

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
FEBRUARY 21, 2023**

**MEMBERS PRESENT:**

In Person: Eric Prause, Chairman  
Patrick Kennedy, Vice Chairman  
Nicole Clemons  
Teresa Ike  
Chris Schoeneberger

**ALTERNATE MEMBERS SITTING:**

In Person: Bonnie Potocki  
Carlos Jusem

**ALTERNATES PRESENT:**

Electronically: Spencer Walker

**ABSENT:** Michael Stebe, Secretary  
Yamuna Menon

**ALSO PRESENT:**

In Person: Gary Anderson, Director of Planning  
Megan Pilla, Principal Development Planner  
Electronically: Nancy Martel, Recording Secretary

The Chairman opened the Business Meeting at 7:35 P.M.

HARI KUPPURAJ – Zone change for a 2.64-acre site from Rural Residence to Planned Residential Development zone at 30 Bidwell Street. – PRD Zone Change – Preliminary Site Plan (PRD-0006-2022)

Mr. Prause sought more evidence on the record of a decision, especially if there is a motion in the affirmative. Anyone voting in the affirmative needs to provide reasons of why this is appropriate, either based on Art. II, Sec. 7 or on the Plan of Conservation and Development. He noted the only comments he heard were in the negative.

Mr. Kennedy noted that the location has businesses and relatively high-density housing nearby, and is close to the highway and across from utility property. In his opinion, the location is not out of character and is consistent with the surrounding area and the provisions cited in the motion.

Ms. Clemons seconded Mr. Kennedy's opinion. The proposal matches the requirements for the maximum density for a multi-family and the PRD zone. The concerns from the last public

hearing were addressed. Additionally, it is consistent with the Plan of Conservation and Development in terms of the need for more multi-family housing.

Ms. Potocki agreed that the Town needs more multi-family housing, but she is not in favor of the design elements proposed for the property.

Mr. Schoeneberger concurred with Ms. Potocki. He feels it is inconsistent with the character of the area.

Mr. Prause pointed out that there is a problem in Connecticut with lack of affordable housing. It is very difficult to find spaces where it is ideal to find areas for dense housing proposals. He stated that, if it is a rural area, it changes the charm; if locating downtown, there are not many places affording the opportunity. He noted that he is swayed by the zoning to the north, another planned community with similar density. In his opinion, there is a need, and this seems to be a reasonable application for the property.

PRD Zone Change – Preliminary Site Plan (PRD-0006-2022)

**MOTION:** Mr. Kennedy moved to approve the preliminary site development plan and zone change from Rural Residence to Planned Residential Development zone at 30 Bidwell Street, with the modifications as specified in a Staff memorandum from:

1. Megan Pilla, Principal Development Planner, dated February 21, 2023.

Ms. Ike seconded the motion. Mr. Prause, Mr. Kennedy, Ms. Clemons, Ms. Ike, and Mr. Jusem voted in favor of the motion. Ms. Potocki and Mr. Schoeneberger voted against the motion. The motion passed five to two.

The reason for the approval is that the proposed development meets the Planned Residential Development zone criteria in Article II, Section 7 and is consistent with the character classification of *Traditional Suburban* in the Town's current Plan of Conservation and Development.

The zone change will be effective on March 14, 2023.

165 ADAMS ST LLC – To install a walk-in cooler on a concrete pad on the north side of the existing building at 165 Adams Street. – Special Exception Modification (PSE-0042-2023)

Mr. Ellis Reilly introduced himself as speaking on behalf of 165 Adams Street LLC. The applicant is requesting a special exception modification to install a walk-in cooler on a concrete pad. The cooler will be approximately 10 ft. off the north side of the building. The business would like to produce more beer but there is nowhere to put it.

Mr. Reilly stated that the cooler will be 8 ft. deep, 14 ft. wide and 7 ft. high, a standard galvanized unit. The cooler will be cut into the hill a bit, which will require extending the retaining wall, and will be surrounded on three sides by the wall. It will be off to the side and away from public view.

Ms. Potocki asked whether the cooler will impact the Hockanum River Linear Park trail and Mr. Reilly stated that it will not.

Ms. Pilla clarified the location of the Hockanum River Linear Park trail.

Ms. Potocki asked whether there will be vegetative screening. Mr. Reilly stated that there is some vegetative screening, though it is hard to see from the winter pictures.

