

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
FEBRUARY 7, 2011**

**ROLL CALL:**

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

Alternates: Anthony Petrone (sitting for C-229)  
Susan Shanbaum (sitting)

Absent: Andy Kidd, Secretary  
John Chaput

Also Present: Mark Pellegrini, Director of Planning  
Renata Bertotti, Senior Planner  
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.

MICHAL KUCZYNSKI – 1445 Tolland Turnpike – for a general repair and used car dealer under Connecticut General Statutes Section 14-54 – Certificate of Location Approval (K-69)

Attorney Irene Romanelli spoke on behalf of the applicant, who is looking to locate a used car sales and repair facility in Manchester. The facility would be housed in an existing building previously used as a repair facility for golf carts. The applicant appeared before the Zoning Board of Appeals on February 2, 2011 and received special exception approvals and was granted variances. He now requires a Certificate of Location Approval. The building is located in an Industrial zone with no residential properties, churches, or schools in the vicinity. The applicant would like to sell cars on the property, but the cars for sale would not be located in the front or on the side of the building. Sales are done via the Internet. The applicant has a large clientele and if this application is approved, he will be relocating his business.

Chairman Diminico opened the floor for public comment at this time. No member of the public wished to comment on this application.

In response to a question from Ms. Shanbaum, Attorney Romanelli confirmed that the eight vehicles for sale and the two repair customer vehicles would be kept within the 4,500 square foot building.

In response to a question from Mr. Prause, Attorney Romanelli said the vehicle that is currently for sale on the site is not the applicant's and has been reported to the police.

Ms. Bertotti said an application was approved by the Zoning Board of Appeals on February 2 with plan modifications already addressed. Conditions include parking within the demarcated spots with no parking on the grass in the front of the property. The applicant must comply with best management practices. A list of materials and a management plan were submitted to the Zoning Board of Appeals. The Planning and Zoning Commission should consider the street and site design, as well as neighborhood compatibility. Town staff has no outstanding comments.

In response to a question from Ms. Shanbaum, Attorney Romanelli said the three employee spaces would not be blocking the bays; there is sufficient room to drive into the building.

Mr. Kuczynski further explained there is a large space between the two doors.

In response to a question from Mr. Diminico, Attorney Romanelli said there is approximately 52' between the two doors.

Mr. Pellegrini explained that this application is for a location approval; not a site plan approval. The location approval is required in order for the applicant to obtain a DMV permit. The Zoning Board of Appeals has already approved the site plan.

Chairman Diminico closed the public hearing on this application.

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

Chairman Diminico recused himself for this application and Alternate Petrone sat for this application only.

Attorney Stephen Penny spoke on behalf of the applicant, who is applying for a zone change from Residence A zone to PRD zone on the property located at 698 North Main Street. The property consists of 2.258 acres bounded on the north by North Main Street. To the east is an 18 lot PRD subdivision of single family detached homes with access by way of Carolyn Drive and Kathleen Way. To the south is land owned by the Penn Central Railroad, and to the west is Stephen's Pipe & Steel and a single family residence. The PRD townhouse condominium complex known as Oak Forest is on the opposite side of North Main Street, and to its rear are a number of Residence A single family homes. The site that is the subject of this application currently houses a single family residence on an oversized lot. The single family residence will be retained. This property is currently zoned Residence A and has public water and sewer, as well as access to all other utilities. There are no wetlands or watercourses on the property.

The applicant wishes to create six new single family detached residences each on its own lot, in addition to the existing house which will also be on its own lot. The proposed PRD zone change and project are compatible with the Plan of Conservation and Development (POCD). The POCD calls for medium density housing in this area, which is between four and six units per acre. This project is consistent with the strategic housing direction, which encourages single family detached residences. The project is also consistent with housing goals, which call for a variety of housing types.

The PRD zone change is also compatible with past decisions of the Planning and Zoning Commission in this area. PRD zone is prevalent in the surrounding mixed use area. Kathleen Way and Carolyn Drive, in the center of the map Attorney Penny displayed, are both classified PRD zones. The PRD zone is designed to be more flexible and allow a mixture of various housing types. A PRD zone is a medium density zone with up to four units per acre. This application has 3.09 units per acre.

