

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
FEBRUARY 13, 2017**

ROLL CALL:

Members Present: Eric Prause, Chairman
Andy Kidd, Vice Chairman
Michael Stebe, Secretary
Timothy Bergin

Alternate Member Sitting: Patrick Kennedy

Absent: Jessica Scorso
Julian Stoppelman
Teresa Ike

Also Present: Gary Anderson, Director of Planning
Renata Bertotti, Senior Planner
Katie Williford, Administrative Secretary
Nancy Martel, Recording Secretary

Time Convened: 8:47 P.M.

NEW BUSINESS

TILCON, INC. – For removal of an existing weigh scale and building at 116 Union Street. – Inland Wetlands Permit – Determination of Significance (2016-147); Inland Wetlands Permit (2016-147)

Mr. Tom Daly, Professional Engineer with the firm of Milone & MacBroom, spoke on behalf of Tilcon, Inc. regarding the application for a wetlands permit for activity within the upland review area. The parcel has an address of 116 Union Street, but the property is off North Main Street. The scale house is an integral part of the Tilcon operation and determines the billing.

Mr. Daly continued that the proposed activity will include the removal of the scale house and the weigh scale. The scale is proposed to be replaced with a more modern version, and the proposed location is outside of the regulated upland review area. The existing building will be demolished and removed, and the location filled with good granular fill, compacted and paved. An area that is currently impervious will be removed and restored to lawn, resulting in a 3,000 sq. ft. reduction of impervious surface. Mr. Daly said he believes that this project will result in minimal to no potential erosion.

Mr. Prause asked for clarification of the site, which Mr. Daly provided. He was informed that the temporary adjacent buildings will be removed as well.

Mr. Stebe asked if there were any contaminants on this site. He was told that the material is contained in the trucks.

Ms. Bertotti stated on behalf of Matt Bordeaux, the Town's Environmental Planner and Wetlands Agent, that he is satisfied with the design for this application. The applicant was responsive to reducing the excess asphalt in the area as well as erosion and sediment controls. Staff recommends approval subject to modifications of some minor comments that are contained in a memo from Michelle Handfield, Assistant Town Engineer.

Mr. Daly stated that they have no objection to the comments and will address them.

Mr. Prause asked Ms. Bertotti whether this will require an erosion and sedimentation control plan and if there should be a ruling on the flood plain impact.

Ms. Bertotti replied that the disturbance is under a half acre and would not require an erosion and sedimentation control plan. She further stated that they have never submitted an application for a flood plain approval. Mr. Daly said a flood plain approval is not needed because there will be no change in grade.

Inland Wetlands Permit – Determination of Significance (2016-147)

MOTION: Mr. Kennedy moved to find the proposed activity at the above-referenced location as shown on the Inland Wetlands Permit application 2016-147 will not have a significant impact on the wetlands and, therefore, will not require a public hearing.

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

Inland Wetlands Permit (2016-147)

MOTION: Mr. Kennedy moved to approve the Inland Wetland Permit with the modification as specified in staff memorandum from:

1. Michelle Handfield, Civil Engineer, dated February 1, 2017.

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

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

JOSEPH D'ASCOLI (MANCHESTER HOUSING AUTHORITY) – For a photo voltaic solar array at 11 Bluefield Drive – Special Exception Modification (2017-005).

Joe Milazzo, Paquette Electric, spoke on behalf of the Manchester Housing Authority. Mr. Milazzo described the area for the solar array installation. He noted that the area is not readily visible from the road, and is not near wetlands. There will be a slight modification, removal of

the organic material, and laying a pad of 4" gravel to prevent vegetation growth. Mr. Milazzo further stated the array will be connected to a medium voltage transformer which will tie into an existing telephone pole. Several existing trees will be removed and additional trees moved. The area will be split into four subarrays, approximately two feet between each array to help with snow accumulation. One residential building is closest to the northeast corner of the array. The site will utilize a culvert tying into the existing catch basin. The area impacted is approximately 140 feet wide by 60 feet deep. Additionally, a permanent six foot chain link fence will be erected in accordance with electrical code requirements.

