

REGULAR MEETING – MANSFIELD TOWN COUNCIL  
November 23, 2015  
DRAFT

Mayor Paul M. Shapiro called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Kegler, Marcellino, Moran, Raymond, Ryan, Sargent, Shaiken, Shapiro  
Excused: Kochenburger

II. APPROVAL OF MINUTES

Mr. Ryan moved and Mr. Kegler seconded to approve the minutes of the November 9, 2015 meeting as presented. The motion passed unanimously.

III. PUBLIC HEARINGS

The Town Clerk read the legal notice. Mayor Shapiro called the first public hearing issue to order and asked for public comments.

1. Proposed Amendments to Ordinance Regarding Alcoholic Beverages  
No comments were offered.

Mayor Shapiro called the second public hearing issue to order and asked for public comments.

2. Proposed Ordinance Regarding Dog Waste Control  
Brian Coleman, Centre Street, noted that as with many issues if all neighbors were considerate of each other there would be no need for these types of ordinances.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Charles Naumec, Riverview Road, outlined the efforts he has made to raise the issue of students who live on campus being able to vote on Town financial issues and changes to the PILOT program. Mr. Naumec requested a public hearing be held to hear from residents. (Statement attached)

Rebecca Shafer, Echo Road, presented information compiled by the Mansfield Neighborhood Preservation Group Committee regarding the number of single family homes being converted into student rentals and suggested actions that could be taken to mitigate their impact. (Statement attached.)

Cynthia Jones, Echo Road, applauded the formation of an ad hoc committee to study housing and rental issues and commented that an important component of any neighborhood is a sense of community among its residents. Ms. Jones distributed a set of graphs showing the number of single family homes being converted to rentals increases significantly when enrollment at UConn increases. (Statement attached)

Brian Coleman, Centre Street, stated that there are a lot of good landlords and tenants and would like to see the number of complaints received from single family homes correlated to some of the information presented by the public this evening. Mr. Coleman also agreed with Mr. Naumec that consideration be given to removing financial items from the November ballot and suggested that the Meadowbrook land under consideration be

developed with dense development on part of the land and the rest be designated as open space.

V. REPORT OF THE TOWN MANAGER

In addition to his written report the Town Manager offered the following comments:

- Staff has been following up on Mr. Naumec's letter to make sure his questions are answered.
- Mr. Hart noted that Council members and staff have fought very hard to support and maintain the PILOT program.

Ms. Moran moved and Mr. Shaiken seconded to move Item 7, Presentation on Open Mansfield, to follow Reports and Comments of Council Members.

The motion passed unanimously.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

The Mayor, along with Councilors Ryan, Moran, Kegler and Marcellino, attended the Veterans Day Tribute and Luncheon. Mr. Shapiro thanked Mr. Kotula and his group for organizing this very meaningful event.

VII. OLD BUSINESS

3. Storrs Center Update

Town Manager Matt Hart reviewed the estimated real estate assessment of Storrs Center at full buildout noting that the totals do not include any personal property assessments. Staff will look at estimating the amount of personal property taxes that might be realized at full buildout. The Town Manager will report back to the Council.

4. Proposed Amendments to Ordinance Regarding Alcoholic Beverages

Mayor Shapiro, who also serves as the Chair of the Ordinance Development and Review Subcommittee which is reviewing these proposed amendments, reported that no consensus was reached at the Subcommittee's meeting earlier in the evening. The main issue under consideration is whether the ordinance should pertain only to public events or to private and public events. This item will appear on the next agenda as an item of old business.

5. Proposed Ordinance Regarding Dog Waste Control

Mayor Shapiro, who also serves as the Chair of the Ordinance Development and Review Subcommittee which is reviewing these proposed amendments, reported that no consensus was reached at the Subcommittee's meeting earlier in the evening. Ms. Moran moved and Mr. Shaiken seconded to suspend Rule 6(d) of the Council Rules of Procedures and to vote on the proposed Ordinance Regarding Dog Waste Control. The motion failed in a tie vote with Mr. Marcellino, Ms. Moran, Mr. Shaiken and Mr. Shapiro in favor and Mr. Kegler, Ms. Raymond, Mr. Sargent and Mr. Ryan in opposition.

