



**TOWN OF MANSFIELD**  
**TOWN COUNCIL MEETING**  
**MONDAY, May 9, 2005**  
**COUNCIL CHAMBERS**  
**AUDREY P. BECK MUNICIPAL BUILDING**  
**7:30 p.m.**

**AGENDA**

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<b>CALL TO ORDER</b>	
<b>ROLL CALL</b>	
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**EXECUTIVE SESSION**

REGULAR MEETING-MANSFIELD TOWN COUNCIL-APRIL 25,2005

Mayor Elizabeth Paterson called the regular meeting of the Town Council to order at 7:34 p.m. in the council Chamber of the Audrey P. Beck Municipal Building.

I. ROLL CALL

Present: Blair, Clouette, Haddad, Hawkins, Koehn, Paterson, Paulhus, Redding, Schaefer

II. APPROVAL OF MINUTES

Mr. Haddad moved and Ms. Blair seconded to approve the minutes of April 6, 2005.

So passed unanimously.

Mr. Haddad moved and Mr. Hawkins seconded to approve the minutes of April 11, 2005.

So passed unanimously.

Mr. Haddad moved and Mr. Hawkins seconded to approve the minutes of April 13, 2005 as corrected. Town Clerk noted Mr. Paulhus was in error placed twice in voting on item #13. He voted against tabling issue of Eminent Domain Authorization-Separatist Road Easement and Redding voted in favor.

So passed unanimously.

III. MOMENT OF SILENCE

Mayor Paterson requested a moment of silence for persons in uniform serving in Iran.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Carol Pellegrine, 269 Clover Mill Road, spoke as Chairman of the Republican Town Committee, and read a letter regarding the renovation of the Reynolds School as an alternative facility for at risk students from E. O. Smith. See attached letter.

Charles Eaton, 89 Lorraine Drive, read a letter regarding revaluation and the proposed budget. He urged a cut back in the budget. See attached letter.

The Mansfield Republican Town Committee opposes the Region 19 Board of Education's proposal to renovate the Reynolds School in Mansfield Depot for an alternative facility for at risk students. Renovating an off site facility will tend to alienate a particular group of students and is contrary to current thought regarding inclusionary methods for special needs students. The number of students to be served in such a program would be limited by the constraints of the building and the per pupil cost would be excessive. The program itself presents a number of impediments: limited course offerings, lack of suitable lunch, physical education and fine arts space and absence of public transportation. Renovating and enlarging the Reynolds School also would create a number of neighborhood issues, such as: parking, noise, infringement upon neighbors and the physical changes and enlargements of the facility.

As a means of utilizing the existing space at Reynolds School and still providing an alternative educational program for certain students, the Mansfield Republican Town Committee recommends that the Region 19 Board consider converting the Reynolds School into an administrative complex, thus freeing up space in the main building of E.O. Smith High School. In addition to addressing some of the above concerns, this suggestion would accomplish one important goal: the opportunity to address the needs of all E.O. Smith High School students of the three-town area within the existing school structure and the opportunity to allow for "main streaming" of students when desirable and feasible.

The Mansfield Republican Town Committee unanimously passed this resolution on April 20, 2005,

Carol Pellegrine, chair (429-9598)

Richard Pellegrine, 269 Clover Mill Road, spoke on the budget and for a friend who has built a home on East Road. He is a teacher and teaches in the evening. He said to Mr. Pellegrine that he could not stay in town unless the tax rate was only 16 or 17 mils. With the revaluation he cannot afford a high mill rate.

## V. PUBLIC HEARING

### 1. Committee on Community Quality of Life-Committee Report

Mr. Clouette, as Chairman of the Committee, discussed the objectives of the committee and observations of the committee with a series of recommended goals and strategies that the town could pursue to improve the present situation. The disruptive behavior of persons at the University of Connecticut's spring weekend has created a problem for the quality of life in Town. This report gives recommended strategies. However, some issues the town has little control over such as sub standard housing. The committee consisted of myself, Alan Hawkins and Alison Whitham-Blair. Mr. Matt Hart, Assistant Town Manager presented many good suggestions.

Mr. Matt Hart, Assistant Town Manager thanked the committee for their work and also for the public participation including Mr. Robert Cook a local resident. The Mayor and Council member Helen Koehn were also active in this report. He listed the goals the committee prepared which were geared toward correcting the problem of disruptive behavior associated with spring weekend and other large parties.

Mr. Richard Pellegrine, 269 Clover Mill Road, spoke on his observations of this year's Spring Weekend. Although there seemed to be less kegs in sight he noted that many more individuals were bringing in their own beer. He suggested that a responsible person who could better monitor individual consumption dispense alcohol.

At 8:10 p.m. the public hearing closed.

## VI. OLD BUSINESS

### 2. Committee on Community Quality of Life-Committee Report

Mayor Paterson thanked the Committee chair, the committee members and staff for their work on this important issue. No action was taken. Following this...

April 23, 2005

Dear Members of the Mansfield Town Council:

I wrote the Town Council weeks ago but felt I must speak. I am afraid that this year's revaluation and all of its confusion may have clouded the fact that the town has asked for significant increases in its budgets, in particular the large increase of 8.7% in the education request. As you are now probably aware the total aggregate increase in assessed values was 44.31% but the average real estate value without personal property went up 54%. This results in a significant burden on the homeowner – with the average homeowner expecting a 12.7% increase. I have not kept records of tax increases over the years but I cannot ever remember the average homeowner seeing a 12.7% increase, not even in 1990 when the significant teachers' salary increase was voted in.

I plead with the council to be tough and ask that all budgets be trimmed—the aggregate budget increase as it stood a week ago was 7.2%. This is way out of line with inflation! It also involved new and what I believe are unnecessary programs such as all day kindergarten. This taxpayer funded daycare can wait until better times when there are sufficient funds, without over-burdening the homeowner with a 12.7% increase. I will not debate the proposed kindergarten program here and wish I had done so in front of the BOE months ago -- but one thing I know-- my 4 children would have had to take a nap for 2 hours during full-time kindergarten if it had been available. From this perspective alone, a half day works better for most children.

Also, the Mansfield BOE teachers' salaries continue to rise significantly beyond inflation and standard industry increases, when you factor in the salary step increases for most employees.

Finally, as one who stared down the leaders of the tax revolt in the early 90's to support the huge increase in teachers' salaries, I believe this is a time you may see another major tax revolt if you do not cut back the budget. BUT, I am also afraid that the Town Council will allow the large budget increase to slide in during the revaluation year because the average taxpayer doesn't understand the impact it will have on their pocketbook – and it is all very confusing. I saw the faces of many people, especially the elderly, in the assessor's office in March trying to make sense out of their enormous revaluation. When they receive their first tax bill, it is almost certain that even the longtime supporters of education and Town programs will come out of the dark and be ready to vote for a more reasonable government.

Respectfully submitted,



Charles Eaton  
89 Lorraine drive  
Storrs, Connecticut 06268

that the Council may have. The committee also plans to contact the University to schedule a public presentation on campus in the late summer early fall. Once all comments have been received the committee will report back to the Council, and then may authorize to produce a final report.

### 3. Eminent Domain Authorization-Separatist Road Easements

The Town Manager requested that this issue be tabled again as he hopes to have a resolution shortly.

By consensus this was tabled.

### 4. FY 2005/06 Proposed Budget

Will be discussed at end of agenda.

### 5. University Spring Weekend and Campus Community Relations

Discussion followed on Council members observations of the weekend activities.

The Mayor reported that she had just attended a meeting with the Substance Abuse Task Force"

The feeling of the students present at the committee meeting was that they were positive about the DUI checkpoints, the medical service, that they didn't feel as threatened, and that the attitude of most students was better.

Many people involved with the weekend stated the professionalism and compassion of the medical and emergency personnel. The Council members felt that lots of things went right this year.

Mr. Hawkins said that although the emergency services were good for the weekend, they are always that way all through the year.

Mr. Haddad felt that the DUI checkpoints were a great addition to the weekend and very worthwhile

Mr. Paulhus felt that the DUI checkpoints kept out of towners out of the University campus.

Mr. Clouette said this year the media couldn't show a lot of photos of riots so they kept running tapes of previous years.

Mr. Chip Jordan, Eagleville Fire Chief, said although the weekend went smoother there is still a continued increase in medical needs. The students and persons gathered at these parties are still getting hurt. On Friday night there were 76 personnel on duty.

Mr. Mike Gergler, President of Eagleville Vol. Fire Association was also present, and spoke of the emergency care that was needed. All staff worked hard.

Ms. Koehn asked the fire chiefs if they felt the residents of Mansfield were covered adequately if they had an emergency. Both chiefs said that the town was covered, as the residents are of primary concern to their departments.

Ms. Blair worked the weekend as an emergency personnel. She said the students this year were easier to work with and were thankful for assistance.

Fire Chief Jordan said that there would be a critique of the weekend on May 4<sup>th</sup> at 7:00 p.m. at the Eagleville Fire House. The council members are invited to attend.

## 6. Strategic Planning Project Update

Mr. Matt Hart, Assistant Town Manager, gave an oral report to the Council. He has contacted the "Balance Scorecard Institute in N. C." and the town is in the process of receiving a proposal from them. The staff is again working on this project and plans are to conduct a retreat on the "balance scorecard". This phrase means to "to link visions into goals". Mr. Hart will report back to Council in May.

### 6A. Added by consensus "Smart Energy"

Mr. Hart reported that the town has not heard from the people at "Smart Energy" as to how the town can participate in this project. He will report as information is received.

VII. NEW BUSINESS

7. Resolution Regarding Earth Day

Mr. Paulhus moved and Mr. Clouette seconded that effective April 25, 2005, to issue the attached resolution regarding Earth Day.

Motion so passed. Mr. Schaefer abstained.

8. Proclamation in Honor of Women's Health Day

Ms. Blair moved and Mr. Paulhus seconded that effective April 25, 2005, to authorize the mayor to issue the Proclamation in Honor of Women.

So passed unanimously.

9. Appointment of Town Council Designee to Mansfield Downtown

Mr. Haddad moved and Mr. Hawkins seconded that effective April 25, 2005, to appoint Town Manager Martin H. Berliner to the Mansfield Downtown Partnership's Board of Directors for a term beginning on July 1, 2005 and ending on June 30, 2008.

So passed unanimously.

10. Historic Documents Preservation Grant Application

Mr. Schaefer moved and Mr. Hawkins seconded to pass the following resolution: RESOLVED: effective April 25, 2005, that Martin H. Berliner, Town Manager, is empowered to execute and to deliver in the name of and on behalf of this municipality, an application and contract with the Connecticut State Library for a Historic Documents Preservation Grant.

So passed unanimously.

11. Transfer of Uncollected Taxes to Property Tax Suspense List

Mr. Hawkins moved and Mr. Haddad seconded that, effective April 25, 2005, to transfer \$61,430.83 in outstanding property taxes to the Mansfield Property Tax Suspense List, as recommended by the collector of revenue.

So passed unanimously.

## RESOLUTION REGARDING EARTH DAY

A RESOLUTION of the Town of Mansfield Connecticut, to acknowledge the importance of Earth Day and support the community-wide activities and events that remind us of our connection to the planet and our responsibility to preserve and protect our environment.

WHEREAS, Earth Day is Friday, April 22, 2005; and

WHEREAS, Earth Day is celebrated annually to recommit to the goals of a healthy environment and a peaceful, just and sustainable world; and

WHEREAS, we acknowledge our collective responsibility for environmental education, stewardship and community sustainability; and

WHEREAS, we acknowledge that, to protect our town and our Earth - we, as the Town Council, must provide leadership, use the expertise and talent of our community and engage the hearts and minds of all citizens;

NOW BE IT RESOLVED, the Town Council of the Town of Mansfield, affirms its commitment to the goals and principles of Earth Day. In recognition of Earth Day 2005, we support Earth Day by:

Inviting and encouraging all citizens, businesses, organizations, schools, clubs, congregations to participate in community Earth Day activities, and to engage in environmentally sound practices every day.

Encouraging community awareness by co-sponsoring community activities and providing support.

Using the observance of Earth Day as an opportunity to explore new avenues to sustainability.

Forging partnerships with local organizations, environmental professionals, businesses and citizens to accelerate the adoption of town sustainability practices and becoming a model for the region.



*Town of Mansfield*  
*Proclamation in Honor of Women's Health Day*

*Whereas*, the top three causes of death among women are heart disease, cancer, and stroke; and

*Whereas*, Windham Hospital and Anthem Blue Cross/Blue Shield will be hosting its second annual Women's Health Day at the Eastbrook Mall in Mansfield on Thursday, May 5, 2005; and

*Whereas*, the second annual National Women's Check-Up Day, Monday, May 9, 2005, marks the start of National Women's Health Week, coordinated by the U.S. Department of Health and Human Services (HHS); and

*Whereas*, the commemoration of Women's Health Day and National Women's Health Week encourages women to take responsibility for their own health through greater knowledge and understanding; and

*Whereas*, Women's Health Day and National Women's Health Week together celebrate the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues:

**NOW, THEREFORE, BE IT RESOLVED**, by Mayor and the Town Council that Thursday, May 5, 2005 is declared "Women's Health Day" in the Town of Mansfield.

*IN WITNESS WHEREOF*, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 5th day of May in the year 2005.

*Elizabeth C. Peterson*

\_\_\_\_\_  
Mayor, Town of Mansfield  
May 5, 2005

Grand List	Amount Suspended
Oct. 1991	92.50
Oct. 1992	402.57
Oct. 1993	460.88
Oct. 1994	402.57
Oct. 1995	1050.08
Oct. 1996	1236.34
Oct. 1997	1381.92
Oct. 1998	1320.91
1998 SMV	37.93
Oct. 1999	3965.70
1999SMV	346.83
Oct. 2000	1623.97
2000 SMV	797.39
Oct. 2001	10928.82
2001S	2388.33
Oct. 2002	30141.55
2002S	<u>4852.54</u>
TOTAL	61430.83

TOWN OF MANSFIELD - SUSPENSE ACCOUNTS  
 TRANSFER DATE: 04/15/2005

ST#	NAME	ADDRESS	GRAND LIST		AMOUNT	REASON
			YEAR	DUE DATE		
-----						
TAX YEAR 1991						
204	BELEY DEBRA M	22 MILLWOOD RD, E HARTFORD CT 06118	10011991	01011993	92.50	OTHER
			TOTAL	1991 - 1	92.50	
						=====
TAX YEAR 1992						
200	BELEY DEBRA M	22 MILLWOOD RD, E HARTFORD CT 06118	10011992	01011994	402.57	OTHER
			TOTAL	1992 - 1	402.57	
						=====
TAX YEAR 1993						
216	BELEY DEBRA M	22 MILLWOOD RD, E HARTFORD CT 06118	10011993	01011995	402.57	OTHER
269	TOWAN EMILY	P O BOX 312, MANSFIELD CENTER CT 06250	10011993	01011995	58.31	OTHER
			TOTAL	1993 - 2	460.88	
						=====
TAX YEAR 1994						
222	BELEY DEBRA M	22 MILLWOOD RD, E HARTFORD CT 06118	10011994	01011996	402.57	OTHER
			TOTAL	1994 - 1	402.57	
						=====
TAX YEAR 1995						
094	CHERKES GEORGE D/B/A	P O BOX 257, STORRS CT 06268	10011995	07011996	254.07	OUT OF BUSINESS
225	BELEY DEBRA M	22 MILLWOOD RD, E HARTFORD CT 06118	10011995	01011997	402.57	OTHER
454	BROWN DAVID E	P O BOX 533, MANSFIELD CTR CT 06250	10011995	01011997	393.44	OTHER
			TOTAL	1995 - 3	1,050.08	
						=====
TAX YEAR 1996						
087	CHERKES GEORGE D/B/A	P O BOX 257, STORRS CT 06268	10011996	07011997	317.71	OUT OF BUSINESS
230	BELEY DEBRA M	22 MILLWOOD RD, E HARTFORD CT 06118	10011996	01011998	402.57	OTHER
459	BROWN DAVID E	P O BOX 533, MANSFIELD CTR CT 06250	10011996	01011998	516.06	OTHER
			TOTAL	1996 - 3	1,236.34	
						=====
TAX YEAR 1997						
880	COSTELLO DANIEL J	P O BOX 821, TOLLAND	10011997	07011998	15.99	OUT OF STATE
444	SHERMAN JERILYN F	54 NORTH WINDHAM RD, NO WINDHAM CT 06256	10011997	07011998	50.10	CANNOT LOCATE
088	CHERKES GEORGE D/B/A	P O BOX 257, STORRS CT 06268	10011997	07011998	397.20	OUT OF BUSINESS
230	BELEY DEBRA M	22 MILLWOOD RD, EAST HARTFORD, CT 06110	10011997	01011999	402.57	OTHER

TOWN OF MANSFIELD - SUSPENSE ACCOUNTS  
TRANSFER DATE: 04/15/2005

		GRAND LIST				
T#	NAME	ADDRESS	YEAR	DUE DATE	AMOUNT	REASON
			TOTAL	1997 - 5	1,381.92	
=====						
TAX YEAR 1998						
83	DICEPOLO KATHLEEN M	BOX 111 RT 195, STORRS	10011998	07011999	17.30	CANNOT LOCATE
100	SZYCH ANDREW M JR	BOX 789, WILLIMANTIC	10011998	07011999	45.04	CANNOT LOCATE
190	CHERKES GEORGE D/B/A	P O BOX 257, STORRS CT 06268	10011998	07011999	397.20	OUT OF BUSINESS
162	JUST RIGHT PAINTING *	59 MARYBELL DR, STORRS CT 06268	10011998	07011999	16.10	OUT OF BUSINESS
109	THERAPEUTIC MESSAGE BY *	196 CONANTVILLE RD, MANSFIELD CNTR CT 06250	10011998	07011999	16.10	OUT OF BUSINESS
129	BELEY DEBRA M	22 MILLWOOD RD, EAST HARTFORD, CT 06118	10011998	01012000	402.57	OTHER
152	BROWN DAVID E	P O BOX 533, MANSFIELD CNTR, CT 06250	10011998	01012000	351.45	OTHER
109	TOMAN EMILY	91 CHAFFEEVILLE RD, MANSFIELD CNTR, CT 06250	10011998	01012000	75.15	OTHER
164	SZYCH ANDREW M JR	414 WARRENVILLE RD, MANSFIELD	10011998	01012000	37.93	CANNOT LOCATE
			TOTAL	1998 - 9	1,358.84	
=====						
TAX YEAR 1999						
	AHERN NANCY L OR	1673 STAFFORD RD, MANSFIELD	10011999	07012000	376.79	CANNOT LOCATE
171	AHERN NANCY OR	1637 STAFFORD RD RR2, STORRS	10011999	07012000	216.30	CANNOT LOCATE
159	CHENEY RICHARD JR	42 OAK DR, MANSFIELD CNTR	10011999	07012000	101.52	CANNOT LOCATE
125	SZYCH ANDREW M JR	414 WARRENVILLE RD, MANSFIELD	10011999	07012000	178.34	CANNOT LOCATE
157	BIG DADDY'S	1717 STORRS RD, STORRS CT 06268	10011999	07012000	295.53	OUT OF BUSINESS
164	BRENDA'S PLACE	454 STORRS RD, MANSFIELD CTR, CT 06250	10011999	07012000	97.99	OUT OF BUSINESS
192	CHERKES GEORGE D/B/A	P O BOX 257, STORRS. CT 06268	10011999	07012000	507.71	OUT OF BUSINESS
198	CLIFFORD CONTRACTING+CONS	520 MIDDLE TPKE, STORRS CT 06268	10011999	07012000	79.70	OUT OF BUSINESS
172	JUST RIGHT PAINTING	59 MARYBELL DR, STORRS. CT 06268	10011999	07012000	20.64	OUT OF BUSINESS
143	SANITARY SERVICE CORPORAT	321 OLCOTT STREET, MANCHESTER. CT 06040	10011999	07012000	1,204.07	BANKRUPTCY
170	SODA SERVICE INC	206 RIDGE ROAD, WETHERSFIELD CT 06109	10011999	07012000	238.83	OUT OF BUSINESS
120	TELEDYNE ROCKETS	152 HANKS HILL RD, STORRS. CT 06268	10011999	07012000	26.39	OUT OF BUSINESS
123	THAMES AUTOMATION INC *	P O BOX 509, NEW LONDON CT 06320-0509	10011999	07012000	32.66	OUT OF BUSINESS
165	VOICE-TEL ENTERPRISES C/O	P O BOX 53125, ATLANTA GA 30355	10011999	07012000	153.12	OUT OF BUSINESS
150	BROWN DAVID E	P O BOX 533, MANSFIELD CNTR, CT 06250	10011999	01012001	359.29	OTHER
181	TOMAN EMILY	91 CHAFFEEVILLE RD #5, MANSFIELD CNTR, CT 062	10011999	01012001	76.82	OTHER
103	DEFILIPPO NANCY	297 STAFFORD RD, MANSFIELD CNTR	10011999	01012001	167.31	CANNOT LOCATE
105	DELICIAMPO JOSH A	456 STAFFORD RD, MANSFIELD CNTR	10011999	01012001	25.22	CANNOT LOCATE
84	LYONS MAURA	12 WESTWOOD RD, STORRS	10011999	01012001	154.30	CANNOT LOCATE
			TOTAL	1999 - 19	4,312.53	
=====						
TAX YEAR 2000						
71	AHERN NANCY L OR	1673 STAFFORD RD, STORRS CT 06268 1143	10012000	07012001	324.18	CANNOT LOCATE
	AHERN NANCY OR	1637 STAFFORD RD RR2, STORRS CT 06268 1143	10012000	07012001	186.29	CANNOT LOCATE
63	MANSFIELD MOTORCAR CO IN	213 STAFFORD RD, MANSFIELD CNTR CT 06250 1442	10012000	07012001	98.55	CANNOT LOCATE
01	MASSEY CON S	207 N EAGLEVILLE RD, STORRS CT 06268 1919	10012000	07012001	567.18	OUT OF STATE
42	SZYCH ANDREW M JR	414 WARRENVILLE RD, MANSFIELD CT 06250 P.12	10012000	07012001	237.02	CANNOT LOCATE
50	WATSON DALE J	529 STORRS RD, MANSFIELD CNTR CT 06268 1075	10012000	07012001		

TOWN OF MANSFIELD - SUSPENSE ACCOUNTS  
TRANSFER DATE: 04/15/2005

T#	NAME	ADDRESS	YEAR	DUE DATE	AMOUNT	REASON
89	DOLLOFF MARY L	1002 STAFFORD RD, STORRS CT 06268	10012000	01012002	125.22	CANNOT LOCATE
53	ELLIOTT EZRA	36 MT HOPE RD, MANSFIELD CNTR CT 06250	10012000	01012002	117.94	CANNOT LOCATE
00	FLANNERY LAURA B	895 WARRENVILLE RD, MANSFIELD CT 06250	10012000	01012002	7.38	CANNOT LOCATE
71	GAUTHIER YVETTE	18 OLD MILL CRT, STORRS CT 06268	10012000	01012002	76.76	OUT OF STATE
88	NAPOLITANO SHAUN L	399 BASSETTS BRDGE RD, MANSFIELD CT 06250	10012000	01012002	73.67	CANNOT LOCATE
68	SANELLI KATHLEEN V	1917A STORRS RD, STORRS CT 06268	10012000	01012002	49.20	CANNOT LOCATE
92	WADDELL GREG	11 GILBERT RD UCONN, STORRS CT 06269	10012000	01012002	31.15	CANNOT LOCATE
97	WALKER GERRY T	6C CARLTON RD, STORRS CT 06268	10012000	01012002	181.24	OUT OF STATE
44	WHEATT TYWAYNE B	626 GILBERT RD, STORRS CT 06269	10012000	01012002	60.68	OUT OF STATE
83	WRAGG TAMMY	294 HANKS HILL RD, STORRS CT 06268	10012000	01012002	70.86	CANNOT LOCATE
			TOTAL	2000 - 17	2,421.36	=====

AX YEAR 2001

82	AHERN NANCY L OR	1673 STAFFORD RD, STORRS CT 06268 1143	10012001	07012002	92.32	CANNOT LOCATE
83	AHERN NANCY OR	1637 STAFFORD RD RR2, STORRS CT 06268 1143	10012001	07012002	152.08	CANNOT LOCATE
29	ANTONELLI WENDALL OR	30 HUNTING HGTS DR 2, STORRS CT 06268 1619	10012001	07012002	66.91	CANNOT LOCATE
67	BELL ANGELA M	45 JACOBS HILL, MANSFIELD CT 06250 1651	10012001	07012002	460.08	CANNOT LOCATE
34	BERKOWITZ TAMMY	435 EAGLEVILLE RD, STORRS CT 06268 1821	10012001	07012002	97.71	CANNOT LOCATE
63	BURNS PATRICK R	106 BROOKSIDE LN, MANSFIELD CNTR CT 06250 111	10012001	07012002	372.02	CANNOT LOCATE
64	BURNS PATRICK R	106 BROOKSIDE LANE, MANSFIELD CT 06250 1110	10012001	07012002	83.74	CANNOT LOCATE
73	CARPENTER KATHERINE D	1A COLLEGE PARK, STORRS CT 06268 2702	10012001	07012002	103.95	OUT OF STATE
74	CARPENTER KATHERINE OR	1A COLLEGE PK, STORRS CT 06268 2702	10012001	07012002	121.28	OUT OF STATE
96	CHUNG SANG WON	UNIV OF CT GLFRD A104, STORRS CT 06269	10012001	07012002	109.73	OUT OF STATE
83	CLINE ANDREW W	406 S EAGLE VILLE RD, STORRS CT 06268	10012001	07012002	28.41	CANNOT LOCATE
82	COOK CAROLINE	PO BOX 136, MANSFIELD CT 06250 0136	10012001	07012002	280.09	CANNOT LOCATE
04	COOPER DARIEN S	206 KELLER HALL, STORRS CT 06269 6524	10012001	07012002	40.43	CANNOT LOCATE
67	COSGROVE ROBERT J JR	279 WOODLAND RD, STORRS CT 06268 2332	10012001	07012002	13.75	OUT OF STATE
68	COSGROVE ROBERT J OR	279 WOODLAND RD, STORRS CT 06268 2332	10012001	07012002	149.19	OUT OF STATE
12	CYR KIMBERLY A	POBX243, N WINDHAM CT 06256 0243	10012001	07012002	33.69	CANNOT LOCATE
13	CYR KIMBERLY A	PO BOX 243, N WINDHAM CT 06256 0243	10012001	07012002	70.76	CANNOT LOCATE
33	DARYL TODD A	950 STORRS RD, STORRS CT 06268	10012001	07012002	147.76	CANNOT LOCATE
37	DATTEL ANDY	BOX 827, STORRS CT 06268 0827	10012001	07012002	327.75	CANNOT LOCATE
39	DIXON CATHY A	901 WRIGHTS WAY, STORRS CT 06268	10012001	07012002	61.60	OUT OF STATE
30	DOLLOFF MARY L	1002 STAFFORD RD, STORRS CT 06268	10012001	07012002	385.77	CANNOT LOCATE
12	DUCHAINEAU MILHOMME K OR	305 STORRS RD, MANSFIELD CNTR CT 06250 1216	10012001	07012002	31.76	CANNOT LOCATE
73	DUPUY JUAN M	U OF CT DPT GEB U3043, STORRS CT 06269	10012001	07012002	25.03	OUT OF COUNTRY
15	ELLIOTT EZRA	36 MT HOPE RD, MANSFIELD CNTR CT 06250 1007	10012001	07012002	384.53	CANNOT LOCATE
2	EPLING GARY A	192 DAVIS RD, STORRS CT 06268 2507	10012001	07012002	120.94	CANNOT LOCATE
3	EPLING GARY A	192 DAVIS RD, STORRS CT 06268 2507	10012001	07012002	146.72	CANNOT LOCATE
1	FADAG HASSAN AA	25 KNOLLWOOD A P, STORRS CT 06268	10012001	07012002	392.70	CANNOT LOCATE
7	FLANNERY LAURA B	895 WARRENVILLE RD, MANSFIELD CT 06250 1030	10012001	07012002	28.88	CANNOT LOCATE
8	FLANNERY LAURA B	895 WARRENVILLE RD, MANSFIELD CNTR CT 06250 1	10012001	07012002	50.55	CANNOT LOCATE
7	FORKO SAMUEL S	16 HUNTING HEIGHTS A6, STORRS CT 06268 1646	10012001	07012002	39.46	OUT OF STATE
4	FUSCO RICHARD G	BOX 473, MANSFIELD CT 06250 0473	10012001	07012002	76.04	CANNOT LOCATE
5	GALLANT PATRICK R	1 FERN DR A1, STORRS CT 06268 1145	10012001	07012002	43.31	CANNOT LOCATE
3	GARDINER EDWARD L OR	608 CRYSTAL LA, STORRS CT 06268	10012001	07012002	109.73	CANNOT LOCATE
1	GARDINER MONA L	608 CRYSTAL LA, STORRS CT 06268				

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GRAND LIST						
T#	NAME	ADDRESS	YEAR	DUE DATE	AMOUNT	REASON
92	GEORGE WILLIE K	168 YALE RD, STORRS CT 06268 1242	10012001	07012002	34.18	CANNOT LOCATE
62	GRANVILLE ELLIOTT S	31 BRIARCLIFF RD, MANSFIELD CT 06250 1402	10012001	07012002	100.60	CANNOT LOCATE
16	HOLLOMAN KATHY A	84C BAXTER RD, STORRS CT 06268 1190	10012001	07012002	303.68	OUT OF STATE
60	HONG YAN	369 FAIRFIELD RD 31, STORRS CT 06269 9016	10012001	07012002	66.41	CANNOT LOCATE
99	IKEBE TAKERU	DERBY HALL 108, STORRS CT 06269	10012001	07012002	131.86	CANNOT LOCATE
45	JACOBS LOUISE L	198 B FOSTER DR, WILLIMANTIC CT 06226 1535	10012001	07012002	190.03	CANNOT LOCATE
68	JAIN SHALINI	131 HILLYNDALE RD, STORRS CT 06268 1819	10012001	07012002	49.09	CANNOT LOCATE
69	JAIN SHALINI	131 HILLYNDALE RD, STORRS CT 06268 1819	10012001	07012002	54.86	CANNOT LOCATE
95	JAN ELAINA M	2 S EAGLEVILLE RD EXT, STORRS CT 06268 9998	10012001	07012002	138.60	OUT OF STATE
77	KELLEY MAUREEN D	468 B S EAGLEVILLE, STORRS CT 06268	10012001	07012002	62.10	CANNOT LOCATE
78	KELLEY MAUREEN D	468B S EAGLEVILLE RD, STORRS CT 06268 1833	10012001	07012002	32.18	CANNOT LOCATE
104	KENDZIOR ERICKA J	557 STORRS RD, MANSFIELD CT 06250 1224	10012001	07012002	119.35	CANNOT LOCATE
105	KENDZOIR ERICKA	557 STORRS RD, MANSFIELD CNTR CT 06250 1224	10012001	07012002	66.91	CANNOT LOCATE
134	KEY JAMES L	146 ATWOODVILLE RD, MANSFIELD CNTR CT 06250 1	10012001	07012002	66.41	CANNOT LOCATE
135	KEY LARISA KRANTZ	146 ATWOODVILLE RD, MANSFIELD CT 06250 1106	10012001	07012002	53.43	CANNOT LOCATE
182	KYES TIMOTHY A	865 STAFFORD RD, STORRS CT 06268 2006	10012001	07012002	337.37	CANNOT LOCATE
186	LAVIGNE DEBRA L	121B COVENTRY RD, MANSFIELD CNTR CT 06250 143	10012001	07012002	259.41	OUT OF STATE
258	LU KUNZHONG	1 NORTHWOOD RD A128, STORRS CT 06268 1900	10012001	07012002	141.02	CANNOT LOCATE
	MASON DAVID R	1808 STORRS RD, STORRS CT 06268 1207	10012001	07012002	25.03	CANNOT LOCATE
	MASSEY CON S	207 N EAGLEVILLE RD, STORRS CT 06268 1919	10012001	07012002	472.12	OUT OF STATE
30	MCCOLLUM CRAIG M	111C MCCOLLUM CIR, MANSFIELD DPT CT 06251 510	10012001	07012002	106.84	CANNOT LOCATE
249	MUJIB JANNATUL F	3D ZYGMUNT DR, STORRS CT 06268 1562	10012001	07012002	134.28	CANNOT LOCATE
134	NAPOLITANO SHAUN L	399 BASSETTS BRDGE RD, MANSFIELD CT 06250 130	10012001	07012002	94.82	CANNOT LOCATE
758	PHILLIPS ERIC S	1184 STORRS RD, STORRS CT 06268 2231	10012001	07012002	38.03	CANNOT LOCATE
199	RHOADES RYON J	609A WORMWOOD HILL RD, MANSFIELD CNTR CT 0625	10012001	07012002	52.47	CANNOT LOCATE
103	SALSMAN JOHNNIANN AND	PO BOX 553, STORRS CT 06268 0553	10012001	07012002	207.90	OUT OF STATE
761	SCHUMANN ROBERT T II	15B CARRIAGE HOUSE, STORRS CT 06268	10012001	07012002	69.30	CANNOT LOCATE
135	SIMON MARK	603 WORMWOOD HL RD, MANSFIELD CT 06250 1037	10012001	07012002	117.43	CANNOT LOCATE
115	SPIESS FRANZ J	13 C CLUBHOUSE RD, STORRS CT 06268 1640	10012001	07012002	58.25	CANNOT LOCATE
159	SWEENEY KIMBERLY A	24 DODD RD, MANSFIELD CNTR CT 06250 1207	10012001	07012002	406.67	CANNOT LOCATE
257	VARGAS ROBERTO A	2095 HILLSIDE RD U78, STORRS CT 06269 9017	10012001	07012002	44.28	CANNOT LOCATE
180	WADDELL GREG	11 GILBERT RD UCONN, STORRS CT 06269	10012001	07012002	71.72	CANNOT LOCATE
107	WALKER GERRY T	6C CARLTON RD, STORRS CT 06268 2563	10012001	07012002	157.85	OUT OF STATE
146	WANG SIDNEY M	QUINEBAUG 311 GRAD, STORRS CT 06269	10012001	07012002	453.83	CANNOT LOCATE
123	WATSON DALE J	529 STORRS RD, MANSFIELD CNTR CT 06250 1235	10012001	07012002	191.54	CANNOT LOCATE
140	WHEATT TYWAYNE B	626 GILBERT RD, STORRS CT 06269 9023	10012001	07012002	202.62	OUT OF STATE
156	WILSON ROBERT D JUR	196F FOSTER DR, WILLIMANTIC CT 06226 1533	10012001	07012002	103.13	CANNOT LOCATE
163	XIA GUANGUANG	CHEM DEPT U60 UCONN, STORRS CT 06269	10012001	07012002	52.94	CANNOT LOCATE
189	ZOUFAN KEIVAN	77 KAYA LANE, MANSFIELD CT 06250 1332	10012001	07012002	331.10	CANNOT LOCATE
180	CAFE' EARTH LLC C/O	1244 STORRS RD, STORRS. CT 06268	10012001	07012002	64.64	OUT OF BUSINESS
75	HUSKY BLUES	1254 STORRS RD, STORRS CT 06268	10012001	07012002	47.03	OUT OF BUSINESS
44	MANSFIELD MOTORCAR CO LLC	213 STAFFORD RD, MANSFIELD CTR. CT 06250	10012001	07012002	2.75	CANNOT LOCATE
48	RLH RECORDS INC D/B/A	P O BOX 315, S WINDSOR. CT 06074	10012001	07012002	128.44	OUT OF BUSINESS
	BROWN DAVID E	P O BOX 533, MANSFIELD CNTR, CT 06250	10012001	01012003	122.10	OTHER
	TOMAN EMILY	91 CHAFFEEVILLE RD #5, MANSFIELD CNTR, CT 062	10012001	01012003	75.08	OTHER
83	COOK CAROLINE	PO BOX 136, STORRS CT	10012001	01012003	27.09	CANNOT LOCATE
85	COOPER DARIEN	101 S EAGLEVILL RD, STORRS CT	10012001	01012003	121.77	CANNOT LOCATE
86	COOPER DARIEN S	101 S EAGLEVILLE RD, STORRS CT	10012001	01012003	44.88	CANNOT LOCATE
03	COSGROVE PATRICK P	34 WESTFORD AVE 2, STORRS CT 06268				

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ST#	NAME	ADDRESS	GRAND LIST		AMOUNT	REASON
			YEAR	DUE DATE		
539	DONNELLY BRIAN J	140 CARRIAGE HOUSE, STORRS CT	10012001	01012003	86.16	CANNOT LOCATE
592	EL AASSER MOSTAFA A	230 HUNTING LODGE A4E, STORRS CT	10012001	01012003	39.27	CANNOT LOCATE
706	GALINAT TRACY L	90A MANSFIELD HLW RD, MANSFIELD CNTR CT	10012001	01012003	44.41	CANNOT LOCATE
794	GRIFFIN GLENN A	1559 STAFFORD RD 2, STORRS CT	10012001	01012003	76.53	CANNOT LOCATE
951	HUSSEY DIANE E	1 SILO CIR A201, STORRS CT	10012001	01012003	4.10	CANNOT LOCATE
032	KENDZIOR ERICA J	557 STORRS RD, MANSFIELD CT	10012001	01012003	132.72	CANNOT LOCATE
102	KRUEGER COREY L	196 F FOSTER DR, WILLIMANTIC CT	10012001	01012003	235.81	OUT OF STATE
196	LIU TIAN	202E CHASE GOING WDHS, STORRS CT	10012001	01012003	111.40	OUT OF STATE
242	MAGIL DARYLE C	BOX 121, STORRS CT	10012001	01012003	26.48	CANNOT LOCATE
288	MASON DAVID R	1808 STORRS RD, STORRS CT	10012001	01012003	9.38	CANNOT LOCATE
461	NEIDIG DEREK A	67 HILLYN DALE, STORRS CT	10012001	01012003	49.39	OUT OF STATE
486	NOBLE JOHN P	1440 B STAFFORD RD, STORRS CT	10012001	01012003	354.39	CANNOT LOCATE
632	QUICK KIMBERLY A	49 D E BROOK HTS, MANSFIELD CNTR CT	10012001	01012003	354.70	CANNOT LOCATE
663	RHODES DANNY	179 E ROBERTS DR, MANSFIELD CT	10012001	01012003	173.97	CANNOT LOCATE
814	SHAW KATHERINE E	11 RIVERVIEW RD, MANSFIELD CNTR CT	10012001	01012003	128.26	CANNOT LOCATE
004	TEPAS MATTHEW A	47 ELIZABETH RD, MANSFIELD CT	10012001	01012003	182.30	CANNOT LOCATE

TOTAL 2001 - 101 13,317.15  
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TAX YEAR 2002

077	AGARWAL DEEPAK K	33 CHENNEY DR, STORRS CT 06268 2048	10012002	07012003	303.89	CANNOT LOCATE
121	ALEXANDER MARGARET A	56C EASTBROOK HTS RD, MANSFIELD CNTR CT 06250	10012002	07012003	275.60	OUT OF STATE
128	ALIMOV BOBUR S	U200 BOX 151 UCONN, STORRS CT 06268	10012002	07012003	29.58	CANNOT LOCATE
162	ALMOHMEED ABDULAZIZ M	1 EASTWOOD RD, STORRS CT 06268 2404	10012002	07012003	45.60	CANNOT LOCATE
178	AMES CAROL H	140 COURTYARD LAKE, STORRS CT 06268 2288	10012002	07012003	124.43	OUT OF STATE
239	ANTONELLI WENDALL OR	30 HUNTING HGTS DR 2, STORRS CT 06268 1619	10012002	07012003	59.22	CANNOT LOCATE
425	BALI EVAN P	37 B HUNTING HIEGHTS, STORRS CT 06268	10012002	07012003	107.42	CANNOT LOCATE
455	BARBOSA MICHELLE M	436 MULBERRY RD, MANSFIELD CT 06250 1000	10012002	07012003	270.90	OUT OF STATE
456	BARBOSA MICHELLE M	436 MULBERRY RD, MANSFIELD CNTR CT 06250 1000	10012002	07012003	266.17	OUT OF STATE
586	BECK SIGRID E O	799 B MIDDLE TPKE, STORRS CT 06268 1302	10012002	07012003	75.99	CANNOT LOCATE
738	BERKOWITZ TAMMY	435 EAGLEVILLE RD, STORRS CT 06268 1821	10012002	07012003	79.64	CANNOT LOCATE
743	BERNARDI CRISTINA	445 WHITNEY RD, STORRS CT 06268	10012002	07012003	23.59	CANNOT LOCATE
783	BHARATHAN INDU T	E206 ENFIELD HALL, STORRS CT 06268	10012002	07012003	36.17	CANNOT LOCATE
109	BRICENO ERIK A	425 MIDDLE TPK, STORRS CT 06268 1641	10012002	07012003	67.07	OUT OF STATE
160	BROTHERS LILIANE F	6A EAGLE CT, STORRS CT 06268 1837	10012002	07012003	193.86	OUT OF STATE
161	BROTHERS RONALD R	6A EAGLE CT, STORRS CT 06268 1837	10012002	07012003	126.80	OUT OF STATE
162	BROTHERS RONALD R	6A EAGLE CENTER, STORRS CT 06268 1837	10012002	07012003	125.75	OUT OF STATE
283	BURNS PATRICK R	106 BROOKSIDE LN, MANSFIELD CNTR CT 06250 111	10012002	07012003	354.73	CANNOT LOCATE
284	BURNS PATRICK R	106 BROOKSIDE LANE, MANSFIELD CT 06250 1110	10012002	07012003	85.93	CANNOT LOCATE
484	CARPENTER KATHERINE OR	1A COLLEGE PK, STORRS CT 06268 2713	10012002	07012003	101.14	OUT OF STATE
378	CHAMBERS LAJANA I	3D CARLTON RD, STORRS CT 06268 2560	10012002	07012003	58.68	CANNOT LOCATE
363	CHAVES ANTONIO R	406 WORMWOOD HILL RD, MANSFIELD CNTR CT 06250	10012002	07012003	29.88	CANNOT LOCATE
367	CHEN HUIHIN	102 KILLINLY HLL UCON, STORRS CT 06268	10012002	07012003	54.49	CANNOT LOCATE
376	CHEN SHAN LEI	UCONN ENFIELD 101, STORRS CT 06268	10012002	07012003	57.13	CANNOT LOCATE
389	CHENG XIAOHIN	101 S EAGLEVILLE RD, STORRS CT 06268 2551	10012002	07012003	63.41	CANNOT LOCATE
725	CHO JUNGHO JEFF	36A DARTMOUTH RD, STORRS CT 06268 1205	10012002	07012003	523.95	OUT OF STATE
729	CHOI KWANGDUK	40BB ASLOP HALL, STORRS CT 06268	10012002	07012003	225.30	CANNOT LOCATE
732	CHOI YOUNG SOOK	65 MANSFIELD APT 1, STORRS CT 06268	10012002	07012003	63.11	CANNOT LOCATE

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ST#	NAME	ADDRESS	YEAR	DUE DATE	AMOUNT	REASON
962	COOK CAROLINE	PO BOX 136, MANSFIELD CT 06250 0136	10012002	07012003	264.61	OUT OF STATE
984	COOPER DARIEN	101 S EAGLEVILLE RD, GURLEYVILLE CT 06268 2551	10012002	07012003	125.24	CANNOT LOCATE
985	COOPER DARIEN S	101 S EAGLEVILLE RD, STORRS CT 06268 2551	10012002	07012003	82.28	CANNOT LOCATE
990	COOPER TIM P	2D YALE RD, STORRS CT 06268 1248	10012002	07012003	58.17	CANNOT LOCATE
999	CORCORAN JOSEPH F	126 WOODS RD, MANSFIELD CNTR CT 06250 1533	10012002	07012003	100.09	CANNOT LOCATE
049	COSGROVE ROBERT J JR	279 WOODLAND RD, STORRS CT 06268 2332	10012002	07012003	14.97	OUT OF STATE
050	COSGROVE ROBERT J OR	279 WOODLAND RD, STORRS CT 06268 2332	10012002	07012003	143.05	OUT OF STATE
279	DATTEL ANDY	BOX 827, STORRS CT 06268 0827	10012002	07012003	310.18	CANNOT LOCATE
316	DAVIS SUSAN MARIE	BOX 256, MANSFIELD CT 06250 0256	10012002	07012003	48.20	CANNOT LOCATE
466	DHAROD JIGNA M	61 CHENEY DR, STORRS CT 06268 2032	10012002	07012003	51.35	CANNOT LOCATE
509	DING ZHIQUN	JEWETT 107 UCONN, STORRS CT 06268	10012002	07012003	156.14	CANNOT LOCATE
512	DINO TEODULO LORENZO	PO BOX 567, STORRS CT 06268 0567	10012002	07012003	49.25	CANNOT LOCATE
562	DOLLOFF MARY L	1002 STAFFORD RD, MANSFIELD CT 06250	10012002	07012003	364.46	CANNOT LOCATE
574	DONG SHUYUN	BRANFORD 207, STORRS CT 06268	10012002	07012003	102.69	CANNOT LOCATE
704	DUAN HUI	1 NORTHWOOD RD 15, STORRS CT 06268 1925	10012002	07012003	191.77	CANNOT LOCATE
910	EL AASSER MOSTAFA A	230 HUNTING LODGE A4E, STORRS CT 06268 1559	10012002	07012003	72.31	CANNOT LOCATE
911	EL BAZ JOHANNA	UCONN 111 ENFIELD, STORRS CT 06268	10012002	07012003	42.45	CANNOT LOCATE
928	ELLIOTT EZRA	36 MT HOPE RD, MANSFIELD CNTR CT 06250 1007	10012002	07012003	376.74	CANNOT LOCATE
	EMERSON BRYANT C	141 DAVIS RD, STORRS CT 06268 2523	10012002	07012003	33.53	CANNOT LOCATE
	FANG HUNGCHUN	48 WEAVERS RD, STORRS CT 06269 9030	10012002	07012003	57.13	CANNOT LOCATE
067	FANG LI	206 QUINEBAUG HALL, STORRS CT 06268	10012002	07012003	118.95	CANNOT LOCATE
121	FENG ZHENGQUAN	S EAGLEVILLE RD A18, STORRS CT 06268	10012002	07012003	54.49	OUT OF STATE
234	FLANNERY LAURA B	895 WARRENVILLE RD, MANSFIELD CT 06250 1030	10012002	07012003	29.34	CANNOT LOCATE
330	FORTIN MATTHEW J	1925 STORRS RD, STORRS CT 06268 1230	10012002	07012003	30.39	CANNOT LOCATE
382	FREY DAVID A	3D PERREGAUX RD, STORRS CT 06268 1543	10012002	07012003	134.67	CANNOT LOCATE
408	FU QINGHONG	118 FOSTER DR, WILLIMANTIC CT 06226 1558	10012002	07012003	118.95	CANNOT LOCATE
477	GALINAT TRACY L	90A MANSFIELD HLW RD, MANSFIELD CNTR CT 06250	10012002	07012003	70.75	OUT OF STATE
482	GALLANT PATRICK R	1 FERN DR A1, STORRS CT 06268 1145	10012002	07012003	41.92	OUT OF STATE
483	GALLANT PATRICK R	1 FERN DR APT 1, STORRS CT 06268 1145	10012002	07012003	66.56	OUT OF STATE
538	GARDINER MONA L	60 B CRYSTAL LA, STORRS CT 06268 2816	10012002	07012003	34.58	CANNOT LOCATE
571	GAUTHIER YVETTE	1B OLD MILL CRT, STORRS CT 06268 1840	10012002	07012003	215.87	CANNOT LOCATE
531	GEORGE WILLIE K	16B YALE RD, STORRS CT 06268 1242	10012002	07012003	35.12	CANNOT LOCATE
576	GIGER VERENA R	311 ASHFORD, STORRS CT 06268	10012002	07012003	90.66	CANNOT LOCATE
337	GORHAM RICHARD L	152 HIGHLAND RD, MANSFIELD CNTR CT 06250 1546	10012002	07012003	144.25	CANNOT LOCATE
761	GRIFFIN GLENN A	1559 STAFFORD RD 2, STORRS CT 06268 1143	10012002	07012003	8.74	OUT OF STATE
773	GRINER TALI	445 WHITNEY RD, STORRS CT 06268	10012002	07012003	105.84	CANNOT LOCATE
778	GROWINGSATER RACHEL E	302C CRAWFORD, STORRS CT 06268	10012002	07012003	59.73	CANNOT LOCATE
105	GU FANF FANG AND	109 COURTYARD LA, STORRS CT 06268 2285	10012002	07012003	250.45	CANNOT LOCATE
174	HADDAD ROBERT L	5B EAGLE CT, STORRS CT 06268 1835	10012002	07012003	239.46	CANNOT LOCATE
39	HALLE LEO J JR	284A FOSTER DR, WILLIMANTIC CT 06226 1559	10012002	07012003	28.83	CANNOT LOCATE
82	HERNANDEZ CARLOS	109 STAFFORD RD, MANSFIELD CNTR CT 06250 1441	10012002	07012003	47.16	CANNOT LOCATE
83	HERNANDEZ CARLOS	109 STAFFORD RD, MANSFIELD CNTR CT 06250 1441	10012002	07012003	2.99	CANNOT LOCATE
84	HERNANDEZ CARLOS	109 STAFFORD RD, MANSFIELD CNTR CT 06250 1441	10012002	07012003	427.54	CANNOT LOCATE
	HOLLOWAN KATHY A	84C BAXTER RD, STORRS CT 06268 1190	10012002	07012003	276.65	OUT OF STATE
	HONG YAN	369 FAIRFIELD RD 31, STORRS CT 06269 9016	10012002	07012003	67.07	CANNOT LOCATE
86	HYNES JOSEPH P	452 STAFFORD RD, MANSFIELD CT 06250 1425	10012002	07012003	2.99	CANNOT LOCATE
90	HYUN MYUNG TAEK DR	180 F FOSTER DR, WILLIMANTIC CT 06226 6226	10012002	07012003	170.33	OUT OF STATE
38	JACOBS LOUISE L	198B FOSTER DR, WILLIMANTIC CT 06226	10012002	07012003	165.57	CANNOT LOCATE
43	JAHAN THIBAUT M	3 BALL HILL RD, STORRS CT 06268 2026	10012002	07012003	59.22	CANNOT LOCATE

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ST#	NAME	ADDRESS	YEAR	DUE DATE	AMOUNT	REASON
792	JANG SANG IL	42 WETZEL CELERON 4C, STORRS CT 06268	10012002	07012003	783.32	CANNOT LOCATE
910	JEA HYUNJU	33 CHENEY DR, STORRS CT 06268 2048	10012002	07012003	67.60	CANNOT LOCATE
928	JIANG XIAOLU	203 ENFIELD, STORRS CT 06269 7412	10012002	07012003	59.22	CANNOT LOCATE
981	KAQUD CONNIE	1 EAGLE VILLE RD 43, STORRS CT 06268	10012002	07012003	67.07	CANNOT LOCATE
982	KAQUD CONNIE M	1 S EAGLEVILLE RD, STORRS CT 06268 2502	10012002	07012003	147.24	CANNOT LOCATE
983	KAPADIA MUSTAFA Y	104 FOSTER DR, WILLIMANTIC CT 06226 1500	10012002	07012003	102.69	CANNOT LOCATE
991	KARKANTONIS ANTONIOS	202 KILLINGLY HALL, STORRS CT 06269 7423	10012002	07012003	69.70	CANNOT LOCATE
020	KAZUKI TANIGAWA	311 KILLINGLY, STORRS CT 06268	10012002	07012003	97.99	CANNOT LOCATE
021	KAZUTOSHI KUDO	403 NATHAN HALE INC, STORRS CT 06268	10012002	07012003	56.59	CANNOT LOCATE
045	KEIN JUSTIN L	2A MARIE PETERS LN, STORRS CT 06268 1551	10012002	07012003	194.40	CANNOT LOCATE
052	KELLEY MAUREEN D	468 B S EAGLEVILLE, STORRS CT 06268	10012002	07012003	60.27	CANNOT LOCATE
053	KELLEY MAUREEN D	468B S EAGLESVILLE RD, STORRS CT 06268 1833	10012002	07012003	33.29	CANNOT LOCATE
076	KENDZIOR ERICA	557 STORRS RD, MANSFIELD CNTR CT 06250 1224	10012002	07012003	76.50	CANNOT LOCATE
077	KENDZIOR ERICA J	557 STORRS RD, MANSFIELD CT 06250 1224	10012002	07012003	160.33	CANNOT LOCATE
166	KIM TAEKYOUNG	62 CHENEY DR, STORRS CT 06268 2032	10012002	07012003	45.60	CANNOT LOCATE
167	KIM TAEKYOUNG	62 CHENEY DR, STORRS CT 06268 2032	10012002	07012003	329.58	CANNOT LOCATE
242	KLIMEK ADAM J	207 N EAGLEVILLE RD, STORRS CT 06268 1919	10012002	07012003	148.80	CANNOT LOCATE
244	KLINNER JULIAN	36 MANSFIELD HLLW RD, MANSFIELD CNTR CT 06250	10012002	07012003	67.07	CANNOT LOCATE
290	KOCH JAN OR	108 QUINNEBAUG, STORRS CT 06268	10012002	07012003	33.02	CANNOT LOCATE
330	KOPILUTO YAACOV	111 MANSFIELD HOLLOW, MANSFIELD CNTR CT 06250	10012002	07012003	76.50	CANNOT LOCATE
378	KRASNOW KIMBERLY D	683 BROWNS RD, STORRS CT 06268 2722	10012002	07012003	33.53	CANNOT LOCATE
395	KRISHWAN KARTHIK	104 RIDGEFIELD HALL, STORRS CT 06268	10012002	07012003	45.60	CANNOT LOCATE
397	KRITIKOS GEORGE	25C ANTON RD, STORRS CT 06268 1182	10012002	07012003	74.40	CANNOT LOCATE
398	KRITIKOS GEORGE	25C ANTON RD, STORRS CT 06268 1182	10012002	07012003	99.04	CANNOT LOCATE
406	KROHN KRISTOPHER B	205 PLEASANT VLLY RD, MANSFIELD CT 06250 1523	10012002	07012003	52.72	CANNOT LOCATE
447	KYES TIMOTHY A	865 STAFFORD RD, STORRS CT 06268 2006	10012002	07012003	287.66	CANNOT LOCATE
561	LANG GILLIS C	58 DOG LN, STORRS CT 06268 2220	10012002	07012003	123.08	CANNOT LOCATE
645	LAVIGNE DEBRA L	121B COVENTRY RD, MANSFIELD CNTR CT 06250 143	10012002	07012003	223.20	OUT OF STATE
567	LEAHY CAROLYN M	19 HUNTING HGHT DR A3, STORRS CT 06268 1648	10012002	07012003	91.17	CANNOT LOCATE
596	LECHNER CHRISOPHER	34 NORTHWOOD RD APT 7, STORRS CT 06268 1929	10012002	07012003	159.82	CANNOT LOCATE
718	LEE JINHYUN	UCONN HLLTP A19 204A, STORRS CT 06268	10012002	07012003	74.40	CANNOT LOCATE
727	LEE SUN NA	150 FOSTER DR, WILLIMANTIC CT 06226 1558	10012002	07012003	161.92	CANNOT LOCATE
941	LI WEIWEI	U156 PHB 3107 HRS H R, STORRS CT 06268	10012002	07012003	61.83	CANNOT LOCATE
344	LI XU	UCONN DPT GEOLGY U45, STORRS CT 06268	10012002	07012003	41.41	OUT OF STATE
377	LIAM YASHINA R	210 QUNEBG GRAD RSDHC, STORRS CT 06268	10012002	07012003	48.20	CANNOT LOCATE
942	LO YI PIN	680 MIDDLE TPKE, STORRS CT 06268 1323	10012002	07012003	235.27	CANNOT LOCATE
973	LONG PAMELA J	102 STAFFORD RD, MANSFIELD CNTR CT 06250 1421	10012002	07012003	296.05	OUT OF STATE
918	LU KUNZHONG	1 NORTHWOOD RD A128, STORRS CT 06268 1900	10012002	07012003	116.86	CANNOT LOCATE
104	MACDONALD WILLIAM	5A POPLAR DR, MANSFIELD CT 06268	10012002	07012003	121.56	CANNOT LOCATE
30	MADHWAL MAMISH	29C 101 S EAGELVL RD, STORRS CT 06268	10012002	07012003	64.46	CANNOT LOCATE
79	MAKAULA NANA P	25 HILLSIDE CIR, STORRS CT 06268 2408	10012002	07012003	129.43	CANNOT LOCATE
84	MAKRIYANNIS CHRISTOS S	UCONN DERBY HALL 306D, STORRS CT 06268	10012002	07012003	69.16	CANNOT LOCATE
64	MARBURG MATTHIAS	1C PERREGEAUX PL, STORRS CT 06268 1539	10012002	07012003	44.55	CANNOT LOCATE
72	MARCHAT ALLEN	111 HIGHLAND RD, MANSFIELD CNTR CT 06250 1547	10012002	07012003	116.32	CANNOT LOCATE
42	MARTEL GERALD E OR	58B CRYSTAL LN, STORRS CT 06268 1168	10012002	07012003	392.45	CANNOT LOCATE
86	MASON DAVID R	1808 STORRS RD, STORRS CT 06268 1207	10012002	07012003	40.36	CANNOT LOCATE
24	MATYS JUSTIN E J	3D MERROW RD, MANSFIELD CT 06251	10012002	07012003	27.25	CANNOT LOCATE
28	MAY DENNIS P JR	164 HIGHLAND RD, MANSFIELD CNTR CT 06250	10012002	07012003	348.50	CANNOT LOCATE
45	MBOGHO SHADRACK M	101 S EAGLEVILLE 17C, STORRS CT 06268	10012002	07012003	75.45	OUT OF STATE

