

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Tuesday, February 21, 2012
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, K. Holt, G. Lewis,
B. Pociask (7:00p.m. – 7:50 p.m.), P. Plante, K. Rawn, B. Ryan
Alternates present: B. Chandy, V. Ward, S. Westa (arr. 7:04 p.m.)
Staff Present: Linda M. Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:01 p.m. None of the alternates were seated, as all members were present.

Holt MOVED, Beal seconded, to add the 2-14-12 Field Trip Minutes to the agenda. MOTION PASSED UNANIMOUSLY.

Minutes:

2-6-12 Minutes- Ryan MOVED, Rawn seconded, to approve the 2/6/12 meeting minutes as written. MOTION PASSED with all in favor except Hall who disqualified himself. Ward and Beal noted that they listened to the 2-6-12 recording of the meeting.

2-14-12 Field Trip Minutes- Beal MOVED, Ryan seconded, to approve the 2/14/12 Field Trip Minutes as written. MOTION PASSED with Beal, Holt, Ryan and Rawn in favor and all others disqualified.

Zoning Agents Report:

Curt Hirsch updated the Commission on the Cease & Desist Order issued to Kueffner regarding earth removal on Merrow Road. Kueffner told Hirsch that his surveyor is working on plans to submit to the Commission.

In response to Pociask's question at the 2-6-12 meeting, Hirsch stated that the marble at the Paideia site is shipped to the site as it becomes available and is stored on site. He added that the stop work order is still in effect and will remain in effect until revised plans are submitted and approved by the Building and Zoning Departments.

A modification request was approved by Hirsch and Chairman Goodwin for the Gardens at Bassetts Bridge wedding venue. The applicant revised the hours of wedding operations to end at dusk, eliminating the need for exterior lighting.

Old Business:

a. **Special Permit Application, Addition to Eastbrook Mall, (PZC File #432-6)**

95 Storrs Road

New England Design/applicant

Plante MOVED, Holt seconded, to approve with conditions the Special Permit application (PZC File #1307) of Eastbrook F, LLC for an ±14,528 square foot addition to the north side of Eastbrook Mall, as described in a statement of use, as shown on the 19-page plan set dated December 1, 2011 and revised through January 30, 2012 and Sheet SP-1A dated 1/30/12 as prepared by BL Companies; the 3-page set of building plans and elevations dated 12/1/11 and revised through 2/2/12 as prepared by New England Design; a traffic impact study prepared by BL Companies dated October 2011; a Stormwater Management Report prepared by BL Companies dated December 2011; an Operations and Maintenance Plan prepared by BL Companies dated December 1, 2011; and as presented at Public Hearings on 1/3/12 and 2/6/12. 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) **Extent of Approval.** This approval authorizes the proposed addition and related site work as shown on Sheet SP-1A. This approval does not include the out-parcel and related site work that was withdrawn from the application prior to the 2/6/12 public hearing. Any significant change in the use or site improvements as described in application submissions and at the Public Hearing shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC.
- 2) **Plan Revisions.** The plan set shall be revised to eliminate all references to the out-parcel and related site work, including the driveway to Storrs Road and crossing of Sawmill Brook. A complete revised plan set, including the revisions to the north building façade, shall be submitted to the Director of Planning and Development for approval prior to issuance of a Zoning Permit. Final plans shall be signed and sealed by all responsible professionals.
- 3) **Excavation/Installation of Retaining Wall.** This approval specifically authorizes the changes in grade proposed as part of the project, including the excavation of approximately 3,800 cubic yards of material along the north property line and construction of a gravity retaining wall with evergreen plantings. Waivers to the requirements of Article X, Section H.3.b and Article X, Section H.5.e are also approved as part of this authorization.
- 4) **Erosion and Sedimentation Controls.** Erosion and sedimentation controls shall be inspected daily and after storms. Copies of erosion and sedimentation control inspection reports shall be submitted to the Zoning Agent and Inland Wetlands Agent on a bi-weekly basis.
- 5) **Landscape Buffer Reduction.** This approval specifically authorizes a reduction in the 50-foot landscape buffer required by Article VI, Section B.4.q.2 of the Zoning Regulations to allow the retaining wall to be constructed along the north property line. The retaining wall shall include an irrigation system to ensure the viability of the plantings within and on top of the wall.
- 6) **Parking.** This approval grants a temporary waiver of the parking regulations as set forth in Article X, Section D allowing the reduction of parking spaces from 1,116 to 976 spaces. This waiver is granted because it has been demonstrated that the subject parking lot in fact has adequate parking spaces for the present uses in residence. Notwithstanding the foregoing, should the Zoning Agent determine at a future date that 976 spaces are not adequate for the parking needs of the shopping center, the applicant shall return to the PZC with a specific plan for installation of additional spaces.
- 7) **Endangered/Threatened Species.** The applicant shall coordinate with the Connecticut Department of Energy and Environmental Protection (DEEP) on inspections, seasonal work restrictions and other measures as may be necessary to protect the wood turtle/box turtle habitats.
- 8) **Lighting.** Details of proposed wall fixtures must be submitted for approval by the Director of Planning and Development. All fixtures shall be dark-sky compliant and shall be consistent with the Architectural and Design Standards contained in Article X, Section R.4.
- 9) **Signs.** The applicant shall submit detailed sign plans including dimensions prior to issuance of a Zoning Permit for the proposed signs.
- 10) **Validity.** This permit shall not become valid until the applicant obtains the special permit form from the Planning Office and files it on the Land Records.

