

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
MARCH 15, 2021**

**VIRTUAL MEETING HELD VIA ZOOM**

**ROLL CALL:**

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

Alternate Members: Julian Stoppelman  
Bonnie Potocki  
Teresa Ike

Also Present: Gary Anderson, Director of Planning  
Megan Pilla, Senior Planner  
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.

GARRETT HOMES, LLC – For proposed activity including a 9,100 S.F. retail building with 37 parking spaces and associated grading, drainage, lighting, utilities, sidewalks, etc. at 120 Spencer Street. – Resubdivision (2021-005)

Mr. Matthew Bruton, Engineer, BL Companies introduced himself. Mr. Bruton stated that the applicant is proposing a retail development along Spencer Street. He displayed the parcel in question and the location of the proposed building. Mr. Bruton explained that the lot is approximately 4.39 acres and zoned General Business.

Mr. Bruton displayed the plan and detailed the proposed 1.9-acre subdivision of the land. The proposal is for a 9,100 sq. ft. retail building which would utilize a shared access drive with the elderly housing. He explained the parking spaces and the access stub for the future development of the back 3.2 acres. There is a proposed sidewalk to connect with Spencer Street.

Mr. Bruton explained the grading and drainage plan in detail, to provide water quality and improvements, as well as matching drainage patterns. Because the applicant is providing a new impervious area for this site, which is currently vacant, the water must be retained and treated prior to discharge from the property. Mr. Bruton stated that they will be utilizing catch basins, sheet flow, a bioretention basin and an outlet control structure. He noted that the goal is to hit the 80% key reduction of total suspended solids, and to minimize peak flow offsite.

Mr. Bruton reported that all utilities, i.e., water, gas, sanitary, electric and telephone are available. He pointed out the truck movement on the site as well as their erosion and sedimentation control plan, which the contractor will follow, the goal of which is to mitigate any soils, muds, or construction debris. Additionally, according to Mr. Bruton, they will employ construction entrances, silt sacks, silt fences, soil stockpile areas and concrete wash areas.

Mr. Bruton displayed the landscape plan, which he explained is a combination of grasses, shrubs and trees to beautify the area around the proposed development and to follow the zoning regulations.

Mr. Doug Grunert, BKA Architects, introduced himself and gave a brief rundown of the proposed elevations. He displayed all elevations in detail with the materials to be used as well as the signage and lighting plans. The drainage off the proposed building was reported, and he pointed out the rooftop equipment screening.

Mr. Bruton explained that the parcel is part of an OSTA process and has an existing certificate as a major traffic generator because of the elderly housing under construction. He reported that they will need to modify that certificate for the proposed addition of the retail facility. The comments received today from Ms. Pilla were outlined, and each was responded to while displaying the property:

1. *Applicant to provide evidence of compliance with the Town of Manchester zoning regulations, Art. II, Sec. 9.09.01, to the satisfaction of the Town of Manchester Engineering Department. Access from the premise shall be from existing public streets which abut the premise or from streets which have been developed in accordance with subdivision regulations that serve the business area and no ingress or egress from residentially zoned land shall be used.* The elderly housing lot was pointed out as well as the applicant's plan for subdividing the lot. As part of the OSTA certificate, the State does not allow any more curb cuts onto Route 502, so the common driveway easement will be utilized.
2. *Proposed free-standing signs to be a minimum of 5 feet from the front property line/ street line.* Mr. Bruton explained that there is no tenant officially signed on for the building. He pointed out the proposed signage by others, which is slightly too close to the front property line per the regulations. The applicant has no problem moving the signage to comply with the regulations.
3. *Applicant to provide evidence of compliance with the Town of Manchester's zoning regulations Art. II, Sec. 9.07.02, specifically the need for fencing from headlights. If the adjoining lot contains a residence, a light-proof fence constructed of wood shall be installed in addition to trees to prevent automobile headlights from causing a nuisance to the adjoining residence. The Commission may, for good cause, approve the use of materials other than wood after an application for a different material is submitted.* Mr. Bruton stated that is referring to anything built on the southern lot. With the applicant's lighting on the southern side, any headlights do not shine into what may be developed in the future.

