

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
DECEMBER 8, 2008**

ROLL CALL:

Members Present: Eugene Sierakowski, Chairman
Joseph Diminico, Vice Chairman
Kevin Dougan, Secretary
Salvatore Mancini
Andy Kidd

Alternates: Eric Prause
Matthew Galligan
Adam Gootkin

Also Present: Mark Pellegrini, Director of Neighborhood
Services and Economic Development
Renata Bertotti, Senior Planner
Ginger MacHattie, Recording Secretary

Time Convened: 7:23 P.M.

OLD BUSINESS:

WAL-MART REAL ESTATE BUSINESS TRUST – Zoning Regulation Amendments at Article II Section 8.03.24 and Table II 8-1 – CUD Zone (W-137)

Mr. Dougan stated that he has concerns over the precedent set by allowing gasoline sales in the CUD zone, especially because this area is not on a major artery. He said he would like more time to consider this application and review the appropriate zoning regulations.

Mr. Prause noted the history of limiting the sale of gasoline in this area. He does not see the necessity of expanding gasoline sales to this area.

Mr. Diminico noted that the difference to the applications previously denied is that under the current proposal the establishment would need to be 100,000 square feet or larger to distribute gasoline and only three stores currently fit that criteria. Applications would have to come before

the Planning and Zoning Commission for design review, allowing some control. Mr. Diminico stated that he still has an open mind. If some members need more time, he is not opposed.

Zoning Regulation Amendments at Article II Section 8.03.24 and Table II 8-1 CUD Zone (W-137)

MOTION: Mr. Dougan moved to table this application to the January 5, 2009 meeting. Mr. Prause seconded the motion and all members voted in favor.

NEW BUSINESS:

SOUTH UNITED METHODIST CHURCH – 1208 & 1226 Main Street – Special Exception (S-212)

Mr. Mancini said he does not see why the Commission couldn't approve this request. He said cars are already parking in this area and the church is trying to make it neater and cleaner. He supports this application.

Mr. Diminico said he believes the real question is safety and if six cars would have a negative impact. He said since it looks like they are already parking there and this is for the convenience of handicap members, he would be inclined to support approval of this application.

Mr. Kidd echoed the comments already made. This is not an optimum situation, he said, but would clean up the parking situation and was inclined to support this application.

Mr. Dougan said that based on the fact this area is already being used and the church just wants to be a good citizen and make the arrangement legal, he will support approval.

Special Exception (S-212)

MOTION: Mr. Dougan moved to approve the special exception because it meets special exception criteria with modifications in staff memoranda from Bernard Kalansuriya to Renata Bertotti, dated December 3, 2008; James Davis to Renata Bertotti, dated December 2, 2008; and Derrick Gregor to Renata Bertotti, dated December 1, 2008. Mr. Mancini seconded the motion and all members voted in favor.

Mr. Prause left the meeting at approximately 7:40 p.m.

DYE HOUSE ASSOCIATES, LLC c/o KONOVER PROPERTIES – 190 Pine Street – conversion of dye house mill building to 57 residential apartments – Site Plan – Historic Zone (D-131); Erosion Control Plan (D-132)

Mr. Jim Carter represented Konover Properties and explained that the applicant would like to redevelop a 90,000 square foot structure constructed in 1917. He said it is the last abandoned building in the Cheney Mill Historic District and has been in disrepair for approximately 40 years. Konover Properties has found financing that will help redevelop this property making it compliant with State and Federal guidelines. Mr. Carter explained that Konover plans to redevelop the property into 57 apartment units: 20 one-bedroom, 31 two-bedroom, and 6 three-bedroom units, between 1,000 and 1,500 square feet. The project will cost \$20 million, which is approximately \$356,000 per unit. The reason the cost is so high is due to the derelict nature of the structure, the environmental contamination, and the historic standards imposed on the property.

Mr. Bill Crosskey, Architect, said he specializes in historic preservation and housing design. He described the site plan to Commission members. The property will be accessed through the arched opening on Pine Street, which will become a one-way access. The smaller add-on building in the back has no historic significance and will be removed. The bulk of the residential parking will be on the north side of the structure. Mr. Crosskey explained there will be a total of 57 units with 86 parking spaces. The building consists of two primary sections: a two-story section that makes for the bulk of the building and a four story section at the west end of the building. The plan is to maintain the original front entrance and create a lobby area. The loading dock will be changed into a rear access for residents, and a new stairway and elevator will be added. In the townhouse style units the main living space will be on the ground level with two

bedrooms and a bathroom in the loft area. The loft areas will be located in the center of the floor plan, and away from the windows. The exterior of the building will be restored to its original appearance by re-pointing and restoring the existing masonry. The overhead walking bridge will provide access to some of Velvet Mill's community space.

