AGENDA

NEW BUSINESS:

1. **HIGHLAND MEETING ROOM, INC.** – To relocate the existing parking, create a one-way internal traffic flow, and expand a portion of the existing building at 127 and 133 Highland Street.
   - Erosion and Sedimentation Control Plan (2018-121)
   - Special Exception Modification (2018-122)

2. **VANLOSE ENTERPRISES, LLC** – Special exception modification per Art. II, Sec. 24.02.01(h) to construct a building addition and canopy to the existing automobile dealership building and modify the exterior of the existing building at 80 Oakland Street.
   - Special Exception Modification (2019-002)

3. **KRISTINE CARLSON** – Request for extension of time under CGS 8-25 for filing approved subdivision plans.
   - Resubdivision (2018-057)

4. ADMINISTRATIVE REPORTS

5. DISCUSSION ITEMS
   - North End Workshop
   - CUD Discussion Follow-up

6. APPROVAL OF MINUTES
   - January 23, 2019 – Public Hearing/Business Meeting

7. RECEIPT OF NEW APPLICATIONS
TOWN OF MANCHESTER
PLANNING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Matthew R. Bordeaux, Senior Planner
DATE: February 14, 2019
RE: Highland Meeting Room, Inc. – 127 & 133 Highland Street
Erosion and Sedimentation Control Plan (2018-121)
Special Exception Modification (2018-122)

Introduction

The applicant is proposing modifications to the existing place of worship at 133 Highland Street including constructing a building addition, expanding the parking area, and associated site improvements. The 0.84-acre site is located on the north side of Highland Street in the Residence A zone (see Location Map attached). Residential lots abut the subject property to the east and west and to the south on Highland Street as well. Town of Manchester-owned open space abuts the property to the north.

In accordance with Article II, Section 4.02.02 of the Manchester Zoning Regulations, a place of worship is a special exception use. The applicant is requesting approval of a special exception modification for proposed improvements to the existing place of worship. Additionally, an erosion and sedimentation control plan certification from the Planning and Zoning Commission is required because the total site disturbance exceeds 0.5 acres.

A lot line revision was approved administratively on January 15, 2019 that increased the area of 133 Highland Street from 0.6 to 0.84 acres, thereby reducing the area of the adjacent lot at 127 Highland Street (see Boundary Relocation Plan attached). The revision was intended to provide room for the proposed expanded parking area for the existing place of worship.

Project Description

The existing “Meeting House” located at 133 Highland Street has a footprint of approximately 1,900 square feet and has approximately 22 parking spaces located in front of the building. The applicant is proposing to construct a 1,600 square foot building addition onto the front of the existing building. The addition would be an approximately 150-seat hall as shown in the attached “First Floor Plan” and “Front and Left Elevations”.

In accordance with Article IV, Section 9.03.13, one parking space for every three seats for the maximum congregation which can be accommodated at one service must be provided. The applicant is proposing to expand parking on site by constructing 51 parking spaces, most of which would be located to the rear of the building. There are four (4) handicap parking spaces
proposed to be located directly in front of the proposed addition. The applicant states that 2,290 square feet of landscaping has been provided, exceeding the minimum requirement of 20 square feet per parking space (20 square feet x 51 parking spaces = 1,020 square feet landscaping). In accordance with Article II, Section 1.00.02(e)(4), places of worship shall screen adjoining residential properties with a landscaped border not less than 8 feet wide. The applicant will need to request relief of this requirement as the 8 foot landscaped border is not provided in some sections of the proposed improvements. The Commission may approve the use of materials such as a landscaped berm, masonry wall or fence when landscaping cannot provide the required screening.

The applicant is proposing to narrow the existing access driveway on Highland Street and open a second curb cut. The proposal would dedicate the westerly driveway for visitors to access the site and the easterly driveway to exit. The proposed internal flow of traffic is depicted on the “Site Development Plan” drawing C-1.02 attached.

The applicant is proposing to install an underground stormwater infiltration system to retain and infiltrate the additional runoff generated by the increase in impervious surface on site. The applicant is proposing additional enhancements to landscaping and lighting and will install an underground gas service line.

**Erosion and Sedimentation Control**

The applicant has prepared an erosion and sedimentation control plan for the proposed improvements. It is anticipated that grading and construction activities will begin in the spring of 2019. The plan proposes to install a continuous line of silt fence around the perimeter of the site. Construction entrances are shown on both site driveways and hay bales are proposed to surround the catch basin at the northerly extent of the proposed parking lot.

**Special Exception Modification**

In accordance with Article II, Section 4.02.02 of the Manchester Zoning Regulations, a place of worship is a special exception use. The Commission shall consider the special exception criteria of Article IV, Section 20 in their review of this modification application.

**Staff Review**

Staff has reviewed the plans and documents submitted with the application and provided comments to the applicant. The applicant submitted revised plans that addressed most of the staff’s comments. Outstanding staff comments are mostly minor in nature. A report on the content of outstanding comments will be provided at the meeting.
DISCLAIMER: This map is compiled from other maps, deeds, dimensions and other sources of information. Not to be construed as accurate surveys and subject to final changes as a more accurate survey may disclose. NOTES: Original planimetric and topographic data were compiled by stereophotogrammetric methods from photography dated April 1999 in accordance with ASPR accuracy standards for 1 inch = 40 ft large scale Class I mapping. The updating of the GIS data is performed by the GIS/Maps & Records Unit on a continual basis utilizing the best and most appropriated sources available.

1 inch = 226 feet
Date: 2/11/2019
Author:
TO: Planning and Zoning Commission

FROM: Matthew R. Bordeaux, Senior Planner

DATE: February 14, 2019

RE: Vanlose Enterprises, LLC – 80 Oakland Street
Special Exception Modification (2019-002)

Introduction

The applicant is proposing to construct an addition to the north side of the Mazda of Manchester building to provide a sales and service reception area as required by Mazda dealership design standards. Mazda of Manchester is located on the northwest corner of the intersection of Oakland Street and North Main Street. The dealership is bordered by Town of Manchester-owned land to the west; two undeveloped parcels and one vacant residential parcel exist to the north on Edward Street; and various commercial properties are located to the east on Oakland Street. The 1.84-acre property is located in the General Business zone.

