

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
DECEMBER 13, 2010**

ROLL CALL:

Members Present: Joseph Diminico
Kevin Dougan
Andy Kidd
Eric Prause
Horace Brown

Alternates: Anthony Petrone
Susan Shanbaum

Also Present: Mark Pellegrini, Director of Planning
Renata Bertotti, Senior Planner
Ginger MacHattie, Recording Secretary

Time Convened: 7:56 P.M.

NEW BUSINESS:

MANCHESTER SPORTS CENTER – 109-111 Adams Street – utilize an existing paved parking area for vehicle storage – Special Exception (M-387); Certificate of Location Approval (M-388)

Special Exception (M-387)

MOTION: Mr. Dougan moved to approve the special exception for the Manchester Honda dealership to utilize an existing paved parking area for vehicle storage. Mr. Brown seconded the motion and all members voted in favor. The reason for the approval was the proposal meets the special exception criteria and is compatible with the neighborhood.

Certificate of Location Approval (M-388)

MOTION: Mr. Dougan moved to approve the certificate of location approval. Mr. Prause seconded the motion and all members voted in favor. The reason for the approval was the location is appropriate for the expansion of the dealership and will not imperil public safety.

TOWN OF MANCHESTER PUBLIC WORKS – 1230 Tolland Turnpike – expansion of existing Buckland Cemetery – Special Exception (T-519); Erosion Control Plan (T-520); Mandatory Referral (MR-1005)

Special Exception (T-519)

MOTION: Mr. Dougan moved to approve the special exception for the expansion of the existing Buckland Cemetery. Mr. Kidd seconded the motion and all members voted in favor. The reason for the approval was the proposal meets special exception criteria.

Erosion Control Plan (T-520)

MOTION: Mr. Brown moved to approve the erosion control plan. Mr. Kidd seconded the motion and all members voted in favor.

Mandatory Referral (MR-1005)

MOTION: Mr. Dougan moved to make a favorable referral to the Board of Directors. Mr. Prause seconded the motion and all members voted in favor. The expansion of the cemetery is needed and the Town is to be commended for its foresight.

WALMART REAL ESTATE BUSINESS TRUST – 420 Buckland Hills Drive – update exterior paint colors and change signs during remodeling – CUD Final Plan Modification (W-141)

Andrew Maass, Architect, displayed a board showing the store as it exists now, with exterior colors of grey, red, and blue. He explained that Walmart recently rebranded and updated its colors. He is proposing the use of tans and browns while updating the current signs by refacing them.

In response to questions from Mr. Dougan, Mr. Maass said the star will be removed from the sign and a sparkle will be added. Signage on the store will be reduced as well. There will be no changes to the entrance.

In response to questions from Mr. Diminico, Mr. Maass said this is occurring nationwide. The work will be done in March and should take approximately 12 weeks.

Ms. Bertotti said there are no outstanding staff comments. This applicant has to come before the Planning and Zoning Commission because the site is located in a CUD zone; it is the only district that requires this type of approval.

CUD Final Plan Modification (W-141)

MOTION: Mr. Kidd moved to approve the CUD final plan modification. Mr. Dougan seconded the motion and all members voted in favor.

MANDATORY REFERRAL REPORT – Meadowbrook Fields Neighborhood (MR-1007) –
Acceptance of Open Space

Mr. Pellegrini referred to his memorandum dated November 30, 2010, which explains this action. In the late 1980s a planned residential zone was approved for fallow farmland containing an old farmhouse. There were 220 lots on the preliminary plan, which also identified several areas to be open space. The majority of those areas are wetlands. A six acre site was required by the Planning and Zoning Commission for a recreation area, which is what you see as you drive into the neighborhood. The other open space indicated on the plan was intended to be left in its natural state. It was never specified who would accept the open space. At that time, the idea was to preserve open space areas but the Planning and Zoning Commission did not require it as part of the approval. The development occurred in phases and, after the first few phases were completed, TAVCO, the developer, offered the streets, utilities and open space in those Phases to the Town. So the Town owns some of that open space area along Vernon Street along with the streets and sidewalks. As the buildout was completed, some disputes occurred over encroachments into open space properties. This open space land is now being offered to the Town by the developer. Because the open space was not required by the Commission, the Town does not have to accept the property. There is a large 18 acre property consisting primarily of woodlands. There are two parcels, 5 acres and 3.8 acres, which are surrounded by residential lots. There is a smaller, 1.56 acre piece that abuts land currently owned by the Manchester Land Trust. Mr. Pellegrini referred to a map he displayed and explained the light green parcels are owned by the Town of Manchester and the darker green by the Manchester Land Trust. The pieces being discussed this evening are shaded in tan. The smaller open space parcels have more invasive species; the larger are forested land. The properties meet some criteria for being accepted as open space.

