

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, April 7, 2008

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,

Alternates present: M. Beal, L. Lombard, B. Pociask

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 8:03 p.m. and appointed alternate Lombard to act.

Hall MOVED, Holt seconded, to add to the agenda under New Business, the recommendation for a new alternate and PZC member in a 4/3/06 email from Gregory Haddad, Mansfield Democratic Town Committee Chair. MOTION PASSED UNANIMOUSLY.

Minutes:

3/17/08- Gardner MOVED, Holt seconded, to approve the 3/17/08 minutes as written. MOTION PASSED UNANIMOUSLY. Hall noted that he listened to the tapes.

Scheduled Business:

Public Hearing :

11-lot Subdivision Application, Wormwood Hill and Knowlton Hill Rds, Green o/a, File #1269

Chairman Favretti opened the Public Hearing at 8:05 p.m. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Ryan, and alternates L. Lombard, B. Pociask and M. Beal. Favretti appointed Lombard to act. Padick read the legal notice as it appeared in the Chronicle on 3/25/08 and 4/2/08, and listed the following communications received and distributed to all members of the Agency: a 4/3/08 memo from Gregory J. Padick, Director of Planning, a 3/27/08 report from Stephanie Fuss, L.A., of Stephanie Fuss Associates LLC., and a 1/24/08 set of plans. The applicant agreed to have the testimony that was presented during the IWA hearing made part of the PZC record.

Attorney John McGrath, representing the Estate of N.S. Green, Sr., and Land Surveyor Rob Hellstrom, along with members of the Green family, were present this evening. Attorney McGrath reviewed the proposal and emphasized that the reason for Agricultural and Conservation Easements is because the heirs are interested in living on and farming portions of this land. McGrath noted that Claude McDaniel's home and house lot has been split from the rest of the parcel, and the Green family would like to see the home purchased and restored.

Chairman Favretti mentioned the key points in the staff memo prepared by Padick and asked the applicant to respond. Concern was expressed for the amount of fill that may be required for the driveway on Lots 6 and 7 due to their length, and noted the applicant will have to file a separate Special Permit if the fill exceeds 500 cubic feet. Padick added that if the applicant does this soon, a legal notice can be advertised for the same date as the continuation of the IWA/PZC Public Hearing (5/5/08). Hellstrom suggested that Stephanie Fuss, landscape architect, be present at the next meeting to address any concerns.

Gardner questioned what percentage of land was being dedicated to open space. Hellstrom stated that 50% of the parcel is being developed, and the breakdown of easements is 13.5 acres going to a Conservation Easement and 14.5 acres going to an Agricultural Easement. He noted in response to Goodwin's question that the owners of the lots that have the agricultural easements will retain the right to farm it. Padick noted that the Commission would need to know the specifics of the easements.

Holt reminded the applicant about his agreement to change some of the Development Area Envelopes (DAE) and the Building Area Envelopes (BAE), and Commission members noted that preservation of stone walls is important and that the applicant should be reading all staff memos, especially those from the Director of Planning.

Pociask questioned who maintains the cemetery adjacent to lot #8. Favretti noted that it is the Town of Mansfield.

Martha Frankel asked that the applicant give an overview of the subdivision because she was not present during the IWA presentation.

Noting no further questions or comments, Holt MOVED, Plante seconded, to continue the Public Hearing until Monday, May 5, 2008. MOTION PASSED UNANIMOUSLY.

Public Hearing:

Special Permit Application, Request to approve the use of off-site parking to increase restaurant occupancy at the Thirsty Dog Pub, N. Eagleville Rd., File #930-7

Chairman Favretti opened the Public Hearing at 8:38 p.m. Members present were R. Favretti, B. Gardner,

J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Ryan, and alternates L. Lombard, B. Pociask and M. Beal. Favretti appointed Lombard to act. Padick read the Legal Notice as it appeared in the Chronicle on 3/25/08 and 4/2/08, and listed the following communications received and distributed to all members of the Agency: a 4/3/08 memo from Gregory J. Padick, Director of Planning, a 4/1/08 memo from Assistant Fire Marshal Fran Raiola; a 4/3/08 memo from J. Polhemus of Eastern Highlands Health District (EHHD); a 3/20/08 email from Curt Hirsch, Zoning Agent, to Gregory Padick, Director of Planning, and a 2/22/08 floor plan and menu submitted by the applicant.

Plante disqualified himself and Favretti appointed Lombard to act. Graham Scelfo, applicant, the permittee and full-time manager of the Thirsty Dog, was present to answer questions. He was assisted by Stephen Velardi, one of the owners of Thirsty Dog, and his father, Fred Valanti, who helped with the permitting process.

Gardner asked for clarification on the purpose of this application.

