

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
MAY 2, 2011**

ROLL CALL:

Members Present: Joseph Diminico, Chairman
Eric Prause, Acting Secretary
Horace Brown

Alternates: Susan Shanbaum (sitting)

Absent: Kevin Dougan, Vice Chairman
Andy Kidd, Secretary
Anthony Petrone
John Chaput

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

The Chairman opened the Public Hearing at 7:03 p.m. The Acting Secretary read the legal notice for the application when the call was made.

AARJUS II, LLC – 60 Progress Drive – to allow a health and recreation club in an Industrial zone – Special Exception (A-151)

Mr. Peter DeMallie, Design Professionals, spoke on behalf of the applicant, who is seeking a special exception to occupy 6,000 sq. ft. of a 36,000 sq. ft. building for martial arts and cross fit training. The business is owned by four partners, all of whom are sworn police officers. The business is currently operating on Hilliard Street and has outgrown its space. The Progress Drive location suits the applicant's needs. Members of this club are police, SWAT, or elite athletes. Mr. DeMallie said no external improvements are being proposed except for three van accessible handicap spots. The interior will be painted and carpeted. There is adequate parking with 25 spaces available. The maximum class size so far has been 20 people, and there will never be more than 25 persons per class. The buildings around 60 Progress Drive are identical. There will be no traffic impact as this club will produce light traffic volumes, and there are no neighbors to disturb. Classes run seven days per week. Monday through Thursday classes are held in the afternoon and evening, the rest of the classes are held in the morning. There is no overlap with the martial arts and cross fit classes.

Chairman Diminico opened the floor for anyone wishing to comment on this application. No member of the public came forward to comment.

Ms. Bertotti noted the Zoning Enforcement Officer's comment that an 8' landscaped border is required per the zoning regulations. The Planning and Zoning Commission has the ability to modify that requirement if there is sufficient foliage, or for any other reason.

Mr. DeMallie referred to an 11" x 17" GIS map which depicts the subject parcel. He noted the subject building in the center of the map. It is completely surrounded by identical buildings. He feels it would be unwarranted to impose this requirement as this would be the only building with additional landscaping. The applicant is only using 1/6 of the building.

Mr. Diminico said he would assume the 8' buffer would be required if the tenant were using the entire building.

Ms. Bertotti said it is a special exception requirement, but the Commission has the ability to modify the requirement.

Ms. Shanbaum said she is not inclined to require an 8' border around the buildings and asked if the applicant had any objection to plantings in front of the building to make it more pleasing.

Mr. Donald Butnick, building owner, said the front of the building has coverage of mature pine and evergreen trees. Additional plantings are possible if that is the desire of the Commission.

Mr. Diminico said it would be a lot different from all of the other buildings with a landscape border. This is facing the street and in an industrial area. He feels the landscaping should be kept as is.

Ms. Bertotti said there are no outstanding comments on this application.

In response to a question from Mr. Brown, Mr. Butnick said the trailer boxes shown in the aerial photograph have since been removed.

In response to a question from Mr. Brown, Mr. DeMallie said there is plenty of turning area for tractor trailers.

The public hearing on this application was closed.

TD BANK N.A. – 180 Deming Street – for demolition of existing building and construction of a new building of approximately 3800 sq. ft. with four drive through lanes, modification to existing parking area and addition of landscaping – Special Exception (T-533)

Attorney Susan Hayes spoke on behalf of the applicant. The property located at 180 Deming Street is at the corner of Deming Street and Hale Road. It is located within the special design commercial zone and meets all requirements.

Mr. Josh Sperling, Bohler Engineering, explained the lot is 70,000 square feet, with an existing 6,400 square foot building on it now. There are 124 parking spaces. The proposed building will be 3,800 square feet with four drive through lanes. As part of the redevelopment, the landscaped areas will be increased because the parking in the residential buffer will be removed. The building is LEED certified and plant materials will be drought tolerant. Site lights will be replaced with 18' tall, downward directed lighting. Stormwater runoff will be reduced. Existing utilities will be used; however, less water and sewer services will be needed with this new use.

Mr. Brian Perlow, Bergmeyer Associates, explained that the single story building will be a masonry exterior with a smooth white finish element at the entry. Inside lighting will be controlled in such a way that during daylight hours the lights will adjust themselves to limit

usage. Aluminum shading will be used in each window with mechanized shading devices. The rear of the building will have a four-lane drive through. On the flat roof will be photo cells, which will convert sun energy to help the building run itself. There will also be solar panels on the drive through roof. He said the floor plan will provide a warm customer environment, using an open floor plan. Signs with internal illumination will be lit by LED. The roof of the building will be white.

In response to a question from Mr. Diminico, Mr. Perlow said the photo cells are nearly invisible.

