



APPROVED MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

MANSFIELD TOWN HALL ■ 4 SOUTH EAGLEVILLE ROAD ■ COUNCIL CHAMBERS

MONDAY, JANUARY 7, 2019 ■ REGULAR MEETING

MEMBERS PRESENT: K. Rawn, S. Accorsi, J. Goodwin, B. Ryan, V. Ward, P. Aho, D. Plante, B. Chandy
MEMBERS ABSENT: R. Hall
ALTERNATES PRESENT: C. Cotton, L. Cooley
ALTERNATES ABSENT: K. Fratoni
STAFF PRESENT: L. Painter, Director of Planning and Development
J. Mullen, Assistant Planner/ZEO
J. Kaufman, Environmental Planner

Chairman Goodwin called the meeting to order at 6:41 p.m. Aho, Chandy and Plante indicated they had reviewed the proceedings. L. Cooley was seated for R. Hall.

APPROVAL OF MINUTES:

DECEMBER 17, 2018 REGULAR MEETING

B. Ryan MOVED, K. Rawn seconded, to approve the December 17, 2018, minutes as presented. L. Cooley was disqualified. MOTION PASSED (8-0-1).

ZONING AGENT REPORT:

J. Mullen's December 2018 report was noted. B. Ryan inquired regarding trash accumulation on Maple Road near the intersection of Silo Road. Case to be referred to Virginia Walton, Trash & Recycling Coordinator.

PUBLIC HEARING:

P1357 – PETITION OF THE J.E. SHEPARD COMPANY TO AMEND ARTICLES 4, 7, 8, AND 10 OF THE MANSFIELD ZONING REGULATIONS TO ESTABLISH A NEW GROUP DWELLING USE, AUTHORIZE SAID USE BY SPECIAL PERMIT IN THE PB-3 ZONE AND ESTABLISH SPECIFIC PROVISIONS FOR GROUP DWELLINGS IN THE PB-3 ZONE, INCLUDING ALTERNATIVE DIMENSIONAL STANDARDS

J. Goodwin opened the continued public hearing at 6:44 p.m. Members present are K. Rawn, S. Accorsi, J. Goodwin, B. Ryan, V. Ward, P. Aho, D. Plante, and B. Chandy. Alternate member L. Cooley was seated for absent member R. Hall. L. Painter noted her memos dated January 3, 2019, and the following correspondence:

- Letter dated January 3, 2019, that was received from Scott Jordan of the University of Connecticut
- Letter dated January 7, 2019, from Thomas Cody granting an extension to February 5, 2019.

Attorney Thomas Cody, Robinson and Cole, 280 Trumbull Street, and David Fresk, of The J.E. Shepard Company, were present for the applicant. Mr. Cody noted that the applicant supported the consolidated draft of proposed regulation revisions dated 1/3/2019 that are the subject of the next public hearing and indicated that, if the draft were to be adopted as currently written, The J.E. Shepard Company would withdraw its pending application. Mr. Cody also supported the concept of eliminating the group dwelling use from the PB-4 and I Districts. Additionally, Mr. Cody provided a detailed response to comments provided by UConn in the January 3, 2019, letter from Scott Jordan with regard to potential density and interpretation of the proposed density bonus provisions, occupancy provisions, proposed parking regulations and differences between Downtown Storrs and the Four Corners areas and the challenges associated with developing graduate student housing in the private market. Mr. Cody also argued that the proposed amendments were consistent with the Plan of Conservation and Development and distributed an excerpt from his presentation on December 3, 2018, containing what he contends are relevant POCD goals and policies.

Robert Corbett and Robert Sitkowski appeared on behalf of the University of Connecticut. Mr. Corbett in his testimony highlighted the need for a market study to identify actual demand for off-campus student housing; challenged the applicant's assertions with regard to potential impacts on on-campus parking facilities, noting that Discovery Drive is the primary location for commuter parking and indicated that the Town and University's interests are aligned with regard to student housing as both entities would like to see students living on-campus.

Rebecca Shafer, 45 Echo Road, noted that she was speaking as a resident of Mansfield and as a member of the Mansfield Neighborhood Preservation Group and not in her capacity as a member of the Town/University Relations Committee. Ms. Shafer spoke in support of the proposed amendments indicating that the proposed changes would help to revitalize the Four Corners area and stabilize neighborhoods by providing another option for off-campus housing.

