

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
APRIL 4, 2011**

**ROLL CALL:**

Members Present: Joseph Diminico, Chairman  
Kevin Dougan, Vice Chairman  
Andy Kidd, Secretary  
Eric Prause  
Horace Brown

Alternates: John Chaput

Absent: Anthony Petrone  
Susan Shanbaum

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

Time Convened: 7:00 P.M.

**NEW BUSINESS:**

TOWN OF MANCHESTER WATER & SEWER – 105 Birch Mountain Road – for upgrades to the existing wastewater pump station – Inland Wetlands Permit – Determination of Significance (T-532); Inland Wetlands Permit (T-532)

Mr. Derrick Gregor, of the Town Engineer Department, said the Town would like to upgrade the wastewater pump station at 105 Birch Mountain Road that was built in the mid 1980s and serves about 200 properties in the southeast corner of Town. The station is within the 100 foot upland review area, but not within a regulated floodplain. Mr. Gregor said there are some issues with the site such as periodic flooding during heavy rain events that let water into the underground structures. He said there have been maintenance difficulties and a general aging of equipment and controls at the site. Work will be done during the summer of 2011 if approval is granted, he said.

The site is located along Birch Mountain Brook. Mr. Gregor pointed out the location on the map, which is about 500 feet south of the intersection of Birch Mountain Road and Camp Meeting Road. The blue line represents the wetlands limits, which are along the southerly side of the site. He said currently wastewater collection comes from gravity flow into an existing wet well structure on the site. The wastewater then goes through some pumps located in another underground structure and discharge runs to an existing gravity sewer in Camp Meeting Road, where it then flows by gravity.

The areas in yellow indicate the planned upgraded structures. Mr. Gregor said the plan is to replace the existing concrete generator building with a new structure of the same size and dimensions, but it will not be in the exact same location. Equipment controls will be moved into the new building; the existing facility will be operational during construction. He pointed out the existing wet well. It will stay in the same location, but it will come up to grade for easier access. There is an existing dry well structure underground which houses equipment and pumps. The intent is to move that equipment into the new building. There will be a new, shallower concrete structure to replace the dry well structure, housing some piping valves and a meter, he said.

Mr. Gregor stated part of the project is raising the grade of the site about 4 to 6 inches to bring it above water levels. Frame elevations and hatches for the underground structures will be set about 13 inches above finished grade.

In describing the project Mr. Gregor said there is an existing 6 foot chain link fence that will remain in place, but a larger gate will be installed. Current access to the site is through an existing paved driveway and it will be expanded. A new water line will be installed to feed the new generator building. New electric service will be run off of the CL&P pole just to the north of the driveway. Five pine trees will be removed and replaced with white spruce along the north side of the property, which will provide better screening for the neighbors.

Mr. Gregor said the site is flat with sheet flow drainage into the wetlands. He said because of the high groundwater table work will occur during the dry season, although some pumping may be required.

In response to a series of questions from Mr. Prause, Mr. Gregor said the bituminous driveway will be reconstructed and the tree line on the east side will be maintained and some spruce trees will be added. In response to a question from Mr. Brown, Mr. Gregor affirmed there are 19 or 20 white pines. He said the Town will save as many as possible, but five may be lost but will be replaced.

Mr. Bordeaux said there are no outstanding staff comments. He said this is a reasonable construction approach to improve a facility that must be located at this site.

#### Inland Wetlands Permit – Determination of Significance (T-532)

**MOTION:** Mr. Dougan moved to find the proposed activity would not cause a significant impact to the wetlands and will not require a public hearing. Mr. Brown seconded the motion and all members voted in favor. The proposed activity in the wetlands is minor and there will be no significant change in the upland review area.

#### Inland Wetlands Permit (T-532)

**MOTION:** Mr. Dougan moved to approve the inland wetlands permit for one year for upgrades to the existing wastewater pump station. Mr. Brown seconded the motion and all members voted in favor. The reason for the approval was the proposal meets the regulation requirements.

