

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JULY 20, 2009**

**ROLL CALL:**

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

Alternates: Eric Prause (sitting)

Absent: Kevin Dougan, Secretary  
Matthew Galligan

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

The Chairman opened the Public Hearing at 7:05 p.m. The Acting Secretary read the legal notice for the application when the call was made.

TOWN OF MANCHESTR PLANNING AND ZONING COMMISSION – Revisions to the zoning regulations at Article II Section 15 to remove high rise apartments and amend regulations of residential uses and parking standards – Zone Regulation Amendments – Article II Section 15 (T-490)

Mr. Pellegrini described the boundaries of the Central Business District (CBD) zone and introduced the proposed zoning regulation amendments related to residential uses. He said the current regulations limit residential units to high-rise apartments, which are defined as buildings of three or more stories. However, the existing regulations also allow live/work quarters on the second floor and above. He said this language is contradictory to the intent of allowing residential uses above the ground floor in the CBD. He also noted residential uses would not be permitted at all except for live/work quarters in any downtown building that is not three or more stories.

The proposed amendment would eliminate references to the high-rise apartment regulations from the CBD zone, would add floor area requirements for residential units in the CBD zone, and would amend the parking regulations for residential units in the CBD zone including the number of spaces required for residential units and a provision that would allow joint use of off-street parking among multiple users and properties. Mr. Pellegrini said the parking regulations currently allow the zoning enforcement officer to consider the availability of municipal parking spaces in the downtown. This recognizes the fact that these spaces are available and that most of the downtown was built between 1890 or and 1928, and the buildings cover virtually all of the property.

Mr. Pellegrini noted that staff is suggesting a minor revision to the proposed amendment at 15.04.04. That would be to delete reference to the Commission from the first paragraph of that

section. Mr. Pellegrini said as the amendment was originally proposed, only the Commission could consider the availability of public spaces and consider shared or off-site parking, or a consideration of the joint use of off-street parking spaces. This would require any downtown business tenant or property owner to come before the Commission to get their parking approved. He said this is typically done by the zoning enforcement officer as part of the issuance of a certificate of zoning compliance. Currently, individual downtown projects would not come before the Commission unless a special exception approval were required because the use demands more than 60 parking spaces.

Mr. Sierakowski raised concerns over wording differences in the proposed revisions for parking. Mr. Pellegrini explained that the revision codifies the current practice and the language becomes more streamlined. If the language was left as in the first draft, the Commission would have to approve all changes.

Mr. Diminico said he supports the revision because the Town needs to do as much as possible to promote growth on Main Street. He asked what would happen if an entity leased parking for a certain number of years, the lease expired, and the entity could not renew its lease. Mr. Pellegrini explained that the parties would have to submit a written agreement and the zoning enforcement officer would be looking for a long-term lease agreement. In Mr. Diminico's example, he said the entity would need to make other arrangements. For example, the Downtown Special Services District has a policy in which it will enter into agreements and provide parking in the public lot for overnight parking, he said.

Mr. Pellegrini explained the applicant would not receive a certificate of occupancy if the zoning enforcement officer did not feel satisfactory parking were provided.

Mr. Prause said the biggest argument for going with the revised version is that it provides a threshold of 60 or more parking spaces. Mr. Diminico agreed with the latest revision. The zoning enforcement officer is the one that signs off on the parking requirements. It would also provide for consistency.

Mr. Sierakowski asked anyone wishing to speak in favor of or in opposition to this application to come forward. There was no public comment on this application.

Ms. Bertotti said she received comments from CRCOG indicating that this change in the regulations is not in conflict with regional plans and policies. She referenced an e-mail from Mr. Tomko dated July 10, 2009 that all Commission members received in their packets.

The chairman closed the Public Hearing portion of the meeting at 7:48 p.m.

**NOTICE: THE CASSETTE TAPE RECORDING OF THIS PUBLIC HEARING CAN BE HEARD IN THE PLANNING DEPARTMENT.**

**OFFICIAL TAPE NO. 1046**