

# WINDHAM PLANNING & ZONING COMMISSION

## WINDHAM, CONN.

### MINUTES

May 13, 2010

The Windham Planning & Zoning Commission held a special meeting on May 13, 2010. Chair Paula Stahl called the meeting to order at 7:33 P.M. Members present were Victor Rayhall, Jean Chaine, Dan Lien, Dawn Niles, Claire Lary and Paula Stahl. Juan Montalvo was unable to attend the meeting and was excused. Also present were Town Planner James Finger and Code Enforcement Matthew Vertefeulle.

#### 1) New Business

**Magnet School, 141 & 145 Tuckie Road, Windham Center** –application for Site Plan approval for construction of water and sewer lines to proposed school site, along with storm-water management prior to final Site Plan Development Plan submission.

Planner Finger's staff report dated May 4, 2010 stated that at the last meeting of the P&Z, the Magnet School Committee gave an overview of the proposed school, and reviewed the school layout with the Inland Wetlands Commission. Code Officer Matt Vertefeulle explained that in order for the Town to receive grants and funding, the Town will need to be actively working on the site by June 30, 2010. At this point, the Magnet School Consultants don't have all the details worked out, but they need to start working on clearing and grubbing the site by that date, said Finger.

In order to begin the review process with the Planning & Zoning Commission, the applicants have submitted an overall schematic site plan with detailed storm water management control measures, and an Erosion and Sedimentation plan for the Commission to take receipt of the application with no other action expected. They are requesting conditional approval to proceed on this work, and will return with a fully engineered site plan for the Commission's approval before they start on the driveway, building, parking lots and site plan details, he said.

Chair Paula Stahl said the applicants are not prepared to talk about the water & sewer lines tonight as these issues are still unresolved. They are here to submit a plan to begin the site work. She said the PZC is only looking at preliminary site work; clearing the site, grubbing and erosion and sediment control measures.

She then gave a brief history of the proposed Magnet School. In approximately 2006 the School Building Committee started looking at different sites for the school. Last year they came to the Windham Planning Commission to get our opinion regarding the proposed site, she said. At that time, the Planning Commission was not thrilled

with the site, but they received suggestions from the School Building Committee and ultimately they did approve this property as a possible school site subject to getting the water and sewer lines extended to the site for the exclusive use of the school and not for public use, she said. They then went before the Board of Selectmen who also approved the site, as did the Town Council. This will be a very difficult site to develop, said Stahl. At this meeting we are receiving the plan for the initial site work. They need to start the site work by June 30, 2010 in order to secure funding, she said. Whenever you disturb a site you have to look at sediment and erosion control measures so as not to lose soils. They will submit the final site development plan to the PZC in August or September 2010. This plan will show the placement of the buildings, roadways, parking etc., added Stahl.

Commissioner Jean Chaine said he is not in a position to say whether what is being proposed is, or is not, going to work. He said he will have to depend on Town Engineer Joseph Gardner's expertise to determine that what is being proposed is practical as he does not have the qualifications to determine what is right or wrong.

Will Walter, P.E. with BSC Group explained that the project includes construction of a new Magnet School at 142 & 145 Tuckie Road. The environmental-theme school will be built on a 20-acre parcel in Windham near Carriage Lane in the area of Old Mansfield Road and George Street. The school is expected to accommodate 600 students from Windham, Tolland and New London counties in grades pre-kindergarten through grade 8. Site improvements include a new building, parking and drive improvements, plays cape areas, landscaping, ball fields and associated amenities. It also includes a 28-foot wide utility easement extending westward from the site, across two properties to the Club Road ROW. The easement will be utilized for the construction of water and sewer laterals from the public utilities located from Club Road to the site. He said we are here this evening seeking Site Plan approval for erosion control, clearing, grubbing and general earthwork only.

Mr. Walter then reviewed a letter dated May 6, 2010 addressed to the Planning & Zoning Commission from Town Manager Neal Beets. Mr. Beets said that in order to receive State funding for this project in a timely fashion, he is requesting that the Planning & Zoning Commission approve the Magnet School Site Plan only for purposes of constructing erosion control measures, clearing, grubbing, and general earthwork. This limited approval would allow groundbreaking and site work in sufficient time to satisfy BSF funding requirements, and also allow time this summer for a full design of the school and the site. Following the final design, the Town would come back to the PZC for full and final land use and design approvals.

Mr. Beets then referred to Section 61.2.2p of the Town's Zoning Regulations which allow the Commission to waive the requirements in Section 61.2.2p and 61.2.2.

Mr. Walter identified the waivers they will be seeking; Proposed Landscaping (Section 61.2.2f), Utilities (Section 61.2.2f), Lighting and Signs (Section 61.2.2h), Architectural Details (Section 61.2.2i) and Covenants (Section 61.2.2j)

Mr. Walter said they will return to the Commission later this summer and will meet all the requirements at that time. He added that the Inland & Wetlands Commission determined that the site plan did not pose any significant threat to the wetlands in the area. Their approval included several recommendations made by environmental consultant Martin Brogie which included controlling erosion, maintaining the physical characters of the site, and restoring the remainder of the site following construction activities. Mr. Walter said they will work very closely with the Town's building staff, Water Dept., WPCA, and the Public Works Dept. He said they are presently trying to coordinate a meeting with the Fire Marshall, as well as the Police Chief to ensure public health and safety. We are prepared to modify our project based on their comments and recommendations, said Walter.