Jo Ann Douda, Eastbrook Heights, spoke in support of both the applicant's proposed text amendment and the PZC's proposed amendments (P907-46). She indicated that the development of new housing opportunities has the potential to draw students out of single-family neighborhoods and described previous experiences her family has had with student renters.

Pat Suprenant, 441 Gurleyville Road, spoke in opposition to the proposed amendments and in support of keeping the public hearing open. Ms. Suprenant urged the Commission to reject proposed changes related to the introduction of a new Group Dwelling Use and highlighted the potential impacts to health, safety and property values as well as traffic and pedestrian safety concerns given the lack of a sidewalk on Rt. 195 connecting the UConn campus and Four Corners; potential environmental impacts on the vernal pool and wetland system located near Discovery Drive; the lack of community associated with transient populations and financial ramifications associated with the additional public safety burden posed by the development of off-campus student housing. Ms. Suprenant suggested that if Group

Dwellings were added as a permitted use, the Town should consider adopting a licensing fee based on the number of occupants to offset associated costs and burdens on Town services.

Alison Hilding, 17 Southwood Road, echoed Ms. Suprenant's opposition and concerns and expressed support for keeping the hearing open and consideration of a license or other tax to reduce the financial burden related to public safety. Ms. Hilding also expressed concern with the proposed fee-in-lieu of providing affordable housing, noting that use of such an approach could result in concentration of lower income residents rather than integrated, mixed income housing as well as expressing concern that the proposed fee was too low. Ms. Hilding also expressed concern that the proposed group dwelling use would draw more students off campus rather than from neighborhoods and questioned the legality of allowing more than 3 unrelated individuals to live together given the current definition of family. Ms. Hilding also expressed concerns regarding the University's motivations for opposing the proposed changes.

K. Rawn MOVED, V. Ward seconded, at 7:49 p.m., to keep the public hearing open and to continue it to the February 4, 2019 meeting. MOTION PASSED UNANIMOUSLY.

P907-46 –PZC-INITIATED AMENDMENTS TO ARTICLES 2, 3 4, 7, 8, AND 10 OF THE MANSFIELD ZONING REGULATIONS RELATED TO:

- ELIMINATION OF THE PLANNED RESIDENCE DISTRICT;
- DELETION OF LANGUAGE RELATED TO AN EXPIRED MORATORIUM;
- REPLACEMENT OF BOARDING HOUSE, ROOMING HOUSE, FRATERNAL ORGANIZATION AND FRATERNAL ORGANIZATION HOUSE USES WITH NEW GROUP DWELLING USE;
- CHANGES TO LIST OF USES PERMITTED WITH SPECIAL PERMIT APPROVAL IN THE PLANNED BUSINESS 1, 3, AND 4 ZONES,
- CHANGES TO PERMITTED USES IN THE INSTITUTIONAL ZONE;
- CHANGES TO PERMITTED USES IN THE BUSINESS ZONE;
- ADDITION OF REQUIREMENTS RELATED TO MULTI-FAMILY RESIDENTIAL USES IN THE RURAL AGRICULTURAL RESIDENCE-90 (RAR-90), AGE RESTRICTED HOUSING (ARH), DESIGN MULTIPLE RESIDENCE (DMR), PLEASANT VALLEY RESIDENCE AGRICULTURE (PVRA) AND STORRS CENTER SPECIAL DESIGN DISTRICT (SC-SDD) ZONES,
- CHANGES TO DIMENSIONAL REQUIREMENTS FOR THE PLANNED BUSINESS AND INSTITUTIONAL ZONES;
- CHANGES TO EXISTING AFFORDABLE HOUSING REQUIREMENTS FOR THE DESIGN MULTIPLE RESIDENCE AND PLEASANT VALLEY RESIDENCE AGRICULTURE ZONES;
- CHANGES TO SPECIAL PROVISIONS FOR THE PLANNED BUSINESS 3 ZONE;
- CHANGES TO PARKING REQUIREMENTS FOR MULTI-FAMILY AND GROUP DWELLINGS; AND
- ESTABLISHMENT OF AFFORDABLE HOUSING REQUIREMENTS FOR ALL RESIDENTIAL DEVELOPMENT.

