



Department of Development Services
Planning Division
Meeting Minutes of the
Planning & Zoning Commission
(Approved Minutes)

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, FEBRUARY 24, 2009**

Commissioners Present

Sandra Bobowski
Temple Shannon
John Lupo, Jr.
David Blatt
Edwin Vargas, Jr.
Gabriel Rosenberg

Staff Present

Roger J. O'Brien
Kim Holden

Commissioners Absent

David Jorgensen
Fran Reale

Chairperson Bobowski called the meeting to order.

I. Minutes

On a motion made by Commissioner Lupo, Jr., and seconded by Commissioner Vargas, Jr., the minutes of February 10, 2009 were approved.

II. Public Hearing

- A. 901, 909, 941 Main Street-Special Permit Amendment-Renovation of a 9-story commercial building and attached buildings into a mixed use commercial and 100 residential unit building with off-site parking.**

Chairperson Bobowski called the public hearing to order.

Secretary O'Brien read the legal notice and Chairperson Bobowski read the rules of conduct.

Commissioner Bobowski asked for a motion to recess the public hearing and reconvene it when the applicant arrives. Motion made by Commissioner Vargas, Jr. and seconded by Commissioner Lupo, Jr. All were in favor.

III. Regular Meeting

A. Site Plan Review

1. 100-102 Earle Street, 104-106 Earle Street, and 108-110 Earle Street- Construction of three (3) two family dwellings.

Mulu Deres presented the application and answered questions.

Ms. Anne Lissette of Crosskey Architects also gave an overview of the applications.

On a motion made by Commissioner Blatt and seconded by Commissioner Vargas, Jr., the following resolution was approved:

Whereas, The Planning and Zoning commission, under Section 614 of the Zoning Regulations, has reviewed the site plans for 100-102, 104-106, and 108-110 Earle Street, and

Whereas, The buildings will have rooftop solar panes to collect the sun's energy that will be used for heating hot water, and

Whereas, Each unit will have a sunroom facing south, a combined living/dining room, a kitchen, three bedrooms, two bathrooms, a laundry room, closets and rear porch, and

Whereas, The plan shows adequate landscaping for the sites, and

Whereas, The sites meet all the requirements of the R-4 district with regard to parking, lot coverage, density, floor space, lot area, setbacks, building height, and usable open space,

Whereas, The project involving the construction of net-zero energy homes is a welcome development, Now, Therefore, Be It

Resolved: The Planning and Zoning Commission hereby approves the site plans for the construction of three new two-story two-family homes at 100-102 Earle Street, 104-106 Earle Street, and 108-110 Earle Street as shown on the plans listed below.

RESOLVED: This Twenty Fourth day of February, Two Thousand Nine.

List of drawings:

(1) Cover sheet, (2) Property/Boundary survey, prepared by Meehan & Goodin, 387 North Main Street, Manchester, CT 06042, dated 4-28-2008, scale 1"=20', (3) Site Plan (A-0), Erosion & Sedimentation Control, Fence detail, planting detail, cross section detail, etc., dated January 30, 2008, scale various, (4) Grading Plan (A-0.2), dated June 3, 2008, scale 1"=10'0", (5) Basement Plan, Roof Plan Roof Truss Diagram, solar Equipment Plan (A-2) Dated January 30, 2008, scale various, (6) First floor and second floor plans (A-3), dated January 30, 2008, scale ¼=1'-0" (7) Southwest and Northeast elevations (A-4) dated January 30, 2008, scale ¼=1'-0", (8) Southeast elevation (A-5), dated January 30, 2008, scale ¼=1'-0"

0", (9) Northwest elevation, dated January 30, 2008, scale 1/4=1'-0", (10) Building Section Wall section (A-7) dated January 30, 2008, scale 1/4=1'-0", all prepared by Crosskey Architects, One Union Place, Hartford, CT 06103.

The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Rosenberg, Blatt, and Vargas, Jr.,

B. CSG 8-24 Review – 49 Guilford Street, Disposition of a 4,400 square foot vacant lot to Habitat for Humanity.

Mulu Deres presented the application and answered questions.

The property is a nonconforming vacant lot of approximately 4400 square feet and has been vacant for a long time. The lot is surrounded by vacant lots. It is not definite this is a lot of record. It is adjacent to 37 Guilford Street, which is owned by Habitat for Humanity. The City is selling the property to Habitat for Humanity for the development of an affordable single-family home.