Project Description

The proposed building addition will be constructed on the north side of the existing building, towards the northeast corner of the lot. The addition is proposed to be approximately 1,600 square feet and 26’ high (highlighted in pink on the Improvement Location Survey attached). The paved area to the east of the proposed addition is used for displaying vehicles along Oakland Street. Employee parking is located to the north of the proposed addition adjacent to Edward Street.

A proposed canopy will be constructed on the north side of the building as well, located to the west of the building addition. The approximately 850 square foot canopy (highlighted in orange) will be used for the drop off and delivery of service vehicles and for the delivery of new vehicles to customers. The existing curb cut and site access drive from Edward Street will be modified by shifting the opening in the existing landscaping along the road approximately 25’ to the west (highlighted in light blue) to better line up with the proposed canopy and service bays. The applicant has proposed to install three (3) holly bushes (highlighted in green) in the landscape island along the perimeter of the site adjacent to Edward Street.

The applicant has stated in the Traffic Statement provided that “Mazda believes that this expansion will generate some additional sales and service customers. It is expected that over the next two to three years this expansion will result in approximately 12-18 additional vehicle trips per day which includes 2-4 additional employee trips.”
Special Exception Modification

In accordance with Article II, Section 24.02.01(h), Automobile Sales is a use subject to special exception approval from the Planning and Zoning Commission. The Commission may consider the special exception criteria of Article IV, Section 20 in their review of this modification application.

Staff Review

Staff has reviewed the plans and documents submitted with this application and recommends approval with modifications. A report on the outstanding staff comments will be provided at the meeting.

MRB
R:Planning\PZC201902 - February 20\Packet Memo\2019-002 Vanlose.docx
Attachments
DISCLAIMER: This map is compiled from other maps, deeds, dimensions and other sources of information. Not to be construed as accurate surveys and subject to final changes as a more accurate survey may disclose. NOTES: Original planimetric and topographic data were compiled by stereophotogrammetric methods from photography dated April 1999 in accordance with ASPR accuracy standards for 1 inch = 40 ft large scale Class I mapping. The updating of the GIS data is performed by the GIS/Maps & Records Unit on a continual basis utilizing the best and most appropriated sources available.

1 inch = 226 feet
Date: 2/11/2019
Author:
February 13, 2019

Eric Prause, Chairman
Planning & Zoning Commission
Town of Manchester
Lincoln Center, 2nd Floor
494 Main Street, PO Box 191
Manchester, CT 06045-0191

RE: Extension Request – Kristine Carlson, 637 South Main Street
Resubdivision (2018-057)

Dear Chairman Prause and Commissioners:

Pursuant to Conn. Gen. Stat. § 8-25, please accept this letter as a formal request for a 90 day extension to record the plans approved in the above referenced resubdivision application.

As the receiver of this parcel of land, along with others in Manchester and Glastonbury owned by Carlson Associates, I must limit any significant expenditures of partnership funds. To that end, I respectfully request an additional 90 day extension, to June 22, 2019, by which to record the approved plans to postpone a substantial increase in taxes to be paid out of partnership funds as we continue with this process. This is our second of the two allotted extension requests pursuant to this section.

Thank you for your consideration.

Sincerely,

[Signature]

Attorney Richard S. Conti
Receiver, Carlson Associates, Applicant
MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
JANUARY 23, 2019

ROLL CALL:

Members Present: Patrick Kennedy, Acting Chairman
Timothy Bergin, Acting Secretary
Jessica Scorso

Alternate Members Sitting: Charles Sabia
Julian Stoppelman

Alternates: Teresa Ike

Absent: Eric Prause, Chairman
Michael Stebe, Secretary

Also Present: Gary Anderson, Director of Planning
Matthew Bordeaux, Senior Planner
Nancy Martel, Recording Secretary

The Acting Chairman opened the Public Hearing at 7:00 P.M. The Acting Secretary read the legal notice when the call was made.

LA IGLESIA DE DIOS, INC. – Request a special exception under Art. II, Sec. 6.02.04 for a place of worship use at 69 North Street and 65 North Street (a.k.a. 65-67 North Street). – Special Exception (2018-129)

Attorney Stephen Penny introduced himself. Attorney Penny explained the request for a special exception use approval to permit a place of worship in a Residence C zone, along with a parking easement to serve the church use. He reported the property boundaries, noting that all surrounding properties are zoned Residence C, and stated that the property is served by public water and sewer. Attorney Penny described the prior use of the buildings, explaining that the site has fallen on hard times. He reported that the pub structure is in poor condition externally and will require work internally to meet current codes. The two-family residence sustained a fire, has been condemned by the Town, and would be removed by the applicant, though the church would like to replace it at some point in the future. Attorney Penny stated that the surrounding area consists almost exclusively of one- and two-family homes, though there are two churches and a fraternal meeting hall within in the zone.

On July 25, 2018, the Zoning Board of Appeals (ZBA) granted the applicant a variance of Art. II, Sec. 1.00.02(e)1 of the regulations, which requires that new places of worship be located only on streets designated arterial or collector roadways, according to Attorney Penny, who noted that North Street is a local street. The applicant has the property under contract for purchase, he explained, and the record-owner of the property has signed a consent letter that is in the Planning Department’s file.
Attorney Penny described the proposed use as well as aspects of the particular site. He explained that the applicant would own and use the former 4,800 sq. ft. restaurant and banquet facility as a place of worship, with no proposed changes to the footprint, though several outbuildings would be removed. He went on to describe the parking plan. Attorney Penny described the specific church use, as well as the planned yearly special anniversary service, which would attract 100-125 people.

