

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JULY 1, 2019**

ROLL CALL:

Members Present: Eric Prause, Chair
Patrick Kennedy, Vice Chair
Michael Stebe, Secretary
Timothy Bergin

Alternate Member Sitting: Bonnie Potocki

Alternate: Teresa Ike

Absent: Jessica Scorso
Julian Stoppelman

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

The Chairman opened the Business Meeting at 8:10 PM. The Secretary read the legal notice when the call was made.

HAIRAM VENTURES, LLC – Request a special exception per Art. II, Sec. 24.02.01 (h) for automobile sales and service at 119 Spencer Street. – Special Exception (2019-050)

Special Exception (2019-050)

MOTION: Mr. Kennedy moved to approve the special exception in accordance with Art. II, Section 24.02.01(h) for automobile sales and service at 119 Spencer Street, including approval of the phasing request contained in the applicant’s letter of June 26, 2019 and the accompanying Phase 1 floor plan, with the modifications for the Detailed Site Development Plan as specified in Staff memoranda from:

1. John DiBiasi, Assistant Town Engineer, dated July 1, 2019; and
2. Jim Davis, Zoning Enforcement Officer, dated July 1, 2019.

Mr. Bergin seconded the motion.

Mr. Stebe interjected that the application itself referred to specific fence heights. He understood Town Staff and the applicant were looking into a lower height and questioned whether it should be added or whether it would be administrative. He added the same question regarding the directional labels on the frontages and elevations.

Mr. Anderson stated that the fence height would be mentioned as a modification, either as a number or to be determined by the applicant and Town Staff.

As the applicant concurred with 6 ft., Mr. Stebe asked if the applicant would be amenable to a modification requiring 6 ft.

AMENDED MOTION: Mr. Kennedy moved to amend the motion to add a modification that the fence height be no greater than 6 ft. Mr. Bergin seconded the motion and all members voted in favor.

All members voted in favor of the amended motion.

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

Mr. Stebe added that this section of Spencer Street is growing rapidly. He reported that he approves of the plan.

Mr. Prause noted that the proposal fits well with the Plan of Conservation and Development. As stated on the record, this is a commercial corridor and a mixed use regional center; as such, the plan is very suitable in location.

41 PROGRESS DRIVE, LLC – For a proposed building addition and parking expansion at 41 Progress Drive. – Special Exception Modification (2019-054); Erosion & Sedimentation Control Plan (2019-055)

Mr. Mark Peterson, Professional Engineer, Gardner & Peterson Associates, Tolland, CT introduced himself. Mr. Peterson displayed the site plan and explained the details, noting that the applicant would like to add a 100 x 200 ft. building addition for manufacturing on the north side of the building, additional parking along the front, and an area for deliveries. He reported the outstanding comment from Staff.

Mr. Peterson reported that there is a new storm water management system with a catch basin in the corner of the parking area, two catch basins in the loading dock and another structure at the lower end of the site for Progress Drive. He noted that there is a hydrodynamic separator just downstream of the catch basin, which discharges into an infiltration system. Mr. Peterson detailed the sedimentation and erosion control measures. Lighting and landscaping will be added to the site plan, according to Mr. Peterson, and he explained the details.

Mr. Bergin questioned whether any thought was given to extending the proposed parking addition to the loading area; Mr. Peterson detailed the reasoning for not doing so. Regarding the anti-tracking pad, stated Mr. Bergin, with two curb cuts, construction equipment could not use the tracking pad entrance.

Mr. Peterson noted Mr. Bergin's concern. He stated that he would be happy to add another entrance at the northerly curb cut. The future plans for the curb cuts were explained in detail.

Ms. Potocki questioned the length of the construction phase. Mr. Peterson assumed it would be no more than a calendar year.

Ms. Potocki reiterated that the site would be disturbed through a calendar year for the area, assuming that it would be more active during some times of the year. She questioned when the infiltration will be installed. Ms. Potocki assumed Mr. Peterson did not anticipate any impact on drainage on Progress Drive during the full year.

