

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, March 1, 2010 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, P. Plante,

B. Ryan

Members absent: B. Pociask

Alternates present: F. Loxsom, K. Rawn, V. Stearns

Staff Present: Gregory Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:35 p.m. Alternate F. Loxsom was appointed to act in the absence of B. Pociask.

Minutes:

2/16/10 - R. Hall MOVED, B. Ryan seconded, to approve the 2/16/10 minutes as written. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

2/25/10 Zoning Agent's Monthly Activity Report was noted. R. Hall noted that a dark colored van, blue or black, that appears to have been involved in an accident, has been situated along Crane Hill Road for weeks and may be been abandoned on Town land. Zoning Agent, Curt Hirsch, will investigate. K. Holt and B. Ryan observed that the lights are off when Husky Spirits is not operating.

Old Business:

1. Special Permit Application, Proposed Fitness Center at the Eastbrook Mall, 95 Storrs Rd, Cardio Express LLC., applicant, File # 1290

After confirming that the applicant had stated that the adjacent footage now available would not result in an increase of equipment, but rather would provide more space for clients visiting the facility, J. Goodwin MOVED, K. Holt seconded, to approve with conditions the special permit application (File #1290) of Cardio Express LLC for a fitness club at the East Brook Mall, 95 Storrs Road, as described in a 12/11/09 statement of use, as shown on plans dated 12/11/09, as presented at Public Hearings on 2/1/10 and 2/16/10 and as described in other application submissions. 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. This approval authorizes the proposed fitness club use of the 9,880 square foot area formerly occupied by the "Hoot" retail store as well as the adjacent 2,000 to 2,600 square feet of currently vacant space. Any significant change in the use as described in application submissions and at the Public Hearings shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC;
 2. This authorization is tied to the East Brook Mall's commitment to provide, during all hours the subject fitness center is open, on site security coverage of both the Mall interior and the associated parking areas.
 3. Any new signage shall require Zoning Permit approval and compliance with all applicable Zoning Regulations.
 4. All applicable Health, Building and Fire Codes shall be addressed and required permits obtained prior to construction/renovation or occupancy by the public for this approved change in use.
 5. This approval grants the requested site plan submission waivers. The information submitted is adequate to appropriately address approval criteria.
 6. 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 UNANIMOUSLY.

2. Special Permit Application, Proposed Sale of Alcoholic Liquor at Jack Rabbit's Restaurant, 1244 Storrs Road, File #1291

After briefly discussing the nature of the subject restaurant, J. Goodwin MOVED, K. Holt seconded, to approve with conditions the special permit application (File #1291) of Jack Rabbits of Storrs LLC for the sale of alcoholic beverages in association with a restaurant use at Storrs Commons, 1244 Storrs Road, as depicted on a submitted floor plan, as described in a statement of use and other application submissions and as presented at a Public Hearing on 2/16/10. This approval is granted because the application as approved is considered to be in compliance with Article X, Section I, Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. Any significant change in the proposed restaurant use and sale of alcoholic beverages, as described in application submissions and at the 2/16/10 Public Hearing, shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC;
2. Pursuant to Mansfield's current Zoning requirements for Planned Business-2 sites within 500 feet of a school, all alcoholic beverages shall be served from a service bar in conjunction with the service of meals to customers seated at tables or the proposed counter;
3. The owner shall be responsible for training staff with respect to all applicable Connecticut liquor laws;
4. This approval grants the requested site plan submission waivers. The information submitted is adequate to appropriately address applicable approval criteria;

5. 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 UNANIMOUSLY.

3. Potential Re-Zoning of the “Industrial Park” zone on Pleasant Valley Rd and Mansfield Ave.

2/25/10 Memo from the Director of Planning was noted. Padick briefly summarized the revisions that had been incorporated into a current draft. After a brief discussion, it was agreed that this matter shall be forwarded to the Regulatory Review Committee for its review. Chairman Favretti noted the next Regulatory Review Committee meeting is scheduled for 3/2/10 at 2pm in Room B as cited on the Agenda.

