

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
SEPTEMBER 19, 2012**

**ROLL CALL:**

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

Alternates: John Chaput (sitting)

Absent: Andy Kidd, Secretary  
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

The Chairman opened the Public Hearing at 7:06 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 with parking, carports and clubhouse/office – PRD Zone Change and Preliminary Plan of Development (2012-069)

Attorney Steve Penny spoke on behalf of the applicant, Evergreen Crossing, LLC. The application is for a Planned Residence Development, Preliminary Plan of Development modification that would implement a PRD regulation change approved by the Planning and Zoning Commission last spring permitting three-story multi-family structures in the zone. The PRD zone district classification is already in place due to prior actions of the Commission. He said in February 2009 the Commission approved a PRD zone change and preliminary plan application for 182 units of condominiums in thirteen buildings. At the time, Commission members commented that PRD or multi-family use is the next best thing to leaving the property as open space. To consider preserving this property as Industrial after it has been vacant for 64 years is wrong. In the motion for approval, the consistency of the proposal with the economic element of the local Plan of Conservation Development was cited and the zone change from Industrial to PRD was found to pose the least risk to the Aquifer Protection area.

Attorney Penny said in January 2011 the PCZ re-approved the preliminary plan permitting the condominium form of ownership to be substituted by apartments. All other aspects of the originally approved project design, including the PRD zone change, remained in place. On

November 21, 2011, responding to pent-up market demand for rental units, particularly smaller ones, the Commission approved a PRD preliminary plan modification which increased the total number of units to 224 in fourteen buildings, finding that the proposal was still consistent with the Town's Plan of Conservation and Development, provided adequate protection of environmental assets and was compatible with other approved PRD developments in the area. On April 16, 2012, the Commission approved a Zoning Regulation amendment to permit three-story multi-family buildings at a maximum height of 40' in PRD zones, thereby permitting fewer buildings and, consequently, more open space to accommodate the same number of dwelling units on the site.

Attorney Penny referred to a map of the site, which is located at 325 New State Road, on the westerly side of the road to the rear of a number of commercial properties that front on New State Road, midway between the Hockanum River and Tolland Turnpike, he said the land is 29.9 acres in size and is bounded northerly by land owned by Builders Concrete, easterly by eight commercial properties fronting on New State Road, southerly by Town owned land that includes public water supply wells, and westerly by I-84.

Attorney Penny said until 2008 the land was used for agricultural purposes and with the exception of two barns, remains undeveloped. It consists mostly of flat agricultural fields with a wooded area to the south. The land is zoned PRD by virtue of the 2009 PZC approval. Both public water and sewer are available to the site, as are adequate telephone, cable and electrical services. Access is provided through the 427' wide strip of the parcel that fronts on New State Road. There is additional access by way of an easement on the north side of the property.

Attorney Penney said at the south end of the property, there are two small depressions likely created by the removal of gravel. These areas now qualify as wetlands. Two other wetlands exist in the northwest and northeast corners of the property. Wetlands area totals 2.1 acres.

There are a variety of uses in the area, including multi-family residential, commercial, public recreation, and storage. The CTTransit system operates a bus that passes the site every hour and connects it to employment centers and shopping.

Attorney Penny provided a brief overview of the Broadleaf Project. It is currently approved with 224 apartments in fourteen buildings with associated driveways, surface carport and garage parking for the residents, additional guest parking, and amenities such as a pool, clubhouse, and recreation open space areas.

Alan Lamson, Project Architect, explained this application is to request a change to the buildings. Rather than the two story buildings proposed, the developer has opted for a three story building. He said there are six buildings on the site, with five containing 36 units each (12 per floor) with the last building being slightly longer and containing 44 units. There has been no noticeable increase or decrease in size of units approved. All three bedroom units have been eliminated in this proposal. Proposed is a mixture of about 30% one bedroom units and 70% two bedroom units.

On the plan displayed, Mr. Lamson pointed out the twelve units on each floor, with a mixture of one and two bedroom units. There is the required number of handicap accessible units in each building. All of the units that are handicap accessible are on the ground floor and the rest of the ground floor units are "Type B" units, which can be modified to become partially handicap accessible if necessary. He said that amounts to one-third of all units in the project being handicap accessible or could be modified as such. The exterior of the building will be of the same character as previously presented. Buildings will have pitched roofs, intersecting gables, a combination of materials including fiber cement shingles and clapboards, the same trim features and window designs. He said the difference is that these buildings are three stories high and are longer than the others. All outside materials are maintenance free.

Mr. Lamson said the number of units being proposed and the amount of parking is exactly the same as before. The changes are that the buildings are three stories rather than two, and the character of the exterior remains the same. Mr. Lamson submitted a materials sample board to the Commission.

