

**MINUTES OF WORKSHOP  
HELD BY THE PLANNING AND ZONING COMMISSION  
JUNE 19, 2017**

**ROLL CALL:**

Members Present: Eric Prause, Chair  
Andy Kidd, Vice Chair  
Mike Stebe, Secretary  
Timothy Bergin

Alternates: Patrick Kennedy  
Teresa Ike  
Julian Stoppelman

Absent: Jessica Scorso

Also Present: Gary Anderson, Director of Planning  
Renata Bertotti, Senior Planner  
Nancy Martel, Recording Secretary

Time Convened: 7:01 PM

**SIGNAGE MATERIALS**

Mr. Anderson stated he has noticed, especially downtown, a lowering of the standards of the type of sign and material used for signage, and he feels this needs to be addressed. Specifically, he has seen signs that are basically corrugated plastic or coroplast, very cheap material that is placed most often on a building. He stated that the regulations require signs be constructed of durable, rigid, opaque material, such as high quality plastic or vinyl. Mr. Anderson suggested ruling out certain types of materials and sought the Commission's opinion. He explained that he saw a sign downtown that appeared to be made of bumper sticker type of material.

Mr. Kidd asked Mr. Anderson which sign he was referring to. Mr. Anderson stated the sign he was referring to is on a spa location.

Mr. Kennedy asked if these are permanent signs. Mr. Anderson replied they are permanent, not novelty signs; there is another regulation for novelty or temporary signs.

Mr. Kennedy said he assumed that a sandwich board would fall under the category of a temporary sign.

Ms. Bertotti stated that temporary signs are defined as far as material and display duration. Novelty signs can be cardboard, banners, tear-drop banners, or balloon signs, she explained. Sandwich boards would probably fall into this category, she said.

Mr. Prause requested clarification about coroplast.

Mr. Anderson stated that a coroplast sign is a plastic sign without the corrugated material in the middle.

Mr. Bergin expressed that he was more concerned with permanent fixtures on the exterior of buildings vs. signs that are hung in a window. He said, if the Commission decided not to allow corrugated plastic or coroplast, he would not want that to apply to businesses hanging promotional materials inside their windows, when they are otherwise permitted to use 25% of their window space.

Mr. Kennedy stated that, in his opinion, the issue is permanent signs on the exterior of buildings.

Ms. Bertotti explained that a window sign is defined as “a sign applied to or attached to the exterior or interior of a window, or located in such a manner within a building that is visible from the exterior.” She stated she understood Mr. Bergin’s point, that if a sign is attached on the outside of a window, it may be okay to utilize a film type of material.

Mr. Prause agreed, and noted that coroplast is a brand name for a brand of corrugated plastic. Therefore, the word “coroplast” should be deleted, because of the trademark name.

Mr. Stebe noted that corrugated plastic is not intended to be a permanent sign and would not be sold as a material for permanent signs. Mr. Anderson disagreed, as there are at least three or four such signs downtown at the present time. Mr. Stebe stated that such a sign would be a temporary sign, since it is not metal, wood, high-quality plastic, or vinyl.

Mr. Stebe questioned whether the Commission needed to start delineating all the things that signs cannot be. Mr. Anderson replied that they probably do not; however, if someone approaches the Town with the intention of installing a sign that matches the materials that have been approved downtown, there is nothing in the regulations prohibiting this type of cheap material, he stated. He further explained that, in his opinion, it would be easier if there were something specific in the regulations.

Mr. Prause asked if someone could make the argument that this type of sign is durable because it is plastic and rigid because it cannot be bent.

Mr. Anderson noted that the existing signs made from this material were approved in the past.

Mr. Prause expressed that the corrugated material is a gray area.

Mr. Stebe said he assumed that no one has come forward to the Commission or the Zoning Enforcement Officer to approve a corrugated plastic permanent sign. Mr. Anderson stated that the sign requests he has seen are not specific about that type of material; the application may declare it is plastic or metal, but does not specify corrugated plastic or  $\frac{3}{4}$ ” metal. In his opinion, this may be an issue that can be addressed on the application.

Mr. Kidd asked for clarification about the signage process.

Mr. Anderson stated that a sign requires a building permit and if it meets the requirements of the Zoning Enforcement Officer, the sign is approved. He said he did not think there is anything specific regarding the type of plastic, what is durable and what is rigid. That is something Planning could look at, he stated.

Mr. Kidd questioned whether there is a way of forcing removal of signs such as the one Mr. Anderson had mentioned that looked like a bumper sticker. Mr. Anderson replied that he does not know how that sign was approved, as it was before his tenure, and he is not sure that can be done.

Mr. Kidd expressed that the Town must enforce what is already in place. He referred to the Liberty Arms sign, which does not add value to the esthetics of the building.

Mr. Anderson agreed, though he would have to examine the material. He stated there are many signs of that nature in the downtown area. Mr. Kidd stated that that was his point. There is an esthetic value to this discussion, he stated, as the signs may be complying with the regulations but are not what the Commission envisions.

Mr. Anderson replied that he and the PZC Chairman must approve signs in the downtown area.

Mr. Prause commented that the last two downtown sign requests did not address sign materials, which should be specified.

Mr. Kennedy questioned if this is primarily a problem downtown. Mr. Anderson reported that he was not certain. However, downtown is the area where this issue is the most obvious and most offensive.

Mr. Prause stated that many of the plazas downtown are owned by a landlord and they have requirements for the signs. They all have a similar type of motif, he stated, and the signs must be reviewed by Downtown Special Services.

Mr. Kennedy observed that there should be a firm regulatory basis for that decision. Applicants may go to the ZBA and appeal the Zoning Enforcement Officer's decision, he said.