Ms. Potocki inquired about the height of the cooler and Mr. Reilly reiterated that it will be 7 ft.

Ms. Pilla reported no Staff comments on the application.

Mr. Schoeneberger asked whether the cooler will be closer to the building or closer to the river. He also asked the height of the berm.

Ms. Pilla stated that the trail is further from the building than GIS shows. She reported that the berm appears to be approximately 9-10 ft. tall.

Special Exception Modification (PSE-0042-2023)

**MOTION:** Mr. Kennedy moved to approve the special exception modification for the installation of a walk-in cooler on a concrete pad on the north side of the existing building at 165 Adams Street. Ms. Clemons seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity meets the special exception criteria in Article IV, Section 20.

Mr. Prause commented on the special exception, noting that the use is part of the existing use on the lot. Because of the location in the back corner of the property, it does not have an impact on aesthetics and is functional to the use.

Mr. Kennedy observed that the trail is on 165 Adams Street LLC's property.

TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – For minor updates to the Planning and Zoning Commission's Rules of Procedure. – Updates to Rules of Procedure (OTHR-0016-2023)

Ms. Pilla reported that, because of the recent increase in membership on the Planning & Zoning Commission due to the approved charter revision, the rules of procedure must be updated to reflect the correct number of members. In doing so, Staff took the liberty of suggesting other minor revisions, including a couple of sentences regarding holding hybrid meetings with a remote option, as well as the requirement that, if a Commission member is remote and there is a vote that is not unanimous, it must be taken by roll call, as per the statute that allows for hybrid meetings. Staff also recommended tweaks to the typical order of business to more accurately reflect the way the Commission runs the meetings. There are other minor grammatical and

clarification edits throughout the document. The main edits were changing “7” to “9” where the number of members seated is mentioned, as well as adding the statements about the remote meetings.

According to Ms. Pilla, there is a provision in the Rules of Procedure that the Commission could consider changing, if so inclined: The requirement that, in order to continue a meeting past 11:00 P.M., the Commission must achieve a two-thirds vote in order to do so. The Board of Directors had the same requirement but chose to eliminate the requirement, as they are up against it frequently, though this Commission is less so.

Ms. Pilla reported notes received today making slight changes to the draft the members have.

She stated that Mr. Stebe, who could not attend the meeting, had inquired whether there was a need to include the Commission training requirements in the document, though in Ms. Pilla’s opinion it is not necessary, as they are outlined in State statute. It was also suggested that the word “Zoom” be stricken from the sentence about remote meetings and the phrase “remote video conferencing platform” be used.

Mr. Schoeneberger asked why the charter revision isn’t pro forma and why the Commission has the right to overturn that.

Mr. Anderson responded that the Commission does have the right, because the Commission holds the rules and procedures.

Ms. Potocki felt it was interesting that Staff does not have the right to withhold an application from the agenda if incomplete, per Art. VIII, Sec. 5.

Ms. Pilla stated that, as written, only the Director of Planning has that ability.

Mr. Jusem asked whether the requirement for a quorum is a static number, or if it is a formula, as it would need to be changed each time the number of members changed. He suggested writing in a formula instead,  $\frac{1}{2} + 1$ .

Ms. Pilla stated that it is a static number based on the number of members. Per the charter revision, the membership number will increase again in 2025, and there would be a change again at that time.

Mr. Anderson stated that Mr. Jusem’s suggestion could be done, but because it mentions numbers, it will have to be changed anyway.

Mr. Kennedy was fine with the changes. He suggested “a quorum is the majority of the membership.” However, it is fine to leave it as is for now. In his opinion, the 11:00 P.M. issue has not been a problem.

Ms. Ike stated that she supported retaining the two-thirds vote requirement to continue a meeting past 11:00 P.M. She was unclear about how many people have to be seated to hold the public hearing and suggested that, for the record, it should state how many.

Ms. Pilla reported that the reason it is not specifically outlined in the Rules of Procedure is probably because it is specifically outlined in the Statute.

Mr. Kennedy noted that, if something arises, it can always be tweaked.

Ms. Potocki asked about the Order of Business, Art. VIII, New Business and Old Business. She assumed that Business Items would include new and old and not differentiate.

