AGENDA

PUBLIC HEARING:

1. **KENNETH BOYNTON** – (continued from September 4, 2019) – Proposed 44-lot residential cluster subdivision served by sanitary sewer and public water at 426 Wetherell Street.
   - Inland Wetlands Permit (2019-036)
   - Subdivision (2019-037)

2. **KENNETH BOYNTON** – (continued from September 4, 2019) – Request a Special Exception per Art. II, Sec. 3.02.04 for a municipal utility structure (water pump house) in connection with the proposed Bayberry Crossing cluster subdivision at 426 Wetherell Street.
   - Special Exception (2019-088)

3. **URBAN LODGE BREWING** – Request a Special Exception per Art. II, Sec. 15.02.04 to allow outdoor entertainment (bands/musicians) at 45 Purnell Place.
   - Special Exception (2019-090)

4. **HARIHARAN KUPPURAJ** – Request a zone change from Rural Residence to Business II zone at 30 Bidwell Street.
   - Zone Change (2019-091)

NEW BUSINESS:

1. **KENNETH BOYNTON** – Proposed 44-lot residential cluster subdivision served by sanitary sewer and public water at 426 Wetherell Street.
   - Inland Wetlands Permit (2019-036)
   - Subdivision (2019-037)
   - Erosion & Sedimentation Control Plan (2019-089)

2. **KENNETH BOYNTON** – Request a Special Exception per Art. II, Sec. 3.02.04 for a municipal utility structure (water pump house) in connection with the proposed Bayberry Crossing cluster subdivision at 426 Wetherell Street.
   - Special Exception (2019-088)

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   - Special Exception (2019-090)
4. **HARIHARAN KUPPURAJ** – Request a zone change from Rural Residence to Business II zone at 30 Bidwell Street.
   - Zone Change (2019-091)

5. **ADMINISTRATIVE REPORTS**
   - Administrative Approvals:
     - **Michael B. Lynch, Jr. & Brenda K. Foley Lynch** – Lot Line Revision (2019-063)
       - 630 Bush Hill Road and 109 Rushforde Drive

6. **APPROVAL OF MINUTES**
   - September 4, 2019 – Public Hearing/Business Meeting

7. **RECEIPT OF NEW APPLICATIONS**

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The Planning and Zoning Commission will hold a public hearing on September 16, 2019, at 7:00 P.M. in the Lincoln Center Hearing Room, 494 Main Street, Manchester, Connecticut to hear and consider the following petitions:

**URBAN LODGE BREWING** – Special Exception (2019-090) – Request a Special Exception per Art. II, Sec. 15.02.04 to allow outdoor entertainment (bands/musicians) at 45 Purnell Place, Central Business District zone.

**HARIHARAN KUPPURAJ** – Zone Change (2019-091) – Request a zone change from Rural Residence to Business II zone at 30 Bidwell Street.

At this hearing interested persons may be heard and written communications received. A copy of the proposed zoning district change may be reviewed in the Town Clerk’s office, 41 Center Street, during regular business hours, 8:30 a.m. – 5:00 p.m., Monday through Friday, or in the Planning Department, 494 Main Street, during regular business hours, 8:30 – 4:30, Monday through Friday.

Planning and Zoning Commission
Eric Prause, Chair
TO: Planning and Zoning Commission / Inland Wetlands Agency

FROM: Matthew R. Bordeaux, Senior Planner

DATE: September 11, 2019

RE: Kenneth Boynton – 426 Wetherell Street
Inland Wetlands Permit (2019-036)
Subdivision (2019-037)
Special Exception (2019-088)
Erosion and Sedimentation Control Plan (2019-089)

The applicant is requesting approval of four (4) permits required for the development of a proposed 44-lot cluster subdivision on a 30.35-acre parcel at 426 Wetherell Street. At its July 15, 2019 meeting, the Planning and Zoning Commission (acting in its role as the Inland Wetlands Agency) made a determination that the proposed project will include activities that will have significant impacts on regulated wetlands, requiring a public hearing. As the applicant was running out of the allotted time to open a public hearing, the hearing was opened on August 12, 2019, in conjunction with the required public hearing for the Cluster Subdivision (in accordance with Article III, Section 4 of the Zoning Regulations). The public hearing remains open as Town staff continues their review of the plans and documents submitted with the project applications.

The applicant is additionally proposing to construct a municipal utility building (pump station) to boost the water pressure to approximately half of the proposed single-family houses in the subdivision. In accordance with Article II, Section 3.02.04, the construction of a municipal utility building is a use subject to Special Exception approval, the provisions outlined in Article II, Section 2.02.13 and the Special Exception Criteria of Article IV, Section 20.

As few substantive features of the project have changed since the packet memo and attachments were provided to the Commission in advance of the August 12th meeting, the Commission should refer to the original project description in the memo dated August 7, 2019. Included below, however, is a summary of some features of the project that have been modified during the course of staff review.

Open Space

In accordance with Article III, Section 4.02.02 of the Manchester Zoning Regulations, the Commission has authority to consider the location and nature of the dedicated open space and its suitability for the purposed intended. The applicant is proposing to dedicate approximately 10.51 acres (34.6% of the area of the site) to be left in an undisturbed natural state. The land to be dedicated as open space encompasses the easterly and southerly property boundary of the
existing parcel. The open space property along the east property boundary consists of steep, wooded slopes and runs parallel to the existing Eversource-owned utility right-of-way. There are three (3) unrelated wetland areas located in the proposed open space. These wetland areas will be described in greater detail later in this memo. The applicant is also proposing to locate a stormwater detention basin in the open space area (Excerpt from August 7th memo).

As noted above, the applicant is proposing to locate one of two proposed detention basins in the designated open space area. Town staff asked the applicant to revise the calculation of open space area to omit the area of the detention basin as it will be maintained for municipal utility purposes and not be useful for the purpose of open space. The revised calculation is to dedicate approximately 10.13 acres (33% of the area of the site) to be left in an undisturbed natural state.

Utilities

The applicant is proposing to extend the public drinking water supply and sanitary sewer service from their existing terminus at the temporary cul-de-sac on Wilson Way. The proposed subdivision is located at a high point in the Town’s public water supply Low Service Area. The top of the Wilson Way cul-de-sac currently experiences the lowest pressure in the Low Service Area. The proposed subdivision is located uphill from Wilson Way and, as such, any water system extension would mean that the proposed lots will experience marginal to unacceptable pressures. In addition, fire protection cannot be provided to the highest elevations in the subdivision. Any system extension would also impact other areas of the Low Service Area with higher elevations during peak demand conditions (Excerpt from August 7th memo).

To improve the water pressure provided to the homes, the applicant is proposing to construct a booster pump station on a unique lot located between the proposed house lots #2 and #3 as depicted on the attached Sheet 7 of 19. The pump station is intended to increase the water pressure provided to house lots #3 through #13 and #15 through #26 (see “Water Distribution Schematic” attached). As currently proposed, water pressure in the proposed “High Pressure Zone” is calculated to be between 34.6 and 44.6 psi during peak hour demand.

Meanwhile, the original plan submittal proposed that the remaining house lots in the subdivision (Lots #1, #2, #14, and #27 through #44) will be provided with water extended from the existing main on Wilson Way without the benefit of the booster pump. Under these conditions, water pressures at peak hour demand are calculated to be between 25.8 and 33 psi.

As presented to the Commission at the September 4th public hearing, Town staff has informed the applicant that the water pressures in this “Low Pressure Zone” will be unacceptably low. The applicant has informed Town staff of their intent to provide booster pumps to each house individually in the “Low Pressure Zone”. The individual booster pumps would be owned by and therefore the responsibility of the homeowner.

Included as an attachment to this memo is a letter from Lenard Engineering, Inc., dated September 11, 2019. This letter comes in response to Town staff’s comments stating that the pressures proposed to be provided to the “Low Pressure Zone” were not satisfactory. The Engineering Division’s comments dated August 29, 2019, as well as an email from the Town of
Manchester’s Water & Sewer Administrator, dated August 29, 2019, are attached for your review as well.

Proposed Municipal Utility Building

As stated, the applicant is proposing to construct a booster pump station to provide increased water pressures to the houses in the “High Pressure Zone” (see “Grading Plan Sheet 7 of 19,” attached). The construction of such a municipal utility building is a use subject to Special Exception approval in accordance with Article II, Section 3.02.04. This section of the Zoning Regulations states that municipal utility buildings and structures must adhere to the “requirements of Article II, Section 2.02.13.” The provisions of this section are as follows:

Municipal utility buildings and structures

(a) May be developed after approval by the Planning and Zoning Commission for public water and sewer utilities.

(b) Special requirements:

1. No part of the building or structure shall be within 150 feet of an existing residential dwelling.

2. The building or structure shall conform to zoning requirements of the zone in which the site is located as to maximum buildable area and minimum yards.

3. The site shall have street frontage or access to a public street through an easement to the Town.

4. Evergreen plantings (at least four feet high and four foot on center) and fencing (at least 6 feet high) shall be installed to create visual screening from adjacent residential dwellings unless waived by the Commission due to existing topography, existing vegetation, site configuration or location or the type of utility use.

