

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, February 4, 2013
Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Goodwin called the meeting to order at 7:18 p.m.

Minutes:

1-22-13 Meeting Minutes- Ward MOVED, Rawn seconded, to approve the 1/22/13 meeting minutes as written. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Hirsch reported on the following questions raised at the previous meeting: Yukon Jack's sign advertising Live Music; parking in the Storrs Downtown on the temporary road between Dog Lane and Bolton Road; allowance of paper signs in the windows in the Storrs Center shops; and size limitations on free standing solar panels.

Public Hearings:

Subdivision Application, 29 North Windham Road; J. Sauve, applicant: PZC File #1311

Chairman Goodwin opened the Public Hearing at 7:27 p.m. Members present were: Goodwin, Chandy, Holt, Lewis, Plante, Pociask, Rawn, and alternates Marcellino, Ward, and Westa. Ward and Westa were appointed to act. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in The Chronicle on 1-22-2013 and 1-30-2013 and noted the following communications received and distributed to the Commission members: a February 4, 2013 emailed letter from Jess and Risley Dimock; a January 31, 2013 memo from Linda Painter, Director of Planning and Development; a memo from Geoffrey Havens, Eastern Highlands Health District, dated January 4, 2013; a memo from Mansfield Agriculture Committee dated January 24, 2013; a memo from Mansfield Open Space Preservation Committee dated January 15, 2013; a memo from Grant Meitzler, Assistant Town Engineer, dated January 31, 2013; a memo from Francis Raiola, Fire Marshal, dated January 30, 2013; and minutes of the January 16, 2013 Conservation Commission meeting.

Rob Hellstrom, Rob Hellstrom Land Surveying, reviewed the 10.7 acre site describing the three proposed house lots, common driveway and the dedicated farmland preserve. He stated that the development is not within the aquifer, but it is within 500 feet of the aquifer's boundaries. The existing house and barn will be removed, but the shed and well will remain in place. Hellstrom requested that the Public Hearing be kept open to allow the receipt of comments from the Health Department and to submit revisions based on staff comments.

Michael Dion, 30 North Windham Road, questioned if any changes were made to the originally proposed driveway and if there will be any impact to private wells within the area.

Chairman Goodwin noted that there were no additional comments from the public or the Commission. At 7:41 p.m. Pociask MOVED, Holt seconded, to continue the Public Hearing to the 2/19/13 meeting. MOTION PASSED UNANIMOUSLY.

Subdivision Application, Beacon Hill Estates, Section II, Mansfield City Road, west of Beacon Hill Road; Eagleville Development Group, LLC, applicant: PZC File #1214-3

Members Holt, Pociask and Plante disqualified themselves.

Chairman Goodwin opened the continued Public Hearing at 7:42 p.m. Members present were Goodwin, Chandy, Lewis, Rawn, and alternates Marcellino, Ward, and Westa all of whom were appointed to act. Linda Painter, Director of Planning and Development, noted the following communications received and distributed to members: a January 31, 2013 memo from Linda Painter, Director of Planning and Development; a memo from Grant Meitzler dated January 29, 2013; and a February 4, 2013 memo from Fran Raiola, Acting Deputy Chief/Fire Marshal.

Attorney Leonard Jacobs, representing the applicant, agreed that all testimony from the Inland Wetlands Agency Public Hearing may be entered into the record of the Planning and Zoning Commission Public Hearing. Attorney Jacobs gave a brief overview of the proposal. He requested that the Public Hearing remain open to receive the report from the Health Department.

Gregory Shangold, 66 Beacon Drive, stated that he is opposed to the development as submitted, but is not opposed to it if the alternate access off Mansfield City Road is utilized. He mentioned a "roundabout" idea as an option to consider.

Gregory Hamilton, Beacon Hill Drive, stated that he is opposed to the development with access off Beacon Hill Drive.

Pamela Paine, 43 Beacon Hill Drive, questioned why no alternative layouts to access the site have been presented.

Chairman Goodwin noted that there were no additional comments from the public or the Commission. At 7:50 p.m. Rawn MOVED, Chandy seconded, to continue the Public Hearing to the 2/19/13 meeting. MOTION PASSED with all in favor except Holt, Pociask and Plante who were disqualified.

Old Business:

a. Special Permit Applications, Efficiency Unit, 22 Russett Lane, Jorgensen owner/applicant; PZC File #1314

Members Holt, Pociask and Plante disqualified themselves. Marcellino was appointed to act.

Rawn MOVED, Ward seconded, to deny the November 5, 2012 application of Rachel Jorgensen to allow an efficiency dwelling unit at 22 Russett Lane in an RAR-90 zone, as shown on submitted plans and described in other application submissions and as presented at Public Hearing on January 7, 2013. This denial action is taken for the following reasons:

Specifically:

Efficiency units are not permitted by right and require Special Permit approval (see Article V, Section B.1). Applicant submissions and Public Hearing testimony indicate that the subject application was submitted in order to obtain approval to increase up to 5 the number of unrelated persons who may occupy the subject dwelling. Accordingly, to approve this application, the Commission must determine that all applicable regulations have been met for this intended occupancy.

