AGENDA ZONING BOARD OF APPEALS LINCOLN CENTER HEARING ROOM AND VIRTUALLY VIA ZOOM JANUARY 25, 2023 7:00 P.M.

This meeting will be held both in person and virtually, via Zoom. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at https://manct.us/meeting by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairman. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to pzccomments@manchesterct.gov, or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191.

A. PUBLIC HEARINGS

<u>JESSE FERNANDEZ</u> – application #ZSE-0001-2022 – Request a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

<u>CORPORATION FOR PUBLIC MANAGEMENT, MELISSA LESTER</u> – application #ZSE-0002-2022 – Request a special exception under Art. II, Sec. 16.15.01(b) to allow an adult day care center at 199 Adams Street, Industrial zone.

B. BUSINESS MEETING

- 1. Consideration of Public Hearings
- 2. Approval of Minutes
 - November 30, 2022 Public Hearing, Business Meeting
- 3. Election of Officers
- 4. Acceptance of New Applications
- 5. Other Business
 - Upcoming Training Opportunities

TOWN OF MANCHESTER LEGAL NOTICE

The Zoning Board of Appeals will hold a public hearing on January 25, 2023 at 7:00 p.m., both virtually and in person in the Lincoln Center Hearing Room, 494 Main Street, Manchester, Connecticut to hear and consider the following applications:

JESSE FERNANDEZ – application #ZSE-0001-2022 – Request a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

CORPORATION FOR PUBLIC MANAGEMENT, MELISSA LESTER – application #ZSE-0002-2022 – Request a special exception under Art. II, Sec. 16.15.01(b) to allow an adult day care center at 199 Adams Street, Industrial zone.

At this hearing interested persons may be heard, either in person or virtually via Zoom, and written communications received. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at https://manct.us/meeting by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairman. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to pzccomments@manchesterct.gov, or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191. Individuals may also submit comments in writing to the Planning and Economic Development Department via email to pzccomments@manchesterct.gov, or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191. All written comments received by 4:00 p.m. on the day of the meeting will be presented and recorded as part of the hearing. Information about these applications will also be available online at https://Manchesterct.gov/zba by the Friday before the hearing.

James R. Stevenson, Chair Zoning Board of Appeals

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TOWN OF MANCHESTER PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner

DATE: January 19, 2023

RE: Jesse Fernandez – Application #ZSE-0001-2022

346 Middle Turnpike West – Form-Based zone

Introduction

The applicant is requesting a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

Project Description

The applicant owns and operates Fun Luvin Daycare Center, which is currently located at 358 Hartford Road, and is seeking approval for a new location at the subject property. The proposed space is located near the middle of the existing shopping center and faces the south parking lot. The directly adjacent units are currently occupied by the Manchester branch of the CT Department of Children & Families (DCF) and the plaza's maintenance space. The proposed floor plan is attached.

Outdoor Play Area

Both local and state regulations require that child day care centers provide a securely enclosed outdoor play area. The original proposal showed a 168 sq. ft. fenced-in play space directly outside the main entrance of the proposed facility on what is currently the sidewalk. Town staff had several concerns with this location, and after discussions with staff, the applicant agreed to propose an alternative location for the play area. The final page of the attached plans shows an alternative location which would eliminate six (6) parking spaces in order to locate the fenced-in playground within the parking lot, adjacent to the existing dumpster enclosure.

Staff then suggested that if the playground must be located within the parking lot, a better location would be at the end of a row of parking stalls nearest to the facility entrance, reducing the distance that children would have to walk through the parking lot to reach the playground. The applicant agreed, but revised plans have not yet been submitted (see discussion below under *Staff Review*).

Traffic and Parking

Parking at the shopping center is adequate to meet the minimum requirements, and any increase in traffic is expected to be minimal in relation to the size of the shopping plaza. Customers of the proposed facility would most likely park in the rear of the shopping center off of Green Manor Boulevard, which is where the facility's entrance would be.

