

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JUNE 1, 2009**

**ROLL CALL:**

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

Alternates: Eric Prause (sitting for S-214)

Absent: Matthew Galligan  
Adam Goodkin

Also Present: Mark Pellegrini, Director of Neighborhood  
Services and Economic Development  
Matthew Bordeaux, Environmental Planner  
and Wetlands Agent  
Ginger MacHattie, Recording Secretary

Time Convened: 8:00 P.M.

**NEW BUSINESS:**

CMRE, LLC – 278 Hackmatack Street – Request for zone change from RR to PRD for the construction of a 13-lot single-family planned residence development with associated driveways and utilities – PRD Zone Change and Preliminary Plan of Development (C-233)

Mr. Sierakowski said the first decision to consider is whether to grant a zone change. He said it is within the Commission's discretion to change the zoning, but it would need to be changed to desirable zoning.

Mr. Kidd thinks consistency is warranted. In his mind, the AA or A designation would be preferable to PRD zoning here. He said it seemed to him the PRD is used as a way of squeezing in a couple of extra lots.

Mr. Diminico said that while looking at the zoning map he sees a large volume of land that is zoned RR. He wondered what would happen with that land someday. He doesn't think that PRD zoning needs to be kept in one area of Town; it should be distributed throughout Town. Mr. Diminico said it troubled him that the other portion of this land can be sold at a later date. He doesn't know about approving PRD here, but is willing to look at another type of zoning that will utilize the entire parcel.

Mr. Sierakowski concurred with the comments made. He also prefers not changing to PRD in this location. Mr. Mancini agreed with what was said so far. His concern is consistency within the area. He is in favor of AA zoning; the applicant is asking for PRD.

Mr. Sierakowski concluded that, based on comments of the Commission, it is not in favor of PRD and would more likely be looking at AA, AA cluster, or A zone, which would be consistent with zoning in the area surrounding this land.

PRD Zone Change and Preliminary Plan of Development (C-233)

MOTION: Mr. Kidd moved to deny the PRD zone change and preliminary plan of development because the change was not consistent with the zoning of surrounding properties. Mr. Dougan seconded the motion and all members voted in favor.

ST. PAUL'S COLLEGIATE CHURCH – 416 Middle Turnpike East (aka 309 Broad Street) – request to allow religious services in one movie theatre at the Broad Street Parkade – Special Exception (S-215)

Special Exception (S-215)

MOTION: Mr. Dougan moved to approve the special exception request because it meets special exception criteria, with the condition that the meetings be held in one theatre one night per week except on significant religious holidays when meetings will be held on two nights. Mr. Mancini seconded the motion and all members voted in favor.

TOWN OF MANCHESTER PUBLIC WORKS DEPARTMENT – 420 & 440 Buckland Hills Drive – proposed road widening and sidewalk reconstruction – Inland Wetlands Permit – Determination of Significance (T-489); Inland Wetlands Permit (T-489)

Assistant Town Engineer Jeff LaMalva described the project, as pavement rehabilitation of Buckland Hills Drive and Hale Road. He said the Town received a grant for this project that will cover the costs of 95% of milling and resurfacing. One portion of the project will make a safety improvement in front of the Wal-Mart driveway. Currently, there are two lanes in each direction. He said a serious concentration of accidents occur when people are turning into the Walmart driveway heading west. Mr. LaMalva said the Public Works Department is proposing to widen Buckland Hills Drive to provide a dedicated left turn lane for west bound traffic.

Existing topography will be changed to add a 12 to 15-foot high landscaped berm with trees that will act as screening for apartments to the north. To the east, he said there is an existing pond that serves as a collector of stormwater runoff. There are two 54-inch culverts that cross Buckland Hills Drive and an intermittent watercourse to the south. Roadway widening will be done at the roadway level. The wetlands involved consist of the watercourse itself. To the north, there is a pond and wetlands. The existing guiderail will remain intact. A sidewalk will be constructed in the same area and the road widening will occur in the grass shelf area. On the west side of the Walmart driveway, the sidewalk will be built two or three feet behind the current sidewalk. A small retaining wall will need to be built as well. Mr. LaMalva said widening will be done with a minimal impact to wetlands and landscape buffer. He said the reason for the widening is to provide a safety improvement for the traveling public.

