

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JULY 7, 2021**

**NOTE: Due to technical difficulties, the live stream of the meeting may have been affected.**

**ROLL CALL:**

Members Present: Eric Prause, Chairman (Lincoln Center)  
Patrick Kennedy, Vice Chairman (Zoom)  
Michael Stebe, Secretary (Zoom)  
Jessica Scorso (Zoom)  
Jessica Poland (Zoom)

Alternate Members: Julian Stoppelman (Zoom)  
Teresa Ike (Zoom)

Absent: Bonnie Potocki

Also Present: Megan Pilla, Senior Planner (Zoom)  
David Laiuppa (Zoom)  
Nancy Martel, Recording Secretary (Zoom)

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

PAREDIM ACQUISITION LLC – To add a new Art. II, Sec. 9.14.05 and Art. II, Sec. 24.02.01(m) to permit conversion of existing hotels or motels in the General Business zone to multi-family use, subject to special exception. – Zoning Regulation Amendment (2021-048)

Attorney Dorian Famiglietti, with the Law Firm of Kahan, Kerensky and Capossella, introduced herself. Attorney Famiglietti reminded the Commission that she and her client appeared before the members in March 2021, for a pre-application discussion about the proposed regulation. The concept is to allow, in the General Business zone only at this time, the conversion of existing hotels and motels to multi-family apartment usage.

Attorney Famiglietti reported that, since March, they have worked to draft the regulation in consultation with Town Staff for feedback and comments. She noted that once the regulation is adopted, they must finish their design and then seek to ensure compliance with requirements. Attorney Famiglietti added that, once this step has been voted upon, they will spend the next couple of months to design a site plan for the formal application. Her client's plan would involve the redevelopment of the existing Hawthorne Suites from 104 extended stay hotel rooms to a 120 unit apartment development.

Mr. Prause suggested Attorney Famiglietti summarize what is going to be required in the new section.

Attorney Famiglietti reviewed the proposed regulation, noting that the proposal is in the members' packets. She reported that the first proposal is adding a new section to the regulations: Art. II, Sec. 9.14.05, the specific special exception criteria for the hotel conversion to multi-family. She detailed all the special exception criteria.

Paragraph C sets forth the site development criteria, Attorney Famiglietti noted. She reiterated that this is to be the conversion of an already-developed existing site. Because this is not a vacant property, the design standards are different, noting that there will be some constraints; i.e., the revision must be compatible with what is there. The design criteria must fit into the overall development pattern through town to deal with any new development. Attorney Famiglietti stated that the underlying zone is General Business. If the Commission feels this is a good plan for adaptive reuse, with the ability to amend in the future, the plan could be a test for how this would work.

Attorney Famiglietti reported that the proposal sets forth the requirement for adequate storm drainage. In many instances, there may be no changes required. However, should there be changes to the existing property, all must be in accordance with the Town public improvement standards. She added that Engineering has required a line "low impact development should be considered."

Attorney Famiglietti proceeded to detail each paragraph of the proposed amendment, including utility requirements, roadways and driveways, parking, landscaping, the Fire Marshal's requirements, etc. Much of the regulation was laid out in a similar framework to the mill conversions, according to Attorney Famiglietti.

According to Attorney Famiglietti, Paragraph 10(b) is a relief mechanism necessary because the existing parking lot landscape environment does not necessarily work for redevelopment projects as some of the already-developed landscaping does not comply. She explained that part of the special exception review is to modify the parking lot landscaping requirement if the proposed parking lot design is consistent with the prevailing parking lot design on neighboring properties.

After discussion with Planning Staff about the amount of open space, it was decided to use not less than 20% of the gross floor area as the usable recreation area, either active or passive, indoor or outdoor. Attorney Famiglietti gave examples of both indoor and outdoor recreation use.

Attorney Famiglietti highlighted the notation that, in order to obtain a hotel or motel conversion, the applicant must file an application for a special exception and a preliminary plan of development. If desired, rather than filing a preliminary plan of development, the applicant may file a special exception and a detailed plan.

