

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
JANUARY 4, 2016**

ROLL CALL:

Members Present: Eric Prause, Chairman (recused for 2015-100)
Andy Kidd, Vice Chairman (recused for 2015-100)
Michael Stebe
Timothy Bergin
Jessica Scorso

Alternate Members Sitting for 2015-100 Only: Patrick Kennedy
Julian Stoppelman

Alternate Members: Teresa Ike

Also Present: Renata Bertotti, Senior Planner
Matthew Bordeaux, Environmental Planner
Karen Logan, Recording Secretary

The Chairman opened the Public Hearing at 7:02 P.M.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – (continued from December 7, 2015) To repeal Article IV, Section 13 (Signs) and replace it with a revised Article IV, Section 13 (Signs). – Zoning Regulation Amendment (2015-100)

Mr. Prause read the notice of the continuation of the Public Hearing on December 7, 2015.

Ms. Bertotti summarized her presentation of December 7th. She recounted the background of the proposed amendment and highlighted the major revisions being proposed.

Mr. Kidd asked Ms. Bertotti to explain what the impact would be on current businesses if the new regulations were adopted. Ms. Bertotti noted that the new regulations would not impact current signs in town, as those businesses would be grandfathered under the old regulations. However, any new businesses would be subject to the new regulations, if they were adopted.

Mr. Kidd asked if a non-conforming sign needed to be replaced, could the new regulations be applied to the new sign. Ms. Bertotti replied that replacement signs would fall under the former regulations.

Mr. Kidd asked if there was anything in the new regulations dealing with a buffer zone between residential and business zones. Ms. Bertotti said no, and referred to the new criteria for the signs in Design Overlay Zone as the possible solution.

Mr. Stoppelman noted his concerns about the 32 sq. ft. limit for sign area and said he worried the business owners will want to situate their signs closer to the street in order to be better seen as a consequence of sign area reduction.

Mr. Prause asked if a business owner had two windows, could they cover 50% of one window with signs and leave the other empty. Ms. Bertotti responded that the coverage limits would only apply to storefront windows. Storefront windows are with windows with street frontage. So, unless the building was located on a corner lot and faced two separate streets, 25% coverage would be the limit.

Mr. Prause asked if businesses' temporary signs will be grandfathered. Ms. Bertotti replied that temporary signs cannot be grandfathered because they are temporary. Mr. Prause asked how the Town might enforce the new regulations and whether a business was grandfathered under the old regulations or not. Ms. Bertotti replied that the Zoning Officer would investigate in the same manner as he does now, using all available resources including the internet, etc.

In response to a question from Mr. Prause, Ms. Bertotti noted that Manchester already uses a multiplier to calculate the size of signs.

Mr. Prause asked if Ms. Bertotti had researched limiting hours during which the signs can be illuminated. Ms. Bertotti indicated that the Zoning Officer leaves at 4:30 P.M., so the enforcement of such regulations would be difficult, and is more appropriate if conducted by the police via Town ordinance.

Ms. Mary Fish, 19 Strickland Street, Manchester spoke to the Commission as a follow up on her comments from the December 7th meeting and her letter to the Commission. She noted that she did not want the Commission to believe that she is only concerned about a single sign. She went on to state that the clearer the regulations are, the better it is for the Town. She emphasized that it is important for the Planning and Zoning Commission to understand that the regulations impact residents, as well as businesses, and she believes that the impact on residential neighborhoods should be limited.

Hearing no additional comments from the public, Mr. Prause asked if there were any comments from staff. Ms. Bertotti replied that there were no comments from staff.

Mr. Stebe moved to close the Public Hearing and Mr. Kennedy seconded; all members voted in favor (Mr. Prause and Mr. Kidd recused themselves; Mr. Kennedy and Mr. Stoppelman voted). The Public Hearing on this application was closed at 7:36 p.m.

STEVEN GEMME – Request a special exception under Art. II Sec. 24.02.01 (d) for construction of a bank with a drive-through at 299 Middle Turnpike West. – Special Exception (2015-103)

Mr. Stebe read the legal notice for the public hearing.

On behalf of applicant Steven Gemme, Mr. Jeff Wyszynski, COO of Tecton Architects from Westerly, Rhode Island, presented the Special Exception proposal to build a Farmington Savings

Bank at 299 West Middle Turnpike.