This item will appear on the next agenda as an item of old business.

6. Town Council Meeting Schedule for 2016

Mr. Ryan moved and Mr. Marcellino seconded, effective November 23, 2015, to amend the 2016 Town Council Meeting Schedule to change the starting time of all regular meetings to 7:00 p.m.  
Motion passed unanimously.

VIII. NEW BUSINESS

7. Presentation on Open Mansfield

An interdisciplinary team consisting of Director of Finance Cherie Trahan, IT Director Jamie Russell, Library Director Leslie McDonough, Accounting Manager Amy Meriwether, Systems Librarian Adam Delaura, and Accountant Andrew Howat, presented information on the Open Mansfield web based interactive portal. Staff described the purpose, demonstrated the capabilities of the site, and outlined the plans for publicity and training for residents.

8. Appointment of Town Attorney

Ms. Moran, Chair of the Personnel Committee, moved the following resolution: Resolved, to reappoint the firm of O'Malley, Deneen, Leary, Messina, & Oswecki as Town Attorney for the Town of Mansfield for a term to begin on December 3, 2015 and to authorize the Town Manager to execute the attached Professional Services Agreement between the Town of Mansfield and the law firm of O'Malley, Deneen, Leary, Messina, & Oswecki.

Ms. Moran moved and Mr. Ryan seconded to amend the contract by eliminating, "...to be developed..." from Section 1, 1.2(c) and changing "...and..." to "at" in the second paragraph of Section 3, 3.1.

The motion to amend passed unanimously.

Ms. Raymond moved and Mr. Sargent seconded to further amend the motion by adding "the" to the third to the last line of Section 1, 1.1. The phrase now reads, "...assign any of the duties..."

The motion to amend passed unanimously.

The motion as amended passed unanimously.

9. Open Space Acquisition, Meadowbrook Lane LLC Property

Mr. Kegler moved and Ms. Moran seconded, to schedule a public hearing for 7:30 p.m. at the Town Council's regular meeting on December 14, 2015 to solicit public comments on the proposed acquisition of the 61-acre parcel on Puddin Lane known as the Meadowbrook Lane LLC property (Parcel ID 33.97.3-39) and to refer the acquisition to the Planning and Zoning Commission for review pursuant to section 8-24 of the Connecticut General Statutes.

Motion passed unanimously.

10. Acceptance of Wyllys Farm Road, Beacon Hill Estates Section II

Ms. Raymond moved and Mr. Kegler seconded, effective November 23, 2015, to accept Wyllys Farm Road as part of the Town's road system.

Motion passed unanimously.

11. Appointment to Mansfield Downtown Partnership Board of Directors

Mr. Shaiken moved and Mr. Sargent seconded, to appoint Councilor Stephen Kegler to the Board of Directors of the Mansfield Downtown Partnership, for a term commencing on November 23, 2015 and expiring on June 30, 2016.  
Motion passed unanimously.

12. Financial Statements Dated September 30, 2015

Mr. Ryan, Chair of the Finance Committee, moved to accept the Financial Statements dated September 30, 2015, as prepared by the Director of Finance.  
Motion passed unanimously.

13. Town Manager's FY 15/16 Goals

Ms. Moran, Chair of the Personnel Committee, moved effective November 23, 2015, to endorse the FY 2015/16 Town Manager's Goals as presented.  
Motion passed unanimously.

IX. REPORTS OF COUNCIL COMMITTEES

Mr. Shaiken, reporting for Mr. Kochenburger, offered the following recommendations to the Council.

The appointment of Ann Williams and Judith McChesney to the Arts Advisory Council for terms ending 3/1/2017.

The appointment of Stacey Stearns to the Agriculture Committee for a term ending 10/13/2017.

The motion to approve passed unanimously.