Mr. Jay Kubas, Traffic Engineer, was asked to review the traffic conditions. A traffic summary was provided in a letter to the Commission dated April 11, 2011 and additional information was provided on April 18, 2011. Based on the comments of the Town's Traffic Engineer, Mr. Kubas looked at the traffic generation data for a bank of this size. There will be 100 trips during Friday evening peak and 102 during the Saturday mid-day peak. By comparison, a restaurant generates 71 trips during Friday evening peak and 89 during the Saturday mid-day peak. That is not a lot of additional traffic. Mr. Kubas analyzed key intersections and assigned a level of service grade. The intersection of Deming Street and Hale Road is operating at a level "C"; the driveway to Deming Street operates at a level "A"; and the driveway to Hale Road operates at a level "D" during the Friday evening peak and at an "F" during Saturday mid-day peak. Mr. Kubas concluded this use will not have a significant impact on traffic.

Mr. Brown wondered if it would be possible for traffic to enter and exit from Deming Street or at the very least make the Deming Street driveway a right turn exit. He would prefer to reduce the significant burden at the entrance onto Hale Road.

Mr. Kubas said Deming Street is a state highway and the requirements must be followed. The State did not like this as a full access driveway.

Mr. Prause would really like to see some type of access off of Deming Street and wondered if there were any alternatives.

Mr. Kubas said there is limited frontage on both roads. Hale Road is a town road whereas Deming Street is a state road. The State strongly urged his client to maintain the existing access on Deming Street. Access through Ethan Allen was discussed but is not a possibility.

In response to a question from Mr. Prause, Mr. Sperling said there are 124 spaces existing and 111 proposed.

In response to a question from Mr. Diminico, Mr. Sperling said water runoff will be reduced due to the reduction in impervious area. The brick color will be reddish orange and the front of the building will be white.

Ms. Shanbaum requested a sample of the brick. Mr. Perlow said he would provide it to Town staff.

Mr. Diminico opened the floor for public comment either in favor of or in opposition to this application. No member of the public wished to comment on this application.

Ms. Bertotti said there are some outstanding staff comments, but they are minor and technical in nature.

Mr. Pellegrini reminded Commission members that if there was any reservation about traffic, he would recommend leaving the hearing open so the applicant can respond to further questions or provide further information.

Ms. Shanbaum said it would be preferable to provide a right exit onto Deming Street and asked if the State was approached for this project. Mr. Sperling said efforts were made a year ago for this project.

The public hearing on this application was closed.

MANCHESTER WEST CORP. – Briarwood Drive and Longview Drive – for development of a single-family home residential subdivision containing 29 lots – Resubdivision (M-393)

Attorney Leonard Jacobs spoke on behalf of the applicant and explained that Manchester West has a very large subdivision that has been in the process of being developed over many years. Ten years have passed and his client must reapply. Attorney Jacobs noted that no problems have been raised with this subdivision and things have been done properly. Initially this project consisted of over 300 lots. It is in the final stages with just under 30 lots left. He said the resubdivision is needed because one lot was added. Work has been done in all sections. Phases 4A and 4B remain and one road is complete with one house sold and the other road has been roughed in. The subdivision will be in the same format as before which was in compliance with all requirements of the subdivision regulations. Manchester West Corp. received waivers from the Public Works Department for 4' sidewalks rather than the 5' now required. This will allow what has already been built to blend with the new sections.

Mr. Eric Peterson, P.E., Gardner & Peterson, reviewed the improvements. Briarwood Road is almost entirely complete with underground utilities installed and the first coat of pavement completed. Four lots have been sold. Longview has been rough graded with water, sewer, and drainage installed. Electric, phone, and cable are partially installed. Mr. Peterson summarized Mr. Ianni's report dated April 11, 2011. There are two wetland areas within the 100' upland review area; the first is to the northeast of the cul-de-sac at Longview Drive. Its function is the conveyance of water. There is no flood flow potential or wildlife value. The other wetland area is to the west of an existing detention basin and is an intermittent watercourse. There is little vegetation and it is surrounded by sugar maples and mature red oaks. The function of the upper portion is conveyance. Activity within 100' of the wetland includes modifications to the detention basin to bring it to today's standards. A portion of the house on lot 321 is within 100' of the wetlands and there is grading on lot 321 and 322. The footing drains for four houses outlet within 100' of the wetlands. Mr. Ianni concluded his report by saying none of the proposed activities will disrupt the functions and values of the wetlands onsite or offsite.

The subdivision application is a renewal of an expiring approval. The roads and public improvements are the same as approved ten years ago. They are in the same location. Some modifications have been made as the Town's standards have changed. There are modifications to the detention basin. Town staff has requested a gravel drive be added approximately two-thirds of the way around the detention basin. A fence and some pine trees were added as well. The work will not be any closer to the work already done with the wetlands. One more lot was added between lot 319 and the end of the cul-de-sac.

The erosion control is the same as proposed ten years ago and includes anti-tracking pads and silt fencing.

In response to a question from Mr. Brown, Attorney Jacobs said the Town will own the detention basin. A conservation easement will be put on each lot, giving the Town of Manchester the right to make sure nothing occurs on the lot that is not allowed by the conservation easement.

Ms. Bertotti said Town staff has no outstanding comments. She outlined waivers in her memorandum, which were all granted by the Public Works Department.

Chairman Diminico opened the floor for public comment regarding this application. There being none, he closed the public hearing portion of the meeting at 8:46 p.m.

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

OFFICIAL TAPE NO. 1111 & 1112