

MINUTES  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
MONDAY, September 16, 2013  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), B. Chandy, R. Hall, G. Lewis, P. Plante, K. Rawn, B. Ryan  
Members absent: K. Holt, B. Pociask  
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 7:00 p.m. and appointed Ward and Westa to act in the absence of Holt and Pociask. Ryan was appointed as Acting Secretary.

**Minutes:**

September 3, 2013 Regular Meeting: Ward MOVED, Ryan seconded, to approve the 9/3/13 Meeting Minutes as presented. MOTION PASSED with all in favor except Plante who disqualified himself. Ward noted for the record that she listened to the recording of the entire meeting since she left before adjournment.

**Zoning Agent's Report:**

Noted

**Public Hearings:**

**a. Storrs Center Alliance Applications:**

- **Application to Amend the Zoning Regulations; Storrs Center Alliance, LLC, applicant, (File #1246-14)**
- **Application to Amend the Zoning Map; Storrs Center Alliance, LLC, applicant, (File #1246-15)**

Chairman Goodwin opened the Continued Public Hearing at 7:02 p.m. Members present were Goodwin, Chandy, Hall, Lewis, Plante, Rawn, Ryan and alternates Marcellino, Ward, and Westa; Ward and Westa were seated. Painter noted the following communications received and distributed to all members of the Commission: A 9/16/13 email from Matt Rusconi; a 9/16/13 email from Richard and Kristin Schwab; a 9/16/13 email with attached letter from George Jones; a 9/16/13 email from Jo-Anne Waide-Wunschel; a 9/16/13 email from Barry Schreier; a 9/6/13 email from Manny Haidous;

Attorney Thomas P. Cody, of Robinson & Cole, LLP, represented the applicant, Storrs Center Alliance, LLC. Cody responded to three issues raised at the last public hearing; traffic, water consumption and the market for another hotel. He confirmed that water usage figures provided at the last meeting for three purportedly comparable hotels included on-site laundry facilities, a breakfast bar and a pool, all amenities which are proposed at this site. He contends that 80 gallons per day is approximately half of the water usage "budgeted" per apartment, below the potential usage and 170,000 gallons per day contracted with the University of Connecticut.

Hall asked what percent of the entire project is currently built. Cody said currently 414 of the 590 apartment units are built and occupied and currently the water usage is 13,800 gallons per day.

Geoffrey Fitzgerald, BL Companies, re-stated that the hotel will not generate any more traffic than already reported in the Master Traffic Study and approved by the State. He represents that the evening peak will actually be less with a hotel than apartments.

Attorney Cody opined that the Mansfield zoning regulations do not require the submission of a market study as Attorney Hollister, representing the Nathan Hale Inn, contends.

Howard Kaufman, President of Storrs Alliance, said he has frequently stayed at the Nathan Hale, but he has been turned away on occasion because it is at full occupancy. He also stated that the Nathan Hale has several amenities, such as a catering service, restaurant, banquet and meeting facilities, which the proposed hotel would not. He also reported that presently the Inn is using about thirty rooms for students, a use he believes is incompatible with business travelers. He noted that almost every use in Storrs Center is competing with another local business.

Attorney Cody summarized stating that the hotel use will bring additional vitality to the Storrs Center and will complement the existing and incoming businesses.

Ward questioned if the Marriott can guarantee that it won't use its rooms for student housing.

Chandy questioned Kaufman since the actual water use is so much less than projected, could more apartments potentially be added in the future?

Ward asked if the garage beneath the hotel is not a specific part of the present plan, will it be added in the future if feasible?

Bikhu Gahndi, Best Western, expressed his opposition and feels that it is unfair competition because of grant funding, and feels the applicant has asked to change the zone to suit itself and has concerns that the parking for hotel is offsite.

Attorney Tim Hollister, representing the Nathan Hale, submitted a room occupancy chart and requested a market study.

Noting no further comments or questions, Rawn MOVED, Hall seconded, to close the Public Hearing at 7:42 p.m. MOTION PASSED UNANIMOUSLY.

### **Old Business:**

**a. Special Permit Application, Retail and Retail Sale of Automotive Fuels, 1659 Storrs Road/625 Middle Turnpike; OMS Development LLC, Owner and Applicant (File #1319)**

Plante disqualified himself. Chairman Goodwin appointed Marcellino to act in his place.

Ryan MOVED, Hall seconded, to approve with conditions the special permit application (File #1319) of OMS Development LLC., to expand an existing convenience store including addition of a pick-up window, changes to the site layout and vehicular access and associated site work including  $\pm 1,007$  cubic yards of fill material. This approval is based on the project as described in the application dated May 29, 2013 and subsequent information submitted by the applicant, and as shown on plans dated May 28, 2013 as revised to August 27, 2013 and as presented at a Public Hearing on August 19 and September 3, 2013.

Pursuant to Article X, Section A.11, the design standards contained in Sections A.11.a, A.11.c and A.11.d for the Four Corners area are waived due to existing site conditions which preclude full compliance with the design standards and the finding that the approved plan addresses the intent of these standards to the maximum extent possible.

