

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
APRIL 20, 2009**

**ROLL CALL:**

Members Present: Eugene Sierakowski, Chairman  
Joseph Diminico, Vice Chairman  
Kevin Dougan, Secretary  
Salvatore Mancini  
Andy Kidd

Alternates: Eric Prause (sitting for T-486)

Absent: Matthew Galligan

Also Present: Mark Pellegrini, Director of Neighborhood  
Services and Economic Development  
Renata Bertotti, Senior Planner  
Ginger MacHattie, Recording Secretary

Time Convened: 9:38 P.M.

**OLD BUSINESS:**

CARLOS BASTOS – 139 Amherst Drive – installation of 27’ diameter above ground pool and deck extension – Inland Wetlands Permit/Determination of Significance (B-294); Inland Wetlands Permit (B-294)

The applicant, Mr. Carlos Bastos, said he was at the meeting to address questions and concerns brought up at the last meeting. He said would like to install a 27-foot above ground pool and deck extension. He said the excavation will be done by him and the pool will be installed by a licensed professional. Any extra topsoil will be placed below his deck extension. Mr. Bastos said has purchased a cartridge filter.

Mr. Sierakowski noted that at the prior meeting, an updated map was requested.

Ms. Bertotti explained the map provided to the Inland Wetlands Commission shows the location of the house, the existing deck, the proposed deck and pool as well as the wetland boundary that was delineated for the original subdivision. She said the location of the silt fence also is shown,

and the distance from the pool to the boundary of the wetlands is 11 feet. Ms. Bertotti said the entire property is within the 100-foot upland review area and added that this subdivision was approved before the 50-foot upland review area changed to 100 feet. Ms. Bertotti referred to a memorandum from Matthew R. Bordeaux, Environmental Planner/ Wetlands Agent, who is of the opinion that there will be no significant impact on the wetland area.

Inland Wetlands Permit/Determination of Significance (B-294)

**MOTION:** Mr. Mancini moved that the proposed activities would not cause a significant impact to the wetlands and will not require a public hearing. Mr. Diminico seconded the motion and all members voted in favor.

Inland Wetlands Permit (B-294)

**MOTION:** Mr. Dougan moved to approve the inland wetlands permit. Mr. Diminico seconded the motion and all members voted in favor.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – Zoning Regulation Amendments (T-496)

Mr. Diminico said he was not opposed to looking at the regulations governing residences in commercial zones but was opposed to deleting them completely. He said this action would send the wrong signal to the public.

Mr. Prause said from the discussion in the housing moratorium workshop, he thought the best way to handle this is to go through the Plan of Conservation and Development and address the issues through amendments. He said the best thing to do now is to postpone this action indefinitely.

Mr. Dougan said he thinks the Commission is in agreement that the intent of this action is to revisit the zoning regulations and regulate this multi-family use in commercial zones in a different way. He said what was being done this evening is prohibiting this use temporarily. He does not consider it open ended and suggested the Commission add a self-imposed deadline that coincides with the moratorium.

Mr. Prause said this has a real impact to property rights. He said the Commission should not look at this issue at this time. Any redevelopment going on around the state involves mixed use;

this action will send the wrong signal from the Town, especially if the Redevelopment Agency comes up with mixed-use ideas for Broad Street.

Mr. Sierakowski said he is not throwing roadblocks at the Redevelopment Agency; the Planning and Zoning Commission will be able to craft something new for that area.

Zoning Regulation Amendments (T-486)

**MOTION:** Mr. Kidd moved to approve the deletion of the provision allowing residential units above the first story as permitted use in Business I, Business II, Business III, Neighborhood Business and General Business zones with amended language as stated in a memorandum from Mark Pellegrini, dated April 6, 2009 to be effective at the end of the appeal period. Mr. Dougan seconded the motion. Members Sierakowski, Dougan and Kidd voted in favor; Members Prause and Diminico voted against. The motion passed 3 to 2.

APPROVAL OF MINUTES – FEBRUARY 26, 2009 – MORATORIUM WORKSHOP;  
MARCH 16, 2009 – MORATORIUM WORKSHOP

February 26, 2009 – Moratorium Workshop; March 16, 2009 – Moratorium Workshop

**MOTION:** Mr. Dougan moved to approve the minutes of the February 26 and March 16, 2009 workshops as written. Mr. Kidd seconded the motion and all members voted in favor.

The chairman closed the business meeting at 10:42 p.m.

I certify these minutes were adopted on the following date:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Eugene Sierakowski, Chairman

**NOTICE:** THE CASSETTE TAPE RECORDING OF THE BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.

OFFICIAL TAPE NO. 1033 & 1034.