

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JUNE 15, 2009**

**ROLL CALL:**

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

Alternates: Eric Prause

Absent: Salvatore Mancini  
Matthew Galligan  
Adam Goodkin

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

Time Convened: 7:00 P.M.

**MOTION:** Mr. Diminico moved to add application C-244, Concordia Lutheran Church, to the agenda. Mr. Dougan seconded the motion and all members voted in favor.

**NEW BUSINESS:**

RAYMOND WELNICKI – 43 Pondview Drive – installation of curtain drain for septic system to improve drainage – Inland Wetlands Permit – Determination of Significance (W-139); Inland Wetlands Permit (W-139)

Mr. John Fay spoke on behalf of the property owner who would like to install a curtain drain around his septic system for protection from the ground water. He said the goal is to carry the water toward the west and south to protect the leach field. A trench, approximately 12 inches wide, would be dug and backfilled with six inches of stone. He said the activity will take place during the driest time of the year and will have minimal impact on wetlands.

Mr. Bordeaux said the green area on the map provided represents the upland review area. He said there is an intermittent water course and an existing outlet structure and scour will not be an issue.

In response to a question from Mr. Diminico, Mr. Fay explained there has been a flooding problem for about a year in this area. If the system were to be built up, he said a curtain drain will still be needed. The well is more than 75 feet away from the proposed curtain drain.

In response to a question from Mr. Pellegrini, Mr. Fay said he expects the work to take five to six days.

In response to a question from Mr. Kidd, Mr. Bordeaux explained the trench will be backfilled with stone at the end of every day of work. Rather than stripping the sod, he said the applicant has agreed to cut and roll the sod. The sod can be rolled back when the project is complete and there will be no disturbance to the area, he said.

Inland Wetlands Permit – Determination of Significance (W-139)

MOTION: Mr. Diminico 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 (W-139)

MOTION: Mr. Dougan moved to approve the inland wetlands permit for a period of one year with work to be completed within six months of start of construction. Mr. Kidd seconded the motion and all members voted in favor.

CONCORDIA LUTHERAN CHURCH – 40 Pitkin Street – Special Exception Modification (C-244)

Mr. Michael Dion, agent for the applicant, explained that during the construction of the approved addition, the applicant requested a few minor changes to the plan and read the following:

1. West side addition: There was an addition to the west of the church approved which has been eliminated from the scope of the project due to costs. Access will remain as is.
2. Dumpster location: On the site plan submitted the dumpster was relocated 30-40' to the west next to 4 parking spaces which were added. That location is under existing power lines. Mr. Dion proposes to bring the dumpster back to where it was and put a fence around the location. Instead of adding 4 spaces near the previously approved dumpster location, five will be added instead.
3. Shed near playground: There is a small storage shed approved for use by the preschool. Mr. Dion is proposing to turn the shed and put it adjacent to the paver walkway but high enough so it won't get caught in puddling.
4. Fencing Requirements: The applicant went before the ZBA, which approved the removal of 200' of stockade fence.
5. Sidewalk Configuration: In the front of the church, five parking spaces have been proposed to improve handicap access. Mr. Dion is requesting a narrowing of the approved sidewalks in the area near Pitkin Street. The function will not change, but the walks will be simplified. This will allow the applicant to emphasize the memorial garden and downplay the concrete.

There was a discussion among PZC members and staff.

Special Exception Modification (C-244)

MOTION: Mr. Dougan moved to approve the special exception modification as presented. Mr. Kidd seconded the motion and all members voted in favor.

ADOPTION OF A RESOLUTION AUTHORIZING INLAND WETLAND AGENT TO ISSUE CERTAIN WETLANDS PERMITS

**Resolution to Delegate Authority to Wetlands Agent**

Whereas, the Inland Wetlands Agency of the Town of Manchester adopted a 100-foot non-wetland regulated upland review area; and

Whereas, in accordance with Connecticut General Statutes 22a-42a(c)(2), the Inland Wetlands Agency of the Town of Manchester may delegate to its duly authorized agent the authority to approve or extend a permit for an activity that is not located in a wetland or watercourse when such agent finds that the conduct of such activity would result in no greater than a minimal impact on any wetlands or watercourses; and

Whereas, the Inland Wetlands Agency may delegate such authority to its duly authorized agent provided such agent has completed the comprehensive training program developed by the Commissioner of the Department of Environmental Protection pursuant to section 22a-39 of the Connecticut General Statutes.