4. Verbal feedback from Town Planner Re: Draft Revision on Definition of Family; Proposed Parking Ordinance for Residential Rental Properties; and Student/Tenant Registry Ordinance

Preliminary draft of proposed revisions to the zoning definition of family was distributed to the Commission. It was noted that this subject, as well as other items such as proposed parking ordinance and student/tenant registry, were currently under review by Community Quality of Life Committee. No action of the commission is required at this time.

New Business:

1. 8-24 Referral-Potential Town Acquisition of Land on Birchwood Heights Rd.

G. Lewis disqualified himself and Rawn was appointed to act in his place. Reports from the Director of Planning and Open Space Preservation Committee were noted. Both reports support acquisition, as this site will allow a connection between neighborhoods and a pedestrian trail. K. Holt MOVED, R. Hall seconded, that the PZC notify the Town Council that the proposed acquisition of the Ossen/McCoy property would promote Plan of Conservation and Development goals, objectives and recommendations, and is supported by the Planning and Zoning Commission. G. Lewis disqualified, K. Rawn acting,
MOTION PASSED UNANIMOUSLY.

2. Proposed Drainage Improvements, Juniper Hill Apartments File #627

The request is for a minor modification. P. Plante indicated that the project promotes goals and objectives of the Plan of Conservation and Development. R. Hall MOVED, K. Holt seconded, that the PZC Chairman and Zoning Agent be authorized to approve under the site modification process proposed stormwater and building façade improvements at the Juniper Hill Village elderly housing development, 1 Silo Circle, as described in a 2/23/10 letter from project engineer, C. Gagnon and as described at the IWA’s March 1st meeting, subject to the following conditions:

1. All drainage improvement designs shall be approved by the Assistant Town Engineer.

2. Before work begins on grading and stormwater improvements, erosion and sedimentation controls shall be installed down gradient of proposed work areas. These controls shall be inspected daily and maintained until all disturbed areas are stabilized.

3. No work shall begin until a Zoning Permit has been issued.

MOTION PASSED UNANIMOUSLY.

3. 2/22/10 Letter from Open Space Preservation Committee Re: Preliminary Site Analysis for Proposed Subdivisions

Members briefly discussed the committee's recommendation and subdivision review process. It was suggested that a checklist of required plan items be incorporated into the process and used for staff preliminary reviews. A site analysis should be combined with a "yield plan" in this process. It was agreed that the subject letter be sent to the Regulatory Committee for its review and recommendation.

Reports of Officers and Committees:

Chairman Favretti noted a Regulatory Review Committee meeting is scheduled for 3/2/10 at 2pm in Room B.

Communications and Bills:

The budget review calendar of the Town Council and 1/22/10 memo from 4-Corners Water/Sewer Design Guidelines Subcommittee were noted. Director of Planning, G. Padick, noted that the Four Corners design guidelines are in a preliminary stage and that any PZC review comments should be forwarded to the committee as soon as possible.

Letter to Town Council from D. Morse and T. Nielson regarding regulating occupancy of single family homes were acknowledged.

Letter to Town Council from C. Stites regarding political signs on public property was discussed. It was the consensus of the Commission that although political signs should not be posted on public property, it would be acceptable for signs to be posted in a public right-of-way, provided the owner of record of the abutting private property gives express permission. Director of Planning Padick was asked to draft language to this effect for Commission consideration.

Receipt of the Winter 2010 CFPZA Newsletter was noted.

P. Plante requested that a report regarding the Four Corners Sewer and Water Advisory Committee be placed on agenda for next meeting. P. Plante and K. Rawn are members of this committee.

Adjournment:

Chairman Favretti declared the meeting adjourned at 8:28 p.m.

Respectfully submitted,

Katherine Holt, Secretary