

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
MAY 21, 2012**

ROLL CALL:

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

Alternates: Anthony Petrone (sitting for #2012-031)
John Chaput

Absent: 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: 8:20 P.M.

OLD BUSINESS:

AMERICAN GROUP, LLC – for the sale of four used automobiles at 266 Middle Turnpike West – Certificate of Location Approval (2012-031)

Mr. Petrone sat in place of Mr. Prause for this application.

Mr. Pellegrini reviewed that on April 16, 2012 the Commission heard this application. He said the Planning and Zoning Commission is acting as an agent of the State to determine if this is an appropriate location for used automobile sales. There was discussion about the Commission's role and jurisdiction compared to the Zoning Board of Appeals. Mr. Pellegrini referred to his memorandum of April 30, 2012, which lists the iteration of revisions of the relevant state statutes. He said the Planning and Zoning Commission was to make a decision on the location's appropriateness based on certain factors. In the last revision of the state statutes these factors were removed. The factors were the sight's location relative to schools, churches, theaters, etc. Mr. Pellegrini suggested relying on the criteria in the zoning regulations or look at safety issues.

Mr. Diminico said at the last meeting the regulations were changed regarding the Zoning Board of Appeals and Planning and Zoning Commission role in acting on applications regarding the auto uses. In the future this will help in preventing the situation currently in front of the Commission. The Zoning Board of Appeals gave its approval for this location as well as for the site plan. To have the Planning and Zoning Commission review it is redundant.

Mr. Kidd agreed with Mr. Diminico. Mr. Kidd said the Zoning Board of Appeals made a decision. He may not agree with it, but he does not think it is right for the Commission to second guess the Zoning Board of Appeals' intent. He said he thought it was right to change the procedure. This applicant came in before the changes were made and he does not see how the Commission can override the Zoning Board of Appeal's finding.

Mr. Brown said he also had difficulty with this application. The applicant's property is located at the intersection of two major roadways, one of which is to be redone. He said at this intersection, one corner is public property with a playground and landscaping. Another corner contains a pharmacy and is heavily landscaped. Across the street there is a gas station with a fully open corner. The last corner of this intersection will have four cars for sale. He would be less concerned about this proposal if the cars were located elsewhere on the site. However, given the fact that the Zoning Board of Appeals has approved this application, it would be unfair to the applicant to now deny the location approval.

MOTION: Mr. Dougan moved to approve the certificate of location approval. Mr. Petrone seconded the motion and all members voted in favor.

NEW BUSINESS:

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – for a zone change from GB to FBZ in the Broad Street redevelopment area – Zoning Map Amendment (2012-026)

Zoning Map Amendment (2012-026)

MOTION: Mr. Prause moved to approve the zoning map amendment. Mr. Kidd seconded the motion and all members voted in favor. The zoning map amendment will be effective on June 5, 2012. The reason for the approval was the Form-Based zoning regulations reflect a great plan for the area and the area proposed to be included in the FBZ is consistent with the Redevelopment Plan. The proposal is an appropriate application of the zone on the zoning map.

SAM'S REAL ESTATE BUSINESS TRUST – 69 Pavilions Drive – for the expansion of the existing Sam's Club store by 22,200 +/- sq. ft. and associated parking, landscaping, and site revisions – Inland Wetlands Permit (2012-020); Erosion and Sedimentation Control Plan (2012-021); CUD Preliminary and Detailed Plan Modification (2012-022)

Inland Wetlands Permit (2012-020)

MOTION: Mr. Kidd moved to approve the inland wetland permit for five years with work within the wetlands upland review area to be completed one year from the beginning of construction with modifications as outlined in the staff memorandum from Derrick Gregor, Assistant Town Engineer, dated May 18, 2012, to Renata Bertotti, Senior Planner. Mr. Brown seconded the motion and all members voted in favor.

Erosion and Sedimentation Control Plan (2012-021)

MOTION: Mr. Kidd moved to approve the erosion and sedimentation control plan with modifications as outlined in the staff memorandum from Derrick Gregor, Assistant Town Engineer, dated May 18, 2012, to Renata Bertotti, Senior Planner. Mr. Brown seconded the motion and all members voted in favor.

CUD Preliminary and Detailed Plan Modification (2012-022)

MOTION: Mr. Kidd moved to approve the CUD preliminary and detailed plan modification with modifications as outlined in staff memoranda from Derrick Gregor, Assistant Town Engineer, dated May 18, 2012, and from Raymond Myette, Jr., Design Engineer, dated May 18, 2012 to Renata Bertotti, Senior Planner, and that the retaining wall materials, texture and colors that were displayed at the meeting by the applicant be used as show in photograph #4 and wall colors “Practical Beige #2” as shown on the submitted color board. Mr. Brown seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS:

Mr. Bordeaux explained the Planning and Public Works Departments are proposing an administrative review process for utility infrastructure in the upland review area only. When activities fall into certain criteria, they will be reviewed administratively. A discussion will need to be held on this matter and Mr. Bordeaux suggested a workshop to this end.

RECEIPT OF NEW APPLICATIONS:

TOWN OF MANCHESTER PUBLIC WORKS – Inland Wetlands Permit – Determination of Significance (2012-051); Inland Wetlands Permit (2012-051) – for minor drainage improvements including installation of a hydrodynamic separator, removal of an existing storm water outlet, extension of an existing drainage system and minor grading and safety improvements north of Overlook Drive.

AMERICAN PROMOTIONAL EVENTS – CUD Detailed Plan Modification (2012-053) – to erect a 20’ x 40’ tent for the sale of Connecticut legal sparklers from 6/19/12 to 7/7/12 at 420 Buckland Hills Drive in the Walmart parking lot.

TOWN OF MANCHESTER PUBLIC WORKS – Inland Wetlands Permit – Determination of Significance (2012-054); Inland Wetlands Permit (2012-054); Erosion and Sedimentation Control Plan (2012-055) – for demolition and removal of existing in-ground swimming pool and pool house structure at Verplanck School, 126 Olcott Street.

BRUNELLE WOODLAND ST., LLC & BRUNELLE MANCHESTER, LLC – Special Exception (2012-056) – for the construction of two, two-family houses on 123 & 129 Woodland Street.

The Chairman closed the business meeting at 9:08 p.m.

I certify these minutes were adopted on the following date:

July 16, 2012
Date

Joseph Diminico, Chairman

**NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN
BE HEARD IN THE PLANNING DEPARTMENT.**