

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
FEBRUARY 1, 2017**

ROLL CALL:

Members Present: Eric Prause, Chairman
Timothy Bergin

Alternate Member Sitting: Patrick Kennedy
Julian Stoppelman

Absent: Andy Kidd, Vice Chairman
Michael Stebe, Secretary
Jessica Scorso
Teresa Ike

Also Present: Gary Anderson, Director of Planning
Renata Bertotti, Senior Planner
Matthew Bordeaux, Environmental Planner
and Wetlands Agent
Judith Schuberth, Senior Administrative Secretary

The Chairman opened the Public Hearing at 7:08 p.m. and introduced the members of the Commission. He asked Mr. Bergin to read the legal notice. Ms. Bertotti informed the Commission Anthony G. and Paula C. Viscogliosi withdrew their application because they did not receive a variance from the Zoning Board of Appeals at its January 25, 2017 meeting. The Viscogliosis will meet with planning staff to consider options for a future application, she said. Mr. Bergin continued to read the public notice into the record.

EVERGREEN CROSSING, LLC – To add one additional multifamily building with 26 units at 317 New State Road, Planned Residential Development zone - PRD Zone Change and Combined Preliminary and Detailed Plan of Development (2016-139)

Steve Penny, Esq., agent for the applicant, explained that there are four matters before the Commission for the construction of an additional multifamily building with 26 units. The first was a PRD combined zone change and detailed plan of development, but the Commission must first act on the wetlands permit to determine if the proposed activities in the upland review area would pose a significant impact. There is an erosion and sedimentation control plan approval and a waiver request regarding perimeter landscape screening adjacent to a proposed paved parking lot overlooking a wetland and property of the State of Connecticut.

Attorney Penny said this development has a long history of Commission reviews and approvals. Phase 1 of the Broadleaf features 224 apartments in six three-story buildings with associated driveways, surface and carport parking for the residents, additional parking for guests, and amenities including a pool, clubhouse, sidewalks, walking trails, and recreation open space areas and received its final approval, a detailed plan modification, on July 21, 2014. Phase 1 of the

project has been very successful with 98% of the available units rented, he said. On December 7, 2015 the Commission approved a PRD zone change and preliminary plan of development for Phase 2 of the project consisting of 135 apartment units in three apartment buildings on a parcel to the rear of Phase 1 which Attorney Penney indicated on the site plan. The Phase 1 and 2 parcels are to be merged in the near future, he said. On May 2, 2016 the Commission approved the detailed plan of development which conformed in all respects with the approved preliminary plan. The applicant is seeking approval of the combined preliminary and detailed plan modification to add one additional building to Phase 2 of the development.

Attorney Penny said the site is at 317 New State Road on the westerly side of New State Road to the rear of the Phase 1 apartment complex between the Hockanum River to the south and Builders Concrete to the north. The site is 25.38 acres in size but 14.7 of the acres are not developable because there are slopes exceeding 15%, it is in the Hockanum River flood plain, and is severely encumbered by high tension lines. This reduces the developable area to 10.7 acres. To the north of this area is Phase 1 of the development, bounded easterly by land of the Town of Manchester on which are public water supply wells, southerly by land of the State of Connecticut, Cheney Technical High School and Eversource, and westerly by State of Connecticut I-84. Public water and sewer are available to the site as well as natural gas and electrical service. Access to the public road network is provided through the main access drive on the Phase 1 parcel that fronts New State Road, he said. The proposed building would house 26 apartments, 1- and 2-bedroom and efficiency units. 59 additional parking spaces are proposed including 40 on grade, 12 carports, and seven visitor spaces as required by the regulations, he said.

