

**PLANNING & ZONING COMMISSION  
WINDHAM, CT.  
REGULAR MEETING  
MINUTES**

**Dec. 15, 2011**

The Windham Planning & Zoning Commission held its meeting on December 15, 2011. Chair Paula Stahl called the meeting to order at 7:03 P.M. Members in attendance were Jean Chaine, Juan Montalvo, Dawn Niles, Paula Stahl, Dan Lein and Claire Lary. Also present were Town Planner James Finger and ZEO Matthew Vertefeuille. Victor Rayhall was excused.

**1) Approval of Minutes**

a) The minutes of October 27, 2011 were approved with one minor change. Dawn Niles was present at the meeting, but was excused at 8:00 P.M. Dawn Niles made a motion to approve the minutes as amended and Juan Montalvo seconded the motion. The motion carried unanimously.

b) The minutes of November 10, 2011 were approved with one minor change. Dawn Niles added to the attendance. Dawn Niles made a motion to approve the minutes as amended and Dan Lein seconded the motion. The motion carried unanimously.

c) The minutes of December 8, 2011 were approved with one minor change. Dan Lein added to the attendance. Juan Montalvo made a motion to approve the minutes as amended and Dan Lein seconded the motion. The motion carried unanimously.

**2) Public Hearing**

**a) Oriental Café, for property located at 1257 Main Street, Willimantic** – (aka D’Angelo’s Restaurant building) seeking a Special Permit for a full service restaurant liquor license.

Chair Stahl advised that the commission is only considering the liquor license. We are not considering the site plan at this time, she said.

Since the applicant was not present, the discussion was tabled to later in the meeting.

**3) New Business**

**a) Landon, 42 Lover’s Lane, Windham Center** – Pre-application Review of a 4 lot subdivision.

Joseph Boucher, P.E. with Towne Engineering, said we are here for a preliminary review of a 10.09 acre parcel which fronts on Lovers Lane, Windham Center. Mr. Walter

Landon is proposing a 4-lot subdivision for 4 standard size lots. Mr. Boucher said 1.84 acres is being dedicated for open space. He said this is a pretty spot; looking to the south is the pond. The open space area is boggy, but it will not infringe on the pond, said Boucher. We will be crossing a wetlands area to the east. This area is active with beavers and bird life. He said there are no restrictions on septic uses. The driveways have not been established yet, but we may be looking at a shared driveway. He said the bulk of the Majnich field is approximately 15' higher in the pond area. He said it rises very sharply towards Douglas Manor.

A discussion ensued: ZEO Matt Vertefeuille said on the back side of lot #3 there is a substantial drop-off.

Chair Stahl asked when developments are close to town property is there a way to connect the two properties for possible recreational activity, but quickly added this is probably not a practical connection. The sub-division regulations do require that open space be created. There are two options available to the developer, she said; the town could own this area, or option 2 would be to have another lot owner own it. Mr. Boucher said the applicant suggested offering it to the town. Chair Stahl added that it probably is not advantages for the town to have it.

Commissioner Dawn Niles expressed concern with having a sub-division so close to water. She asked if the water was accessible.

Commissioner Jean Chaine referred to the proposed open space. Will this area be functional, he asked. Mr. Boucher said the area is basically woodlands, adding that it would be a nice area to picnic.

Planner Finger said he would like to see smaller lots with smaller houses utilizing a common driveway.

After some general discussion, Mr. Boucher said the application should be submitted to the Inland Wetlands Commission in January, 2012.

**The Public Hearing for Oriental Café, 1257 Main Street, Willimantic, CT. – resumed.**

Xia Ren, owner, said she plans to open her business at 1257 Main Street in the former D'Angelo's building which is owned by the Access Agency. She said The Oriental Café which serves Chinese and Japanese cuisine also offers a full service bar menu in its existing locations in Storrs and Old Lyme.

ZEO Matt Vertefeuille said they are seeking a Special Permit for a full-liquor license. Once approval is granted at the local level they will have to apply to the State Liquor Commission for licensure. Vertefeuille described the layout of the building. He said the property is owned by The Access Agency, Inc. The building has been vacant for several years since D'Angelo's vacated the premises. It has been targeted by thieves and vandals

since the restaurant closed. He said they have started to work on renovations to the building. New tile, carpeting, paint and a new heating system are currently being installed in the building, he said.

Commissioner Jean Chaine asked if this is a permitted use in that zone. ZEO Vertefeuille said the building is located next door to the Trolley Pub and is across the street from another Chinese Restaurant. Commissioner Chaine added that similar businesses like to be located together because you can attract more customers that way. This is a permitted use and it does fit in with the area, he added.