He said a total of 4 building site configurations were considered, and the current building location was chosen for the following reasons: 1) There is a potential for solar heat gain for the classrooms, 2) Preferred arrival sequence, 3) Opportunity for micro-climate development between the buildings, 4) Ball fields positioned in preferred orientation, 5) Preferred site layout to promote storm water quality treatment. He explained how storm water runoff would be handled on site. He said a neighbor already has drainage issues, but with the runoff control measures installed at the school the neighbor should experience an improvement. Mr. Walter said in addition engineers will install controls so the runoff doesn't dump out onto Tuckie Road, he added.

Mr. Walter said a pocket of wetlands located in the open meadow portion of the site is the proposed location of a paved parking area. The parking is positioned in this location due to several factors: 1) In order to prevent excess fill, parking and circulation was designed to step down with the existing topography and contours. 2) The baseball fields are positioned in a manner to allow the students access with as few traffic crossings as possible. It will place the ball fields on the west and south portion of the property, leaving the eastern portion for parking and circulation movements. 3) Two natural ledge outcroppings will be intentionally saved to preserve some of the natural features of the site. These outcroppings are located to the south of the wetlands, and have pushed the developed portion of the site north towards the wetlands. We will utilize the wetlands as a teaching tool for the students, he said.

Mr. Walter then gave an overview of the site. He reviewed general and business traffic flows and identified the location where parking will be located. He said there will be a total of 110 parking spaces. He then identified the play areas for the upper grades as well as the Pre-K area. He said we feel that we have developed a balanced site to minimize bringing fill onto, or off, the site.

Chair Paula Stahl asked about the status of the easements with two abutting property owners. Mr. Norman Benjamin, Senior Project Manager, said they are currently

negotiating on the 28-30' easements and hope to arrive at a satisfactory resolution of the easements.

Mr. Walter then referred to the Zoning Regulations as they pertain to water flow. He said we have four water shed areas. He referred to the sheet flow that is coming off the site under current conditions. We are working to reduce that flow, he added. During heavy rain storms there is a lot of water that comes off the site and flows down towards Carriage Lane. We want to make sure that the site drive is not going to increase the total flow onto Tuckie Road. There is a large wetland on the west side of the property. We want to reduce and actually decrease the flow. We plan to take some of the storm water and infiltrate it back into the ground and allow it to go into the aquifer. We also plan to utilize the detention basins and rain gardens. He said not only have we met the Storm Water Quality Measures; we have gone beyond what the regulations require. We have designed the erosion control measures according to the Erosion Control Guidelines. He said we will also utilize hay bales and other measures to ensure complete erosion control. He said the plan has been reviewed by Town Engineer Joe Gardner and has been approved by the Inland Wetlands Commission. He said we feel that we have balanced the site, and we do not anticipate a large amount of soils being brought onto the site. We are here tonight looking for approval of our soil control measures, said Walter.

A general discussion ensued.

Commissioner Victor Rayhall asked if the subject property has been purchased. Mr. Benjamin said the Town Attorney is looking at securing the easements and they are hoping at the end of the month on those discussions. He said officials are ready to close on the land and are expecting a letter at the end of the month from state education officials to approve the site.

Mr. Rayhall said there are a lot of concerns about the layout of the property, as well as with public safety. He said he has concerns about the concerns expressed by the three Windham Fire Depts. He said he doesn't think firefighters will be able to get fire apparatus around the school. Mr. Walter responded stating that there is a gated emergency access off Carriage Lane, and there will be an unpaved surface to allow fire truck access. Mr. Walter said they will meet with the Town's Fire Marshall and Fire Chiefs to hear their concerns and try to incorporate their recommendations into the plan.

Mr. Rayhall felt it was premature for the school consultants to come before the Commission when they don't have all the answers the PZC might need. Chair Stahl reiterated that the PZC is only looking at preliminary site work this evening.

Commissioner Jean Chaine said we need to be fair to the people who put this plan together. The project has been delayed for one reason or another, but it appears they will be able to secure their funding. He asked if the project is delayed yet again and they do not break ground by the designated date, do they run the risk of losing the

funding. Mr. Chaine also expressed concern about the project going over the \$2 million figure and questioned whether the application should go back to the Town Council since the issues raised tonight could affect the price tag. Will the Town Council override the Commission and sanction any cost over runs, he asked. Chair Stahl said the Building Committee did say that they would reduce the size of the building if the building costs increased. Mr. Chaine asked for clarification that the town portion for the school is not going to exceed \$2 million. Paula Haney said off site improvements would come out of the \$2 million. Securing the easements would not be considered off site improvements. Securing the necessary waivers will allow us to go forward with the off site improvements, she said.

Vic Rayhall referred to the storms water drains. How close will that be to the flood plain, he asked

Commissioner Dan Lien asked Commission members if they were worried about the potential cost of the project or about following the Zoning Regulations. He said he is inclined to follow the Town's regulations, adding that everything else associated with the school is out of the Commission's jurisdiction. He added that some issues will play themselves out between now and the next meeting.

Commissioner Dawn Niles agreed adding that the Commission's job is to approve the preliminary site work. She said our job is not to decide whether or not we want the Magnet School. Our job is to follow the Zoning Regulations and make sure what the Town voted on actually happens.

Planner Finger said the school consultants do not have all the details worked out, but need to start the site work before June 30, 2010. He said in order for them to start the PZC review process they have submitted an overall schematic site plan. He said the consultants are hoping to get conditional approval to proceed with the site work. They will return to the commission with a fully engineered plan later this summer, he added.

The commission agreed to continue the meeting until May 27, 2010.

As there was no further discussion the meeting was adjourned at 8:45 P.M. Motion by Dawn Niles and seconded by Vic Rayhall. The motion carried unanimously.

Respectfully submitted,

Lillian Murray, Clerk