The Plan of Conservation and Development, remarked Attorney Penny, characterizes the area as a “core neighborhood,” which in this instance extends from North School Street on the east to the Hockanum River on the west, and from North Main Street on the south to Union Pond on the north. He reported it is clear the Plan of Conservation and Development, as well as the Zoning Regulations themselves, contemplate the proposed place of worship use as a one- or two-story structure in this mixed use, though predominantly residential, neighborhood. Attorney Penny described the permitted uses and criteria in the Residence C zone as well as special exception and parking uses.

Mr. Andrew Bushnell, Professional Engineer and Licensed Land Surveyor with Bushnell Associates, introduced himself. Mr. Bushnell further described the site and the planned demolition of the home and outbuildings on the site. He displayed and explained the changes to the driveway, parking and landscaping. He reported that the building is served by city water, city sewer, natural gas and overhead utilities and the demand is not anticipated to increase. Mr. Bushnell noted other nearby sites that use on-street parking on North Street for overflow parking.

Mr. Bushnell reported that the proposed landscaped areas will be more than the 20 sq. ft. of landscaping per parking space required by the zoning regulations. He distributed pictures of the proposed landscaping and buffering, describing them in detail. The storm water plan was also illustrated.

Mr. Bergin asked if a dumpster will be added to the site. Mr. Bushnell replied that the applicant’s use will only require standard trash barrels on the curb.

Mr. Bergin inquired whether there will be any change to the outdoor lighting. Mr. Bushnell did not believe that lighting had been discussed up to this point, though he noted they would have to comply with the zoning regulations.

Ms. Scorso asked for clarification of the parking areas being removed and then reseeded, as well as the existing parking area. Mr. Bushnell demonstrated on the site plan the areas that will be removed and reseeded, and said he assumed the parking lot will be repaved. Ms. Scorso reiterated that the applicant intends to repave the parking lot and Mr. Bushnell concurred.

Mr. Sabia questioned whether the handicapped access will be a ramp or straight into the building. Mr. Bushnell informed that the handicapped access will be straight-in access. He noted that there will be regrading of the area to improve water removal.
Mr. Mark Lamson, Architectural Engineer, FLB Architecture and Planning, introduced himself. He detailed the exterior and interior changes as well as specifications of the building, noting the potential uses for each area. The exterior materials, he explained, will be essentially the same. The roof and siding will be repaired; the front will be repainted with earth tones along with a color in the white family. Signage will be minimal, as noted on the drawing, he stated.

Attorney Penny referred to Art. IV, Sec. 20 of the regulations, which sets forth the criteria for special exceptions, relating each to the application.

1. Suitable location for use.
   a. Neighborhood compatibility.
   b. The proposal is consistent with the Plan of Conservation and Development.
   c. The church is less intensive than the prior business.

2. Adequate streets for use.
   a. North Street is not an arterial or collector roadway. However, it is only 450 ft. from the site via Wood Lane to Union Street, which is a collector roadway.
   b. North Street and Kerry Street also connect North Main Street and Union Street with North Main, an arterial roadway, only 950 ft. from the subject site.
   c. The proximity means that church-generated traffic will disperse from the neighborhood quickly, easily and directly with minimal impact on the residents.
   d. The ZBA recognized the significance of the proximity to arterial and collector roadways when granting the variance to the applicant. Such proximity has been a reason cited by the ZBA several times in approving similar variances for places of worship on a local street.
   e. The traffic impact statement submitted by the applicant concludes that “the activities proposed by this application will not have an adverse traffic impact on North or any adjacent streets” and there were no Town Staff comments that challenged the conclusion.

3. Adequate parking and access.
   a. The 26 standard and 2 handicapped parking spaces identified on the proposed site plan meet the requirements of the zoning regulations and some of the parishioners will arrive by the church-owned van.
   b. Town Staff comments asked about the relative need for street parking for one anniversary celebration, which would be held each year on the anniversary of having received their permits to occupy the facility.

4. Adequate public utilities.
   a. The utility impact statement concludes that the proposed use will not have an adverse impact on the currently-utilized public utilities or existing site drainage.
   b. The Town Engineering Staff found no issues with the applicant’s proposed use of the available public water and sewer infrastructure and there are no adverse Staff comments in that regard.

5. Suitable structures for use.
   a. The existing building height, size and design at the formerly commercial location is compatible with the Plan of Conservation and Development.

   a. The only physical change proposed is reducing the amount of impervious surface.
Attorney Penny referred to Art. II, Sec. 1.00.02(e) 4 to determine what may be required to “adequately screen adjoining residential properties” from the places of worship special exception use. Existing vegetation (landscaping) and/or natural topography (grading) may be sufficient to meet the screening requirement without the need, beyond the existing stockade fence along one boundary, for a landscape berm or masonry walls.

In conclusion, Attorney Penny noted:
- There are no Staff comments that would preclude a favorable decision.
- The proposed church use will be less impactful in the predominantly residential area than the prior commercial use.
- The use is a special exception use in the zone compatible with the immediate mixed use neighborhood contemplated by the Plan of Conservation and Development.
- The existing building is compatible in height, size and design with the neighborhood.

Attorney Penny noted that the Town Attorney is desperate to see this eyesore removed from the neighborhood. Additionally, the Town is owed substantial taxes on the property, which it stands to collect if the application is approved. He reported the bankruptcy attorney representing the current owner is very interested in seeing this sale conclude.

Mr. Stoppelman inquired where the church is moving from. Attorney Penny responded that there is a facility in East Hartford, which they will retain; this will be an additional location.

Mr. Bergin inquired about the anniversary date. Attorney Penny replied that the church will be celebrating either the date on which they obtained their permits or the date on which they take occupancy on an annual basis and, thus, the date has not been set.

Mr. Bordeaux reported two outstanding Staff comments. He stated that his comment related to the discrepancy in the number of stated attendees at the largest congregation; it was previously stated as 80 and the floor plan showed 84 seats. The second comment was from the Zoning Enforcement Officer, asking for revisions to the plans to show proposed grading for the parking lot at the entrance and the proposed grading for the two-family house to be removed.

