

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
NOVEMBER 18, 2019**

**ROLL CALL:**

Members Present: Eric Prause, Chairman  
Patrick Kennedy, Vice Chairman  
Michael Stebe, Secretary

Alternate Members Sitting: Julian Stoppelman  
Bonnie Potocki

Alternate: Teresa Ike

Absent: Jessica Scorso

Also Present: Gary Anderson, Director of Planning  
David Laiuppa, Environmental Planner/Wetlands Agent  
Nancy Martel, Recording Secretary

The Chairman opened the Business Meeting at 7:45 P.M. The Secretary read the legal notice when the call was made.

**NEW BUSINESS**

JON KEANE – To construct a berm to divert water runoff at 4 Fir Grove Road. – Inland Wetlands Permit (2019-096)

Inland Wetlands Permit (2019-096)

**MOTION:** Mr. Kennedy moved to deny the inland wetlands permit for activity associated with the construction of a berm to divert water runoff at 4 Fir Grove Road. Mr. Stebe seconded the motion and all members voted in favor.

The reason for the denial is that there is insufficient evidence to show that the activity will not disturb the principal functions or values of the wetland system by significant impact or major effect.

Mr. Laiuppa reminded the Commission that a denial of the permit signifies that the berm must be removed, which will negate the need for extensive mitigation. He stated he will reach out to the applicant on timing.

MANCHESTER COUNTRY CLUB – To selectively remove trees to the south of the 13<sup>th</sup> hole, remove stumps, and plant fescue grass blend and understory flowering trees at 535 South Main Street. – Inland Wetlands Permit – Determination of Significance (2019-114); Inland Wetlands Permit (2019-114)

Mr. Brendan Shane, Vice President of the Board of Governors for the Manchester Country Club, noted that the Country Club is owned by the Town and expressed his thanks for the Town's collaboration and Mr. Laiuppa's assistance in preparing this application.

Mr. Shane described the proposed tree removal project, a portion of which is in the upland review area of a seasonal or intermittent water course. There will be no grading or work within the physical area of the wetland itself.

Mr. Prause asked for clarification of the work area.

Mr. Matt Gomes, Director of Operations for the Manchester Country Club, stated the area will be the south side of the 13<sup>th</sup> hole. Noting that the golf course is over 100 years old, he said there are significant mature trees on the golf course. The trees are encroaching on the fairways, the greens, and the tees, and the project aims to reduce shade and improve turf quality, he explained.

Mr. Gomes described the aerial photo shown to the Commission. There are approximately 120 trees to be removed in a selective removal process. He stated the total area is approximately 0.45 acres.

Mr. Shane added the majority of the trees to be removed are not in the upland review area. He remarked that the cover letter states that they are retaining a certain number of specimen trees, which were pointed out to the Commission.

Mr. Prause questioned the truck access point, which Mr. Gomes identified. Mr. Prause inquired about the erosion control to reduce impact on the wetland area.

Mr. Gomes replied that there will be silt fencing, and the work will be done in December when the ground is firm in order to limit the amount of erosion caused by the trucks.

Ms. Potocki noted she walked the property via the golf cart path. She commented that she was unable to determine the size and number of trees that would be removed within the upland review area as well as the reason for the removal. Ms. Potocki also questioned whether the stumps would be removed and was informed they will be removed.

Mr. Gomes reported he asked the Town Tree Warden if he could tag all the trees to be removed, but was told that they needed to go through the approval process first. He explained that historical photos of the golf course show that large trees have crept in over the years, making maintenance difficult and providing shade. After removal of the trees, they plan on planting a fescue grass mix, which will be managed by the professional turf management crew.

Ms. Potocki and Mr. Gomes discussed the delineation of the work to be done, which was done in consultation with the Town's agent. Ms. Potocki did not agree with the delineation.

Mr. Stoppelman questioned whether a tracking pad will be utilized and was told it will not.

Mr. Prause asked whether the Tree Warden specified which trees should be saved.

Mr. Gomes responded that the Tree Warden has been on site and they walked the property together. The Warden requested Mr. Gomes do a survey of the property to define every tree to

be removed. He noted they measured the diameter of every tree, and that the inventory was submitted to the Tree Warden.

Mr. Prause questioned whether the Tree Warden specified which trees must be saved.

Mr. Gomes explained the Tree Warden did not, but he agreed with the trees the applicant proposed to save.

Mr. Shane reminded the Commission the trees will be posted for 10 days for public comment.

Mr. Laiuppa reported that, because the entire disturbance area is less than half an acre, no erosion and sedimentation control plan is required. However, protection of resources is required, and the applicant has indicated they will be utilizing a silt fence; technically an anti-tracking pad is not required. Mr. Laiuppa noted that the Commission's regulatory purview is the wetland and upland review area, and there is a lot of proposed activity that will be well outside the upland review area.

Mr. Gomes assured the Commission his staff and contractors will work with the Town to make necessary adjustments and accommodations if required.

