

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
AUGUST 14, 2017**

ROLL CALL:

Members Present: Andy Kidd, Acting Chairman
Michael Stebe, Secretary
Timothy Bergin
Jessica Scorso

Alternates: Julian Stoppelman

Absent: Eric Prause, Chairman
Patrick Kennedy
Teresa Ike

Also Present: Renata Bertotti, Senior Planner
Gary Anderson, Director of Planning &
Economic Development
Katie Williford, Administrative Secretary

Time Convened: 7:19 p.m.

NEW BUSINESS:

ARMORY GROUP, LLC – Request a zone change from Residence B to Business III for the rear portion of the property at 330 Main Street, Residence B, Business III, and Design Overlay zones. – Zone Change (2017-054)

Mr. Kidd stated that Mr. Stebe and Ms. Bertotti both made a good case for reasons to change 330 Main Street into a single-zoned parcel. He said he was in favor of the zone change and asked if other members had comments. No further comments were made.

Zone Change (2017-054)

MOTION: Mr. Stebe moved to approve the zoning change from Residence B to Business III for the rear portion of the property at 330 Main Street, Residence B, Business III, and Design Overlay zones. Ms. Scorso seconded the motion and all members voted in favor.

The reason for the approval is that the proposed amendment is consistent with the surrounding zoning and with the Manchester Plan of Conservation and Development.

The zoning map amendment will be effective on August 31, 2017.

In response to a question from Mr. Stoppelman about the agenda, Ms. Bertotti explained that application 2017-051 for Gerald M. Catolane for a resubdivision at 98 Bush Hill Road had been removed from the agenda for tonight's meeting.

CHRISTINE MAIN (BOB'S DISCOUNT FURNITURE) – For modifications to landscaping at 428 Tolland Turnpike. – Special Exception Modification (2017-053)

Attorney Robert Decrescenzo represented the applicant. Also present were Mr. Ben Wheeler, technical consultant from Design Professionals, Inc., and Mr. Tom Gillespie, representing the property owner.

Attorney Decrescenzo stated that the intent of the application is to make the landscaping of the Bob's Discount Furniture store consistent with the landscaping at the new headquarters building behind the store. The applicant proposes to put in new landscaping and refurbish the parking area at 428 Tolland Turnpike. The original landscaping plan was approved in 1985, Attorney Decrescenzo said. He displayed photos of the existing condition of the site, which he said do not match the brand new landscaping plan and parking area at the new headquarters building at 434 Tolland Turnpike. He noted that the parking lot islands are bare and the pavement is cracked. Landscaping that was shown in the 1985 plan has died off or been removed, Attorney Decrescenzo said. The current condition of the site does not present the polished corporate look that Bob's Discount Furniture desires, he said, and the applicant proposes to redo the landscaping and make it consistent with the headquarters property. He displayed photos of dead trees adjacent to the abutting self-storage property, photos of damage to the parking lot, and a map showing how the two Bob's Discount Furniture properties fit together.

Mr. Ben Wheeler, landscape architect for Design Professionals in South Windsor, spoke about the landscaping plan that he prepared. He explained that this landscaping plan is consistent with the plan presented a couple of years ago for landscaping at the new Bob's Discount Furniture headquarters building at 434 Tolland Turnpike, behind the existing store. The landscaping plan includes numerous trees and shrubs as well as perennials that flower at different times of year, he said. Mr. Wheeler stated that much of the landscaping at 428 Tolland Turnpike is not in good condition. The applicant proposes to remove that existing landscaping, and make the landscaping consistent with the plan that was approved at 434 Tolland Turnpike. The plan for the store property includes trees and shrubs that match the plan for the headquarters property, as well as some that are different to provide variety, he said. In addition to updating the landscaping, Mr. Wheeler said, the applicant wanted to repair the parking lot. He displayed a photo of tree roots that have heaved up the pavement over the years. Mr. Wheeler showed the site plan with proposed plantings and said that the plan is quite extensive. The middle island that is currently lawn will have groupings of shrubs and perennials, he said. Along Tolland Turnpike, landscaping will be removed and replaced; rather than a straight line of overgrown junipers, there will be groupings of plants broken up with irrigated lawn in between to make a nice presence along Tolland Turnpike, he said. Trees in the northern island will be replaced with pear trees that will match those proposed for the headquarters site. The entire facade of the store building was mostly planted with shrub junipers, which will be replaced with a heavy mix of different types of plants to provide interest throughout the year. On the southern side of the building, more trees are proposed. The old corporate headquarters entrance was a blank brick façade, and some flowering trees are proposed along that. Between the buildings, there will be more islands and flowering and shade trees. Along the property line with the abutting self-storage property, a row of arborvitae was approved with the plans for the headquarters property to help screen the storage facility.

