

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
SEPTEMBER 7, 2011**

ROLL CALL:

Members Present: Joseph Diminico, Chairman
Andy Kidd, Secretary
Eric Prause (arrived 7:47 p.m., did not sit)
Horace Brown

Alternates: Susan Shanbaum (sitting)
John Chaput (sitting)

Absent: Kevin Dougan, Vice Chairman
Anthony Petrone

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

Time Convened: 7:06 P.M.

NEW BUSINESS:

TOWN OF MANCHESTER WATER & SEWER – for sanitary sewer replacements in the Village Street neighborhood – Inland Wetlands Permit – Determination of Significance (2011-028); Inland Wetlands Permit (2011-028); Erosion and Sedimentation Control Plan (2011-029)

Mr. Jeff LaMalva, Town Engineer, explained that this application is for sanitary sewer improvements in a neighborhood off of South Main Street and bordered by Hackmatack Street on the north, Lakewood Circle on the south, Lewis Street to the east and Village Street to the west. As a part of the project the wetlands will be crossed in the area off of Mulberry Lane. This area has some of the oldest sanitary sewers in Town and there are constant maintenance issues. The proposal is to install all new sanitary sewers in the entire neighborhood, for a total length of 7,500 feet. Approximately 1.5 acres of land will be disturbed. Crews will dig the trench, install PVC and backfill. Work will include installation of sewer laterals in some yards. The project will begin next spring and take approximately one year. This project is part of a larger neighborhood infrastructure improvement project; roadways will be paved the following year.

Mr. LaMalva referred to a map he displayed and pointed out an area in between two developed areas that contains some wetlands. There is an area where two gravel paths meet with a bridge. He proposes the installation of a new sanitary sewer just west of the bridge, which is two to three feet away from the existing sanitary sewer. The 30' of existing sanitary sewer will be abandoned

in place. The wetlands in this area consist of a minor stream crossing with intermittent stormwater conveyance. The area will be trenched and concrete encased PVC will be installed. The area will be backfilled and restored. Since it is such a small area, work should take only one day. Temporary erosion control measures include hay bales and silt fence, and work will be done at a low flow time of year. The area will be loamed and seeded for permanent stabilization and will include an erosion control blanket within the stream area. The project will be inspected through the Town's Engineering Department but work will be put out to bid.

Mr. Bordeaux said he did request that the wetlands crossing portion of the project be completed during the low flow season. The picture displayed shows the area at its wettest. Erosion due to stormwater will not be an issue nor will steep slopes. He said the area is already somewhat impacted as it is mowed and there is a bridge crossing. It is part of a good quality wetlands system and the work will have minimal impact.

In response to questions from Mr. Diminico, Mr. LaMalva said work will be done in the spring or early summer. The encasement for the pipe will be about 30' x 2' and the pipe is 8".

In response to a request from Ms. Bertotti, Mr. LaMalva explained that the rest of the project will include trench excavation. Erosion controls will include silt sacks in any catch basins that exist. There are a couple of steep roads and hay bales will be used as check dams along the gutters as needed. Extra silt fence will be available as well. The operation will consist of digging and closing on a daily basis.

In response to a question from Mr. Diminico, Mr. LaMalva said this project will likely take all of next construction season.

In response to a question from Mr. Diminico, Mr. Bordeaux said he will inspect erosion controls and make sure the grass is coming in appropriately.

Ms. Bertotti said there is a recommendation from Mr. Jim Davis, Zoning Enforcement Officer, that the easement be shown on the mylars.

Inland Wetlands Permit – Determination of Significance (2011-028)

MOTION: Ms. Shanbaum moved to find the proposed activity would not cause a significant impact to the wetlands and will not require a public hearing because the affected area is small, the proposed activity will occur during low flow periods and erosion controls will be implemented. Mr. Brown seconded the motion and all members voted in favor.

Inland Wetlands Permit (2011-028)

MOTION: Ms. Shanbaum moved to approve the inland wetlands permit with modifications as outlined in a staff memorandum from James Davis, Zoning Enforcement Officer, dated September 6, 2011, to Renata Bertotti, Senior Planner. Work within the wetlands upland review area is to be completed one year from the beginning of construction. Mr. Brown seconded the motion and all members voted in favor.

Erosion and Sedimentation Control Plan (2011-029)

MOTION: Mr. Brown moved to approve the erosion and sedimentation control plan with modifications as outlined in a staff memorandum from James Davis, Zoning Enforcement Officer, dated September 6, 2011, to Renata Bertotti, Senior Planner. Ms. Shanbaum seconded the motion and all members voted in favor.