Mr. Ryan, Chair of the Finance Committee, noted that changes to the fee waiver program have cost the Parks and Recreation budget about \$70,000 this year. The Committee will be scheduling a meeting to address this and other Parks and recreation financial issues.

X. DEPARTMENTAL AND COMMITTEE REPORT

No comments offered.

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

14. Ad Hoc Committee on Police Services re: Status Report to Council Regarding Police Services Ms. Moran, Chair of the Committee, reported that a wide range of partnerships and collaboration are being looked at but there is much more work to be done.

15. J. Goodwin re: Ad Hoc Committee on Rental Regulations and Enforcement 163

16. M. Hart re: Town Council Rules of Procedure Review 165

17. DJ Fowler Logging, Land-Clearing & Firewood LLC re: Work Performed at Mansfield Community Playground and Final Payment

XII. FUTURE AGENDAS

Council Appointments to the Ad Hoc Committee on Rental Housing Regulations and Enforcement will be an agenda item for the December 14, 2015 meeting.

XIII. ADJOURNMENT

Ms. Raymond moved and Mr. Ryan seconded to adjourn the meeting at 9:17 p.m.

November 23, 2015

The motion passed by all.

Paul M. Shapiro, Mayor

Mary Stanton, Town Clerk

November 23, 2015

# **Fair Treatment of Town Of Mansfield CT Tax Payers**

**Presented by Charles R. Naumec  
52 Riverview Road, Mansfield Center, CT.**

**Town of Mansfield Town Council Meeting  
November 23, 2015**

It has been over six months since I addressed the Town Council and expressed concern relative to the treatment of Town of Mansfield (Town) tax payers. Discussions address the PILOT program and the right of UConn students living in university housing, not paying taxes, being allowed to vote on Town Referendum issues and budget addressing the allocation of funds and bonding issues. Following my two appearances before the Town Council I sent three letters to the Connecticut Secretary of the State and one to the Mansfield state legislative delegation. These letters were copied to the Town Council and Town Manager's office.

After four months with no response from the Secretary of the State a second letter was sent which provided additional information on the PILOT program and requested a response. The Secretary of the State responded but did not completely address my concerns relative to non-tax paying UConn students voting on Town financial issues. The secretary did advise me that the issue involving the PIOLT be directed to the Town state legislative delegation. This letter prompted me to respond to the Secretary's letter and send a letter to the Town state legislative delegation. Both letters are dated October 6, 2015. No response to either letter has been received.

I did receive an E-mail (10/5/2015) from the Town Manager's office stating my initial letter to the Secretary of the State was being forwarded to the State Legislation and Elections Administration Division attorney.

Having not seen any action on the part of the Town Council to discuss any of my concerns on any Town Council Meeting agenda and seeing no effort to seek coordination with our State legislative delegation leads me to conclude the indicated items are acceptable to the Town Council:

- The new PILOT formula based on min 32% of state property assessment rather than the previous 45%. Knowing that Connecticut General Statutes 12-20a and 12-20b allows a PILOT payment for Private Colleges based on 77% assessment.

- Student living in university housing and paying no taxes are allowed to vote on TOWN financial issues. Knowing that the number of student living in university house, all eligible voters, outnumber the number of eligible voters in TOWN. (Control of Town Budget lies with the students)
- Persons living in Town, which had not registered to vote, 18 years or older, must show at the open town meeting that they have \$1,000.00 of assets upon which they have paid taxes before they can vote on the Town budget.

In addition, no action by the Town Council to study or pursue a change to the election process indicates non approval of the proposal to provide a special ballot to those student living in university housing and not paying taxes. The proposed ballot would allow these students to vote on candidates but not on Town financial issues. This approach is similar to that which currently applies to Mansfield property owners not living in Mansfield. They are allowed to vote on financial issues but not candidates.

I have received feedback from tax paying residences of Mansfield indicating lack of knowledge that such a voter unbalance exists and no one could see why the students not paying taxes should determine our TOWN tax rate.