Attorney Decrescenzo said the zoning regulations do not require a set number of plants or trees. The requirement is 20 sq. ft. of landscaping per parking space. The site has 373 parking spaces, so 7,400 sq. ft. of landscaping is required, but the applicant is proposing almost 12,000 sq. ft. of landscaping, he said.

Mr. Kidd asked if there were plans to change the location or shape of the parking lot islands. Mr. Wheeler said the islands would be in the same configuration, with the minor change of one added parking spot along the northern edge. Other than that, the applicant would just be removing the old pavement and replacing it with new pavement. Mr. Kidd asked staff if there have been any changes in philosophy, best practices, or regulations relating to parking lot layouts since this parking lot plan was approved 32 years ago. Mr. Anderson said staff was not aware of any significant changes relating to parking with this type of use. He noted that staff has considered reviewing parking and landscaping requirements in the future, but that is not necessarily relevant to this discussion. Ms. Bertotti added that some elements of parking lot layout, such as the width of stalls, are driven by code. Other aspects would be driven by the applicant's experience at their store, she said; if there were issues with the parking lot, the applicant would notice that before the Town would.

Ms. Scorso said she agreed with the proposal to make both properties more uniform. She added that the headquarters building behind the store is coming along nicely, and it would be desirable to improve the front area that is even more visible from the street. Attorney Decrescenzo agreed, saying that the applicant felt that planting clusters instead of junipers would make an attractive streetscape along Tolland Turnpike.

Mr. Kidd agreed with Ms. Scorso's comments. Since the current proposal was to extend the landscaping that was previously approved for the headquarters property to the next site over, Mr. Kidd said he did not see a reason to rehash that. There were no further questions from members.

Attorney Decrescenzo said if the application is approved, the applicant will begin planting right away and have a grand opening soon.

Special Exception Modification (2017-053)

MOTION: Mr. Stebe moved to approve the special exception modification for modification to landscaping at 428 Tolland Turnpike. Ms. Scorso seconded the motion and all members voted in favor.

The reason for the approval is that the proposed modification meets the special exception criteria.

KIMLAR, LLC / ABL ASSOCIATES LLC / ANDREW J. MANDELL – Pre-application Review to discuss a possible PRD zone change, subdivision, and site plan at 699 and 719 Middle Turnpike East.

Mr. Kidd reminded those present that this pre-application review is only a discussion and is not binding.

Attorney Larry Shipman of Shipman, Shaiken & Schwefel, LLC, and Mr. Kim Opperman presented their pre-application, seeking feedback on a plan they would like to bring forward for 699 Middle Turnpike East.

Attorney Shipman displayed a site plan and explained that the site is zoned Neighborhood Business. The proposal would be to subdivide the property so the Department of Social Services ("DSS") property is separate from the other half of the property, which is about 7 acres total, he said. He explained that the exact amount of acreage to be zoned PRD was uncertain because a survey had not been done, but he anticipated close to 3.5 acres would be proposed for the PRD zone. He said the proposal was to develop 34 apartment units along Plaza Drive and St. Paul

Drive, along with some internal units. He indicated the approximate location of the proposed property cut on the map.

Attorney Shipman said a buffer would be built to buffer both the neighborhood and the proposed units from the existing DSS building. An adjacent, residentially zoned property owned by Andrew Mandell (a member of ABL Associates, LLC, which owns 699 Middle Turnpike East) would be made a part of the development and would be left as green space, Attorney Shipman said.

