

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JULY 1, 2013**

ROLL CALL:

Members Present: Eric Prause, Chair
Andy Kidd, Vice Chair
Horace Brown, Secretary
Michael Stebe

Alternates: Susan Shanbaum
Julian Stoppelman

Absent: Chirag Thaker
Anthony Petrone

Also Present: Renata Bertotti, Senior Planner
Mark Pellegrini, Director of Planning

Time Convened: 7:03 P.M.

NEW BUSINESS:

FIRST HARTFORD REALTY – Pre-application review to discuss a zone change and a special exception for Cumberland Farms gasoline sales and retail at 271 & 275 Main Street and 13 Middle Turnpike East, Business II, Residence C and Design Overlay zone.

Attorney Stephen T. Penny, of Penny, Botticello & O'Brien, P.C., spoke on behalf of First Hartford Realty, Co. Attorney Penny oriented the Commission to the site location. The subject properties are located on the northeast side of Middle Turnpike East and Main Street intersection. The three properties are 275 and 271 Main Street and 13 Middle Turnpike East. Together they are 11,742 sq. ft. He said 13 Middle Turnpike East is a former residence that was converted to office use; 275 Main Street is currently a used auto sales business, and formerly an auto repair and gasoline service facility; and 271 Main Street is a currently vacant, single family residence. Attorney Penny described the current uses of neighboring properties.

Attorney Penney said 271 and 275 Main Street are in the Business II zone but the zone district line does not coincide with the property line and there is a 15-foot strip of these properties that are in either Residence C or Residence A zones. He said 13 Middle Turnpike East is zoned residence C, and the applicant will propose a zone change for that property. Attorney Penny said 275 Main Street is a qualified site for legally conforming gasoline sales.

Attorney Penny said the project involves the removal of all of the structures on the three parcels and construction of a 4,513 sq. ft. convenience store and four gasoline dispenser stations to be located on 275 Main Street, which is qualified for a gasoline sales use. He said the zoning approval will require a three step process. First the applicant will seek a zone change for 13 Middle Turnpike East and the portions on 271 and 275 Main Street to Business II zone. Next, the applicant will

apply for a variance from the Zoning Board of Appeals to be permitted to collect payments for gasoline sales in a Business II zone, the area of the site that is outside of 275 Main Street and therefore not previously used for gasoline sales, or appeal the zoning enforcement officer's decision that a variance is needed. The final step will be to apply for a special exception approval from the Planning and Zoning Commission, he said.

Attorney Penny said there is an access easement that extends over the property line of 13 and 21 Middle Turnpike East which will remain in place. Because of that, the area of construction will be limited and a retaining wall will be proposed on that side of the site. Mr. Luke DiStefano, of Bohler Engineering and project engineer, said the four existing structures on the three parcels total approximately 6,600 sq. ft. If approved, the buildings will be demolished and the site completely rebuilt as a Cumberland Farms gasoline station and convenience store. He said the proposal calls for constructing a 4,513 sq. ft. Cumberland Farms convenience store with four gas dispensing stations located immediately in front of the facility and parallel to Middle Turnpike. If constructed in that manner, maximum fueling capacity would be eight vehicles at any given time.

Mr. DiStefano said the site is currently served by five curb cuts, three on Main Street and two on Middle Turnpike East. If approved as designed there will be two curb cuts, one full movement curb cut on Middle Turnpike and one on Main Street. There will be 18 parking spaces, 14 spaces in front of the building and four spaces next to the access easement area on the east of the site. The fuel dispensing area will be serviced by two 20,000 gallon underground storage tanks. Mr. DiStefano described the trash and recycling units, which he pointed out on the map. The access to the fuel dispenser units will be perpendicular to Middle Turnpike East, he said.

Mr. DiStefano said under the existing conditions, stormwater runoff sheetflows from the southeast corner of the property to the northwest corner. Under the proposed conditions the applicant will maintain the general direction of the flow. Mr. DiStefano pointed to the area on the map where a series of catch basins will collect site runoff. He said that because of the slight increase in impervious surface area, an underground stormwater infiltration system will be proposed between the dispensers and the convenience store. He said the project will result in post-construction impact reduction of discharge to the town stormwater system.

Mr. DiStefano noted the applicant has prepared a detailed landscaping plan. Signage will be muted, a pylon sign will be located on the southwest corner of the property, a couple of signs will be placed at the edges of the canopy, and a Cumberland Farms signs will be located on the building, he said.

Mr. DiStefano displayed proposed building elevations and said those are Cumberland Farms prototype elevations. He described the materials to be used as cultured stone, clapboard siding and architectural roof shingles.

Mr. Stoppelman said he looked at the Vernon location and noted the site is dominated by the building's roof. He asked how high the proposed roof would be and how would it compare to the surrounding buildings. Mr. DiStefano said he felt the proposed roof will be consistent with the neighborhood and in keeping with two story houses in the area. At the highest point the proposed roof will be 30 feet. He said he did not think the roof will dominate the area.

