

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, November 16, 2009 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, P. Plante, B. Pociask,

B. Ryan

Alternates present: G. Lewis, K. Rawn, V. Stearns

Staff Present: Gregory Padick, Director of Planning

Chairman Favretti called the meeting to order at 7:01 p.m. It was noted that Vera Stearns was present but not acting, as she had not been sworn in by the Town Clerk in time for this meeting.

Election of Officers:

- Holt MOVED, Plante seconded, to nominate Rudy Favretti as Chairman of the Mansfield Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.
- Holt MOVED, Plante seconded, to nominate Joann Goodwin as Vice Chairman of the Mansfield Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.
- Plante MOVED, Pociask seconded, to nominate Kay Holt as Secretary of the Mansfield Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.

Committee Appointments:

Chairman Favretti reviewed the various town committees on which Planning and Zoning members currently serve.

- Town University Relations Committee: Beal agreed to continue serving as the Planning and Zoning member.
- Transportation Advisory Committee: Hall agreed to continue serving as the Planning and Zoning member.
- Regional Planning Agency: Holt agreed to continue serving as the Planning and Zoning member. Rawn expressed interest in the alternate's position vacated by Betty Gardner.
- Design Review Panel: Pociask MOVED, Holt seconded, to re-appoint the current members of the Design Review Panel. MOTION PASSED UNANIMOUSLY.
- Four Corners Sewer Study Advisory Committee: Plante agreed to continue serving as the Planning and Zoning member.
- Sustainability Committee: Ryan agreed to continue serving as the Planning and Zoning member.
- Regulatory Review: Favretti noted that any and all members are encouraged to attend and partake in the Regulatory Review Committee meetings and a Chairman will be nominated at the next Regulatory Review meeting.

Chairman Favretti welcomed new alternates Kenneth Rawn and Vera Stearns to the Planning and Zoning Commission and thanked them for volunteering their time.

Review of By-Laws:

Chairman Favretti asked members to review the by-laws prior to the next meeting.

Minutes:

11/2/09-Hall MOVED, Plante seconded, to approve the 11/2/09 minutes as written. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Hirsch noted that there has been progress at the Hall site, noting one trailer body has been removed and Hall told him that the remaining one will be removed in the next few weeks. Plante related that Hall had been given many opportunities to remedy the site and yet he has not done so in a timely manner. He felt that violation notices should be sent instead of extending the deadlines.

Old Business:

1. Special Permit Application, Proposed Retail Package Store, 153 N. Eagleville Rd, Pesaro's LLC, o/a. File #585-3

Hall MOVED, Holt seconded, that the Planning and Zoning Commission approves with conditions the special permit application (File #585-3) of Pesaro's LLC., for a retail package store on property located at 153 North Eagleville Road, as shown on plans revised to 10/26/09, as presented at Public Hearings on 10/19/09 and 11/2/09 and as described in other application submissions. This approval is granted because the application as approved is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. To facilitate safe pedestrian access to the package store entrance, a five (5) foot wide access way between parking spaces shall be designated west of the entrance door. This access way may be incorporated into a new or relocated handicap parking space. The re-striping of the western parking area and installation of an employee parking space sign shall be completed before the issuance of a Certificate of Compliance.

This approval authorizes the applicant to relocate the existing handicap space to the package store entry area, to relocate the handicap space to an area between the two business entries or to keep the handicap space in the current location. The decision about location shall be approved by the Director of Planning and shall be so indicated on the final plans.

2. The existing dumpster area shall be screened on all sides as per regulatory requirements. Currently the easterly side is not screened with a fenced gate. A plan for screening shall be submitted to and approved by the PZC Chairman and Director of Planning and installed before the issuance of a Certificate of Compliance.
3. All applicable Health, Building and Fire Codes shall be addressed and required permits obtained prior to construction/renovation or occupancy by the public for this approved change in use.
4. This approval grants the requested site plan submission waivers, including an A-2 Survey. The information submitted is adequate to appropriately address approval criteria.
5. 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 filing on the Land Records shall not occur until the subject site has been authorized by the State Liquor Control Authority.

MOTION PASSED UNANIMOUSLY.

