

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
AUGUST 13, 2018**

ROLL CALL:

Members Present: Eric Prause, Chairman
Michael Stebe, Secretary
Jessica Scorso
Timothy Bergin

Alternate Member Sitting: Teresa Ike

Alternates: Patrick Kennedy

Absent: Andy Kidd
Julian Stoppelman

Also Present: Gary Anderson, Director of Planning
Matthew Bordeaux, Senior Planner
Nancy Martel, Recording Secretary

The Chairman opened the Business Meeting at 8:50 P.M.

NEW BUSINESS:

EOC PROPERTIES, INC. – Request a special exception for alternative compliance under Art. II, Sec. 26.09.04 to allow the width of a proposed new building to occupy less than 90% of the lot frontage; to allow the principal pedestrian entrance to face the existing Business District Street; to allow access to parking from Broad Street; and to allow the driveway to occupy more than 25% of the lot frontage, for proposed improvements at the existing Economy Oil Change site, at 315 Broad Street. – Special Exception (2018-067)

Ms. Scorso expressed her concern over the lack of a front entrance to the building, though given the nature of the property, she believes the owners have worked very hard to achieve the best plan. She stated she is in support of the plan.

Mr. Prause commented that it is very exciting to have the first application under the Form-Based zoning regulations. He complimented the property owner, who embraced the regulations as much as possible on the site. The intent of the property owner is to meet the goal of the Broad Street Redevelopment Plan as much as possible, especially given the property. Mr. Prause noted the regulations were set to prevent referring similar applications to the ZBA.

Mr. Stebe echoed the prior comments, noting that an applicant performing auto repair revolved around moving vehicles in and out of a garage would be difficult to fit into a regulation with the Broad Street requirements. He complimented the design of the building and hoped the intersection could be changed in the future. Mr. Stebe commented on the lengths the business has gone to in an attempt to improve the property in the past. However, he is concerned about future applicants requesting special exceptions.

Ms. Ike sought a restatement of the modifications requested by the traffic engineer.

Mr. Bordeaux reread the comment from Mr. James Mayer, Traffic Engineer, as follows:

“The revamped traffic circulation will require customers entering for oil change to now enter through the north driveway. This change in access will be north of the beginning of the two-way left turn lane. This means there will be no bypass for vehicles when customers are wanting to turn left into the business. The applicant should comment on the frequency of current left turn access during peak periods and the extent of queuing at these times in the northbound direction so that the driveway is not blocked and southbound traffic is not blocked.”

Mr. Bordeaux noted Mr. Mayer made a suggestion for the applicant’s consideration and Mr. Gallo referred to where the flow of traffic would be reversed through the site.

Ms. Ike suggested that, if the Traffic Engineer makes a suggestion that is the opposite of the applicant’s proposal, he should attend the meetings. She stated she is in favor of the applicant’s proposal without further input from the Traffic Engineer.

Mr. Prause reported that some of the approval criteria to be considered, in addition to the intent of the Redevelopment Plan, are to promote the concepts involving walkability and sustainability in the Form Based zone, such as:

- Energy conservation
- Low-impact development practices including storm water management
- Light imprint storm water design practices, specifically including storm water quality

Mr. Prause sought to point out that the applicant did fulfill the concepts.

Special Exception (2018-067)

MOTION: Mr. Stebe moved to approve the special exception for alternative compliance under Art. II, Sec. 26.09.04 to allow the width of a proposed new building to occupy less than 90% of the lot frontage; to allow the principal pedestrian entrance to face the existing Business District Street; to allow access to parking from Broad Street; and to allow the driveway to occupy more than 25% of the lot frontage, for proposed improvements at the existing Economy Oil Change site, at 315 Broad Street, with the modifications as specified in staff memoranda from:

1. James Mayer, Traffic Engineer, dated August 8, 2018; and
2. Bernard Kalansuriya, Design Engineer, dated August 13, 2018.

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

The reason for the approval is that the proposal meets the Special Exception criteria.

