

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
MAY 2, 2016**

ROLL CALL:

MEMBERS PRESENT: Eric Prause, Chairman
Michael Stebe, Secretary
Jessica Scorso

Alternate Members Sitting: Patrick Kennedy
Julian Stoppelman

Alternate Member Sitting
(For 2016-026 only): Teresa Ike

Absent: Andy Kidd, Vice Chairman
Timothy Bergin

Also Present: Mark Pellegrini, Director
Renata Bertotti, Senior Planner
Matthew Bordeaux, Environmental Planner
Karen Logan, Recording Secretary

Time Convened: 7:04 P.M.

Chairman Prause opened the hearing by introducing the members of the Commission and having Mr. Stebe read the legal notice.

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – (Continued from April 18, 2016) – To revise Art. I, Sec. 2 and Art. II, Sec. 18 to allow Inns as a special exception use in the Historic Zone. - Zoning Regulation Amendment (2016-026)

Ms. Renata Bertotti, Senior Planner for the Town of Manchester Planning Department, summarized the proposed amendment to the zoning regulations. She discussed the new definition for Inns: a building in which guest rooms are used to provide overnight accommodations to guests for compensation, which may include accessory uses such as serving of meals, conference facilities and indoor and outdoor event facilities. This definition would allow, under special exception approval, occupation of up to ten rooms. Each special exception is subject to a public hearing. Additionally, the Historic zone has specific requirements that would need to be met regarding building alterations.

Ms. Bertotti explained that the proposed amendment includes some basic requirements as well, such as the parking requirement that one parking space for each room, one for each employee on the largest shift, and one for each guest be provided. For meetings and events, the amendment additionally requires one space for every three attendees and one space for every two employees on

the largest shift, she said. There are provisions for the type of material to be used for the parking surface and a provision for alternative surface materials the Commission could authorize. There are also joint and off-street parking allowances which the Commission may authorize for the events.

Mr. Pellegrini noted that the Planning Department staff met with the Chief Building Official, Mr. Greg Smith, and the Fire Marshal, Mr. Lawrence Talbot, regarding the requirements for Inns. Essentially, the Fire Code requires sprinklers if a building is classified as an Inn. The Building Code is a little more complicated and Mr. Smith would only say that a design professional would need to be engaged to review the building and its use to identify any changes that would need to be made. However, in both cases there is a path for an applicant to approach either the State Fire Marshal or the State Building Official to ask for modifications to the code requirements.

Mr. Pellegrini asked how specific the Commission wanted to be regarding the types of activities or events that might be held at an Inn. As drafted, the amendment was not specific about the types of events that might be held there. Restricting events would create zoning enforcement issues, but this could be done, he said.

Mr. Stoppelman noted that he would like to hear any comments from the public.

Hearing no public comments, Mr. Prause called for any comments from the Commission.

Mr. Kennedy asked if the Commission had a good feel for whether requirements from the Fire Marshal and the Building Official would render the idea of having an Inn at a Cheney Mansion impossible due to upgrades that might be needed. Mr. Pellegrini responded that each building would be evaluated on its own merits and there is no way for the Commission to anticipate what those requirements might be.

Mr. Stoppelman stated that the original request before the Commission was to allow a bed and breakfast that did not have to be owner occupied. He asked if there was any way to change the zoning requirements for a bed and breakfast and thereby avoid the necessity of having expensive sprinkler systems. Mr. Pellegrini agreed that the Commission could decide to take that action, but that the fire and building codes would still require that the bed and breakfast be owner occupied. Mr. Pellegrini continued by noting that the Planning staff felt that this regulation would provide an opportunity for mansion owners to explore the business opportunity to operate an Inn.

Mr. Stebe asked if there was a way to allow the mansions to be used for events without requiring guest rooms. Mr. Pellegrini responded that any change of use from a single-family home would have an impact on building and fire codes and each case would have to be evaluated individually by those officials.

Mr. Stoppelman added that one of the original purposes of this exercise was as a way of preserving the nature and existence of the zone, while making it more feasible to own one of the mansions. At this point, it was unclear how these revisions might accomplish that. Mr. Stoppelman continued that while he appreciated the work that had gone into the proposed revisions, he was not in favor of moving forward with the amendment.

Mr. Prause asked if this amendment was brought in front of the Cheney Commission and what their recommendation was. Mr. Pellegrini replied that they recommended approval of the revisions to the regulations.

Mr. Prause noted that if the amendment were adopted, there would still be hurdles for Inn owners, including parking accommodations and fire systems.

Mr. Kennedy moved to close the hearing. Mr. Stebe seconded and all members voted in favor.

LAW OFFICES OF NICHOLAS T. KOCIAN, P.C. – Resubdivision to create a separate parcel for an existing law office building at 346 Middle Turnpike West (a.k.a. 356 Middle Turnpike West). – Resubdivision (2016-030)

Mr. Stebe read the legal notice. Attorney Stephen Penny, the attorney for the applicant, presented the proposal for a two-lot re-subdivision at 346 Middle Turnpike West. Attorney Penny described the parcel in question. He noted that both parcels are located in the plaza known as the Manchester Parkade. All utilities are already in place. The applicant has been leasing the parcel, but has an option to purchase the parcel by virtue of a provision in the lease. There are no wetlands or water courses on this lot. Parking and landscaping is already in place.

Mr. Richard Meehan of Meehan & Goodin Engineers & Land Surveyors described the property. Access to the property is off of Middle Turnpike West. There is a shared drive with Bank of America. All utilities are in place, including sewer, water, and electrical. The applicant proposes no changes or improvements to the property.

Mr. Prause thanked Mr. Meehan and asked for confirmation that there were no physical changes being proposed to the property. Mr. Meehan replied that no physical changes were proposed. Mr. Prause asked if the easements were all in place. Mr. Meehan stated that there were five easements on record and they address reciprocal parking and all the utility easements.

Attorney Penny said that no construction activities were proposed. The lot lines were drawn to conform to the Form Based Zone requirement for parking, which is seven spaces. Eight spaces have been provided. Attorney Penny concluded that there were no outstanding staff comments that would preclude approval.

Mr. Prause asked for staff comments. Ms. Bertotti responded that there were two outstanding staff comments dealing with plan modifications, which could be addressed in the final plans.

Mr. Prause called for public comments, but there were none.

Mr. Stoppelman asked what the bump on the plans was. Attorney Penny replied that it was utility equipment for the electric company.

Mr. Kennedy moved to close the public hearing. Mr. Stebe seconded and all members voted in favor.

The Chairman closed the Public Hearing at 7:40 p.m.

I certify these minutes were adopted on the following date:

June 20, 2016
Date

Eric Prause, Chairman

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