Mr. Brown said he also visited the Vernon site and thought the building there fit the area nicely. However, he said he had concerns with the proposed roof in this neighborhood. Mr. Brown noted the majority of surrounding properties have flat roofs that are very different from what is being

proposed. He said he believed the Vernon property has a light gray metal roof but he understands that is not being proposed here. Also, he had a concern with the orientation of the convenience store. If the proposed building is like the one in Vernon, the side facing Main Street will be a plain wall. He asked if the proposed sign will be like the one in Vernon.

Mr. Chuck Meek, First Hartford Realty, 1 Colonial Rd. Manchester, said his company was involved with the Cumberland Farms in Vernon. The metal roof that Mr. Brown mentioned was a one-time installation and will not be proposed in Manchester. Regarding the plain wall facing Main Street, he said he was not sure what they can do about that, but will definitely consider different design options.

Mr. Kidd said he too was bothered by the orientation of the building. Since Main Street is the primary avenue it would be better to have the building oriented towards it. He noted there is also, in his opinion, some conflict with the building's roofline compared to surrounding buildings. He said over half of the building height is the roof. Proposed dormers could help and could be incorporated on the side of the building, he said. Mr. Kidd said he thought the proposed building looks nicer than the old Cumberland Farms model building. He also had some concerns with razing an older building and would like to hear if any consideration was given to reusing the existing buildings. Mr. Kidd said he felt there have been too many nice buildings on Middle Turnpike that, over time, were replaced by less attractive new buildings. He asked if the applicant conducted a traffic study.

Mr. DiStefano said a traffic study was completed, and it will demonstrate that the introduction of Cumberland Farms at this location will not have a significant impact on traffic. Attorney Penny said the traffic report was prepared by Fuss & O'Neil, but he did not have a traffic engineer at this meeting. He said one of his concerns was the site accessibility because of queuing on the site, and Fuss & O'Neil's report determined that it will not be an issue.

Mr. Kidd said the proposed project is better than what is on the site now. The proposed use is more active and it would bring convenience to residents.

Attorney Penny asked if the Commission would be open to faux windows on the Main Street side of the building. Mr. Brown said the bigger concern to him was the scale of the roof, but adding an architectural detail like faux windows would be better than having a plain wall facing Main Street.

Attorney Penny asked if the Commissioners had any recommendations on what they would like to see as far as roof goes. Mr. Kidd noted there are different ways to design a flat roof. An example, he said, would be the addition of a parapet wall or some other architectural element to enhance the appearance of the roof.

Mr. Pellegrini said if Cumberland Farms is willing to step away from the prototype and do something more context sensitive, they could propose a flat roof instead of a pitched one and utilize a step parapet feature. They could also articulate the roofline by using different colors and materials to provide some accent. The proposed elevations show a fairly long east-west run of the uninterrupted roofline, he said. Mr. Pellegrini suggested a more commercial look to a building be considered instead of the proposed residential look. He said an angled corner on the southwest side of the building might help with the building orientation. He noted the proposed materials are stone and clapboard, but commercial buildings in this area are mainly brick.

Mr. Stebe expressed strong concerns with queuing on both streets. He was concerned with vehicles getting in and out of the site, especially for those traveling south on Main Street. He would like to see some detail on the proposed signage. He also asked if there would be outdoor merchandise displays. In response to Mr. Stebe's question, Mr. DiStefano said the exterior sales item was a Redbox and the proposed signage is representative only, but Cumberland Farms will work with the municipality. Their first choice would be to have a LED sign, but they will work with the zoning enforcement officer to ensure their signage meets the zoning regulations.

Ms. Shanbaum said, in her opinion, because Cumberland Farms will have a coffee bar, it will be a destination and potentially draw a lot of traffic, especially in the morning. Mr. Prause asked about curb cut alignment with the curb cuts across the street at Walgreens, and said traffic was a concern for him as well. Mr. DiStefano said he thought the Cumberland Farms curb cuts there were slightly offset from those at Walgreens.

RECEIPT OF NEW APPLICATIONS:

1. **IGLESIA DE LA FAMILIA** – Special Exception (2013-041) – for a place of worship in an existing building at 66 Sheldon Road, Industrial zone.
2. **HIGHLAND OAKS CORP.** – Resubdivision (2013-044) – for a 2 lot resubdivision of an approved 6 lot subdivision on Abigail Circle, Residence AA zone.
3. **LINDA MARIE, LLC** – Inland Wetlands Permit – Administrative Approval (2013-042) - to install 2 concrete pads for a/c units within the regulated area adjacent to wetlands at 130 Chapel Road, Industrial zone.

I certify these minutes were adopted on the following date:

August 12, 2013
Date

Eric Prause, Chairman

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