

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
AUGUST 15, 2016**

ROLL CALL:

MEMBERS PRESENT:	Eric Prause, Chairman Andy Kidd Vice Chairman Michael Stebe, Secretary Jessica Scorso Timothy Bergin
Alternate Members:	Julian Stoppelman Teresa Ike Patrick Kennedy
Also Present:	Mark Pellegrini, Director of Planning Renata Bertotti, Senior Planner Karen Logan, Recording Secretary
Time Convened:	7:00 P.M.

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

MICHAEL G. AND SALLY A. FLYNN – For a change of zoning district from Form Based Zone to Business II Zone at 230 Middle Turnpike West. - Zone Change (2016-083)

Attorney Stephen Penny of Manchester presented for the applicants. He described the property located at 230 Middle Turnpike West and provided the background and history of the parcel. Center Motors has been operating at this address since the late 1990's in a General Business Zone until 2012. At that time the Planning & Zoning Commission approved a zoning map amendment which included this property, adopting a Form Based Zone (FBZ). Noting the abutting properties, Attorney Penny discussed the location and zoning for each.

Attorney Penny then reviewed the zoning regulations and the uses allowed for this parcel as it is currently zoned. He then discussed the allowed uses that would be available for this parcel if the proposed zone change were to be approved. Attorney Penny went on to address the Character Map in the Town's Plan of Conservation and Development, which describes this parcel as a mixed-use center. This will not be a substantial change in character.

Because the parcel is located at the edge of the Form Based Zone and because abutting properties are also zoned Business II, Attorney Penny summarized, it is appropriate to re-zone.

Mr. Prause called for staff comments and Ms. Bertotti replied that there were no outstanding comments from staff, and staff did not object to the zone change.

Mr. Stoppelman asked what considerations contributed to making this parcel part of the Form Based Zone. Mr. Pellegrini replied that the redevelopment plan generally consisted of re-zoning the entire parcel along Broad Street. That being said, this parcel is on the edge of the Form Based Zone and an argument could be made to keep all the parcels fronting along West Middle Turnpike zoned as Business.

Mr. Stebe asked if the business was grandfathered because this business was in existence when the zoning was changed. Mr. Pellegrini answered that the business is a non-conforming use and cannot be altered; therefore it is limited and cannot expand.

Mr. Stebe asked what would prevent other businesses from requesting zone changes and chipping away at the Form Based Zone and what hindrance exists to the business if it remains in the Form Based Zone. Attorney Penny emphasized the implications of being a non-conforming use, citing the limitations of the Form Based Zone and how expensive it is to develop within that zone, as well as the fact that neighboring businesses on West Middle Turnpike are zoned as Business.

Mr. Prause asked Mr. Pellegrini what the plan was when the Redevelopment Agency was looking at this parcel. Mr. Pellegrini stated that the redevelopment plan designated this area as mixed commercial. Only the site of the former Parkade was designated as residential use and this is an end parcel next to a Business II Zone.

Mr. Prause said that this is not really a gateway property and he did not see much impact in re-zoning.

Mr. Prause called for public comment and there was none.

Attorney Penny added that this parcel does not lend itself to the Form Based Zone unless it was part of a much larger development.

HILLIARD MILLS, LLC – Request a special exception under Art. II Sec. 16.15.02 (a) and (b) for a development on a site which is four (4) acres or larger in size and for a use which requires automobile parking spaces in excess of 60 to add parking at 640 and 642 Hilliard Street, Industrial and Rural Residence Zones. - Special Exception (2016-076)

Mr. Peter Bonzani, of 640 and 642 Hilliard Street, Manchester presented the application to the Commission. The proposal includes the addition of parking in excess of 60 spaces. The Parking Lot Improvement Plan includes paving, the addition of 20 parking spaces, and the establishment of a rain garden to treat and infiltrate stormwater runoff from the proposed new parking area before it is discharged into Bigelow Brook via a stone-lined swale. Additionally, the applicant proposes to add a concrete loading area between Buildings 1 and 4, which can be accessed by an existing gravel driveway. Finally, the proposal includes a small lawn area and two patios of stamped bituminous material near Hilliard Street.

Mr. Andrew Bushnell, P.E., L.S., of Bushnell Associates, LLC provided an in-depth description of the scope and nature of the proposed work. He noted that the proposed activity is part of an ongoing re-purposing of the mill buildings and their development. He described the patio area being

proposed, as well as decorative planters that will be installed as a barrier between Hilliard Street and the patio to protect pedestrian traffic. He showed the location of the proposed pedestrian walkway and the rain garden that will be established to treat runoff. He added that there are also plans for some landscaping along Bigelow Brook, as well as improvements to the existing catch basin involving the installation of a hydrodynamic separator.

While the proposed activity falls within the upland review area of both Bigelow Brook and the Hockanum River, the applicant expects no detrimental impact to either watercourse. The addition of the rain garden will help with the treatment and management of storm water runoff. Mr. Bushnell added that the plans calls for the use of a double row of silt fence during construction.

Mr. Stebe asked what the difference would be between a rain garden and what would normally be used in a similar situation. Mr. Bushnell responded that because of the grading in this area, the rain garden was the only choice. He stated that the rain garden added vegetation to the buffer along the brook and landscaping to the site.

Mr. Prause noted that the application included a lot of creative and exciting aspects to the site. He verified with staff that the parking situation was what had triggered the public hearing. Ms. Bertotti responded that was correct and that the Commission was reviewing the application as a special exception modification because the number of parking spaces now exceeds 60, but the use of the site had not changed.

Mr. Kidd asked if the plan called for any disturbance of the wetland at the edge of the bank and Mr. Bushnell confirmed that it did. Mr. Kidd then asked Ms. Bertotti if Mr. Bordeaux had had an opportunity to review the application and she said that he did and he had no concerns.

Mr. Kidd asked if the proposed landscaping and concrete planters along the patio on Hilliard Street had been added as a result of staff comments. Ms. Bertotti said that it appeared that was the case, although the staff had not had time to review the latest set of plans, as they had been submitted too close to the meeting date.

Mr. Pellegrini clarified that staff would have to have details on the dimensions and description of the planters as a protection from vehicular traffic, but these could be conditions of final approval of the application. Mr. Bushnell stated that the planters would be 3' high and 2' wide by 4' long and planted with flowers to preserve the sightline.

Mr. Stebe asked if the sidewalks run past these properties and Mr. Bushnell said no, there are no sidewalks past the gas station.

Mr. Prause asked about the proposed parking spaces between Buildings 4 and 6 and whether there was a building there. Mr. Bonzani replied that there used to be a structure there, but it was removed in 2012.

Mr. Prause called for staff comments. Ms. Bertotti replied that the comments are technical in nature and the applicant had agreed to take care of all of them. Mr. Bordeaux had reviewed the application and he had no concerns, she said.

Mr. Prause called for public comment and there was none.

Ms. Bertotti asked for direction regarding the design of the planters. Mr. Stebe stated that as long as safety concerns were met, he was not concerned about them. Mr. Pellegrini noted that staff's concerns were specifically about separating people on the patio from vehicular traffic.

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

The Chairman closed the Public Hearing at 8:04 p.m.

I certify these minutes were adopted on the following date:

October 17, 2016
Date

Eric Prause, Chairman

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