

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JULY 7, 2010**

ROLL CALL:

Members Present: Eugene Sierakowski, Chairman
Joseph Diminico, Vice Chairman
Andy Kidd, Acting Secretary
Eric Prause

Alternates: Anthony Petrone
Horace Brown
Susan Shanbaum (sitting)

Absent: Kevin Dougan, Secretary

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: 9:30 P.M.

NEW BUSINESS:

DIALYSIS CLINIC, INC. – 315-319 Main Street – Special Exception (D-134)

Special Exception (D-134)

MOTION: Mr. Prause moved to approve the special exception for a use requiring parking in excess of 60 spaces. Mr. Diminico seconded the motion and all members voted in favor. The reason for approval was that the proposal met the special exception criteria.

SPEED OF SOUND, LLC – 90 Buckland Street – Inland Wetlands Permit (S-219); Special Exception (S-220); Erosion Control Plan (S-221)

Inland Wetlands Permit – Determination of Significance (S-219)

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

Inland Wetlands Permit (S-219)

MOTION: Mr. Diminico moved to approve the inland wetlands permit to be effective for a five-year term with work to be completed one year from the beginning of construction. Mr. Prause seconded the motion and all members voted in favor.

Special Exception (S-220)

MOTION: Ms. Shanbaum moved to approve the special exception for Sonic drive-in restaurant serving customers from drive through windows with modifications in staff memoranda from James Mayer, Traffic Engineer, to Renata Bertotti, dated June 28, 2010; Derrick Gregor, Design Engineer, to Renata Bertotti, dated July 2, 2010; and James Davis, Zoning Enforcement Officer, to Renata Bertotti, dated July 1, 2010 and a condition that should problems develop on Buckland Street with exiting vehicles attempting to reach the southbound left turn lane as determined by the Town Traffic Engineer and/or Traffic Authority, and Sonic or their successors do not close the exit lane to restrict traffic, the Town Engineer and/or Traffic Authority may require Sonic or their successors to convert this driveway to a right turn in entrance only. Mr. Prause seconded the motion and all members voted in favor. The reason for approval was that the proposal met the special exception criteria of Article IV Section 20 of the zoning regulations.

Erosion Control Plan (S-221)

MOTION: Ms. Shanbaum moved to approve the erosion control plan with modifications in the staff memoranda from Derrick Gregor, Design Engineer, to Renata Bertotti, dated July 2, 2010. Mr. Prause seconded the motion and all members voted in favor.

WILLIAM HOCH – 35 Dale Road – request to fill 20’ x 40’ of wetlands – Inland Wetlands Permit/Determination of Significance (H-200)

William Hoch, 35 Dale Road, explained that he would like to fill a small portion, approximately 1.5 feet in depth, of his backyard. It is a lawn area, but is usually very soggy. He would also like to remove a culvert from a small brook just north of his property.

In response to a question from Mr. Sierakowski, Mr. Hoch said the brook is not part of his property but he has permission to remove it.

Mr. Bordeaux confirmed that the applicant has received permission from the property owner. The applicant’s property is “L” shaped. The brook from the basin of the subdivision will pass near the north property line. Mr. Bordeaux displayed plans on the screen for Commission members and the audience. This is a two-part application. The applicant will remove the undersized culvert by excavating to mimic channel walls. Two slabs of concrete will be removed so the brook channel will revert to its natural flow. In addition, the applicant proposes to fill a small area of his back yard by taking gravel from material left over from the Bolton sewer project. He would come across the Rieg family property, fill the spot with gravel, and top off with topsoil so seeded and stabilized. Work will occur during the dry season. Silt fence and hay bales will be placed down slope of fill. The area will be restored using a grass seed mix of the applicant’s choice.

In response to two questions from Mr. Sierakowski, Mr. Bordeaux explained that the applicant hired a landscaper and he intends to meet with the applicant and landscaper to discuss the procedure before any work is done. Mr. Bordeaux displayed pictures of the back yard and explained that Mr. Hoch has mowed the area for many years. At the bottom of Dale Road, the lawn gets pretty saturated. With the culvert gone, flooding will no longer be an issue. This backyard is not actively providing wetland functions at this time.