In answer to the questions from staff, Mr. Milazzo displayed to the Commission the completed revised plans along with general comments. The construction entrance depiction was also presented, as well as the impact on the existing sidewalk.

Mr. Prause inquired about the current use of the field to which Mr. Milazzo replied that it is open space. Mr. Milazzo requested Gary Sweet speak to this.

Mr. Gary Sweet, 99 Green Manor Road, Modernization Coordinator for the Manchester Housing Authority, informed the Commission that this field is not used, as the grade is too steep for the residents of this facility. He relayed that the Manchester Housing Authority has a large amount of open space.

Mr. Prause inquired of Ms. Bertotti about the history of this application and the open space requirements. He asked if this was part of the open space which was not traceable.

Ms. Bertotti replied that there were no records indicating whether this space was counted towards the open space requirement when the original special exception was approved. She informed the Commission that Mr. Sweet had submitted an open space table indicating that there is an adequate amount of open space excluding this area. The open space requirements at the time of the original special exception approval were regulated under landscaping requirements and were not very specific, she said. When the additional building was built in the 80s, there was a more specific, per-unit open space requirement that required no more than 5% grade. Under that second approval for the last building that was added, this space could not be counted because it would not meet that grade requirement.

Mr. Prause said it appeared that the amount of open space that would be lost would be minimal, about 13,000 sq.ft. out of the 800,000 sq.ft. of open space provided.

He also inquired about the threshold of this installation going through the Siting Council as opposed to Planning and Zoning.

Ms. Bertotti replied that she did not believe this should go to the Siting Council. It was her belief that the Siting Council generally regulates telecommunication facilities, not this type of utility generation.

Mr. Stebe inquired why the solar arrays are not being installed on the rooftops of the buildings in an effort to retain the open space.

Mr. Milazzo informed the Commission that each home uses 100 amp service. The arrays would have to be split into small arrays for each home as they wouldn't be able to handle the power. Many of the roofs also have peaks that would prevent placing that number of panels on them. It would not be possible to generate the same amount of energy by placing panels on the roofs, he said.

Mr. Sweet reflected on the Housing Authority's struggle with Federal funding for roof issues and said the placement of arrays on each roof would require a new roof on each unit, which would not be economical. He asserted that the Housing Authority's energy conservation program enhances the plan for Connecticut to become completely renewable energy-oriented by the year 2030. Additionally, this would be the only solar farm for any public housing authority in New England.

Mr. Prause asked for a further description of the landscaping with this project.

Mr. Milazzo replied that there will be very little landscaping. He went on to give a complete description of the landscaping planned.

Mr. Bergin inquired about concerns regarding sound generation with the equipment to which Mr. Milazzo replied that there will be no noise generated. Mr. Milazzo went on to give a complete description of the electrical system's configuration. He continued on to explain that the solar array will produce approximately 15% of the yearly energy being used by the Manchester Housing Authority. Any excess power cannot be outputted to the grid as it would be too costly to upgrade the transformers.

Mr. Prause requested clarification that the only equipment that will be outside of the gate will be a transformer that is set on a pad.

Mr. Milazzo affirmed that it would be a pad-mounted transformer.

Ms. Bertotti reiterated that the applicant has been provided with comments from Michelle Handfield, Engineering Department, to which the applicant responded. The revisions and comments to the plans can be reviewed after the Commission approves this application. They are technical in nature related to the site survey, etc.

Mr. Stebe asked if the permanent fence would include razor wire to which Mr. Milazzo replied it does not.

Special Exception Modification (2017-005)

MOTION Mr. Kennedy moved to approve the special exception modification at 11 Bluefield Drive at the Corner of Case Dr., House Dr. & Carver Ln. with the modifications as specified in staff memorandum from:

1. Michelle Handfield, Assistant Town Engineer, dated January 27, 2017.

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

The reason for the approval is that the proposed special exception modification meets the requirements of Article IV, Section 20.