The PRD zone was established to allow a mixture of housing types that are attractive and suitable with the character of the neighborhood. There are a number of PRD developments in the area, including the single family PRD subdivision immediately abutting the subject's site to the east. The abutting subdivision is comprised of eighteen lots, ranging in size from .18 to .72 acres, with only four exceeding .31 acres. This compares to tonight's application in which lot sizes range from .211 acres to .336 acres. In approving the neighboring project, the Commission permitted modifications of the minimum lot areas for four of the eighteen lots and relief from the minimum lot frontage requirements for ten of the eighteen lots. By comparison, all of the lots proposed tonight meet the lot area requirement of the regulation. For two of the lots, the developer is requesting that the lot frontage be measured at the building line instead of the street line. The frontages of those two lots, with 73.39 feet and 62.46 feet, far exceed the relief for lot frontages granted for the neighboring development, with six lots having frontages ranging from 46.77 feet to 58.75 feet. Attorney Penny was unable to calculate the frontage of two corner lots that had also received relief.

Attorney Penny said the density is comparable to that of Trestle Crossing and also compares favorably to the medium density regulation in the POCD.

Rob Baltramatis, P.E., explained that 698 North Main Street consists of 2.25 acres and has 113' of frontage. The rear dimension, to the south, is 230 feet and the lot is 600 feet deep. The lot contains an existing two-story residential dwelling along North Main Street. A garage on the property was recently demolished. The applicant proposes to place seven lots on the parcel, with six new homes and the existing home as lot number one. Lot 7 is a rear lot and conforms to the regulations. Access to the five remaining lots will be through an extension of Kathleen Way. The existing cul-de-sac on Kathleen Way is a temporary cul-de-sac. The deed calls for transfer of property when the cul-de-sac is extended. The new cul-de-sac will be a permanent cul-de-sac with a 49 foot radius and granite curbing. The property is at elevation 164 in the southwest corner and slopes to 149 by the existing house. There will be no change in the runoff pattern. The applicant proposes the use of low impact development techniques, including the use of rain gardens, which are mini bioretention facilities, on each lot. This will minimize the amount of storm water leaving the site, as well as minimizing pollutants. Mr. Baltramatis displayed a map of the public improvements being proposed. The present utilities will be extended. Storm water will be collected at the end of the cul-de-sac and tie into the existing storm drain system. An additional fire hydrant will be placed at the end of the cul-de-sac. One light will be reset and an additional light will be installed at the end of the cul-de-sac. The erosion control plan includes the use of silt fence, hay bales, and anti-tracking aprons. The applicant has a full restoration and landscaping plan.

Carl Castanho, applicant, explained that his architect could not be present, but will describe the design of the homes for the benefit of the Commission. He displayed the elevations which showed three different types of homes: colonial, cape, and ranch style homes. The cape and colonial each have three bedrooms and will be between 1,600 and 1,800 square feet. The ranch has two bedrooms and is 1,561 square feet. All homes will have two car garages, full basements and nine foot ceilings on the first floor. The exterior will be low maintenance vinyl siding. Roofs will have architectural shingles in earth tones. Front doors will be a choice of white, black, burgundy, or green. The garage doors will be metal with a white finish. Windows will be vinyl with divided grids. All units will have decks made of low maintenance materials.

Mr. Baltramatis explained that this project has seven lots and is a small project. In the preliminary meeting with the Town's Engineering Department, the need for an adequate traffic study was expressed. Based on ITE Trip Generation Publication, there will be six trips in or out during peak hours. Existing site lines at Caroline and North Main Street exceed DOT recommendations. The rear lot has safe and efficient access.

In response to questions from Mr. Prause, Mr. Baltramatis said a 355' sightline is recommended at Carolyn and North Main; there is in excess of 400' in each direction. That is when a vehicle is 15' back from the edge of the travel way. It would be up to the Town's traffic authority to decide if the stop sign should be moved. The speeds in the traffic study showed vehicles traveling between 39 and 42 mph.

