

**TOWN OF MANCHESTER
MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION/INLAND WETLANDS AND
WATERCOURSES AGENCY
MAY 20, 2024**

MEMBERS PRESENT:

In Person: Eric Prause, Chairman
Patrick Kennedy, Vice Chairman
Michael Stebe, Secretary
Teresa Ike
Chris Schoeneberger
Daniela Luna
Michael Farina

**ALTERNATE MEMBERS SITTING:
FOR IWP-0051-2023 ONLY:**

In Person: Maliha Ahsan

ABSENT:

Zachary Schurin

ALSO PRESENT:

In Person: Gary Anderson, Director of Planning and Economic
Development
Megan Pilla, Principal Development Planner
Electronically: David Laiuppa, Environmental Planner/Wetlands
Agent
Nancy Martel, Recording Secretary

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

VESSEL TECHNOLOGIES – Amendment to Article II, Section 7.03 to allow a higher density of dwelling units in the Planned Residential Development (PRD) zone by special exception, if the total number of bedrooms does not exceed 20 per acre. – Zoning Regulation Amendment (REG-0003-2024)

Attorney Dorian Famiglietti, Land Use Attorney, Kahan, Kerensky & Capossela, introduced herself as representing the applicant.

Noting that the application does not pertain to a specific project but just a regulation amendment, Attorney Famiglietti said she understood the Commission is aware of her clients' plans. This particular regulation is necessary in order for her client to achieve their goal. She explained that stating they are trying to increase density is accurate and explained her rationale with the regulation amendment that they may not be increasing the overall density of the parcel.

The PRD zone regulations currently allow a density based on the number of units per acre. Attorney Famiglietti noted that they are proposing another way to evaluate density, which would be based on bedrooms per acre. The rationale of the proposal was detailed by Attorney Famiglietti. She provided the findings of her evaluation of other towns. She noted that, within the body of Section 7.02.03(c), which sets forth the 10 units per acre, the proposal could state “or 20 bedrooms per acre” as of right. There could be much more density under the current regulations. She acknowledged that, if there was a change in the regulations, there must be consistency with the Plan of Conservation and Development (POCD).

Attorney Famiglietti observed that providing an expanded housing opportunity and different types of housing is important. To achieve that is being mindful with the regulations and allowing flexibility.

Mr. Prause observed that, with regulation amendment changes, the Commission reviews the POCD for guidance. He asked whether that was reviewed.

Attorney Famiglietti reported that she did look at the POCD and a lot of the key goals of the plan are to expand housing opportunities. She stated that having flexibility in the regulations to meet the housing options is very important. The Housing Stock Recommendations, #6, specifically states that there should be periodic evaluation of the standards for residential design and amendments of the standards to meet the needs and desires of the town.

After a question from Ms. Luna, Mr. Josh Levy, Vessel Technologies, explained that the units will all be market rate. However, they are open to the idea of units restricted for workforce housing. All of the units are geared towards attainable housing. The monthly rent would be in the \$1,650 - \$1,700 range.

Mr. Stebe observed that this amendment request is not supposedly tied to a specific application. In addition, the Town has solicited RFPs for a holistic review of the regulations. He speculated whether that would be something that would work for this process.

Attorney Famiglietti commented that timing is an issue and, since there is a recent RFP for a consultant to look at a regulation rewrite, it could be many months before it is ready. That would be a problem for her client, who is under contract. For the purpose of this specific project, the applicant did not see the need for a wholesale rewrite. Attorney Famiglietti stated that she would like to see the regulation amendment move forward so the project can move forward. In order to make the project viable, the regulation change is necessary.

After a question from Mr. Farina, Attorney Famiglietti reiterated the regulations in other towns in Connecticut.

Mr. Schoeneberger questioned the original rationale for establishing 10 units per acre. Mr. Anderson stated that, as that is ancient history, the idea was to prescribe the number of households in a certain area. He reiterated that the Commission should look at the POCD to determine whether this would accomplish those recommendations or not.

Mr. Schoeneberger noted that, if this was approved, this would be a special exception requiring the Commission’s review. Ms. Pilla responded that it would be only if the proposal was seeking more than 10 units per acre.

Ms. Luna asked about the criteria when special exceptions come to the Commission. Ms. Pilla explained that the Commission needs to consider the special exception criteria of Art. IV, Sec. 20 as well as other criteria of the zone.

Mr. Anderson reported that a PRD is a zone change along with a development plan. The review would be whether or not a zone change makes sense (looking at the POCD) and whether the Commission felt it was correct to award a special exception.

Ms. Pilla interjected that, special exception or not, a PRD development plan is always reviewed by the Commission.