Pursuant to Article X, Section H.4, the information required by Article X, Section H.3.b and H.3.c is waived as such information was not needed based on the type of fill and re-grading proposed as part of the application.

Pursuant to Article X, Section A.4, the setbacks for the proposed building addition are hereby approved as shown on the site plan.

This approval is granted because the application 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. **Permits.** No Zoning Permits shall be issued and no construction shall commence until all applicable state and federal permits have been obtained.
3. **Final Plans.** Final plans shall incorporate the following revisions:
  - a. Proposed easement areas shall be identified on the layout plan.
  - b. The pedestrian pathway shall connect to the sidewalk and not the driveway on Route 44.
  - c. The landscape plan shall be updated to add a Thundercloud Plum to the island separating the drive-through lane from the parking area and to the Route 195 streetscape between the Katsura trees provided the locations do not conflict with the septic system.
  - d. A note shall be added to the Site Layout Plan authorizing the Director of Planning and Development and Assistant Town Engineer to require changes to the striping and signage plans if pedestrian and vehicular conflicts arise in the future.
4. **Signs.** Sign details and locations shall be submitted for Commission approval prior to issuance of a Zoning Permit.
5. **Documentation.** The applicant shall provide draft copies of deeds, easements, Certificates of Title and mortgage releases for review and approval from staff prior to recordation.
6. **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 Plante who was disqualified.

- b. **Application to Amend the Zoning Regulations; Storrs Center Alliance, LLC, applicant, (File #1246-14)**  
Item tabled, to be discussed at the next meeting.
- c. **Application to Amend the Zoning Map; Storrs Center Alliance, LLC, applicant, (File #1246-15)**  
Item tabled, to be discussed at the next meeting.
- d. **Approval Request: Revised Plans for Paideia Greek Theater Project Exhibit Building, 28 Dog Lane (File #1049-7)**  
Item tabled-awaiting revised plans.
- e. **Proposed Revisions to the Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture Regulations, PZC File #907-40**  
Item tabled pending 10/7/13 Public Hearing.

**New Business:**

**a. Request for Site Modification, Regional School District #19, Athletic Facilities Renovation Project, PZC File #1117-2**

Ryan MOVED, Chandy seconded, seconds to receive the request to modify the Special Permit for E.O. Smith High School (File Number 1117-2) submitted by Bruce Silva, Region 19 Superintendent of Schools, to allow the installation of four light poles for athletic field lighting as shown on plans dated March 10, 2011 and July 11, 2013 and as described in other application submissions. The property is located at 1235 Storrs Road and is owned by the Region 19 Board of Education. Said application is referred to staff for review and comments and a Public Hearing is scheduled for October 7, 2013. MOTION PASSED UNANIMOUSLY.

**b. Live Music Special Permit Renewals**

Ryan MOVED, Hall seconded, the PZC receive the requests for the renewal of special permits for the use of live music, from Huskies Restaurant, Pub 32 and Ted's Restaurant, and schedule a public hearing for October 7, 2013. MOTION PASSED UNANIMOUSLY.

**c. 8-24 Referral: North Eagleville Road Walkway Easements**

Hall MOVED, Ryan seconded, that the PZC notify the Town Council that the proposed acquisition of easements for construction of a sidewalk along the north side of North Eagleville Road between Hunting Lodge Road and Northwood Road is consistent with the 2006 Plan of Conservation and Development. MOTION PASSED UNANIMOUSLY.

**d. Request for Filing Extension, Beacon Hill Estates II, PZC File #1214-3**

Ryan MOVED, Ward seconded, that the Planning and Zoning Commission, pursuant to Section 6.5 of the Subdivision Regulations, grant a second ninety-day extension for filing final subdivision plans for the Beacon Hill Estates II, PZC File #1214-3, expiring on January 4, 2014. MOTION PASSED UNANIMOUSLY.

**e. Storrs Center Zoning Permit Application: Town Square**

Linda Painter, Director of Planning and Development, as a courtesy to the PZC, reviewed the Zoning Permit Application for the Town Square the Downtown Partnership intends to take to Public Hearing and request approval for from the Director of Planning. She noted that pursuant to the Storrs Center Special Design District regulations, the Mansfield Downtown Partnership Inc., will hold a public hearing on Tuesday, September 17, 2013 at 7:00 pm at the Audrey P. Beck Building Town Council Chambers Room, 4 South Eagleville Road, to hear comments on the Zoning Permit application by the Town of Mansfield to develop a ±0.53 acre town square in Storrs Center at the intersection of Storrs Road (Route 195) and Dog Lane.

**New Business:** None.

**Mansfield Tomorrow | Our Plan ▶ Our Future:** Ward volunteered to be on a subcommittee to review the revisions to the Zoning Regulations and Chandy, Rawn and Westa volunteered to be on a subcommittee to review the revisions to the Plan of Conservation and Development.

**Reports from Officers and Committees:** None.

**Communications and Bills:** None noted.

**Adjournment:** The Chairman declared the meeting adjourned at 8:20 p.m.

Respectfully submitted,  
Bonnie Ryan, Acting Secretary