MOTION PASSED with all in favor except Hall who disqualified himself.

Public Hearing:

**Special Permit Application, Cumberland Farms, 643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant, PZC File #1303-2**

Chairman Goodwin opened the Continued Public Hearing at 7:21 p.m. Members present were Goodwin, Beal, Hall, Holt, Lewis, Pociask, Plante, Rawn, Ryan, and alternates Chandy, Ward and Westa. No alternates were seated for the Public Hearing. Linda Painter, Director of Planning and Development, noted the following communications received and distributed to members of the Commission: a 2/21/2012 memo from the Director of Planning (distributed at the meeting); a 2/16/2012 memo from the Director of Planning; a 2/16/12 email from Kevin Thatcher, Engineer, CHA Companies, with three attached revision sheets (C-101, C-301 and C-501) and a lighting specification sheet.

Attorney Joseph P. Williams, of Shipman and Goodwin, submitted for the record a digital copy of the Environmental Site Review and reviewed the changes to the plans since the last public hearing, noting those changes suggested in the staff reports. He also requested that bicycle racks be allowed to be placed at the rear of the building and not in the front in order to save a parking space for customers.

Kevin Thatcher, P.E., of CHA Companies, reviewed the changes to the plans which included increased sight distance by the removal of plantings; installation of an in-ground propane tank; the removal of the left-turn from the Storrs Road driveway by re-designing the island with signage and striping indicating no left turn; and lighting locations and specifications.

Linda Painter, Director of Planning and Development, requested that the lighting continue further down Storrs Road/Route 195 to the edge of the property abutting to Route 320. The applicant agreed.

Pociask questioned if, when designing the Storrs Road/Route 195 entrance and island, consideration had been given to the turning radius for tanker/delivery trucks. Thatcher responded that it had been designed to accommodate the size of these vehicles, but also stated that Cumberland will be requiring deliveries to enter the site from the Middle Turnpike/Route 44 entrance. Pociask also questioned the current condition of the grease trap. Thatcher responded that is regulated by the Health Department. The applicant will comply with and address any issues raised by the Health Department.

Chairman Goodwin asked the applicant if consideration had been given to siting the building on an angle to minimize the visual impact for motorists traveling west on Route 44, noting that they will be looking at the rear/loading area of the building. It was suggested that adding screening at the southeastern end of the building would hide the boxes and crates that are often found in the rear of commercial buildings. The applicant agreed to provide screening.

Beal asked if backup generators are proposed in light of the recent length of power outages. John Marth, Project Manager for Cumberland Farms, stated that mobile generator units will be moved in to run the store and pumps.

David Kahlbaugh, Traffic Engineer, of CHA Companies, stated that he spoke with WRTD and Rick Chapman of CT DOT and noted that the DOT did not support a bus pull-off as requested by WRTD.

Plante and Rawn related that the Town is working toward a vision of the entire Four Corners area being developed, adding that public transit is a key component to this vision.

****At 7:50 p.m. Pociask excused himself from the rest of the meeting and alternate Ward was seated. ****

Tony Lent, 28 Daleville Road, stated that he didn't think a bus stop is needed on the north bound lane of 195 as much as it is on the south bound side, and added that he is in favor of the proposal.

Noting no further comments or questions from the Commission, public or the applicant, Holt MOVED, Rawn seconded, to close the Public Hearing at 8:07 p.m. MOTION PASSED with all in favor except Beal who was opposed.

Old Business:

b. Special Permit Application, Cumberland Farms, (PZC File #1303-2)

643 Middle Turnpike & 1660 Storrs Road

Cumberland Farms, Inc./applicant

Noting the PZC's concerns about a bus shelter/pull-off, grease-trap review by EHHD, parking in rear, and southeast screening, Beal volunteered to work with staff on a draft motion for the 3/5/12 meeting.

c. Proposed Revisions to the Pleasant Valley Residence/Agriculture (PVRA), Pleasant Valley Commercial/Agriculture (PVCA) Regulations and Research and Development/Limited Industrial Zone

After extensive discussion and review of the proposed revisions, Holt MOVED, Beal seconded, that a public hearing be scheduled for May 7, 2012 to hear comments on the attached 2/16/12 draft revisions to the Zoning Regulations. The draft regulations shall be revised to include explanatory notes and shall be referred to the Town Attorney, WINCOG Regional Planning Commission, adjacent municipalities, Town Council, Zoning Board of Appeals, Conservation Commission, Open Space Preservation Committee, Agriculture Committee and Design Review Panel. MOTION PASSED UNANIMOUSLY.

New Business:

School Building Project

Painter briefed the Commission on the presentation made to the Town Council at its 2-21-12 special meeting, briefly summarizing the possible building options the Town Council may choose. Painter stated that the Town Council is hoping to bring this to a May referendum. The PZC discussed the merits of scheduling a presentation for its next meeting, but decided by consensus that it preferred to wait until the Town Council makes its formal 8-24 referral.

Reports from Officers and Committees:

It was noted that the next Regulatory Review Committee meeting will be on Wednesday, February 29th at 1:15 p.m. in Conference Room C.

Communications and Bills: Noted.

Adjournment: The meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Katherine Holt, Secretary