

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, February 7, 2011

Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, B. Ryan  
Members absent: J. Goodwin  
Alternates present: F. Loxsom, K. Rawn, V. Stearns Ward  
Staff Present: Gregory J. Padick, Director of Planning, Curt Hirsch, Zoning Agent

Chairman Favretti called the meeting to order at 7:28 p.m. and appointed Loxsom to act in Goodwin's absence.

#### **Minutes:**

1-19-11 - Hall MOVED, Loxsom seconded, to approve the 1/19/11 minutes as written. MOTION PASSED with all in favor except Pociask and Plante who disqualified themselves. Ryan noted that she listened to the recording of the meeting.

#### **Zoning Agent's Report:**

Hirsch noted that the Citation Hearing Officer upheld the \$2,700 in fines issued concerning the Hall site. He added that if the work is completed by June 30, 2011, according to the Bonding Agreement, the Halls will then be eligible to have half of the fine returned (\$1,350).

#### **Public Hearing:**

#### **Special Permit Application, proposed Sale of Alcoholic Liquor at Randy's Wooster Street Pizza, 1232 Storrs Rd, PZC File #1295**

Chairman Favretti opened the public hearing at 7:32 p.m. Members present were Favretti, Beal, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Loxsom, Rawn and Stearns Ward. Loxsom was appointed to act. Padick read the legal notice as it appeared in the Chronicle on 1/25/11 and 2/2/11 and noted a 2/2/11 report from the Director of Planning.

Ali Akin, owner of Randy's Wooster Street Pizza, responded to questions from the Commission regarding how and what type of alcohol will be served. He stated that only beer and wine will be served to patrons who order food, and it will be kept behind the counters and served to patrons at their tables.

Favretti noted no further comments or questions from the public or Commission. Holt MOVED, Pociask seconded, to close the Public Hearing at 7:42 p.m. MOTION PASSED UNANIMOUSLY.

#### **Old Business:**

#### **2. Consideration of Action: Sale of Alcoholic Liquor at Randy's Wooster Street Pizza, 1232 Storrs Rd, PZC File #1295**

Ryan MOVED, Holt seconded, to approve with conditions the special permit application (File #1295) of Randy's Wooster Street Pizza for the sale of beer and wine in association with a restaurant use at University Plaza, 1232 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 2/07/11. 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 beer and wine, as described in application submissions and at the 2/07/11 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 beer and wine shall be served from a service bar in conjunction with the service of meals to customers seated at tables;
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.

**Public Hearing:**

**3-Lot Re-Subdivision Application (1 New lot), Property on Candide Lane and Stearns Road, J. Listro o/a, File #1296**

Chairman Favretti opened the Public Hearing at 7:47 p.m. Members present were Favretti, Beal, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Loxsom, Rawn and Stearns Ward. Loxsom was appointed to act. Padick read the legal notice as it appeared in the Chronicle on 1-25-11 and 2-2-11 and noted the following communications received: a 12-28-10 report from G. Havens, EHHD; a 1-19-11 report from J. Ianni, Certified Soil Scientist; a 1-23-11 report from N. Bellantoni, PhD, CT State Archaeologist; and a 2-3-11 report from G. Padick, Director of Planning.

Joseph Boucher, Towne Engineering, agreed to enter the comments from the Inland Wetlands Agency into the record of this Planning and Zoning Commission meeting. Boucher reviewed the plans and the proposed conservation easements.

Favretti noted the suggestion of the Conservation Commission to construct a driveway with a permeable surface and questioned Boucher if an unpaved driveway is advisable with an 11.3% grade. Boucher indicated that it would not be an issue either way.

Padick suggested keeping the Public Hearing open, as he is expecting a report from the Town Engineer/Inland Wetlands Agent and the Fire Marshal.

Holt MOVED, Ryan seconded, to continue the Public Hearing until 3/7/11. MOTION PASSED UNANIMOUSLY.

**Public Hearing:**

**12/1/10 Draft Revisions to the Subdivision Regulations, PZC File #907-34**

Chairman Favretti opened the public hearing at 8:00 p.m. Members present were Favretti, Beal, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Loxsom, Rawn and Stearns Ward. Loxsom was appointed to act. Padick read the legal notice as it appeared in the Chronicle on 1/25/11 and 2/2/11 and noted the following communications received: a 12/20/10 report from J. Jackman, Fire Marshall; a 1/10/11 memo from the Open Space Preservation Committee; a 1/18/11 report from A. Bloom, EHHD; a 2/3/11 report from G. Padick, Director of Planning; a 2/3/11 report from D. O'Brien, Town Attorney; a 2/7/11 memo from the Conservation Commission, and a 1/5/11 report from WINCOG which was read into the record.

Padick reviewed the changes made to the 12/1/10 Draft Subdivision Regulation Revisions. Favretti noted no comments or questions from the public or the Commission. Beal MOVED, Plante seconded, to close the Public Hearing at 8:20 p.m. MOTION PASSED UNANIMOUSLY.

Padick suggested the Commission be prepared to review the revisions at the next meeting and to discuss possible minor revisions.

**Old Business:**

1. **Zoning Permit Application: Storrs Center Phases 1A and 1B**

Padick discussed the review process and stated that he expects to have his review finalized by the end of the week. Members were asked to submit any comments they may have as soon as possible.

**New Business:**

1. **8-24 Referral: Potential Acquisition of Penner Property**

Holt MOVED, Ryan seconded, that the Planning and Zoning Commission notify the Town Council that the proposed acquisition of the Penner Property would promote Mansfield's Plan of Conservation and Development and would help protect the ecological health and character of an Atlantic White Cedar Swamp of statewide importance. MOTION PASSED UNANIMOUSLY.

2. **Draft Natchaug River Basin Conservation Compact**

Hall MOVED, Loxsom seconded, that the Planning and Zoning Commission recommend to the Town Council that approval of the Draft Natchaug River Basin Conservation Compact would be appropriate. MOTION PASSED UNANIMOUSLY.

**Reports from Officers and Committees:**

Chairman Favretti noted a 2/9/11 Regulatory Review Committee meeting at 1:15 p.m. in Conference Room C.

**Adjournment:**

Chairman Favretti declared the meeting adjourned at 8:48 p.m.

Respectfully submitted,

Katherine Holt, Secretary