

MINUTES  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday, December 5, 2011  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan,  
Alternates present: B. Chandy, V. Ward  
Staff Present: Linda M. Painter, Director of Planning and Development  
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:10 p.m.

Goodwin MOVED, Beal seconded, to add to New Business: PZC representative to the Town Gown Committee. MOTION PASSED UNANIMOUSLY.

**Minutes:**

November 21, 2011 Special Joint Meeting: Rawn MOVED, Pociask seconded, to approve the 11/21/11 Special Meeting minutes as written. MOTION PASSED with all in favor except Beal, Hall and Ryan who were disqualified.

November 21, 2011 Meeting: Plante MOVED, Pociask seconded, to approve the 11/21/11 minutes as written. MOTION PASSED with all in favor except Beal, Hall and Ryan who were disqualified.

**Old Business:**

a. **Special Permit Application For Wedding Venue (PZC File #1217-2)**

**552 Bassetts Bridge Road, J. & J. Bell owner/applicant**

Members discussed the application and were concerned that noise generated by wedding events would have a negative effect on neighbors. It was noted that a noise study was conducted by an engineering firm that showed decibel levels to be below those set by the State Department of Energy and Environmental Protection. Goodwin noted that a set decibel level can be listed in an approval motion. Hirsch stated that because it is a Special Permit, this issue can be revisited should any violation or complaint be brought to his attention. Plante volunteered to work with staff on a motion.

b. **Special Permit Application for Building Replacement and Expansion (PZC File #937-5)**

**173 Storrs Road, Natchaug Hospital owner/applicant**

Noting no issues, Holt volunteered to work with staff on a motion.

c. **Cease and Desist Order-Freedom Green (PZC File #636-4)**

Linda Painter, Director of Planning and Development, read the motion adopted by the PZC at the 11-7-11 meeting. Hirsch stated that the plans submitted by the Beaudoins were not signed and sealed by a Licensed Landscape Architect as specified in the PZC's motion. Hirsch also distributed a 12-5-11 letter submitted by T. Weinland, President of the Board of Directors of The Villages of Freedom Green.

After extensive discussion, Holt MOVED, Rawn seconded, that on or before Tuesday, December 13, 2011, the Beaudoins shall comply with the original terms of the motion approved at the November 7, 2011, meeting. In addition, the Cease and Desist Order will be reinstated for Building A until such time as the conditions of the November 7, 2011, motion have been met and the plans for addressing the height of Building A have been approved by the Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY.

Although the Commission did not consider the plans submitted by the Beaudoins on the merits, the

Commission requested that the staff advise the Beaudoins to include both the existing and the proposed contours on their grading plan.

d. **Continued Discussion of By-Laws**

Tabled, awaiting review comments from the Town Attorney.

e. **Interstate Reliability Project - Discussion**

Linda M. Painter, Director of Planning and Development, suggested that a site visit to Hawthorne Lane Subdivision be added to the Field Trip agenda, noting that she anticipates that a modification request will be brought before the Commission regarding the possible relocation of the easement in light of the Interstate Reliability Project. She encouraged members to attend the Open House at the Community Center on Thursday, December 8<sup>th</sup> from 6pm to 8pm. If members cannot attend, they may forward questions to Linda for her to present at the Open House.

f. **Special Permit Application for Fill (PZC File #1306)**

**28 Old Kent Road**

**J. James owner/applicant**

Tabled, pending Public Hearing on 1/3/2012.

**New Business:**

a. **Request for Subdivision Bonding Releases**

**Wild Rose Estates, Files #1113-2 & #1113-3**

Holt MOVED, Ryan seconded, that the Director of Planning and Development be authorized to take appropriate action to release \$5,000 plus accumulated interest that has been held to ensure suitable completion of the Baxter Road Estates Subdivision common driveway and associated improvements for lots 9, 10, and 11. MOTION PASSED UNANIMOUSLY.

**Baxter Road Estates, File #1229**

Holt MOVED, Ryan seconded, that the Director of Planning and Development be authorized to take appropriate action to release \$10,000 plus accumulated interest that has been held to guarantee for a period of one year all improvements in the Wild Rose Estates Subdivision, Phase I and II. MOTION PASSED UNANIMOUSLY.

b. **Special Permit Application, Addition to Eastbrook Mall & Freestanding Building (PZC File #1307)**

**95 Storrs Road, New England Design/applicant**

Plante MOVED, Ryan seconded, to receive the Special Permit application (file #1307 ) submitted by East Brook F, LLC, for a building addition and a new free standing building on property located 95 Storrs Road as shown on plans dated 12-1-11, as shown and described in application submissions, and to refer said application to staff and committees for review and comments and to set a Public Hearing for 1-3-12. MOTION PASSED UNANIMOUSLY.

c. **Town Gown Committee**

Chairman Goodwin noted that at the last meeting, Beal was appointed to continue serving on the Town Gown Committee as the PZC Representative. Since Beal was absent at the meeting, he was unable to communicate that he no longer has the time to serve on that Committee since he is now Chair of Regulatory Review. Rawn volunteered to be the PZC Representative.

**Reports from Officers and Committees:**

Beal noted that the next Regulatory Review Committee meeting will be on Wednesday, December 14<sup>th</sup> at 1:15 p.m. in Council Chambers. Goodwin reminded members that Field Trips will now be held on the second Tuesday following the first IWA/PZC meeting of the month at 1:30 p.m., and noted that one has been scheduled for December 13<sup>th</sup>, 2011, at 1:30 p.m.

**Communications and Bills:** Noted.

**Executive Session:**

**Strategy and negotiations with respect to pending claim and litigation, Connecticut General Statutes section 1-200(6)(B).**

Holt MOVED, Beal seconded, at 8:08 p.m. to enter into Executive Session to discuss the pending court case of Bruce and Franca Hussey vs. Town of Mansfield Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY. Members present were Goodwin, Beal, Hall, Holt, Lewis, Plante, Pociask, Rawn, Ryan and alternates Chandy and Ward. Also present was Linda M. Painter, Director of Planning and Development.

Hall MOVED, Beal seconded, at 8:52 p.m. to end the Executive Session. MOTION PASSED UNANIMOUSLY.

**Adjournment:** Chairman Goodwin adjourned the meeting at 8:53 p.m.

Respectfully submitted,

Katherine Holt, Secretary