Mr. Kidd reiterated the Commission discussed not having the design overlay utilized regarding signage. He stated that the Town has some purview over the building, but not over the signage. He pointed to the recent Cumberland Farms signage discussions, and ultimately Cumberland Farms installed a sign in keeping with the rest of the building, though they were not required to. Mr. Kidd questioned whether esthetic qualities could be added, i.e., consistent with other signs on the building or with the building architecture.

Mr. Anderson replied that the downtown guidelines provide more guidance. Signs must be consistent with the downtown architectural guidelines, he said, though the architectural

guidelines are rather vague.

Ms. Bertotti suggested a joint discussion with the Downtown Special Services District Board of Commissioners (SSD) and perhaps updating the guidelines for signage. Mr. Anderson agreed that could be done for the downtown, and observed that it may be expanded from just the downtown.

Mr. Kidd suggested requesting input from the business owners and perhaps the Chamber of Commerce.

Ms. Bertotti confirmed that, in her opinion, this should apply town-wide and should not be limited to the downtown district. Mr. Kennedy stated that it tends to be more of an issue downtown but would apply town-wide. He questioned whether there have been specific problems other than the inferior materials.

Mr. Anderson replied there are three or four signs with that type of material.

Mr. Stoppelman referred to the sign near the Dairy Queen. For approximately three years, there was a shredded cover on the sign, he said.

Mr. Kidd observed that that should have been a temporary sign, to which Mr. Anderson agreed. Mr. Kidd stated that, in his opinion, that is the definition of a temporary sign.

Mr. Kennedy reported that there was a comprehensive rewrite of the sign regulations in the recent past, and he has not observed any widespread dissatisfaction. He suggested making specific corrections when specific problems are observed.

Mr. Anderson requested clarification of the term “specific situations.” Mr. Kennedy replied he meant situations like those being discussed tonight. He does not believe there needs to be a comprehensive review of the sign regulations, as it has been done and there do not appear to be any widespread issues.

Mr. Anderson reported that perhaps requiring more specific information on the application would be helpful; i.e., the type of material and the thickness.

Mr. Kidd asked about requiring signs to be framed and Mr. Anderson stated that would be possible. Mr. Kidd remarked that taking a piece of sheet metal and framing it would be better than just a piece of sheet metal on the wall. Thickness would not be mandated, he said.

Mr. Anderson observed that there are wood signs that are not framed as well as others that aren't framed. The requirement would have to be worded carefully.

Mr. Kennedy stated that, in his opinion, new developments are not going to cut corners with a sloppy sign.

Mr. Anderson described the Silk City Coffee sign, which does not have a frame; it is just a plain

black sign with white lettering and is very nice.

Mr. Stebe questioned whether the permitting paperwork that the Zoning Enforcement Officer reviews has been updated to reflect the zoning regulation changes regarding signs. It is a process, he stated, and if the Building Department deems them to be acceptable based on this definition, this is now the practice.

Ms. Bertotti reported that this definition already existed. When the Zoning Enforcement Officer looks at an application and, for example, receives a description of a proposed 9' x 6' PVC non-illuminated sign and a picture, he reviews and interprets it.

Mr. Stebe observed that there were not definitions for the temporary signs. Mr. Stebe said that there is now a permanent sign definition, a temporary sign definition and a window sign definition. The permitting process needs to be adjusted and updated to fit these new definitions, he said. He was not sure about adding line by line limits on what is or is not allowed, such as the example of coroplast signs, which have changed a lot in a couple of years. Mr. Stebe related that the coroplast signs were outrageously expensive compared to some others, but much heavier and thicker than what they are now because they were able to make them smaller and less expensive. He stated he believes coroplast signs should not be prohibited because the Commission will be required to change the regulations again when a new version of corrugated plastic comes out that is rigid and designed for long-term use.

Mr. Anderson questioned how that could be reflected. He agreed this is a technology issue as things improve, but he questioned at what point it would be acceptable.

Mr. Stebe reported that a manufacturer's description says this is for temporary uses or this is something that can last for 20 years. There is a big difference in how those are constructed and how those are used, he said. The corrugated plastic now, he explained, is similar to lawn signs which are meant for a month or two.

Mr. Anderson understood Mr. Stebe's point. However, in his opinion, it would be helpful to have something in the regulations, and if technology advances, it could be addressed at that time. He would like an idea of which direction to pursue.

Mr. Kennedy stated that corrugated plastic signs are not esthetically pleasing and, in his opinion, are not going to change in the near future. He observed that the technology may improve and when that happens, the regulations could be rewritten, but he would like to have an easy rule.

Mr. Bergin questioned political signs. He asked whether a political headquarters would be subject to the temporary permitting rules when they rent a temporary space and hang a banner or a coroplast sign, etc. He wondered if that would even be constitutional.

Ms. Bertotti stated that political signs are different and not regulated by zoning.

Mr. Kidd stated that they may be hiding more than 25% of a window.

Mr. Bergin stated that, in defining a temporary sign, people may question the definition.

Mr. Kennedy questioned if it is specified that political signs are not regulated.

Mr. Anderson reported that he believes it is, and political signs are different altogether.

Mr. Bergin pointed out that it is specified that nothing should be construed to permit or prohibit the use.

Mr. Kennedy does not believe that should be addressed.

Mr. Prause recommended adding, "Corrugated plastic signs are not allowed." Perhaps it could be added to the building permit, he said, as signage seems to be an "other" and if you need to change the signage, check the box. Perhaps construction materials could be added, he said, and we are assuming that the Zoning Enforcement Officer will require durable signs.

Mr. Kidd observed that signs are being approved based on a written definition and perhaps a marked-up picture. Mr. Anderson replied that at most, there is a marked-up picture with the dimensions.

