

**TOWN OF MANCHESTER  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

**TO:** Maria Cruz, Town Clerk

**FROM:** Renata Bertotti, Deputy Director of Planning 

**DATE:** February 20, 2026

**RE:** Proposed Zoning Regulation Amendment (REG-0019-2025)  
Recommendation 1: Update Nonconforming Use and Structure Regulations

The Manchester Planning and Zoning Commission proposes to amend the Town zoning regulations at Section 3.1.2 to:

- Remove the 6-month time limit for building permit applications for nonconforming structures.
- Eliminate Section 3.1.4.C as there should not be prohibitions on the reconstruction of a building if the building itself is conforming, regardless of whether the use is nonconforming.
- Provide specific detail regarding how the Section 3.1.5 exemption is applied.

Enclosed, please find a copy of the proposed text changes and 2 copies of the legal notice for the March 9, 2026 Planning and Zoning Commission meeting at which this application will be discussed.

Please date stamp this memo, as well as one copy of the enclosed legal notice, and return them to the Planning Department for our records.

rb/kw

Encls.

## SUMMARY OF PROPOSED AMENDMENTS

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0019-2025)** – Proposed comprehensive amendments to the zoning regulations: Recommendation 1: Update Nonconforming Use and Structure Regulations at Section 3.1.2 to:

- Remove the 6-month time limit for building permit applications for nonconforming structures.
- Eliminate Section 3.1.4.C as there should not be prohibitions on the reconstruction of a building if the building itself is conforming, regardless of whether the use is nonconforming.
- Provide specific detail regarding how the Section 3.1.5 exemption is applied.



## Town of Manchester Comprehensive Zoning Update

Date: 12/5/25

### Recommendation 1: Update Nonconforming Use and Structure Regulations

**Purpose:** Ensure that regulations are within their statutory authority in allowing for the continuation of non-conforming uses and continued use or restoration of non-conforming structures.

**Description:** This recommended amendment does the following:

- Removes the 6-month time limit for building permit applications for nonconforming structures destroyed by fire or another casualty. (Section 3.1.2)
- Eliminates Section 3.1.4.C as there should not be prohibitions on the reconstruction of a building if the building itself is conforming, regardless of whether the use is nonconforming.
- Provides specific detail regarding how the Section 3.1.5 exemption is applied.

**Geographic Extents:** Townwide

**POCD Consistency:** The Manchester Next plan does not directly address nonconforming uses or structures.

**Context:** Connecticut General Statutes (Section 8-2(d)) provides strict limits on the authority of a municipality to terminate or prohibit the continuance or restoration of a nonconforming use or structure.

**Recommended Zoning Amendments** (text to be removed in ~~strike through~~, text to be added in red)

1. Amend Section 3.1.2 as follows to remove time limit on reconstruction (excerpt below):

#### Section 3.1.2 Nonconforming Structures

Should such structures be destroyed or damaged from fire or other casualty, it may be repaired or replaced to the same dimensions, floor area, cubic volume, bulk and site location existing immediately prior to such damage or destruction provided that such repair or replacement shall be in compliance with all requirements of the Connecticut State Building Code. ~~If application for a building permit for such repair or replacement is not made within 6 months of the date of such damage or reconstruction, the structure may be reconstructed only in conformity with these regulations.~~



2. Eliminate Section 3.1.4 Item C of Nonconforming Use of Building or Structures as follows to remove restrictions on reconstruction of a building containing a nonconforming use.