Mr. Bordeaux read from a letter received January 17th from Ms. Martha LaFranchise, 64 North Street:

“My only concern having a church across the street from my house at 64 North Street is the parking on both sides of North Street. A few years ago there were ‘no parking’ signs on the even number side of North Street. Now these signs are no longer there. North Street is narrow and would be a hazard to fire trucks, health vans, etc. I hope you will check into the single side parking for everyone’s safety. Thank you.”

Mr. Stoppelman inquired whether there was a site plan that would be required for the actual colors to be approved. Mr. Bordeaux stated that is at the discretion of the Commission, as there is no regulation stating what the color should be.
Mr. Stoppelman contemplated whether it would be worth having it approved by the Chairman and Mr. Anderson. Mr. Anderson responded that it is not in an overlay zone, and he is not sure what authority they would have to discuss the colors, though they would be open to discussing it with the applicant.

Mr. Bordeaux reported that a work order has been placed to address the comments from Martha LaFranchise. Replacement signs for “no parking” on the east side of North Street will be placed.

**MOTION:** Mr. Bergin moved to close the public hearing on this application. Mr. Sabia seconded the motion and all members voted in favor.

**AMERCO REAL ESTATE COMPANY/MOSES EASON – Request a special exception per Art. II, Sec. 24.02.01 to allow self-storage and truck/trailer sharing uses at 440 Oakland Street. – Special Exception (2018-133)**

Ms. Katherine Stevens introduced herself as representing Amerco and U-Haul of Central Connecticut. The special exception application is to allow self-storage and truck sharing uses and will require no change to the existing building footprint. She reported that approximately 1,900 sq. ft. of drive-up accessible storage is being proposed on the property. The applicant is proposing adaptive re-use of the Beacon Light building to include retail space and self-storage, she explained. U-Haul takes pride in adaptively re-using existing buildings to sustainably expand the buildings while revitalizing underutilized commercial spaces, Ms. Stevens said, and she projected several examples of such rehabbed buildings.

Ms. Stevens displayed the current U-Haul Center on 432 Oakland Street and the building for which the applicant has applied for special exception. She explained the details of the parking areas, as well as the preliminary floor plans and the proposed location of outdoor storage units. There are no plans to change the exterior of the building, and it will be similar to the abutting U-Haul Center in color and design, she said.

Mr. Bordeaux reported outstanding Staff comments from the Zoning Enforcement Officer, requesting that the applicant fulfill the detailed plan of development requirements for a special exception. He sought additional information on renderings of the accessory structures and details on the building elevations, floor plans and material; some of the items were provided, though the Zoning Enforcement Officer had not had an opportunity to review the additional information. According to Mr. Bordeaux, the ZEO asked for the applicant to show existing and proposed handicapped parking spaces, and to verify the plans clearly show all proposed parking areas.

**MOTION:** Mr. Bergin moved to close the public hearing on this application. Mr. Sabia seconded the motion and all members voted in favor.

**TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – To revise Art. I, Sec. 2 (Definitions) to add definitions for Agri-Tourism and related terms, and to revise Art. II, Sec. 2 (Rural Residence Zones) to add Low-Impact Agri-Tourism as a permitted use and High-Impact Agri-Tourism as a special exception use. – Zoning Regulation Amendment (2018-131)**
Mr. Matthew Bordeaux, Senior Planner, Town of Manchester Planning Department, introduced himself. He reported that the Planning and Zoning Commission, Staff, and members of the public have collaborated in workshops and small-scale meetings to develop a set of regulations to address agri-tourism in Manchester.

Mr. Bordeaux stated that the intent of the proposed regulation is to address the Plan of Conservation and Development’s Growth Management Principle (GMP) 1, Objective A3. However, he noted, to keep farms economically viable, farmers’ creativity has outpaced regulations. The PZC is charged with considering impacts inherent in a zoning district where primary uses include residential and agricultural activity, Mr. Bordeaux explained.

Under the current regulations, according to Mr. Bordeaux, agriculture is undefined and is a permitted use in the Rural Residence zone. The permitted uses incorporate farming, including dairy, livestock raising, horticulture, the keeping of horses, and various accessory uses. He explained the minimum lot size in the Rural Residence zone is 30,000 sq. ft., approximately two-thirds of an acre.

One of the challenges with the Rural Residence zone and the preservation and promotion of agriculture is the minimum lot size of 30,000 sq. ft., according to Mr. Bordeaux. For a residential lot in a Rural Residence zone, that could be considered small, he stated. The proposed regulation considers definitions, many of which are being adopted straight from the State regulations, seeking consistency. The intent is to define agri-tourism and how agri-tourism uses differ from what are considered traditional agricultural activities.

Mr. Bordeaux reported the proposed amendments are as follows:

1. Definitions
   - Consistency with State regulations
2. What is Agri-Tourism?
   - How are the activities different from “traditional” farming activities?
3. Mitigation of Impacts, Suitability of Site, Preservation and Promotion of Agriculture.