Ms. Pilla stated that is how this Commission has been operating.

Ms. Ike stated that there were changes made because of things Staff is doing now that the Secretary was doing. She asked whether a secretary is needed as an officer on the Commission.

Ms. Pilla responded that a secretary is needed by Statute.

Mr. Prause clarified that Ms. Pilla misspoke when she indicated the number was being increased from 7 to 9 and assumed she meant from 5 to 7, which Ms. Pilla confirmed. He stated that he is in favor of leaving the provision about continuing past 11:00 P.M. as is. In his opinion, it is not reasonable to expect guests to stay past 11:00 P.M. unless they choose to do so.

After a comment from Mr. Schoeneberger regarding the minimum number of members required to do business, Mr. Prause stated that it would be four to pass anything, theoretically. The applicant also runs the risk of needing to receive all four votes. He asked whether that is the definition of passing a motion, which Mr. Anderson confirmed. However, Mr. Anderson understood that, in a public hearing, the applicant has the option of not going forward with the public hearing if not all members are present.

#### Updates to Rules of Procedure (OTHR-0016-2023)

**MOTION:** Mr. Kennedy moved to approve the proposed updates to the Planning & Zoning Commission Rules of Procedure, with the modification that the word “Zoom” be stricken from Art. VII. Ms. Clemons seconded the motion and all members voted in favor.

#### LARRY SHIPMAN – Pre-application discussion for possible subdivision and zone change at 699 Middle Turnpike East. – Pre-Application Review (PAR-0001-2023)

Ms. Pilla gave a brief explanation of a pre-application review.

Mr. Larry Shipman reported that the pre-application review is for 699 Middle Turnpike East. The State of Connecticut Department of Social Services (DSS) office building is reflected on the map. He gave the history of the prior attempts to develop the property. The applicant is proposing to cut the property nearly in half, and to continue the housing in the neighborhood.

Mr. Shipman noted that the proposal is for a Residence A (RA) zone. The property is currently located in a Neighborhood Business zone, and they would be requesting a zone change. Currently, it is the State office building in the middle of a residential neighborhood. He noted that the subdivision would create conforming lots once a zone change to RA was approved. The homes would be designed in such a manner to fit into the neighborhood. Mr. Shipman sought to receive feedback from the Commission.

Mr. Kennedy stated that this is only preliminary, but he agreed it is just an office building in the middle of an RA neighborhood. Converting the zoning to be consistent with the surrounding area seems to make sense.

Mr. Schoeneberger agreed with Mr. Kennedy. He asked for clarification of the negative feedback in the past.

Mr. Shipman stated that the neighbors were basically opposed to the density and to rentals. They believed it would increase traffic flow and have a negative impact on drainage, and opposed the concept of rental units within a neighborhood of owner-occupied single-family residences.

Ms. Potocki confirmed that this would be an improvement from past applications. She asked about the house style.

Mr. Shipman reported that it would be a mix of capes that would allow for one-floor living. There are not as many colonials in that particular neighborhood. He asked whether the Commission would accept an application for the subdivision and the zone change at the same time with a fully laid-out site plan.

Mr. Anderson noted that would be at their own risk doing the subdivision plan. However, the Commission would certainly accept both.

Mr. Prause observed that the community complained about the scale. He asked whether the site is elevated higher than the houses on the west side of the road.

Mr. Shipman stated that the previous plan was much less impactful than the application discussed earlier in this meeting in terms of density, traffic, drainage, and trash. He believed the site is actually elevated lower than the homes to the west.

Mr. Prause suggested the applicant check with the Town about improvements to alleviate recent flooding concerns.

After a comment from Ms. Potocki, Mr. Shipman stated that most of the area is grass, but the subdivided land will become yards as opposed to the current mix of gravel, dirt, and grass.

Mr. Schoeneberger asked about the reasoning for bundling the zoning change and the subdivision application, which was explained by Mr. Anderson.

## DESEGREGATE CT PRESENTATION

Mr. Alan Cavagnaro, Campaign Coordinator for Desegregate CT, introduced himself. He presented a “Work, Live, Ride” brief for the Commission as follows:

Desegregate CT is a pro-homes coalition of neighbors and nonprofits. Their goal is creating abundant and diverse communities, as well as promoting economic prosperity through inclusivity and environmental sustainability. Their approach is to build more kinds of homes, act with all levels of government and work in and with diverse coalitions.

