

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
NOVEMBER 21, 2011**

ROLL CALL:

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

Alternates: Anthony Petrone (sitting)
Susan Shanbaum (sitting)

Absent: Kevin Dougan, Vice Chairman
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 7:09 p.m. The Acting Secretary read the legal notice for the application when the call was made.

EVERGREEN CROSSING, LLC – 325 New State Road – for a 224 unit multi-family residential community in a PRD zone – PRD Zone Preliminary Plan of Development (2011-132)

Attorney Stephen Penny spoke on behalf of the applicant. This application is a modification of a previously approved PRD preliminary plan. In November 2008 a PRD Zone Change and Preliminary Plan application was denied for 266 units. In February 2009 a plan for a 182 unit PRD condominium project was approved. At that time, Planning and Zoning Commission members thought a residential use was the best alternative to vacant land at this location. The zone change from industrial to PRD posed the least environmental risk to the aquifer. In January 2011 the Planning and Zoning Commission reapproved the same plan and eliminated the existing condition from condominium to apartment type units.

The subject site is located at 325 New State Road, which is on the west side of the road behind eight commercial properties midway between the Hockanum River and Tolland Turnpike. The property consists of 29.9 acres and is surrounded by Builder's Concrete, land owned by the Town of Manchester, commercial property and Interstate 84. Until 2008 this land was used for agricultural purposes. It is now zoned PRD and public water and sewer are available. Access to this site is through a 427 foot strip. The parcel fronts on New State Road. The south end of the property has two wetlands that total about 2.1 acres. There are a variety of uses in the area. A bus passes the site every hour. The applicant has owned this property since August 2008.

Mr. Phil Forsley, Professional Engineer, explained that this site is 29.9 acres in size and slopes from north to south, with an average 1% slope, toward the Hockanum River. The property has historically been used for agriculture. Mr. Forsley pointed out the wetlands which total 2.1 acres and two barns which were outlined in yellow on the displayed map. Main access to this site is from New State Road through a main driveway with a median. The site will have internal driveways, parking, and sidewalks throughout. There is emergency access through Builder's Concrete and an easement for a sewer force main. Mr. Forsley pointed out the sanitary sewer in green. The sewer will be gravity fed to a sewage pump station that will force feed to a manhole at Adams Street. The site will be served by the Manchester water system. Water will be in the main drive and loop around the site. Gas, phone, and electricity are available from New State Road. He said there are no proposed wetland disturbances and the landscape plan meets the Town's regulations. A 15' landscape buffer will be provided and consist of shade and flowering trees. The application was heard by the Conservation Commission last week. Additional plantings were suggested between the driveway and the wellfield site. An integrated pest management plan and fertilizing limitations will be employed.

Mr. Steve Mitchell, Professional Engineer, said a full traffic report was completed in 2009 for 182 units and updated in 2011. He has now completed a new comprehensive report in which he looked at traffic generated by a slightly larger development. Improvements are planned for New State Road. This size development is projected to produce 167 trips during the a.m. peak hour and 217 trips during the p.m. peak hour. New State Road will have a left turn pocket and will be widened slightly. Site distances at the driveway are good enough for vehicles traveling at a speed of 50 mph. Traffic travels at an average of 46 mph at this location. Intersections will operate at levels "A" or "B". Mr. Mitchell concluded that with improvements being made on New State Road, all operations should be safe.

Mr. Robert Russo, Soil Scientist, distributed his report to Commission members. In 2008 Mr. Josh Wilson completed a wetland delineation on the site. That delineation was included in plans previously submitted to the Commission showing the boundary of those wetlands and the proposed footprint of the development. Mr. Russo pointed to areas of wetlands on the plan displayed. On previous plans the wetland located in the northwest corner and two smaller wetlands located at the northeast part of the site were depicted larger than they are on these plans. As a result of looking at the site in preparation for this revised PRD application, Mr. Russo was called to go out and look at the wetlands. The area that was previously considered wetlands in these areas has shrunk. This happens sometimes because the hydrology changes. This site is underlain by sand and gravel which is very permeable. He wouldn't expect wetlands here in the first place. The land has been actively cultivated. When land is plowed, it can compact, making a spot that doesn't allow water through. Farming practices have compacted the soil. As vegetation grew in the hydrology was reduced, therefore, the wetlands were reduced. He said the two smaller areas were probably manmade. Mr. Russo referred to a DEP handout with a list of benefits provided by the upland review area and reviewed them for Commission members.

In response to a question from Mr. Diminico, Mr. Russo said the land has been plowed. The topsoil is dark and sandy with not a lot of clay. The farmer worked to get better topsoil.

Mr. Robert Sonicson, Professional Engineer, explained that after the previous approval, he was asked to find out if there are opportunities to make improvements in the site and look at the wetlands. He did that which led to wetlands redelineation. He focused on the two southern wetlands which are more perennial. The most southern has standing water year round. The vegetation in the two southern wetlands is classic wooded swamp wetland vegetation. The northern of the two does not have an outlet. It is isolated; water goes into it and either evaporates, is used up by the plants, or infiltrates into the ground. The southern wetland has a stream at the southern tip that flows over land and eventually makes its way to the Hockanum River flood plain. In looking at these two wetlands, it seems like we can make some improvements by developing a wetlands mitigation plan for the two wetlands. He developed a report which he submitted to staff. Then he went to the Conservation Commission meeting last week. He noted a couple of errors in dates in the reports; those have been revised and he handed out the revised report.