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LT#	NAME	ADDRESS	GRAND LIST			
			YEAR	DUE DATE	AMOUNT	REASON
676	MCMULLAN NATHANIEL A	BOX 131, MANSFIELD CNTR CT 06250 0131	10012002	07012003	56.08	CANNOT LOCATE
677	MCMULLAN NATHANIEL A	BOX 131, MANSFIELD CNTR CT 06250 0131	10012002	07012003	95.36	CANNOT LOCATE
712	MICELI JOHN P	60 B CRYSTAL LN, STORRS CT 06268 1170	10012002	07012003	403.98	CANNOT LOCATE
320	MINER MAUREEN A	3 BALL HILL, STORRS CT 06268 2026	10012002	07012003	81.74	CANNOT LOCATE
374	MOHD NORDIN NORAZMIR	UCONN HEBRON HALL 107, STORRS CT 06268	10012002	07012003	92.22	CANNOT LOCATE
381	MOLHOJ MICHAEL	MNSFLD AP 69 S EGLVLL, STORRS CT 06268	10012002	07012003	129.43	CANNOT LOCATE
719	MOORHEAD KENNETH E OR	42 MT HOPE RD, MANSFIELD CNTR CT 06250 1007	10012002	07012003	2.99	CANNOT LOCATE
721	MORALES CARLOS A	42 HORSE BARN HILL RD, STORRS CT 06268 1306	10012002	07012003	42.96	OUT OF STATE
742	MUJIB JAHNATUL F	3D ZYGMUNT DR, STORRS CT 06268 1562	10012002	07012003	128.38	CANNOT LOCATE
052	MULLER MARKUS OR	U CONN BRANFORD 402, STORRS CT 06268	10012002	07012003	38.26	CANNOT LOCATE
132	NAKAYAMA KAZNHICO	UNIV OF CT GLFRD 110, STORRS CT 06268	10012002	07012003	120.51	OUT OF STATE
138	NAPOLITANO SHAUN L	399 BASSETTS BRDGE RD, MANSFIELD CT 06250 130	10012002	07012003	89.07	CANNOT LOCATE
189	NDIAYE IBRAHIMA A	30 1 HUNTING HTS DR, STORRS CT 06268	10012002	07012003	79.64	CANNOT LOCATE
224	NELSON MATTHEW	29 ORCHARD DR, STORRS CT 06268 2610	10012002	07012003	89.07	CANNOT LOCATE
268	NICHOLLS ROBERT L JR	314 MCMAHON S, STORRS CT 06268	10012002	07012003	204.34	CANNOT LOCATE
350	NOBLE JOHN P	1440 B STAFFORD RD, STORRS CT 06268 2915	10012002	07012003	425.99	CANNOT LOCATE
436	OKAM HERBERT N	11 BROWNS RD, STORRS CT 06268 2808	10012002	07012003	126.80	OUT OF STATE
488	OHEARA CHRISTOPHER D	1 RUSSETT LN, STORRS CT 06268 1108	10012002	07012003	41.92	CANNOT LOCATE
574	ORMANDY NAOMI L	190E FOSTER DR, WILLIMANTIC CT 06226 1532	10012002	07012003	47.69	CANNOT LOCATE
	ORTIZ WILFREDO	312 F FOSTER DR, WILLIMANTIC CT 06226 6226	10012002	07012003	51.50	CANNOT LOCATE
590	PAGE MELISSA A	1917B STORRS RD, STORRS CT 06268 1258	10012002	07012003	28.29	CANNOT LOCATE
684	PARROW BRIAN A	484 BROWNS RD, STORRS CT 06268 2707	10012002	07012003	176.56	CANNOT LOCATE
705	PATRICK RYAN	458 S EAGLEVILLE RD, STORRS CT 06268 1820	10012002	07012003	204.34	CANNOT LOCATE
727	PAYNE DENISE C	441 N EAGLEVILLE RD, STORRS CT 06268 1810	10012002	07012003	50.30	CANNOT LOCATE
825	PERMENTER ALICE F	38 MULBERRY RD, MANSFIELD CNTR CT 06250 1119	10012002	07012003	54.49	OUT OF STATE
895	PHAM CHRISTINA OR	101 S EAGLEVL RD 5B, STORRS CT 06268	10012002	07012003	36.17	CANNOT LOCATE
899	PHILBRICK KENNETH	P O BOX 41, MANCHESTER CT 06045 0041	10012002	07012003	160.33	CANNOT LOCATE
150	QUICK KIMBERLY A	49 D E BROOK HTS, MANSFIELD CNTR CT 06250	10012002	07012003	338.47	OUT OF STATE
178	RAEKOW YONA S S	UCONN RIDGEFIELD 205, STORRS CT 06268	10012002	07012003	64.46	CANNOT LOCATE
202	RAMOT GIL	101 S EAGLEVILLE RD, STORRS CT 06268 2551	10012002	07012003	58.17	CANNOT LOCATE
203	RAMPALLI SRIRAM	15 CHENEY DR, STORRS CT 06268 2045	10012002	07012003	82.28	CANNOT LOCATE
206	RANCOURT FLORABELLE B	204 WRIGHTS WAY, STORRS CT 06268 2058	10012002	07012003	19.40	CANNOT LOCATE
227	RASOANAIVO GUY R	611 MIDDLE TPKE U9A, STORRS CT 06268 1631	10012002	07012003	42.45	CANNOT LOCATE
259	RECHT BRIAN R	662 CHAFFEEVILLE RD, STORRS CT 06268 2399	10012002	07012003	44.55	CANNOT LOCATE
304	RENGARAJAN ANAND	141 DAVIS RD, STORRS CT 06268 2523	10012002	07012003	149.85	CANNOT LOCATE
348	RHINES JOHN D	534 STORRS RD APT B, MANSFIELD CT 06250 1222	10012002	07012003	93.26	CANNOT LOCATE
349	RHOADES RYON J	609A WORMWOOD HILL RD, MANSFIELD CNTR CT 0625	10012002	07012003	56.08	CANNOT LOCATE
352	RHODES DANNY	179 E FOSTER DR, WILLIMANTIC CT 06226	10012002	07012003	236.32	CANNOT LOCATE
368	RICE DANIEL O	BOX 248, STORRS CT 06268 0248	10012002	07012003	49.94	OUT OF STATE
396	RIDER LOUISE P	23 SILO ROAD, STORRS CT 06268 2063	10012002	07012003	250.45	CANNOT LOCATE
407	RIGAIL ANDRES F	438 WHITNEY RD, STORRS CT 06268	10012002	07012003	59.73	CANNOT LOCATE
414	RIQUX DANIEL G	309 N EAGLEVILLE RD, STORRS CT 06268 1923	10012002	07012003	2.00	CANNOT LOCATE
417	RIQUIER DAWN M	BOX 241, WILLIMANTIC CT 06226	10012002	07012003	26.35	CANNOT LOCATE
419	RITCHINGS CHRISTOPHER J	16 CORNELL RD APT B, STORRS CT 06268 1241	10012002	07012003	90.66	CANNOT LOCATE
	RIVERA DORIS A	23 WHITE OAK A 1B, STORRS CT 06268	10012002	07012003	126.29	CANNOT LOCATE
30	RIVERA IRMA ESTELA	11B CLUBHOUSE CIR, STORRS CT 06268 1638	10012002	07012003	2.09	CANNOT LOCATE
89	ROBINSON GLEN	364-D FOSTER DR, WILLIMANTIC CT 06226 1547	10012002	07012003	45.60	CANNOT LOCATE
35	ROGALLA MARION	204 GUILFORD UCONN, STORRS CT 06269	10012002	07012003	62.87	CANNOT LOCATE
51	ROJANAPITAYAKORN PICHET	297 N EAGLEVILLE RD, MANSFIELD CT 06268	10012002	07012003	120.00	CANNOT LOCATE

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ST#	NAME	ADDRESS	YEAR	DUE DATE	AMOUNT	REASON
759	SALACAN MICHELLE J	CRAWFORD 304 B, STORRS CT 06268	10012002	07012003	135.18	CANNOT LOCATE
769	SALSMAN JONNIANN AND	PO BOX 553, STORRS CT 06268 0553	10012002	07012003	170.81	CANNOT LOCATE
808	SANELLI KATHLEEN V	1917A STORRS RD, STORRS CT 06268 1258	10012002	07012003	78.59	CANNOT LOCATE
861	SAVYTSKA NATALIYA Y	196 AUDITORIUM RD 009, STORRS CT 06269 9012	10012002	07012003	89.61	CANNOT LOCATE
926	SCHULTZ JESSICA	44 CONSTITUTION SQ, MANSFIELD CNTR CT 06250 1	10012002	07012003	171.35	CANNOT LOCATE
928	SCHUMANN ROBERT T II	158 CARRIAGE HOUSE, STORRS CT 06268	10012002	07012003	66.56	CANNOT LOCATE
991	SEGEL EDWARD D	84 CHENEY DR, STORRS CT 06268 2052	10012002	07012003	44.55	CANNOT LOCATE
033	SESHAGIRIRAO KUMARASWAMY	264 MT HOPE RD A7, MANSFIELD CT 06250 1011	10012002	07012003	67.07	CANNOT LOCATE
070	SHARMA RAVINDER	K304 GRAD RES UCONN, STORRS CT 06268	10012002	07012003	63.41	CANNOT LOCATE
092	SHAW KATHERINE E	11 RIVERVIEW RD, MANSFIELD CNTR CT 06250 1633	10012002	07012003	227.39	CANNOT LOCATE
135	SHI XIN	PRESTON 305, STORRS CT 06268	10012002	07012003	111.08	CANNOT LOCATE
196	SIERRA JULIA E	346 G FOSTER DR, WILLIMANTIC CT 06226 1545	10012002	07012003	50.84	CANNOT LOCATE
221	SIMON MARK	603 WORMWOOD HL RD, MANSFIELD CT 06250 1037	10012002	07012003	119.46	CANNOT LOCATE
360	SMITH GORDON	38 OLSEN DR, MANSFIELD CNTR CT 06250 1125	10012002	07012003	239.97	CANNOT LOCATE
369	SMITH JOAN A	BOX 363, WINDHAM CT 06280	10012002	07012003	85.93	CANNOT LOCATE
381	SMITH LISA M	4B CARLTON RD, MANSFIELD CT 06268	10012002	07012003	117.36	CANNOT LOCATE
383	SMITH MATTHEW A	37 LODI DR, STORRS CT 06268 2569	10012002	07012003	212.72	OUT OF STATE
521	SPIESS FRANZ J	13 C CLUBHOUSE RD, STORRS CT 06268 1640	10012002	07012003	56.59	CANNOT LOCATE
750	STOCKING CAROLYN J	19 HILLSIDE CIR, STORRS CT 06268 2408	10012002	07012003	197.01	CANNOT LOCATE
802	STRINGER WILLIAM C	BOX 381, STORRS CT 06268 0381	10012002	07012003	41.41	CANNOT LOCATE
817	STUART PATRICIA	5 FORT GRISWOLD LN, MANSFIELD CNTR CT 06250 1	10012002	07012003	161.92	CANNOT LOCATE
841	SUGISAKI KOJI	MILFORD 103 UCONN, STORRS CT 06268	10012002	07012003	86.98	CANNOT LOCATE
860	SUN RUIXUE	208 BRANFORD UCONN, STORRS CT 06268	10012002	07012003	57.13	CANNOT LOCATE
868	SUNG SOO CHO	4D WETZEL WAY, STORRS CT 06268 1532	10012002	07012003	609.88	CANNOT LOCATE
874	SUROWIECKI MICHAEL T JR	98 MIDDLE TPKE, MANSFIELD DPT CT 06251 5107	10012002	07012003	156.14	CANNOT LOCATE
981	TASSEL DORIANE	8 LIBERTY DR, MANSFIELD CT 06250 1548	10012002	07012003	41.92	CANNOT LOCATE
982	TATE RANDY S	9 RIVER RD, MANSFIELD CT 06250 1018	10012002	07012003	2.00	CANNOT LOCATE
985	TATRO PAUL E	5B POPLAR LN, STORRS CT 06268 2742	10012002	07012003	6.44	CANNOT LOCATE
041	TEJADA ANGEL	238 FOSTER DR, WILLIMANTIC CT 06226 6226	10012002	07012003	116.77	CANNOT LOCATE
047	TEPAS MATTHEW A	47 ELIZABETH RD, MANSFIELD CT 06250 1117	10012002	07012003	216.41	CANNOT LOCATE
071	THEBPANYA SANSANEE	101 S EGLVILLE RD 5A, STORRS CT 06268	10012002	07012003	71.26	CANNOT LOCATE
175	TODD JAMES E JR	83 LITTLEFIELD BOX275, MANSFIELD CT 06269 027	10012002	07012003	30.93	CANNOT LOCATE
197	TOMPKINS JARED R	1308 STAFFORD RD, MANSFIELD CT 06268	10012002	07012003	233.17	OUT OF STATE
221	TOPSHE CURTISS R	123 STORRS RD, MANSFIELD CNTR CT 06250 1638	10012002	07012003	115.27	CANNOT LOCATE
232	TOTH TIMOTHY A	209 PLEASANT VLLY RD, MANSFIELD CNTR CT 06250	10012002	07012003	1.90	OUT OF STATE
303	TRIOMPHE EMMANUEL	713 MACMAHEN-NORTH, STORRS CT 06268	10012002	07012003	66.02	CANNOT LOCATE
371	TURKIN JESSE	1555 STAFFORD RD 1, MANSFIELD CT 06268	10012002	07012003	59.73	CANNOT LOCATE
499	VARGAS ROBERTO A	2095 HILLSIDE RD U78, STORRS CT 06268	10012002	07012003	45.06	CANNOT LOCATE
528	VICTOR CHRISTOPHER R	111A DEPOT RD, MANSFIELD CT 06251	10012002	07012003	102.69	CANNOT LOCATE
518	WADDELL GREG	11 GILBERT RD UCONN, STORRS CT 06268 1730	10012002	07012003	69.70	CANNOT LOCATE
547	WALKER GERRY T	6C CARLTON RD, STORRS CT 06268 2563	10012002	07012003	150.90	OUT OF STATE
774	WATSON DALE J	529 STORRS RD, MANSFIELD CNTR CT 06250 1235	10012002	07012003	175.00	CANNOT LOCATE
799	WEAVER DERICK C	UCONN ALUMNI HS U 53, STORRS CT 06268	10012002	07012003	48.74	CANNOT LOCATE
100	WEBBER GINGER L	5 C CARLTON RD, STORRS CT 06268 2504	10012002	07012003	324.34	CANNOT LOCATE
126	WEI GAO	Q201 GRADUATE RESDNCE, STORRS CT 06268	10012002	07012003	108.98	CANNOT LOCATE
192	WHEATT TYWAYNE B	626 GILBERT RD, STORRS CT 06268	10012002	07012003	183.92	OUT OF STATE
145	WIENER JONATHAN S	246 WOODLAND RD, STORRS CT 06268 2330	10012002	07012003	36.17	CANNOT LOCATE
00	WILSON ROBERT D JR	196 FOSTER DR AF, WILLIMANTIC CT 06226 1533	10012002	07012003	103.23	CANNOT LOCATE
16	WISE MEGAN A	7 WESTWOOD RD, STORRS CT 06268 2403	10012002	07012003	242.60	CANNOT LOCATE

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ST#	NAME	ADDRESS	GRAND LIST			
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076	WRAGG TAMMY	294 HAWKS HILL RD, STORRS CT 06268 2316	10012002	07012003	209.58	CANNOT LOCATE
095	WU HAO	105 AHERN LN HAMPTON, MANSFIELD DPT CT 06251	10012002	07012003	77.54	CANNOT LOCATE
096	WU JIAN	RIDGEFIELD HALL RM106, STORRS CT 06268	10012002	07012003	125.75	CANNOT LOCATE
100	WU XIAMING	17 WILDWOOD RD, STORRS CT 06268 2312	10012002	07012003	77.04	CANNOT LOCATE
116	XIA GUANGUANG	CHEM DEPT U60 UCONN, STORRS CT 06268	10012002	07012003	51.35	CANNOT LOCATE
130	XU LIANG	U200 BX145 UCONN, STORRS CT 06268	10012002	07012003	81.74	CANNOT LOCATE
134	YAN DAJING	67 CHENEY DR, STORRS CT 06268 2032	10012002	07012003	177.10	CANNOT LOCATE
137	YAN TU	MILFORD HALL 203, STORRS CT 06268	10012002	07012003	57.13	CANNOT LOCATE
175	YAO LILI	207 PRESTON HALL, STORRS CT 06268	10012002	07012003	66.02	CANNOT LOCATE
190	YONG SUNG CHUN	228 FOSTER DR, WILLIMANTIC CT 06226 1559	10012002	07012003	82.28	CANNOT LOCATE
205	YOUNG KWON M AND	202 FOSTER DR, WILLIMANTIC CT 06226 1558	10012002	07012003	110.09	CANNOT LOCATE
213	YUAN JING YAN	MAYFLD 75 1S EGLVL RD, STORRS CT 06268	10012002	07012003	52.93	CANNOT LOCATE
215	YUE HONGTAO	R307 445 WHITNEY RD, STORRS CT 06268	10012002	07012003	66.02	CANNOT LOCATE
269	ZHANG SHOU QUAN	297 N EAGLEVILLE RD, STORRS CT 06268 1923	10012002	07012003	66.02	CANNOT LOCATE
280	ZHANG YIN	U200 BX87 C207 UCONN, STORRS CT 06268	10012002	07012003	164.01	CANNOT LOCATE
286	ZHAO JU	97 N EAGLEVILLE RD, STORRS CT 06268 1712	10012002	07012003	125.45	CANNOT LOCATE
287	ZHAO JUN DR	380 STORRS RD AB, MANSFIELD CT 06250 1233	10012002	07012003	250.45	CANNOT LOCATE
355	ZOUFAN KEIVAN	77 KAYA LANE, MANSFIELD CT 06250 1332	10012002	07012003	290.81	CANNOT LOCATE
376	KIM HAN W	170 SPRING HILL RD 1C, STORRS CT 06268	10012002	07012003	148.81	CANNOT LOCATE
	BROWN DAVID E	P O BOX 533, MANSFIELD CNTR, CT 06250	10012002	01012004	132.94	OTHER
479	TOMAN EMILY	91 CHAFFEEVILLE RD #5, MANSFIELD CNTR, CT 062	10012002	01012004	81.74	OTHER
1030	AMARTEY NIL	32B KNOLLWOOD, STORRS CT	10012002	01012004	74.40	CANNOT LOCATE
1031	AMARTEY NIL A	32B KNOLLWOOD APTS, STORRS CT	10012002	01012004	42.28	CANNOT LOCATE
1032	AMARTEY NIL A	101 S EAGLEVILLE RD, STORRS CT	10012002	01012004	10.69	CANNOT LOCATE
1087	BALCI ALI METIN	260 GLENBROOK RD 2157, STORRS CT	10012002	01012004	66.44	CANNOT LOCATE
1088	BALCI ALI METIN	UCONN ELECT COMP R202, STORRS CT	10012002	01012004	45.21	CANNOT LOCATE
1147	BHARATHAN INDU T	E206 ENFIELD HALL, STORRS CT	10012002	01012004	182.57	CANNOT LOCATE
1161	BLANCHETTE JOSHUA C	294B FOSTER DR, WILLIMANTIC CT	10012002	01012004	189.43	CANNOT LOCATE
1218	BROWN RICHARD	107 HEBRON, STORRS CT	10012002	01012004	42.78	CANNOT LOCATE
1308	CHAKRABORTY SOMUDRA	865 STAFFORD RD, STORRS CT	10012002	01012004	185.12	CANNOT LOCATE
1324	CHASSE KATHLEEN	55 CIRCLE DR, MANSFIELD CT	10012002	01012004	13.65	CANNOT LOCATE
1327	CHEN LEI	201 JEWETT CITY HALL, STORRS CT	10012002	01012004	112.42	CANNOT LOCATE
1336	CHIEH LO H	445 WHITNEY RD, STORRS CT	10012002	01012004	79.70	CANNOT LOCATE
1565	EUSEBIO CHRISTIAN A	20 HUSKY CIR A309, STORRS CT	10012002	01012004	119.07	CANNOT LOCATE
1655	GASSNER KARLHEINZ J	102 PRESTON U-CONN, STORRS CT	10012002	01012004	54.31	CANNOT LOCATE
1680	GILL JUNG YUN	19B3B 2353 ALUMNI DR, STORRS CT	10012002	01012004	53.98	CANNOT LOCATE
1730	GRIFFIN EDWINA M	224 SOUTH B UCONN, STORRS CT	10012002	01012004	159.82	CANNOT LOCATE
1804	HEIDLEMARK BRUCE E	503 STAFFORD RD, MANSFIELD CNTR CT	10012002	01012004	150.39	CANNOT LOCATE
1810	HENDERSON RORY D	101 S EAGLEVILLE RD, STORRS CT	10012002	01012004	17.31	CANNOT LOCATE
1818	HERNANDEZ CARLOS	286 ROANOKE AVE, WINDHAM CT	10012002	01012004	155.63	CANNOT LOCATE
1823	HERTING WILLIAM R	414 MIDDLESEX, STORRS CT	10012002	01012004	34.91	CANNOT LOCATE
1864	HOWARD WILLIE L	246 WOODLAND RD, STORRS CT	10012002	01012004	124.82	CANNOT LOCATE
1881	HUMMER HERBERT S	BOX 204, WILLIMANTIC CT	10012002	01012004	278.89	CANNOT LOCATE
1913	JIN YIWEI	ENFIELD 301 U200, MANSFIELD CT	10012002	01012004	101.41	CANNOT LOCATE
	JONES JAMAL R	52 FARRELL RD, STORRS CT	10012002	01012004	35.78	CANNOT LOCATE
1912	KRASNOW KIMBERLY D	123 STORRS RD BOX 141, MANSFIELD CT	10012002	01012004	37.28	CANNOT LOCATE
1913	KRATZER ALEXANDER	UCONN GRAD RES DER309, STORRS CT	10012002	01012004	161.92	CANNOT LOCATE
1993	LEE JINHYUN	UCONN HLLTP A19 204A, STORRS CT	10012002	01012004	3.95	CANNOT LOCATE
1954	MA HONGYAN	BRANFORD HALL 311, STORRS CT	10012002	01012004	71.00	CANNOT LOCATE

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ST #	NAME	ADDRESS	GRAND LIST			REASON
			YEAR	DUE DATE	AMOUNT	
222	MARX KAROLIN	108D SARA BUEK CRAWFD, STORRS CT	10012002	01012004	53.23	CANNOT LOCATE
223	MASMOUDI KHALED	N EAGLEVILLE RD 12, STORRS CT	10012002	01012004	17.90	CANNOT LOCATE
305	MILLER NICOLE	47 MARYBELL DR, MANSFIELD CT	10012002	01012004	106.29	CANNOT LOCATE
306	MILLER NICOLE	47 MARYBELL DR, MANSFIELD CT	10012002	01012004	38.44	CANNOT LOCATE
342	MONDAL PARAMITA	212 KILLINGLY HALL, STORRS CT	10012002	01012004	38.74	CANNOT LOCATE
419	NOGGLE THOMAS M	301C SARA CRAWFD 896, STORRS CT	10012002	01012004	157.13	CANNOT LOCATE
441	OSAWA KUMI	407 SOUTH B, STORRS CT	10012002	01012004	24.91	CANNOT LOCATE
485	PELLETIER MARCY L	1640 STORRS RD, STORRS CT	10012002	01012004	40.21	CANNOT LOCATE
487	PEREZ ROHSY	646 STORRS RD, MANSFIELD CT	10012002	01012004	132.33	CANNOT LOCATE
549	RADOWITZ STAPHANIE	BETHUNE 301D BOX 612, STORRS CT	10012002	01012004	180.93	CANNOT LOCATE
582	RHINES JOHN D	534 STORRS RD APT B, MANSFIELD CNTR CT	10012002	01012004	125.12	CANNOT LOCATE
583	RHODES DANNY	179E FOSTER DR, WILLIMANTIC CT	10012002	01012004	129.73	CANNOT LOCATE
610	ROBERTS DOUANGDY	497 MIDDLE TPKE, STORRS CT	10012002	01012004	80.18	CANNOT LOCATE
665	SALTA EMMANUEL	203 JEWETT HALL UCON, STORRS CT	10012002	01012004	80.18	CANNOT LOCATE
742	SHI NING	1 NORTHWOOD RD A108, STORRS CT	10012002	01012004	19.73	CANNOT LOCATE
766	SIMSIR SERIF	445 WHTNY RD EXT D105, STORRS CT	10012002	01012004	164.31	CANNOT LOCATE
768	SINHA ABHIJIT	UCONN NORWALK HL 107, STORRS CT	10012002	01012004	208.62	CANNOT LOCATE
805	SONG KAI	CHENEY DR A80, STORRS CT	10012002	01012004	21.11	CANNOT LOCATE
824	ST HILL KATHY K	1 S EAGLEVILL RD 42 MN, STORRS CT	10012002	01012004	59.28	CANNOT LOCATE
920	THOMAS VERONA L	305B CRAWFORD, STORRS CT	10012002	01012004	101.14	CANNOT LOCATE
960	TU YANBIN	RM 103 RIDGFIELD HLL, STORRS CT	10012002	01012004	64.73	CANNOT LOCATE
964	TUREK MATTHEW S	207 N EAGLEVILLE RD, STORRS CT	10012002	01012004	16.62	CANNOT LOCATE
965	TUREK MATTHEW S	207 N EAGLEVILLE RD, STORRS CT	10012002	01012004	40.84	CANNOT LOCATE
986	VASGARE VASIM	310 KILLINGLY UCONN, STORRS CT	10012002	01012004	58.14	CANNOT LOCATE
996	VIDOSIC DAVID	3 CARRIAGE HSE DR, STORRS CT	10012002	01012004	55.66	CANNOT LOCATE
1045	WATSON LORI ANN	58 HIGGINS HWY, MANSFIELD CNTR CT	10012002	01012004	11.17	OUT OF STATE
1074	WIENER JONATHAN S	806 STORRS RD, STORRS CT	10012002	01012004	110.45	CANNOT LOCATE
1107	XIA HONGJUN	445 WHITNEY LYME 101, STORRS CT	10012002	01012004	49.55	CANNOT LOCATE
1110	XU DAPENG	KILLINGLY 110 UCONN, STORRS CT	10012002	01012004	24.79	CANNOT LOCATE
1118	YANG YU CHEN	114 S EGLEVILLE A4, STORRS CT	10012002	01012004	9.58	CANNOT LOCATE
1132	YU DANQING	BOX 161, STORRS CT	10012002	01012004	38.11	CANNOT LOCATE
			TOTAL	2002 - 310	34,994.09	=====
				GRAND TOTAL - 472	61,430.83	=====

12. Request for Proposals for Technical Assistance-Cities Supporting Parents of Young Children

Mr. Haddad moved and Ms. Blair seconded that effective April 25, 2005, to authorize staff to submit a response to the National League of Cities' request for proposals to obtain technical assistance to promote: 1), initiatives to connect families with early childhood resources; and (2) efforts to establish or expand family-friendly workplace policies.

So passed unanimously.

13. School Readiness Grant Application

Mr. Schaefer moved and Mr. Hawkins seconded to adopt the following resolution:

RESOLVED, effective April 25, 2005, to authorize Martin H. Berliner, Town Manager, to submit an application to the Connecticut Department of Education seeking \$107,000 in school readiness funding, and to execute any related grant documents and materials.

So passed unanimously.

VIII. DEPARTMENTAL REPORTS

IX. REPORTS OF COUNCIL COMMITTEES

X. REPORTS OF COUNCIL MEMBERS

Mr. Clouette reported that he had attended the Town/Gown meeting. At the meeting the group heard comments of Dolly Whitham who is concerned about the use of the Yellow Barn on Route 195. The University feels that it will be committed to maintaining the building, however its' use will be determined by the University. The Town/Gown Committee talked about preparations for Spring Weekend. They also discussed the facility needs of the Heart Program on campus on Gilbert Road. No decision as to where the program will be housed when the house where the program is housed at present, is demolished.

Mr. Paulhus attended the League of Women Voters meeting where Denise Merrill, State Representative spoke on the State Budget.

Ms. Alison Blair invited everyone to attend a benefit concert at EO Smith H. S on the April 29 at 7:00 p.m. for the benefit of the March of Dimes. The cost for a ticket is \$5.00.

Ms. Redding inquired about the procedures used by the Assessment Appeals Board. She inquired if all members of the board were evaluating at the same rate. The Town Manager explained that all three members had been trained on the proper assessment procedures and evaluation.

Returned to Old Business

#### 4. FY 2005/06 Proposed Budget

The Town Manager and Director of Finance presented the Council with a memo with suggested reductions in the budget. The Council by consensus made cuts with a total of \$458,000 from all three parts of the budget, which would reflect a 2.9% increase. :

Mr. Clouette moved and Mr. Schaefer seconded that the Capital Fund Budget, appended totaling \$3,315,500 is hereby adopted as the capital improvements to be undertaken during fiscal year 2005/06 or later years.

So passed unanimously.

Mr. Clouette moved and Mr. Hawkins seconded that the Capital and Non-Recurring Reserve Fund Budget for fiscal year July 1, 2005 to June 30, 2006 in the amount of \$1,832,840 be adopted.

So passed unanimously.

Mr. Schaefer moved and Ms. Blair seconded that the General Fund Budget for the Town of Mansfield, appended totaling \$28,792,740 is hereby adopted as the proposed operating budget for the Town of Mansfield for the fiscal year July 1, 2005 to June 30, 2006

So passed unanimously.

Mr. Schaefer moved and Mr. Hawkins seconded that the attached Appropriations Act be recommended for adoption at the annual Town Meeting for budget consideration:

See attachment

So passed unanimously.

#### XI. TOWN MANAGER'S REPORT

Mr. Tim Quinn and Ms. Sheila Quinn have extended the trail to the canoe launch area behind the Reynolds School on Depot Road

## RESOLUTIONS

RESOLVED: That the General Fund Budget for the Town of Mansfield, appended totaling \$28,792,740 is hereby adopted as the proposed operating budget for the Town of Mansfield for the fiscal year July 1, 2005 to June 30, 2006.

RESOLVED: That the Capital Fund Budget for the Town of Mansfield, appended totaling \$3,315,500 is hereby adopted as the capital improvements to be undertaken during fiscal year 2005/06 or later years.

RESOLVED: That the proposed Capital and Non-Recurring Reserve Fund Budget for fiscal year July 1, 2005 to June 30, 2006 in the amount of \$1,832,840 be adopted.

It is further resolved, that the following Appropriations Act be recommended for adoption at the annual Town Meeting for budget consideration:

RESOLVED: That the proposed General Fund Budget for the Town of Mansfield for fiscal year July 1, 2005 to June 30, 2006 in the amount of \$28,792,740 which proposed budget was adopted by the Council on April 25, 2005, be adopted and that the sums estimated and set forth in said budget be appropriated for the purpose indicated.

RESOLVED: That in accordance with Connecticut General Statutes Section 10-51, the proportionate share for the Town of Mansfield of the annual budget for Regional School District No. 19 shall be added to the General Fund Budget appropriation for the Town of Mansfield for fiscal year July 1, 2005 to June 30, 2006 and said sums shall be paid by the Town to the Regional School District as they become available.

RESOLVED: That the proposed Capital Projects Budget for fiscal year July 1, 2005 to June 30, 2006 in the amount of \$3,315,500 be adopted provided that the portion proposed to be funded by bonds or notes shall, at the appropriate times, be introduced for action by the Town Council subject to a vote by referendum as required by Section 407 of the Town Charter.

RESOLVED: That the proposed Capital and Non-Recurring Reserve Fund Budget for fiscal year July 1, 2005 to June 30, 2006 in the amount of \$1,832,840 be adopted.

The 2004 Water Supply Plan is in the process of being reviewed by staff and to the Town's water consultants.

The Mansfield Downtown Partnership would like a joint meeting with the Council and the Planning and Zoning Commission. Suggested date for the presentation is May 16 at 6:30 p.m.

Rosal's Restaurant has now been reopened as Topsy's.

The DEP approved the as-built plan for the Mansfield Solid Waste Disposal Area located on Route 89. The Town will continue to inspect the disposal area on a regular basis.

XII. FUTURE AGENDAS

XIII. PETITIONS, REQUESTS AND COMMUNICATIONS

14. Mansfield Plan of Conservation and Development Update, 3/10/05 Draft Schedule
15. D. Merrill re: Full Day Kindergarten
16. E. Paterson re: An Act Concerning Liability for Use of An Automatic External Defibrillator
17. M. Hart re: University of Connecticut Spring Weekend
18. Connecticut Department of Transportation re: Federal Highway Safety Program
19. Connecticut Department of Environmental Protection re: Mansfield Solid Waste Disposal Area
20. University of Connecticut, Total University Including Health Center, By Connecticut Town of Origin and Campus, Fall 2004
21. Eastern Connecticut Workforce Investment Council, "The Spring 2005 Snapshot to the Windham COG"
22. Eastern CT State University, April 30, 2005 Fireworks Display
23. University of Connecticut HEART Program, Profile
24. Mansfield Planning and Zoning Commission, Application Referral
25. The Green Valley Institute, 2004 Annual Report
26. Joshua's Trust Newsletter, "More Protection for Scenic Mansfield Road"
27. Connecticut Conference of Municipalities, State Budget Update

XIV. EXECUTIVE SESSION

Not needed.

XV. ADJOURNMENT

Mr. Paulhus moved and Mr. Schaefer seconded to adjourn the meeting at 10:15 p.m.

So passed unanimously.

Elizabeth Paterson, Mayor

Joan E. Gerdson, Town Clerk



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager  
**CC:** Martin Berliner, Town Manager  
**Date:** May 9, 2005  
**Re:** Clean Energy

---

**Subject Matter/Background**

As reported at the previous meeting, staff is waiting on a proposal from SmartPower, Inc., that will outline various ways in which the town could participate in the state's clean energy programs. Staff has spoken with SmartPower, and they expect to provide us with the proposal in the near future. As of the date of this writing, however, we have not received their submission. At Monday's meeting, we will provide the council with an update if anything has changed by that time.

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MWH*  
**CC:** Martin Berliner, Town Manager; Lon Hultgren, Director of Public Works  
**Date:** May 9, 2005  
**Re:** Eminent Domain Authorization – Separatist Road Easements

---

**Subject Matter/Background**

Since the April 25<sup>th</sup> meeting, staff has made additional progress with this issue. At the date of this writing, we have reached an agreement with the owner of 84 Separatist Road, but are still in negotiations with the owner of the property at the intersection of Separatist and Hunting Lodge Road. Consequently, we have continued to carry this item in case we believe council action is necessary.

As previously distributed and discussed, attached you will find correspondence from the director of public works regarding easements necessary to construct the Separatist Road bikeway. The town has come to terms with seven of the eight property owners, and is close to reaching an agreement with the remaining owner. The town's offered payment is not problematic. The issues of concern now are the removal of trees and the location of the bikeway along the edge of the vacant property. Staff is meeting with the property owner, and we hope that the matter is resolved prior to the council meeting.

**Financial Impact**

Potentially, the town could incur additional legal expenditures for the use of eminent domain in this instance. It is difficult to determine whether the financial impact would be significant. However, the project budget does contain funds for legal expenditures.

**Legal Review**

The town is represented by counsel in this matter.

**Recommendation**

We believe the Separatist Road bikeway is an important project for the neighborhood and the town. With the construction season now beginning, time is of the essence with regard to the acquisition of these easements. Consequently, as a reserve measure only, staff requests that the council authorize staff to acquire the remaining easement by eminent domain if this proves necessary. The Town of Mansfield has used its powers of eminent domain very rarely, and only in those cases where an agreement cannot be reached with the property owner and where clearly provided by law. In this case, the use of eminent domain would be used only to acquire an easement, not to take real property or buildings.

If the town council concurs with this recommendation, the following motion is in order:

*Move, effective May 9, 2005, to authorize staff to acquire by eminent domain an easement on the property at the intersection of Separatist Road and Hunting Lodge Road, as described by the director of public works in his correspondence dated April 7, 2005 and that is necessary to complete the Separatist Road Bikeway Project.*

**Attachments**

1) April 7, 2005 Correspondence from Director of Public Works

TOWN OF MANSFIELD

MEMORANDUM

4/7/05

TO: Martin H. Berliner, Town Manager  
 FROM: Lon R. Hultgren, Director of Public Works  
 RE: Eminent Domain Authorization – Separatist Road Easements

We have had appraisals done for the easements the Town needs to construct the Separatist Road bikeway and we have come to terms with six of the eight property owners. Two of the owners, however, have not agreed to “voluntarily” sign over the easements for the compensation offered.

In order for the Town to construct this path this year, we must proceed in acquiring these easements or we will miss our “window of construction” opportunity.

It is therefore respectfully requested that the Council authorize the acquisition of these two easements by eminent domain (for the appraised values), as marked below by (\*\*):

SEPARATIST ROAD EASEMENTS

Property Address	Size of Easement(s)	Appraised Value	Comment
Separatist @ Hunting Lodge	11,581 square feet	\$580.00	** Eminent Domain required
Separatist Rd. N. of Stadium	25,501 square feet	\$825.00	2-State Owned
84 Separatist Rd.	4,664 square feet	\$8,470.00	**Eminent Domain required
64 Separatist Rd.	5,118 square feet	\$2,775.00	Ok-closing to be scheduled
48 Separatist Rd.	7,246 square feet	\$725.00	Ok-closing to be scheduled
38 Separatist Rd.	2,018 square feet	\$200.00	Ok-closing to be scheduled
26 Separatist Rd.	9,038 square feet	\$765.00	Ok-closing to be scheduled
8 Separatist Rd.	6,641 square feet	\$785.00	Ok-closing to be scheduled

The eminent domain proceedings are relatively straight forward in that our attorney files for the easements in Superior Court and deposits the appraised value with the Court. The party may then either collect the funds or file to contest the amount offered.

In both of the above marked cases, the owners’ reluctance has not been price generated. Instead they are worried about liability and maintenance issues which we have assured them (in writing) the Town is assuming for this Town facility. We have promised one owner (84 Separatist) that we will revise the Town’s sidewalk ordinance to include bikeways; however, this will take a few months to complete and we don’t advise holding up construction for this ordinance revision.

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager  
**CC:** Martin Berliner, Town Manager  
**Date:** May 9, 2005  
**Re:** Proclamation in Recognition of Emergency Services and Public safety Personnel

---

**Subject Matter/Background**

Attached please find a proposed proclamation to recognize the efforts of the emergency services and public safety personnel who assisted the community during UConn Spring Weekend 2005. From our perspective, the volunteers and the employees who were involved in the planning and the response to the weekend did a great job, and we could not manage an event of this magnitude without their assistance. The volunteers and employees put in countless hours, ranging from the planning stage through the after-action review process, on behalf of our community. We truly are grateful for their efforts.

**Recommendation**

Staff recommends that the town council authorize the mayor to issue the attached proclamation:

If the council supports this recommendation, the following motion is in order:

*Move, effective May 9, 2005, to authorize the mayor to issue the attached Proclamation in Recognition of Emergency Services and Public Safety Personnel, to acknowledge the efforts of the volunteers and employees who worked tirelessly on behalf of the community during UConn Spring Weekend 2005.*

**Attachments**

- 1) Proposed Proclamation



***Town of Mansfield***

***Proclamation in Recognition of Emergency Services and Public Safety Personnel***

***Whereas***, the University of Connecticut held its annual Spring Weekend celebration from Thursday, April 21, 2005 through Sunday, April 24, 2005; and,

***Whereas***, emergency services and public safety personnel from the Town of Mansfield, the State of Connecticut and area communities conducted extensive planning to prepare for the event, and then worked tirelessly and effectively throughout the weekend to manage the activities and to respond to various incidents; and,

***Whereas***, the town has received numerous positive comments from students, the university and the general public regarding the efforts of the emergency services and public safety personnel who assisted the community during Spring Weekend 2005; and

***Whereas***, the Mansfield Town Council wishes to express its appreciation to the Eagleville Fire Department, the Mansfield Volunteer Fire Company, the Mansfield Police Department, the Offices of the Emergency Services Administrator and the Fire Marshal, as well as all of the other state and area emergency services and public safety departments that provided assistance during Spring Weekend 2005:

**NOW, THEREFORE, BE IT RESOLVED**, that the Mansfield Town Council, on behalf of the community, does hereby express its gratitude to the members of the Eagleville Fire Department, the Mansfield Volunteer Fire Company, the Mansfield Police Department, the Offices of the Emergency Services Administrator and the Fire Marshal, as well as all of the other responding state and area emergency services and public safety departments for their assistance to the Town of Mansfield during Spring Weekend 2005.

***IN WITNESS WHEREOF***, I have set my hand and caused the seal of the Town of Mansfield to be affixed on this 9<sup>th</sup> day of May in the year 2005.

---

Elizabeth C. Paterson  
Mayor, Town of Mansfield  
May 9, 2005



**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager *MwH*  
**CC:** Martin Berliner, Town Manager; Lon Hultgren, Director of Public Works  
**Date:** May 9, 2005  
**Re:** 2005 America the Beautiful Grant Application

---

**Subject Matter/Background**

A small (\$45,000 total) statewide grant program, administered by Connecticut Department of Environmental Protection's Division of Forestry, is again available this year for tree planting and urban forestry projects using America the Beautiful funds. We would like to apply for \$3,229 to fund 50 percent of the costs of planting large shade trees along Route 195 in front of the Audrey P. Beck Municipal Building, as part of the larger Storrs Center project (which will involve much more tree planting).

**Financial Impact**

As shown in the project budget section of the attached grant application, the grant works on a 50-50 basis and the town would have to provide \$908 of in-kind services (labor and equipment) to plant the trees, and \$2,321 in cash to help fund the trees and to purchase planting materials. Some continuing cost of maintenance of these trees would be necessary for watering (in the first two years), pruning, etc. This latter amount is not expected to be significant.

**Legal Review**

These plantings will be on the state's right-of-way along 195, as shown on the application site plan. Consequently, we would need authorization from the Connecticut Department of Transportation (ConnDOT) to place the trees at that location. We do not think that ConnDOT would have any objection to the proposal.

**Recommendation**

Because the location of the trees along Route 195 would enhance our property as well as the Storrs Center project, we recommend that the town council authorize the director of public works to submit the application as presented. If the town council concurs with this recommendation, the following motion is in order:

*Move, effective May 9, 2005, to authorize Director of Public Works Lon R. Hultgren to submit the attached application in the amount of \$6,458 to the America the Beautiful Grant Program to fund the planting of large shade trees along Route 195 in front of the Audrey P. Beck Municipal Building.*

**Attachments**

- 1) Grant application, site plan and Storrs Center summary sheet

# APPLICATION FORM

America the Beautiful Grant

This application form is to be returned with a written proposal, not to exceed 5 pages.

Project Title: <i>DTP Streetscape Extension</i>	
Location (Municipality): <i>Mansfield, CT</i>	Federal ID #: <i>N/A</i>
Name of Applicant: <i>Town of Mansfield - Dept of Public Works</i>	
Address: <i>4 S. Eagleville Rd</i>	
City: <i>Storrs</i>	State: <i>CT</i> Zip: <i>06268</i>
Contact Person: <i>LON HULTGREN</i>	Phone #: <i>(860) 429-3332</i>
Title: <i>Director of Public Works</i>	
Brief Description of Project: <i>10 Trees to be planted as part of the extension of the Mansfield Downtown Partnership's new downtown improvements project towards the south and west along Route 195 in Storrs.</i>	
Category of the Grant: <i>(one of these categories must be checked. Please see the full packet for further description.)</i>	Inner City Urban Forestry <input type="checkbox"/> Municipal Urban Forestry Planning and Maintenance <input type="checkbox"/> Management of Urban Woodlands <input type="checkbox"/> Planting or Maintenance of Legacy Trees <input checked="" type="checkbox"/> <i>or</i> Other, General Urban Forestry Projects <input checked="" type="checkbox"/>
Total Amount of the Project:	<i>\$6458</i>
ATB Funds Requested: <i>(please see maximums by category.)</i>	<i>\$3229</i>
Local Cash Match Provided:	<i>\$2321</i>
Value of In-Kind Match:	<i>\$908</i>
Start Date: <i>May 1, 2006</i>	Ending Date: <i>May 15, 2006</i>
Please Give the Names of the Volunteer Groups Involved: <i>Mansfield Downtown Partnership, Cynthia Van Zelm, Exec Director (860) 429-2740</i>	

*LON HULTGREN, Director of Public Works*

Printed Name and Title of Authorized Representative

Signature

Date

Upon approval of the grant application, grantees must sign a Personal Services Agreement.  
Return completed applications to: CT DEP Division of Forestry, 79 Elm Street, Hartford, CT 06106

Town of Mansfield  
Downtown Partnership Streetscape Extension  
America the Beautiful Grant Application

1. Purpose and objectives of the project

The purpose of this project is to plant ten large American Elms along the edge of Route 195 in front of the Mansfield Town Office building. These trees will be part of both (1) the larger planting and re-landscaping of the East and North sides of the Town Hall and the streetscape connection to the Town's new (2004) Community Center and (2) the larger streetscape that will extend along Route 195 through the proposed Storrs Center project (see attached description). Urban forestry is a significant part of the Storrs Center project, and these trees would form the southern boundary.

2. Project Elements and Coordination

Trees will be shipped to the site from the Princeton Nursery and planted by Town forces. Members of the Downtown Partnership Board of Directors and the Mayor will be present at the ceremonial first tree planting.

Coordination of the plantings will be done by the Town's Public Works Department with help from the Executive Director of the Mansfield Downtown Partnership.

Trees will be ordered in the summer of 2005 for planting in the spring of 2006 (there is considerable lead time for these particular trees).

Trees will be watered and cared for by the Mansfield DPW Grounds Crew.

3. Project Budget

Cash

(10) 3 1/2" caliper trees @	\$450	\$4,500
freight to ship trees	\$850	\$850
tree stakes, harnesses & planting supplies	\$200	\$200

In-kind

Grounds Supervisor	2 hrs @ \$23.65	\$47.30	
Operator	8 hrs @ \$22.91	\$183.28	} \$398.34
Laborer	8 hrs @ \$20.97	\$167.76	
Direct overhead	@ 27.5%		\$109.54
Backhoe	8 hrs @ \$34.00		\$272.00
Small Dump Truck	8 hrs @ \$16.00		<u>\$128.00</u>
	<b>PROJECT TOTAL</b>		<b>\$6,457.88</b>

4. Project Benefits

The overall Storrs Center project is planned to "transform" downtown Mansfield into a viable, attractive center adjacent to the UConn campus. The ten Elms applied for in this grant will be a signature part of this project along the east face of the Town Hall at the southerly end of the Storrs Center project. The trees will frame the main highway into this area providing a beautiful visual canopy. They will also provide shade for the wide walkway/bikeway planned for the west side of the street in this area.

5. Site plan

(see Attached)

6.

A. Planting detail - see attached

B. 5-year maintenance plan

Trees will be cared for and watered by the Town Public Works Department. Trees will be inventoried and tagged (in the Town's "Tree Works" application program) and maintained as needed for good health.

C. Local Government endorsement – grant application authorized by the Town Council on 5/9/05.

D. DOT Approval – the entire Storrs Center project (which includes road changes to Route 195 and the planting of trees in the right-of-way) is under review by the Connecticut DOT. Approval is expected late in 2005.

ROUTE 275 →

ROUTE 195

ULMUS AMERICANA 'PRINCETON'

MANSEFIELD  
TOWN  
OFFICE  
BLDG

Proposed ATB  
Tree Planting

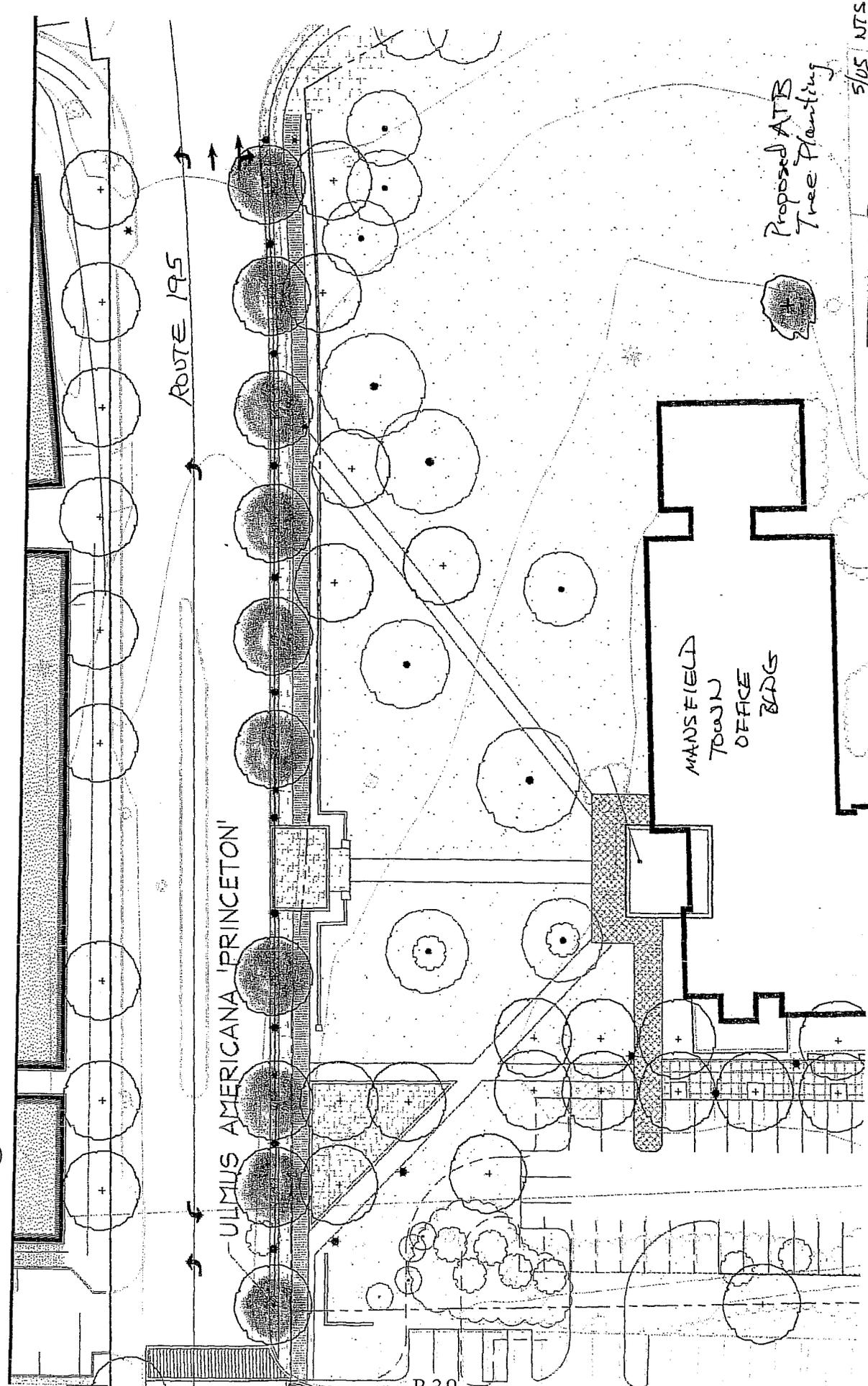
5/05 NTS

SITE PLAN

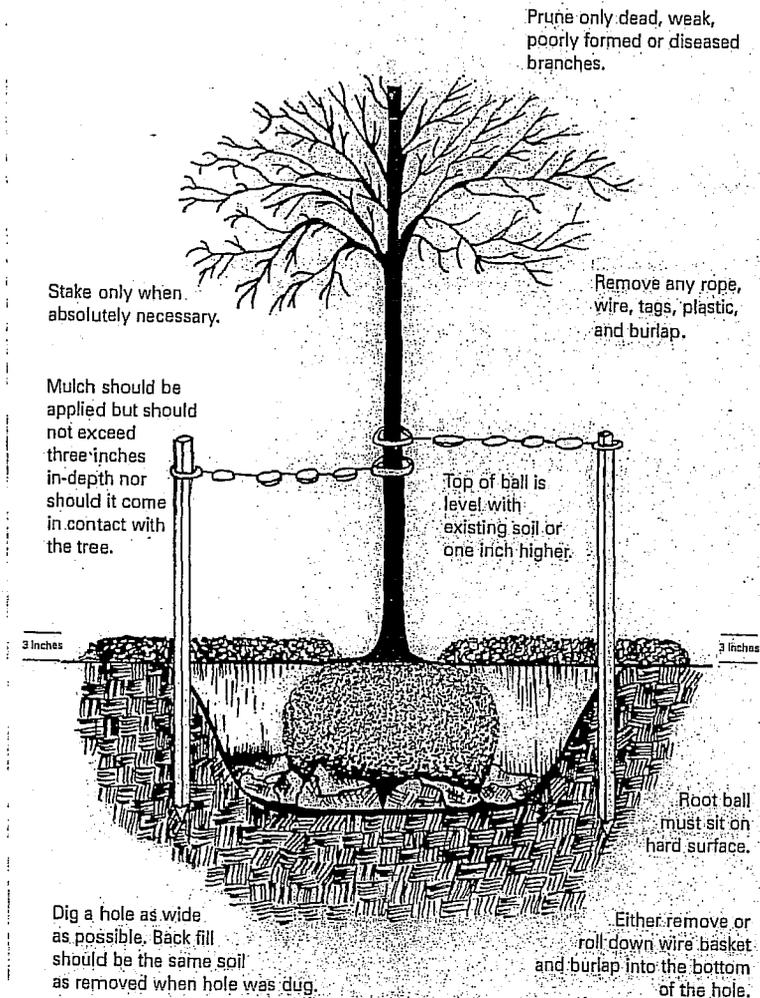
Proposed Tree Planting

DTP Project near Town Hall

TO  
Community  
Center



# Tree Planting Detail



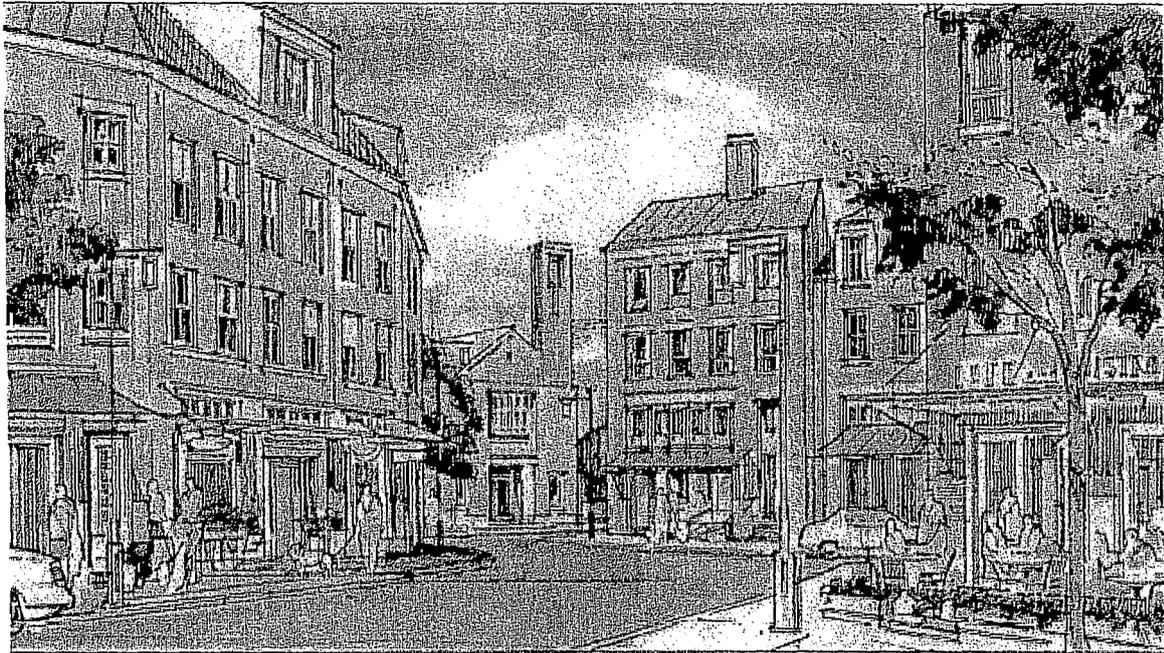
University of Connecticut

Cooperative Extension System

College of Agriculture and Natural Resources



# STORRS CENTER



Village Street

James S. Wassell

## - FACT SHEET -

### DESCRIPTION

Storrs Center will be a mixed-use village and main street corridor at the crossroads of the Town of Mansfield, Connecticut and the University of Connecticut. Located along Storrs Road adjacent to the University, the Town Hall, the regional high school, and the community center, Storrs Center will include a new town square across from the University's proposed fine arts center, designed by renowned architect Frank O. Gehry in association with Herbert S. Newman and Partners, of New Haven, CT. The Main Street village will occupy about 15 acres of the overall 45-acre property, with the remainder of the site reserved for open space. The town plan will knit architecture, pedestrian-oriented streets, small lanes, and public spaces into a series of small neighborhoods that will make up the new fabric of the town center. Ground floor retail and commercial uses opening onto landscaped sidewalks and intimate streets will reinforce traditional streetfront activity and shared community spaces and will be supported by residences above and throughout the neighborhood. Storrs Center will combine retail, restaurant, and office uses with a variety of residence types including town homes, condominium apartments and rental apartments. Structured and surface parking will be provided.