J. Goodwin opened the continued public hearing at 7:50 p.m. Members present are K. Rawn, S. Accorsi, J. Goodwin, B. Ryan, V. Ward, P. Aho, D. Plante, and B. Chandy. Alternate member L. Cooley was seated for absent member Hall. L. Painter noted her memo dated 1/3/2019, a revised draft of proposed changes dated 1/3/2019 and correspondence dated 1/3/2019 that was received from Scott Jordan of the University of Connecticut. Goodwin reminded speakers that all of the testimony received with regard to P1357 would be made part of the record of this public hearing.

L. Painter explained the correction that was made to the proposed amendments with regard to the definition of Group Dwelling from the previous draft and clarification that group dwellings had not been removed from the PB-4 and I district in the current draft. Ms. Painter also noted that given the testimony received regarding different interpretations of regulations related to density bonuses for affordable housing, some clarification would be appropriate as to whether the density bonuses for affordable housing should be subject to the same caps established in the various districts for other bonus types.

Attorney Thomas Cody, Robinson and Cole, 280 Trumbull Street, addressed the Commission in support of the concept of including affordable housing density bonuses with an overall cap established for each district.

In response to V. Ward expressing interest in discussing the appropriate locations for a Group Dwelling use, J. Goodwin asked whether the regulations related to Group Dwelling could be broken out and considered separately by the Commission. L. Painter indicated that the Commission could break that piece out if desired and consider the proposed amendments in separate motions.

K. Rawn MOVED, D. Plante seconded, at 8:04 p.m., to close the public hearing. MOTION PASSED UNANIMOUSLY.

OLD BUSINESS:

P1355 - SPECIAL PERMIT-NORTH FRONTAGE ROAD – AUTHORIZATION TO ISSUE ZONING PERMIT FOR LIMITED SITE WORK (PARCEL ID NO. 38.101.22-1)

J. Mullen explained the request and M. Yenke appeared on behalf of Artisan Development, LLC, to answer questions regarding the application. Members discussed concerns regarding the precedent-setting nature of the request as well as ramifications if the applicant does not receive CTDOT approval as anticipated after the site has been fully cleared.

K. Rawn MOVED, S. Accorsi seconded, to deny the request to authorize that the Zoning Agent issue a Zoning Permit for limited site work activities as described in a January 3, 2019, letter from Michael Yenke of Artisan Development, LLC, for the North Frontage Road LLC Special Permit (P1355). MOTION PASSED UNANIMOUSLY.

P1356 – PETITION OF THE J.E. SHEPARD COMPANY (APPLICANT) TO AMEND THE ZONING MAP TO CHANGE THE ZONING OF A PORTION OF PROPERTY OWNED BY BENJAMIN BROWN (PARCEL ID NO. 9.23.7) FROM RURAL AGRICULTURAL RESIDENCE 90 (RAR-90) TO PLANNED BUSINESS 3 (PB-3). SUBJECT PROPERTY IS ADJACENT TO PROPERTY ADDRESSED AT 1621 STORRS ROAD

V. Ward MOVED, K. Rawn seconded, to deny the application of The J.E. Shepard Company (File #1356) dated October 24, 2018, to rezone approximately 5.6 acres of an 8.5 acre parcel of land located adjacent to property addressed at 1621 Storrs Road and identified on the Assessor's Map as Parcel 9.23.7 from Rural Agriculture Residence (RAR-90) to Planned Business 3 (PB-3) as shown on a map dated December 3, 2018, and further described in a legal description submitted as part of the application and as heard at a Public Hearing that opened on December 3, 2018, and closed on December 17, 2018.