Mr. Sonicson said the report goes through some of the history of the site. The most important aspect of the report is the drawings, which is a delineation of the outline of the more northern of the two southern wetland systems. The first sheet shows what is being recommended for excavation. The ground does not have a great deal of relief. With a limited amount of excavation, he thinks the wetland area can be greatly expanded in that area. He is proposing to excavate on the southern end of the site and along the eastern boundary and some down in the southwest portion of the wetland site. This excavation will double the size of the wetland area, which will provide additional flood storage and a number of other functional values. The excavation is important for enhancement as well as elimination of invasive species. This location has been an agricultural location for years. Invariably agricultural waste, machinery, tires, etc. get thrown over the embankment into the wetlands. He said that has happened here particularly along the northern edge of this wetland system. The site will be improved and become a nice residential area. The planting plan consists of two different types of plantings. One is in boxes which are in the area between the stormwater basin and the new edge of the wetland. These will be upland species that will form an additional barrier between the developed upland and the wetland site. Within the wetlands they propose woody and herbaceous vegetation and shrub growth.

In response to a question from Mr. Brown, Mr. Sonicson said there are multiple water quality basins within the wetland system. There is a high quality of water discharge from the basins.

Mr. Michael Goman, Goman and York Property Advisors, spoke regarding the current market. He has reviewed the design and location of this plan and compared it to projects he is aware of as well as what he knows of market demand. The plans respond accurately to overall demand. Single family home values have fallen significantly and there is a clear shift toward renting. Renting now appeals to older age groups as well. The rental market allows people to adjust their housing to meet current needs. This is not a short term trend. He said there is also a clear trend toward smaller units. The key is to finance and get paid at a fair market rate. The sizes are trending toward historic norms in the overall housing market. There is no speculative investment capital out there.

In response to a question from Ms. Shanbaum, Mr. Goman explained the market is constantly changing. As time goes by and the market changes his statements have to adjust accordingly.

Attorney Penny added the applicant was here ten months ago but the project was designed and approved between December 2008 and February 2009. A number of informal overtures have been made and it has become apparent that the condominium aspect of the project needs to be eliminated. Financing is just not available for condominiums.

In response to a question from Mr. Prause, Mr. Goman said it is typical not to have garages for the units. If garages are added, costs go up.

Mr. Alan Lamson, FLB Architecture, explained that the currently approved plans had units that were larger than required by market. Reductions were made to the size of each unit, allowing the insertion of two additional units in each building. The footprint of the building will be maintained. Each building will now contain four one-bedroom units, two three-bedroom units, and ten two-bedroom units. An additional building will be added as well, for a total of 56 one-bedroom units, 28 three-bedroom units, and 140 two-bedroom units.

In response to a question from Mr. Diminico, Mr. Lamson said the style is still the big house concept with no common space in the building. Buildings are still 17,024 square feet in size. They will have gable roofs, hip roofs, traditional New England siding, articulated windows, decks, patios, and separate entrances, which he pointed out on the rendering displayed.

Mr. Lamson explained that density can be measured in two ways. One is units per acre on gross acreage, which would put this project at 7.49 units per acre. The other is measured by the number of units per developable acre, which puts this project at 8.05 units per acre. Prior to 1998, the method used was units per gross acre. This project has less density than many of the surrounding developments such as Aspen Woods, Sunnybrook Village, Pine Ridge Village, Olmstead Commons, and The Grove. Mr. Lamson said the site plan does show 60 carports or garages. They will be built if the market calls for them. The proposed residential development on this site is consistent with the Plan of Conservation and Development.

Attorney Penny distributed articles about the changes to the housing market. He said this proposal is consistent with the Plan of Conservation and Development. It improves environmental conditions on the site and conforms to the zoning regulations. The change in type and size of units reflects the realities of major changes in the housing market.

Chairman Diminico opened the floor for public comment either in favor of or in opposition to this application. No member of the public wished to speak at this time.

Ms. Bertotti said Town staff has reviewed this application and there are no outstanding comments. If the Commission approves this application, she asked that the approval be subject to the approval of the plans received tonight.

In response to a question from Mr. Brown, Ms. Bertotti said the Water Department is part of the review group and as of now has no outstanding comments. Others that have reviewed this application include the Traffic Engineer, the Wetlands Agent, the Zoning Enforcement Officer, the Planning Department, the Fire Department, and the Health Department.

The Public Hearing on this application was closed.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – for revisions to the Manchester Zoning Regulations at Article II Section 14.01.07 (B5 zone), Article II Section 18.02.15 and Article II Section 18 Table 1 (Historic zone) to allow alcoholic liquor sales as permitted use; and amend Article IV Section 8.01.01 to increase the types of establishments that would sell alcoholic liquor regardless of separation distances – Zoning Regulation Amendment (2011-119)

Mr. Pellegrini explained that the Town was approached by the Little Theater of Manchester to sell alcoholic beverages at Cheney Hall. This is not currently allowed in the Historic Zone. Town staff saw merit in this idea and looked at the regulations. Staff is proposing the addition of liquor sales as a permitted use in the Historic zone. In a Business V zone, alcoholic liquor sales are not identified specifically. If a restaurant or package store were in a Business V zone, that would be permitted, but he thinks it would be best to mention it specifically. The proposal is to increase the types of establishments that may sell alcoholic liquors regardless of separation distances. Adding these types of establishments could add vitality to the business districts.

Ms. Shanbaum, referring to Section 8.01.01(a), wondered if the language referred to all establishments listed or just bowling establishments. Mr. Pellegrini answered bowling. Ms. Shanbaum wondered if this should be clarified in the regulations. As it is written, it could be interpreted differently.

Chairman 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.

Mr. Pellegrini said he did refer the amendments to CRCOG, which had no concerns. The Cheney Historic District also reviewed the amendments and voted unanimously to endorse the amendments.

The Chairman closed the Public Hearing portion of the meeting at 9:28 p.m.

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

OFFICIAL TAPE NO. 1138, 1139, 1140