Therefore, be it Resolved...

that the Inland Wetlands Agency of the Town of Manchester delegate the authority to its duly authorized agent, the Environmental Planner/Wetlands Agent, having completed the comprehensive training program developed by the Commissioner of the Department of Environmental Protection, to approve or extend an activity on a residential property when the activity is not in the wetlands or watercourse and when such agent finds that the conduct of such activity would result in no greater than a minimal impact on any wetlands or watercourses. Such activities shall include the installation of accessory structures, additions, above ground pools and playscapes, and limited clearing; and be it further

Resolved, notwithstanding the provisions for receipt and processing applications prescribed in Section 5 of the Inland Wetlands and Watercourses Regulations, such agent may approve or extend such an activity at any time following consideration of the factors set forth in section 22a-41 of "the Act"; and be it further

Resolved that the Inland Wetlands Agency shall, at its discretion, sustain, alter or reject the decision of its agent or require an application for a permit in accordance with Connecticut General Statutes Sec. 22a-42a(c)(1).

MOTION: Mr. Kidd moved to approve the resolution dated June 15, 2009 as presented. Mr. Prause seconded the motion and all members voted in favor.

**ADMINISTRATIVE REPORTS:**

Mr. Sierakowski noted a memorandum from the Town Attorney on cross examination of applicants during public comment. The conclusion of the Town Attorney is that the Commission has to allow for cross examination as long as it is limited to the testimony presented and relevant to the application.

Mr. Pellegrini noted items one through five in the memorandum and explained that they are offered as guidelines.

Mr. Sierakowski reviewed a second memorandum received by the Town Attorney concerning Alternate members' ability to comment when not a voting member.

Mr. Pellegrini added that an unneeded alternate may not participate in deliberations. Attorney O'Neil advised that Commission members are here to elicit facts. It is fair that an Alternate participate during the public hearing portion of the meeting to gather facts, not issue opinions or personal judgments.

Mr. Pellegrini reviewed a memorandum to Commission members regarding Downtown Residential and High Rise Apartment Regulations. This issue will be scheduled for the Commission's consideration during its July meeting.

Mr. Sierakowski noted the reduction in parking from 1.5 to 1 space per unit in efficiency units. He asked for clarification between the definition of studio and efficiency apartments. He asked if other communities have similar regulations regarding parking for efficiency apartments.

Mr. Pellegrini said that an efficiency apartment is generally defined as 400 sq. ft. or less. Aside from the fact that this is a very small unit, it is located in the Central Business District where public transportation and public parking is available.

Mr. Pellegrini updated the Commission on proposed zoning and subdivision regulation changes. A workshop was held with Town staff and some ideas included bonding, earth removal, and information requirements exchanged. He recently received feedback from the Public Works staff and most of the work on the regulation amendments is completed. He will get a completed draft to Commission members soon.

In response to a question from Mr. Sierakowski regarding the status of the Birch Mountain Subdivision, Mr. Pellegrini said the excavator has left the job site and earth removal equipment is gone.

Mr. Kidd said there has been a lot of input from residents and asked that Mr. Pellegrini review the e-mails and issues involved with this particular subdivision and make sure all concerns are addressed through the regulation amendments.

#### **RECEIPT OF NEW APPLICATIONS:**

**TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zone Regulation Amendments – Article II Section 15 (T-490) – Revisions to the zoning regulations at Article II Section 15 to remove high rise apartments and amend regulation of residential uses and parking standards.**

**CONCORDIA LUTHERAN CHURCH – 40 Pitkin Street – Special Exception Modification (C-244) – minor site modifications.**

The chairman closed the business meeting at 8:36 p.m.

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. 1042