5. Site development plans shall be submitted to the Commission for approval.

Provisions of Article II, Section 3.01.01 (c)

As stated above, the applicant is proposing to construct a municipal utility building. The Manchester Water & Sewer Department is requiring the applicant to locate that building on its own lot. The applicant is proposing to construct said lot between the proposed house lots #2 and
#3. In order to accommodate the dedicated lot for the municipal utility building, the applicant is seeking to utilize the provisions of Article II, Section 3.01.01 (c) which reads as follows:

(c) In the event the Commission requires a plan of subdivision to include provisions for additional future access roads to lands not included in the subdivision, or for tracts for public utility uses or park and playground purposes, such provisions shall not cause a reduction of the permitted building density, and lot areas, building line dimensions and lot frontages may be reduced by amounts exceeding 15% so that a building density of 2.0 houses per acre is maintained.

As shown on the attached “Plot Plan Sheet 4 of 19,” and “Plot Plan Sheet 5 of 19,” proposed house lots #2 through #13 have reduced frontages (100’ required).

Staff Review

As the project remains under review, a report of the status of outstanding staff comments and concerns will be provided at the meeting.

MRB
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Attachments
From: Matthew Bordeaux  
Sent: Thursday, August 29, 2019 2:37 PM  
To: mpeterson@gardnerpeterson.com; Eric Peterson (epeterson@gardnerpeterson.com)  
Cc: Katie Williford; dfamiglietti@kkc-law.com  
Subject: FW: Bayberry Crossing Sub-Division

Mark/Eric,

Please see the email below from Patrick Kearney, Water and Sewer Administrator. Katie Williford from my office will be forwarding the Engineering Division comments in a separate email.

Regards,
Matthew R. Bordeaux  
Senior Planner  
Planning Department  
Town of Manchester, CT  
(860) 647-3288

From: Gary Anderson  
Sent: Thursday, August 29, 2019 2:31 PM  
To: Matthew Bordeaux  
Subject: FW: Bayberry Crossing Sub-Division

From: Patrick Kearney  
Sent: Thursday, August 29, 2019 11:23 AM  
To: Gary Anderson  
Subject: Bayberry Crossing Sub-Division

The proposed Bayberry Crossing Sub-Division at 426 Wetherell Street has plans to connect to Water Department’s existing water main on Wilson Way. The Water Department has the capacity to serve the sub-division however the pressure at that location is marginal at best. Based on the “Water System Hydraulic Calculations Proposed Bayberry Crossing Sub-Division” prepared by Lenard Engineering, Inc., revised July 31, 2019, the pressures for the proposed houses that are not on the proposed booster station range from 25.8 to 33.0 pounds per square inch (psi). The houses on the proposed booster pump station will have a pressure range of 35.3 to 44.6 psi.

The Water Department’s Rules and Regulations dated August 14, 2012, requires that the Department will maintain pressures within the water distribution system between 25 and 125 psi. This is normally considered at the water main. The Department of Public Health also requires a minimum of 25 psi at the water main to prevent back flow or back siphonage into a water system. The Department of Public Utilities Control requires a minimum of 35 psi at the water main however the Water Department does not fall under the DPUC’s regulations. Clearly the pressures at the planned water mains meet the minimum requirements the Water Department will maintain, since the calculated pressures are greater than 25 at the first floor of the houses, it is still very minimal. Even where the sub-division has proposed a booster station the pressures barely meet the DPUC’s requirements. Rectifying the pressures for the 23 houses on the booster station can be as simple as sizing the proposed pumps to produce greater pressure. The problem
with installing pumps that increase the pressure to a larger degree will make the houses not on the proposed booster station pressure seem even worst. Having a home with a decent pressure of say 60 psi and the house next to it with half the pressure of 28 psi will create an increase the likely hood of low pressure complaints by unaware homeowners. Worst yet homeowners may install booster systems on their own without our knowledge and therefore increase the possibility of contamination issues in the area if the proper backflow devices are not installed. From the literature I have read even a scald proof shower fixture needs 20 psi to work properly.

Although the Water Department does not have rules and regulations, setting minimum pressures in new developments other than what are stated above, I feel the pressures calculated for this new sub-division are low. I would like to see the lowest pressure to be at 40 psi at the main for something new. If you have any questions please do not hesitate to contact me. Thank you.

Patrick J Kearney II
Administrator
Town of Manchester
Water and Sewer Department
TO: Matthew Bordeaux  
Senior Planner  

FROM: John DiBiasi, PE  
Assistant Town Engineer  

DATE: August 29, 2019  

Engineering Division Review Comments  
RE: Inland Wetlands; Subdivision; E&SC  
Lenard Engineer Letter dated August 8, 2019  

Kenneth Boynton  
426 Wetherell St  
Planning File No. 2019-036; -037; -038  
Engineering File No. 2018069  

Meeting requested with the applicant and design professional: ☑Yes  ☐No  

The following comments are based on Engineering Division’s review of the August 8, 2019 Lenard Engineering, Inc. response letter and its enclosed attachments. This letter was discussed with the Manchester Water & Sewer Department and our memorandum is also based on those discussions.  

Please note that the Engineering Division’s review of the most recent response to our general subdivision comments is ongoing.  

Water & Sewer Comments:  

For reference, the following are noted extensively below:  

- August 8, 2019 Lenard Engineering Inc. Letter: Water Distribution Schematic (Figure 2 revised 08/07/2019) referred to herein as Figure 2  
- August 8, 2019 Lenard Engineering Inc. Letter: Untitled subdivision plan set excerpt showing the relocated pump station and new municipal parcel  
- Water System Hydraulic Calculations, Lenard Engineering, Inc. revised July 31, 2019: “Table 1 – Water Pressures at Lots; Bayberry Crossing Sub-Division; Manchester, Connecticut” referred to herein as Table 1  
- “High Pressure Group” meaning subdivision lots connected to and provided domestic water by, the proposed pump station.  
- “Low Zone Extension Group” meaning subdivision lots connected to and provided domestic water by, the extension of the lower Manchester water service system extended into the subdivision via the existing water main within Wilson Way.  

The revised Water Distribution Schematic (Figure 2) relocates the pump station to the northeasterly corner of the subdivision and updated the water distribution network accordingly. The result is a new high pressure (meaning “on the pump station”) network of 23 homes and a separate extension of the Low Zone distribution network. The Low Zone distribution network will be providing both municipal fire service/protection (via hydrants) to the subdivision and also providing domestic water to the remaining 21 homes (out of 44 homes total).
The submitted Water System Hydraulic Calculations, Lenard Engineering, Inc. report revised July 31, 2019 implies that the Town could provide the minimum 25 pounds per square inch (psi) at the water main/in the street (minimum pressure provided as stated in the Manchester Water Department Rules & Regulations).

Table 1 summarizes the pressures at the finished floor (representing the ground/first story) for all building lots. It was broken into two groups, high pressure and low pressure. The average proposed pressure in the high pressure group was 38 psi. The average proposed pressure in the low zone extension group was approximately 28 psi.

Notable observations from Table 1 and Figure 2:

- The lowest calculated pressure at the finished floor in the low pressure group was 25.8 psi at both lot #27 (across the street from the pump station) and #14 (furthest from the pump station).
- Lot #14 (25.8 psi) abuts Lot #15. Lot #15 is in the high pressure group which has a calculated pressure of 41.8 psi (a difference of 16 psi between neighbors).

Based on discussions with the applicant’s engineer, it is our understanding that the subject subdivision will propose all two story homes which include second story full-bathroom(s). Based on the Town’s experience and review of the low pressure group (Table 1) finished floor calculated pressures, we still have a concern about the functionality and usability of second story water fixtures. Certain fixtures such as shower heads require a certain amount of minimum pressure to operate correctly per the manufacturer’s requirements.

Therefore, pressures beyond the main (within the home) will be up to other codes such as the plumbing code. The fixture requirements are not generally available at the time of subdivision review. The Connecticut State Building Code includes information on properly sizing and selecting pipes. The procedure requires the calculation of pressure requirements (ie second story shower head needs a minimum pressure) and pressure losses which must not exceed the pressure available.

The Connecticut State Building Code includes a table for “Required Capacities at Point of Outlet Discharge.” For a shower the minimum flow pressure of 20 psi is to be used for calculations. Typical losses of pressure can be attributed to devices (water meter, water softener, etc.), fittings and pipe, and elevation differences.

According to the Water System Hydraulic Calculations, the booster pumps within the proposed pump station were sized to provide 35 psi at the highest finished floor within the subdivision. This home is selected as the worst case example for requirements within the High Pressure Group. Boosting the pressure so that it achieves the desired pressure at this home is the controlling factor for sizing the booster pumps. As such, it is expected that higher pressure at the highest finished floor would be expected at all the other homes within the High Pressure Group at elevations lower than the highest elevation home.