As elected officials, I believe your first responsibility is to represent the residences of our Town and I don't believe proper priority is currently being given to the Town tax payers.

Thank you,

  
Charles R. Naumec

November 23, 2015

Dear Mayor and Mansfield Town Councilmen and Councilwomen,

The [Mansfield Neighborhood Preservation](#) Group Committee continues to express grave concerns about the situation of single family homes being converted into student rentals thereby making them into a commercial enterprise in residential neighborhoods. At present there are no Ordinances existing that prohibit this activity from continuing.

We have attached 8 maps of various residential neighborhoods showing to the Town the extent of this problem. For example, upon review of Map #6, it shows that 36% of the homes are a commercial enterprise providing rentals in a fee simple residential neighborhood. We are seeking from you the leadership and the wisdom in protecting the character of our neighborhoods and the value of our homes.

We are asking you, our Town officials, to request the Town Attorney to present an Ordinance that will stop this trend and put into place short term enforcement in policing and providing meaningful fines to the offenders, along with a long term solution that will stop the trend of investors buying single family homes with the intent to turn them into student housing. We all need to find an amicable solution as the UCONN student population grows, as it is going to, and there are insufficient new dormitories being constructed to absorb these students, the Town has a responsibility to protect its citizens and their property values. There lies the issue, as the students have no other place to reside but in our residential neighborhoods. We also suggest, that at present, it may be wise to seek a moratorium of all rentals until the proper Ordinances are put into place.

As you are aware by our investigation, there are single-family homes in almost every area of town that have been converted into student rentals, with many neighborhoods already in jeopardy.

This fall our neighborhood was faced with many problems stemming from the conversion of a single family home into an un-permitted rental. In dealing with these problems, the neighborhood began to look into the number of rental properties throughout the Town of Mansfield, with special interest in single-family home rentals.

Using the town's own figures, we were surprised to learn there had been an increase of 30% in the number of single-family homes converted to rentals in just

one year. We are very concerned about the distribution of rentals throughout the town. By using publicly available information, we began plotting rental properties on a copy of the property map of Mansfield, which is displayed and provided in your handout.

This is still a work in progress, however the results show how overwhelmingly disconcerting the facts are. The results show that the density rates are very high in many parts of town *and* there are rentals in *every* part of town. All marked parcels are rentals: **orange are local owners, blue are out-of-town owners.**

Starting at the north side of town:

Map 1-Cedar Swamp Rd. has a 20% density rate. The beginning of the single home conversions on Birch can be seen at the bottom of this map.

Map 2 - Mansfield Depot has 30% density. In micro-neighborhoods, such as **Bone Mill Rd.** with only 6 homes, even 1 single-family home (16%) conversion changes the neighborhood drastically.

Map 3 - Birch Rd has rentals dotting the entire length of the road, and **Hunting Lodge Road** has a 90% density rate and *now* extends into Hunting Lodge Rd. **Extension.** (The entire length of Hunting Lodge spans Maps 3 & 4.)

Map 4 - Meadowood Rd once a lovely little neighborhood has a density rate of 22%, so 1 in 4 homes is a rental. In a neighborhood like this with only 18 homes, it changes the character of the neighborhood drastically when 4 of those homes are student rentals. **Lynwood**, a lovely, quiet residential neighborhood for professors, now has 7 rentals with several houses currently at risk and the neighbors terrified the next sale will be another rental. #38 Farmstead just went on the market advertised as an investment property at a very low price. (That ad is in your packet.) **Hillyndale** has at least 5 rentals.

Map 5 - Eastern side of Route 195 (Four Corners to Moulton Rd) is at 70%.

Map 6 - Eastwood/Westwood/Hillside Circle has a density rate of 36%.

Map 7- Separatist Rd, Maple Road and even Davis Rd have a number of rentals. **Birchwood Heights** has a density rate of 27%, thus every 4th home is a rental.

Map 8 - Hanks Hill, Storrs Heights, and the Flaherty area have many rentals also. Storrs Rd. has a density of about 25% for the entire length of the road, if we put all these maps together.

While a few of these rentals are families, the vast majority are student rentals.

Many neighborhoods **are at risk**. And, the conversion of rentals is happening quickly. Probably everyone in town would agree we do not want another Hunting Lodge Rd.

Even though in 2006 the Town funded a new department to address the problem of blight and ensure that there will be no more areas like Hunting Lodge Rd, we now have *more neighborhoods than ever* at risk of that same fate.

The formation of the ad hoc committee and deputizing 3 additional personnel to enforce over-occupancy ordinances are **excellent** first steps. My neighbors and I appreciate those initiatives, and the [Mansfield Neighborhood Preservation](#) Group Committee members have been very supportive.

To make it clear to the community, we would like the Council to publicly state it's intention to use the full force of the existing laws and provide a new Ordinance to prevent this type of activity. The [Mansfield Neighborhood Preservation](#) Group Committee looks forward to meeting with the Council and presenting our findings and working with you toward amicable solutions to the most troubling problem affecting our Town.

Regards,

Bill Roe, Jr.

(Son of Wm. H. Roe, Sr., former Dean of Education, University of CT)

(Grew up in Lynwood Acres)

Rebecca Shafer, Attorney

(Grew up on Hillside Circle)

[Mansfield Neighborhood Preservation](#)

<https://www.facebook.com/groups/MansfieldNeighborhoodPreservation/>

### Property Description

**38 Farmstead Rd, Mansfield, CT, Connecticut 06268.** This home is a great opportunity for an investment or college students. Contemporary raised ranch has a unique layout. Main level offer kitchen, large living room dining room combination with FP, picture window and sliders to the deck. Master bedroom with full bath and lots of closet space. Hardwood under carpets on main level. Lower level offers 3 additional bedrooms with another full bath, FP, office and laundry area. Located on a quiet country lot less than 1 mile from Jim Calhoun Way. NEW ROOF, NEW HW HEATER. Sheetrock in lower level bath to be replaced. Paneling around main level fireplace to be removed and replaced with new sheetrock. 2000 sq ft total - town only counted upper level.

AT&T

9:48 PM

80%



38 Farmstead Rd, Mansfield, CT, Connecticut 06268, Storrs, Mansfield real estate, Mansfield...

www.raveis.com

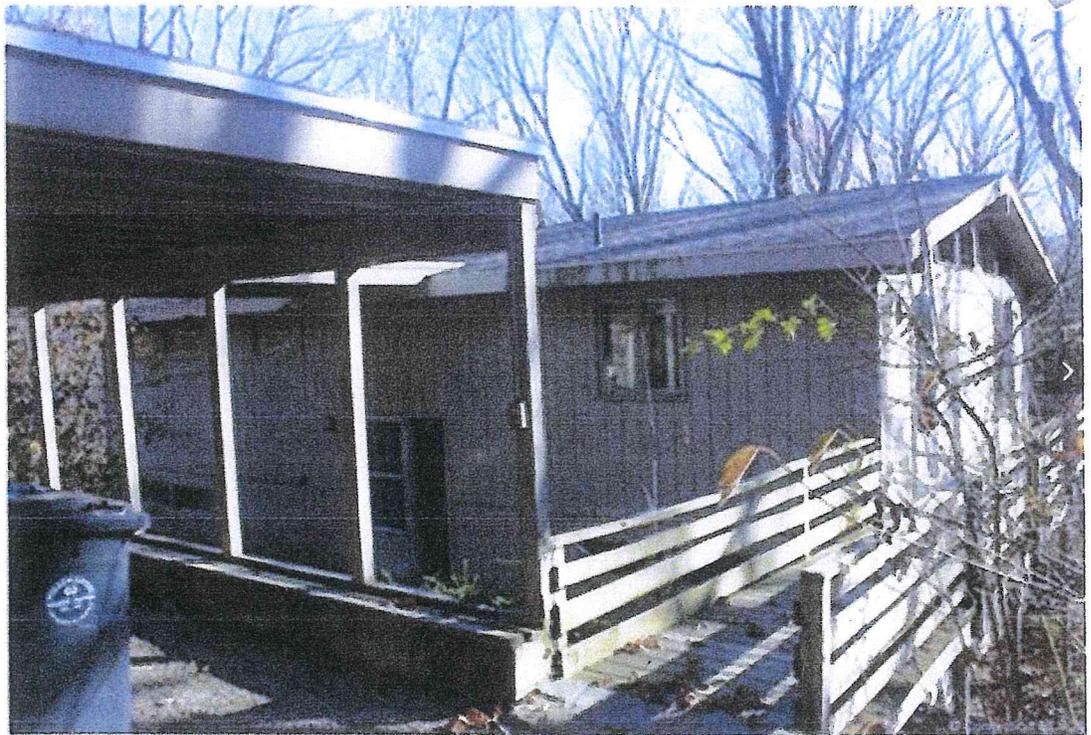
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View On Map



