

**MINUTES OF PUBLIC HEARING
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 Public Hearing at 7:00 P.M. The Secretary read the legal notice when the call was made.

REVISED AGENDA

MOTION: Mr. Kennedy moved to adopt the revised agenda, removing the application for 80 Utopia Road. Mr. Stebe seconded the motion and all members voted in favor.

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)

Attorney Stephen Penny, Manchester, CT, introduced himself and reported that he is representing the applicant. Attorney Penny detailed the property, which is zoned General Business, and its dimensions. He noted that public water and sewer serve the site, and there are no wetlands or watercourses. Attorney Penny explained that the applicant has the subject property under contract for purchase and all pertinent paperwork is in the Planning Department. Spencer Street is addressed at length on Page 29 of the local Plan of Conservation and Development, according to Attorney Penny, and he explained the details of the plan. The business would operate from 9:00 A.M. to 6:00 P.M. Monday through Friday and from 9:00 A.M. to 4:00 P.M. on Saturday; it would be closed on Sunday. A DMV Certificate of Location Approval was granted by the Zoning Board of Appeals on May 29, 2019, Attorney Penny stated.

There will be spaces for 71 sales vehicles, 15 repair vehicles, 8 customer vehicles and 5 employee vehicles.

Attorney Penny reported that Art. II, Sec. 24.02.01(h) identifies new and/or used automobile sales and automobile repair as special exception uses in the General Business zone. He noted that both Art. II, Sec. 24.02.01(h) and Art. IV, Section 5 of the regulations, which deals with location approval for auto-related uses, assign jurisdiction over the applicant's intended used auto sales and repair use to the Planning and Zoning Commission. Attorney Penny detailed the factors which the Planning and Zoning Commission must consider and reported that all the requirements have been met.

Mr. Andrew Bushnell, Licensed Land Surveyor and Civil Engineer with Bushnell Associates, introduced himself. The site plan developed was explained in detail, i.e., the parking area, landscaping, lighting, traffic flow, signage, and storm water flow. Mr. Bushnell reported that they had received a comment from the Zoning Enforcement Officer, who questioned the landscaped area (which had a typo that was corrected) and the intended use of the paved area in the front of the building. The Engineering Department requested a note for the storm water treatment system, which has been added. Mr. Bushnell added comments from the Traffic Engineer, which will be addressed.

Mr. Stebe speculated about large car carriers navigating through the parking lot. He also questioned the lighting. Mr. Stebe questioned the plans for the bituminous parking lot.

Mr. Bushnell indicated that, with a business of this size, typical large 18-wheeler tractor-trailer carriers are not utilized. He said some of the current lighting will be moved during the landscaping process. According to Mr. Bushnell, the plan is to patch cracks and seal.

Mr. Stebe stated the problem at the intersection of Hillstown Road and noted that the business next door creates a lot of traffic. His concern is the visibility when leaving the proposed site.

Mr. Bushnell replied that they had reviewed the crash data and there have been very few traffic issues in the proposed area. The location will not be a large traffic generator.

Ms. Potocki referred to the housing across the road and asked about the concrete walks. She also inquired about the placement of the lights. Ms. Potocki questioned whether a Town Operation & Maintenance plan for the hydrodynamic separators has been submitted.

Mr. Bushnell stated that they will only be doing the concrete walks along the building. The walk along the street will not be changed. He detailed the location of the proposed lights. Mr. Bushnell explained that a preliminary plan for the hydrodynamic separators has been included, though they will submit the plan for the actual units when construction begins.

Mr. Allie Hudroge, owner of Hiram Ventures, LLC, explained that there are a total of eight light poles existing on the property. The plan is to move two closer together, and he pointed to the planned spot for each light.

Mr. Prause noted that there are 14 spaces on the east side of the property. He assumed those will be for customers and handicapped spaces for employees. Mr. Prause inquired whether there will be bulk oil storage.

