

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
MARCH 6, 2017**

ROLL CALL:

Members Present: Eric Prause, Chairman
Michael Stebe, Secretary
Jessica Scorso

Alternate Members Sitting: Patrick Kennedy
Teresa Ike

Absent: Andy Kidd, Vice Chairman
Timothy Bergin
Julian Stoppelman

Also Present: Renata Bertotti, Senior Planner
Nancy Martel, Recording Secretary

The Chairman opened the Public Hearing at 7:01 PM. The Secretary read the legal notice for the application when the call was made.

ALEX AND ROSHAN PATEL – To revise Art. I, Sec.2.01 to add definitions for “go-kart” and “go-kart track,” and to revise Art. II, Sec. 24.02.01 to add outdoor go-kart tracks as a special exception use in the General Business Zone – Zoning Regulation Amendment (2017-007).

Attorney Rick Conti, Main Street, Manchester, represented the applicants, noting they took advantage of a preliminary review before the Commission, receiving good feedback. Thereafter, an application was filed to make three amendments to the zoning regulations - two by way of proposed definitions, for “go-kart” and “go-kart track,” Mr. Conti said. Additionally, they have proposed to amend the regulations pertaining to special exception uses in the General Business zone to allow outdoor go-kart tracks using either electric or gas go-karts for rental by the public.

Mr. Conti went on to state they have had comments from CRCOG, from the Fire Marshal and a summary from the Planning Department. Mr. Conti said that CRCOG did not have any issues with the proposed amendment. Mr. Conti stated that the Fire Marshal’s comments were appropriate in that, as defined, go-karts of any level of power may be used on a go-kart track. He suggested the Commission could deal with this concern when considering an application for a special exception to allow this use at a specific location. Mr. Conti went on to say that if successful, the applicant would return with an application for a specific location in the General Business Zone, which will include details regarding the type of go-karts, the power of the go-karts and the type of track.

Mr. Conti pointed out on the Town’s zoning map the locations of the General Business zone, which would be subject to an application for a special exception, should the Commission agree to the amendment to the zoning regulations. He also pointed out that Planning staff indicated that there are a number of similar recreational uses in the General Business zone, most conducted indoors. The applicants are proposing an outdoor track, as these will be either electric or

gasoline-powered karts, Mr. Conti said.

Mr. Prause repeated Mr. Conti's statement that the Fire Marshal made recommendations to further define go-karts by either power or the type of track, which Mr. Conti confirmed. Mr. Prause further clarified Mr. Conti's statement that the recommendation of the Fire Marshal was not necessary as it is subject to special exception criteria and clarification of the type of go-kart and the course.

Mr. Conti reiterated that the proposed track will not be a professional racing course. He went on to explain that the go-karts will not be high-powered and the course is meant for children and adults.

Mr. Stebe indicated that the Commission would be remiss if the Town did not explore whether the Town of Vernon had limits in their regulations regarding a now-closed go-kart track.

Mr. Conti stated that he did not have that information.

Ms. Bertotti read CRCOG's comments which were as follows: "The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. For sites located on a municipal border, we recommend that the Town take into consideration the uses across municipal boundaries and that any more limiting or restrictive measures related to traffic management, hours of operation, parking, screening, noise, lighting or signage, particularly for sites bordering residential uses in neighboring towns, be applied so as to mitigate impacts across municipal borders. The Town might find the recent CRCOG Sustainable Land Use Code Project Model Regulations: Outdoor Lighting helpful as a resource on the latest recommended practices on reducing overlighting and energy waste related to site lighting. " and the link to those guidelines was provided. Ms. Bertotti reminded the Commission this is similar to the recent text amendment before the Commission, stating that proposals are subject to special exception. The Town is obligated by General Statutes to notify the neighboring municipalities of public hearing items, Ms. Bertotti said, so they would be aware when a proposal like this comes in and would be invited to comment or attend the hearing.

Mr. Kennedy questioned if the Fire Marshal gave specific recommendations regarding the definitions or whether the definitions were not specific enough.

