

**MINUTES OF WORKSHOP
HELD BY THE PLANNING AND ZONING COMMISSION**

FEBRUARY 1, 2016

ROLL CALL:

Members Present: Eric Prause, Chairman
Andy Kidd, Vice Chairman
Michael Stebe, Secretary
Jessica Scorso
Timothy Bergin

Alternates: Julian Stoppelman
Teresa Ike
Patrick Kennedy

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

Discussion of Possible Zoning Regulation Amendment Relating to Cheney Mansions

Mr. Pellegrini said several months ago the Viscogliosi family, who own two or three of the mansions in the Historic District, came to the Commission with a pre-application review about the possibility of allowing them to operate an inn or convention center type of use out of their mansions, in addition to the bed and breakfast use that is currently permitted by the regulations.

Mr. Pellegrini said the regulations for bed and breakfasts require the property to be owner occupied, but the mansion in question was not the Viscogliosis' principle place of residence. The Commission was sympathetic to Viscogliosis' desire to make revenue to make these properties viable while preserving their historical character, so Planning staff did research to decide what kind of use would allow lodging functions, meetings, etc. in that district, and what kind of requirements should be set for those uses, he said. Staff is proposing a possible regulation amendment to add inns as a possible use. Mr. Pellegrini also noted that there was a time many years ago when the regulations allowed conversion of mansions to multi-family properties, and those provisions were provided for the Commission to consider as well. He said he also planned to get feedback from the Cheney Historic District Commission at their February 4th meeting.

Ms. Bertotti said in her research she found provisions for bed and breakfasts in other towns were similar to the existing bed and breakfast regulations in Manchester. In most of her research, she said, there were rules that the owner-operator must reside in the bed and breakfast. In the Manchester zoning regulations, she said, hotels and motels start at 16 rooms, and in other towns, some have "inn" establishments that are mid-sized, semi-commercial facilities that are between a

bed and breakfast and a full-service hotel. In the proposed amendment, Ms. Bertotti included a definition for an inn as a building with no more than 15 guest rooms that are used to provide overnight accommodations. She also put a restriction on the number of consecutive days a guest could stay there, to prevent boarding. The proposed amendment would allow the serving of food and would include conference facilities and indoor and outdoor event facilities for guests, which seem to be functions that these properties could accommodate, she said. In the Historic Zone, inns would be allowed subject to special exception. The proposed amendment says the Commission may approve accessory uses such as conferences, receptions, business functions, and similar events, so those would have to be shown and explained to the Commission at the time of application. The proposed language also discusses activities that would be allowed not only to people who come to an inn but also to people who come for a wedding or conference but do not stay overnight. The proposal also includes parking standards, with a provision that could permit up to 50% of the required parking to be provided off-site, to prevent the need for these properties to be excessively paved. If an applicant can show they have secured offsite parking for their event or inn and they can shuttle their patrons, this provision would cover this sort of situation, Ms. Bertotti said.

In response to a question from Mr. Kidd, Ms. Bertotti said mansions would not be allowed to have full-fledged restaurants. In response to a question from Mr. Stoppelman, Ms. Bertotti confirmed that catering, reheating of food, and outdoor barbecues would be allowed.

Mr. Bergin asked if restaurant use could be prohibited but a commercial kitchen could be permitted, so if someone wanted to rent the facility for a wedding, they wouldn't have to rent trailers and cooking equipment to set up outside. Mr. Pellegrini said he thought that could be done, but commercial kitchens would have to meet code requirements. The intent was to avoid having a property evolve into a restaurant, he said. Ms. Bertotti noted that adding commercial kitchens could require extensive work to be done on the properties, and she was trying to avoid uses that would require excessive remodeling. Mr. Stoppelman said as long as they can bring in food and reheat food, he would prefer the mansions not to have commercial kitchens as defined by the Health Department. Mr. Stebe said he thought the language regarding commercial kitchens should be loosened up because conferences with a large amount of food would commercial kitchen equipment for heating food and cleaning.