**LOCATION**

Mansfield, Connecticut, approximately twenty-five miles east of Hartford, Connecticut on Route 195, across from the University of Connecticut's main campus. The developed area will be located adjacent to and immediately east of Storrs Road (Route 195).

**DEVELOPER**

Storrs Center Alliance, LLC, an affiliate of LeylandAlliance LLC, Tuxedo, New York, is the master developer. The following consultants form the balance of the Storrs Center Alliance development team: Herbert S. Newman & Partners, P.C., New Haven, CT (master planning, architecture); Intrawest—The Village People, Montreal, Quebec, Canada (retail consulting); Gibbs Planning Group, Birmingham, MI (retail consulting); Robinson & Cole, LLP, Hartford, CT (legal); BL Companies, Meriden, CT (engineering); Michael W. Klemens, Ph.D., Rye, NY (environmental consulting); Desman Associates, Farmington, CT (parking consulting); Steven Winters Associates, Norwalk, CT (sustainability consulting).

**PUBLIC  
PARTNERSHIP**

The Mansfield Downtown Partnership, Inc. is the municipal development agency charged with the development of Storrs Center on behalf of the Town of Mansfield, CT. The Partnership is an independent, non-profit organization that is composed of representatives from the community, local businesses, the Town and the University of Connecticut.

**MASTER PLAN**

The master plan architect is Herbert S. Newman and Partners P.C., New Haven, CT.

The site represents an assemblage of parcels amounting to approximately 45 acres, of which the developed area will occupy about 15 acres, leaving approximately 30 acres reserved for conservation.

The approximate 15-acre development area largely overlies previously or currently developed property and will be comprised of two basic land use categories, both of which are mixed use variations. The two sub-categories include a commercially oriented mixed use zone combining retail, office, restaurant and residential uses in a variety of forms to create a vibrant Main Street environment, and a second, more residentially oriented mixed use zone combining various types of residences with professional offices and local services. Civic uses will be encouraged throughout the project. The project will include a variety of public spaces, landscaped streets, sidewalks, a town square, and small parks and terraces in order to create the varied experience of the public realm that is essential to the viability and sustainability of the mixed use community.

The undeveloped area will remain a conservation area. The plan provides limited access points to quiet, low impact paths within the upland area, offering local residents and visitors an opportunity to enjoy this natural preserve.

**ARCHITECTURE** Looney Ricks Kiss Architects, Inc. has been retained by the Downtown Mansfield Partnership as its municipal development consultant and is writing the design guidelines for Storrs Center.

**PROJECTED MIX**

- Market Rate Rental: 300-500 units
- For Sale Residential: 200-300 units
- Retail/Restaurant: 150,000-200,000 s.f.
- Commercial (office): 40,000-75,000 s.f.
- Civic and Community: 5,000-25,000 s.f.

**AMENITIES**

In addition to the numerous retail, restaurant, commercial and residential uses that make up the project, mixed use and free standing building types may include a variety of civic and community spaces such as community meeting spaces, places of worship, postal services, educational and classroom spaces, and exhibition spaces. The project will be distinguished by the town square, small parks and terraces, and the large, adjacent conservation area. The project is surrounded by University and Town facilities including the Town Hall, the community center, the high school, the fine arts complex, and existing churches.

**TIMETABLE**

Construction start: Spring 2006  
Completion date: Spring 2011

**CONTACT**

**Storrs Center Alliance**  
[info@storrscenter.com](mailto:info@storrscenter.com)  
[www.storrscenter.com](http://www.storrscenter.com)  
C/O LeylandAlliance  
16 Sterling Lake Road  
Tuxedo, NY 10987  
Tel: (845) 351-2900  
Fax: (845) 351-2922

**Mansfield Downtown Partnership, Inc.**  
[mdp@mansfieldct.org](mailto:mdp@mansfieldct.org)  
P.O. Box 513  
Mansfield, CT 06268  
Tel: (860) 429-2740  
Fax: (860) 429-2719

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**Town of Mansfield  
Agenda Item Summary**

**To:** Town Council  
**From:** Matt Hart, Assistant Town Manager  
**CC:** Martin Berliner, Town Manager; Lon Hultgren, Director of Public Works  
**Date:** May 9, 2005  
**Re:** Stone Mill Road and Laurel Lane Bridge Replacement Grant Applications

---

**Subject Matter/Background**

The 2006 Connecticut Department of Transportation's (ConnDOT) local bridge grant program announcement indicates that two town bridges may be eligible for 100 percent funding to replace them. While we have been working on the Stone Mill Road bridge replacement design (and public review), we have not yet begun design work or planning for the Laurel Lane bridge (this bridge serves one residence).

Preliminary plans and cost estimates for the two bridge projects are \$1,133,000 and \$616,100 respectively (using the federal/state formulae, which are a little more than our most recent estimates). Excerpts of the grant applications are attached.

**Financial Impact**

As these are 100 percent grant funded projects, the financial impact on the town is largely staff time for coordinating the design and public review of the projects. No significant local costs are anticipated if either of the grants is awarded.

**Legal Review**

The town has administered other bridge grants of this type, and no new legal issues requiring legal review at this time are anticipated.

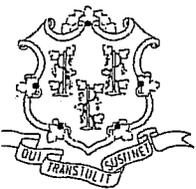
**Recommendation**

Because bridge replacement is an important priority for the town, and because grant funding is available at this time, staff recommends that the town council authorize the town manager to submit a pre-application for the Stone Mill Road and Laurel Lane bridge projects. If the town council concurs with this recommendation, the following resolution is in order:

*Resolved, effective May 9, 2005, that Town Manager Martin H. Berliner is hereby authorized to sign and submit on behalf of the Town of Mansfield, preliminary applications for the Stone Mill Road and Laurel Lane bridge replacement projects.*

**Attachments**

- 1) Excerpts from the Stone Mill Road and Laurel Lane bridge replacement applications
- 2) Letter dated May 2, 2005 to Stone Mill Road residents



# CONNECTICUT DEPARTMENT OF TRANSPORTATION

Stephen E. Korta, II, Commissioner



## PRELIMINARY APPLICATION FOR THE LOCAL BRIDGE PROGRAM

Preliminary application is hereby made by the Town/City/Borough of Mansfield for possible inclusion in the Local Bridge Program for **Fiscal Year 2006** for the following structure:

Bridge Location: Stonemill Road #1 Bridge over Fenton River

Bridge Number: 04731 Length of Span: 70 feet

Sufficiency Rating: 58.08 Priority Rating: 58.41

Evaluation & Rating Performed by: XX State Forces        Others

If Others, Name of Professional Engineer: \_\_\_\_\_

Connecticut Professional Engineers License Number: \_\_\_\_\_

Engineering Firm: \_\_\_\_\_

Engineer's Address: \_\_\_\_\_

Engineer's E-mail Address: \_\_\_\_\_

Description of Existing Condition of Structure: *(attach description)* see attached

Description of Project Scope: A *(note repair code; attach narrative/preliminary plans & specifications).*

Municipal Official to Contact *(name & title)*: Lon Hultgren, Director of Public Works

Mailing Address: 4 South Eagleville Road, Storrs, CT 06268-2599

Telephone: 860-429-3331 FAX: 860-429-6863

E-mail: \_\_\_\_\_

### Preliminary Cost Figures:

Preliminary Engineering Fees (Include Breakdown of Fees) <i>(Not to Exceed 15% of Construction Costs)</i>	\$ <u>120,000</u>
Rights-of-Way Cost (If applicable)	\$ <u>NIL</u>
Municipally Owned Utility Relocation Cost	\$ <u>NIL</u>
Estimated Construction Costs (Include Detailed Estimate)	\$ <u>811,900</u>
Construction Engineering (Inspection, Materials Testing) <i>(Not to Exceed 15% of Construction Cost)</i>	\$ <u>120,000</u>
Contingencies <i>(10% of Construction Costs Only)</i>	\$ <u>81,190</u>
Total Estimated Project Cost	\$ <u>1,133,090</u>

**Preliminary Application**

Local Bridge Program, FY 2006

BRIDGE NO. 04731

**Financial Aid Data:**

Federal Reimbursement: (Limited to qualifying bridges – See Appendix1)

Total Estimated Project Cost multiplied by 80%:

Project Reimbursement Request \$ 906,472.00

State Reimbursement Request \$226,618.00

State Local Bridge Project Grant: (Cannot be combined with Federal reimbursement)

Allowable Grant Percentage \_\_\_\_\_% of Total Cost.

Project Grant Request \$ \_\_\_\_\_

State Local Bridge Project Loan: (Maximum 50% of total project cost)

Project Loan Request \$ \_\_\_\_\_

**Schedule:** (Anticipated Dates)

Public Hearing Conducted: September, 2005

Design Completion: October, 2006

Property Acquisition Completion: N/A

Utilities Coordination Completion: October, 2006

Construction Advertising: January, 2007

Supplemental Application Submission: March, 2007

Start of Construction: May, 2007

Completion of Construction: December, 2007

I hereby certify that the above is accurate and true, to the best of my knowledge and belief.

Signature: \_\_\_\_\_  
(Chief Elected Official, Town Manager, or other Officer Duly Authorized)

Date: \_\_\_\_\_

Return completed applications to: Mr. Stanley C. Juber  
Administrator of the Local Bridge Program  
Connecticut Department of Transportation  
2800 Berlin Turnpike, P.O. Box 317546  
Newington, Connecticut 06131-7546

**REPLACEMENT OF STONEMILL ROAD#1 BRIDGE  
OVER FENTON RIVER  
BRIDGE NO. 04731  
MANSFIELD, CONNECTICUT**

**Existing Condition:**

Stonemill Road is a rural minor access road in the Town of Mansfield and serves properties on the west side of the Fenton River. The road carries local vehicular traffic including school buses and commercial trucks. Average Daily Traffic (ADT 1992) is 100 of which 7% is trucks.

The Laurel Lane Bridge (No. 04731) was originally constructed in 1930 and later reconstructed in 1964. The bridge is a two- simple spans structure with a maximum span of 33' and total length of structure 70'. The bridge has a roadway width of 15-1" between timber rails and carries two lanes of traffic. The bridge is located near the intersection with Grist Mill Road on the east side of the River. The bridge is posted for 15 Tons.

The bridge superstructure consists of concrete encased steel stringers with corrugated metal pans filled with concrete. The railings are of steel posts and rails. The substructure consists of stone masonry and cast-in-place concrete. Foundation type is not known but is believed of spread footing type. The bridge is in poor condition and requires rehabilitation. There is evidence of scour at the pier and abutments.

The bridge is located approximately 35' from the historic 'Grist Mill Building' which has to be protected from possible damage resulting due to construction activities. Detour is approximately 3 miles.

**Proposed Rehabilitation:**

Based on the low traffic volume and the need to protect the historic building from damage during construction, the following scope of rehabilitation is proposed.

- Remove the existing structure and substructure to the top of footing. The footings to be used as platforms for installing mini-piles.
- Construct a twin-36' span spandrel-filled precast concrete arch structure supported on drilled micro-piles. The substructure will include U-Type wingwalls at all four corners. No sheet piling will be used to minimize vibrations.
- The curb to curb width shall be 18'.
- Construct concrete parapets without railings. Stained concrete form liners will be used on exposed concrete surfaces.
- Reconstruct approach roadways, 100' at each end to match the bridge.
- Install RB 350 guiderail within the project limits.

**Estimated Construction Cost:**

Removal of Superstructure	L. S.	\$ 35,000
Removal of Existing Masonry	450 C. Y. @ \$50	\$ 22,500
Structure Excavation	400 C. Y. @ \$20	\$ 8,000
Handling Water	L. S.	\$ 25,000
Precast Conc. Arch- 36' span	47 L. F. @ \$2,350	\$110,450
Class 'A' Concrete	290 C. Y. @ \$450	\$130,500
Micro-piles	92 EA @ \$2,500	\$230,000
Deformed Steel Bars	43,000 LB @ \$1.50	\$ 64,500
Pervious Structure Backfill	370 C. Y. @ \$35	\$ 12,950
Concrete Form Liner	920 S.F. @ \$25	\$ 23,000
Roadway Items (200L. F.)	L. S.	\$ 40,000
Minor Items	L. S. (10%)	\$ 70,000
Mobilization	L. S. (6%)	\$ 40,000

**Total Construction Cost           \$811,900**

# CONNECTICUT DEPARTMENT OF TRANSPORTATION

Stephen E. Korta, II, Commissioner



## PRELIMINARY APPLICATION FOR THE LOCAL BRIDGE PROGRAM

Preliminary application is hereby made by the Town/City/Borough of Mansfield  
for possible inclusion in the Local Bridge Program for Fiscal Year 2006 for the following structure:

Bridge Location: Laurel Lane bridge over Mount Hope River

Bridge Number: 05366 Length of Span: 56 feet

Sufficiency Rating: 37.82 Priority Rating: 34.51

Evaluation & Rating Performed by: XX State Forces        Others

If Others, Name of Professional Engineer: \_\_\_\_\_

Connecticut Professional Engineers License Number: \_\_\_\_\_

Engineering Firm: \_\_\_\_\_

Engineer's Address: \_\_\_\_\_

Engineer's E-mail Address: \_\_\_\_\_

Description of Existing Condition of Structure: *(attach description)* see attached

Description of Project Scope: A *(note repair code; attach narrative/preliminary plans & specifications).*

Municipal Official to Contact *(name & title)*: Lon Hultgren, Director of Public Works

Mailing Address: 4 South Eagleville Road, Storrs, CT 06268-2599

Telephone: 860-429-3331 FAX: 860-429-6863

E-mail: \_\_\_\_\_

### Preliminary Cost Figures:

Preliminary Engineering Fees (Include Breakdown of Fees) <i>(Not to Exceed 15% of Construction Costs)</i>	\$ <u>66,000</u>
Rights-of-Way Cost (If applicable)	\$ <u>NIL</u>
Municipally Owned Utility Relocation Cost	\$ <u>NIL</u>
Estimated Construction Costs (Include Detailed Estimate)	\$ <u>440,100</u>
Construction Engineering (Inspection, Materials Testing) <i>(Not to Exceed 15% of Construction Cost)</i>	\$ <u>66,000</u>
Contingencies <i>(10% of Construction Costs Only)</i>	\$ <u>44,000</u>
Total Estimated Project Cost	\$ <u>616,100</u>

**Financial Aid Data:**

BRIDGE NO. 05366

Federal Reimbursement: *(Limited to qualifying bridges – See Appendix 1)*

Total Estimated Project Cost multiplied by 80%:

Project Reimbursement Request \$ 492,880.00

State Reimbursement Request \$ 123,220.00

State Local Bridge Project Grant: *(Cannot be combined with Federal reimbursement)*

Allowable Grant Percentage \_\_\_\_\_ % of Total Cost.

Project Grant Request \$ \_\_\_\_\_

State Local Bridge Project Loan: *(Maximum 50% of total project cost)*

Project Loan Request \$ \_\_\_\_\_

**Schedule:** (Anticipated Dates)

Public Hearing Conducted: September, 2005

Design Completion: November, 2006

Property Acquisition Completion: N/A

Utilities Coordination Completion: N/A

Construction Advertising: January, 2007

Supplemental Application Submission: March, 2007

Start of Construction: May, 2007

Completion of Construction: October, 2007

I hereby certify that the above is accurate and true, to the best of my knowledge and belief.

Signature: \_\_\_\_\_  
(Chief Elected Official, Town Manager, or other Officer Duly Authorized)

Date: \_\_\_\_\_

Return completed applications to: Mr. Stanley C. Juber  
Administrator of the Local Bridge Program  
Connecticut Department of Transportation  
2800 Berlin Turnpike, P.O. Box 317546  
Newington, Connecticut 06131-7546

**REPLACEMENT OF LAUREL LANE BRIDGE  
OVER MOUNT HOPE RIVER  
BRIDGE NO. 05366  
MANSFIELD, CONNECTICUT**

**Existing Condition:**

Laurel Lane is a rural minor access road in the Town of Mansfield and serves only a few properties on the east side of the Mount Hope River. The road carries local vehicular traffic including school buses and commercial trucks. Average Daily Traffic (ADT 2001) is 5 of which 7% is trucks.

The Laurel Lane Bridge (No. 05366) was originally constructed in 1940 and later rehabilitated in 1986. The bridge is a two- simple spans structure with a maximum span of 31' and total length of structure 56'. The bridge has a roadway width of 10-10" between timber rails and carries one lane of traffic. The bridge is located in the middle of a reverse horizontal curve. The bridge is posted for 10 Tons.

The bridge superstructure consists of a timber plank deck supported on five steel stringers. The railings are of timber construction. The substructure is of cast-in-place concrete construction. Foundation type is not known. The bridge is in poor condition and requires rehabilitation.

For the property owners on the east side of the River, this bridge is the only access. Therefore, the bridge must be maintained during construction.

**Proposed Rehabilitation:**

Based on the very low traffic volume and the need to maintain the bridge for access to the east side during construction, the following scope of rehabilitation is proposed.

- Remove the existing structure and substructure. The bridge to be used for maintaining traffic during construction.
- Construct a 60' span prestressed concrete deck units superstructure supported on concrete abutments and U-Type wingwalls at all four corners. The new bridge will be adjacent to the existing structure on the upstream side.
- The curb to curb width shall be 18'.
- Construct concrete curbs and metal bridge railings.
- Reconstruct approach roadways, 100' at each end to match the bridge.
- Install RB 350 guiderail within the project limits.

**Estimated Construction Cost:**

Removal of Superstructure	L. S.	\$ 25,000
Removal of Existing Masonry	90 C. Y. @ \$150	\$ 13,500
Structure Excavation	650 C. Y. @ \$20	\$ 13,000
Handling Water	L. S.	\$ 25,000
Prestressed Conc. Deck Units	300 L. F. @ \$350	\$105,000
Class 'A' Concrete	200 C. Y. @ \$450	\$ 90,000
Class 'F' Concrete	12 C. Y. @ \$750	\$ 9,000
Deformed Steel Bars	14,700 LB @ \$1.50	\$ 22,000
Pervious Structure Backfill	160 C. Y. @ \$35	\$ 5,600
Metal Bridge Rail	100 L.F. @ \$100	\$ 20,000
Roadway Items (300L. F.)	L. S.	\$ 45,000
Minor Items	L. S. (10%)	\$ 37,000
Mobilization	L. S. (8%)	\$ 30,000
<b>Total Construction Cost</b>		<b>\$440,100</b>

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## MINUTES

### **Mansfield Advisory Committee on Persons with Disabilities**

Regular Meeting - Tuesday Mar. 22, 2005

2:30 PM - Conference Room C - Audrey P. Beck Building

- I. Attendance: K. Grunwald, S. Thompson (staff), S. Hasson, T. Miller, W. Gibbs, J. Sidney
- II. Approval of the Minutes for the Meeting of Feb. 22, 2005: minutes were approved as written, with revision of time of adjournment to 3:05 PM.
- III. New Business:
  - a. K. Grunwald will attend the CT Real Choice Forum on March 24, and will report back to the Committee.
  - b. S. Hasson reported that Mansfield now has a Special Olympics team in track and field, and the athletes would like to utilize the Community Center for practices beginning in April, and until the weather allows outside practices. K. Grunwald volunteered to contact the Community

Center in regard to the athletes' needs and the Community Center's scheduling.

#### IV. Old Business

- a. Membership: No report.
- b. Update on ADA compliance – Community Center:  
J. Sidney had researched a variety of shower seats, and found that none were sufficient for her needs, although generally, they were sufficient for accessibility. The issue of the shower controls not being in compliance will be addressed to Curt Vincente, with the hope that repair might be done to allow greater accessibility in the women's shower facilities. It is hope that David Hoyle would be consulted by Community Center staff in regard to this issue, as this finding was made apparent through his accessibility compliance report.
- c. T. Miller indicated that he has the Smart Medical Home CD, and he would make it available for the Committee's meeting in April. K. Grunwald will arrange for a media player.
- d. S. Thompson read the compliance report issued by J. DeWolf, regarding the special building permit application for 452 Storrs Road and presented to the PZC in February, 2005.

General discussion followed in regard to public education about People First language. More discussion will follow.

Meeting adjourned at 3:12 PM; next meeting will be on  
Tuesday, April 26 at 2:30.

Respectfully Submitted,  
Sheila Thompson

## MINUTES

### MANSFIELD ADVOCATES FOR CHILDREN

Wednesday, March 9, 2005

Mansfield Public Library, Program Room

5:30-7:30 PM

**PRESENT:** J. Buck (Chair), K. Bartron (early childcare teacher at CCC), S. Baxter (staff), B. Lehmann, N. Hovorka, J. Goldman, M.J. Newman, B. Lehmann, K. Paulhus, T.Marr-Smith, P. Wheeler, S. Patwa, M. Esquilin (Discover Liaison)

#### I. INTRODUCTIONS/MINUTES

- A. Members introduced themselves; Chair greeted Kate Bartron, a new visitor, and Myra Esquilin, our liaison with Graustein.
- B. Minutes of January 19, 2005 were accepted unanimously following the insertion on page 2, III.C. "and Elaine Zimmerman will be invited to speak in Mansfield on early care and education, using the Community Conversations format."

- II. **COMMUNICATIONS:** No questions were raised about the items in the packet. Sandy handed out an additional letter from a Mansfield resident concerning full-day Kindergarten and information on the Governor's proposed budget.

#### III. PROGRAM UPDATES

- A. **MAC Mission and Roles:** Please see attached March 9<sup>th</sup> Document on mission and suggested activities.
- B. **Discovery Action Plan:** Our strategies in the Action Plan are to empower members of the collaborative to influence policy decisions and to serve as a resource for information about young children, as well as start outreach to others.
  - Sandy reminded members of the origins of the roles which MAC has adopted, noting that they form the basis for our group's work; they form the strategies for implementing our Mission and our Action Plan for Discovery work. Attached is a copy of a list of specific activities for members to choose from for the amount and type of input they wish to have.
  - Capacity Building Calendar: Sandy requested that members review the calendar and choose an activity or meeting they could attend on the calendar in order to build more capacity from our committee. Our group on the calendar is **Group A**, and our Regional learning group is **Region IV**. Any of these activities or meetings as well as the regular collaborative group meetings would be our responsibilities.
  - Attend Discovery Events. Ex. Discovery logic Model meeting March 16<sup>th</sup>. Sandy will attend the March 16<sup>th</sup>

activities or meetings as well as the regular collaborative group meetings would be our responsibilities.

- Attend Discovery Events. Ex. Discovery logic Model meeting March 16<sup>th</sup>. Sandy will attend the March 16<sup>th</sup> meeting. Mayra said that the intent is to teach communities how Graustein looks at the evaluation component of Discovery. Participants will also be helped with their own evaluation methodology. Parents who attend these events can be reimbursed for their childcare or other expenses according to Mayra.
- Sandy will attend the March 21<sup>st</sup> event in Griswold on Economic and Racial Equity.
- Mayra announced a Parent Involvement meeting at the Performing Arts School in Hartford on March 23<sup>rd</sup> at 9:30am until noon.

**C. Community Conversation Sub-Committees** in need of more representation from our MAC committee are:

- **Parent Representation and Needs Assessment.** Shamim Patwa and Mayra Esquilin have volunteered to serve on the Parent Representation sub-committee. (Kristine Stone who was not at this meeting offered to chair this sub-committee).
- **Other** members offered to serve in the following ways: Tresca offered to organize people to attend and report to MAC on Board of Education meetings or Town Council Meetings. Pam Wheeler will be investigating childcare provider/workers training materials. EASTCONN may also be a good source of help; Pam will contact them. We have some money in our new budget for these materials. She will work with Louise and Judy S. at the Library to see if any of the video materials can be previewed before purchasing.
- Becky Lehmann and Nancy Hovorka have put together the Family Information Packets available in Sandy's office for new families in town or new parents. These folders need to be updated regularly. 50 new folders were delivered today. Becky met recently with Sara-Anne Chain in the Town Manager's office to make sure there is no duplications with the packets they hand out and to be sure each recommend the other for the appropriate packet.

#### IV. Old Business:

- A. Update on Full Day Kindergarten: At this point, the Board of Education passed by a 4/3 vote the recommendation to implement Full Day Kindergarten in Mansfield in September, 2005
- Discussions followed about ways we could show support for the BOE budget including funds for the implementation of Full Day Kindergarten. There will be a **Town Council** meeting on **Wednesday, March 30, at 6:30 PM** about the Board of Education budget. The Board of Education is submitting two budgets. We as a committee have agreed to send a letter to the Town Council enthusiastically recommending that the budget including funds for Full Day Kindergarten be accepted for the implementation of Full Day Kindergarten in Mansfield. Sandy cited the important role played by MAC in sponsoring the Full-Day K town survey, having it presented to the Board and Town Council, and the resulting discussions and adoption by the Board of Ed favoring Full Day Kindergarten.
  - Other recommendations for supporting the Full Day K budget included submitting letters or statements to be read at the Town Council meeting, speaking at the meeting when/if there is opportunity for public input, sending a letter from MAC and asking others to communicate their support. Shamin thinks there may not be a chance for public comment at this meeting.
  - Both Shamin and Louise noted that the budget meeting would not be a time to debate the merits of all-day K, but to support the Board's requested budget. The Board of Ed makes educational policy and the Town Council acts on their budget. There will be another opportunity to offer support at the **Town meeting on May 10, 2005**, at the Mansfield Middle School. Kathryn expressed concern that all the attention to the issue will also bring out the opponents of Full-Day Kindergarten
- B. **Underrepresented groups:**
- Louise said the "Toddler Time" program has diverse representation, but there is hardly a good opportunity to speak with parents. Parents are very busy with their children and other parents.
  - Shamin thinks that a function at UCONN for the international community would be doable; we could even join them in their activities (e.g. attend an Asian dinner).
  - There was agreement by some that we explain to others what MAC is about. Mayra felt that we should be open about our intentions and our wish to connect with them. Others will appreciate that we are interested in them and seek to meet their needs.

- Among other suggested outreach initiatives was a poll or survey on what the identified groups are interested in, or sponsoring a good speaker. We could get the word out through the schools, perhaps hold an event at one of the schools. We should find out what we can do to help underrepresented groups, not try to get them on a committee. Kate suggested we learn what is already being done at the University.
- It was acknowledged that any major outreach could be an enormous task. Sandy felt we might need a subcommittee on international groups.

**C. Other “Follow Your Interest” items:**

- Sandy passed around the “Going to the Big School” book, being updated by three parent photographers. These will soon be available in the library and in the four childcare centers as well as in each school library.
- Jane offered to locate some students in Family Studies with early care and education training to help with the Family Information Packets.
- Discussion with Bruce Clouette: Sandy gave Bruce a copy of MAC Mission/Roles; he liked it and felt it gave him and the Town Council a good idea of what the group stands for and hopes to accomplish. Bruce advised us to formally dissolve MSRC and to formalize our identity as MAC. He will advise us when to appear at the Town Council meeting to do this. Mayra inquired whether MAC could act to implement policy as an advisory committee. Sandy noted that both Town Council and Board of Ed look to us and want to hear from us, according to Bruce.
- Pam asked what happens if we reapply for a School Readiness grant, since we are no longer the School Readiness Council. Mayra said the State Board of Ed approved the principle of having a designated group, which is approved by the Mayor and Superintendent of Schools, as the rightful applicant for a School Readiness grant. (This is a departure from the requirement of the original legislation).
- Becky suggested we establish a subcommittee on School Readiness. She and Joan both noted the many requirements connected with being a School Readiness recipient, inclusive of monthly reporting, centers reporting to the larger school readiness body on financial and attendance matters, yearly self-evaluation by centers, and other duties.
- Mayra noted there is a small group of towns “stuck in the middle” that don’t meet the criteria for S.R. funding, and communities. David Calchera, recently retired from

EASTCONN, is working on this, according to Sandy. Governor Rell refers on her website to towns not typically eligible for funding, Mayra said.

- Kevin was selected by the National League of Cities to attend its Leadership academy, meeting in Washington, D.C., March 31-April 1. An agenda for that meeting was distributed.
- Mary Jane asked whether childcare centers could find out from the State who receives payments for Care 4 Kids. Mayra said the State now provides information on numbers of recipients in each care center but does not identify them.

#### **D. Update on UCONN Provost's Survey**

- Jane reported that the last, cancelled meeting is rescheduled to Friday, March 11. She will bring the results to our next MAC meeting.
- Jane just returned from a hearing of the legislature's "Higher Education and Employment Advancement Committee". It is considering a bill, which would set up a committee to look at accreditation for early childhood education. Speakers at the hearing remarked that SB1098 (raised), "An Act Concerning the Professionalization of the Early Childhood Work Force" would keep Kindergarten certification part of early childhood ed certification and will develop an alternate route to early childhood certification. (Jane noted that many long time teachers, who received degrees before there was certification, would be required to return to school for certification and practice teaching).
- In response to a question of Jane's related to Kindergarten teachers for the new positions created with the Full Day Kindergarten in Mansfield, it was noted that teachers who have specialized training and experience with young children would be selected. Sandy reported that this issue was raised with the Superintendent and Dir.of Curriculum and was assured that these considerations will be taken into account and are important for these positions.

#### **V. Next Meeting:**

It was agreed that **Wednesday, April 27**, would be the next MAC meeting date. Suggested meeting places included the Library, Child Development Labs or the Community Center.

#### **VI. ADJOURNMENT**

A motion to adjourn at 7:40 was unanimously approved.

Town Manager

# Mansfield Board of Education Meeting

## April 14, 2005

### Minutes

**Attendees:** Mary Feathers, Vice Chair, April Holinko, Secretary, Shamim Patwa, , Mary Perry, John Thacher, Superintendent Gordon Schimmel, Board Clerk, Celeste Griffin

**Absent:** William Simpson, Chair, Dudley Hamlin, Christopher Kueffner, Anneliese Reilly

**I. Call to Order**

The meeting was called to order at 7:37 p.m. by Ms Feathers, Vice Chair

**II. Approval of Minutes from the 3/10/05 Meeting (M)**

**MOTION** by Dr. Patwa, seconded by Mr. Thacher to approve the minutes of the 3/10/05 meeting as written: **VOTE:** Unanimous.

**III. Hearing for visitors - None.**

**IV. Communications - Letter of appreciation for Board of Education and Administration's work in exploring and facilitating communication regarding the concept of full-day kindergarten from Tom Rameaka, President, Mansfield Education Association**

**V. Additions to Present Agenda - None**

**VI. Committee Reports - None**

**VII. Report of the Superintendent**

**A. Celebrating Mickey Maheu, Tom Rameaka, Shirley Reilly, and Laura Toffenetti -** Dr Schimmel and Ms. Feathers acknowledged Tom Rameaka, Laura Toffenetti, and Shirley Reilly for their professional accomplishments in publications, and Mickey Maheu who was recently awarded national board certification.

**B. Mansfield School Food Service Program -** Beth Gankofskie, Director of Food Services, reported on the success of the Vinton Elementary School's March Nutrition Program *Strive for Five, but Eight is Great!*

**C. Budget Update -** Dr. Schimmel informed the Board that the Town Council's deliberations on the Fiscal Year 2006 Budget continue. We hope to have more information in a few days.

**D. Class Size Report -** The principals reported no significant change.

**E. Personnel (M) -** **MOTION** by Ms Holinko, seconded by Dr. Patwa to approve the appointment of Candace Morell as Assistant Principal, Mansfield Middle School effective July 1, 2005. **VOTE:** Unanimous. **MOTION** by Ms Holinko, seconded by Mr. Thacher to approve the request for medical leave for the 2005-2006 school year by Cynthia Sederquest. **VOTE:** Unanimous. **MOTION** by Ms Perry, seconded by Dr. Patwa to approve the resignations of Colleen Hunter and Joanne Roy effective June 30, 2005. **VOTE:** Unanimous.

VIII. Suggestions for future agenda - None

IX. Executive Session - None

X. Adjournment

**MOTION** by Mr. Thacher, seconded by Ms Holinko to adjourn at 8:55 p.m. **VOTE:**  
Unanimous.



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Celeste N. Griffin, Board Clerk

**Mansfield Commission on Aging Minutes**  
**2:30 PM – Senior Center      Monday, April 11, 2005**

**PRESENT: K. Grunwald (staff), S. Thomas (Chair), M. Thatcher, J. Kenny (staff), B. Acebo, D. Mercier, N. Stevens, J. Brubacher, E. Norris**

**REGRETS: P. Secker, P. Hope, C. McMillan**

- I. **Call to Order:** meeting was called to order at 2:40 PM by Chair S. Thomas
  
- II. **Appointment of Recording Secretary:** K. Grunwald agreed to take minutes for the meeting.
  
- III. **Acceptance of Minutes:** the minutes of the March 14, 2005 meeting were accepted as written. The minutes will go out at least a week in advance of the next meeting.
  
- IV. **Correspondence - Chair and Staff:** the minutes included information about AARP's support of the bill to fund a state-wide Dial-A-Ride service. M. Thatcher recommended that the Commission send a letter of support for this bill to the appropriations committee. M. Thatcher will contact Rep. Denise Merrill to express the Commission's support for this bill.
  
- V. **Optional Reports on Services/Needs of Town Aging Populations**
  - A. **Health Care Services**

Wellness Center and Wellness Program – J. Kenny distributed copies of her monthly report. The diabetes support group had a successful presentation by an outside presenter. 24 new clients were seen in March.  
Mansfield Center for Nursing and Rehabilitation – J. Kenny: no report.
  - B. **Social, Recreational and Educational**

Senior Center – P. Hope distributed copies of her monthly report. Participation in the meals program has increased despite curtailing the availability of the Windham Hospital meal. Infoline recently did a presentation on services that they offer. The Senior Expo will be held on 4/20 at the Eastbrook Mall from 9-12:30.  
Senior Center Assoc. – J. Brubacher reported that he attended the intergenerational dinner at E.O. Smith, and questioned the value of the event. He also mentioned that this Wednesday is Volunteer Recognition Day at the Senior Center. There was a bazaar held this past Saturday, and residents of Juniper Hill who were displaced by the fire were able to select items for their apartments.
  - C. **Housing**

Assisted Living Project - K. Grunwald reported that the Town has issued an RFQ for a consultant to conduct a needs assessment for an Assisted Living facility. He will keep the Commission updated on the status of this process.  
Juniper Hill, Jensen's Park, Other: no report.
  - D. **Related Town and Regional Organizations**

Advisory Committee on the Needs of Persons with Disabilities – no report.  
Senior Resources of Eastern CT: no report.

Town Plan of Conservation and Development: no report.

Town Community Center: B. Acebo stated that she received a newsletter from the Community Center, and she noted that there was no mention of seniors to encourage participation in the Center. There was some discussion that the Commission would like to see the Community Center target more programs for seniors, and to target seniors as a demographic group. S. Thomas suggested contacting the Recreation Advisory Committee; N. Stevens suggested using the suggestion boxes there. Also suggested inviting C. Vincente to attend a Commission meeting. D. Mercier suggested that we start with this; Curt will be invited to the next meeting.

## **VI Old Business**

**Need for Windham Region Rep to Board of Senior Resources:** no discussion.

**Status of Agency Requests for Funding from Town:** the Town Manager's recommendations have gone to the Town Council. This part of the budget will be reviewed and will be open for public comment tonight at 6:30.

**Preparation of The Long Range Plan (2004-2014) –** K. Grunwald distributed a draft outline for the plan. Some questions were raised about the need for and use of a survey to complete this project. It was suggested that we create a draft plan and make the completion of a town-wide survey as one of the major tasks in the plan. N. Stevens suggested that K. Grunwald contact Waldo Klein and the School of Social Work to commit to a time-frame and a charge for the cost of assisting with this survey. J. Kenny suggested that Nancy Sheehan would be another option to consider. It was agreed that K. Grunwald will initiate the contact.

## **VII New Business**

B. Acebo discussed rental reevaluation at Juniper Hill. Jean Ann Kenny explained how rent is calculated.

## **VII. Adjournment**

**Meeting adjourned 3:58 p.m.** Next meeting is scheduled for Mon., May 9 at 2:30 pm at the Senior Center

Respectfully submitted,

Kevin Grunwald

TOWN OF MANSFIELD  
CONSERVATION COMMISSION  
Minutes of the March 16, 2005 Meeting  
Conference Room B, Audrey P. Beck Building

Present: Robert Dahn (chair), Jennifer Kaufman, Quentin Kessel, John Silander, and Frank Trainor.

Town Staff: Grant Meitzler

1. The meeting was called to order at 7:38 PM.
2. Kaufman moved, and Trainor seconded, that the minutes of the February 16, 2005 meeting be approved. The motion passed unanimously
3. Membership: Denise Burchsted and Robert Thorson, because of their extraordinary commitments and schedules have declined to be reappointed to the Commission. Their contributions have been of great value and will be missed. This leaves the CC two members short. Possible members were discussed and Kaufman will report the situation to Town Manager Berliner. In the event the Town wishes to nominate individuals to fill these slots, the CC recommends that potential members attend at least one meeting prior to their being appointed so that the current CC members can review CC responsibilities with them.
4. Open space issues: Kaufman and Kessel reported on the February 15, 2005 Open Space Preservation Committee meeting. Kaufman noted that there will be a meeting on Wednesday, March 23 with members of the PAC, the OSPC, the CC, and the Farm Committee to prepare a recommendation on funding for open space and farmland preservation for the Town Council.

5. IWA Referrals.

W1294 - Minutti/Thompson - Mansfield City Road - Map date: March 2, 2005. This application is for a 25-lot re-subdivision. Two motions passed: Silander moved, and Kaufman seconded, that the level spreaders should be pulled back from the wetlands. This motion passed unanimously. Kaufman moved, and Silander seconded, that the construction on the proposed lots should have no significant negative impact on the wetlands if the sedimentation and erosion controls shown on the maps are in place during construction and removed after the site is stabilized. After a great deal of discussion a vote was taken with the result that there was one vote in favor and three abstentions. The reason for the abstentions was that all members of the CC are uncomfortable with the intensive development of this parcel. While individual lots may not result in a significant negative impact to the wetlands, the cumulative impact of this lots will almost certainly be detrimental to the wetlands which do extend beyond the property to be developed.

W1296 - Moran/Dorwart - Wormwood Hill Road - This application is for the construction of a single family house within 150 feet of a wetland. Kessel moved, and Kaufman seconded, that there should be no significant negative impact on the wetlands if appropriate erosion and sedimentation controls are in place during the construction and removed after the site is stabilized. The motion passed unanimously.

6. PZC Referrals.

PZC file # 11113-2- Minutti/Thompson - Mansfield City Road - Map date: March 2, 2005. This application is for a 25-lot re-subdivision. Silander moved, and Trainor seconded, that the following points made during the discussion of this subdivision be placed in the minutes the PZC to consider: The proposed open space lacks real connectivity with other protected opens space. Additional land contiguous with the existing white cedar swamp buffer would be preferable. The open space abutting lot 34 seems to have minimal open space value in the present configuration. The connection with other open space in tenuous and its usefulness to members of the community was questioned. The connecting swath along lot 11 appears to be less than 20 feet wide. A fifty foot width would be more appropriate. The motion passed unanimously.

The meeting adjourned at 9:15 P.M.

Respectfully submitted,

Quentin Kessel  
Secretary

Item #3



Mansfield Downtown Partnership

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1244 Storrs Road  
PO Box 513  
Storrs, CT 06268  
(860) 429-2740  
Fax: (860) 429-2719

May 3, 2005

Board of Directors  
Mansfield Downtown Partnership

**Re: Item #3 - Meeting Minutes**

Dear Board members:

Attached please find the minutes for the Board meeting held on April 5, 2005.

The following motion would be in order:

*Move, to approve the minutes of April 5, 2005.*

Sincerely,

A handwritten signature in cursive script that reads "Cynthia van Zelm".

Cynthia van Zelm  
Executive Director

Attach: (1)

**MANSFIELD DOWNTOWN PARTNERSHIP, INC.  
BOARD OF DIRECTORS MEETING  
Mansfield Downtown Partnership Office  
Tuesday, April 5, 2005**

**MINUTES**

Present: Steve Bacon, Martin Berliner, Tom Callahan, Dale Dreyfuss, Al Hawkins, Janet Jones, Philip Lodewick, Dave Pepin, Caroline Redding, Steve Rogers, Phil Spak, Frank Vasington

Staff: Cynthia van Zelm

**1. Call to Order**

Philip Lodewick called the meeting to order at 4:05 pm.

**2. Opportunity for Public to Comment**

There was no public comment.

**3. Approval of Minutes**

Dale Dreyfuss made a motion to approve the March 1, 2005 minutes. Dave Pepin seconded the motion. The motion was approved unanimously.

**4. Update on Status of DRAFT Municipal Development Plan (MDP)**

Cynthia van Zelm said that she had received comments back from the Department of Economic and Community Development and most of the comments were straightforward and technical in nature. The team will be working on responding to the comments as soon as possible.

**5. Review and Approval of Proposed Bylaws Changes**

Tom Callahan said the Bylaws changes being recommended by the Nominating Committee, with suggested changes by Partnership Lee Cole-Chu, were mainly technical in nature. One of the more significant changes is to recommend the elimination of limits on officer terms. Currently, officers can only serve three consecutive one-year terms. There is a sense that maintaining stability and continuity with the current officers would serve the Partnership well. Steve Bacon said the Nominating Committee was unanimous in this recommendation and felt it was an essential Bylaws change.

Steve Rogers arrived.

Frank Vasington asked a question about why any change in membership dues can only be voted on by that particularly "class" i.e., individual class vs. the entire membership. Mr. Callahan said there would still need to be a two-thirds vote by the membership to make any change.

Mr. Vasington had several other recommendations, many technical in nature. It was agreed that these would be reviewed by the Nominating Committee in the context of potential changes to the Bylaws next year.

There was a discussion to strike "individual" in Article V, Section 3 regarding the qualifications of Directors to make it clear that business or other members could be Directors.

There was an extended discussion of whether committee members needed to be members of the Partnership (suggested recommendation to be considered).

Mr. Callahan made a motion to adopt the Bylaws changes as presented in attachment 5, except with no change to Article VI, Section 2 (re: committee members do not have to be members of the Partnership), with a recommendation to the Nominating Committee to review Mr. Vasington's suggested changes before the 2006 Annual Meeting. Mr. Dreyfuss seconded the motion.

Mr. Dreyfuss made a motion to amend Mr. Callahan's motion to include striking "individual" in Article V, Section 3. Janet Jones seconded the motion. The motion was approved.

Dave Pepin made a motion to amend Mr. Dreyfuss's motion to delete the proposed amendment to the Bylaws (Article VI, Section 2) to not allow people to be members of committees unless they are Partnership members. Caroline Redding seconded the motion. The motion was approved.

There was some discussion that there needed to be more review of the proposed Bylaws changes.

Mr. Callahan withdrew his motion.

Steve Rogers made the following motion – to make changes suggested by attachment 5 to 1) Article V, Section 2 (changing name of Chancellor to Provost), 2) Article V, Section 5 (clarifying term of office for Directors), and 3) Article VII, Section 3 (eliminating limit on terms of office). Janet Jones seconded the motion. The motion was approved unanimously. *(attached as an appendix)*

## 6. Director's Report

Ms. van Zelm said that the kiosk was up now at the corner of Dog Lane and Storrs Road.

She said that she, Mayor Paterson, and Macon Toledano had good meetings in Washington, D.C. with Congressman Simmons, Senator Lieberman and Senator Dodd's staff regarding funding for the public infrastructure of the project.

Ms. van Zelm encouraged Board members to fill out the retail survey from LeylandAlliance on the Storrs Center website.

## 7. Committee Reports

### Business Development and Retention

In Mike Gergler's absence, Ms. van Zelm reported that the Committee reviewed a summary of the relocation plan as submitted by Partnership Attorney Lee Cole-Chu. Mr. Cole-Chu was available to answer questions at the Committee meeting.

### Festival on the Green

In Betsy Paterson's absence, Ms. van Zelm reported that sponsorship letters were going out and the Committee members were working on securing food and art vendors.

### Finance and Administration

Dave Pepin reported that the Committee had received an update on the Storrs Center project and other LeylandAlliance projects from Howard Kaufman and Macon Toledano with Leyland Alliance. Mr. Pepin said they did an excellent job.

### Membership

In Betsy Treiber's absence, Ms. van Zelm said there were 261 paid members with dues totaling more than \$15,000.

Committee member Al Hawkins said that a display would be developed about membership and the project to be used in presentations.

### Planning and Design

Mr. Bacon reported that the Committee met with Macon Toledano and Howard Kaufman as well Adrian Tuluca, a sustainability expert from Steven Winter and Associates, about sustainability issues. LeylandAlliance is to continue working

on sustainability guidelines for the project. He referenced Maria Gogarten's letter in the Board packet urging that LEED standards be adopted for the Storrs Center project.

## **8. Other**

Al Hawkins said there had been some discussion at the last Mansfield Town Council meeting re: trying to make sure the current businesses in buildings that will be replaced are not too disadvantaged. Mr. Lodewick said the draft relocation plan is being developed. The Partnership and the development team are researching possible other sites where businesses could be potentially relocated. The Partnership will also serve as an information site for businesses. He reiterated that the relocation issues are a major priority for the Partnership.

## **9. Adjourn**

Mr. Rogers made a motion to adjourn. Frank Vasington seconded the motion. The meeting adjourned at 5:30 pm.

*Meeting notes taken by Cynthia van Zelm.*

HOUSING AUTHORITY OF THE TOWN OF MANSFIELD  
REGULAR MEETING  
MINUTES  
March 15, 2005  
8:00am

The members of the Housing Authority of the Town of Mansfield met in the regular meeting at 8:00am Tuesday March 15, 2005 at the office of the Housing Authority of the Town of Mansfield, 309 Maple Road, Storrs, Connecticut, the time, date and place duly established for holding such meetings.

**ROLL CALL**

On roll call the following Commissioners were present:

<b>Richard Long</b>	-	<b>Chairperson</b>
<b>Joan Christison-Lagay</b>	-	<b>Vice-Chairperson</b>
<b>Dexter Eddy</b>	-	<b>Treasurer</b>
<b>Gretchen Hall</b>	-	<b>Assistant Treasurer</b>

Also present was Cathy K. Forcier, Executive Director.

**William Simonsen was absent and excused.**

**MINUTES**

After review and due deliberation a motion was made by Gretchen Hall, seconded by Joan Christison-Lagay, to approve of the minutes of the regular meeting of February 17, 2005 with the correction. Motion passed unanimously.

**COMMUNICATION**

From NAHRO, re: John L. Carroll Memorial Scholarship.

From The Town of Mansfield re: March 28, 2005 Public Hearing.

**COMMENTS FROM THE PUBLIC**

None

**REPORT OF THE DIRECTOR**

Mrs. Forcier notified the Board of the proposed Commissioners' Roundtable Discussions, sponsored by ConnNAHRO on a quarterly basis.

Mrs. Forcier notified the Board of the new program where Housing Authorities can request the service fees paid to CHFA returned for use for rehabilitation needs, rents, etc.

**Bills**

The Commissioners were presented with a list of bills for February 2005. After review and due deliberation, a motion was made by Joan Christison-Lagay, seconded by Gretchen Hall, and passed unanimously, to approve the bills.

**Financial Reports**

The commissioners reviewed the Financial Reports for Wright's Village, Holinko Estates and the Section 8 Program. After discussion and due deliberation, a motion was made by Joan Christison-Lagay, seconded by Dexter Eddy, and passed unanimously, and it was voted to approve the Wright's Village, Holinko Estates, and Section 8 Financial Reports for the month of January 2005.

**Section 8 Statistical Reports**

The Commissioners reviewed the Section 8 Statistical Reports for February 2005. After discussion and due deliberation, a motion was made by Dexter Eddy, seconded by Joan Christison-Lagay, and passed unanimously.

**Report of the Tenant Representative**

Mr. Eddy reported that the north side of the buildings gets black ice when the sun doesn't shine in the area.

Mr. Eddy reported that the Knop Shop was looking good. He also reported that most residents seem to appreciate the Resident Service Coordinator's (RSC), Kate Cox, assistance.

**UNFINISHED BUSINESS**

**Section 8 Payment Standard** - Mrs. Forcier reported that no response has been received regarding the Housing Authority's request for an exception to the implementation timetable for a reduction in payment standard.

**Conversion of Bathtubs to Showers in Senior Housing** – Mrs. Forcier reported that a public hearing is scheduled for March 28, 2005 at 7:30pm.

**Vacancies**– Mrs. Forcier reported that new tenants are in units 101 and 904 at Wrights Village and that 3A at Holinko Estates and 901 at Wrights Village will have lease signing on the 16<sup>th</sup> and the 18<sup>th</sup> of this month.

**NEW BUSINESS**

**Bank Signature Cards** – Mrs. Forcier reported on the need to execute new signature cards due to the two new Board members. Cards were distributed for signatures.

**Bill 6785 Housing Trust Fund** – Mrs. Forcier reported that State Treasurer, Denise Nappier, is expected to establish a \$100 million Housing Trust Fund for Economic Growth and Opportunity. However, public housing stock is excluded from using these funds for rehabilitation.

**Spring Weekend Discussion** – It was confirmed that Fred Doten, Maintenance Mechanic, would be asked to provide security for Holinko Estates on Thursday, Friday, and Saturday nights as well as any other spring weekends, as needed.

**Section 8 Administration Plan Update** – Mrs. Forcier presented a new version, with a new format, of the Nan McKay Administrative Plan, customized to the Mansfield Housing Authority. Joan Christison-Lagay made a motion, seconded by Gretchen Hall, to accept the new version of the Section 8 Administrative Plan. Motion passed unanimously.

**Housing Authority Website** – Mrs. Forcier asked the Board if they had any knowledge/experience in creating websites with links. Mrs. Christison-Lagay suggested Mrs. Forcier see if an EO Smith student would be interested in developing a site. Mrs. Forcier suggested it might be a senior project idea.

**Section 8 Housing Assistance Payments (HAP) Analysis** - Mrs. Forcier presented the difference in HAP amount between what HUD's Budget calls for and actuality (\$474 /\$494).

**Holinko Estates Recertification** – Mrs. Forcier reported the annual process was complete resulting in approximately \$3400. more in the budget per year.

**Investments** – Mrs. Forcier reported that she is going to meet Gene Arnold, Senior Vice President Government Banking at Bank North, to see what he has to offer.

**Personnel Policy Revision** – Mrs. Forcier presented the dilemma and dispute in Willington regarding over-time pay when sick or vacation time has been used. Mrs. Forcier reported that the Housing Authority policy was not explicit. Gretchen Hall made a motion, seconded by Joan Christison-Lagay, to approve of paying time and one half for maintenance/security duties regardless of use of vacation or sick time. Motion passed unanimously.

March 15, 2005 Minutes continued

**ADJOURNMENT**

After discussion and due deliberation a motion was made by Gretchen Hall, seconded by Dexter Eddy, and passed unanimously, it was voted to adjourn the meeting at 9:30A.M.

Respectfully Submitted,

Cathy K. Forcier

**APPROVED:**

Richard Long

Local Housing Authority Directory  
Housing Authority of the Town of Mansfield

Effective date December 2004

COMMISSIONERS

Richard Long office –Chairperson  
31 Westgate Lane 429-3541  
Storrs CT 06268 mlong3541@Charter.net  
Term: Oct. 31, 2000 through Oct. 31, 2005  
Occupation and business affiliations: UConn Professor Emeritus

Joan Christison-Lagay office – Vice-Chairperson  
9 Elizabeth Road 429-4519  
Mansfield Center CT 06250 christisonlagay@charter.net  
Term: Jan. 15, 2003 through Oct. 31, 2006  
Occupation and business affiliations: Health Administrator

Gretchen Hall office – Assistant Treasurer  
62 Crane Hill Rd. 456-1027  
Mansfield CT 06268 garhall@snet.net  
Term: Jan. 26, 2004 through Oct. 31, 2008  
Occupation and business affiliations: none

William Simonsen  
43 Chatham Drive 456-1871 Commissioner  
Mansfield CT 06268 simonsen@UConnFM.UConn.edu  
Term: February 14, 2005 through October 31, 2009  
Occupation and business affiliations: UConn Professor

Dexter Eddy office - Treasurer  
403 Wrights Way 429-9844  
Storrs CT 06268 BrenDex@juno.com  
Term: February 14, 2005 through October 31, 2007  
Occupation and business affilications: Retired

Executive Director: Cathy K Forcier  
Office Location: 309 Maple Rd. phone- 487-0693  
Storrs CT 06268 fax - 429-6127  
Mailing Address: same mha1974@sbcglobal.net  
Office hours: 8am to 3pm Outside office hours contact: answer machine  
Regular Meeting Schedule: Third Thursday of each Month at 8am at 309 Maple Rd.  
Storrs CT 06268  
Annual Meeting Third Thursday in the Month of November

## MINUTES

### MANSFIELD INLAND WETLAND AGENCY Special Meeting, Monday, April 19, 2005 Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Ryan, G. Zimmer  
Members absent: B. Gardner, J. Goodwin  
Alternates present: C. Kusmer, B. Pociask  
Alternates absent: B. Mutch  
Staff present: G. Meitzler (Inland Wetlands Agent)

Chairman Favretti called the meeting to order at 7:04 p.m., appointing Alternates Kusmer and Pociask to act as voting members. Mr. Kochenburger noted that he had heard tapes of the previous meeting and felt qualified to vote.

#### W1280, "Sawmill Valley Estates", 7 proposed lots at Crane Hill and Browns Rds.

This special meeting was convened for the purpose of discussion and possible action on the application of Highland Development Associates, LLC, for a seven-lot subdivision at Browns Rd. and Crane Hill Rd., with development proposed to take place in two phases. After speaking to the motion she planned to make, Holt MOVED, Ryan seconded to grant an Inland Wetlands License to Highland Development Associates, LLC (file W1280) for Phase I of a subdivision entitled Sawmill Valley Estates consisting of Lots 1, 2 and 3, on property owned by the applicant located along Browns Road, as shown on maps dated 10/1/04 revised through 3/7/05 and as described in other application submissions and as heard at Public Hearings on 1/18/05, 2/7/05, 2/22/05, 3/7/05 and 3/21/05. It is noted that the applicant clearly defined the submittal as consisting of Phase 1 (Lots 1, 2 and 3) and Phase 2 (Lots 4, 5, 6 and 7). For reasons cited below, this action does not authorize any lots in Phase 2.

This action, to approve with conditions Phase 1, is based on a finding of no anticipated significant impact on the wetlands from proposed development in this phase, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. The depicted conservation easement shall utilize the Town's model easement format and shall be filed on the Land Records in association with other documents required in conjunction with subdivision regulation requirements. If an alternative open space dedication option is deemed appropriate by the Planning and Zoning Commission, said easement issue shall be reconsidered by the Inland Wetland Agency before final maps are filed on the Land Records;
3. This approval of Phase 1 (Lots 1, 2 and 3) is valid for a period of five years (until 4/18/10), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. The applicant shall notify the Wetlands Agent before any work begins and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment.

Based on the record for this application and the Agency's review of applicable inland wetlands regulations, it has been determined that Phase 2 as proposed would have a significant impact on both onsite and offsite wetlands. Therefore, no license is hereby issued for Phase 2 (Lots 4, 5, 6 and 7) of the submitted plans. Phase 2 development has not been approved for the following reasons:

1. The subject Phase 2 area has significant physical constraints associated with steep slopes, wetland and watercourse areas and areas of high groundwater. Based on a review of the application, public record and applicable inland wetland regulations, the Agency has concern that the proposed location and degree of land disturbance associated with proposed driveways, septic systems, houses and yard areas will result in erosion and sedimentation control problems, drainage impacts and a long-term loss in wetland productivity and other wetland functions as defined in Mansfield's regulations and the Connecticut General Statutes. It is emphasized that significant activity has been proposed within, immediately adjacent or directly uphill of

an important wetland/watercourse area that was specifically cited as important in the applicant's wetland assessment report. The sensitivity of the Phase 2 area was emphasized in public comments received from Crane Hill Road neighboring property-owners;

2. In addition to considering Mansfield's inland wetlands regulations, the Agency considered DEP guidelines for stormwater management and erosion and sedimentation control, as well as comments from D. Scott Gravatt, District Director of the Eastern Connecticut Conservation District, Inc. Based on these sources of information and regulatory approval criteria, the Agency has concluded that Phase 2 construction as proposed would result in significant impacts on surface water quality. While the plans have been modified to eliminate a previously-proposed road and to reduce the number of lots in Phase 2 to four, modified plans show two parallel driveways, resulting in an area of disturbance that is little different from the formerly-proposed road in the area of direct involvement with the wetlands, and with similar potential for sediment and erosion problems;
3. The applicant has not presented adequate information to indicate that direct and potential impacts from the two parallel driveways and the four proposed lots in Phase 2 represent the most feasible and prudent alternative for access and development of this portion of the site;
4. Alternates that should be investigated include: a) providing a single driveway crossing of the wetland (located 400 feet in from Crane Hill Road) at its narrowest point, which is 30 feet wide); b) eliminating the depicted 125 foot-long wetland crossing, and c) eliminating house site construction in areas of steep slope and in areas proximate and immediately uphill of wetlands. Particular attention should be given to the location and size of proposed development area envelopes and building area envelopes.

