

DRAFT

MINUTES OF PUBLIC HEARING HELD BY THE PLANNING AND ZONING COMMISSION MAY 6, 2024

ROLL CALL:

MEMBERS PRESENT:

In Person: Eric Prause, Chairman
Patrick Kennedy, Vice Chairman (*Recused for REG-0002-2024*)
Michael Stebe, Secretary
Chris Schoeneberger
Daniela Luna
Michael Farina

Electronically: Teresa Ike

ALTERNATE MEMBER SITTING FOR SIDEWALK PLAN AND REG-0002-2024 ONLY:

In Person: Zachary Schurin

ALTERNATE MEMBER SITTING FOR REG-0002-2024 ONLY:

In Person: Bonnie Potocki

ALTERNATES PRESENT:

Electronically: Maliha Ahsan

ALSO PRESENT:

In Person: Megan Pilla, Principal Development Planner
Gary Anderson, Director of Planning & Economic Development
David Laiuppa, Environmental Planner/Wetlands Agent

Electronically: Katie Williford, Administrative Secretary

The Chairman opened the Public Hearing at 7:04 p.m. The Secretary read the legal notice for the application when the call was made.

SIDEWALK AND CURB PLAN 2024-2029 (Continued from April 15, 2024) – Proposed amendments to the Town Sidewalk and Curb Plan.

Ms. Pilla stated that, at the last meeting, there was a request to add language to the sidewalk plan stating that the text of the plan takes precedence over the map. After looking into it, Ms. Pilla realized that the original intent of the plan was the opposite. She displayed an excerpt from the current plan: “Regardless of the general policy and standards recommended in this Plan and contained in Table One above, the location of sidewalks on existing streets shall be based on the Sidewalk Location Map which is a part of this Plan.”

Ms. Pilla stated that the text of the plan and the requirements of Table One are meant to be guiding standards, but it would not be practical to apply them town-wide as blanket policies because there will be situations in which they are not practical. It might result in requiring

people to pay fees in lieu of sidewalk installation in locations where sidewalks realistically won't be installed, which is an unfair burden. She recommended not changing this language in the plan.

Regarding suggested additions to the map discussed at the previous meeting, Ms. Pilla said that Planning and Public Works staff went through the list of suggestions and added those that they felt were feasible as a note on the plan. The other suggestions were felt to be infeasible due to insufficient room in the right-of-way, rock outcroppings, or utility poles.

Ms. Pilla noted one correction: Adding the east side of Autumn Street is actually not feasible and was included on the list in error. She suggested a modification to remove that item from the list.

Mr. Farina expressed concern over the way in which staff handled requests made during the previous meeting, and asked how Ms. Pilla determined the original intent of the sidewalk plan.

Mr. Prause responded that the Commission is generally asking staff to check on their ideas and see if they're feasible, so this is not outside of the standard process. Regarding the question about the plan's original intent, he said there is a paragraph in the plan that talks about the Sidewalk Location Map being the final arbiter of what is proposed and what isn't.

Mr. Kennedy commented that the Commission hasn't decided anything until they close the hearing and vote.

Mr. Stebe commented that error inherently exists in the map, and there are so many caveats written into the text that he didn't think the text would force someone to pay a fee in lieu of putting in a sidewalk where there is a rock outcropping. He said that the fact that there is something in the language that says to use the map does not negate the Commission's request to substitute language to say the text is the driver. If, in the process, staff finds a roadblock, the request can be fulfilled while offering options for the Commission to make decisions.

Mr. Stebe asked what account fees in lieu of sidewalk installation go into.

In response to a question from Ms. Potocki, Ms. Pilla stated that the Board of Directors had no comment on the draft plan that was sent to them. The recommendations Ms. Pilla made are based on discussions with Public Works.

Mr. Farina commented on three changes that were discussed at the previous meeting:

1. The text taking precedence over the map.
2. Adding streets.
3. Adding language to the Critical Path Extensions section.

Regarding the proposed street additions that were not included, Mr. Farina said it is not staff's place to do cost benefit analysis, and staff should have done what the Commission asked and raised potential issues at this meeting for them to reconsider.

Ms. Pilla responded to the comments and questions from Commission members:

- Regarding the original intent of the plan, she said that the statement has been in the plan since it was written.

- Regarding errors on the map, she explained that some of the gaps on the map are not errors, but actually represent driveway aprons.
- Regarding the previous meeting, Ms. Pilla stated that she does not interpret lack of comment to mean unanimous consent. During her time working for the Town, when something is suggested, staff look into it and report back to the Commission with staff's recommendations. She reiterated that it is ultimately the Commission's decision.
- Regarding cost benefit analysis, Ms. Pilla clarified that it was not strictly referring to monetary costs, but rather to all pros and cons.
- Regarding school walk distances, Ms. Pilla stated that staff did not include it because Public Works staff agreed that the sentence Mr. Farina proposed (based on school walk distance and not radius) is not practical to be used by Public Works.
- Regarding proposed street additions that were not included, Ms. Pilla clarified that having room on the side of the street does not equal having right-of-way. Right-of-way relates to the property lines.
- Regarding fees paid in lieu of sidewalk installation, Ms. Pilla stated that they go into an account that is used only for sidewalk installations.

