

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
OCTOBER 5, 2020**

VIRTUAL MEETING HELD VIA ZOOM

Members Present: Eric Prause, Chairman
Patrick Kennedy, Vice-Chairman
Michael Stebe, Secretary
Jessica Scorso
Jessica Poland

Alternates: Julian Stoppelman
Bonnie Potocki

Absent: Teresa Ike

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

The Chairman opened the Business Meeting at 7:50 P.M.

TOWN OF MANCHESTER – For renovations to Buckley Elementary School, including additions, site improvements, upgrades to the parking lot, improvements to the drop-off loop area, minor modifications to athletic ball fields, and landscaping improvements at 250 Vernon Street. – Special Exception Modification (2020-057); Erosion & Sedimentation Control Plan (2020-058)

Special Exception Modification (2020-057)

MOTION: Mr. Kennedy moved to approve the special exception modification under Art. II, Sec. 4.02.02 for renovations to Buckley Elementary School, including additions, site improvements, upgrades to the parking lot, improvements to the drop-off loop area, minor modifications to athletic ball fields, and landscaping improvements at 250 Vernon Street, with the modifications as specified in Staff memoranda and a marked-up plan from:

1. John DiBiasi, Assistant Town Engineer, dated September 29, 2020.

Ms. Scorso seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity meets the special exception criteria in Art. II, Sec. 4.02.02 and Art. IV, Sec. 20.

Mr. Prause commented that the building is an existing use. The design of the building is different but is very compatible with the neighborhood. He added that it is great to see another school upgraded.

Mr. Stebe commended all who worked on the project. He said he is looking forward to having a net zero school, which would be one of the first in the State, and the Town should be proud.

Erosion & Sedimentation Control Plan (2020-058)

MOTION: Mr. Kennedy moved to certify the erosion and sedimentation control plan for renovations to Buckley Elementary School, including additions, site improvements, upgrades to the parking lot, improvements to the drop-off loop area, minor modifications to athletic ball fields, and landscaping improvements at 250 Vernon Street, with the modifications as specified in Staff memoranda and a marked-up plan from:

1. John DiBiasi, Assistant Town Engineer, dated September 29, 2020.

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

LUIS MORENO – Special exception under Art. II, Sec. 16.15.02(c) to operate a place of worship in the Industrial zone at 104 Hilliard Street. – Special Exception (2020-067)

Special Exception (2020-067)

MOTION: Mr. Kennedy moved to continue the public hearing until October 19, 2020. Mr. Stebe seconded the motion and all members voted in favor.

MICHAEL & BONITA MILLER – To add 84’ of 12” ADS dbl wall pipe to existing 12” ADS dbl wall pipe to convey outlet flow at 736 Vernon Street. – Inland Wetlands Permit (2020-059)

Mr. Michael Miller, 736 Vernon Street, introduced himself. Mr. Miller gave a detailed description of the spring-fed pond and the swale outlet, which goes underneath Vernon Street. He explained that his driveway has a retaining wall that is collapsing into the swale. The proposal is to add the pipe 84 ft. from the existing headwall into the pond with an inlet to convey water flow as the pond fills. Mr. Miller reported that, after that is completed, he will grade, plant grass and landscape the area.

Mr. Prause questioned the proposal’s timeline.

Mr. Miller responded that, considering the current drought, it would be ideal to move forward as soon as possible. He noted that the pond is spring-fed and also fed by a drain pipe from West Vernon Street. Both sides are quite dry and the pond is contained, he said.

Mr. Prause commented that the approval refers to a permit valid for five years, but that the work must be completed within one year of commencement. He questioned whether the applicant felt it was plausible to finish the work within one year, which Mr. Miller confirmed.

Mr. Laiuppa stated that this is an intermittent swale that outlets overflow from the pond and crosses under Vernon Street into an existing wetland system on Town property. Because of the intermittent nature of the swale, according to Mr. Laiuppa, there are currently dry conditions which would allow the work at this time. He explained that the impetus for this project is that the applicant's driveway is in danger of collapsing into the swale. When the swale was constructed prior to the Millers owning the property, it was supported by wooden barriers which have deteriorated, stated Mr. Laiuppa, which has removed the structural support to prevent the narrow strip of land between the driveway and the swale from collapsing into the swale. If that occurs, the driveway will also be in danger of collapse.

Mr. Stebe requested clarification of the area where the pipe will be laid in.