PETER GRADY – 620 Middle Turnpike East – for restaurant outdoor seating in a Special Design Commercial zone – Site Plan (2011-013)

Mr. Peter Grady, Grady Tavern, 620 Middle Turnpike East, said he has been hoping to put tables outside of his restaurant for quite some time. Mr. Grady said other than removing one parking space in front of the window, he wouldn't change any parking. He explained that he tried to meet with Jim Davis during the small business night last Thursday, but he was unavailable. He has been told he should have a handicap parking space, but because he doesn't have handicap access in the restaurant, this did not seem like a good idea, as a person with a handicap will be unable to get into the building.

Mr. Diminico said this is not a simple issue. This is a business that was in existence before zoning. Properties that were one are now separated. Certain regulations need to be adhered to and safety is the priority. He said handicap accessibility, seating and how it affects the existing parking, ingress and egress are all important issues that need to be addressed. Mr. Diminico referred to a recommendation for bollards made by the Fire Marshal in 2003. He emphasized that the issue of safety needs to be addressed. Mr. Diminico understands that Mr. Grady is a hardworking, local businessman who is dealing with tough economic times, but there are certain issues that need to be addressed. He would like to know the number of tables, the number of seats, and where parking will be available. Parking spaces need to be delineated and plans need to be reviewed by the Fire Marshal and the Zoning Enforcement Officer. He would like to see this work out for the applicant, but safety is his number one priority.

Mr. Grady said he is aware that his application is not complete. He came tonight so the application would not be denied.

Mr. Pellegrini explained that this application will expire in two days. The Commission can grant an extension for the maximum length of 65 days.

Mr. Kidd said the Commission needs more information and detail. He would like to make this work and would support an extension.

Mr. Brown completely agrees that the Commission should make an effort to make it work. He asked what became of a 2003 request for a variance referred to in a memorandum from Town staff. Ms. Bertotti responded that the application was denied. Mr. Brown said the Commission needs to know the number of tables and chairs, as well as the number of parking spaces required and existing.

Mr. Diminico emphasized that this is Mr. Grady's last chance with this application and suggested it may be in his best interest to employ an attorney, architect or engineer.

Site Plan (2011-013)

MOTION: Mr. Chaput moved to table this application and grant a 65 day extension. Mr. Kidd seconded the motion and all members voted in favor.

WAL-MART REAL ESTATE BUSINESS TRUST – 420 Buckland Hills Drive – for proposed expansion of an existing store from 121,565 sq. ft. to 148,578 sq. ft. and related site improvements in a CUD zone – Inland Wetlands Permit (2011-016) – Request for extension; Erosion and Sedimentation Control Plan (2011-017) – Request for extension; CUD Detailed Plan Modification (2011-018) – Request for extension

Inland Wetlands Permit (2011-016) – Request for extension

MOTION: Mr. Kidd moved to approve the request for an extension for the inland wetlands permit until October 3, 2011. Mr. Brown seconded the motion and all members voted in favor.

Erosion and Sedimentation Control Plan (2011-017) – Request for extension

MOTION: Mr. Kidd moved to approve the request for an extension for the erosion and sedimentation control plan until October 3, 2011. Mr. Brown seconded the motion and all members voted in favor.

CUD Detailed Plan Modification (2011-018) – Request for extension

MOTION: Mr. Kidd moved to approve an extension of time to open the public hearing for the CUD Detailed Plan Modification until September 19, 2011. Mr. Brown seconded the motion and all members voted in favor.

FAIRWAY CROSSING – property south of Gear Drive along Tolland Turnpike – to revise approved development plans – Pre-application Review

Attorney Chris Stone spoke on behalf of the applicant, who at one time received approval for an over 55 age restricted development. The development was marketed as such and has not been successful. The applicant would like to get feedback from the Commission on a development with no age restriction. It would consist of starter homes for young families and young professionals. The site plan has changed significantly in respect to the number of units, however, the character, traffic patterns, open space, green areas, and access points of the proposal all remain essentially the same.

Attorney Stone explained that this project has existed for over three years and a significant amount of soft costs have gone toward it. The applicant exposed the property to the market and has found that the age restricted market has dried up. Developments in East Hartford that predate 2008 are still not fully occupied or sold out. Without the age restriction, the applicant now has at least three interested buyers for the project. With the restriction lifted and the current zoning, his client could see increased interest from buyers.