2. Site Modification Request, Chuck's Margarita Grill, Proposed Deck, 1498 Stafford Rd, File #303

After discussion, Plante MOVED, Hall seconded, that the Planning and Zoning Commission finds

that the potential impacts from this proposal are such that it cannot be approved as a modification, and therefore Special Permit approval would be necessary. MOTION PASSED UNANIMOUSLY.

3. **Special Permit Application, Proposed Conversion from one to two family, 1620 Storrs Road,**

Y. Ghiaei o/a, File #1276-2 M.A.D. 12/23/09

Pociask disqualified himself. Holt MOVED, Beal seconded, that the Mansfield Planning and Zoning Commission approves with conditions the special permit application (file #1276-2), of Y. Ghiaei, for converting a single-family home to a two-family dwelling on property located at 1620 Storrs Road, in a RAR-90 zone, as shown on submitted plans, as described in other applicant submissions and as presented at Public Hearings on 9/8/09, 10/5/09 and 10/19/09.

This approval is granted because the application, as hereby approved, is considered to be in compliance with Article X, Section J, as it existed when the application was filed, Article V, Section B, and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions, which if not met shall lead to revocation of this permit:

1. This approval is granted for a four-bedroom, primary dwelling unit, and a one-bedroom secondary unit to be occupied by not more than two persons, as described in application submissions. Any increase in the number of bedrooms on this property or the occupancy of the secondary unit shall necessitate subsequent review and approval from Eastern Highlands Health District and the Planning and Zoning Commission.
2. This approval is conditioned upon owner-occupancy of the subject dwelling which is a specific requirement for conversions. To ensure that this requirement is met, a notarized affidavit confirming owner-occupancy shall be submitted to the Zoning Agent on or before January 2nd of each year.
3. Occupancy of the primary unit shall comply with all applicable Zoning, Building and/or Town Ordinance provisions.
4. Based on the use, as described, the submitted parking plan is considered adequate for residents and guests. To help ensure that the five (5) designated spaces are used as proposed, concrete or wooden wheel stops, acceptable to the Zoning Agent, shall be installed and maintained. Any change in the parking layout shall necessitate additional PZC review and approval.
5. Existing vegetation along Storrs Road, immediately adjacent to the driveway, shall be trimmed and maintained in a cut-back condition to provide appropriate sightlines for the subject driveway.
6. Pursuant to the provisions of Article X, Section J, this action authorizes a waiver of the front setback requirements for the subject dwelling. The existing setback from Storrs Road is considered adequate to address potential neighborhood impacts and other approval criteria.

However, setback waivers have not been authorized for on-site parking. Existing parking areas along the southerly side of the driveway shall be permanently blocked with appropriate barriers. The barriers shall be approved by the PZC Chairman and Zoning Agent and installed prior to the issuance of a Certificate of Compliance.

7. This approval accepts the applicant's request for a waiver of certain site plan submission requirements, including an A-2 Survey. The information submitted is considered adequate to address applicable approval criteria.

8. This special permit shall not become valid until filed upon the Land Records by the applicant. MOTION PASSED with all in favor except Plante who was opposed and Pociask who disqualified himself.

4. Potential Re-Zoning of the “Industrial Park” zone on Pleasant Valley Rd and Mansfield Ave.

Padick informed the Commission that he met and discussed the draft with property owner B. Hussey and his attorney K. Olsen who indicated that they will pass on their comments for the next meeting.

5. Request to release/reduce bonding for Paideia Project, Dog Lane

Hall MOVED, Plante seconded, that the Planning and Zoning Commission does not authorize any change in the bonding requirements for the Paideia Amphitheater project on Dog Lane. The project remains under construction and the subject bonding is needed to help address any sediment and erosion problems and to ensure appropriate site stabilization in the event the project is not completed in accordance with approved plans. MOTION PASSED UNANIMOUSLY.

New Business:

1. Notice of 11/18/09 Conservation Commission Meeting to discuss Drainage Plans for the UConn Storrs Campus

Padick invited PZC members to attend the 11/18/09 meeting which will be held at 7:30 p.m. in Conference Room B unless capacity is exceeded, in which case it will be at the Community Center.

Reports of Officers and Committees:

None.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary