

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JUNE 20, 2016**

ROLL CALL:

MEMBERS PRESENT: Eric Prause, Chair
Andy Kidd, Vice Chair
Michael Stebe, Secretary
Timothy Bergin

Alternate Members Sitting: Julian Stoppelman

Alternate Members: Patrick Kennedy
Teresa Ike

Absent: Jessica Scorso

Also Present: Mark Pellegrini, Director of Planning
Renata Bertotti, Senior Planner
Karen Logan, Recording Secretary

Time Convened: 7:43 P.M.

BOB’S DISCOUNT FURNITURE – Request a special exception modification under Art. II Sec. 9.14.02 (a) and (b) for construction of a new parking area at 428 Tolland Turnpike. –Special Exception Modification (2016-052); Erosion and Sedimentation Control Plan (2016-053)

Mr. Jim Bernardino, Civil Engineer at Design Professionals, spoke on behalf of Bob’s Discount Furniture located at 428 Tolland Turnpike. He described the location of the proposed parking area and the nature of the request. Currently onsite there are 267 parking spaces and the proposed expansion will add another 59 parking spaces. He noted the properties abutting the parcel owned by Bob’s Discount Furniture and discussed how he felt those properties would not be disturbed by the proposed construction activity, which is located at the northeast end of 428 Tolland Turnpike.

The proposed activity will include the removal of the existing curbing and pavement, along with the installation of bituminous curbing at the edges of the parking area. Plans also call for a 5’ wide walkway along the edge of the parking area, as well as two 20’ LED light poles.

The anticipated parking lot expansion will result in an increase of .035 of an acre of impervious areas. Stormwater will be collected through a series of catch basins and directed into an underground infiltration system. The applicant will employ a temporary anti-tracking pad, as well as the protection of catch basins with silt sacks and hay bales. Silt fencing will be installed around the perimeter of the construction area. The project plan calls for completion by fall.

Mr. Prause asked what the proposed construction area is currently being used for. Mr. Bernardino stated it was an open field with an existing Town of Manchester sewer easement which has been incorporated into the plans.

Mr. Stoppelman asked if there was any reason the applicant did not propose the road all the way around the building. Mr. Bernardino replied that was not topographically possible.

Mr. Prause called for comments from staff. Ms. Bertotti noted that there were a handful of comments needing to be addressed should the Commission approve the request. Staff recommended approval subject to these comments which were minor and technical in nature, she said.

Mr. Prause asked if there had been any review by the Fire Marshal to ensure emergency access to the property. Ms. Bertotti indicated that the Fire Marshal had reviewed and approved the plan.

Mr. Prause asked whether any of the additional parking spaces were handicapped. Mr. Bernardino replied they were not.

Mr. Prause asked where the stockpile would be located during construction. Mr. Bernardino stated that it would be at the end of the dogleg area of the parking lot.

Special Exception Modification (2016-052)

MOTION: Mr. Stebe moved to approve the special exception modification for expansion of a parking lot at 428 Tolland Turnpike with the modifications as specified in staff memoranda from:

1. Raymond Myette, Design Engineer, dated June 8, 2016; and
2. Michelle Handfield, Civil Engineer, dated June 7, 2016 to Renata Bertotti.

Mr. Stoppelman seconded the motion and all members voted in favor.

Erosion and Sedimentation Control Plan (2016-053)

MOTION: Mr. Stebe moved to certify the Erosion and Sedimentation Control Plan for expansion of a parking lot at 428 Tolland Turnpike with the modifications as specified in staff memoranda from:

1. Michelle Handfield, Civil Engineer, dated June 7, 2016 to Renata Bertotti.

Mr. Bergin seconded the motion and all members voted in favor.

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – To revise Art. II Sec. 9.13, delete Art. II Sec. 9.14.02 (e), and revise Art. II Sec.16.16 – to allow vending in business and Industrial zones. – Zoning Regulation Amendment (2016-025)

Mr. Bergin expressed concerns about how the regulations are drafted. He felt the hours of operation are fairly narrow. His general feeling is that the Zoning Board of Appeals has the latitude to deal with the issues. He concluded by stating that he did not support the amendment.

Mr. Kidd indicated that he felt the proposed regulations help to clarify some situations and that he felt they were fairly reasonable. He expressed appreciation that there is the ability to apply for variances through the Zoning Board of Appeals. He continued that he also was not in favor of

temporary vendors being in the same location year after year. He understood Mr. Bergin's concerns, but he was leaning in favor of the amendment.

Mr. Stoppelman was in favor of clarifying the regulations regarding permanent vendors, but he wondered about how the regulations might affect events like carnivals. Mr. Pellegrini responded that carnivals are different. Many special events, such as Art in the Park, are on public property. Those events get a one-day event permit from the Zoning Enforcement Officer. So this proposal will not affect those types of events.

Mr. Bergin asked if the proposed regulations would affect the local farmer's markets. Mr. Pellegrini responded that he did not believe the regulations would conflict with farmer's markets because they are recurring weekly events, not permanent.

Mr. Bergin noted that he was in favor of encouraging more permanent businesses. He felt that allowing businesses more options would encourage more businesses. He pointed out that recently two brick and mortar restaurants were established that had started out as food trucks.

Mr. Stebe added that his concern was whether these regulations would have a negative effect on special event vendors. His understanding was that these regulations were an attempt to clean up the options for vendor trucks that are more or less permanent. However, he continued, he would like to know what other towns are doing with regards to this issue. He did not feel that there was an issue with moving vendors every night. This amendment was a good start, he said, but there seemed to be enough questions that the Commission might want to table the discussion.

