

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
MARCH 2, 2009**

ROLL CALL:

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

Alternates: Eric Prause (sitting)

Absent: Kevin Dougan, Secretary
Matthew Galligan
Adam Gootkin

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

The Chairman opened the Public Hearing at 7:00 P.M. The Secretary read the legal notice for the application when the call was made.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Map
Amendment (T-485)

Mr. Matthew Bordeaux, Environmental Planner, presented the proposal to add the aquifer protection area boundaries onto the zoning map. Mr. Bordeaux explained that the Town is obligated to adopt the Level A map boundaries approved by the State Department of Environmental Protection and place them on the zoning map in accordance with the State of Connecticut's aquifer protection legislation. The PZC was designated the Aquifer Protection Agency for Manchester, he said.

Mr. Bordeaux explained that the Town of Manchester was notified in November that DEP had approved the Level A map boundaries, which were generated by consultants to the Town of Manchester Water Department and followed a scientific methodology developed and approved by the DEP. He said the methodology measured the speed with which groundwater reached the production wells. The boundaries shown on the map include the area of recharge and the area of contribution to all of Manchester's public water supply wells. He noted the Water Department has a well field in Bolton, but the boundary only extends to a minimal area at the Manchester/Bolton town line.

Mr. Bordeaux said staff is recommending the Commission adopt the Level A boundaries approved by DEP and is not suggesting that the boundaries be extended to incorporate the entirety of any property partially located within the boundary. He said staff believes this is the most defensible boundary since it is based on the approved DEP mapping. He said if questions

arise during implementation of aquifer regulations the Commission could revisit the boundary issue.

In response to questions from Chairman Sierakowski regarding who can challenge the boundaries, Mr. Bordeaux said any property owner can challenge the map provided the challenge is based solely on an improper application of the Level A information to the zoning map. He said any challenge as to whether a property should be included or any extension of the aquifer boundaries must be approved by the Commission or DEP.

In response to Mr. Diminico, Mr. Bordeaux said the Agency could make the aquifer protection regulations more stringent than the State requirements, but not less so. Mr. Sierakowski and Mr. Diminico asked the staff to research if any other towns have adopted more stringent regulations than the DEP Aquifer Protection model regulations.

Several Commission members had questions about the nature of the aquifer protection regulations and whether they could extend to various land use types. Mr. Pellegrini explained that the aquifer protection regulation is a separate regulation, similar to the Inland Wetlands Regulations, and is not similar to a zoning regulation that regulates land uses. He said the aquifer rules regulate activities regardless of the underlying zoning or use category. He suggested the PZC would have a better understanding of the approach for aquifer protection and whether there should be more stringent requirements after it had the benefit of a workshop review of the proposed regulations, which the staff hopes to conduct in late March or early April.

There was no testimony and the Chairman closed the public hearing.

NOTICE: THE CASSETTE TAPE RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.

OFFICIAL TAPE NO. 1023