

MINUTES  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday, August 19, 2013  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), R. Hall, G. Lewis (7:01 p.m.), P. Plante, K. Rawn, B. Ryan  
Members absent: B. Chandy, K. Holt, B. Pociask,  
Alternates present: A. Marcellino (7:05 p.m.), V. Ward, S. Westa  
Staff Present: Linda Painter, Director of Planning and Development  
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:00 p.m. and appointed alternates Marcellino, Ward and Westa to act in the absence of members. In Secretary Holt's absence, Chairman Goodwin appointed Vice Chair Ryan as Acting Secretary.

**Minutes:**

July 15, 2013 Regular Meeting: Ward MOVED, Hall seconded, to approve the 7/15/13 Meeting Minutes as presented. MOTION PASSED UNANIMOUSLY. Ryan and Westa noted for the record that they reviewed the recording of the meeting.

**Zoning Agent's Report:**

Noted

**Public Hearings:**

**Application to Amend the Zoning Regulations; Joshua's Tract Conservation and Historic Trust, owner/applicant (File #1321)**

Ryan recused herself and Chairman Goodwin appointed Rawn to act as secretary for this item only.

Chairman Goodwin opened the Continued Public Hearing at 7:02 p.m. Members present were Goodwin, Hall, Lewis, Plante, Rawn, and alternates Marcellino, Ward and Westa, who were appointed to act in members' absence. Linda Painter, Director of Planning and Development, read again the legal notice as it appeared in The Chronicle on 7/2/13 and 7/10/13 and noted an August 8, 2013, memo from Linda Painter, Director of Planning and Development. Painter also noted receipt of a letter from the Windham Regional Planning Commission dated July 10, 2013, and read the comments into the record.

Rudy Favretti, representing the applicant, Joshua's Tract Conservation and Historic Trust, reviewed the request for an amendment to the Zoning Regulations to incorporate Preservation Use as a permitted use in the RAR-90 Zone.

Chairman Goodwin noted no comments from the Commission or Public. Hall MOVED, Rawn seconded to close the Public Hearing at 7:13 p.m. MOTION PASSED with all in favor except Ryan who had recused herself.

**Special Permit Application, Retail and Retail Sale of Automotive Fuels, 1659 Storrs Road/625 Middle Turnpike; OMS Development LLC, Owner and Applicant (File #1319)**

Chairman Goodwin opened the Continued Public Hearing at 7:14 p.m. Members present were Goodwin, Hall, Lewis, Rawn, Ryan and alternates Marcellino, Ward and Westa, who were appointed to act in members' absence. Plante disqualified himself. Linda Painter, Director of Planning and Development, stated that the legal notice which appeared in The Chronicle on 7/2/13 and 7/10/13 was read at the last meeting. She noted the following communications received and distributed to members: an August 19, 2013, memo from Linda Painter, Director of Planning and Development; Memos from Assistant Town

Engineer dated June 23, 2013 and August 7, 2013; a memo from Jeff Polhemus, Eastern Highlands Health District dated August 16, 2013; a memo from Fran Raiola, Fire Marshal, dated August 15, 2013; a letter from Samuel L. Schragger dated June 27, 2013 requesting continuance of public hearing from to July 15, 2013; a letter from Samuel L. Schragger dated July 10, 2013 requesting continuance of public hearing from to August 19, 2013.

Attorney Samuel Schragger, representing the applicant, presented the proposal. He reviewed the issues raised in the Director of Planning's memo and noted the following points of significance in the application: a 1,175 square foot addition on the northerly side of the structure; easements in favor of the property to provide driveway access for a drive-thru on the westerly side of the building with access from the north; a new entrance drive to align with the Route 320 intersection; that the Route 44 access will remain; new parking spaces on the northerly side of the building; new sidewalk along Route 195 and Route 44 (8' in most areas); a walkway to the building from the sidewalks on Routes 44 and Route 195; a new bus stop cut out and bus shelter on Route 195; landscape buffer on Route 195; new septic design and new façade.

Alan Lampson, FLB Architecture and Planning, reviewed the building architecture and façade materials.

Attorney Schragger stated that a signage plan has not yet been prepared, but the applicant will return with this plan for approval. He also submitted fill calculations for the site work showing that site will require 1,007 cubic yards of fill material.

Ward asked if the number of pumps will change. Attorney Schragger said the number of pumps will remain the same and that all fuel deliveries will be made between 4am and 6am, prior to the Dunkin Donuts opening.

Linda Painter noted that CT DOT approval will be needed and can be a condition of approval. She asked that the PZC determine whether it preferred narrowing portions of the sidewalk to a width of 5' width so as to allow for a wider landscape buffer or have less planting and more sidewalk width.

Hall stated that he is concerned there is not enough stacking room for those vehicles exiting the site at Route 44 and turning left to approach Route 195. Schragger responded Grant Meitzler, Assistant Town Engineer addressed this issue in his memo and found the stacking acceptable.

It was the consensus of the Commission that the applicant must address the requirements of the fill regulations before the close of the Public Hearing.

Noting no further comments from the Commission, Hall MOVED Rawn seconded, at 7:50 p.m. to continue the Public Hearing to the 9/3/13 meeting. MOTION PASSED UNANIMOUSLY.

