

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JANUARY 18, 2012**

ROLL CALL:

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

Alternates: John Chaput (sitting)

Absent: Kevin Dougan, Vice Chairman
Andy Kidd, Secretary
Susan Shanbaum
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: 7:37 P.M.

OLD BUSINESS:

APPROVAL OF MINUTES:

November 21, 2011 – Public Hearing/Business Meeting

MOTION: Mr. Brown moved to approve the public hearing minutes as written with the one correction on page 4 to change 1,724 to 17,024. Mr. Prause seconded the motion and all members voted in favor.

MOTION: Mr. Brown moved to approve the business meeting as written. Mr. Prause seconded the motion and all members voted in favor.

December 5, 2011 – Business Meeting

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

ELECTION OF OFFICERS:

MOTION: Mr. Prause moved to table this item. Mr. Chaput seconded the motion and all members voted in favor.

NEW BUSINESS:

53-71 SPENCER LLC – 53-71 Spencer Street – to allow storage and distribution of food at an existing Storage America facility – Special Exception (2011-139)

Mr. Diminico said he has some concerns with this application. Originally the applicant came before the Commission as a special exception to be a storage facility. Now they are asking for a special exception for distribution and storage of food as well. He did not know how compatible 20 vans entering and exiting the property two times per day plus a delivery truck would be with this location. He thought the use may become more intensive with more vehicle storage and did not consider the use to be compatible with the neighborhood.

Mr. Diminico said he empathized with the business owner and understood it is a seasonal business and employees can walk to work. This is a storage facility that already has a special exception. He was unsure if this use is compatible with the site and area.

In response to a question from Mr. Brown, Mr. Pellegrini said the plans were reviewed by the Town Traffic Engineer and Fire Marshal and no comments were received.

Mr. Prause said if the Commission was to grant a special exception, it could limit the number of parking spaces, and it would be up to the facility's owner to decide how the spaces are used. No structural impacts are proposed. He said the suitability and whether it fits with the intended use of the property is important.

Mr. Diminico reiterated his concern that 20 vehicles are too many, and he did not think the use was compatible with the area.

Mr. Prause pointed out the new proposed parking spaces are limited to the rear of the property. He said people driving by would not see the vans. He was not concerned about the food storage and distribution; the tenant is simply storing merchandise.

In response to a question from Mr. Prause, Mr. Pellegrini said it would be possible to place a restriction on the location of van parking.

Special Exception (2011-139)

MOTION: Mr. Chaput moved to table this item. Mr. Brown seconded the motion and all members voted in favor.

JERRY SAGLIMBENI – 34 Fir Grove Road – for construction of a single family home with the foundation drain in the wetlands upland review area – Inland Wetlands Permit – Determination of Significance (2011-144); Inland Wetlands Permit (2011-144)

Mr. Jerry Saglimbeni said he was the original developer/builder and this application is to work in the upland review area on the building lot located at 34 Fir Grove Road. At the time he received approval, there was a 50' setback; now it has increased to 100'. He will build a four bedroom home with a septic system and a well. The only difference from the original design will be the use of a gravity fed system rather than a pump system.

Mr. Bordeaux explained the reason for this application is due to the fact that the upland review area was expanded. He said the only change is the extension of a footing drain. The applicant has proposed to backfill the trench. He said there should be no erosion as rip rap will be placed at the outlet, and all erosion controls are sufficient.

Inland Wetlands Permit – Determination of Significance (2011-144)

MOTION: Mr. Prause 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.

Inland Wetlands Permit (2011-144)

MOTION: Mr. Prause moved to approve the inland wetlands permit for five years with work within the wetlands area to be completed one year from the beginning of construction. Mr. Brown seconded the motion and all members voted in favor.

HAYES-KAUFMAN TOLLAND, LLC – 1046-1066 Tolland Turnpike – to construct a 4,600 sq. ft. retail building on site – Erosion and Sedimentation Control Plan (2011-140); Special Exception Modification (2011-141)

Attorney Len Jacobs spoke on behalf of the applicant. The subject property is located on the southerly side of Tolland Turnpike and consists of 13.9 acres in a B5 zone. Currently the property has two buildings located on site. Rockville Bank and Allied Printing are located to the east of this property and Gerich Garage to the west. He said the original site approval included approval for a drive through fast food facility. The applicant is proposing to eliminate the fast food facility and replace it with a retail building. A special exception modification is being requested. He said the application has been reviewed by all departments and virtually every comment has been satisfied. There are a couple of technical comments remaining, he said.