The elevation of the proposed subdivision is similar to the elevation of the water tower that produces the pressure in the water main. As a result, the system hydraulics and topography do not lend
themselves to providing the necessary pressure without the use of a booster station or additional nearby water tower.

Therefore, we do not believe that adequate pressure could be reliably provided in the Low Zone Extension Group at the highest fixture on the second story without the aid of a pressure boost. All homes proposed within the subdivision should be within the High Pressure Group and serviced by domestic water provided via the pump station.

For technical reasons, in order to provide and meet the requirements (specifically flow in gallons per minute and pressure) for fire protection by the Manchester Fire Department, the proposed fire hydrants cannot be connected to the High Pressure Group and the pump station. As previously discussed, this would likely cause catastrophic damage to the pump station booster pumps during a fire fighting event.

Therefore, to protect the infrastructure, a second and separate water main specifically for the fire hydrants would be required. This main would extend from Wilson Way to Bayberry Road based on the proposed layout of fire hydrants. This main would be connected prior to the point of connection for the pump station in order to isolate the station.

cc: Jeff LaMalva, P.E., Town Engineer
    Bernard Kalansuriya, P.E., Design Engineer
    Patrick Kearney, Water/Sewer Administrator
    File 2018069
September 11, 2019

Mr. John DiBiasi, PE
Assistant Town Engineer
Town of Manchester
41 Center Street
Manchester, CT 06045

RE: Replies to Water and Sewer Comments dated August 29, 2019, and Summary of September 9, 2019 Staff Meeting, Proposed Bayberry Crossing Sub-Division, 426 Wetherell Street, Manchester, CT

Dear Mr. DiBiasi:

Lenard Engineering, Inc. (LEI) has the follow responses to the Water and Sewer Comments in your memo dated August 29, 2019 as well as a summary of our comments presented at the September 9, 2019 Staff meeting.

1) **Towns Continued Concern Regarding Functionality and Usability of Second Floor Water Fixtures** – LEI distributed excerpts from the 2018 International Plumbing Code, which requires minimum pressures between 8 psi and 20 psi for common household fixtures, with the higher 20 psi required for bathtub and shower thermo-static mixing valves.

As a follow-up to the meeting, LEI separated water pressure calculation for the high and low service zones into two separate tables.

**Table 1** shows pressures for the **23 lots** within the proposed high service zone, which will be served by a centralized booster station. As requested by the Manchester Water and Sewer Department, although not required by regulation, the applicant will install larger pumps to provide a minimum **50 psi** at the first floor of the highest home, which correlates to a minimum of **45 psi** at the second floor of the highest home.

**Table 2** shows pressures for the **21 lots** to be served by the Manchester low service zone. We have expanded this table to show:

a) available pressures during **average daily demand** periods, at both the first and second floor elevations, relying on Manchester's pressure gradient only (without pumps),
b) available pressures during projected peak hour demand periods, at both the first and second floor elevations, relying on Manchester’s pressure gradient only (without pumps), and

c) available pressures during projected peak hour demand periods, at both the first and second floor elevations, with individual booster pumps installed.

As shown in Table 2, the minimum pressure is highlighted in each column. At the first floor elevations, the minimum calculated pressures at the first floor, utilizing Manchester’s pressure gradient only are 35.0 psi during average demand conditions and 25.8 psi during projected peak hour condition, both of which meet both State and Town Water and Sewer Department regulations.

At the second floor, once again relying on the Manchester pressure gradient, the minimum calculated pressures are 27.8 and 20.8 psi at the highest house, both which exceed the 20 psi required by International Plumbing code pressure requirements for the highest fixture installed.

Lastly, although not required by regulation, the applicant will commit to installing individual booster pumps, along with the required backflow preventer, to provide even better pressure in these low zone homes, which will be comparable to those in the high service zone. Each pump will have the capability of boosting pressure to 50 psi at the first floor, and 45 psi at the second floor.

Note that Town Water and Sewer regulations specifically allow for these installations, where the customer desires high pressures than those available, and the customer signs a limited service agreement which indicates the property owner shall be responsible for the operation, maintenance, replacement and repair of such a system. Note the regulations do not limit the number of booster pumping systems allowed. The applicant is willing to sign these agreements in accordance with Town regulations.

Therefore, as demonstrated in Tables 1 and 2 and discussed above, there should be no remaining doubt as to the applicants ability to meet the all applicable regulations regarding pressure requirements- the International Plumbing Code, State Department of Public Health, and Town of Manchester Water and Sewer Department.

Although not required by regulation, the applicant has committed to invest additional funds to enlarge the proposed high service zone pumping station to provide even high pressures than required by code and regulation, as well as to provide individual booster pumps to homes proposed to be served from Manchester’s low service zone, even though without these pumps, pressures meet all applicable regulations. The pressures provided in
this sub-division will exceed those provided to neighbors along Wilson Way, which today receive adequate water pressures from Manchester Water.

2) Projects Elevation With Respect To Manchester’s Water Tank parcel- You inferred that since our sub-division is similar to the elevation of the Town’s Water Tank, system hydraulics do not lend themselves to providing the necessary pressure without the use of a booster station or additional nearby water tower.

Based on the conservative peak hour demand pressures provided by the Town and used in our analysis, which already take into account the elevation of the Town’s water tank and peak usage across the entire system, we demonstrate that we can provide water pressures at all locations within the subdivision that meet Town Water and Sewer Department regulations.

3) Request to Connect All Homes Within the Subdivision To Be Connected to the High Pressure Zone- As discussed at the September 9, 2019 Staff meeting, the design as submitted for review meets all State and Town Water and Sewer requirements for water flows and pressures; therefore, increasing (doubling) the capacity of the proposed pumping station to serve all 44 lots, as well as installing an additional 1500 feet of 8” main to serve the remaining customers, is not needed. We estimate this recommended improvement will cost between $200,000 and $250,000, which is an undo burden to place on the applicant, given the fact the proposed system as submitted meets all regulations.

As noted previously, although not required by regulation, the applicant has agreed to increase the size of the pumps at the pump station as well as provide individual booster pumps, to provide outstanding flows and pressures for the 44 homes within this project.

Please contact me with any questions or comments.

Very truly yours,

Lenard Engineering, Inc.

James E. Ericson, P.E.
Vice President
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Note: Bolded values indicate minimum pressures within the sub-division.
Table 2: Water Pressures at Lots
Proposed Low Service Zone
Bayberry Crossing Sub-Division
Manchester, Connecticut

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<th>Lot #</th>
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<th>Finished First Floor Elevation</th>
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NOTES: 1) Average daily demand measurements indicate typical pressures anticipated at the first floors, based on actual field measurements during flow testing in June, 2019.
2) Peak hour demand pressure calculations based on values provided by Town of Manchester, and are approximately 7.5 psi lower than measured average daily demand conditions.
3) Calculated pressures at second floor estimated as 5 psi lower than first floor. 5 psi is equivalent to 11.6 feet of total head, which included 9 feet elevation difference between floors and a 2.6 feet (1.1 psi) pressure loss in piping.
4) Bolded values indicate minimum pressure values for the subdivision.
AUGUST 7, 2019 MEMO
AND ATTACHMENTS
TO: Planning and Zoning Commission / Inland Wetlands Agency

FROM: Matthew R. Bordeaux, Senior Planner
       David Laiuppa, Environmental Planner / Wetlands Agent

DATE: August 7, 2019

RE: Kenneth Boynton – 426 Wetherell Street
    Inland Wetlands Permit (2019-036)
    Subdivision (2019-037)
    Erosion and Sedimentation Control Plan (2019-089)

Introduction

The applicant is proposing a 44-lot cluster subdivision on 30.35 acres at 426 Wetherell Street. The site is located on the south side of Wetherell Street, between the Planned Residence Development (PRD) subdivision on Cougar Drive located to the north and west, and the Residence AA subdivision to the south referred to as Bayberry Heights, accessed from Hillstown Road (see attached Location Map). Temporary cul-de-sacs exist at Wilson Way and Bayberry Road that will be utilized to provide access to the parcel. An Eversource right-of-way abuts the subject property’s entire eastern boundary, running north/south from Wetherell Street and eventually to Bush Hill Road.

The Planning and Zoning Commission approved a zoning district change on December 10, 2018 from Rural Residence zone to Residence AA zone. The proposal will require an inland wetlands permit and subdivision plan approval, as well as certification of an erosion and sedimentation control plan and a special exception approval for a proposed municipal utility building. In accordance with Article III, Section 4 of the Zoning Regulations, the Planning and Zoning Commission, upon receipt of a petition for a cluster subdivision, shall hold a public hearing.

At its July 15, 2019 meeting the Planning and Zoning Commission (acting in its role as the Inland Wetland Agency) made a determination that this proposed project will have significant impacts on regulated wetlands. That determination requires that a public hearing is held on the inland wetlands permit application, which has been scheduled in conjunction with the one required for the cluster subdivision as described above.

