REGULAR MEETING – MANSFIELD TOWN COUNCIL
July 25, 2016
DRAFT

Mayor Paul M. Shapiro called the regular meeting of the Mansfield Town Council to order at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL
Present: Marcellino, Moran, Raymond, Ryan, Sargent, Shaiken, Shapiro
Excused: Keane, Kochenburger

II. APPROVAL OF MINUTES
Mr. Ryan moved and Mr. Shaiken seconded to approve the minutes of the July 11, 2016 meeting as presented. Motion passed by all.

III. PUBLIC HEARING
1. Proposed Amendments to the Mansfield Housing Code and Related Ordinances
Rebecca Shafer, Echo Road, spoke on behalf of Bill Roe, who was unable to be at the meeting. Mr. Roe is in favor of the proposed amendments and commented on the impact of the rental near his home which seems to be used as a party house or flophouse. Mr. Roe believes that the problem will only be fixed when UConn houses all students on-campus. Ms. Shafer submitted a copy of a letter and photo which has been sent by the Neighborhood Preservation Group to a landlord in Maine. (Letter and photo will be added as a communication in the August 8, 2016 Council packet)
Alison Hilding, Southwood Road, spoke in support of the changes to the regulations noting that they will benefit the entire community. Ms. Hilding read letters of support from Kathryn Strother Ratcliff and Thomas R. Nielsen into the record. (Letters are attached)
Daniel Byrd, McConaughy Hall and President of USG, stated that although he is not necessarily opposed to the proposed changes he does believe that the Town has an obligation to make students aware of the regulations. Mr. Byrd stated that over 300 students have signed a petition requesting that the public hearing be delayed until school is in session.
Branko Cavarkapa, Davis Road, stated that he understands the frustration of the neighborhood residents but Mansfield is a college town and the students' presence enriches the community. Mr. Cavarkapa commented that the Town should enforce existing laws and not create new ones.
Jo Ann Douda, Eastbrook Heights and longtime former resident of Hanks Hill Road, spoke in favor of the amendments and described the effect renters had on her childhood neighborhood. (Statement attached)
Brian Coleman, Centre Street, expressed concerns with the proposed change regarding percentage of ownership, the automatic accruing of fines for multi-unit buildings, and the exaggeration of the problems as expressed by neighborhood groups. Mr. Coleman requested a change to the definition of family and will forward a petition he has circulated to make sure tenants are aware of this meeting and to solicit comments from

them. (Comments from the petition will be added as a communication in the August 8, 2016 packet, Statement proposing changes to the definition of family is attached.)
John Mihalopoulos, Maine resident and owner of 4 rental homes in Mansfield, stated that he works hard to obey Town laws and suggested residents complain to the police if there are problems in their neighborhoods. Mr. Mihalopoulos commented that the Town has never invited him to talk about the problem and that although he pays taxes he gets no services.
Penny Tavar, Newtown resident and owner of rental properties for 16 years, remarked that both students and parents are feeling harassed by inspections and photos. Ms. Tavar commented that it is not clear how it is assumed/determined that more than 4 people are living in a house.
Ted Panagpopulis, Manchester resident and owner of rental properties in Mansfield, stated that the Town is violating laws and due process is not being followed. Mr. Panagopoulis commented that behaviors permitted for residents are forbidden for renters and that all should be treated equally. He suggested the Town arrange a meeting with landlords, tenants, students, UConn officials and Town Officials to look for solutions.
David Freudmann, Eastwood Road, spoke in opposition to the proposed amendments noting that they seem to be designed to reduce economic incentives for landlords and to justify prejudice. Mr. Freudmann urged respect for property rights and tenants.
Theodore Mihalopoulos, Illinois resident and owner of property in Mansfield for over 30 years, commented that students are part of the community and have the right to the peaceful enjoyment of their homes. He suggested residents call the police if there are problems. Mr. Mihalopoulos called the fines discriminatory and noted that landlords have no right to tell tenants how to live.
Fiona Leek, Middle Turnpike, read a letter from Carla and Jim Kelly. (Letter attached)
Elizabeth Jockusch, Birchwood Heights Road and speaking for herself and Lionel Shapiro, described how conversions have negatively impacted their quality of life. Ms. Jockusch thanked Council members for their work.
Robert Cepelak, Sawmill Brook Lane, spoke in support of the amendments and noted that the problem maybe not irresponsible landlords but irresponsible tenants.
John Walker, Sawmill Brook Lane, although he does not rent to students asked that the public hearing be continued to September when school is back in session. Mr. Walker stated the fines are excessive and the inspections invasive and disruptive.
Richard DeBoer, Blacksmith Shop Road whose family has been landlords since the 1930's, stated that the inspection fees and fines are too high and the fees should be covered by taxes.
Lowrey DeBoer, Blacksmith Shop Road resident and owner of a 5 family home in Mansfield, commented that the regulations are unconstitutional and that he has been fined $500 per day. Mr. DeBoer's tenants object to inspections.
Craig Marcus, Coventry resident, questioned whether the statistics provided by neighborhood groups have back up documentation; objected to certain groups of residents inundating Town officials with petty complaints; and took issue with the stalking and harassing of tenants.
Scott Philipson, Hunting Lodge Road, commented that counting cars encourages drunk driving by not allowing someone to leave a car at someone's house for the night.