TOWN OF MANCHESTER – 864 Middle Turnpike – for removal of invasive wetland plant species in Laurel Marsh along the Hockanum River – Declaratory Ruling Regarding Inland Wetlands Permit (T-535)

Mr. Chris Bunce, of North Central Conservation District (NCCD), explained the NCCD applied for and received grant funds for habitat restoration for the Laurel Marsh. There are approximately 90 acres of phragmites that NCCD is looking to eradicate. All 90 acres will be sprayed once a year every four years and then mow it down. In addition, ten acres will be sprayed for Japanese Knotweed and Purple Loosestrife which are taking over the area. The invasive species are bad for biodiversity and wildlife species that live in the marsh, he said. The hope is that native plants will reestablish themselves after this action is taken. Mr. Bunce distributed a fact sheet and map showing the areas with invasive species and the two access points.

In response to a question from Mr. Brown, Mr. Bunce said native plants are still present in the marsh and their seeds should germinate once the invasives are gone. He said the native plants will increase filtration and improve water quality.

In response to a question from Mr. Prause, Mr. Bunce said the Japanese Knotweed is located near the DEP sign along the hiking trails, and along the edge of the river. In response to a question from Mr. Dougan, Mr. Bunce said the herbicide should not have any impact once it hits the soil, but instead attaches to the plant. He is hoping for a ruling that this is a non-regulated activity.

In response to a question from Mr. Diminico, Mr. Bordeaux said he could be the contact person for hikers; information has been forwarded to Public Works and the General Manager as well.

In response to several questions from Mr. Diminico, Mr. Bunce said the DEP sign will notify hikers of the project and the use of herbicide. He was unsure of a DEP protocol.

Mr. Brown commented that it seems like there are phragmites everywhere and that will reestablish itself without ongoing maintaining and management.

Mr. David Askew, Executive Director of NCCD, said he was skeptical at first as well. Most of this type of work has been done in salt water areas and this will be the first fresh water application of the treatment. According to research, the Phragmites have a five to seven year cycle. Once killed and eliminated with mowing there is so much seed stock of native species in the mud, regeneration takes place. The herbicide application process is site specific and not broadcast, he said.

Mr. Diminico expressed concern about the herbicide application and notification to the public. Mr. Bunce said he could work to close down the hiking trails while spraying is taking place. Mr. Prause expressed concern that the DEP signs are not in the best location. Mr. Bunce initially planned to place a sign in the parking lot, but was told this was a better location. Mr. Kidd said he would be in favor of closing the trails during spraying and public notice.

Mr. Brown thinks the Commission and NCCD are talking about two different things. The DEP requires a permanent project sign, which is very different than posting signs regarding the spraying of herbicide. Mr. Askew said Federal law for pesticide application changed four of five years ago. He thinks application notification signs are required but will check with the DEP.

Mr. Pellegrini explained the Commission is being asked to make a declaratory ruling that this project is not a regulated activity. In that ruling, it can convey it strongly advises posting of signs concerning spraying activity. In response to a question from Mr. Diminico, Mr. Bordeaux said the Conservation Commission reviewed this application and supports the project.

#### Declaratory Ruling Regarding Inland Wetlands Permit (T-535)

**MOTION:** Mr. Dougan moved to find the proposed activity is a non-regulated activity and will not require an inland wetlands permit. Mr. Prause seconded the motion and all members voted in favor. It was suggested a sign should be posted during spraying in addition to the DEP sign.

#### HARTFORD DISTRIBUTORS, INC. – 131 Chapel Road – for construction of a memorial garden – Declaratory Ruling Regarding Inland Wetlands Permit (H-206)

Mr. Kent Schwendy, P.E., of Fuss & O'Neill, represented the applicant, Hartford Distributors, Inc., who wish to create a memorial for the victims of the tragic shooting that took place there in August. The memorial will be within the 100 foot upland review area, but involve no direct wetlands disturbance. It will be an enhancement of the natural area. The applicants are requesting a declaratory ruling that this is a non-regulated activity within the regulated area.

Mr. Schwendy stated there is a stand of trees adjacent to the proposed area for the memorial. A trail will come off of Chapel Road and wind through the woods past a seating and reflection area, proceeding to eight standing memorials. Mr. Schwendy said the trail and memorials will be field located to fit around the existing trees. There will be no direct disturbance to the wetlands. Sonotubes and hard augurs will be used instead of heavy equipment.

