

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, November 7, 2011
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, B. Ryan, P. Plante, B. Pociask
Alternates present: K. Rawn, V. Ward
Staff Present: Linda M. Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Chairman Favretti called the meeting to order at 7:12 p.m.

Minutes:

10-17-11- Plante MOVED, Beal seconded, to approve the 10/17/11 minutes as written. MOTION PASSED UNANIMOUSLY. Ward noted that she listened to the tapes.

10-25-11 Field Trip- Plante MOVED, Pociask seconded, to approve the 10/25/11 Field Trip minutes. MOTION PASSED with all in favor except Hall who was disqualified.

Zoning Agent's Report:

Hirsch stated that he and chairman Favretti signed off on a modification at Celeron Square for a security/guard shack at the entrance to the site.

Cease and Desist Order-Freedom Green

Thomas Weinland, 2 Nutmeg Court, President of Freedom Green Condo Association, submitted an 11/7/11 copy of his remarks which he read into the record. His main concern was about the substantial difference in appearance that the new building in question had in comparison to those buildings surrounding it.

Jean Beaudoin, developer and builder, brought copies of the plans approved by the Building Department and stated that the building in question is no different than the one he built on Samuel Lane. He submitted a letter signed by residents on Pequot and Liberty Drive stating that they have no problems with the building in question. Beaudoin stated that according to the Condo Association By-Laws construction must be completed by April 2012.

Pociask questioned where the fill went that was removed during the excavation for the foundation of the building. Beaudoin responded that it was used on site to level the road.

Holt asked about the next step in the process, and Hirsch responded that it is now up to the PZC to decide if what is currently being built is consistent with what was approved.

It was noted that this topic will be discussed during an Executive Session prior to the conclusion of the meeting.

Old Business:

1. **Request for Scenic Road Designation, Gurleyville Road (from Route 195 to Codfish Falls Rd) PZC File # 1010-8**

Ryan MOVED, Holt seconded, that the Planning and Zoning Commission designate the portion of Gurleyville Road between Codfish Falls Road to a point approximately 635 feet east of the intersection of Gurleyville Road and Horsebarn Hill Road (east of the UConn Commissary Building) as a Scenic Road pursuant to Chapter 155 of the Mansfield Code of Ordinances.

In support of this motion, the Commission states:

1. The application has met the requirements of Section 149a of the Connecticut General Statutes and Chapter 155 of the Mansfield Code of Ordinances;

2. It is acknowledged that concerns for pedestrian and vehicular safety were expressed during the public hearing and Commission consideration of this designation. In response to those concerns, the Commission notes the following requirements contained in Section 155-6 of the Mansfield Code of Ordinances:
 - Alterations to scenic roads may be made to promote public safety if approved by both the Planning and Zoning Commission and Town Council;
 - Such alterations shall be the minimum necessary to address safety issues and shall be designed to minimize impact on the scenic characteristics of the road as listed in items “A” through “J” under Section 155-7 of the Mansfield Code of Ordinances. In this case, Gurleyville Road, such characteristics include the tree groves, stream and ravine, stone walls, and historic features such as house and mill-site foundations as well as bridges.

MOTION PASSED with all in favor except Lewis who was opposed and Plante and Pociask who disqualified themselves.

3. **Special Permit Application for wedding venue, 552 Bassetts Bridge Road, J. & J. Bell o/a, PZC File #1217-2**
Item tabled pending an 11/21/11 continued Public Hearing.
4. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**
Item tabled-awaiting information from the applicant.

Public Hearing:

Special Permit Application, Building Replacement & Expansion, 173 Storrs Rd, Natchaug Hospital o/a. PZC File #1305

Chairman Favretti opened the Public Hearing at 7:30 p.m. Members present were: Favretti, Beal, Goodwin, Hall, Holt, Lewis, Ryan, Plante, Pociask, and alternates Rawn and Ward. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in the Chronicle on 10/25/11 and 11/2/11 and noted the following communications were received and distributed to Commission members: an 11/3/11 report from Linda Painter, Director of Planning and Development; an 11/3/11 report from Grant Meitzler, Assistant Town Engineer; an 11/7/11 report from Fran Raiola, Assistant Chief/Deputy Fire Marshal; and a 10/5/11 letter from John DeCastro, CT DOT.

Edward Pelletier, Licensed Surveyor at Datum Engineering, submitted receipts of mailing to fulfill the neighborhood notification requirement. Pelletier reviewed staff comments contained in their reports and stated that John Alexopoulos, Landscape Architect, will be working to address the landscaping comments. The revised plans will include additional plantings, two rain gardens, a walkway, a revised lighting plan, and Pelletier will be submitting a stormwater management plan.

Beal questioned if the site changes will alleviate traffic back-up on Storrs Road. Pelletier responded that because the traffic flow will be changed within the site to one way, delivery trucks will no longer have to back up and turn around on site. This change will allow for better flow both on and off the site.

Pociask asked what size of truck will make deliveries to the site. Michael Strycharz, Natchaug Facilities Manager, responded that mostly parcel delivery trucks will be used, but there will also be a large tractor trailer for laundry service. Pociask questioned if the turning radius had been considered for a truck of that size, and Pelletier responded yes.

Holt requested that building materials and paint colors be brought to the next meeting.

There were no further comments from the public or Commission. At 7:43 P.M., Plante MOVED, Hall seconded, to continue the Public Hearing until November 21, 2011. MOTION PASSED UNANIMOUSLY.

New Business:

None.

Reports from Officers and Committees:

Beal, chairman of the Regulatory Review Committee, noted that the meeting for 11/9/11 has been cancelled and all meetings will now be held on the 2nd and 4th Wednesdays of the month, so that RRC meetings don't fall on the same week as PZC meetings. The next RRC Meeting will be on 11/16/11 at 1:15 p.m.

Holt noted that Linda Painter attended the WINCOG Regional Planning Commission meeting to discuss the Mansfield/ UConn Water Supply Plan.

Communications and Bills:

Noted.

Executive Session:

Strategy and negotiations with respect to pending claim and litigation, Connecticut General Statutes section 1-200(6)(B).

Holt MOVED, Plante seconded, at 7:48 p.m. to enter into Executive Session to discuss the pending court case of Bruce and Franca Hussey vs. Town of Mansfield Planning and Zoning Commission and also the Cease and Desist Order at Freedom Green. MOTION PASSED UNANIMOUSLY. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Ward and Rawn. Also present were Dennis O'Brien, Town Attorney; Curt Hirsch, Zoning Agent and Linda Painter, Director of Planning and Development.

Plante MOVED, Hall seconded, at 10:05 p.m. to end the Executive Session. MOTION PASSED UNANIMOUSLY.

Cease and Desist Order-Freedom Green Continued:

Plante MOVED, Hall seconded, that the cease and desist order issued by the Zoning Agent on October 7, 2011 be amended as follows:

1. By December 5, 2011, Beaudoin must submit a grading plan that minimizes the physical height and a landscape plan designed by a Registered Landscape Architect that minimizes the visual impact of the height of the buildings constructed at 29, 30, 31 and 32 Liberty Drive (Building "A") and at 33, 34, 35 and 36 Liberty Drive (Building "B"), in compliance with the Zoning Regulations of the Town of Mansfield and State law to the satisfaction of the Planning and Zoning Commission.
2. Beaudoin may resume work on Building "A" forthwith.
3. No additional work shall be done on Building "B" until said grading and landscape plans are approved by the Commission.

MOTION PASSED UNANIMOUSLY.

Adjournment:

Chairman Favretti adjourned the meeting at 10:12 p.m.

Respectfully submitted,

Katherine Holt, Secretary