



# APPROVED MINUTES

## MANSFIELD PLANNING AND ZONING COMMISSION

MANSFIELD TOWN HALL ■ 4 SOUTH EAGLEVILLE ROAD ■ COUNCIL CHAMBERS

MONDAY, JULY 15, 2019 ■ REGULAR MEETING

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

Chair Goodwin called the meeting to order at 6:43 p.m. Alternate members L. Cooley, C. Cotton were seated for absent members.

P. Aho MOVED, B. Ryan seconded, to add the following items as New Business Item B and C to the Agenda:

- B. Special Permit Application of Advanced Improvements LLC (applicant)/Melania Stepanenko (owner) to authorize expansion of a nonconforming office use at 981 Storrs Road (PZC File 1361)
- C. Interpretation of Article 10, Section A.6.b (Density Requirements in the DMR Zone) and A.6.h (Open Space/Recreational Facilities). MOTION PASSED UNANIMOUSLY.

### APPROVAL OF MINUTES:

#### JUNE 17, 2019 REGULAR MEETING

J. Goodwin and B. Ryan indicated that they listened to the recording. J. Goodwin noted a correction on Page 3 of the Minutes and V. Ward noted a correction that the meeting adjourned at 7:10 p.m.

L. Cooley MOVED, D. Plante seconded, to approve the June 17, 2019, minutes as corrected. MOTION PASSED UNANIMOUSLY.

### PUBLIC HEARINGS

#### SPECIAL PERMIT APPLICATION OF THE TOWN OF MANSFIELD DEPARTMENT OF PUBLIC WORKS TO AUTHORIZE INSTALLATION OF STRINGS OF LIGHTS IN THE COURTYARD BETWEEN 1 AND 9 DOG LANE (PZC FILE 1246-24)

J. Goodwin opened the public hearing at 6:45 p.m. Members present were P. Aho, J. Goodwin, R. Hall, K. Rawn, D. Plante, B. Ryan, V. Ward and alternates L. Cooley and C. Cotton were appointed to act for absent members.

L. Painter read the Legal Notice which was published in *The Chronicle* on July 2, 2019 and July 9, 2019. L. Painter noted that this application comes to the Commission under the sign provisions of the Zoning Regulations.

Julia Dinep of Dinep Schwab, West Hartford, CT, presented on behalf of the applicant. J. Dinep stated that the plan is to install 140-150 linear feet of lights in a zig zap pattern in the space between 1 and 9 Dog Lane approximately 20 feet above grade. The lights are intended to add a level of detail to the space to attract customers. In response to a question from K. Rawn, J. Dinep stated that the lights will be year round and run on a timer to turn off at 11:00pm.

There were no comments from the audience.

V. Ward MOVED, R. Hall seconded, to close the Public hearing at 6:53 p.m. MOTION PASSED UNANIMOUSLY.

APPLICATION OF CMC STORRS, SPV, LLC TO AMEND ARTICLE 7, SECTION G. 16 AND ARTICLE 8, SCHEDULE OF DIMENSIONAL REQUIREMENTS, RELATED TO MAXIMUM BUILDING HEIGHT FOR MULTI-FAMILY DWELLINGS IN THE RAR-90 ZONE (PZC file #1359)

J. Goodwin opened the public hearing at 6:54 p.m. Members present are P. Aho, J. Goodwin, R. Hall, K. Rawn, D. Plante, B. Ryan, V. Ward and alternates L. Cooley and C. Cotton were appointed to act for absent members.

L. Painter read the Legal Notice which was published in *The Chronicle* on July 2, 2019 and July 9, 2019 and noted that, in addition to the attachments listed on the Agenda, the record should include an opinion from the Town Attorney dated July 12, 2019, and correspondence from Scott Jordan of UConn dated July 15, 2019. L. Painter also noted that the applicant has requested that the public hearing be continued to August 5, 2019.

K. Rawn MOVED, V. Ward seconded, to adjourn the public hearing and continue it to August 5, 2019. MOTION PASSED UNANIMOUSLY.

