

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
SEPTEMBER 16, 2015**

ROLL CALL:

Members Present:	Andy Kidd Horace Brown Michael Stebe
Absent:	Eric Prause Susan Shanbaum
Alternates:	Teresa Ike
Alternate Members Sitting:	Julian Stoppelman Patrick Kennedy
Also Present:	Mark Pellegrini, Director of Planning Renata Bertotti, Senior Planner Kyle Shiel, Senior Planner Karen Logan, Recording Secretary

The Chairman opened the Business Meeting at 6:57 P.M.

NEW BUSINESS:

ANTHONY G. AND PAULA C. VISCOGLIOSI – Pre-application review to discuss the possibility of a bed and breakfast at

- 50 Forest Street
- 131 Hartford Road

Mr. Viscogliosi spoke to the Commission about the connection to the community that he and his wife share and the work they have undertaken in renovating and preserving the two properties under consideration. Both properties are Cheney Mansions. Mr. Viscogliosi detailed the history and background of the properties, including the work that was undertaken to authentically restore and renovate both buildings. He spoke of his family's involvement with the Town of Manchester and their feeling that these homes belong not only to them, but also to the community as an historic legacy.

Mr. Viscogliosi asked the Commission for their advice regarding how he would prepare an application to the Commission to operate a bed and breakfast (B&B) business in both homes in an attempt to recoup some of the capital the renovation and maintenance of these homes has consumed.

Mr. Kidd thanked Mr. Viscogliosi for his presentation and asked if staff would discuss the regulations governing the operation of a bed and breakfast in an Historic Zone. Mr. Pellegrini replied that the regulations, which were adopted in 1994, state that the bed and breakfast must be owner-occupied. There is a limitation on the number of bedrooms, and stays are limited to 14 consecutive calendar days. This would be a special exception application and if it went forward, there would be a Public Hearing on the request, Mr. Pellegrini said.

Mr. Stebe noted that the owner must reside in the bed and breakfast and that the properties would be considered two separate entities. He stated that he thought that a variance to the special exception would be needed to address the fact that Mr. Viscogliosi and his wife owned two properties, but reside in one.

Mr. Viscogliosi replied that it was his assertion that he and his wife actually do reside and use both properties, as they spend time at and stay in both properties at different times. There is also a caretaker on the property who resides at 131 Hartford Road as well. He said their expectation was that the caretaker would be the manager of the bed and breakfast.

Mr. Kidd asked how many bedrooms would be available for the bed and breakfast business, noting that the regulations allow up to six at any given time. Mr. Viscogliosi responded that the business idea was that the properties would function together. At 131 Hartford Road there are 7 bedrooms available to the B&B business and at 50 Forest Street there are 8 bedrooms available.

Mr. Kidd stated that, in looking at the floor plans for 131 Hartford Road, one room appears to have a kitchen and there is a regulation against cooking facilities in the rooms in a B&B. Mr. Viscogliosi replied that on the second floor there is an owner apartment with no kitchen. The third floor has an apartment with a kitchen that is a former servant's kitchen. That is where the property caretaker lives and would not be used as a space for the B&B.

Ms. Ike asked how guests would be prevented from accessing the third floor and using the kitchen area. Mr. Viscogliosi replied that this would be a private area for the caretaker and that a door could be placed on the kitchen and kept locked.

Mr. Stebe suggested that a clear demarcation showing guest areas, private areas and common rooms on the plans would be helpful when the application is presented to the Commission. Mr. Viscogliosi responded that the intention is not to have either the third floor or fourth floor available to guests. Those floors are private areas.

Mr. Stebe asked where the family would stay, where the guests' rooms would be located, and what common rooms would be used by the family and guests. He also suggested that the same type of demarcation would be needed for the property at 50 Forest Street. Mr. Viscogliosi reviewed the floor plans for 50 Forest Street and detailed the spaces available for guest rooms and common areas.