COMMUNITY HEALTH RESOURCES – Pre-Application Review to discuss a 13-unit supportive housing development at 50-51-60-70-71 Kathleen Way

Attorney Tim Hollister, Hartford, represented Community Health Resources accompanied by Architect Paul Bailey as well as Michele Gaudet and Heather Gates from CHR.

Mr. Hollister explained that the property referenced is zoned Planned Residential Development (PRD) and is presently approved for five single-family home lots, all of which are undeveloped and would be merged under the proposal. Per discussions with Ms. Bertotti, the zone change and site plan approval would be required because, even though the property is already zoned PRD, CHR is looking to change the use from single-family to multi-family. He pointed out that multi-family use is a permitted use, not a special exception use, under Art. II Sec. 7.02.03. Mr. Hollister also referenced a letter dated January 10, 2017 from Jim Davis, Zoning Enforcement Officer, that stated “The proposed design concept appears to comply with all applicable zoning regulations.” CHR is proposing 13 units, 12 residential units and an on-site staff supervisor unit. This will be permanent supportive housing for young adults ranging in age from 18 to 24 who are presently homeless. CHR is applying to the Department of Housing for funding for this proposal, which has not yet been granted.

Mr. Hollister continued to explain the plans for the residents of this site. Services would not include alcohol or drug addiction recovery services, Department of Children and Families placement, or Department of Correction placement, he said. He informed the Commission that CHR has not yet reached out to the neighbors.

Mr. Bailey, with the architectural firm in New Haven, entered into a description of his firm and the other units they have designed for CHR in Manchester. Mr. Bailey went on to illustrate the proposed site with the building and parking design. He went on to explain how the site was designed to minimize the effect on the single-family homes on Kathleen Way. Mr. Bailey also stated that they would like to reduce the number of parking spaces. Additionally, Mr. Bailey provided a rendering of the building site, pointing out the aspects that were designed with the neighboring residents in mind. He went on further to show a depiction of the floor plans.

Ms. Gates, President and CEO of Community Health Resources, gave a description of CHR’s services. She went on to inform the Commission that this proposed site is designed for the homeless between the ages of 18 and 24. The proposed design is unique in that there will be supportive staff on site to provide a stabilizing adult presence as well as additional case management.

Ms. Bertotti inquired whether Mr. Hollister had on hand documentation of the original approval to bring the Commission up to date as the original approval was for seven lots. At that time, the site was approved for seven single family lots, two lots having frontage on North Main Street and five lots to be accessed off Kathleen Way, she said. A discussion ensued while reviewing the zoning map.

Ms. Bertotti noted the main point of the discussion is to get a sense of whether it is appropriate to change the zoning to introduce this multi-family development in the mostly single family area. She further explained that PRD zoning regulations permit single family houses, duplexes and multi-family houses and the applicant would have to come before the Commission, which would review this proposal as a zone change.

Mr. Stebe responded to Ms. Bertotti asking, since this is already zoned PRD, if this is a change of the use within the zone.

Ms. Bertotti replied that the PRD zone is a zoning district approved together with the Plan of Development. The character of the zone is directly represented by the specific Plan of Development and each time a plan is changed, the zone effectively changes as well.

Mr. Anderson informed the Commission that each PRD zone on the map goes with a plan. So when you change that plan, you are changing the map.

Mr. Bergin questioned staff about how the abutting properties on Kathleen Way and Carolyn Drive came to be designated PRD.

Ms. Bertotti stated that it was an approval that occurred prior to this zone change, and prior to her employment with the Town.

Mr. Bergin inquired whether the development was approved and built with single family residences before being designated as a PRD Zone, to which Ms. Bertotti stated that it was zoned PRD and it was subsequently built.

Mr. Kidd reflected on the orientation of the building and inquired whether the Commission can relax the parking requirements.

