

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JANUARY 7, 2019**

ROLL CALL:

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

Alternate Members: Julian Stoppelman
Charles Sabia

Absent: Teresa Ike

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 8:31 P.M.

NEW BUSINESS:

VANLOSE ENTERPRISES, LLC – Request a zone change from Residence A to General Business zone at 86 Oakland Street and 11 and 25 Edward Street. – Zone Change (2018-128)

Mr. Kennedy acknowledged opposition to this application, though many of the comments were directed to specific aspects of the plan which would not be part of a zone change. He observed that anyone that owns property can tear down structures, subject to demolition ordinances. Mr. Kennedy noted that Oakland Street is, in large part, a commercial area.

Mr. Stebe acknowledged that Mr. Kennedy's comments are valid, but in reviewing multiple general principles from the Plan of Conservation and Development, #2 states the Town should do what can be done to preserve and retain historic resources. He noted that the neighborhood has held various levels of historic nomenclatures and registries. The house at 25 Edward Street specifically was called out on at least one of the applications. The revitalization of existing commercial centers is where this makes sense, but one of the main questions of the Cheney Commission was, "Everything is feasible, but does it make sense, and is it cost effective?" Mr. Stebe stated there is very low cost in dropping all three houses and putting in the parking lots, as all three properties are held by the same entity. He stated he has not heard enough to say it goes with more of the general principles than it goes against; currently he is seeing more things going against the general principles in the Plan of Conservation and Development.

Zone Change (2018-128)

MOTION: Mr. Kennedy moved to approve the zone change from Residence A to General Business zone at 86 Oakland Street and 11 & 25 Edward Street. Ms. Scorso seconded the motion and Mr. Prause, Mr. Kennedy, and Ms. Scorso voted in favor. Mr. Stebe and Mr. Bergin voted against the motion. The motion passed three to two.

The reason for the approval is that the proposed zone change is consistent with both the Community Corridor, as well as the adjacent Mixed-Use Center Character Areas and with the objectives of Goal I as provided in the Plan of Conservation and Development.

The zone change will become effective on January 31, 2019.

Mr. Prause added that this is a difficult application, as 86 Oakland Street is Community Corridor, which relates to general business-type uses; 11 and 25 Edward Street, according to the Plan of Conservation and Development, are traditionally suburban.

Ms. Scorso agreed with Mr. Prause's comments. However, she was appreciative of the applicant's detail in forward thinking; i.e., making the plan as attractive as possible in order to fit into the neighborhood feel. It is also essential, she commented, to continue to speak with the neighbors and, as the plan is developed, being part of that community is very important.

MICHAEL BUGNACKI – For construction of a house and driveway, trenching for utilities, clearing of trees, and grading at 24 Trevor Court. – Inland Wetlands Permit – Determination of Significance (2018-132); Inland Wetlands Permit (2018-132)

Mr. Mike Bugnacki, owner of MTS Builders, Manchester, introduced himself. Mr. Bugnacki reported they had been hired by Mr. Mirante to construct a home at 24 Trevor Court. He explained they were building several homes in the Castle Hill neighborhood. He stated this is an approved building lot and, while there was a previous wetlands permit, the wetlands permit for this particular lot has expired. Mr. Bugnacki stated they are seeking a new wetlands permit which is very similar to the permit approved with the original subdivision application. He reported a good deal of work on the site has already been completed. There is a driveway coming from Trevor Court into the lot. There is a bridge over the seasonal watercourse. The sewer and water laterals have been run from Trevor Court through the seasonal watercourse area to the other side to service the proposed homes. Mr. Bugnacki explained that the upland review area was changed since the original subdivision approval. The review area previously was 50 ft.; there is nothing proposed other than was originally approved. He reported there will be clearing of trees for construction of the home, the driveway, and a continuation of the utilities to the new house. Mr. Bugnacki proposed to use the utmost care in the wetland area during construction. He explained a silt fence will be installed on the downhill slope areas. All stockpile areas will be cordoned off with silt fence so as to not allow any contamination by means of runoff. The actual activity required in the seasonal watercourse area is fairly minimal, consisting of conduits to accommodate the gas line for the new residence, which could be completed very quickly. All erosion control measures would stay in place until new grass is established.

Mr. Stebe asked whether the property will be on septic and well. Mr. Bugnacki responded there will be sewer and city water.

Mr. Stebe requested information about the sewer lines. Mr. Mark Reynolds explained there are two sewer lines separated with water lines in the middle. He displayed the plan and the water and sewer lines.