Mr. LaMalva said the project will disturb approximately 2,200 square feet within the regulated area; no work will take place in the wetlands themselves. He described the erosion control measures to be used during construction. Currently the project is being reviewed by the State DOT for final design. He said it is anticipated construction will begin in August or September of this year, depending on the time it takes to get a contractor on board. The project will be completed by late fall or early spring of next year.

In response to a question from Mr. Sierakowski, Mr. LaMalva said there will be tight restrictions on the timeframe. He will limit where the contractor works beginning November 1. The repaving is likely to be done this year and at that point he will reassess the schedule. He will not have the road open in December to avoid the shopping season.

Inland Wetlands Permit – Determination of Significance (T-489)

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. Kidd seconded the motion and all members voted in favor.

Inland Wetlands Permit (T-489)

MOTION: Mr. Dougan moved to approve the inland wetlands permit for a one-year period. Mr. Kidd seconded the motion and all members voted in favor.

SABRINA POOLS – 70 Tufts Drive – installation of 16’ x 32’ inground swimming pool – Inland Wetlands Permit – Determination of Significance (S-214); Inland Wetlands Permit (S-214)

Mr. Steve Levanduski of Sabrina Pools explained that the property owner would like to install a 16-foot x 32-foot inground pool within the 100-foot upland review area. He said the applicant would like to take down two trees in the area of the pool. An area will be set aside to stockpile approximately 100 yards of material. He said there is a 4-foot footing drain that comes out from the house that will not be disturbed. Mr. Levanduski stated that the entire job will take approximately two months to complete.

Mr. Bordeaux said he reviewed the application and recommended modifications to the plan if approved.

In response to a suggestion from Mr. Diminico, the applicant indicated that a cartridge filter will be used.

Inland Wetlands Permit – Determination of Significance (S-214)

MOTION: Mr. Kidd 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. Mr. Prause sat in place of Mr. Dougan on this item.

Inland Wetlands Permit (S-214)

MOTION: Mr. Kidd moved to approve the inland wetlands permit for one year from the start of construction with the modifications that the silt fence or hay bales are to be installed downgrade of construction and the stockpile area be maintained until disturbed soils are stabilized, and with the condition that a cartridge filter be used. Mr. Diminico seconded the motion and all members voted in favor. Mr. Prause sat in place of Mr. Dougan on this item.

**ADMINISTRATIVE REPORTS:**

Appointment of Inland Wetlands Duly Authorized Agent to Issue Minor Impact Inland Wetlands Permits

Mr. Bordeaux referred to a draft resolution to delegate to the Wetlands Agent the authority to approve limited applications. He said the Commission will need to discuss the parameters on which to base the administrative approval. Mr. Bordeaux gave some examples which included above ground pools, sheds, decks, and sunrooms within the upland review area. He asked what the Commission members were comfortable with. Mr. Bordeaux noted that two of the applications heard tonight would fit into this category.

Mr. Kidd said he liked the idea. He thinks the Commission should keep the parameters as specific as possible and not leave too much open for interpretation. He asked how the determination becomes public. Mr. Bordeaux explained that there are public notice requirements and the appeal period remains the same as for any decision.

**OTHER BUSINESS**

A discussion was held among Commission members regarding direct questioning of an applicant during public comment. A recent incident made it necessary to clarify the rules of procedure concerning evidence and cross examination. Chairman Sierakowski asked Town staff to clarify the matter with the Town Attorney.

**APPROVAL OF MINUTES:**

March 16, 2009 – Public Hearing/Business Meeting

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

**RECEIPT OF NEW APPLICATIONS:**

53-71 SPENCER STREET, LLC – 53-57 & 71 Spencer Street – Special Exception (F-147); Erosion Control Plan (F-148) – Construction of three self-storage buildings.

LAGACE CONSTRUCTION, LLC. – 159 Tufts Drive – Inland Wetlands Permit (L-120) – construction of a 12’ x 16’ deck on rear of house.

KENT ELLIOT – 110 Utopia Road – Special Exception (E-48) – change of use to place of worship in Industrial zone.

I certify these minutes were adopted on the following date:

November 16, 2009  
Date

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Eugene Sierakowski, Chairman

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

OFFICIAL TAPE NO. 1040 and 1041