Ms. Ike asked about the data on what the Zoning Enforcement Officer has attempted to address the deterioration of signage. In her opinion, there is no data to support a change, only anecdotal information.

Mr. Anderson stated that admittedly, the data is anecdotal. The Planning Department does not have data on the material of the signs that have been approved, he said, though Staff could review and try to sort that out.

Ms. Ike observed that there is no proof that the Zoning Enforcement Officer has addressed this issue. Mr. Kennedy agreed that the regulations do not give the Zoning Enforcement Officer the basis to address it at this point.

Mr. Prause stated that it seems to be a gray area that has been identified.

Mr. Stebe stated that, if the Zoning Enforcement Officer is given the ability to request information, he would need a complete list of materials. The materials will have the specs and, in his opinion, the Zoning Enforcement Officer should be able to determine the quality of the signage.

Ms. Bertotti agreed that the Zoning Enforcement Officer can seek more information. In her opinion, the best approach would be to try to get more information as the applications for signage come in, because many of these decisions are made with little information on the application.

Mr. Bergin said he assumed that when signs are being approved, it is not generally the replacement of signs, but usually a business opening up or moving into a new location. Mr.

Anderson replied that it could be either. It could be a new business, a new sign, or a new business coming into an existing storefront, he stated.

Mr. Bergin stated that, in his opinion, if there is to be a change to the process beyond this narrow fix, the Commission might consider allowing businesses to have a grace period, during which they are approved for a temporary sign. Perhaps, he said, one of the reasons there are cheaper materials being utilized is that, in an effort to open their businesses, owners just want to hang a sign and be in business. Perhaps if there was an approval for a temporary sign for a month, that might be a way of allowing businesses to get up and running.

Ms. Bertotti said it would be very challenging to close a business over a sign violation after it had been open, and highly recommended that not be done. Mr. Bergin stated that it was just an idea.

Mr. Stebe stated there was already a line about being able to issue a civil fine on the signs and questioned whether the Zoning Enforcement Officer is able to do citations. Mr. Bertotti replied that fees are not currently charged for zoning violations. Mr. Stebe reflected that it had been discussed. Ms. Bertotti agreed that it had been discussed on several occasions.

Mr. Prause observed that sign applications generally have a logo, and the applicant is not supplying proposed artwork. Mr. Anderson stated proposed artwork is sometimes drawn using Microsoft Paint, and is often not good.

Ms. Bertotti observed that businesses can have grand opening temporary signs stating that the business will open in so many days. They are allowed temporary signage.

Mr. Anderson stated that 1) the Commission should have a discussion with the Zoning Enforcement Officer about what this means and 2) it sounds like just adding this language is acceptable to most people, though there is still some disagreement. Perhaps the language should specify wall signs and signs attached to the building, he said.

Mr. Kennedy interjected except for novelty window signs. Ms. Bertotti stated window signs could be added as well.

Mr. Anderson agreed with Ms. Ike that types of signs and the materials that have been approved should be tracked. Mr. Stebe commented that most never went in front of the Town for an approval. Mr. Anderson stated that may be the case, and said he would look into it.

Mr. Stoppelman observed that there is a new liquor store in the location where Bob's used to be that had hangings outside that disappeared after a couple of weeks. He said he assumed this was addressed by the Zoning Enforcement Officer.

## **PARKING REQUIREMENTS FOR SHOPPING CENTERS OR MALLS**

Ms. Bertotti stated that the Commission had transferred a parking requirement for shopping centers from the Comprehensive Urban Development (CUD) zone regulations into the parking

section of the regulations at the time of the CUD zoning regulation amendment in September 2016. The requirement was copied and wasn't changed, and an illogical formula was missed, she stated. Recently, a business addressed the Planning Department and one of the items discussed was the fact that somehow this particular restaurant, which is to be located at the mall, would end up without enough parking, she said. When reviewing the regulations, Ms. Bertotti explained, the mall is assessed at the four and one-half parking spaces formula. In the Planning Department's opinion, the easiest and most logical fix would be to permit four spaces per thousand square feet for any shopping center and not utilize these computations, which do not make sense.

Mr. Kennedy stated that an article recently referred to the parking requirements that necessitate paving over excessive amounts of space. If the question is ratio per square feet of gross floor area, he does not understand why there should be a different one for different sizes of malls. If a mall has more square footage, he stated, there will be more spaces just because it is bigger.

Mr. Prause requested clarification of the proposal. Ms. Bertotti stated it would be four parking spaces per thousand square feet of floor area for any shopping mall.

Mr. Prause asked if the calculation would be based on gross floor area or leasable area. Mr. Stebe inquired what the difference would be. Mr. Prause stated that it would be very different. For a store, it would be the gross area of the entire store, he stated. For shopping centers over 500,000 square feet, Mr. Prause stated, there are areas for internal pedestrian traffic that don't count towards the leasable square footage. He questioned whether that was the reason for increasing the parking requirement. He stated a building could be a half million gross square feet, but much of that could be walkway space that is not counted as part of the total. If it is calculated by floor area, Mr. Prause observed, it may work out to two parking spaces per person.

Mr. Kidd referred to a strip mall vs. a mall.

Mr. Stebe asked if "gross square feet" refers to the whole building footprint and if the leasable area or gross floor area are also two separate entities from the gross square feet. Art. IV Sec. 9.03.20 (a) refers to 1,000 square feet of gross floor area, and Mr. Stebe questioned if that is the square footage of the whole building.

Ms. Bertotti replied yes and the reason why the formulas are different is because they are utilizing gross floor area vs. gross leasable area. However, she said, larger malls require less parking ratios, so this still does not make sense. She said that it does not make sense that a larger mall of 700,000 square feet would require fewer parking spaces than a smaller mall of 500,000 square feet.