The Manchester Land Trust was approached and expressed interest in only two of the properties. As a condition of the offer, the Trust wanted the developer to bring taxes up to date and give the Land Trust \$5,000 for maintenance. The developer did not agree to the maintenance fee and the deal did not go forward. The Planning and Zoning Commission is being asked to make a report on whether or not the Town should accept these properties as open space.

In response to questions from Mr. Diminico, Mr. Pellegrini said the public improvements were accepted within the last year but he is unsure of who maintained the sidewalks since they were completed in 1988. There are taxes owed. If we accept the parcels, the Town would be expected to maintain the sidewalks. If this subdivision plan came before us today, we would not have approved the open space; we would have established a conservation easement. Aside from sidewalk snow removal, other concerns include tree falls and encroachment.

In response to questions from Mr. Brown, Mr. Pellegrini said he is unsure which sidewalks in the area the Town currently plows. If the Town did not take the property and the owner stopped paying taxes, the Town would eventually own it for that reason. Many of the homes have been there a number of years. Mr. Pellegrini noted that there were some encroachments into open space areas, in light of which the developer has revised some of the lot lines.

In response to questions from Mr. Diminico, Mr. Pellegrini said some thought has been given to deeding the land to the abutters but the transaction costs to convey all of the properties are prohibitive.

Mr. Dougan said the Planning and Zoning Commission should make a favorable recommendation as this is a substantial amount of property.

Mr. Prause said this includes a lot of sensitive land. In the northeast part of town, there is less open space than in other areas of town.

Mr. Brown said the properties would make a significant run of open space; all are connected to other open space except for site "C".

Mr. Kidd said he is in favor of accepting the open space. Doing so will make who is maintaining the sidewalks less ambiguous. He imagines the abutting landowners are currently taking care of them and they will eventually come to us anyway.

Mandatory Referral (MR-1007)

MOTION: Mr. Kidd moved to recommend accepting the Meadowbrook Fields parcels 199, 114, 200, and 409 Meadowbrook Drive as open space with the recommendation that the Town place conservation area markers on the property. Mr. Dougan seconded the recommendation and all members voted in favor. The reasons for the acceptance were the parcels will add to the continuity of open space in this area, is consistent with the Plan of Conservation and Development, and the land is environmentally sensitive.

APPROVAL OF MINUTES:

September 8, 2010 – Public Hearing/Business Meeting

MOTION: Mr. Kidd moved to approve the minutes as written. Mr. Dougan seconded the motion and members Diminico, Kidd, Dougan, Petrone, and Shanbaum voted in favor.

September 20, 2010 – Business Meeting

MOTION: Mr. Prause moved to approve the minutes as written. Mr. Kidd seconded the motion and members Diminico, Kidd, Prause, Brown, and Shanbaum voted in favor.

ELECTION OF OFFICERS:

MOTION: Mr. Prause moved to appoint Joseph Diminico as Chairman. Mr. Brown seconded the motion and all members voted in favor.

MOTION: Mr. Kidd moved to appoint Kevin Dougan as Vice Chairman. Mr. Prause seconded the motion and all members voted in favor.

MOTION: Mr. Dougan moved to appoint Andy Kidd as Secretary. Mr. Prause seconded the motion and all members voted in favor.

Mr. Diminico thanked Gene Sierakowski for his 21 years of service on the Planning and Zoning Commission. He was very forthright and gave his best. Mr. Sierakowski has served the Town well through his service on the Commission.

RECEIPT OF NEW APPLICATIONS:

WALMART REAL ESTATE BUSINESS TRUST – 420 Buckland Hills Drive – CUD Final Plan Modification (W-141) – update exterior paint colors and change signs during remodel in a CUD zone.

EVERGREEN CROSSING, LLC – 325 New State Road – PRD Zone Change and Preliminary Plan of Development (E-51) – for a change to a previously approved 182 condominium to be rental units in a PRD zone.

CASTANHO & CLOUTIER DEVELOPMENT, LLC – 698 North Main Street – PRD Zone Change and Preliminary Plan of Development (C-229) – request for a zone change from Residence A zone to PRD zone and preliminary plan approval for seven single family homes with associated site work.

McKEE BROTHERS, LLC – 435 West Center Street – Wetlands Permit (M-389); Flood Plain Permit (M-390) – to approve existing placement of three 8’ x 40’ metal outdoor storage containers in an Industrial zone.

The chairman closed the business meeting at 9:22 p.m.

I certify these minutes were adopted on the following date:

Date

Joseph Diminico, Chairman

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

OFFICIAL TAPE NO. 1096