For the Board's Consideration

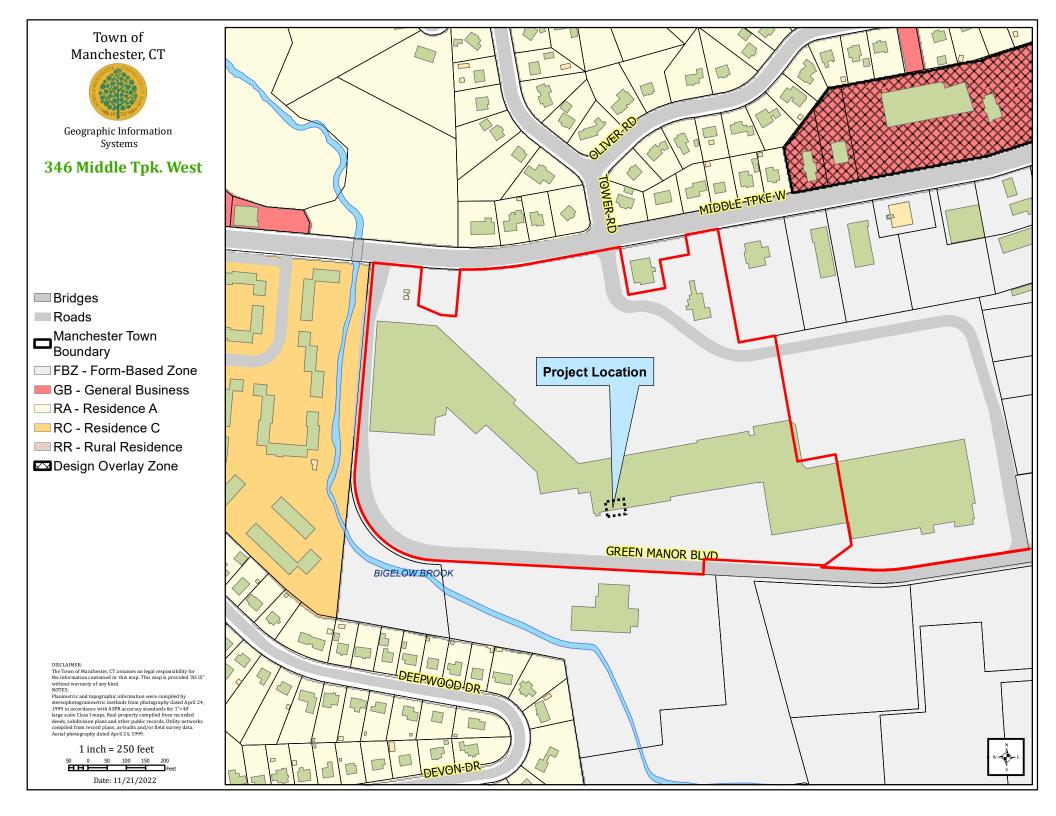
Child day care centers are permitted in the Form-Based zone by special exception from the Zoning Board of Appeals. The Board should consider whether the proposed day care center meets the requirements of Article IV, Section 10, as well as the general requirements for special exceptions as outlined in Article IV, Section 20.

Staff Review

Town staff have reviewed the plans and documents submitted with the application and noted several concerns with the original proposal. The applicant met with staff to discuss these issues and some modifications were agreed upon. As of the writing of this memo, revised plans have not yet been submitted. The applicant has been advised that revised plans must be submitted in advance of the January 25, 2023 meeting.

Staff concerns with the original proposal were as follows:

- 1. It was not clear if the proposed kitchen and utility closet have enough space to accommodate the equipment required for licensure of a day care center.
 - The applicant has stated that a revised floor plan will show all of the equipment required for licensure, but that plan has not yet been submitted.
- 2. The creation of the proposed interior space, which would be carved out of a larger existing space, would also create another unit with no entry/exit door. The floor plan should show the location of the new door to be installed for the other space.
 - The new door is shown hand drawn onto the attached *existing conditions* floor plan. The applicant has been advised that this needs to be properly drafted and shown on the *proposed* floor plan in context with all other proposed interior changes.
- 3. The originally proposed location of the outdoor play area was not appropriate, as it would block pedestrian use of the sidewalk and was also too close to vehicular traffic.
 - The applicant submitted the attached diagram showing an alternate playground location. As discussed above, staff suggested a different location, and advised the applicant that additional detail of the playground must be shown on the plan (exact location of fence and gate, location of play equipment, detail of surfacing material, etc.) A revised plan has not yet been submitted.



Fun Luvin Daycare Center Narrative

Fun Luvin Daycare Center opened in Manchester October 2015, fully license by the State of Connecticut, owned and operated by Yudyssa and Jesse Fernandez. It is a minority, veteran owned business. It's a daycare center, but when you walk in a lot of parents feel like they're walking into a home. With that said, "Everyone that works here loves children and wants to be here. It's more than a job."

We hire local Manchester residents and cater to low-income families. Yudyssa founded Fun Luvin Home Daycare in 2008. Yudyssa began in her home in Manchester, Connecticut and since 2008, she has always dreamed of someday opening her our own daycare center. She always wanted to expand and finally had the opportunity when the previous daycare in our current location was shut down. She has steadily grown her dream to its present state. Jesse and Yudyssa have extensively renovated the property after acquiring it. Jesse did the work himself, inside and out. They even researched what colors influenced positive moods of children. New furniture, a playscape, paint, lights, and a number of other fixtures and additions have all become a part of the building that is now Fun Luvin Daycare Center. They have two boys of their own. We perform thorough background checks on all workers, interviews parents, and even gives parents the opportunity to interview us. Also, every one of our staff members are certified in CPR and Infant First Aid.

Fun Luvin Daycare is truly a family affair.

