

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
MARCH 18, 2013**

ROLL CALL:

Members Present: Eric Prause, Chair
Andy Kidd, Vice Chair
Horace Brown, Secretary
Michael Stebe
Chirag Thaker (recused himself)

Alternates: Susan Shanbaum (sitting)

Absent: Anthony Petrone
John Chaput

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

The Chairman opened the Public Hearing at 7:04 p.m. The 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 at 325 New State Road, PRD zone – Inland Wetlands Permit (2012-120)

Chairman Prause explained that Commission Member Thaker would not be sitting this evening as he is a new Commission member and this is his first meeting. Alternate Member Shanbaum said she was prepared to sit in his place.

Attorney Stephen Penny, on behalf of Evergreen Crossing, LLC, explained that his client's project had a long history of Commission approvals and briefly reviewed them. The applicant's site is at 325 New State Road, which is on the westerly side of the road to the rear of a number of commercial properties fronting on New State Road, midway between the Hockanum River to the south and Tolland Turnpike to the north. The property is 29.9 acres and bounded northerly by land owned by Builder's Concrete, easterly by eight commercial properties fronting on New State Road, southerly by land owned by the Town of Manchester on which public water supply wells are located, and westerly by land owned by the State of Connecticut (I-84), he said. Attorney Penny said the site was used for agricultural purposes until 2008 and is undeveloped with the exception of two barns. It consists mostly of flat agricultural fields and has a wooded area to the south.

The property was zoned Planned Residence Development (PRD) in February 2009. He said both public water and sewer are available to the site, as are adequate telephone, cable and electrical service, and the parcel fronts on New State Road. Additional access is available through an

easement on the north side of the property. Attorney Penny said the south end of the property includes two wetlands hydrologically connected to the Hockanum River. Two other wetlands exist in the northwest and central northeast corners of the property. The wetland areas total 2.1 acres. The applicant has owned this property since August 2008. He said the project, called The Broadleaf, features 224 apartment units in six buildings with associated driveways, surface and carport parking, additional guest parking, and amenities such as a pool, clubhouse, and open space areas.

Mr. Phil Forzley, professional engineer, reviewed a PowerPoint presentation for Commission members. He displayed a property map showing easements the applicant is granting to the Town of Manchester. He said there is a water easement and a conservation easement. The conservation easement is 163,000 square feet and consists of two wetland areas on the southern portion of the property identified as Wetland Area 1.

Mr. Forzley said the site drains from north to south toward the Hockanum River and is very flat. He pointed out wetland areas 1, 2, and 3. He said the drainage system is designed to convey stormwater to water quality basins. Infiltration of roof drainage ultimately conveys to wetland area 2. Water quality basins are located throughout the site to treat runoff from the paved areas before it gets to the wetlands, he said.

Mr. Forzley displayed an overall erosion and sedimentation control plan. He said the site is very flat and erosion problems are not anticipated. A construction entrance will be placed near New State Road. Silt fence will be placed around the perimeter of the developed limits of the site. He pointed out the topsoil stockpile locations. He said during construction stormwater will be handled with thirteen temporary sediment traps. These will serve as areas to divert stormwater during construction to let sediment settle out and flow into the stormwater swales, which eventually go into the water quality basins and the wetlands associated with the Hockanum River. Wherever side slopes occur at 3:1 or greater, erosion control matting will be installed. Mr. Forzley pointed those locations out to the Commission.

Mr. Bob Russo, certified soil scientist, explained that when planning a project it is important to look at the boundaries, functions and values of wetlands to provide a backdrop for the site development. He said Wetland 1, closest to the Hockanum River, is a created wetland. He said in walking the site, it is very clear from the topography that excavation had gone on there at some time. He displayed a slide showing sizable trees growing in Wetland 1. He pointed out that it has been a site of dumping as indicated by the stove, tires, and lumber deposited in the wetland. He said the applicant plans to restore this wetland and improve its functions and values. Wetland 1 is dominated by red maple trees and an occasional hemlock and poplar, Mr. Russo said.