Commissioner Bobowski stated if it were not a lot of record, it would not be a buildable lot and that it has to be established whether this was a lot of record by itself or that it was part of another parcel.

Mr. Burt Mitchell from Habitat for Humanity stated that they would like to put a duplex next door to this lot and if they subtract from that lot, they will only be able to put two units on that street instead of three housing units.

Roger stated that he would like to work with Mr. Mitchell on what he is going to do on the two adjacent lots.

Commissioner Bobowski stated that the Commission can vote tonight but applicant needs to find out before Habitat buys the lot that it is a lot of record or they will have to give up some of the adjacent land to make 49 Guilford Street a conforming lot and complete the desired 3 housing units.

On a motion made by Commissioner Rosenberg and seconded by Commissioner Vargas, Jr., the following resolution was approved:

WHEREAS, The Planning and Zoning Commission, in accordance to Connecticut General Statutes 8-24, has reviewed the proposed disposition of the city owned property at 49 Guilford Street to Habitat for Humanity, and

WHEREAS, Habitat for Humanity plans to construct a single family affordable housing on the site, and

WHEREAS, The subject site appears to be a non-conforming lot of record which needs to be confirmed, and

WHEREAS, The disposition will increase the available affordable housing in the area, Now, Therefore, Be It

RESOLVED: That the Planning and Zoning Commission, hereby, recommends the disposition of 49 Guilford Street “as is” to Habitat for Humanity, for the construction of a single-family residential structure, subject to the following conditions:

1. Habitat for Humanity must submit to Planning a title search showing that the subject site has existed, as is, since 1968.

The following Commissioners voted affirmatively: Bobowski, Lupo, Jr., Shannon, Rosenberg, Blatt, and Vargas, Jr.,

II. Public Hearing (Reconvene)

Commissioner Bobowski asked for a motion to reconvene the Public Hearing.

A motion was made by Commissioner Rosenberg and seconded by Commissioner Vargas, Jr.. All were in favor and the motion passed.

Roger read a letter into the record that was received from Mr. Nyberg.

Mr. Nyberg apologized to the Commission for arriving late to the Public Hearing.

Roger asked if someone was preparing building permit plans because they were not filed as of yesterday. Mr. Nyberg stated that it was a selective demo and didn't want to go in with a half set of drawings and have it kicked back to him.

Commissioner Bobowski stated that we don't have a resolution and Roger stated no, Mr. Nyberg asked to be put on the agenda and he wanted to give Mr. Nyberg the opportunity to come in and speak to the Commission. Roger stated that the original approval didn't have the February 1 date on it. It was an amendment the Commission made. Mr. Nyberg is asking that condition number four (4), for the Roof Top structure to come into compliance by February 1, be changed.

Roger stated that a motion would have to be made to change the February 1 date to a new date.

Commissioner Bobowski stated the previously approved amendment read that the Roof Top Structure to come into compliance with a flat roof, railings and trellis no later than February 1, 2009.

Commissioner Bobowski stated to Mr. Nyberg that with this particular item, what is being done inside the building is rarely visible from the street, but the Roof Top structure is very visible. It is located right on Main Street in the Downtown area and for that reason alone it is important that the Roof Top Structure look proper sooner rather than later.

Mr. Nyberg stated that he would be happy to come to the meetings on a regular basis to give updates to the Commission and will be seeing this through to the very end himself.

Commissioner Bobowski stated that the restaurant actually can open prior to the entire apartment building being finished.

Mr. Nyberg stated that they own the building, not sure of the answer that the restaurant owner would give to that, but he would rather get the roof squared away, and make sure all the other conditions are met. If there are any other issues, he will address them as they come up. Right now he can't do anything because they are in default of the agreement.

Commissioner Rosenberg moved to amend the date listed to June 1, 2009.

Mr. Nyberg stated that if someone gives him a date, he will come in and give a progress report. Commissioner Bobowski stated the 4th Tuesday in April, at the regular Commission meeting.

Commissioner Rosenberg stated the motion for amendment as follows: that the date is amended to June, 1, 2009 and that Mr. Nyberg presents a progress report at our 2nd meeting in April. Commissioner Vargas, Jr., seconded. All were in favor.

IV. New/Old Business

Commissioner Bobowski gave a report on CRCOG and the progress on the Regional Plan of Conservation and Development. She stated that the Land Institute is offering courses for Land Use Commissioners and several workshops are coming up in March and May.

Meeting adjourned.

Respectfully submitted,

Roger O'Brien, PhD, AICP
Secretary