Mr. Prause stated that, with more businesses sharing a parking lot, the requirement should go down. There will be peak times at some stores but not at others, he observed, and it would be odd that the peak times would all coincide.

Mr. Anderson observed that it is more challenging to count the leasable area, because closets and hallways must be removed. This exists in other areas of the regulations, he stated, and while he

understands the intent, this is an odd way of undertaking it. Mr. Anderson also questioned whether there are any other “malls” except the mall with a large area of open space, though he does not believe there are. He does not think that drives traffic, and it would require much less than usual for gross.

Mr. Kennedy stated that even some of the “open space,” has business operating, i.e., food courts, stands in the middle, etc.

Mr. Stoppelman referred to the approval where Carter Chevrolet stands. The applicant sought twice the parking required, as they need it. He has no problem changing to four based on gross floor area, though perhaps limiting parking could be undertaken.

Mr. Anderson stated that is why this issue came up. While looking at one pad site, the entire mall would have to add additional parking if spaces were eliminated and more leasable spaces were added. He stated it does not make sense.

Mr. Bergin observed that differentiation is important for the large lots; to be lower because of the proximity to public transit. A massive retail space would not be built, he stated, in a location with limited access. He believes it makes sense to trend to a ratio that yields a lower number of parking spaces.

Mr. Anderson reiterated that it is a minimum. An applicant may state they need more parking spaces, and that is up to the business, he said. The wider question is whether minimums are needed.

Mr. Stoppelman commented that Cumberland Farms does not appear to have enough parking. When looking at the mall, there is ample parking, he stated.

Mr. Kidd asked about the definition of a shopping center.

Mr. Prause speculated whether it makes sense to rewrite the regulation to use gross leasable area for all three sizes of shopping centers.

Ms. Bertotti replied that it would be best to require gross floor area, not deduct areas for leasable floor area.

Ms. Ike wondered if whoever wrote the requirements can state the reason for these calculations.

Ms. Bertotti stated that she asked Mark Pellegrini, the former Planning Director, who did not remember the reason for this particular formula. The requirements were written in the 80s when the CUD regulation was enacted. She went on to read the description of a shopping center: “A group of commercial establishments planned, developed, owned and managed as a unit with off-street parking provided on the premises for customer use.” Ms. Bertotti then read the definition of a shopping mall: “A building or group of buildings having a gross floor area of 500,000 square feet or more and containing an open or enclosed common pedestrian area serving more than one commercial tenant located within the same building or groups of buildings.”

Mr. Kidd asked, because the mall is a CUD planned in the 80s, whether it would be possible to add to the requirements, or if that has been predetermined.

Mr. Anderson stated that there has been a recent change to remove some of the original wording.

Ms. Bertotti said that in the mall plan, development rights were given to the pad sites and certain land uses were allocated that could be put on the pad sites, though not all of it was built.

Mr. Kidd asked if there are other non-pad sites where a building can be constructed, or if it is limited to the predetermined pad sites.

Ms. Bertotti said she believed that every inch of the map was accounted for.

Mr. Kidd stated the parking was accounted for and asked why this is an issue. By default, he said, the parking is what it is. Pad sites could be built upon and he wondered why there should be a regulation.

Ms. Bertotti replied that, to the best of her understanding, some of the pad sites changed from, for example, office or retail to restaurant or other uses. The parking ratios, she stated, used to be counted differently. Ms. Bertotti stated that some years ago the formula for restaurants was one parking space required for 25 square feet of leasable area. Therefore, some of the mall parking was traded off to the restaurant sites, she described, and the mall parking numbers became deficient compared to what was originally planned for an office site. She said it is a number trade-off more than anything.

Mr. Stoppelman questioned whether 4.5 spaces per thousand square feet of gross leasable area would actually be less than four spaces per thousand square feet of gross floor area.

Mr. Anderson replied that it depends on how much common space is within the shopping center. He pointed to Art. IV Sec. 9.03.20 (c), which is a complicating factor; (a) and (b) would make sense, he said. In a mall, he stated, there is space that is not leasable and he is not sure how that is measured. For example, there are kiosks and a shared food court, so it may be better to look at it all in the same way.

Ms. Ike stated she would be interested in comparing this plan from the 80s with plans from the similar period in other Connecticut towns, such as Westfarms. Mr. Anderson stated he has not looked at that. Ms. Bertotti said she does not know what their requirements are.

Ms. Ike referred to other malls in the state. She said it was her understanding that other malls were also built in the same period, and she was curious to know if they have the same language problem.

Mr. Anderson stated that Westfarms Mall is a different mall compared to the Buckland Hills Mall. It is a different traffic generator and a different driver, he said.

Mr. Kennedy noted that Westfarms had a major expansion and must have made regulatory changes.

Ms. Ike stated they may have addressed the issue and also noted there is a parking garage, which is why she mentioned other parts of the state.

Mr. Anderson noted that the Commission is generally more comfortable with the lower number, though Staff should review requirements in other towns with large shopping malls. He questioned if there is a need to discuss the leasable area vs. gross floor area.

Mr. Stoppelman noted that it seems much simpler to measure the building size.

Ms. Ike questioned whether the kiosks are separate, and are little businesses in a big building.

Mr. Prause stated that the Town must have information on how parking requirements were met. Ms. Bertotti replied that this information can be located.

Mr. Prause said it would be interesting to note whether just gross floor area meets a four or not as it may work out to be three parking spaces per thousand.

Mr. Anderson stated that another challenging issue is that the original map of the mall shows parking and the original footprint of the mall, but the area was later subdivided and it must be looked at differently in terms of parking and the leasable area.