Mr. Stebe asked if the bridge is completed. Mr. Bugnacki replied that the bridge is completely installed and the pavement on the northerly side is completed to the bridge face. He acknowledged there would need to be grading to continue the driveway. When the bridge was installed, according to Mr. Bugnacki, the builder chose not to bring the fill up about 1 ft.

Mr. Stebe requested verification that all the water and sewer lines are up to the house location. Mr. Bugnacki reported they are past the seasonal watercourse. When the bridge was installed, he explained, they ran through the watercourse with the sewer line, sewer lateral and the water laterals.

Mr. Stebe assumed the gas and electric would be brought in from the street.

Mr. Reynolds reported the erosion and sediment control for the lot is fairly normal; he added extra information on Sheet 3 of the plans – specific construction sequence – with regard to erosion and sediment controls and the way to install the work within the crossing. There are specific details for the installation, creating a temporary impoundment of the stream. Mr. Reynolds noted the stream flow is very low and everything is laid out on how to reestablish the stream bed after the construction is completed. He explained all the work occurs within a 15 ft. wide section just directly upstream of the bridge.

Mr. Prause questioned the actual impact to the embankments in that area. He asked whether construction would be required or if they would not be impacting any soil in the area.

Mr. Reynolds explained the path of the lines, noting there would be a continuous trench. He reported the conduits would cross through the bank areas and through the stream bottom, but would be re-established to the current grades. Mr. Reynolds noted the area where the material is removed and stockpiled from the stream bottom area would be set to the side and that same material replaced after the construction is complete. He did not see a threat of flood or erosion in the watershed.

Mr. Prause inquired whether reseeding would be required to make sure there is no erosion. Mr. Reynolds stated reseeding could be recommended as there will be areas disturbed, but within the wetlands proper what is best is to let it re-establish itself.

Mr. Bordeaux reported there are no outstanding Staff comments. He noted the applicant has discussed the last details with the wetlands agent. The only request was that, prior to any in-stream work and at the cessation of any in-stream work, the inland wetlands agent be informed of the plans and completion so inspections can be conducted, Mr. Bordeaux explained.

Inland Wetlands Permit – Determination of Significance (2018-132)

MOTION: Mr. Kennedy moved to find the proposed activity at the above-referenced location as shown on the inland wetlands permit application 2018-132 will not have a significant impact on the wetlands and therefore will not require a public hearing. Mr. Bergin seconded the motion and all members voted in favor.

Inland Wetlands Permit (2018-132)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for construction of a house and driveway, trenching for utilities, clearing of trees, and grading at 24 Trevor Court, with the modifications as specified in staff memoranda from:

1. David Laiuppa, Environmental Planner/Wetlands Agent, dated January 7, 2019.

Mr. Bergin 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.

TOWN OF MANCHESTER PUBLIC WORKS DEPARTMENT – Replacement of 30” culvert and installation of debris structure at Burnham Street Extension. – Inland Wetlands Permit – Determination of Significance (2018-130); Inland Wetlands Permit (2018-130)

Mr. John DiBiasi, Assistant Town Engineer, Town of Manchester, introduced himself. Mr. DiBiasi displayed slides to provide background and information on the project. He described the details of the culvert pipe, which had been clogged, resulting in erosion and damage to the inlet structure. Public works and Field Service crews removed the inlet structure and a portion of the pipe up to the clog and installed a smaller diameter pipe in its place in an effort to restore some drainage at the location. The proposal is to fully replace the remaining portion of the existing culvert with a new inlet designed to preclude the trapping of debris by additional gates and grates. Utilizing the slides, Mr. DiBiasi described the plan, which will include short-term road restoration and ultimate permanent construction.

Mr. Prause inquired about the current state of the culvert. Mr. DiBiasi explained that partial capacity has been restored through a temporary fix.

Mr. Prause noted he had not heard of the incident and questioned whether residents were allowed to drive out of the cul-de-sac over to Burnham Street during the work. Mr. DiBiasi reported the full width is open today. It was his understanding that the event was after hours, and the road was patched to maintain access. The proposal is for the contractor to maintain at least one lane of traffic, he stated.

Mr. Prause asked if there will be any impact to the function of the wetlands after the project is completed. He also speculated on whether there is any risk posed by beaver activity in the area, i.e., mitigation.

Mr. DiBiasi stated that, using the pre-existing elevations where the flow lines are, it should be maintained close to its prior conditions moving forward with minimal changes. He explained that the design, which includes a grate on the top, should prevent the clogs.