Mr. Stebe followed up on the fencing and screening, asking what type of screening should be in place between the two lots if a purpose is found for the southern lot and it is not residential.

Ms. Pilla reported that requirement is specific to residential zone screening and she did not see any requirement in a business zone for screening from another business.

Mr. Stebe supposed that, if a residential purpose was found for that location, in looking at the dividing lines, it does not appear there is any wiggle room for adding a fence in without hitting the corner of one or two of the parking spots.

Mr. Bruton responded that at least one parking space would have to be relocated and explained where that could be accomplished.

Regarding the shared driveway going to the rear lot, Ms. Potocki speculated on whether an easement will be required, depending on the use.

Mr. Bruton stated that there is an existing easement and they propose to extend the easement into the applicant's lot. He highlighted what the applicant refers to as a proposed access easement in favor of Lot 2. He reported that Staff had an issue with Lot 2 becoming a landlocked parcel.

Ms. Pilla stated that there were a handful of Staff comments on the site plan, which were minor and technical in nature. One large issue is that the re-subdivision plan prepared by the licensed surveyor was just received today and will be reviewed by Staff in the coming days. Any Staff comments from the latest review must be incorporated into the subdivision plan. Therefore, Ms. Pilla noted, if the hearing is kept open, that will allow more time for Staff to finish reviewing the subdivision plan.

Ms. Scorso inquired if any of the Commission members reviewed the housing next door. She recalled that there was an emergency access that was going to be closed off to provide a second exit. She questioned whether that was how the housing was developed with the second exit that would be closed off and only used for emergencies, leaving the main entrance as the only way to access the housing.

Mr. Anderson and Ms. Pilla stated they were not employed by the Town at that time.

Mr. Bruton reported that this is part of the survey, and he is unable to answer the question.

Mr. Stoppelman commented that it is his understanding that when they redid Hillstown Road, they eliminated the emergency only exit.

Ms. Scorso offered that she is concerned whether the housing next door has both exits, or if it is limited to one. If it is limited to one, she stated she would have a concern about the traffic flow.

Mr. Prause recalled that the entrance on the northwest was not going to be installed.

Mr. Stoppelman questioned the depiction of the entrance to the rear lot, and whether that will be large enough for a truck to enter.

Mr. Bruton, referring to the plan, stated that there will be a 36 ft. wide driveway and a 24 ft. connection at the moment, though it could be widened depending on the use.

Mr. Kennedy stated that the public hearing should be kept open and questioned the date of the next meeting.

Mr. Anderson stated that most members are available for March 29<sup>th</sup>. He stated that they hoped to accommodate this application and perhaps another at that time. The applicant stated that they would make that date work.

Mr. Prause opened the meeting to the public. There was no one to speak, and there was no correspondence from the public.

**MOTION:** Mr. Kennedy moved to continue the public hearing until March 29, 2021. Ms. Scorso seconded the motion and all members voted in favor.

MANCHESTER PARKADE I, LLC – Special Exception and combined preliminary and detailed site plan per Art. II, Sec. 26.09.02(A)(3) for alternative compliance under Art. II, Sec. 26.04.03 (Ground Floor Limitations) to allow residential on the first floor in some areas and under Art. II, Sec. 26.09.04 E (Parking Standards Relief) for the proposed Silk City Green development at 296, 324, 330, 334 & 340 Broad Street; 418 Middle Turnpike West; and a portion of Green Manor Boulevard. – Special Exception and Combined Preliminary and Detailed Plan (2021-002)

Mr. Harry Freeman, Principle, Manchester Parkade I LLC., introduced himself as the chosen developer for the site. Mr. Freeman explained that the site is bordered currently by Broad Street, West Middle Turnpike, Green Manor Boulevard, and Bigelow Brook.