Ms. Bertotti advised that, with a business coming in now, Planning staff would have to look at the entire mall and calculate the leasable area and the existing parking, which has changed. She noted that every time the parking area is striped, a few spaces are lost or added. All of these factors complicate this process, Ms. Bertotti stated, beyond what is necessary. She noted that there is plenty of parking.

Ms. Ike responded that at Christmas time there is not plenty of parking, to which Mr. Kennedy stated that any other time of the year there are acres of empty pavement.

## **HISTORIC INDUSTRIAL BUILDINGS**

Mr. Anderson explained the topic refers to the older industrial mill buildings around town. There has been trouble filling the buildings, he said, as they are in different zoning districts and there are various challenges to filling them, some of which are related to zoning, though some are not. He stated the focus of this discussion will be items the Commission has purview over.

Mr. Anderson projected the Co-Op on Oakland Street, which at one time was an opera house and most recently a feed store and farmers' market. The area is in a General Business Zone, he stated, and described the surrounding buildings.

Mr. Kidd inquired whether any of the Co-Op is operational at this time. Mr. Anderson replied that it has been closed.

Mr. Stoppelman asked if the rotaries are still planned in that area, though the train is not operating. Mr. Anderson stated that the rotaries are still planned. In fact, the plan is moving forward as one of the Town's priorities for the next transportation bill, he advised.

Mr. Kennedy observed that that is the end of the train line. Mr. Anderson observed that the train does not go past Sanford & Hawley.

Additionally, Mr. Anderson reported, the Armory was recently sold, and the new owners spoke with Planning about various uses from storage to office to car rehabilitation, etc. That is in a split zone, Residence B in the back and Business III in the front, he stated.

Mr. Anderson reported that Middle Turnpike, which was discussed as part of the Manchester Green planning effort, has challenges. The property at 501 Middle Turnpike has turned over a couple of times. Someone purchased the location, Mr. Anderson said, thinking they would profit from it, though they never paid taxes and recently lost the property. He said that someone purchased the tax lien, though discussions with the new owners indicate that they will most likely try to sell the property as soon as they take possession. Mr. Anderson stated that he spoke with a consultant the new owners hired about the issues there.

Mr. Stebe inquired whether the property next to it is empty. Mr. Anderson said he did not know whether DeRosa Printers is occupied.

Mr. Anderson reported that the area is a Special Design Commercial Zone, and the building at 501 Middle Turnpike is large compared to the lot size.

Mr. Anderson went on to discuss the property at 40 Glen Road, in the area of Case Mountain. The property is not vacant, housing storage and industrial units, Mr. Anderson stated, though if at some point there was an opportunity for rehabilitation, this location would be among these underutilized properties.

Mr. Stoppelman reported that the location was originally Case Manufacturing.

Ms. Bertotti pointed to the mill and bus storage areas.

Mr. Anderson continued by pointing out the Time Machine store on Hilliard Street with huge industrial buildings, some of which are used though some are underutilized. Many of the buildings are in bad shape, he said, and perhaps in the future it would be helpful to have a more intense use at that location.

Mr. Stoppelman stated there is also an industrial building in the rear of the location. Mr. Anderson replied that there are many buildings and pointed to the various buildings in the area.

Mr. Kidd asked if there is any information as to how well utilized the buildings are in that area.

Mr. Anderson responded that he does know how well utilized the buildings are, and is only

aware of the small area in the front. He pointed to the building on the right which has a lot of activity; the remainder are various industrial uses or vacant.

Mr. Bergin stated that one of the buildings is a bottle redemption center.

Mr. Kidd noted that there had been an antique store in that location.

Ms. Bertotti pointed to various uses from the 1800s to early 1900s to post WWII, small lots, large buildings, older buildings, and a variety of zoning districts.

Mr. Anderson stated Hilliard Mills would be another area. Ms. Bertotti reported Hilliard Mills was not included because it is occupied. Mr. Anderson noted they have experienced some of these challenges.

Mr. Stoppelman inquired if the owner of the Hilliard Mills bought the Armory.

Mr. Anderson reported that Mr. Bonzani is involved in the Armory, though he is not sure if he is the owner. At the time he met with Planning, Mr. Bonzani was in an advisory position, Mr. Anderson stated. He went on to reiterate the challenges as code compliance and building and fire code because these are older buildings. If an owner plans to do anything significant in the property, the fire sprinkler systems are very expensive. He also described environmental issues such as the construction materials and what may be in the ground.

Parking for some of these properties, described Mr. Anderson, is the number one issue, especially for the Middle Turnpike building on the Green. He stated there is not enough parking and there is no way to meet the parking requirements for any significant use within the building. In terms of dimension requirements, he reported, most of the buildings will be non-conforming structures on small lots. Mr. Anderson reiterated the properties are on visible locations in established neighborhoods and, therefore, utilization would be a benefit to the Town in trying to attract high-end development, whether residential, commercial or a mix.

Mr. Anderson further stated that, in looking at the zoning limitations as these properties are in different zones, off-site or shared parking is not allowed in those districts, which may be something to look at. There is a provision for historic mill conversion which was used for the conversion of the Cheney Mills, though that is only for residential use, he said, and is a pretty significant regulation. Mr. Anderson pointed to the maximum buildable area of 60% which is a liberal requirement. There are setbacks, he noted, but these buildings are not going to be moved and there will not be additions.

Ms. Bertotti reported that people were asking Mr. Anderson what uses are allowable in a particular building. Unfortunately, she said, Planning staff are forced to respond that there are not many options, due to parking limitations and limitations on the uses permitted in the zoning district. Some uses are allowed, provided there is adequate parking, but are not desired uses in the neighborhood. Ms. Bertotti stated that self-storage units would be an attractive use for property owners, though the Planning Commission and planners do not want that use in a prominent location and in these historic buildings.