Ryan questioned why different occupancy numbers appear on the reports, noting that 281 and 248 are cited. It was explained by Velardi that 281 was the number for occupancy based on general laws followed by the architect, and that the 248 occupancy number was based on the Fire Marshal's code.

Commission members, Padick and the applicant discussed the discrepancy in numbers on the submitted floor plan, focusing on the number of tables in the dining area, bar area, tables and seating, and where the standing occupancy would be. Padick emphasized that the applicant needs to come back with plans that demonstrate how the patrons will get to and from exits and the restrooms safely, and how service staff will adequately maneuver around standing patrons. The Commission requested that all parts of the plan be labeled, as well as depicting all patron areas accurately on the floor plan, and that the revised plans be submitted to staff in time for review prior to the next meeting. Padick stated that he is willing to work with the applicant to ensure a floor plan is submitted that gives adequate information for the Commission.

Mitch Jackson, former student and patron of the Thirsty Dog, expressed his support for the applicant's request, and feels the establishment is well managed. The applicant stated that it is open 4 p.m. to 1 a.m.

Holt MOVED, Lombard seconded, to continue the Public Hearing until 4/21/08.
MOTION PASSED with all in favor except Plante who had disqualified himself.

Old Business:

1. Zoning Agent's Report

Items noted. It was suggested that Mark Branse receive a copy of the Hall memo from the Zoning Agent.

2. PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30 Tabled, due to a Public Hearing Continuation until 4/21/08.

3. Resubdivision application, 9 Proposed lots off of Dodd Road (Quiet Meadow), L. LaGuardia o/a

File #1108-2

Tabled, due to a 4/21/08 scheduled Public Hearing.

New Business:

1. Request for bond release, Adams driveway, Wormwood Hill Rd. File #877-3
Holt MOVED, Hall seconded, that upon staff confirmation that driveway work has been completed, the Director of Planning is authorized to take appropriate action to release \$5,000 plus accumulated interest that has been held to ensure suitable completion of the MacFarland Acres Section IV common driveway work on Wormwood Hill Road.
MOTION PASSED UNANIMOUSLY.

2. New Subdivision Application, Windwood Acres, Baxter Estates Section II, 6 lots off of Storrs Rd., Crossen., o/a File # 1229-2
Kochenburger MOVED, Holt seconded, to receive the subdivision application (File #1229-2) submitted by R.F. Crossen Contractors, LLC., for a 6-lot subdivision, Windwood Acres, on property located at the north side of 195 between Baxter and Cedar Swamp Roads, owned by the applicant, as shown on plans dated 3-31-08, and as described in other application submissions, and to refer said application to the staff, Town Council, Open Space Preservation Committee, Parks Advisory Committee, Conservation Commission, WINCOG Regional Planning Commission and Town of Willington for review and comments, and to set a Public Hearing for May 5, 2008. MOTION PASSED UNANIMOUSLY.
3. Scoping Notice: UConn Hazardous Waste Storage Facility Siting
Padick summarized the notice and noted that he will be at the meeting and will report back to the PZC.
4. Proposed Willington Wireless Telecommunications Tower-Daleville Road
Padick summarized the notice and noted that because the tower is within 500 feet from the Town Line, it is a mandatory referral. The application will go to the Connecticut Siting Council, and information sessions will be scheduled. Padick's opinion is that the tower will not be seen from anywhere in Mansfield except from the top of Horsebarn Hill.
5. Recommendation from the Mansfield Democratic Town Committee
Favretti called attention to an email handed out this evening from Gregory Haddad, Mansfield Democratic Town Committee Chair, which recommends a full member to replace Gary Zimmer, and a nominee for alternate.

Favretti MOVED, Holt seconded, to appoint Barry Pociask as a full PZC/IWA member, as recommended in a 4/3/06 email from Gregory Haddad, Mansfield Democratic Town Committee Chair, effective immediately. MOTION PASSED UNANIMOUSLY.

Favretti then asked that Mr. Gregory Lewis introduce himself and tell the Commission about his background. Lewis was also given the opportunity to ask the Commission any questions.

Holt MOVED, Plante seconded, to appoint Gregory Lewis as the new PZC/IWA alternate member to replace Barry Pociask, as recommended in a 4/3/06 email from Gregory Haddad, Mansfield Democratic Town Committee Chair, effective immediately. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

Favretti noted a 4/16/08 Field Trip at 1:00 p.m.

Communications and Bills:

Pociask brought in a flyer and discussed the Farmer Brown parking lot and the rental of parking spaces, asking Padick if the Tax Assessor is aware of it. Padick agreed to consult with the Mansfield Assessor.

Adjournment:

Favretti declared the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary