

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JULY 20, 2015**

ROLL CALL:

Members Present: Eric Prause, Chairman
Andy Kidd, Vice Chairman
Horace Brown, Secretary
Michael Stebe
Susan Shanbaum

Alternates: Pat Kennedy
Julian Stoppelman
Teresa Ike

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

The Chairman opened the Business Meeting at 8:35 p.m.

NEW BUSINESS:

TOLLAND TURNPIKE ASSOCIATES, II, LLC – Special exception under Art. II Sec. 9.14.02 (b) for a new medical building which requires more than 60 parking spaces and associated site work at 376 and 394 Tolland Turnpike – Special Exception (2015-058); Erosion and Sedimentation Control Plan (2015-059).

The Chairman asked if anyone had comments and no one did.

Special Exception (2015-058)

MOTION: Mr. Kidd moved to approve the special exception with the modification as specified in staff memoranda from:

1. James Davis, Zoning Enforcement Officer, dated July 9, 2015 to Renata Bertotti, Senior Planner;
2. Bernard Kalansuriya, Design Engineer, dated July 15, 2015 to Renata Bertotti;
3. Michelle Govoni, Civil Engineer, dated July 17, 2015 to Renata Bertotti;
and
4. James Mayer, Traffic Engineer, dated July 20, 2015 to Renata Bertotti.

and with the condition that if the Emerald Gaiety Euonymus shows up on the invasive plant list, it will be substituted with a non-invasive plant, with the concurrence of staff and the applicant.

Ms. Bertotti asked whether the crosswalk that was mentioned during the public hearing was intended to be included as a condition.

Mr. Stebe seconded the motion.

Mr. Prause asked if there was any discussion on the application. Mr. Stebe asked about requesting demarcation of the crosswalk space between 360 and 376 Tolland Turnpike along the southern end to join the proposed parking on 376 Tolland Turnpike and the adjusted parking addressed last meeting at 360 Tolland Turnpike. He also raised the subject of additional signage on the southwest end to denote staff parking only to inhibit egress from the southwest entrance. It was requested that these two items would be added to the list of conditions. Ms. Shanbaum requested that the specific details of the signage in the parking area be agreed upon with staff, rather than the Commission determining at the meeting what the signage should say. Mr. Stebe said that was agreeable.

MOTION: Ms. Shanbaum moved to amend the motion to include a modification that a crosswalk will be provided on the plans between buildings 360 and 376 Tolland Turnpike, and additional signage will be added to the parking area on the west of the proposed building, to be agreed upon with staff, to indicate Staff Parking and No Exit.

Mr. Stebe seconded the amendment and all members voted in favor of the amendment. Mr. Prause commented again about the entrance-only driveway, saying that part of the special exception criteria is to safeguard public safety and traffic flow. He said as long as more signage is added and the entrance is narrowed to discourage people from trying to exit there, it should not be a problem. Mr. Brown said he didn't think it would be a problem because the parking lot will not be crowded, and people will get used to where they're going because they will visit the cancer center repeatedly.

AMENDED MOTION: Mr. Kidd moved to approve the special exception with the modifications as specified in staff memoranda from:

1. James Davis, Zoning Enforcement Officer, dated July 9, 2015 to Renata Bertotti, Senior Planner;
2. Bernard Kalansuriya, Design Engineer, dated July 15, 2015 to Renata Bertotti;
3. Michelle Govoni, Civil Engineer, dated July 17, 2015 to Renata Bertotti; and
4. James Mayer, Traffic Engineer, dated July 20, 2015 to Renata Bertotti.

and with the modification that a crosswalk will be provided on the plans between buildings 360 and 376 Tolland Turnpike, and additional signage will be added to the parking area on the west of the proposed building, to be agreed upon with staff, to indicate Staff Parking and No Exit;

and with the condition that, if the Emerald Gaiety Euonymus shows up on the invasive plant list, it will be substituted with a non-invasive plant, with the concurrence of staff and the applicant.

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

The reason for the approval was the proposal meets the special exception criteria of Article IV Section 20.

Erosion and Sedimentation Control plan (2015- 059)

Ms. Bertotti said the same comments that Michelle Govoni, Civil Engineer, had for the special exception application apply to the erosion and sedimentation control application. The only recommended plan modification for this application, she said, would be the memo from Ms. Govoni.

Mr. Prause noted that it was stated during the public hearing that the erosion and sedimentation control plan was in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

MOTION: Ms. Shanbaum moved to certify the erosion and sedimentation control plan, with the modifications as specified in staff memoranda from:

1. Michelle Govoni, Civil Engineer dated July 17, 2015 to Renata Bertotti, Senior Planner.

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

HIGHLAND OAKS CORPORATION – For 35 lot development of one-family and duplex-type homes at Castle Hill and Collingridge Drive. – Inland Wetlands Permit – Determination of significance (2015- 050) – Request for 65-day Extension; Re-Subdivision and PRD Detailed Plan of Development (2015-051) – Request for 65-day Extension; Erosion and Sedimentation Control Plan (2015-052) – Request for 65-day Extension.

Ms. Bertotti said staff have worked with this applicant in order to review plans and receive revised plans and are waiting for the engineers to submit revised plans. On Friday, July 17th, they submitted revised plans and Ms. Bertotti said she hoped all outstanding comments were addressed and that the applicant would be in front of the Commission in August.