Mr. Prause questioned the actual area within the 100 ft. upland review area, and was informed it is approximately 5,000 sq. ft. He asked if the number of trees to be removed has been determined, and was told approximately 15 of the 120 trees to be removed are in the upland review area.

Mr. Shane commented there is an area which is more densely wooded, which is away from the upland review area.

Mr. Prause asked what type of soil is in the wetlands and whether the watercourse has any aquatic value.

Mr. Laiuppa reported the watercourse is really a seasonal waterbody which has hydraulic similarities to vernal pools, but that cannot be confirmed until springtime.

Mr. Prause questioned how the reseeding with fescue grass would be different from trees in that area.

Trees and grass are different, noted Mr. Laiuppa, and he explained he spoke with the applicant about planting some smaller shade tolerant trees. In the application, small shade tolerant trees were added as a compromise, recognizing that they need to encourage sunlight on the fairway to continue operations. Mr. Laiuppa noted there is a gradient in the area of the tree removal that slopes downward toward the golf course and the trees to be removed are primarily on the downslope gradient.

#### Inland Wetlands Permit – Determination of Significance (2019-114)

**MOTION:** Mr. Kennedy moved to find the proposed activity at the above-referenced location as shown on the inland wetlands permit application 2019-114 will not have a significant impact on the wetlands and, therefore, will not require a public hearing. Mr. Stoppelman seconded the motion and all members voted in favor.

Ms. Potocki proposed the applicant submit a planting plan showing planting density as part of the permit.

Mr. Stebe suggested working to minimize, as much as possible, any heavy equipment activity within the upland review area in an effort to maintain the soil in place, which the applicant accepted.

Inland Wetlands Permit (2019-114)

**MOTION:** Mr. Kennedy moved to approve the inland wetlands permit for activity associated with the selective removal of trees south of the 13<sup>th</sup> hole, stump removal, grass and flowering tree planting at 535 South Main Street, with the condition that the applicant submits a planting plan for Staff review. Mr. Stoppelman seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity does not disturb the principal functions or values of the wetland system 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.

BSC GENERAL CONTRACTORS – To allow a vinyl dumpster enclosure in lieu of the approved HardiePlank material at an approved gas station/convenience store at 176 Tolland Turnpike. – Special Exception Modification (2019-118)

Mr. Anderson related that the construction manager contacted the Planning Department regarding the approved plans, which include a HardiePlank covered enclosure of the dumpster. He reported the minutes do not reference a discussion by the Commission about HardiePlank. The plan reflects the material on the convenience store building.

The applicant has requested to install a white vinyl fence, according to Mr. Anderson. The applicant came before the Chairman and Mr. Anderson for an administrative approval. Mr. Anderson was of the opinion that it was clear on the plan that the HardiePlank was required.

Mr. Kennedy remarked that there are many stores within the Town with white vinyl dumpster surroundings. He noted the application is not in an area where there are higher design requirements.

Mr. Prause called for an arctic white color to match the building. He asked for clarification that the proposed fence will be painted to match the color scheme of the building, which Mr. Anderson confirmed.

Mr. Stebe agreed that the HardiePlank vs. white vinyl fencing is not an aesthetic issue. He noted the dumpster enclosure will be obscured by the building and filling stations. Mr. Stebe questioned whether the vinyl fencing will be as durable as the HardiePlank, and said he would prefer the strongest structure.

Mr. Anderson and Mr. Stoppelman held a conversation about the details of the proposed structure.

Ms. Potocki agreed with Mr. Stebe's sentiment.

Mr. Prause noted that, in a windstorm, vinyl enclosures can easily blow away if not anchored appropriately.

Mr. Kennedy suggested moving the application to another meeting, as he assumed it was an oversight that the applicant was not present.

Mr. Anderson reported that the applicant sought to move the project quickly. Though he agreed that it may be appropriate to delay the decision, part of the applicant's request was to go through the process quickly.

A general discussion was held regarding the process.

Special Exception Modification (2019-118)

**MOTION:** Ms. Potocki moved to deny the special exception modification. There was no second to the motion.

Mr. Prause remarked that the Commission would like to have the detail, as the original plan contained, though he was skeptical about administratively approving the application.

Mr. Kennedy noted that the only issue that has arisen has been anchoring. In his opinion, if the applicant addresses that issue, an administrative approval would suffice.

Mr. Stebe acknowledged the challenge of an administrative approval as it is before the whole body at this time. The only option is to make a condition that the applicant submit the details on the construction as part of the motion.

Mr. Prause acknowledged that the applicant sought to have an approval as soon as possible.

Ms. Potocki noted the applicant has had ample opportunity to submit a site plan and have discussions with Staff. However, the applicant is not present to support the substitution and she, therefore, stated she would be voting nay.

Mr. Stebe reiterated his question is about durability and, with the condition provided by Mr. Kennedy, there would be an opportunity for the applicant to satisfy his question.