Mr. Freeman reported that the site is about 23 acres and they are endeavoring to establish the new downtown type of development. He said they will try to respect the past, but also serve as a bridge to the future. There are residential components (a building of 186 apartments, a residential building of 171 apartments, and a third residential building of 78 apartments) as well as an office component (approximately 26,000 sq. ft.), another office component (approximately 30,000 sq. ft.) and a mixed development (12,000 sq. ft. on the first floor that will be retail use and 24 residential units in the upper two floors), with a similar building to the rear. A hotel with 120 units is in the plan. There will also be an 18,000 sq. ft. commercial building hosting a ghost kitchen with multiple restaurants working out of the building, set up for pickup and delivery. Another exciting component of the project will be power from its own fuel cells that will provide power for the development as well as some of the abutting properties. There will be another 14,000 sq. ft. office building. Summarizing, Mr. Freeman said there will be about 480 apartments, 44,000 sq. ft. of retail space, 70,000 sq. ft. of office space and a 120-room hotel.

Mr. Freeman enumerated some of the unique features. One feature will be a layer of parking below the residential buildings. It fits in well with Town regulations because the Town did not

want residential at ground level, and the residential will be about 4 ft. above street level. Mr. Freeman noted that they researched outside of this area to get ideas of other developments throughout the country. He stated that they engaged an architectural firm that has offices in D.C. and Atlanta, for creativity. The goal is to have a walkable community with residents having walkability to the offices and convenience retail. Bordering a large shopping center, according to Mr. Freeman, is advantageous for those that live, work and play in this location.

Mr. Freeman explained that there will be a greenway that will connect along Bigelow Brook. He noted the detention pond which will be an additional water feature for the development. There will also be sports fields, i.e., beach volleyball, a dog park and all the latest amenities.

After receiving approval, this spring site work for the main thoroughfares, utilities, and constructing the parking lots will begin. In the fall, they plan to break ground on the first floor buildings, which he detailed while displaying the renderings. He pointed out the mix of materials that will be utilized and a bridge between the two types of architecture, and also noted access to the parking garage. Residential parking will be under the buildings and common parking areas will be for the other mixed uses.

Mr. Freeman explained all the amenities for the apartments, the details of which will be provided soon. The amenity package would include viewing rooms, electronic game rooms, sports simulator, meeting space, gathering space, and common greens.

Additionally, Mr. Freeman reported, they will install fuel cells and renewable energy. They will effectively be off the Eversource power grid, and in the event of a long power outage, they would like to be part of the emergency planning for the Town. Mr. Freeman stated that they are committed to this being a “smart city” or a “city of the future” demonstration facility showing all that technology can bring to residential and office components.

Mr. Wilford (Skip) Alford, Registered Professional Engineer and Land Surveyor, introduced himself. Mr. Alford displayed the site plan, and explained the topography of the land, noting that there was historically a shopping center on the property. The sanitary sewer line was demonstrated and they will connect the buildings into the line. Mr. Alford went on to detail the storm drainage plans. The erosion and sedimentation control plans for the site were explained in detail.

Mr. Stebe questioned how often the final retention pond will need to be cleaned out in order to maintain functionality.

Mr. Alford stated that he is unable to predict how often it will require maintenance. The majority of the roads and pavement will be flat and sweeping the roads will keep some of the material out of the basin. The design for the storm drainage was described, and he explained that the area to be cleaned is restricted to an area for ease in cleanout.

Ms. Potocki referred to the erosion control plan, noting that it is difficult to visualize, and then stated that the area was historically a landfill. She reported that there were two environmental reports regarding Phase I and Phase II showing contamination close to the surface. In the past,

there was talk about going below grade in the building toward Bigelow Brook. Ms. Potocki questioned how potential contaminated soil and water would be handled.

Mr. Freeman reported that an updated Phase I was recently completed, which determined there is no contamination at the site currently. In the past, there was some ground water contamination found, but the levels were never high enough for remediation. He reiterated that there is a relatively high water table to be dealt with. The preliminary result is that the ground water will be below the level of the planned parking garage, though they will be doing dewatering during construction. He added that all the details will be provided when they return for the site plan in the next few weeks. Mr. Freeman reported that they will have engineered solutions for all challenges on the site.

