

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
JULY 6, 2016**

ROLL CALL:

MEMBERS PRESENT: Eric Prause, Chairman
Andy Kidd, Vice Chairman
Timothy Bergin
Jessica Scorso – Abstained from 2016-025

Alternate Member Sitting: Patrick Kennedy

Alternate Member Sitting
for 2016-025 Only: Julian Stoppelman

Alternate Members: Teresa Ike

Absent: Michael Stebe

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

Time Convened: 8:35 P.M.

OLD BUSINESS

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. Pellegrini summarized the background of the proposed amendments to the regulations regarding vending in business and industrial zones. He described the current regulations, why the amendments were proposed, and the likely effect these changes might have if adopted.

Mr. Bergin asked Mr. Pellegrini to reiterate the regulations regarding whether vendors could seek a variance regarding using utilities in the vending location. Mr. Pellegrini responded that the vendors could seek variances of this sort. Mr. Bergin asked if the proposed regulations would allow vendors to remain in their location overnight and Mr. Pellegrini said that vendors would not be able to remain in place overnight under the proposed amendments.

Mr. Prause felt that the restriction of hours should be struck from the amendment and the hours of operation should be governed by ordinance or by the permit.

Mr. Kennedy stated that he felt it was a good idea to have the time requirement and he didn't see any

problem with passing the amendments as written.

Mr. Pellegrini added that currently, any vendor on private property had to appear before the Zoning Board of Appeals for permission. If adopted, these regulations would streamline the process for vendors as a permitted as of right use. The intent of these amendments was to avoid having vending carts become permanent structures without paying taxes like brick and mortar establishments.

After Mr. Kennedy moved and Mr. Kidd seconded approval of the amendments, there was discussion leading Mr. Bergin to propose to amend the amendments to strike the time requirement from the proposal.

Mr. Kidd noted he understood where Mr. Kennedy was coming from in terms of having time restrictions and he proposed having the regulations keep the language about hours and then stating where otherwise permitted consistent with hours of operation as defined by town ordinance.

Mr. Pellegrini said the language regarding hours of operation could be excluded rather than citing another town ordinance. Mr. Bergin allowed that he would be comfortable with striking the language regarding hours of operation.

Mr. Bergin moved to strike the second sentence from subsection 4 of the proposed Art. II Sec. 9.13.03. No member seconded the motion, so this amendment was not recognized and the motion reverted back to a motion to approve the zoning regulation amendment as proposed.

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION

Zoning Regulation Amendment (2016-025)

MOTION: Mr. Kennedy moved to approve the zoning regulation amendment 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 as proposed. Mr. Kidd seconded the motion. Mr. Kennedy, Mr. Kidd, Mr. Stoppelman, and Mr. Prause voted in favor. Mr. Bergin voted against the motion. The motion passed four to one.

The reason for the approval was that the proposed amendment promotes health, safety and welfare and is consistent with the Plan of Conservation and Development.

The zoning regulation amendment will be effective on July 20, 2016.

NEW BUSINESS

REDSTONE HOLDINGS, LLC. – For a 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); Erosion and Sedimentation Control Plan (2016-051)

Mr. Kidd commented that he liked this application and was in favor of approval.

Mr. Prause added that overall he felt this was a good application, that there definitely was a market for smaller apartments, and he didn't have any problems with changing the zoning to a Planned Residential Development (PRD) zone.

PRD Zone Change and Preliminary and Detailed Plan of Development (2016-050)

MOTION: Mr. Kennedy moved to approve the PRD zone change and the combined application for the Preliminary and Detailed Site Development Plan at 169 Red Stone Road with the modifications for the Detailed Site Development Plan as specified in staff memoranda from:

1. Russell Johnston, Eighth Utilities District Sewer, dated June 21, 2016;
2. Bernard Kalansuriya, Design Engineer, dated June 27, 2016;
3. Michelle Handfield, Assistant Town Engineer, dated June 28, 2016;
4. Jim Davis, Zoning Enforcement Officer, dated June 28, 2016; and
5. Renata Bertotti, Senior Planner, dated June 28, 2016.

with a waiver of Article II, Section 7.04.03 (b) 1, for the northern part of the property near the cul-de-sac, finding that the existing foliage and natural conditions are sufficient to provide the landscaping intent of this requirement.

and with the condition that the applicant submits a revised site drainage plan and stormwater management report subject to the approval of the Town Engineering Department.