Mr. David Laiuppa reported that, in the Commission's packets, there is a notation stating that because this was an emergency situation, there was no formal wetland application, but the line work shown on the plans is the point of entry. He stated the proposed impact area is correctly depicted, and when the contractor submits plans, Staff will have to review to ensure no impact to regulated resources.

Mr. DiBiasi explained that as part of the contract, all plans as far as de-watering and any movement of water during construction may require a cofferdam; it will depend on the water elevation, as it fluctuates significantly.

Inland Wetlands Permit – Determination of Significance (2018-130)

MOTION: Mr. Kennedy moved to find the proposed activity at the above-referenced location as shown on the inland wetlands permit application 2018-130 will not have a significant impact on the wetlands and therefore will not require a public hearing. Mr. Bergin seconded the motion and all members voted in favor.

Inland Wetlands Permit (2018-130)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for replacement of 30" culvert and installation of debris structure at Burnham Street Extension. Mr. Bergin 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.

HIGHLAND MEETING ROOM, INC. – To relocate the existing parking, create a one-way internal traffic flow, and expand a portion of the existing building at 127 and 133 Highland Street. – Erosion and Sedimentation Control Plan (2018-121) – Request for 65-day Extension; Special Exception Modification (2018-122) – Request for 65-day Extension

Mr. Bordeaux reported that Staff is nearing completion of the review. The application contains a proposed lot line revision and, as that review continued, Staff advised the applicant not to modify plans for the development proposal until lot line revisions were addressed. At Staff's completion of the review, the applicant will move forward with the revised development application plans. In addition, Mr. Bordeaux explained, there was a question about whether or not the site was

connected to a Town sewer, which required testing by Town Staff. The Planning Department expects revised comments soon and the application should be on the agenda for the next meeting.

Erosion and Sedimentation Control Plan (2018-121) – Request for 65-day Extension
Special Exception Modification (2018-122) – Request for 65-day Extension

MOTION: Mr. Kennedy moved to approve the requested 65-day extensions. Mr. Stebe seconded the motion and all members voted in favor.

APPOINTMENTS TO CAPITOL REGION PLANNING COMMISSION

MOTION: Mr. Kennedy moved to nominate Mr. Stoppelman as a regular member and Mr. Bergin as an alternate member to the Capitol Region Planning Commission. Ms. Scorso seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS:

1. Mr. Bordeaux reported that he and Mr. Laiuppa visited a site of a Notice of Violation that was issued in September 2017 where fill was being dumped in a regulated area. The remediation of that site has been completed and there will be continued observation of the site as it stabilizes with grass seed this spring, he explained.
2. Mr. Anderson noted that the Board of Directors has been talking recently about the parking of vehicles on streets. While this has been talked about in the past, the Board has asked the Planning and Zoning Commission to take a look at the issue of vehicles parked on front yards, he reported.

Mr. Stoppelman asserted that he is interested in the rules in the surrounding towns.

Mr. Prause inquired whether there was a recommendation from their subcommittee or a request for the Commission to look at it.

In Mr. Anderson's opinion, the matter has been forwarded to the Commission as it is a zoning issue. It was his recollection that the issue has arisen previously.

Mr. Prause noted the regulation was changed regarding automotive repair. He questioned who was on the subcommittee.

Mr. Anderson responded that the subcommittee consisted of members of the Board of Directors and Staff, which included the Zoning Enforcement Officer, the Assistant Town Attorney, as well as the General Manager's office.

Mr. Stoppelman commented that obviously the Zoning Enforcement Officer should be included in future discussions.

Mr. Bergin stated he is contemplating the Agri-Tourism conversation and cars parking on lawns temporarily associated with a business use on land that would not ordinarily be paved.

Mr. Anderson inquired how the Commission would like to address the topic, once research has been completed; i.e., workshop, a proposed regulation, or a business item.

Mr. Kennedy suggested a workshop.

Mr. Stebe pointed out to Mr. Anderson that the question of what defines a parking space arises; must it be bituminous, or can it be pavers or gravel off a paved drive? This has been discussed in the past but there has been no action.

Mr. Prause stated he understood the Board of Directors' action on a public right-of-way, but with the issue of people's personal property, the problem arises when people are forced to park vehicles on their lawn due to lack of space.

Mr. Kennedy noted he would be interested in knowing the scope of the problem.

Mr. Sabia commented that, in view of his observations in various neighborhoods in the town, there are many more children and married children moving back with parents. Though there may be homes with double driveways, the cars are doubling and tripling up in a small driveway.

Mr. Prause speculated whether this is due to teenage drivers.

Mr. Sabia suggested it could be teen drivers with their own cars. Whether the homeowners are working on cars could become an issue, however, he stated.

