

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, March 6, 2006

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Ryan, G. Zimmer

Alternates present: C. Kusmer, Pociask, V. Stearns

Staff present: C. Hirsch (Zoning Agent), G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 8:40 p.m., appointing, in order, Alternates Stearns, Kusmer and Pociask to act in case of member disqualifications.

Minutes: 2/21/06 – Hall MOVED, Favretti seconded, to approve the Minutes as submitted; MOTION CARRIED, all in favor except Goodwin, Holt, Kochenburger, Plante, Ryan and Stearns (disqualified).

Public Hearing: Special permit application, proposed Mansfield Hollow hydropower project, S.&M. Shifrin, o/a, file 1243 – The Public Hearing was called to order at 8:41 p.m. Members and alternates present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Plante, Ryan, Zimmer, Kusmer, Pociask and Stearns. The legal notice was read and communications noted from: Dir. of Planning (3/2/06); Ass't. Town Engineer (3/1/06). Applicant Sam Shifrin noted that neighborhood notification receipts from IWA and PZC abutters had been submitted. It was agreed that the testimony from the IWA Hearing earlier in the evening (which see) was to be entered into the record of this Public Hearing. Mr. Shifrin said he had nothing to add to that testimony.

Mr. Shifrin stated that the plans for the turbine structure's color and surface treatment have been submitted for Historic District Commission approval. He has agreed to provide heavier tree screening around the transformer.

In response to an inquiry regarding safety of the project for animals and humans, Mr. Shifrin responded that it will be constructed according to DEP Dep't. of Fish and Wildlife treatment standards and closely monitored by the applicant, the DEP and the Army Corps of Engineers.

Audience participation was invited, but no one wished to comment.

It is estimated that construction may begin in summer 2008, following receipt of all the necessary reports and approvals, and would take approximately two or three months; construction traffic would enter and exist off Bassetts Bridge Rd. Mr. Shifrin stated that construction debris will be kept neat and will be closely monitored. The applicant requested that hours of activity during construction be 7 a.m. to 9 p.m., Mon.-Sat.. Mr. Padick noted that they could be more restrictive, depending on the site. Mr. Shifrin asked for some flexibility from the Commission on this point. After brief (but pithy) discussion regarding the trash-rack, Hall MOVED, Holt second-ed, to close the Public Hearing; MOTION PASSED unanimously at 8:55 p.m.

Public Hearing, special permit for fill activity on DeBoer property, Bassetts Bridge Rd., L. DeBoer, jr. appl., file 1242 - The Public Hearing was called to order at 8:58 p.m. Members and alternates present were Favretti, Gardner, Goodwin, Hall, Holt, Plante, Ryan, Zimmer, Kusmer, Pociask and Stearns. Kochenburger disqualified himself and Stearns was designated to act in his stead. The legal notice was read and the following communications noted: Dir. of Planning and Ass't. Town Engineer (both 3/3/06). Mr. Joseph Boucher, the applicant's engineer, Att'y. J. Low and the applicant, Mr. DeBoer, were present. The site was visited as part of the most recent field trip. Mr. Boucher described the character, location and use of the site, and explained that the fill, which was placed without town permission, was obtained from the University in order to build a berm bordering Mr. DeBoer's property. He is now seeking permission to complete the filling (Mr. Boucher called it a "reverse berm"), then seed and stabilize the area and continue his agricultural use of the site. There would be no excavation, and the operation, it was said, is basically landscaping. A septic system was approved in 2002. Mr. Boucher agreed to submit a planting and stabilization plan specifying the grass seed mixture and how the seeding will be stabilized after planting. The plan will also specify details of tree-planting locations. He stated that the proposed 4--5-ft. pine trees along areas visible to the public along Bassetts Bridge and Mansfield Hollow Rds. would be an appropriate tree species. A photo was presented of the existing row of pines used to buffer the road and adjoining residences along the two roads. The applicant had no further information to relate and no further questions were asked. Because neighborhood notifications were not sent out in the required time frame, Holt MOVED, Gardner seconded, to recess the Public Hearing until the 3/20/06 meeting, to allow time for their receipt. MOTION PASSED unanimously at 9:10 p.m.

Zoning Agent's Report – Received without comment. Mr. Hirsch related that the restaurant use most currently occupying the former Rosal's site has closed, but there is a sign stating that the bar will be open on weekends. Since Mansfield does not allow the service of alcohol without a substantial food menu, Mr. Hirsch will be looking into the owner's plans.

Other Old Business

Kueffner proposed one-lot subdivision on Forest Rd. , file 1239 – Memos were noted from the Dir. of Planning (3/3/06); Ass't. Town Engineer (3/2/06), and Eastern Highlands Health District (2/14/06, 2/6/06, 3/6/06). An Inland Wetland License was granted earlier in the evening. Revised plans have been submitted for PZC review. Pending staff review and reports, Mrs. Gardner volunteered to work on a motion for the 3/20/06 meeting.