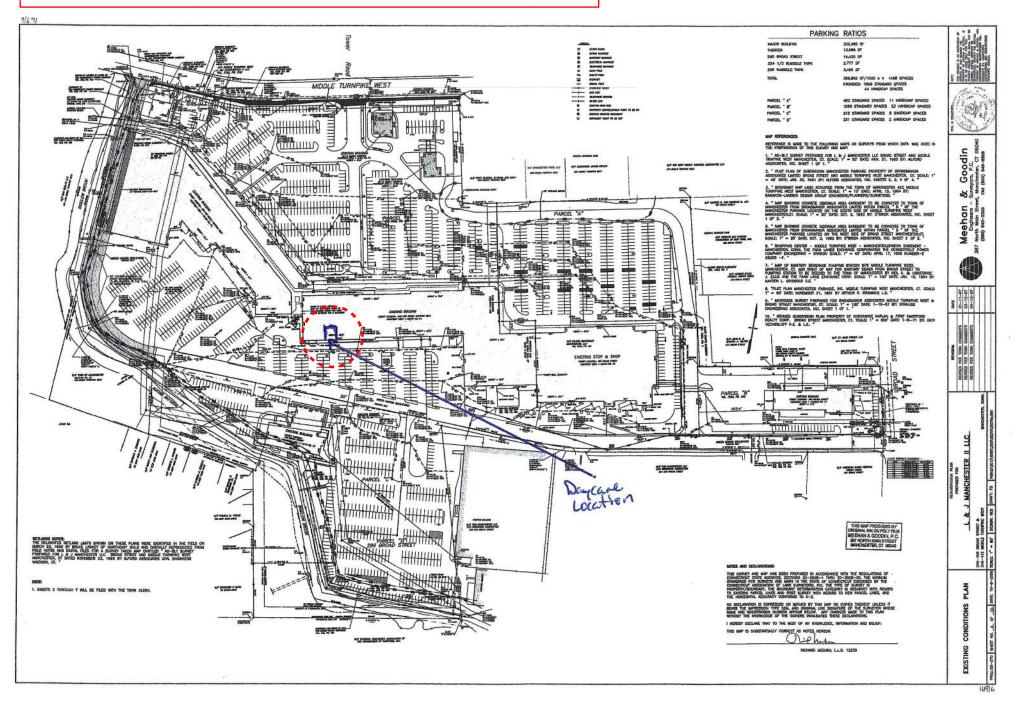
Now we are looking to expand into the 376RA Middle TPK W location. We see a need for quality daycare who focuses on quality care and teaching children from newborn to age 5. In Connecticut there is a dire need for childcare, especially low-income families. We have a waiting list and need to expand due to that need. We were searching for a location to stay in Manchester and found this location with is on a bus line and easy access to highways. We are excited to revitalize this space and bring life to this section of the plaza.

Additional information received 10/17/22:

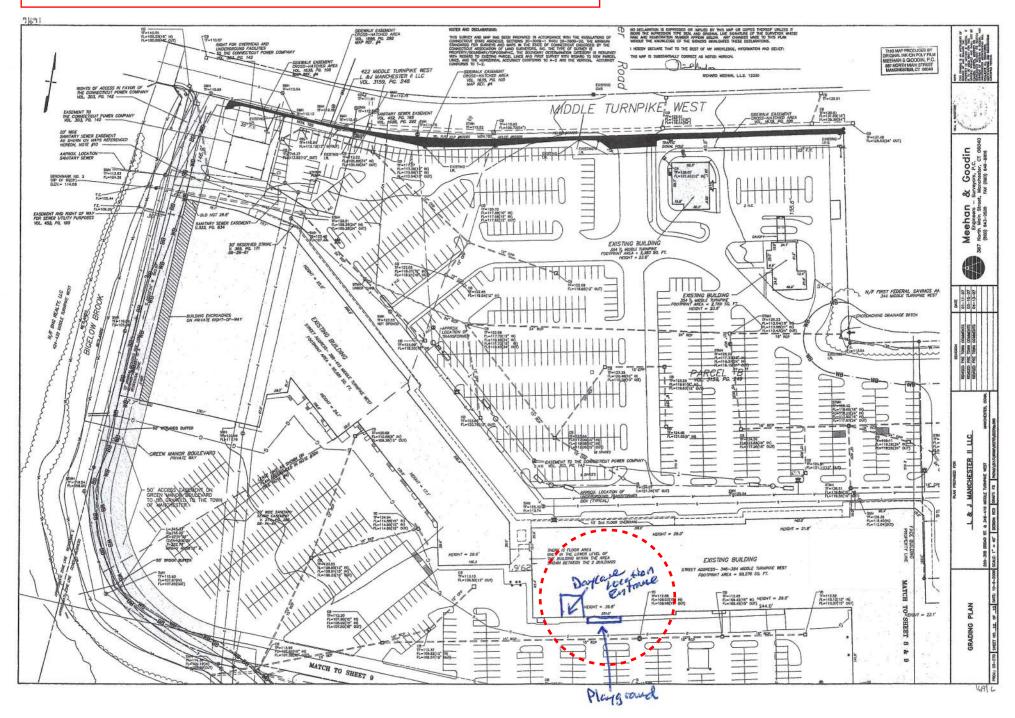
Business operations are as follows: We will open from 7:30am - 5:45pm. We have a total of 7 employees currently, we will have to staff an additional 3 employees if we get approved for this location as enrollment increases. We will have a total of 38 children once enrollment is at capacity, we currently have 24 children in the Hartford Road location. We have a pre-k program that gets children ready for Kindergarten.

We do not anticipate any disruption to the traffic flow in the parking lot. There is ample parking on the back of the plaza that we will share with both DCF employees and parents.

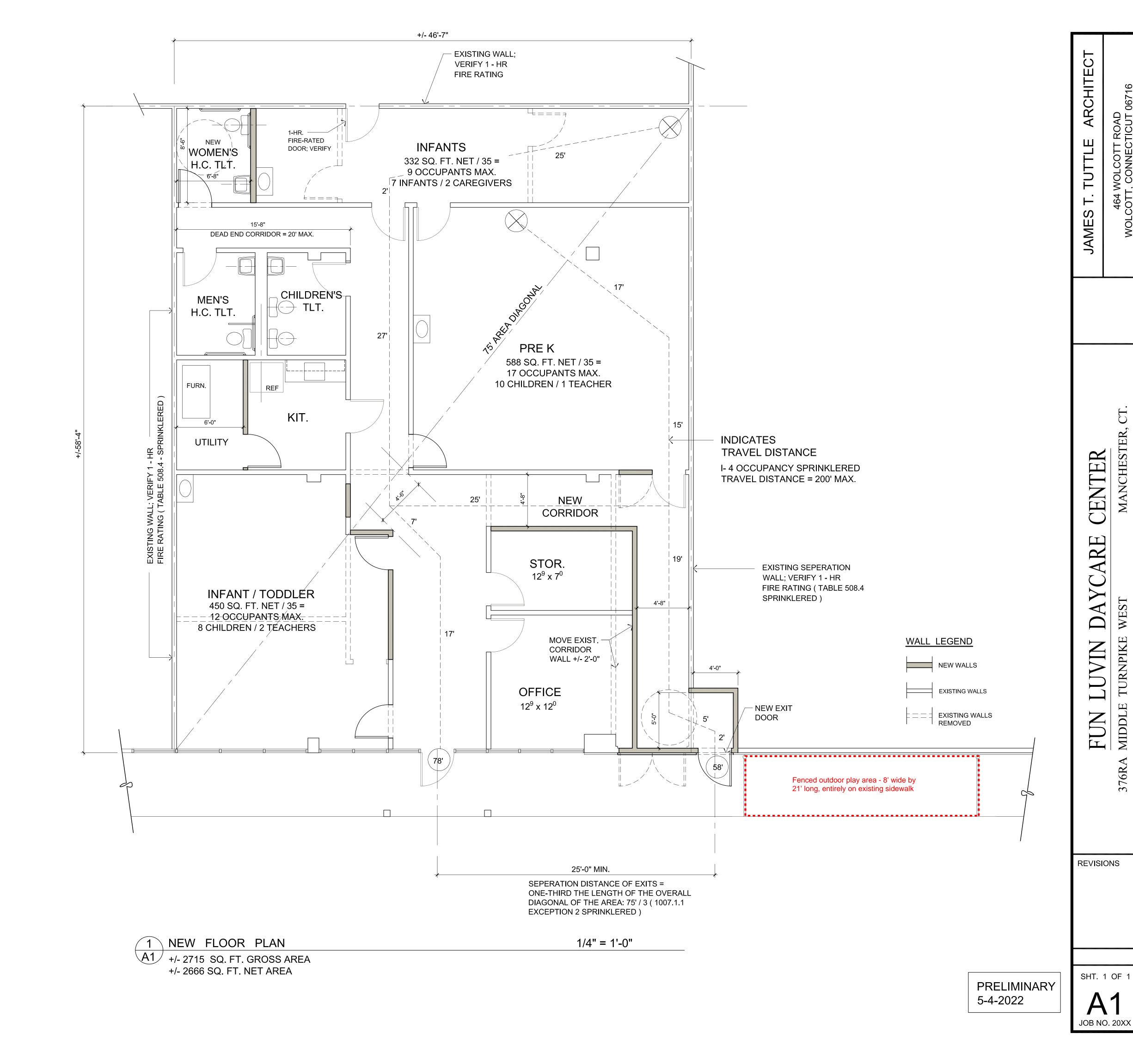
Overall site plan showing location of the proposed space in the shopping center



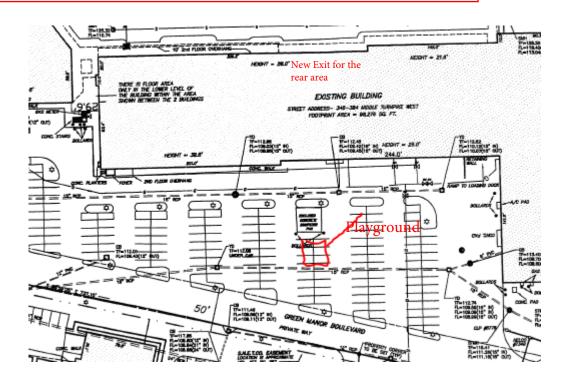
Overall site plan showing location of the proposed space in the shopping center



Proposed daycare space



Alternate location for playground suggested by applicant on 11/29/22



TOWN OF MANCHESTER PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals

FROM: Megan Pilla, Principal Development Planner

DATE: January 19, 2023

RE: Corporation for Public Management, Melissa Lester – Application #ZSE-0002-2022

199 Adams Street – Industrial zone

Introduction

The applicant is requesting a special exception under Art. II, Sec. 16.15.01(b) to allow an adult day care center at 199 Adams Street, Industrial zone.

Adjacent uses include corporate offices, self storage facilities, a rock climbing gym, a dog training facility, and other small commercial businesses. Carl Silver Field is also nearby, diagonally across Adams Street.

Project Description

The applicant, Corporation for Public Management (CPM), operates support programs for individuals with special needs and/or social issues such as teenage pregnancy, welfare dependency, unemployment, under-employment, and illiteracy. The programs provided by CPM, including Employment & Training, Developmentally Disabled Services, and the Acquired Brain Injury Program, aim to help clients increase social and work competence and develop opportunities for participation in the greater community.

CPM is seeking approval to operate a Day Program for Adult Individuals with Developmental Disabilities at the subject location. The proposed facility would occupy the front unit at 199 Adams Street, while the rear portion of the building (unit 201) would continue to be occupied by the property owner and used for storage. No exterior changes are proposed to the existing building. Interior renovations would create spaces for art and sensory therapy, a café, and a tech lab for program clients, as well as office space and a conference room for program staff. See attached proposed floor plans.

Minimal site changes are proposed to accommodate the facility (see below sections for more detail).

Access and Parking

199 Adams Street shares parking with the adjacent parcel at 205 Adams Street, which is owned and maintained by the same property owner. According to the applicant, the structure at 205 Adams Street is a residential apartment with a single tenant.

