

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
NOVEMBER 19, 2012**

ROLL CALL:

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

Alternates: John Chaput (sitting)

Absent: Kevin Dougan, Vice Chairman
Anthony Petrone
Susan Shanbaum

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

Time Convened: 9:39 P.M.

OLD BUSINESS:

BRUCE R. & ROSEMARIE T. CHIRICO – 571 Porter Street and the westerly portion of 599 Porter St. – to change the zone from Residence AA (RAA) zone to Rural Residence (RR) zone – Zoning Map Amendment (2012-099)

Chairman Diminico explained that there are four Commission members present that were seated for the original presentation of this application. It is up to the applicant whether to proceed with four voting members or wait for a full seated Commission.

Attorney Penny asked that an alternate listen to the tapes and prepare to vote at the next meeting.

Zoning Map Amendment (2012-099)

MOTION: Mr. Prause moved to table this item until the December 3, 2012 meeting. Mr. Kidd seconded the motion and all members voted in favor.

The Planning and Zoning Commission took a brief recess at 9:42 p.m. and returned at 9:53 p.m.

NEW BUSINESS:

FUSS & O'NEILL – 146 Hartford Road – to install a permanent standby generator in the rear parking area of the property – Flood Plain Permit (2012-113); Historic Site Plan Modification (2012-114)

Tom Galeota, Senior Project Manager for Fuss & O'Neill of 146 and 158 Hartford Road, oriented the Commission to the site. His company would like to install a permanent 100kw generator at the rear of the building at 146 Hartford Road. He said because of the Halloween storm last year, Fuss & O'Neill lost power for six days. With more than 160 employees, he would like to install a generator to power the Hartford Road building and keep the majority of staff working in power outages.

Mr. Galeota explained that a portion of the property is within the 100 year flood plain. By raising the generator 2' above the existing grade it will be above the flood plain. Precast concrete steps will be installed to access the generator. The pedestal would occupy some cubic footage of the flood plain but that is more than offset with drainage improvements that were made at the Clark Building (158 Hartford Road). The top of the generator will be 6' off the ground.

Mr. Galeota said the application has been reviewed by Town staff. The Engineering Department requested that the location be shifted further south which Mr. Galeota said he will do. Town staff suggested the generator be enclosed with a fence or screening. Mr. Galeota displayed some pictures and pointed out that the generator will not be seen from the street. Looking north from the location of the generator, the back of the building can be seen. Looking west, one can see a storage shed. Looking south, one can see woods, the brook, and I-384. Looking east one can see a large stand of vegetation and trees. The generator will be well hidden.

In response to a question from Mr. Brown, Mr. Galeota explained the sound levels from the generator are below the Town's threshold for sound emitted at the property lines. He would meet the regulations to the south, east, and north because the property lines are much further away than 50'. To the west, the generator is located only 5' off the property line, but Fuss & O'Neill occupies that property and hopes to for a very long time. The reason it had to be located so close to that property line is because locating it further to the east would have cut into the parking drive aisle.

In response to a question from Mr. Brown, Mr. Galeota said the generator is 2' above flood plain, but the actual physical workings of the generator are another 8" above the generator pad. In the 26 years he has worked for Fuss & O'Neill, he has never seen water in any parking lots in the back of the buildings.

In response to a question from Mr. Prause, Mr. Galeota said he did not propose any screening. If screening were necessary, he would recommend fencing. There is heavy duty commercial vinyl fencing made by CertainTeed and one of their colors match the Cheney reddish/brown nicely. A sample of the fence (not color) was submitted to the Commission. The board sections of the fence are wood grain and there are steel members in the top and bottom. The fence would be 6' in height. Underground conduit would be run in a 20' long trench.

In response to a question from Mr. Prause, Mr. Pellegrini said that because the generator is not visible from the street, approval is not required from the Cheney Historic Commission.

In response to a question from Mr. Kidd, Mr. Galeota said the property to the east is a building with medical offices. The lawn between the building and the generator is part of their property. There is a transformer in the parking lot with no screening. The one there is a replacement for one that had been there for a long time. The transformer is visible from the east and south and is tucked up to the garage.

