

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
NOVEMBER 2, 2009**

**ROLL CALL:**

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

Alternates: Eric Prause (sitting)  
Anthony Petrone (sitting)

Absent: Salvatore Mancini

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

Time Convened: 7:28 P.M.

**OLD BUSINESS:**

BIRCH MOUNTAIN ESTATES VIII – High Ledge Circle (aka 190V Coop Sawmill Road) –  
Subdivision (S-165) – declare subdivision null and void

Mr. Pellegrini reported that all public improvement work for this subdivision is complete. He said the Town's chief surveyor is 95% complete with the review of the as-built plans and there is nothing substantive that remains outstanding. The only outstanding work items are the street trees, which are better planted when the lots are developed. Mr. Pellegrini said Town staff recommends securing a bond for the remaining street tree work as well as posting a bond for the maintenance of public improvements, to be held by the Town for one year. Until a new erosion control plan is submitted, there should be no work done. He said the issue before the Commission is whether to formally declare the subdivision null and void.

In response to a question from Mr. Diminico, Mr. Pellegrini said the bond amount would include the street trees (approximately \$8,000) and the remaining work (\$32,000 to \$34,000). A month ago the conservative estimate was \$40,000.

In response to a question from Mr. Kidd, Ms. Bertotti said she was in receipt of a proposed work sequence provided by the applicant. The applicant is working on an erosion control plan, which is expected to be before the Commission at the next meeting.

In response to a question from Mr. Diminico, Attorney Steven Basche, on behalf of the applicant, explained it is the developer's intent to post the maintenance bond at the time conveyances take place.

Attorney Basche stated that the developer's construction schedule has been submitted, and is working on a plan that has the details required by the regulations. Attorney Basche stated the erosion control plan is extraneous; it is not connected to whether the applicant met the requirements of the subdivision. He said the road was done by October 1 and the deeds and as built have been submitted. Atty. Basche said the applicant is working in good faith to come up with an erosion control plan that meets the requirements of the Town. It will include restrictions on hours of crushing and hammering because the applicant is sensitive to comments made by neighbors. Attorney Basche requested the Commission act on the subdivision aspect this evening.

Mr. Diminico commented that although the erosion control plan is extraneous to the matter of the declaring the subdivision void, it is pertinent.

Mr. Diminico observed the development has a history. He does see progress in the fact that the applicant is willing to post bond for the remainder of the public improvement work and maintenance. He said he is personally more comfortable with the situation as it stands now.

Mr. Prause commented that the erosion control plan is a separate issue. Whether or not to declare the subdivision null and void should be based on whether the public improvements are complete. He said he is in favor of closing this topic before the erosion control plan comes forward. He is of the opinion that all work has been completed and this should not be declared null and void.

Mr. Kidd commented that the applicant is really in no better position than two weeks ago; there has not been a substantial change in information. He was hoping to have the erosion control plan available to help with this decision, but he really must agree these are two separate issues. He is in favor of dispensing with this issue tonight.

Mr. Dougan concurred that this item should be taken off the table tonight; he does not support declaring the subdivision null and void.

Subdivision (S-165) – declare subdivision null and void

MOTION: Mr. Diminico moved to declare the Birch Mountain Estates VIII subdivision not null and void because the work is complete. Mr. Dougan seconded the motion and all members voted in favor. Mr. Prause sat in Mr. Mancini's absence.

**NEW BUSINESS:**

CMRE,LLC – 278 Hackmatack Street – Zone District Change: Rural Residence to Residence AA (C-225)

Mr. Pellegrini explained that a petition was submitted in opposition to this application. He said if the petitioners control 20% of the land area within 500 feet of the property, the Commission needs a two-thirds majority vote.

Mr. Sierakowski suggested allowing Town staff time to calculate the amount of surrounding area owned by petitioners.

Zone District Change: Rural Residence to Residence AA (C-225)

MOTION: Mr. Dougan moved to table action on this application to allow time to review the petition submitted. Mr. Diminico seconded the motion and all members voted in favor. Mr. Prause sat in Mr. Mancini's absence.

FRANK BORAWSKI – 261-263 Broad Street – Special Exception Modification (B-296)

Representing the applicant, Mr. Chris Eseppi of PDS Engineering explained the applicant would like to build an addition on an existing building. The building is currently 21,000 square feet and houses a thrift store and Family Dollar store. He said the building is in fair condition but the driveway needs some “TLC.” The applicant proposes to add 6,000 sq. ft. to the southern end of the building which will house a NAPA store. The driveway will be reworked and restriped and curb cuts will be reduced from three to two. He said there would be no change to the existing non-conforming rear yard. The building is composed of masonry that is currently tan. The applicant proposes painting the entire building NAPA gray, with the NAPA store highlighted with the corporate blue.