As the catch basins are being installed, according to Mr. Peterson, the drainage system would be installed for the infiltration. He stated that there is a slight high point in the curb cut along the street line and proceeded to detail the plan, as well as the parking that has been added.

Mr. Prause sought confirmation that a parking lot expansion was done last year.

Mr. Peterson reminded the Commission that he appeared about a year ago for the construction of a parking area. He explained that additional handicapped parking will be installed.

Mr. Stebe, referring to the new catch basin that will be installed, noted that there is a paired catch basin at what is labeled as a loading dock. He asked whether there is anything in the catch basin as a system, because if it is a loading dock there will be trucks on top of it.

Mr. Peterson reiterated that the hydrodynamic separator will be further downstream. Submittal will be sent to Staff once a specific product is selected for their review before it is ordered and manufactured for water quality treatment.

Mr. Bordeaux stated that there is one outstanding comment from the Traffic Engineer; sight distances provided on the plans needed adjustment. He believed the applicant will be able to satisfy the sight requirements at the location.

Special Exception Modification (2019-054)

MOTION: Mr. Kennedy moved to approve the special exception modification in accordance with Art. II, Sec. 16.15.12(b) for a proposed building addition and parking expansion at 41 Progress Drive, with the modifications as specified in Staff memoranda from:

1. John DiBiasi, Assistant Town Engineer, dated June 27, 2019.

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

Erosion & Sedimentation Control Plan (2019-055)

MOTION: Mr. Kennedy moved to approve the erosion and sedimentation control plan, with the modifications as specified in Staff memoranda from:

1. John DiBiasi, Assistant Town Engineer, dated June 27, 2019.

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

KEITH BELLEROSE – For a 20' x 25' addition to the existing house at 463 Birch Mountain Road. – Inland Wetlands Permit – Determination of Significance (2019-068); Inland Wetlands Permit (2019-068)

Mr. Bellerose gave a detailed explanation of the proposed addition. He stated that, approximately four years ago, he submitted an administrative application to move from two

septic systems to a sewer, which also traversed the wetland, and to install a new driveway. The Building Department has approved the addition and the Zoning Enforcement Officer is awaiting this application's approval.

There is a bridge extending from Birch Mountain Road into the driveway, and Mr. Bellerose described the silt fences and hay bales that will be installed around that, as well as on top of the wetland area to the left of the driveway.

Mr. Bellerose stated that, after approval, they hope to have the building erected before it begins snowing. He reported that contractors are lined up.

Mr. Stebe reported that the application mentions "rigorous regrading."

Mr. Bellerose noted that, over the years, the property has become wavy due to all the paths water has traversed; it will be leveled out with the fill from the foundation excavation.

Ms. Potocki questioned whether the addition will be on a foundation or piers. Mr. Bellerose said there will be a foundation; there is currently a full basement and they will be adding on to that. Ms. Potocki questioned the storage of material removed and Mr. Bellerose reiterated that the material will be used to regrade the property. Ms. Potocki questioned the length of the project, which Mr. Bellerose restated. Ms. Potocki and Mr. Bellerose had a discussion about using an erosion control blanket over the regraded and seeded area.

Mr. Bergin inquired about the effect of filling in the water channels.

Mr. Bellerose referred to the site plan and pointed out the water flow into the brook, noting that it has become much worse this year. He stated that is the reason for installing the drywell, and explained the amount of area to be filled.

Mr. Prause sought to clarify that the proposed construction will be close to the wetland boundary. Mr. Bellerose reported that the closest it will get to the wetland is 36 ft. Mr. Prause inquired about how close the regrading will be to the boundary, and Mr. Bellerose replied that it will be into the wetland.