Ms. Potocki stated that her concern is for the protection of the watercourse, Bigelow Brook. She questioned what area Phase I covers.

Mr. Freeman concurred with Ms. Potocki's assumption. The level of dewatering required will be dealt with on a building by building basis. The map for Phase I was prepared for the entire site, and there were no required filings with CT DEEP.

Mr. Alford reported that the immediate goal is to get permission to begin installing utilities and the roadway for the initial construction. He displayed the storm drainage and utilities for the construction of Freeman Way and the area to the north.

Mr. Prause requested clarification that there are no wetlands on this area to be concerned about.

Mr. Alford replied that the wetlands that are along the south portion of the property are generally within 5 or 10 ft. of the edge of stream. He gave a detailed explanation of the wetlands plan.

Mr. Freeman added that there was a full wetlands report submitted by George Logan, who was unable to attend the meeting. Mr. Logan reported invasives around the wetlands that he requests be improved.

Mr. Alford explained that the intrusions are in three locations and deal with the outlets of the pipe. Generally, the reason for going into the wetlands is because the wetlands are the edge of the stream; in many cases, the wetlands are 2 to 3 ft. above the stream. He noted that they would like to get the outlet down to the elevation of the stream so as not to discharge above the stream and have erosion at the end of the rip rap.

Mr. Prause noted that the applicant is seeking a Determination of Significance to determine whether a public hearing is needed for the wetlands permit application. He assumed the Commission will not address that in this meeting.

Mr. Anderson reported that the Commission will be taking everything together at the public hearing. If the public hearing is left open, the Commission will act on all the business items at the next meeting.

Mr. Prause questioned the 3D rendering of the area shaded in yellow.

Mr. Alford responded that they are bocce courts and a volleyball court. They also propose a greenway along the south side of the proper open to the public. There will also be a walkway coming in from Broad Street that will ultimately go along Bigelow Brook, which will also serve as an access for the Fire Department.

Mr. Prause noticed a dog park on the plan and Mr. Freeman confirmed that there will be a dog park as well a dog wash in each building.

Mr. Kennedy noted that the procedure is confusing. He assumed that the Commission anticipates keeping the public hearing open per Staff's recommendation. He asked, if the Commission extends the public hearing and then makes a determination of significant impact justifying a public hearing on the wetlands permit, whether a new notice of public hearing on that would be required. Mr. Anderson confirmed it would. Mr. Kennedy suggested the Commission entertain the question of significance of an inland wetlands permit and the public hearings could then be combined.

Mr. Freeman commented that it would be the applicant's preference if the determination could be made at tonight's meeting.

Mr. Anderson did not see an issue, as long as the members determine they have enough information from tonight's presentation.

Ms. Potocki asked if the memo to Staff from the Conservation Commission had been shared with the applicant.

Ms. Pilla read the memo from David Laiuppa, Environmental Planner/Wetlands Agent, as follows:

At its March 10, 2021 meeting, the Conservation Commission had the opportunity to review the submitted preliminary plan sheets for the proposed Manchester Parkade project. After discussion with the Town Environmental Planner, the Commission compiled a list of comments and questions related to this project.

1. There should be trees or shade at the bus stops and the dog park.
2. If possible, given the restrictions of the emergency access use, the trail should be pervious.
3. What will be the ground surface of the dog park? Is there potential that runoff from the park could work its way into the brook?
4. There should be consideration of doing enhancement to the banks of the brook; i.e., invasive species eradication.
5. The trail should be shaded whenever possible, especially near Broad Street.
6. There should be visual screening between the trail and the side of the building near Broad Street.

7. Will there be snow removal from the trail? If so, how will that be done and where will it be placed?
8. Has the area of the court, dog park, and play areas been used to calculated area of open space?
9. The planting plan should incorporate only native plant species
10. Any undeveloped non-lawned space that is not planted with native trees or shrubs should be planted with pollinator friendly wildflowers or low maintenance ornamental grasses.