Their coalition is approximately 80 members that support the work. Desegregate CT’s proposal for 2023 is to promote transit-oriented communities. Their goal is to add more housing near transit stations, such as train stations or bus stations. Connecticut has 111 towns with transit stations, 40+ million annual rail rides, and 42+ million annual bus rides.

The 2023 proposal is:

- A vision for a more prosperous, equitable and sustainable state.
- A policy framework to align local and state planning goals.
- A call to action to be the change you want to see in your community.

The Work Live Ride Act Framework:

- Local Opt-In: A town or city P&Z “opts-in” and commits to creating a Transit Oriented Community District along a rail or bus route.
- State Assistance & Funding: Office of Responsible Growth (ORG) partners with P&Z and directs discretionary State funding for 1) planning/design, 2) infrastructure improvements, and 3) home creation within the TOC District.

ORG will partner with P&Z to support three phases of TOC District design & implementation:

- Planning & Design
- Infrastructure Improvements
- Home Creation

163 towns & cities fall into 1 of 3 tiers:

- Rapid Transit Community
- Transit Community
- Transit Adjacent Community

Manchester falls into the middle tier, which is a transit community, which would be 20 homes per acre. He understood that Manchester is working on a transit-oriented development district.

Manchester is a Transit Community

- Manchester’s TOC District requires a zoning density of 20 homes per acre.
- Manchester’s Planning & Zoning Commission will determine location and size of TOC district.

- The Office of Responsible Growth will provide assistance on planning and identifying funding sources for necessary infrastructure improvements.

All TOC Districts must include the following criteria:

- Must be a “reasonable size” & near a transit station.
- Must include as-of-right development of mixed use, mixed income housing developments.
- Must include affordability levels based on state housing needs assessment.
- Must not include parking requirements, lot size minimums, or residency restrictions.

The Schedule for Affordable Housing Requirements was explained by Mr. Cavagnaro.

What if a community doesn’t opt-in?

- If a town/city doesn’t opt-in, they are ineligible for certain discretionary State funding tied to infrastructure.
- If a town/city opts in but doesn’t create a TOC District, they must reimburse any Planning funding received and become ineligible for the program.
- A town/city cannot retroactively reduce density in a District, or they face penalties.

Which Discretionary Funds Exactly:

- Brownfield Remediation Grants
- Revitalization Grants
- Transit-Oriented Development Grants

Plan to expand the Office of Responsible Growth:

- Funding for four full-time land use planners.
- Additional funding for existing ORG TOD program to serve as “top up” fund.
- Statutory authority to determine town and city TOC District compliance.
- Statutory authority to coordinate other State agencies providing discretionary funding.
- Establish TOC District Guidelines, public resources.

Ms. Potocki referred to the Capital Region Council of Governments (CRCOG) and a Transportation Committee/Planners because, regionally, transportation initiatives do differ. She asked why the Town would want to go to a State-wide initiative when we already have transportation initiatives through CRCOG.

Mr. Cavagnaro explained that, if the Town decides to opt in to Work, Live, Ride, the Town would have access to the four land use planners to help draft regulations. In addition, looking forward, there would be access to grants to not only work in the district in Manchester but also to beautify.

Ms. Potocki speculated that there would be conflict from planners sitting on CRCOG’s Transportation Committee. She asked how conflict would be resolved.



Mr. Cavagnaro stated that they have done the due diligence and have had meetings with almost all the COGs in Connecticut, including CRCOG. They do not believe there will be a conflict of interest having the land use planners in the Office of Responsible Growth.

Mr. Jusem asked what the total amount of the grants is.

Mr. Cavagnaro reported that he is not totally sure of the amount of money on the grants.

Mr. Jusem commented that Manchester would be competing against all the other towns in Connecticut.

Mr. Cavagnaro stated that he would not define it as competition.

Mr. Anderson noted that this Commission, in the past, has done important work in creating some TOD regulations. He asked, if town commissions have done that in the past, if there is an opportunity to connect this initiative to what Manchester has in place to be eligible, or if it is only new zones.