Ms. Bertotti described a discussion held between herself and Mr. Anderson on how to incentivize better uses that are more desirable in these buildings. Adding possible uses such as multi-family in the Special Design Commercial Business (SDC) zone as an additional use as of right comes with its own set of problems, she said, because if the zoning district then allows multi-family use as of right, then that would be allowed in the entire zoning district all along Middle Turnpike. Hypothetically speaking, Ms. Bertotti stated, that could convert the whole district, which is now commercial, to residential. She also suggested creating a floating zone, similar to a Planned Residential Development (PRD) zone, where the Commission would create separate regulations and set specific standards, and the applicant could apply for a zone change. Ms. Bertotti stated that the challenge to that is that each time there is a proposed use in the floating zone, the applicant would have to come for a zone change application. Each modification, she said, would require review, so added uses would be reviewed and re-reviewed. There is an option for an overlay zone, she stated, which is different from the Design Overlay zone, where the Commission sets an overlay zone on a map and allows a use in that zone as a special exception, which allows for reduction in parking or incentivizes or allows certain uses as of right. The applicant can then opt to be in the overlay zone or not subject to special exception, she said. She reiterated that a special exception is a high threshold application; however, once approved, the applicant would not be required to apply for every added or changed use. For example, residential use and office use, she explained, could both be as of right and once the special exception is approved, adding office use would not require coming before the Commission for another special exception.

Ms. Bertotti discussed adding provisions for historic mill conversion into more zones. It is currently allowed in the Industrial and General Business zones, but not in the Special Design Commercial or Business III zones, she said. The Armory and Hanshaw Furniture building would not be eligible to apply. Also, she said, the regulations permit conversion of historic mills only to residential use, and perhaps the Commission may consider extending historic mill conversion to other uses that are deemed desirable, such as office or personal service. She stated that in conversations with Mr. Anderson, it was felt that a possible use would be a group exercise facility, although this would generate traffic.

Mr. Kidd questioned if the historic mill conversion is different from the Cheney Mills. Mr. Anderson stated that is how it was used.

Mr. Kidd remembered a time when there were businesses in one of the mills. Mr. Anderson stated he did recollect that as well and believed it was the first one on Hartford Road. Mr. Kidd explained that the lower level had a barber shop.

Ms. Bertotti reported that multi-family buildings, such as apartments, are permitted in the Historic zone.

Mr. Kidd requested clarification about the historic mill conversion, the expansion of which he said was intriguing. Mr. Prause asked if Mr. Kidd was referring to expanding in more areas or expanding the uses. Mr. Kidd stated probably both, and as mentioned, allowing personal services, etc.

Mr. Anderson commented that one potential challenge is that the Armory is not a mill and he was not sure that would apply.

Ms. Bertotti stated that historic mill conversion is under the general requirements for business zones. She read, “The purpose is to allow development which will protect, preserve and enhance historical and architectural qualities of historic mill structures and provide redevelopment potential. They will be established with a view toward conserving and preserving the value of historic mill buildings, encouraging the most appropriate use of these structures with reasonable consideration as to character of the neighborhood. That special exception shall allow for multi-family use and a development density which is suitable for that particular site. Such development shall promote the educational, cultural, economic and general welfare of the citizens of Manchester. Use and re-use of property shall be developed to allow safe access and movement of pedestrians and vehicles, stabilize, improve and protect property values, strengthen the local economy, promote and protect the public health, safety and welfare.” She stated that historic mill conversion is subject to special exception in all locations upon review.

Mr. Kidd observed that is the goal for these other buildings.

Mr. Anderson reported that one challenge that needs further review is that there are certain criteria for approval of a historic mill conversion, which may be different in properties without as much space. For example, he stated, it requires 10,000 square feet of building, the typical driveway widths, etc. Perhaps these requirements can be amended to become more practical, he said.

Mr. Kidd noted that the bulk of the intended locations have been converted. Mr. Anderson said the only property left is the one-story property behind Cheney Hall.

Mr. Kidd questioned the appliance repair business in the Historical Society location. Mr. Anderson stated that could be applied.

Mr. Kidd remarked that, in his opinion, this is a good place to start.

Mr. Prause requested clarification about the floating zone and the overlay zone, and whether the Commission would define the locations of those zones when creating them, or if the Commission would apply them over time as they felt appropriate.

Mr. Anderson replied that, for the overlay zone, the Commission would decide where the overlay zone district would be and the property owners in that area could opt in or out. If they opt out, their zoning rights would remain the same as they are currently. Owners could opt in to the overlay zone if, for instance, they are interested in doing a project that needs more flexible parking requirements.

The floating zone would be similar to a PRD zone, Mr. Anderson reported. A developer or owner would request the zone for the property and would present their plan for it.

Mr. Prause noted that, in the overlay zone, someone would apply for a certain business use on their property, and that would mean that if they wanted to do that more on their property they could, but he questioned whether that would apply to all properties under the overlay zone, or just the property itself.

Ms. Bertotti said her understanding was that rules would be written for the overlay zone stating the uses that would be permitted as of right in the zoning district. That is an incentive for property owners to opt in, and if their future uses are within the list of permitted uses, they are not required to return to the Planning Commission, she said. For example, Ms. Bertotti noted, the owner of Hilliard Mills came before the Zoning Board of Appeals and the Planning Commission on several occasions due to the various uses in the building; each time something was changed or added, he has had to modify the special exception or apply for a variance. The overlay zone regulation could be written in a manner to allow these uses, encouraging owners to opt in, she said. As a trade-off to the Town, Ms. Bertotti noted, the regulation could perhaps require design improvements, certain standards for site development, or building preservation requirements. This could help avoid situations like the recent proposed design for the former VFW building, where the design was completely different from the historic building, with vinyl siding proposed on a brick building.