#### **Section 3.1.4 Nonconforming Use of Building or Structures**

If a lawful use of a structure or building exists at the effective date of adoption or amendment of these regulations that would not be allowed in the zone under the provisions thereof, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. Except for restrictions on the nonconforming sale of alcoholic liquor as stated in Section 3.1.3B above, a nonconforming use may be extended to another part of the building designed for such use.
- B. No building devoted to a nonconforming use shall be enlarged or structurally altered if the cost of all such changes exceeds 50% of the total estimated value of the building as assessed at the time of the application for the first change.
- ~~C. Any building or structure used for a nonconforming use that is destroyed or damaged by fire or casualty may be reconstructed provided the cost of such reconstruction is not greater than 50% of the total estimated value of the building or structure at the time of the last revaluation (as recorded in the assessor's office) and an application for such reconstruction is made within 6 months of the date of such damage or reconstruction.~~

3. Amend Section 3.1.5 as follows to clarify how exemptions are applied:

#### **Section 3.1.5 Exemptions**

The following uses, if legally developed as of the ~~noted~~ dates **noted below**, shall be considered legal and conforming ~~in accordance with the following~~ **and shall be allowed to continue, expand, or intensify subject to these Regulations:**

**TOWN OF MANCHESTER  
LEGAL NOTICE**

The Planning and Zoning Commission will hold a public hearing on March 9, 2026 at 6:30 P.M., both virtually and in person in the Lincoln Center Hearing Room, 494 Main Street, Manchester, Connecticut, to hear and consider the following petitions:

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0019-2025)** – Comprehensive amendment 1: Update Nonconforming Use and Structure Regulations.

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0020-2026)** – Comprehensive amendment 2: Add definitions and update Prohibited Use List at Section 3.2.

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0021-2026)** – Comprehensive amendment 3: Update Permitted Uses in Residential Zones.

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0022-2026)** – Comprehensive amendment 4: Update Residential Principal Use Regulations.

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0023-2026)** – Comprehensive amendment 5: Update Residential Accessory Use Regulations.

**TOWN OF MANCHESTER PLANNING & ZONING COMMISSION – Zoning Regulation Amendment (REG-0024-2026)** – Comprehensive amendment 6: Amend Residential Zone Standards.

At this hearing interested persons may be heard, either in person or virtually via Zoom, and written communications received. This meeting will be shown live on Cox Channel 16 and streamed live at <http://www.channel16.org/CablecastPublicSite/watch/1?channel=1>. Individuals who wish to speak at or attend the virtual meeting must complete a Request to Attend Virtually form, available at <https://manct.us/meeting>, by 4:00 p.m. on the day of the meeting. These individuals will need to join the Zoom meeting and will be allowed to speak when directed by the Chairperson. Zoom meeting information will be sent to individuals who complete a Request to Attend Virtually form. Only individuals who complete a Request to Attend Virtually form will be allowed to join the Zoom meeting. A physical location and electronic equipment will be provided for the public to use if a written request is received at least 24 hours in advance, via email to [pzccomments@manchesterct.gov](mailto:pzccomments@manchesterct.gov), or by mail to the Planning Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191.

Individuals may also submit comments in writing to the Planning and Economic Development Department via email to [pzccomments@manchesterct.gov](mailto:pzccomments@manchesterct.gov), or by mail to the Planning

Department, 494 Main Street, P.O. Box 191, Manchester, CT 06045-0191. All written comments received by 4:00 p.m. on the day of the meeting will be presented and recorded as part of the hearing.

A copy of the proposed zoning regulation amendments may be reviewed online at <https://www.manchesterct.gov/Government/Departments/Planning-and-Economic-Development/Regulations-and-Maps> (click “Regulations” to see proposed zoning regulation amendments); by contacting the Town Clerk’s office at [townclerkdept@manchesterct.gov](mailto:townclerkdept@manchesterct.gov) or (860) 647-3037 to request a PDF by email; or in the Planning and Economic Development Department, 494 Main Street, during business hours (8:00 a.m. to 4:30 p.m. on Mondays, Wednesdays, and Thursdays; 8:00 a.m. to 7:00 p.m. on Tuesdays; and 8 a.m. to 1:00 p.m. on Fridays). Information about this application will be available online at <https://Manchesterct.gov/pzc> by the Friday before the hearing.

Planning and Zoning Commission  
Michael Stebe, Chair

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