Definitions

- **Agriculture** – CGS 1-1(q) or as amended.
- **Agri-Tourism**
  - Activity to attract visitors to view or participate
- **Low-Impact Agri-Tourism**
  - Activities that engage visitors in agriculture
- **High-Impact Tourism**
  - Activities that are enhanced by a farm setting
  - May require site improvements or structures not directly used for agriculture
- **Farm Brewery** – Public Act 17-160
  - Must use 25% of ingredients grown in CT in 1st year (50% in subsequent years)
- **Farm Winery** – 04-111

PZC – PH – 1/23/19 - 6
Must grow fruit equal to/not less than 25% of amount used in manufacture of permittee’s wine

- Farmers’ Market – CGS 22-6r
- Marketplace for farmers - at least two must sell CT-grown fresh produce
- Farm
- Farm Stand
- Community Garden or Urban Farm

Agri-Tourism Activities

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<th>Low-Impact</th>
<th>High-Impact</th>
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<tr>
<td>2 acres or greater</td>
<td>Requirements of Low-Impact</td>
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<tr>
<td>Safe access</td>
<td>Consideration of future farm</td>
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<tr>
<td>Adequate internal access</td>
<td>productivity</td>
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<td>Adequate parking</td>
<td>Consideration of impact on</td>
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<td>Compliance with other</td>
<td>surrounding properties</td>
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<td>applicable regulations</td>
<td>Special Exception Permit</td>
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Based on feedback received from the farming community and the Commission, because the intent is for an agri-tourism activity to be an accessory to the primary agricultural activity, the proposed regulation provides that the Commission should consider the impacts of the proposed agri-tourism activity on the ability for the farm to remain in productive agricultural use in the future. Essentially, Mr. Bordeau explained, the site will not be entirely paved, structures will not dominate the landscape, and soils will not be contaminated or eroded – the kinds of impacts that could come with a higher-intensity agri-tourism activity. He stated the Commission should also consider the impact on surrounding properties, noise and light especially, and the proposed regulation gives the Commission the jurisdiction to require conditions that may mitigate some of those impacts. Examples would include buffering, hours of operation, and similar conditions, Mr. Bordeaux explained.

Mr. Bordeaux stated that this is a special exception use and a special exception permit is required. The general criteria of Art. IV, Sec. 20 of the regulations for special exception activities will apply to a high impact agri-tourism activity. The consensus, he reported, is that there is more than enough language in that section of the regulations to provide that the proposed high-impact agri-tourism activities be compatible and suitable.

Mr. Stoppelman questioned whether farm stands are restricted to Rural Residence zones. Mr. Bordeaux stated that is correct; it is found in the general provisions for residential zones.

Mr. Stoppelman referred to parking which is usually required to be paved. Mr. Bordeaux noted that for Low-Impact Agri-Tourism Activities, Item C of the proposed regulations states: “Adequate internal access thereto and sufficient parking shall be provided in a designated area to accommodate projected visitors. Pervious parking areas are permitted.”

Mr. Bergin sought to understand how the keeping of horses moves from the definition of agriculture to high-impact and low-impact agri-tourism, and whether or not the keeping of horses
happens in Manchester on plots that are less than 2 acres. If agri-tourism is meant to occur only on farms, he considered whether or not the keeping of horses meets the definition of a farm, even if the site is greater than 2 acres, and whether that would be regulating those activities by omission in any way.

Mr. Bordeaux reported that there is a separate section that addresses the keeping of horses. While it is an agricultural activity, there are specific requirements when it comes to the keeping of horses. It was his belief that the requirements relate to a certain size lot and an additional half acre for every horse. He explained that the proposal will not have any impact on the existing regulations that apply to the keeping of horses.

Mr. Bergin questioned whether, if an individual had a tangential business related to horses, but the lot was 1.5 acres, the use would rise to the level of low-impact or high-impact agri-tourism. Additionally, he asked if it would be permitted because the place where the horses are kept does not meet the definition of farm or some other consideration based on the definitions. Mr. Bergin speculated whether that was something to be reviewed at a later date.

Mr. Anderson stated that it depends on what type of use is associated with the horses. Currently, in certain circumstances, residents may keep their own horses; commercial uses of horses are not contemplated. He did acknowledge that if it is somehow related to an agricultural use, that may be something that would need to be addressed in the future.

Mr. Bordeaux explained that there are regulations for the keeping of horses for private use, and there are regulations for the keeping of horses for commercial purposes, i.e., stabling, riding academies, etc. He asked if Mr. Bergin’s question was whether or not the keeping of horses for commercial purposes would be an agri-tourism activity.

Mr. Bergin acknowledged that the definition of a farm is that its principle use is for agriculture. He asked, if a property is used as both a residence and for private or commercial use of horses, whether that would satisfy the definition of farm in the regulations and, therefore, fall under agri-tourism. The definitions of agri-tourism, as he read them, both apply to activities permitted on a farm. Mr. Bordeaux noted that it would be a farm in which owners are attracting visitors for essentially a commercial purpose. If the keeping of horses is for private use, the regulation does not apply.

Mr. Anderson raised the issue of whether the keeping of horses is considered a farm, which it is not.

Mr. Kennedy stated that when there is a specific set of regulations governing the keeping of horses, generally the more specific regulations would control the more general ones. In his opinion, this would not give people a way around the specific regulations concerning horses.

Mr. Stoppelman thanked the Commission, Staff, and the farming community for dealing with this very difficult issue. He questioned whether special events would fall under low-impact agri-tourism.
Mr. Bordeaux replied that it would depend on the attractions the public is being invited to participate in. If the use would be traditional, i.e., a corn maze or pick-your-own fruit or vegetable, those would be relatively short-term. Only so much space could be dedicated to any given crop to make it worth it to pick-your-own. Mr. Bordeaux stated that the criteria would be whether adequate parking could be provided onsite, whether there would be safe access from a public street, and whether emergency access would be possible.

Mr. Kennedy noted that high-impact agri-tourism would provide a laundry list of specific things.

Mr. Anderson described the “corn maze test.” For example, with a corn maze, patrons would go to the farm for a corn maze which would be considered low-impact.

Mr. Bergin inquired how 2 acres was selected as the number to use in the regulations.

Mr. Bordeaux responded that the original intent was to use 5 acres, which is a threshold used in other communities for the definition of a farm. The consensus was that there should be a certain amount of acreage and, because Manchester has small Rural Residence parcels, with hard work 2 acres could be productive. Depending on the use, and subject to site plan review or special exception review, the applicant must show that the site is suitable and large enough for the proposed use, he explained.

