

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting, Monday, April 5, 2010
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, P. Plante
B. Pociask, B. Ryan
Alternates present: K. Rawn
Alternates absent: F. Loxsom, V. Stearns
Staff Present: Gregory Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:14 p.m.

Minutes:

Hall MOVED, Ryan seconded, to approve the 3/15/10 minutes as written. MOTION PASSED with all in favor except Plante who disqualified himself.

Zoning Agent's Report:

The Zoning Agent's Monthly Enforcement Report was noted.

Old Business:

1. Review of Draft Revision on Zoning Definition of Family

Padick summarized the latest revisions to the Draft Zoning Definition of Family and Boarding House. After extensive discussion regarding item 2, (Article IV, Section B, 25.2 and 25.3), the consensus of the Commission was to re-word 25.3 to refer to "adult" persons; to delete "either related or unrelated" and to add a reference that more than 3 adult persons could qualify as a family pursuant to other categories of the definition.

4. Review of potential schedule for Public Hearings on draft Zoning and Regulation Revisions

Padick referenced his 3/31/10 memo. The consensus of the Commission was to hold two separate Public Hearings, the first one on 5-3-10 on the draft definition of family and boarding house and the proposed political sign revisions; the second on 6-7-10 on the remaining pending revisions currently before the Regulatory Review Committee. Hall MOVED, Holt seconded, to schedule a public hearing on 5-3-10 to hear comments on the draft definition of family and boarding house and proposed political sign revisions. MOTION PASSED UNANIMOUSLY.

2. Draft Off-Street Rental Parking Ordinance

After discussion, the Commission voted that the PZC Chairman, with staff assistance, should write a letter to the Town Council in support of the Off-Street Rental Parking Ordinance. (The vote was 6 in favor, 2 opposed, and 1 abstention.)

3. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Ave

Item was tabled, under review by PZC Regulatory Review Committee.

5. Special Permit Application, Permanent Agricultural Retail Sales, 483 Browns Road, o/a B. Kielbania, File #1292

Tabled-awaiting 4/19/10 Public Hearing.

New Business:

Re-Approval Request: Popeleski Estates Subdivision, Bassetts Bridge and S. Bedlam Rds, PZC File #1278

Holt MOVED, Ryan seconded, that the Planning and Zoning Commission receive and re-approve the

Popeleski Estates subdivision of the Estate of Shirley Popeleski with the same approval conditions cited in a February 2, 2009 action. The minutes of this meeting shall incorporate the 2/2/09 approval conditions and map references. MOTION PASSED UNANIMOUSLY.

At a meeting held on 2/2/09, the Mansfield Planning and Zoning Commission adopted the following motion:

“to approve with conditions the subdivision application (File #1278), of the Estate of Shirley Popeleski, for three lots, on property owned by the applicant, located on Bassetts Bridge and South Bedlam Roads, in an RAR-90 zone, as submitted to the Commission and shown on plans dated July 1, 2008 as revised to January 5, 2009.

This approval is granted because the application, as hereby approved, is considered to be in compliance with the Mansfield Subdivision Regulations. Approval is granted with the following conditions:

1. Final plans shall be signed and sealed by the responsible surveyor, engineer, and soil scientist.
2. Pursuant to subdivision regulations, particularly Sections 7.5 and 7.6, this action specifically approves the depicted Building Area and Development Area Envelopes and sideline setback waivers for Lots 1 and 2. Unless the Commission specifically authorizes revisions, the approved envelopes shall serve as the setback lines for all future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be specifically Noticed on the Land Records and the deeds for the subject lots.
3. The final plans shall be revised to incorporate the following revisions:
 - a. Note 3 on Sheet 1 shall be revised to delete the clause “except where noted”.
 - b. On Sheet 2 the erosion and sediment control notes shall be revised to update the estimated start of construction and to change the frequency of inspections to daily.
 - c. The Development Area Envelope on Lot 2 shall be revised near the southwestern corner to exclude a low lying area defined by a stone wall. The stone wall shall be used as the DAE.
 - d. On all three lots, the Development Area Envelopes along the Bassetts Bridge Road street line shall be moved at least 25 feet from the street line except for the driveway areas for Lots 2 and 3.
 - e. On Sheet 1, a note shall be added to specify that no structures shall be located on septic system and reserve areas.
4. The approved plans include notes regarding stone wall and tree preservation. Pursuant to Section 7.7, no existing stone walls shall be altered except for site work depicted on the approved plans. No stones from existing walls shall be removed from the site. Furthermore, a number of specimen trees have been identified to be saved. No Zoning Permits shall be issued on individual lots until a protective barrier has been placed around the specimen trees identified to be saved and has been found acceptable to the Zoning Agent. In conjunction with the filing of final maps, notice of this condition shall be filed on the Land Records and referenced in the deeds of the subject lots.
5. Due to the size of the subject subdivision and distance from existing survey control points, this approval waives (pursuant to Section 6.5.4.b) the requirement that the survey be tied to the Connecticut Plane Coordinate System.
6. The Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety (90) or one hundred and eighty (180) day filing extension has been granted):
 - a. All final maps, including submittal in digital format, a right-of-way deed for land along Bassetts Bridge and South Bedlam Roads, the depicted drainage easement on Lot 3 and a Notice on the Land Records to address conditions 2 and 4 (with any associated mortgage releases) shall be submitted to the Planning Office no later than fifteen days after the appeal period provided

for in Section 8-8 of the State Statutes, or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;

- b. All monumentation with Surveyor's Certificate, shall be completed or bonded pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes, or, in the case of an appeal, no later than fifteen days, of any judgment in favor of the applicant."

Reports of Officers and Committees:

Chairman Favretti congratulated Kay Holt, Betty Gardner, Gregory Padick and Curt Hirsch for receiving CFPZA Achievement Awards. He noted a Regulatory Review Committee meeting is scheduled for 4/13/10 at 2 p.m. in Room B.

Communications and Bills:

Padick recommended that item #5 be referred to the Regulatory Review Committee: the 3/1/10 Declaratory Ruling from the State Board of Examiners for Professional Engineers and Land Surveyors Re: GIS Data.

Adjournment:

Chairman Favretti declared the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Katherine Holt, Secretary