Ms. Bertotti stated the parking is required and there are no provisions for waivers. The only way to reduce the required parking would be through a variance or a regulation amendment.

Mr. Kidd recognized that the parking requirement adds extra impervious surface for no good reason. He also agreed with Ms. Bertotti's opinion regarding this multi-family house as a stand-alone entity around single-family homes, which will be a discussion.

Mr. Prause commented that any supportive housing is valuable, particularly the plan to have support staff live on the site. He expressed his concern about feedback from the neighborhood.

Mr. Kennedy expressed that Art. II Sec. 7.05.01 appears to be a confusing procedure because this location was approved as a PRD zone. He expressed his pleasure with the appearance of the building.

Mr. Bergin stated he appreciates the services that CHR provides, especially considering the recent closure of a homeless shelter. He inquired whether CHR considered replacing the services of the homeless shelter.

Ms. Gates replied that CHR has been committed to developing permanent housing for individuals. CHR had staff in the shelter working with homeless individuals and Ms. Gates expressed that they were concerned when the homeless shelter closed and, in fact, did some advocacy with the Department of Housing in an effort to keep it open. However, CHR is dedicated to permanent housing rather than transitional or temporary housing.

Mr. Bergin inquired whether the clientele would age out of this housing.

Ms. Gates stated that this housing is intended to be permanent until the residents decide to move; they would not age out. The goal is to help residents become educated, learn to work and deal with the issues of moving into adulthood.

Mr. Bergin questioned whether the facility would have an elevator to enable disabled residents to utilize the exercise room on the second floor.

Mr. Bailey replied that the design includes seven units on the first floor that will be accessible to the handicapped. There will be six more units on the second floor which are not accessible.

Mr. Bergin clarified that handicapped residents on the first floor could not access the exercise room.

Mr. Bailey stated that they may revisit that issue.

Mr. Bergin responded that he too compliments the design of the building. Furthermore, as a final thought, he suggested a reduction in parking, perhaps not tied to this specific application, for a facility such as this which does not warrant the size of the parking area.

Ms. Bertotti inquired whether the applicant is satisfied with the feedback they have received. She further stated that the basic issue is whether this proposal will fit the character of the neighborhood.

Mr. Prause reiterated that this matter comes down to location and neighborhood compatibility.

Mr. Bailey responded that the plan offers more open space in this plan than there was in the original approved seven lots, especially if the parking can be reduced. He stated he has the impression that most of the Commission is in favor of this proposal.

Mr. Prause stated that he agrees with the purpose. However, the Commission is tasked with representing residents in that area and ensuring that the proposal is in the best interest of the Town and suggests that CHR be prepared to assuage neighbors' fears.

Ms. Gates commented that she appreciates the Commission for taking the time to review this proposal, and that CHR is prepared for the comments and issues from neighboring residents. CHR will be taking the Commission's feedback into advisement in going forward.

Mr. Kennedy expressed his concern over putting a multi-family building in a single-family neighborhood.

Ms. Bertotti described briefly the neighborhood, which includes a rail line, industrial property and single family residential properties.

Mr. Kidd reiterated this is a neighborhood compatibility issue, though this is an admirable use. He suggested that CHR may best be served by looking at some other properties.

Mr. Prause mentioned that a better option would be to place the entrance off North Main Street rather than Kathleen Way. This would effectively create a barrier for the residential properties.

Mr. Anderson commented that a pre-application review seeks to determine whether a proposal is something that the Commission could feel is appropriate in a location. He believes that this proposal is something that the Commission could potentially agree is appropriate in this location, but there are concerns the applicant will need to address.