Chairman Prause asked if any member of the public wished to provide testimony about the sidewalk plan. No member of the public came forward.

Mr. Kennedy moved to close the public hearing on this item. Mr. Schoeneberger seconded the motion and all members voted in favor.

A discussion was held about the scheduled workshop on POCD implementation, and it was decided that it would be postponed until the May 20th meeting due to the anticipated length of the regular meeting.

HARTFORD HEALTHCARE CORPORATION – Applicant requests to amend the Manchester Zoning Regulations to add a subsection to Article IV, Section 13 to permit a limited exception to the maximum signage limitation for medical services. – Zoning Regulation Amendment (REG-0002-2024)

Mr. Kennedy recused himself for this application and Mr. Schurin was seated in his place.

Attorney Matt Ranelli of Shipman & Goodwin presented the application. Martha Santilli of Hartford Healthcare was also present. Attorney Ranelli stated that a pre-application review discussion took place in February and a sign variance had previously been denied by the Zoning Board of Appeals.

Attorney Ranelli said that the size of a wall sign is dictated by factors including the linear feet of the building face and the distance of the building from the street, and the applicant is limited to a very small sign on the front of the building at 376 Tolland Turnpike. He stated that the regulations allow gas stations and motels abutting limited access highways to have signs up to 200 sq. ft. and the applicant is requesting a similar exception for medical clinic and office uses.

Attorney Ranelli explained that the Hartford Healthcare building has a road between it and the highway, so their proposed text includes the language, “adjoining or abutting across the street a restricted access highway.”

Attorney Ranelli explained the reasons behind the elements of the proposed text:

- Facing the limited access highway: This was included because the applicant recognizes that there should not be a large sign with a small setback if there is a neighbor across street.
- Limited to the General Business zone and limited to abutting across the street: These were included so no one would suffer for the sign, so the public could see the sign, and so the exception will be narrow.

Attorney Ranelli said the proposal is consistent with the Plan of Conservation and Development (POCD), which recognizes that healthcare is an important industry in Manchester that is likely to continue to grow. One of the POCD's goals is to retain existing industry clusters, including healthcare.

Attorney Ranelli addressed the comments from Town staff as follows:

- The amendment would benefit three parcels.
- The applicant did not disagree with staff's suggestion to locate the amendment in Art. IV, Sec. 13.07.01.
- Regarding the phrasing of the proposed text: The terms "abutting" and "adjoining" are both used in the regulations, but the applicant would be happy to remove "adjoining," if desired. There is not a clearer phrase to use than "across the street." "Restricted access highway" is an existing phrase used in the regulations.

Ms. Pilla confirmed that staff recommended that the language be added to the end of Art. IV, Sec. 13.07.01, if approved. She stated that the Engineering Department commented that the ratio of the height of letters to the distance from the sign to the observer can affect a sign's legibility. The Commission might want to consider, if a sign is large enough to be seen from I-84, whether that will affect its legibility from Tolland Turnpike.

Attorney Ranelli noted that the sign at 376 Tolland Turnpike is viewed from an angle, not head on.

In response to questions from Mr. Stebe, Attorney Ranelli displayed an elevation showing the sign at the desired size and reiterated that the existing sign is smaller.

Mr. Stebe asked if there is anything in the proposed text that would prohibit another business at another location that fits the requirements from putting up something like a billboard. Mr. Ranelli suggested that the text could be changed to include wording such as "medical services offered at the location" to close that potential loophole, or the overall wall sign definition could be updated.

Mr. Stebe noted a future edit that will be needed at Art. IV, Sec. 13.05.07. That section refers to Art. IV, Sec. 24.02 for information relating to billboard signs, but Sec. 24.02 is now about electric vehicle charging stations.

Ms. Pilla clarified that the sign section of the regulations has its own definitions, which are broken up into categories. A sign can be both a wall sign and a business sign. It can be a certain definition based on construction and, simultaneously, a certain definition based on function.

In response to a question from Mr. Schoeneberger, Attorney Ranelli said that the sign says

Hartford Healthcare, and the applicant wants both more visibility and for people to be able to find the building from the highway.

In response to questions from Ms. Potocki, Attorney Ranelli said that Hartford Healthcare leases the entire building and permission for the sign is within their lease.

Ms. Pilla reported that the Capitol Region Council of Governments (CRCOG) had no comments on the proposed amendment.

Mr. Farina moved to close the public hearing on this application. Mr. Schoeneberger seconded the motion and all members voted in favor.

The Chairman closed the Public Hearing portion of the meeting at 8:10 p.m.

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