Justin Gorton, Dog Lane, questioned why tenants can't park as many cars as can be accommodated in the driveway; asked that the fines be lowered; and that the hearing be held when the majority of residents are in Town.

Eric Green, Hunting Lodge Road, decried the lack of communication between the Town and tenants noting that although no one has asked him to stop certain behaviors, he has had his picture taken multiple times.

Charles Naumec, Riverview Road, spoke in support of the proposed amendments and suggested a list of all rental properties be maintained by the Town and shared with the Department of Revenue Services to insure proper tax liabilities. Mr. Naumec also recommended all rental properties not owned by individuals have their trade name certified. (Statement attached, supplementary materials will be added as a communication in the August 8, 2016 packet)

John Murphy, Browns Road, voiced support for the proposed changes to the ordinances noting the importance of closing loopholes and inconsistencies in language in the current ordinances. Mr. Murphy remarked that some of the problematic landlords do not live in the Town and urged quick approval of the amendments. (Statement attached)

Brian Usher, Meadowood Road spoke in favor of ordinances that are fair, reasonable and will create a safer neighborhood. His neighborhood has had some significant problems with parties, traffic and blight.

Georgiana Fisher, Brittany Drive and landlord who has had the same tenant for 16 years, objected to being required to prepare parking plans. Ms. Fisher expressed concern regarding the talk of a rental moratorium, as it would be discriminatory.

Brett Eagleson, Middletown resident, expressed disappointment regarding the timing of this public hearing and commented that no Town official has reached out to landlords to work on a solution. Mr. Eagleson stated that discriminatory ordinances will only inflame the situation further.

Mayor Shapiro closed the public hearing at 8:30 p.m. and recessed the meeting until 8:40 p.m.

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

David Freudmann, Eastwood Road, commented that the Town is not charging enough for the financial services offered to the Boards of Education and other organizations and questioned the proposed sewer agreement.,

Brian Coleman, Centre Street, has forwarded the link to the aforementioned petition to the Town Manager who will print and distribute it to Councilors. Mr. Coleman also asked for a status report on his request regarding information on rental properties and police calls.

Al Hawkins, Spring Hill Road, asked about the announced demolition of the tennis courts at the Mansfield Middle School and how that action is consistent with the plans in Mansfield Tomorrow Plan of Conservation and Development. (Statement attached)

V. REPORT OF THE TOWN MANAGER

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

- Mr. Hart will include the police statistics requested by Mr. Coleman in the next packet

- Mr. Hart will consult with the Superintendent of Schools regarding the Mansfield Middle School tennis courts and will report back to the Council. The Department of Public Works has been asked not to take any action at this time.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mr. Ryan noted the passing of Barbara Lasher former Goodwin School Principal. Mr. Ryan commented that she was a nice lady who will be missed.

VII. OLD BUSINESS

2. Proposed Amendments to the Mansfield Housing Code and Related Ordinances
   This item of business will be placed on the August 8, 2016 agenda for further discussion. Ms. Moran, Chair of the Ad Hoc Committee on Rental Regulations and Enforcement, reminded members of the public that the Committee always has a public comment section at the beginning of the meeting and encouraged interested parties to attend.

3. Agreement between the Town of Mansfield, the Mansfield Board of Education and the Regional School District No. 19 Board of Education for Employee Benefits, Financial Management, Information Technology and Risk Management Services
   Mr. Ryan moved and Mr. Shaiken seconded, effective July 25, 2016, to authorize the Town Manager to execute the Agreement between the Town of Mansfield, the Mansfield Board of Education and the Regional School District No. 19 Board of Education for Employee Benefits, Financial Management, Information Technology and Risk Management Services, for a term beginning on July 1, 2016 and expiring on June 30, 2019.
   The motion passed unanimously.
   The Town Manager will look at the ability to amend or renegotiate agreements with smaller agencies as the opportunities arise.
   Ms. Moran moved and Mr. Sargent seconded to recess as the Town Council and convene as the Water Pollution Control Authority. Motion passed unanimously.

4. WPCA UConn Sewer Agreement
   Attorney Jim Welsh, Director of Public Works John Carrington, and Assistant Town Engineer Derek Dilaj updated the Council on the issues raised at the June 25, 2016 meeting including plans to propose language which will protect the Town in case of a non-renewal of the contract..
   Members discussed the 5 year agreement period, the need to possibly renegotiate the contracted gallon usage once areas are more built out, and back up plans. The Town will respond to Councilor Raymond's list of questions submitted to staff. (Questions attached)
   Ms. Moran moved to recess as the Water Pollution Control Authority and reconvene as the Council. Seconded, the motion failed with Moran and Ryan in favor and all others in opposition.
   Mr. Sargent clarified that Ms. Raymond's questions would be addressed in writing.
   Mr. Shaiken moved and Ms. Moran seconded to recess as the Water Pollution Control Authority and reconvene as the Council.. The motion passed unanimously.

VIII. NEW BUSINESS

5. Agreement between the Town of Mansfield and the Green Family regarding Ravine Road
   Mr. Shaiken moved and Mr. Ryan seconded, effective July 25, 2016, to authorize the Town Manager to execute the Agreement between the Town of Mansfield and the Green family regarding Ravine Road.
   Motion passed unanimously.

6. Mansfield/Chaplin Boundary Line
   Ms. Moran moved and Mr. Sargent seconded, to adopt the attached resolution establishing the boundary between the Towns of Chaplin and Mansfield.
   Motion passed unanimously.

7. Personal Services Agreement between the Town of Mansfield and CT DEEP for Construction of Universal Access Trail at Bicentennial Pond
   Mr. Marcellino moved and Mr. Sargent seconded to approve the following resolution: Resolved, effective July 25, 2016, that it is in the best interest of the Town of Mansfield, CT to enter into contracts with the Department of Energy and Environmental Protection (CT DEEP) in the amount of $253,471.00 to construct a Universal Access trail around Bicentennial Pond as part of the Recreational Trails Program FY 2015-16. In furtherance of this resolution, Matthew W. Hart, as the Town Manager of the Town of Mansfield, is duly authorized to execute said contract with the Connecticut DEEP on behalf of the Town of Mansfield, deliver this contract on behalf of the Town and to do all things necessary or appropriate to carry out the terms of this contract, including executing and delivering all agreements and documents contemplated by those contracts.
   Motion passed unanimously.

IX. REPORTS OF COUNCIL COMMITTEES

Mr. Ryan announced the Finance Committee will be meeting on July 28, 2016 at 6:30 p.m. in Room B.

Ms. Moran noted the Personnel Committee has begun the town manager evaluation process and that the survey is currently available to members. Mr. Hart's self-evaluation is completed and ready to be sent to members.

Mr. Shaiken, speaking for Mr. Kochenburger Chair of the Committee on Committees, reported a number of resignations have been received and appointments are being sought.

X. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered

XI. PETITIONS, REQUESTS AND COMMUNICATIONS

8. Ethics Board FY 15/16 Annual Report - Assistant Town Manager stated that an advisory opinion had been issued in response to a question posed by a previous Council member.