Audience comments: 1) Andrew Gutt, owner of a coffee shop/café known as Cafemantic located on Main Street in Willimantic said he is pleased with the opening of this business on Main Street. He said he is also very pleased with the fact that this is becoming a business-friendly community. I know the commission has been working very hard towards that goal, he said. Mr. Gutt said he also serves as President of Thread City Development. He said we are a non-profit organization that supports economic development in downtown Willimantic. The influx of new smaller businesses wanting to come to Willimantic is most positive. 2) Mr. Peter DeBiasi, President of the Access Agency, spoke in favor of the application. He said we are very much in favor, both as the landlord and also as a community member. There has been a lot of interest in the building, but this proposal seems to be the most compatible with the area, added DeBiasi.

ZEO Matt Vertefeuille said the next step for the owners is to submit its liquor license application to the State Liquor commission

As there were no other comments from the audience, or from commission members, the public hearing was closed.

Dawn Niles made a motion to approve the Special Permit for a full service restaurant liquor license submitted by Oriental Café located at 1257 Main Street, Willimantic, Ct and Juan Montalvo seconded the motion. The motion carried unanimously.

### **Continuation of New Business**

**b) Nectalis G. Martinez, 280 Jackson Street, Willimantic – Special Permit for a Café Liquor License.**

ZEO Matt Vertefeuille said the building was formerly used as a meeting hall. The applicant would like to be able to set up a bar and rent out the hall for events. He said the State requires a business to be in business for five years in order to be able to apply for a Social Club license.

Commissioner Jean Chaine cautioned about the need to watch that this doesn't turn into a café. The commission can always consider adding conditions to an approval, he added.

Planner Finger advised the applicant to provide a list containing the functions of the business, its hours of operation, etc. when he returns to the commission for a public hearing.

The Commission took receipt of the application and will schedule a public hearing on January 26, 2012.

c) Dawn Niles made a motion to add a new business item to the agenda and Dan Lein seconded the motion. The motion carried unanimously.

Joseph Boucher, P.E. with Towne Engineering, said Kenneth Porter, who owns Keeper Corporation, has a 17-acre parcel that has the Keeper Corporation located on it. Mr. Ives, who is proposing to purchase some of the property, said he doesn't need all of the property and proposes to cut off a corner lot. The intention is to buy both buildings, but there is a question on the lot line alignment. The question is whether the lot line around the Girl Scout property can be erased.

ZEO Matt Vertefeulle said they could do a re-subdivision, but they do not meet the requirements. They want to preserve the 2 lots. He said they could pursue a lot line realignment, or they can create a re-subdivision. We are awaiting a response from the Town Attorney, added Vertefeulle.

A discussion ensued. Planner Finger said if the decision is to go with a re-subdivision, we could schedule a public hearing for next month, and if they choose to proceed with a lot line adjustment then we could cancel the public hearing. The question I would ask is why not create another lot, he said. Chair Stahl said perhaps they should proceed with this the straight forward way. Mr. Boucher asked what level of detail is required for subdivision. Chair Stahl said we would need information pertaining to water and sewer. Mr. Boucher said when Mr. Ives occupies this property, and the other property is sold, both parties are going to want pylon signs. Commissioner Jean Chaine said I lean in the direction of re-subdivision, and as James said, a public hearing could be scheduled for January. After further discussion, it was decided that a public hearing will be scheduled for January 26, 2012.

#### **4) Old Business**

##### **699 Main Street, LLC – Update**

ZEO Matt Vertefeulle said plans to renovate 699 Main Street, (the old Hurley Building) are moving forward. Renovations which are expected to begin shortly include restoring the building's façade to its original state. He said once renovations are complete, the building will house 2 commercial units on the ground floor and 26 residential units (original plan included 22 units) including 3 apartments that meet ADA requirements. Most of the units will be single bedroom units with lofts that will be rented at fair market value. Vertefeulle said the developers have addressed the commission's concerns pertaining to garbage storage and disposal. The building will have elevators, garbage

chutes, laundry facilities on each floor and available parking. They are also proposing historic restoration of the building. He said the developers have been working closely with the Windham Historical Society to craft a plan for the building. Commissioner Dan Lein said he was pleased that the building was going to be restored to its original state. Vertefeuille said they plan to put the flag pole back on the building, but they might not put up the awnings. He said the building will have all new modern windows that have UV protection. They have requested to purchase the property next door and have secured an easement to get to the transformer, added Vertefeuille. Chair Paula Stahl suggested adding a walkway. Vertefeuille said everything is in place to start construction in January 2012.

**5) Zoning Revisions** – these include changes to the Business Zones, Alcohol Regulations, Sign Regulations and Gravel Regulations.

**6) Routine Business**

**a) Miscellaneous**

Planner Finger said the Economic Development Commission has asked the commission to look at abatements. Chair Stahl said she could meet with the E.D.C. in February, 2012.

As there was no other business, the meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Lillian Murray, Clerk