If the age restriction is lifted, the proposed preliminary plan will be different than the one originally approved. Units will be two stories and be between 1,400 and 1,500 square feet. The project will still meet the zoning regulations for multi-family with at least three units per building. Ingress and egress will be the same with the possible addition of access off of Ice Pond

Road. The conservation easement will remain. The project will bring 96 families to Manchester. The average price will be \$200,000 per unit which will bring a substantial tax revenue to the Town. Occupants will either own their units or rent to own with a portion of their rental payment going toward a down payment.

In response to a question from Mr. Diminico, Attorney Stone explained that the rent to own option will be hybrid funding with a certain part of the rent dedicated to a down payment. The potential buyers have discussed this with the FHA. This will give people the ability to amass a down payment and ultimately purchase their unit. The developer would like full occupancy and sales would be the first choice. If unable to find buyers, a lease option is available.

Mr. Brown said he doesn't remember the specific layout of the original application but seems to remember a connection with the East Hartford project. He asked if this project will just stub in Manchester now.

Attorney Stone said he expects more of a direct route to Tolland Turnpike with the new plan. Internal traffic patterns will remain the same.

Attorney Stone said the units are smaller and there will be approximately the same amount of open space. The project will stay out of the wetlands except for one crossing; impact will mostly be to the buffer area. This is a free standing development that will be created regardless of what happens in East Hartford.

Ms. Bertotti pointed out that the approved plan has 46 units in Manchester.

In response to a question from Mr. Brown, Attorney Stone explained the units will be more condensed.

Mr. Prause said option two with 86 units instead of 96 is his preference. He noted there is not a lot of parking available besides what is allowed with the unit itself and wondered if parking would be adequate.

Attorney Stone said this is just a preliminary plan. The architect would put together a schematic that would include one driveway per unit and some common parking areas. Parking will be provided as needed.

In response to a question from Mr. Prause, Attorney Stone said the units already approved are between 1,200 and 1,600 square feet. In this plan, units have a 700 square foot footprint and because units are two stories, they will be between 1,400 and 1,600 square feet. Units to the north will have basements and units to the south will not.

In response to a question from Mr. Diminico, Attorney Stone said the majority of the units are two bedroom and some have only one bedroom.

In response to a question from Ms. Shanbaum, Attorney Stone said some units will have garages and some will not; it depends on how the architect lays out the project.

Mr. Diminico said he personally does not have a problem with the removal of the age restriction.

Attorney Stone said this is a preliminary plan review that allows for direction and feedback. He understands plans are subject to Planning and Zoning Commission approval, but he did not want to move forward with a conceptual plan without an idea of the Commission's thoughts on lifting the age restriction.

Mr. Kidd said he doesn't have a problem lifting the age restriction. He asked Attorney Stone to explain the reason for two options.

Attorney Stone said option 1 has 96 units and option 2 has 86. He felt it was important to have a stand alone plan. The difference in the number of units is due to access through Ice Pond Road.

Mr. Brown said doubling the number of units is a very significant change to the proposal. He asked if water or sewer would be available through MDC and what would happen if only the Manchester portion were developed.

Attorney Stone said he has received permission from MDC through the amendment of an existing agreement with Manchester. This is granted independent of the East Hartford development.

There was some discussion about the density and Mr. Pellegrini explained that approximately 100 units would be allowed in a PRD on property this size.

Attorney Stone said the issues the Commission brought up may take the developers in a certain direction. The information provided is enough to take the next step. He expressed appreciation for the input.

APPROVAL OF MINUTES:

August 3, 2011 – Public Hearing/Business Meeting

MOTION: Mr. Brown moved to approve the minutes as written. Ms. Shanbaum seconded the motion and all members voted in favor.

August 15, 2011 – Public Hearing/Business Meeting

MOTION: Mr. Brown moved to approve the minutes with corrections on pages 2 and 3 of the business meeting minutes. Ms. Shanbaum seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

ORFORD VILLAGE HOUSING DEVELOPMENT CORPORATION – 619 Hartford Road – Erosion and Sedimentation Control Plan (2011-112); EHD Final Plan (2011-113) – for development of 44 unit senior housing in an EHD zone.

MCDONALDS CORPORATION – 144 Deming Street – Site Plan (2011-111); Special Exception (2011-118) – for addition to existing building, modifications and addition to parking spaces, construction of new trash enclosure and related site improvements in an SDC zone.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – (2011-119) – revision to Manchester’s zoning regulations to allow alcoholic liquor sales in Business V and Historic zones as permitted use.

The Chairman closed the business meeting at 9:00 p.m.

I certify these minutes were adopted on the following date:

October 17, 2011
Date

Joseph Diminico, Chairman

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

OFFICIAL TAPE NO. 1126 & 1127