Attorney Penny introduced Mr. Bob Russo, soil scientist. Mr. Russo reviewed his experience and licensure to the Commission, and said that he appeared before the Commission and spoke on these wetlands at the previous hearings noted by Attorney Penny. Mr. Russo said that between I-84 and the property boundary there is a drainage swale that meets the definition of inland wetland soil in Connecticut. The upland review area of that inland wetland comes onto the site where some changes in grading and the proposed building are proposed. He said the particular resource collects stormwater drainage from I-84 and surrounding paved areas. It is predominately vegetative with invasive species such as multi-flora rose, common reed, purple loosestrife, and other species which are pioneer or invasive species. The primary value of the swale is processing stormwater and there are no direct wetlands impacts proposed. There is work in the upland review area and the proposal will have some stormwater discharge in upland that will eventually reach the swale. There is also some stormwater discharge in the upland area that will eventually feed into the wetland. Those areas of stormwater will release treated stormwater. The design of the project incorporates stormwater treatment basins, and the design is consistent with the 2004 stormwater manual, Connecticut DEEP's standards, so the discharged stormwater will be well-treated before entering the wetland resources. The proposed change does not change the nature of the activity or the potential impact to wetlands on the site, he said.

In response to a request from Mr. Prause, Mr. Russo showed the upland review area boundary on the site map, the area that will be regraded for parking spaces.

Attorney Penny said the memorandum from the Senior Planner sets forth the touchstones for making a significant impact determination and that none of the proposed activities in the upland review area meet the criteria that would lead to a determination of a significant impact.

Mr. Matt Bruden, project engineer, enumerated his credentials to the members of the Commission. He showed the location of a water quality basin from Phase 2. Due to the location of the proposed building, the basin had to be reconfigured and expanded due to the increase of impervious, he said. The detention will increase and the discharge points from Phase 2 are mimicked so there will be a slight increase in runoff, but due to the location near the Hockanum River, the Town Engineering Department agreed that it is acceptable, he noted. Also the water quality storage will be provided for 100% of the site and total sediment solid treatment for the particles coming off the parking lot, he said.

Mr. Bruden said there will be landscaping around the building and an adjustment to open space taken by the proposed new building. The utilities for the building will be an extension from Phase 1 and 2. An additional fire hydrant will be added. Erosion control measures during construction consist of silt sacks, silt fence, stockpile area, temporary sediment trap, and slope stabilization blankets. The area where the waiver of the landscaping buffer is requested consists of a natural wooded buffer between the property and I-84, which will be cut back slightly for parking spaces, but the majority of the buffer will remain, he said.

In response to a question from Mr. Stoppelman, Mr. Alan Lamson indicated the area of the public water supply wells.

Attorney Penny provided an overview of the traffic report created by Mr. Steve Mitchell. The report stated the addition of 26 apartment units would not affect the acceptable levels of service provided at the site drive where it attaches to New State Road and adjacent intersections, and the expansion of the Broadleaf development would not impact the safety or convenience of travel for residents of the development or the general public. The Town's traffic engineer and the report's conclusion did not register any concerns in this regard.

In response to questions from Mr. Prause, Attorney Penny said the entrance drive by Building 10 is an existing roadway but that the parking will be new and the traffic report did take into account the additional traffic with the new parking areas. There will be a total of 385 units when this building is complete, he said.

In response to a question from Mr. Stoppelman, Mr. Alan Lamson said that on one of the drawings there is a table with the breakdown of the units in the building. Phase 1 units are either one- or two-bedroom apartment units, but Broadleaf management found there was a greater demand for smaller units. As a result, when Phase 2 was being developed more one-bedroom units were included than in Phase 1 and that demand is driving the breakdown of this new building, he said.

Mr. Bergin referred to the project description section in the staff memo that the 26 units will consist of 12 two-bedroom, 12-one bedroom, and 2 efficiency units.

Mr. Lamson showed photographs of the existing buildings and said the proposed building will be the same character with the same materials as the existing buildings, although the proposed

building is significantly smaller than the existing buildings. The proposed building is a three-story building with entrances at two locations that lead to a center hall and the unit entrance will be off that center hall. The permitted height of buildings in this zone is 40 feet and this building is 37.1 feet in height. Mr. Lamson said that there will be carports which will be the same design and materials as the existing carports in Phase 1.

In answer to an earlier question regarding the open space, Mr. Lamson said that when Phase 1 was developed the open space requirement was 500 sq.ft. per unit each unit. When Phase 1 was complete there was more than 600 sq.ft. of open space per unit. When Phase 2 was developed open space was created in other locations on the site, which provided 560 sq.ft. of open space per unit. No additional open space will be added at this point since there is 552 sq.ft. of open space provided per unit. Mr. Lamson said there are several areas on the site that in reality will be available as open space but have not been included towards the open space requirement count. Since the Commission changed the building height regulation, the buildings are 3-stories, which reduces the footprint of the buildings. If this remaining land was calculated in the open space requirement, the amount of open space provided would probably be more than twice the required amount, he said.