9. Annual Report on Storrs Center Parking Management Plan – A number of issues have been identified including whether there is enough capacity to meet residential needs, sufficient time limit on street parking to meet the need of the various vendors, and how best to manage private lots. All these items will be reviewed.
10. CT State Library re: Historic Documents Preservation Grant
11. Department of Public Health – Water Utility Coordinating Committees
12. UCONN 2015 Water Quality Report

XII. FUTURE AGENDAS

No items offered.

XIII. ADJOURNMENT

Mr. Shaiken moved and Mr. Marcellino seconded to adjourn the meeting at 10:30 p.m. Motion passed unanimously.

Paul M. Shapiro, Mayor

Mary Stanton, Town Clerk

July 24, 2016

Dear Mansfield Town Council,

I commend the Town Council on its bi-partisan response to residents' concerns about rental properties in Mansfield.

The increasing number of rentals is a major threat to residents' quality of life and property values. We must have good regulations and enforcement that will protect both.

My husband and I, as well as most of my neighbors, moved here for the rural community, the quiet, the stable neighborhoods. The growth in non-owner occupied homes threatens all of those to the core.

DO SOMETHING! Save our town, our quality of life, our investment.

Sincerely,

Kay Strother Ratcliff/RS

Kathryn Strother Ratcliff, 30 plus year resident at
60 Bundy Lane
Mansfield, CT

My name is Thomas Nielsen and I live at 41 Birchwood HTS, Storrs CT. Once again, I would like to thank you for suggesting these changes. I believe they are very important to ensure that rental exemptions are used only by those intended, that rental permits are given only to those who comply with all of our ordinances and that rental permits can and should be revoked if landlords do not comply with our Town zoning and housing ordinances. I also laud the choice of proactively holding a hearing and considering a vote to enact these changes in a prompt and prudent manner.

Thank you for your time,

Thomas R.Nielsen

41 Birchwood HTS

Storrs, CT 06268

July 25, 2016

Members of the Town Council:

I would strongly urge the town council to vote to accept the proposed amendments to the Mansfield Housing Code and related ordinances.

I believe the town is currently at a crossroad in dealing with the increase in the conversion of family homes into rental properties within established neighborhoods.

I have seen firsthand what a long term problem this has been. I returned to my childhood home on Hanks Hill Rd., a home my parents built in the 1940's, to care for my elderly mother. In 2003, a couple from out of town bought a neighboring house, supposedly to reside in. This was the first of many properties this absentee landlord would and still owns in town. In the second year, the tenants were using the house as a fraternity party house. When the neighbors talked to this landlord about the changes to our neighborhood, he told us we didn't really understand young people, that my mother who was nearing 90 should "just move" and that if we kept complaining to the town about the house he would "sue the neighbors for damaging his business."

Thirteen years ago, the neighbors often felt that we were alone with all of this. People thought the rentals were only on Hunting Lodge Rd., the students weren't here year-round, we should make friends with them, and just get used to it. Even the police didn't always take behavioral and traffic issues seriously—even at 2 AM. We were told the students had rights. What happen to our rights as permanent residents whose homes were our biggest assets? What happened to our quality of life? And there didn't seem to be any widespread concern over where students would live as UConn yearly increased enrollments.

There were other neighbors in other neighborhoods who also were dealing with these same issues. And the problem began to be taken seriously by Mansfield officials. I thank all past and present council members for all the many changes in zoning ordinances and housing code that were made over the years.

For some reason it seems that everyone got complacent, or assumed that only the neighborhoods bordering UConn were being affected by this. But the conversions are almost everywhere—from older homes to brand new homes. This cannot be ignored or not dealt with anymore. Now it has become an issue of what we want our town to be. These proposed changes in the code will make things consistent across the board, and make enforcement easier. As I recently told someone the issue of rental conversion is like a leak in your roof, you plug one hole and things are fine for a while, but eventually the leak starts somewhere else. This is one leak that can be plugged now.

Jo Ann Douda
40A Eastbrook Heights
Mansfield Center, CT 06250

I am requesting the immediate change to the Town of Mansfield Zoning Regulations.