Mr. Lamson said approval of this application will allow the developer to complete the final development plans with all engineering detail the Commission needs to review. The developer would like to start the project in the spring of 2013.

In response to a question from Mr. Diminico, Mr. Lamson said the siding will be fiber cement clapboard in the same color and texture as the materials sample board.

Mr. Phil Forzley, P.E., explained the site is on the west side of New State Road and pointed out the site on the map he displayed. The site slopes from north to south and there is a wetland system to the south and west of the tobacco barns, which is where storm drainage will be directed. Mr. Forzley displayed the proposed layout of the project and pointed out the wetland area where the stormwater will eventually discharge. Stormwater will be handled as in the previous application, by infiltrating roof water; runoff from paved areas will go into water quality basins.

Mr. Forzley said a meeting was held with the State Health Department when this project was started because the site is adjacent to the Town's wellfield. Comments from the Health Department include lining the water quality basins to eliminate as much infiltration as possible except for clean runoff. In the development plan, all roofs will drain to subsurface infiltration structures inside green space, as much water as possible will be infiltrated into the soil. He said there will be overflows from those structures into the storm drainage systems so that when the capacity of those structures is exceeded water will flow into the drainage structures and eventually into the water quality basins.

Mr. Forzley explained that public water is available on New State Road as is fire protection. Primary electric and cable services as well as gas service will also come in from New State Road. Sewer service will be provided by gravity on site. Everything will flow to a sewage pump station located as far from the water supply wells as possible. The force main from the pump station will go out to Adams Street.

Mr. Forzley displayed a landscape plan. A waiver to the landscape buffer requirement is being requested along the northerly property line along the access road. He said there is a heavy tree buffer that will be left intact. There is a longer area along the south side of the access road and along the wetland for which the developer is requesting a waiver to the buffer requirement. This is a wetland area that will stay intact. There is heavy growth and nice vegetation. Plantings will be placed on the south side close to the fence, but otherwise there is heavy growth and a waiver is being requested to avoid disturbing those trees and use them as the buffer. Another site change made is the addition of a 3' high vinyl fence along the property line behind 375 New State Road. This is a low discreet fence. As the landscape buffer develops, it will be the primary buffer between the two sites.

In response to a question from Mr. Brown, Mr. Lamson explained that the open space requirement is based on the number of units. By eliminating the three bedroom units, the same amount of open space is not needed. The requirement is 112,000 sq. ft. He said the project still has 30,000 square feet above what is required. There is other land that will be open and will be lawn, etc., but is not designated open space.

In response to a question from Mr. Prause, Mr. Lamson explained that the squared area behind the clubhouse and pool area is part of the designated open space.

In response to a question from Mr. Prause, Mr. Forzley pointed out the emergency access drive and said gravel is proposed rather than pavement.

In response to a question from Mr. Brown, Mr. Forzley said the access drive will be plowed in the winter. The owner of the property has a good working relationship with the adjacent property owner.

In response to a question from Mr. Dougan, Mr. Lamson explained there is enough open space to meet the requirements. The rest of the undeveloped area is not marked as open space in case somebody wanted to put something on it in the future; it allows for flexibility, he said.

Attorney Penny stated a traffic report was filed in November 2011 for the same number of dwelling units. He referred to a letter from Steve Mitchell, Traffic Engineer, which states this development will have no adverse impact on nearby roadways. Attorney Penny said this modified plan remains consistent with the Plan of Conservation and Development, provides affordable rental units, supports the statutory growth management principles, promotes land reuse and protection of environmental assets, improves environmental conditions on the site, protects the underlying aquifer's water quality, increases the amount of open space on the site, fully conforms to the zoning regulations, and reflects the continuing changes in the rental housing market.

Chairman Diminico asked any member of the public that wished to speak either in favor of or in opposition to this application to come forward at this time.

Ms. Bertotti read an e-mail from David Doyle, 375 New State Road, dated September 12, 2012, into the record. Mr. Doyle would like a permanent fence installed to keep people from crossing his property to New State Road. His operation runs 24 hours a day and the operation may contain an odor from time to time. He wants to be sure that future inhabitants are aware that he and other property owners have already established their businesses. He does not want to hear complaints regarding existing operations.

Ms. Bertotti said Town staff has three remaining comments and recommends inclusion as modifications as they are minor and technical in nature.

In response to a question from Mr. Dougan, Mr. Pellegrini said it may be possible and reasonable to have a provision in the lease that acknowledges the property is located next to a manufacturing area.

The Chairman closed the Public Hearing portion of the meeting at 8:10 p.m.

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