Mr. Prause said the renderings are very similar to the existing buildings and it is an attractive development. The proposed building will be the closest to I-84 and Mr. Prause asked if any of the current residents complain about noise. Mr. Lamson explained the window and wall construction help to offset the noise because additional insulation is used on the sides closest to I-84. The wall structure is balanced so that the outside layer of sheathing, which is the vinyl siding and sheathing, is denser mass so it cannot transmit that vibration frequency to the inner layer. This stops the inner wall from vibrating, which is what causes noise.

In response to a question from Mr. Prause, Mr. Lamson said that there will be a few trees removed from the landscape buffer area and that the buffer will be 10 to 20 feet wide. There are mature trees and undergrowth that are on State property and will never be touched, he said. Mr. Prause said he is concerned at how visible the building will be from the exit ramp of I-84. Mr. Lamson said the distance from the building to the property line is 90 to 100 feet and then from the property line to the exit ramp is another 30 feet.

Attorney Penny concluded the presentation and suggested that the fundamentals of the PRD preliminary plan of development approved by the Commission in December 2015 and the detailed plan approved May 2, 2016 remain in place. The addition of the proposed multi-family building and pertinent parking can be accommodated in the development within the parameters established by the zoning regulations including density, unit size, parking, on-site movement of pedestrians and vehicles, traffic and public utility impacts, landscape and buffering, and passive and active recreation. The additional units will help to meet the demand of multi-family housing in the area, and add to the tax base of the Town without contributing meaningfully to the cost of providing municipal services. There are no staff comments that preclude an approval of the proposed modification except that the water and sewer department did request that the water line be looped, to which the applicant has agreed, he said.

Attorney Penny said the function of the drainage channel as a wetland habitat is somewhat marginal but it does contribute to water quality and would not be significantly or adversely

impacted by the proposed activity. The erosion and sediment control plan is consistent with both State and local regulatory requirements. The waiver of perimeter landscaping alongside the parking area is appropriate due to the natural vegetation, including large trees that separate the development from the drainage channel wetland and the I-84 exit ramp, he said.

Ms. Bertotti said the most relevant comment was the comment regarding looping of the water line, which the Town will take ownership of. There are minor and technical comments which can be addressed in the final submission of plans. Ms. Bertotti said her comments requesting a written landscape waiver and a request for an overall site plan showing the open space in area and location had been addressed. The staff comments pertain only to the detailed plan of development.

Mr. Bordeaux said that most of the proposed activity was permitted before. The addition of the parking spaces and the carports in the upland review area will not substantially change the potential impact to the wetlands, he said.

Chairman Prause asked any member of the public that wished to speak either in favor of or in opposition to this application to come forward at this time. No member of the public came forward.

Mr. Kennedy made a motion to close the public hearing on this application. Mr. Bergin seconded and all members voted in favor.

LABYRINTH BREWING – Request a special exception under Art. II Sec. 18.03.02(a) 6 to allow a brewpub at 148 Forest Street, Historic zone. - Special Exception (2016-143)

Mr. Alan Lamson, Architect, said he is the agent for the applicant, Labyrinth Brewing Company. This project will utilize an old building for the purpose of a brewpub. The applicant is requesting an approval of an erosion control plan and modification of a portion of the factory. The site is immediately east of the Clock Tower Mill Building, south of Forest Street, and west of the Cheney Mansion district. The building is located within the mill portion of the historic zone. The building was originally used as a waste silk storage house. Currently, it houses a fitness center, a residence, and storage.

