MINUTES


Members Absent: K. Fratoni, D. Plante

Alternates Present: L. Manville

Alternates Absent: J. Kaufman, Acting Director of Planning and Development/Senior Planner/Inland Wetlands Agent; J. Woodmansee, Planner I; Sandra Forand, Administrative Assistant

CALL TO ORDER AND ROLL CALL
Aho called the meeting to order at 6:25 p.m. Members present are Accorsi, Aho, Chandy, Cooley, Cotton, DeVivo, Wutsch. Absent members are Fratoni, Plante and alternate Manville.

APPROVAL OF MINUTES
Chandy MOVED, Accorsi seconded approval of the July 18, 2022 meeting minutes as presented.

Motion PASSED unanimously.

MOTION TO APPOINT SECRETARY
Aho MOVED Accorsi seconded, that Louanne Cooley be appointed as the Planning and Zoning Commission Secretary.

Motion PASSED unanimously.

ZONING AGENT REPORT
Noted.

PUBLIC HEARINGS
Special Permit Application of Blue Waters, LLC, Applicant/Owner to authorize a retail food service use with an associated drive-through facility on property located at 650 Middle Turnpike (Assessor’s Parcel ID# 9.24.21) PZC File # 622
Aho continued the public hearing at 6:28 p.m. Members present were Accorsi, Aho, Chandy, Cooley, Cotton, DeVivo and Wutsch.
Woodmansee provided an overview of the public hearing process and guidelines and information on how to participate in the hearings at the request of Aho.

Kaufman presented an overview of the revised details of the project for the applicant.

Kaufman noted the following communications.

Kaufman noted her staff memo dated July 28, 2022 and an updated Signage Plan memo dated July 27, 2022 for the record.

The Commission asked questions of the applicant in regard to:

Green area, sidewalk and communications from the neighbors in regard to noise.

Woodmansee presented signage details for the applicant.

Chandy MOVED, DeVivo seconded, to close the public hearing

The hearing on PZC Application #622 closed at 6:41 p.m.

Motion PASSED unanimously.

P1225-2 Application of D. Dorwart for a two-lot resubdivision on the east side of Wormwood Hill Road (Mulwood East-Phase II) on property owned by the Reinhold A. and Juanita Dorwart Family Trust (Assessor Parcel ID 27.71.7)

Woodmansee provided an overview of the public hearing process and guidelines and information on how to participate in the hearing at the request of Aho.

Aho opened the public hearing at 6:43 p.m. Members present were Accorsi, Aho, Chandy, Cooley, Cotton, DeVivo and Wutsch.

Kaufman read the legal notice of the public hearing that was published in The Chronicle on July 19, 2022 and July 27, 2022 into the record.

Kaufman presented a detailed overview of the project for the applicant.

Cooley MOVED, Chandy seconded, to close the public hearing.

Motion PASSED unanimously.

The hearing on PZC Application #1225-2 closed at 6:51 p.m.

OLD BUSINESS

Special Permit Application of Blue Waters, LLC, Applicant/Owner to authorize a retail food service use with an associated drive-through facility on property located at 650 Middle Turnpike (Assessor's Parcel ID# 9.24.21) (PZC File # 622-1).

Members discussed the application.

Cotton MOVED, Accorsi seconded, to approve the 6/3/2022, special permit application of Blue Waters, LLC (Applicant/Owner) to authorize a retail food service use with an associated drive-through at 650 Middle Turnpike (File P622-1) as presented at Public Hearings on July 5, July 18, and August 1, 2022, as shown on a site plan dated 7/18/2022, a signage plan dated 6/13/2022 revised through 7/27/2022, and described in application submissions.
Pursuant to Article 5 Section B.3.d of the Mansfield Zoning Regulations, the site plan requirements are hereby waived, as the information is not needed to determine compliance with the zoning regulations due to the limited nature of the proposed activity.

This approval is granted because the application is not expected to result in any detrimental neighborhood impacts and is considered to be in compliance with Article 5, Section B; and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. **Extent of Approval.** This approval is based on the applicant’s submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed uses shall be limited to those authorized by this approval. Any questions regarding authorized uses, additional 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. **Lighting.** Prior to issuance of a zoning permit, the applicant shall demonstrate compliance with Article 10, Sections R.4.d and R.4.e. Article 6, Section B.4.g of the zoning regulations.

3. **Landscaping.** Prior to the issuance of a zoning permit, the applicant shall submit a planting plan. Trees and shrubs placed within five (5) feet of paved areas shall be of a variety capable of withstanding salt damage. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species and those identified as invasive or potentially invasive by the Connecticut Invasive Plants Council shall not be used in accordance with Connecticut General Statutes §22a-381a through §22a-381d.

