

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, November 20, 2006

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt (7:04),

P. Kochenburger, P. Plante, B. Ryan, G. Zimmer

Alternates present: C. Kusmer, B. Pociask

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:00 p.m.

#### Minutes:

11/6/06 - Hall MOVED, Gardner seconded, to approve the Minutes of the 11/6/06 Meeting as written. MOTION PASSED with Pociask and Plante disqualified, and all others in favor.

11/13/06 (Field Trip)- Gardner MOVED, Goodwin seconded, to approve the Minutes of the 11/13/06 Field Trip as written. MOTION PASSED with Favretti, Goodwin, and Gardner in favor, and all others disqualified.

#### Scheduled Business:

##### Zoning Agent's Report

A. Noted; no member comments.

B. Update on Hall site restoration, trailer removal activities

Padick updated the Commission on the trailers still at the Hall gravel site: Ashford has not granted zoning approval for their relocation.

C. Other

Padick noted that Hirsch has visited the property at the corner of Mansfield Avenue and Pleasant Valley Road and has issued a violation notice to the property owners.

#### Old Business:

1. Special Permit Application, Proposed E.O. Smith High School Classroom at 85 Depot Road,  
Regional School District 19, Applicant, File #1251 MAD 12/20/06  
Ryan disqualified herself and Chairman Favretti appointed Pociask to act in her place. Discussion followed; Kochenburger then moved, Gardner seconded, to approve with conditions the special permit application (file #1251) of Regional School District 19 for an alternative high school education facility to be located at 85 Depot Road, in an RAR-90 zone, as shown on plans revised to 10/10/06 and other information to the Commission, and as presented at Public Hearings on 9/18/06, 10/3/06 and 10/16/06. This approval is

granted because the application as hereby approved is considered to be in compliance with Article V, Section B, and other provisions of the Mansfield Zoning Regulations. Of importance, the proposed rehabilitation and use of the Edmond Reynolds School building will preserve the appearance and use of an historic structure within the Mansfield Depot Village area, thereby promoting many goals, objectives and recommendations contained in Mansfield's Plan of Conservation and Development. This approval is granted with the following conditions:

Except as modified by other conditions of this approval, this approval authorizes the specific educational uses and site work described in applicant submissions, including the specific programming elements and commitments cited in the applicant's 8/1/06 and 10/16/06 statements of use. These use limitations include:

- A maximum student occupancy of 35 in either the daytime or after-school program
- Mandatory adult supervision of all student activity on and off site
- No "open campus" privileges at the subject site
- Voluntary student participation with parental permission in this alternate High School Facility
- Mandatory no smoking policy within the school or on school property
- No student parking from 7:30 am to 2:15 pm

Any proposed changes to authorized uses of this property shall be reviewed and approved by the Planning and Zoning Commission. Any changes or expansions of use, as determined by the Commission, shall require additional Special Permit approval. This approval authorizes, subject to the following restriction, the use of the subject site for an after-school alternative education program where some students will be allowed to park on the premises. Any after-school program shall not commence until specific time schedules for the ending of the daytime program and the beginning of the after-school program and enrollment data for the after-school program have been approved by the Planning and Zoning Commission Officers. The schedules and enrollment size of the after-school program shall be designed to minimize parking overlap and ensure that all necessary parking will be available on site.

The applicant shall be responsible for monitoring on-site parking and preventing school-associated parking along Depot Road. In the event the 16 approved on-site parking spaces for the school become fully occupied, additional vehicles shall be directed to park on the paved basketball court area, which shall be plowed during winter months when school is in session. For special events, such as open houses, arrangements shall be made for off-site parking with van or bus shuttle service and a communication shall be sent to parents with specific parking directions.

To help address any neighborhood impact issues that may arise, the applicant shall schedule and conduct a meeting with Depot Road residents within one month of the opening of the alternative high school facility. A similar meeting shall be held prior to the start of the second year of operation and on an as-needed basis thereafter. Any alleged violations of the commitments made by Regional School District 19 shall be brought to the Planning and Zoning Commission's attention and addressed by the applicant to ensure compliance with approval requirements.

Final plans shall be revised as follows:

- A. The two maps note revisions cited in a 10/16/06 review memo from Eastern Highlands Health District shall be incorporated.
- B. The depicted dumpster/waste collection area shall be screened with stockade fencing or other fencing approved by the PZC Chairman with staff assistance. Screening details shall be added to the plans.
- C. The proposed landscape plan shall be revised to increase the density of buffer plantings west of the parking area and the density of plantings in areas between the building and Depot Road. A finalized landscape plan shall be approved by the PZC Chairman with staff assistance.
- 6. Pursuant to Article X, Sections D.7 and D. 18, this approval authorizes a 22 foot wide driveway for the western end of the parking area and a waiver of interior lot landscaping. A slight driveway width reduction in the western portion of the lot is justified by the need to place dry wells to promote ground water recharge and the interior lot landscaping waiver is appropriate due to the desire to maximize on-site parking, due to the relatively small parking area and due to existing and proposed landscaping and site work.
- 7. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

The above motion includes a number of friendly amendments made to the original motion. (Amendments were satisfactory to the maker and seconder of the motion.)

MOTION PASSED with Favretti, Gardner, Goodwin, Holt, Kochenburger, and Pociask in favor of the motion, and Hall, Plante, and Zimmer against the motion.

2. Subdivision Application, Dunham Farm Estate, 3-lots on S. Eagleville/Dunham Pond Roads,

EJK Properties LLC., Applicant, File #1252 MAD 12/7/06

No discussion was held. Item tabled.