Mr. Lamson said the Labyrinth Brewing facility operations will use approximately 4,500 sq.ft. on the upper floor on the north end of the building. The applicants are requesting a special exception to allow a brewpub per Article II Section 18.03.02 (a) 6 of the zoning regulations. This use was recently added to the list of special exception uses in the historic zone under the zoning regulation amendment that was unanimously approved by the Commission in July 2016. In its approval, the Commission said that allowing this use within the Cheney silk mill district was a logical extension of the uses allowed in the historic zone and a positive change to the regulations. The reasons stated in the motion to approve that amendment were that the proposal was consistent with the Manchester Plan of Conservation and Development goals and objectives, specifically growth management principle 3, attracting and expanding desirable industries, promoting adaptive re-use and incentivizing adaptive re-use of vacant and underutilized sites and building and promoting vibrant and walkable neighborhoods.

Mr. Lamson showed a floor plan of the second floor brewery and the main entrance on the east side of the building, proposed to be accessed by a ramp and a set of stairs to the entrance doors. The restrooms, an art gallery, the tap room with a bar and tables, and the brewing facility were also shown to the Commission. The brewery will be open four days a week, Thursday through Sunday, until 8:00 p.m. at the latest, he said.

Mr. Lamson said the building is in the Historic zone, so efforts were made to preserve the structure and its industrial appearance. This application was shown to the Cheney Commission and the applicant must return to them for their recommendation on the upper floor doors with a glass design. Mr. Lamson displayed photographs with options of the replacement of the doors with windows. The original doors are in poor condition but the applicant intends to change the doors to swing in to add the doors to the décor of the brewery, he said. The Cheney Commission did not have issues with other proposed changes to the building elevations.

On the west side of the building, there will be an emergency egress as required by building code. One of the original windows will be removed and the opening enlarged for an emergency exit. A rendering of the existing door pattern on the building was shown to the members. This existing pattern will be used for the new emergency exit door. A set of stairs and a landing will be added so patrons can exit to grade during emergencies.

Mr. Lamson said there would be no changes to the south side of the building, which faces the Cheney mansions. On the east side, the main entrance is approximately 5 to 5½ feet above ground level. The ramp, which provides handicapped accessibility, will be constructed right along the building and no windows on that side of the building will be removed. A canopy will be added to the ramp to shelter it from the elements as is required by code. The canopy will have an industrial look with a weather resistant material. The canopy and the ramp will be green to match the existing doors and trim. There is a shed on the building which is 20 feet by 40 feet long and inside the shed is an overhead door. The shed was added in the late 1960s; it has no historical significance, and is in poor condition. The shed and the overhead garage door inside the shed will be removed and entrance doors and sidelights will be added. A consistent goal of this project was to maintain the integrity of the existing structure and not to propose any work which would cause the building to be impacted negatively, he said.

Mr. Lamson said some of the equipment is 5 feet high, so placing the equipment on the roof was avoided. He reviewed the areas where mechanical equipment will be placed and landscaping placed to screen the equipment.

Mr. Andrew Bushnell, Licensed Professional Engineer and Land Surveyor, said the north side of the building fronting Forest Street has two existing driveways. The west driveway will be abandoned and three parking spaces added. Abandoning the driveway will improve the efficiency of vehicle traffic entering and exiting the site and reduce the conflicts of two driveways entering and exiting Forest Street. The existing sloped sidewalk will be removed and replaced with a level sidewalk with a granite curb. A grass strip is proposed between the sidewalk and the parking spaces to eliminate the appearance of a driveway entrance. A handicapped van accessible parking space, the dumpster, and the recycling enclosure will also be in this area. A portion of a retaining wall will be removed to provide the required 24-foot lane width.

Mr. Bushnell reviewed the parking on the east side of the building, which includes another handicapped space. The driveway on the east side will be widened to the required 24-foot width but will require the removal of existing oak trees. On the south side of the building, an existing gravel area will be paved to create a 47-space parking lot as required by regulations. The area slopes, so it will be brought up to grade and a retaining wall on the west side of this lot will be 4 feet to 6 feet in height, he said.

Mr. Bushnell reviewed the stormwater management plan. A catch basin with a hydro-dynamic separator insert is proposed for the stormwater treatment. The stormwater management on the north side the building flows to a catch basin on Forest Street, as it does under the current conditions, with the proposed grass strip providing some treatment before passing to the Forest Street system.

Mr. Bushnell said the erosion and sediment controls will include silt fencing on the downward side to prevent runoff. Silt sacks will be installed in all of the catch basins during construction.