**\$145,000** (\$127 per SQ/FT)

38 Farmstead Rd, Mansfield (Storrs), CT 06268

Email Listing

Directions

Request More Info

Property Details

Town

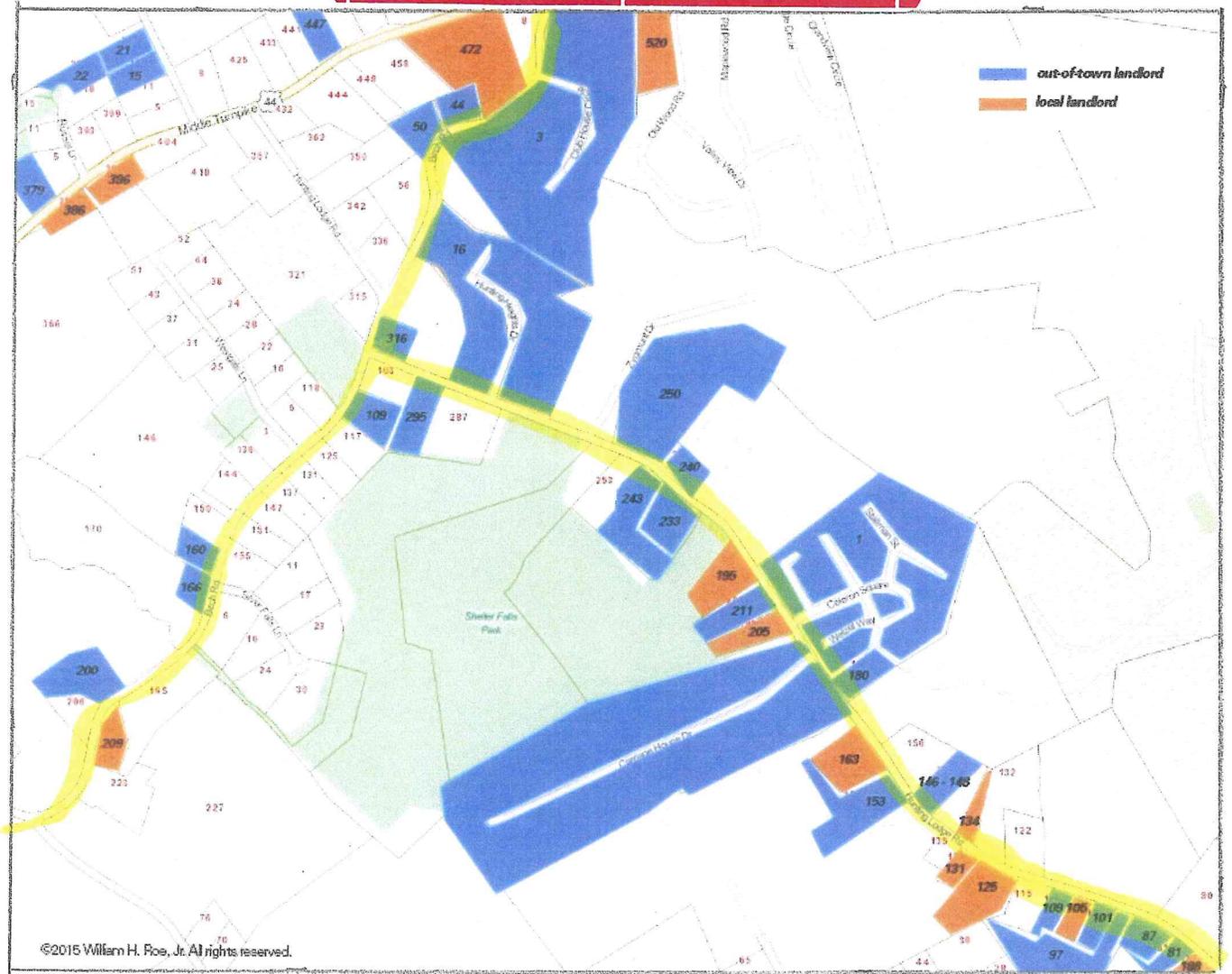
Mansfield





# Map 3

## Birch Rd, Hunting Lodge





# Map 5

## RT 195, Moulton Rd



**Map 6**

**Eastwood, Westwood, Hillside**



# Map 7

## Maple, Davis, Birchwood Heights





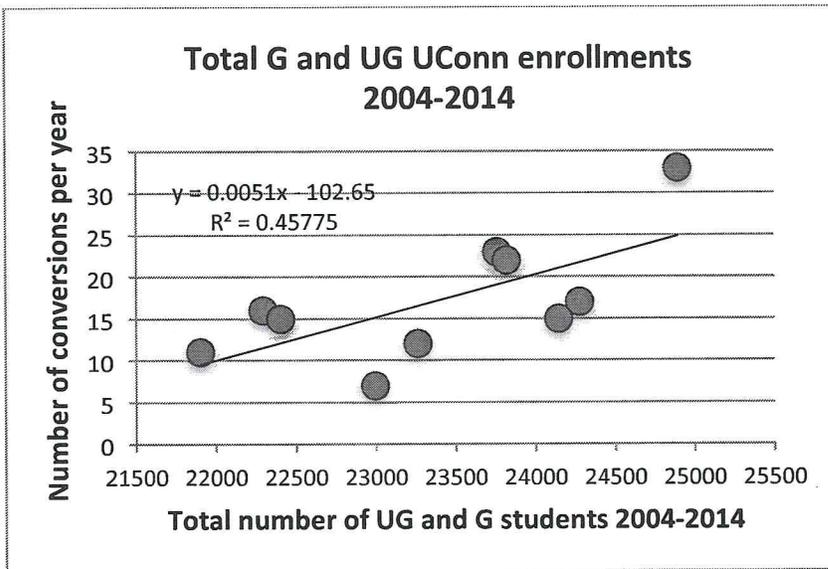
Read: November 23, 2015

Letter to town council

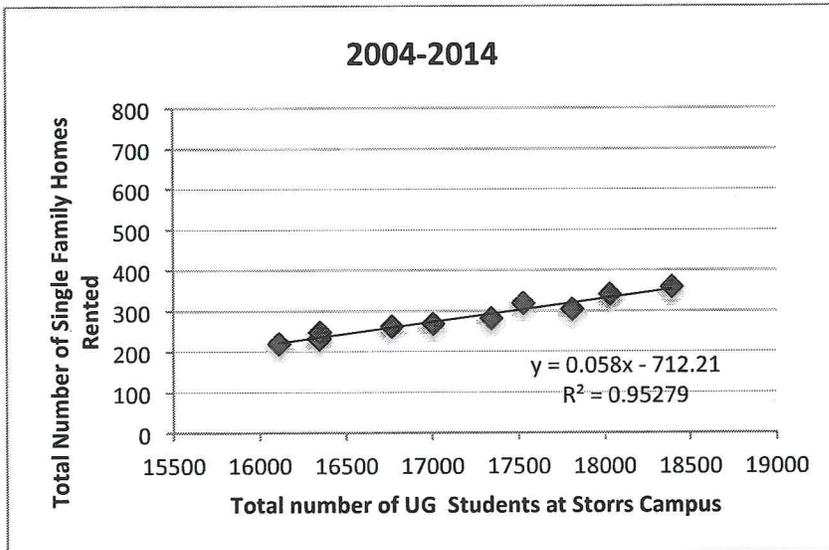
As I listened to the town council discuss the numbers of units, their upkeep and even our declining property values, I realized that, for me, they completely missed the most important part of living a neighborhood. To me, a neighborhood is not a collection of dwellings, it is a sense of community. I don't care whether lawns are regularly mowed, trim is painted, six cars are parked out front or even if the house is rented to long