In denying this application, the Planning and Zoning Commission considered all Public Hearing testimony and communications and hereby finds that the proposal fails to meet the approval criteria established in Article 13 of the Zoning Regulations as follows:

1. The proposal is not consistent with the future land use plan identified in the Mansfield Tomorrow Plan of Conservation and Development (POCD) which includes the subject property within the Rural Character Conservation Area, the purpose of which is to ensure that new infill development is compatible with the rural landscape, agricultural heritage and historic context. Specifically, the property is designated as Rural Residential/Agriculture/Forestry, the purpose of which is to protect rural character while allowing for growth of agricultural enterprises.
2. Expansion of the Planned Business 3 zone to the subject property would be contrary to the statement of purpose established in Article 1 of the Zoning Regulations and as such does not promote the health, safety, property values or general welfare of the public. Specifically, the types of uses and intensity of development authorized in the PB-3 zone have the potential to negatively impact residential properties within the Four Corners Historic Village along Storrs Road and as such the proposal will not "protect the character and maintain the stability and property values of residential, business and industrial areas within the Town, including areas and properties of historic value."
3. Expansion of the PB-3 zone to the subject property would be contrary to POCD goals and associated Zoning Regulations that are intended to protect rural areas from induced growth associated with infrastructure improvements. The subject property is not located within the Four Corners Sanitary Sewer Service Area and is located within the Water Pipeline Overlay District.

Members reviewed maps of the subject property and surrounding area and discussed the proposed map change. MOTION FAILED (1-0-8 – Ward voted in favor; all others opposed)

P. Aho MOVED, B. Chandy seconded, to approve the application of The J.E. Shepard Company (File #1356) dated October 24, 2018, to rezone approximately 5.6 acres of an 8.5 acre parcel of land located adjacent to property addressed at 1621 Storrs Road and identified on the Assessor's Map as Parcel 9.23.7 from Rural Agriculture Residence (RAR-90) to Planned Business 3 (PB-3) as shown on a map dated December 3, 2018, and further described in a legal description submitted as part of the application and as heard at a Public Hearing that opened on December 3, 2018, and closed on December 17, 2018. This zone change shall become effective as of February 1, 2019.

In approving this application, the Planning and Zoning Commission considered all Public Hearing testimony and communications. In accordance with the approval criteria identified in Article 13, Section D, of the Zoning Regulations, the Commission makes the following findings:

1. The application is complete and contains all required information.
2. The proposal is consistent with goals and strategies of the Mansfield Tomorrow Plan of Conservation and Development related to preserving rural character in the majority of town by directing growth to areas that support smart growth, including but not limited to: Goals 6.1, 8.1 and 9.5.
3. The proposal is consistent with the statutory goals identified in Section 8-2 of the Connecticut General Statutes and other zoning purposes cited in Article One of Mansfield's Zoning Regulations.
4. The application has comprehensively considered the size and physical characteristics of the subject area; the character and supply of land currently zoned in the subject classification; and the effect of the proposal on existing land uses in the surrounding area.
5. The amendments will promote the public's health, safety, property values and general welfare.

Furthermore, the Commission has adopted the subject zoning map amendment for the following reasons:

- The proposed change is consistent with the Commission's stated intent to "review and, as appropriate, modify zone classifications and zone boundaries" of the PB-3 zone upon approval of commitments to provide public sewer and water services to the area as identified in the intent statement for Article 7, Section N, Uses Permitted in the Planned Business 3 Zone.
- Land to the north, west and south of the area to be rezoned to PB-3 is zoned either PB-3 or Research and Development/Light Industrial (RDLI). The expansion of the PB-3 zoning to the subject area would result in a higher degree of compatibility between current and future uses on abutting properties zoned PB-3 and RDLI.
- The wetland system along the eastern boundary of the area to be rezoned provides a natural buffer to the single-family residential properties along Storrs Road that abut the subject property.

The area to be rezoned is isolated from the remainder of the existing parcel that fronts on Storrs Road (Route 195) by the aforementioned wetland system. This wetland system extends north to Route 44. Accordingly, the proposed expansion of the PB-3 zone to the subject area is appropriate given the location of this wetland system in relation to upland areas. MOTION PASSED (8-0-1 – V. Ward opposed; all others in favor).

P1357 – PETITION OF THE J.E. SHEPARD COMPANY TO AMEND ARTICLES 4, 7, 8, AND 10 OF THE MANSFIELD ZONING REGULATIONS TO ESTABLISH A NEW GROUP DWELLING USE, AUTHORIZE SAID USE

BY SPECIAL PERMIT IN THE PB-3 ZONE AND ESTABLISH SPECIFIC PROVISIONS FOR GROUP DWELLINGS IN THE PB-3 ZONE, INCLUDING ALTERNATIVE DIMENSIONAL STANDARDS

Tabled to February 4, 2019.