Mr. Russ Johnston, Engineer with Meehan & Goodin, reviewed the landscaping. He said there will be more green space than currently exists and the three large trees along Pine Street will remain. A sitting and picnic area with benches and shade trees is proposed at the north side of the site. Mr. Johnston stated that existing utilities have been reviewed and the project will need all new utilities. He said drainage is directed to an existing drain on Pine Street. Erosion Control measures will consist of an anti-tracking apron, silt fence, hay bales, and silt sacks.

Mr. Carter explained that Konover has spent the last year trying to redevelop this property and at the same time maintain the integrity of the historic area. Konover manages Clock Tower and Velvet Mills. It is working closely with CHFA and DECD and has secured the initial commitments needed for redevelopment.

In response to a question from Mr. Diminico, Mr. Johnston stated that gas meters will be on the north side of the building inside the courtyard area.

In response to a question from Mr. Diminico, Mr. Carter stated that some rents would be \$250 per month with the remainder being \$650 to \$1,000 per month. He explained that 58% of the units will have renters with incomes up to 60% of the median income, which is currently \$81,000. Another 15 units will be for individuals at or below 50% of the median income and the remaining 25% will be for renters at or below 25% of the median income.

In response to a question from Mr. Kidd, Mr. Carter explained that the financing of the other Mill buildings was different. Approximately 20% are affordable to individuals making 80% of the median income.

Mr. Pellegrini explained that the Cheney Historic District Commission discussed this application at length at their December 4, 2008 meeting and voted to recommend approval.

Ms. Bertotti stated that outstanding staff comments were minor and technical in nature.

Mr. Dougan said that the Plan of Conservation and Development encourages owner-occupied housing. Section 18, Article 2 of the zoning regulations encourages mixed use of a Historic zone. He asked how this should affect discussions and the decision concerning this application. He expressed concerns that the Historic district is heavily multi-family, not mixed use. There is not much commercial or retail property other than Cheney Hall.

Mr. Pellegrini explained that the Plan of Conservation and Development is the guiding document, but the zoning regulations apply for permitted uses and site plans in the Historic zone.

Mr. Carter explained that the Town of Manchester had engaged Becker and Becker to do a study on this area and they found the highest and best use for the Dye House property is multi-family housing.

Mr. Diminico thought there must be some restrictions on the property due to financing and asked how long the restrictions would apply to the property.

Mr. Carter responded in perpetuity. He said rents and income levels will change according to the cost of living.

Mr. Diminico asked if the financing can be satisfied and restrictions lifted. Mr. Carter answered in the negative.

In response to a question from Mr. Kidd, Mr. Carter explained that it would be difficult to do this project as an owner occupied project due to the cost of redevelopment. Redevelopment costs would price the units out of the market. This property is historically bound and has not been touched in 40 years.

Mr. Diminico said in an ideal world it would be nice to restore buildings to their original splendor. About \$20 million has been provided for housing and to help preserve the Historic District. He is aware that people have concerns over low and moderate income housing. He asked if this property should just be allowed to deteriorate or if the opportunity to restore the building and provide housing to people who really need it should be seized. He said he believes this proposal is a “home run.”

Mr. Dougan would like more time to research the proposal and think about this application.

Mr. Kidd also expressed a desire for more time to review this application.

Mr. Mancini said he thinks the applicant has met zoning regulations. He is not opposed to taking a closer look at the application, but at this point he concurs with Mr. Diminico. This building stands alone in disrepair in an already developed area.

Mr. Pellegrini explained that the Commission needs to act within 65 days of the application. The 65th day is January 6 and the next meeting is January 5. He asked the applicant, if an extension is necessary due to a weather related cancellation, would they be willing to allow an extension to the January 21, 2009 meeting.

Mr. Carter respected the need to think this application through; however, he is trying to wrap up financing through a competitive process. The economic climate is dicey and he has concerns about deferring. He respects the need to deliberate, but he needs to lock \$20 million in public financing into place.

Mr. Sierakowski reminded Mr. Carter of Mr. Pellegrini's original question.

Attorney Mark Shipman explained that his client is afraid of losing financing for this project.

About 120 jobs will be created with this project, keeping construction workers working during a cold period. He said his client will grant additional time if it has to but feels that it is putting this project at risk.

Site Plan – Historic Zone (D-131); Erosion Control Plan (D-132)

MOTION: Mr. Dougan moved to table the site plan and erosion control plan applications.
Mr. Kidd seconded the motion and all members voted in favor.