CPM states that the proposed facility would have a total of 15 vehicles using the parking lot at any time during the day, and up to 10 transit vans parked overnight. With a total of 48 existing parking spaces, the site has enough parking to meet minimum requirements for the proposed combination of uses (the proposed facility as well as the existing residential apartment and the storage space).

Vehicular access to the site is provided by two (2) existing curb cuts off of Adams Street. The southerly curb cut is on the property of 205 Adams Street, the adjacent parcel which shares the parking lot. This access point leads directly to the parking lot. The second curb cut, which is on the property of 199 Adams Street, leads to a drive lane directly in front of the building, which is shown on the proposed site plan as a drop-off area. The site plan also shows three (3) ADA-accessible parking spaces accessible from this entrance.

Outdoor Recreation Area

Art. IV, Sec. 18.01.01(e) requires that an outdoor passive recreation area be provided on site at a minimum ratio of 50 sq. ft. per enrollee. As shown on the attached site plan, a passive recreation area of approximately 1,000 sq. ft. is shown on the eastern side of the site. The proposed area exceeds the minimum that would be required for the program's estimated 15 enrollees who would be using the space. The applicant states that this area would be maintained by the individuals in the program, and would include lawn space for picnic lunches and other passive recreation activities, as well as a small flower bed and vegetable garden.

Traffic

The proposed program would typically have 5 to 10 vans transporting program participants to and from the facility between the hours of 7:00 a.m. and 3:00 p.m., with drop-off and pickup at the front entrance. The anticipated impact on local traffic is low.

Utilities

The site is served by Town water and sanitary sewer. Because the utility needs of the proposed facility are typical (toilets and sinks), any expected increase in utility demand is negligible.

Stormwater Management

Runoff from most of the existing parking lot currently sheet flows to the south and east, with a small section of parking lot in the northwest corner of the site draining into the Town storm system in Adams Street. Because no changes are proposed to the site, no modifications to the existing stormwater management system are required.

For the Board's Consideration

Adult day care facilities are permitted in the Industrial zone by special exception from the Zoning Board of Appeals. The Board should consider whether the proposed facility meets the requirements of Article IV, Section 18, as well as the general requirements for special exceptions as outlined in Article IV, Section 20.

Staff Review

Town staff have reviewed the plans and documents submitted with the application and a report on the status of any outstanding comments will be provided at the January 25, 2023 meeting.

Staff note the following items for the Board's consideration:

- 1. The map used for the submitted site plan is a low quality scan of a paper map. If approved, the final plan submitted for stamping should be a better quality scan of the full extents of the map sheet. Town staff are willing to assist the applicant with obtaining a quality scan. This could be included as a modification of approval.
- 2. As shown, the proposed outdoor recreation area is shared by 199 Adams Street and 205 Adams Street, which currently share the same property owner. An access easement should be considered to ensure that the proposed program would retain access to these spaces in the event that ownership of 205 Adams Street ever changes. This could be considered as a condition of approval.

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Attachments



Geographic Information Systems

199 Adams Street

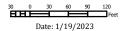
Manchester Town Boundary

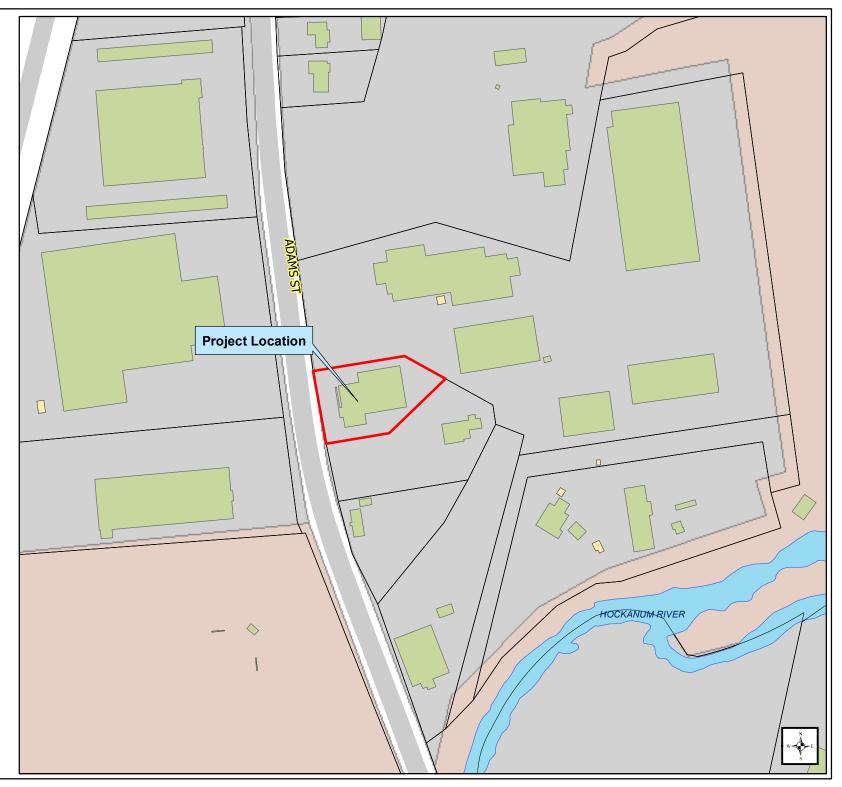
IND - Industrial

RR - Rural Residence

DISCIAIMER:
The Town of Manchester, CT assumes no legal responsibility for the information contained in this map. This map is provided "AS IS" without warranty of any kind.
NOTES:
Planimetric and topographic information were compiled by stereophotogrammetric methods from photography dated April 24, 1999 in accordance with ASPR accuracy standards for 1"+40" large scale Class I maps. Real property compiled from recorded deeds, subdivision plans and other public records. Utility networks compiled from record plans, a-builts and/or field survey data. Aerial photography dated April 24, 1999.

1 inch = 150 feet





Corporation for Public Management (CPM), founded in 1980, operates programs that enable people to break the cycle of welfare dependency and allows those with special needs to remain in the community, supporting their capacities to lead productive lives surrounded by friends and family rather than in institutionalized settings.

Corporation for Public Management seeks innovative solutions to such social issues as teenage pregnancy, welfare dependency, unemployment, under-employment and illiteracy. Each CPM program is based on the belief that self-esteem and personal dignity start with an ability to become self-sufficient.

CPM has always operated with a goal of helping the individuals served by its programs attain their fullest personal and economic potential regardless of the severity of the barriers they may face. The agency's approach is to increase social and work competence, provide opportunities for participation in the greater community and develop those opportunities for all its participants.

Employment & Training provides personal case management to find solutions to common barriers to work and subsidized on-the-job training through. Developmentally Disabled Services include supported employment, individually designed supported living services, 24-hour supervised residential support in a group home environment, senior programs, and experiences interacting in community. Acquired Brain Injury program in Manchester, CT assists individuals with impairments regain independence.

Specific plan and application requirements contained in Article IV Section 20 of the zoning regulations, including traffic reports, utility impact statements, storm water management reports, etc.

ARTICLE IV SECTION 20

- A) This location was previously a storage space that Corporation for Public Management would like to convert into a Day Program for Adult Individuals with Developmental Disabilities. This program would not require exterior changes to the development of the area, it does differ from the pre existing uses but has been deemed suitable from the Department of Developmental Disabilities resource management team to have individuals here from 7am to 230pm. Because there are no alterations to the area of the building it would be in concordance with the Plan of Conservation and Development
- B) The structure has previously been deemed suitable for the space as well as supports the use of adjoining property, therefore will not diminish the value thereof.
- C) Neighborhood compatibility will remain unchanged with the opening of this type of community support.
- D) Adequate Parking Streets for Use: 199 Adams St currently has forty-eight surface parking spots to offer this building. The program that we are proposing will have a total of fifteen vehicles parked at any time throughout the workday. And no more than ten transit vans overnight.
- E) Adequate Streets for use. The program will offer an additional fifteen cars to the typical traffic patterns in the beginning and end of the work day: a minimal addition to the circulation recommendations of the Plan of Conservation and Development.
- F) Adequate Emergency Access: This building has three exterior exits, a ADA Ramp attached to the front entrance, two stairwells on right and left ends of the building leading outside, and all rooms have two points of egress within the building. The exterior of the building has a forty-eight-car parking lot to make ease of access for all emergency vehicle types
- G) Adequate Public Utilities: The water supply is public supply, sewage disposal is public supply, and storm water drainage shall continue to conform with accepted engineering criteria, comply with all standards. This program will not need to change any of the aforementioned utilities
- H) Environmental protection: The proposed Plan will not change any of the preexisting natural features, thus protecting any environmentally sensitive areas.
- Consistent with Purpose, the plan will not have any detrimental effects upon the public health, safety, welfare, or property values. This program exists to enrich the inclusivity of the community and provide human services to the individuals in our care