J. Goodwin closed the public hearing at 6:55 p.m.

APPLICATION OF CMC STORRS, SPV, LLC TO AMEND ARTICLE 7, SECTION G.16 AND ARTICLE 10, SECTION W, RELATED TO AFFORDABLE HOUSING REQUIREMENTS FOR MULTI-FAMILY DWELLINGS IN THE RAR-90 ZONE (PZC file #1360)

J. Goodwin opened the public hearing at 6:56 p.m. Members present are P. Aho, J. Goodwin, R. Hall, K. Rawn, D. Plante, B. Ryan, V. Ward and alternates L. Cooley and C. Cotton were appointed to act for absent members.

L. Painter read the Legal Notice which was published in *The Chronicle* on July 2, 2019 and July 9, 2019 and noted that in addition to the attachments listed on the Agenda the record should include an opinion from the Town Attorney dated July 12, 2019, and correspondence from Scott Jordan of UConn dated July 15, 2019.

Attorney James Connor of Updike, Kelly & Spellacy, P.C. and Chen Ji of CMC Storrs SPV, LLC were present for the applicant. Attorney Connor explained that this applicant filed a prior application for a text amendment to authorize multi-family development in the RAR-90 zone by special permit, which included affordable housing requirements. This application was approved by the PZC. At the time of this approval, the PZC was considering, but had not yet adopted, affordable housing requirements for residential development. Since then a regulation was adopted. The applicant is now requesting that the affordable housing regulations for multi-family development in the RAR-90 zone mirror that subsequently adopted by the PZC. Specifically, the applicant has requested that 10% of units be affordable to households at 80% of median income and 5% of units be affordable to households at 120% of median income and that there be provision for a fee-in-lieu or conversion as alternative means of meeting the requirements.

L. Painter noted that responses from CRCOG and SECOGG are included in the packet of materials.

There were no comments from the audience.

P. Aho MOVED, R. Hall seconded to close the public hearing at 7:04 p.m. MOTION PASSED UNANIMOUSLY.

#### **OLD BUSINESS:**

#### SPECIAL PERMIT APPLICATION OF THE TOWN OF MANSFIELD DEPARTMENT OF PUBLIC WORKS TO AUTHORIZE INSTALLATION OF STRINGS OF LIGHTS IN THE COURTYARD BETWEEN 1 AND 9 DOG LANE (PZC FILE 1246-24)

P. Aho MOVED, L. Cooley seconded, to waive the site plan, sanitation report and erosion and sedimentation control requirements of Article 5, Section B.3 of the Zoning Regulations for the Special Permit application of the Mansfield Department of Public Works for the installation of strings of lights between 1 and 9 Dog Lane (File #1246-24). This waiver is granted pursuant to Article 5, Section B.4 and is based on the fact that no changes to the site or building are proposed other than the addition of the strings of lights. MOTION PASSED UNANIMOUSLY.

V. Ward MOVED, B. Ryan seconded, to MOVE to approve the Special Permit application of the Mansfield Department of Public Works (File #1246-24) to install strings of lights (Parcel ID 16.40.10-B), as described in application materials and as heard at a Public Hearing on July 15, 2019.

This approval is granted because the application is considered to be in compliance with the approval criteria contained in Article 5, Section B.5 and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. **Extent of Approval.** This approval is specifically tied to the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed uses and

site improvements shall be limited to those authorized by this approval. Any questions regarding authorized uses, required site improvements and conditions cited in this approval shall be reviewed with the Zoning Agent and Director of Planning and Development, and, as deemed necessary, the PZC.

2. **Design.** Either the “zig zag” or “v-shape” lighting pattern shall be used to maintain access for ladder rescues from upper floors if necessary.

3. **Validity.** 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.