P907-46 –PZC-INITIATED AMENDMENTS TO ARTICLES 2, 3 4, 7, 8, AND 10 OF THE MANSFIELD ZONING REGULATIONS RELATED TO:

- ELIMINATION OF THE PLANNED RESIDENCE DISTRICT;
- DELETION OF LANGUAGE RELATED TO AN EXPIRED MORATORIUM;
- REPLACEMENT OF BOARDING HOUSE, ROOMING HOUSE, FRATERNAL ORGANIZATION AND FRATERNAL ORGANIZATION HOUSE USES WITH NEW GROUP DWELLING USE;
- CHANGES TO LIST OF USES PERMITTED WITH SPECIAL PERMIT APPROVAL IN THE PLANNED BUSINESS 1, 3, AND 4 ZONES,
- CHANGES TO PERMITTED USES IN THE INSTITUTIONAL ZONE;
- CHANGES TO PERMITTED USES IN THE BUSINESS ZONE;
- ADDITION OF REQUIREMENTS RELATED TO MULTI-FAMILY RESIDENTIAL USES IN THE RURAL AGRICULTURAL RESIDENCE-90 (RAR-90), AGE RESTRICTED HOUSING (ARH), DESIGN MULTIPLE RESIDENCE (DMR), PLEASANT VALLEY RESIDENCE AGRICULTURE (PVRA) AND STORRS CENTER SPECIAL DESIGN DISTRICT (SC-SDD) ZONES,
- CHANGES TO DIMENSIONAL REQUIREMENTS FOR THE PLANNED BUSINESS AND INSTITUTIONAL ZONES;
- CHANGES TO EXISTING AFFORDABLE HOUSING REQUIREMENTS FOR THE DESIGN MULTIPLE RESIDENCE AND PLEASANT VALLEY RESIDENCE AGRICULTURE ZONES;
- CHANGES TO SPECIAL PROVISIONS FOR THE PLANNED BUSINESS 3 ZONE;
- CHANGES TO PARKING REQUIREMENTS FOR MULTI-FAMILY AND GROUP DWELLINGS; AND
- ESTABLISHMENT OF AFFORDABLE HOUSING REQUIREMENTS FOR ALL RESIDENTIAL DEVELOPMENT.

Members discussed the proposed changes and testimony received, particularly with regard to the proposed group dwelling use and appropriate locations. After discussion, members identified the following changes by consensus:

- Eliminate Group Dwelling use from all districts other than PB-4 and I
- Apply density bonus caps to affordable housing bonuses based on district requirements.

J. Goodwin directed staff to prepare a motion and updated regulations based on the Commission’s discussion for consideration at the next meeting.

NEW BUSINESS:

8-24 REFERRAL – SEPTEMBER ROAD (PARCEL 28-91-39) CONSERVATION EASEMENTS

V. Ward MOVED, P. Aho seconded, that the PZC notify the Town Council that, while acceptance of the proposed donation of conservation easements on property owned by Peter and Karyn Zlotnick located

at the end of September Road (Parcel ID 28.91.39) would be consistent with Mansfield's Plan of Conservation and Development, acceptance of these easements is **not** recommended as the areas that would be protected by the easements are sufficiently protected by the Mansfield Inland Wetlands and Watercourses Regulations. MOTION PASSED UNANIMOUSLY.

EASTERN GATEWAYS FINAL DRAFT

Painter noted her January 3, 2019, memo and indicated that consideration of the report will be on the February 4, 2019 agenda for action.

UCONN NORTHWEST SCIENCE QUAD ENVIRONMENTAL IMPACT EVALUATION

Painter noted her January 3, 2019, memo and indicated that consideration of the report will be on the January 22, 2019, agenda for action.

REPORTS:

Painter reminded members that the next meeting will be held on Tuesday, January 22nd due to the MLK holiday on Monday.

ADJOURNMENT:

J. Goodwin declared the meeting adjourned at 9:10 p.m.

Respectfully submitted,

V. Ward, Secretary
Mansfield Planning and Zoning Commission