3. Bonding/Subdivision Issues:

a. Mulwood East, File #1225

Holt MOVED, Gardner seconded, that the Planning and Zoning Commission authorize the PZC Chairman with staff assistance to execute a revised bond agreement for common driveway work in the Mulwood East Subdivision on Wormwood Hill Road. The new bond requirement shall be \$5,000 and the new completion date shall be June 1, 2007. The Director of Planning shall take appropriate action to release the balance of bond funds to the subdivider. MOTION PASSED UNANIMOUSLY.

b. Maintenance Bond, Maplewoods, Section 2, Max Felix Drive, File #974-3

Item tabled.

c. Pine Grove Estates, File #1187-2

Item tabled.

d. McFarland Acres, File #877-3

Item tabled

e. Baxter Road Estates, File #1229

Item tabled.

f. Wild Rose Estates Section 2, File #1113-3

Holt MOVED, Ryan seconded, that the Planning and Zoning Commission authorize the PZC Chairman with staff assistance to execute a new bond agreement to cover work

remaining in Section 2 of the Wild Rose Estates Subdivision off Mansfield City Road. The new bond amount shall be based on the recommendation of the Assistant Town Engineer and Director of Planning, and the completion date shall be June 1, 2007. At least 10% of the full cost of public improvements in Phase 2 shall be posted in cash and the balance may be posted with a Letter of Credit from a bank previously approved by the PZC.

Furthermore, that the PZC modify condition #4 of its 10/4/05 approval of Wild Rose Estates Section 2 to authorize up to seven Certificates of Compliance for occupancy of new homes in Section 2 subject to the following conditions which shall be referenced in the new bond agreement:

1. Each new home to be occupied shall be on a segment of roadway having its first layer of pavement.
2. The subdivider shall maintain safe access to all occupied lots including all necessary sanding and snow plowing during the winter season. MOTION PASSED UNANIMOUSLY.

g. Windswept Manor, File #1198  
Item tabled.

4. Site modification request, office expansion and related site work at 1066 Storrs Road, File #580-2

Padick summarized the proposed work to be done on this site. K. Kaserounia, applicant, was present to answer any questions posed by Commission members. After a brief discussion, Goodwin MOVED, Gardner seconded, that the PZC Chairman and Zoning Agent be authorized to approve the 11/3/06 modification request for an office expansion at 1066 Storrs Road and related site work as described on submitted plans and discussed at the PZC's 11/20/06 meeting. This authorization is subject to the following conditions:

1. Final Plans shall be modified to incorporate recommendations contained in the 11/16/06 report from the Assistant Town Engineer and the 11/20/06 report from the Director of Planning.
2. The applicant shall be responsible for providing adequate parking spaces for all on-site office uses so that driveway and turnaround areas are not utilized for parking; Furthermore, no medical offices shall be authorized without subsequent review and approval by the Planning and Zoning Commission .

3. No Zoning Permit shall be issued until it is confirmed that all DOT permit requirements have been met.

4. All signage revisions need prior authorization. MOTION PASSED UNANIMOUSLY.

5. Special Permit Application, Proposed Expansion of Gibbs Oil Company gasoline service station/convenience store, 9 Stafford Road, File #404-3  
Item tabled.

6. Regulatory Review Committee proposed revisions to the Zoning Map and Zoning Regulations. File #907-29  
Item tabled.

7. Subdivision Application, Bennett Estates, 3 lots on Ash Street/South Frontage Road,  
D+S Properties LLC., o/a, File #1253  
Item tabled.

8. Potential Revisions to PZC/IWA Fee schedule

Item tabled.

9. Presentation by Paula Stahl from the Green Valley Institute on Open Space Subdivisions

Item tabled.

New Business:

1. Scheduling of 2007 Meeting Dates

Holt MOVED, Gardner seconded, to accept the meeting dates for 2007 as submitted, with one correction: Tuesday, January 16, 2007. MOTION PASSED UNANIMOUSLY.

2. 8-24 Referral Proposed acceptance of new Town Roads

a. Jonathan Lane-phase 1 segment File #1113-2

Gardner MOVED, Holt seconded, that the Planning and Zoning Commission report to the Town Council that the portion of Jonathan Lane within Section 1 of the Wild Rose Estates subdivision is now ready to be accepted as a Town Road subject to completion of road monumentation and boundary pins, the submission of acceptable as-built plans and an applicant commitment to plow and sand the portion of Jonathan Lane and Blake Lane which provide turnaround capacity for buses and other vehicles. Upon Town Council acceptance of this new road, the PZC Chairman, with staff assistance is authorized to execute a one-year maintenance bond pursuant to regulatory requirements, and to release any bonding no longer required for sections of this subdivision. MOTION PASSED UNANIMOUSLY.

b. Jackson Lane-File #1231

No action was taken.

c. Monticello Lane Extension File #1230

No action was taken.

3. Request for approval modification, Bell Property 552 Bassetts Bridge Road, File #1217

After a brief discussion, Holt MOVED, Hall seconded, that the PZC modify its 8-2-04 approval for property at 552 Bassetts Bridge Road to authorize a food cart or food vendor use as described in an 11/2/06 applicant submission. This authorization is conditioned upon continued compliance with 8-2-04 approval conditions for associated commercial use of the subject property. This authorization is subject to obtaining any necessary approvals from Eastern Highlands Health District, providing access to an existing restroom or providing a portable rest room facility, and identifying an on-site location that does not interfere with required parking. No signage changes have been authorized by this action. MOTION PASSED UNANIMOUSLY.

4. Request for site modification, driveway at 452 Storrs Road, Home Selling Team, File #510-2

Item tabled.

Reports of Officers and Committees:

· There were no reports from the PZC Chairman or Regional Planning Commission Representatives.

Communications and Bills:

- The agenda items were noted.

Adjournment:

Favretti declared the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary