

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JANUARY 4, 2023**

**MEMBERS PRESENT:**

In Person: Eric Prause, Chairman  
Patrick Kennedy, Vice Chairman  
Michael Stebe, Secretary  
Nicole Clemons  
Teresa Ike  
Electronically: Yamuna Menon

**ALTERNATE MEMBER SITTING:**

In Person: Bonnie Potocki

**ABSENT:** Carlos Jusem

**ALSO PRESENT:**

In Person: Gary Anderson, Director of Planning  
Megan Pilla, Principal Development Planner  
Electronically: David Laiuppa, Environmental Planner/Wetlands  
Agent  
Nancy Martel, Recording Secretary

The Chairman opened the Business Meeting at 7:30 P.M.

CLEVER AVILA – For a proposed 4-lot resubdivision to create 3 new building lots at 270 Gardner Street. – Resubdivision (SUB-0002-2022); Erosion & Sedimentation Control Plan (ESC-0014-2022)

Ms. Potocki asked whether there was a memo from Water & Sewer, and Ms. Pilla assured her that the information was in her memo. Ms. Pilla reported that the only comments related to a couple of labels that may already have been rectified.

Mr. Stebe stated that he understands the public comments but reiterated that the PZC is limited to the zoning regulations, but there will be other checks further into the process. In the Residence AA zone, the Commission reviews the lot sizes, the frontage, and the line dimensions. Based on the drawings, these meet the requirements in the subdivision regulations.

Mr. Prause noted his frustration about the loss of more farmland. In the Plan of Conservation and Development, Primary Growth Principle #1 is to conserve, restore and protect the natural environment, farmland, and assets critical to public health and safety. Goal #1a is to preserve and promote agriculture as a desired land use. This Commission, as part of their plan, has expressed

that they want to do what they can to preserve farmland by using tools such as State preservation funds and by ensuring that Manchester's zoning is compliant and amenable to farms. It is his opinion that the Commission has tried to be supportive of farms and the different uses they have. However, an owner does have the right to resubdivide their land, as long as the resulting subdivisions meet the minimum lot size and are compatible with the zones they are in.

Resubdivision (SUB-0002-2022)

**MOTION:** Mr. Kennedy moved to approve the 4-lot resubdivision to create 3 new building lots with a fee to be paid in lieu of dedicated open space at 270 Gardner Street, with the modifications as specified in a staff memorandum from:

1. Megan Pilla, Principal Development Planner, dated January 4, 2023.

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

Erosion & Sedimentation Control Plan (ESC-0014-2022)

**MOTION:** Mr. Kennedy moved to certify the erosion and sedimentation control plan for the proposed 4-lot resubdivision to create 3 new building lots at 270 Gardner Street, with the modifications as specified in a Staff memorandum from:

1. Megan Pilla, Principal Development Planner, dated January 4, 2023.

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

DORJAN PUKA – To add a partial roof structure to the existing patio at 1436 Pleasant Valley Road. – Special Exception Modification (PSE-0038-2022)

Mr. Sheldon Crosby, Lark Architects, Farmington, CT, stated that he is representing Adoro Restaurant Group and Dorjan Puka, the applicant. The property is the Artisanal Burger Company, one of eight restaurants the Adoro Group owns. He went on to detail the history of the property.

Mr. Crosby noted that, over the last couple of years, outdoor dining has been popular. In all Adoro Group facilities, eating outside, particularly with Covid restrictions, had been beneficial. The Group has three Adoro Marketplaces, which is a gourmet take-out. While there is a great patio at the restaurant, the applicant feels it would be better if it could be a bit bigger. The table count will not change, but they want to roof it to get a few more weeks of outdoor dining with rolldown shutters and a hard roof. In addition, they have noted that people tend to come to outdoor dining venues and stay. For this reason, they would like to install a bocce court. Mr. Crosby displayed the plans for the exterior of the building.

Mr. Crosby reported that they performed a parking count. The Fire Marshal has a sign in the building that limits the restaurant to 347 people, which is essentially 327 diners and 20 staff, which requires 119 parking spaces. He noted that they have no intention of changing the seat count, though they plan to rearrange the indoor seating.

Mr. Crosby displayed the exterior plans and explained them in detail. They plan to change the palate of the exterior and the landscaping, which he explained to the Commission. In addition, the materials to be used were reported. The applicant plans to have clear drop-down sides. Some of Mr. Crosby's presentation was inaudible because he was not near the microphone.

Mr. Prause asked for more information about the fireplace area. It appears there is a doorway to go in to the fireplace area. He further asked whether that portion would have an overhang.

Some of Mr. Crosby's response was inaudible because the microphone was not turned on. He said that there is no doorway there and they would not put one in. It will have an overhang. The fireplace is a gas fireplace. They will be adding new seating, including banquette seating and soft seating around the fireplace.