Areas in the farm field also contain some wetland areas, including Wetland 3. He said it is fairly difficult to discern the difference between what is in the wetland and what is outside. The vegetation is the same. He displayed a slide of Wetland 2, in which it is hard to distinguish the differences between wetland and upland soils as well.

Mr. Russo said the initial wetlands delineation was done on the site in 2008. At that time the site was still being cultivated. There were some poorly defined depressions in that agricultural field

which collected water and had some compaction in them. The soil in those areas was rendered less permeable due to compaction and soil morphology models led to those areas being classified as wetlands. When Wetlands 2 & 3 were left fallow for several years the weeds reinvaded and loosened up the soil. He found the area defined as wetlands had shrunk. The area on the plans now indicated as Wetland 2 and Wetland 3 are smaller than when originally delineated.

Mr. Russo said the functions and values of a wetland that are usually considered are its ability to hold flood water, remove sediments and pollutants, if habitat for fish and shellfish is provided, if habitat for other forms of wildlife, and its value for education. Mr. Russo displayed a slide showing the proposed regulated activities. Wetland 1 does provide wildlife habitat, sediment and pollutant removal, and there is some amphibian habitat. In general, despite the fact that it was created and then used for a dumping ground, it does have some wetland recognized values. Wetlands 2 and 3 are relatively indistinguishable from the old farm field that is there and there are not any values and functions attributed to those wetlands, he said.

Mr. Russo said a portion of Wetland 3 will be lost as a result of the applicant's project. This is not a significant impact because there is no significant function or value attributed to this particular area. There is no activity planned near Wetland 2. There are activities planned in the upland review area around Wetland 1. He said most of the activity will have to do with planting, bringing in new vegetation, and treating stormwater. These activities are going to be helpful in preserving and enhancing the values of that wetland. There are activities within Wetland 1 which all have to do with restoration, including installing new plant material and removing debris. He said the area directly affected is Wetland 3, which he does not see as having an adverse impact, and the area around Wetland 1, which is activity largely designed to enhance and preserve the functions of that wetland.

Mr. Rob Sonnichsen, environmental engineer, showed a portion of Wetland 1 that will be enhanced. The first step will be removal of debris, the second activity would be removal of invasive species, and the third step would be an extensive native species planting plan, including a variety of woody and herbaceous plants, most of which bear fruit, he said.

Mr. Sonnichsen displayed a copy of the wetlands mitigation plan, both the planting plan and the grading plan. He said the two darkened areas are the areas to be excavated and are currently outside of the wetland. Silt fence barrier will be placed between the wetlands and the proposed excavated area. The upland portion adjacent to the wetland will be excavated to the grade of the wetland which will expand the wetland area. About 8,700 square feet will be excavated, which will be added to the 18,000 square feet of Wetland 1. He said three small micro pools will be excavated within the wetland area. If small pools are dug out, certain plantings will thrive, giving additional variety to the plantings. This will also provide a buffer and enhancement to Wetland 1. He reviewed his alternative analysis and concluded that this is the best plan.

Attorney Penny explained that because the Planning and Zoning Commission found the development activities may have a significant impact on the wetlands, it must now find before issuing a Wetland Permit, that on the basis of the record, a feasible and prudent alternative to the proposed development design does not exist. He said wetlands professionals can say with confidence that the condition and functioning of the wetlands system on the site will be better after the development than before. The highest quality wetland area on the site will be enlarged.

No natural channel will be altered and the natural dynamics of the flow of water in wetland area will be restored and elevated. The natural capacity of the southern most wetlands will be enhanced. Extensive and redundant systems have been designed to avoid causing substantial turbidity, siltation, or sedimentation in the wetlands. He said the ground water levels of the wetlands will be augmented, not diminished, by the introduction of clean water from elsewhere on the site. The intended activities in the wetland and upland review areas will improve upon their performance.

Chairman Prause asked if any member of the public wished to comment either in favor of in opposition to this application. No member of the public wished to speak at this time.

Mr. Bordeaux said the only remaining staff comments can be addressed as modifications. Stakes in the conservation easement and its recording should be a condition of approval.

The Chairman closed the Public Hearing portion of the meeting at 8:06 p.m.

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