MOTION CARRIED, all in favor except Kusmer and Pociask (both disqualified).

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

## MINUTES

### MANSFIELD INLAND WETLAND AGENCY Regular Meeting, Monday, April 4, 2005 Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), J. Goodwin, R. Hall, K. Holt, P. Plante, G. Zimmer  
Members absent: B. Gardner, P. Kochenburger  
Alternates present: B. Ryan  
Alternates absent: B. Mutch, B. Pociask  
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:07 p.m., appointing Alternate Ryan to act as a voting member.

**Minutes:** 3/7/05 – p. 1, 2/22/05 Mins. - Maker of motion corrected; p. 1, 3/1/05 Mins. – Maker of motion corrected; p. 3, para. 4, 2<sup>nd</sup> line from bottom – “entering” added before “Crane Hill Rd.”. Hall MOVED, Plante seconded to approve the Minutes as corrected; MOTION PASSED unanimously.

3/21/05 special meeting – Hall MOVED, Holt seconded to approve the Minutes as presented; MOTION CARRIED, all in favor except Plante (disqualified).

3/23/05 field trip – Holt MOVED, Favretti seconded to approve the Minutes as presented; MOTION CARRIED, Holt, Favretti, Goodwin and Ryan in favor, all else disqualified.

**Communications:** 2/16/05 Conservation Commission Minutes, comments on W1294 (Thompson/Miniutti Group) and W1296 (Moran/Dorwart); Wetlands Agent’s 3/31/05 Monthly Business report; other communications as listed on the Agenda or distributed at the meeting.

#### **Old Business**

W1287, Town of Mansfield, Separatist Rd. bikeway – Holt MOVED, Hall seconded to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to the Town of Mansfield Department of Public Works (file W1287) for construction of a bikeway (3,700 feet long by 8 feet wide), together with drainage, wall and fence, on property owned by the Town of Mansfield (easement), located along the east side of Separatist Road, as shown on a map dated 1/24/05 revised through 3/05, including a letter from Hultgren and Veillette dated 3/16/05, and as heard at Public Hearing on 3/7 and 3/21/05. This action is based on a finding of no anticipated significant impact on the wetlands and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls, as shown on the plans, shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. Said control measures shall be implemented as determined by existing conditions during construction for work on the retaining wall station 32+50 to 37+00. The person responsible for installation and maintenance of these controls shall be designated once the contract for this work has been awarded and before work begins;
3. All erosion and sediment controls shall be installed in each phase prior to any construction starting in that phase.
4. This approval is valid for a period of five years (until 4/4/10), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED unanimously.

W1296, Moran/Dorwart, Wormwood Hill Rd., single-family house within buffer zone – In addition to the Conservation Comm. comments noted above, reports were received from the Windham Water Works (3/18/05) and the Wetlands Agent (3/28/05). Holt MOVED, Ryan seconded to grant an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael Moran (file W1296) for construction of a single-family house on property owned by the Reinhold A. and Juanita M. Dorwart Family Trust located at Wormwood Hill Road, as shown on a map dated 3/2/05 and as described in other application

submissions. This action is based on a finding of no anticipated significant impact on the wetlands and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls, as shown on the plans, shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. This approval is valid for a period of five years (until 4/4/10), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED unanimously.

**W1290, Public Hearing, proposed 25-lot subdivision, "Sunrise Estates," Mansfield City Rd., Smith Farms Development Group** – The Public Hearing was called to order at 7:16 p.m. Members and alternates present were Favretti, Holt, Goodwin, Ryan, Hall, Plante and Zimmer. The legal notice was read and The Wetlands Agent's 3/31/05 memo was noted. In addition, a 2/28/05 Wetlands Report had been submitted by the applicant.

Att'y. Leonard Jacobs introduced project engineer Ray Nelson and soil scientist Ed Pollack, and stated that the applicant seeks approval for a 25-lot subdivision off the south side of Mansfield City Rd.. He said the project would not impact any wetlands or watercourses.

Engineer Nelson then displayed mapping of the entire site and briefly described the proposed work. All 25 house lots would front on a new loop road coming in from Mansfield City Rd. He said that three stormwater outlets would be constructed some distance from wetlands, and would filter into the wetlands, and that only 2 acres of land would be disturbed. A summary of drainage calculations was submitted. Mrs. Holt noted that the design area and building area envelopes as currently shown seemed very close to wetlands, and the distances differ from those in Mr. Meitzler's memo. Mr. Nelson explained his method of calculating the distances, and Mr. Meitzler agreed that, because of differing methods of calculation, this might be so, but he still feels the envelopes should be redesigned. The applicants agreed to revise them.

Soil the scientist Pollack stated he had flagged the wetlands for this and a preceding project, "Smith Farms" subdivision, in 2001 and 2004 and completed his assessment this year. He noted that this phase, which is contained in the northern portion of the property, contains a large wetland which eventually flows into the Willimantic River. He described the remaining wetlands, soils, flora and fauna he had found onsite, and said no endangered species or species of special concern were noted. He note that there is a small cedar swamp off Mansfield City Rd.. He said no disturbance to wetlands or watercourses is anticipated, and agreed to meet with the engineer to redesign the layout and building envelopes for lots 12 and 13 farther from wetlands, as advised in Mr. Meitzler's memo. He noted that a large amount of the site is to be preserved as open space.

Mr. Zimmer asked whether the 3 planned stormwater drainage structures would need regular maintenance, and Mr. Pollack replied that they would be cleared immediately after construction, and thereafter only on an infrequent basis. There was no public comment. At 7:50, after brief discussion of possible alternative drainage treatments, the Hearing was recessed until 5/2/05, to allow time for revisions and staff review.

**W1280, Highland Dev. Assoc., LLC, proposed 7-lot subdivision at Crane Hill and Browns Rds.** – The Public Hearing is closed, and members discussed several aspects of the application, for which Mrs. Holt had volunteered to draft a motion. Mr. Hall again expressed concern regarding the closeness of the 2 driveways entering Crane Hill Rd. adjacent to an existing drive, and members discussed potential traffic safety and drainage impacts. During discussion, Mrs. Goodwin stated her opinion that, since the proposal was presented as one application, it must be treated as such. Mr. Padick noted that approval conditions must follow State and local regulations, but can require reasonable modification of an application. Mrs. Holt volunteered to work on motions for a special meeting which, by members' consensus, will be held on 4/18.

**New Business** – The Wetlands Agent's 3/31/05 memo discusses all three of the following requests.

**W1297, Healey, 476 Storrs Rd., proposed yard work, clean-up and grading, request for as-of-right declaratory ruling** – The applicant requests an agency ruling that no permit is needed to remove accumulated brush and debris and grading of disturbed grass areas within 150 feet of wetlands. Mr. Healey explained his desire to clean up and regrade the grounds. The site contains an historic residence and grounds with a small outbuilding, and the Eaton Bog. No work is to take place within 40 feet of the wetlands. Mr. Meitzler explained how the work could be performed without detriment to the wetland and still allow access to the adjoining field. At length, Goodwin MOVED, Holt seconded that the Agency finds that the work proposed by Michael Healey in a 4/4/05 request for construction and maintenance of his residential property at 472 Storrs Road may be performed without a Wetlands

License, and that all erosion and sediment controls determined by the Wetlands Agent to be necessary must be put in place during construction. MOTION PASSED unanimously.

W1298/W1027, Cleare, proposed single-family residence on Ravine Rd. – Approval of the original application was granted on January 4, 1999. Revised plans show relocation of the house and septic system and accompanying silt fence. Goodwin MOVED, Holt seconded to receive the application submitted by Geoffrey S. Cleare (files W1027/W1298) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the construction of a single-family residence on Ravine Road, on property owned by the applicant, as shown on a map dated March 28, 2005 and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED unanimously.

W1299/W1284, Grover, proposed single-family residence on Hickory Ln. – The newly-submitted plan shows final locations for the house, septic system and driveway. Holt MOVED, Zimmer seconded to grant modification of an existing Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Kurt Grover (files W1299/W1284) for construction of a single-family home on property owned by the applicant on Hickory Lane, as shown on a map dated 7/5/91 revised through 3/22/05 and as described in other application submissions. This action is based on a finding of no anticipated significant impact on the wetlands and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls, as shown on the plans, shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. The Agency emphasizes that all silt-fencing shall be properly installed before any other construction work can begin;
3. Any changes to these approved plans will be cause for the applicant to notify the Agency for further review and approval;
4. This approval is valid for a period of five years (until 4/4/10), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED unanimously.

A field trip was set, by mutual consensus, for Wednesday, April 13<sup>th</sup>, at 1 p.m.; (during the PZC meeting that followed, the time was amended to 1:30 p.m.)

The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, April 18, 2005  
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Ryan, G. Zimmer  
Members absent: B. Gardner, J. Goodwin  
Alternates present: C. Kusmer, B. Pociask  
Alternates absent: B. Mutch  
Staff present: C. Hirsch (Zoning Agent), G. Padick (Town Planner)

Chairman Favretti called the meeting to order at 7:20 p.m., appointing Alternates Kusmer and Pociask to act as voting members for this meeting.

**Minutes** : *4/4/05* – The spelling of Mrs. Ryan’s and Mr. Kochenburger’s names was corrected. Mr. Kochenburger noted he had heard tapes of the meeting. Plante MOVED, Zimmer seconded to approve the Minutes as amended; MOTION CARRIED, all in favor except Pociask and Kusmer (disqualified).

*4/13/05 field trip* – Holt MOVED, Favretti seconded to approve the Minutes as submitted; MOTION CARRIED, with Favretti, Holt and Plante in favor and all else disqualified.

**Added to Agenda** – Holt MOVED, Hall seconded to add to the Agenda discussion of a new garage at Freedom Green; MOTION PASSED unanimously.

**Zoning Agent’s Report** – The March, 2005 Zoning Enforcement update was acknowledged. Mr. Padick reported that the town and the university are planning a major effort to control student activities and will provide fire and other emergency services for Spring Weekend. The University has involved students in coordinating plans for a safer, saner weekend.

Mr. Kochenburger reported noticing a buildup of trash in the woods at the former Rosal’s site; Mr. Hirsch agreed to look into the problem.

#### **Old Business**

Special permit application, proposed commercial buildings at 452 Storrs Rd. at Bassetts Bridge Rd., Home Selling Team, LLC, M.A.D. 5/27/05, file 510-2 – The Town Planner’s 4/8/05 memo was noted. Members discussed the application, focusing first on a previous suggestion regarding the feasibility of closing off the Rt. 195 entrance to the site. Mr. Padick stated that he had been told by the Fire Marshal that unless there were suitable provisions for emergency vehicle turnaround, such a closure could prevent the entrance or exit of fire and other emergency vehicles to the site. It was noted that, based on the present plans, site limitations might prevent the construction of an adequate turnaround. Other traffic considerations, including the adequacy of the applicant’s traffic study, the advisability of one-way driveways at Bassetts Bridge Rd. and Rt. 195, and the existing and potential traffic situations at that intersection, were also discussed. After further discussion, Mr. Kochenburger agreed to work on preliminary motions to be presented for discussion at the next meeting.

Special permit application, proposed live music, Coyote Flaco restaurant, 50 Higgins Highway., file 724 - Hall MOVED, Holt seconded to approve with conditions the special permit application (file 724) of A. Cabrera for live music at the Coyote Flaco restaurant on property located at 50 Higgins Highway (Route 31) in a Planned Business-5 zone, as submitted to the Commission, described in a January 24, 2005 letter and presented at Public Hearings on 3/7/05, 3/21/05 and 4/4/05. This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and Article VII of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. This authorization for live music is limited to Mariachi musicians as described in application submissions. Any change in use as it has been represented by the applicant shall require further PZC review and approval;
2. As per regulatory provisions, no outside speakers shall be used in conjunction with the authorized live music and no music associated with the use shall be loud enough to be considered objectionable at the site's property lines;
3. Doors shall remain closed during any live music, except for normal customer passing;
4. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records, and it shall expire on November 1, 2005.

MOTION CARRIED, all in favor except Kusmer (disqualified).

Downtown project – Mr. Padick reported that the draft Municipal Development Plan has received some response from the State; their final comments are expected in 3 or 4 weeks. A joint Town Council/PZC dinner meeting has been tentatively scheduled for May 23, for further discussion of proposed regulations and design changes; meanwhile, the design team continues to work on plan issues. No applications for revisions to our Zoning Regulations are expected from the Partnership until late summer or fall. Phased work on the project is expected to begin in spring, 2006.

Proposed PZC fee revisions – A full staff recommendation, particularly with respect to subdivision applications, may be put off for a while, pending other upcoming issues.

#### Upcoming Public Hearings

Subdivision application, Wild Rose Estates, Phase II, 25 lots off Mansfield City Rd., The Miniutti Group, LLC, appl., file 1113-3 (Public Hearing scheduled for 5/2/05)

Proposed revisions to Art. III of the Zoning Regulations and Sec. 4.2 of the Subdivision Regulations regarding proposed temporary and limited moratorium on subdivision and resubdivision applications – (Public Hearing scheduled for 5/3/05)

#### Tabled pending further information

Subdivision application, 1 lot on Candide Ln., "Candide Lane Subdivision," L. Ross, appl., file 1227

Subdivision application, 4 lots at Crane Hill/Browns Rds., "Sawmill Valley Estates," Highland Development Associates, LLC, o/a, file 1228

#### New Business

Request for lot line revisions, Lots 4 and 5, Mulwood East subdivision, Wormwood Hill Rd., file 1225 – A 4/8/05 memo from the Town Planner was noted. Holt MOVED, Hall seconded to approve a lot line revision between lots 4 and 5 in the Mulwood East subdivision as described and depicted in a 4/6/05 submittal from David Dorwart. MOTION CARRIED, all in favor except Kusmer and Pociask (disqualified).

Proposed lot line revision, Lot 2, Well House subdivision, Browns Rd., file 1212 – Tabled - to be reviewed in association with Ross, Candide Lane subdivision, file 1227.

Freedom Green building modification request, garage at 5 Mohegan Square, file 636-4 – Mr. Padick explained that the garage was not built according to the approved site plan; a letter from B. Otto, of the management company representing The Villages at Freedom Green Homeowners Association was received in the Planning Office protesting the garage's present location. After further discussion, Holt MOVED, Hall seconded to receive the site modification request of Beaudoin Brothers, LLC for garage reorientation at unit 184, Mohegan Square, in Phase IV-B of the Freedom Green development. MOTION PASSED unanimously. Further discussion was tabled, and members agreed by consensus to visit the site individually.

Communications and Bills – As listed on the Agenda. Particularly noted were:

4/13/05 memo from Recycling/Refuse Coordinator on suggested dumpster provisions for Zoning Regulations – Mr. Padick recommended that the Recycling Coordinator's comments be kept in mind and considered in any relevant application, and that some specific guidelines should be incorporated into our Regulations; members agreed by consensus.

CFPZA notice for renewal of membership dues – Holt MOVED, Kochenburger seconded to approve the payment of \$90.00 for renewal for 2005-2006; MOTION PASSED unanimously.

4/11/05 memo from Town Manager and associated "sustainability" focus listings – Mr. Padick informed members that these two important issues have been referred to the PZC by the Town Council for incorporation into the Plan of Conservation & Development. A Town Council Public Hearing on the Quality of Life study is scheduled for 4/25/05.

4/1/05 State Affordable Housing Appeals Procedure List – Mr. Padick noted that Mansfield has more than fulfilled the required 10 % quota of affordable/low income housing for this year.

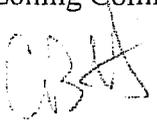
Plan of Conservation & Development update - The next meeting is scheduled for Wednesday, 4/27/05, at 3 p.m.. All were encouraged to attend. Minutes of the Committee's 3/31/05 and 4/13/05 meetings, as well as a 4/15/05 memo from the Town Planner, were noted. At tonight's PZC meeting, Mr. Padick stated that draft maps were being prepared in coordination with WINCOG. These are expected to be included in final form in members' 5/2/05 packets. He reviewed progress to date on the drafts of Parts 1 and 2 and the appendices. Members discussed at length some of the draft recommendations, notably proposed zoning changes regarding Industrial Park zones, and preservation of open space and agricultural land. The Plan of Development Committee has requested that members closely scrutinize the draft of Parts 1 and 2, mark their copies with any comments or questions, and get them to the members of the committee or Mr. Padick as soon as possible. It is hoped that a draft can be sent to the Town Council by mid-May, so it was emphasized that any comments or questions must be communicated quickly.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

To: Town Council/Planning & Zoning Commission  
 From: Curt Hirsch, Zoning Agent  
 Date: April 14, 2005



Re: ***Monthly Report of Zoning Enforcement Activity***  
*For the month of March, 2005*

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	16	5	13	142	136
Certificates of Compliance issued	11	9	7	133	112
Site inspections	68	30	44	271	350
Complaints received from the Public	2	2	5	32	24
Complaints requiring inspection	1	2	4	25	19
Potential/Actual violations found	15	4	4	50	24
Enforcement letters	22	8	2	87	70
Notices to issue ZBA forms	2	0	0	6	15
Notices of Zoning Violations issued	2	5	6	38	44
Zoning Citations issued	0	2	0	13	8

Zoning permits issued this month for single family homes = 4 multi-fm = 0  
 2004/05 Fiscal year to date: s-fm = 38, multi-fm = 7

TOWN OF MANSFIELD/DEPARTMENT OF CORRECTION  
PUBLIC SAFETY COMMITTEE  
WEDNESDAY, January 19, 2005  
COUNCIL CHAMBERS  
AUDREY P. BECK MUNICIPAL BUILDING

Minutes

Members Present: R. Blicher, Warden Higgins, C. Paulhus, R. Pellegrine, W. Solenski,  
W. Stauder, S. Thomas

Staff: Counselor D. Cyr, State Trooper D. Hall, Assistant Town Manager M. Hart, Deputy  
Warden K. Smayda

I. CALL TO ORDER

Chairman Pro Temp Stauder called the meeting to order at 3:00 p.m. and welcomed everyone present.

1. Mr. Hart volunteered to serve as the recorder/secretary for the meeting.
2. Mr. Pellegrine moved to approve the minutes of October 20, 2004, to be corrected to note Mr. Blicher as present. Mr. Paulhus seconded. The motion passed unanimously.

II. COMMUNICATIONS

1. The packet included the List of Offenses for November and December 2004. There was no discussion of these items.

III. WARDEN'S REPORT AND DISCUSSION

1. Population Status Report/List of Offenses – Counselor Cyr reported that the current population is 965 inmates. He then reviewed the list of offenses with the committee.

Mr. Solenski asked whether any of the conspiracy charges relate to sexual assault. Mr. Cyr stated they do not.

Mr. Pellegrine suggested that staff refer the matter of selecting a chair for the committee to the town council's committee on committees. Audrey Barberet did a very good job in this role.

IV. CHAIRMAN'S REPORT - None

V. OPPORTUNITY FOR THE PUBLIC TO SPEAK – None

## VI. OLD BUSINESS

1. Review Resident Concerns – Mr. Hart stated the committee had been approached by a member of the community who was concerned about the classification of inmates at Bergin. Warden Higgins explained how the inmate classification system works. The system is objective and fact-based, and Bergin always conducts an internal review for every inmate. If an inmate escapes or attempts to escape, he is immediately transferred. In response to the recent escapes, staff has developed an action plan, which they have sent to the department for review. They have also trimmed the foliage and are looking to improve the lighting. All movement of inmates is now halted during times of low light.

Mr. Solenski asked about the frequency of head counts. The warden explained that these do occur very frequently, and the staff-to-inmate ratio is very good.

Mr. Hart inquired about the process in which the classification of an inmate is downgraded over time for good behavior. The warden explained that the department uses seven objective factors in this analysis, and that sexual offenders cannot get to level two without the approval of the commissioner.

Mr. Solenski asked if the most recent escapee had an out-of-state warrant. Counselor Cyr replied that he did not.

Mr. Pellegrine asked if recidivism is a problem,. Counselor Cyr replied that this was hard to determine, but it is a factor. There is a lot of peer pressure from other inmates.

Ms. Stauder inquired as to how the committee could address this situation. Mr. Solenski responded that all we can do is to tell the public the facts. Mr. Blicher added that he did not think it was necessarily the responsibility of the committee to answer the questions – the committee’s job is to serve as facilitator to make sure that the Bergin staff is fully aware of the community’s concerns. Mr. Pellegrine stated that the facility had a stormy start, but that the recent history has been exemplary. For example, in the old days there was talk about inmates jumping the fence to get a cup of coffee in Mansfield Depot, and then returning to the facility.

## VII. NEW BUSINESS

1. Land Exchange with UConn – Mr. Pellegrine asked about the town’s planned land exchange with the state. Mr. Hart explained that the town had conveyed a parcel of land adjacent to Bergin to UConn in exchange for a parcel of UConn property along the Willimantic River at Plains Road. The town hopes to develop a canoe launch and recreational area at Plains Road, while the university may some day use the land adjacent to Bergin as a golf course or for some other recreational purpose.

VIII. ADJOURNMENT

Chairman Pro Temp Stauder adjourned the meeting at 3:35 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew W. Hart". The signature is written in a cursive style with a large initial "M".

Matthew W. Hart  
Assistant Town Manager

TOWN OF MANSFIELD CORRECTIONAL FACILITY LIAISON COMMITTEE

January 19, 2005

Minutes

Members and Staff Present: Same as DOC Public Safety Committee

I. CALL TO ORDER

Chairman Pro Temp Stauder called the meeting to order at 3:35 p.m.

1. Selection of Recorder – Mr. Hart volunteered to serve as the recorder for the meeting.
2. Minutes – Mr. Paulhus moved approval of the minutes of January 19, 2005. Mr. Solenski seconded. The motion passed unanimously.

II. COMMUNICATIONS – None

III. WARDEN'S REPORT AND DISCUSSION

1. Community Outreach – The warden reported that Bergin's outside work details remain very effective, and that the facility has assumed responsibility for managing the outside clearance program for the Willard Cybulski Correctional Institution in Enfield.
2. Programming Updates – Warden Higgins reported that Bergin has improved its addiction services program. Also, Bergin is looking to establish a youthful offender unit as part of the Marvin Building.

IV. OPPORTUNITY FOR PUBLIC TO SPEAK - None

VI. OLD BUSINESS

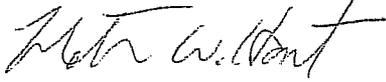
1. Ms. Thomas asked about the status of the school? The warden replied that the program is doing well, and that a number of inmates do participate.
2. Mr. Solenski inquired about the uniform worn by inmates working outside clearance. The inmates wear a khaki/beige uniform.
3. Mr. Pellegrine asked about turnover. Mr. Cyr explained that turnover is continuous. For example, the facility received 60 new inmates in the past week.
4. Mr. Paulhus suggested that the town consider using an inmate work crew to assist with the Southeast Park concession stand project.

VII. NEW BUSINESS – None

VIII. ADJOURNMENT

Chairman Pro Temp Stauder adjourned the meeting at 3:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Matthew W. Hart".

Matthew W. Hart  
Assistant Town Manager

**MANSFIELD DEPARTMENT OF SOCIAL SERVICES  
ADVISORY COMMITTEE  
MINUTES**

Thursday, April 7, 2005

**3:30 PM**

**PRESENT: K. Grunwald (staff), J. Heald (Chair), M. Hauslaib, J. Krisch, J. Peters**

**REGRETS: E. Passmore**

- I. **MINUTES:** The minutes of the March 3, 2005 meeting were accepted as written.
  
- II. **OLD BUSINESS:**
  - A. Status of agency funding requests: K. Grunwald reported that the Town Council meeting to consider agency funding requests will be held on April 11.
  - B. Advisory Committee Goals: K. Grunwald asked that members of the advisory committee review the following goals to assure that these are the goals that the committee is still interested in pursuing:
    - Continue to provide oversight and input on all Department programs, activities, and grant initiatives;
    - Explore various ways of surveying residents of Mansfield regarding social service needs and potential programs that may be offered through the Department; suggested that we look at what other Towns are doing to assess needs.
    - Advocate for the development of an assisted living facility for seniors;
    - Identify opportunities to partner with the Community Center in response to the social service needs of residents;
    - Consult on fund raising efforts aimed at providing financial support to assist residents in participating fully in community life, regardless of economic status;
    - Identify an optimal venue to facilitate dialogue among Mansfield's state legislators, area social service agency representatives and town social service advisory committees;
    - Provide input to the Town Council on the process for funding non-profit community agencies.
  - C. Membership: M. Hauslaib has provided suggested names as new members of the advisory committee. She and E. Passmore will be completing their terms this year. K. Grunwald will pursue recruitment efforts. Members were asked to provide other suggestions for new members.
  - D. Other: none
  
- III. **NEW BUSINESS:**
  - A. Update on United Way- J. Heald reported on research that she did on the Windham Region United Way. A staff member is willing to come and talk to this group about how they operate. They have started to look at measured outcomes for the agencies that they fund. She would like to find out what criteria they use for funding. J. Krisch asked

how we are looking at integrating our efforts with the United Way? J. Heald stated that she would like to know how efficient they are as a funding organization; she feels that they should be able to fund a larger percentage of non-profit agencies. M. Hauslaib states that she feels that this should be a municipal responsibility. J. Heald will follow up with the United Way on funding criteria and how successful they are in generating donations from Mansfield residents.

- B. Brief Report: "NLC Cities Supporting Parents of Young Children Leadership Academy": K. Grunwald reported that he is submitting a proposal for technical assistance in the area of developing "family-friendly" workplace policies and connecting families to resources. We are eligible for this assistance as one of 28 cities and towns that participated in the recent leadership academy.
- C. Proposed School Readiness Grant: K. Grunwald reported that the Town is once again eligible for school readiness funding, and he will be meeting with directors of the early care centers in town to discuss submitting a proposal. M. Hauslaib strongly advocated for pursuing this grant, and feels that it will put us in line for future funding. She offered to assist in the grant application process.
- D. Status of Full-Day Kindergarten proposal: K. Grunwald reported that the Board of Education budget that has been submitted to the Town Council includes funding for full-day kindergarten.
- E. Action Plan: anti-poverty resources: K. Grunwald distributed the action plan; there was no time for discussion.
- F. Other: none.

#### **IV. COMMUNICATIONS/REPORTS:**

- A. Review of Department activity and other items in packet and discussion with SSD Director:
- B. Program updates
  - Early Care and Education
  - Adult Services
  - Senior Services
  - Youth Services
- C. Other

#### **V. PLANS FOR FUTURE MEETINGS**

- Senior Center Update in June.

#### **VI. ADJOURNMENT:** the meeting was adjourned at 5:00 PM.

Respectfully submitted,

Kevin Grunwald

Marty

Mansfield Youth Service Bureau  
Advisory Board Subcommittee  
Meeting Minutes  
Tuesday, April 5, 2005  
10am @ YSB

**In attendance were:** Ethel Mantzaris, Resident/ Chairperson Frank Perrotti, Resident/Assistant Chairperson; Janit Romayko, YSB Coordinator; Pat Michalak, YSB Counselor; Michael Collins, Resident; Kevin Grunwald, Director Social Services Department; Eileen Griffin, Therapist/Member

**Regrets:** Jerry Marchon, Mansfield Police Dept

Agenda items included:

1. **Update included:**

- a. Case numbers high as typically January through May is when the heaviest clinical demand falls. Some of these cases have reached crisis proportion and involve DCF and Juvenile Court. The resources, availability and consistency of DCF remain problematic. Because as mandated reporters, we are often put in the middle of clients and the state, and confidentiality/trust are compromised. We have attempted several times to request specific DCF workers for Mansfield. Such an arrangement would allow for consistency, accountability and trust. It was suggested that we arrange another meeting to reacquaint DCF with our services. Janit Romayko will email Rachel LeClerc to request her presence at the meeting.
- b. Group numbers/involvement is high with positive responses from PAWS at Manchester Community College March 18, Homework Group, Juniper Hill, and COPE at all 3 elementary schools and Community Service @ MMS.
- c. PAWS presentation was made at MCC even though multi-media equipment was inconsistent all day. The eleven students who made the video would like to repeat this project this summer with a one-theme approach, i.e. bullying.
- d. Grief Group began at SE School on Tuesdays. This was a direct result of the death of Robert Hoyt in Iraq. His sister, Amber, grade 7 at MMS wanted to start a grief group for kids so that they could share their feelings.
- e. Community Service Group stuffed 2000 plastic eggs for the Easter Hunt. The "Easter" term will be changed for 2006 to "Spring". CS Group will also volunteer at the St. Paul's Soup Kitchen this coming week and in May.

Ethel reminded the group that there are several "great" kids in Mansfield for which we should be thankful. We all agreed.

2. **Teen Center:** Michael Collins asked how the Teen Center at the Community Center was being utilized. It appears that it is popular with students as well as their parents. Some parents assume that their middle schoolers are inside the Center when in fact they are across the street at the stores/shops. Additionally, there are several youth on bicycles/skate boards darting in and out of traffic. Ethel witnessed a few incidents and hopes that a car hits no one or that a driver inadvertently hits a biker by accident. It is difficult to supervise the parking lot in addition to the Center. Janit Romayko will mention to Curt Vincente'. There is also another popular hangout at Eastbrook Mall on Tuesday evenings. Papa Gino's has a "all you can eat" pizza night, which attracts large numbers as the price is low. Crowd control has become an issue.
3. **Part-time Position:** Trudy Wilson, the YSB part-time therapist has resigned effective mid-May. The position is an 8 hours- a- week direct service position that was instituted because of the clinical overflow. Kevin Grunwald seems to think that the position will not be cut and that we can assume that hiring will ensue.
4. **Legislation:** There are several bills of interest to YSB's. The FWSN/Status Offender bills are surfacing again but we all agreed that waiting until adolescence to treat an individual clinically is more difficult. Prevention is critical and having clinical services available is well worth the cost. Several out placements have been avoided because of Dr. Haney's intervention with the treatment of bi-polar children. They are now stabilized and in school. There are also bills proposed for regional probate courts to work with truancy assessment, SB271 and SB891 and another bill to establish regional children's probate courts: HB6747. YSB will monitor those bills.
5. **Mission Statement:** Michael Collins had asked for the YSB Mission Statement/Goals and Accomplishments. It is attached and will be updated in the next fiscal year.

Meeting adjourned 11:20AM.

Respectfully submitted,

Janit P. Romayko  
Secretary

LEGAL NOTICE  
MANSFIELD ZONING BOARD OF APPEALS

On April 13, 2005, the Mansfield Zoning Board of Appeals took the following actions:

1. Approved the application of John Cooley, 17 Hillside Circle, for a Variance of Art. VIII, Sec. A. Schedule of Dimensional Requirements, for a variance of approximately 24' for a front yard setback to construct a 24' x 25' addition not to exceed 22' in height as shown on the submitted plan.

All in favor.

Reasons for approval:

Topography of the land  
Unusual shape of the property  
Neighborhood approval

2. Approved the application James Russell, 97 Browns Road, for a Special Exception of Art. IX, Sec. C.2.b Non-Conforming Structures, Expansions/Alterations for a 20' front yard setback to construct a 7' x 29' porch onto the front of an existing single-family residence as shown on the submitted plan.

All in favor.

Reasons for approval:

Enhancement of the property  
Will not adversely affect the character of the neighborhood  
Neighborhood approval

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Handbook for  
**Connecticut Boards of Assessment Appeals**

A guide to property tax administration for  
Connecticut's municipal boards of assessment appeals

New edition by Edward Sembor

2002

Institute of Public Service

University of Connecticut

## PREFACE

This handbook is a substantial revision of what was previously known as the *Handbook for Connecticut Boards of Tax Review*. As a publication of the University of Connecticut's Institute of Public Service, it is designed to help members of boards of assessment appeals understand the local property tax, property tax assessment and administration, and their duties and responsibilities. It is not intended to be a substitute for the General Statutes, but rather to be used in conjunction with them.

The book is divided into two sections. The first section describes the nature of assessment review, and its importance in the administration of the property tax. Section two relates to current assessment review practices in Connecticut, particularly those concerning the organization and operations of boards of assessment appeals. The appendices provide additional information on the boards, including a digest of major court cases relating to property assessment review. While every effort has been made to make the publication as complete and accurate as possible, the Institute of Public Service assumes responsibility for any errors of omission or commission.

This edition marks the sixth time the Institute has revised and produced the handbook. Previous editions were compiled by Professors Rosaline Levenson, Edward T. Dowling, and George Hill. The Institute of Public Service remains indebted to their past efforts. Thanks are due to Karen Miller, for her secretarial assistance in the revision process. Graphic design was provided by Juan Castillo and editorial assistance was provided by Jane Winkler.

We also extend our appreciation and thanks to Fred Chmura, CCMA II, and Kathleen M. Rubenbauer of the Office of Policy and Management, State of Connecticut; Marsha Standish, CCMA II, Assessor of Stonington; and Brian Smith, CCMA II, Deputy Assessor of East Hartford, for reviewing this manuscript and suggesting improvements. Charles Agli, CCMA II, Assessor of New Britain, provided information on freedom of information that was incorporated into the text.

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## FOREWORD

The lifeblood of all Connecticut municipalities is the income secured through the general property tax. Cities and towns obtain revenue through license fees, sewer and garbage collection charges, state and federal grants, and other means; still, property taxes remain the largest, single source of income. Without the annual assessments imposed on land, buildings, business equipment, automobiles, and other forms of real and personal property, municipalities would be hard pressed financially to provide for the protection, education, and economic advancement of its people.

Cities and towns, however, cannot arbitrarily tax their residents. Constitutional requirements mandate, first, that they must have legal authority from the state, and second, they must adhere to certain procedures. If a town, for example, assesses one taxpayer's property at a certain percentage of actual value, the percentage and assessment procedures used for other taxpayers must be uniform. Also, the municipality must notify property owners of their assessments, and give them the right to appeal to higher authorities before the tax becomes final.

In Connecticut, assessment appeal is the citizen's guarantee that his or her property will be assessed in accordance with due process of law. This provision is made at the local level by municipal agencies known historically as boards of tax review, and since 1995, as boards of assessment appeals.

This publication has been prepared as a guide for the general public, as well as for members of the boards of assessment appeals. It describes both the powers and activities of the board. It also answers questions about assessment appeal operations. In considering the boards' functions, this book makes specific references to the General Statutes; it also includes reference materials to help members exercise their duties.

A word of caution is needed to board members who look to this publication to familiarize themselves with their powers and duties. Every effort has been made to check its accuracy, including having the manuscript read by people with expertise in property tax assessment. However, this book is not a legal document. It is also not intended to be a substitute for the General Statutes or cases cited in the Connecticut Reports. When using this handbook, readers, therefore, are advised to consult the General Statutes and Connecticut Reports themselves.



Edward C. Sembor, Ph.D.  
Associate Extension Professor  
Institute of Public Service

## CHAPTER I

### MUNICIPAL BOARDS AS APPEAL AGENCIES

Boards of assessment appeals are among the oldest, local government agencies in Connecticut. Their history, in fact, dates back to the colonial period.

Created by state law, the boards hold important powers affecting both the municipality and the taxpayer. Yet, paradoxically, they constitute one of the lesser known municipal agencies. Most taxpayers are aware of the office of assessor or tax collector in their communities. Few, however, know anything about the board of assessment appeals until, perhaps, they have a disagreement about their property valuation. Board members themselves may know little about the office prior to their elections or appointments, and frequently learn about their functions and duties only after assuming office.

Exactly what, then, are boards of assessment appeals? How did they develop? What is their function in local government?

### BOARDS OF ASSESSMENT APPEALS DEFINED

Boards of assessment appeals are official municipal agencies. They are designed to serve as appeal bodies for taxpayers who believe that town or city assessors erred in the valuation of their properties, or erroneously denied them exemptions.

It is important to note that the boards are not assessing agencies. They do not value taxable property—that is the function of the assessors. Their purpose is best explained by the word “review,” which was formerly in their title: They are review bodies, and as such, serve independently of assessors.

The boards are the first level of appeal from the actions of assessors. Their decisions are binding until an appeal is taken to the courts, or there is a change in valuation. In this way, they operate at an intermediary level between the assessors and the courts.

Composed of persons who generally are elected, the boards enable taxpayers to be heard by their peers at no expense. No fees are charged for the appeal process. Furthermore, taxpayers do not have to be represented by counsel.

There are 169 boards of assessment appeals in Connecticut, one in each town, and in each consolidated town and city. Most boards have three members. Local units of government located within a town, such as unconsolidated cities, boroughs, and special districts, do not have boards of assessment appeals. In these entities, the town assessor values all taxable property, while the town board of assessment appeals handles all appeals.

### HISTORICAL DEVELOPMENT

The concept of a board of assessment appeals—formerly titled “boards of tax review”—originated in Connecticut with the enactment of the Code of 1650. This provided the legal basis of taxation in Connecticut. Within the Code, under the section entitled, “Rates,” compiled by Silas Andrus, the following is found (in its original language):

And it is further ordered, That the commissioners for the severall townes upon this river, shall yearly meet uppon the third Thursday in the sixth month at Hartford; and the commissioners for the townes of Ffairfield and Strattford, shall meett the same day in one of those townes, and bring with them, fairely written, the just number of males listed as

aforesaid, the assessment of estates made in their severall townes, according to the rules and directions in this present order expressed. And the said commissioners being so assembled, shall duely and carefully examine all the said lists and assessments of the severall townes, and shall correct and perfect the same, according to the true intent of this order, and the same so perfected, they shall transmit under their hands, to the generall courte, the second Thursday in September, and then directions shall bee given to the Treasurer for gathering of the said rate, and every one shall pay their rate to the constable of the towne where it shall be assessed. . . .

*From: The Blue Laws, Compiled by Silas Andrus. 1999, Bibliopola Press, UConn Co-op, Storrs, CT.*

At that time, municipal assessments consisted of three kinds of taxes: The property tax; a poll tax on males over 16 years of age; and a "faculty" tax on artisans and traders, the forerunner of today's personal income tax.

The poor were relieved from paying these taxes. At first, the selectmen held the power of abatement; in time, a special agency, called the board of relief, was established in each town to take such appeals. These boards laid down the roots for the boards of assessment appeals, although their cases initially dealt only with the poor and others unable to pay their taxes. They were eventually expanded to hear appeals from all taxpayers, which grew out of the tradition that taxpayers have the right to petition their government if they feel taxes are too high or unjustly levied.

Since their formation, the boards of relief were composed of elected citizens. This underscored an American tradition: That taxpayers are entitled to appeal their assess-

ments not to a government official, but to one of their own peers. It reflected, as well, the colonists' mistrust of government officials. The English constitutional theory that "The king (or his representatives) can do no wrong," did not become part of the common law in the United States; in fact, the colonists believed that relief from unjust taxes could be made impartially only by a disinterested person elected for the sole purpose of hearing appeals.

There was another important reason for the election of the boards of relief. In the colonial period and the following century, when the United States was predominantly a rural nation, real property consisted chiefly of land, farms, farm equipment, cattle, livestock, homes, commercial buildings, factories, and small stores and businesses. Property at that time did not change hands very frequently—often it remained in the same family for generations. It was also relatively easy to classify and evaluate. Further, the primary qualifications for assessors and boards of relief were personal integrity and dedication to duty, rather than specialized knowledge. Based on these criteria, election was seen as the best method of selection.

By the end of the 19th century, these conditions changed. Industrialization accelerated, and the United States entered the urban age, with its corresponding changes in forms of property and new demands upon boards of relief. Because of the nature of their duties, the boards' names were changed in the early 1940s to "boards of tax review." And in 1995, by the General Assembly, to "boards of assessment appeals." This latest change reflects the shift from granting tax relief to reviewing assessment appeals.

The poll tax on males and the faculty tax on artisans and traders have long been abolished in the United States. The property tax, on the other hand, is still of major importance in Connecticut's municipalities, and handling

disputes over property assessments is the major role of boards of assessment appeals today. From affording tax relief to poor colonists, the boards in modern times have become essentially review agencies, hearing appeals and making decisions in cases involving property tax assessments.

## CHAPTER II

### ASSESSMENT REVIEW IN CONNECTICUT

Assessment review relates to procedures that ensure property valuations are just and equitable. An extended process, it begins with the assessor and ends with the board of assessment appeals. This process is of prime concern to all Connecticut municipalities, due to their dependence upon the revenues raised by property taxes.

### IMPORTANCE OF THE PROPERTY TAX

Connecticut ranked third in the nation in 1996 for its reliance upon the property tax. In fiscal year 1998-1999, the property tax brought in \$5.076 billion, out of a total of \$7.741 billion received by the state's 169 towns and cities from all sources.<sup>1</sup>

With the property tax such a critical source of revenue, it places an unusually large burden upon the boards of assessment appeals. Few property owners have the funds to contest an assessor's decision in court, and, consequently, rely upon their local boards to resolve their grievances.

Table 1 shows the compensation, along with the number and amount of lists reduced or increased from 1970 to 1993. It is clear that the volume of appeals has changed greatly over the years, and the amount of reductions and increases made by the boards has jumped sharply.

### ASSESSMENT PROCESS

The assessment process takes place before the board of assessment appeals sits as a review body. This process, repeated annually, starts when the municipal assessor or

board of assessors prepares an official listing of all taxable property in the community. Known as the Grand List, it represents the assessed valuation of all taxable and tax-exempt property. The net Grand List, which is the total assessed value after deductions for exemptions, becomes the municipality's tax base.

Two factors determine the tax rate on taxable property. The first is the tax base, or the total assessed valuation of the net Grand List. The second is the grand levy, the amount of money which must be raised by the property tax to meet municipal expenses during the ensuing fiscal year, as established by the municipality's legislative body.

To arrive at the tax rate, the grand levy is divided by the current tax base. This may be expressed by the following formula<sup>2</sup>:

$$\frac{\text{Grand Levy}}{\text{Net Grand List}} = \text{Tax Rate}$$

In Connecticut, the tax rate is generally expressed in mills, or thousandths of a dollar. The rate indicates the grand levy as a percent of the Grand List. The taxpayer's bill, or the amount of money he or she must pay the municipality, is determined by multiplying the assessed value of his or her taxable property by the current tax rate in the community.

Property is assessed as it exists on October 1, the assessment day. Both real and personal property are subject to taxation: Real property refers to land and all improvements permanently attached to the land, while personal property relates to other kinds of tangible property.

The assessor must complete and file the Grand List by January 31 or February 28 if the chief executive officer has granted an extension. It is then processed by the board of assessment appeals. The next step is to set the tax rate, which

is done by the board of selectmen, board of finance, or town or city council.

When putting together a tax bill, the most complex part is determining the assessed value of each item of taxable property. The property tax is so related to property values that it is often referred to as the ad valorem tax, i.e., a tax based upon the value of that which is taxed. The rule of valuation written into Connecticut law for all property—except that which is classified as farm land, forest land or open space—is one of fair market value. The law states: “The present true and actual value...shall be deemed by all assessors and boards of assessment appeals to be the fair market value thereof and not its value at a forced or auction sale.”<sup>3</sup>

To provide a conservative basis for assessment, Connecticut assessors generally place a property's valuation at a percentage of its market value, a figure known as the assessment rate. This practice has been permitted by the courts since 1876.<sup>4</sup> (The courts insist only that, when applied, it be uniform throughout the community.) In 1957, however, the Connecticut Supreme Court ruled in *Ingraham Co. v. Bristol* that assessing property at a fraction of its actual value was improper, in view of state statutes. The Ingraham decision led, in 1959, to legislation which legalized the use of the assessment rate, a practice which, as the court itself recognized, had been tolerated for so long that it “acquired the representation respectability of assumed legality.”<sup>5</sup>

Placing a property's valuation on a percentage of its market value, not exceeding 100 percent of valuation, is now required by law (Sec. 12-62a(b)) to be 70 percent of fair market value. Market value has been accepted by the Connecticut Association of Assessing Officers as the amount of money for which property may be exchanged (a) within a reasonable period of time and (b) under conditions in which

both parties in the exchange are willing, able and reasonably well informed.<sup>6</sup>

The courts have ruled on what is fair market value. Nonetheless, economic, legal, social, and physical conditions frequently change, and market value fluctuates accordingly. Three common gauges used in Connecticut are sales of comparable properties, reproduction cost less depreciation, and capitalization of income.<sup>7</sup> Assessors apply two or more of those methods to verify and check their valuations.

## RIGHT OF APPEAL

Boards of assessment appeals begin their work when taxpayers wish to contest the assessment of their properties or the imposition of an additional conveyance tax under SS12-504a to 12-504f.

The first appeal is to the board of assessment appeals in the town or city where the property is located.<sup>8</sup> Taxpayers must take two initial steps: Make a written application on or before February 20 or March 20, if the assessor has received an extension for the filing of the Grand List, and, at one of the meetings, offer or consent to be sworn in and give facts required by the board, either orally or in writing, or both (S12-111, S12-113, S12-112).

Taxpayers may or may not be represented by attorneys.<sup>9</sup> If they are not satisfied with the board's decisions, they may turn to the superior court of the judicial district for the town or city in which their property is located[(S12-117(a))].<sup>10</sup>

The boards derive their legal authority from the General Statutes, municipal charter, or from a special act of the General Assembly. In addition, they are bound by the decisions of the federal and state courts.

The courts have, as well, affected assessment policy

in their interpretations of fair market value, elaborating on the statutes which define market value.<sup>11</sup> At the same time, they have expounded on appeals procedures that a) explain when a taxpayer is aggrieved,<sup>12</sup> b) define the jurisdiction of the courts in appeals procedures,<sup>13</sup> and c) provide the legal remedy for wrong doings of assessors and boards of assessment appeals.<sup>14</sup>

## CHAPTER III

### NATURE OF BOARD OF ASSESSMENT APPEAL ACTIVITIES

The duties and responsibilities of boards of assessment appeals are prescribed in different sections of the General Statutes.

### POWERS OF THE BOARDS

The boards have eight distinct powers, which they may exercise at their own discretion. They may:

1. Administer oaths in cases coming before them (S.1-24 and S.1-25).
2. Correct clerical omissions or mistakes in the assessment of taxes (S.12-60).
3. Add to the assessment lists the names of people who own taxable property in the town, but have been omitted from the lists (S.12-111).
4. Increase the number, quantity, or amount of property in any person's list (S.12-111).
5. Reduce the list of any person appearing before the Board by decreasing the valuation, number, quantity, or amount of any item (S.12-113).
6. Make a supplemental list of any taxable property has been omitted by the assessors (S.12-115).
7. Shall add 25 percent to the value of any additions (S.12-

111) or supplemental lists of personal property (S.12-115) as penalty.

8. Elect not to conduct appeal hearings for any commercial, industrial, utility, or apartment properties with assessments greater than \$500,000 (S12-111).

In addition to these discretionary powers, the boards have statutory duties which are mandated by law. They must:

1. Meet in March to hear appeals or April if the assessor was granted an extension for filing of the Grand List. These meetings must be held on business days, which may include Saturdays; the last meeting must be no later than the last business day in March or April. The board must also convene at least once during September solely for motor vehicle appeals (S.12-110).
2. Notify each aggrieved taxpayer who filed a written appeal by the March 1 or April 1 deadline of the date, time, and place of appeal of the hearing (S12-111).
3. Hear appeals of persons claiming to be aggrieved by the actions of the assessors (S.12-111 and S.12-504d).
4. Post notice with the town or city clerk, and publish the notice at least 10 days prior to the meetings (S12-110).
5. Mail to taxpayers written or printed notices at least one week before increasing the taxpayer's list or adding the names of omitted persons. Also, mail within one week of completion, the supplemental list of any property omitted by the assessors (S12-115).

6. Grant tax exemptions to disabled veterans whose proof of eligibility was not filed within the deadline required for assessors to grant exemptions (S.12-95).
7. All actions of the Board must be recorded in the minutes of the board's meetings (S12-113). See the following section on Freedom of Information Section III (3).
8. Provide notification, in writing, to each person making an appeal, of the outcome of his or her appeal. The notification must include information describing the owner's right to appeal the determination of the board. This must be done within a week of making the decision (S. 12-111).

The courts refer to the boards of assessment appeals as administrative boards, not just as judicial tribunals. The State Supreme Court, for example, has stated that the board of assessors and the boards of assessment appeals are administrative boards, acknowledging that "in considering the results arrived at by them, we must bear in mind that the process of estimating the value of property for taxation is, at best, one of approximation and judgment, and that there is a margin for a difference of opinion."<sup>15</sup>

Boards of assessment appeals are said to carry out administrative or ministerial duties when they add omitted property to the assessment rolls, send out notices of any changes in taxpayers' assessments, or make supplemental lists. These functions are specified in the statutes, and must be performed by the boards without regard to their own judgments. Although the statutes frequently use the word "may," the courts will often consider the term equivalent to "shall" or "must."

The board exercises discretionary powers when it reduces or increases a taxpayer's assessment. In such actions,

its decisions have the authority of law until overruled by the court. Like the courts, the boards must adhere to certain procedures and exercise an impartial review of the evidence; the boards' decisions may be appealed to a higher tribunal. However, the boards do not use rules of evidence in adversary proceedings, as do the courts. Moreover, the boards are not bound by binding precedents, referred to in legal terms as the rule of stare decisis. This permits greater procedural flexibility and expediency in settling taxpayers' grievances.

### **POWER TO INITIATE ACTION**

Do the boards have the power to initiate review without a specific request? The statutes are clear on this point. What's more, the answer is tied to another question: May the boards reduce a taxpayer's assessment if the taxpayer does not appear before the board? Clearly, the answer is no.

The boards are authorized to respond to written appeals under Section 12-111 of the General Statutes which allows the boards to equalize and adjust valuations and assessment lists, and to increase or decrease the assessment of any taxable property. According to Section 12-115, they also can add to the grand list of a town any taxable property omitted by an assessor. However, additions made under Section 12-115 must be accomplished within the three months after the date the board completes its duties.

### **BOARD'S PART IN REVALUATION**

Another important question concerns the board's role in the revaluation process. Revaluation entails a reappraisal of all of the municipality's taxable property, and placing new values upon each item.

Changes in property values make this action

necessary, and if not undertaken periodically, will result in inequitable assessments, causing, in turn, an unequal distribution of the property tax burden. Connecticut law mandates assessors to view, by a physical inspection, all real estate every 12 years and perform a revaluation of all real estate every 4 years (S 12-62).

Revaluation generally prompts significant changes in the municipality's grand list. Consequently, the boards of assessment appeals experience their heaviest workloads following a revaluation—the number of appeals it normally hears can double. Section 9-199(c) allows a municipality, by ordinance, to appoint additional members to the board of assessment appeals for any assessment year in which a revaluation becomes effective, and for the prior and following assessment year as well.

While changes in assessed values have stirred adverse public reaction, and even political upheavals, revaluations are an integral part of sound assessment systems. If properly conducted, they benefit assessors, local administrations and taxpayers alike.

## **RELATIONSHIP WITH THE ASSESSOR**

Boards of assessment appeals do not function in a governmental vacuum. They interact with many municipal officials, and frequently call on their help or, in turn, offer them assistance. The assessor, town or city clerk, board of finance, mayor, manager, selectman—all work with the board of assessment appeals at one time or another.

The official with whom the board of assessment appeals has the most contact is, of course, the assessor. The assessor has a four-fold task. He or she (1) makes the preliminary compilation of the Grand List, (2) describes the property enumerated on the Grand List, (3) determines the

valuation of each item of property, and (4) records all property descriptions and valuations.

The close operations between the board and the assessor's office make them partners in assessment administration, particularly as the two have common goals: Fair and equitable assessments. The satisfactory achievement of these goals depends, for the most part, upon reciprocal working arrangements.

Frequently, the matter of harmonious relations is tied to personality. Nevertheless, there are many ways to facilitate good relations between board members and the assessor. Board members, for example, are advised to meet with the assessor prior to the board's first session; at the meetings, the assessor may explain the community's assessment practices and the factors used in calculating valuations, such as cost schedules, classifications systems, depreciation tables, and land value charts. In addition, the assessor may review, with the board, the property assessments of those taxpayers who have filed for appeal hearings.

Before holding subsequent sessions, the board may want to consult again with the assessor to find out why certain assessments have changed. It is also in a better position to answer taxpayers' questions on their assessments.

After listening to an appeal, but before reaching a decision, the board may want to confer with the assessor about his or her reasons for the assessment, and other facts which may not have been disclosed at the hearing, and could impact the board's decision.

Should the assessor be present when the board hears appeals? This is frequently asked by new board members. The answer is, there are advantages and disadvantages to this practice. The advantages are that it gives the assessor a chance to discuss the case in question with the taxpayer, and to explain how he or she arrived at the assessment figures.

Sometimes that is enough to satisfy taxpayers, and they will not pursue the appeal further. Moreover, having the assessor present during the appeal means that the taxpayer receives immediate answers, rather than having to wait several days while the board contacts the assessor.

The biggest disadvantage of having assessors present is that taxpayers may hesitate to speak openly, especially if they have had words with the assessor. Appeals should be conducted in a dignified and orderly fashion—the same as a court trial—and if the assessor is there, some taxpayers may feel as though they are facing their accusers.

Whether or not the assessor should be in attendance, therefore, is an individual matter. It depends upon the type of appeal heard, the personality of the assessor, and the conditions within the municipality. For the most part, however, assessors and board members alike feel that the assessor should be available, but not present, unless he or she is specifically requested to be there to explain a particular assessment. There would be no point for appeal to the board if the assessor were to attend every hearing; conversely, it would be difficult for the board to function at all if it did not consult with the assessor.

After completing its review and correction, the board should meet again with the assessor to explain the changes made and the reasons for them. The key factor, however, is maintaining good working relations. What makes these relations even more vital is the fact that Connecticut assessors receive professional training prior to employment. They also must be certified. Yet, their decisions become subject to review by laymen who generally gain their first exposure to assessing after being elected or appointed to office.

## **RESPONSIBILITIES TO THE PUBLIC**

As an arm of the municipal government, the board of assessment appeals has important responsibilities to the public.

Board members generally are long-term residents of their community. That means they usually have many acquaintances in the area. Maintaining friendships without permitting friends to seek an advantage is a balancing role that becomes part of the board's total operations, just as it does for any governmental official.

Board members may know a great deal about residents' personal affairs, such as the size and worth of their holdings. This is the kind of information few people want revealed to the public, any more than they wish to have their income publicized. The board, therefore, is obligated to perform its duties with discretion. However, under the state's "right-to-know" law (S1-210 and S1-225), all board records, like other official government records, must be made public, unless this would adversely affect the financial interests of the town or city, or the reputation or character of a taxpayer. The following practices can help board members in their unwritten responsibilities to the public:

1. Before holding meetings, boards should be thoroughly familiar with the assessment systems in their towns or cities. This helps them understand and explain the assessments to the taxpayers. Oftentimes, taxpayers make their complaints known first to the assessors; in these cases, the board may be able to secure information on the appeals from the assessor, together with the assessor's comments. This allows board members to acquaint themselves, in advance, with some of the questions or problems that will be raised at the hearing.

2. All hearings should be conducted in a dignified and judicial manner, and board members should assume professional demeanors.
3. Meetings must conform with the requirements of the freedom of information statutes. (Note: Or Freedom of Information Act)
4. A board has the power to administer oaths (S.1-24), and should take all testimony under oath.
5. When an assessment is contested by a taxpayer, board members should personally inspect the property under question, if feasible. (Many changes, however, merely reflect clerical errors on cards.)
6. Unless the regular process has produced an assessment that is obviously excessive, the board should make changes in keeping with the municipality's system. This insures uniform assessments, and helps to avoid charges of inequities by taxpayers. The board should have a rationale for changes which is consistent with the municipality's assessment system, and can be justified within it.

## **FREEDOM OF INFORMATION REQUIREMENTS**

The Freedom of Information Commission was created in 1975 with the General Assembly's passage of the Freedom of Information Act. The act provides the public with rights to access records and meetings of public agencies. If people feel that they have been denied their rights, they may file appeals with the Freedom of Information Commission.

## **I. FILING AN APPEAL**

An appeal must be filed within 30 days of the alleged violation. The exception is when an unnoticed or secret meeting is involved: In those cases, it must be submitted within 30 days of receiving a notice that such a meeting was held.

There is no specific form to complete. A letter outlining the relevant facts—including the names, titles and addresses of the persons or agencies the person feels have violated the act, and the filer's business telephone—is sufficient to start the process. If a person wants to request that a civil penalty (fine) be imposed, as permitted under Section 1-211(b) of the act, that should also be stated in the letter, Section 1-206(b).

Should an appeal concern a request for records contained in a public employee's personnel, medical or other personal file, the commission will require the respondent public agency to notify the subject employee(s). Any such employee(s) may intervene as a party to the appeal.

The commission's staff is available to help with any procedural questions. While staff members may refer people to specific sections of the law and cases interpreting them, only the commission has the power to interpret the law.

## **II. PRE-HEARING CONSIDERATIONS**

A person bringing an appeal to the commission is called the "complainant," and the defending public agency or official is called the "respondent."

When an appeal is filed, the commission issues a "Notice of Hearing and Order to Show Cause." This is the official notice that the matter will be heard, and sets forth the date, time, and place of the hearing. All parties named must

appear at the hearing, either in person, or by counsel or other authorized representative. A complainant's failure to appear leads to dismissal of the complaint; a respondent's failure to appear means forfeiting the opportunity to defend against the complainant's allegations.

The commission also has an "ombudsman" program. In the program, staff members serve as liaisons between the parties involved. They also attempt to effect settlements, but if that is not possible, the matter will proceed to a hearing.