Mr. Laiuppa reported that he visited the site and the yard is very steep. While he did not delineate them, the wetlands on the map are probably exaggerated, he stated. He saw the ruts in the yard from the erosive forces of water flowing over land in the upland area. In his opinion, the regrading that will occur, although some of it will fall within the official wetland, will most likely not be in the actual wetland. Mr. Laiuppa referred to Ms. Potocki's comment about netting for stabilization and said, if the Commission is amenable to it, he would be happy to work with the applicant in the event that he seeds in the off-season.

Mr. Bordeaux interjected that, if erosion occurs, the site is not in compliance with the permit. Otherwise, he stated, any means of providing the stabilization required per the approved plan should be acceptable and he was not sure additional language in the form of a condition or modification would be necessary.

Inland Wetlands Permit – Determination of Significance (2019-068)

MOTION: Mr. Kennedy moved to find the proposed activity at the above-referenced location as shown on the inland wetlands permit application 2019-068 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 (2019-068)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for regulated activity associated with the proposed building addition at 463 Birch Mountain Road. Mr. Stebe 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.

TOWN OF MANCHESTER – For construction of a cricket field and stone dust paths with minor drainage system modifications and construction of a grassed drainage swale at 45 and 115 North School Street. – Erosion and Sedimentation Control Plan (2019-077)

Mr. John DiBiasi, Assistant Town Engineer, introduced himself. Mr. DiBiasi described the location and presented the site plan along with the challenges when regrading to accommodate the cricket field. All areas disturbed will be replaced with grass, probably a typical mix for re-establishing turf.

According to the USDA Civil Survey, the majority of the area for the field is considered to be moderately well-drained. From the Town's experience, there has been no major issue with flooding or ponding. Mr. DiBiasi reported that the erosion and sedimentation controls will be installed in accordance with the 2002 guidelines. The erosion and sedimentation control measures will be maintained and/or replaced by Town Staff for the duration of the project. Mr. DiBiasi explained that the existing topsoil will be screened and stockpiled, the areas of which he noted.

The southern two-thirds of the site will be cut and the elevation changed approximately 5 to 7 ft., Mr. DiBiasi explained. That material will be moved to fill the northern end of the site, raising it approximately 3 to 4 ft. Other plans to reduce runoff are proposed, he stated, and there will be a grass swale around a portion of the perimeter to prevent runoff due to the proposed cut slope. Mr. DiBiasi detailed the measures to be taken to reduce runoff. He explained construction entrances and dust control as well.

Mr. Prause sought clarification that the south side of the field is a higher elevation, there is an area which could collect water, and the field then goes up to the playing level. He also commented on the catch basin on the west side.

Mr. DiBiasi responded that from the high point there may be a 6- to 12-inch difference between the base of the field and the drainage swale will be graded. Therefore, if there was an unusual amount of water in the drainage swale, the water would flow toward the catch basin. For the vast

majority of rainfall, he explained, the water is anticipated to infiltrate into the site as it does currently.

Mr. Prause inquired about landscaping as part of the plan.

Mr. DiBiasi reported that the plan set included a tentative landscaping plan showing the layout of the field. He explained that, in order to accommodate an appropriately sized field due to International Cricket rules and to accommodate as many different types of play as possible, there was a bit of cut on the south side due to the elevation change; they are doing their best to balance the use of material onsite to minimize the amount of new material required. In that effort, part of the parking lot and a couple of trees on the perimeter of the parking lot would be impacted, necessitating removal. Mr. DiBiasi stated that there has been discussion with the Parks Department, which is in the process of working with their usual local vendors to select appropriate replacement trees.

Ms. Potocki requested clarification of the stockpiles, the type of soil, the length of the process, and whether there will be ambient air dust monitoring or dust meters.

Mr. DiBiasi explained that the stockpile is separated from the residential home on the corner by the existing press box structure that houses the electrical equipment for the field lighting. He reported the soil testing results. The approximate timeline is roughly four months, according to Mr. DiBiasi. Dust monitoring is not proposed at this time, but they will work with Mr. Laiuppa.

Mr. Stebe questioned what will be done for sedimentation control while working on the elevation to keep it in place.