Mr. Prause suggested measuring the proposal against the special exception criteria; i.e., suitable structures for use and not diminishing property value based on design. In his opinion, had the proposal been part of the original application, the Commission would not be too concerned.

Special Exception Modification (2019-118)

**MOTION:** Mr. Kennedy moved to approve the special exception modification to allow a white vinyl dumpster enclosure in lieu of the approved HardiePlank material at 176 Tolland Turnpike, with the condition that the applicant submit plans showing anchoring that is sufficient in the judgement of the Chairman and the Director of Planning. Mr. Stoppelman seconded the motion and Mr. Prause, Mr. Kennedy,

Mr. Stebe, and Mr. Stoppelman voted in favor of the motion. Ms. Potocki voted against the motion. The motion passed four to one (Potocki).

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

### **ADOPTION OF THE 2020 MEETING SCHEDULE**

Mr. Anderson stated that the Commission members should have received a draft meeting schedule in their packets. He detailed some of the dates and a discussion was held among the members.

**MOTION:** Mr. Kennedy moved to approve the 2020 meeting schedule. Mr. Stebe seconded the motion and all members voted in favor.

### **ADMINISTRATIVE REPORTS:**

Mr. Anderson reminded the Commission that, at the last meeting, Ms. Potocki inquired about storm water protection and MS4 permits. The Town's MS4 website was displayed and explained by Mr. Anderson. He stated the MS4 is an activity of the Engineering Department, which has put together the website describing storm water pollution prevention, and noted that the Planning Department had a role in the effort. He requested comments in an effort to determine how best to bring the information to residents.

Mr. Laiuppa reiterated that the Engineering Department is leading the MS4 permit efforts, supported by the Planning Department and Public Works. He explained that the Planning Department's role is public outreach and education, as well as smaller roles. By design, DEEP requires every town to identify high priority areas, which are the areas that are most closely related to direct contribution to a water source, according to Mr. Laiuppa. The goal of every town is to have every point of discharge and every detention basin in town upgraded and routinely maintained at the level prescribed by DEEP. He explained there is a schedule in place for annual cleanups for all catch basins, regardless of the MS4 permit.

Ms. Potocki relayed she had a question regarding No. 5, post construction storm water management. One of the BMP summaries states that the Town will establish or update legal authority and guidelines regarding LID and runoff reduction in site development planning. The date of the plan, according to Ms. Potocki, was 2017 and it has a measureable goal, a new section in the Zoning Regulations requiring LID and runoff reduction. The due date is July 1, 2021. She questioned where Manchester is on that timeline.

Mr. Anderson stated Planning is just finishing working on Department goals for fiscal year 2021. He reminded the Commission that Planning is working with the Engineering Department, which is updating the Engineering Department policies. Part of the goal in the next fiscal year is to try to incorporate some of these best practices, i.e., low impact development, complete streets, etc., that have been discussed and to integrate them more into the zoning regulations.

Mr. Laiuppa informed the Commission that they have been alerted about a spill at 60 Adams Street. Typically, spills are reported to the Town Health Department, but this spill has the

potential to impact regulated resources. He stated he has been in communication with several individuals at DEEP, some of whom are on the ground doing active investigations while others are looking into paperwork, and they will keep Mr. Laiuppa up to date. Mr. Laiuppa summarized that the report stated there was an acid spill in a material management area. The operation involved washing a truck using acid wash. The acid was not contained and worked its way into a watercourse on the property, within an aquifer protection area. DEEP is working on their end to complete investigations and are keeping Mr. Laiuppa up to date.

Ms. Potocki questioned whether this was an incidental spill or whether there was a tank.

Mr. Laiuppa reported there are not a lot of details in the report, but it described an acid spill during truck washing operation.

Mr. Anderson interjected that the spill was in the report but has not been confirmed.

**APPROVAL OF MINUTES:**

November 4, 2019 – Business Meeting

**MOTION:** Mr. Kennedy moved to approve the minutes as written. Mr. Stoppelman seconded the motion and all members voted in favor.

**RECEIPT OF NEW APPLICATIONS:**

**BSC GENERAL CONTRACTORS – Special Modification (2019-118)** – To allow a vinyl dumpster enclosure in lieu of the approved HardiePlank at the Big Y gas station/convenience store at 176 Tolland Turnpike, which has been acted upon.

Mr. Stoppelman reported a question from a citizen which, in his opinion, does not apply to the Commission. The citizen was concerned about the leaves on the street. Manchester Matters stated the leaves should not be in the street; they should be on the edge of the yard. The resident had questioned who would enforce that, which prompted a conversation between Mr. Stoppelman and Mr. Anderson.

**MOTION:** Mr. Kennedy moved to adjourn the Business Meeting. Mr. Stebe seconded the motion and all members voted in favor.

The Chairman closed the business meeting at 8:50 P.M.

I certify these minutes were adopted on the following date:

January 6, 2020  
\_\_\_\_\_ Date

\_\_\_\_\_ Eric Prause, Chairman

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