Mr. Prause noted that the two most recent large scale apartment complexes only offer single and two-bedroom apartment options. In older apartment complexes, there are three-bedroom options. He asked how the applicant came from the 10 units per acre to the 20 bedrooms per acre.

Attorney Famiglietti reported that they came to the 20 bedrooms per acre because they assumed that, in many multi-family developments, it averages out to be one, two and a handful of three or more bedrooms. If 10 units are allowed per acre, two bedrooms per unit is reasonable, which would get to the 20 bedrooms per acre.

Mr. Prause observed that it is interesting that it shows the special exception path. That brings up the special exception criteria, which will prevent the applicant from doing the increased density. The only way it can be turned down is:

- It does not comply structurally in the spirit of the area.
- This needs to be invoked in areas with good transit-oriented development.

Mr. Prause felt the applicant is promoting these as walkable areas or areas where there will be no negative impact in size, scale, or design.

Attorney Famiglietti commented that, when meeting with staff, there was discussion about this site, which has transit within a half mile and is fairly proximate to open space and other services in town. She commented that it would be easier for the Commission to determine it is as of right. The applicant felt that, as it is a change to the protocol, the Commission would like to look at it as more individualized.

Mr. Farina noted that there is a housing crisis in Connecticut and questioned whether this is what is needed and not just what they think they can get by.

Attorney Famiglietti felt that the 20 per acre works for them.

Mr. Levy felt that the differential between units and bedrooms does not change the set asides and other criteria of the underlying zone if the Commission is comfortable with the building footprint and if the Commission wants to allow more bedrooms which promote greater opportunity for housing. After a question from Mr. Farina, Mr. Levy stated that more units per acre helps specifically in an in-fill situation, such as a downtown zone, and could be very helpful in making smaller sites in a downtown area viable.

Ms. Pilla stated that it is difficult to nail down an ideal number per acre that would apply to all locations, noting that there is not a one size fits all number.

Mr. Anderson felt that most of the numbers are arbitrary, so it is based on what we have already as well as other towns.

Mr. Schoeneberger speculated on why the Commission would not try to nail the number down based on market analysis.

Attorney Famiglietti responded that this proposal works quite well for the applicant. She remarked that there are various things that need to be taken into consideration. Attorney Famiglietti stated that they came up with the average of two bedrooms based on current unit density. She noted that this proposal would allow different housing options to go forward.

Mr. Kennedy stated that this proposal in this public hearing was for 20 bedrooms per acre.

Mr. Stebe noted that, for the PRD, this application comes in as of right with the number of units. This special exception turns 10 two-bedroom units into 20 single-bedrooms, which only changes the equation on parking. He added that public transit is not robust in the state in general. What is proposed makes sense and should stay in special exception for the time being.

Ms. Pilla reported no staff comments on the application. It was referred to CRCOG and there were no comments.

Ms. Nancy O'Malley, 244 Union Street, introduced herself. Ms. O'Malley expressed serious concerns about allowing higher density of dwelling units in the PRD zone. Ms. O'Malley gave her personal insight on the traffic on Union Street. She felt that Vessel Technologies' proposal to double the zoning density strikes a blow to the quality of life and the character of the town, on which she elaborated.

Mr. Prause reminded the Commission and public that this public hearing is not specifically in reference to any particular upcoming application. This is about a proposed regulation amendment that would impact all upcoming and potential planned residential developments.

Ms. Hannah Sutherland, 508 Tolland Turnpike, introduced herself. Ms. Sutherland stated that she has not heard any reason why the current regulation should be changed. She stated that she does not see a positive reason why this project would benefit the Town or neighborhood and detailed her concerns.

Ms. Elsie Stempinski, 250 Union Street, introduced herself. Ms. Stempinski expressed her opposition to the proposal. Manchester is not alone in the fight to accommodate housing needs. She was concerned about a developer from New York City requesting a zoning regulation amendment. Ms. Stempinski stated that comments on the different Manchester Facebook pages show that many residents are not in favor of this change. Manchester is one of the few Connecticut towns in compliance with Connecticut General Statute 8-30g. There are other developments that help accommodate the need for housing.

Attorney Famiglietti expressed that many of the comments during the public hearing are things that will be addressed during the zone change application if the regulation amendment goes forward.

After a question from Mr. Prause, Ms. Pilla stated that this new section does not replace the 10 unit per acre requirement but is in addition to it. The 10 unit per acre requirement would still be an as of right requirement, but by special exception it could be more than 10 units per acre as long as it did not exceed 20 bedrooms per acre.

MOTION: Mr. Kennedy moved to close the Public Hearing. Mr. Farina seconded the motion and all members voted in favor.

The Public Hearing was closed at 8:20 P.M.

I certify these minutes were adopted on the following date:

June 3, 2024

Date

Eric Prause, Chairman

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