

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JANUARY 7, 2013**

**ROLL CALL:**

Members Present: Joseph Diminico, Chairman  
Andy Kidd, Secretary  
Eric Prause  
Horace Brown  
Michael Stebe

Alternates Absent: Anthony Petrone  
Susan Shanbaum  
John Chaput

Also Present: Mark Pellegrini, Director of Planning  
Ginger MacHattie, Recording Secretary

The Chairman opened the Public Hearing at 7:04 p.m. The Secretary read the legal notice for the application when the call was made.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – revisions to the zoning regulations to add Article III Section 7 – Lot Mergers to the zoning regulations, and revisions to Article I Section 2.01 to add “accessory structure” and “principal structure” to the definitions and remove “accessory use of building” definition. – Zoning Regulation Amendment (2012-119)

Mr. Pellegrini explained this action would define what is considered a merger of two or more lots of record. He said that currently the regulations do not have a definition and there have been circumstances in which the Zoning Enforcement Officer has had to interpret, based on the existing regulations, whether or not the lot has been merged by virtue of actions of one of the owners of those lots. The proposed language is a result of discussions held at a Commission workshop as well as discussions with the Town Attorney.

Mr. Pellegrini said the proposed language would define a lot merger as occurring under one of two circumstances. Either the property owner, through legal action, merged the lots officially on the land records, or if one or more principal structures cross a lot line between two or more lots of record. Mr. Pellegrini said principal structures have also been defined for clarification. The draft amendment was submitted to CRCOG, which found no apparent conflict with regional plans or policies, he said.

Chairman Diminico asked if any member of the public wished to comment either in favor of or in opposition to this application. No member of the public came forward.

In response to a question from Mr. Brown, Mr. Pellegrini said the intent of the amendment is to define whether a lot is a legal lot of record; for building or sale purposes.

Mr. Kidd said he favored the amendment. Mr. Stebe said he also agreed with the change. He said he sat on the Zoning Board of Appeals which recently dealt with an appeal of the Zoning Enforcement Officer's ruling on a lot merger. It was hard to decipher the status of the lot, and the addition of definitions and clarity will go a long way, he said.

Mr. Brown requested verification that if one had a principal structure on one lot and accessory structure on another lot, this would not constitute an automatic merger and he was answered in the affirmative.

The Chairman closed the Public Hearing portion of the meeting at 7:21 p.m.

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