Mr. Wyszynski detailed the location of the proposed bank building, including increased landscape buffers, additional arbor vitae, a dumpster enclosure, and plantings around the building. The plan calls for two 14' main light poles with recessed fixtures and LED lights, limiting the light spill.

Mr. Wyszynski described their Design Overlay Zone considerations. He showed pictures of adjacent properties and indicated that the material palette of the proposed building exterior was in harmony with the surrounding buildings, including a molded brick water table, clapboard siding, aluminum frame windows and architectural asphalt shingles. All four sides of the building are detailed, so there is no "back" or unfinished side of the building.

Mr. Wyszynski introduced Mr. Stephen Ulman, P.E., Senior Project Engineer of Benesch Engineers in Glastonbury, Connecticut. Mr. Ulman indicated that he undertook a traffic study at the site in December of 2015. He calculated the number of trips that would be generated by the proposed bank and concluded that there would be no change in service levels.

Mr. Stebe asked if there was a noticeable difference in the expected generation rates between a bank with a drive through window and a dry cleaner with a drive through window. Mr. Ulman replied that there are no estimates on file for a dry cleaner.

Mr. Prause asked Mr. Ulman to explain the traffic patterns in relation to the adjacent Kentucky Fried Chicken (KFC) business. Mr. Ulman recounted his personal research counting traffic trips for KFC and determining how many cars used the drive-through and how many park and enter the business. He said he didn't believe there were any safety issues with the proposed changes in the access lanes for adjacent businesses, including KFC.

Mr. Stoppelman asked if there was an exit for people to use when parking on the east side of the building. Mr. Ulman said there was an exit on the east side near the parking. Mr. Stoppelman asked how the dry cleaner's property would be cleaned up, considering the hazardous materials used in the business. Mr. Wyszynski replied that the State of Connecticut would handle the site clean-up.

Mr. Stebe asked about the location of the drive-through window, as well as the ATM. Mr. Wyszynski replied that both the drive up ATM and a full-service teller window were situated on the east side of the building, with the drive up ATM located on the outside lane.

Mr. Stebe asked how many residential neighbors were located on the north side of the property. Mr. Wyszynski answered that there were three residential neighbors on the north side and that there was an existing 6' stockade fence at the top of a wall. He described the existing wall on the north side of the building. Mr. Stebe asked what the setback difference is from the façade of the bank in regards to the KFC building. Mr. Wyszynski indicated that the setback was the easement line.

Mr. Kidd asked about the plan for the dumpster enclosure and Mr. Wyszynski noted that the

enclosure will basically be galvanized fence with cedar siding all the way around all four sides. Mr. Kidd went on to ask if adjacent business owners were consulted regarding the proposed curb cut. Mr. Wyszynski said that the curb cut was part of this property, so no other business owners were contacted.

Mr. Prause stated that the proposal showed compatibility with the Design Overlay Zone criteria, the utility capacity appeared to be adequate, the site safety and traffic had been studied extensively, and he believed the proposed design would enhance safety. Mr. Prause asked what the impact might be on residential neighbors and existing property values. Mr. Wyszynski replied that the building and proposed landscaping would enhance the area.

Mr. Prause asked about the location of the handicapped parking spot and whether the pavement markings were the only signs directing parking and traffic flow. Mr. Wyszynski said that there would be a signage package, but that it may be necessary to add striping to indicate traffic flow and parking.

Mr. Stebe commented that on the south side of the building, there is a window indicated in the plans that is located in a bathroom; he wondered what the plans were to provide privacy. Mr. Wyszynski noted that the window will be boxed out and backlit, so there will be no sight lines into the bathroom.

Mr. Stebe also asked why the west side of the building will be two-way traffic, when the east side will be only one-way traffic, and how will patrons access parking spaces numbered 7-11 on the east side. Mr. Wyszynski noted that those parking spaces were intended to be employee parking.

Mr. Kidd asked if Mr. Mayer, the Town's Traffic Engineer, had a comment regarding the angled parking for the KFC business. Mr. Ulman read the comment from Mr. Mayer, stating that the six parking spots should be changed from angled to 90 degree alignment. This arrangement must be approved by the owner of KFC.