Proposed retail/storage/office use at 699 Storrs Rd., GW Bldg. & Dev., LLC, file 554-3 (MAD 4/27/06) – Although a vote on the application could have been taken at this meeting, members discussed whether or not to do so, in light of the fact that so many members were absent from the 2/21/06 Public Hearing, which was closed on that date. Many of these members stated that they would like to familiarize themselves with the testimony from that Hearing and thereby be able to vote on the application. Noting that the mandatory action date is not until April 27th, Holt MOVED, Plante seconding, to

table action on the application in order to allow members to familiarize themselves with the entire public record. MOTION PASSED unanimously.

Request for above-ground utilities at Lot 1, Hillyndale Rd., Lynwood subdivision, Sec. 7, Gankofskie, o/a, file 1146 – A memo from the Director of Planning was noted, and Mrs. Gankofskie was present during discussion. A three-quarters vote of the Commission would be necessary to approve this request. Mr. Padick noted that one additional pole would have to be added along the road in order to supply overhead utilities. Underground utilities installation would entail digging underneath the public road and on the neighbor's lot, according to CL&P, which recommends against this underground installation. Existing mature landscaping would be disturbed in the process. It was also noted that the surrounding houses all have overhead utilities. Holt MOVED, Plante seconding, that the Planning and Zoning Commission waive the requirement for underground utility installation for Lot 1 in the Lynwood, Sec. 7 subdivision and authorize overhead service as described in a 2/11/06 letter from Beth and Ken Gankofskie. This action is taken because the applicant has adequately addressed the waiver criteria of Section 11.2 of the Subdivision Regulations. MOTION PASSED unanimously.

Storrs Center Downtown project – Members had received copies of the Downtown Partnership's 2/7/06 Minutes and an agenda for the March 7th meeting, as well as a 1/25/06 memo from Cynthia van Zelm, Executive Director of the Partnership, outlining the proposed permitting process. The Municipal Development Plan has recently received State approval. Mr. Padick discussed the planned timing for necessary revisions to our Zoning Regulations and Zoning Map leading to the rezoning application to create the Special Design District for the project, and the processes that will follow. Preliminary development plans will be submitted as a part of this application. It is anticipated that a separate rezoning application will soon be submitted under our present Zoning Regulations to change the site of the present University parking lot behind 13 Dog Lane (east side) to Planned Business. This is preliminary to construction of a permanent so-called "relocation building" in order to accommodate tenants in the existing University-owned Market Place building on Rt. 195, which will be razed. The new building is expected to be constructed by the end of this year. Members discussed various aspects of the process as now planned. It was emphasized that there will be a need to make sure the entire process is clean, clear and legally sound.

2006 Plan of Conservation & Development final mapping and text – Mr. Padick reported that it is hoped that final mapping and text can be completed by April; this timing may coincide beneficially with the University of Connecticut's final Master Plan mapping.

Preliminary priority regulations revision recommendations from Regulatory Review Committee and planning schedule for implementation of top priorities – Mr. Padick's 3/3/06 memo was referenced; Regulatory Review Committee 3/1/06 Minutes were distributed at tonight's meeting. Mrs. Gardner and Mr. Padick explained that, at its 3/15/06 meeting, the Committee hopes to prioritize a listing of recommended revisions to the Zoning and Subdivision Regulations which can become effective prior to the end of

the June 1st subdivision moratorium. These will need full PZC review and support to bring them to Public Hearing, at the 3/20/06 meeting, if possible, in order to meet necessary referral, publication and legal deadlines.

PZC potential fee revisions – Mr. Kochenburger commented, and many agreed, that the ending of the subdivision moratorium seemed to be a good time to implement revised application fees which more accurately reflect the amount of time and expense spent by town staff on each application. Mr. Padick agreed to try to present a schedule of recommended revisions by the beginning of April.

Field trip – An IWA field trip was scheduled earlier in the evening for 1:30 p.m. on Monday, March 13th. There are no PZC items scheduled on this field trip.

Regional Planning Commission report – Noting the mandatory referral from the town of Windham regarding a 3/8/06 Public Hearing on a proposed zone change at Roanoak Avenue in Willimantic, Mrs. Gardner and Mrs. Holt commented that, although no comments from Mansfield are required, it might be advisable to communicate certain comments to Windham in time for the Public Hearing. It was therefore agreed by consensus to communicate the following to the Windham Zoning Commission: The Mansfield Planning and Zoning Commission has no comments directly related to the proposed zone change. However, the Commission does have concern that any projects within the above-referenced area may have the potential for undesirable drainage and environmental impacts within Mansfield. Any projects considered for this area in the future should be referred to the town of Mansfield for review. We feel that storm drainage and potential impacts on wetlands should be carefully considered with respect to current Connecticut Department of Environmental Protection Stormwater Management Guidelines.

Communications and Bills – As listed on the agenda.

The meeting was adjourned at 10:06 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary