

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
MAY 4, 2015**

**ROLL CALL:**

Members Present: Eric Prause, Chair  
Horace Brown, Secretary  
Susan Shanbaum  
Michael Stebe

Alternates: Julian Stoppelman (Sitting)  
Pat Kennedy  
Teresa Ike

Absent: Andy Kidd

Also Present: Mark Pellegrini, Director of Planning  
Matthew Bordeaux, Environmental Planner  
Karen Logan, Recording Secretary

The Chairman opened the Business Meeting at 7:30 p.m. EVERGREEN CROSSING, LLC. – for modified grading and landscaping along the northern boundary, reconstruction of a drainage swale on the abutting parcel, and relocation of a sewer force main at 325 New State Road. - Inland Wetlands Permit – Determination of significance (2015-024) - Inland Wetlands Permit (2015-024); Erosion and Sedimentation Control Plan (2015 -025); PRD Detailed Site Development Plan Modification (2015-026)

Mr. Stephen Penny, Attorney for Evergreen Crossing, LLC presented the reason for the application as well as the background and history of the project. He said the modification proposed in this application arose out of the ongoing discussions with the applicant's neighbor to the north – the owner of an earthen materials handling business - with both parties wanting to reduce the opportunity for conflict between their neighboring uses of the property. The project consists of 224 apartment units located in six buildings with associated driveways and carports. Attorney Penny said the principal modification to the development plan consists of a further enhancement of the landscape buffer along the northern boundary by installing a 40' wide and 8' high berm, relocation of a sewer force main to permit construction of the berm and addressing a drainage issue that the neighbor identified.

The Commission must determine whether or not construction of a portion of the berm involves a major impact on the wetland, Attorney Penny said.

Mr. Forzley, Vice President of Fuss & O'Neill and Engineer for the project, introduced himself and presented his findings regarding the wetlands located on the north side of the property. Both the existing and proposed topographies protect the pond from sedimentation and erosion impacts and if the berm is properly constructed and stabilized per the plans, there will not be a negative impact to the pond, Mr. Forzley said.

The Inland Wetlands Agency is required to make a determination of the significance of the

proposed activity. Mr. Forzley addressed each type of activity and in each case, noted that the impact of the project would be negligible because the area is separated from the wetlands area by natural topography. He then asked if there were any questions.

Mr. Prause asked if there currently is a berm that separates the property from the pond and Mr. Forzley replied that there is a topographical high point between the pond and the existing swale.

Mr. Prause asked what is proposed to be changed in this application and Mr. Forzley answered that a berm would be constructed and the swale in the upland review area would be repaired.

Mr. Prause asked why the plans call for deepening the swale. Mr. Forzley replied that the swale has been in existence for a long time and over the years, the integrity of the swale has become lost as materials have been stockpiled there.

Mr. Prause asked what kind of safeguards are in place to ensure the proper construction of the berm and ensure the integrity of the pond. Mr. Forzley responded that Fuss & O'Neill has been retained to make sure the construction is carried out according to the plans.

#### Inland Wetlands Permit – Determination of Significance (2015-024)

**MOTION:** Mr. Stebe moved to find the proposed activity at the above referenced location as shown on the Inland Wetlands Permit application 2015-024 will not have a significant impact on the waterbody and therefore will not require a public hearing. Mr. Brown seconded the motion and all members voted in favor.

#### Inland Wetlands Permit (2015-024)

Mr. Forzley presented the plans for the construction of the berm and noted that all of the property drains from north to south. The berm will be approximately 40' wide and 8' high, and will extend across most of the property line. The berm will be landscaped with a combination of evergreen trees and a 6' high stockade fence. Mr. Forzley said he received detailed comments from Town staff, which have all been addressed. He then asked if there were there any questions.

Mr. Stebe asked about the Eastern end of the proposed work. There appears to be an existing swale; can you describe the work that is proposed for that area? Currently, our packets show that this goes into Evergreen Crossing property. Is that correct?

In response to questions from Mr. Stebe, Mr. Forzley said the existing swale to the East does go into Evergreen Crossing's property because there is a lot of vehicle activity which has filled in the swale and now water is overflowing onto Evergreen Crossing's property. Once the berm is rebuilt and the swale is restored, it will move the water as it was intended, Mr. Forzley said.

In response to a question from Mr. Brown, Mr. Forzley confirmed that the swale has existed for a number of years.

Mr. Prause asked what type of trees are planned to be located next to the fence and Mr. Forzley indicated he did not know specifically what kind of trees were being planted and noted that the landscape architect was not present, but he believed it to be a mixture of evergreens.

Mr. Prause then asked what kind of material the stockade fence will be made of. Mr. Forzley stated that the fence will be either wood or vinyl.

In response to questions from Mr. Prause, Mr. Forzley said that the closest building to the highway is Building 3 and there were no plans to add any screening between the development and the access road for Interstate 84.

Mr. Prause asked if there were any other questions or comments from staff.

Mr. Bordeaux replied that all comments from staff had been received and addressed. He proposed a motion to approve the application with modifications, which would include any final comments from staff.

In response to a question from Mr. Prause, Mr. Bordeaux confirmed that the Inland Wetlands Permit would be valid for five years.

Attorney Penny summarized the presentation for the Inland Wetlands Permit by appealing to the Commission to pass the application with modifications, as suggested by Mr. Bordeaux.

#### Inland Wetlands Permit (2015-024)

- MOTION:** Ms. Shanbaum moved to approve the inland wetlands permit with the modifications as specified in staff memoranda from:
1. James Davis, Zoning Enforcement Officer, dated April 16, 2015 to Renata Bertotti, Senior Planner;
  2. Derrick Gregor, P.E., Assistant Town Engineer, dated April 16, 2015 to Renata Bertotti; and
  3. Bernard Kalansuriya, P.E., Design Engineer, dated April 16, 2015 to Renata Bertotti.

Mr. Stebe seconded the motion and all members voted in favor.

The reason for the approval was that the proposed activity does not disturb the natural or indigenous character of the land by significant impact or major effect.

The approval is valid for 5 years. The work in the regulated area must be completed within one year of commencement.

#### Erosion and Sedimentation Control Plan (2015-025)

- MOTION:** Mr. Stoppelman moved to certify the erosion and sedimentation control plan with the modifications as specified in staff memoranda from:
1. James Davis, Zoning Enforcement Officer, dated April 16, 2015 to Renata Bertotti, Senior Planner;
  2. Derrick Gregor, P.E., Assistant Town Engineer, dated April 16, 2015 to Renata Bertotti; and
  3. Bernard Kalansuriya, P.E., Design Engineer, dated April 16, 2015 to Renata Bertotti.

Ms. Shanbaum seconded the motion and all members voted in favor.

#### PRD Detailed Site Development Plan Modification (2015-026)

- MOTION:** Mr. Stebe moved to approve the PRD Detailed Site Development Plan Modification with the modifications as specified in staff memoranda from:

1. James Davis, Zoning Enforcement Officer, dated April 16, 2015 to Renata Bertotti, Senior Planner;
2. Derrick Gregor, P.E., Assistant Town Engineer, dated April 16, 2015 to Renata Bertotti; and
3. Bernard Kalansuriya, P.E., Design Engineer, dated April 16, 2015 to Renata Bertotti.

Ms. Shanbaum seconded the motion.

Mr. Brown asked if the reason for the addition of a berm was because of conflict between the two land owners. Mr. Penny answered that there were no incidents between the two parties. He said the attorney for the other landowner expressed his concern about the lack of a sound and physical barrier and the two parties worked together to arrive at this solution, which they both support.

Mr. Prause called the vote and all members voted in favor.

TOWN OF MANCHESTER PLANNING DEPARTMENT – For removal of remnants of a former dam, stabilization of eroding banks, channel realignment, in-stream fish habitat features, and floodplain connectivity at 375R, 381, and 401 Adams Street. - Inland Wetlands Permit (2015-032); Erosion and Sedimentation Control (2015-033); Flood Plain Permit (2015-034)

Mr. Bordeaux said there were no outstanding staff comments regarding this project.

Ms. Shanbaum indicated that the plan, as presented, is the best possible solution.

Mr. Stoppelman asked if the Town had secured the necessary state and federal permits. Mr. Bordeaux replied that the Town already received permits from the State Department of Energy and Environmental Protection (DEEP) and the Army Corps of Engineers.

Mr. Prause called for a motion from the Commission.

Inland Wetlands Permit (2015-032)

**MOTION:** Mr. Stoppelman moved to approve the inland wetlands permit. Ms. Shanbaum seconded the motion and all members voted in favor.

The reason for the approval was that the proposed activity will have numerous positive impacts on water quality, flood conveyance and stability, and overall stream corridor habitat quality. The approval is valid for 5 years. The work in the regulated area must be completed within one year of commencement.

Erosion and Sedimentation Control (2015-033)

**MOTION:** Mr. Stebe moved to certify the erosion and sedimentation control plan. Ms. Shanbaum seconded the motion and all members voted in favor.

Flood Plain Permit (2015-034)

**MOTION:** Ms. Shanbaum moved to approve the flood plain permit. Mr. Stebe seconded the motion and all members voted in favor.

LYNCH FAMILY – To add an illuminated entry portal to the existing building at 179 Tolland

Turnpike. - Special Exception Modification (2015-043)

Mr. Alan Lamson, President of FLB Architecture & Planning, appeared before the Commission on behalf of the Lynch Family. He said the property being considered was the subject of a façade renovation approval that the Commission had previously granted. That approval included plans for an entry portal, which is the main door into the showroom area. The original intent for the portal was to provide more subtle lighting for that portion of the building. Toyota has designed this type of low level of lighting for the portal. When Mr. Ansaldi, the contractor, began to develop detailed plans for the project, he felt this portion of the renovation plan was unclear, Mr. Lamson said. So, rather than invest the time and money in moving forward with the project, the applicant decided to come before the Commission to ensure that the plans for lighting the portal accurately reflected the Commission's expectations.

Mr. Lamson said the interior illumination area is pre-engineered and includes a set of lighting mechanisms that will subtly illuminate the portal element. The lighting is done with LED lamps inside the structure, set into a mechanism that controls and diffuses the lighting to create a soft glow. Each lamp is part of a series of diffusers and shields that modify the light levels that are emitted. This design mechanism reduces the lighting level at the face of the portal structure. The foot candle level of this lighting is much less than a typical streetlight, Mr. Lamson said.

Mr. Lamson then demonstrated a mockup of the proposed lighting scheme. He showed the exterior glass, as well as the interior workings of the lighting panel.

Mr. Prause asked what the dimensions of the portal were. Mr. Lamson replied that it is 40' x 30' or 35'.

Mr. Stoppelman asked if the lights would be on all night. Mr. Lamson responded that the lights were on a timer and would be turned off at 10 p.m.

Ms. Shanbaum asked how the light bulbs could be changed. Mr. Lamson replied that there are not bulbs; there are actually diodes and they can be accessed from behind the panel.

Mr. Prause asked if the plan specifies the color of the light as white. Mr. Lamson answered that there was no specific notation calling for the color white, but that a modification to that effect on the application would be agreeable.

Mr. Pellegrini indicated that he had driven out to look at the other installation and the lighting was quite diffused.

Ms. Shanbaum asked if the Toyota and Lynch emblems would be illuminated. Mr. Lamson replied that the Toyota logo would be lit, but the Lynch logo is not.

Mr. Stoppelman asked if the building on the right or the left of the location (facing Tolland Turnpike) was the site of the portal. Mr. Lamson verified it is the building on the left – the new car facility.

Mr. Pellegrini clarified that, looking toward the interstate, the building being discussed is the one on the left.

Mr. Prause said that the look of the building is futuristic. The lighting is different. He asked why the applicant chose this particular lighting and. Lamson replied that the lighting is energy

efficient and is a way of branding the Toyota name.

#### Special Exception Modification (2015-043)

**MOTION:** Mr. Stebe moved to approve the special exception modification of façade elevation materials and colors. Mr. Brown seconded the motion and all members voted in favor.

**FRIENDLY AMENDMENT:** Mr. Stebe moved to amend the motion to add the condition that the LED lights will be white on glass panels. Mr. Brown seconded the motion and all members voted in favor of the amendment.

**MOTION:** Mr. Stebe moved to approve the special exception modification of façade elevation materials and colors with the condition that the LED lights will be white on glass panels. Mr. Brown seconded the motion and all members voted in favor.

### **ADMINISTRATIVE REPORTS**

Mr. Pellegrini reported on the approval of application 2015-009 for a lot line revision at 184-188 Spencer Street for Nancy J. Darby, Trustee of the Sharon Miller Revocable Trust.

### **APPROVAL OF MINUTES**

**MOTION:** Mr. Brown moved to approve the following meeting minutes as written:

1. October 6, 2014 – Public Hearing
2. October 6, 2014 – Business Meeting
3. October 20, 2014 – Public Hearing
4. October 20, 2014 – Business Meeting
5. March 2, 2015 – Aquifer Protection Agency Meeting
6. March 2, 2015 - Public Hearing
7. March 2, 2015 - Business Meeting
8. March 2, 2015 – Workshop
9. March 16, 2015 - Public Hearing
10. March 16, 2015 - Business Meeting

**AMENDED MOTION:** Ms. Shanbaum moved to approve the minutes with the following modifications:

1. On page 6 of the October 6, 2014 Public Hearing minutes, change, “the freestanding sign is 25’ to 27’” to read, “the freestanding sign is 25’ to 27’ high.”
2. On pages 2, 3, and 4 of the October 20, 2014 Public Hearing Minutes, change “Mr. Kahaner” to “Dr. Kahaner.”
3. On page 1 of the March 2, 2015 Business Meeting minutes, note which members were sitting.
4. On page 2 of the March 16, 2015 Business Meeting minutes, change the sentence, “Ms. Shanbaum said she supported this amendment because adding uses for repurposing existing buildings within the Industrial Zone, especially for an activity like horticulture, and supports the Plan of Conservation and Development,” to read “Ms. Shanbaum said she supported this amendment because adding uses for repurposing existing buildings within the Industrial Zone, especially for an activity like horticulture, is beneficial and supports the Plan of Conservation and Development.”

Mr. Stebe seconded the amendment and all members voted in favor of the amendment and of the adoption of the minutes as amended.

**RECEIPT OF NEW APPLICATIONS**

**KEYSTONE NOVELTIES DISTRIBUTORS, LLC – CUD Detailed Site Development Plan Modification (2015-040)** – To erect a temporary tent for the sale of fireworks from June 25 to July 5, 2015 at 170 Slater Street.

Mr. Stebe moved to adjourn the meeting. Mr. Stoppelman seconded the motion and all members voted in favor. The Chairman closed the business meeting at 9:15 p.m.

I certify these minutes were adopted on the following date:

June 15, 2015  
Date

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Eric Prause, Chairman

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