Mr. Stebe asked what the impact would be if KFC refused to approve the change in parking. Mr. Wyszynski indicated that the applicant would need to re-evaluate the proposal.

Mr. Prause called for comments from staff. Ms. Bertotti indicated that there were three outstanding comments which were minor and technical in nature and could be added as conditions of approval if the Commission decided to approve the application.

Mr. Prause called for public comments. The first speaker was Ms. Cheryl Kasek, 76 Oliver Road, Manchester. She noted that her property abuts the north side of the proposed bank's property. She said the lighting from the KFC currently impacts her property and she is concerned that the 24-hour ATM traffic will cause headlights to flash across her home. She said the lighting poles will be 14' high and the fence is only six feet high, and asked how that would be addressed to keep her home from being illuminated all night. She also said the fence is owned by the businesses and asked if Farmington Bank would be willing to be responsible for maintaining the fence. Regarding the dumpster enclosure, Ms. Kasek said she hoped the dumpster would only be

emptied during business hours, rather than at 4 a.m.

Mr. Prause asked if there were any other comments from the public.

Mr. Al Gosselin of 23 Beacon Street indicated that he will be marrying Ms. Kasek and he will also be an owner of Ms. Kasek's property at 76 Oliver Road. He wanted to clarify the condition of the vinyl fence along the north side of the bank property. He stated that the fence is a 6' vinyl fence at grade level, so it is not sitting atop a 6' high wall. He was concerned about the 14' light poles and the associated light spillage. Mr. Gosselin also mentioned the traffic flow being three northbound traffic lanes with only one southbound lane and said he felt that was a potential problem area that needed to be addressed.

Mr. Dean Levy, 84 Whetton Road, West Hartford, addressed the Commission. He is the property owner of the shopping plaza to the east and current landlord to Pet Supplies Plus, Stone & Paddle Restaurant, CVS, and Dunkin Donuts. He stated that he was in favor of the proposal and that he believed it would be a great improvement to the area. He noted that when CVS was built, the adjacent residents were concerned about the impact. He went on to say that a vinyl fence was erected behind that property and to his knowledge, the residential neighbors are happy with the arrangement. He suggested that perhaps the fence might be replaced all the way down to the Farmington Bank site. He stated that he believed the proposed site changes would clarify traffic flow and reduce the traffic hazards.

Mr. Wyszynski reviewed the proposed lighting level. He noted the estimated foot candles for the 14' lights and offered to adjust the photometrics away from the residential side of the property. He added that in addition to the 14' lighting fixtures being recessed, which would reduce light spill, the wall sconces were shielded and intended to provide ambient light only. Mr. Wyszynski also offered to ensure that the dumpster would only be emptied during regular business hours.

Mr. Prause asked Mr. Wyszynski to discuss the condition of the fencing behind the property, and Mr. Wyszynski indicated that the bank would be interested in improving or upgrading the fence if the fence did in fact belong to them.

Mr. Kidd noted that the traffic flow seemed a bit confusing, so signage will be important. Mr. Gosselin added that he feels the traffic will be confusing because of the herringbone pattern of the current parking spaces and cars exiting the bank at the north end will be traveling against that pattern. Mr. Kennedy suggested that the traffic flow be made counterclockwise. Mr. Ulman noted that if that were the case, KFC customers would have to enter on the east side of the bank, travel to the far end of the north side, and come all the way around the property to get to KFC.

Mr. Prause asked the Commission how they wanted to proceed; if the members preferred to apply conditions to an approval, or ask the applicant to rework the plan and return to the Commission for another review.

Mr. Stebe suggested that the issue of the fencing could be approved administratively by the Chairman, the lighting issue was a technicality and the traffic flow could be resolved with the agreement of the abutting property owner.

Mr. Kidd suggested that the Commission make all three issues a condition of approval. If the traffic flow is an issue with KFC, the applicant will have to come back to the Commission regardless, he said.

Mr. Prause asked Ms. Bertotti if it was possible to make the fence upgrade a condition of approval and she indicated that it would be possible.

Ms. Bergin moved to close the Public Hearing; Mr. Stebe seconded, and all the members voted in favor.

The Chairman closed the public hearing at 9:10 p.m.

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