Project Description

Cluster Subdivision

The applicant is proposing a 44-lot cluster subdivision in accordance with Art. III, Section 4. A cluster subdivision permits the residential lots in Rural Residence zones and Residence AA
zones to be reduced in dimension and designed to occupy less than the total tract area of the subdivision provided that the maximum building density is not exceeded. The undeveloped portion of the tract shall be designed and dedicated as public open space.

**Open Space**

In accordance with Article III, Section 4.02.01 of the Manchester Zoning Regulations, the Commission has authority to consider the location and nature of the dedicated open space and its suitability for the purpose intended. The applicant is proposing to dedicate approximately 10.51 acres (34.6% of the area of the site) to be left in an undisturbed natural state. The land to be dedicated as open space encompasses the easterly and southerly property boundary of the existing parcel. The open space property along the east property boundary consists of steep, wooded slopes and runs parallel to the existing Eversource-owned utility right-of-way. There are three (3), unrelated wetland areas located in the proposed open space. These wetland areas will be described in greater detail later in this memo. The applicant is also proposing to locate a stormwater detention basin in the open space area.

**Stormwater**

The applicant is proposing to collect stormwater in a series of catch basins located throughout the subdivision. The catch basins will convey stormwater to above ground detention basins. To treat the stormwater prior to discharge, each basin contains a sediment forebay for pre-treatment and a vegetated bottom in accordance with the requirements of the 2004 Connecticut Stormwater Quality Manual. Each sediment forebay has been sized to exceed 10% of the Water Quality Volume of the contributing watershed, and the vegetated bottom of each basin has been sized to exceed 100% of the Water Quality Volume.

**Utilities**

The applicant is proposing to extend the public drinking water supply and sanitary sewer service from their existing terminus at the temporary cul-de-sac on Wilson Way. The proposed subdivision is located at a high point in the Town’s public water supply Low Service Area. The top of the Wilson Way cul-de-sac currently experiences the lowest pressure in the Low Service Area. The proposed subdivision is located uphill from Wilson Way and, as such, any water system extension would mean that the proposed lots will experience marginal to unacceptable pressures. In addition, fire protection cannot be provided to the highest elevations in the subdivision. Any system extension would also impact other areas of the Low Service Area with higher elevations during peak demand conditions.

To improve pressure conditions, the applicant is proposing to construct a booster pump in a station identified as Parcel ‘B’ located between Lots #2 and #3 (see revised Plot Plan Sheet No. 4 of 18 attached). The applicant recently revised the plans to show the pump station on its own dedicated parcel instead of adjacent to the proposed detention basin on Parcel ‘A’ as depicted on the attached Grading Plan Sheet No. 8 of 18. Parcel ‘B’ and the facilities upon it would be dedicated to the Town for future ownership and maintenance. The pump station would serve Lots 5 - 25.
The proposed lots will be served by natural gas extended from Wilson Way. The sanitary sewer will also be extended from Wilson Way and all sewer mains will be gravity-fed.

Erosion and Sediment Control

The erosion and sediment control plan for this site consists of the use of soil stockpile areas, sediment basins, and silt fence and/or hay bales down gradient of all disturbed areas. An anti-tracking pad will be installed at the entrance to the site.

The proposed stormwater basins will be initially constructed as temporary sediment basins. Once the site has been stabilized, the basins will be cleaned, planted and seeded per the design plans.

All sediment and erosion control procedures and construction of all stormwater drainage structures shall essentially be in accordance with the “2002 Connecticut Guidelines for Soil Erosion and Sediment Control” by the Connecticut Council on Soil and Water Conservation.

Project Phasing

The applicant is proposing to break the project into multiple phases (see Layout Plan Sheet No. 2 of 18 attached). The extension of Wilson Way is the first phase of the project, which will contain 16 lots. Traffic will exit this phase and travel approximately 1,000’ along the existing portion of Wilson Way and Cougar Drive and onto Wetherell Street. Phase II of the project will include 17 lots and the construction of a road along the westerly portion of the site coming off Phase I and extending to Bayberry Road. Traffic will have the option to travel the same route as the Phase I traffic or access the development from Bayberry and Bramblebush Roads to Hillstown Road. The final phase of the project contains 11 lots and will extend Phase I to the existing Bayberry Road cul-de-sac.

Inland Wetlands

Within the project limits, wetland scientists, under contract to the applicant, identified four separate wetland systems, none of which had been previously identified or mapped on the site.

Wetland A, which is located in the southwest corner of the site, is a small isolated forested wetland and contains a verified vernal pool. The proposed project does not have any direct impacts to this wetland. There is proposed work, including land grading, within the upland review area of Wetland A. This work will result in direct, permanent impacts to the upland review area. This Wetland and associated Upland Review area are depicted on the attached Sheet No. 8 of 18.

Wetland B, which is located in the southeast corner of the site, is a large forested wetland and extends beyond the limits of the site as a larger system. The proposed project does not have any direct impacts to this wetland or its associated upland review area. This Wetland and associated Upland Review area are depicted on the attached Sheet No. 7 of 18.
Wetland C, which is delineated as two separate systems, divided by a former unpaved roadway, is located in the northeast corner of the site. The area designated as Wetland C/1C is an isolated emergent wetland which is adjacent to an earthen berm along its eastern side. The area designated as Wetland 2C/3C is a larger system which has been classified as an emergent / scrub-shrub wetland and extends to the west beyond the limits of the site as a larger system. There is proposed work, which consists of land grading, within the Wetland C/1C portion of the wetland. This work is a direct impact to the wetland. There is proposed work, including land grading, gravel path construction, and the installation of a pipe within the upland review areas for the Wetland C/1C and Wetland 2C/3C portions of the wetland. This work is a direct and permanent impact to the upland review area. This Wetland and associated Upland Review area are depicted on the attached Sheet No. 6 of 18.

Wetland D, located at the western edge of the site, is an isolated emergent wetland with a hydrological connection, via surface drainage, to the uplands to the west of the project limits. The proposed project has a direct and permanent impact to this wetland. The proposed work, including land grading, gravel access road construction, house construction, installation of underground pipes, and the construction of a basin (referred to as a stormwater detention basin in the Wetland Assessment & Impacts Analysis: Summary of Findings and a stormwater pond in the Water System Hydraulic Calculation report), will result in the total elimination of this wetland. There will be significant direct and permanent impacts to the upland review area, most notably land grading, roadway construction, the construction of several houses and associated driveways, the construction of a public water supply pump house, utility installation, and the construction of a basin (the same as mentioned above). This Wetland and associated Upland Review area are depicted on the attached Sheet No. 8 of 18.

As defined in the Regulations, a "Regulated Activity means any operation within or use of a wetland or watercourse or within 100 feet of a wetland or watercourse, involving any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging of stormwater."

According to the application presented to this Commission, the following points are pertinent to this discussion:

1. There will be a direct and permanent impact to roughly 22,400 square feet (~0.51 acres) of wetlands as a result of this project.

2. There will be a direct and temporary impact to roughly 1,100 square feet (~0.025 acres) of wetlands as a result of this project.

3. There will be direct and permanent as well as direct and temporary impacts to the upland review areas of three of the four delineated wetlands. These areas of impact have not yet been provided by the applicant.

4. There is the potential for both permanent and temporary indirect impacts to wetlands and upland review areas as a result of this project. These indirect impacts are anticipated to
be associated with erosion and sedimentation resulting from construction activities, disturbance of vegetation in the adjacent uplands, the alteration of hydrology and drainage patterns, and discharge of degraded surface water or groundwater.

The proposed development will result in the alteration of the landscape from an open field with wooded fringes on a drumloidal feature (hilly area comprised of compact soils with steep slopes) to a fully developed residential neighborhood with designated open space on the east and south sides. The proposed Open Space will connect two Conservation Easements to the south of the project site (as seen on the attached Sheet No. 2 of 18).

Because the Planning and Zoning Commission has determined that this application contains proposed elements that will have a significant impact to wetland resources, there are certain elements that are required to be included in the application as it is presented at the Public Hearing. These requirements are, in some cases, more detailed levels of information than those required for applications that are not presented at a public hearing.

As outlined in Section 4.4 of the Regulations, it is a requirement that “if the Agency finds the activity applied for involves or may involve a significant impact or major effect on the wetland or watercourse, the applicant shall submit additional information including, but not limited to:

(a) Soil Sample Data if the parcel lies within or partly within an area believed to contain poorly drained, alluvial and/or floodplain soils. The data shall show precisely where each specific soil type is found. Soil types identified shall be consistent with the categories established by the National Cooperative Soils survey of the U.S. Natural Resources Conservation Service.

(b) Description of the ecological communities and functions and values of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions.

(c) Description of any alternatives considered which would cause less or no environmental impact to wetlands or watercourses, and a description of how the proposed activity and each of the alternate scenarios would change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application. Applicant shall also provide a description of why each alternative considered was deemed neither feasible nor prudent.

(d) Analysis of chemical or physical characteristics of any fill material.”

