

**DRAFT MINUTES**  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday, March 19, 2012  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan  
Members absent: M. Beal  
Alternates present: B. Chandy, S. Westa  
Alternates absent: V. Ward  
Staff Present: Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:03 p.m. and appointed alternate Westa to act in Beal's absence.

Holt MOVED, Ryan seconded, to add to the agenda under New Business: Discussion of the April 16, 2012 Planning and Zoning Commission Meeting. MOTION PASSED UNANIMOUSLY.

**Minutes:**

3-5-12 Minutes- Hall MOVED, Pociask seconded, to approve the 3/5/12 meeting minutes as written. MOTION PASSED with all in favor except Plante who disqualified himself.

**Zoning Agents Report:**

Hirsch stated that in reviewing the file on Paideia, he noted there are some activities allowed that are not subject to the Stop Work Order. One example is the installation of the marble seating. As for the Kueffner property, Hirsch said he and staff met with Phil Desiato and expect an application to be submitted soon.

**Old Business:**

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

After extensive discussion, Rawn MOVED, Holt seconded, to approve with conditions the Special Permit application (PZC File #1303-2) of Cumberland Farms, Inc. for the development of a ±3,634 square foot convenience store and gasoline filling station with four multi-product dispensers and canopy at 643 Middle Turnpike and 1660 Storrs Road. This approval is based on the project as described in the application, including a statement of use, 16-page plan set dated December 9, 2011 and revised through February 15, 2012; a traffic impact study dated December 9, 2011; a Stormwater Management Report dated December 9, 2011; a Sanitary Report dated December 9, 2011; and as presented at Public Hearings on February 6<sup>th</sup> and February 20<sup>th</sup> 2012. 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 is specifically tied to the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed uses and site improvements shall be limited to those authorized by this approval. Any questions regarding authorized uses, required site improvements and conditions cited in this approval shall be reviewed with the Zoning Agent and Director of Planning and Development, and, as deemed necessary, the PZC.
- 2) **Waivers.** The following waivers to Four Corners Design Regulations are authorized as part of this approval:

- a) Article X, Section A.11.c which requires new buildings to be located immediately adjacent to streetscape areas
- b) Article X, Section A.11.d which requires parking and loading areas to be located to the rear or side of buildings and screened from adjacent roadways and walkways/bikeways.

These waivers have been approved due to the unique needs of the gasoline sales use, including clear visibility of the pump island/canopy to passing motorists and maneuvering requirements of fuel delivery trucks. As these specific criteria were designed to further enhance roadside aesthetics and pedestrian orientation, the overall design of the streetscape area and inclusion of pedestrian, bicycle and transit amenities are even more critical to minimize the impact of these waivers on the future build-out of this area. As such, specific revisions to the streetscape area and overall site design are required under condition (4) to enhance and reinforce the pedestrian, bicycle and transit orientation of both the site and Four Corners area.