BJ'S RESTAURANTS, INC. – For a 2-lot resubdivision, a special exception under Art. II, Sec. 8.03.02 for a use requiring more than 60 parking spaces, and an erosion control plan for construction of a BJ's Restaurant and Brewhouse at 344 Buckland Hills Drive. – Special Exception (2018-074); Resubdivision (2018-075); Erosion and Sedimentation Control Plan (2018-076)

Mr. Bergin stated the use is appropriate and the subdivision makes sense based on its orientation; he also had no problem with the erosion and sedimentation control plan.

Mr. Prause reported he is excited about the proposal. He noted it will be a great addition to the mall area in town. The proposal is suitable for the location, he stated.

Mr. Stebe commented the restaurant will be a good addition to the corner. He did, however, state he would have preferred to see the entrance on the sidewalk from Buckland Hills Drive, though the Commission cannot force that issue.

Special Exception (2018-074)

MOTION: Ms. Scorso moved to approve the special exception under Art. II, Sec. 8.03.02 for a use requiring more than 60 parking spaces, with the modifications as specified in staff memoranda from:

1. Shawn Morris, Deputy Fire Marshal, dated July 25, 2018;
2. Matthew R. Bordeaux, Senior Planner, dated July 27, 2018;
3. Raymond Myette, Jr., Design Engineer, dated August 13, 2018; and
4. Bernard Kalansuriya, Design Engineer, dated August 13, 2018.

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

The reason for the approval is that the proposal meets the Special Exception criteria.

Resubdivision (2018-075)

MOTION: Mr. Stebe moved to approve the resubdivision to create a new 2.14-acre lot out of the 8.28-acre lot at 344 Buckland Hills Drive, with the modifications as specified in staff memoranda from:

1. Raymond Myette, Jr., Design Engineer, dated August 13, 2018

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

Erosion and Sedimentation Control Plan (2018-076)

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

1. Shawn Morris, Deputy Fire Marshal, dated July 25, 2018;
2. Matthew R. Bordeaux, Senior Planner, dated July 27, 2018;
3. Raymond Myette, Jr., Design Engineer, dated August 13, 2018; and
4. Bernard Kalansuriya, Design Engineer, dated August 13, 2018.

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

TOWN OF MANCHESTER WATER & SEWER DEPARTMENT – For a new chemical storage building at the Hockanum River Water Pollution Control Facility at 864 Middle Turnpike West (a.k.a. 120 Thrall Road). – Inland Wetlands Permit – Determination of Significance (2018-080); Inland Wetlands Permit (2018-080); Special Exception Modification (2018-081); Flood Plain Permit (2018-082)

Mr. Dennis Dievert, Jr., Wright-Pierce Engineers, Middletown, Connecticut, introduced himself as representing Patrick Kearney with the Town of Manchester Water & Sewer Department. The plan is to erect a 14 ft. x 14 ft. concrete building at the wastewater treatment plant to store the chemical sodium permanganate to be used for odor control to reduce the odor at the landfill. Mr. Dievert displayed the site plan, describing the current buildings as well as the proposed building. He explained the chemical is a strong oxidizer requiring significant fire suppression, and to put it inside one of the existing buildings would be very costly.

The 14 ft. x 14 ft. concrete building will not be located in the wetlands, but will be within 25 ft. of the wetlands, according to Mr. Dievert. Because the treatment plant site is greater than four acres, he explained, the proposed activity requires a special exception modification approval. With respect to the inland wetlands permit, there are no work plans within the delineated wetlands. Mr. Dievert noted the estimated disturbance is 340 sq. ft. and the total anticipated site disturbance is 2,500 sq. ft. to enable piping from the existing building to the new building. He reported there will be no change from the existing pavement. Mr. Dievert demonstrated the details of the site plan.

The applicant is requesting a special exception modification approval in accordance with Art. II, Sec. 16.15.02(a) which includes development on a site which is four acres or larger, Mr. Dievert explained. With respect to flood plain and compensatory storage, he reported, when the treatment upgrade was done, there was a significant increase in the compensatory storage, in excess of 295 cu. yds. Mr. Dievert explained that, with the addition of the building, that would be decreased by 33 cu. yds., for an overall total flood storage volume remaining of 262 cu. yds.