Staff Review

Town staff review of this project began with the application submittal in April. Concerns regarding the provision of public water to the site required testing in the field and engineering analysis taking several weeks to schedule and perform. The applicant has exhausted the extensions of time allowed by state statute before a public hearing must commence. As there currently remain several outstanding items under review by Town staff, we recommend that the
Commission open the public hearings required for the Inland Wetlands Permit and the Cluster Subdivision proposal in order to begin the review of this project and allow the public an opportunity to provide input.

As the project remains under review, however, we ask that the Commission leave the public hearings open so that staff review and input may be provided within the period of time that the public hearing remains open, just in case that review results in substantive changes to the plans.

MRB
R:\Planning\PZC\2019\August 12\Packet\Boynton 2019-036,037,089.docx
Attachments
DISCLAIMER: This map is compiled from other maps, deeds, dimensions and other sources of information. Not to be construed as accurate surveys and subject to final changes as a more accurate survey may disclose.

NOTES: Original planimetric and topographic data were compiled by stereophotogrammetric methods from photography dated April 1999 in accordance with ASPR accuracy standards for 1 inch = 40 ft large scale Class I mapping. The updating of the GIS data is performed by the GIS/Maps & Records Unit on a continual basis utilizing the best and most appropriated sources available.

1 inch = 500 feet

Author:

Date: 12/5/2018
TO: Planning and Zoning Commission
FROM: Matthew R. Bordeaux, Senior Planner
DATE: September 12, 2019
RE: Urban Lodge Brewing – 45 Purnell Place
     Special Exception – Outdoor Entertainment (2019-090)

Introduction

The applicant, Urban Lodge Brewing, is seeking a special exception under Article II, Section 15.02.04 to allow outdoor entertainment at the above listed address. The brewing company is located at the bottom of Purnell Place on the east side of Main Street. A new, fenced-in and landscaped outdoor patio was constructed over the summer for patrons of the brewery.

Project Description

The attached site plan shows the location of the existing patio and location for the stage. According to the applicant’s letter submitted with the application, entertainment will be “typically acoustic but sometimes a 5-piece band on Friday or Saturday evening.” The applicant’s letter, updated September 11, 2019, describes the hours of operation and the use of amplification equipment planned for the outdoor entertainment use. No “light shows” are proposed.

For the Commission’s Consideration

The Commission should determine whether the proposed outdoor entertainment meets the general criteria of Article IV, Section 20 of the zoning regulations, as well as the specific criteria of Article II, Section 15.02.04, which are listed below:

a. To the extent possible, sound amplification and light equipment is oriented in a manner that directs the sound and light away from abutting properties, and buffering is provided to mitigate noise and light trespass;

b. Outdoor entertainment shall start no earlier than 11 AM and shall cease no later than 10 PM;

c. The Planning and Zoning Commission may impose additional requirements regarding buffering and days and hours of operation in cases when the site on which the outdoor entertainment is proposed is located within 200 feet of a residential property, place of worship or school.
**Staff Review**

Town staff has reviewed this application. The applicant was asked to respond directly to the provisions of Article II, Section 15.02.04 and those responses are provided in the attached letter from the applicant.

**Enclosures**
R:\Planning\ZCC\2019\09 - September 10\Packet\Urban Lodge 2019-090.docx
To Whom It May Concern:

Urban Lodge Brewing is seeking approval for bands (acoustic and 5-piece bands) to play on the patio of 45 Purnell Place on various days of the week. Typically, acoustic but sometimes a 5-piece band on Friday or Saturday evening.

We understand that this would create additional volume in the area but we believe the benefits far outweigh the noise. Having music on the patio creates a positive and lively attraction to the rear of Main Street. The entire downtown area will benefit from increased people traffic, creating a more vibrant environment. Local restaurants on Main Street have indicated they see a significant increase in sales when we are open.

For our business, this will help us be more competitive in a challenging beer market as we look to attract patrons looking for events and new towns to explore.

We appreciate your consideration and please let me know if you need anything further.

Thank you.

Respectfully,

Michael Gerrity
Urban Lodge Brewing

Amended 9/12/19

Revise application to address the requirements of the Town of Manchester Zoning Regulations at Article II, Section
15.02.04 - Outdoor entertainment provided that:
(a) To the extent possible, sound amplification and light equipment is oriented in a manner that directs the sound and light away from abutting properties, and buffering is provided to mitigate noise and light trespass; Provide detailed information for the proposed number, locations and amplification of all speakers, and proposed lights. Provide details for addressing the proposed sound amplification and lighting vs. the abutting residences.

-Amplifiers and speakers will be face East toward the pergola structure directly across from the elevated seating area where the musicians will be located. We are well positioned a significant distance from the residences nearby. Sound will be buffered by vegetation planted at the north fence line, the south side fence line, and at the far east end of the outdoor patio directly across from the direction of the amplifiers and speakers projected sound. In addition, sound will be further absorbed and deflected by buildings (i.e. 41 Purnell Place) and existing vegetation on the rear of 22 Birch St.. Other abutters are peripheral and will receive ambient sound. Sound levels will vary depending on speaker wattage and volume level. Maximum number of amplifiers is three and maximum number of microphone sound system speakers is two. We have no intentions on having light shows. The existing patio lighting is sufficient. Sound levels will be no more than 3/8 of any amplifiers total volume potential to insure minimal noise disruption to neighboring property. PA sound system with 2 speakers will be no more than 1/2 of the soundboards total volume potential.

(b) Outdoor entertainment shall start no earlier than 11 AM and shall cease no later than 10 PM; Provide detailed information for the proposed days of the week and hours of operation sought.

We will likely plan for the following, if and when we have music.

Thursdays- one or two musicians with vocals. Starting around 5PM and finishing by 8PM

Friday –one Musician and a possibility for a 5-piece band on a rare occasion (once every few months). Starting any time after 4PM and completing no later than 9:30PM

Saturday – one or two musicians with vocals and possibility for a 5-piece band on a rare occasion (once every few months). Starting any time after 2PM and completing no later than 9:30PM

Sunday – one or two musicians with vocals. Starting any time after 12PM and completing no later than 5PM.

**almost all entertainment is a duration of 3 hours.
TO: Planning and Zoning Commission  
FROM: Matthew R. Bordeaux, Senior Planner  
DATE: September 9, 2019  
RE: Hariharan Kuppuraj – 30 Bidwell Street  
Zone Change (2019-091)

Introduction

The applicant is requesting the Commission’s consideration of a zoning district change for the 2.64-acre property at 30 Bidwell Street. The applicant is proposing to change the zoning district designation from Rural Residence to Business II.

The site is located on the west side of Bidwell Street, north of the I-384 overpass and south of the intersection with Hartford Road. An Eversource-owned parcel consisting of the utility right-of-way and the Hop Brook is located on the opposite side of Bidwell Street.

Bidwell Street is a classified as a collector street on the Town’s Roadway Classification Map.

Relationship to Surrounding Zoning

The parcel is surrounded by residential uses. An historic, single-family home is located immediately south in the Rural Residence zone. The Bidwell Commons condominiums, Residence M zone, are located to the north and there are two parcels to the west of the condos along Hartford Road that are zoned Neighborhood Business. Finally, a Residence C subdivision on Wilfred Road begins on Hartford Road and ends in a cul-de-sac immediately to the west of 30 Bidwell Street.

The request is to change the zone to Business II. In accordance with Article II, Section 11, “a Business II zone is a commercial trade area for general public shopping convenience.” The list of permitted uses includes uses permitted in the Business I zone as well as restaurants, entertainment venues, hotel/motel, clubs, public and municipal buildings and, notably, “Tennis and badminton court, skating rink and health and recreation club.” As you may recall, the applicant appeared before the Commission on June 3, 2019 to discuss the zone change concept and expressed the intent to develop a cricket training facility on the parcel. The cricket training facility would be a permitted use comparable to the tennis and badminton court use listed above.
Relationship to the Town Plan of Conservation and Development

In making a decision to change the zoning map boundary, the Commission must take into consideration the Plan of Conservation and Development (POCD) in accordance with Connecticut General Statutes Section 8-3(b).

The Town’s Manchester 2020 Plan Proposed Character Map (attached) shows this parcel in the Traditional Suburban character area. The POCD describes the Traditional Suburban character area as “Mixed-use but primarily residential neighborhoods consisting of single family and duplex housing, with some multifamily buildings. Streets are typically in a grid pattern and are shaded by street trees. Most streets have sidewalks and most housing is within walking distance of public transit, a neighborhood school and a neighborhood center or corridor. Structures are typically one or two stories. Net residential densities range from 3 to 10 units per acre.”

Staff Review

The proposed zone change application was reviewed by Town staff. There are no outstanding comments.

MRB
R:\Planning\PZC201909 - September 16\Packet00 Bidwell St\2019.docx
Attach.
PROPOSED CHARACTER MAP

30 BIDWELL ST
TO: Planning & Zoning Commission

FROM: Matthew Bordeaux, Senior Planner

DATE: September 10, 2019

RE: Lot Line Revision

Pursuant to the Planning and Zoning Commission’s policy statement regarding lot line revisions adopted May 18, 1992, we are notifying the Commission that staff has approved a lot line revision at the following location: 630 Bush Hill Road and 109 Rushford Drive.