In response to a question from Mr. Diminico, Mr. Bordeaux explained that Mr. Hoch will take the materials across the culvert while it still exists.

In response to a question from Mr. Prause, Mr. Hoch said he will fill the area with course gravel. When that tapers, he will use stone. Then he will use 4" to 5" of topsoil and replant with grass.

Mr. Bordeaux stated there are no outstanding staff comments. The Commission should consider including a timeframe if approval is given.

Inland Wetlands Permit – Determination of Significance (H-200)

MOTION: Mr. Prause moved to find the application as proposed 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 (H-200)

MOTION: Mr. Diminico moved to approve the inland wetlands permit for one year until July 15, 2011. Mr. Prause seconded the motion and all members voted in favor.

HARTFORD DISTRIBUTORS INCORPORATED – 131-147 Chapel Road – 69,655 sq. ft. additional warehouse space, new site lighting, landscaping, storm drainage improvements and parking modifications – Inland Wetlands Permit – Determination of Significance (H-201)

Attorney Leonard Jacobs represented the applicant, whose property is located on Chapel Road. Wetland activity is not significant. This is an 18 acre site which already contains an 82,000 square foot commercial building. The applicant is proposing a 69,655 square foot addition, which can really be placed only where proposed. There are three wetland areas on this property. He pointed out two on the map where there will be no activity. The third is in the easterly section. No work will be done in the wetlands, but in the upland review area. The existing building is in the upland review area, meaning the area has already been disturbed.

Mr. Dean Gustafson, Wetlands & Soil Scientist, explained that the wetlands run along the eastern property boundary and flow to the north. It is a manmade drainage swale that flows to the northeast. The area is primarily regulated as an inland watercourse feature. It is a dug ditch and doesn't contain a predominance of wetland vegetation. There is stone along the channel right now to allow conveyance of the storm water from the site. The proposed improvements will improve discharges that exit into that feature. The upland review area is a graded fill area associated with original development of the site. It is currently maintained as lawn and does not provide any significant support to drainage features from a habitat standpoint. As a result of existing characteristics, the proposed project will not impede that function. In fact, there will be improvements to the storm water quality discharge from the expansion. There will be no adverse effect on the wetlands system.

Attorney Jacobs explained that the applicant has been to the Conservation Commission which had no adverse comments. This is a big project and the applicant wanted to get determinations as he moved along. A full presentation will be made at the August meeting.

In response to a question from Mr. Diminico, Mr. Gustafson explained that this was originally an upland area, but the drainage ditch was intentionally dug. It was not originally a wetlands area.

Mr. Bordeaux said there are no outstanding staff comments. The Engineering Department has no concerns regarding the wetlands impact.

In response to a question from Mr. Kidd, Mr. Bordeaux said he concurs with Mr. Gustafson. This is a manmade area used to convey storm water. Vegetation has been reestablished, but the species are not what is normally found in wetlands. The applicant has staggered the side of the building to avoid direct effect on the upland area.

Inland Wetlands Permit – Determination of Significance (H-201)

MOTION: Mr. Prause moved to find the application as proposed 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.

RECEIPT OF NEW APPLICATIONS:

FRANK & LORNA PORTEUS – 17 & 21 Hazel Street – Zone Change: Central Business District (CBD) and Off Street Parking (OSP) to Residence B (RB) (P-184) – request a zone change from CBD to RB and 17 Hazel Street and from OSP to RB at 21 Hazel Street.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Regulation Amendment: Article II Section 16.13(1) (T-518) – amend zoning regulations to allow studios for audio or video production, recording, editing or related activities in Industrial zone as permitted uses.

The Chairman closed the business meeting at 10:45 p.m.

I certify these minutes were adopted on the following date:

October 18, 2010
Date

Eugene Sierakowski, Chairman

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

OFFICIAL TAPE NO. 1085, 1086