Article 4 Section B Item

23. Family. A person living alone, or any of the following groups living together as a single non-profit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

Change to 4 adults, as long as parking and septic permit

3. A cumulative total of up to three (3) adult persons. More than three (3) adult persons may qualify as a family pursuant to other categories of this definition;

Brian Coleman

July 25, 2106

To Mansfield Town Council:

UConn is showing a great deal of irresponsibility to the Mansfield community in their constant push to increase the student population--without providing housing even for the present student body. This, in effect, throws local real estate into a rescue role which has resulted in destabilization of our neighborhoods, and a lack of affordability for families to rent or buy homes when the prices are driven sky high by the fat money that landlords can charge for "rental homes"-- $2,800-$4,200 a month! We cannot count on the real estate firms to police themselves, as their work is to sell or rent homes, and they say they do not have the privilege of vetting buyers' intentions.

UConn has 13,481 undergraduate and graduate students living **off** campus. This is 54.9 percent of Mansfield's population of 24,588!! This means UConn's housing policies and its students have a more negative impact on Mansfield than the student population at 42 other state universities have on their host communities. It doesn't really matter which students make up this statistic. It is already an unsupportable intrusion into our community life, our water, roads, emergency services, police, recreational areas and other natural resources. But persistent zoning infractions have been difficult to identify due to privacy laws, civilian manpower requirements and such. Being outnumbered by a temporary population of students is preventing us from running our own town!

This is further compounded by the construction of large scale **private** apartments intended to house hundreds of students **directly adjacent to residential neighborhoods.**

We live on Rt. 44 just down from Four Corners and have to negotiate through constant construction and frequent gridlock to get anywhere, even in the summer. It does, of course, get much worse when school is in session.

This whole deteriorating situation is caused directly by UConn, which persists in not being supportive, or even available, to address these problems. Therefore, the full-time residents and home owners in Mansfield are forced to amend our zoning and rental laws to protect what is left of our community. We desperately need your support!

Thank you for your support,

Carla Kelly

Carla and Jim Kelly
811 Middle Turnpike
Storrs-Mansfield, CT 06268
860-429-9572

Comments/Recommendations
Mansfield Housing Code and Related Ordinances
Public Hearing

Town of Mansfield Town Council Meeting
July 25, 2016

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

The proposed amendments to the Mansfield Housing Code and related Ordinances are logical, provide consistency, and close "loopholes" relative to existing Mansfield rental property requirements.

In an effort to insure compliance with this Code and related Ordinances, I would like to recommend the following which could be accomplished by additional amendments to this code and related ordinances or by the modification of applicable additional Town Ordinances:

First, The Mansfield Housing or Assessor's or Town Clerk's Office should maintain and continually update a listing of all rental properties. The ownership and residence of these property owners should be precise. This listing should be made available to The State of Connecticut Department of Revenue Services for their use in insuring both in state and out of state owners are subject to Connecticut Income tax on the earnings from the rental properties.

Secondly, Rental property not owned by an individual(s) must have their "Trade Name" certified per existing Mansfield Ordinance. This existing procedure will insure preciseness of ownership. In addition, the requirement to "speak with the planning and zoning office and health office to assume ability to conduct such business in said location" should be the initial step of Housing Code Section 901.2.

Copies of applicable State and Town Ordinances are attached.

Charles R. Naumec

JOHN E MURPHY
P.O. BOX 436
199 BROWNS ROAD
MANSFIELD CENTER, CT 06250

July 25, 2016

To: Mayor Shapiro and Members of the Mansfield Town Council
Re: Proposed Changes to Zoning Ordinances

I write again to strongly support swift action on the four proposed ordinance changes proposed by Planning and Zoning staff. It is very important for our town to resolve existing loopholes and differences in language between the building code and zoning regulations. These loopholes have been used for many years by property owners to maximize and in some cases exceed occupancy limits to maximize profits with little or no regard for the significant impacts on neighborhoods and the quality of life in our town.