Attorney Shipman said that 34 townhouse-style homes were proposed, because the zoning regulations allow 10 units per acre in a PRD zone and the estimated acreage of the site was 3.5 acres. Three of the buildings would have eight units, one would have six units, and one would have four units, he said. Each unit would have its own interior garage and its own driveway, which would allow for an area of green space to be maintained. Attorney Shipman said there are four existing homes on Plaza Drive and another three or four on St. Paul Drive, so the intent is for the project to maintain a neighborhood look. The units would have 2 bedrooms and would probably range between 900 and 1,200 sq. ft. The end units would be only one floor, available for handicapped residents or anyone who wanted single-story units, he said. The townhouse style units would be up-and-down with 2 bedrooms upstairs and possibly an extra half bath downstairs, he said.

Attorney Shipman said the current zoning on the property limits the options for development to perhaps a 5,000 sq. ft. strip plaza with housing above. He said possible uses available under the current zoning would include liquor stores, pharmacies, gift shops, or convenience stores, which would not be desirable for the existing neighborhood. This proposal would keep the property residential and shield the neighborhood from the DSS building.

Attorney Shipman displayed the proposed elevations and floor plan. The entire parcel is an eyesore now, he said, with a substantial amount of parking, most of which is unpaved or dirt. The site is very level, he said, and attractive landscaping could be added to give the neighborhood the look of a neighborhood instead of a view of a 30,000 sq. ft. white box.

Attorney Shipman concluded by asking for the Commission's feedback on the concept, the design, and whether the proposal is something the Town would be interested in seeing Kimlar, LLC pursue.

Mr. Stoppelman noted that the DSS building is rented, and asked when the lease is up. Attorney Shipman said he did not know, but he thought the owner was negotiating with the state to renew the lease.

Mr. Stoppelman said the lot is one of the Town's largest developable lots that could be used for housing. He added that the Commission has been looking at the area from this property to the Manchester Green and trying to develop some kind of consistent zone for the area, and that the Commission was interested in housing for that lot.

Mr. Stebe reiterated that this is an informal conversation. He said he would need to understand how this heavier density project would fit with the surrounding properties, which were all single-family. He said the argument that a big box establishment might take the whole property was not realistic. Even a strip mall taking half of the property would be unlikely because the location would be completely hidden from the main arterial road to bring customers in, Mr. Stebe said. He added that the DSS office has a long lease and will be there for quite some time.

Attorney Shipman clarified that, when he referred to a “big box”, he was referring to the DSS building; he did not believe the lot was big enough for a big box store. Regarding density, he said the units would be townhouses so there would not be internal circulation of large numbers of residents. Spacing and configuration of the units could be worked on, he said. He said that he had not spoken to any surrounding residents at this point to get their feedback on the style. Attorney Shipman noted that he was not sure how dense the project was, because it would go around the corner and a dozen of the units would be internal.

Ms. Scorso said she was not necessarily concerned about the density because the Commission has seen other projects like this in single family communities, but she asked how the proposed buildings would fit next to the neighboring buildings. Attorney Shipman indicated the location of the proposed subdivision line, approximately through the location of the existing shed on the property. He said they proposed to put up a stockade fence with a row of arborvitae or similar plants in front of it, to screen the DSS building. He indicated the location of the proposed entrance to the internal units, off of Plaza Drive. Other than the units on Plaza Drive, there would not be traffic coming in or visitor parking other than into the driveways, he said. Residents would not be driving through the neighborhood and down Plaza Drive, he said; they would make a right onto Plaza Drive from Middle Turnpike and come in almost immediately.

Mr. Bergin said he was generally supportive of developing the lot for housing but was somewhat comfortable with the idea of attached housing. He said there are other properties that might not be as dense along the Middle Turnpike corridor, close to Plaza Drive, and this discussion is in the early stages, so the plan could receive a lot of input. He asked if Attorney Shipman had an idea how tall the roof peaks might be. He noted that many residential properties in the area are single-story buildings. Mr. Opperman estimated the roof peaks might be 24 feet. Mr. Bergin said he liked the idea of the broken rooflines, which he found aesthetically pleasing, but there are many single-story properties that abut this site.

Mr. Bergin referred to the previously mentioned buffer between the DSS building and the development, and asked if Attorney Shipman could speak with the current owner of the DSS property about continuing the buffer along St. Paul Drive to the rear of the DSS property, to provide a buffer for the existing residents. Attorney Shipman said he didn't think it would be a problem to create added screening behind the DSS building.