Mr. Mark Connors, 531 Lydall Street, introduced himself and distributed a handout. Mr. Connors explained that he has what he refers to as a “hobby farm.” He noted that one neighbor has a livestock/poultry farm business and his other neighbor has a horse farm. Mr. Connors relayed that he had spoken with Mr. Bordeaux about the changes to the regulations and had received a copy of the proposed changes, which he had tried to condense onto one page. He then expressed his concerns with the proposed changes and the possible complications. In his opinion, a lawyer could interpret and argue the regulations. Mr. Connors commented that he was not aware of or included in any meetings held on the subject. He posed the possibility that an interest that has nothing to do with farming could purchase two acres in the Rural Residence zone, call it a farm because they have a couple of beehives or sell some firewood, and then want to have a high-impact agri-tourism use, such as an ATV track or horse racing.

Mr. D.J. Lupacchino, 555 Lydall Street, introduced himself. He reported that he had only received the notice of the meeting a couple of days prior. Mr. Lupacchino stated that he had discussed the issue with Mr. Bordeaux and recommended that a farm should be in State 490 and should have a Reg 8, which means it is running a legitimate farm business. He explained this would narrow the scope of properties that could be classified as a farm. The State and the federal government require that a certain amount of money be made every year to qualify, he noted. Mr. Lupacchino also speculated that the Town may have to incorporate the building tax exemption for farms to push farms to a level to generate a profit and qualify for exemptions on the farm buildings.

Mr. Stoppelman questioned whether Mr. Lupacchino was referring to high-impact agri-tourism only, or both. Mr. Lupacchino reported he was referring to both high- and low-impact agri-tourism.
Mr. Fred Lea, 176 Gardner Street, introduced himself. Mr. Lea thanked Staff and the Commission for their patience and for their willingness to be open to the farmers’ input. He noted he is not a large-scale farmer and he appreciates the thought that went into protecting small farmers. Mr. Lea noted he conducts no agri-tourism activities, though he welcomes visitors to his farm. He praised Mr. Bordeaux for his efforts and commented that the proposal is a great start.

Ms. Tracy Longoria, 555 Lydall Street, introduced herself. Ms. Longoria thanked Staff for their efforts. She referred to the many people who cherish her farm and its activities. There is a great deal of interest in weddings and birthday parties at farms, Ms. Longoria reported, and farming is changing.

Mr. Anderson apologized to Mr. Connors for shaking his head during Mr. Connors’s testimony. He explained that it had nothing to do with Mr. Connors. Mr. Anderson referred to the definition, “a tract of land containing two acres or more and used principally for agriculture,” and noted that the principal use must be agriculture; just because there is a chicken coop or firewood on a site, that does not mean that it would be considered a farm. He noted that Staff addressed many of Mr. Connors’s comments in their efforts.

Mr. Connors acknowledged Mr. Anderson’s explanation of the definition and reiterated the lack of notice about the meeting. Referring to his own property, Mr. Connors reported that he has two acres in the back, and speculated whether he could state that is 100% forest land and, therefore, a farm.

Mr. D. J. Lupacchino questioned Mr. Bordeaux about the procedures to adopt the regulations.

Mr. Bordeaux explained that Staff makes an application with the proposed language, distributes it to Staff for their review, and sends a copy of the proposed regulations to the Capitol Region Council of Governments (CRCOG), who provides a report. He reported that the Planning Department issues a Public Hearing Notice two weeks in advance of the meeting and another one approximately 5-10 days prior to the meeting. The Commission then can either ask for more information or consider amendments, he explained. The Commission can either close the public hearing tonight and consider the business item or propose changes and keep the public hearing open to make revisions. He did convey that the Commission is limited by State Statutes to close the public hearing within 35 days after it is opened. Mr. Bordeaux related that the list of those who participated in the workshops was generated from the Assessor’s list of people who have land in Public Act 490, and those same individuals were sent the Public Hearing Notice, which is not the ordinary practice.

In terms of Staff review, the Zoning Enforcement Officer submitted comments which Mr. Bordeaux has addressed. He informed the Commission members that the copy of the regulations in front of them is not the originally-submitted draft. One of the changes was that, in the definition of farm, the 2 acres were put into the low-impact agri-tourism criteria. According to Mr. Bordeaux, a farm is a site whose principle use is agricultural activities, but residential use may also be on site. There are provisions in the regulations for conversion of a single-family
house to a two-family house. He reported there were provisions for the amount of impervious surface permitted on a site which has been removed.

Mr. Bordeaux stated that the Planning Department submitted the application and the proposed language to CRCOG and read the response from CRCOG.

Mr. Bergin requested that Staff reiterate how an individual using their farm for low-impact agri-tourism purposes goes about seeking a special exception permit, which may address the slippery slope argument.

Mr. Bordeaux explained that the Detailed Plan of Development regulations, Art. I, Sec. 4.04, application requirements would apply. Plans would be submitted along with a narrative outlining the proposal and statements regarding traffic impacts, utility impacts, and storm water impacts. All the same provisions that would apply to other special exception applications would apply to a proposal for a high-impact agri-tourism activity.

Mr. Bergin concluded that if an individual who operated a bona fide farm were seeking more high-impact uses including retail sales, pig roasts, etc., the individual would come with more specificity and a drawn-out plan and narrative to the Commission, which would vote on the activity.

Mr. Stoppelman stated that the issue is relatively vague and he would prefer to hear from the absent members. Mr. Kennedy noted that the absent Commissioners would not vote on this application. Mr. Stoppelman assumed they would be able to express opinions.

Mr. Kennedy stated that the purpose of keeping a public hearing open would be to get more information. Many of the comments have been on draftsmanship, not the usual reasons for keeping a public hearing open.

Ms. Scorso reported that she understands what Mr. Stoppelman is stating, that he would like more input, but she feels comfortable with the current definitions and the information from the meeting. She deemed it important that there is language for high-impact agri-tourism and the mechanism to bring such items before the Commission.

**MOTION:** Mr. Bergin moved to close the public hearing. Ms. Scorso seconded the motion. Mr. Stoppelman abstained from the vote. Mr. Kennedy, Ms. Ike and Mr. Sabia voted in favor of the motion.