Request for 65-day Extension of Time

MOTION: Mr. Stebe moved to agree to the 65-day extension of time for:

1. Inland Wetland permit (2015-050);
2. PRD Zone Detailed Plan of Development/Resubdivision (2015-051), and
3. Erosion and Sedimentation Control Plan (2015-052)

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

WILLIAM D. O'NEILL – Pre-Application Review to discuss the possibility of creating two buildable lots at 533R and 543 Wyneding Hill Road.

Mr. Ken Swendie, a resident of Manchester and professional engineer, represented Mr. O'Neill. Wyneding Hill Road is located on the southern side of Manchester with a cul-de-sac that comes off Gardner Street. Wyneding Hill Road ends on the cul-de-sac and there are two lots beyond that that don't have sufficient frontage to count as building lots, Mr. Swendie said. He presented a slide showing the current shape of the lots. Mr. Swendie asked if the Commission would be amenable to letting the applicant measure the required frontage at the 50 ft. front yard setback rather than at the street line. He showed a concept plan of how the lots could be reconfigured and noted that, if an application were later submitted, the lot configuration might differ from this concept plan. No new lots would be created, but two non-buildable lots would be made buildable. The leftover portions of land not included in the newly configured lots would be added to two lots on Gardner Street that are owned by the applicant and his son, Mr. Steve O'Neill, Mr. Swendie said.

Mr. Stebe said, looking at contour lines on the map, he wondered how anyone could get up to the flat part of the land due to the steepness of the site. Mr. Swendie said that the proposed engineer is Mike Dion and he has done a concept sketch that demonstrates that a driveway can be put there to meet the requirements on the lot.

Mr. Kidd raised the idea that extending the road could perhaps solve the problem, however Mr. Swendie responded that it would be very expensive. Mr. Mark Pellegrini said this would not be a variance because the Commission has the discretion to measure the lot frontage at the building line in the zoning regulations. Ms. Bertotti included the two possible definitions of lot frontage from the zoning regulations in her cover memo to the Commission. Mr. Kidd said he had not realized that language was the current language already included in the zoning regulations. He said the fact that the regulations allow either interpretation was helpful, and asked if the Commission had ever used the second definition before. Mr. Pellegrini explained why this situation is so unique, citing that one parcel is landlocked and the other is at the end of a right-of-way with frontage only on the right of way, and it has very steep terrain.

In response to a question from Mr. Brown, Mr. Pellegrini said the cul-de-sac is not an appropriate size by current standards. By today's standards, it would most likely be larger in size. Mr. Pellegrini noted that, even if the Commission agreed to measure the lot frontage as requested, there would be other questions that would still need to be considered to determine the feasibility of building on the property, such as the ability to have wells on the property.

Mr. Kennedy said he was inclined to say it would be acceptable to use the alternate definition of frontage for this situation. Mr. Kidd agreed but asked if the cul de sac could be extended and reconfigured to be conforming to current standards. Mr. Swendie said that would be costly and he didn't think it was possible to have a full size cul de sac there without impacting wetlands in the area. Mr. Prause asked if any members would be opposed to using the second definition of frontage in this case. Mr. Stebe did not see a reason to oppose the proposal because at this point it is a preliminary item; the applicant would have to come before the Commission again before anything could get built. The Commission's statements on this pre-application are non-binding. Ms. Shanbaum asked if any subdivisions

would be required and Ms. Bertotti said no, the leftover portions of the lot would be merged with the two lots to the left through lot line revisions.

ADMINISTRATIVE REPORTS:

Ms. Bertotti reminded the Commission that there will be a workshop next Monday, July 27th, to discuss a working document for sign regulations and some suggested changes. The Chamber of Commerce is invited, as well as Mrs. Fish who submitted a letter about signs, and attorneys that have represented clients with sign variances

RECEIPT OF NEW APPLICATIONS:

RIPLEY HILL DEVELOPMENT, LLC – PRD Detailed Site Development Plan Modification (2015-071); Erosion and Sedimentation Control Plan (2015-072) - To add 12 garage units to the previously approved development at 717, 727, & 743 Tolland Turnpike, PRD zone.

Ms. Bertotti said that Ripley Hill Development has submitted an application for 12 garages to be added to the end units. They were in front of the Commission as a pre-application review recently. It's a PRD Development on the north side of Tolland Turnpike, approximately 32 or 34 units. They will essentially be adding a single car garage on each end of units, one on the anterior side of handicapped units, Ms. Bertotti said.

PLAZA AT BUCKLAND HILLS, LLC – Special Exception Modification (2015-073) - To demolish Bugaboo Creek restaurant and construct a multi-tenant space within the same footprint at 1442 Pleasant Valley Road.

Ms. Bertotti said the Plaza at Buckland Hills is requesting a special exception modification proposing a demolition of the former Bugaboo Creek restaurant and having another tenant in its place, not much larger in size.

Ms. Bertotti mentioned that coming up on Aug 17th will be Highland Oaks, if plans are agreed upon. Also upcoming are the Hayes application for future development and a proposal for some façade changes and outdoor seating at 440 Buckland Hills Drive (the shopping center where Sleepy's Mattress Center is). A restaurant is planning on occupying site where the I Party store was, she said. The applications for changes at Bennet, Cheney School, and Boiler buildings, including a special exception modification and erosion and sedimentation control plan, will also be heard in August. In September the Commission will look at the Plaza at Buckland Hills Restaurant, she said.

The Chairman closed the Business Meeting at 9:15 p.m.
I certify these minutes were adopted on the following date:

September 16, 2015 _____

Date

Eric Prause, Chairman

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