Mr. Bergin asked if Attorney Shipman envisioned a separate driveway connecting to Middle Turnpike East, or if the drive would be shared with the existing entrance to the DSS building. Attorney Shipman replied there would be no connection between these properties through this main driveway. The way the project is designed, he said, the units facing the street on Plaza Drive would each have a small driveway, just like a regular house, and a garage. The units on St. Paul Drive would have same thing, he said. Only the twelve internal units would be accessed through a drive off of Plaza Drive.

Mr. Bergin asked about the subdivision line on the existing site. Attorney Shipman said it would be a straight line down the property. There would probably be some land along the utility easement because 719 Middle Turnpike East would be part of the property, he said.

Mr. Kidd said the Commission would have to approve a zone change first, before a site plan could be proposed. He said he did have some concerns about the proposal. He noted that the neighborhood is all zoned Residence A, and the proposed site was a small area to put a dense set

of homes on, which he was not in favor of. He said he would not have a problem with a zone change to Residence A, but he had concerns about putting a PRD zone into an otherwise zoned neighborhood. Mr. Kidd said he did like the idea of fixing up half of the property. He noted that he had looked at the Plan of Conservation and Development (“the Plan”) and, for the Manchester Green area, the keywords he saw were consistency in housing and moderately priced diverse housing. Mr. Kidd said he questioned whether this proposal was the right thing for the area.

Mr. Anderson said that the Plan of Conservation and Development mentions the Green as an activity node, which includes a mix of housing types and a mix of commercial uses as well. This type of housing in general fits with the scheme of what the Plan talks about for that area, he said.

Ms. Bertotti said that perhaps a PRD zone in this location would be a transition from the commercial zoning along Middle Turnpike to the single-family residential neighborhood on other side of that block. She said she did not think a PRD zone was necessarily inappropriate, but the design would be important. When Town staff met with the applicants, staff discussed the importance of making this proposal feel similar to the existing houses on Plaza Drive and St. Paul Drive, so the houses feel similar in scale, size, and style to what is in that neighborhood, Ms. Bertotti said. Regarding density, she said she did not know whether a different design could achieve the desired density or not.

Mr. Anderson said a PRD zone change requires a definitive plan. Ms. Bertotti confirmed a PRD zone change comes with a preliminary plan. Mr. Kidd asked, once the zone is changed to a PRD, if the applicant presents a plan at that point. Mr. Anderson said that was correct. Mr. Kidd asked if that plan can be changed afterward. Mr. Anderson said it could be changed, but it would require a special hearing. Attorney Shipman said they would come before the Commission with the subdivision, the zone change, and the site plan all at once and he didn’t think they would have the right to make any design changes after that plan was approved.

Mr. Kidd asked if there would be a combination of 1- and 2-bedroom units. Attorney Shipman said the development would have mainly 2-bedroom units, and noted that a market study a year back indicated that 2-bedroom units would be desirable and that the corridor plan was looking for moderate priced housing that a family could move to. Mr. Kidd asked about pricing and Attorney Shipman replied that the rents would probably be between \$900 and \$1,300. Mr. Opperman said the prices would not be as high as the apartments near the mall. Attorney Shipman said that not many amenities would be offered, except for garages, washing machines, and dryers. No clubhouse or weight room was proposed, but a play area was a possibility, he said. Attorney Shipman said they hoped to maintain an area to be available for residents to have a backyard, and a playground might be included, but he was not sure if it would be nuisance to the existing neighbors. At minimum, trees and a green area would be provided, he said.

Mr. Kidd asked if any percentage of the project was intended to be subsidized housing. Attorney Shipman said they had not intended that. The anticipated price range would probably bring the project into the same parameters as an affordable housing project, he said. Mr. Opperman said the proposal was intended to be workforce housing, affordable for people that work in the area.

Mr. Stoppelman said he thought it would be important for the development to have some kind of link or path to the bus stop. Mr. Opperman said they had considered having a gateway to allow access to the DSS building, because there is a bus stop there. Attorney Shipman said a strip of property could be landscaped in such a way that it could be a walking path to the open space area at what is currently 719 Middle Turnpike East and to the bus stop.