Ms. Gates explained CHR's mission to serve a population with a goal to maintain positive relations within communities.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning regulation amendment regarding multi-family dwellings and high-rise apartments in the CUD zone; accessory use of yards, walkways, and parking lots; Special Exception Criteria to remove the reference to the CBD zone; and to delete Article IV, Sec 2 (High-Rise Apartments). - Zoning Regulation Amendment (2016-145)

MOTION: Mr. Kennedy moved to approve the zoning regulation amendment regarding multi-family dwellings and high-rise apartments in the CUD zone; accessory use of yards, walkways, and parking lots; Special Exception Criteria to remove the reference to the CBD zone; and to delete Article IV, Sec 2 (High-Rise Apartments), with the following modification:

1. At Art. II Sec. 8.03.03 (3)(iii)(1), the word “balconies,” will be replaced with “common balconies,” and “etc.” will be replaced with “or similar common areas.”

Mr. Prause requested clarification of Mr. Kennedy's reference to Section 8.03.03(3)(iii)(1)

Mr. Kennedy said he wanted to clarify that balconies in individual apartments would not be considered open space in order to avoid setting a precedent.

The reason for the approval is that the proposed amendments correct the previous oversight with regard to the accessory of yards, walkways, and parking lots, and are consistent with the Manchester 2020 Plan of Conservation and Development of redeveloping and investing in existing and potential mixed use areas districts and centers, transportation nodes and corridors, promoting walkable neighborhoods, and diversifying the town's housing stock. The zoning regulation amendment will be effective on March 1, 2017.

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

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning regulation amendment regarding Outdoor Entertainment. - Zoning Regulation Amendment (2016-148)

Mr. Kidd stated that the only reason he voted against the motion to close the public hearing was to get more clarity on the conditional approach to special exceptions. He stated that he is in favor of this application.

MOTION: Mr. Kennedy moved to approve the Town of Manchester Planning and Zoning Commission zoning regulation amendment 2016-148 regarding Outdoor Entertainment with the following modifications:

1. Wherever it appears, the phrase “sound amplification equipment” will be replaced with “sound amplification and light equipment;” and
2. Wherever it appears, the phrase “directs the sound away from abutting properties,” will be replaced with “directs the sound and light away from abutting properties.”

Mr. Stebe suggested amending the motion to also replace the phrase “mitigate noise trespass” with “mitigate noise and light trespass.”

AMENDED MOTION: Mr. Kennedy moved to approve the zoning regulation amendment regarding Outdoor Entertainment with the following modifications:

1. Wherever it appears, the phrase “sound amplification equipment” will be replaced with “sound amplification and light equipment;” and
2. Wherever it appears, the phrase “directs the sound away from abutting properties,” will be replaced with “directs the sound and light away from abutting properties.”
3. Wherever it appears, the phrase “mitigate noise trespass” will be replaced with “mitigate noise and light trespass.”

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

The reason for the approval is the proposed amendment is consistent with the Manchester 2020 Plan of Conservation and Development in that it supports community aspirations identified therein, including but not limited to the desire to be a vibrant, thriving and energetic community, and to provide the physical arrangement and design spaces that create community through programs and spontaneous interaction. The Zoning Regulation Amendment will be effective on March 1, 2017.

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

RECEIPT OF NEW APPLICATIONS

1. Hockanum Flats, LLC – Inland Wetlands Permit (2017-011); Special Exception Modification (2017-012) – To construct a building addition for the Lynch Toyota body

shop, realign drainage, move catch basins, and modify the parking and driveway at 171 Tolland Turnpike.

2. **Town of Manchester Planning & Zoning Commission – Zone Change (2017-010)** – Request a zone change from Form-Based Zone to Business II Zone and Design Overlay Zone at 230 Middle Turnpike West.

ADMINISTRATIVE REPORTS

At the March 6 Commission meeting, there may be a review of the application for go-kart tracks as well as an erosion and sediment control plan and wetlands permit application for the Center Springs Park extension, Ms. Bertotti said.

At the March 20 Commission meeting, Ms. Bertotti will present a zone map amendment and Lynch Toyota will present their building addition application.

The Chairman closed the business meeting at 10:55 PM.

March 20, 2017

Date

Eric Prause, Chairman

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