Mr. Scott Hesketh, Licensed Engineer in the State of Connecticut, F.A. Hesketh & Associates, introduced himself. Mr. Hesketh reported that their office prepared a traffic impact report dated September 10, 2020, and a traffic letter dated December 29, 2020, which have been submitted in support of this application. In the course of preparing the report, they obtained traffic volume counts from the Connecticut Department of Transportation. Those volumes were from Broad Street and Middle Turnpike West from September 2018. In addition, his office arranged to have manual turning movement counts conducted at nine intersections in the vicinity of the site: signalized intersections on Middle Turnpike West from Adams Street to Broad Street, and the intersections on Broad Street from Middle Turnpike West to the intersection of Route 6 (Center Street).

In response to review comments from Town Staff, Mr. Hesketh stated, his office conducted additional turning movement counts in August 2020 at Parkade Plaza driveways to Green Manor Boulevard. He added that those traffic volumes and counts were used to project the background traffic volumes for the proposed development. Due to historic ConnDOT data which indicates the traffic volumes have been decreasing in recent years, they have not included any growth rate for that traffic.

Mr. Hesketh added that they had projected traffic volumes for the Save-A-Lot grocery store, which has been closed in recent years but may become reoccupied, and added it to their diagrams in the report.

In order to estimate the traffic volumes for the proposed development, Mr. Hesketh stated, they used the Institute of Transportation Engineers Trip Generation Report, a standard engineering reference which allows planners and engineers to project traffic volumes for proposed developments. The traffic volumes presented in the September 2020 report were based on an earlier version of the report and are slightly higher than the traffic volumes projected for the proposed development. This proposed development, based on ITE data, will project:

- a. approximately 373 trips during the morning peak hour (191 entering and 182 exiting movements),
- b. approximately 560 trips during the afternoon peak hour (274 entering and 286 exiting movements), and
- c. approximately 537 trips during the Saturday peak hour (277 entering and 260 exiting movements).

The traffic volumes were distributed to the roadway network with a distribution of 50% of the traffic to and from the west along Middle Turnpike West, 40% of the traffic to and from the South along Broad Street, and the remaining traffic passing through the intersection of Broad Street and Middle Turnpike West to the north and the east.

Mr. Hesketh reported that his office produced capacity analysis calculations at the 11 intersections where counts were conducted as well as for all the proposed site driveways to the proposed development. Based on their analysis, there are three locations where there is the potential for impacts as a result of the site-generated traffic, which include: Middle Turnpike West at Adams Street; Broad Street at Center Street (Route 6); and at the intersection of the Stop & Shop driveway and Green Manor Boulevard. Mr. Hesketh stated that minor timing changes will help to mitigate the impacts and explained the service levels at various locations.

Based on their traffic volume counts conducted, the projection of site-generated traffic, and the level of service calculations, Mr. Hesketh stated that they believe the surrounding roadway network is capable of accommodating the traffic volumes from the proposed development. He reminded members that, should the Commission act favorably on the application, the project will need an approval from the Office of State Traffic Administration. Mr. Hesketh reported that they have made an application to that agency for an administrative decision.

Mr. Hesketh reported that the applicant has proposed a driveway to Broad Street, which will limit exiting movements to right turns. The proposal calls for both right turns and left turns to be allowed to enter the development. Staff has recommended making that location a right-in, right-out only driveway.

Mr. Stoppelman speculated on whether it would make sense to consider a traffic light at Broad Street and Freeman Way.

Mr. Hesketh stated that they are projecting levels of service of A and B for traffic on Broad Street, and the Freeman Way approach would be a level of service C for the exiting right turn movements. He stated that the intersection can certainly be accommodated unsignalized. In his opinion, that intersection would not warrant signalization. The traffic volumes exiting the facility would not be high enough to warrant the signal.