Mr. Stoppelman said the main difference between affordable and workforce housing is that the proposed project would not be deed-restricted, so it could be resold to people that don't qualify for 60% of average income for Hartford county. Attorney Shipman said they would not be opposed to coming in under Connecticut General Statute 8-30g if the Commission is interested in that. Mr. Kidd said that was not the intent.

Mr. Stoppelman said he would like to see a plan for the entire corridor rather than a piecemeal approach. Mr. Kidd said it would be nice to go after that whole parcel.

Mr. Stebe asked about the status of the Connecticut Department of Energy & Environmental Protection ("DEEP") remediation on the site. Attorney Shipman said the remediation work is mostly complete; all test results have been relatively good. They have not had to remove any soil, he said, as the current owner did that years ago. The site will be subject to quarterly monitoring for a one- to two- year period, he said, but the site has come back clean at this point. Mr. Opperman added that the site is under all the state standards as of today. He said everything was removed except under the building, and they remediated under the building with a venting system and the gases are under the state minimums.

Mr. Stebe said he participated in one of the forums about the Manchester Green area previously, and there was a lot of discussion about this parcel. At that time, several people spoke about wanting to put something on that site, he said, and housing would be a good thing to put in there to separate the DSS building from the other half of the parcel. However, he also recalled that people were not suggesting putting a straight line of connected apartment buildings there, because they were residents who lived in the neighborhood and were interested in extending out their neighborhood. Mr. Stebe said these are the kinds of things people will bring up at a hearing if this project moves forward, and it will be challenging to explain why PRD zoning would be more fitting than RA or something more similar to that. Mr. Stebe also noted that Plaza Drive is a smaller road and is not signalized, so there is a question of neighborhood compatibility with extra traffic, the houses, and the proposed development. He said he liked the idea of making use of this property, although his personal preference would be to encourage owner-occupied housing instead of apartments. Developing that half of the lot would be beneficial to the goal of what was discussed in the Manchester Green discussions, he said.

ADMINISTRATIVE REPORTS:

Temporary Health Care Structures

Ms. Bertotti explained that a new Public Act ("Act") relating to temporary health care structures was recently passed and will become effective on October 1, 2017. It allows construction of small housing structures called temporary health care structures on lots that allow single-family homes, she said. These structures are supposed to be mostly assembled offsite, she said, and the municipality has to allow such structures and issue permits for them within 15 days of submittal of the application, as long as the proposed structure meets Building and Health Codes. The only requirements for such structures are that they meet the codes and setbacks, she said.

Ms. Bertotti outlined some provisions of this Act that she said warrant discussion. A caregiver is defined in the Act as a relative, guardian, or agent, responsible for "unpaid care" of the occupant, she said, but she questioned how that could be enforced. The Act states that a temporary health care structure is primarily assembled offsite, but it is unclear what "primarily assembled" means,

she said. The Act states that the structure can have one occupant who meets certain criteria for mental or physical impairment, she said, but does not set a maximum limit, so it is unclear whether it allows just one person, one person and a caregiver, or multiple people. Ms. Bertotti noted that, in Manchester, an accessory structure located behind the rear plane of the house only needs to maintain a 3 foot setback from the property line, so a temporary health care structure could be very close to the property line. PRD zones in Manchester allow single-family homes and multifamily homes, so it is unclear whether temporary health care structures would be allowed in PRD zones as well, she said. Presumably, a dense single-family PRD zone could have a number of these structures, she said. Whether permits could be issued within 15 days would depend largely on how quickly the Health Department can finish their work, such as soil testing and determining whether the structure can be on septic, etc. Ms. Bertotti said the sentence stating that inspections of such structures will be at “times convenient to the caregiver” could be unenforceable. The Act allows the Town to impose a relatively large bond, but does not specify what can be used as a bond.

Ms. Bertotti said the Act was created because it appears there is a need for this kind of unit, as people age or fall ill and existing houses may not be able to accommodate someone’s relatives or parents in need of care. However, the law as written may present some issues, particularly with the enforcement, she said.

