wethersfield Avenue; and
- Whereas: Two unit residential use is permitted in the B-3 zoning district and provides adaptive reuse of an existing building; and
- Whereas: The applicant has provided an easement with the neighboring property for the driveway use on adjacent property to access the parking area behind the building; and
- Whereas: To meet the usable open space requirement the parking area in front of the building must be removed and a grass area planted to prevent parking forward of the building line; and
- Whereas: The curb cut must be closed in accordance with City standards; and
- Whereas: The church use is limited to an occupancy of sixteen (16) people in accordance with the available parking spaces on site; now be it
- Resolved: That the Planning and Zoning Commission hereby approves the application for a site plan as shown in the plans entitled "461 Wethersfield Avenue, Hartford, Connecticut" prepared by Craig A. Laliberte, Architect, 27 Oakledge Drive, Ivoryton, Connecticut, scale of 1"=20' dated April 30, 2011 and revised May 30, 2012 for the property located at 461 Wethersfield Avenue with the following conditions:
1. A revised site plan showing the pavement in front of the building removed and a grass area planted as depicted in this report be submitted for approval by the Director of Planning.
 2. The curb cut in front of the building be closed in accordance with City standards.
 3. The church occupancy be limited to sixteen (16) people.
 4. The salon and church use both pull sign permits.

The following Commissioners voted in favor of the motion: Bobowski, Blatt, Vargas, Koos, Lupo, Jr., Shannon and Giadone.

- ii. **165 Wethersfield Avenue-Site Plan review for the improvement of a parking lot with 37 spaces for a retail building. Applicant & Owner-W&G, LLC, Agent-Ozzie Torres, Torres Engineering, Inc.**
- iii. **171 Wethersfield Avenue-Site Plan review for the improvement of a parking lot with 37 spaces for a retail building. Applicant & Owner-W&G, LLC, Agent-Ozzie Torres, Torres Engineering, Inc.**

Planner Jillian Hockenberry presented a summary of the Site Plan review at 165 and 171 Wethersfield Avenue, for the improvement of two existing parking areas for an existing retail building. The site was located in the B4 zoning district; therefore, commercial parking lots were permitted. Staff recommended approval of the proposed improvements with the following conditions:

- The parking spaces located forward of the building line be removed and replaced with landscaping
- The area at the end of the two tiers of parking be landscaped, rather than painted with diagonal striping for added green space
- The two parcels be merged and filed on the land records

Commissioner Giadone asked about the traffic circulation pattern. Ozzie Torres, applicant’s agent confirmed that the pattern had both ingress and egress and proper width for entrance and exit purposes.

A motion to approve the following resolution was made by Commissioner Vargas, and seconded by Commissioner Lupo, Jr.:

- Whereas: The Planning and Zoning Commission has reviewed the site plan for 165 & 171 Wethersfield Avenue to improve the lots with 85 parking spaces; and
- Whereas: The Hartford Redevelopment Agency sold 165 Wethersfield Realty Corporation 171 Wethersfield Avenue in 2000; and
- Whereas: 171 Wethersfield Avenue is currently used in conjunction with 165 Wethersfield Avenue for parking for the supermarket; and
- Whereas: The proposal has adequate lighting, drainage and landscaping; and
- Whereas: The proposal meets the requirements for the B4 zoning district with regards to paving, striping and curbing; and be it further
- Whereas: The proposal will be a significant improvement to both properties; Now Therefore Be It

Resolved: That the Planning and Zoning Commission hereby approves the site plan for 165 & 171 Wethersfield Avenue as indicated in the plans dated June 11, 2012 and drawn by Torres Engineering, Inc. with the following conditions:

1. The parking spaces located forward the building line are removed and replaced with landscaping.
2. That the area at the end of the two tiers of parking be landscaped rather than painted with diagonal striping.
3. That the two parcels be merged and filed on the land records.

The following Commissioners voted in favor of the motion: Bobowski, Blatt, Vargas, Koos, Lupo, Jr., Shannon and Giadone.

III. Old/New Business

Councilman Raul DeJesus addressed the Commission regarding the process of notifying neighborhoods when an application is scheduled for a public hearing.

IV. Approval of Minutes

The minutes of June 12, 2012, June 26, 2012 and July 10, 2012 were tabled due to the lateness of the hour.

V. Adjournment

The meeting was adjourned at approximately 7:18 p.m.

Respectfully submitted by
Lynda Crespo, Administrative Assistant

Roger J. O'Brien, Planning Director/Secretary