At the request of Mr. Freeman, Mr. Hesketh reported that their office did submit a letter dated December 29<sup>th</sup> regarding parking on the site. They were asked to determine whether the site could qualify for a parking reduction consistent with the Manchester zoning regulations.

Mr. Hesketh stated that, in order to do that, they reviewed the Urban Land Institute publication *Shared Parking*, which presents information based on parking demands for individual uses and hourly distributions of parking demand for each of those uses. The publication provides an Excel spreadsheet to allow planners and engineers to determine how much parking demand would be in a mixed use facility such as this. Based on the Urban Land Institute's design criteria and analysis, according to Mr. Hesketh, this site would have a peak parking demand of 922 parking spaces, which would typically occur during the month of December on a weekday afternoon at 2:00 P.M.

Mr. Hesketh explained that they submitted the parking information to Town Staff, who had some questions and comments. They submitted additional information and also submitted a supplemental analysis based on the Institute of Transportation Engineers' Parking Generation Report. Mr. Hesketh created a spreadsheet and calculated the parking demand of the particular uses on this particular site. Based on their analysis and the 85<sup>th</sup> percentile demand, they are projecting a total peak parking demand of 913 spaces, slightly less than the ULI information. The current plan has a total of 985 parking spaces, which would make the peak capacity at about 94% of the parking spaces presented on the proposed plan. According to Mr. Hesketh, they believe the plan should qualify for a parking reduction consistent with the Town's parking regulations because the proposed individual uses on the site have peak hours which do not correspond with the other uses on-site.

Mr. Freeman stated that it should be pointed out that the regulations encourage diminishing the parking to the actual required parking as opposed to the standard parking calculations.

Mr. Prause referred to the traffic information and questioned whether some of the intersections would be rated "F."

Mr. Hesketh replied that the Stop & Shop driveway approach to Green Manor Boulevard is the only location during the Saturday peak hour that will operate at a level of service "F," with an average delay of approximately 65 seconds per vehicle.

Mr. Prause sought confirmation that the northern side of the Parkade, heading south on that road to Green Manor, would be a level of service "F."

Mr. Hesketh confirmed Mr. Prause's comment, stating that would be the left turn movement, based on the average delay of 65 seconds per vehicle. That particular location was reviewed to see if it warranted signalization, and the traffic volumes passing through that intersection are not high enough to warrant signalization.

Mr. Prause questioned whether that intersection would become a 4-way stop, which Mr. Hesketh confirmed. Mr. Prause viewed that as a high calculation as he does not view that as an active intersection.

Ms. Pilla reported that the design team has worked diligently to address Staff comments leading up to this meeting. She stated that they are close with just a handful of issues or questions that Staff believes will come to an agreement soon, which she summarized:

1. Any Staff review comments that come from the review of the most recent revisions to the plan will be incorporated and that review is still underway. The extent of the comments is not known at this time.
2. Emergency vehicle turning studies were submitted, revised and resubmitted. They must be reviewed by the Fire Marshal's office, which has not had a chance to review that document.

3. The Environmental Planner/Wetlands Agent had a handful of questions, some of which may have been answered today, regarding the total area of impact to regulated areas. He has some outstanding questions regarding the impact of the detention basin on storm surge timing and the question of ground water impact.
4. Confirmation of the existing water table level in order to finalize the detention basin.
5. Request for alternative compliance for the parking standard relief. Mr. Hesketh provided additional documentation during today's business day that will be reviewed.
6. Hydrant flow tests need to be conducted, which are weather-dependent.
7. Coordination regarding the locations of several water mains, as well as coordination needed on certain traffic elements.

Ms. Pilla stated that the comments and questions should be wrapped up before the next meeting. For the Commission's understanding, she added that, if acting on this application at tonight's meeting, these outstanding comments would have to be included as conditions, which is why Staff recommends keeping the public hearing open to deal with the issues.

Mr. Anderson sought to address items brought up. There was a comment that this particular set of parcels was at one time a landfill. He reported that this site was not a landfill, adding that there was a piece of land on Broad Street that people would use as a dump years ago, but the majority was across the street. Over time, according to Mr. Anderson, the Town has performed soil studies on Phases I, II, and III of the parcel since the Town has owned the property and nothing suggests that the site was contaminated in a way that would prevent development.