### **Old Business:**

**a. Special Permit Application, Building Addition, Charles River Laboratories, Inc, 65-67 Baxter Road (File #1320)**

After Commission discussion of this application, Hall volunteered to work with staff on a draft motion for the next meeting.

**b. Application to Amend the Zoning Regulations; Joshua's Tract Conservation and Historic Trust, owner/applicant (File #1321)**

After Commission discussion of this application, Plante volunteered to work with staff on a draft motion for the next meeting.

**c. Special Permit Application, Retail and Retail Sale of Automotive Fuels, 1659 Storrs Road/625 Middle Turnpike; OMS Development LLC, Owner and Applicant (File #1319)**

Item was tabled pending a 9/3/13 Continued Public Hearing.

- d. **Application to Amend the Zoning Regulations; Storrs Center Alliance, LLC, applicant, (File #1246-14)**  
Item was tabled pending a 9/3/13 Public Hearing.
- e. **Application to Amend the Zoning Map; Storrs Center Alliance, LLC, applicant, (File #1246-15)**  
Item was tabled pending a 9/3/13 Public Hearing.
- f. **Approval Request: Revised Plans for Paideia Greek Theater Project Exhibit Building, 28 Dog Lane (File #1049-7)**  
Item was tabled until 9/3/13.

**New Business:**

- a. **Modification Request, BAE Revision, Lot 13 Beacon Hill Estates, PZC File #1214-2**  
After extensive discussion, the Commission determined that there was no justifiable reason presented by the applicant to support its request to modify the BAE on this lot. The Commission found that the structure was built without regard to the lot requirements. Hall MOVED, Plante seconded, that the Planning & Zoning Commission not approve the proposed revision to the Building Area Envelope for Lot 13 of the Beacon Hill Estates Subdivision, as described in the 8/12/13 request from Datum Engineering & Surveying, and shown on a revised plan dated 7/31/13. MOTION PASSED with all in favor except Ryan and Westa who were opposed.
- b. **Request for Special Permit Extension, United Services, Inc., North Frontage Road, PZC File #1302**  
Ryan MOVED, Plante seconded, that the PZC approve a one-year extension, until September 19, 2014, of the special permit granted to United Services, Inc., for the construction of an office building and associated site development on North Frontage Road. MOTION PASSED UNANIMOUSLY.
- c. **Proposed Revisions to the Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture Regulations, PZC File #907-40**  
Hall MOVED, Ryan seconded, that a public hearing be scheduled for October 7, 2013 to hear comments on the proposed revisions to the Zoning Regulations for the PVRA and PVCA zones to reduce the maximum amount of prime agricultural soils/active farmland to be preserved for agricultural use from 40% to 35%. The draft regulations shall be referred to the Town Attorney, WINCOG Regional Planning Commission, adjacent municipalities, Town Council, Conservation Commission, Economic Development Commission and Agriculture Committee. MOTION PASSED UNANIMOUSLY.
- d. **Town Council Referral – Water Supply EIE Preferred Alternative**  
Linda Painter, Director of Planning and Development summarized the Town Manager’s 8-13-13 memo expressing the Town Council’s request for comments regarding the CT Water Company proposal. She also noted an 8-18-13 email received from Elizabeth Wassmundt that was distributed to members and provided a general overview of the CWC proposal as it presently exists. Members expressed concern over the short review period it has been given for a critical land use issue. It was decided that a special meeting of the PZC Subcommittee on Infrastructure Needs should meet for discussion of this issue and drafting of preliminary comments for the PZC to review at its 09/03/13 meeting. The committee will meet 8/26/13 at 6pm in Council Chambers.

Elizabeth Wassmundt, Storrs, expressed concern that Tom Callahan recently stated that CWC will be supplementing the UConn water system, but has previously said that CWC will be the new UCONN water system.

Pat Suprenant, Mansfield, expressed concern about advocacy, overlay zones, bonding, timing and wheeling fees. She is concerned that after so much time has been expended by the university studying

this issue, that the Town is now being asked to comment within 60 days.

Virginia Raymond, Maple Road, Storrs, expressed concern that there has been no information sharing nor consultation with the community to see if it wants public water, since ultimately the tax payers will be paying for it. She also felt the Town is being asked to rush and stated that this issue has been in discussion since 1973.

Hall stated that there have been opportunities for the public to gather information during various public forums.

Plante stated that it is not the PZC's decision if there is a public water supply, its source or its costs. The PZC's purview is strictly related to land use.

e. **Mansfield Tomorrow | Our Plan ▶ Our Future**

Painter noted an 8/29/13 Advisory Group Meeting.

**Zoning Regulation Revision:**

Chairman Goodwin asked that members continue to forward any thoughts on issues regarding the Regulations to Linda Painter for inclusion in the master list for discussion this fall. She requested this item be removed from future agendas until the Commission is ready to schedule these discussions in the fall.

**Reports from Officers and Committees:**

Chairman Goodwin asked that all final versions of reports from Mansfield Tomorrow Groups be distributed to PZC Members in hard copy.

**Communications and Bills:** None noted.

**Adjournment:** The Chairman declared the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Bonnie Ryan, Secretary