Mr. Bergin wanted to know what other towns were doing regarding vendors. He mentioned that he had seen areas where vending trucks were allowed to set up with utilities.

Mr. Prause thought that the hours of 7:00 a.m. to 9:00 p.m. were a pretty good starting point. He added that Mr. Bergin had a good point regarding food trucks turning into permanent businesses.

Zoning Regulation Amendment (2016-025)

MOTION: Mr. Stebe moved to table the application. Mr. Bergin seconded the motion and all members voted in favor.

SHANTOK MOTORS MANCHESTER, LLC – Request a special exception under Art. II Sec. 24.02.01 (h) to allow used auto sales and auto repairs at 22 Spencer Street. - Special Exception (2016-054) – Request for extension until July 6, 2016.

MOTION: Mr. Stoppelman moved to approve the extension of time to open a public hearing until July 6, 2016. Mr. Stebe seconded the motion and all members voted in favor.

REDSTONE HOLDINGS, LLC - For zone change from General Business to PRD Zone and plan approval for construction of 27 units in two apartment buildings at 169 Red Stone Road. – PRD Zone Change and Preliminary and Detailed Plan of Development (2016-050) - Request for extension until July 6, 2016; Erosion and Sedimentation Control Plan (2016-051) - Request for extension until July 6, 2016

MOTION: Mr. Stebe moved to approve the extension of time to open a public hearing until July 6, 2016 on the PRD Zone Change and the combined application for the Preliminary and Detailed Plan of Development, and to approve the extension of time to render a decision on the Erosion and Sedimentation Control Plan until July 6, 2016. Mr. Bergin seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS

Ms. Bertotti reported on some considerations regarding the new sign amendment to the regulations. The Planning staff researched what regulations were in place regarding signs in neighboring municipalities with regards to limitations on the number of hours that signs are allowed to be illuminated, limitations on the size of signs that are less than 100' from the street, and regulations on signs on the back of buildings that abut residential zones.

Ms. Bertotti reported that the current regulations require signs only be located facing the street and/or the parking lot. There are already regulations in place where businesses abut a residential zone.

Both East Hartford and Windsor have a regulation limiting the hours of illumination for business signs. The difficulty with this type of regulation is enforcement because the Zoning Enforcement Officer only works during the day and therefore cannot enforce the regulation. This could be conditioned through zoning requests.

As far as the size of signs less than 100' from the street, the size of wall signs is based on a formula. Enfield allows 1 square foot of sign per linear foot of building.

Mr. Pellegrini clarified that the concern that was raised regarding the size of the sign was specifically about a certain business and the size of their sign. Basically, the closer the business is to the street, the smaller the wall sign should be. Planning staff looked at smaller maximum sizes and would like to suggest a 32 sq. ft. maximum for businesses that are close to the street, he said.

Mr. Kidd offered that the 32 sq. ft. maximum makes sense. He liked the idea of conditioning the allowable hours of illumination as part of the zoning request.

Mr. Pellegrini noted that the Commission had never conditioned hours of illumination before and it might be problematic to place conditions on a plan for one business but not another. Mr. Kidd added that this would only be in effect when a business abuts a residential zone. Mr. Pellegrini said that even if the business abuts a residential zone, there is still the issue of enforceability.

Mr. Kennedy asked if the issue is widespread or about a single business and whether the Planning Department is receiving complaints from all over town. Mr. Pellegrini replied that the department is not getting complaints from all over town.

Mr. Stoppelman stated that the new regulations should take care of this concern in the future, although zoning regulations are not retroactive as current businesses are "grandfathered" in.

To follow up on what Mr. Kennedy, Mr. Stoppelman and Mr. Pellegrini said, Mr. Kidd agreed that this issue is less problematic in the longer term. The issue is simple in nature but difficult to enforce. He approved of the general direction of the regulations.

Mr. Stoppelman felt that 32 sq. ft. is sufficiently large for most businesses.

Mr. Prause agreed that the sign should be smaller when it is closer to the street.

APPROVAL OF MINUTES

May 2, 2016 –Public Hearing/Business Meeting

MOTION: Mr. Stebe moved to approve the May 2, 2016 Public Hearing and Business Meeting minutes as written. Mr. Bergin seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS

1. **HILLIARD MILLS, LLC** – Inland Wetlands Permit (2016-075); Special Exception Modification (2016-076); Flood Plain Permit (2016-077) – To add parking and rain gardens at 640 and 642 Hilliard Street.
2. **TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION** – Zoning Regulation Amendment (2016-079) - To revise Art. II Sec. 8 at Table II 8-1 to add Indoor and Outdoor Recreation facilities to the list of Land Use Type I uses in the Comprehensive Urban Development zone.
3. **CALAMAR, INC.** – Resubdivision (2016-080); Erosion and Sedimentation Control Plan (2016-081); EHD Zone Detailed Site Development Plan (2016-082) - For construction of 128 residential units and associated site development at 188 Spencer Street.
4. **MICHAEL G. AND SALLY A. FLYNN** – Zone Change (2016-083) – For a change of zoning district from Form-Based Zone to Business II Zone at 230 Middle Turnpike West.

The Chairman closed the business meeting at 9:00 p.m.

I certify these minutes were adopted on the following date:

August 15, 2016
Date

Eric Prause, Chairman

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