Due to the large number of cases and the requirements for speedy action, the commission will not postpone scheduled hearings at the request of the parties unless they are negotiating a settlement, and ask for a postponement based upon the likelihood of agreement. For the same reason, hearings are scheduled within 90-minute time periods.

### III. SUBSTANCE OF THE APPEAL

#### 1. Public Agencies

A person has the right to obtain records and attend meetings of all public agencies. This applies to:

- a. State and local government agencies, departments, institutions, boards, commissions and authorities, and their committees.
- b. Executive, administrative or legislative offices, and the administrative functions of the judicial branch and the Division of Criminal Justice.
- c. Certain private entities based on the following criteria:
  - (1) whether the entity performs a governmental function;
  - (2) the level of government funding;

- (3) the extent of government involvement or regulation; and

- (4) whether the entity was created by the government.

#### 2. Public Meetings

Meetings, such as hearings and other proceedings, must be open to the public—except in limited situations.

A public meeting is any hearing or other proceeding where a public agency discusses or acts on a matter over which it has authority. It may also include a gathering of, or communication by or to, a quorum of a multi-member agency.

The following are not public meetings: Meetings of certain personnel search committees; collective bargaining, strategy and negotiating sessions; and caucuses.

No registration or other requirements may be imposed on those wishing to attend public meetings.

The public, as well as the news media, may photograph, record or broadcast meetings. This is subject to reasonable rules regarding non-interference with the conduct of the meeting.

Only three kinds of meetings are recognized under the Freedom of Information Act: regular, special, and emergency.

Each year, agencies must file schedules of their regular meetings. State agencies send their schedules to the Secretary of the State, town, and city agencies to their town or city clerks, and multi-town districts and agencies to the clerks of each municipal member of the district or agency.

Agencies must notify people of their meetings, if they request it in writing. If possible, notices should go out a week beforehand. Agencies may also charge a reasonable fee for this service.

Agendas must also be available at least 24 hours before the meeting. New business—that is, business not on the agenda—may be considered and acted on only on a 2/3

vote by agency members.

Special meetings may be called up to 24 hours before regularly scheduled meetings (weekends, holidays, and days when the Secretary of the State's or municipal clerks' offices are closed are excluded). To do this, a notice is prepared, stating the time, place and business to be transacted. State agencies file this notice with the Secretary of the State, local agencies with the municipal clerk, multi-town districts and agencies with the clerk of each municipal member of the district or agency. The public is entitled to copies of the notices, as well as meeting agendas.

3. Agency minutes and record of votes must be available to the public. Minutes must be available to the public within 7 days of each meeting, either in the agency's office or the office of the Secretary of State. They must contain the record of each member's vote. Additionally, the votes must be put in writing, and made available to the public within 48 hours of the meetings (excluding weekends and holidays). (Section 1-225)

#### 4. Executive Sessions

Agencies may close portions of their meetings, with a vote by 2/3 of the members present. This vote must be taken at a public session.

Meetings to discuss the following matters may be closed: Specific employees (unless the employees request that the discussions be open to the public); strategy and negotiations on pending claims and litigation; security matters; real estate acquisitions (if openness might increase price); or any matter that would disclose a public record exempted from disclosure requirements.

While agencies may invite people to present testimony or opinion, their attendance must be limited to

the time it takes to deliver their comments.

#### 5. Public Records

The public may inspect or copy most records or files of state and local agencies, including minutes from the meetings. This encompasses information or data which is typed, handwritten, tape recorded, printed, photographed, or computer-stored, along with most interagency and intra-agency memoranda or letters.

Records specifically exempted from disclosure by federal law or state statute are not open to the public. Furthermore, the following may not be available as well: Some preliminary drafts or notes; personnel or medical files; certain law enforcement records, including arrest records of juveniles and some witness and victim identification information; records relating to pending claims and litigation; trade secrets; test questions used to administer licensing, employment, or academic examinations; real estate appraisals and construction contracts (until all property has been acquired); the personal financial data required by licensing agencies; records relating to collective bargaining; tax returns and communications privileged by attorney-client relationships; names and addresses of public school students; information obtained by illegal means; certain investigation records of reported misconduct in state government, or names of state employees who report such misconduct to the state attorney general or auditors; certain adoption records; and election, primary, referenda and town meeting petition pages, until certified. Also, records of personnel search committees need not be disclosed if they would identify executive-level employment candidates without their consent.

A person may inspect public records during regular office hours, but copies, printouts or transcripts should be requested in writing. The fee for copies of public records

from state agencies must not exceed 25 cents per page; charges for public records from non-state agencies must not go above 50 cents per page. The fee for a computer disk, tape or printout, or for a transcript or a copy of a transcript, must not exceed the actual cost to the agency involved.

If their estimated value is \$10.00 or more, agencies must require the prepayment of these fees. No sales tax may be imposed for copies of the public records.

The agency is required to waive any fee for copies if the person requesting the copies is poor and cannot afford it, or if the agency determines that the request benefits the public welfare. There is an additional charge for a certified copy of a public record. A person is entitled to prompt access to inspect or copy public records. If an agency fails to respond to a request within four business days, this can be treated as a denial of the request.

## CHAPTER IV

### ORGANIZATION OF THE BOARD

In most Connecticut municipalities, the boards of assessment appeals are organized in similar fashion. The few variations depend upon whether the municipality is administered by the General Statutes or special act; those administered by the General Statutes fall under the following provisions.

### MEMBERSHIP

Unless otherwise provided by law, each town elects three assessors, and a board of assessment appeals comprised of three members elected for a term of four years (S.9-199(c)). All members are elected (S.9-185), unless appointment is permitted legally. Some town charters and special acts, in fact, specify that they be appointed. As previously mentioned, S. 9-199(c) now allows the appointment of additional members in revaluation years and the assessment year prior to and following the year of revaluation.

The uniform election law (S.9-164) states that elections take place in odd-numbered years, on the first Monday of May, or the Tuesday after the first Monday of November, whichever date is selected by the municipal legislative body. "Unless otherwise specified by law, each town shall elect such officers at regular municipal elections for terms of four years" (S.9-199). When the number to be elected is even, no person is to vote for more than one-half of the total number of board members; when the number is odd, no person shall vote for more than a majority (S.9-199).

Towns which adopt biennial elections elect board members for 4 years, with their terms of office staggered. The electors in such towns may vote for the full number of

members (S.9-199).

Where there are enough candidates to fill all vacancies on the board, those having the highest number of votes are elected (S.9-199). However, the maximum number of members permitted from the same political party, whether they are appointed or elected, is as follows: Two for a three-member board, three for a four-member board, and four for a five-member board. This provision is in keeping with the state minority representation law (S.9-167a), which guarantees minority party representation on all boards and commissions.

Board members hold office for the term to which they are elected, and until their successors are elected and have qualified for the position (S. 9-199). When a vacancy exists, the town must fill it at the next municipal election, or at a special election. Until then, the vacancy is filled by a vote of the board of selectmen through a temporary appointment (S.9-220), from the same political party as the board member vacating the position (S.9-167a).

Board members must vacate their offices when they cease to be electors of the towns and cities in which they were elected (S.9-186). The office then is considered vacant. Within 5 days of filling the position (S. 9-223), the town clerk, mayor, or borough warden must notify the secretary of the state.

No assessor can serve on the board unless such service is provided for by special act. Moreover, no member of the board of finance may serve on the board if it is a salaried office (S.9-210).

There are no specific qualifications for the office, other than the requirement that board members be electors of the municipality in which they are elected (S.9-186). Both elected and appointed boards generally are composed of lay people who may have little or no specialized training or

knowledge of assessment procedures.

Each board member must be duly sworn in, according to the following oath (S. 7-105), before entering office.

You solemnly swear that you will faithfully discharge, according to law, your duties as members of the board of assessment appeals to the best of your ability; so help you God (S.1-25).

Towns and cities without charters may establish compensation for board members by a motion at any town meeting. If the town does not set the compensation, the selectman has the authority to do so, and the amount will hold until changed by ordinance at a town meeting.

The votes board members make must be put in writing. They must be available for public inspection within 48 hours, and recorded in the minutes within 7 days.

Further, by January 31, the board must file the time regular meetings will be held during the year (S1-225).

## ACCOUNTABILITY

Because of the vital role boards play in assessment administration, the General Assembly has put procedures in place to hold them accountable for their actions. The board's operations and records may be examined by the Secretary of the Office of Policy and Management, as well as the state's attorney. As a further check, their decisions are subject to judicial review by state and federal courts. Some actions are, by law, expressly forbidden to the boards:

1. They shall not adjust the assessment of personal property belonging to any person, or the valuation, number, quantity, or amount of any item of property or reflected therein until the board receives information necessary to

substantiate such an adjustment in accordance with subsection (c) of S.12-53.) (s12-114)

2. They shall not reduce the valuation or assessment of property on the grand list belonging to any person who does not appear at a hearing before the board, or have their attorney or agent appear before the board, and offer or consent to be sworn before it and to answer questions concerning their taxable property within the town. (S.12-113).
3. They may not hear appeals which have not been made at the proper time; that is, by February (or March) 20 (S.12-112), or during September for appeals related to motor vehicle assessments (S.12-112), or in any other month designated by special act.
4. They may not perform unlawfully, or omit any necessary action connected with the assessment process (S.12-170).
5. They may not charge or receive illegal fees (S.12-170).

In addition, the General Statutes contain the following provisions that hold boards of assessment appeals, along with other municipal officers, accountable to state authority:

1. If the Secretary of the Office of Policy and Management decides that a board has failed in its administrative duty, by law, he or she may bring this, in writing, to the attention of the board. Should the board not comply, the secretary may apply to the Superior Court in the judicial district where the board is located; if the court finds the facts stated in the application to be true, it issues a mandamus requiring compliance (S.12-4).

2. The Secretary of the Office of Policy and Management may hold meetings, conferences and schools for assessors, boards of assessment appeals, tax collectors and or municipal finance officers (S.12-2b).

3. If the state's attorney believes that a board has falsified records, or has appropriated money for its own use or the use of others not entitled to it, he or she may apply to the Secretary of the Office of Policy and Management. The secretary may order an audit of the board's record and transmit a certified copy of his or her report to the state's attorney. Any audit costs are borne equally by the municipality and the state.

The custodian of any books of accounts or records who refuses to deliver them to the secretary or his or her agent shall be fined not more than two hundred dollars, or imprisoned not more than 60 days, or both (S. 12-6).

The Secretary of the Office of Policy and Management has considerable power over property tax administration. In practice, he or she generally goes along with the majority vote on the board of assessment appeals. However, on questions concerning the proper execution of law, Section 12-4 (explained above) permit the secretary to investigate irregularities.

Besides appealing to the secretary, a board member with a complaint against other board members may also appeal to the chief administrative officer and the town counsel.

## FINES AND PENALTIES

For any infringements of the laws, board members, as individuals or a collective body, are subject to the following

penalties and fines:

1. For not accepting or performing duties:

(a) Individuals who refuse to accept the office and take the oath prescribed by law, will be fined \$5 (S.7-104), unless they have reason for their refusal.

(b) Individuals who neglect to perform the duties of the office will be fined not more than \$10 (S.7-104).

(c) Individuals who fail to discharge their administrative duties according to law, and who fail to comply after it has been put in writing by the Secretary of the Office of Policy and Management, will be subject to mandamus by the court requiring compliance (S.12-4). Additionally, the court shall render judgment against the board with costs. If the board does not heed the mandamus, it shall be held in contempt, and the court may punish the members as in mandamus proceedings (S.12-4).

(d) Boards which hinder or refuse to deliver records upon demand by the Secretary of the Office of Policy and Management, or his or her agent, shall be fined not more than \$200, or imprisoned not more than 60 days, or both (S.12-6).

2. For official misconduct:

(a) Individuals who commit unlawful acts or omit necessary acts must pay \$50 to the aggrieved person (S.12-170).

(b) Individuals who receive illegal fees must forfeit \$50, plus an amount double that of the illegal fees, to the aggrieved person (S.12-170).

3. For illegal reduction of lists:

(a) Board members shall not reduce the list or the valuation, number, quantity or amount of any item of property in the list of a person who has failed to submit his or her sworn list to the assessor until such person submits substantiation of such adjustment.

(b) The board shall add a 25 percent penalty to such adjusted lists..

## **ACCESS TO BOARD RECORDS**

The records of the boards of assessment appeals must be made public (S.1-210), except as otherwise provided by federal tax law, or state statute or regulation. They should be kept in an accessible location at the board's office or place of business, or in the town clerk's office.

Every resident has the right to inspect the records and to receive a copy of them (S1-210). Copy fees must not exceed fifty cents a page (S1-212).

When an agency is asked to inspect or copy records from employees' personnel or medical files and believes that disclosing them would constitute an invasion of privacy, the agency must notify the employee and his or her collective bargaining representative in writing. If the employee provides a written objection within 7 business days of the notice, the agency shall not disclose the records unless ordered to do so by the Freedom of Information Commission (S.1-214(c)).

## CHAPTER V

### OPERATIONS

Most of the boards' work entails hearing taxpayers' appeals and acting on their complaints. The process, which is described under Title 12 in the General Statutes, frees the courts from handling minor cases, while freeing taxpayers from costly and time-consuming litigation. In most instances, the courts will not hear a case unless the taxpayer uses the legal remedy for relief which boards of assessment appeals provide.

### HEARING TAXPAYERS' APPEALS

Only the board of assessment appeals—not the municipal legislative body has the power to take appeals from taxpayers and review and correct the work of assessors.<sup>16</sup> This is authorized under S.12-111 (S12-112, S12-113) of the General Statutes. However, under statute S.12-119, appeals may be taken directly to the Superior Court, without first applying to the board. This can be done if it can be proven that the assessment was "manifestly excessive," and was determined without regard for the statutes that govern property valuation.

The State Supreme Court distinguishes between the two statutes. It defines an appeal under S.12-111 as one which concerns the valuation of property on the Grand List; an appeal under S. 12-119 involves relief against the collection of an illegal tax.<sup>17</sup>

The court also distinguishes between the type of cases it hears under S.12-119. For example, it has ruled that the appropriate remedy for a claim of overvaluation is an appeal to the board of assessment appeals under S.12-111,

not to the superior court under S.12-119.<sup>18</sup>

The court also has stated that taxpayers seeking relief must apply first to the board of assessment appeals. In one case, when a taxpayer failed to do this, the court denied the recovery of taxes paid voluntarily.<sup>19</sup> However, in an earlier decision, the court held that a non-resident whose property was wrongfully assessed waived no rights by not applying first to the board.<sup>20</sup> (Pranulis 1997)

Individuals or organizations claiming to be aggrieved by the actions of the town or city assessor, or its board of assessors, may appeal to the board of assessment appeals. What constitutes an aggrieved taxpayer has been considered by the court in several cases. A person whose property had an excessive valuation, which the board refuses to reduce, is aggrieved in the eyes of the court.<sup>21</sup> However, a taxpayer is not aggrieved unless the alleged assessment increases his or her tax.<sup>22</sup> Moreover, a taxpayer is not aggrieved where the court finds his property was assessed at its true and full value, despite an error in the method of valuation.<sup>23</sup>

The following individuals or organizations claiming to be aggrieved may appeal to the board of assessment appeals:

1. Taxpayers owning property in the town or city, including any lessee of real property whose lease has been recorded as provided in S.47-19, and who is bound under the terms of the lease to pay real property taxes. This includes anyone to whom the title to such property has been transferred since the assessment day.

2. Any scientific, education, literary, historical, charitable, agricultural, or cemetery organization that claims property tax exemptions under provisions of S.12-81, and files a tax exempt statement with the assessor or board of assessors

3. Any farmer or group of farmers applying for tax exemptions of farm machinery, horses, or ponies owned in the state (S.12-91(b)).

4. Any disabled veteran claiming property tax exemptions.  
S.12-81 (19) (20) (21)

5. Any association of unit owners charged with the administration of property under the Condominium Act, appealing on behalf of property owners (S.47-80a)

6. Any owner of woodland, land suitable for forest or open space land(S 12-107(f) 12-107(g) or farm land(S.12-107d).

7. Any individual or organization aggrieved by the assessor's imposition of an additional conveyance tax under SS.12-504a through 12-504f.

8. The board has the right to not conduct a hearing on commercial, industrial, utility, or apartment property (S.12-111) with an assessed value greater than \$500,000.

## **APPEALS PROCEDURE**

Appeals must be presented to the board at one of its March or September (motor vehicle assessments only) meetings (S.12-111). The taxpayer or representative of an organization claiming a grievance must provide information necessary to substantiate any adjustment the board of assessment appeals may make in accordance with law (S12-114). The taxpayer must:

1. Submit a written application for appeal to the board of assessment appeals, on or before February 20 or March 20 if

the assessor was granted extension for filing of the Grant List (S12-111).

2. Appear, or have his or her attorney or agent appear, before the board at one of its meetings (S12-113)

3. Appear at the board's September meeting.

4. Be sworn, or have his or her attorney or agent sworn, before the board, and answer all questions concerning his or her taxable property in the town (S.12-113).

How important is a personal appearance when filing an appeal? The court has ruled that failure to appear and be sworn before the board is not sufficient grounds to prevent the court from hearing an appeal.<sup>24</sup> Moreover, the court has stated that failure to appear before the board cannot deprive a taxpayer of the right to be heard in court.<sup>25</sup>

The court has also said that adding property to the list of one taxpayer is not invalidated by the fact that it is erased from the list of another who did not appear before the board.<sup>26</sup> Furthermore, if the board delegates a member to take a sworn statement at the home of a taxpayer who is ill, it does not deprive the taxpayer of the right to appeal.<sup>27</sup> At another time, the court held that the law requires a personal appearance before the board, not merely a letter stating that the taxpayer was ready to be sworn and questioned.<sup>28</sup>

The law is clear on one point: that property owners must submit information necessary to substantiate an assessment adjustment to the board. According to S.12-41, property owners are required to file a declaration of personal property that is by law subject to taxation to the assessor by November 1. While the board of assessment appeals may adjust the assessment of personal property belonging to any

person, even if such person has refused or unnecessarily neglected to file a declaration, no such an adjustment should be made until the board receives information necessary to substantiate such an adjustment in accordance to law, S. 12-114.

People who have personal property in a town or city more than three months of the year immediately preceding any assessment day, but are not residents of that town, must file a list with the assessor of the community where the property is located. Property of residents and non-residents are subject to the same provisions (S.12-43).

When a taxpayer does not file a list, or files one that is incorrect, the assessor must work with "the best information" available (S.12-114). Parcels of real estate must be listed separately—phrases such as "property same as on last year's list" are not sufficient.<sup>29</sup>

Declarations do not have to be filed when motor vehicles are registered with the Connecticut Department of Motor Vehicles (S.12-41b).

Should all board members be present when an appeal is heard? The statutes are silent on this question. They also do not shed much light on how many members must be in attendance when action is taken on the appeal.

Because of accelerating workloads, some boards follow the practice of having only one member hear an appeal at a given time. In Hartford County, for example, in 1960 the boards heard 753 appeals; by 1993, the number reached 2,742. New Haven County boards, by way of further illustration, heard 1,169 appeals in 1960; 33 years later, the total had soared to 4,380. Litchfield County processed 875 appeals in 1993, compared to 496 in 1960.

The workload tends to vary with the population,

but also appears to be greatest in periods following a revaluation. The result of heavy loads is that boards members may not have the time to inspect all pieces of property, or to assemble to hear every appeal. Time may be saved if only one member hears an appeal, enabling other members to take other cases. If a board elects to hear appeals by one member, it must still make its decision as a board. A municipality may, by ordinance, authorize its legislative body to appoint additional members to the board for an assessment year in which revaluations become effective, and for the prior and following assessment years as well (S.9-199(b)).

## **ACTION BY BOARD**

After hearing an appeal, the board may take any of the following actions:

1. It may reduce the taxpayer's list by reducing the valuation, number, quantity, or amount of any item (S.12-113).
2. It may increase the items of taxable property on the list, or step up the number, quantity or amount of those items (S.12-111).
3. It may add taxable property or an interest in taxable property which the assessor has omitted (S.12-111).

Before increasing a taxpayer's assessment, or adding an omitted name to the Grand List, the board must mail a written or printed notice to the taxpayer at least a week before taking the action. The court, nevertheless, holds that failure to receive a written notice is waived by a taxpayer's appearance before the board.<sup>30</sup> A taxpayer who voluntarily appears before the board, and is fully heard, cannot later take advantage of the fact that he or she received only 4 days'

notice of the hearing, instead of one week.<sup>31</sup>

The notice, postage paid, is addressed to the property owner in the town where he or she lives (S.12-111). The communication notifies the individual that he or she must appear before the board and show why an increase or addition should not be made.<sup>32</sup>

The board must also send out a notice before making an increase in the valuation of an item already on the list (S.12-111). The notice, written or printed, must be mailed, postage-paid, a week before making the increase, and should be addressed to the property owner in the town in which he resides.

In addition, the board must reveal, in writing, the final determination of each taxpayer's appeal (S.12-111). This notification must go out within a week of the board's decision, and must include notice of the next course of appeal.

### **SUPPLEMENTAL LISTS**

Boards of assessment appeals may make supplemental lists of taxable properties which have been omitted by the assessor. This activity may be compelled by mandamus.<sup>33</sup>

In compiling these lists, the board does not serve as an agent of the municipality; rather, it functions in an administrative capacity.<sup>34</sup> The board shall also add 25 percent of the assessment for personal property for which a declaration was not filed (S.12-115). Further, the board must make the list within 3 months of the date it completes its duties.

When making a supplemental list, the board must send a written or printed notice, postage-paid, to the taxpayer whose name appears on the list (S.12-115). This must be done within a week of completing the list. It must be addressed to the taxpayer in the town or city where he or

she lives, and notify him to appear before the board at a stated time and place to show why his or her property should not be included in the supplemental list.

Except as otherwise provided by law, selectmen must make out and sign the supplemental rate (i.e., tax) bills and warrants. Additionally, they must deliver them to the tax collectors (S.12-130). This section also requires the tax collector to include, with the tax bill, a statement of state aid to the municipality. The same powers apply for collecting the tax on the supplemental list, as for other taxes (S.12-115).

### **CORRECTING CLERICAL ERRORS**

The board of assessment appeals may correct any clerical omission or mistake made in assessment (S.12-60). These corrections must be made within three years of the tax due date.

The court is quick to point out this power does not authorize assessors to review assessments which were appealed and revised by the board.<sup>35</sup> Clerical omissions or mistakes do not include errors of substance,<sup>36</sup> and can be taken advantage of only by those taxpayers on whose lists they occur.<sup>37</sup>

Taxes resulting from these errors are levied and collected according to the corrected assessment (S.12-60).

### **COMPLETION OF THE BOARDS' WORK**

The board must finish its duties by the last business day in March, or April if the assessor was granted an extension for the filing of the Grand List, unless otherwise provided by law or special act (S.12-110).<sup>38</sup> This period may, for due cause, be extended by the Chief Executive Officer of the town for one month. During a year of revaluation, it may be extended for

a period of an additional 2 months.

The chief executive officer of the town must send written notice of the extension to the Secretary of OPM with 2 weeks of approving the extension. (S.12-117)

When boards are granted extensions, the time the assessor has to transmit abstracts of their assessment lists is extended for like periods (S.12-117).

Often times, the board has more appeals than it can handle in its allotted time frame. The following procedures apply if this happens. The Secretary of the Office of Policy and Management may authorize assessors to use the last prior assessment list, subject to transfers, additions of new construction, and reduction for demolitions. A request for this action must be made in writing by the board, and approved by the chief executive officer. The list from which the appeals were taken then becomes the list for the next assessment year, subject to adjustments made by the board (S.12-117).

After the Grand List has been examined and corrected by the board, an abstract of the list is sent by the assessor to the Secretary of the Office of Policy and Management. A form for this purpose annually is furnished by the secretary at least 30 days before the date on which it is to be filed. The assessors or board of assessors should correct any clerical errors which appear on the corrected Grand List (S.12-120).

## **CHANGES AFTER THE LAST SESSION**

The board, in discovering new items which have been omitted, has the power to make a supplemental list of the new property, and to value it. (None of the items should have appeared in the assessor's or the board's list.) This

should be finalized within 3 months after the board's last business day in March or April (S.12-115).

The board may not subsequently increase the assessor's valuation under S.12-115. Any change in valuation of property that is listed by the assessor, and not omitted, must be completed in March or April under the provisions of SS.12-111-115. These statutes, authorizing supplemental lists, relate to property omitted by the assessor and the board; after the last day of March, the board can act only on property left off of both lists.

## **REPORTS TO BE FILED**

The assessor is the only person required to sign the Abstract of Taxable Property after changes are made by the board. Board members may also sign the abstract, although they are not obliged to do so.

When the board finishes the assessment list, the town levies a tax payable July 1 (S.7-383). Information regarding the assessment and collection of taxes, the amount of taxes levied and collected, and other pertinent details are provided to the public by the Secretary of the Office of Policy and Management. This data is contained in the annual reports published by OPM called "Municipal Fiscal Indicators."

## CHAPTER VI

### APPEALS TO THE COURTS

Decisions rendered by boards of assessment appeals are binding, unless they are appealed to the state courts through regular legal channels. Property owners wishing to appeal decisions must follow certain procedures; these appeals are taken to the Superior Court for the judicial district of the town in which the property is located(S.12-117).

#### WHO MAY APPEAL

The following individuals or organizations may appeal the board's decision:

1. Any person claiming to be aggrieved by an action of the boards.<sup>39</sup> This includes any lessee of real property whose lease has been recorded, as provided in S.47-19, and who is bound, under the terms of the lease, to pay real property taxes (S.12-117a).
2. Any person aggrieved by an action of the board in compiling a supplemental list (S.12-115).
3. Any scientific, educational, literary, historical, charitable, agricultural, or cemetery organization that filed a tax exempt statement (S.12-89).
4. Any farmer or group of farmers applying for tax exemption of livestock and poultry owned in the state (S.12-91b).
5. Any owner of farm land (S.12-107c), forest land (S.12-107d), open land space (S. 12-107e), and others qualifying under S.12-96 to S. 12-100, who seek special classification for taxation purposes (S.12-103) and any person who

disagrees with the additional conveyance tax determined under S.12-540a to 12-504f.

6. Any veteran, spouse of a veteran, or blind person or spouse who claims property tax exemptions (S.12-81).

7. Any other individual or business claiming exemption under the various exemption laws of the state.

In certain cases, appeals may bypass the boards of assessment appeals and go directly to the superior court, which has exclusive jurisdiction over these appeals and those from other administrative boards of commissions.<sup>40</sup> The assessment must be proven to be "manifestly excessive," and disregard the provisions of the statutes for determining the valuation of the property (S.12-119).

The appeal must be filed within 2 months of the board's action (S.12-117a). However, if the board receives a 1-month extension (or a 2 month extension in the year of a revaluation) to complete its duties, the taxpayer also receives an extension for a similar period for filing his or her appeal. (S.12-117).

Once a case goes to court, the board's work is ended. It cannot review the case again, just as the assessor or town counsel cannot reduce an assessment after a case is brought to court. In an advisory opinion to a taxpayer in June 1964, the state tax commissioner stated, "We have always held the opinion that when the time within which the assessors and boards of tax review had to complete their duties had passed, only a court of competent jurisdiction has the power to grant relief by reducing an assessment."<sup>41</sup>

The tax commissioner's opinion was based upon several court cases, one of which held:

Assessors have no implied power to settle pending

litigation arising out of assessments, since such power is not necessary to the proper performance of their statutory duties. Ratification and estoppel are grounds for enforcing a contract against a municipality only where the contract, though not executed by the particular manner by the law, is one which the municipality has power to make. An agreement by assessors to reduce an assessment revised by the board of relief, in consideration of the taxpayer's abandonment of his right or her right to appeal to the Court of Common Pleas, is not enforceable on the grounds of ratification or estoppel, since it is a contract beyond the power of the municipality and its officers to make. One dealing with a municipal officer or agent in the transaction of purely governmental matters is bound to know the legal limitations of his authority.<sup>42</sup>

The town counsel and the taxpayer's attorney may reach agreement in a disputed assessment case. Even so, they must bring the case to the Superior Court for the Judicial District in which the taxpayer's property is located and obtain approval of the court. The court may or may not follow their advice, but a court case cannot be avoided by seeking an agreement out of court. Such an agreement or compromise, the state tax department affirms, would be asserting itself into one of the levels of appeal. When the board completes its work, the only abatements permitted are those provided under S12-124 through S12-127a.

## **COURT PROCEDURES**

The following procedures must be followed for appealing board decisions to the Superior Court for the Judicial District in which the town is located (S.12-119).

1. The appeal must be in the form of an application, and

accompanied by a citation to the taxpayer's town or city to appear before the court.<sup>43</sup>

2. The citation must be signed by the same authority, and the appeal served and returned in the same manner, as a summons in a civil action.

3. The authority issuing the citation must take, from the applicant, a bond or recognizance to the town or city, with surety to prosecute the application and to comply with all court orders and decrees.

If a new assessment year begins during a pending appeal to the court, the applicant may amend his or her application. The applicant does not have to appear before the board again to make the amendment effective.

An appeal from a board decision is considered a preferred case. It will be heard by the superior court at its first session—unless good cause appears to the contrary—or the court will appoint a committee to hear the case (S.12-117a). Voluntary payment of the tax generally results in dismissal of the appeal.<sup>44</sup>

The superior court has the power to grant relief in equitable ways. For example, the court may add property to the grand list.<sup>45</sup> It may impose double or triple costs, if the application appears to have been made without probable cause, and it may charge court costs at its discretion (S.12-117a). However, the court generally will not reduce the valuation below that given by the owner,<sup>46</sup> nor will it place the valuation higher than that of the board of assessment appeals.<sup>47</sup> It may also add property to the grand list.

## **ACTION BY MUNICIPALITY**

Pending the appeal, the town or city cannot collect more than 75 percent of the tax assessed or 90 percent if the assessment is \$500,000 or more. Still, while the right to enforce payment is suspended by the appeal, the accrual of interest is not.<sup>48</sup>

If the court reduces the assessment, the municipality must reimburse the applicant for any overpayment of taxes, together with the interest and costs (S.12-117a).

Recovery of taxes paid has been permitted by the court in some cases, but denied in others. For instance, the court has ruled that when a person pays taxes illegally assessed against him or her, whether or not it was compulsory, he or she may recover the money.<sup>49</sup> However, a manufacturing corporation relocating to another state on the taxing date, and failing to take advantage of relief from excessive assessments, could not use as the defense that the property had been removed to another state where it became liable to that state's taxes.<sup>50</sup> On the other hand, liability to pay interest does not make payment of the tax involuntary; moreover, recovery of the money paid on the interest is not allowed by the court.<sup>51</sup>

## CHAPTER VII

### IMPROVING ASSESSMENT REVIEW IN CONNECTICUT

Having a municipal agency review the tax assessments affords the dissatisfied taxpayer a ready opportunity to appeal an assessment. The appeals procedure takes place at minimal cost to the community, and in most cases, avoids costly and time-consuming court litigation if the taxpayer presses the appeal no further. Procedurally, the local board of assessment appeals works well in Connecticut's local governmental structure, and from the standpoint of operations costs, is one of the least expensive of all local boards.

While there are advantages to having citizens or lay people on the boards, the time has long passed when just any person can perform those duties. There is an inherent contradiction in the general process. It may entail an unskilled, part-time board correcting the mistakes of a part-time assessor; a political assessor paired with uneasy taxpayers; or the hazards faced by a proficient assessor defending his appraisals against the opinions of an unqualified and often politically minded board that lacks knowledge of assessment standards. It can be said that all three situations currently exist in Connecticut.

To change valuations or assessments, board members must comprehend what, where and when property is assessable. They should have an understanding of the three approaches to value used by assessors and real estate appraisers in mass appraisal. Knowledge of land valuation principles, depreciations and obsolescence, sales ratio studies, personal property valuation techniques, and more are also needed to adequately perform assessment reviews.

## ALTERNATIVES

It has been argued that as long as assessment administration remains a joint undertaking between local and state authorities, a two-level review system is needed. At the local level, there must be competent agencies that can deal fairly and expeditiously with routine and less abstruse problems; at the state level, an independent, impartial, and professionally qualified appeal agency is needed.

Appeals from the state agency to the courts would be limited to problems of law. Questions of value would not be reviewed. In 1987, a Connecticut appeals board for property valuation was instituted by legislation, but was never funded by the General Assembly. In subsequent years, implementation was postponed; then, in 1995, the "paper" appeals board was abolished (P.A. 95-283). A state appeals board may be necessary in the future, but until then, a significant change in the 300-year-old tradition of conducting assessment appeals at the local level is unlikely.

A second possibility for enhancing the board's competency is certification. Certification for assessors was passed by the Connecticut General Assembly in 1974, after several unsuccessful attempts. Today, more than 404 assessment personnel from all the cities and towns have been certified by the Certified Connecticut Municipal Assessor Committee, which administers the training program associated with the designation. Starting with the 2000 Grand List, the assessor that signs the Grand List must be certified. (S.12-55)

Assessment administration has become a full-time activity. At the same time, the review function is still a part-time pursuit performed by lay people who are essentially volunteers. It may be unrealistic, then, to expect them to go through the extensive certification process.

## PRESENT OPPORTUNITIES

Meanwhile, boards of assessment appeals now have the same educational outlets as assessors. Assessors have taken many steps to gain the specialized knowledge vital to their exacting profession. Meetings of professional organizations such as the Connecticut Association of Assessing Officers and the International Association of Assessing Officers give them the opportunity to meet and discuss issues, as well as to hear talks by leaders in the field.

The annual, week-long School for Connecticut Assessors and Boards of Assessment Appeals, conducted by the Institute of Public Service at the University of Connecticut, provides courses for new and experienced assessors alike. Introductory classes provide a background in assessment practices. Advanced courses, designed for individuals with years of service, impart new and improved methods of assessing.<sup>52</sup> In addition, the assessors make use of the *Handbook for Connecticut Assessors*, a practical guide which serves as a text on assessment procedures and laws.

Because they work closely with assessors, all of these instructional vehicles are also open to board members. The fact that their work is part-time gives them time to expand their knowledge, so they can properly carry out their statutory duties.

Boards of assessment appeals are an integral link in the chain of assessment reform. Members who tap into the educational opportunities now offered, and become fully informed on assessment procedures—without preempting the assessor's role in establishing assessed values—can better serve their communities, lending the kind of assessment review that leads to equitable assessments.

Many board members have sought to educate themselves, while filling municipal positions whp. 129

little in the way of reward. This is truly a tribute to the strength of local self-improvement and local self-government.

## FOOTNOTES

<sup>1</sup> Office of Policy and Management, State of Connecticut. Municipal Fiscal Indicators FY Ended 1995-1999. October, 2000. P. A-6.

<sup>2</sup> Handbook for Connecticut Assessors (Connecticut Association of Assessing Officers, Inc., 1992), p.1-8.

<sup>3</sup> Section 12-63, General Statutes.

<sup>4</sup> Monroe v. New Canaan, 43 Conn. 309. See also Randell v. Bridgeport, 63 Conn. 321 (1899).

<sup>5</sup> Ingraham Co. v Bristol, 144 Conn. 374, 378. The case overrules Randell v. Bridgeport. The Ingraham decision was taken to the United States Supreme Court in January, 1960, but the high court denied the petition that it take jurisdiction.

<sup>6</sup> Handbook for Connecticut Assessors, p.6-1.

<sup>7</sup> Handbook for Connecticut Assessors, p. 6-1.

<sup>8</sup> Section 12-111, General Statutes, as amended by Section 50 of P.A. 95-283.

<sup>9</sup> Section 12-113, General Statutes, as amended by Section 51.

<sup>10</sup> Section 12-117a, General Statutes, as amended by Section 17.

<sup>11</sup> Bridgeport Hydraulic v. Stratford, 139 Conn. 388 (1953).

<sup>12</sup> Resnick v. New Haven, 12 Conn Supp. 47 (1943).

<sup>13</sup> Power v. Old Saybrook, 12 Conn. Supp. 382 (1944).

<sup>14</sup> Stamford Gas & Electric Co. v. Stamford, 6 Conn. Supp. 505 (1938).

<sup>15</sup> Burnitt Mutual Savings Bank v. New Britain, 146 Conn. 669, at 674, 675 (1959). See also Bugbee vv. Putnam, 90 Conn. 154 (1916).

<sup>16</sup> State ex rel. COE v. Fyler 48 Conn. 145 (1880). Moreover, municipalities do not have the power to release a taxpayer from a portion of the tax if he is able to pay. See Bridgeport Brass Co. v. Drew, 102 Conn. 206 (1925).

<sup>17</sup> State ex rel. Waterbury Corrugated Container Co. v. Kilduff, 128 Conn. 647 (1942).

<sup>18</sup> Cooley Chevrolet Co. v. West Haven, 146 Conn. 165 (1959).

<sup>19</sup> Pitt v. Stamford, 117 Conn. 388 (1933).

<sup>20</sup> Phelps v. Thurston, 47 Conn. (1880).

<sup>21</sup> Underwood Typewriter Co. v. Hartford, 99 Conn. 329 (1923).

<sup>22</sup> Ives v. Goshen, 65 Conn. 456 (1895).

<sup>23</sup> Slosberg v. Norwich, 115 Conn. 578 (1932).

<sup>24</sup> Atchison v. Newton, 2 Conn. Sup. 142 (1935).

<sup>25</sup> *Morris v. New Haven*, 77 Conn. 107 (1904).

<sup>26</sup> *Sanford's Appeal*, 75 Conn. 590 (1903).

<sup>27</sup> *Bugbee v. Putnam*, 90 Conn. 154 (1916).

<sup>28</sup> *Wilcox v. Madison*, 103 Conn. 149 (1925).

<sup>29</sup> *Wilcox v. Madison*, 103 Conn. 149 (1925).

<sup>30</sup> *Comstock v. Waterford*, 65 Conn. 6 (1911).

<sup>31</sup> *Sanford's Appeal*, 75 Conn. 590 (1903).

<sup>32</sup> Requisites of a valid notice of intended additions are given in *Whittlesey v. Clinton*, 14 Conn. 72 (1940).

<sup>33</sup> *State ex rel Foote v. Bartholomew*, 103 Conn. 607 (1925).

<sup>34</sup> *Montgomery v. Branford*, 107 Conn. 697 (1928).

<sup>35</sup> *Bridgeport Brass Co. v. Drew*, 102 Conn. 205 (1925).

<sup>36</sup> *Reconstruction Finance Corp. v. Naugatuck*, 136 Conn. 29 (1949).

<sup>37</sup> *Bridgeport Brass Co. v. Drew*, 102 Conn. 206 (1925).

<sup>38</sup> Failure of the board to announce its decision does not constitute a failure to complete its duties within the prescribed time. *Sanford's Appeal*, 75 Conn. 590 (1903).

<sup>39</sup> Shareholders in one company affected by the ruling of the same board may join in an appeal. *Barrett et al. Appeal*, 73 Conn. 288 (1900).

<sup>40</sup> The State Supreme Court states that the powers given to the court are broad and not limited merely to determining whether the board of assessment appeals acted illegally, or arbitrarily, or in abuse of its discretion. *Edgewood School v. Greenwood*, 131 Conn. 179 (1944). When the court has no jurisdiction to hear an appeal is described in *Power v. Old Saybrook*, 12 Conn. Sup. 382 (1944).

<sup>41</sup> State commissioners, letter, June 15 1964.

<sup>42</sup> *Bridgeport Brass Co. v. Edward A. Drew, Tax Collector*, 102 Conn. 206 (1925).

<sup>43</sup> The town or city should be cited in all appeals from the board. *Montgomery v. Branford* 107 Conn. 697 (1928).

<sup>44</sup> *Morris v. New Haven*, 78 Conn. 673 (1906).

<sup>45</sup> *Cheney v. Essex*, 83 Conn. 493 (1910).

<sup>46</sup> *Randell v. Bridgeport*, 63 Conn. 321 (1893).

<sup>47</sup> *Greenwoods Co. v. New Hartford*, 65 Conn. 461 (1895).

<sup>48</sup> *Hartford v. Hills*, 72 Conn. 599 (1900).

<sup>49</sup> *Steiger, Inc. v. Hartford*, 8 Conn. Sup. 295 (1940).

<sup>50</sup> *McCrot v. Anemostat Corp. of America*, 25 Conn. Sup. 462 (1965).

<sup>51</sup> *Verran Co. v. Stamford*, 108 Conn. 47 (1928).

<sup>52</sup> In 2001, the school celebrated its 57th year, the longest, continuous school for assessment officials in the United States.

## **APPENDIX A**

### **DATES OF IMPORTANCE TO BOARDS OF ASSESSMENT APPEALS**

#### *January 1*

Notice to Town Clerk of regular meetings of the board of assessment appeals (S.1-21).

#### *January 31*

Notice of all regular public meetings to be held by a town's public agency, as defined in S.1-200, must be filed with the town clerk. (The definition of a public agency includes the Board of Assessment Appeals.) The Board of Assessment Appeals must file notice of its September meeting(s) as of this date. This notice requirement also encompasses any other regularly scheduled meeting (such as an organizational meeting) that a Board of Assessment Appeals may schedule. With respect to meetings to be held in either March or April, the notice as filed should indicate that the Board of Assessment Appeals will schedule hearings for assessment appeals received on or before the applicable grievance date. S.1-225

#### *January 31*

Assessors end their duties and lodge the Grand List in the office of the assessor (S.12-55). Assessor's power to alter lists under this section ceases when Grand List is filed (S.12-117).

#### *February 1-20*

Submission of appeal application to the board of assessment appeals (S12-111).

#### *February 21-March 1*

Board of assessment appeals notification to taxpayer of time and location of hearing (S.12-111).

#### *Month of March*

Board of assessment appeals meets during the month of March (S.12-110).

#### *March 17*

Board of assessment appeals may request an extension of time for completion of duties. Request is made to the Chief Executive Officer with a copy sent of the extension approval to the Secretary of Office of Policy and Management by the chief executive officer within 2 weeks.

#### *March 18*

Board of assessment appeals sends notice to taxpayer at least 1 week prior to increasing an assessment or adding to the Grand List, requesting taxpayer to appear before the board (S 12111).

#### *Last business day of March*

Board of assessment appeals completes its duties (S12-111).

#### *April 1 through June 31*

Board of assessment appeals prepares supplemental list of any taxable property which has been omitted by the assessor or board (S12-115).

#### *April 5*

Board of assessment appeals notifies all persons who appealed their assessments of the final determinations of the appeals within 1 week of decision (S.12-111).

*May 1*

Assessor sends abstract of assessment lists to the Secretary of the Office of Policy and Management (S12-120).

*June 21*

Board of assessment appeals sends notice 1 week after completion of supplemental list, requesting taxpayer to appear before the board for a hearing (S.12-115).

*August 25*

Public is notified in newspaper of time and place of first meeting of the board of assessment appeals. Notice must be given at least 10 days before the first meeting (S.12-110).

*Month of September*

Board of assessment appeals meets at least once in September for hearing appeals of motor vehicles (S.12-110).

Calendar prepared by the Office of Policy and Management.

Numbers in Parentheses refer to sections of the General Statutes.

**APPENDIX B**

**FORMS FOR ASSESSMENT APPEAL**

CITY OF \_\_\_\_\_ PROPERTY ASSESSMENT APPEAL

APPEAL TO THE BOARD OF ASSESSMENT APPEALS:

Property owner(s) \_\_\_\_\_

Name of the signer (if signer is different from owner) \_\_\_\_\_

Position of the signer (if signer is different from owner) \_\_\_\_\_

Property owner will be represented by: self \_\_\_\_\_ agent \_\_\_\_\_ (If by agent, must complete authorization form on reverse side)

Name of Person and Address to which all notices and correspondence should be sent (list one address only):

Name \_\_\_\_\_

Street \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_ Phone number \_\_\_\_\_

Description of the property being appealed (location if real estate, year/make/model/marker number if motor vehicle)

For the Grand List of October 1, 1995: Real Estate \_\_\_\_\_ Motor Vehicle \_\_\_\_\_ Personal Property \_\_\_\_\_

Reason for the Appeal: \_\_\_\_\_

Appellant's estimate of the value of the property being appealed: \_\_\_\_\_

Signature of owner or agent (Agent, if authorization form completed on back) \_\_\_\_\_

Date appeal signed I prefer a hearing on a weekday \_\_\_\_\_ a weekday evening \_\_\_\_\_ a Saturday morning \_\_\_\_\_

PLEASE NOTE THAT THE ABOVE FORM MUST BE COMPLETED IN ITS ENTIRETY. PROPERTY OWNERS OWNING MORE THAN ONE PROPERTY OR VEHICLE MUST FILE A SEPARATE FORM FOR EACH ACCOUNT APPEALED. PLEASE TYPE OR PRINT LEGIBLY.

NOTICE OF APPEAL HEARING TIME AND PLACE

An appeal hearing is to be held at \_\_\_\_\_ on \_\_\_\_\_ For \_\_\_\_\_ belonging to

AGENT'S CERTIFICATION

DATE:

TO WHOM IT MAY CONCERN: I, \_\_\_\_\_ being the legal owner of property located  
at: \_\_\_\_\_ hereby authorize \_\_\_\_\_ to act as my  
agent in all matters before the Board of Assessment Appeals of the Town/City of \_\_\_\_\_  
for the assessment year commencing October 1,

(Signed) \_\_\_\_\_

**FORMS FOR ASSESSMENT APPEAL**

LEGAL NOTICE

SEPTEMBER MEETING BOARD OF ASSESSMENT APPEALS TOWN OF \_\_\_\_\_

All owners of motor vehicles registered in the town of \_\_\_\_\_ are hereby warned that the Board of Assessment Appeals  
of the Town of \_\_\_\_\_ will meet in open session at the \_\_\_\_\_ Town Hall on  
\_\_\_\_\_, \_\_\_\_\_, September \_\_\_\_\_ from \_\_\_\_\_ p.m. to \_\_\_\_\_ p.m. for the sole purpose of hearing  
appeals related to the assessment of motor vehicles.

All persons claiming to be aggrieved by the doings of the assessor of the Town of \_\_\_\_\_ with regard to motor  
vehicles assessment on the Grand List of October 1, \_\_\_\_\_ are hereby warned to make their appeal to the Board of Assessment  
Appeals at this meeting.

BOARD OF ASSESSMENT APPEALS

\_\_\_\_\_, Chairman

**FORMS FOR ASSESSMENT APPEAL**

BOARD OF ASSESSMENT APPEALS MINUTES

TOWN/CITY \_\_\_\_\_

DATE \_\_\_\_\_

CALLED TO ORDER BY \_\_\_\_\_ AT \_\_\_\_\_

MEMBERS PRESENT \_\_\_\_\_, Chairman, \_\_\_\_\_

\_\_\_\_\_  
The minutes of the last meeting were read. A motion for acceptance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, all in favor; so moved.

OLD AND NEW BUSINESS:

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

Continuation Sheet

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

\_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

\_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

\_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

APPEAL OF: \_\_\_\_\_ ADJUSTMENT: \$ \_\_\_\_\_

REASON: \_\_\_\_\_

\_\_\_\_\_

Members in favor: \_\_\_\_\_

Members opposed: \_\_\_\_\_

Meeting Adjourned at \_\_\_\_\_

Secretary \_\_\_\_\_

**FORMS FOR ASSESSMENT APPEAL**

**ACTION NOTICE OF THE BOARD OF ASSESSMENT APPEALS**

TOWN: \_\_\_\_\_

DATE: \_\_\_\_\_

TO: \_\_\_\_\_

RE: \_\_\_\_\_

Location of Property

Date mailed:

Dear:

This notice informs you that your application for appeal with the Board of Assessment Appeals date \_\_\_\_\_, for real/ personal property assessed as of October 1, to \_\_\_\_\_ has been approved/denied under the provisions of Chapter 12 of the Connecticut General Statutes.

Your application was denied on \_\_\_\_\_ (Action date)

Your application was granted on \_\_\_\_\_ (Action date)

OLD ASSESSMENT

NEW ASSESSMENT

REAL ESTATE \_\_\_\_\_

PERSONAL PROPERTY \_\_\_\_\_

Appeals from the action of the Board of Assessment Appeals are to be filed with the Superior Court, within two (2) months of the Board's Action.

BOARD OF ASSESSMENT APPEALS

\_\_\_\_\_  
Chairman

## APPENDIX C

The following are selected cases concerning boards of assessment appeals which have been heard by the State Supreme Court, and Court of Common Pleas. The Abbreviations Conn and Conn. Sup, in the citations refer to *Connecticut Reports* (of the State Supreme Court) and *Connecticut Supplement* (of the Superior Court and Court of Common Pleas). The abbreviation, Op. Atty. Gen., refers to Opinions of the State Attorney General, found in the Connecticut Law Journal (CLJ). Statements of court rulings included in this section make use of annotations contained in the General Statutes.

The judicial process is a dynamic one. Decisions of a court may be appealed to a higher court and overturned and the validity of the decision may be altered by new findings in later cases. Therefore, though it has been updated, the following summary of cases should not be considered as an authoritative listing. The current case law documented in *Connecticut Reports* should always be consulted.

### A Note on Legal Citations.

For some readers that have not had any formal legal education, locating and finding specific legal cases and reading through them may seem to be a daunting challenge. The following are two excellent references for becoming more familiar with legal terms and the process of legal research: *Black's Law Dictionary*, Abridged Seventh Edition, Bryan A. Garner, Editor in Chief. Westgroup, St. Paul Minnesota, 2000 and *Introduction to Paralegalism*, Fifth Edition. William Statsky, West Publishing Company, New York. 1997.

For those who may not be familiar with the components of legal citations, the following example will be of help in

locating a particular case:

*Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969)

In this case, the names of the parties are *Hartford Hospital v. Board of Tax Review of City of Hartford*. The first name mentioned, (Hartford Hospital) is the party initiating the lawsuit or plaintiff. The second party mentioned (Board of Tax Review of City of Hartford) is the party being sued or against whom the case is brought, the defendant.

158 is the volume number of *Connecticut Reports*.

Conn. is the abbreviation for *Connecticut Reports*, the official set of volumes where opinions of the Connecticut Supreme Court are cited. This set may be found in many academic libraries throughout Connecticut.

138 is the page number in *Connecticut Reports* on which the court's opinion of the Hartford Hospital case begins.

1969 is the year the opinion was given.

The following is a brief glossary of legal terms that may prove helpful to you when reading through court cases.

**Ad Valorem:** According to the value of something.

**Declaratory Judgement:** A court ruling which establishes the rights and responsibilities of the parties involved, but does not order them to do anything.

**De Novo:** Begin again or start over.

**Ex Parte:** A case involving only one party.

**Holding:** A court's ruling on a legal issue or matter of law.

**Injunction:** An order of the court to command or prevent an action.

**Market Value:** The most probable price which a property should bring in a competitive and open market under conditions requisite to a fair sale such as: Buyer and seller are motivated, both parties are well informed and are acting in their best interests, reasonable time is allowed for exposure in the open market, payment is made in terms of cash or comparable financial arrangement and the price represents normal consideration for the property sold without special or creative financing or sales concessions.

**Plaintiff:** The party initiating a civil lawsuit.

**Remand:** To send back to a lower court or order a lower court to review according to directions.

**State Ex Rel:** A legal proceeding instituted by the Attorney General on behalf of the state, but on the information and instigation of an individual who has a private interest in the matter.

**Summary Judgement:** Usually in the form of a request by a party that a decision be reached without going through a trial, because the material facts are not disputed.

**Supra:** In a document, that which is above mentioned.

**Vacate:** To annul, put to an end, or terminate.

## CONNECTICUT STATUTES

CGSA Sec. 12-63, Rule of Valuation

For purposes of real estate taxation, "fair market value" is generally said to be value that would be fixed in fair negotiations between desirous buyer and willing seller, neither under any undue compulsion to make a deal. *Uniroyal, Inc. v. Middlebury Bd. of Tax Review* (1978) 389 A.2d 734, 174 Conn. 380. See, also, *Bridgeport Hydraulic Co. v. Town of Stratford* (1953) 94 A.2d 1, 139 Conn. 388; *Thaw v. Town of Fairfield* (1945) 43 A.2d 65, 132 Conn. 173; *Connecticut Savings Bank of New Haven v. City of New Haven* (1945) 41 A.2d 765, 131 Conn. 575. Fair market value of property for tax purposes, regardless of the method of valuation, takes into account the highest and best value of land. *Metropolitan District v. Town of Burlington*, (1997) 696 A.2d. 969, 241 Conn. 382)

For tax assessment purposes, "fair market value" is the price that would probably result from fair negotiations between a willing seller and a willing buyer; fair market value means a value in a market, in a place or in conditions in which there are, or have been, or will be, willing sellers and able and ready buyers of property like that to be assessed, and in which sales are or have been made, or may fairly be expected, in usual and natural way of business; actual value, market value, or market price means price of an article established by sales in course of ordinary business. *Xerox Corp. v. Board of Tax Review of City of Hartford* (1978) 397 A.2d 1367, 175 Conn. 301.

In determining value of real property for tax purposes, the assessor must use the fair market value of real

property. *Chapman v. Town of Ellington*, (1993) 635 A.2d 830. 33 Conn.App. 270.

A three-step procedure exists for carrying out the statutory mandate to tax all real estate at a uniform percent: a) Fair value of the property, as of the assessment date, must be determined, b) a percent, not exceeding 100 percent of the fair value must be determined by the assessing authority for uniform application to all property within the town, c) assessment value, i.e., the value for the purpose of taxation, for any given piece of property in town, must be ascertained by applying the determined uniform percent to its fair value as of the assessment date. In a case regarding the valuation of condominiums, in valuing the subject's condominiums, the assessor did not violate statutory uniformity requirements by substituting his own values of comparable condominiums for those of the revaluation company that had valued the properties in the city before the subject condominiums had been built. *Torres v. City of Waterbury*, 733 A.2d 817. 249 Conn. 110 (1999)

#### CGSA Sec. 12-62, Periodic Revaluation of Real Estate

If real estate is properly assessed on first Grand List following revaluation, variation in effect of market conditions on different parcels need not be reflected in subsequent assessments between revaluations. *Stop and Shop Companies, Inc. v. Town of East Haven* (1989) 554 A.2d 1055, 210 Conn. 233.

Use of average ratio approach measuring assessed values against selling prices of property is not applicable to discrepancies in valuation of property which arise so long as town's valuation established in 1971 fairly reflected 1971 values, average ratio evidence was not used to remedy any discrepancies which may have occurred during decade preceding next valuation. *Uniroyal, Inc. v. Board of Tax*

*Review of Town of Middlebury* (1981) 438 A.2d 782, 182 Conn. 619.

Since the burden of proof in tax assessment appeals is on the taxpayer, the city had no obligation to plead a special defense that an interim evaluation of real property was unavailable to the taxpayer. Neither substantial change in the use of a property that had originally been used as a skilled nursing facility nor the decision of the taxpayer to go out of business, warranted an interim revaluation of property for tax purposes since the decision to go out of business, which resulted in a new use, was a response to basic fluctuations in market conditions. *DeSena v. City of Waterbury* (1999) 731 A.2d 733, 249 Conn. 63.

#### CGSA Sec. 12-111, Appeals to Board of Assessment Appeals

Where board of tax review had received approximately 5,000 appeals, instead of the normal 250 to 300, after the Grand List was filed, where all but 100 to 150 involved assessments upon residential property, and where board sought to determine whether the burden of taxation had been unfairly shifted to residential properties, work of person hired to review the valuations of commercial and industrial properties had a reasonable relationship to the function of the board in equalizing tax assessments. *Chamber of Commerce of Greater Waterbury, Inc. v. Lanese* (1981) 439 A.2d 1043, 184 Conn. 326.

#### CGSA Sec. 12-111, Appeals to Board of Assessment Appeals

Before limitation period for filing appeal could begin, board of tax appeals had to send notice of board's decision in appeal of assessment for property taxes to property owner's agent who had been appointed to represent

property owner before board and who had specifically requested board to send notice of its decision to agent, despite board's argument that property owner's address was exclusive mailing address for notice of its decision. *Trap Falls Realty Holding Ltd. Partnership v. Board of Tax Review of City of Shelton* (1992) 612 A.2d 814, 29 Conn.App. 97, certification denied 617 A.2d 170,224 Conn. 911.

#### CGSA Sec.12-111 Appeals to Board of Assessment Appeals

Taxpayers have two primary methods challenging a town's assessment or revaluation of their personal property:

- (1) The aggrieved taxpayer may appeal to the town's board of assessment appeals and then appeal adverse decisions of that board to Superior Court and,
- (2) The taxpayer may prior to payment of tax, make application for relief to Superior Court.

*Interlude Inc. v. Skurat* (1999) 734 A.2d 1045, 54 Conn.App. 284. Certification granted in part, 738 A.2d 657, 250 Conn.927.

If an owner of properties at the time of assessment wanted to challenge the assessment, the owner is required to follow the appropriate statutory procedures either by:

- (1) Timely appealing from assessment to city's board of assessment appeals and from there to timely appealing to trial court or:
- (2) Timely bringing direct action. Taxes that have not been timely challenged cannot be the subject of perpetual litigation at any time to suit the convenience of taxpayers. A Taxpayer who has not sought redress in the appropriate manner is foreclosed from continuing litigation outside of those statutes.