In response to a comment from Mr. Diminico, Mr. Galeota said the best thing to do would be to put a fence around the generator and to have the sound go straight up. The generator has to be run once a week for 15 minutes and when the power is out. It is gas powered.

Mr. Diminico said he doesn't consider the location to be an issue but the sound may be more so.

Ms. Bertotti said Town staff has no additional comments.

Flood Plain Permit (2012-113)

MOTION: Mr. Prause moved to approve the flood plain permit with modifications as outlined in a staff memorandum from Derrick Gregor, Assistant Town Engineer, to Renata Bertotti, Senior Planner, dated November 2, 2012. Mr. Kidd seconded the motion and all members voted in favor.

Historic Zone Site Plan Modification (2012-114)

MOTION: Mr. Prause moved to approve the site plan modification with modifications as outlined in a staff memorandum from Derrick Gregor, Assistant Town Engineer, to Renata Bertotti, Senior Planner, dated November 2, 2012. Mr. Kidd seconded the motion and all members voted in favor.

MARCUS COMMUNICATIONS, LLC – 33 Mitchell Drive & 184 Sheldon Road – to construct a 170' self-supporting telecommunications tower and related appurtenances in an Industrial zone – Special Exception (2012-106)

Mr. Kidd commented that a level of public safety is associated with this application. The network provided will have the potential of improving response time.

Mr. Brown said he takes usefulness of the balloon in the air with a grain of salt. People to the south of the tower will see it but after a while won't notice it any more. It is a public need and the tower is primarily surrounded by Industrial uses. He would vote in favor of this application.

Mr. Prause said he is glad the Town had jurisdiction over this application. The applicant has done his due diligence and has taken precautions with the design.

Special Exception (2012-106)

MOTION: Mr. Kidd moved to approve the special exception with modifications as outlined in a memorandum from Derrick Gregor, Assistant Town Engineer to Renata Bertotti, Senior Planner, dated November 19, 2012. Mr. Prause seconded the

motion and all members voted in favor. The reasons for the approval were the proposal meets the special exception criteria, it is a suitable location for a communication tower, the color of the tower will blend in with the area, and it will provide a benefit to the public.

WAL-MART REAL ESTATE BUSINESS TRUST – 205 Spencer Street – to redevelop the property with a new retail store and associated parking and site improvements in a General Business zone – Inland Wetlands Permit (2012-081); Special Exception (2012-082); Erosion and Sedimentation Control Plan (2012-083)

Inland Wetlands Permit (2012-081)

MOTION: Mr. Kidd moved to table this item until the December 3, 2012 meeting. Mr. Brown seconded the motion and all members voted in favor.

Erosion and Sedimentation Control Plan (2012-083)

MOTION: Mr. Kidd moved to table this item until the December 3, 2012 meeting. Mr. Brown seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS:

The public hearing on the Plan of Conservation and Development will be held on Tuesday, November 27, 2012.

ADOPTION OF 2013 MEETING SCHEDULE:

MOTION: Mr. Kidd moved to adopt the 2013 Planning and Zoning Commission meeting schedule as submitted. Mr. Brown seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

SAM'S REAL ESTATE BUSINESS TRUST – Erosion and Sedimentation Control Plan (2012-116); CUD Detailed Plan Modification (2012-117) – to expand the existing Sam's Club store by 770 sq. ft. at 69 Pavilions Drive, CUD zone.

THE HOME DEPOT – CUD Detailed Plan Modification (2012-115) – to change the color of the tops of the exterior canopies on the front of the store from green to orange, their corporate color, at 80 Buckland Hills Drive, CUD zone.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Regulation Amendment (2012-119) – revisions to the zoning regulations to add Art. III Section 7 – Lot Mergers to the zoning regulations, and revisions to Art. I Sec. 2.01 to add “accessory structure” and “principle structure” to the list of definitions and remove “accessory use of building” definition.

The Chairman closed the business meeting at 10:38 p.m.

I certify these minutes were adopted on the following date:

January 7, 2013
Date

Joseph Diminico, Chairman

NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.