Mr. DiBiasi stated that the goal is to keep as much grass and vegetation as possible for stabilization until the work proceeds in that area. The objective is to establish the form of the grass swale in order help in the event of rain during construction, which would allow other measures to prevent further erosion.

Mr. Bordeaux noted that there are not many options in terms of the time of year for the project. The site will be stabilized by the winter. The deadline is the growing season and, if the work is not completed, the site must be temporarily stabilized until next season when the work could be finished. He reminded the Commission that modifications will be made throughout the course of the project.

Ms. Potocki questioned whether the work will be done by Town staff.

Mr. DiBiasi stated that they anticipate the project will be completed by Town staff, whether it is the Parks Department or the Highway Department. There will be some electrical work as well as the requirement of other specialized equipment that would necessitate a contractor.

Erosion and Sedimentation Control Plan (2019-077)

MOTION: Mr. Kennedy moved to approve the erosion and sedimentation control plan. Mr. Stebe seconded the motion and all members voted in favor.

JAYDEEP DEDANIYA – Pre-application review for a PRD Zone change at 486 Tolland Turnpike.

Ms. Dedaniya introduced herself and explained that she and her husband are interested in a piece of property. She displayed a map, pointing out the lot between Jefferson Street and Tolland Turnpike. The property had previously been approved for 8 two-family units.

Mr. Anderson interjected that there has not been a zone change on the property; it is not zoned Planned Residential Development (PRD). He was not sure that there has been an approval, though the owners may have come for a pre-application meeting.

Mr. Prause stated that the plan looks similar to another apartment complex on Jefferson Street.

Ms. Dedaniya agreed, noting that the other complex has 2 acres of land and 24 units, apartment style.

Mr. Prause stated that the Commission can offer their opinion, but it would be non-binding. He questioned the size of the property. The existing units are off of Jefferson but are not between Jefferson and Tolland Turnpike.

Ms. Dedaniya reported that the property is 1.6 acres with frontage on Tolland Turnpike and Jefferson Street, on the other side of the existing complex.

Mr. Kennedy questioned the makeup of the neighborhood.

Ms. Dedaniya explained that Educational Playcare is next to the property. Across the street are condominiums on Donahue Lane. She noted that Bob's Discount Furniture and Northwest Park are in close proximity.

Mr. Kennedy acknowledged that the property is not in a single-family area, but a mixed area.

Mr. Prause noted that there are single-family homes and a cemetery to the west on Tolland Turnpike.

Mr. Kennedy explained that, with the single-family homes in the area, there may be some pushback.

Ms. Potocki questioned whether they have developed elsewhere. In addition, she inquired whether they have identified a builder or someone to do the site development.

Ms. Dedaniya replied that this would be their first development. She responded that they have not contracted with a company, but have been in discussion with Nordic Builders in Tolland.

Mr. Bergin asked if the buildings would be duplexes, and how many levels there would be per building.

Ms. Dedaniya stated that they have only presented a basic plan. The thought was to possibly build more than two units per building.

Mr. Bergin assumed it would be more of a clustered plan. In his opinion, the location is appropriate as there are condos to the north and apartments to the south, while it is also in the mall area with bus stops and parks.

Ms. Potocki questioned the density of previously-approved developments.

Mr. Prause noted that it varies throughout the neighborhood.

Mr. Anderson explained the area's character from the Plan of Conservation and Development. It is 3 to 10 units per acre, he interjected. Some of the developments in that area are more dense if they are in a community corridor or a mixed use zone. Tolland Turnpike is a Traditional Suburban character area, but is between the Buckland Hills area and the Tolland Turnpike area.

Mr. Bordeaux informed the Commission that there is a PRD that has not been constructed, though the Commission recently approved an extension of the approval. That would be at the southern end of Slater Street, 16 units with wetlands, but would be very comparable to this project. He stated that he could get additional information about the density, after subtracting the wetlands and steep slopes which do not appear to be a factor for this site.