The plan was submitted for this revision and reviewed by town staff prior to the approval. A copy of the plan is attached for your reference. The applicant has been advised to file the stamped mylar of the lot line revision with the Town Clerk for recording at their earliest convenience.

mb/kw

Attach.

cc: File 2019-063
MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
SEPTEMBER 4, 2019

ROLL CALL:

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

Alternate Member Sitting: Julian Stoppelman

Alternate:  Bonnie Potocki

Absent:  Teresa Ike
         Jessica Scorso

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.

KENNETH BOYNTON – (continued from August 12, 2019) – Proposed 44-lot residential cluster subdivision served by sanitary sewer and public water at 426 Wetherell Street. – Inland Wetlands Permit (2019-036); Subdivision (2019-037)

KENNETH BOYNTON – Request a Special Exception per Art. II, Sec. 3.02.04 for a municipal utility structure (water pump house) in connection with the proposed Bayberry Crossing cluster subdivision at 426 Wetherell Street. – Special Exception (2019-088)

Attorney Dorian Famiglietti, with Kahan, Kerensky & Capossela, introduced herself as representing the applicant. She explained that the original plans called for the pump station on the lot next to the detention basin. After the applicant learned that the pump station needed to be on a separate lot, the location had to be moved to a separate, stand-alone lot, which triggered the special exception requirement. Attorney Famiglietti referred to a prior meeting which left unanswered questions regarding a review of feasible improvement alternatives. After review, the applicant has determined that the proposal is the most feasible improvement alternative for developing the property, she said.

Mr. George Logan, President of REMA Ecological Services, introduced himself. He revisited the key points regarding Wetland D. Mr. Logan stated that it is his professional opinion that
Wetland D is a low-functioning wetland and detailed his findings. A report dated August 22 to Mr. Peterson was explained. Mr. Logan delineated the difference between a wetland and an upland. In his opinion, the area would be completely overtaken by invasives, he said. The shrubs and trees, as they would proliferate in this wetland, would greatly increase evaporate transpiration and dry the wetland out, creating an ecological cascade effect, and he explained the future harm. Additionally, Mr. Logan detailed the scenario presented, which would result in much higher functioning wetlands.

Mr. Eric Peterson, Professional Engineer, Gardner & Peterson Associates, introduced himself. He stated that he would report the alternatives that were considered to the disturbance in Wetland D that is proposed for the application. Mr. Peterson detailed the disturbances as follows:

- A future road stub to the land-locked western parcel. Regulations require access to a parcel of that nature.
- The storm water basin, which he pointed to.

Mr. Peterson explained the various options for moving the basins, detailing the issues with each move. He explained that there are many factors influencing the various options, one of which would be that it is not economically feasible and they would not be gaining an environmental benefit.

Mr. Peterson also referred to a “no build” scenario on the westerly side of the property. The question becomes what would have to be done if a detention basin was not built on the westerly side of the property. In that event, the applicant would be restricted to building any new impervious coverage, as in roads, sidewalks, driveways and houses, on the westerly portion of the property, preventing a connection from Bayberry Road to Wilson Way.

Referring to Mr. Logan’s report, Mr. Peterson said that Wetland D has minimal functions and values at this time and would have even less in a few years if this area is left alone. Therefore, the alternative chosen was to place the basin as far south as possible without being immediately uphill of the house at 89 Bayberry Road and while still being able to connect to the drainage system using the minimum allowable slope from exiting the basin to the existing system. Mr. Peterson reminded the Commission that the applicant is required by the zoning regulations to provide future access to the land-locked parcel immediately abutting the property.

Ms. Potocki questioned Mr. Peterson about whether low-impact development techniques were considered during the design of this cluster development to allow for storm water infiltration to prevent the need for a storm water basin.

Mr. Peterson reported that they had researched the Public Improvement Standards, which require a 100-year reduction in peak flow. Low-impact development measures are typically used in areas where the ground water is low and the bedrock is low, to store rain water underground. In this case, Mr. Peterson explained, that would not be practical and they could not control peak flows for a 100-year storm using those practices without the use of a storm water wetland and storm water basin.
Ms. Potocki asked Staff if they had reviewed the alternatives prior to tonight’s meeting. Mr. Anderson replied that they were just presented.

Mr. Stebe noted that one of the options mentioned was the need for a pump. He acknowledged that it was mentioned as an expense, and he sought clarification. Mr. Peterson reported that the expense is part of this project. If it is spread over 44 lots vs. 75% of 44 lots, that expense on a per-lot basis is greater.

Attorney Famiglietti acknowledged that the regulations talk about prudent and feasible alternatives, noting that “feasible” means whether it can be done from an engineering standpoint, and “prudent” does contemplate economic impact. She noted that it is important to consider what is reasonable. Attorney Famiglietti reported she is trying to impress on the Commission that the applicant must complete the infrastructure with water and sewer. That cost is going to be part of developing this project, whether there are 44 lots or 75% or 50% of that. Spreading the cost over 44 lots, Attorney Famiglietti acknowledged, makes the lots more marketable in terms of development and sale. If the applicant must reduce the number of lots and lose the loop road by moving the basin, they must absorb the same infrastructure cost over fewer lots, which she reported may be prudent in some situations. Attorney Famiglietti said it is not prudent in this situation, noting the testimony regarding Wetlands D, and she questioned the environmental benefit of preserving the marginal quality wetland.

Mr. Stoppelman, noting that the proposed location for the detention basin is above the land-locked property, questioned whether it would affect the development of the property.

Attorney Famiglietti did not believe it would affect that property. Because there is no development on that property at this time, a dam permit is not necessary if the basin is located at the proposed location. She noted that it does not preclude development of that property in the future.

Mr. Stoppelman questioned who will maintain the property where the paper street is designated. Mr. Peterson reported that the paper street will be deeded over to the Town when the Town accepts the roads.

Acknowledging Attorney Famiglietti’s legal analysis, Ms. Potocki stated that, according to the Connecticut General Statutes, the factors for consideration under Sec. 22a-41 do not address economics.

Attorney Famiglietti stated that, in her opinion, it is part of the definition of what is prudent. It is one consideration to be viewed in light of what is reasonable under the circumstances. She stated that there are other factors besides just economics. In this scenario, in the professional’s opinion, there is no environmental incentive to saving Wetland D because it is, at best, a marginal, poorly-functioning wetland which will be significantly enhanced by the alteration to a man-made storm water basin, stated Attorney Famiglietti.
Ms. Potocki noted that it will not be a self-sufficient wetland, but rather a storm water basin that the Town will take ownership of and maintain. It is not a natural wetland that will maintain itself or create its own hydrology; it is a storm water structure.

Mr. Logan reported that he has been in the business for more than 30 years and, in his professional opinion, storm water wetlands that have been created are regulated by this Commission under the Wetlands Act. The proposal is a much more stable and self-sustaining hydrology because there will be a normal pool and below that is an area where water will collect. Therefore, Mr. Logan explained, the hydrology is self-maintained. Under the proposed scenario, he noted, there will be a stable wetland hydrology. The proposed scenario cannot be compared with the existing scenario and future scenario of ceasing any mowing of Wetland D, he said. One will dry out and the other will remain wet.

Mr. Praise asked if there will be increased volumes in Wetlands A, B or C, and referred to the addition of a buffer area around one of the wetlands.

Mr. Logan explained that Wetland A, the wetland that is a verified vernal pool habitat, has a small buffer currently, so they are increasing the buffer to encompass the entire vernal pool envelope, which is 100 ft. from the edge of the standing water. He detailed the steps to be taken. He referred to Wetland C, where the applicant will be creating another wetland next to it. Mr. Logan described the other measures to be taken concerning the wetlands.

Ms. Potocki inquired whether there were comments from Staff on the test pits or in response to the memo provided to the applicant. She also questioned the data provided for the test pits. Mr. Laiuppa reported that his comments regarding wetlands have all been responded to. The largest outstanding comments were related to feasible and prudent alternatives, which he noted were discussed at the current meeting. He stated that the comment about the test pits was to provide additional soil information at a higher level of detail.

Mr. Bergin noted that he followed the alternative scenarios except the one about moving the detention basin northerly. He heard the comment about not connecting to Bayberry Road but did not hear why it would not connect.

Attorney Famiglietti explained that, if the basin is moved northerly, out of Wetland D, they cannot engineer it to connect and drain appropriately.

Mr. Peterson reported that, moving northerly along the westerly property line, the elevation gradually goes lower, and he explained the engineering behind the decision. He and Mr. Bergin had a conversation about the details of the engineering.

Attorney Famiglietti reiterated that the professional’s opinion is that the proposal is the most feasible and prudent alternative for the parcel.