Ms. Bertotti stated that the Fire Marshal commented that the definition of go-kart is too broad, as is the definition of racing. She read the Fire Marshal's comments, which stated that recreational carting can be up to a 5 HP motor using gas, topping out at 30 MPH, that the American Kart Racing Association has track associates throughout the country and various racing classes, and that a Division I is a 250 cc engine in a Super Kart with top speeds in excess of 100 MPH. Ms. Bertotti commented that it appears, considering the Fire Marshal's comment, that he has personal experience with go-kart racing, and his opinion is the proposed amendment has not distinguished between go-kart racing for recreation and for professionals.

Mr. Conti observed that the proposed text for the special exception use refers to outdoor go-kart tracks using either electric or gas go-karts "for rental by the public." He went on to state the proposed amendment is not intended to allow a professional go-kart racing situation, but rather family-oriented go-kart racing, using go-karts that are powered accordingly, subject to review during a special exception application.

Mr. Prause opened the meeting to public discussion.

Laura Webb, 99 Tanner Street, Manchester, stated that in addition to power and speed, the Commission should take into consideration the noise of the vehicles.

Mr. Prause asked if Mr. Conti reviewed the Manchester 2020 Plan of Conservation and Development.

Mr. Conti stated that he relied on the Town staff's comments.

Mr. Prause remarked that this proposal will affect the General Business Zone and part of the goal of the Manchester 2020 Plan is to redevelop and revitalize commercial centers close to existing physical infrastructure. He went on to state that the zones are all on arterial roads that are easily accessible.

Mr. Stebe said, in response to the Fire Marshal's comments, he thought the definitions would be workable because part of the special exception review process and criteria is to determine whether the use is appropriate in the location. He observed that in reviewing the actual special exception, there are several items that have subcategories to refine the parameters needed to determine if a proposal meets the exception criteria. The line stating "outdoor go-kart track using either electric or gas karts for rental by the public" needs more detail and additional guidance would be beneficial, Mr. Stebe said.

Mr. Conti asked if the Commission would suggest adding "low speed" or "low power."

Mr. Stebe observed that the go-kart racing in Stafford, Connecticut is for elites and supers. He questioned the cutoff between the two types of racing. He said the proposed Art. II, Sec. 24.02.01 (I) is too broad and does not give enough guidance on what specifically the Commission should consider when reviewing an application for a go-kart track.

Mr. Kennedy agreed that the statement "for rental by the public" precludes professional racing. He also observed that there is flexibility under the special exception criteria.

Mr. Conti remarked that the General Business Zone encompasses fairly large areas. A 10- or 20-acre parcel could accommodate a different type of track as opposed to a smaller parcel. The hope in drafting the proposal was to give the Commission latitude to adapt, through special exception uses, what is appropriate for a particular site, including noise and speed, Mr. Conti said. He also stated that the general special exception regulations enable the Commission to determine what is appropriate for a particular site.

Mr. Prause suggested limitations to hours of operation and buffering as possible criteria that could be added for special exceptions for go-kart tracks. The general special exception criteria speak to suitable location for use, suitable structures, neighborhood compatibility, parking and access, adequate streets, emergency exits, public utilities and environmental protection and conservation. Mr. Prause also stated that noise is difficult to regulate, other than adding buffering and setback requirements. He questioned Ms. Bertotti if additional constraints to a special exception application were reviewed.

Ms. Bertotti reminded the Commission that this application was not proposed by the Town.

Mr. Prause agreed that it was an application from the applicant. He questioned whether there are further recommendations from staff regarding any other conditions.

Ms. Bertotti replied that she would prefer the Commission not apply conditions to this proposal as advertised without further clarification, at which time she would determine whether to again advertise. She went on to state that hours of operation are specific, and conditions relating to hours of operation could be put on individual applications. Noise is governed by the noise ordinance, she said.

Mr. Prause asked for further comments from the Commission.

Mr. Kennedy stated that in reviewing the existing special exception criteria, he feels they are adequate regarding suitable location for use and neighborhood compatibility.

Ms. Scorso stated that she was comfortable closing the hearing and going ahead with the definitions as is and using the special exception to determine the details.

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

The Chairman closed the Public Hearing portion of the meeting at 7:28 P.M.

I certify these minutes were adopted on the following date:

April 3, 2017
Date

Eric Prause, Chairman

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