After considering all applicant submissions and testimony, staff reports and Public Hearing testimony, the Commission has determined that many provisions of Mansfield's Zoning Regulations have not been met and that the proposal would result in health, safety, and welfare problems. The proposed occupancy is not consistent with the intended provisions for efficiency units as specified in Article X, Section L, and the proposal is not consistent with many provisions of Article I including Sections B.1, 3, and 10.

The subject site is located at the end of a cul-de-sac street that serves 4 single-family homes in addition to the subject property. The proposed use is expected to result in inappropriate noise, nuisance, and traffic safety problems for neighboring residences. The proposal is not considered to be in compliance with Article V, Sections B.5.b, c or d or with Article V, Sections A.5.e or g. MOTION PASSED with all in favor except Holt, Pociask and Plante who disqualified themselves.

b. Special Permit Application, 50 residential apartments, 73 Meadowbrook Lane, Whispering Glen-Lakeway Farms, L.P., owner/applicant: PZC File #1284-2

After a lengthy discussion about the conditions contained in the draft approval motion, Lewis volunteered to work with staff to revise the motion for the next meeting. Holt, Pociask and Plante disqualified themselves and did not take part in the discussion.

c. Subdivision Application, Beacon Hill Estates, Section II, Mansfield City Road, west of Beacon Hill Road; Eagleville Development Group, LLC, applicant: PZC File #1214-3

Item tabled pending continued Public Hearing on 2/19/13.

d. Subdivision Application, 29 North Windham Road; J. Sauve, applicant: PZC File #1311

Item tabled pending continued Public Hearing on 2/19/13.

New Business:

a. New Subdivision Application, 85 & 87 Old Turnpike Road; Homework Properties, LLC; Owner & Applicant: PZC File #1315

Holt MOVED, Chandy seconded, to receive the subdivision application (file #1315) submitted by Homeworks Properties, LLC, for a 2-lot subdivision on property located at 85-87 Old Turnpike Road as shown on plans dated 12/12/12, and as described in other application submissions, and to refer said application to the staff, Conservation Commission, and Open Space Preservation Committee for review and comments and to set a public hearing for March 4, 2013 at 7:15 p.m. MOTION PASSED UNANIMOUSLY.

b. Request for Certificate of Compliance, Cumberland Farms, 1660 Storrs Road, PZC File #1303-2

Chandy MOVED, Holt seconded, that the PZC authorize the Zoning Agent to issue a Certificate of Compliance, for the work associated with the special permit approval of Cumberland Farms, at 1660 Storrs Road, because the work is complete except for required landscaping, there are no uncompleted health or safety components of the project, and the Commission has approved acceptable assurances from the owner, through a 1/24/13 letter from Troy Comire, that the remaining landscape work will be completed prior to May 30, 2013. This approval is authorized through Article V, Section B.7.c of the zoning regulations. MOTION PASSED UNANIMOUSLY.

c. Discussion on needed Infrastructure Improvements

Rawn opened the discussion stating that in areas of town where growth and development is expected and encouraged, we (as a Town) need to insure that the infrastructure (sidewalks, roads that can support the increase in traffic, public transit accessibility, etc.) is in place to support it. He asked that the Planning and Zoning Commission bring this issue to the attention of the Town Council to solicit its support. Westa agreed and suggested this become an active part of the Mansfield Tomorrow | Our Plan ▶ Our Future. It was also suggested that the PZC prepare its own sidewalk priority list based on existing and planned growth. Marcellino suggested a subcommittee of the PZC be formed to do this work and communicate with the Traffic Authority Commission. Holt, Plante and Marcellino volunteered to serve on this subcommittee.

Communications and Bills:

None noted.

Old Business:

e. **Mansfield Tomorrow | Our Plan ▶ Our Future**

Members reviewed the applications of residents, business owners, clergy and developers who are interested in becoming involved in the Mansfield Tomorrow Advisory and/or Focus Groups. After review and extensive discussion, the following appointments were made. Further assignments may be made at the next PZC Meeting:

ADVISORY

Derek Rudd

Jon Sgro

Miriam Kurland

Susan Zito

Winky Gordon

Richard Meehan

Rev. Matthew Emery

Storrs Congregational Church

HOUSING

Betty Wassmundt

Toivo Kask

Ric Hossack

Donald Hoyle

AGRICULTURE

Gary Bent

Eva Csejtey

ECONOMIC DEVELOPMENT

Danny Briere

Michael Zito

Mehdi Anwar

George Thompson

Michael Taylor

ZONING

Aline Booth

Alison Hilding

Gregory Padick

Edward Pelletier

After discussion, it was decided that a Special Meeting on February 19th at 5:30 p.m. will be scheduled for the purpose of meeting with the consultant to discuss the current permitting processes.

Painter reminded members of the March 9th Community Forum sponsored by Mansfield Tomorrow.

Adjournment: The Chairman noted the Field Trip set for February 13 at 3 p.m., and declared the meeting adjourned at 9:55 p.m.

Respectfully submitted,

Katherine Holt, Secretary