Mr. Stebe interjected that, to his recollection, it had twists and turns to it because of where they had to put the entry. He noted that it is an interesting location; depending on where you look, there is a different landscape.

Ms. Potocki asked Staff whether the applicant could do a cluster subdivision. Mr. Anderson replied that there is probably not enough land to do a cluster subdivision.

Mr. Prause reported to the applicant that there are many apartments in the area, which helps their argument. However, there are many people who make public comments and have the opinion that there are too many apartments in that area. He estimated that traffic will be an issue. Mr. Prause acknowledged that the traffic from the current apartments on Jefferson Street does not flow directly to Tolland Turnpike. He suggested an entrance off of Jefferson Street. There are not many apartments that abut existing single-family homes, and this proposal would abut single-family houses on the east and the west, and there may be push-back from the neighbors.

VANLOSE ENTERPRISES, LLC – Request a special exception per Art. II, Sec. 24.02.01(h) and Art. IV, Sec. 5.01.02 for construction of employee parking lots and a vehicle storage lot at 86 Oakland Street and 11 and 25 Edward Street, to be used in conjunction with the Mazda new car dealership located at 80 Oakland Street. – Special Exception (2019-051) – **Request for Extension Until July 15, 2019**

Mr. Bordeaux explained that the applicant wished to use the site for parking for both employees and inventory, but the Zoning Board of Appeals denied the request for a Certificate of Location Approval. The applicant is now exploring options to use the site for employee parking only, which would not require the Certificate of Location Approval.

Ms. Potocki questioned whether the application would be removed from the agenda if the applicant does not receive approval from the State for their interpretation of the statute.

Mr. Anderson informed the Commission that the order of operations would be up to the applicant. If the State determined that they need a Certificate of Location Approval, the applicant could come before the Commission and ask for approval of a special exception, though they would have to return to the ZBA.

Special Exception (2019-051) – Request for Extension Until July 15, 2019

MOTION: Mr. Kennedy moved to approve the request for an extension until July 15, 2019. Mr. Stebe seconded the motion and all members voted in favor.

KENNETH BOYNTON – Proposed 44-lot residential cluster subdivision served by sanitary sewer and public water at 426 Wetherell Street.

Inland Wetlands Permit (2019-036) – Request for Extension Until August 12, 2019

Subdivision (2019-037) – Request for Extension Until August 12, 2019

Erosion & Sedimentation Control Plan (2019-038) – Request for Extension Until August 12, 2019

MOTION: Mr. Kennedy moved to approve the requests for extensions until August 12, 2019. Mr. Stebe seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS:

Mr. Bordeaux reported that there was an administrative approval of an inland wetlands permit for application 2019-065. There was an installation of a patio, fire pit, and landscaping occurring in a regulated upland review area in the Highland Oaks subdivision at 39 Castle Hill. The Inland Wetlands Agent and Mr. Bordeaux reviewed the application. There were no outstanding Staff comments and the permit was approved.

APPROVAL OF MINUTES:

June 3, 2019 – PZC Business Meeting, Aquifer Protection Agency Meeting

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

June 17, 2019 – PZC Business Meeting, Aquifer Protection Agency Meeting

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

RECEIPT OF NEW APPLICATIONS:

1. MANCHESTER EARLY LEARNING CENTER, INC. – Special Exception Modification (2019-080) – Removal of two existing storage sheds, construction of a new storage/maintenance shed, and construction of a new 6-space parking area at 80 Waddell Road.
2. THE PLAZA AT BURR CORNERS, LLC – Special Exception Modification (2019-082) – For improvements to McDonald’s restaurant, including upgrades to the drive-through, building renovations, and minor site improvements, at 1221 Tolland Turnpike.

MOTION: Mr. Kennedy moved to close the business meeting. Mr. Bergin seconded the motion and all members voted in favor.

The Chairman closed the business meeting at 10:00 P.M.

I certify these minutes were adopted on the following date:

August 12, 2019
Date

Eric Prause, Chairman

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