1. Traffic Impact Statement -

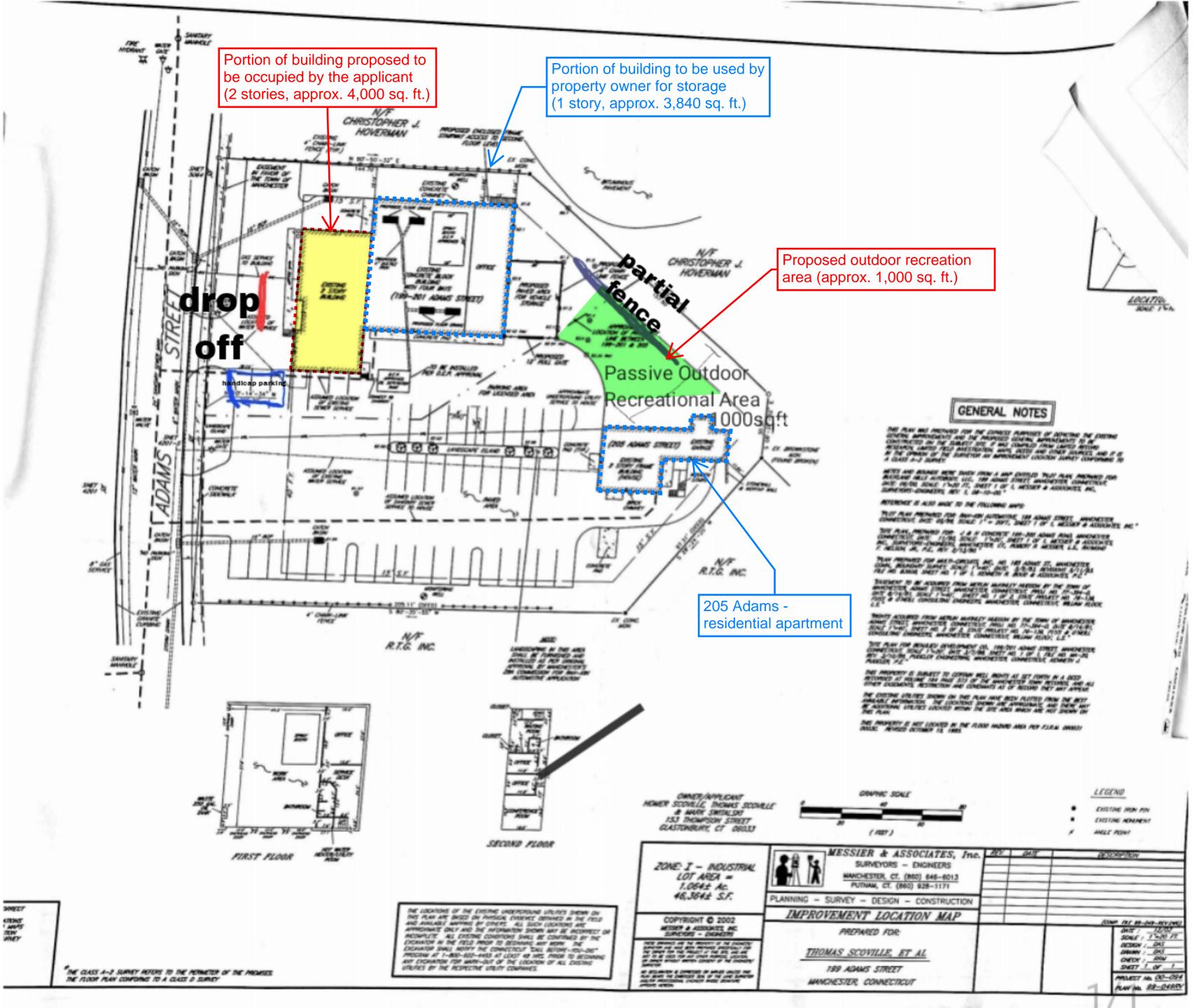
The anticipated impact on traffic on site will be an increase of five to ten vans dropping individuals off in between the hours of 7 am and 3pm EST. The anticipate impact on the local streets will be low to zero impact as well.

2. Stormwater Management Statement -

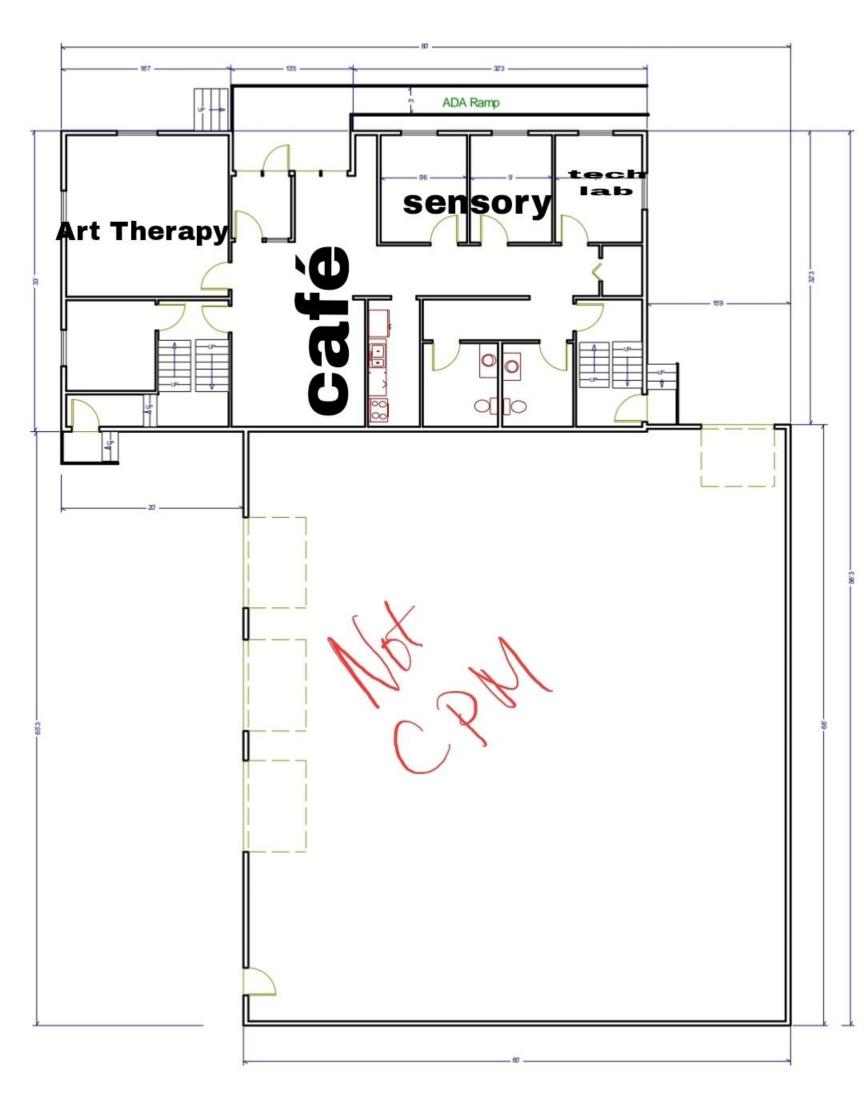
Currently the storm management is tied into the town storm drain system, there will be no changed to the storm water management at this time.