Mr. Kidd asked, if a property is made part of a historic building conversion, is that then a zone change, and are the owners obliged to follow those regulations? Mr. Anderson replied that it would be a special exception use. Ms. Bertotti reiterated that it would be a special exception use and the owner would apply for the special exception for a mill conversion.

Mr. Kidd inquired whether such a change would remove certain rights. Mr. Anderson replied that it would be simply adding the special exception use into the regulations.

Mr. Kidd questioned whether the goal of adding regulations is to meet a higher threshold.

Mr. Anderson commented that the intent is to provide more leeway, but in doing so, there must be the option for the Commission to approve or deny.

Mr. Kidd confirmed that the intent is to provide leeway on the parking, but not if it will be disruptive to the neighborhood or is just not practical.

Ms. Bertotti stated that off-site parking provisions would be helpful. Parking is a problem for the Armory, she stated, and is a huge problem for the Hanshaw Furniture building. She said she assumed that parking will become a problem for Hilliard Mills as well. As discussed, Ms. Bertotti reported, there is only so much parking that can be shared, so there must be off-site parking.

Mr. Kennedy asked if the owners were polled as to what they would be interested in, i.e. what they would like to do if there were no zoning.

Mr. Anderson reported that he does not know what the property owners would like to do. He did reach out to the consultant for the Middle Turnpike property and read his reply: "I agree with

your point about parking (*suggesting that there wasn't enough parking*). The other suggestion would be flexibility of uses. Obviously, you want it to fit to the area, but one needs to adapt to the times. High density residential is in, among other things such as self-storage and health care. Finding a way to be amenable to what pencils for developers is the best way to encourage the market to redevelop the site. Easier said than done, I know, but just something to keep in mind. The main challenge you'll have is the same challenge developers are having and that's the construction costs. It's tough to reconcile acquisition prices plus construction costs with achievable rents in most locations. This has led to hyper-focus construction towards the luxury segment which could be challenging in Manchester. If there's any way to provide tax abatements or incentives that will help your cause." In terms of zoning, he hits the points, Mr. Anderson said. Parking is helpful, multi-family is helpful and flexibility is helpful, he said.

Ms. Bertotti interjected that the owner of the Armory commented that he was not interested in mixing commercial and residential, or running a residential property either, but his commercial problem is parking. He would be interested in renting to commercial tenants, Ms. Bertotti reported, but there is not enough parking, so solving the parking problem would assist that owner.

Mr. Kennedy suggested that shared parking might work for office uses, as employees could be required to walk from the parking lot to the job. He said he was not sure residential uses would work as well for the Hanshaw Furniture building, for example, which may be too far away from Town parking. He observed that people may be more willing to walk to their job, but residents would prefer to rent in a building with parking for ease with groceries or inclement weather.

Mr. Anderson commented that, for shared parking, the times of day must coordinate with the times of use. The Senior Center is occupied during the day, he said, and is not as occupied at night. He speculated that an applicant could demonstrate how the parking could function in a manner to include off-site or shared parking.

Mr. Kennedy stated that this was addressed with the Mansion Bed & Breakfast. As a business matter, it would work differently for different types of businesses.

Mr. Anderson reported that both downtown and the Historic District have that flexibility.

Mr. Prause requested clarification about the overlay zone. He asked, if a use is approved at the Hilliard Street properties, for example, whether the zone would be modified to have more uses and whether that use would then be allowed as of right in other areas. Ms. Bertotti said no; property owners would opt in or out of the overlay zone. Underlying zoning guides the uses, she explained, unless the applicant files for a special exception to opt into the higher level overlay zone. If they opt in to that, then a list of uses would be allowed at the property, or there might be reduced parking requirements, etc. In return, there could be certain requirements the property owner would have to meet, such as having to maintain the character of their building facing Main Street in a certain way, or being required to remove aluminum or vinyl siding to restore the building's historic character.

Mr. Kidd commented that the intent of the historic mill conversion is the driving principle and

shouldn't be lost. Mr. Anderson asked what the driving principle is. Mr. Kidd replied that it was on the list Ms. Bertotti had read, and the intent helps with the special exception and the reasoning behind granting the special exception.

Mr. Stoppelman observed that the Hanshaw Furniture building is in a unique district. With an overlay, there could be a change in the zoning district and it would not affect much, he said.

The key, Mr. Stoppelman stated, is the parking.

Mr. Kidd reported that, at the Hanshaw building, with the removal of a couple of buildings, there are potentially more options. Mr. Anderson responded that it would have to make sense financially to buy out the leases.

Ms. Bertotti reported that an area of the Armory is used to park old cars, and during a meeting with the property owner, it was suggested that it be considered as a garage for the owner's use. She stated that using it as a parking garage is not a good idea.

Mr. Prause stated he does not see the point of using as of right additions because the opportunity would then be open to properties that the Commission does not intend to open it up to. In his opinion, the historic mill conversion provisions are specifically written for the historic mills. He observed that in changing those regulations, it would be vastly different from the current regulations, and he would rather leave them as is. Mr. Prause commented that the floating zone would encourage people to approach the Commission with proposed changes to their part of the zone. An overlay zone, he said, would entail the Commission identifying properties that in their opinion need openness. He questioned whether the Commission is proactively identifying properties that need help, or if it should establish a floating zone for people who come to the Planning Department stating that they cannot make their proposal work. At that time, the Commission could suggest the floating zone, which would be more flexible. In his opinion, Mr. Prause said, that is the most viable option, rather than changing the historic mill conversion provisions.