GRIFFIN LAND – 61 Chapel Road – soil relocation at former Filene's Distribution Center to meet CT DEP requirements – Inland Wetlands Permit – Determination of Significance (G-150); Inland Wetlands Permit (G-150); Erosion Control Plan (G-151)

Mr. Dan Delaney, a senior engineer with Fuss & O'Neill, reviewed the site plan for 61 Chapel Road, also known as the former Filene's Warehouse property. The property is located at the corner of Tolland Turnpike and Chapel Road, is zoned Industrial and consists of 29.5 acres. The building is surrounded by parking areas and truck loading docks. The site is relatively flat with a gentle slope from the east toward the wetlands. He said there are three wetland areas: one a small ditch that starts at the edge of the site; the second a small manmade detention pond; and the third is on the adjacent property opposite to the rail line. The project will result in 268 square feet of direct disturbance to the wetlands. Mr. Delaney explained that the project is unique in that the applicant is not proposing development or construction, just the relocation of soils based

on the soil relocation plan. The plan calls for excavation of the top 18" of soil. The excavated soil will be taken and spread within the site. Clean soil will be brought in and placed in the excavated area. The total amount of excavated soil will be 1,720 cubic feet and the duration of the project will be two to three weeks. Mr. Delaney stated that final seeding on the western portion will be with a mixture of rye, fescue, and Kentucky bluegrass. The four existing trees will not be touched. Final seeding on the eastern portion will be with a meadow mix to replicate current conditions. Erosion control measures consist of each area being protected with silt fence, the establishment of two stone construction entrances, and the use of hay bales on the eastern work area.

In response to a question from Mr. Diminico, Mr. Delaney stated that the pollutant is residual pesticides consistent with properties in the area.

Mr. Josh Wilson, a certified soil scientist with Fuss & O'Neill, stated that he delineated wetlands and watercourses on site. He said there are two wetland areas and one watercourse. The third wetland is across the railroad tracks and will not be affected by the activity. He said the primary function of the existing wetlands is to convey water during storm events, otherwise they are dry. He said the wetlands do not provide for wildlife habitat. Mr. Wilson explained that the ditch will be restored to neutral grade and topography and that there will be no loss of function currently provided.

In response to a question from Mr. Sierakowski, Mr. Delaney explained that the drainage ditch was manmade, probably in conjunction with the railroad spur.

Ms. Bertotti stated there was one outstanding comment, a request for a callout on the plan. The applicant said that a call-out was put on the plans, so there are no other outstanding comments at this time, she said.

Inland Wetlands Permit – Determination of Significance (G-150)

MOTION: Mr. Dougan moved that the proposed activities would not cause a significant impact to the wetlands and will not require a public hearing. Mr. Diminico seconded the motion and all members voted in favor.

Inland Wetlands Permit (G-150)

MOTION: Mr. Dougan moved to approve the inland wetlands permit. Mr. Diminico seconded the motion and all members voted in favor.

Erosion Control Plan (G-151)

MOTION: Mr. Dougan moved to approve the erosion control plan. Mr. Diminico seconded the motion and all members voted in favor.

APPROVAL OF MINUTES:

November 3, 2008 – Public Hearing/Business Meeting

MOTION: Mr. Mancini moved to approve the minutes as written. Mr. Diminico seconded the motion and all members voted in favor.

November 17, 2008 – Public Hearing/Business Meeting

MOTION: Mr. Diminico moved to approve the minutes as written. Mr. Dougan seconded the motion and all members voted in favor.

ELECTION OF OFFICERS

MOTION: Mr. Mancini moved to nominate Eugene Sierakowski Chair, Joe Diminico Vice Chair, and Kevin Dougan Secretary. Mr. Kidd seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Regulation Amendment at Article IV Section 17 (T-483) – revision to the Zoning Regulations to adopt a six-month moratorium to review zoning regulations that govern multi-family housing.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Subdivision Regulation amendments: Section 4.07 (T-484) – revisions to the Subdivision Regulations to require a mandatory open space set-aside for residential subdivisions larger than five acres, to allow for a payment-in-lieu-of open space and to set the general standards for open space.

EVERGREEN CROSSING, LLC – 325 New State Road – PRD Zone Change and Preliminary Plan of Development (E-46) – 182 unit multi-family residential community with parking, carports, clubhouse/office.

UNITARIAN UNIVERSALIST SOCIETY – 153 Vernon Street West – Special Exception Modification (U-47); Erosion Control Plan (U-48) – Proposed building and parking expansion and a new septic system.

The chairman closed the business meeting at 9:07 p.m.

I certify these minutes were adopted on the following date:

Date

Eugene Sierakowski, Chairman

NOTICE: THE CASSETTE TAPE RECORDING OF THE BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.

OFFICIAL TAPE NO. 1009, 1010