Mr. Laiuppa, using a diagram, showed and explained the location of the main pipe and the connector, which will go under the driveway. He stated that Engineering commented that they would like Mr. Miller to leave enough space so they can get equipment in to clean up the Town system. Additionally, there is an existing pipe under the driveway which will be connected to the pipe that will be installed. Mr. Laiuppa explained that there will be screens on the pipes to prevent debris from flowing in.

Inland Wetlands Permit (2020-059)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for regulated activities associated with the addition of 84' of 12" ADS dbl wall pipe to existing 12" ADS dbl wall pipe to convey outlet flow at 736 Vernon Street. Ms. Scorso 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 wetlands 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.

PPF WE 1339 TOLLAND TURNPIKE LLC – To add employee parking and access points within the northwest quadrant of the site at 1339 Tolland Turnpike. – Special Exception Modification (2020-065); Erosion & Sedimentation Control Plan (2020-066)

Ms. Pilla reported that the applicant has requested that the application not be heard until the meeting of October 19, 2020.

Special Exception Modification (2020-065) Erosion & Sedimentation Control Plan (2020-066)

MOTION: Mr. Kennedy moved to move this item to the October 19, 2020 Planning & Zoning Commission meeting agenda. Ms. Scorso seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS

Mr. Laiuppa reported an administrative approval of a wetlands permit application for the installation of a prefabricated 10 x 14 ft. shed at 68 Plymouth Lane. The shed will be placed on stone in the upland review area. The wetlands, which are on a neighboring property, are about 75 ft. away and the ground disturbance will be minor.

Ms. Pilla addressed the blasting question submitted by a Commission member and whether residents were notified prior to any blasting according to regulation. She reported that blasting activities are permitted through the Fire Marshal's office. Ms. Pilla stated that, according to the Fire Marshal's office, there is no regulation requiring persons to be notified that blasting will occur. She explained that, in every instance, the Fire Marshal monitors blasting activities. Zoning regulations specifically do not mention blasting activities.

Ms. Potocki questioned whether there are regulations about excavation and the movement of rock.

Ms. Pilla stated that she will research the matter.

Ms. Potocki said that, in her opinion, the lack of notification is disconcerting, and she explained her view as well as the concerns of residents in an area of new development.

Mr. Anderson responded that they can ask for anecdotal information from the Construction Inspection team. They can also have a conversation with the Fire Marshal and Inspection Engineers to learn more about the pre-construction process. He speculated on whether there could be notification required of the developer if it is deemed appropriate.

Mr. Laiuppa explained that his only experience regarding blasting has been with State projects.

Mr. Stebe agreed with Ms. Potocki's suggestion of a notification and speculated whether the Building Department would consider adding the language to their Improvement Standards.

Mr. Anderson thought that was the proper track as there is a Building team that meets together and would be the practical route for a requirement.

Mr. Prause stated that he did some research and came across an OLOR Research Report about when there is a question to the State about existing regulations. This report answered questions about regulations governing blasting, which he read in detail. Mr. Prause added that it does not appear that requiring signage or contact information is something that would be done in the Zoning regulations, but rather under the Department of Public Safety and the Fire Marshal. He speculated whether there could be an ordinance.

Mr. Anderson reported that the State Bond Commission approved several million dollars with the intent to purchase the Sam's Club property on Pavilions Drive to warehouse Personal Protective Equipment (PPE). He said that came as a surprise to him as well as everyone he has spoken to on the Town side. Mr. Anderson reminded the Commission that the Planning Department had been working with a gentleman who was looking to purchase the property and lease it to one or more companies. The Zoning regulations were changed to allow transportation warehousing in that location. He acknowledged that would be a significant loss of tax revenue for the Town of Manchester, especially after the work done by Staff and the individual.

Mr. Anderson did note that the sale has not been completed by WalMart. He added that the State is exempt from the zoning regulations, as they write the statutes, and he would not expect a special exception application.

After a comment from Mr. Stoppelman, Mr. Anderson acknowledged that the State could have used the property for warehousing even if the Commission had not already authorized that use.

APPROVAL OF MINUTES:

September 21, 2020 – 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:

CHICK-FIL-A – Special Exception (2020-068); Erosion and Sedimentation Control Plan (2020-069) – For demolition of the existing site and construction of a new +/-5,165 sq. ft. Chick-fil-A restaurant with associated parking, drive-thru lanes, and utilities at 1428 and 1524 Pleasant Valley Road.

The Chairman closed the business meeting at 8:45 P.M.

I certify these minutes were adopted on the following date:

November 2, 2020
Date

Eric Prause, Chairman

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