Mr. Stebe said he liked the idea of 50% parking for events and thought it was just a question of how much of an agreement would be required. Mr. Stoppelman noted that Carter's already uses the church's lot and so does the Chamber of Commerce. Mr. Pellegrini said onsite parking might not be required for event parking; instead the Commission may want to just have applicants demonstrate they have parking agreements elsewhere. Onsite parking for staff and guests is a different matter, he said. Mr. Stebe said that when the Commission discussed allowing bed and breakfasts, they also discussed the idea of not necessarily needing to pave parking lots, which would enable applicants to maintain an aesthetic and not have a lot of blacktop. Areas where employees park every day or where facilities trucks come in should be paved, he said, but for occasional guest parking there are options other than having to pave it. Ms. Bertotti said that provision already exists.

In response to a question from Mr. Stoppelman, Mr. Pellegrini said the Historic Zone only includes the family mansions between Hartford Road and Forest Street.

In response to a question from Mr. Bergin, Ms. Bertotti said the proposed added uses are: Multifamily dwellings, office, elderly housing, and inn as a special exception. “P” on the table means permitted, but in the Historic Zone everything comes before the Commission for a site plan review, so even though a use is permitted any change to the building or site would come to the Commission for review, she said.

In response to a question from Mr. Stoppelman, Mr. Pellegrini said the current regulations include provisions for home conducted occupations, and certain kinds of activities are allowed and excluded as home conducted occupations. Among the excluded activities are doctors, lawyers, architects, and designers, which are uses that now may make sense as home occupations, he said. The definition of a permitted home conducted occupation could be expanded and that could be something available in the mansions, but that would be available anywhere, Mr. Pellegrini said. The idea is not to convert a mansion to an office building. In the definition of home-conducted occupation, if we struck out the paragraph “Offices of a business character such as offices maintained by doctors, dentists, attorneys, real estate agents, insurance agents, accountants, engineers, architects, studios of artists, musicians, clinics, etc., shall not be deemed to be home-conducted occupations after August 12, 1974,” then those uses would be allowed again, Mr. Pellegrini said. It would be an amendment to the definition of a home conducted occupation, not to the regulations for the Historic Zone. Such an amendment would loosen that up for all residential zones. The Zoning Enforcement Officer would have to look at the applicant’s request to determine if they meet the requirements of a home conducted occupation, Mr. Pellegrini said. Mr. Kidd said he was unsure if the whole paragraph should be removed, but the Commission could look at the uses individually. Mr. Pellegrini said the requirements for home conducted occupations would also need to be looked at, because the Zoning Enforcement Officer had some questions he wanted to clarify.

Mr. Kidd said a better definition of commercial vs. non-commercial kitchen might need to be included. Mr. Pellegrini said staff could get that information from the Health Department. Mr. Kidd said maybe the language should prohibit getting a commercial kitchen permit and Mr. Pellegrini said that is what was intended in the proposed amendment.

Mr. Bergin noted that there are historical inns in Connecticut that successfully operate a restaurant or pub. He asked if it would be possible to look at what the Commission wants to protect about the mansions and then consider the uses secondary so long as those things are being protected. Ms. Bertotti replied that those things are already protected in some manner because in the Historic Zone there are specific criteria for the alteration of building exteriors or extensive changes to landscaping or driveways or the site in general, and those changes would have to be reviewed by both the Cheney Commission and the PZC.