Mr. Prause asked for a description of the design of the building.

Mr. Dievert reported the building will be pre-cast concrete with a brick façade to match the existing new buildings that were constructed in 2015. It will be elevated on a platform; grade elevation is 77. 100 year flood and the 500 year flood are the same in the area, approximately elevation 79 or 80. He noted the finished floor will be elevated to 81. Inside the building, Mr. Dievert explained, there will be two 300-gallon plastic storage totes and some pumps, fire sprinklers, emergency shower and eyewash. There will be an exhaust fan, double doors and no windows, according to Mr. Dievert.

Mr. Prause sought clarification that the building will be concrete.

Mr. Dievert concurred.

Mr. Prause questioned whether there will be continuous ventilation.

Mr. Dievert stated it will not have continuous ventilation, though it could have. The ventilation operates on a timer, he explained, circulating “X” number of air changes per hour to meet code. When the building is occupied, it would be continuously ventilated, according to Mr. Dievert; when the door opens and/or the light switch is turned on, the ventilation turns on continuously.

Mr. Prause asserted the chemical is a strong oxidizer.

Mr. Dievert agreed.

Mr. Prause asked if there was room to store any potential combustibles in the area, or if it is clear this would be the only substance stored in the building.

Mr. Dievert noted that it was made very clear to him that would be the only thing stored in the building.

Mr. Prause inquired about the security of the building.

Mr. Dievert reported the building will have intrusion alarms tied into the plant SCADA system similar to the other buildings on the site. If the door opens, the plant will know that the door was opened. Also, he explained, if the emergency eyewash shower is pulled, there is a switch on that which will send an alarm to alert that someone may be in trouble. He explained there is 110% containment within the building. The floor is recessed to hold a total volume of two full totes; there will never be more than two full totes at a time onsite and deliveries will be coordinated accordingly. Mr. Dievert explained there will be a float switch, which would indicate if there is a leak.

Mr. Prause sought confirmation that will be enough secondary containment.

Mr. Dievert reiterated there will be 110% of the total volume.

Mr. Prause asked if the chemical is mixed again before it is applied.

Mr. Dievert stated it is the final solution. He noted there have been questions as to why the Town did not install this facility when the upgrade was done. The answer to that question, he explained, is because the landfill was supposed to close and the facility was designed to haul material offsite to an incinerator.

Mr. Prause inquired if the chemical is pumped into a tanker before application.

Mr. Dievert explained the chemical is in a double containment pipe between buildings and is injected directly into a pipeline.

Mr. Prause asserted that there appears to be adequate containment to protect the wetlands.

Mr. Dievert reiterated that the storage basins are contained themselves and if there were to be a break in the piping, the chemicals are in a double pipe. The elevation in the building will be set higher than the top of the tote, which would equalize, preventing a spill-over.

Mr. Prause asked whether there is good access for emergency vehicles.

Mr. Dievert stated that the gate to the facility has a Knox box and the Fire Department has a code for access.

Mr. Prause sought confirmation that there is room for fire trucks to park in the area.

Mr. Dievert demonstrated the abundance of room for a fire truck.

Mr. Prause noted that Mr. Bordeaux did not include a flood plain print in the Commissioners' packet, but he assumed that 81 ft. is suitable.

Mr. Bordeaux replied yes, based on his review with the Assistant Town Engineer. The building does not fall within the delineated FEMA 100 year flood zone, but it is the ground elevations that prove it to be within the flood zone.

Inland Wetlands Permit – Determination of Significance (2018-080)

MOTION: Ms. Scorso moved to find the proposed activity at the above-referenced location as shown on the inland wetlands permit application 2018-080 will not have a significant impact on the wetlands and, therefore, will not require a public hearing. Ms. Ike seconded the motion and all members voted in favor.