Mr. Brown asked if Mr. Viscogliosi intended to rent four bedrooms at 131 Hartford Road. Mr. Viscogliosi responded that he intended to use five bedrooms for the B&B. The fifth bedroom is located in the area called "Owner's Apartment" on the plans. There is a bedroom and a living room on the second floor and it was the intention to rent both rooms together to one guest at a time. Mr. Brown suggested that in any application coming before the Commission, there be a consistent layout and description of each of the rooms being earmarked for the B&B business for both properties. Mr. Viscogliosi stated that the application would be submitted with color coding for each of the intended uses, along with a clear description of each space. He thanked Mr. Brown for the recommendation.

Mr. Stoppelman asked staff how this application would meet section 18.03 of the regulations. Mr. Pellegrini replied that it depended on the definition of "owner-operator" and "to reside," but as the regulations currently stand, this application would not meet the requirements for a B&B. What Mr. Viscogliosi has described is a very expansive and broad definition of residence, he said. Even considering that employees live on site, the concern is that this arrangement does not meet the letter or the spirit of the regulations that require a bed and breakfast be operated by an owner-occupant, Mr. Pellegrini said. If this application were to come before the Commission as is, he said staff would probably recommend that the application not be approved because it does not meet that threshold.

That being said, Mr. Pellegrini continued, there may be some compelling reasons why these mansions should be able to be used as described. This would require a regulation amendment and the Commission can discuss that. Planning staff, including Ms. Bertotti, Senior Planner, Jim Davis, Zoning Officer, and Mr. Pellegrini have had discussions regarding these regulations. There are also definitions in the Building Code which make certain allowances for owner-occupied B&Bs as far as public safety is concerned, Mr. Pellegrini said.

Additionally, Mr. Pellegrini said, there are other questions about using mansions as live/work quarters, which are defined in the zoning regulations. They are permitted in the mill area of the Cheney District, but not in the mansion area. The mansion area is more limited. What is being described may be construed as a home-conducted occupation which is defined in the regulations, but the home-conducted occupation is again something that is operated by the resident of the property. So that's another determination that would have to be made around those businesses as a home conducted occupation.

Mr. Kidd stated that these issues weighed on his mind during the presentation. He personally would like to see a B&B in these properties, but he doesn't feel it meets the definition of "owner-operator" as stated in the regulations. He asked Mr. Viscogliosi if his neighbors supported his plan. Mr. Viscogliosi responded that his wife has discussed the plan with their neighbors and they do support it. He went on to say that he respects the work of the Commission and the regulations. However, he feels these mansions are unique, large in size, and too expensive to maintain to be considered as single family homes.

Mr. Kidd asked Mr. Pellegrini if it made sense for the Commission to take a look at the regulations with an eye toward updating them. Mr. Pellegrini replied that he felt that would be the appropriate way to approach this situation. He continued by noting that staff is always willing to look at other adaptive reuses that would preserve the mansions and the setting that they are in. The best approach would be to craft a regulation that would allow a use similar to what Mr. Viscogliosi has described.

Mr. Kennedy mentioned that there are some very nice B&Bs in an historic district in Old Wethersfield. He said it might be worth the Commission's while to look at how they wrote their regulations.

Mr. Stoppelman stated that he agreed with Mr. Pellegrini and Mr. Kennedy. He felt that under the current regulations, the proposal was too much of a stretch and the Commission has to look at the regulations. It will make the process more complicated, but it is the only way under the law to proceed, he said.

Mr. Brown agreed that it would be the way to approach the issue. The Commission should also look at the use of the mansions for conference or meeting space, he said. Certainly these mansions have the capacity for conference business. That might be something to consider.

Mr. Stebe added that it is a beautiful idea and the Commission needs to hash out some of the bugs in the regulations.

Mr. Brown said that the Commission should be careful about the difference between a bed and breakfast and a hotel.