Mr. Prause assumed the bocce court has a wall around it so it is only accessible from the inside, which Mr. Crosby confirmed.

Ms. Potocki noted that they are right near vehicular traffic. She asked whether the glass would cause glare. Mr. Crosby assured Ms. Potocki this material will not cause glare.

Ms. Potocki was concerned about the potential for something flying over the brick wall. Mr. Crosby stated that the wood wall for the bocce court is 3.5 feet high. He commented that it could not be thrown into traffic.

Mr. Stebe praised the proposal. In his opinion, extending the patio makes sense and it looks as though it is meant to be there. Given the tight location, the applicant is making good use of the space and the improved seating will go a long way.

Ms. Pilla noted that the only outstanding comment from Staff is to have the plan put on Town Control, as that is required by the public improvement standards. Everything else has been addressed and there are no outstanding comments.

#### Special Exception Modification (PSE-0038-2022)

**MOTION:** Mr. Kennedy moved to approve the special exception modification for the addition of a partial roof structure and improvements to the existing patio area at 1436 Pleasant Valley Road, with the modifications as specified in a Staff memorandum from:

1. Megan Pilla, Principal Development Planner, dated January 4, 2023.

Ms. Ike 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 Article IV, Section 20.

Mr. Prause commented that it is a use in the area that has been around for a long time and this part of the plaza has no traffic impact. The exterior materials conform with the buildings in the area, and he does not see any concerns with utilities.

BATTISTON'S OF MANCHESTER, INC. – For excavation and off-site disposal of impacted soils within the upland review area at 441 Middle Turnpike West. – Inland Wetlands Permit (IWP-0029-2022)

Mr. Thomas McMorrow, TM Environmental, representing Battiston's of Manchester, introduced himself. He noted that they are seeking a wetlands permit for excavation of impacted soils within the upland review area, specifically excavation to remove chlorinated compounds and contaminated soils on the western side of the building. It is approximately 1,600 sq. ft. in area, and they plan to excavate down approximately 5 ft. to remove the impacted material.

Mr. McMorrow stated that, based on the November 21<sup>st</sup> meeting for the Determination of Significance and comments received by Staff, they have doubled the silt fence downslope of the excavation area. They have had the wetland area professionally flagged and surveyed. In addition, they have added the FEMA flood hazard area limits and will be adding the 100 ft. review area line within the final plan. Additionally, there will be the installation of a silt sack within the catch basin in the northwest corner of the property. Construction notes and erosion & sedimentation control notes have been added to the plan, as well as details for the silt fence, the silt sack, and slope stabilization required down toward the wetlands.

Ms. Potocki asked if the plan was signed by the soil scientist. Mr. McMorrow replied that he can provide a letter that the soil scientist provided. There is not a specific signature on the plan itself.

Ms. Potocki asked Staff if a soil scientist's signature is required on the plan. Ms. Pilla explained that a soil scientist's signature is not required on the plan.

Mr. Prause inquired whether any of the plan changed since the November 21<sup>st</sup> meeting. Mr. McMorrow reported that the only changes on the plan are the addition of the double silt fence at the wetland line and the flood hazard area.

Ms. Pilla reported that there were no outstanding comments from Staff. Everything was addressed.

Mr. Laiuppa stated that, as with every other wetland application, the Conservation Commission has the opportunity to review the application, which they did at their December meeting. He stated that he discussed some of the modifications. A comment was made that there should be a description of the wetlands. In looking back at the regulations, that is a requirement. It does not have to be a written description if it is described during the meeting, or it can be a follow-up after the meeting. According to Mr. Laiuppa, because the proposal was not determined to have a significant impact, the requirement is not for a high-level, detailed description of the functions and values of the wetlands. It is more of a broader view, basic description of the wetlands.

Ms. Potocki inquired whether a wetlands report could be required as a condition of approval for the permit.

Mr. Laiuppa said it should be a wetlands description, rather than a wetland report.

Inland Wetlands Permit (IWP-0029-2022)

**MOTION:** Mr. Kennedy moved to approve the inland wetlands permit for excavation and off-site disposal of impacted soils within the upland review area at 441 Middle Turnpike West, with the condition that a wetlands description be submitted.

Mr. Stebe 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.

TOWN OF MANCHESTER – Mandatory referral for purchase of 942 Main Street. – Mandatory Referral (MR-0003-2022)

Mr. Anderson presented information regarding the purchase of 942 Main Street. State Statute requires the Planning & Zoning Commission make a recommendation to the Board of Directors prior to the purchase of property by the Town.