Mr. Anderson stated that the reason this was brought for discussion is that the Planning Department is trying to be proactive. He commented that once the overlay zone is approved, any of the uses can be utilized and the applicant does not have to return for special exception modifications. One negative, he said, is that people might question why one building is in the overlay zone and another isn't. The overlay zone would group properties together, he said, but the Commission needs to determine which properties should be grouped. Mr. Anderson stated that the zone could be established and someone could apply for their property to be in that zone, so it could be added to the map.

Mr. Kidd commented that this is why he was leaning toward the other option, not that he disagrees, but the zone would be pre-defined rather than an owner opting in or applying. It would be pre-defined, so the Commission would know which properties are in it, and then the uses can be defined, whether as of right or special exception. He referred to the Hanshaw Furniture property owner, who stated he would like to utilize the property and, when asked what he intended, he had no idea and wanted the Commission to tell him. Regardless, he was fishing

and had no ideas for the property and wanted the Commission to give him carte blanche to do whatever he wanted.

Ms. Bertotti explained that is what Planning's struggle is.

Ms. Anderson reported another issue is incentives, which the Planning Department and the Town need to review. He said he did not believe zoning alone will aid much, but it will make it easier if someone does have a great idea or financing. Ms. Bertotti interjected that at least it would help if zoning were not an obstacle. Ms. Anderson agreed that zoning would help, even if it doesn't completely solve the issue.

Mr. Kennedy interjected that he gets the sense that the opinion is if this regulation were repealed, it could work, though these properties have inherent problems.

Mr. Stoppelman reported that the Hanshaw Furniture building has a mill race under one of the buildings; the stream goes through it.

Ms. Bertotti stated that at the very minimum, off-site parking and shared parking would resolve some of the problem. Mr. Stoppelman agreed and stated that should be the first step.

Mr. Anderson asked if other members had thoughts about the floating zone vs. the overlay zone, whether the zoning is driven by the Commission or driven by the applicant.

Mr. Prause replied that if it is an incentive, he is hesitant to make it an overlay zone because it would give the appearance that the Commission is choosing the properties, and may lead to speculation about why everyone doesn't get this right. He commented that others would ask how the Commission is defining "historic" and asked whether a building from the 40s would be considered historic. In his opinion, with historic mills, they are the mills that are historic and it is more straightforward. Mr. Prause suggested that when drafting of a regulation commences, the section should be reviewed to see if there are any negatives, e.g., if there is a trade-off, it may not help to make it an overlay zone. If that were to happen, he said, the same questions as design overlay would be asked. In his opinion, if the change was all incentive, he could understand it, but if people have to decide whether to apply, it would be best to have an overlay. Mr. Prause advised drafting a proposed regulation to see the results.

Mr. Kennedy stated he would like it to be applicant-driven because the Commission is not sure what people want to do with these properties.

Mr. Anderson commented that the two themes he is hearing are 1) incentivizing the reuse and saving the buildings, and 2) incentivizing activity with the property.

Mr. Kidd reported that the parking is the main issue. Mr. Stoppelman stated that parking is the Commission's responsibility.

Mr. Kidd interjected that looking at each parcel and the possible parking, even demolishing a building, at least it is an idea. There are parcels down the street from the Armory, not that far

down the street, that are underused, he said.

Mr. Anderson reported there is parking across Main Street, though it would not be a good crossing area. Again, he said, perhaps it should be stated that the Commission could allow shared or lower parking standards if an applicant can prove it will work.

Mr. Prause stated that the Parkade was an eyesore and there were no options. The mills were vacant, he said, and were not amenable to industrial use. We are now taking vacant properties due to market conditions, and there would be the question why other areas can have more dense apartments just because the building is older, he said. Mr. Prause deems that to be a possible area of contention. He agreed that it would be good to have incentives, but worries if there are different rules for older, vacant properties.

Mr. Anderson replied that if the Commission will not consider that, it may not be worthwhile to make this change. That is really the trade-off; the intent is for these particular buildings to be reused, he said.

Mr. Prause explained that businesses in the same area would remark about their competition. He questioned whether there is the need. Obviously, there is a need with parking as there was a need with the mills, Mr. Prause stated, but he worried if this may be going too far. He agreed that if there is no use for these buildings and the Town does not want to lose them, that could be a realistic motivation.

Mr. Kidd questioned the comment about going too far.

Mr. Prause responded that this must be reasonable to make it appealing, but not so much that it will drive people to choose a location rather than elsewhere. The goal is to avoid having vacant buildings in disrepair with no use, he said.

Ms. Ike commented that the objective is not to give anybody an unintended competitive advantage.

Mr. Prause suggested if there were a restaurant at the Manchester Green, and then a mill is opened with less parking restrictions, that would not be fair.

Mr. Anderson commented on the cost of code compliance.

Mr. Kennedy stated when talking about parking, there could be liberalization with shared parking, etc.

Mr. Prause agreed that the point may be leniency with code compliance and, therefore, the cost to start a business would be lower.

Mr. Stoppelman stated that, if shared parking is a problem in all zones, these are all reasonably convenient to public transportation.

Mr. Anderson observed that the Planning Department and the Commission should start with more site specifics and over time if it works well, at a later date look at a shared parking regulation. He stated that he is perceiving that the Planning Department should begin writing and then see what the stumbling blocks are, perhaps providing two different drafts.

Ms. Bertotti informed the Commission that she is supplying information regarding “granny pods.” This is new, a state mandate awaiting the Governor’s signature. She commented that she does not know much about it and there can be a discussion at the next meeting, as she is not prepared to have a discussion. She explained they are tiny units which are accompanied by a doctor’s note which will be permitted as of right. The Zoning Enforcement Officer will have to sign a permit after reading the doctor’s note. Mr. Anderson stated in his opinion the Governor will not sign it.

The meeting was adjourned at 8:43 PM.

I certify these minutes were adopted on the following date:

July 17, 2017  
Date

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Eric Prause, Chairman