Mr. Kidd asked Mr. Viscogliosi if he would like to add anything in summary. Mr. Viscogliosi thanked the Commission for the guidance and advice provided. He reiterated that he and his family felt that the community should be able to enjoy these beautiful properties and promised that he would return to the Commission.

MANDATORY REFERRAL REPORTS

Demolition of 107/109 Center Street

Mr. Pellegrini presented on behalf of Mr. Mark Carlino, Director of Public Works, who was unable to be present. The demolition of 107/109 Center Street is being sought because the building is in fair to poor condition. Upon demolition, the Town seeks to reconfigure the parking lot to improve visibility and access to Center Springs Park, as well as enhanced pedestrian connection between downtown and the Broad Street Redevelopment area.

Mr. Stoppelman asked if this building is on the north side of Center Street. Mr. Pellegrini noted that it is the location of the former Youth Services Bureau.

Ms. Ike asked why it is necessary to demolish the building. Mr. Pellegrini noted that it is necessary to heat the building and the funds are available for the demolition.

Mr. Stoppelman asked whether there had been any objections from the public. Mr. Pellegrini answered that there had not been any objections to his knowledge.

Mandatory Referral (2015-091)

MOTION: Mr. Stoppelman moved to make a favorable recommendation to the Board of Directors for the demolition of 107/109 Center Street. Mr. Stebe seconded the motion and all members voted in favor. The reasons for the favorable recommendation were the proposal is consistent with Growth Management Principle Goal C in Manchester 2020 Plan to improve overall walkability and bikeability.

Demolition of 728R Spring Street

Mr. Pellegrini described the property at 728R Spring Street. The building is located in the Case Brothers National Landmark District, but it is not a contributing property. It is in very poor condition and is subject to break-ins and vandalism. It is a blighted property owned by the Town and Staff supports the demolition.

Mr. Kidd asked if there are any conditions that need to be added to the approval, such as the safeguards which are slated to be done when demolition is complete. Mr. Pellegrini responded that the addition of the safeguards is a code requirement.

Mr. Brown asked if the removal of this building will affect the main cabin. Mr. Pellegrini answered that it would not have any effect at all.

Mr. Stoppelman asked whether there had been any objections from the public. Mr. Pellegrini answered that there had not been any objections to his knowledge.

Mandatory Referral (2015-092)

MOTION: Mr. Brown moved to make a favorable recommendation to the Board of Directors for the demolition of 728R Spring Street. Mr. Stoppelman seconded the motion and all members voted in favor. The reasons for the favorable recommendation were the proposed demolition meets the general objective of Growth Management Principle 3 in Manchester 2020 Plan and specifically the Goal B6 to develop stricter blight ordinances for vacant or blighted properties.

ADMINISTRATIVE REPORTS

There were no administrative reports.

APPROVAL OF MINUTES

July 20, 2015 – Public Hearing/Business Meeting

MOTION: Mr. Brown moved to approve the minutes as written. Mr. Stebe seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS

TOWN OF MANCHESTER DEPARTMENT OF PUBLIC WORKS – Inland Wetlands Permit (2015-088); Erosion and Sedimentation Control Plan (2015-089) – For reconstruction of Hackmatack Street from Prospect Street to South Main Street.

WEST MIDDLE TURNPIKE REALTY, LLC – Erosion and Sedimentation Control Plan (2015-090) – For a new parking lot at 8 and 14 Middle Turnpike West, in an Off Street Parking zone.

EAST CATHOLIC HIGH SCHOOL – Special Exception Modification (2015-093) – Request a special exception modification under Art. II Sec. 2.02.02 for a two-story addition to the existing school at 105 New State Road.

Mr. Stebe moved to adjourn the Business Meeting and Mr. Stoppelman seconded. All members voted in favor.

The Chairman closed the business meeting at 8:25 p.m.

I certify these minutes were adopted on the following date:

November 2, 2015 _____
Date

Eric Prause, Chairman

NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.