In response to questions from Mr. Prause, Mr. Bushnell said because of the addition of the ramp, the required 18 feet for the parking spaces, and the 24 feet for the driveway, there is no feasible way to design the area and save the trees. The Town of Manchester public improvement standards require the 24-foot driveway. The existing garage at 126 Forest Street is being used for storage and it has historical significance.

Mr. Steve Mitchell, Licensed Professional Engineer, and a traffic engineer, said that the proposed use for this site is very focused; this establishment is not like a restaurant or tavern that is open for extended hours. Because of the size of the facility, a tavern use was utilized for the estimated trip generation. Since the brewery would not be open during peak morning hours, only the afternoon peak hours were considered. Using the highest count in afternoon peak hours, it was estimated that about 34 vehicles would exit or enter the site at a rate of one vehicle every two minutes, he said. The Forest Street and Chestnut Street Y-intersection is unusual and most of the traffic is from the west on Forest Street. The accident data at this location was reviewed and very few accidents were recorded in recent years, so although the intersection is unusual it operates safely. In response to comments from the Town traffic engineer, additional observations and traffic counts of the site were completed. The results indicated there was minimal queuing of vehicles. The Town traffic engineer agreed with the conclusions of the report submitted. There would be no adverse effect from this added development, Mr. Mitchell said.

In response to questions from Mr. Bergin, Mr. Mitchell said it was a miscommunication that the Town was considering changing the intersection to a three-way stop. After the submission of the original traffic report, discussion with the Town traffic engineer, and completion of the actual counts at the site, it was determined that a three-way stop would not be needed and could even adversely affect the intersection because it can cause drivers to violate added controls such as stop signs. A tavern use has more traffic generation than what is expected with a brewery and the counts were not scaled down from a tavern use, he said.

In response to questions from Mr. Bergin, Mr. Lamson said that the amount of parking was determined based on the zoning regulation requirements and the number of people who can

occupy the space. There was concern from Town staff that the number of parking spaces was too high because of the limited hours of operation and the unique customer base, he said.

In response to questions from Mr. Stoppelman, Mr. Chris Walnum, founder of Labyrinth Brewery, said only Labyrinth brewed beers will be offered on the menu. There will also be a very limited wine selection. There will be limited wholesale and on-site retail sales of beer. There is no loading dock for delivery or pickup, so the railing at the front door is removable. It would be difficult for Labyrinth to change the hours of operation because the state liquor regulations have to be complied with.

In response to questions from Mr. Prause, Mr. Lamson said that the exact same windows visible on the building's east side are inside the shed that will be removed. Mr. Lamson said he does not believe this activity will have any effect on the land values or be disruptive to the existing neighbors, because of the limited hours of operation and the smaller number of anticipated customers. The number of patrons would not be as great as a tavern because this is a controlled environment with a specific market that appeals to a specialty craft beer consumer and not to a person looking for a full bar with an extensive menu.

Ms. Bertotti said there were several comments from staff which can be addressed during the final plan submission. Jim Mayer, Town Traffic Engineer, agreed that the traffic counts did not warrant installation of three stop signs. His other comments were regarding parking spaces, a light pole that may require reconfiguration of parking, an additional handicapped parking space which should be provided, and confirmation of the driveway width.

Ms. Bertotti had comments regarding the three trees that will be removed for the parking and asked if another design would be able to avoid cutting down the trees, and requested that a note be added to the plan stating that parking lot lights will not shine into the neighboring properties.

Matthew Bordeaux, Environmental Planner/Inland Wetlands Agent, Raymond Myette, Civil Engineer, and Michelle Handfield, Assistant Town Engineer, had minor comments that can be addressed during the submission of final plans.

The Health Department and Fire Marshal commented on requirements which will need to be addressed with building permits if the Commission approves this application, including providing a food service plan and food service license, liquor license, and fire code permit, among other items, she said.

In response to questions from Mr. Stoppelman, Ms. Bertotti said that the Commission could impose a condition regarding the hours of operation as part of the special exception approval.