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

The reason for the approval was that the proposed zone change is consistent with the existing zoning and the Manchester 2020 Plan of Conservation and Development in that this section of the town is designated a mixed-use regional center.

The zone change will be effective on July 27, 2016.

Erosion and Sedimentation Control Plan (2016-051)

MOTION: Mr. Kennedy moved to certify the Erosion and Sedimentation Control Plan with the modifications as specified in staff memoranda from:

1. Michelle Handfield, Assistant Town Engineer, dated June 28, 2016 to Renata Bertotti.

Ms. Scorso 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) and a certificate of location approval under Connecticut General Statutes 14-54 to allow used auto sales and auto repairs at 22 Spencer Street. – Special Exception (2016-054); Certificate of Location Approval (2016-066)

Mr. Prause offered that he felt this was definitely a suitable location for a used auto sales and repair business and he didn't see any problems with it.

Special Exception (2016-054)

MOTION: Mr. Kennedy moved to approve the special exception under Art. II, Sec. 24.02.01 (h) to allow used auto sales and auto repairs at 22 Spencer Street. Mr. Bergin seconded the motion and all members voted in favor.

The reason for the approval was that the proposal meets the special exception requirements of Article IV Section 20 and Article IV Section 5 of the zoning regulations.

Certificate of Location Approval (2016-066)

MOTION: Mr. Kennedy moved to approve the certificate of location approval under Connecticut General Statutes 14-54 to allow used auto sales and auto repairs at 22 Spencer Street.

Ms. Scorso seconded the motion and all members voted in favor.

The reason for the approval was that redevelopment of the vacant building and site will not have negative impact on the general health, safety and welfare.

WATERSTONE RETAIL DEVELOPMENT, INC. – To construct a three-story, 103,000 s.f. office building at 434 Tolland Turnpike (formerly known as 444 Tolland Turnpike), and for a building addition and to expand the existing parking at 428 Tolland Turnpike. – Special Exception (2016-058) - Request for 30 day extension; Erosion and Sedimentation Control Plan (2016-059) - Request for 30 day extension; Erosion and Sedimentation Control Plan (2016-060) - Request for 30 day extension; Special Exception Modification (2016-061) - Request for 30 day extension.

444 Tolland Turnpike, a.k.a. 434 Tolland Turnpike

Special Exception (2016-058) – Request for 30-day extension

Erosion and Sedimentation Control (2016-059) – Request for 30-day extension

MOTION: Mr. Kennedy moved to approve the 30-day extension of time to open a public hearing on the Special Exception application, and to approve the 30-day extension of time to render a decision on the Erosion and Sedimentation Control Plan. Mr. Bergin seconded the motion and all members voted in favor.

428 Tolland Turnpike

Erosion and Sedimentation Control (2016-060) – Request for 30-day extension

Special Exception Modification (2016-061) – Request for 30-day extension

MOTION: Mr. Kennedy moved to approve the 30-day extension of time to render a decision on the Special Exception Modification and on the Erosion and Sedimentation Control Plan. Ms. Scorso seconded the motion and all members voted in favor.

ADMINISTRATIVE REPORTS

Mr. Pellegrini reminded the Commission of a workshop scheduled at the Senior Center at 7 p.m. on July 28th regarding the Manchester Green corridor study to get some public feedback on the analysis.

RECEIPT OF NEW APPLICATIONS

MCDONALD'S USA, LLC - Erosion And Sedimentation Control Plan (2016-085); Special Exception Modification (2016-086); Design Overlay (2016-087) - For a vestibule addition, replacement of the existing single order point drive-through with a dual order point drive-through, and modifications to parking at 70 West Center Street.

The Chairman closed the business meeting at 9:18 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.