- 3) **Setback/Buffer Reductions.** The following reductions to required setbacks and buffers are authorized as part of this approval:
  - a) A reduction in the 100 foot front yard setback along Routes 44 and 195 to 58.7 feet and 75.2 feet, respectively, in accordance with the provisions of Article X, Section A.4.
  - b) A reduction in the 50-foot landscape buffer required by Article VI, Section B.4.q.2 of the Zoning Regulations to allow the northeast edge of the Route 44 driveway to be located 41 feet from the adjacent property.
- 4) **Plan Revisions.** The plan set shall be revised as follows and submitted for approval by the Director of Planning and Development:
  - a) A modified bus pull-off pursuant to specifications provided by the Windham Regional Transit District and Public Works Director shall be added to the Route 195 frontage. The Town will assist the applicant in coordinating review of the bus pull-off by Connecticut DOT. Any changes to site access required by CTDOT to accommodate the bus pull-off shall be approved by the Director of Planning and Development and Public Works Director. If CTDOT prohibits a bus pull-off in this location, the applicant shall revise their plans to eliminate the pull-off and provide written documentation of such prohibition.
  - b) A bus shelter and connection to the sidewalk shall be added to the Route 195 frontage in conjunction with the bus pull-off. The bus shelter design shall be approved by WRTD and the Director of Planning and Development. If the bus pull-off is prohibited by CTDOT, the shelter shall not be required and plans shall be revised accordingly.
  - c) Street lights and landscaping shall be added along the sidewalk between the Route 195 driveway and the intersection with Route 320.
  - d) The area located between the rear of the building and the northeast property line shall be screened from view of the parking area and Route 44 through the use of landscaping and fencing.
  - e) Parking space 12 shall be removed and the adjacent landscape island expanded to include a concrete pad to accommodate relocation of the bicycle racks from the rear of the store to the front where they will be visible to store employees and patrons.
  - f) Evergreen trees shall be added along the northwest property line to screen the view of the gas station from the single-family home located on Route 320.
  - g) Detailed specifications for fences shall be added to the detail sheets. These specifications shall include height, material and design.
  - h) Erosion and Sedimentation Control plans shall be revised pursuant to recommendations from the Assistant Town Engineer regarding stock pile location, silt fences and catch basins.
- 5) **Underground Propane Tank.** The location of the proposed propane tank must be approved by the Fire Marshal and Eastern Highlands Health District prior to issuance of a Zoning Permit.

- 6) **Signs.** The applicant shall submit detailed sign plans including location, dimensions, materials and lighting for Commission approval. Use of monument signs to reinforce pedestrian orientation is strongly encouraged.
- 7) **Sale of Gasoline.** The Zoning Agent is hereby authorized to sign a Certificate of Approval for the location of the sale of gasoline pursuant to Section 14-321 of Connecticut General Statutes.
- 8) **Voidance of Previous Approvals.** The Special Permit approved by the Commission on November 19, 1990 for Republic Oil (File #1026) and all subsequent actions related to that special permit shall become null and void upon the filing of the special permit on the Land Records.
- 9) **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 was opposed and Westa disqualified herself.

b. **Proposed Revisions to the Pleasant Valley Residence/Agriculture (PVRA), Pleasant Valley Commercial/Agriculture (PVCA) Regulations and Research and Development/Limited Industrial Zone, (PZC File #907-37)**

Item tabled pending a Public Hearing scheduled for May 7, 2012.

**New Business:**

a. **Regulatory Review Committee Recommended Revisions to Zoning Regulations**

Linda Painter, Director of Planning and Development, reviewed the miscellaneous revisions to the Zoning Regulations based on a list compiled by the Zoning Agent. After receiving comments from the full Commission, Painter agreed to incorporate the changes identified this evening and prepare a revised draft for a future meeting.

b. **Proposed Revisions to Zoning Subdivision Regulations Regarding Bonding**

Linda Painter, Director of Planning and Development, reported that we need to update our bonding regulations because recently the State Statutes have changed. She presented examples of what other Connecticut towns are considering or have adopted. She will be attending a seminar on bonding, hosted by the Fairfield Bar Association featuring Attorney Branse, and will report back at our next meeting.

c. **8-24 Referral- Agricultural Lease Extensions**

Hall MOVED, Ryan seconded, that the PZC report to the Town Council that the proposed lease extensions are consistent with Mansfield's Plan of Conservation and Development and recommend that the extensions be approved to facilitate active cultivation of town-owned agricultural property until a revised lease policy is finalized and new leases are put forward for approval. MOTION PASSED UNANIMOUSLY.

d. **April 16, 2012 Planning and Zoning Commission Meeting**

Plante MOVED, Holt seconded, to cancel the April 16, 2012 meeting of Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.

**Reports from Officers and Committees:**

It was noted that the next Regulatory Review Committee meeting will be on Wednesday, March 28<sup>th</sup> at 1:15 p.m. in Conference Room C.

**Communications and Bills:** Noted.

**Adjournment:** The meeting was adjourned at 8:55 p.m. by the chairman.

Respectfully submitted,  
Katherine Holt, Secretary