4. **Trash Disposal.** Prior to issuance of a zoning permit, the applicant shall revise the site plan to demonstrate that the trash disposal area includes space for both trash and recycling, the enclosure properly screens and secures the disposal area, and that any other trash disposal receptacles on site includes both trash and recycling.

5. **Validity.** This special permit shall not become valid until filed upon the Land Records by the applicant.

Motion PASSED unanimously.

**Application of D. Dorwart for a two-lot resubdivision on the east side of Wormwood Hill Road (Mulwood East-Phase II) on property owned by the Reinhold A. and Juanita Dorwart Family Trust (Assessor Parcel ID 27.71.7) (PZC File #1225-2).**

Members discussed the application.

Chandy MOVED, Cooley seconded, to approve with conditions the Resubdivision Application (File #1225-2) of D. Dorwart for a two-lot resubdivision on property located on the east side of Wormwood Hill Road (Mulwood East- II) owned by the Reinhold A. and Juanita Dorwart Family Trust (Assessor Parcel ID 27.71.7) as shown on plans dated 2/23/2022 as revised through 7/27/2022 and as described in other application submissions.

Subject to the conditions noted herein, this approval accepts the applicant’s proposed lot layout, and pursuant to section 7.5 of the Subdivision Regulations, accepts the building setbacks and lot frontage.
Pursuant to Section 9.0 of the Subdivision Regulations, the Commission hereby waives the requirements for sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance safe pedestrian and bicycle use based on the location of the site and the lack of any existing or planned sidewalk, bikeway, or trail improvements in the immediate vicinity.

This approval is granted because the application as hereby approved is considered to be in compliance with the Mansfield Zoning and Subdivision Regulations and is granted with the following conditions:

1. **Erosion and Sedimentation Controls.** Prior to the commencement of any site work, erosion and sedimentation control measures shall be installed pursuant to the approved plan. Bi-weekly erosion and sedimentation monitoring reports shall be made available to the Zoning Agent and Wetlands Agent upon request until all site work is completed and disturbed areas are stabilized.

2. **Conservation Easement.** This approval accepts the voluntary dedication of conservation easements as shown on the plans. Easement documents shall be approved by the Director of Planning and Development and Town Attorney prior to recording. Easement boundaries shall be marked by the applicant or designee within 30 days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

3. **Additional Documentation and Fees.** The following items shall be submitted with the final subdivision maps:
   a. Confirmation from applicable utility companies that the proposed design is acceptable.
   b. Unexecuted copies of warranty deeds.
   c. Statement from utility company approving proposed design of utilities/connections.
   d. Certificate of Title and, if needed, subordination agreements authorizing the dedication of land and conservation easements as proposed.
   e. Conditions to be recorded on the land records.
   f. Post-approval fee in the amount of $500

4. **Extent of Approval.** The Planning and Zoning Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety or one hundred and eighty-day filing extension has been granted):
   a. All final maps shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
   b. All documentation with Surveyor’s Certificate shall be completed pursuant to the Commission’s approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

Motion PASSED unanimously.
Revised landscape plan submitted by The Standard at Four Corners LLC (Applicant) pursuant to condition 3(b) of the special permit approval for a mixed-use development on property located at 1717, 1733, and 1753 Storrs Road (Assessor Parcel IDs 8.15.10, 8.18.9, 8.15.8) and an adjacent vacant parcel (Assessor Parcel ID 8.15.9-1), (PZC File #1372-2).

S. Sharp of Hurwitz Sagarin Slossberg & Knuff, LLC presented a detailed overview of the landscape plan for the applicant.

Commission members asked questions of the applicant in regard to the following.

Trees along the frontage and keeping of the rock.

J. Bord of Bohler spoke in regard to the landscape plan and keeping of the trees.

Cotton MOVED, DeVivo seconded, to approve the landscape plan dated 10/1/2021 revised through 7/25/2022 of The Standard at Four Corners LLC (Applicant) pursuant to condition 3. b of the special permit approval for a mixed-use development on property located at 1717, 1733, and 1753 Storrs Road (Assessor Parcel IDs 8.15.10, 8.18.9, 8.15.8) and an adjacent vacant parcel (Assessor Parcel ID 8.15.9-1. This approval is based on a finding that the applicant has addressed condition 3. b. of the special permit approved by the commission on 2/7/2022.

Motion PASSED unanimously.

NEW BUSINESS

Proclamation in Honor of Vera Stearns Ward
Aho read the proclamation.

ADJOURNMENT
Aho adjourned the meeting at 7:20 p.m.

Respectfully Submitted:

Sandra L. Forand
Administrative Assistant