Ms. Bertotti explained that this Act applies to all municipalities unless towns choose to opt out of the Act’s provisions. In order to opt out, the Commission is required to hold a public hearing to discuss whether to consider opting out. If the Commission votes to opt out, then the Board of Directors has to make another vote to opt out. Ms. Bertotti concluded by asking whether the Commission would be interested in holding a hearing to discuss opting out, and if the Commission had questions. She noted that staff had contacted some other towns, many were assessing what to do, and some were considering holding hearings.

Mr. Kidd said he thought enforcement was the key issue, to make sure such structures were not being used to generate income.

Ms. Scorso said she had a number of concerns, including the proximity of such structures to property lines. She said she was not in favor of opting out, especially if there is a need for this type of structure; however, she would like to hear from the public, not necessarily with end intention of opting out.

Ms. Bertotti noted that, if the Commission and Board of Directors chose to opt out, there are ways to address concerns if it is determined that there is a need for this type of structure.

Mr. Bergin asked for clarification of Ms. Bertotti’s statement about multifamily housing. Ms. Bertotti explained that the Act allows temporary health care structures everywhere where there is single-family zoning. Mr. Bergin said the language reads “zoning for single-family detached dwellings.” He asked if Ms. Bertotti was referring to, for example, the Residence B zone, which allows single-family detached dwellings, but may also have a duplex. Ms. Bertotti said yes. Mr. Anderson said the issue is that the language is unclear; the intent may be to exclude duplexes, but that is not the way the law is written. Mr. Bergin asked whether ownership is one of the criteria, so a tenant of a duplex couldn’t build a temporary health care structure. Ms. Bertotti said the Act states that an applicant must own a property in order to locate a temporary health care structure on it. Mr. Anderson pointed out that, if the structure has to meet the Building Code, that would require the owner’s signoff.

Mr. Bergin noted that some of the examples of temporary health care structures Ms. Bertotti had provided were trailers with an exterior that mimics a house. He asked whether the zoning regulations include provisions for motorhomes that could be modified to address temporary health care structures. Mr. Anderson said he thought motorhomes were addressed in the zoning regulations somewhere, and that the Zoning Enforcement Officer is often involved in those types of issues. He said there are setback requirements for mobile homes, though he was not sure if someone could live in them.

In response to a question from Mr. Bergin, Ms. Bertotti said that a public hearing is required if the Commission wants to consider opting out of the Act's provisions. Mr. Bergin said he assumed the Town was not opting out, and asked if the Commission could have a hearing on a proposed regulation. Ms. Bertotti said yes, that could be done.

Mr. Stoppelman asked under what circumstances in-law apartments are permitted. Mr. Anderson said they are permitted as attached accessory units and he believed they had to be occupied by a family member; detached accessory apartments are not allowed. In the past, the Commission has discussed allowing detached apartments and not necessarily requiring a family member to live there, he said. However, that would not replace what this Act is intending to do, Mr. Anderson said, since the intent of the Act is to allow a structure that can be built quickly and inexpensively, and that is temporary.

Mr. Kidd asked if there is a requirement to provide an alternative if the Town opts out of the Act. Ms. Bertotti said there is not a requirement, but an alternative should probably be considered.

Mr. Kidd said he was in favor of holding a public hearing, not necessarily with the intent of opting out, but just to get information and public comments. Then a second hearing could be held to decide whether to opt out, he said. If the Commission chooses not to opt out, he said, nothing else needs to be done. Another option, he said, is for the Commission to come up with its own regulations to address temporary health care structures. In that case, perhaps they could be permitted by special exception in certain zones, or something a little more controlled, Mr. Kidd said.

Mr. Stebe said the Commission had talked about tiny homes in spring, and those would be similar types of buildings. The most important thing, he said, would be figuring out how to make temporary health care structures function. The Commission could have a presentation where public could comment on how the process would work, he said. He referred back to Mr. Bergin's mention of mobile homes, and asked whether those would fit in this regulation or not. It would be worthwhile to have that sort of discussion, he said, and then the Commission could figure out whether it would need to create its own regulations, or if it can work off of this legislation.