Attorney Jacobs referenced a report submitted by Mr. Steve Mitchell, a traffic engineer, indicating that a retail business creates less traffic than a fast food facility. He said the Town's Traffic Engineer had no issues with the change. All utilities are available and the submitted erosion control plan has been approved. The originally proposed location for the dumpster was within an easement area. Initially, it was thought the Town would not allow a dumpster in this location so the dumpster location was moved near Tolland Turnpike. After speaking with Mr. Pellegrini, it was decided the dumpster would be placed at the south west corner of the new building as long as the applicant agrees to move the dumpster if the Town ever had to get in to do work, he said. When work is complete, the applicant agrees to restore the location at the applicant's expense.

Mr. Phil Balue, an architect, said the proposed building will be 4,600 square feet and compatible with other building on the site. Materials and colors have been chosen to match existing buildings. He reviewed the decorative treatment, which included accent bands and decorative ceramic tile. Cornice bands will be placed on the upper and lower corners. He said this building will have column treatments similar to the other building.

In response to a question from Mr. Prause, Mr. Richard Hayes, 1481 Pleasant Valley Road, said he would like to be able to put signage on the north and east sides. He is hoping for one tenant and definitely not more than two. He did not expect to add signage to the other building.

In response to a question from Mr. Diminico regarding the dumpster in the easement, Attorney Jacobs, explained that the applicant will move the dumpster, the Town will dig and do work, and the applicant will restore the location. He said the written agreement makes clear what would be the applicant's obligation.

Mr. Pellegrini further explained that easements are typically lawn or parking areas. This particular area will have a concrete pad and vinyl fencing. Typically a dumpster would not be allowed but the applicant has said they will be responsible for moving the dumpster, etc.

Mr. Mark Zessner, Anchor Engineering, said the Town has been provided with a new erosion control plan. It consists of silt fence, hay bales, and a steel reinforcing rod. Silt sacks will be placed at the existing catch basins. He said a stockpile will be located between the new retail building and the existing BJs store.

Ms. Bertotti said there are two staff comments that are minor and technical in nature and can be added on the final mylars.

Erosion and Sedimentation Control Plan (2011-140)

MOTION: Mr. Brown moved to approve the erosion and sedimentation control plan.
Mr. Prause seconded the motion and all members voted in favor.

Special Exception Modification (2011-141)

MOTION: Mr. Prause moved to approve the special exception modification with modifications as outlined in staff memoranda from Nick Francione, Civil Engineer, dated January 12, 2012 to Mark Pellegrini, Director of Neighborhood Services and Economic Development, and from Bernard Kalansuriya, Design Engineer, dated January 9, 2012, to Renata Bertotti, Senior Planner; and with the condition that the proposed dumpster location is approved with the condition that the owner, or successors, shall be responsible for moving the dumpster, dumpster screen and dumpster pad if necessary to allow access or repair to the storm drainage in the easement; shall be responsible for reimbursing the Town if the owner, or successors, cannot or will not remove said items and the Town must remove them; and shall be responsible for replacing and/or repairing the dumpster, pad and fence in their approved location after the Town work in the easement is complete. The applicant agrees to execute a License Agreement with the Town of Manchester to reflect this condition which shall be recorded on the land records. Mr. Chaput seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS:

Discussion of Form-Base Code Application

Mr. Pellegrini reported there have been two public workshops on the form-based code. For the most part people seem satisfied with the form-based code. Two comments were received; one suggested adequate design controls and the other was a concern that the new regulations would not allow for new restaurants with drive through facilities. He said the goal of form-based zoning is to be pedestrian friendly. All existing drive through restaurants will be grandfathered,

and banks can request a drive through. Mr. Pellegrini recommended the regulations as currently drafted be accepted by the PZC and go to a public hearing.

In response to a question from Mr. Brown, Mr. Pellegrini related the geographical boundaries and said the occupied side is included.

APPOINTMENTS TO CAPITOL REGIONAL PLANNING COMMISSION:

MOTION: Mr. Prause moved to table this item. Mr. Chaput seconded the motion and all members voted in favor.

The Chairman closed the business meeting at 8.58 p.m.

I certify these minutes were adopted on the following date:

Date March 5, 2012

Joseph Diminico, Chairman

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

OFFICIAL TAPE NO. 1143 & 1144