The Chairman closed the public hearing at 8:48 P.M.

I certify these minutes were adopted on the following date:

________________________________________  Eric Prause, Chairman
Date

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

Members Present: Patrick Kennedy, Acting Chairman
Timothy Bergin, Acting Secretary
Jessica Scorso

Alternate Members Sitting: Charles Sabia
Julian Stoppelman

Alternates: Teresa Ike

Absent: Eric Prause, Chairman
Michael Stebe, Secretary

Also Present: Gary Anderson, Director of Planning
Matthew Bordeaux, Senior Planner
Nancy Martel, Recording Secretary

The Acting Chairman opened the Business Meeting at 8:48 P.M.

NEW BUSINESS:

LA IGLESIA DE DIOS, INC. – Request a special exception under Art. II, Sec. 6.02.04 for a place of worship use at 69 North Street and 65 North Street (a.k.a. 65-67 North Street). – Special Exception (2018-129)

MOTION: Mr. Bergin moved to approve the special exception under Art. II, Sec. 6.02.04 for a place of worship use at 69 North Street and 65 North Street (a.k.a. 65-67 North Street), with the modifications as specified in Staff memoranda from:

1. Matthew R. Bordeaux, Senior Planner, dated January 18, 2019; and

Ms. Scorso seconded the motion and all members voted in favor.

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

AMERCO REAL ESTATE COMPANY/MOSES EASON – Request a special exception per Art. II, Sec. 24.02.01 to allow self-storage and truck/trailer sharing uses at 440 Oakland Street. – Special Exception (2018-133)
MOTION: Mr. Bergin moved to approve the special exception under Art. II, Sec. 24.02.01 to allow self-storage and truck/trailer sharing uses at 440 Oakland Street, with the modifications as specified in Staff memoranda from:


Mr. Sabia seconded the motion and all members voted in favor.

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

TOWN OF MANCHESTER PLANNING AND ZONING COMMISSION – To revise Art. I, Sec. 2 (Definitions) to add definitions for Agri-Tourism and related terms, and to revise Art. II, Sec. 2 (Rural Residence Zones) to add Low-Impact Agri-Tourism as a permitted use and High-Impact Agri-Tourism as a special exception use. – Zoning Regulation Amendment (2018-131)

Mr. Stoppelman thanked the Staff and public for their contributions to this effort and noted a tremendous amount of progress.

Mr. Sabia questioned whether more information could be added in terms of low-impact and high-impact agri-tourism uses going forward.

Mr. Bordeaux responded that, depending on the Commission’s decision, if additional definitions or a list of activities were to be proposed or determined to be necessary, the zoning regulations would have to be amended.

Mr. Sabia reiterated it would go through the same process.

Mr. Kennedy added that the regulations have been a work in progress and often things come up which prompt the Commission to take a look at the regulations. To address the concerns regarding high-impact agri-tourism, he stated that he was not concerned about it as it is a special exception. As a practical matter, an individual who may be in a gray area would, in an effort to save themselves time and money, come to the Commission informally to question whether the activity would be high-impact. Of course, he noted, it would not be binding. Mr. Kennedy reported it would be up to the Commission to construe the matter, and a court would look at the specific examples and determine whether the use is similar to the uses listed. The Commission has a great deal of discretion over the uses and he noted that any use would have to meet the special exception criteria. Technically, according to Mr. Kennedy, up to this point, the regulations have not been there, and individuals go to the Zoning Board of Appeals to interpret existing regulations. He acknowledged that some uses listed are items in the regulations.

Zoning Regulation Amendment (2018-131)
MOTION: Mr. Bergin moved to approve the zoning regulation amendment to revise Art. I, Sec. 2 (Definitions) to add definitions for Agri-Tourism and related terms, and to revise Art. II, Sec. 2 (Rural Residence Zones) to add Low-Impact Agri-Tourism as a permitted use and High-Impact Agri-Tourism as a special exception use. Mr. Stoppelman seconded the motion and all members voted in favor.
The reason for the approval is that the proposed zoning regulation amendment is consistent with the Plan of Conservation and Development Growth Management Principle #1, Objective A3, which states: “Review the zoning regulations and consider regulation amendments that would protect and promote the economic viability of active or potential agricultural lands and protect both agricultural and residential uses when they are in proximity to each other. All State defined agricultural activity should be considered as well as accessory activity that would support economic viability.”

The zoning regulation amendment will become effective on February 8, 2019.

TOWN OF MANCHESTER – Mandatory referral for the sale of 208 North Elm Street. – Mandatory Referral (2019-004)

Mr. Gary Anderson, Director of Planning and Economic Development, introduced himself. Mr. Anderson explained that the topic at hand is an 8-24 referral for a property sale at 208 North Elm Street. As background, the property is residentially zoned, owned by the Town of Manchester, and managed by the Manchester Housing Authority, as it has been since construction in the 1980s. He explained that the property contains 20 units of affordable rental housing for seniors on about two acres in the Bowers neighborhood. In 2014, the Town made an assessment of the capital improvements that were needed at the property, considering what to do with the property in the future, and several hundred thousand dollars of capital improvements were identified.

Mr. Anderson displayed and described the site plan. The Town requested proposals for the purchase of the property a couple of years ago and was dissatisfied with the response. This year’s attempt elicited better responses, and Staff is making a strong recommendation to the Board of Directors that the Town sell the property to an experienced local housing management company who has done work in both development and management around town. Very importantly, he explained, the use of the property will not change. There will be no displacement of residents other than temporary moves to allow renovation of the units. Mr. Anderson reported the applicant has agreed to complete all the capital projects on the list created in 2014, which includes improvements to the common areas, landscaping, parking, sidewalks, and roof replacement along with energy efficiency work. He noted the proposal to replace the current electric heat with gas, which would provide significant cost savings, and energy efficiency measures.