In response to a question from Mr. Brown, Mr. Schwendy said he may cut into the edge of Chapel Road to place four parking spaces, or use on-street parking. The goal is to link the memorial to Hartford Distributors but provide a separate entrance.

In response to a question from Mr. Kidd, Mr. Schwendy said this area is wooded and beyond where Hartford Distributors is doing its expansion but not too far from Chapel Road.

In response to a question from Mr. Kidd, Mr. Bordeaux said if this were ruled a regulated activity, a formal wetlands permit application would be required.

Mr. Kidd said there are many sonotubes and a lot of digging and seemed to him like a lot of clearing of trees. He is having trouble with this project being considered a non regulated activity since there is quite a bit of disruption.

Mr. Prause said the proposed use falls in line with a non regulated, non impactful use and believes the project falls within the non regulated activity criteria.

In response to a question from Mr. Brown, Mr. Pellegrini said the Public Works Department would need to provide permission to make curb cuts. In response to a question from Mr. Diminico, Mr. Schwendy said once funding is secured, construction will take six to eight weeks, depending on the availability of volunteers and equipment.

Mr. Pellegrini explained this project is unusual in that it is a passive recreational amenity on an industrial property. If this were a residence and the applicant wanted to build a trail to a gazebo, he or she would only need staff approval. Because this is not a residential property, there is no mechanism for staff administrative approval. He said Town staff has no objections to this application.

Declaratory Ruling Regarding Inland Wetlands Permit (H-206)

**MOTION:** Mr. Prause moved to find the proposed activity is a non-regulated activity and will not require an inland wetlands permit. Mr. Brown seconded the motion and all members voted in favor.

DYE HOUSE ASSOC. LLC – 190 Pine Street – for installation of a sign – Historic Site Plan Modification (D-135)

Mr. Jim Carter, of Dye House, LLC, explained that he is requesting an approved plan for a low profile identification sign. It would be Cheney green and three-dimensional, with inlaid letters, and would be placed at the corner of Pine Street and Cooper Hill. In response to a question from Mr. Diminico, Mr. Pellegrini said the Cheney Historic District reviewed the application and recommended approval as designed. The sign is directly illuminated by ground lighting.

In response to a question from Mr. Prause, Mr. Carter said the sign is behind the hydrant, closer to the building.

Historic Site Plan Modification (D-135)

**MOTION:** Mr. Dougan moved to approve the site plan modification for the installation of the site identification sign. Mr. Kidd seconded the motion and all members voted in favor.

TOWN OF MANCHESTER – 864 Middle Turnpike West – for upgrades to the Hockanum River Water Pollution Control Facility – Inland Wetlands Permit (T-527) – Request for extension; Erosion and Sedimentation Control Plan (T-528) – Request for extension; Special Exception Modification (T-529) – Request for extension; Flood Plain Permit (T-530) – Request for extension

**MOTION:** Mr. Brown moved to grant a 65-day extension for all of the applications. Mr. Kidd seconded the motion and all members voted in favor.

TD BANK N.A. – 190 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) – Request for extension; Erosion and Sedimentation Control Plan (T-534) – Request for extension

**MOTION:** Mr. Kidd moved to grant a 30-day extension for both applications. Mr. Prause seconded the motion and all members voted in favor.

**ADMINISTRATIVE REPORTS:**

Mr. Bordeaux reported an administrative modification to the pump station on North Main Street. There were issues with failure of the asphalt driveway so the sub base will be replaced and repaving will take place. These are minor modifications.

**RECEIPT OF NEW APPLICATIONS:**

**DYE HOUSE ASSOC. LLC – 190 Pine Street – Historic Site Plan Modification (D-135) – for installation of sign in a Historic zone.**

**CASTANHO & CLOUTIER DEVELOPMENT, LLC – 698 North Main Street – Special Exception (C-231) – for a rear lot in a seven lot single family subdivision in a PRD zone.**

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

The chairman closed the business meeting at 8:28 p.m.

I certify these minutes were adopted on the following date:

\_\_\_\_\_  
July 6, 2011  
Date

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Joseph Diminico, Chairman

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

OFFICIAL TAPE NO. 1110