

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
SEPTEMBER 29, 2016**

ROLL CALL:

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

Alternate Member Sitting: Julian Stoppelman

Alternates: Patrick Kennedy

Absent: Timothy Bergin
Teresa Ike

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

Time Convened: 7:02 P.M.

Mr. Prause opened the hearing by introducing the members of the Commission and having Mr. Stebe read the legal notices for all four agenda items.

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION - To repeal Article II, Section 8 (Comprehensive Urban Development Zone) and replace it with a new Article II, Section 8 (Comprehensive Urban Development Zone). - Zoning Regulation Amendment (2016-099)

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – To revise Art. IV Sec. 9 to add design requirements for private driveways and parking requirements for shopping centers or malls. - Zoning Regulation Amendment (2016-100)

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – To revise Art. IV Sec. 13 (Signs) to add provisions for signs for theaters. - Zoning Regulation Amendment (2016-101)

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – To revise Art. I Sec. 4 to add provisions for minor modifications to approved plans. – Zoning Regulation Amendment (2016-096)

Mr. Pellegrini presented for the Planning Department. He began by providing background and context for the proposed amendments to the regulations. He stated that the intent of the proposed changes was to streamline and simplify the development and application process.

Mr. Pellegrini noted that, in 1972, the Town of Manchester adopted the regulations for the Comprehensive Urban Development Zone, which was intended to be similar to a mixed use district. There were no development proposals for the CUD zone until 1986, when developers became interested in what is now the Buckland Hills Mall area. The regulations were broadened in 1986 to accommodate a wider range of uses and to change the process to provide some flexibility for changes and rearrangement of uses, Mr. Pellegrini said.

In order to accomplish those things, a different, two-step process was put into the CUD regulations. First, the applicant would have to present a Preliminary Plan of Development, which could divide a property up into land use areas. Within those land use areas, the developer could propose any combination of types of uses allowed. The Preliminary Plan was very conceptual and if it was approved, then that became the bundle of development rights that were allowed on those land use areas. Part of that application included a table that showed each land use area and each proposed amount of land use by land use type. All the other requirements in the regulations were shown in that table and that became the bundle of development rights. Subsequently, there could be a Final Plan approval for any of the development rights. Once a plan was approved, the regulations also allowed the developer to move buildings and rearrange the site, as long as the maximum amount of development rights that had been approved was not exceeded. If a new development type were proposed, the applicant would have to go back into the table and add that land use type, showing all the changes that had to occur to meet the regulations, Mr. Pellegrini said.

This process made sense back in 1986, when only two property owners controlled 300 acres and they were giving themselves all sorts of development rights and deciding how things were going to be moved and changed. However, properties were subsequently subdivided, leading to multiple owners. When those owners wanted to change or increase a land use type, they would have to request a new Preliminary Plan, which had to look not only at their own particular property, but also at every property that was originally part of the Preliminary Plan. This put one individual property owner at the mercy of other property owners. It required a great deal of work on the part of the applicant and staff to go through the exercise of all the tables, calculations, and ratios. After all this work, the proposal would come to the Planning and Zoning Commission, which was really only concerned with whether the development and the proposed site plan change made sense, Mr. Pellegrini said.

Mr. Pellegrini said the process should be simpler. He said it should be easy for people to propose new uses, provided the Commission still has some oversight as far as the actual consistency and compatibility of the design.

Mr. Pellegrini then presented the table showing land use areas, proposed land use types, maximum floor area permitted and proposed, open space, parking and all the requirements of the regulations. He said if anyone wanted to change any of those things, the entire table would have to be recalculated, which was a lot of work and very complicated.

In summary, Mr. Pellegrini explained the proposed amendment. He said the amendment would remove all of those requirements for a Preliminary Plan and all the regulations relating to that Preliminary Plan process. All the requirements for a Detailed Plan would be removed and, going

forward, all applications would go through the standard process. Any parking or circulation requirements for the CUD zone that should be kept would be moved to the section about parking requirements for all zones. Any sign regulations in the CUD zone regulations would be moved to the sign requirements section. Light manufacturing and processing would be deleted because those uses had never been proposed. The table of permitted uses would be simplified to a more traditional look.

The proposed amendments had been sent to CROG for review and the Planning Department received a favorable response, he said.

Mr. Stoppelman asked if the mall area was the only CUD Zone in town and Mr. Pellegrini said that it was. Mr. Stoppelman asked if there were any substantive changes to the regulations. Mr. Pellegrini responded that in terms of the allowed uses, the light manufacturing and processing was the only use that would be deleted, and indoor and outdoor recreation facilities would be added.

Mr. Prause asked for a clarification of the illustration of buffers and berms and whether the illustration was included twice. Ms. Bertotti responded that the illustration was moved to format the section better.

Mr. Kidd asked what the difference was between the proposed changes and the General Business Zone. Mr. Pellegrini said that he thought the uses and the dimensional requirements were different, but he didn't cross check the two zones. His focus was to simplify the process for the CUD zone.

Mr. Kidd said that work needed to be done regardless, but it might make sense to take a look at the General Business Zone regulations. In general, he continued, the proposed amendments made sense.

Ms. Bertotti noted that one of the differences between the proposed CUD zone regulations and the General Business zone regulations would be the amount of oversight the Commission would have over external or outside elevation changes to the buildings. In the CUD zone, the Commission has oversight over any change to the appearance of the building. That would probably be the biggest difference, Ms. Bertotti said.

Mr. Prause asked if municipal buildings were allowed in the CUD zone and noted that size and scale is larger in the CUD Zone.

Mr. Kennedy suggested that the reasons for approval include that the proposed amendments were consistent with the Town plan of development.

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

Mr. Prause asked for staff comments and there were none.

Mr. Stoppelman moved to close the Public Hearing and Mr. Stebe seconded. All members voted in favor.

The Chairman closed the Public Hearing at 7:30 p.m.

I certify these minutes were adopted on the following date:

November 7, 2016 _____
Date

Eric Prause, Chairman

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