Mr. Peterson reported that the parcel is 30 acres, mostly grass field with wooded areas along the perimeter. The site is located at the top of a hill and he said the drainage divide starts at Wilson Way and goes south. He went on to describe the proposed roads, the abutting properties, and the...
plans for extending two cul-de-sacs. Mr. Peterson detailed why they are requesting a design waiver as outlined in Sec. 3.01.02 of the Public Improvement Standards for the modification of the proposed grading in the shoulder of the road near the current end of Wilson Way. According to Mr. Peterson, public safety staff delineated the first portion of the development. He further described the second and third phase of the road construction.

The plan calls for 44 new building lots ranging from 12,000 to 30,000 square feet, Mr. Peterson explained, with the dedication of 10.51 acres of open space, which is 34.6% of the overall parcel area. He reported that the open space dedication excludes the parcel containing the storm water basin on the westerly property line. Mr. Peterson noted that all the lots will be served by public sewer, public water and natural gas, which currently terminate at the end of Wilson Way. Due to the proposed water pumping station, Mr. Peterson explained, they are requesting a special exception for a municipal utility building per Art. II, Sec. 3.02.04 of the zoning regulations, which refers to standards listed in Art. II, Sec. 2.02.13, stating that the pump station shall not be located within 150 ft. of an existing house. He displayed the plans for the pump station. Mr. Peterson paraphrased further requirements for the pump station.

Mr. Peterson reiterated that the site is located at the top of a hill and most of the precipitation that falls on the parcel runs off either to the east or west. To ensure the project will not increase runoff in any direction, the applicant submitted the calculations to Staff for all drainage areas, according to Mr. Peterson, the designs for which he detailed. He reported that, since the last meeting, Staff comments have been addressed, most of which involved alterations to and beneath the roads. Mr. Peterson explained the erosion and sedimentation protection measures.

Mr. Stebe questioned whether the access roads will be paved and where the retaining wall is. He referred to several comments by neighbors about water sheeting.

Mr. Peterson responded that the access roads were planned to be below the level requiring pavement. He pointed out the location of the retaining wall, which will be located within the 50 ft. right of way. The wall moves the sidewalk closer to the street, according to Mr. Peterson, and he explained the effects on the sidewalk. Referring to concerns about runoff water, he explained why there is a much larger watershed in the current conditions as opposed to the proposed conditions.

Mr. Stebe questioned the dimensions of the retaining wall. Mr. Peterson reported that the wall at each end is minimal, but at its highest point, it is a little over 6 ft. high.

Mr. Stoppelman stated that there was a comment about seeking a special exception for the pump station 150 ft. from the nearest property. Mr. Peterson reiterated that part of the criteria that must be met in the zoning regulations is that the pump station building cannot be within 150 ft. of an existing house. Mr. Anderson explained that the 150-ft. regulation is to protect the existing homeowners from a drastic change, having a utility building that they are not expecting.

Mr. Prause commented on the evergreen screening and questioned whether there will be fencing. Mr. Peterson explained that it is part of the requirement, so they will be including fencing. Mr.
Prause questioned whether there needs to be a modification of the proposed plan, and Mr. Peterson concurred.

Mr. Prause asked about what fencing will be specified. Mr. Peterson said he understood that it is stated in the regulations. Mr. Prause acknowledged that Art. II, Sec. 2.02.13 calls out at least 6 ft. high fencing to create a visual screening. Considering the evergreen plantings, chain link fencing would be appropriate, according to Mr. Peterson. After conversing with the applicant, he stated that they would agree to vinyl fencing parallel to the screening shown.

Mr. Bordeaux offered to look at other examples around town, in an effort to determine if there is a standard that would be more appropriate.

Ms. Potocki referred to a design waiver from the Public Improvement Standards and questioned what other options were considered besides two storm water basins. Mr. Peterson reported that the design waiver has nothing to do with storm water basins. Ms. Potocki stated he could have proposed another design waiver in the event that the applicant decided not to do two storm water basins. Mr. Peterson explained that it is the applicant’s intention to design the project to meet the Public Improvement Standards as much as possible and the public improvements will be turned over to the Town of Manchester.

Ms. Potocki repeated the question about whether the applicant considered anything other than two storm water basins. Mr. Peterson reported that they had considered what areas needed storm water basins and what areas did not. The site was designed to have as few storm water basins as possible to reduce the amount of maintenance of basins required of the Town in the future. Mr. Peterson continued that they looked into controlling storm water and the two major watersheds going east and west with the storm water basins.

Ms. Potocki asked, if the property is designed with all the housing sites elevated and all storm water going towards the frontage of the house, how many catch basins there would be. Mr. Peterson reported that there will be roughly 23 catch basins within the roadway system.

Mr. Prause questioned whether Mr. Peterson was aware of the specifications for the equipment in the pump station.

Mr. James Ericson, Licensed Professional Engineer, Vice President of Lenard Engineering, explained his credentials. The goal of the proposed project was to demonstrate the adequacy of the Manchester Water Department to supply both domestic water supply and fire protection, he said. He explained the various design criteria:

1. Can the average daily demand be met?
2. Peak hour demand.
3. Fire flow demands.

He then explained that there are State codes and Town of Manchester codes that must be met. Both the State and the Town of Manchester Water & Sewer established the minimum pressures for both functionality of the house and for backflow from the house into the public water system.
With the assistance of the Town of Manchester Water Department, he conducted hydrant flow tests on June 5th at the high point on Wilson Way, and he described the results in detail.

In summary, reported Mr. Ericson, all 44 lots can be served by Manchester’s existing water system; 21 of the lots are at or below elevation 240 and can be served by the existing pressure gradient connected to the 12” main; and the remaining 23 lots are above elevation 240 and will be served by a centralized booster system and their own main. Fire protection will be served by 4 hydrants off the 12” main.

Mr. Ericson noted that they are working with the Town Staff to address their concerns. The applicant is willing to work with Water & Sewer and Engineering in an effort to provide higher pressures.

Attorney Famiglietti reported that the Commission should have one or two letters in the file from the Fire Marshal showing that he has reviewed the plan and is satisfied with the fire service being provided as well as hydrant locations. She reiterated that the applicant does not have final concurrence from the Water Department, and there will be a meeting on Monday where the applicant will provide additional information about how they can exceed the requirements of the public standards.

Mr. Prause repeated his question about the type of equipment in the pumping station. Mr. Ericson explained that the building will be a 12 ft. x 14 ft. wood frame building with architectural siding compatible with the neighborhood.

Mr. Prause questioned if the equipment runs on natural gas or electricity. Mr. Ericson reported that the stand-by generator will run on natural gas but the pump itself will run on primary electrical power, which is a requirement of the State of Connecticut.

Mr. Prause inquired whether there are manufacturer instructions about the type of buffer required for the equipment; i.e., does the generator need to be away from residential units. He questioned whether they are exterior generators. Mr. Prause assumed underground utilities will serve the development so there should not be the impact of downed power lines.

Mr. Ericson explained the size of the exterior motors, which are fairly quiet with variable frequency drives in an insulated building. He explained that there are different grade noise protections, and there will be the highest level of noise protection.

Mr. Prause questioned Staff if the generator specifications would be submitted with the plans at this time. Mr. Bordeaux responded that various department Staff would review the specifications and the system in its totality would be required to meet the Water Department standards.

Mr. Stebe was of the opinion that the regulations refer to line of sight and shielding of a generator in a residential area. Mr. Peterson confirmed that the generator will be located behind the building and is currently shielded by the proposed vegetation and fence screening.
Ms. Potocki asked about the alarm system, especially if there is a power outage. Mr. Ericson explained that they will be working closely with Manchester Water & Sewer, who will provide SCADA and alarms which will be connected to their standard system, which all of their water facilities have. It will become a Town of Manchester water pumping station owned and operated by Manchester Water & Sewer.

Mr. Anderson reported that there will be a meeting scheduled next week. The concerns are:

- The minimum water standard is 25 PSI. That is at the main and the first floor. The concern from Water & Sewer refers to the second floor as it is unlikely that 25 will be maintained at the second floor. There is a practical concern about whether that pressure will be adequate in their household.
- There will be significant differences as proposed between the high pressure area and the low pressure area.
- How the individual pumps, about which the applicant is working with staff, impact the surrounding houses when they are in use; i.e., whether they will draw additional water during peak hours from other homes. The issue is whether there could be contamination or backflow issues. A suggestion has been made about attaching a water pump to the low flow area.

Mr. Bordeaux concurred that the recommendation is for the entire subdivision to be on the pump station, as recommended by the Town Water & Sewer Superintendent and Engineering Staff. Once the Town ultimately accepts the improvements, Water & Sewer will have control and access.

Mr. Ericson addressed the above-stated concerns. He referred to his display and pointed out the low-pressure zone, where houses may have individual booster pumps, and discussed what would happen in the event that all the pumps come on at once. Mr. Ericson gave a detailed explanation of the minimal pressure loss. Extending the high pressure service to serve all of the subdivision would require an additional 1,500 ft. of 8” water main all along Janice Drive to serve all properties. He explained that the cost to the applicant would be approximately $150,000. Additionally, they would have to upgrade the pumping station with perhaps a larger building, bigger pumps, a bigger generator and a bigger power supply. In total, he explained, there would be an additional $200,000 - $250,000 of cost incurred by the applicant.