Mr. Lamson said a sign is planned to be added to the freestanding sign by the street. Mr. Walnum said that a glass sign design is being developed to replace the upper doors on the north side which first needs the recommendation of the Cheney Commission. Ms. Bertotti said this will require a special exception modification approval and the Cheney Commission will have a chance to review the proposed changes.

Chairman Prause asked any member of the public that wished to speak either in favor of or in opposition to this application to come forward at this time.

Ms. Martha Eddy of 70 Otis Street said she is concerned with the intersection and the egress of cars from the proposed brewery onto Forest Street. Vehicles turning from Pine Street onto Forest Street move at a rate of speed much higher than the permitted speed limit and there is a lot of traffic in this area. There is not enough parking for this use and if cars park on Forest Street this will cause issues.

Ms. Pat Cecere of 166 Chestnut Street said that she does not have the technology the traffic engineers used for their results, but she has lived in her home for 29 years and there is more traffic than reported. There are near misses which are not reported in accident reports. There are thousands of people who live in this area, children on bicycles, joggers and walkers, and the addition of this brewery will only increase an already congested area. Though the brewery will close at 8:00 p.m., there is no guarantee that people will not stay in the parking lot or their cars drinking. There are also two apartment complexes that have driveways onto Forest Street which adds to the danger and the cars also may park on Forest or Chestnut Streets because there are no “no parking” signs. The additional traffic will reduce property values; she is aware of buyers with children who decided not to purchase a home due to the danger of the intersection, she said.

Mr. David Buley of 170 Chestnut Street said a drunk driver hit a tree in his yard which had to be taken down. There are bicyclists, skateboarders, scooter riders, and young people who use the road instead of the sidewalks and there are regularly drivers who speed on the roads, he said.

Mr. Prause asked if there were any additional comments against the application. Ms. Bertotti said that there were two letters from members of the public who testified tonight, Ms. Cecere and Ms. Eddy. A letter in support of the application was also received from the Manchester Chamber of Commerce. Members of the Commission indicated they had read the letter from Chamber of Commerce earlier that day.

Mr. Mitchell, the traffic engineer for the project, said the intersection is unusual but the accident data does not indicate there is a crash problem. If there are a number of near misses the incidents of actual accidents would be higher. Accident reports are available to the public at the UConn accident repository which holds records on all accidents on any street in Connecticut. Speeding is an issue on roads that have low traffic volume and these streets have low traffic volumes. The proposed use will not significantly impact these streets, he said.

In response to questions from Mr. Prause, Mr. Mitchell said between 2012 through 2014 there were 12 accidents on the entire length of Forest and Chestnut Streets. Mr. Mitchell said that he believes the closing of the second entrance to the site will improve the safety of the area.

In response to questions from Mr. Bergin, Mr. Mitchell said that stop signs can slow speeds of cars. Traffic regulations and the federal government’s guidelines on stop signs specifically prohibit the use of stop signs for speed control. It is not the device to be used for speed control. There are intersections where stop signs are a good fit because of the number turning movements and the number of vehicles using the intersection. At this intersection, traffic volume is not high enough to warrant the additional stop signs. If a three-way stop is added at this intersection, it would be likely result in more accidents, especially rear-end accidents, he said.

In response to questions from Mr. Stoppelman, Mr. Bushnell indicated on the site plan the sidewalks in the area and that there is no crosswalk in the area.

In response to a question from Ms. Cecere, Mr. Mitchell said the two-minute car count referred to the count that will be generated by the site, not the ambient traffic. The ambient traffic on the road was 115 vehicles approaching the intersection from the west on Forest Street, 69 vehicles from the North on Chestnut Street, and 56 vehicles from the east on Forest Street, which is more than a car every two minutes.

Mr. Walnum said the number of parking spaces meets the zoning regulations requirement. Regarding the consumption of alcohol, he said that, according the Brewers Association, a patron of a brewpub on average drinks 1.5 pints in the course of a one- to two-hour stay, so people do not typically leave inebriated. The traffic generated by the brewpub will not significantly add or change the number of vehicles using the streets and intersection, he said.

Mr. Kennedy made a motion to close the public hearing. Mr. Bergin seconded and all members voted in favor. The Chairman closed the Public Hearing portion of the meeting at 9:19 p.m.

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

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