Mr. Cavagnaro reported that there are some on the west coast and some states on the east coast. He noted that he was asked about this in Naugatuck, if there was a pilot program and the past history. If traveling on the train to Boston, there are train stations and communities that already have new housing. He said there would be a quick turnaround with Work, Live, Ride when it comes into effect. In terms of Connecticut, he was unsure of many towns wanting to do TOD in their own towns. He stated that any town they go to is drafting some sort of TOD plan, either with the local bus or Fast Track station.

Mr. Anderson clarified that Manchester has zones that essentially meet the requirements. He asked, if Manchester placed one of the zones on the map that already meets the requirements, whether that qualifies Manchester for some of this funding.

Mr. Cavagnaro stated that the goal would be to coordinate that with the Office of Responsible Growth with the Planning Department stating that they already comply with this. Then, Manchester would be grandfathered in.

Mr. Prause noted that it is challenging in the state of Connecticut to try and balance the different needs in different communities. When speaking about a transit community on the shore, it is a very different clientele that wants to live close to those train stations. To people that live around the bus routes in Manchester, it is an affordability expectation. The opt-in model will probably work better than what was proposed last year.

Mr. Prause asked Mr. Cavagnaro if there is there a way for Commission members or community members to become more involved.

Mr. Cavagnaro explained that there are several avenues. There is a newsletter put out every week. Also, on [desegregatect.org](http://desegregatect.org), at the bottom right hand of the webpage, individuals can sign

up for the newsletter. Also, on Twitter and Instagram, individuals can follow [desegregatect](#). They are planning more outreach in the future to be more transparent in the community.

## **ADMINISTRATIVE REPORTS**

### Upcoming Training Opportunities

There are no new training opportunities. For those that registered for the Connecticut Land Use Law workshop on Saturday, March 11, Ms. Pilla reported that she has the materials.

### DEEP Dam Safety Permit

The Town has applied for a permit through the State for repairs to Union Pond Dam. Statutorily, the State must post the intent of their decision, which is a tentative intent to approve the application without a public hearing unless there is a petition for one. By law, they must notify the Planning and Zoning Commission, Inland Wetlands Agency, and the Conservation Commission.

### New Business

Ms. Potocki would like Staff memos included in the application packets, including memos from the Engineering Department and Water & Sewer. In her opinion, it would be helpful for new members on the Commission.

Mr. Kennedy suggested sending them to the individuals that want them, to which Mr. Anderson replied that the Planning Department does.

Mr. Anderson noted that, in the past, the Commission has concluded that if anyone wants the information, the Planning Department is happy to send it. If the Commission wants the procedure to be changed, that can be done.

Mr. Anderson reported that the Plan of Conservation and Development/Manchester Next open house and presentation was held. In his opinion, it was quite successful, with approximately 50 people at the presentation. Overall, over two days, there were approximately 100 people. Since that time, the presentation is on “Your Voice Matters” along with the draft plan itself. He stated that his main request is that the Commission reviews the draft as best they can prior to the next meeting on March 6<sup>th</sup>. There will be a workshop on the draft plan itself, which will be the Commission’s opportunity to talk about it as a body. There will be reflection on what was heard from the community and what the process was. It will be a conversation amongst the Commission, to discuss whether there are additional things sought in the plan or what comments the Commission wants to make and what comments were heard from the community. He added that there are multiple ways to make comments: through Your Voice Matters; by emailing the e-mail address included online and on social media; or by submitting written comments in the Planning Department, where a copy of the document is available. The comment period ends March 15<sup>th</sup>.

Ms. Potocki asked whether there could be options for those who are not online.

Mr. Anderson stated that Staff will speak about this.

### **APPROVAL OF MINUTES**

February 6, 2023 – Public Hearing/Business Meeting

**MOTION:** Mr. Kennedy moved to approve the minutes as written. Mr. Schoeneberger seconded the motion and all members voted in favor.

### **RECEIPT OF NEW APPLICATIONS**

There were no new applications.

According to Ms. Pilla, the first Staff-given training workshop will be held before the April 3<sup>rd</sup> regular meeting, at 5:45 P.M.

**MOTION:** Mr. Kennedy moved to adjourn the business meeting. Mr. Jusem seconded the motion and all members voted in favor.

The Business Meeting was closed at 8:55 P.M.

I certify these minutes were adopted on the following date:

March 6, 2023

Date

\_\_\_\_\_  
Eric Prause, Chairman

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