Attorney Famiglietti noted that they received written comments from Engineering, Water, Sewer, Traffic, Zoning, and the Fire Marshal's office.

After a question from Mr. Stoppelman, Attorney Famiglietti noted that their development will have 84 one-bedroom or efficiency units.

Mr. Stebe questioned Town Staff about updated Water Department rules and regulations after a water pressure issue with a development. He sought to confirm that the amended regulations reflect the new wording.

Ms. Pilla replied that she will double check with the Water Department to ensure they have the most recent regulations. She added that there were a couple of comments that were received just prior to the meeting. Ms. Pilla reported that it was recommended that they strike the specific reference to the dates of regulations to simplify the reference, which was included in the suggested modification that is included.

Mr. Stebe noted Sec. 10(b) Landscape Screening, referencing parking lots. He suggested that the requirements in terms of the parking lots be stricken or modified, or the landscaping and screening requirements be waived.

Attorney Famiglietti responded that, from the applicant's point of view, there is no problem with that change to allow it to apply to all landscaping requirements as opposed to just parking lots.

Mr. Prause sought to clarify that the only sections that are different from a normal Planned Residential Development (PRD) application are the modifications to the landscaping section and recreational sections.

Attorney Famiglietti noted that there is consistency, primarily allowing flexibility in landscaping and the recreation. She referred to items in the PRD zone that apply to other multi-families that could be built into the proposed amendment because of the nature of the conversion on an already- developed site. In her opinion, there is a lot of consistency with general multi-family regulations.

Mr. Prause questioned why the amendment is proposed only in the General Business zone.

Attorney Famiglietti replied that the primary driving factor is that this is a newer concept and it was the decision to just start with the General Business zone to see how it goes before applying it to other zones. She assumed there must be hotels and motels allowed in other zones beyond just the General Business zone.

Mr. Prause asked Ms. Pilla why this is being applied to the General Business zone and not the other zones.

Ms. Pilla stated that they were in agreement with Attorney Famiglietti to test the concept in one zone. In the future, the regulation could be amended. The fact that there are only about five hotels and motels in the General Business zone makes this a manageable first step. Perhaps it could be opened to the Comprehensive Urban Development (CUD) and other zones that have hotels and motels if it is successful in this trial. Ms. Pilla stated that the concept is becoming

more common. Recently, similar conversions were completed or approved in Farmington and Hartford, so this may be a common conversion going forward.

Mr. Prause speculated what the pathway would be to convert traditionally if the Commission did not adopt the amendment.

Ms. Pilla responded that it would have to be a zone change, which does allow some standalone multi-family, but as has been discussed, the requirements for multi-family when considering starting a new development are more strict because there is flexibility to provide a certain amount of outdoor space or limit the amount of gross floor area. That is the challenge here as opposed to starting a new development; the fact that it is predeveloped with the goal to reuse the site rather than demolishing.

Mr. Prause questioned whether any of the regulations being proposed allow the Commission to change details, for example, if the Commission determines that they do not agree with the 20% open space requirement and want it all to be outdoor. The way the proposed regulations are written, the Commission could not deny it because it is written in the regulations. Mr. Prause noted that it would still go to a special exception hearing, but items written in the amendment could not be denied.

Ms. Pilla briefly summarized the CRCOG referral since the General Business zone does go to the town line in some areas. CRCOG had no concerns or comments on the application. In fact, they applauded the effort to support adaptive reuse of underutilized buildings. She referred to the comments that were received shortly before the meeting. Some of the comments are very minor; i.e., referring to the Eighth Utilities District and striking the date of the water and sewer regulations to prevent revising those going forward.