*City of Danbury v. Dana Inu. Corporation/Lot No. G08065* (1999) 730 A.2d.1128, 249 Conn.1

#### CGSA Sec. 12-117, Extension of Time for Completion of Duties of Assessors and Board of Assessment Appeals.

By providing particular method to procure extensions of time for board of tax review to complete its duties, legislature must have intended that time limitations contained in Sections 12-110 and 12-117 for actions by board be mandatory rather than merely directory. *Albert Bros., Inc. v. City of Waterbury* (1985) 485 A.2d 1289,195 Conn. 48.

CGSA Sec. 12-117a, Appeals from decisions of Boards of Assessment Appeals concerning assessment lists for assessment years commencing October 1, 1989 to October 1, 1992:

Tax appeal by telephone company, which named "Board of Tax Review, Town of Bloomfield" as defendant in citation and served process on chairperson of board of tax review, rather than naming town and serving town clerk as required by statute, was properly dismissed for failure to comply with statutory provisions governing appeal process. *Southern New England Telephone Co. v. Board of Tax Review of Town of Bloomfield* (1993) 623 A.2d 1027, 31 Conn.App. 155.

#### CGSA Sec. 12-60, Correction of Clerical Error in Assessment

Indication on individual assessment cards that all

six apartment buildings in complex had basements, when in fact only two had full basements and one had half basement, did not give rise to "clerical error" in assessment of real estate taxes that could be corrected at any time, given assessor's testimony regarding method of assessment, including his statement that he had included basement value for each building on purpose. *Chapman v. Town of Ellington* (1993) 635 A.2d 830,33 Conn.App. 270.

Where error in tax assessment is of deliberate nature such that party making it at time actually intended result that occurred, it cannot be said to be "clerical error" that can be corrected at any time. *Chapman v. Town of Ellington* (1993) 635 A.2d 830,33 Conn.App. 270.

Where plaintiff listed on its property tax return certain computer equipment which it leased from owner, that taxpayer paid such taxes under mistaken belief that it actually owed the taxes, such action, although mistaken, was deliberate and intentional, and was not "clerical" but could only be characterized as an error of substance, and thus statute providing remedy for "any clerical omission or mistake in the assessment of taxes" was not applicable. *National CSS, Inc. v. City of Stamford* (1985) 489 A.2d 1034,195 Conn. 587.

CGSA Sec. 12-64, Real estate liable to taxation. Easements in air space. Separate assessment of the interest of a lessee. Conditions under which lessee of state-owned property is subject to tax.

There are three accepted methods for valuation which may be used for the assessment of real property, those

being the comparable sales approach, the income approach, and the reproduction cost or cost approach. *Whitney Center, Inc. v. Town of Hamden* (1985) 494 A.2d 624,4 Conn. App. 426.

Everything that might legitimately affect value of property must be considered in assessing property for tax purposes. *Chamber of Commerce of Greater Waterbury, Inc. v. City of Waterbury* (1981) 439 A.2d 1047,184 Conn. 333.

City's use of independent appraisal firm to advise on property assessment was not illegal. *Connecticut Coke Co. v. City of New Haven* (1975) 364 A.2d 178,169 Conn. 663.

Proper deference must be given to judgment and experience of assessors, for process of estimating value of property for taxation is, at best, one of approximation and judgment, and there is margin for difference of opinion. *Connecticut Coke Co. v. City of New Haven* (1975) 364 A.2d 178,169 Conn. 663.

## ADDITIONS TO TAX LIST

Superior Court may add to the list of taxable property omitted. *Cheney v. Essex*, 83 Conn. 493 (1910).

Adding property to the list of one taxpayer is not invalidated by the fact that it is erased from the list of another who did not appear before the board. Sanford's Appeal, 75 Conn. 590 (1903).

Addition without indicating property held legal. *Lewis v. Eastford*, 44 Conn. 477 (1877).

Requisites of valid notice of intended additions. *Sanford v. Dick*, 15 Conn. 447 (1843); *Whittelsey v. Clinton*, 14 Conn. 72 (1840).

## AGRICULTURAL LAND

Legislative purpose in definition of farm land is sufficiently broad to include nurseries. *Johnson v. Board of Tax Review of Town of Fairfield* 160 Conn. 71 (1970).

The legislature's intention in enacting Section 12-107a of the General Statutes, basing taxes on farmland upon current use value and basing taxes on all other property upon actual value, was to grant special privilege to land devoted to agricultural use. *Bussa v. Town of Glasstonbury*, 28 Conn. Sup. 97 (1968) 251 A.2d 87 (1968).

Under the statute which provides that the value of land classified as open space shall be based upon its current use, notwithstanding the fact that the town assessor used a capitalization of earnings approach in assessing the current use value of the land in the town which was designated as "farm land" and "forest land," the town assessor correctly used a combination of comparable sales and costs of improvement methods to arrive at the current value of open space land which was developed and operational as an 18-hole public golf course containing fairways, greens and rough area. *Rustici v. Town of Stonington*. 381 A.2d 532, 174 Conn. 10 (1977)

## APPEALS TO THE BOARD OF ASSESSMENT APPEALS

### General

Although hospitals are not mentioned in the statute governing appeal by certain organizations from action of the board of assessment appeals, they may appeal under general

provisions governing appeals to boards of tax review. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

Where corporation's appeal from board of tax review ruling was not brought within two months after board's action, it was abatable, although original appeal, in which nonsuit was entered, was taken within required two month period. *Holloway Bros., Inc. v. Town of Avon*, 214 A.2d 701, 26 Conn. Sup. 164 (1965) 214A.2d701

Appeal to board of [tax review] is designed to act directly on the valuations of property on the grand list. Appeal under statute [S.12-119], remedy when property wrongfully assessed] is directed to relief against the collection of an illegal tax. *State ex rel. Waterbury Corrugated Container Co. v. Kilduff*, 128 Conn. 647 (1942). Grounds for appeal reviewed. *Stamford Gas & Electric Co. v. Stamford*, 6 Conn. Sup. 505 (1938).

Improper to test amount of assessment in action to collect unpaid taxes. *West Haven v. Aimes*, 4 Conn. Sup. 391 (1937).

Yale University had the right to appeal to the board of assessment appeals from the action of the assessor who added to the university's tax list certain premises. *Yale University v. City of New Haven*, 363 A.2d 1108, 169 Conn.454. (1975)

The city's board of assessment appeals, to which appeals from action of assessor may be taken, also has the power to unilaterally equalize and adjust valuations and assessment lists submitted by assessor. *Albert Brothers, Inc. v. City of Waterbury*, 485 A.2d 1289, 195 Conn. 48 (1985)

## APPEARANCE BEFORE THE BOARD

Failure to appear and be sworn before the board is not sufficient to prevent hearing on appeal; may affect relief by court. *Atchison v. Newtown*, 2 Conn. Sup.142 (1935).

Law contemplates actual appearance in person before the board. *Wilcox v. Madison*, 103 Conn. 149 (1925).

Board may adjourn to house of taxpayer who is ill, deputing one member to examine the taxpayer. *Bugbee v. Putnam*, 90 Conn. 154 (1916).

Failure to appear before the board cannot deprive the applicant of the right to be heard. *Morris v. New Haven*, 77 Conn. 108 (1904).

Adding property to the list of one taxpayer is not invalidated by the fact that it is erased from the list of another who did not appear before the board. Sanford's Appeal, 75 Conn. 590 (1903).

A taxpayer who hired a non-attorney appraiser to challenge the town's assessment of the taxpayer's real property was not barred from bringing a property tax appeal on the grounds that the taxpayer entered into an illegal contract for prosecution of cause of action. The alleged validity of the contract between the taxpayer and appraiser was irrelevant to the taxpayer's right to appeal and even assuming that the appraiser's activities needed to be deterred on the ground that the appraiser's actions were an unauthorized Practice of law, barring the taxpayer's tax appeal was an inappropriate means to that end. *Robertson v. Town of Stonington*, 750 A.2d 460, 253 Conn. 255. (2000).

## TIME LIMIT FOR APPEALS

Negligent failure of taxpayer to use accessible means to learn of mistake precludes action to recover taxes paid. *Pitt v. Stamford*, 117 Conn. 388 (1933). Cited. *Cohn v. Hartford*, 130 Conn. 699 (1944).

Relief from assessment is not precluded by payment made involuntarily and under protest before application for relief is made. *White v. Vernon*, 9 Conn. Sup. 524 (1941).

Provides for speedy determination. *West Haven v. Aimes*, 4 Conn. Sup. 391 (1937). Cited. *Stamford Gas & Electric Co. v. Stamford* 6 Conn. Sup. 505 (1938).

Codifies common law rule; applies to unpaid taxes existing at time of passage even though time to appeal from doings of board had expired. *Connecticut Light & Power Co. v. Oxford*, 101 Conn. 383 (1924).

Taxes that have not been timely challenged cannot be subject of perpetual litigation, at any time to suit the convenience of the taxpayer. The taxpayer who has not sought redress in an appropriate manner is foreclosed from continuing litigation outside of the those statutes. *City of Danbury v. Dana Inu. Corporation/Lor No. G08065*, 730 A.2d 1128, 249 Conn. 1 (1999)

## REMEDIES OTHER THAN APPEAL TO BOARD OF ASSESSMENT APPEALS

Remedy given by Section 12-119 is not an alternative to an appeal to the board of assessment appeals and then from it to court under Section 1-118. *Cooley Chevrolet Co. v. West Haven*, 146 Conn. 165 (1959).

Equitable remedy for overvaluation in assessment is precluded. *Abarello v. Derby*, 16 Conn. Sup. 48 (1948).

"Owner" does not mean only owner on assessment

date; possibility that he might become unduly enriched does not preclude right to test validity of assessment. *General Realty Improvement Co. v. New Haven*, 133 Conn. 238 (1946). Cited. *Fenwick v. Old Saybrook*, 133 Conn. 22 (1946).

Remedy provided by Section 12-119 is in addition to and does not preclude remedy by way of declaratory judgment in the Superior Court *Carlo Bianchi & Co., Inc. v. Groton*, 14 Conn. Sup. 119 (1946).

Section 12-119 is designed to meet the situations where there is misfeasance or nonfeasance, or assessment was arbitrary or so excessive or discriminatory as to show disregard for duty; function of the court is not limited to determining whether assessors acted illegally, arbitrarily, or in abuse of discretion. *Mead v. Greenwich*, 131 Conn. 273 (1944).

Mere fact of overvaluation is not ground for relief under Section 12-119; the statute is intended to take place of remedy in equity for illegal overvaluation and precludes resort to equity generally. *Cohn v. Hartford*, 130 Conn. 699 (1944).

Remedy under Section 12-119 is different from that under Section 12-118; it is directed against the collection of an illegal tax. *Power v. Old Saybrook*, 12 Conn. Sup. 382 (1944).

Appeal under Section 12-119 is directed to relief against the collection of an illegal tax; under Section 12-111, the appeal is designed to act directly upon the valuation of property on the grand list. State ex rel. *Waterbury Corrugated Container Co. v. Kilduff*, 128 Conn. 647 (1942).

Word "laid" in Section 12-119 means "imposed." *Torrington Co. v. Hackett*, 124 Conn. 403 (1938).

In action against taxpayer to collect tax, the

taxpayer cannot contest the valuation; he must seek relief under Section 12-111 or Section 12-119. *West Haven v. Aimes*, 123 Conn. 543 (1938).

Section 12-119 creates no new right or remedy, except in form; the state has always recognized the right of property owner to obtain appropriate relief against illegal tax independent of statutory remedy of appeal from board of [tax review]. *Connecticut Light and Power Co. v. Oxford* 101 Conn. 383 (1924).

### ASSESSMENT POWERS OF MUNICIPALITIES

An assessor has the implied authority, incident to an audit, to revalue and reassess for tax purposes property that was listed and valued on a grand list filed within the previous three years. *United Illuminating Company v. City of New Haven et.al.* 240 Conn. 422 (1997).

Sewer assessment against the state as property owner cannot be made by a municipality unless it has specific statutory authority to make such assessment. 32 op. Atty. Gen. 204 (1962), 24 C W No. 1, p. 8.

Powers concerning valuation and revaluation of property are vested exclusively in the boards of assessors and tax review; selectmen may not legally call a town meeting to adjust valuation rates. *Willis v. Sauer*, 19 Conn. Sup. 215 (1954).

A municipal corporation may not reduce a list after revision by the board on appeal. *Bridgeport Brass Co. v. Drew*, 102 Conn. 206 (1925).

Only the board and not inhabitants in town meeting can review the work of the assessors. State ex rel. *Coe v. Fyler*, 48 Conn. 145 (1880).

## ASSESSORS

Where assessor did not state to taxpayers that he was not going to increase assessment on taxpayers' land, assessor did not suggest or advise taxpayers not to file application for reclassification of their land, and assessor had no intent to mislead or misrepresent, and taxpayers did not decide not to file application for reclassification at time of their conference with the assessor, but came to that decision later on advice of their own independent advisor, the town was not stopped from altering pre-existing valuation on taxpayers' land. *Dickau v. Town of Glastonbury*, 156 Conn. 437 (1968).

When assessor, in town where New York company was engaged in highway construction, filed tax list for the corporation, upon corporation's refusal to file the list, using information obtained from documents on file in town clerk's office, corporation applying for relief against allegedly wrongful assessment of taxes had burden of proving that tax had been laid on property not taxable in the town. *Curly Construction Co. v. Town of Darien*, 147 Conn. 308 (1960).

Acquiescence of board in erroneous action of assessors as to listing of property is not a good defense to an action of mandamus to compel assessors to make proper list. State ex rel. *Foote v. Bartholome*, 108 Conn. 246 (1928). Cited. *Mead v. Greenwich*, 131 Conn. 273 (1944); *Cohn v. Hartford*, 130 Conn. 699 (1944); *West Haven v. Aimes*, 123 Conn. 543 (1938); *Pitt v. Stamford*, 117 Conn. 388 (1933).

No remedy exists by appeal to courts from doings of assessors; appeal is limited to actions by the board. *Stamford Gas & Electric Co. v. Stamford*, 6 Conn. Sup. 505 (1938).

Assessors may be compelled by mandamus to list property omitted by taxpayer. *State v. Erickson*, 104 Conn. 542 (1926).

Board only and not inhabitants in town meeting can review the work of the assessors. State ex rel. *Coe v. Fyler*, 48 Conn. 145 (188D).

## CLASSIFICATIONS OF PROPERTY

Taxes on land used as a parking lot should be in accordance with its "highest and best use" rather than its actual use. *Federated Department Stores, Inc. v. Board of Tax Review*, City of Stamford 162 Conn.77.

Classification of land upon fact that its highest and best use would be for industrial purposes and that, at instigation of owners, it was placed in zone which would permit such a use, was an error and classification would have been predicated on actual use to which land was being put. *Marshall v. Town of Newington*, 156 Conn. 107 (1968).

Where landowner did not apply to assessor for classification of his land as farmland for tax purposes, the land was properly valued at its true and actual value, unless owner's claim that he was stopped from seeking classification by assessor was valid. When owner has applied for classification of land as farmland, it is the assessor's duty to determine whether the land qualifies for such classification. *Dickau v. Town of Glastonbury*, 156 Conn. 437 (1968).

Issue of proper classification of land subject to real estate tax was properly raised through appeals to board of tax review and on appeal to Court of Common Pleas from board's decision; not only assessor was authorized to classify land. *Marshall v. Town of Newington*, 156 Conn. 107 (1968).

The term, farm, as used in Section 12-107c of the General Statutes, for purposes of classifying lands for taxation, includes farm buildings. *Holloway Bros. Inc. v. Town of Avon*, 26 Conn. Sup. 164(1965).

## COURT APPEALS

### Powers of the Court

On appeal from action of the board of tax review, the court performs a double function. First, it must determine the judicial question of whether the appellant has been aggrieved by the board which will result in payment of unjust and practically illegal tax. Secondly, if this question is answered in the affirmative, the court must exercise its discretionary power to grant relief. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

Mere overvaluation is sufficient to justify redress under statutes which allow taxpayers to appeal decisions of municipal boards of assessment appeals and the court is not limited to review of whether assessment has been unreasonable or discriminatory or has resulted in substantial overvaluation. Statute 12-117a, which allows a taxpayer to appeal a board of assessment appeal decision to Superior Court provides a remedy only for aggrieved taxpayers seeking to reduce his tax assessment; it provides no remedy for the municipality claiming to have undervalued a taxpayer's property. *Konover v. Town of West Hartford*, 699 A.2d 158, 242 Conn. 727.

The fact that the board of tax review assumed jurisdiction of a hospital appeal from tax assessment did not prejudice the hospital. The board of tax review was not stopped from alleging that the Court of Common Pleas was without jurisdiction to entertain plaintiff's appeal. *Hartford Hospital v. Board of Tax Review of the City of Hartford*, 158 Conn. 138 (1969).

Where taxpayer did not pursue in his brief the issue of addition of paragraphs to finding of trial court in review of action of board of tax review, addition of paragraphs

would be treated on appeal as having been abandoned.

*Dickau v. Town of Glastonbury*, 156 Conn. 437 (1968).

Trial court had function to ascertain true and actual value of property in taxpayers' action to review board of tax review decision which had increased valuation of taxpayers' property for taxation purposes. *Dickau v. Town of Glastonbury*, 156 Conn. 437 (1968).

When a uniform percentage was not taken by assessors, the court, on appeal from board of tax review decision, could grant taxpayer such relief as justice and equity required. *Lerner Shops of Connecticut, Inc. v. Town of Waterbury*, 151 Conn. 79 (1963).

Court not limited to determining whether board acted illegally, arbitrarily, or in abuse of discretion. *Edgewood School v. Greenwood*, 131 Conn. 179 (1944). Cited. *Ingraham Co. v. Bristol*, 144 Conn. 374 (1957); *Sibley v. Middlefield*, 143 Conn. 100 (1936).

Superior Court has great discretionary power. *Somers v. Meriden* 119 Conn. 5 (1934). Cited. *General Realty Improvement Co. v. New Haven*, 133 Conn. 238 (1946), *Connecticut Savings Bank v. New Haven*, 131 Conn. 575 (1945); *Mead v. Greenwich*, 131 Conn. 273 (1944); *Cohn v. New Hartford*, 130 Conn. 699 (1944); *Romell v. Walsh*, 127 Conn. 16 (1940).

Court may add property to list. *Cheney v. Essex*, 83 Conn. 493 (1910).

Court will not reduce the valuation below that given by the owner. *Greenwoods Co. v. New Hartford*, 65 Conn. 46 (1895); *Randell v. Bridgeport*, 63 Conn. 321 (1893).

### Procedure

Where hospital took no appeal to Court of Common Pleas from board of tax review's 1965 rejection of appeal by hospital claiming exemption, Supreme Court

would assume, in proceeding on appeal by hospital from board action in including property in city's 1966 list of taxable property, that board's reason for refusing exemption was valid. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

Taxpayer claiming to be aggrieved by action of the assessors in overvaluing his property may appeal to board of tax review and, if not satisfied with this action, to Court of Common Pleas, or he may bring an application to that court. *McCourt v. Anemostat Corp. of America*, 25 Conn. Sup. 462 (1965).

Proper procedure in appealing board ruling. *Cooley Chevrolet Co. v. West Haven*, 146 Conn. 165 (1959).

When Court of Common Pleas has no jurisdiction to hear appeal. *Power v. Old Saybrook*, 12 Conn. Sup. 382 (1944). Cited *Abarello v. Derby*, 16 Conn. Sup. 48 (1948).

No remedy exists by appeal to courts from doings of assessors; appeal is limited to actions by the board. *Stamford Gas & Electric Co. v. Stamford*, 6 Conn. Sup. 505 (1938).

Statute on appeal from the board aims at rectifying an assessment grievance and not against the payment of a tax. *Steiger, Inc. v. Hartford*, 5 Conn. Sup. 467 (1937).

Town or city should be cited in all appeals from the board. *Montgomery v. Branford*, 107 Conn. 697 (1928).

When Superior Court has jurisdiction. State ex rel. *Foote v. Bartholomew*, 106 Conn. 698 (1927).

Nature of proceedings. *Bugbee v. Putnam*, 90 Conn. 154 (1916)

Voluntary payment of tax will result in dismissal of appeal. *Morris v. New Haven*, 78 Conn. 673 (1906).

Burden of proof is on the appellants. Barrett's Appeal, 75 Conn. 280 (1902).

Shareholders in one company who are affected by ruling of the board may join in appeal. Barrett In re Appeal of 73 Conn. 288 (1900).

Right to enforce payment of assessment is suspended by appeal but not the running of interest. *Hartford v. Hills*, 72 Conn. 599 (1900).

What form of appeal is sufficient. *U.S. Envelope Co. v. Vernon*, 72 Conn. 329 (1899).

It is not necessary for defendant to claim penalty as to costs in his answer. *Ives v. Goshen*, 65 Conn. 456 (1895).

#### Who is Aggrieved

Question to whether or not applicant for examination has been aggrieved by action of board of tax review is judicial question and must be determined in the affirmative before power to grant relief is called into action by trial court. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

A property owner who appeared before the board of tax review and received an adverse decision was "aggrieved" and could properly appeal. *Lerner Shops of Connecticut, Inc. v. Town of Waterbury*, 151 Conn. 79 (1963).

A taxpayer may properly be found to be an "aggrieved" person and as such be entitled to sue to protect his interest in any matter involving a municipality where his tax bill may be affected. *Yale University v. City of New Haven*, 22 Conn. Sup. 61 (1960).

Who is a person aggrieved? *Resnik v. New Haven*, 12 Conn. Sup. 47 (1943).

Taxpayer is not aggrieved where court finds property assessed at true and full value despite error in method of valuation. *Slosberg v. Norwich*, 115 Conn. 578 (1932).

One upon whose property the assessors put an

excessive valuation, which the board erroneously refuses to reduce, is aggrieved. *Underwood Typewriter Co. v. Hartford*, 99 Conn. 329 (1923).

Taxpayer is not aggrieved unless the improper listing of his own or another person's property increases his tax. *Ives v. Goshen*, 65 Conn. 456 (1895).

## DEDUCTION FOR INDEBTEDNESS

Deduction for unsecured indebtedness considered. *Skilton v. Colebrook*, 76 Conn. 666 (1904).

## ERRORS AND OMISSIONS

Clerical omissions or mistakes do not include errors of substance. *Reconstruction Finance Corp. v. Naugatuck*, 136 Conn. 29 (1949).

Assessors may be compelled by mandamus to list property omitted by the taxpayer. *State v. Erickson*, 104 Conn. 542 (1926).

Limitations on power to correct clerical errors or mistakes. *Bridgeport Brass Co. v. Drew*, 102 Conn. 206 (1925).

Omissions and mistakes in assessments can be taken advantage of only by those in whose lists they occur. *Sanford v. Dick*, 15 Conn. 447 (1843).

## EXEMPTION FROM TAXATION

General Statutes which exempt from taxation are to be strictly construed against part claiming exemption. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158

Conn. 138 (1969).

Exemption from taxation is equivalent of appropriation of public funds because the burden of the tax is lifted from the back of the potential taxpayer who is exempted, and shifted to the backs of others. *Snyder v. Town of Newtown*, 147 Conn. 374 (1960).

Where property has been legally assessed for taxation, the town has no power to release the taxpayer from portion of his tax if he is of ability to pay. State ex rel. *Coe v. Fyler*, 48 Conn. 145 (1880).

Statutory tax exemptions, no matter how meritorious, are of grace and must be strictly construed; they embrace only what is strictly within their terms.

*H.O.R.S.E. of Connecticut, Inc. v. Town of Washington* (2000) (1) 57 Conn.App. 41, Conn. App. 41.

### *Farmland*

Where a corporation's principal income was from the operation of a loam and gravel business, which was found not to be a farming operation, the corporation is not qualified for benefits of \$3,000 tax exemption on its machinery. *Holloway Bros., Inc. v. Town of Avon*, 26 Conn. Sup. 160 (1965).

Under Section 12-91 of the General Statutes, exempting farm machinery, livestock and poultry from property tax under certain conditions, all livestock and poultry are exempt from tax when owned and kept in two or more towns within the state by a farmer, groups of farmers partnership, or corporation otherwise qualified for exemption. 32 op. Atty. Gen. 123 (1962).

The statutory requirement that educational property exempt

from property taxes be used exclusively for carrying out educational purpose can be satisfied by use of property that is incidental to education.

*Loomis Institute v. Town of Windsor*, 661 A.2d 1001, 234 Conn. 169 (1995).

### **Government Property**

The federal government, not the manufacturer, was the "owner" of materials and tools on premises of the manufacturer, whose contract provided for transference of title to the government. Such property was not taxable under Section 12-58 of the General Statutes, but was exempt under Section 12-81, relating to taxation of property belonging to or held in trust for the United States. *Consolidated Diesel Electric Corp. v. City of Stamford*, 238 A.2d 410 (1968).

Even though the party is an admitted municipal corporation its properties are not exempt from taxation unless devoted to public use. Properties belonging to specially chartered municipal corporation, which were for use only of members or their invitees, are not entitled to tax exemption. *Laurel Beach Association v. Town of Milford*, 148 Conn. 233.

Airport property owned by municipality but located in another town is exempt from taxation if the town in which the airport lies has the same privileges in using it as the municipality owing it and if the airport is not use in such a manner as to become a source of profit in operations must be determined annually; the true test is whether the airport is being operated for the purpose of making money. *Bridgeport v. Stratford*, 142 Conn. 634 (1955).

National banks are agencies of the United States; their property and shares cannot be taxed by the state except

as Congress consents. *First National Bank & Trust Co. v. West Haven*, 135 Conn. 191 (1948).

Political and territorial subdivision of a town is entitled to examination from taxation under provisions of law exempting property belonging to municipal corporation and used for public purpose. *Fenwick v. Old Saybrook*, 133 Conn. 22 (1946).

### **Hospitals and Charitable Organizations**

Hospital had burden to file tax report, prior to July 1, 1966, for property claimed to be exempt in order to establish its right to exemption where exemption was denied the previous year. Where hospital failed to file report, assessor had no alternative but to continue such property on tax list. Hospital which had been denied tax exemption in 1965 and filed no report claiming exemption in 1966, was not aggrieved by actions of the assessor and board of tax review in including such property in city's list of taxable property. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

It was not intended that hospital, without claiming exemption by filing tax report with assessor in succeeding year after claimed exemption was denied, be entitled to exemption, in lieu of appeal to the board of tax review and to the court of common pleas. Nor was it intended that hospital which acquired property, otherwise exempt, after filing its quadrennial report would be precluded from claiming an exemption for period of almost four years. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

Section 12-81 of the General Statutes requiring that statement be filed in order to qualify for property tax exemption, and statute empowering assessors to examine tax

exempt statements of scientific and other organizations in order to determine exemption eligibility do not apply to provisions of Sections 12-37 and 12-89, exempting property owned by hospitals from taxation. *Hartford Hospital v. Board of Tax Review of City of Hartford*, 158 Conn. 138 (1969).

Charitable uses and purposes for tax exemption are not restricted to mere relief of the destitute or the giving of alms, but comprehend activities not in themselves self-supporting but intended to improve the physical, mental, and moral condition of the recipients and make it less likely that they will become burdens on society, and embraces anything that tends to promote the well-doing and well-being of social man. *Camp Isabella Freedman of Conn., Inc v. Town of Canaan*, 147 Conn. 510 (1960).

Tax exemption of charitable organizations is not restricted to property used for benefit of state residents. *Camp Isabella Freedman of Connecticut, Inc. v. Town of Canaan*, 147 Conn. 510 (1960).

Law does not intend to exempt any building earning money applicable to secular uses. *Connecticut Spiritualistic Camp Meeting Association v. East Lyme*, 54 Conn. 152 (1886).

#### *Veterans*

Veterans who have suffered loss of an arm or leg in military service, or that which is considered by rules of the U.S. pension office or Bureau of War Risk Insurance as equivalent of such loss, and who have satisfied other requirements of statute granting disabled veterans a property tax exemption, are entitled to a \$3,000 exemption regardless of the percentage of disability rating accorded them. *Murov v. Murray*, 24 Conn. Sup. 147 (1962).

For purposes of application of tax exemptions

provided for veterans under Section 12-81 of the General Statutes, qualified taxpayers do not have the right to compel assessors to apply the amount of exemption to either real or personal property. Assessors are empowered to exercise their discretion as public officers. 21 op. Atty. Gen. 12 (1958).

#### *Location of Property*

In view of evidence that a vessel owned by a corporation was not located in either Hartford, where the assessment was made, or Essex, which the corporation claimed had situs (or location) of the vessel for at least seven months preceding the assessment date, the proper place of assessment was where the corporation's principal place of business was located or where it exercised its corporate powers as of the assessment date. *Riverboat, Inc., v. City of Hartford*, 26 Conn. Sup. 408 (1966).

A president and treasurer of corporation owning a vessel had the authority to sign tax assessment document on behalf of the corporation. The fact that it was not required to be signed in affidavit form did not vitiate its resulting effect on the plaintiff's tax status in regard to such property. *Riverboat, Inc. v. City of Hartford*, 26 Conn. Sup. 408 (1966).

Town's assessment of corporation's electrical computer system, which was located in the town for more than seven months preceding the assessment day, but which was not located in the state on the assessment day, was valid. The jurisdictional basis for assessment was provided by opportunities given the corporation and the protection afforded its property by the town. *Philco Corp. v. Town of East Hartford*, 26 Conn. Sup. 196 (1965).

Under statute providing for taxation of corporate personal property, "permanency" of stay of corporate property in the state involves the concept of being associated

with the general mass of property in the state as contrasted with a transient status, and means a more or less permanent location for the time being, one test being whether the property in question is within the state for use and profit. *Philco Corp. v. Town of East Hartford*, 26 Conn. Sup. 196 (1965).

Where domestic corporation's tangible personal property was listed for taxation, it was not liable to taxation in any other town in state. *Associated Grocers, Inc. v. City of New Haven*, 147 Conn. 287 (1960).

Cooperative association of retail grocers, which bought groceries at wholesale for its members, carried on a trading or mercantile business that rendered its property subject to assessment in the name of the owner or owners in the town in which the business was carried on. *Associated Grocers, Inc. v. City of New Haven*, 147 Conn. 287 (1960).

## NON-RESIDENTS

Non-residents whose personal property wrongly assessed waive no right by neglect to apply to board. *New London v. Perhins*, 87 Conn. 229 (1913); *Lewis v. Eastford*, 44 Conn. 477 (1877), *Phelp v. Thurston* 47, Conn. 477 (1880).

## NOTICE OF HEARING

Provisions for notice of hearings are mandatory and constitute conditions precedent to valid assessment. *Rocky Hill Incorporated District v. Rayon Corp.*, 122 Conn. 392 (1937). Cited. *Reconstruction Finance Corp. v. Naugatuck*, 136 Conn. 29 (1949); *Cohn v. Hartford*, 130 Conn. 699 (1944).

Appearance before board waives defect of notice. *Comstock v. Waterford*, 85 Conn. 6 (1911); Sanford's Appeal, 75 Conn. 59- (1903).

## RECOVERY OF TAXES

Manufacturing corporation relocating to another state on taxing date, which failed to avail itself of relief from claimed excessive assessments by statutory remedy, could not defend suit to collect taxes on ground that the property had been removed to another state, where it became liable to that state's taxes. *McCourt v. Anemostat Corp. of America*, 25 Conn. Sup. 462 (1965).

Where person pays taxes illegally assessed against him, whether paid by compulsory process or not, he or she may recover the money. *McCourt v. Anemostat Corp. of America*, 25 Conn. Sup. 462 (1965).

Where plaintiff obtained all relief to which he was entitled, in judgment rendered under a first count in his complaint, he would not be granted recovery under a second count, even if his pleadings and proof would have supported a judgment under the second count. *Lerner Shops of Connecticut, Inc. v. Town of Waterbury*, 151 Conn. 79 (1963).

If board of tax review assessment is reduced by the court, it is proper to move for reimbursement for any overpayment of taxes. However, such motion should be filed before close of session in which the original judgment was rendered and within the time in which an appeal may be taken. *Lerner Shops of Connecticut, Inc. v. Town of Waterbury*, 151 Conn. 79 (1963).

Assessor's failure to list property in manner conforming to statutes will result in invalid assessment and prevent recovery of tax based on it. *Empire Estates, Inc. v. City of Stamford*, 147 Conn. 262

If property owner, with knowledge of the facts, pays taxes voluntarily, he cannot recover them even though they were in excess of what he should have been required to pay.

*Pitt v. Stamford*, 117 Conn. 388 (1933). Cited. *Cohn v. Hartford*, 130 Conn. 699 (1944).

Taxpayer who, during pendency of application for relief, pays the tax assessed is entitled to return of any excess tax which he has paid, whether the payment be deemed voluntary or otherwise. The penalties and consequences imposed by law upon a non-paying taxpayer are such that it cannot fairly be said that he who pays a tax to avoid their onerous results does so voluntarily. *Steiger, Inc. v. Hartford*, 8 Conn. Sup. 295 (1940).

Liability to pay interest does not make payment of tax involuntary; recovery of money so paid not allowed. *Verran Co. v. Stamford*, 108 Conn. 47 (1928).

Property owner who voluntarily pays tax cannot recover the amount paid even though the act under which the tax was laid turns out to be unconstitutional. However, if payment is made under protest and in order to avoid burdensome penalties prescribed by the act for its nonpayment, such payment is not voluntary but one made under moral duress. *Underwood Typewriter Co. v. Chamberlain*, 92 Conn. 199 (1917).

Tax illegally assessed in part is illegal in toto, all the whole sum paid for such tax, if paid under duress, may be recovered. *First Ecclesiastic Society v. Hartford*, 38 Conn. 274 (1871).

## REVALUATION

Taxpayer not required to show special injury because statutory property revaluation had not been made within decade in order to be entitled to mandamus requiring revaluation, although the state's attorney could have, and probably should have, prosecuted the mandamus in his own

name State ex rel. *Eastern Color Printing Co. v. Jenks*, 150 Conn. 444 (1963).

Section 12-4 of the General Statutes, providing procedure by which the State Tax Commissioner can compel a municipal tax official's compliance with laws pertaining to discharge of office, does not provide exclusive remedy precluding mandamus by officers, but mandamus other than under statute is still available and could be maintained on relation of taxpayer to compel statutory revaluation. State ex rel. *Eastern Color Printing Co. v. Jenks*, 150 Conn. 444 (1963).

The West Hartford revaluation procedure, whereby a separate class of property is viewed, revalued, and recorded in the grand list in a single year, but all classes of property are viewed, revalued, and recorded within a ten-year period, is valid under Section 12-62 of the General Statutes. Op. Atty. Gen. (December 19, 1963), 25 CLJ No. 09, p 13.

## RULE OF VALUATION

### *Assessment Ratio*

Assessment of property at fraction of actual value is violation of Section 12-63. *Ingraham Co. v. Bristol*, 144 Conn. 374 (1957). Overrules *Randell v. Bridgeport*, 63 Conn. 321 (1893).

Where assessors adopt rule of valuation conflicting with statute remedy is by appeal to board of tax review. *Monroe v. New Canaan* 43 Conn. 309 (1876).

### *Capitalization of Income*

The use value of farmland for purposes of taxation should be determined by capitalization of rents and the percentage normally used in determining final tax assessment

should be applied to the use value. *Bussa v. Town of Glastonbury*, 28 Conn. Sup. 97 (1968).

How determined. *Burritt Mutual Savings Bank v. New Britain*, 20 Conn. Sup. 476 (1958). It is not erroneous to consider reproduction cost and capitalization of income as well as actual sales price in determining fair market value. *Connecticut Savings Bank v. New Haven*, 131 Conn. 575 (1945).

Capitalization discussed. *Somers v. Meriden*, 119 Conn. 5 (1936).

### Market Value

Taxpayers have burden to prove that assessor's valuation was not the true and actual value of their property. Determination of valuation of land is question of fact for trier of facts. *Dickau v. Town of Glastonbury*, 156 Conn. 437 (1968).

In computing value of machinery and inventory, construction in progress is to be valued at half cost and machinery withdrawn from use for disposal valued at estimated salvage. *New Departure Division of General Motors Corp. v. Town and City of Bristol*, 25 Conn. Sup. 37 (1964).

No arbitrary rule respecting point at which depreciation should be stopped in computing value to allow for inflation can be made without permitting taxpayer benefit of exceptions when he can demonstrate that a particular property has lower value. *New Departure Division of General Motors Corp. v. Town and City of Bristol*, 25 Conn. Sup. 37 (1964).

Evidence established that computation of value of taxpayers machinery for personal property tax purposes by artificial mathematical process which employed a comparative equipment cost index, a method devised by professional appraisal firm and adopted by town assessors with adjust-

ment for depreciation, resulted in unjust and illegal assessment which had no relationship to market value. *New Departure Division of General Motors Corp. v. Town and City of Bristol*, 25 Conn. Sup. 37 (1964).

Section 12-62 of the General Statutes providing that assessors shall view and revalue all property in the municipality during each ten-year period, is mandatory. It calls upon them to perform ministerial acts in obedience to such mandate without regard to or exercise of their own judgment on the propriety of title acts being done. State ex rel. *Eastern Color Printing Co. v. Jenks*, 50 Conn. 444 (1963).

Hydroelectric dams are not readily marketable as such, and, in ascertaining farm market value, it is proper to resort to other means of ascertaining true and natural valuation. *Connecticut Light & Power Co. v. Town of Monroe*, 149 Conn. 450 (1962).

Taxpayer appealing to Court of Common Pleas from board of tax review refusal to reduce property valuation had burden to satisfy Court of Common Pleas that assessors' valuation of land and buildings was not fair market value. *Sheldon House Club, Inc. v. Town of Branford*, 149 Conn. 28 (1961).

For tax assessment purposes, the expressions, actual valuation, actual value, market value, market price, and fair value, are synonymous. *Sheldon House Clubs, Inc. v. Town of Branford*, 149 Conn. 28 (1961).

Where cooperative association's merchandise was constantly in transition, assessed valuation of its fluctuating business inventory was value of average amount of goods kept on hand during the year prior to assessment date or during the portion of the year during which business was conducted. *Associated Grocers, Inc. v. City of New Haven*, 147 Conn. 287 (1960).

Proper procedure in questioning valuation of

property. *Cooley Chevrolet Co. v. West Haven*, 146 Conn. 165 (1959).

Board in assessing commercial real estate found to have chosen an unrealistic annuity method of amortizing building costs, and to have made unwarranted assumptions concerning management costs, stability of expenses, and income. *Burritt Mutual Savings Bank v. New Britain* 20 Conn. Sup. 476 (1958).

Elements affecting fair market value. *Bridgeport Hydraulic v. Stratford*, 139 Conn. 388 (1953).

In determining market value, it is proper to consider all the elements which an owner could reasonably urge as affecting the fair price, including replacement costs when there are buildings. *Thaw v. Fairfield*, 132 Conn. 173 (1945).

History of statute. *Connecticut Savings Bank v. New Haven*, 131 Conn. 575 (1945).

If most recent sales in the same vicinity are of property held by a bank, they are not a fair criterion for fair market value. *Resnick v. New Haven*, 12 Conn. Sup. 47 (1943).

Cost of reproduction less depreciation is proper if there is no market value. *Ethington v. Stamford*, 11 Conn. Sup. 241 (1942).

There is no other method legal for assessment if there is a market value. *Samson v. Hartford*, 8 Conn. Sup. 540 (1940).

Property may be found to have market value in the absence of evidence of other sales of like property in the open market. *Portland Silk Co. v. Middletown*, 125 Conn. 172 (1939).

Valuation by owner placed in tax list is not a bar to reduction by the court on appeal. *Crane Co. v. Bridgeport*, 6

Conn. Sup. 203 (1938). Cited. *Stamford Gas & Electric Co. v. Stamford*, 6 Conn. Sup. 505 (1938).

Fair and actual value is not to be found at depression's bottom nor at prosperity's top; both are to be considered. *Lomas & Nettleton Co. P. J. McIntyre v. New Haven*, 4 Conn. Sup. 69 (1936).

Where market value is not ascertainable, true and actual valuation must be determined by some other method. *Lomas & Nettleton Co. v. Waterbury*, 122 Conn. 228 (1936).

Methods for ascertaining market value. *Arnold Schalet v. Westport*, 1 Conn. Sup. 112 (1935).

True measure of loss to landowner where his property is taken for public use is the difference between market value of the whole tract before the taking and the market value of what remained thereafter and after completion of the public improvement. *Heublein, Inc. v. Street Commissioners*, 109 Conn. 212 (1929).

Statute does not apply unless there is no market. If no market exists, fair value must be ascertained otherwise. *Underwood Typewriter Co. v. Hartford*, 99 Conn. 329 (1923). Cited. *Ford v. Dubiskie & Co.*, 105 Conn. 572 (1927); *Bridgeport Brass Co. v. Drew*, 102 Conn. 206 (1925).

There is no distinction in law between assessed and actual value of real estate. *Dennis et al.* Appeal. 72 Conn. 369 (1899).

Capital stock treated as asset instead of liability. *Batterson et al.* Appeal, 72 Conn. 374 (1899).

## SUPPLEMENTAL LISTS

Where mandamus is brought to compel board to add omitted property, it is defense that board, in exercise of honest discretion, had held the property to be not taxable. State ex rel. *Footte v. Bartholomew*, 111 Conn. 427 (1930).

Assessors cannot defend mandamus on ground that the board subsequently held property left out of list not taxable. State ex rel. *Foote v. Bartholomew*, 108 Conn. 246 (1928).

Board is not agent of the town under statute authorizing supplement list; its duties are administrative. *Montgomery v. Branford*, 107 Conn. 697 (1928).

Performance of duty to make supplemental list may be compelled by mandamus. State ex rel. *Foote v. Bartholomew*, 103 Conn. 607 (1925).

does not follow that it is "manifestly excessive" because a single item is overvalued. *Steiger, Inc. v. Hartford*, 5 Conn. Sup. 467 (1937). Cited. *Samson v. Hartford*, 8 Conn. Sup. 540 (1940).

Duty of taxpayer to set forth separate description of each parcel of real estate on his list is not satisfied by use of such referential phrases as "property same as on last year's list." *Wilcox v. Madison*, 103 Conn 149 (1925).

## TAX LIST

Foreign imports have constitutional immunity from state taxation until they are sold, removed from original package, or put to use for which they were imported, except that they are taxable if, committed for use in manufacturing they are required for current operational needs, which is measured by length of time necessary to replenish the supply. *Emhart Corp. v. Town of West Hartford*, 28 Conn. Sup. 134 (1969).

Owner would be entitled to tax relief if he or she could prove that his or her property was bearing a disproportionately high tax burden. *Lerner Shops of Connecticut, Inc. v. Town Waterbury*, 151 Conn. 79 (1963).

Property of domestic corporation is subject to listing and taxation in same manner as property of individuals. *Associated Grocers, Inc. v. City of New Haven*, 147 Conn. 287 (1960).

Taxpayer who fails to submit complete list cannot complain if the assessors, acting in good faith, make error of judgment in listing and valuating his property. *Ponemah Hills v. Lisbon*, 89 Conn . 435 (1915). Cited. *Cooley Chevrolet Co. v. West Haven*, 146 Conn. 165 (1959).

Assessment is the total of all the taxable items; it

## APPENDIX D

### INDEX TO STATE LAWS CONCERNING BOARDS OF ASSESSMENT APPEALS

The following references are to the General Statutes of Connecticut. The numbers refer to the section in the General Statutes where the subject may be found. The first number refers to the title in which the section is located, the second number to a specific part within the section.

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**TOWN OF MANSFIELD**  
MANSFIELD TOWN COUNCIL



Elizabeth C. Paterson, Mayor

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

April 28, 2005

Dear Mansfield residents and taxpayers:

There is a great deal of information and misinformation circulating regarding the FY 2005/06 Proposed Budget, and I would like to set the record straight.

First, let me assure you that the Mansfield Town Council has closely reviewed the overall budget, and the council's vote on the parts of the budget under its control was unanimous. In cooperation with the Mansfield and the Region 19 Boards of Education, we have managed to collectively reduce proposed expenditures by nearly \$400,000. Despite these reductions, Mansfield will continue to provide the same level of quality services that our residents have come to expect and to enjoy.

Because this is the first year of a property tax revaluation, the proposed tax rate will actually decrease by nearly 30 percent from 30.93 mills to 22.09 mills. Unfortunately, because individual property values and the tax rate are in flux it is more difficult to calculate what the overall tax rate increase will be compared to the prior year. With that said, we have estimated that in the absence of revaluation the tax rate necessary to support the proposed budget would increase by approximately 2.9 percent over the current year. Of course, the problem in a revaluation year is that there are no average increases, and no average taxpayers. The town was very careful to conduct the 2004 revaluation in a manner that was designed to be systematic, professional, and, above all, equitable. However, due to trends in sales, market values and other factors, some property values have increased faster than others. Consequently, some residents and taxpayers will experience a much larger increase than 2.9 percent because their property values have increased above the norm, while others will experience a decrease in property taxes because their property values did not increase at the same rate relative to other properties in Mansfield.

The town council is well aware that some residents whose assessments have risen dramatically will experience a hardship in paying their taxes, and we have reduced the budget accordingly to help ameliorate that situation. Furthermore, the council is looking at a series of existing and new programs that can be used or implemented to help mitigate the impact of tax increases upon those that are less able to pay.

Finally, please make sure you factor in your automobiles when comparing your taxes between this year and the next. Automobiles are always taxed at 70 percent of full value. Therefore, with a car valued at \$10,000, last year you would have paid \$309.30 in taxes whereas this year your tax will actually decrease to \$220.90.

For a more complete description of the budget, including information on revenues, expenditures and programs, please see the budget on-line at [www.mansfieldct.org](http://www.mansfieldct.org). We will also make hard copies available at the town meeting.

Mansfield's Annual Town Meeting for Budget Adoption is scheduled for 8:00 p.m. on May 10, 2005 at the Mansfield Middle School. I urge you to attend and to make your voice heard.

Sincerely,

Elizabeth C. Paterson  
Mayor

CC: Mansfield Town Council  
Martin Berliner, Town Manager

**TOWN OF MANSFIELD**  
**MANSFIELD TOWN COUNCIL**



Elizabeth C. Paterson, Mayor

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

April 28, 2005

Mr. Leonard C. Boyle  
Commissioner  
Connecticut Department of Public Safety  
1111 Country Club Road  
Middletown, Connecticut 06457

Dear Commissioner Boyle:

We wish to thank you and the members of the Connecticut State Police for your assistance during the recent UConn Spring Weekend 2005 event. We greatly appreciate the fact that you were available to meet with us prior to spring weekend to hear some of our concerns. Moreover, we are also grateful that you were able to visit Mansfield during the event, to witness some of the activities firsthand.

As always, the state police displayed exceptional professionalism and courtesy during spring weekend, which served to maintain public order.

For your reference, we have enclosed a copy of the report from the Mansfield Town Council's Committee on Community Quality of Life, which was established to develop recommendations designed to mitigate the impact of spring weekend and related quality of life issues upon the community.

We thank you again for your efforts on behalf of the Town of Mansfield, and please extend our appreciation to the members of your department. We will contact you in the near future to discuss plans for UConn Spring Weekend 2006.

Sincerely,

Elizabeth C. Paterson  
Mayor

Martin H. Berliner  
Town Manager

CC: ✓ Mansfield Town Council  
Thomas Callahan, University of Connecticut

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**TOWN OF MANSFIELD**  
**MANSFIELD TOWN COUNCIL**

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
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Elizabeth C. Paterson, Mayor

April 28, 2005

Ms. Anne Jordon-Crouse  
117 Mansfield Hollow Road, 4A  
Mansfield Center, Connecticut 06250

Dear Anne:

On behalf of the Town Council, I would like to thank you for your many years of service to the Mansfield Housing Authority and the Town of Mansfield. In order to provide quality and affordable services to our residents, we truly depend upon the efforts of our volunteers.

We greatly appreciate your many hours of service to the community, and wish you all the best in the future.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth C. Paterson".

Elizabeth C. Paterson  
Mayor

CC: ✓ Mansfield Town Council

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DRAFT APPROVAL MOTION

PROPOSED ZONING AND SUBDIVISION REVISIONS TO IMPLEMENT A 9-MONTH SUBDIVISION AND RESUBDIVISION MORATORIUM

Goodwin MOVE, Holt seconds to approve, effective May 7, 2005 or upon publication of notice of this action, the attached PZC-proposed revisions to Article III of the Zoning Regulations and Section 4.2 of the Subdivision Regulations. The revisions were presented as a 3/23/05 draft at a Public Hearing held on May 3, 2005. The approved revisions establish a nine (9)-month moratorium on new subdivisions or resubdivisions that include proposed streets or divisions of land into more than two (2) lots. The moratorium applies to land within Mansfield's Residence-20, Residence-40, Rural Agricultural Residence-40, Rural Agricultural Residence 40/Multi-family and Rural Agricultural Residence-90 zones.

These revisions are adopted pursuant to the provisions and authority contained in the CT General Statutes, including Sections 8-2 and 8-25, which grant the PZC the following:

- the authority to regulate the location and use of buildings, structures and land for trade, industry, residence or other purposes;
- the mandate to promote health, public safety and the general welfare, to prevent the overcrowding of land;
- the mandate to give reasonable consideration as to the character of a zoning district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality.

The attached revisions to the Zoning Regulations and Subdivision Regulations are adopted for the following reasons:

1. to regulate land uses in a manner best suited to carry out the purposes of Title 8, Chapters 124 and 126 of the CT General Statutes; to promote the goals and objectives of Mansfield's Plan of Conservation and Development and Article I of the Zoning Regulations, and to promote the health, safety, convenience and welfare of the public. The Statement of Purpose in Article III, Section A.1 provides additional rationale for the adoption of these revisions;
2. to encourage the most appropriate use of land; to protect and enhance the value of properties and to protect and enhance natural and manmade features and scenic resources in Mansfield's residential zones;
3. to provide the Commission with the time necessary to complete an update of Mansfield's 1993 Plan of Conservation and Development, pursuant to Section 8-23 of the Connecticut General Statutes and to consider adoption of potential amendments to the Zoning Map, Zoning Regulations and Subdivision Regulations, pursuant to Sections 8-2 and 8-25 of the Connecticut General Statutes.

Mansfield's current Plan of Conservation and Development was adopted in 1993. Since early 2002, the Commission and its staff, primarily the Town Planner, have been working on an update of the Plan. Based on the provisions of Section 8-23 of the State Statutes, which specifies that the Plan should be updated at least once every ten years, the Town's goal was to complete the Plan update in 2003. This completion objective has not been achieved and, based on the number of pending subdivision applications and new lots (6 applications, with 77 proposed lots), completion of the Plan update could get delayed beyond the current completion goal of the fall of 2005. Upon completion of the Plan update, additional time will be necessary for the PZC to consider zoning and regulatory revisions that implement Plan goals, objectives and recommendation.

4. The adopted nine (9)-month term is considered reasonable in light of the objectives cited in #3 above, and the adopted applicability is limited in scope and will not prevent a continuation of Mansfield's historic rate of new single-family development. The adopted moratorium does not prevent the construction of new single-family homes on previously-approved lots or on new lots that will potentially be approved during the next few months. The moratorium does not apply to multi-family housing or applications for zone changes, regulation changes, special permits or site plans.

Mansfield has a current inventory of approximately 90 subdivision lots, and this inventory is expected to increase, due to the 77 proposed new lots that are currently pending before the Commission. This inventory is significantly higher than necessary to allow a continuation of new single-family home construction in Mansfield. Since 1995, an average of 37 new single-family homes have been given construction permits. A

number of these new homes have been constructed as “first cuts” that are not subject to subdivision approval. These “first cuts,” or one-lot subdivisions are not subject to this moratorium.

5. During the forthcoming nine (9)-month period, the Planning and Zoning Commission anticipates that a significant amount of time will be needed to review and act upon various elements of the planned Storrs Downtown project, which will not be affected by this moratorium. Mansfield’s Downtown Partnership, Inc. is completing work on a Municipal Development Plan (MDP) for a new Storrs Center Downtown development. Based on draft MDP information, this project may include over 170,000 square feet of retail and restaurant space, 80,000 square feet of office space and 800 units of housing. Upon approval of the MDP, which is expected within the next few months, next steps will include the submission of a zone change application to create a new Special Design District and new zoning regulations to address permitted uses, application submission and application approval processes. These applications are expected to be submitted within the next 3 to 4 months. The review and processing of these applications may significantly affect the ability of the Commission and its staff to complete the Plan of Conservation and Development update and begin work on implementing new Plan goals, objectives and recommendations.
6. The revisions are considered acceptably worded and suitably coordinated with related zoning and subdivision provisions. The proposed wording has been found legally acceptable by the Town Attorney.

PROPOSED REVISIONS TO THE MANSFIELD ZONING AND SUBDIVISION REGULATIONS  
REGARDING  
A PROPOSED TEMPORARY AND LIMITED MORATORIUM  
ON SUBDIVISION AND RESUBDIVISION APPLICATIONS

1. REVISE ARTICLE III OF THE ZONING REGULATIONS to add a new subsection A and to re-letter existing subsections A through L as B through M. The new Article III, subsection A to read as follows:

- A. Temporary and limited moratorium on subdivision and re-subdivision applications

1. Statement of Purpose

This section has been adopted to provide the Commission with the time necessary to complete an update of Mansfield's 1993 Plan of Conservation and Development pursuant to Section 8-23 of the Connecticut General Statutes and to consider adoption of potential amendments to the Zoning Map, Zoning Regulations and Subdivision Regulations pursuant to Sections 8-2 and 8-25 of the Connecticut General Statutes.

Mansfield initiated the process of updating its 1993 Plan of Conservation and Development in February 2002, with the goal of completing the update by the end of 2003, consistent with the ten-year update provisions of Section 8-23 of the State Statutes. Since the update process was initiated, the complexity and number of proposed and pending subdivision lots has exceeded historic levels. This situation has significantly affected the Commission's ability to complete the Plan update and subsequently consider zoning and land use regulation revisions necessary to appropriately implement the updated Plan and the provisions of Title 8, Chapter 124 of the Connecticut General Statutes. This temporary and limited-term moratorium has been adopted to provide the time necessary to meet statutory responsibilities and protect and promote the public's health, safety and general welfare.

2. Applicability

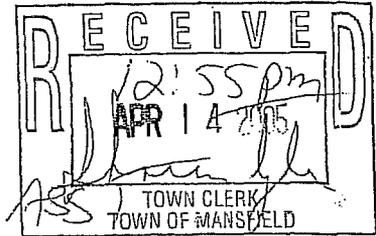
During this temporary and limited-term moratorium, no subdivision or resubdivision application within Mansfield's Residence-20, Residence-40, Rural Agricultural Residence-40, Rural Agricultural Residence-40/Multi-Family or Rural Agricultural Residence-90 zones that includes proposed streets or the division of a tract of land existing at the time of adoption of this amendment into more than two (2) lots, shall be received by the Commission for review and action.

3. Effective Date/Term

This temporary and limited-term moratorium shall become effective on May 7, 2005 or upon subsequent publication of the notice of adoption and shall remain in effect for a period of nine (9) months.

2. REVISE SECTION 4.2 OF THE SUBDIVISION REGULATIONS to add the following sentences to the end of existing provisions:

"Pursuant to Article III, Section A of the Zoning Regulations, Mansfield has adopted a Temporary and Limited Moratorium on receiving and acting upon certain subdivision and re-subdivision applications. See Article III, Section A of Mansfield's Zoning Regulations for specific details."



LEGAL NOTICE

MANSFIELD PLANNING & ZONING COMMISSION

The PZC will hold a Public Hearing on Tuesday, May 3, 2005, at 7:00 p.m. at the Senior Center, 303 Maple Rd., to hear comments on PZC-proposed 3/23/05 draft revisions to Article III of the Zoning Regulations and Section 4.2 of the Subdivision Regulations. The proposed regulation revisions would establish a nine (9)-month moratorium on new subdivisions or resubdivisions that include proposed streets or divisions of land into more than two (2) lots. The proposed moratorium would apply to land within Mansfield's Residence-20, Residence-40, Rural Agricultural Residence-40, Rural Agricultural Residence 40/Multi-Family and Rural Agricultural Residence-90 zones. The proposed regulations include a Statement of Purpose and subsections on applicability and effective date/term.

At this Hearing, interested persons may be heard and written communications received. No information from the applicant or the public shall be received after the close of the Public Hearing. Additional information, including the exact wording of the proposed zoning and subdivision regulations, is available in the Mansfield Planning and Town Clerk's Offices. Dated 4/6/05.