Attorney Penny said the zone change and project is consistent with the Town's POCD and prior Commission decisions in the area and is consistent with the POCD's intent of medium density. The 1.61' and 12.54' frontage relief pales in comparison to what was granted to the neighboring development. All other PRD requirements have been met. He said a PRD will provide a smoother transition from the Residence A and Industrial zones in the area. It is also consistent with the realities of development in the area. The modifications and conditions being suggested by the Senior Planner are acceptable to the applicant.

Mr. Brown said he realizes this is a preliminary plan and he appreciates the efforts to screen the Industrial zone to this property's west. He suggested having a discussion with the landscape architect regarding the 58 white pines proposed. They can grow to be 90' tall and lose their lower branches. If this were to happen, the screening would be lost. He wondered if this is the best possible species for this situation. Attorney Penny said he would take Mr. Brown's observation under advisement.

Ms. Bertotti said Town staff reviewed this application and there are three staff members with minor and technical comments. The Environmental Planner has identified existing erosion occurring on the storm water outlet system at 10 Kathleen Way. The proposed development will tie into this system. The applicant has agreed to accept a condition of approval that as a part of the final plan of development, he assess that outlet and mitigate the erosion.

Vice-Chairman Dougan opened the floor for public comment at this time.

Sue Chicolone, 34 Kathleen Way, spoke in opposition to this application. This is a nice quiet cul-de-sac and she would like the Commission to deny this zone change. It would have a negative impact on the neighborhood because it would be squeezing too many houses into a small area. This will not match the existing neighborhood. Cutting down nearly all of the trees will not be good for the environment and it will take away the beauty, existing shade and negatively impact the wildlife, leaving them without a home. Cutting down the trees will cause noise and air pollution. She said cutting existing vegetation would take away the buffer so residents in the area will hear the pipes being moved around. She displayed a satellite picture showing the close proximity of the steel pipe company. Ms. Chicolone expressed concern about water drainage and flow. If the new homes connect, the flow will change, there will be sedimentation, and a decrease in pressure she said. She is concerned about water coming from the property, as well as the additional traffic. Each house has a two-car garage; that is at least 10 trips two times per day, if not more. This will greatly endanger the children who play there. She said there are other ways to develop this property that will allow the tree line and existing cul-de-sac to remain in place. She submitted a signed petition from her neighbors.

Lou Chicolone, 34 Kathleen Way, spoke in opposition to this application. He expressed concern about traffic; five houses with two cars each will make ten trips. Traffic has been bad since BJs went in, he said. If this gets approved, someone will be killed.

Matthew F. Scanley, 28 Carolyn Drive, spoke in opposition. He said the sewer line runs through his yard. He doesn't want the street torn up to tap into the sewer. He said he moved to this neighborhood because of the cul-de-sac. Mr. Scanley is concerned about the traffic and how it will affect his four cats, as well as the kids in the neighborhood. People come into the neighborhood and turn around, but they know to slow down because it's a cul-de-sac. Once it is opened up, it will endanger the kids, dogs, and cats. He didn't know the plan was to extend the cul-de-sac. He doesn't mind the housing going in, but would appreciate if the access could be off of North Main Street.

Mike Kapuchi, 706 North Main Street, spoke in opposition. He was told that the developer was going to put in two or three houses; that makes sense. Aesthetically, he feels sorry for the person that will purchase Lot 4; they will have a view of the railroad crossing and a chain link fence. Mr. Kapuchi's main objection is Lot 7. He put a new house on his property and was surprised how much space on the lot the ranch took. If 698 North Main Street chose to do the same, the house would be right up against the driveway of Lot 7. He would like to see only two houses to the south and one to the north.

Peter Chen, 30 Kathleen Way, spoke in opposition to this application. He said when the current cul-de-sac is plowed, it is a miracle the people living in the two homes to the south can get out. The cul-de-sac is used by buses to turn around. The new cul-de-sac looks to be about the same size, the applicant did not increase its size. He wondered what it would do to the lot sizes if the cul-de-sac were increased to a permanent cul-de-sac size.