The affordability of the properties would be guaranteed in the deed, Mr. Anderson explained; currently, the units are affordable and, though the original deed stated the units need to be “low cost housing,” there was no definition. He said that the company has agreed to put into the deed that they will be deed-restricted units to a certain level of affordability (80% of the median area income) as well as update their financial model to make it more sustainable over time. He explained that the rents have not changed over 30 years; there is a proposal to make a small increase in rent over time, which would be mitigated by the energy efficiency measures that would cut down on the utility bills within the units.

Mr. Anderson reported that the Commission is being asked to look at the Plan of Conservation and Development. He noted that this is considered a traditional suburban character area. The
development is multi-family mixed in with primarily single-family homes as well as duplex housing. Goal 9, in particular, is to preserve Manchester’s existing housing stock. During the planning process and in the subsequent Goals and Objectives, there was discussion about the diversity of housing stock being a strength in Manchester and continuing that over time. Mr. Anderson identified the property as an example of a multi-family development that fits in with the neighborhood and meets objectives in terms of housing, the senior population, and providing housing that is accommodating to different stages of life and accessible to transit and public services.

The goal is to notify the residents in the next week, according to Mr. Anderson. This topic will be discussed at the Board of Directors meeting on February 5th, and the potential purchaser has been invited to the meeting to make a presentation and answer questions. He noted that residents will be asked to attend; there will also be other opportunities for residents to ask questions and make suggestions. Mr. Anderson reported that the final public hearing will be in March, after the Board of Directors’ February meeting. Hopefully, soon after that will be a contract signing and closing between the Town attorney and the purchasers’. To remind the Commission, any purchase or sale of property in the State of Connecticut requires the Planning and Zoning Commission to make a recommendation to the Board of Directors on the sale, Mr. Anderson stated, to ensure that the potential sale is in keeping with the Plan of Conservation and Development.

Mr. Stoppelman noted that the property is between Henry Street and Hollister Street opposite Washington Street. He asked about the possibility of changing the type of heating.

Mr. Anderson responded that, in the application, the proposed purchasers stated they intend to convert to natural gas.

Ms. Scorso asked if there were more energy-efficiency ideas presented other than converting to gas. Mr. Anderson stated that gas was the primary idea. He reported that, as units become available and they are rehabbed, there could be a change-out of the windows and perhaps additional insulation. The units are one-story, which should be efficient, he explained. In addition, Mr. Anderson stated, new appliances would certainly be energy efficient.

Ms. Scorso asked if there was any talk of rehab to the apartments to provide handicapped access. Mr. Anderson informed Ms. Scorso that the property must be accessible. If a resident requests a shower instead of a tub, that would be accommodated.

Mr. Bergin asked if the proposal is a certainty; i.e., the RFP was selected and, if the sale goes forward, it will absolutely meet all criteria. Mr. Anderson responded that is what the applicant has agreed to do and will agree to do before the Board of Directors next week. For this reason, Staff is enthusiastically endorsing the sale to this entity.

Mr. Bergin stated that he is addressing the issue as a question of process. Without having any knowledge of the assessment conducted, he questioned what the Commission adds in addition to what the Staff has compiled.
Mr. Kennedy declared that the Commission has statutory jurisdiction.

Mr. Stoppelman reported that the Housing Authority has changed some of the windows already. He stated that they have been doing small maintenance items that do not require a large investment. A key element is that the property will be added to the tax rolls, according to Mr. Stoppelman.

Mr. Sabia asked what will happen to the residents as their units are renovated. Mr. Anderson imagined there would be the option of an individual moving to another unit. In his estimation, the vacant units would be renovated first and individuals would have the option of moving to one of the nicer units after it is rehabbed.

Mr. Sabia reiterated there would be the capability for residents to move to other units.

Mr. Stoppelman questioned whether there was a time limit on the renovations.

Mr. Anderson explained that the major capital improvements would be completed within the first two years, and they will be asking the Board of Directors for tax abatement during the period in which they are making the improvements. After that time, they are looking to put the property back on the tax rolls, at which time they would commence the interior work on the individual units.

Mandatory Referral (2019-004)

MOTION: Mr. Stoppelman moved to issue a favorable report regarding the sale of 208 North Elm Street. Ms. Scorso seconded the motion and all members voted in favor.

The reason for issuing a favorable report is that maintaining the current use of the property as affordable rental housing for seniors is consistent with several stated goals of the Plan of Conservation and Development.

ADMINISTRATIVE REPORTS:

- Administrative Approvals:
  - Highland Meeting Room, Inc. – Lot Line Revision (2018-123) – 127 and 133 Highland Street

Mr. Bordeaux reported that the owner is proposing a lot line revision on the plan before the Commission, as shown in Drawing V-1.02; the bold black line starting from the left of the lot and zig-zagging down to the front is the modified lot line. The need for the lot line revision, he explained, is to accommodate additional parking that will hopefully be reported on at the next meeting, for the proposed improvements of the Highland Meeting Room, which is a place of worship.

Mr. Anderson informed the Commission that the Planning Department is hoping to schedule a planning workshop on the North End, with the prospective date of March 25th. At this point, the
intent is to hold the meeting at Robertson, Whiton Library, or the Eighth District. He reported that Staff will be working on scheduling and will provide updates.

APPROVAL OF MINUTES:

January 7, 2019 – Public Hearing/Business Meeting

MOTION: Mr. Stoppelman moved to approve the minutes with the modification that a sentence on Page 9 of the Business Meeting minutes be revised to read, “Mr. Stoppelman commented that obviously the Zoning Enforcement Officer should be included in future discussions.” Mr. Bergin seconded the motion and all members voted in favor.

RECEIPT OF NEW APPLICATIONS:

There were no new applications.

MOTION: Mr. Bergin moved to close the Business Meeting. Mr. Stoppelman seconded the motion and all members voted in favor.

The Chairman closed the Business Meeting at 9:24 P.M.

I certify these minutes were adopted on the following date:

_________________________________________  ________________________________
Date                                                                                     Eric Prause, Chairman

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