R. Favretti, Chair  
K. Holt, Sec'y.

P.O. #6182

TO BE PUBLISHED WEDNESDAY, APRIL 20, 2005 AND THURSDAY, APRIL 28, 2005

**Mansfield Subdivision Lots Approved or Pending / Single-family Homes Constructed 1995-2005**  
 (listing prepared by G. Padick, Town Planner)

**Subdivision Lots Approved/Pending**

<u>Calendar Year</u>	<u>Number of Lots</u>
1995	6 (2 subdivisions)
1996	21 (4 subdivisions)
1997	27 (4 subdivisions)
1998	8 (3 subdivisions)
1999	6 (3 subdivisions)
2000	25 (5 subdivisions)
2001	9 (4 subdivisions)
2002	29 (5 subdivisions)
2003	13 (4 subdivisions)
2004	<u>59</u> (9 subdivisions)
	<b>Total</b> 203 lots (43 subdivisions)
	<b>Avg. per year</b> (1995-2004) 20 lots (4.3 subdivisions)
2005 (as of May 3, 2005)	5 (1 subdivision)
2005 pending	77 (6 subdivisions)

**Inventory of Approved Subdivision Lots That Have Not Yet Been Developed (as of May 2, 2005)**

90 lots

**Zoning Permits Issued for New Single-family Homes**

<u>Fiscal Year</u> (July 1 to June 30)	<u>Number of Permits Issued</u>
95/96	19
96/97	35
97/98	37
98/99	48
99/00	55
00/01	36
01/02	33
02/03	31
03/04	37
04/05	40*
	<b>Total</b> 371 (37 per year)

\* (10 months, to May 1, 2005)

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APPLICATION REFERRAL

Mansfield Planning & Zoning Commission

- TO:
- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Public Works Dep't., c/o Ass't. Town Eng'r. | <input checked="" type="checkbox"/> Recreation Advisory Committee     |
| <input checked="" type="checkbox"/> Health Officer                              | <input checked="" type="checkbox"/> Open Space Preservation Committee |
| <input checked="" type="checkbox"/> Design Review Panel                         | <input checked="" type="checkbox"/> Parks Advisory Committee          |
| <input type="checkbox"/> Committee on Needs of Persons w/Disabilities           | <input checked="" type="checkbox"/> Town Council                      |
| <input checked="" type="checkbox"/> Fire Marshal                                | <input checked="" type="checkbox"/> Conservation Commission           |
| <input type="checkbox"/> Traffic Authority                                      |   |

The Planning and Zoning Commission has received a subdivision (25 lots) application and will consider the application at a Public Hearing/~~regular~~ meeting on July 18, 2005. Please review the application and reply with your comments to the Planning Office before July 14, 2005. For more information, please contact the Planning Office, 429-3330.

APPLICATION INFORMATION

Applicant: Smith Farm Development Group LLC  
Owner: SAME  
Agent(s): MESSIER + ASSOCIATES ( J. Fabos  
Proposed use: 25 new lots ( Sunrise Estates)  
Location: Mansfield City Road. opposite white oak condominiums  
Zone classification: RAR-40  
Other pertinent information:

---

- Application pending before Inland wetland Agency. Public Hearing continued until June 6, 2005

---

- Full size plans available in Planning Office

---

- Project includes a new loop roadway to be decided to the Town

---

signed 

date May 4, 2005

file # 1214-2  
filing date 2/3/05

**MANSFIELD PLANNING & ZONING COMMISSION  
APPLICATION FOR SUBDIVISION OR RESUBDIVISION APPROVAL**

Name of subdivision "Sunrise Estates"

Name of subdivider (applicant) Smith Farm Development Group, LLC. Phone # 860-649-4800  
(please PRINT)

Address C/O Thomas Boyle, P.O. Box 855 Manchester, CT 06040  
(street) (town) (state) (zip)

Signature [Handwritten Signature] (owner ) 4/25/05  
(optionee ) Date 2/3/05

OWNER (IF OTHER THAN SUBDIVIDER)

Name Same As Above Phone # \_\_\_\_\_  
(please PRINT)

Address \_\_\_\_\_  
(street) (town) (state) (zip)

Signature \_\_\_\_\_ Date \_\_\_\_\_

FEES - See Town Council-approved Fee Schedule and  
Eastern Highlands Health District Plan Review Fee Schedule

SUBDIVISION DATA

Location: Mansfield City Road

Zoning district R 40 Total # of acres 86<sup>+</sup> AC  
Total # of lots 25

EXTENSION OF TIME

Pursuant to Section 8-26d, subsection (b) of the Connecticut General Statutes, the undersigned applicant hereby consents to an extension of time within which the Planning and Zoning Commission is required by law to approve, modify and approve or disapprove a subdivision plan known as

\_\_\_\_\_ and located at/on \_\_\_\_\_

It is agreed that such extension of time shall not exceed 65 days and it is understood that this extension of time is in addition to the first 65-day period after the receipt of the application by the Planning & Zoning Commission.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
1/01

The Smith Farms Development Group, L.L.C.  
P.O. Box 855  
Manchester, CT 06045

April 21, 2005

Mr. Rudy Favretti, Chairman  
Mansfield Planning and Zoning Commission  
4 South Eagleville Road  
Storrs-Mansfield, CT 06268

Re: Sunrise Estates, Smith Farms Development Phase II

Dear Mr. Favretti,

The application being presented at this time is the second phase of a single family residential community consisting of almost 165 acres, situated between Mansfield City Road and Coventry Road in Mansfield, Connecticut. Approximately 45 percent or 74 acres will be permanently dedicated to greenways & greenspaces. Furthermore, almost 29 acres are proposed for recreation areas. We have proposed 5,800 linear feet of walking trails linking the Chatham Subdivision to the Dunham Pond area. This project has protected 7,625 linear feet of stone walls that are situated within the green space, along property lines and within the proposed lots.

It is proposed by the Smith Farms Development Group that Phase II will consist of 25 lots. It is only recently that Connecticut towns such as Mansfield, have made part of their subdivision regulations the requirement that landscape architects be included as part of the design team for such projects. Mark Lavitt, one of the members of the Smith Farms Development Group and Dr. Julius Gy Fabos, the landscape architect chosen to head this project have worked together on many projects since 1968. Dr. Fabos is Emeritus Professor of Landscape Planning at the University of Massachusetts. He is a Fellow and Medallist of the American Society of Landscape Architects. He has published five books, the latest of which are: *Land Use Planning*, published by Chapman and Hall 1985 and is co-editor of *Greenways: Beginning of an International Movement*, published by Elsevier, 1996.

Dr. Fabos set goals and objectives as part of the design team. It was the result of his work that laid the groundwork for the other members of the design team; engineers, surveyors and soil scientists. His report is submitted herewith as part of this subdivision application and its contents are included on our subdivision plan. To summarize, his work consists of the following:

- Conduct a town-wide analysis and assessment of the Town of Mansfield Greenways and Green Spaces.
- Conduct an analysis and assessment of the area surrounding our site with an emphasis on connecting existing Greenways to the site.
- Analyze and assess the suitability of our site for developmental potential.
- Provide valuable information and conclusions to other members of the design team, the engineers, surveyors and soil scientists that would maximize the livability and landscape assets for future residents.

As a landscape architect, he utilized 7 key factors in the analysis of our site:

- Topography
- Slopes
- Soil Suitability
- Visual Quality and View Potential
- Wetland and Hydrology
- Topoclimate Suitability
- Significant Landscape Features; natural and cultural

Dr. Fabos summarized in a Composite Assessment plan the areas that were most suitable for development, moderately suitable for development and least suitable for development. He has analyzed the site in terms of the landscape; that which has occurred as a part of nature and also that which has been influenced by man's impact on the landscape. With particular regard to the Trailways, not only does the system he has designed link major areas of the town together with our site, but it has maximized the visual connections and view potential to both the natural areas like ledge outcroppings and cliffs and major wildlife habitat as well as the man made landscape consisting of stone walls, boulder fields and old farm roads.

The Smith Farms Development Group believes the Town of Mansfield Planning and Zoning Commission is to be applauded for recognizing the value of a well-rounded design team; not only the engineers, surveyors and soil scientists. We're proud to submit a subdivision application in which our landscape architect has been able to synthesise traditional information usually found in the design of such projects together with quality of life and human scale issues and maximize the livability and landscape assets for future residents.

Very truly yours,

*Mark C. Lavitt*

Mark C. Lavitt

Portions of Submitted Plans

# "SUNRISE ESTATES"

TO BE DEVELOPED BY

## "SMITH FARMS DEVELOPMENT GROUP, LLC"

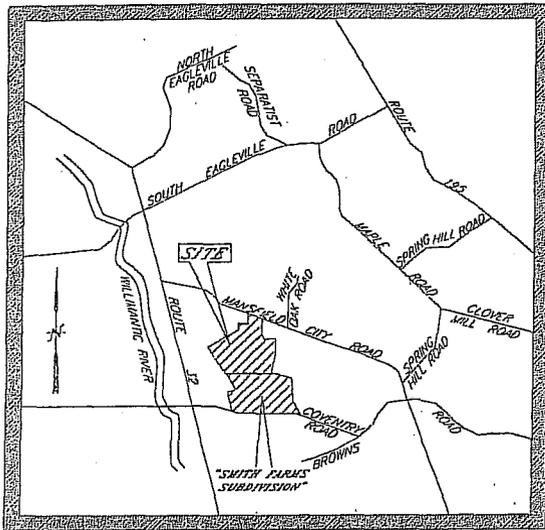
MANSFIELD CITY ROAD  
MANSFIELD, CONNECTICUT

JANUARY, 2005

### SHEET INDEX

- 1 TITLE PAGE
- 2 SUBDIVISION PLAN
- 3 GENERAL LOCATION PLAN
- 4 TOPOGRAPHIC SITE DEVELOPMENT PLAN
- 5 TOPOGRAPHIC SITE DEVELOPMENT PLAN
- 6 TOPOGRAPHIC SITE DEVELOPMENT PLAN
- 7 TOPOGRAPHIC SITE DEVELOPMENT PLAN
- 8 PLAN & PROFILE [SUNRISE DRIVE ENTRANCE & SUNRISE LANDING]
- 9 PLAN & PROFILE [SUNRISE LANDING]
- 10 PLAN & PROFILE [SUNRISE LANDING]
- 11 PLAN & PROFILE [SUNRISE DRIVE EXT]
- 12 SOIL TEST DATA
- 13 SEPTIC SYSTEM DESIGN CRITERIA & DETAILS
- 14 CONSTRUCTION NOTES & DETAILS
- 15 EROSION AND SEDIMENT CONTROL PROCEDURES & DETAILS
- 16 EASEMENT PLAN

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LOCATION MAP  
(NOT TO SCALE)

#### PROJECT DESIGN TEAM

LAND SURVEYOR & SITE CIVIL ENGINEER	MESSIER & ASSOCIATES, INC. 200 MAIN STREET MANCHESTER, CT 06040
WETLAND & ENVIRONMENTAL CONSULTANT	CONNECTICUT ECOSYSTEMS, LLC 38 WESTLAND AVENUE WEST HARTFORD, CT 06107
LANDSCAPE ARCHITECT	JULIUS GYULA FÁBOS, Ph.D., FASLA 45 CANTON AVENUE AMHERST, MA. 01002

MANSFIELD LAND RECORDS			
RECEIVED FOR RECORDING:			
TO WHOM	DATE	TIME	MAP NO.
APPROVED BY THE MANSFIELD PLANNING AND ZONING COMMISSION:			
COMMISSIONER'S SIGNATURE	DATE		
APPROVED BY THE DIRECTOR OF HEALTH:			
DIRECTOR'S SIGNATURE	DATE		
APPROVED BY THE DIRECTOR OF PUBLIC WORKS:			
DIRECTOR'S SIGNATURE	DATE		
APPROVED BY THE MANSFIELD INLAND WETLAND AGENCY:			
COMMISSIONER'S SIGNATURE	DATE		

**SPECIAL NOTE PER CONDITIONS OF APPROVAL:**  
PURSUANT TO TOWN OF MANSFIELD SUBDIVISION RESEARCH PROVISIONS, PARTICULARLY SECTIONS 13 AND 14, THE ACTION BY THE MANSFIELD PLANNING AND ZONING COMMISSION INDICATEDLY APPROVES THE PROPOSED ZONING EASEMENTS INCLUDING STRAIGHT PLOTS UNLESS REVISED AND SPECIFICALLY AUTHORIZED BY THE COMMISSION. THE PROPOSED ZONING EASEMENTS SHALL STATE AS THE SCOPE LINES FOR ALL FUTURE STRUCTURES AND SITE DEVELOPMENT PURSUANT TO ARTICLE 10 OF THE TOWN REGULATIONS. A NOTICE OF SUCH EASEMENTS AND APPROVALS SHALL BE RECEIVED BY THE MANSFIELD LAND RECORDS.

**FUTURE DEVELOPMENT BUILDING AND SITE AGREEMENTS WITH THE DESIGNATED AGENCIES AS REQUIRED HEREIN, MAY REQUIRE APPROVALS FROM THE MANSFIELD INLAND WETLAND AGENCY.**

This subdivision is approved by the Planning and Zoning Commission of the Town of Manchester, Connecticut.

Date of approval: \_\_\_\_\_

Pursuant to Title 8 of the Connecticut General Statutes all work in connection with the conditions shall be completed within five (5) years from the date of this approval.

Pursuant to Section 8-20 of the Connecticut General Statutes this plan was delivered to the applicant on \_\_\_\_\_ and shall be filed by the office of the Town Clerk of the Town of Manchester, Connecticut within ninety (90) days of this date.

**OWNER:**  
SMITH FARM DEVELOPMENT GROUP, LLC  
C/O THOMAS BOYLE  
P.O. BOX 855  
MANCHESTER, CT. 06040

**APPLICANT/SUBDIVIDER:**  
SMITH FARM DEVELOPMENT GROUP, LLC  
P.O. BOX 855  
MANCHESTER, CT. 06040

		COPYRIGHT © 2005 MESSIER & ASSOCIATES, INC. SURVEYORS - ENGINEERS 200 MAIN STREET MANCHESTER, CT. 06040	DATE 1 01-11-05 2 01-11-05 3 01-11-05	DATE 01-11-05 01-11-05 01-11-05
		PLANNING - SURVEY - DESIGN - CONSTRUCTION <b>TITLE SHEET</b>		
		PROJECT NO. 01-153-C PLAN NO. 01-004-A		
		MESSIER & ASSOCIATES, LTD. SURVEYORS - ENGINEERS MANCHESTER, CT. (860) 646-8013 PUTNAM, CT. (860) 928-1171		

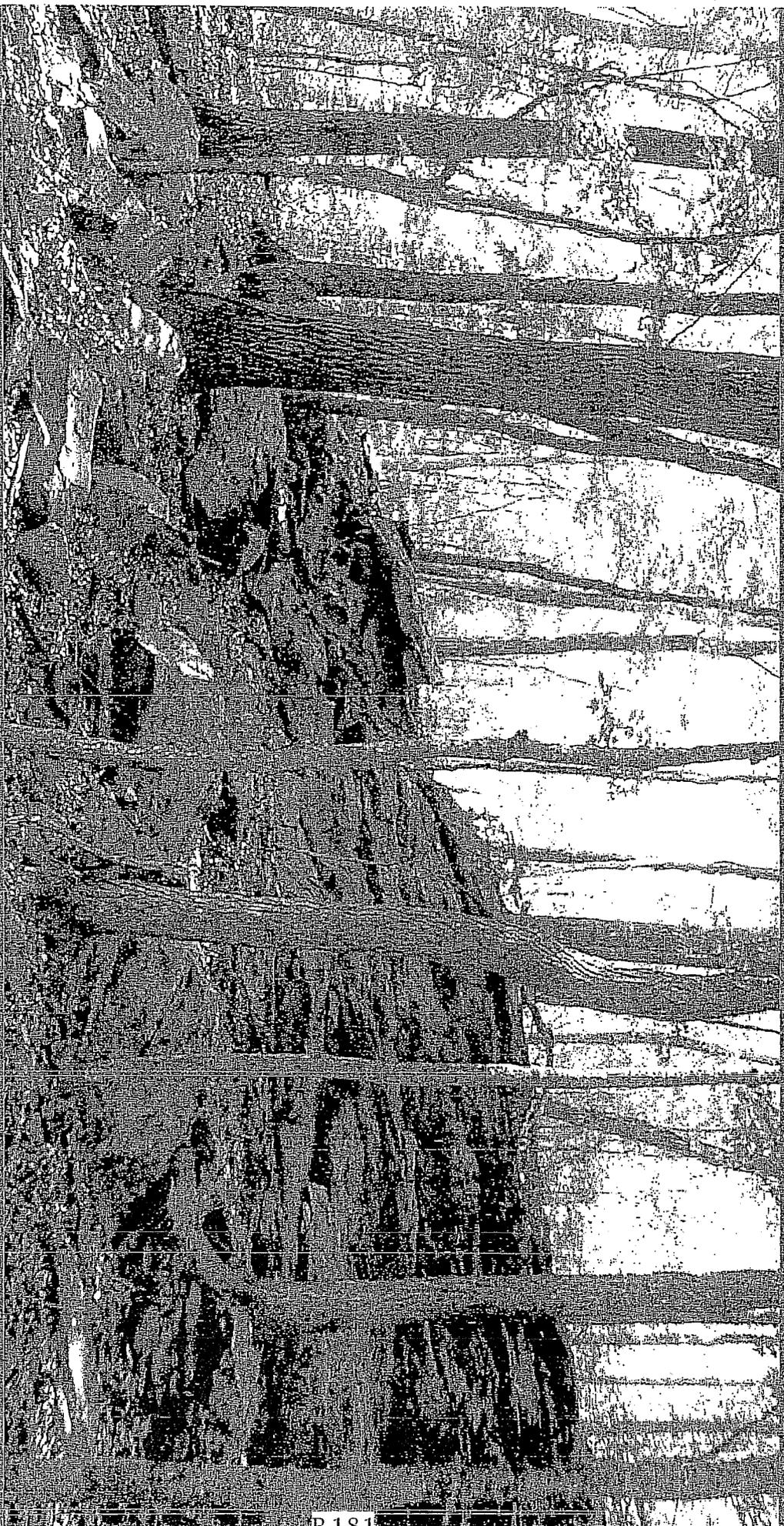




# SUNRISE USUAGES

## Smith Farms Development- Phase II

Town of Mansfield, CT



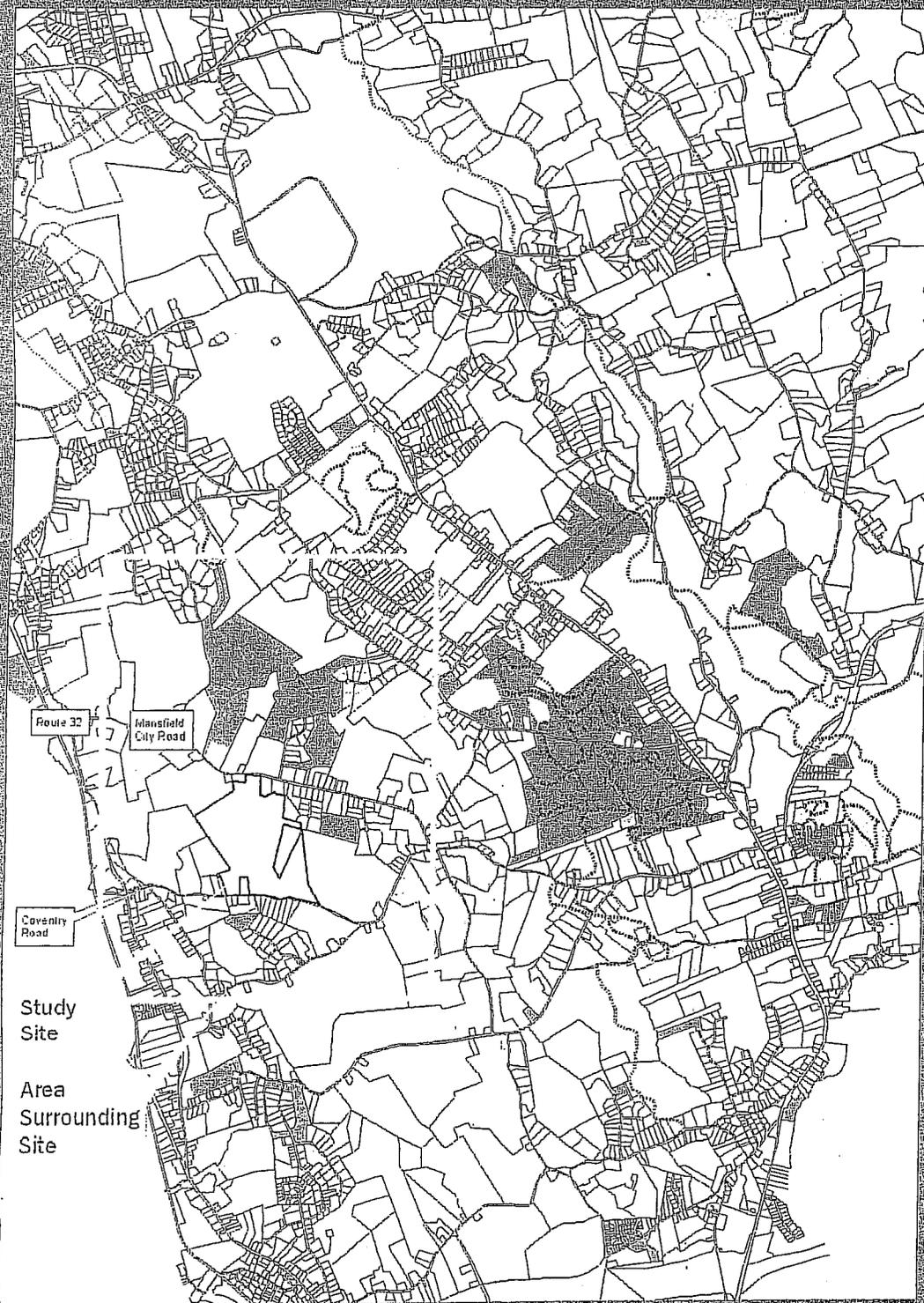
**Developer:** Smith Farms Development Group L.L.C.

**Landscape Architects:** Julius Gyula Falbos, FASLA, CT License No. 264

Jessica Allan and Jarita Sadler, Associates

*Portions of Report attached*

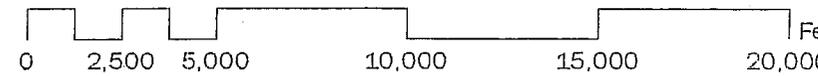
# Town of Mansfield: Existing Greenways and Green Spaces



Based on Town of Mansfield, Connecticut  
Open Space Plan (2002 Draft)

## Legend

-  Site Boundary
-  Regional Trails
-  Lot Lines
-  Municipal Open Space
-  Semi-Private Open Space
-  Private Open Space



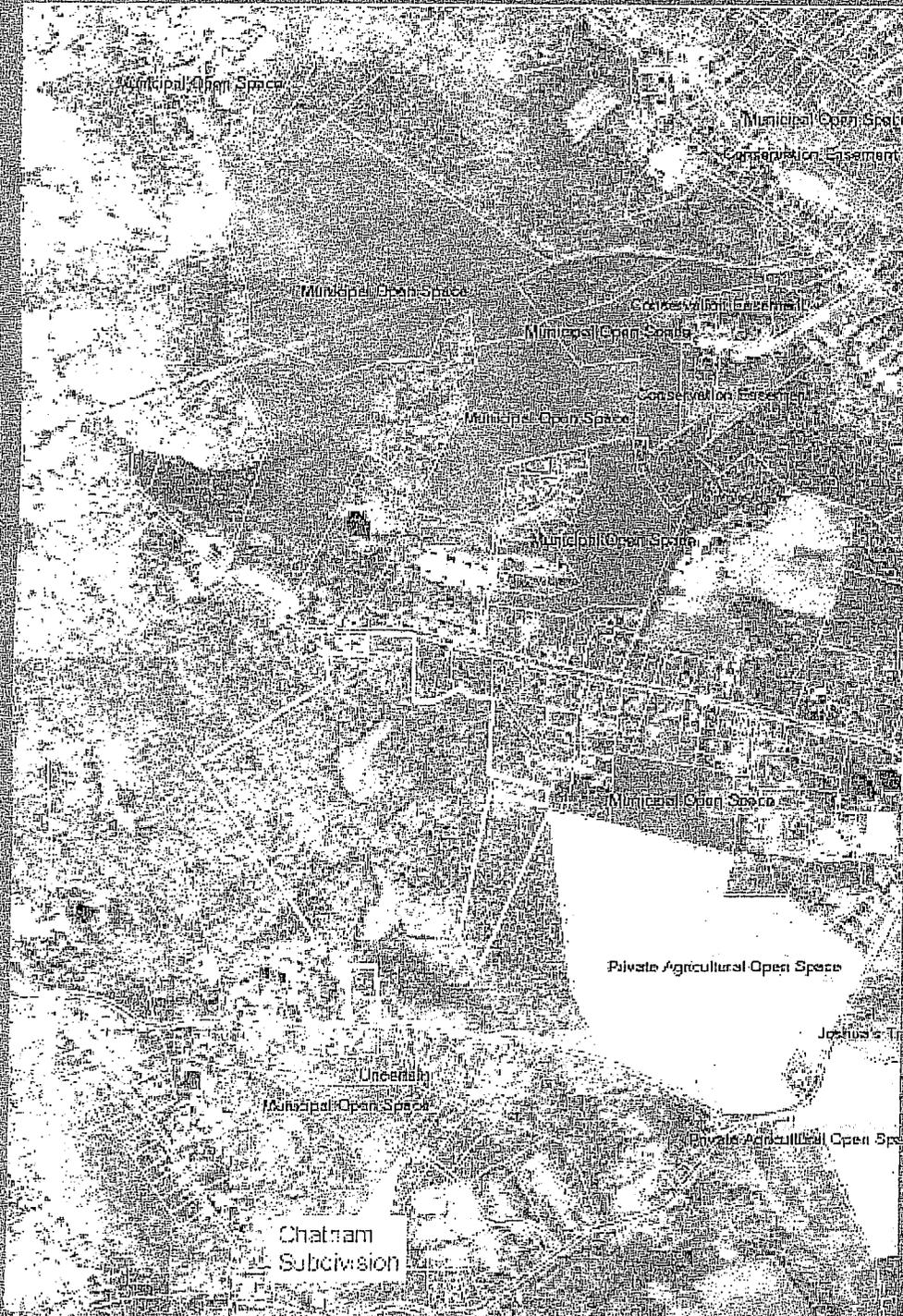
Smith Farms Development Group L.L.C.

Prepared by:  
Julius Gyula Fabos & Associates,  
Landscape Architects/Planners

P.182

- The site is surrounded by several major public green spaces
- There are approximately 2,300 acres of green space in Mansfield

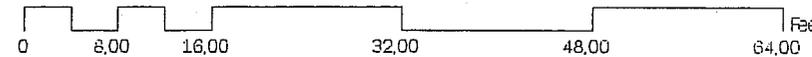
# Green Spaces of Surrounding Area



Based on 2002 Town of Mansfield, Connecticut  
Open Space Plan (Draft) & Parcel Map  
Overlaid on Aerial Photograph

## Legend

- Lot Lines
- Site Boundary
- Municipal Open Space
- Semi-Private Open Space
- Private Open Space; Private Agricultural Open Space



Smith Farms Development Group L.L.C.

Prepared by:

Julius Gyula Fabos & Associates,  
Landscape Architects/Planners

- The site is within a one mile radius of five major public open spaces, totaling approximately 490 acres

# Connecting Existing Greenways to the Site



Based on 2002 Town of Mansfield, Connecticut  
Open Space Plan (Draft) & Parcel Map  
Overlaid on Aerial Photograph

*Phase I and Phase II to be considered as one development  
Subsequent phases of Greenways & Green Spaces will be linked to Phas*

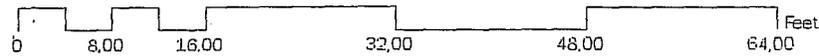
Legend

-  Potential Greenway/Trail Connections
-  Municipal Open Space
-  Semi-Private Open Space
-  Private Open Space; Private Agricultural Open S
-  Designated Green Space on site



Smith Farms Development Group L.L.C.

Prepared by:  
Julius Gyula Fabos & Associates,  
Landscape Architects/Planners

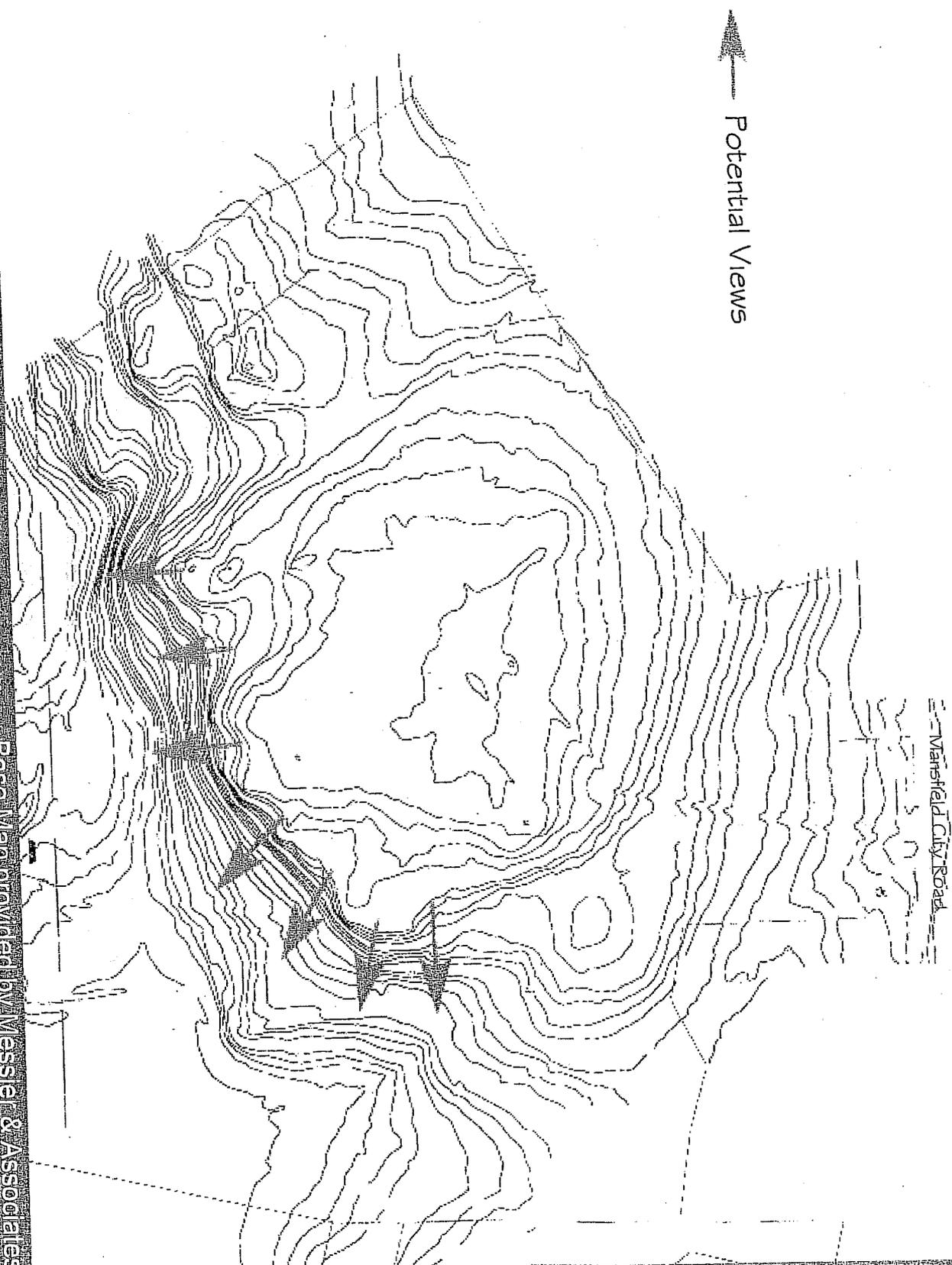


- There are two potential linkages one north and one south of the site, for greenway connections, as well as a green space designated on site

P.184 a

# POTENTIAL VIEWS

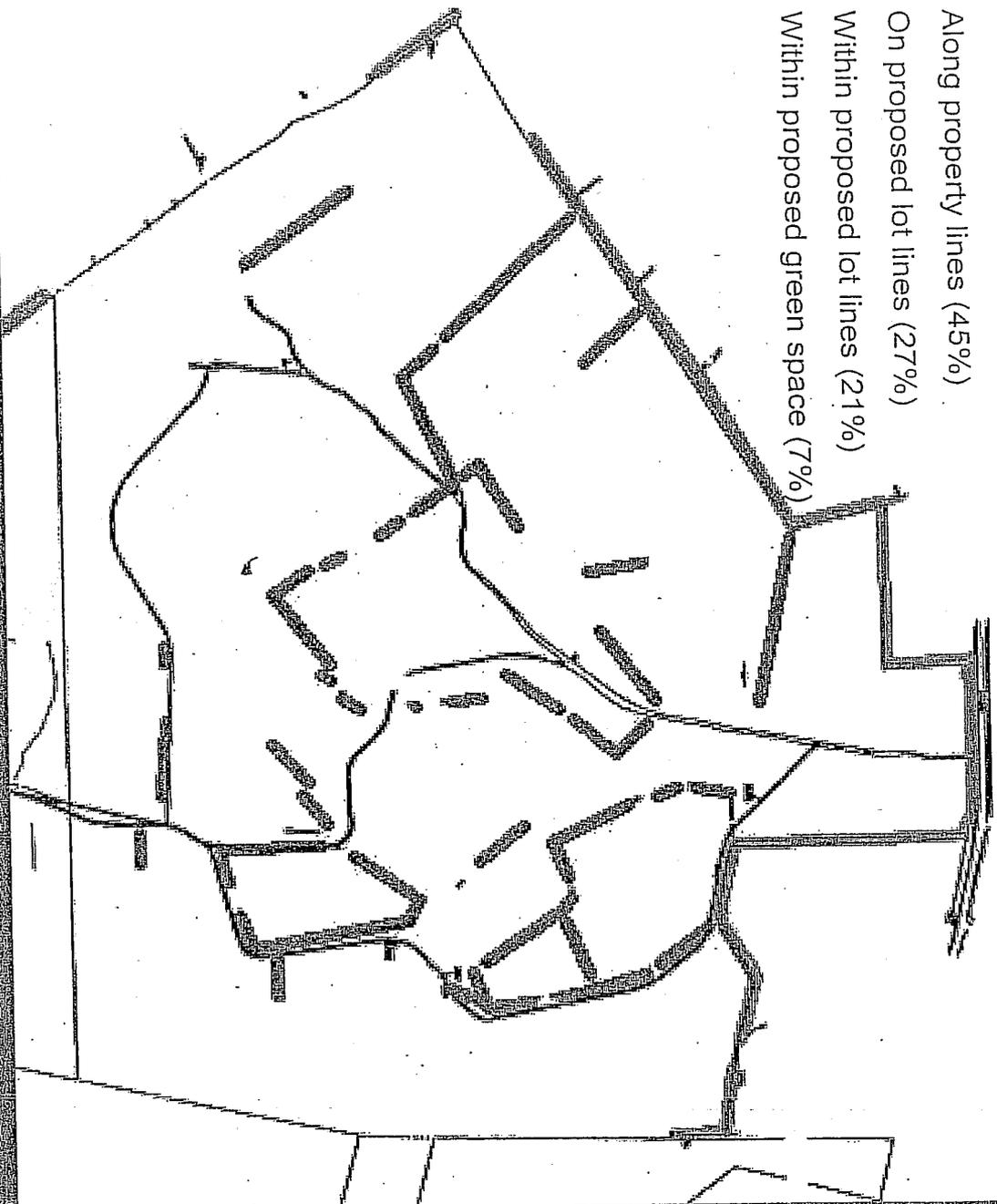
Base Map provided by Messier & Associates



## OBJECTIVES FOR GOAL #3:

1. To provide the best views for as many residents as possible, while increasing the property value for both residents and the developer.
2. To create a network of greenway and green spaces of those areas which have either development limitations or are highly suitable for a green space/greenway network. In short, these areas of the network will consist primarily of the natural drainage areas on the site, and will be sensitive to the existing wetlands.

- Along property lines (45%)
- On proposed lot lines (27%)
- Within proposed lot lines (21%)
- Within proposed green space (7%)



**Phase II Preserved Stone Walls**

**7625 LINEAR FEET**

3450 linear feet along property line

2050 linear feet on proposed lot lines

1625 linear feet within proposed lot lines

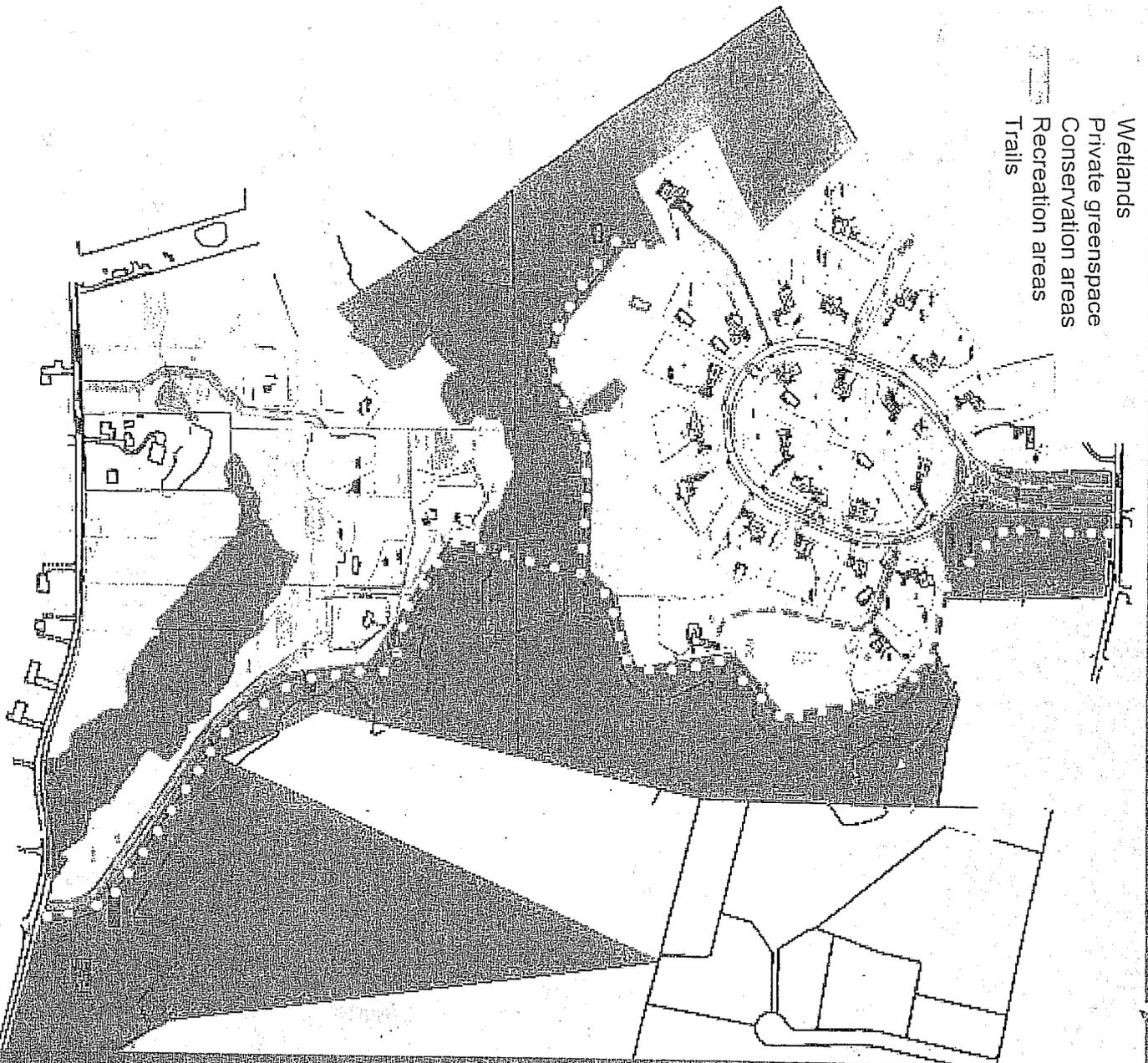
500 linear feet within proposed open space

79% of stone walls protected in Sunrise Estates Phase II

# LANDSCAPE FEATURE

## STONE WALLS -- PHASE II

Wetlands  
 Private greenspace  
 Conservation areas  
 Recreation areas  
 Trails



**TOTAL AREA:** 164.7 acres

**NUMBER OF LOTS:**

**PHASE I:** 6

**PHASE II:** 25

**PROPOSED LOTS ACRES:**  
 80.45 acres (48%)

**PHASE I:** 4.5 acres

**PHASE II:** 35.45 acres

**TOTAL GREENWAYS/GREENSPACE:**  
 74.07 ACRES (45%)

**TOTAL PROPOSED  
 CONSERVATION AREAS:**

**WETLANDS:** 40.38 acres (25%)

**STEEP SLOPES:** 5 acres (3%)

**TOTAL PROPOSED  
 RECREATION AREAS:**  
 28.69 acres (17%)

**MAJOR TRAIL LENGTH:**  
 5800 linear feet OR 1.1 miles

**GREENWAY BASED DEVELOPMENT PLAN**

# MAJOR CONCLUSIONS OF GREENWAY PLAN

- Medium density development is appropriate for the site due to high soil suitability
- All of the 25 lots are placed in a suitable location, with eight units placed at the edge of a steep slope, which has the potential to provide great views. Thinning and pruning vegetation along this ridge area will provide views that cannot be seen today

- The shared driveways provide entry connections to the greenway network on the site. There is public access to this green space from all 25 lots in the Phase II development. The greenway network in the Phase II development provides

1.1 miles of trail system within the site, which allows the residents of the Smith Farm development a car-free area in which to walk, exercise, or just enjoy the varied beauty of diverse natural vegetation. In addition, it also includes the repeated reminder of the cultural heritage of this landscape.

The remnants of stone walls throughout the site and within the greenway network demonstrate the 19<sup>th</sup> century agricultural use of the land. These stone walls are being increasingly appreciated by residents and increase the aesthetic value of the development.

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APPLICATION REFERRAL

Mansfield Planning & Zoning Commission

- |   |   |
|---|---|
| TO: <input checked="" type="checkbox"/> Public Works Dep't., c/o Ass't. Town Eng'r. | <input checked="" type="checkbox"/> Recreation Advisory Committee     |
| <input checked="" type="checkbox"/> Health Officer                                  | <input checked="" type="checkbox"/> Open Space Preservation Committee |
| <input checked="" type="checkbox"/> Design Review Panel                             | <input checked="" type="checkbox"/> Parks Advisory Committee          |
| <input type="checkbox"/> Committee on Needs of Persons w/Disabilities               | <input checked="" type="checkbox"/> Town Council                      |
| <input checked="" type="checkbox"/> Fire Marshal                                    | <input checked="" type="checkbox"/> Conservation Commission           |
| <input type="checkbox"/> Traffic Authority  |   |

The Planning and Zoning Commission has received a subdivision (11 lots) application and will consider the application at a Public Hearing/~~regular~~ meeting on June 20, 2005. Please review the application and reply with your comments to the Planning Office before June 16, 2005. For more information, please contact the Planning Office, 429-3330.

APPLICATION INFORMATION

Applicant: Margaret Harrison

Owner: SAME

Agent(s): The Minutti Group / Gardner and Peterson

Proposed use: 11 new lots off of Baxter Road (Baxter Road Estates)

Location: Baxter Rd - Portion north of Route 195 opposite Rock Ridge Condominiums

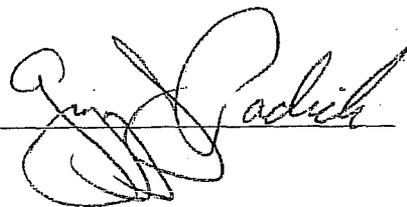
Zone classification: RAR 40

Other pertinent information:

- Application pending before Inland Wetland Agency will be discussed on June 6<sup>th</sup>

- Full sized plans available in Planning Office

signed



date May 4, 2005

MANSFIELD PLANNING & ZONING COMMISSION  
APPLICATION FOR SUBDIVISION OR RESUBDIVISION APPROVAL

Name of subdivision Baxter Rd. Estates

Name of subdivider (applicant)

Margaret M. Harrison Phone # 860.684-4686  
(please PRINT)

Address 145 Mihaliak Road. Willington ct. 06279  
(street) (town) (state) (zip)

Signature Margaret M. Harrison (owner )  
(optionee ) Date 3.16.05

OWNER (IF OTHER THAN SUBDIVIDER)

Name \_\_\_\_\_ Phone # \_\_\_\_\_  
(please PRINT)

Address \_\_\_\_\_  
(street) (town) (state) (zip)

Signature \_\_\_\_\_ Date \_\_\_\_\_

FEES – See Town Council-approved Fee Schedule and  
Eastern Highlands Health District Plan Review Fee Schedule

SUBDIVISION DATA

Location:

The proposed subdivision is located at the intersection of Baxter Road and Route 195.

Zoning district RAR 40

Total # of acres 111

Total # of lots 11

EXTENSION OF TIME

Pursuant to Section 8-26d, subsection (b) of the Connecticut General Statutes, the undersigned applicant hereby consents to an extension of time within which the Planning and Zoning Commission is required by law to approve, modify and approve or disapprove a subdivision plan known as

and located at/on \_\_\_\_\_

It is agreed that such extension of time shall not exceed 65 days and it is understood that this extension of time is in addition to the first 65-day period after the receipt of the application by the Planning & Zoning Commission.

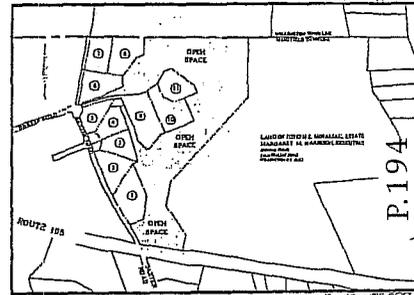
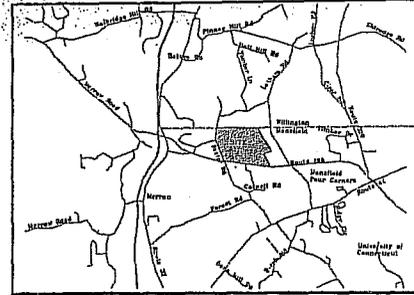
Signature \_\_\_\_\_ Date \_\_\_\_\_

The following is a statement of intent for the property located at the intersections of Route 195 and Baxter Road. The intended project called "Baxter Rd. Estates", is a proposed eleven lot single family subdivision. Each house lot will be a minimum of 40,000 square feet in size. Ten of the lots will share four common driveways. The remaining lot will be accessed by the construction of a private driveway. All lots will have on-site septic and water supply. The current physical characteristics of the site vary. The majority of the site is wooded and has historically been logged. The site also contains an abundance of wetlands. The vast majority of the work will be conducted in the Northwestern corner of the site adjacent to the Town of Willington.

Respectfully,  
Peter Miniutti A.S.L.A.



Date: March 17, 2005



\*No Farm soils of statewide significance exist on the site as defined by the USDA and Soil Conservation Service

Zoning Table	Zoning Table
Zone: I,AR40	Zone: I,AR40
Min. Lot Area: 40,000 SQ.FT.	Min. Lot Area: 40,000 SQ.FT.
Min. Lot Frontage: 130 FT.	Min. Lot Frontage: 130 FT.
Min. Front Yard Setback: 30 FT.	Min. Front Yard Setback: 30 FT.
Min. Side Yard Setback: 25 FT.	Min. Side Yard Setback: 25 FT.
Min. Rear Yard Setback: 20 FT.	Min. Rear Yard Setback: 20 FT.
Max. Height: 35 FT.	Max. Height: 35 FT.

Character of Open Space Dedication			
Area of Subdivision = 41 acres			
Type	Quantity	11% to 15% of total	Threshold
Open Space	29.66 acres	6.88 acres	6.25 acres
Open Space	11.34 acres	2.72 acres	2.50 acres
Total Open Space	41.00 acres	9.60 acres	8.75 acres

SHEET INDEX	
Sheet 1	Cover Sheet
Sheet 2	Existing Conditions Plan
Sheet 3	Site Analysis
Sheet 4-7	Subdivision Plans
Sheet 8-11	Site Development Plans
Sheet 12	Soil Information
Sheet 13	Erosion Control Notes & Details
Sheet 14	Vegetation Management Plan
Sheet 15	Yield Plan

Project:

# Baxter Road Estates

Subdivision of Land  
@ Baxter Rd, & Rt. 195

Owner And Applicant

Joseph E. Mihaliak, Est.  
Margaret Harrison, Exec.  
145 Mihaliak Road  
Willington, Ct. 06279

Site Planning, Landscape Architecture  
& Landscape Assessment:



The Miniutti Group, LLC  
11 Storrs Heights Road  
Storrs, Connecticut 06268  
(860) 429.0696  
www.miniuttigroup.com

Survey and Engineering:

Gardner & Peterson Associates  
178 Hartford Turnpike  
Tolland, Connecticut 06084  
(860) 871-0808 fax (860) 875-2086  
e-mail: info@GardnerPeterson.com

Soil Scientist:

Highland Soils  
John Ianni  
P.O. Box 337  
Storrs Ct. 06268



**BAXTER ROAD ESTATES**

BAXTER ROAD & ROUTE 1  
MANSFIELD, CT.

Aerial-Quadrangle Scale 1:62,500  
Issued 1981 from National  
Aerial Photography Program  
www.fda.gov/ohrt/ohrt.htm  
p00000000000000000000

Ordner & Peterson Associates  
111 North Street  
Tolland, CT  
Telephone: 860-878-8800  
www.ordnerandpeterson.com

**MAP NOTES:**

1) ALL STONE WALLS REMOVED FOR CONSTRUCTION PURPOSES SHALL BE REUSED IN CONSTRUCTION OF NEW WALLS AND OR REPAIR OF EXISTING WALLS ON SITE.

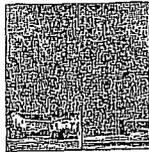
2) NO TREES, VEGETATION OR STONEWALLS SHALL BE REMOVED OUTSIDE OF THE DEPICTED DEVELOPMENT AREA ENVELOPE.

3) LOCATIONS OF TREES SHOWN FOR REMOVAL WERE FIELD LOCATED BY PROJECT LANDSCAPE ARCHITECT / SHOULD BE CONSIDERED APPROXIMATE. ONLY TREES LARGER THAN 6" DBH THAT WILL BE RELIED FOR THE CONSTRUCTION OF THE HI DRIVEWAY, & SITE LINES ARE SHOWN. THERE MAY BE ADDITIONAL TREES GREATER THAN 6" DBH LOCATED WITHIN THE DAE. IT IS RECOMMENDED THAT THESE TREES REMAIN WHERE POSSIBLE.

4) SITE DEVELOPMENT ELEMENTS SHOWN ON THIS SHEET ARE APPROXIMATE. REFER TO SHEETS 4 (SUBDIVISION & SITE DEVELOPMENT PLANS) FOR EXACT LAYOUT OF LOT LINES, DAE & DAE, SEPTIC, DRIVEWAY, HOUSE, GRADING, AND SHARED DRIVEWAY LOCATIONS.

P.196

**PROPOSED PLANTINGS**



*Acer rubrum 'October Glory'*



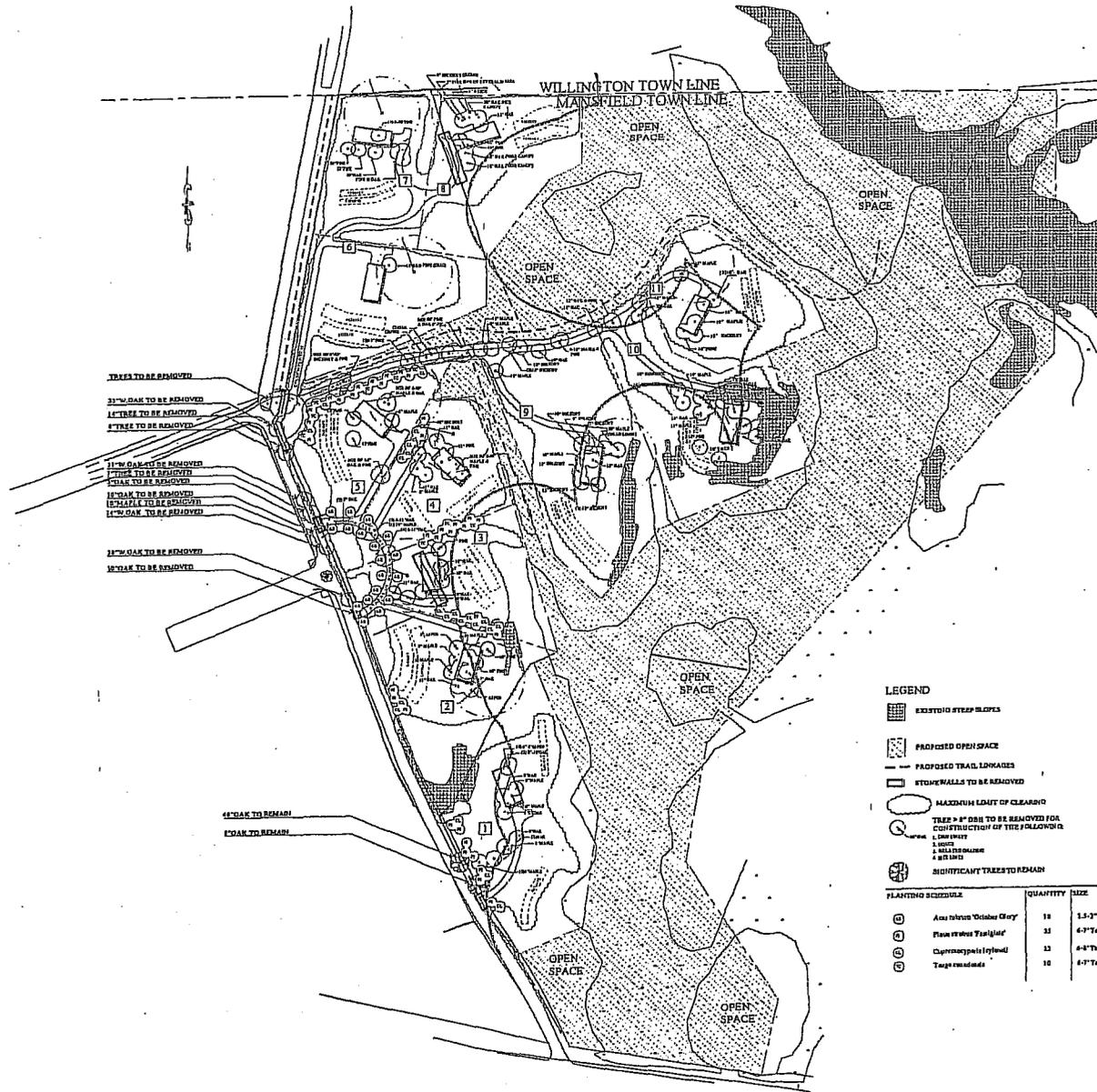
*Cupressocyparis leylandii*



*Pinus strobus 'Fastigiate'*



*Thuja canadensis*



**LEGEND**

- EXISTING STEEP SLOPES
- PROPOSED OPEN SPACE
- PROPOSED TRAIL/ROADWAYS
- STONE WALLS TO BE REMOVED
- MAXIMUM WIDTH OF CLEARING
- TREES 6" DBH TO BE REMOVED FOR CONSTRUCTION OF THE DRIVEWAY
- SIGNIFICANT TREES TO REMAIN

PLANTING SYMBOL	QUANTITY	SIZE
	18	1.5-3" Caliper
	21	6-7" DBH
	13	6-7" DBH
	10	6-7" DBH

Proposed lot layout - 11 Total lots  
 - 4 new Driveway curb cuts onto Baxter Rd planned  
 - Total Acreage ~ 44 acres.; Proposed Open Space 24 acres

**LANDSCAPE REQUIREMENTS**

OWNER'S APPLICANT: JOSEPH C. NIMALAKU  
 LANDSCAPE ARCHITECT: BAC  
 1.5.8.17.05



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**APPLICATION REFERRAL**

**Mansfield Planning & Zoning Commission**

- TO:
- |                                     |  |                                     |                                   |
|-------------------------------------|--|-------------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | Public Works Dep't., c/o Ass't. Town Eng'r.  | <input checked="" type="checkbox"/> | Recreation Advisory Committee     |
| <input checked="" type="checkbox"/> | Health Officer                               | <input checked="" type="checkbox"/> | Open Space Preservation Committee |
| <input checked="" type="checkbox"/> | Design Review Panel                          | <input checked="" type="checkbox"/> | Parks Advisory Committee          |
| <input type="checkbox"/>            | Committee on Needs of Persons w/Disabilities | <input checked="" type="checkbox"/> | Town Council                      |
| <input checked="" type="checkbox"/> | Fire Marshal                                 | <input checked="" type="checkbox"/> | Conservation Commission           |
| <input type="checkbox"/>            | Traffic Authority                            |                                     |                                   |

The Planning and Zoning Commission has received a subdivision (9 lots) application and will consider the application at a Public Hearing/regular meeting on July 5, 2005. Please review the application and reply with your comments to the Planning Office before June 30, 2005. For more information, please contact the Planning Office, 429-3330.

**APPLICATION INFORMATION**

Applicant: The Minivult Group LLC  
Owner: Irving and Justice Fellows  
Agent(s): The Minivult Group / Gardner and Peterson  
Proposed use: 9 new lots / 1 lot for existing house (Fellow Estates)  
Location: Between Stars Road, Monticello Lane and Birchwood Heights Rd.  
Zone classification: RAR-90  
Other pertinent information:

- Application pending before Inland Wetland Agency with July 5<sup>th</sup> public hearing
- Full size plans available in Planning Office
- Project includes a proposed extension of Monticello Lane

signed 

date May 4, 2005

MANSFIELD PLANNING & ZONING COMMISSION  
APPLICATION FOR SUBDIVISION OR RESUBDIVISION APPROVAL

Name of subdivision Fellow Estates

Name of subdivider (applicant)  
The Miniutti Group LLC Phone # 860.429.0696  
(please PRINT)

Address 11 Storrs Heights Rd. Storrs ct. 06268  
(street) (town) (state) (zip)

Signature \_\_\_\_\_ (owner \_\_\_\_\_)  
(optionee \_\_\_\_\_) Date 4.26.05

OWNER (IF OTHER THAN SUBDIVIDER)

Name Irving & Justine Fellows Phone # \_\_\_\_\_  
(please PRINT)

Address 1089 Storrs Road Mansfield ct. 06268  
(street) (town) (state) (zip)

Signature PETER MINIUTTI Date 4.26.05

FEES – See Town Council-approved Fee Schedule and  
Eastern Highlands Health District Plan Review Fee Schedule

SUBDIVISION DATA

Location:  
The proposed subdivision is located at 1089 Route 195 Mansfield, Ct.