Kristen Lenosa, 40 Kathleen Way, spoke in opposition to this application. She lives adjacent to the applicant's property. Her biggest concern is the proposed grading. She said she has a significant amount of erosion on her property and had to put in a retaining wall. That occurred when all the trees were there; she wondered what would happen when all of the trees are removed.

Karen Gorman, 1 Kathleen Way, spoke in opposition to this application. When pulling out of the neighborhood onto North Main Street, it is difficult to see traffic from the right, she said. It is a dangerous intersection. She does call the Town regarding this intersection. She also has erosion issues. A catch basin has sunk in and she is concerned about more water flow and more homes.

Mr. Pellegrini explained that if the Planning and Zoning Commission approves this zone change, it will also be approving the Plan of Development. Lot 7 is out of the ordinary. It is a rear lot with a minimum frontage of 25 feet. Under current zoning regulations, there is not enough room for a rear lot. The rear lot application cannot be entertained unless the zone change is approved. Another alternative the applicant can take is submitting a special permit application. Mr. Pellegrini advised the Planning and Zoning Commission to think about the desirability of a rear lot here.

In response to a question from Mr. Dougan, Mr. Pellegrini explained if the Commission approves the change to PRD, the minimum frontage requirement is reduced to 25' for a rear lot; a special permit is still required.

Mr. Baltramatis said using ITE estimates, there will be five trips entering and exiting during a typical peak hour. There will be no tangible impact on the roadway. He does not anticipate any impact to water pressure or color due to the extension of the water line. Typically any discoloration seen is due to maintenance issues. Mr. Baltramatis explained the applicant is proposing a 49' radius paved area for the cul-de-sac. The temporary cul-de-sac is teardrop shaped, rather than a full radius. The cul-de-sac will be sufficient for school buses and emergency vehicles. Providing another access off of North Main Street would necessitate a new roadway with a new intersection. It would need to be placed too closely to Karen Drive, which is not prudent or reasonable. As to site grading and erosion, the highest point is in the road just entering the site. Everything drains into the drainage system. There is very little area that goes back toward neighbors. Water will not shed toward residences.

In response to a series of questions from Mr. Prause, Mr. Baltramatis said the area for driveway seven is flat but the low point is toward the back of the site. Net impact to the low point is actually a decrease. The landscape plan has a generous planting plan, including foundation plants, rain gardens and street tree plantings.

Attorney Penny said the thrust of public comment was that people prefer not to see development. When living next to open property one does not own, development is always a possibility. What a municipality does is set based on certain standards to be met. The municipality looks into the future and develops a Plan of Conservation and Development (POCD). In the 1998 POCD (amended through 2005) this area is indicated as appropriate for medium density development. Medium density is equal to approximately four houses per acre; this plan proposes three per acre. The sizes of the lots meet requirements. In contrast to the neighboring development, this subdivision has no undersized lots. Density remains the same and improvements will be made to the drainage system.

In response to public comments, Mr. Baltramatis said all work will be in the right of way, with no impact to private property. There will be no change between the existing and proposed center line in Kathleen Way.

Mr. Brown commented on the 58 white pines proposed for screening. The applicant may want to reconsider using all one species. If the species dies out, the area will be left with nothing.

In response to Mr. Prause's concerns about the reduction in buffer and screening, Mr. Baltramatis said the applicant is proposing to clear existing woods, but most of those trees lose their leaves in the winter. To compensate, evergreen screening will be used.

In response to a question from Ms. Shanbaum, Mr. Baltramatis said the area behind the cul-de-sac is about 32'; typically a 10' snow shelf off the edge of the curb is needed. The evergreen buffer would not be impacted by snow storage.

Jim Gorman, 1 Kathleen Way, expressed concern about the site line at North Main Street. Drivers cannot see when making a right hand turn and must pull out to the end. Snow removal is an issue every year.

The vice-chairman closed the Public Hearing portion of the meeting at 9:10 p.m.

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

OFFICIAL TAPE NO. 1103 & 1104