Mr. Anderson reiterated that Staff will meet with the applicant next week. He stated that there are concerns about the potential solution, considering it is not the Water & Sewer Division’s preferred solution.

Mr. Stebe asked whether individualized pumps on Janice Drive would be on the Town side or on the homeowners’ side. Mr. Ericson reported that the pumps on the low service zone would be owned by the homeowner.

Mr. Stebe questioned whether the homeowners would be fully responsible for maintaining the pumps. Mr. Ericson noted that the Water Department was worried about adjoining homeowners
having different water pressures and perhaps a homeowner would install a pump without applying for the proper permits.

Ms. Potocki asked Staff if there is currently a situation where individual pumps are owned by the homeowner. Mr. Anderson replied that he believes there are in several different areas.

Mr. Kennedy asked if there have been complaints about water service in the area of individual pumps. Mr. Anderson interjected that water is certainly an area of concern of residents, though he is unaware if those are tied to homes with pumps.

Mr. Kennedy questioned whether the Water Department’s plan is too expensive for the applicant. Mr. Ericson responded that the objections are as follows:

1. The proposed plan meets the minimum requirements of the Town of Manchester, as it is designed for both domestic pressure and fire protection.
2. The Water Department’s plan would have an undue cost to the applicant.

Mr. Praise questioned whether there are impacts to homeowners with well service and whether it is correct that there is no water coming down the existing Bayberry Road. Mr. Peterson reported that all the houses on Bayberry Road are currently on individual wells.

Mr. Praise inquired about the impact of the wetland work and other development in this area; i.e., whether it will impact the water levels of the wells as currently operated. He specifically asked if the underlying aquifer would be changing and whether the proposal has changed the topography enough that they are creating a watershed going more east than west.

Mr. Peterson stated that, in his opinion, it will not change because they will not be rerouting water that currently goes west and sending it east. The amount of water in each direction will remain the same.

Mr. Bordeaux concurred with Mr. Anderson’s comment that, for the remainder of the civil engineering review, Staff is still reviewing the plans. He reported that Staff recently provided the applicant with the comments regarding the water system. The revised plans are under review currently, according to Mr. Bordeaux, and the applicant is in possession of Staff’s comments regarding the water system. He reiterated that there will be a meeting on Monday specifically regarding the water system.

There were no members of the public to comment on the application.

**MOTION:** Mr. Kennedy moved to continue the public hearing to September 16, 2019. Mr. Bergin seconded the motion and all members voted in favor.

I certify these minutes were adopted on the following date:

____________________________________  ______________________________________

Date  Eric Praise, Chairman

PZC – PH – 9/4/19 - 9
NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.
ROLL CALL:

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

Alternate Member Sitting: Julian Stoppelman

Alternate: Bonnie Potocki

Absent: Teresa Ike
Jessica Scorso

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

The Chairman opened the Business Meeting at 9:10 P.M.

V. SEAN LILLY INLAND PROPERTIES, LLC – To build a new 2,500 sq. ft. single family dwelling at 19 Chilstone Lane. – Inland Wetlands Permit – Determination of Significance (2019-087); Inland Wetlands Permit – (2019-087)

Mr. Andrew Bushnell, Licensed Professional Engineer and Land Surveyor, Bushnell & Associates, introduced himself. Mr. Bushnell reported that the property is part of the Reig Highlands subdivision under development for a number of years. The lot was approved many years ago and contains wetlands to the rear of the property, as displayed on the plan. Mr. Bushnell stated that, at the time of the original subdivision approval and subsequent re-approval of the wetlands permit, the upland review area was 50 ft., but since then the upland review area for the Town of Manchester has been increased to 100 ft. He noted that this is the last existing lot in the subdivision. Mr. Bushnell described the current details of the property.

A single-family residential house in harmony with the styles of homes in the neighborhood is being proposed, according to Mr. Bushnell. The details of the proposed home and landscaping were provided. There is an existing conservation easement on the property, stated Mr. Bushnell, which was deeded at the time of the original subdivision. He continued to point out the details of the property. He reported that, in his review of the original subdivision plans vs. the proposal, he found that part of the issue with the lot is that, at some point, the road was raised quite a bit, which created issues with accessibility to the lot because of the steepness from the road.
Mr. Bushnell stated that, for erosion and sediment control, there is silt fence on the downhill gradient beyond the existing concrete block retaining wall. He displayed the temporary stockpile area located outside the upland review area, which will also be surrounded by silt fence. Further protective measures were explained, including stabilizing the site for winter. Mr. Bushnell asserted that there will be no greater impact to the wetlands from the proposal than from the surrounding houses.

Mr. Prause sought confirmation that the existing wall is not going to be disturbed. He questioned whether that is a structurally sound wall. Mr. Bushnell confirmed that it will not be disturbed and it is a structurally sound wall.

Mr. Prause referred to the drain outlet that will be discharged into the upland review area and questioned whether that will impact the wall. Mr. Bushnell noted that the well ends and the pipe is run just past the end of the wall. He stated that he does not anticipate any flow out of it, as typically a footing drain collects groundwater around the foundation, but this foundation will be totally out of the ground above existing grade.

Mr. Bordeau reported that Staff reviewed the plans. The Assistant Town Engineer provided comments that were responded to and everything has been satisfied, he said.

Mr. Laiuppa asked Mr. Lilly to purchase some medallions to hang along the easement, which were picked up and are either hung or will be soon.

**Inland Wetlands Permit – Determination of Significance (2019-087)**

**MOTION:** Mr. Kennedy moved to find that the proposed activity at the above-referenced location as shown on the inland wetlands permit application 2019-087 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 (2019-087)**

**MOTION:** Mr. Kennedy moved to approve the inland wetlands permit for regulated activity associated with the construction of a single-family dwelling at 19 Chilstone Lane. 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 systems 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.

Mr. V. Sean Lilly stated that his current address is 7 Brightman Circle, South Windsor. His understanding is that, from the time the project begins, there is one year to complete it.

Mr. Prause explained that the approval is valid for five years. At any time in the five years, he reported, the applicant can start using the permit, but the intent is to get the work done within one year. If problems arise, there could be an extension, though it would be best kept at a year.
ADMINISTRATIVE REPORTS:

Mr. Bordeaux took the opportunity to inform the Commission that he is accepting a new job in Colchester, with his last day on September 20. He has enjoyed his time with the Town, and noted that the track record of working for Manchester is important to other communities. Mr. Prause stated that it has been great to see Mr. Bordeaux grow into the role and he has been an asset to the Commission. Mr. Anderson added that Staff will miss him.

Mr. Prause stated that he has contemplated the Manchester 2020 Plan. Next year is 2020, and although they are not required by statute to revise the plan, it is something to be on the Commission’s radar. He referred to the Sustainability Task Force and said, in his opinion, it may be wise to get their thoughts on any way to improve the zoning requirements or any other regulations within the Town. Mr. Prause stated that there are recommended practices but nothing enforceable. He contemplated whether someone from the Planning Department should approach the group to determine whether they are looking for output for their ideas; the Commission could use it for the next Plan of Conservation and Development.

Mr. Anderson reported that he would start by mentioning it to the Deputy General Manager, as he is leading the Sustainability Task Force. His understanding of the group is that they were charged with trying to get a Sustainable CT Certification, and once that is received, there will be another group to work toward implementation.

Mr. Anderson noted that the Board of Directors approved funding for the Parks & Facilities Master Plan, which can be another potential jumping off point for the POCD.

Ms. Potocki offered recommendations for the Town’s public improvement standards. Mr. Anderson stated that there was a draft of new public improvement standards approximately 5 to 10 years ago, though he is unsure why they were never approved. Because they touch on many sustainability items, that is likely a recommendation of the sustainability group moving forward. He acknowledged that zoning regulations and subdivisions could be looked at, as well as public improvement standards that everyone must deal with. Mr. Anderson stated that he could have a conversation with the Director of Public Works and it may be time to take a look at those. He did offer that the Form-Based zoning regulations do have low-impact development language, though that is limited.

APPROVAL OF MINUTES:

August 12, 2019 – Public Hearing/Business Meeting
MOTION: Mr. Kennedy moved to approve the minutes as written. Mr. Stebe seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

**URBAN LODGE BREWING** – Special Exception (2019-090) – Request a Special Exception per Art. II, Sec. 15.02.04 to allow outdoor entertainment (bands/musicians) at 45 Purnell Place.
**HARIHARAN KUPPURAJ** – Zone Change (2019-091) – Request a zone change from Rural Residence to Business II zone at 30 Bidwell Street.

**TOWN OF MANCHESTER PUBLIC WORKS DEPARTMENT** – Erosion and Sedimentation Control Plan (2019-092); Special Exception Modification (2019-093) – Construction of a splash park and associated site work at 126 Olcott Street.

**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 9:40 P.M.

I certify these minutes were adopted on the following date:

________________________________________
Date

Eric Prause, Chairman

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