In response to a question from Mr. Dougan, Mr. Eseppi said this will replace the NAPA store on Spruce Street.

In response to a question from Mr. Kidd, Mr. Eseppi said the applicant looked at aligning the parking perpendicular to the building but was unable to get the required number of spaces into the lot. The Traffic Engineer has concerns about customers walking through the parked car area if the parking aisles are parallel to the building as proposed by the applicant.

In response to a question from Mr. Pellegrini, Mr. Eseppi said the NAPA portion of the building is 5'4" higher due to certain storage heights needed for internal racking systems. He said there will be three HVAC units on the building.

Mr. Pellegrini pointed out that the existing building is scored block. What is being proposed will unify the color, but the building will have two different material treatments.

Ms. Bertotti said there are three outstanding comments from staff, two of which were minor and technical in nature. The Town Traffic Engineer expressed concern with the orientation of the parking stalls due to pedestrian safety. He recommends realignment of the parking, she said. Commission members were reluctant to act and indicated the applicant should re-examine the parking layout.

Special Exception Modification (B-296)

MOTION: Mr. Diminico moved to table action on this application. Mr. Dougan seconded the motion and all members voted in favor. Mr. Petrone sat in Mr. Mancini’s absence.

CHURCH OF THE LIVING GOD – 199 Deming Street – Special Exception Modification (C-266)

Representing the applicant, Ms. Karen Isherwood of Design Professionals said the Commission approved a site plan modification for this property in April 2009. Originally there were two exit lanes from the Deming Street driveway, but the State has asked the applicant to remove one. The abutting property owner has asked for changes to the grading, but the applicant is limited in what it can do. There is a temporary grading easement between the retaining wall and this property. The applicant would like to modify this area and bring it up one foot.

The second change involves a catch basin on the church’s property. The original plan was to tie in to an existing storm drain and eliminate the catch basin. The request is to keep the catch basin and lower the top of the frame, thereby allowing for a secondary means of emergency overflow. Ms. Bertotti said Town Staff has reviewed this application and one minor, technical comment remains.

Special Exception Modification (C-266)

MOTION: Mr. Diminico moved to approve with modifications as noted in a memorandum from Derrick Gregor to Renata Bertotti, dated October 26, 2009. Mr. Dougan seconded the motion and all members voted in favor. Mr. Petrone sat in Mr. Mancini's absence.

FAIRWAY CROSSING LLC – 104 & 104A Glode Lane and 1769 Tolland Turnpike – Inland Wetlands Permit (F-149); Erosion Control Plan (F-150); Planned Residence Development Final Plan (F-151) – Request for Extensions

Inland Wetlands Permit (F-149); Erosion Control Plan (F-150); Planned Residence Development Final Plan (F-151)

MOTION: Mr. Kidd moved to approve a 65-day extension to consider this application. Mr. Diminico seconded the motion and all members voted in favor. Mr. Petrone sat in Mr. Mancini's absence and Mr. Prause sat in place of Mr. Dougan.

RECOMMENDATION ON TANKERHOUSEN RIVER WATERSHED MANAGEMENT PLAN AND THE STAKEHOLDER AGREEMENT

Mr. Pellegrini reviewed Mr. Bordeaux's October 26, 2009 memorandum. The Town had been contacted by the Friends of the Hockanum River to sign a stakeholder agreement that commits the Town to following a management plan. A request was made to the Board of Directors to sign the agreement, but the Board of Directors wanted a recommendation from the Planning and Zoning Commission before it acted.

The Hockanum River runs from Tolland through Manchester, Bolton, and Vernon. The area in Manchester is primarily low density residential with some agricultural land. Most of the subdivisions in the area are newer and meet modern stormwater management guidelines. The Town Highway Department already has a regular program to clean out catch basins. The more immediate recommendations in the Tankerhoosen management plan are already being implemented by the Town of Manchester.

It was the consensus of the Commission to recommend that the Board sign the stakeholder agreement on the Tankerhoosen Watershed plan.

The chairman closed the business meeting at 8:55 p.m.

I certify these minutes were adopted on the following date:

January 4, 2010  
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. 1058, 1059