Mr. Stoppelman said he was concerned discussion of temporary health care structures could turn political very quickly. He said he would like to understand the opinions of the Board of Directors before opening the discussion to the public. Mr. Anderson said the Board of Directors would likely want to hear what the Commission thinks.

Ms. Scorso said she agreed with Mr. Stoppelman that she wanted to hear from the public, but she could also see this subject getting attention from the media. She suggested possibly holding a workshop first to see what kind of questions need to be answered. Mr. Anderson said the Health

Department, Building Department, and Zoning Enforcement Officer could be included. He noted that, from a practical standpoint, the Commission probably would not be able to act on this by October 1st, but a workshop could be held as soon as possible.

Mr. Kidd agreed that holding a workshop made sense. In response to a question from Mr. Kidd, Mr. Anderson said that Manchester can't opt out of the Act without both the Commission and the Board of Directors voting to opt out. Mr. Kidd asked if the Commission would have to vote first and Mr. Anderson confirmed that the Board of Directors is not able to opt out on their own. Mr. Kidd suggested inviting one or two members of the Board of Directors to the workshop, or asking for their input in writing.

Ms. Bertotti summarized the order of the procedure to opt out of the Act's provisions. The Commission must first hold a public hearing, then affirmatively decide to opt out, and state its reasons on the record. A notice of that decision must be published. Then, by the vote of the Board of Directors, the Town may opt out.

Mr. Kidd said the key thing is to hold a workshop first. After that, the Commission might move right to opting in or out. All the options would be on the table, he said, and the Commission could hold another public hearing that is not to make a decision, if the Commission wants more feedback, he said. Then the Commission would probably have to meet again and then have another public hearing to opt out, if needed, he said.

Mr. Stoppelman suggested asking for the Town Attorney's input and Mr. Anderson said the Town Attorney would be invited to the workshop.

APPROVAL OF MINUTES:

July 5, 2017 –Business Meeting/Workshop

MOTION: Mr. Stoppelman moved to approve the minutes as written. Mr. Stebe seconded the motion and all members voted in favor.

July 17, 2017 – Public Hearing/Business Meeting

MOTION: Mr. Stoppelman moved to approve the minutes as written. Mr. Stebe seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (2017-062) – To revise Art. I Sec. 4 (Application Requirements) to delete requirements for submission of tables of ratios for CUD zone applications.

Ms. Bertotti explained that staff had noticed that, when the CUD zone regulations were revised, some requirements relating to tables of ratios remained in the Application Requirements section. Those requirements were no longer pertinent, so this proposed amendment was intended to clean up that section.

MAIN PUB REALTY, LLC – Special Exception (2017-063); Design Overlay (2017-064) - Special Exception under Art. II Sec. 12.02.11 for outdoor entertainment at 300 Main Street (a.k.a. 304-306 Main Street) and Design Overlay review for construction of staging area and installation of a sound system in northern corner of outdoor patio at The Main Pub.

Ms. Bertotti said that Main Pub had submitted an application for outdoor entertainment. The property is also in the Design Overlay zone and they propose to have a stage on their patio, she said.

CHAMPAGNE WEST, LLC – Special Exception (2017-065) – Request a special exception under Art. II Sec. 16.15.02(j) for used auto sales at 259 Adams Street.

Ms. Bertotti said a new auto-related use was proposed for the old Decormier dealership site, which is now vacant. No changes were proposed to the site itself, she said, but they will be adding a use.

TOWN OF MANCHESTER – Inland Wetlands Permit (2017-066) – For renovations to Verplanck elementary school, including building extensions, upgraded parking, a new exit drive, and landscaping, at 126 Olcott Street.

Ms. Bertotti said staff noticed, during review of applications for the Verplanck school renovations, that a wetlands permit was needed, so it has been added.

Mr. Anderson said staff would like to reschedule the workshop with the Cheney Commission and Economic Development Commission about the Cheney Historic District, most likely sometime at the end of September. Mr. Stebe requested the workshop be held on a Monday night.

MOTION: Mr. Stebe moved to adjourn the meeting. Mr. Bergin seconded the motion and all members voted in favor.

The Chairman closed the business meeting at 8:54 p.m.

I certify these minutes were adopted on the following date:

September 6, 2017
Date

Eric Prause, Chairman

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