APPLICATION OF CMC STORRS, SPV, LLC TO AMEND ARTICLE 7, SECTION G. 16 AND ARTICLE 8 SCHEDULE OF DIMENSIONAL REQUIREMENTS, RELATED TO MAXIMUM BUILDING HEIGHT FOR MULTI-FAMILY DWELLINGS IN THE RAR-90 ZONE (PZC file #1359)

Tabled pending August 5, 2019 public hearing.

APPLICATION OF CMC STORRS, SPV, LLC TO AMEND ARTICLE 7, SECTION G.16 AND ARTICLE 10, SECTION W, RELATED TO AFFORDABLE HOUSING REQUIREMENTS FOR MULTI-FAMILY DWELLINGS IN THE RAR-90 ZONE (PZC file #1360)

P. Aho MOVED, R. Hall seconded, to approve the May 20, 2019, application of CMC Storrs SPV, LLC (File #1360) as revised to June 11, 2019, to amend Article 7, Section G.16.c of the Mansfield Zoning Regulations and Article 10, Section W, related to affordable housing requirements for multi-family dwelling structures in the RAR-90 zone. The subject revisions were heard at a public hearing on July 15, 2019. The subject regulation amendments shall become effective as of August 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 in approval of these amendments:

- The application is complete and contains all required information.
- The amendments implement goals and strategies identified in the Mansfield Tomorrow Plan of Conservation and Development that promote the development of affordable housing.
- The amendments are 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.
- The amendments are appropriately worded, legally sound and suitably coordinated with other provisions in the Mansfield Zoning Regulations.
- The amendments will promote the public’s health, safety, property values and general welfare.

Furthermore, the Commission has adopted the subject regulation revisions to improve consistency with the affordable housing requirements established for all other residential uses. MOTION PASSED UNANIMOUSLY.

**NEW BUISNESS**

APPOINTMENT OF ZONING AGENTS

L. Painter discussed the re-structuring of the Planning Department and explained that certain zoning enforcement functions will be assigned to the Building Department.

L. Cooley MOVED, D. Plante seconded, to appoint Linda Painter, Jennifer Kaufman and Jillene Woodmansee, as duly authorized Zoning Agents pursuant to Article 11, Section A of the Mansfield Zoning Regulations. MOTION PASSED UNANIMOUSLY.

SPECIAL PERMIT APPLICATION OF ADVANCED IMPROVEMENTS, LLC (APPLICANT MELANIA STEPANENKO (OWNER) TO AUTHORIZE EXPANSION OF A NONCONFIRMING OFFICE USE AT 981 STORRS ROAD (PZC FILE 1361)

P. Aho MOVED, D. Plante seconded, to receive the special permit application of Advanced Improvements LLC (applicant)/Melania Stepanenko (owner) submitted on July 15, 2019, for an expansion of a nonconforming office use at 981 Storrs Road, to refer said application to staff for review and comment, and to schedule a public hearing for Tuesday, September 3, 2019. MOTION PASSED UNANIMOUSLY.

INTERPRETATION OF ARTICLE 10, SECTION A.6 B (DENSITY REQUIREMENTS IN THE DMR ZONE) AND 4.6.h (OPEN SPEACE/RECREATIONAL FACILITIES

L. Painter stated that two adjacent property owners are currently considering redevelopment. One property owner may agree to provide a drainage easement to the other provided the area of the proposed easement may still be used to calculate allowable density and open space requirements. It was the consensus of the Commission that, since an area set aside as an easement cannot be built upon but may be used for open space, it cannot be counted in determining density, but may, depending on the design, be counted toward open space requirements.

**REPORTS:**

A Field Trip was scheduled for Thursday, 7/25/2019, at 5:00 p.m. for 981 Storrs Road. K. Fratoni reported on the work of the Sustainability Committee and the survey that is currently being done. L. Painter reminded all that the plastic bag ordinance takes effect on August 1, 2019.

**ADJOURNMENT:**

J. Goodwin declared the meeting adjourned at 7:33 p.m.

Respectfully submitted,

V. Ward, Secretary

Mansfield Planning and Zoning Commission