The parcel at 942 Main Street has a one-story building at the corner of St. James and Main Street. It is an approximately 0.79-acre property adjacent to the 1.5-acre Forest Street parking lot owned by the Town. There is no historic significance to the building, which is in fair condition and half vacant. There have been code issues, most recently with the roof.

Mr. Anderson stated that the Town has been interested in purchasing the property for decades. The purchase of this property would allow for development on both parcels, which is an entire block. It would allow for development of the site and for public parking improvements across from the library. There are restrictions on the Forest Street parking lot associated with this property that do not allow the Town to develop anything without the approval of 942 Main Street. The purchase of the property would release those restrictions.

The library is planned for the Webster Bank property. The bank has been a wonderful partner in working with the Town, and the Town has agreed to help them find a suitable location on Main Street. The existing building tenants would be assisted with relocation.

Mr. Anderson stated that, after the purchase, an RFP would be issued for private developers. He displayed several potential concepts, noting that there would most likely be a mixed-use building.

In terms of reasoning, this allows for advancement of the library project. It accommodates a rare opportunity for this size of downtown development, and it would be transformative for the downtown. Additionally, it enhances efforts to revitalize downtown in this location in particular, with the library across the street, making this a gateway.

Mr. Anderson stated that the proposed purchase is consistent with the POCD Goal #1, which is to redevelop and invest in existing and potential corridors and activity nodes. Objective #1 is about intensifying mixed-use development in those locations, and Objective #2 is about vacant buildings.

Mr. Kennedy believed the Board of Directors already voted to do this. Mr. Anderson replied that they voted to allow the Town Manager to negotiate it. The final step is to approve an ordinance.

Mr. Kennedy asked about the Town purchase price and the appraised value. Mr. Anderson responded that the purchase price agreed to was 1.75 million. A private appraisal was done that had a range. He thought the top of the range was about 1.15 million, which did not take into account some of the deed issues, and the Board felt that was important to note. As the Town has been negotiating for this property for some time, this is the closest the Town has ever come to an agreement.

Mr. Kennedy understood that it would be great to be rid of this blighted building. In his opinion, the Town is seriously overpaying. It seems the owner has allowed the building to become run-down and is taking advantage of the Town.

Ms. Potocki felt it is interesting that it will be a Town-owned property that will be put up for bid for redevelopment. She stated that she did not know the Town wanted to get into commercial real estate development, which this proposal is. Additionally, she is concerned about the price. Ms. Potocki noted that the Army-Navy Club uses the parking lot. She asked how the purchase will be funded and what the commercial leasing plan will be.

Mr. Anderson responded that the design for the property is to be determined. In an RFP, the Town would state items that will be required. There will be public parking on the site. Mr. Anderson reported that Gorman & York performed a fiscal analysis of what that may look like. Developing this property will result in much higher tax revenue than the Town receives currently, so the Town will make out very well. The purchase money will come from the Downtown 2020 program. There was money set aside for this purchase when the program was established. The Planning Department is looking for other grants related to the downtown, the library, and the streetscape.

Ms. Potocki commented that she did not believe this money could be used for the purchase of the property. Mr. Anderson assured her all the money is there.

Mr. Prause checked the Board of Directors meeting, and there was a comment that just getting the parking lot was worth it itself. He asked whether the Board of Directors understood that amount is a half million and whether there are more finances that they are aware of that justified the final number.

Mr. Anderson stated that was definitely part of the discussion. That made the purchase worth it. In addition, people talk about this building quite frequently, and if the Town desires to change the property, this is the way to do that. This was a topic 30 years ago, according to Alan Lamson. In order to complete downtown and make the area as great as it can be, development on that side of the street is critical, and attaching this to the library project and the streetscape project will make a huge difference. In his opinion, the Board is thinking along those lines, not necessarily about the purchase price.

Ms. Potocki asked whether any preliminary submittals have been offered for commercial real estate developers to gauge interest.

Mr. Anderson stated that Gorman & York did an informal financial impact analysis, and there was a lot of interest by the developers they spoke with. If and when the Town owns the property, that is the time to go out with an RFP. All indications are that there will be significant interest in the property.

Mr. Prause commented that it was smart to point out the Growth Management Principle in the Plan of Conservation and Development. There was one about investing in existing corridors and this is an area of town where there has been frustration expressed by the other owners in Downtown Special Services District meetings.

#### Mandatory Referral (MR-0003-2022)

**MOTION:** Mr. Stebe moved to issue a favorable report regarding the purchase of 942 Main Street as presented at the January 4, 2023 Planning & Zoning Commission meeting. Ms. Ike seconded the motion. Mr. Prause, Mr. Stebe, Ms. Clemons, Ms. Ike, and Ms. Menon voted in favor of the motion. Ms. Potocki and Mr. Kennedy voted against the motion. The motion passed five to two.