Mr. Pellegrini said even if the zoning is changed to allow these uses, there are still other codes to adhere to. Applicants would have to meet the requirements of the building and fire codes for whatever those codes define these uses as, for example assembly, lodging, or some other category. That will trigger other requirements, and if any of those requirements are things that would appear on the outside of the building, applicants will have to come to the Commission to get those changes approved. There are special regulations in the building and fire codes for bed and breakfasts, but the assumption is because a bed and breakfast is owner-occupied with a limited number of people, the requirements for an inn may be more extensive don

Mr. Stebe noted that any exterior change also goes before the Cheney Commission before it comes back to the PZC, and when the theater updated their sign it took several rounds of meetings with the Cheney Commission. Ms. Scorso asked if there had been opposition to the bed and breakfast use. Ms. Bertotti replied there is only one approved bed and breakfast that was approved before she came to work in Manchester, but the Commission since amended the regulations to allow bed and breakfasts in additional residential zones and there was not much opposition to that. Mr. Pellegrini said the people who wanted to buy what is now the Mansion Inn only wanted to buy it if they could operate a bed and breakfast. Since that was not a permitted use at the time, an amendment was made, and at that time both commissions agreed that was a good use for those properties, Mr. Pellegrini said.

Ms. Bertotti asked the Commission to consider whether the proposed language was detailed enough and whether more criteria should be included. For example, if this is adopted as a special exception use, the Commission will review applications for special exception criteria and public hearings will be required. Ms. Scorso felt these requirements were appropriate, because a business conference is very different from a wedding, so that will need public comment. Mr. Bergin agreed, because having the use as a special exception would allow the Commission some oversight. He added that he would not want to deter people from investing in the property. Mr. Kennedy noted the Commission will still have a chance to get feedback during public hearings, so if people find the language too restrictive, it can be refined. He added that it would be good to start having it as a special exception use, then it could become an as-of-right use years down the road once the Commission is comfortable with it.

Mr. Stebe asked, if one of these locations becomes an inn, if that would change it from a residential space into business commercial, since a bed and breakfast is a residence but an inn is not. Mr. Pellegrini replied that the proposed amendment would be allowing a commercial use in these buildings in this zone. You do not have to have a commercial zone inside the Historic Zone. The assessor determines how the properties get assessed, he said.

Mr. Stoppelman said he thought any opposition to the proposal would be to the restoration of the multifamily use. Mr. Pellegrini provided some background on the multifamily use provisions. He said back when the Town didn't own the Great Lawn, there were different ideas about developing that property and subdividing it. The mansion owners and Cheney Commission at the time wrote a regulation and that amendment was adopted. It set aside parts of the lawn area which could not be developed, and in exchange for taking that out, it effectively transferred those development rights to other parts of the properties. It allowed new multifamily buildings to be built if they looked like the mansions, or it allowed conversions of mansions to multifamily properties. No one ever took advantage of those provisions and the Town purchased the Great Lawn, Mr. Pellegrini said. There were other properties with land that ran down to Hartford Road, and one of those property owners proposed new multifamily construction, he said. There was opposition to that proposal and someone else bought that property. After all those things happened, the provisions that set aside certain areas as restricted, allowed new construction, and allowed conversion were all removed, he said. Mr. Pellegrini said he just wanted to remind the Commission that these provisions had been in the regulations previously. He was only suggesting the possibility of conversions, not new multifamily construction.

Ms. Bertotti said the multifamily use provisions also limit what could be done. For example, additions can not increase the habitable floor area by more than 10%, and each dwelling unit has to be at least 1,250 sq. ft. in area.

Mr. Prause asked for members' input on the possible amendments.

Mr. Kennedy said if the multifamily conversion provision and the inn provision are presented simultaneously and there is opposition to the conversion provision, the inn provision may get wrapped up in the opposition as well. Since the inn provision may be successful enough that there would be no need to consider the multifamily conversion, Mr. Kennedy suggested putting the multifamily conversion idea on the back burner and proceeding with the inn idea. Mr. Kidd agreed. Mr. Stoppelman said if the multifamily conversion does stay in the amendment for some reason, it should be a special exception use, not a permitted use.

I certify these minutes were adopted on the following date:

March 7, 2016 _____

Date

Eric Prause, Chairman

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

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