Mr. Bushnell responded that employee parking is in the rear, but a handicapped employee could certainly park on the side. Mr. Prause and Mr. Bushnell had a detailed conversation about the parking plans. The oil storage will be inside, above ground according to Mr. Bushnell.

Mr. Prause questioned how they meet the bulk oil requirements of Art. IV, Sec. 5.03.03, as far as the minimum front yard and side yard requirements. He noted that the minimum front yard is 60 ft., the minimum side yard is 30 ft., and bulk oil storage tanks cannot be closer than 200 ft. to any residential dwelling.

Mr. Bushnell explained where the bulk oil storage will be, about 50 ft. from the side property line and 75 ft. from the front property line. He reported that it will be more than 200 ft. from Squire Village.

Mr. Prause inquired about the general safeguards against surface oil leakage of gas and oil, which Mr. Bushnell explained in detail. Mr. Prause asked for clarification regarding the masonry area around the dumpster, which Mr. Bushnell clarified. Mr. Prause assumed that any spill would go toward the hydrodynamic separator.

Ms. Potocki questioned whether there is spill containment around the above-ground storage tank, which Mr. Bushnell affirmed.

Mr. Mark Lamson, FLB Architecture & Planning, introduced himself. Mr. Lamson reported that the changes to the building will be minimal and described them in detail. He described the double doors that will provide access to the showroom. Mr. Lamson went on to describe the proposed details of the building interior, as well as the plans for the exterior. At this point, the service bay will be Phase II. They currently have a service area in another location; once the sales are open, they will add the service to it.

Noting that Spencer Street is to the south, Mr. Stebe said that the information the Commission has shows the glass front entrance on the north elevation.

Mr. Lamson noted that the service area will be utilized as a storage area temporarily.

Ms. Potocki inquired about the floor and Mr. Lamson stated it is concrete. She questioned whether it would have a drain, noting that there was no depiction of new piping.

Mr. Lamson acknowledged that they do not have those details yet.

Mr. Bordeaux explained that, should the Commission decide to approve the special exception, the applicant will be required to get a building permit. The Zoning Enforcement Officer cannot sign off on a building permit without the Planning and Zoning Commission's approval of the special exception. Because this will be a phased application, it appears as though the partitions will be installed, the exterior improvements will be subject to a building permit, and a separate building permit will be required for lifts and anything related to service improvements. In addition, hydrodynamic separators information is required to be certified by the Engineering Staff.

Ms. Potocki questioned whether "repairs" have been taken into consideration in terms of customer parking.

Mr. Lamson pointed to the five parking spaces that are for service customers and the cars they drop off.

Mr. Bordeaux added that the vehicles to be maintained are inventory or cars that had been sold at the site.

Mr. Prause questioned the layout for customer entry, which Mr. Lamson clarified.

Mr. Anderson inquired about the fence on three sides of the property.

Mr. Hudroge gave the history of his business; specifically, he discussed the Vernon location. He explained that the fence will simply mark the perimeter.

Attorney Penny explained that an opportunity arose to acquire land abutting the property at the rear. If the plan comes to fruition, it would necessitate a return to both the Zoning Board of Appeals and the Planning and Zoning Commission for approval to put the service facility on that site. He stated that the applicant also has a facility in Manchester on Tolland Turnpike. Attorney Penny enumerated the issues the Commission is to consider.

Mr. Bordeaux reported two outstanding Staff memos from John DiBiasi, Assistant Town Engineer, and from the Zoning Enforcement Officer. In addition, the location approval was granted by the Zoning Board of Appeals with no conditions or modifications.

Mr. Bergin sought clarification on the phasing and the effect on the project. He stated that he supports having it as a contingency. He questioned whether the site plan would return to the Commission if the service portion of the plan is never realized.

Mr. Bordeaux and Mr. Anderson responded that it would most likely be administrative.

There were no members of the public to speak.

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

The Chairman closed the public hearing at 8:10 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 PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.