The reason for the approval is that the purchase of the property in question advances the Town's Downtown library project and ongoing Downtown economic development efforts. The purchase is also consistent with Goal I of the Plan of Conservation and Development which calls for "...intensified mixed-use development in and near existing or potential mixed-use districts, transit nodes and corridors" (Objective 1) and aims to "identify and market vacant buildings and sites" (Objective 5).

Mr. Prause commented that this is consistent with the Commission's goal to invest in existing mixed-use districts. As it is such an important sector of town, it makes sense to make the investment for improvement to the property. It is also important to build on the synergy with the library project going downtown. Losing the bank, this offers opportunities to have a replacement through this property and to build a nice new corridor to complement the historic zone.

FENN MOUN – To remodel the existing Chipotle building and add a 223 sq. ft. addition for a pick-up window at 50 Hale Road (a.k.a. 48 Hale Road). – Special Exception Modification (PSE-0028-2022) – Request for Extension

Special Exception Modification (PSE-0028-2022) – Request for 65-Day Extension

**MOTION:** Mr. Kennedy moved to grant the 65-day extension. Ms. Clemons seconded the motion and all members voted in favor.

**ADMINISTRATIVE REPORTS**

Administrative Approval:

DuBaldo Realty Purnell, LLC – Lot Line Revision (LLR-0003-2022) – 31, 35, & 41 Purnell Place

There was a lot line revision approval for the lots at the bottom of Purnell Place, which were sold by the Town several months ago.

Ms. Pilla reported that some Commission members had asked about a few projects:

- There was a question about the Chick-Fil-A on Pleasant Valley Road, which was approved in 2020. There was a condition on the approval that, after they were open for a certain amount of time, they would re-evaluate the traffic pattern to see if they needed to add signage or striping. The timeframe has passed, and she reached out to them several months ago and was reminded today that she hadn't heard back from them. She said she reached out again today to find out the status. She will provide an update at the next meeting.
- There was a question about the Mazda parking lot on Edwards Street. There was a plan approved for the Mazda dealership across the street to build a parking lot. The parking area has not been constructed yet, but they are parking on the lawn at this time. Ms. Pilla asked for an estimate on when they plan to do the construction. She also reached out to the Zoning Enforcement Officer to find out if there an issue with them parking on the lawn.
- After the last meeting, there was a question about the PRD development on Tolland Turnpike, and whether they were abiding by the wetlands permit in the construction efforts. Mr. Laiuppa explained that he posed the question to the Town Survey and Engineering oversight group, though he has not received a response yet. This is a project being closely followed. Part of the approval of the permit was that they were to do work to mitigate and expand the wetlands near the street. There is supposed to be work in and adjacent to the wetlands. He noted that he asked Survey to check on the access road and the Commission will be updated at the next meeting.

Ms. Potocki noted that it would be helpful if the Commission could have photos if the Inland Wetland Agent visits a site. She suggested the members get photos with wetland permit applications. She stated that she would like photos of any violations for which they would need a cease-and-desist order or stop order, as well as wetlands delineations.



Ms. Pilla reminded the Commission members about the training requirements that are officially in effect. Beginning in January 2023, the Commission members are required to complete four hours of training by the end of this year, and after that it will be four hours every two years. She stated that these could be Planning & Zoning running a couple of internal sessions throughout the year, or any other external source as long as it is relevant to the member's position. A State requirement is that one of the four hours in each cycle must be related to affordable housing. Ms. Pilla noted that she will give an update during Administrative Reports at each meeting of any external opportunities. She described an upcoming training session on March 11th.

## **APPROVAL OF MINUTES**

December 5, 2022 – Public Hearing/Business Meeting

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

## **RECEIPT OF NEW APPLICATIONS**

1. **HARI KUPPURAJ – PRD Zone Change – Preliminary Site Plan (PRD-0006-2022) –**  
Zone change for a 2.64-acre site from Rural Residence to Planned Residential Development zone at 30 Bidwell Street.
2. **TOWN OF MANCHESTER DEPARTMENT OF PUBLIC WORKS – Inland Wetland Permit (IWP-0031-2022); Erosion & Sedimentation Control Plan (ESC-0015-2022) –** For activities related to construction of a Mechanically Stabilized Earthen (MSE) berm wall and associated site improvements at the Manchester Landfill at 864 Middle Turnpike West (a.k.a. 311 Olcott Street).

**MOTION:** Mr. Kennedy moved to adjourn the business meeting. Ms. Ike seconded the motion and all members voted in favor.

The Business Meeting was closed at 8:55 P.M.

I certify these minutes were adopted on the following date:

February 6, 2023  
Date

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Eric Prause, Chairman

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