Inland Wetlands Permit (2018-080)

MOTION: Ms. Scorso moved to approve the inland wetlands permit for a new chemical storage building at the Hockanum River Water Pollution Control Facility at 864 Middle Turnpike West (a.k.a. 120 Thrall Road). Ms. Ike seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity does not disturb the natural or indigenous character of the wetland 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.

Special Exception Modification (2018-081)

MOTION: Mr. Stebe moved to approve the special exception modification for a new chemical storage building at the Hockanum River Water Pollution Control Facility at 864 Middle Turnpike West (a.k.a. 120 Thrall Road) in accordance with Art. II, Sec. 16.15.02(a). Ms. Ike seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity meets the special exception criteria.

Flood Plain Permit (2018-082)

MOTION: Mr. Stebe moved to approve the Flood Plain Permit. Ms. Ike seconded the motion and all members voted in favor.

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – To revise Art. II, Sec. 15.01.01(c) to add brewpubs and breweries as permitted uses in the Central Business District zone. – Zoning Regulation Amendment (2018-084)

Ms. Ike echoed Mr. Stebe's statement that breweries are not needed in the Central Business District zone.

Mr. Bergin stated that, after looking at the definitions in the regulations, the difference between the brewpub and the brewery is that the brewery only offers tastings, which are governed in size by the State Liquor Control while some of the other brewpubs in town or about to be in town are able to pour full pints. Another difference, he explained, is that a brewery would not be able to serve food. In his opinion, having a room for the tastings does not necessarily matter under the definition. Mr. Bergin stated he is comfortable supporting the use.

The text amendment, according to Mr. Bergin, references the general provisions of alcoholic liquors under Art. IV, Sec. 8. There is some reference to brewpub restaurants in that section, but not breweries; there are also antiquated hours of operation for liquor sales, he noted.

Ms. Scorso contemplated whether the reservation is perhaps the size of a brewery or if it is a place for manufacturing the beer and then sending it out. She reported that, given the Main Street location and the specifications for Main Street, a proposal for a brewery would have to meet the character of Main Street. Therefore, Ms. Scorso stated, she would be comfortable with the amendment.

Mr. Stebe noted his initial reservation was the definition within the regulations for breweries. Manchester itself, in a non-industrial zone, seeks to have something to attract people. A brewery itself has nothing to do with the public. He understands there are no places in the zone to support a brewery other than one large building off Purnell Place. Mr. Stebe recognized Ms. Scorso's valid point that, because this is the Central Business District, wholly encompassed by the Downtown Special Services District, the Commission has leeway in oversight in what is allowed; i.e., a brewery would need to meet a level of design, functionality and compatibility. He surmised the Commission would not allow a brewery without anything for the public. Therefore, Mr. Stebe reported, his initial reservation has been met by Ms. Scorso's observation of what the Commission is allowed to do by regulation within the Central Business District and the Downtown Special Services District. He stated he is okay with the proposal with the addition of the two items.

Mr. Prause asked Staff if the proposal had been sent to CRCOG.

Mr. Anderson responded that is the protocol for most zones, but not the Central Business District because it is in the middle of the town.

Mr. Prause questioned whether this is considered under a special exception use instead of a permitted use.

Mr. Anderson stated that could be done. The idea of the Downtown District is to allow certain things to occur by right. He stated he could see that breweries could be special exception uses, though brewpubs should be allowed by right.

Mr. Prause commented that is the idea behind suitable locations for use. A brewery without a brewpub in a high-traffic area is good for building reutilization and adaptive reuse but if the primary objective is for foot traffic of customers or customers lingering downtown, a brewpub makes more sense, as a brewery is more of an industrial type of use.

Mr. Bergin acknowledged that some buildings on Main Street have low-grade, basement floors that open to the rear municipal lots. He surmised someone could use an entire stretch of basement to manufacture and operate a brewery to ship out and he does not believe that would have a negative effect on the businesses in the area. Mr. Bergin assumed that anyone looking for a storefront on Main Street would have some retail component.