3. Mr. Anderson suggested an opportunity for a workshop on the North End, thinking comprehensively. He contemplated some sort of planning work on that area in particular, bearing in mind that Robertson School will be closed. The idea is about a general conversation about what the community has in mind as that building transitions. Mr. Anderson suggested an off- Commission week in March for the workshop.

Mr. Stebe noted that the Planning Department did something similar with the strip along the Senior Center.

Mr. Anderson clarified that his intent would be holding it in the districts, more of a community workshop format. He stated they will plan the workshop and will let the Commission know.

4. Mr. Anderson stated they had received a municipal training opportunity for Boards and Commissions, which is available on Saturday, March 23rd. He explained that the Planning Department will cover the cost, which includes lunch. The details will be emailed to the Commission, he reported.
5. Mr. Anderson reported that Kyle Shiel, Senior Planner, will speak about a Development Impact Report, which Andy Kidd suggested. The study reviewed the tax value of

development related to the cost of public education. He explained that had been updated in 2008 and Staff determined it was time to take another look at it.

Mr. Kyle Shiel noted the report was updated in the fall of 2018. He reported the inclusion of selected developments that have been reviewed in the past, as well as new developments. The reports review the property tax differential, according to Mr. Shiel; how much revenue the residential properties are generating vs. what the educational cost is for students in the area. Mr. Shiel went on to explain the different factors in the assessment, the property tax differential, and the revenues generated minus the total number of students cost. He elaborated on the details of the assessment, including the changes in the costs to the Town. Mr. Shiel noted the difficulties due to the recession and explained a quirk in the study; though there is a decline Town-wide, there are approximately 700 more students than expected, as well as an increase in per student cost. Mr. Shiel went on to explain the figures related to inflation factors.

Mr. Anderson added that the Commission should not make too many generalizations about these figures. Research is done on different areas of town but there are other factors, such as the number of students. Determining whether having public school students is desirable or not is not the intent of the study, he explained. He noted an association, perhaps not statistically, with the age of the housing.

Mr. Kennedy noted that conventional wisdom has been that money is lost on single family subdivisions and multi-family housing may not make as much as commercial but is still positive; however, this seems to show it is more complicated. He noted that the Pavilions was sold as for singles, but 30 years down there road there are many children.

Mr. Bergin referred to the handout, which contains 48 subdivisions. He questioned the period in which these were constructed.

Mr. Anderson interjected there were many subdivisions.

Mr. Bergin stated it would seem as if the total district enrollment was declining, there would be many people moving from one neighborhood into a different housing unit, which would not necessarily be a new impact because that housing option exists.

Mr. Prause acknowledged that when people are looking to raise children, people would prefer to live in subdivisions with more children and less traffic. Therefore, individuals are less likely to live on main arterial streets. He also assumed it is likely that many students may not attend public schools, but rather private schools.

APPROVAL OF MINUTES:

November 19, 2018 – Business Meeting

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

December 10, 2018 – Public Hearing/Business Meeting

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

RECEIPT OF NEW APPLICATIONS:

1. **TOWN OF MANCHESTER PUBLIC WORKS DEPARTMENT – Inland Wetlands Permit (2018-130)** – Replacement of a 30” culvert and installation of debris structure at Burnham Street Extension.
2. **TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Regulation Amendment (2018-131)** – To revise Art. I, Sec. 2 (Definitions) to add definitions for Agri-Tourism and related terms, and to revise Art. II, Sec. 2 (Rural Residence Zones) to add Low-Impact Agri-Tourism as a permitted use and High-Impact Agri-Tourism as a special exception use.
3. **MICHAEL BUGNACKI – Inland Wetlands Permit (2018-132)** – For construction of a house and driveway, trenching for utilities, clearing of trees, and grading at 24 Trevor Court.
4. **AMERCO REAL ESTATE COMPANY/MOSES EASON – Special Exception/Preliminary Site Development Plan (2018-133)** – Request a special exception per Art. II, Sec. 24.02.01 to allow self-storage and truck/trailer sharing uses at 440 Oakland Street.
5. **VANLOSE ENTERPRISES, LLC – Special Exception Modification (2019-002)** – Special exception modification per Art. II, Sec. 24.02.01(h) to construct an 800 sq. ft. canopy and a 1,405 sq. ft. addition to the existing automobile dealership building and modify the exterior of the existing building at 80 Oakland Street.

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 10:02 P.M.

I certify these minutes were adopted on the following date:

January 23, 2019
Date

Eric Prause, Chairman

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