Mr. Anderson referred to the level of service, recognizing that traffic is important, but the level of service measures how long it takes a vehicle to get through an area. The Town has endeavored to make this area a place that would attract people to it, not necessarily get through it, unlike the Buckland Hills area. The proposed development is pedestrian oriented, with more opportunities for pedestrians, cars, and bicycles, Mr. Anderson reported.

Mr. Stoppelman commented that, if the Broad Street/Freeman Way intersection was signalized and allowed left turns, some traffic will be eliminated. He acknowledged that the plans have not been finalized but inquired what type of housing will be available.

Mr. Freeman explained that it will be a mix of two-thirds 1-bedroom apartments, and one-third 2-bedroom apartments. He added that one of the reasons they are advocating a left turn into Freeman Way from Broad Street is that it will allow people to enter via the main road onto Freeman Way and diminish the number of vehicles utilizing Green Manor Boulevard.

There were no members of the public to speak, nor correspondence received.

Mr. Stebe remarked that if the Commission continues the public hearing mainly for the special exception for the preliminary detail plans, there are a number of outstanding Staff comments. It would make sense to decline the determination in order to push a public hearing. He sought to verify with the Town Staff that there is ample time to post the meeting of March 29.

Mr. Anderson stated that is on the agenda this evening and the Commission could make a determination of significance on whether there should be a public hearing on the wetlands permit. If the Commission determines a public hearing is not needed, the wetlands permit could be acted upon at the next meeting along with the other items to be acted upon in the business meeting. Mr. Anderson noted that there is time to post the public hearing.

Mr. Stebe reported that he asked the question because the applicant has a heavy lift ahead in order to prepare for the next meeting as well as subsequent hearings. He acknowledged that the applicant will not be allowed to move forward until the wetland permits are approved. Mr. Stebe was of the opinion that the Commission should make a determination, and if a public hearing is required, have the public hearing incorporated in the continuation.

Mr. Prause reiterated the applicant's comment that their inland wetlands expert could not attend tonight's meeting. He was unsure how fruitful it would be to have a discussion about the determination at this time. Mr. Prause preferred to have the expert available during any such discussion. He questioned the applicant's preference.

Mr. Alford reported that his interpretation is that there is very little wetlands activity happening at the location. His opinion is that the great majority of the stream is a result of the fill that took place during previous building at the site. The vegetation adjacent to the stream is not optimal, but rather invasives. Mr. Alford added that there is very little shrub growth, which he views as necessary for wildlife. He did not view the area as prime wetlands which needed to be maintained.

Mr. Freeman reported that, based on Mr. Logan's report and discussions with him, they did not anticipate the Commission making the determination of significance requiring a public hearing. He stated that he does not want the Commission to feel they are being forced into a determination.

Mr. Kennedy acknowledged that there will be two weeks before the next meeting, which Staff confirmed, and thus, the matter can be taken up at the next public hearing. Doing such should not delay the project at all. Considering that this is a major project next to a significant stream, there is an argument that this is significant enough to warrant a public hearing, which would have no practical impact on delaying the project. Mr. Kennedy's opinion is that the Commission should continue the public hearing and take up the significance under New Business.

Mr. Prause remarked that he was looking at the plantings and landscaping details. He questioned whether there will be a more detailed plan at the next meeting, i.e., species and specific locations, or if that would be further in the process.

Mr. Freeman responded that the landscaping plan shown should meet all the Town's guidelines. They have engaged a landscape architect for a more extensive planting plan that will be submitted with the detailed site plans.

**MOTION:** Mr. Kennedy moved to continue the public hearing to March 29, 2021.  
Ms. Scorso seconded the motion and all members voted in favor.

The Public Hearing was closed at 9:10 P.M.

I certify these minutes were adopted on the following date:

March 29, 2021  
Date

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Eric Prause, Chairman

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