Mr. Prause thought Mr. Bergin made a good point. The market would drive someone who plans a straight-up brewery not to seek first-floor retail in downtown. He noted it would be nice to see large stills in the storefront with an attached brewpub. In reviewing the regulations to know whether it would be possible to split the brewery and brewpub to just allow one or the other, Mr. Prause stated, it becomes more confusing. He preferred keeping them together, because there is a fine line between the two and one could morph into the other.

Zoning Regulation Amendment (2018-084)

MOTION: Mr. Bergin moved to approve the zoning regulation amendment to revise Art. II, Sec. 15.01.01(c) to add brewpubs and breweries as permitted uses in the Central Business District zone. Ms. Scorso seconded the motion. Mr. Prause, Mr. Stebe, Ms. Scorso, and Mr. Bergin voted in favor of the motion. Ms. Ike voted against the motion. The motion passed four to one.

The reason for the approval is that the proposed amendment is consistent with the goals and objectives of Growth Management Principle 3 in the Plan of Conservation and Development, which cites investing in desirable industries, investing in adaptive reuse of vacant or underutilized sites, and promoting vibrant, walkable neighborhoods.

The zoning regulation amendment will be effective on August 20, 2018.

KRISTINE CARLSON – Re-subdivision of an existing lot at 637 South Main Street into eight lots, including construction of six additional residential properties and one open space parcel. – Inland Wetlands Permit – Determination of Significance (2018-056) – Request for Extension until September 5, 2018; Resubdivision (2018-057) – Request for Extension until September 5, 2018

Inland Wetlands Permit – Determination of Significance (2018-056) – Request for Extension until September 5, 2018

Resubdivision (2018-057) – Request for Extension until September 5, 2018

MOTION: Mr. Stebe moved to approve the extension for both items until the September 5, 2018 meeting. Ms. Scorso seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS:

Mr. Bordeaux noted a lot line revision was approved at 50 and 56 Regent Street. The property at 50 Regent Street will be conveying property to 56 Regent Street; the lot line will be modified to meet dimension requirements, he explained.

Mr. Anderson reported a team has been assembled for the Downtown Architectural Design Guidelines. Ms. Scorso has volunteered to serve with Mr. Kidd and a few people from the Downtown Special Services District. The RFP is out and Mr. Anderson stated they will provide the Commission with updates.

Mr. Anderson noted there has been discussion recently surrounding the Robertson School area in the north end. He reported there has been some discussion about a possible cricket field and perhaps reusing Robertson School when it closes as a community center. In speaking with Chris Silver, the Director of Leisure, Families, and Recreation, Mr. Anderson explained the Town could start that process; i.e., thinking of what might be next for that area. He understood that cricket players use Martin School and Keeney School, but those fields do not meet the dimensional requirements for an actual cricket field. Mr. Anderson reported that Tim Bockus, Public Works Director, went before the Board of Directors at their last meeting. He explained that the size of the field is enormous – 450 ft. in diameter, making it much larger than a football field.

APPROVAL OF MINUTES:

July 16, 2018 – Business Meeting

MOTION: Mr. Stebe moved to approve the minutes as written. Mr. Bergin seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (2018-084) – To revise Art. II, Sec. 15.01.01(c) to add brewpubs and breweries as permitted uses in the Central Business District zone.

HILLIARD MILLS, LLC – Inland Wetlands Permit (2018-085); Special Exception (2018-086); Erosion and Sedimentation Control Plan (2018-087); Special Exception Modification (2018-088); Flood Plain Permit (2018-089) – For parking area expansion and renovation of Building 4 into a banquet hall at 640 and 642 Hilliard Street and 370 Adams Street.

TOWN OF MANCHESTER – Historic Zone Site Plan (2018-090) – For renovations to Cheney Hall at 177 Hartford Road.

NEW CINGULAR WIRELESS PCS, LLC (AT&T) – Historic Zone Site Plan Modification (2018-091) – For the addition of three (3) new antennas and six (6) new Remote Radio Head units (“RRUs”) to the existing wireless telecommunications facility located on the smokestack at 63 Elm Street.

The Chairman closed the business meeting at 10:03 P.M.

I certify these minutes were adopted on the following date:

September 17, 2018
Date

Eric Prause, Chairman