One suggested item for discussion is in the proposed Sec. 9.14.05(c)6, regarding the utilities requirements, the last sentence “All new water and sewer facilities shall be in accordance with the criteria and requirements set forth in the Manchester Water and Sewer Department rules and regulations.” Ms. Pilla reported a discussion about the possibility of saying “all Water and Sewer facilities”, not just “all new Water and Sewer facilities.” However, after discussion, Staff does not want to put anyone in a position where they have to replace an entire development’s worth of facilities, which may be in working order but older than the current regulations. Ms. Pilla recommended, rather than striking the word “new” from that sentence, perhaps stating “all existing Water and Sewer facilities are subject to review and recommendations for possible upgrades,” while all new Water and Sewer facilities should be in accordance with the current rules and regulations.

Mr. Kennedy sought clarification about the Assistant Town Engineer’s comments and how the regulation would read.

Ms. Pilla explained that the Assistant Town Engineer’s comment, as written, specifies that the word “new” would be stricken and it would apply to all Water and Sewer facilities.

There were no members of the public to speak on the application.

Mr. Prause acknowledged that there were several concerns: questions about the 50% threshold; the parking requirements from the new regulation stemming from the last legislative session (visitor requirements); change in the regulations to remove the year 2002; an update about the Eighth Utilities District; “all or existing” instead of new. He asked the members if they would like to keep the meeting open for new information or whether they would like to review the legislation.

Mr. Kennedy commented that he does not have a concern with the regulations as written, but he understands some of the items discussed. He was unsure about rewriting the regulations on the fly to address them. Mr. Kennedy asked Attorney Famiglietti if time was of the essence or if it would not be a problem to continue the public hearing until the next meeting.

Attorney Famiglietti replied that time is of the essence in the fact that there are contracting deadlines and timeframes to get approval. She understood the hesitation of changing the regulations on the fly, but if they do not meet their deadlines with the seller, she was unsure whether they would receive an extension.

She and Mr. Kennedy discussed the timeline for the next meeting and the topics to be resolved.

Mr. Kennedy suggested that, sometimes when passing new regulations, there may be future technical corrections as things arise.

Mr. Stoppelman was of the opinion that, if another public hearing is not required to make minor edits, the Commission can proceed at this meeting and make edits. If another public hearing is required, this application should be kept open.

Mr. Prause referred to the impact of recent legislation, which will be an issue in many segments. He stated that if there is a change for one-bedroom apartments that will impact the regulations, the Commission will be opening them up anyway. He was of the opinion that this application could be passed. Mr. Prause inquired whether the application had to go to CRCOG since it would be a regulation change.

Ms. Pilla reiterated that it did and they had no comment. They were happy with the effort for adaptive reuse and had no concerns.

Mr. Prause assumed that, if there was a conflict with the parking requirements, it could be handled when addressing the other sections as well. He noted that Mr. Stoppelman was hesitant about the 50% requirement allowing only one space per unit when within a half mile of mass transit and at least 50% of the units are one bedroom units.

Mr. Stoppelman reported that there are a number of parking regulations that may have to be changed as he understands the new legislation. It is his understanding that more than one space for one bedroom or an efficiency cannot be required. Additionally, he did not believe visitor parking can be required.

Attorney Famiglietti sought to clarify her understanding of the changes, and detailed them for the Commission as follows:

- In Sec. 6, under Utilities, the last sentence will strike the effective date of the rules and regulations.
- In Paragraph 8(a), as suggested, the applicant will clarify the language to read “notwithstanding the foregoing, for residential units within a half mile radius of existing mass transit, and where the unit mix consists of 50% or more one bedroom or efficiency units.”
- In 10(b), the applicant will strike the reference to parking lot waiver requirements. It then would apply broadly to landscaping design in general.

She commented that the applicant has no problems with the three changes.

**MOTION:** Mr. Kennedy moved to close the public hearing. Ms. Scorso seconded the motion and all members voted in favor.

The Public Hearing was closed at 8:00 P.M.

I certify these minutes were adopted on the following date:

July 19, 2021  
Date

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Eric Prause, Chairman

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