Zoning district RAR 90 Total # of acres 39.5  
Total # of lots 9

EXTENSION OF TIME

Pursuant to Section 8-26d, subsection (b) of the Connecticut General Statutes, the undersigned applicant hereby consents to an extension of time within which the Planning and Zoning Commission is required by law to approve, modify and approve or disapprove a subdivision plan known as

and located at/on \_\_\_\_\_

It is agreed that such extension of time shall not exceed 65 days and it is understood that this extension of time is in addition to the first 65-day period after the receipt of the application by the Planning & Zoning Commission.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
1/01

The following is a statement of intent for the property located at 1089 Route 195 Mansfield, Ct.. The intended project called Fellow Estates, is a proposed nine lot subdivision of single family homes. Each house lot will be a minimum of 90,000 square feet in size. Eight of the nine lots will be accessed by the construction of a new public road which is an extension of Monticello Lane. Off of the new road will be a single common driveway which will serve three lots. The existing lot adjacent route 195 will continue to be accessed via Route 195. All lots will have on-site septic and water supply. The current physical characteristics of the site vary. The majority of the site is wooded uplands with moderate slopes. Two wetlands systems occur on site. Both bisect the site in a West to East fashion. For further information on this subdivision application please contact the Mansfield Planning and Zoning Department @ 429-3330.

Respectfully,  
Peter Miniutti L.A.



te: April 26, 2005

ject:

wner:

applicant:

te Planning, Landscape Architecture  
Landscape Assessment:

urvey and Engineering:

# Fellow Estates

Subdivision of Land  
@Rt. 195& Montecello Lane

Irving & Justine Fellows  
1089 Storrs Rd. Storrs, Ct. 06268

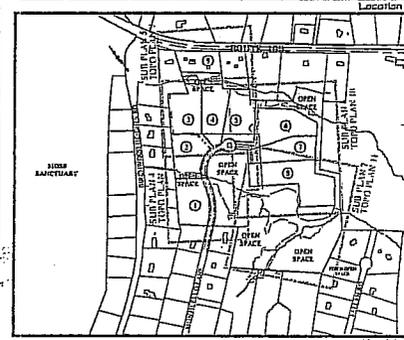
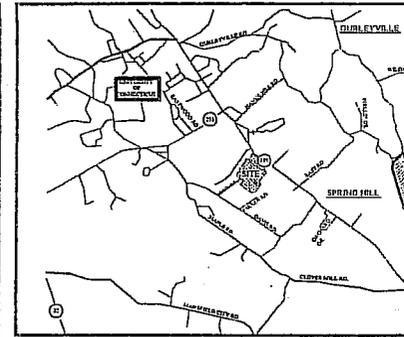
The Miniutti Group LLC  
11 Storrs Heights Rd. Storrs, Ct. 06268



The Miniutti Group, LLC  
11 Storrs Heights Road  
Storrs, Connecticut 06268  
(860) 429.0696  
www.miniuttigroup.com

Gardner & Peterson Associates  
178 Hartford Turnpike  
Tolland, Connecticut 06084  
(860) 871-0808 fax (860) 875-2086  
e-mail: info@GardnerPeterson.com

*Reduced Size  
Portions of Submittal Plans*



\*No Farm soils of statewide significance exist on the site as defined by the USDA and Soil Conservation Service  
Zoning Table  
Zone: RAR 50  
Min. Lot Area: 90,000 SQ.FT.  
Min. Lot Frontage: 200 FT.  
Min. Front Yard Setback: 60 FT.  
Min. Side Yard Setback: 25 FT.  
Min. Rear Yard Setback: 50 FT.  
Max. Height: 35 FT.

Character of Open Space Dedication

Area of Subdivision = 38.5 acres	Quantity:	15% Required:	Provided:
Open Space	28.11 acres	4.37 acres	9.95 acres
Open Space less than 10% slope	2.09 acres	0.14 acres	2.25 acres
Wetlands	11.91 acres	1.79 acres	11.64 acres
Total Open Space		6.60 acres	34 acres

SHEET INDEX  
Engineering Plans

Sheet 1	Cover Sheet
Sheet 2	Boundary & Wetlands Plan
Sheet 3	Existing Conditions(topo) & Soils Plan
Sheet 4-7	Subdivision Plans
Sheet 8-11	Topographic & Erosion & Sedimentation Control Plans Site Development & Grading Plans)
Sheet 12	Plan & Profile
Sheet 13	Erosion Control Notes & Details
Sheet 14	Construction Notes & Details

EXISTING HOUSE @ 1089 STORRS RD

EXISTING WETLANDS

EXISTING POND

PROPOSED CONSERVATION EASEMENT  
ACROSS LOTS # 3-6, APPROX. 1.6 ACRES

PROPOSED TRAIL EASEMENT ACROSS  
LOTS # 1 & 3 WITH POTENTIAL FUTURE  
CONNECTION TO MOSS SANCTUARY

PROPOSED COMMON DRIVEWAY FOR  
LOTS # 2-4

PROPOSED EVERGREEN BUFFER PLANTING

PROPOSED DRIVEWAY EASEMENT  
ACROSS LOT # 2 IN FAVOR OF LOT # 3

PROPOSED TOWN OPEN SPACE,  
APPROX. 17 ACRES

PROPOSED WETLANDS CROSSING AREA,  
UTILIZING EXISTING NARROW AREA TO  
MINIMIZE IMPACT

PROPOSED CONSERVATION EASEMENT  
ACROSS LOTS # 1 & 3, APPROX. 3 ACRES

PROPOSED EXTENSION OF  
MORTICELLO LANE



-  MALUS HYBRIDS 'DONALD WYMAN' (CRAB APPLE)
-  FAGUS GRANDIFOLIA (AMERICAN BEECH)
-  PINUS STROBUS 'FASTIGIATA' (EASTERN WHITE PINE)

- LEGEND**
-  OPEN SPACE
  -  SLOPE > 25%
  -  PROPOSED LIMIT OF CLEARING
  -  150' WETLANDS BUFFER
  -  50' WETLANDS BUFFER
  -  FIELD LOCATED TREES POTENTIALLY IMPACTED BY ROAD OR DRIVEWAY CONSTRUCTION
  -  LARGER TREES TO BE REMOVED FOR CONSTRUCTION OF ROAD OR DRIVEWAY

**PLANTING SCHEDULE**

SYMBOL	NAMR	SIZE	QTY

FELL  
ESTA  
SUBDIVI  
LAN  
1089 STOR  
MANFIE

A Land Development  
License # 11 0000  
State of NH  
#1000000000

**MAP NOTE**

**STONEWALLS:** Any a removed for the construc driveways, houses, wells shall be kept to a minimum must be disturbed the site. The stones shall be either repair or enhance construction of new wall

**SIGNIFICANT TREES:** identified trees are appropriate adjustments may be necessary trees of great significance work is being proposed, entirely wooded. The m quite tall with little to no amount of selective clear forest.

P.203

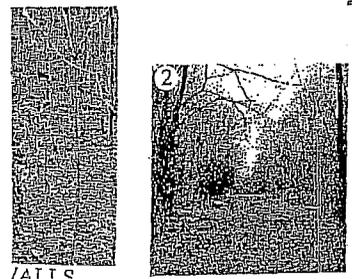
APPROVALS  
APPROVED BY THE TOWN OF LAN  
APPROVED BY THE LAND USE PL  
APPROVED BY THE DIRECTOR OF P  
APPROVED BY THE DIRECTOR OF P  
SCALE 1" = 50'  
CHANCEY BRONK S. JUSTINE  
PROFESSOR, CIV. ENGINEER  
APPLICANT: THE HANLUETT C  
HEDGEFORD RD. STORRS, CT.

FELLOW  
ESTATES

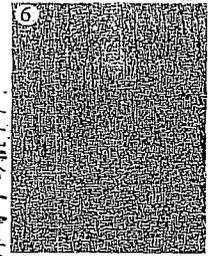
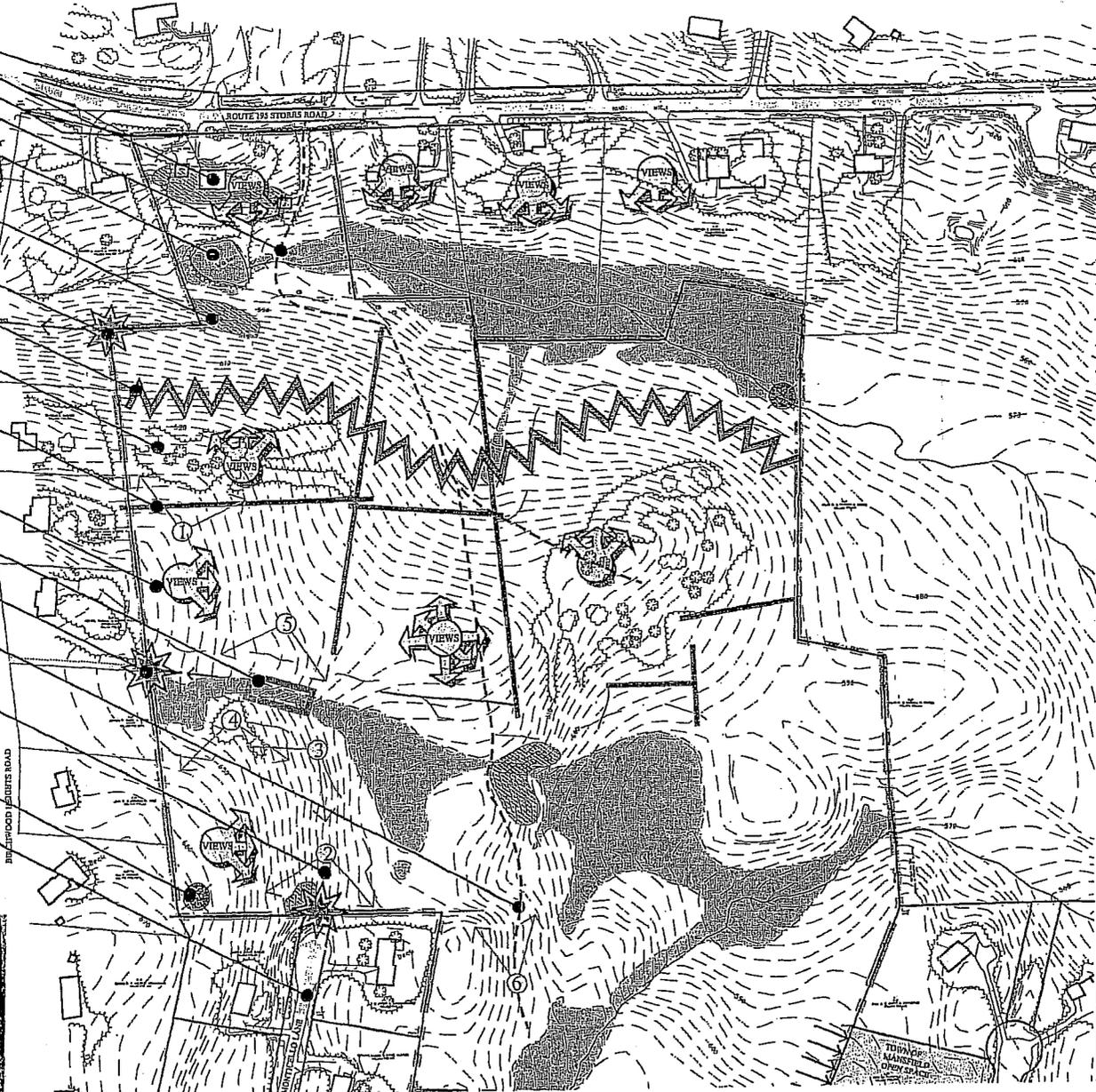
ROUTE 195 /  
MONTECELLO LA

A Multi-Disciplinary Design Firm  
Licensed in 11 States  
Tampa, FL 33610 813-259-2000  
www.fellow.com

- HOUSE @ 1089 STORRS RD.
- UNUSED DIRT ROAD
- POND
- EATER THEN 20% (TYP.)
- L TRAIL CONNECTION
- UTION FROM ROUTE 195
- EARING FILLING BACK IN  
INGS AND BRUSH
- STONEWALLS MOST IN  
NDITION. THESE WALLS  
ED TO ORGANIZE ROAD AND  
TRUCTION.
- ER VALLEY (TYP.)
- TION FOR WETLAND CROSSING.  
IN THIS LOCATION ARE  
Y A FEW FEET WIDE.
- TRAIL CONNECTION  
EXISTING EASEMENT
- TRAIL SHOULD BE UTILIZED  
ACE DEDICATION.
- EXTENSION OF  
O LANE UP TO 900'+.
- OF SITE
- O LANE

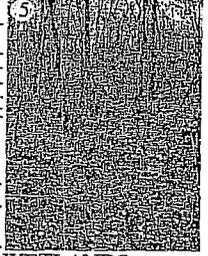


7/ATT 5



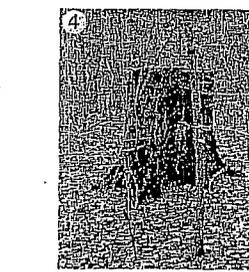
TRAIL SYSTEM

There are two distinct trails on site. It is recommended that portions of these trails be used to connect adjacent open spaces. Potential connections exist on Fellen Road as well as on Birchwood Heights Road with the potential to connect to the Mass Sanctuary.



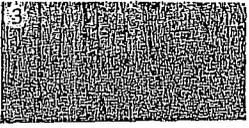
WETLANDS

A wetlands system bisects the property flowing from West to East. The photo is of a narrow section of wetlands. It is recommended that the most narrow areas be utilized for any wetland crossings in an effort to minimize wetlands disturbance.



VEGETATION

The majority of very large trees have historically been removed from the site. Large trees in good health should be preserved when possible to maintain the character of the site.



Site Description  
**OVERVIEW**

The overall site size is 39.5 acres. The topography, which consists of a house, and a couple small outbuildings is close to Route 195. **90%+ OF THE SITE IS WO** The vast majority of the site is wooded mix of sapling to mature trees. The do species are a variety of Oaks. Some M and Beech are also found on site. **5,400 L.F. OF STONEWALL.** The majority of the walls are located at property lines although there are a few occur on the site. The most impressive bisects the site from East to West. **.65 Acres of Steep Slopes.** The majority of the site consists of mild slopes with most areas between 10-15%; There are also some steep areas with site 15-20% and greater. These can be found on the North side of the site closer to Route 195. Other isolated steep areas can be found adjacent to the wetlands systems. **7.75 Acres of Wetlands.**

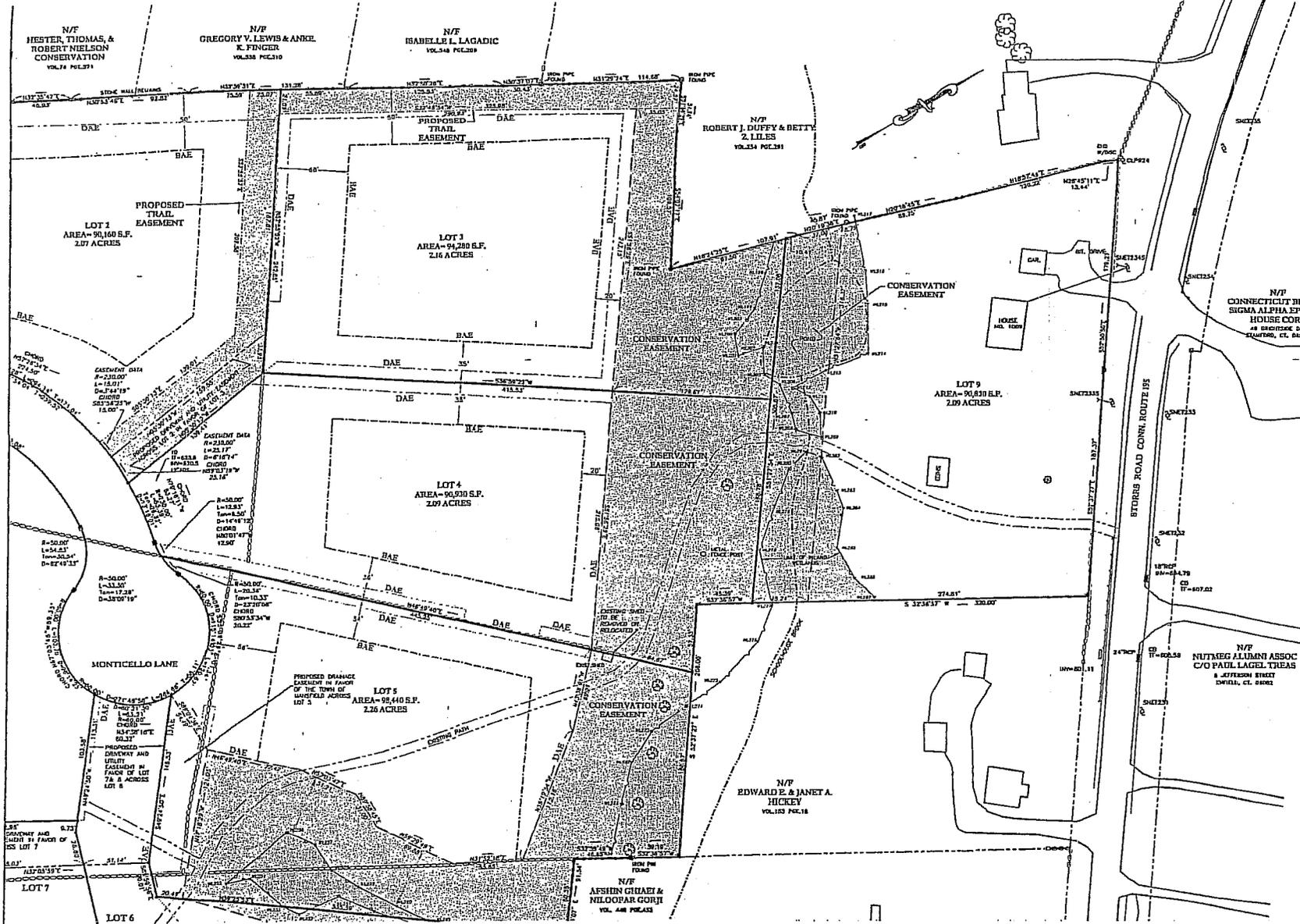
**VEIEWS:**  
There are views both into and out of the site. The majority of views into the site are from Route 195. These views are currently of wooded hillside. These views are filtered views as there are several homes directly adjacent to Route 195. Views out of the site primarily of wetland valleys, looking North and South.

**OTHER RESOURCES:**  
FARM SOILS: NONE  
NATURAL DIVERSITY ZONES: NONE  
SIGNIFICANT FOREST HABITAT: NONE  
CEDAR SWAMPS: NONE  
HISTORIC FEATURES: NONE  
HISTORIC VILLAGE: YES / LOT #9  
HISTORIC DISTRICT: NONE

**APPROVALS**  
APPROVED BY THE TOWN OF MANASSAHEE ISLAND WETLANDS  
APPROVED BY THE MANASSAHEE PLANNING AND ZONING COM  
APPROVED BY THE DIRECTOR OF HEALTH  
APPROVED BY THE DIRECTOR OF PUBLIC WORKS

P.204





**MAP REFERENCES:**  
SECTION 19 SUBDIVISION PLAN OFFROAD ESTATES PROPERTY OF B. & W. H. GIFFORD DATED 1924 MANFIELD, CONN. SCAL. DATE SEP. 23, 1923 BY DONALD PRINE.  
DORWOOD HEIGHTS P.A. A, L.A.E. & C. STORES, CONN. SCAL. REVERED MAP OF LOTS 78, 112, 113, 230 AND 231 BARDWICK, CONN. BY J. JOSEPH BAKER 13 WESTWOOD ST. STORRS, CONN. SCAL. DATE JULY 31, 1948 BY JOSEPH A. BAKER.  
DORWOOD HEIGHTS P.A. A, L.A.E. & C. STORES, CONN. SCAL. REVERED MAP OF LOTS 78, 112, 113, 230 AND 231 BARDWICK, CONN. BY J. JOSEPH BAKER 13 WESTWOOD ST. STORRS, CONN. SCAL. DATE JULY 31, 1948 BY JOSEPH A. BAKER.  
FINAL PLAT DATED 1927, 1949 REVERED MAP 1924 2425 2 OF 2 REVERED MAP 1927 2 OF 2.

- NOTES:**
1. THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO CONNECTICUT STATE STATUTES SECTIONS 20-300A-1 THROUGH STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AND IS A FIRST SURVEY OF THE PRECINCT ORIGINALLY DIVIDED BY THE PROPOSED LOTS HAVING A VERTICAL CURVE SHOWN WITH CURVE ELEVATIONS HAVE A TOPOG. PLAN SHOWN ON THESE PLANS.
  2. BEARINGS DEPICTED ON THESE PLANS ARE BASED ON HAD ESTABLISHED HORIZONTAL VALUES FOR CITIES 4571 AND CITIES 6 BASED ON HAD 1983 BY HOLDING THE ESTABLISHED MARK CITIES 4571.
  3. CONTIGUOUS DEPICTED ON THESE PLANS ARE BASED ON HAD ACTUAL FIELD SURVEYS. FIELD TOPOGRAPHY HAS BEEN OBTAINED FROM COURTESY OF THE U.S. ARMY CORPS OF ENGINEERS AND PUBLIC WORKS AND IS BEING USED FOR THE PURPOSES OF THIS SURVEY AND IS BEING USED FOR THE PURPOSES OF THIS SURVEY AND IS BEING USED FOR THE PURPOSES OF THIS SURVEY.
  4. DRAINAGE WELLS DEPICTED HEREIN WERE FIELD RELEVANT AND FIELD LOCATED BY GARDNER & PETERSON ASSOCIATES P.C.
  5. THE PARCEL IS LOCATED IN A RESIDENTIAL, BAR-50 ZONE.
  6. UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS BEEN LOCATED, IN PART, FROM RECORD MAPS AND OTHER RESPECTIVE UTILITY COMPANIES, GOVERNMENT AGENCIES AND THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. SUCH FEATURES MUST BE IDENTIFIED AND VERIFIED BY A SURVEYOR AND PETERSON ASSOCIATES, LLC. THE EXISTENCE, SIZE AND LOCATION MUST BE IDENTIFIED AND VERIFIED BY THE SURVEYOR PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG.
  7. REFER TO SHEET 8 FOR ADDITIONAL NOTES.

APPROVED BY THE MANFIELD INLAND WATER BOARD  
CHAIRMAN \_\_\_\_\_  
DA \_\_\_\_\_

APPROVED BY THE MANFIELD P.L.A. & C.  
CHAIRMAN \_\_\_\_\_  
DA \_\_\_\_\_

APPROVED BY THE DIRECTOR OF HEALTH  
DIRECTOR \_\_\_\_\_  
DA \_\_\_\_\_

APPROVED BY THE DIRECTOR OF PUBLIC WORKS  
DIRECTOR \_\_\_\_\_  
DA \_\_\_\_\_

**OWNER:**  
IRVING & JUSTINE F.  
1089 STORRS ROAD,  
MANFIELD, CT 06268

**APPLICANT:**  
THE MINIFIT GROUP  
11 STORRS HEIGHTS  
STORRS, CT 06268

THE METEOROLOGICAL DATA ON THIS PROPERTY WERE OBTAINED FROM THE FIELD DATA THE DATA OBTAINED BY CONN. P.A. 72-103 AS AUTHORIZED BY P.A. 72-1071 AND ARE ACCURATELY REPRESENTED ON THIS PLAN.

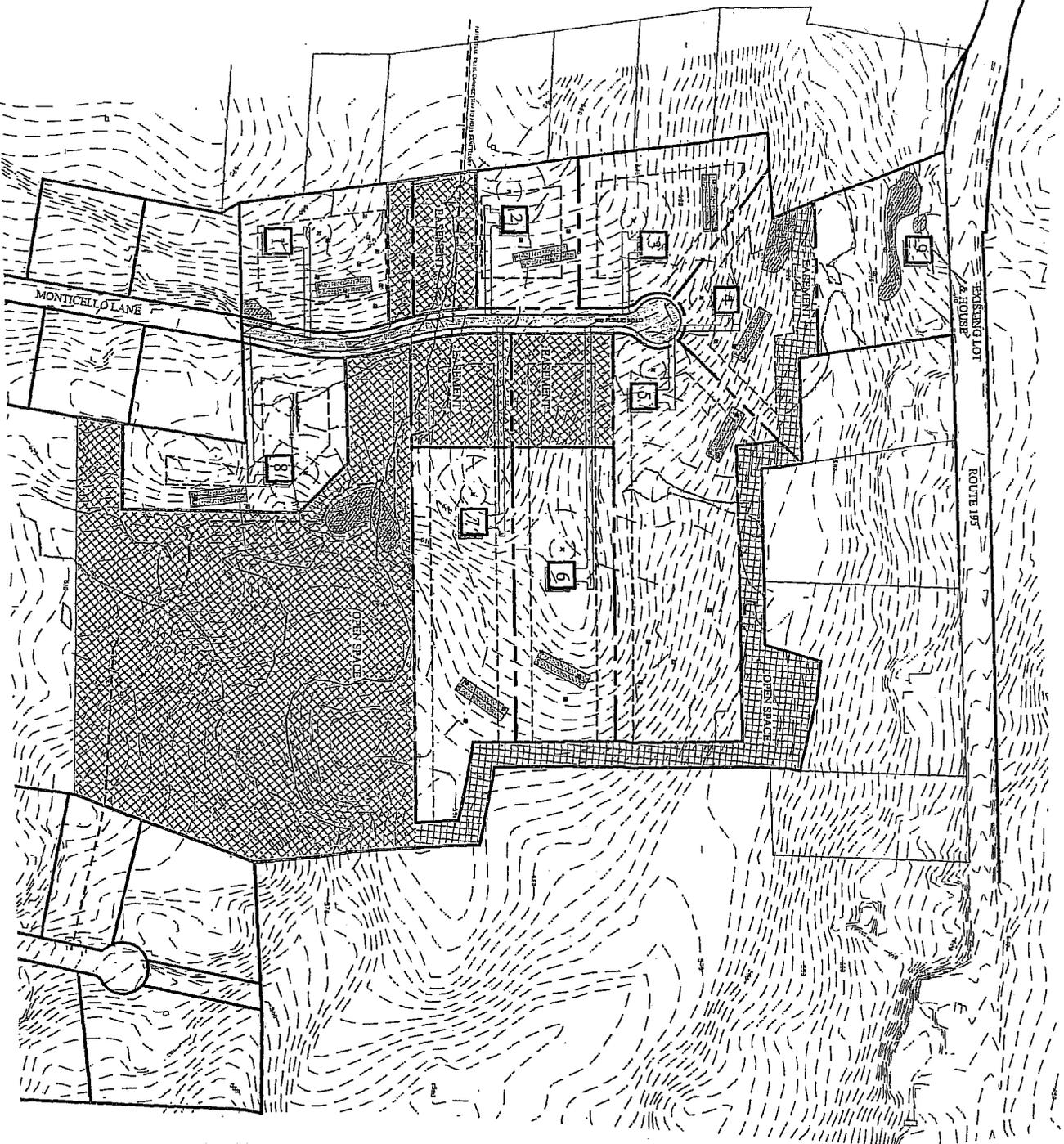
*J.C.L.*

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY

LIMITED PROPOSED SUBDIVISION  
**FELLOW ESTATE**  
SOMELAND  
**IRVING & JUSTINE F.**  
1089 STORRS ROAD, MANFIELD, CT 06268







**LEGEND**

- OPEN SPACE
- WETLANDS BUFFER
- WETLANDS
- WETLANDS BUFFER
- EXISTING WETLANDS

**FELLOW ESTATES SUBDIVISION OF LAND @ ROUTE 195 / MONTECELLO LANE**

A Subdivision of Land into Nine Lots  
 Located at 11.5 miles (18.5 km) from  
 State Route 195, Monticello Lane  
 1/2 mile (0.8 km) west of  
 the intersection of State Route 195 and  
 Monticello Lane

Guidance & Paterson, Associates  
 1911 Woodland Avenue  
 Portland, Oregon 97201  
 Phone: 503/255-1111  
 Fax: 503/255-1112

**MAP NOTES:**

**Zoning Table:**

Zone: RA-2000  
 Min. Lot Area: 90,000 sq. ft.  
 Min. Front Yard: 50 ft.  
 Min. Rear Yard: 50 ft.  
 Min. Side Yard: 25 ft.

**Lot Information:**

Lot Size: 39.2 acres +/-  
 Lot Frontage: Monticello Lane 300 ft.  
 Route 195: 156 ft. +/-

**Lot Yield:**

Lot 1 (shaded): 31.65 acres +/-, 81% of site  
 Lot 2 (shaded): 5 acres +/-, 12.75% of site  
 Lot 3 (shaded): 2.5 acres +/-, 6.37% of site  
 Lot 4 (shaded): 2.5 acres +/-, 6.37% of site  
 Lot 5 (shaded): 2.5 acres +/-, 6.37% of site  
 Lot 6 (shaded): 2.5 acres +/-, 6.37% of site  
 Lot 7 (shaded): 2.5 acres +/-, 6.37% of site  
 Lot 8 (shaded): 2.5 acres +/-, 6.37% of site  
 Lot 9 (shaded): 2.5 acres +/-, 6.37% of site

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PZC file # 1231

APPLICATION REFERRAL

Mansfield Planning & Zoning Commission

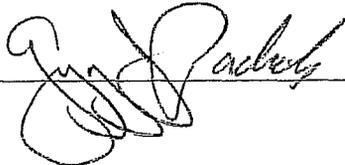
- TO:
- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Public Works Dep't., c/o Ass't. Town Eng'r. | <input checked="" type="checkbox"/> Recreation Advisory Committee     |
| <input checked="" type="checkbox"/> Health Officer                              | <input checked="" type="checkbox"/> Open Space Preservation Committee |
| <input checked="" type="checkbox"/> Design Review Panel                         | <input checked="" type="checkbox"/> Parks Advisory Committee          |
| <input type="checkbox"/> Committee on Needs of Persons w/Disabilities           | <input checked="" type="checkbox"/> Town Council                      |
| <input checked="" type="checkbox"/> Fire Marshal                                | <input checked="" type="checkbox"/> Conservation Commission           |
| <input type="checkbox"/> Traffic Authority                                      |   |

The Planning and Zoning Commission has received a Submission (5 lots) application and will consider the application at a Public Hearing/~~regular~~ meeting on June 20, 2015. Please review the application and reply with your comments to the Planning Office before June 16, 2015. For more information, please contact the Planning Office, 429-3330.

APPLICATION INFORMATION

Applicant: Ross L.J. and G. LLC  
Owner: SAME  
Agent(s): The Minivetti Group / Milone and MacBroom  
Proposed use: 5 new lots (Aurora Estates)  
Location: Bedlam Road at Chaplin Town line  
Zone classification: RAR-90  
Other pertinent information:

- Application pending before Inland wetland Agency will be discussed on June 6th
- Full size Plans available in Planning Office
- Project includes a new road to be decided by the Town

signed 

date May 4, 2015

MANSFIELD PLANNING & ZONING COMMISSION  
APPLICATION FOR SUBDIVISION OR RESUBDIVISION APPROVAL

Name of subdivision Aurora Estates

Name of subdivider (applicant)

Ross, LJ & G LLC Phone # 860-429-5270  
(please PRINT)

Address 18 Thomas Dr. Storrs ct. 06268  
(street) (town) (state) (zip)

Signature [Signature] (owner )  
(optionee) \_\_\_\_\_ Date 4.26.05

OWNER (IF OTHER THAN SUBDIVIDER)

Name \_\_\_\_\_ Phone # \_\_\_\_\_  
(please PRINT)

Address \_\_\_\_\_  
(street) (town) (state) (zip)

Signature \_\_\_\_\_ Date \_\_\_\_\_

FEES – See Town Council-approved Fee Schedule and  
Eastern Highlands Health District Plan Review Fee Schedule

SUBDIVISION DATA

Location:

The proposed subdivision is located at South Bedlam Road on the border of Mansfield and  
Chaplin

Zoning district RAR 90

Total # of acres 17

Total # of lots 5

EXTENSION OF TIME

Pursuant to Section 8-26d, subsection (b) of the Connecticut General Statutes, the undersigned applicant hereby consents to an extension of time within which the Planning and Zoning Commission is required by law to approve, modify and approve or disapprove a subdivision plan known as

and located at/on \_\_\_\_\_

It is agreed that such extension of time shall not exceed 65 days and it is understood that this extension of time is in addition to the first 65-day period after the receipt of the application by the Planning & Zoning Commission.

Signature [Signature]  
1/01

Date 4/25/05

The following is a statement of intent for the property located at South Bedlam Road Mansfield, Ct.. The intended project called "Aurora Estates", is a proposed 5 lot subdivision of single family homes. Each house lot will be a minimum of 90,000 square feet in size. Three of the five lots will utilize a common driveway which will be accessed by a short cul-de-sac off of South Bedlam Road. The Remaining two lots will front on the new cul-se-sac. All lots will have on-site septic and water supply. The current physical characteristics of the site vary. The majority of the site is wooded uplands with flat to moderate slopes. A wetlands system occurs on site to the rear of the property. For further information on this subdivision application please contact the Mansfield Planning and Zoning Department @ 429-3330.

Respectfully,  
Peter Miniutti L.A.



*The Miniutti Group is a multi-disciplinary design firm offering: Community Planning Architectural Design Landscape Architecture Interiors*  
webpage: [www.miniuttigroup.com](http://www.miniuttigroup.com) phone: 860-429-0696 email: [peter@miniuttigroup.com](mailto:peter@miniuttigroup.com) email: [natalie@miniuttigroup.com](mailto:natalie@miniuttigroup.com)

Date: April 26, 2005

Project:

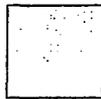
# Aurora Estates

Subdivision of Land  
@ South Bedlam Road

Owner And Applicant:

Ross, LJ & G LLC  
18 Thomas Drive Storrs, Ct. 06268

Site Planning, Landscape Architecture  
& Landscape Assessment:



The Miniutti Group, LLC

11 Storrs Heights Road  
Storrs, Connecticut 06268  
(860) 429-0696  
www.miniuttigroup.com

Survey and Engineering:

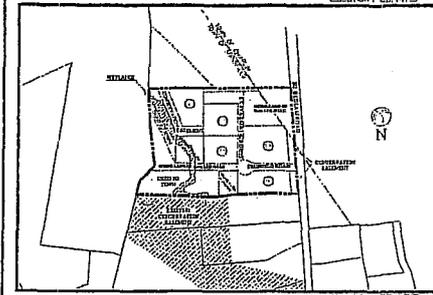
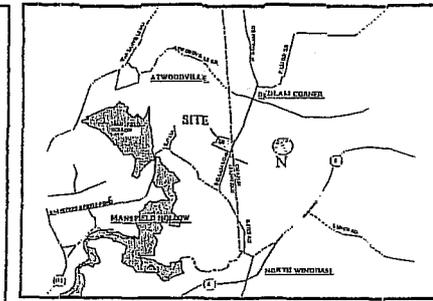
Milone & MacBroom

716 South Main Street  
Cheshire, Ct. 06410  
(203) 271-1773 fax (203) 272- 9733  
www.miloneandmacbroom.com

Soil Scientist:

Milone & MacBroom

716 South Main Street  
Cheshire, Ct. 06410  
(203) 271-1773 fax (203) 272- 9733  
www.miloneandmacbroom.com



\*No Farm soils of statewide significance exist on the site as defined by the USDA and Soil Conservation Service

Zoning Table	Zoning Table
Zone: RAR 50	Zone: RAR 50
Min. Lot Area: 90,000 SQ.FT.	Min. Lot Area: 90,000 SQ.FT.
Min. Lot Frontage: 200 FT.	Min. Lot Frontage: 200 FT.
Min. Front Yard Setback: 60 FT.	Min. Front Yard Setback: 60 FT.
Min. Side Yard Setback: 25 FT.	Min. Side Yard Setback: 25 FT.
Min. Rear Yard Setback: 50 FT.	Min. Rear Yard Setback: 50 FT.
Max. Height: 33 FT.	Max. Height: 33 FT.

### Character of Open Space Dedication

Item	Quantity	11% Required	Fulfilled
Open Land (over 20% slope)	1.8 acres	2.3 acres	4.2 acres
Open Land (over 20% slope)	1.3 acres	0.3 acres	1.7 acres
Wetlands	1.8 acres	0.5 acres	1.8 acres
<b>Total Open Space</b>		<b>2.3 acres</b>	<b>5.9 acres</b>

### SHEET INDEX

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Sheet 2	Property Survey / Topo. Survey
Sheet 1 of 1	Subdivision Map
Sheet 3	Site Development Plan
Sheet 4	Road Plan & Profile
Sheet 5,6	Site Details
Sheet L1	Site Analysis
Sheet L2	Landscape Requirements
Sheet Y1	Yield Plan





Site Description

**OVERVIEW**  
The overall site size is 17 acres. The site, which consists of a few old concrete foundations and a couple of small outbuildings in ruin is located on South Bedford Road 1.00% OF THE SITE IS WOODED. The west majority of the site is wooded with a mix of sapling to mature trees. The dominant species are a variety of Oaks. Some Maple and Pine are also found on site.

**2,100 L.F. OF STONEWALL**  
The majority of the walls are located along property lines although there are a few that occur on the site. The most impressive wall can be found adjacent South Bedford Road. 1.1 Acres of Steep Slopes.

The majority of the site consists of moderate slopes with most areas between 5-10%. There are also some steep areas with slopes 15-20% and greater. These can be found adjacent South Bedford Road and scattered throughout the site. Other steep areas can be found adjacent the wetlands system. 1.0 Acres of Wetlands.

There is one area of wetlands. The system runs through a valley on the West side of the site from North to South. The majority of the wetland on the site is quite narrow. As it leaves the site to the South it begins to broaden.

**VIEWS:**  
These are views both into and out of the site. The majority of views into the site are from South Bedford Road. These views are essentially of woods. Views out of the site are primarily of a wetland valley and small hillside.

**OTHER RESOURCES:**  
FARM SOILS: NONE  
NATURAL DIVERSITY ZONES: NONE  
SIGNIFICANT FOREST HABITAT: NONE  
CEDAR SWAMPS: NONE  
HISTORIC FEATURES: NONE  
HISTORIC VILLAGE: NONE  
HISTORIC DISTRICT: NONE

Approved By the Town of Mansfield  
Approved By the Mansfield Planning and Zoning Commission  
Approved By The Zoning Officer  
Approved By The Director Of Public Works

Project No.	10308
Date	10/20/08
Scale	AS SHOWN
Drawn By	JK
Checked By	JK
Reviewed By	JK

SITE ANALYSIS

EXISTING FIELD

EXISTING STONEWALLS (TYP)

GOOD VIEWS OF VALLEY AND SMALL BROOK SLOPE >20% (TYP)

DENSE PINE CANOPY

ROCK OUTCROPPING WITH VISUAL INTEREST

50' WETLANDS BUFFER

EXISTING WETLAND CROSSING

EXISTING SHORT TRAIL

EXISTING CONSERVATION EASEMENT

EXISTING DRIVEWAY

AUTOMOBILE NOISE (TYP)

ROCK OUTCROPPING (TYP)

POOR SIGHT LINES

STRUCTURES IN RUIN EXISTING SITE ACCESS

GOOD SIGHT LINES

POOR SIGHT LINES

100% WOODLAND: Trees range in both size and species. Mostly Oak, Maple, and Pine. Sizes from sapling to mature trees. No trees of great significance exist.

4" DBH OAK SIGNIFICANT TREE. EFFORTS SHOULD BE MADE TO SAVE THIS TREE

3" PINE (SAVE)  
2" PINE (SAVE)  
30" OAK (SAVE)

2" OAK (SAVE)  
4" DBH OAK (SAVE)

3" PINE (SAVE IF POSSIBLE)  
4" DBH OAK SIGNIFICANT TREE. EFFORTS SHOULD BE MADE TO SAVE THIS TREE.

20" OAK (SAVE) 24" MAPLE SIGNIFICANT TREE SHOULD REMAIN



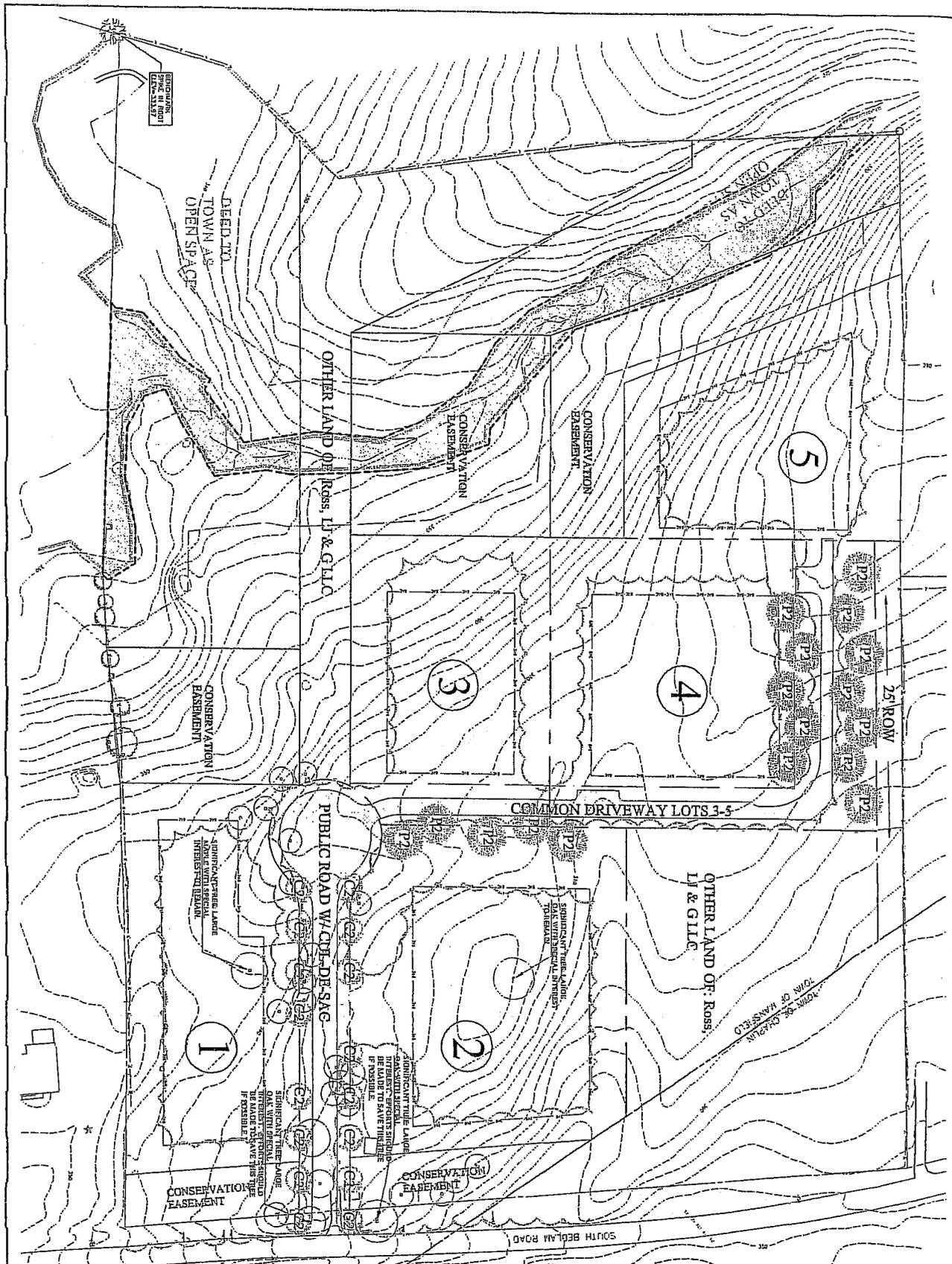
View from South Bedford Road illustrating sight line letters, significant trees, and stonewalls.



One of several rock outcroppings found on the site. The most interesting is found adjacent the wetlands as illustrated on this plan.



Most of the stonewalls are found along the perimeter of the property. Only two stone walls are found interior to the site.



**AURORA ESTATES**  
 Subdivision of Land  
 South Eastern Road, Portland, OR  
 Owner & Engineer  
 Ross, LJ & Gilic  
 1000 NE Oregon Street, Suite 200  
 Portland, OR 97232  
 Date of Plan: 08/20/2013  
 Date of Revision: 08/20/2013  
 Project: Aurora Estates

**Milhore & Macbroom**  
 11.2 Acres of Land  
 1000 NE Oregon Street, Suite 200  
 Portland, OR 97232  
 Date of Plan: 08/20/2013  
 Date of Revision: 08/20/2013  
 Project: Aurora Estates

**PLANTING SCHEDULE:**  
 Map Symbol - Q2  
 Plant: 'Golden Wonder' Golden Wonder  
 Common Name: Eastern White Pine  
 Size: 6-8" Tall  
 Quantity: 17  
 Map Symbol - Q5  
 Plant: 'Lemon Queen' plant  
 Common Name: The Oak  
 Size: 6-8" Tall  
 Quantity: 16

**STONEWALLS:**  
 Few stone walls exist on site. The majority can be found along the perimeter of the property. We do not anticipate much disturbance of stone walls. In the event that stone walls must be disturbed the following shall be followed:  
 1: No stones from stone walls shall be removed from the site.  
 2: Any stones removed from stone walls shall be used to repair or enhance existing walls or to build new walls on site.

**SIGNIFICANT TREES:**  
 It is recommended that trees identified on these plans as significant shall remain. Measures shall be taken to ensure that these trees are not damaged during construction.

**LEGEND**  
 Existing tree which may be removed for road construction  
 Proposed Quercus plants  
 Proposed fitness embankment

Approved by the Land Use Department  
 Approved by the Planning and Zoning Commission  
 Approved by the Board of Commissioners  
 Approved by the City Council

**Landscape Reclamations**



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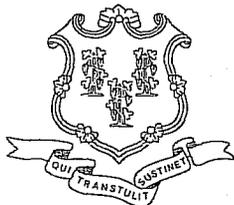
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CC Low  
Gay

# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH



Item #16

### MEMORANDUM

DATE: April 18, 2005

TO: Chief Elected Officials  
Local Health Directors

FROM: Jason Sirois, Environmental Analyst 2  
Drinking Water Division *HA*

SUBJECT: Water Supply Plan  
University of Connecticut

The University of Connecticut has submitted their Water Supply Plan update to this department in accordance with the Regulations of Connecticut State Agencies. Pursuant to Section 25-32d-5(a)(3) of the Regulations of Connecticut State Agencies, the Department of Public Health shall notify each chief elected official, local health official and regional planning organization covering any portion of the water company's existing or proposed water sources or service area (i.e. well, reservoir, watershed area, aquifer recharge area, interconnections or distribution system) of the existence of the Water Supply Plan and the opportunity to comment thereon. The source or service area covered by this plan is within the limits of your municipality or health district.

You are hereby notified of the availability of the subject plan. The department encourages you to notify your town's planning agency, water department, and any other appropriate board or commission of the availability of the plan for review and comment. A copy of the Water Supply Plan is available for your inspection at the following location during normal business hours.

University of Connecticut  
Facilities Operation Building  
25 LeDoyt Road  
Storrs, CT 06269-3252  
(860) 486-3185 (By Appointment)

Comments on this draft water supply plan must be submitted to this department at the mailing address given below on or before June 6, 2005. A copy of the regulations concerning water supply plans (25-32d-1a through 6) can be obtained from the department's website: [www.dph.state.ct.us/BRS/water/DWD.htm](http://www.dph.state.ct.us/BRS/water/DWD.htm). If you have any questions please feel free to call me at (860) 509-7333.



**University of Connecticut:**

**CEO's**

**Coventry**

John A. Elsesser - Town Manager  
Town Office Bldg.  
1712 Main St.  
Coventry, CT 06238

**Mansfield**

Martin H. Berliner - Town Manager  
4 So. Eagleville Rd  
Mansfield, CT 06268

**Willington**

Michael Eldredge - First Selectman  
Town Office Bldg.  
40 Old Farms Rd.  
Willington, CT 06279

**Local Health Director**

Mr. Robert L. Miller - Director of Health  
Eastern Highlands Health District  
4 South Eagleville Rd.  
Mansfield, CT 06268

Same as Coventry

Same as Coventry

**Regional Planning Organizations**

Windham Region Council of Governments  
968 Main St.  
Willimantic, CT 06226-2310  
Executive Director: Barbara C. Buddington

UNIVERSITY OF CONNECTICUT  
2004 WATER SUPPLY PLAN  
 FOR THE  
MAIN CAMPUS AND DEPOT CAMPUS

[Refer to: Volume 1 of 2 & Volume 2 of 2]

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### APPENDIX

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M	Source Water Assessment Program (SWAP)
N	Water Quality Standards
O	Water Quality Results
P	Map of Water Distribution System-Main Campus
Q	Map of Water Distribution System-Depot Campus
R	DPH’s Sanitary Survey Report
S	Consumer Confidence Report-2003
T	Water Meter Installations-Distribution System

## PART 1

### INTRODUCTION, EXECUTIVE SUMMARY, AND HISTORY

#### 1.1 INTRODUCTION

This Water Supply Plan is a revision (update) to the University's October 1999 Water Supply Plan for the Main Campus in Storrs, and the Depot Campus in Mansfield. Although the University is not considered a "water company" as set forth in Connecticut General Statute Section 25-32a, the University views the Water Supply Plan as a useful tool that will help ensure a safe and adequate water supply system for many years to come. The University therefore, will address the requirements of Section 25-32d of the Connecticut General Statutes and distribute its plan to reviewing agencies and interested parties for review and comments.

Projects being developed under the "UConn 2000" and "21<sup>st</sup> Century UConn" initiatives are critical to the continued success of the University. As equally critical, is the ability of the University to continue to meet its water supply needs at the Main Campus and Depot Campus throughout this development process. It should also be noted that the University provides water service to "non-University" customers as well. This includes private residences, multi-family residences, commercial establishments, and the Town of Mansfield. Perhaps the most significant component in public water system planning is to understand the capabilities of water supply sources and what is needed to adequately maintain water production in an efficient yet responsible manner. All of the University's water comes from high production wells located along the Fenton and Willimantic Rivers. To better understand the capabilities of these well fields the University contracted *Ritsick Engineering* to do a source water assessment. In October of 2004, a report entitled "*Assessment of Well Water Supply and Pumping Rates*" was completed for the University's Main Campus and Depot Campus Systems. That report recognizes the review and comments by the Connecticut Department of Public Health, the Department of Environmental Protection, the Town of Mansfield, and the University. It concluded that the University has a sufficient amount of well water supply under its control to meet its short-term and long-term water supply needs.

Since the "*Assessment of Well Water Supply and Pumping Rates*" is considered the foundation of the University's overall "Water Supply Plan", that report has been included as PART 5 within the Plan. This "report within a report" can not only stand alone, but will now serve as a supplement to the Water Supply Plan. This edition of the Water Supply Plan will go beyond what is typically addressed (such as water usage and trends, population projections, and system improvements) in such a document. This report takes a very close and comprehensive look at the capabilities of specific components of the water supply systems, and then evaluates these items collectively to demonstrate the true potential, and needs, of the University's water supply.

#### 1.2 EXECUTIVE SUMMARY

The University of Connecticut is fortunate to have a sufficient amount of good quality drinking water as provided by its Fenton River and Willimantic River Well facilities. These resources

have adequately served the University for decades and have proven themselves during times of severe drought. These are resources that should not be under-estimated or under-appreciated and, if managed properly, resources that will continue to serve the University for many years to come. There are currently eight (8) active wells in operation with four (4) wells at each well field. All wells (with the exception of Fenton A) are gravel packed wells, and all wells were constructed as high capacity wells in stratified drift. These wells currently have the capability of producing 2.85 million gallons per day. The potential of these wells, based on engineering and hydraulic studies can approach the Registered Diversion amount of 3.152 million gallons per day by making mechanical and hydraulic improvements to the existing equipment. In 2003, the combined average day demand for the Main Campus and Depot Campus Systems was 1.3 million gallons per day. Therefore, there is sufficient supply to accommodate increases in system demands.

In addition to an adequate well water supply, the University also has a considerable amount of water storage tank capacity with 7,527,000 gallons available. This storage volume in combination with considerable booster pump capacity and well production capability, make it possible for the University to handle all of its system demands, including peak day demands. Very few, if any, public water systems in Connecticut can compare to the University's high ratio of storage tank capacity to system demand. Theoretically the University can turn off all of its wells and be able to meet its average day demand from storage alone for a period of several days.

The construction/development of "UConn 2000" and "21<sup>st</sup> Century UConn" initiatives, have not stressed the University's water system. In fact, the University is using less water today than it did back in the 1980's and early to mid 1990's. The reason for the reduction in water use is due to physical water conservation efforts and capital improvement programs designed to reduce water consumption. The University is committed to conserving water and installing water efficient devices in its construction projects. This plan will evaluate future water demands by taking into consideration population projections and the affect of more efficient water use.

Based on this assessment and a projected future demand of less than 2 million gallons a day, there is no need to pursue the development of additional wells, or the extension of water mains from other Public Water Systems at this time. Should additional water be needed, the existing pumps, controls, and wells can be enhanced for this supply.

Despite the water supply potential of the wells, there is a lot of work that is being done and still needs to be done to ensure optimum system operation. Some of the areas that deserve and are getting attention include; system oversight, operator certification, preventive maintenance, better controls for water pumping and water treatment, improved water treatment equipment, quality control, cross connection prevention, and regulatory oversight. This Plan addresses these and other issues, as well as the measures being taken to improve overall system operation.

The Fenton River and Willimantic River wells are tremendous drinking water resources that would be difficult if not impossible, to duplicate or replace. By properly managing these facilities, and other infrastructure components, the future of the University's water supply system will remain very promising.

### 1.3 HISTORY

The series of events that led to the eventual development of the water systems as they are known today are of interest and importance. There have been many changes to water system components over the years and the following are examples of key points of interest. This information was derived from University records and previous Water Supply Plans.

1880-1910 In April 1881 the Connecticut General Assembly established the Storrs Agricultural School after accepting 170 acres of land, several buildings and money from Charles and Augustus Storrs. The Storrs Agricultural School was opened on September 28, 1881. There were 12 students. The name was changed to Storrs Agricultural College in 1893. In 1899, it became known as the Connecticut Agricultural College. It is speculated that their source of water supply was a shallow dug well.

1910-1920 During 1913-1919 the first Mansfield Training School (MTS) buildings were constructed. This was a self sufficient residential hospital complex. Its source of water is unknown.

1920-1930 In approximately 1920 the Town of Mansfield built a water treatment plant with supply from Cedar Swamp Brook a.k.a. Pink Ravine. This supplied the College and the Training School with water. A pump station and a 6" pipeline is believed to extend from Pink Ravine to the Training School.

In the late 1920's- "Well A" at the Fenton River replaced the Cedar Swamp Facility. A 10" pipeline connected "Well A" to the College. Mansfield Training School Well #1 was developed along the Willimantic River.

In 1933 the Connecticut Agricultural College became the Connecticut State College, and in 1939 the Connecticut State College became the University of Connecticut. In 1940 the Graduate School was established.

1940-1950 In 1948, Mansfield Training School Well #2 was developed along the Willimantic River.

In 1949, Fenton River "Well B" and "Well C" were developed. The 50,000 gallon (2 @ 25,000 gallons) clearwell basin was constructed.

In 1954 a 1000 gpm pump and a 12" pipeline between the Fenton River Wells to the campus were constructed. The Towers 1,000,000 gallon and 500,000 gallon water storage tanks were also constructed.

In 1958, the Towers 750,000 gallon water storage tank was constructed. Fenton River "Well D" was also developed.

In 1960, Willimantic River Well #3 was constructed. This supplemented MTS Well #2. MTS Well #1 was used for emergencies only and was eventually disconnected in 1961.

In the 1960's, the projected 1990 water demand for the University was significantly over-estimated. At that time, studies projected a very large water need of 6.6 million gallons a day (MGD). This projection "set the wheels in motion" for the exploration and eventual development of a significant well field at the Willimantic River site. In retrospect we know that the actual average day demand for 1990 was only 1.55 MGD, some 5 million gallons a day less than what was projected. This is important to note since by considerably overestimating (back in the 1960's) the amount of water needed, the University now finds itself in a position with not only sufficient well capacity, but also significant well development potential.

1970-1980 The University took over operation of the Willimantic River Wellfield and provided the MTS with water. MTS kept control of Well #2. The University renamed Well #3 as UConn #3, and developed 2 new wells. UConn #1 was developed in 1970 and UConn #2 was developed in 1972.

1980-2000 In 1999 the University developed UConn #4 within the Willimantic River Wellfield. This well was drilled close to and replaced MTS #2.

2003 The new Towers Loop Pump Station was activated. This facility was constructed to draw distribution water after the Towers Basin and pump it through a series of pumps to the Charter Oak Apartments/Suites and the Husky Village (Greek Housing) complexes.