3. Utility Impact Statement -

The utility impact of the proposed program will need the use of the preexisting toilets to the sewer system. There will be 10-15 persons on site during the day, as most of our attendees are out in the community for work. There will be a small break room kitchenette that has a standard sink basin 36" and will be utilized to wash small loads of lunch dishes.



Proposed Floor Plan - First Floor



Proposed Floor Plan - Second Floor



Present Floor Plan - Floor 2

Tenant: CORPORATION FOR

DRAFT

MINUTES OF PUBLIC HEARING HELD BY THE ZONING BOARD OF APPEALS LINCOLN CENTER HEARING ROOM NOVEMBER 30, 2022

MEMBERS PRESENT:

In Person: James R. Stevenson, Chair

Robert Haley, Vice Chair

Edward Slegeski Sandra DeCampos

Electronically: Keshet Spadaccini, Secretary

ALTERNATES PRESENT:

In Person: Kevin Hood

Harun Ahmed

Electronically: Linda Harris

STAFF PRESENT:

In Person: Megan Pilla, Principal Development Planner

Electronically: James Davis, Zoning Enforcement Officer

Nancy Martel, Senior Administrative Secretary

The Chair opened the Public Hearing at 7:00 P.M. The Secretary read the legal notice for the application when the call was made.

JESSE FERNANDEZ – Application ZSE-0001-2022 – Request a special exception under Art. II, Sec. 26.04 to allow a child day care center at 346 Middle Turnpike West, Form-Based zone.

Due to outstanding information, the applicant has agreed to postpone until the next scheduled meeting.

MOTION: Mr. Haley moved to table the application until the next scheduled meeting.

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

STEVEN CALAUTTI – Application VAR-0041-2022 – Request a variance from Art. II, Sec. 2.01.01 to allow propane tanks and a generator 13 ft. from the side property line (15 ft. required) at 32 Santina Drive, Rural Residence zone.

Mr. Steven Calautti, 32 Santina Drive, reported that he applied for the variance to put the storage tanks for his generator in the only place where they could logistically be placed. He explained that he thought the 15 ft. meant from the garage to the property line but was then informed that it is from the front of the tanks.

Mr. Haley understood that the applicant has a medical condition necessitating the generator for his health and safety.

Mr. Calautti stated that he uses a CPAP and during a three-day power failure, he suffered terribly.

Mr. Haley asked whether the applicant plans to place a barrier in front of the generator and tanks.

Mr. Calautti replied that he recently completed the garage with landscaping around it, anticipating where the equipment would go. It was his opinion that, within two years, the bushes he planted would cover the generator.

Mr. Haley asked if it would be a problem if the Board added a condition that Mr. Calautti install a screening fence. Mr. Calautti said it would not be a problem.

Mr. Hood asked how close the tanks would be to the neighboring structure. Mr. Calautti stated that it would be approximately 25-30 ft.

Mr. Ahmed inquired why there will be two tanks rather than just one. Mr. Calautti stated that he left that up to the electrician and propane company, who determined that, because of the size of the generator, two tanks are needed to get through an outage.

Mr. Stevenson noted that, in addition to the medical hardship, there is no other location to place them. Mr. Calautti confirmed that was the case, because of the air conditioning unit on the other side of the house, as well as the proximity to bedroom windows.

Ms. Pilla reported that there were no Staff comments.

Mr. Stevenson asked if any member of the public wished to comment either in favor of or in opposition to this application. No member of the public came forward at this time.

The public hearing was closed at 7:10 P.M.

I certify these minutes were adopted on the following date:

Date	James Stevenson, Chair

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

DRAFT

MINUTES OF BUSINESS MEETING HELD BY THE ZONING BOARD OF APPEALS LINCOLN CENTER HEARING ROOM NOVEMBER 30, 2022

MEMBERS PRESENT:

In Person: James R. Stevenson, Chair

Robert Haley, Vice Chair

Edward Slegeski Sandra DeCampos

Electronically: Keshet Spadaccini, Secretary

ALTERNATES PRESENT:

In Person: Kevin Hood

Harun Ahmed

Electronically: Linda Harris

STAFF PRESENT:

In Person: Megan Pilla, Principal Development Planner Electronically: James Davis, Zoning Enforcement Officer

Nancy Martel, Senior Administrative Secretary

The Chair opened the Business Meeting at 7:10 P.M.

CONSIDERATION OF PUBLIC HEARINGS:

STEVEN CALAUTTI – Application #VAR-0041-2022 – Request a variance from Art. II, Sec. 2.01.01 to allow propane tanks and a generator 13 ft. from the side property line (15 ft. required) at 32 Santina Drive, Rural Residence zone.

MOTION: Mr. Haley moved to approve the variance with the condition that a privacy

screening fence be put in front of the propane tanks for the reason of the applicant's health. Mr. Slegeski seconded the motion and all members voted in

favor.

APPROVAL OF MINUTES

September 28, 2022 – Public Hearing/Business Meeting

MOTION: Mr. Haley moved to approve the September 28, 2022 Public Hearing and

Business Meeting minutes. Mr. Slegeski seconded the motion and all members

voted in favor.

ADOPTION OF 2023 MEETING SCHEDULE:

MOTION:	Ms. DeCampos moved to adopt the 2023 meeting schedule. Mr. Slegeski seconded the motion and all members voted in favor.
There were no	new applications.
The meeting v	vas adjourned at 7:15 P.M.
I certify these	minutes were adopted on the following date:
Date	James Stevenson, Chair

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