term tenants. What I do care about is whether or not my neighbor will keep an eye on my house when I'm out of town or an invitation to a wedding because families who started out as neighbors have become good friends. When single-family houses are converted to student rentals, the sense of community disappears rental-by-rental because students are, by definition, only passing through.

Unfortunately, it is hard to assign monetary value to "a sense of community." For those of us feeling a deep sense of loss when a family home on our street is converted to a rental serving a transient population, our only recourse is to call for adherence to the statutes and ordinances that exist, e.g. over-occupancy. Sure, too many cars parked illegally or being driven too fast can be troublesome, but reducing the conversation to ordinances and aesthetics whitewashes a much more important piece of the story, which is why we chose to reside in Mansfield and raise our children here in the first place.

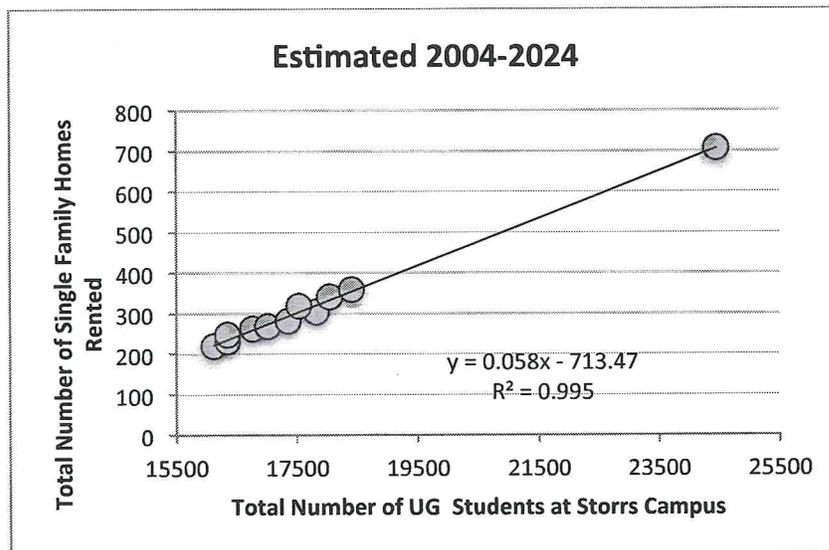
Cynthia Jones  
48 Echo Rd.  
Mansfield Center



Source for enrollment figures:  
<http://uconn.edu/fact-sheet-archive-2/>



There is a very strong correlation between UConn undergraduate enrollments and the total number of rented single family homes (SFH). Number of SFH for the past 10 years based on the total number of SFH rented (391) minus the number of conversions.



Projected number of UConn UG students in 2024, based on an estimated increase of 1/3 (CT Mirror, Aug. 22, 2-13). Estimate of SFH occupied by students (707) based on rate of increase of the total numbers of SFH over the last 10 years. Current number of SFH: 4338. Current percent of SFH occupied by students: 8%. Estimated percent of SFH occupied by students in 2024: 16.3%

**In 10 years, there could be 2X as many SFH rented to students as there current are.**