Others have already documented the growth of staff levels and the student population at UConn, and that the university is accepting many more students than it can house on campus. Currently the university provides no housing for graduate students. The Mansfield Neighborhood Preservation Group is continuing its good work to research these changes and has learned that they are real and growing national issues for cities and towns of all sizes, as they struggle to accommodate the needs and demands of universities as they strive to succeed with their missions. This year we have a rare and unique opportunity to correct, realign and reconfigure the core relationship between UConn, our town government and residents. We can make this something positive and holistic and genuinely focused on long-term solutions.

Some have suggested that there should be a delay on the required hearing until after UConn students return in September. There is no need for this and in fact such a delay will hurt the process already underway. The proposals before you now concerns *correcting our existing system* more than fundamentally changing it. It does not concern the lives of students as tenants directly but rather is focused on the behavior of landowners who fail to manage their properties in good faith and with respect to neighbors and families in their neighborhoods. Currently one home per week is being converted to rental status by investors. This rate of change without correction only increases potential violations, damages morale among residents who are very worried about their future, and the resulting stress and tension will only make the job of the Council even more difficult.

One final point I raise today concerns the unintended consequences of rapid growth at UConn. The Board of Trustees rarely, if ever, hears from local residents directly about local concerns. Trustees hear primarily from the same administrators who are deeply involved with development of the university, and that information is often filtered through the lens of the achievement of short-term goals rather than ultimate long-term goals.

Harry Hartley was the last UConn President to come from within the institution – someone with a history of service prior to becoming President. Subsequent Presidents came from outside of our state and had no prior connection to our town or the people who live here. This is not necessarily bad, of course, but it shows an inherent lack of connection to the local quality of life, and a stronger possibility that decisions and priorities will be more focused on short term success during their term than on long term impacts -- thus the "unintended consequences." It is vital that during this process of correcting the core relationship between our town and UConn that the Trustees hear directly from residents in this context. It will be part of restoring the good will and good faith that so many people are trying to create.

I close with a reminder from the Mansfield Tomorrow planning document, which was developed by the whole town a few years ago. One of the identified Top 4 goals speaks loudly to us today:

> **Support Neighborhoods**: The continued conversion of single-family homes into rental units, particularly in neighborhoods near UConn and ECSU where there are large student populations, is a significant concern for the long-term health of these neighborhoods.

As a local media producer I have covered these issues and I am very impressed with the good intentions and hopes of many citizens who share a common concern and purpose. It is still largely non-partisan and should not be polluted by further delay, lack of candor and disclosure, and potential manipulation by parties with personal interests. I hope you agree and will act now to support the proposed ordinance changes. These small steps will make a huge difference to the final results.

Thank you for your consideration and I wish you Godspeed in your good work!

John

Town Councilor Virginia Raymond
Comments and Questions
RE: Proposed Sewer Service Agreement between Town of Mansfield and University of Connecticut
July 25, 2016

- Section 2 (a) reads in part: "UConn and Mansfield agree to cooperate during the Term in clarifying the locations of, and inventorying of the infrastructure associated with, the UConn Sewerage System, the UConn Sewage Plant and the Mansfield Sewerage System".
  - Okay, so the location of "missing' inventory and infrastructure are identified; then what? What might this mean in dollars?

- Section 2 (b) (ii), last two lines of the paragraph. What is meant by "property interests UConn may have in the property receiving Sewerage Services from such infrastructure"? Provide an example in the context of this provision, please.

- Section 4 (2), states that UConn has the right to override Mansfield's decision to not allow Mansfield Facilities that UConn has approved to connect to the UConn Sewerage System. Please explain why this in the best interests of Mansfield as it appears to allow certain end users to do an end-round the Town.

- Section 5 (b), Shouldn't there be a reciprocal provision that UConn must maintain its systems and the treatment facility pursuant to applicable best industry practices. Further, is "best industry practices" supposed to be a defined term? It isn't in upper case nor does it appear in Exhibit A.

- Section 5 (c), Shouldn't there be a reciprocal provision that allows Mansfield the right of inspections?

- Section 7 (a), Shouldn't there be a reciprocal provision that allows Mansfield to make "reasonable requests" for improvements and modifications, etc. to ensure UCONN's compliance with its sewer use regulations or applicable law? Ditto for Section 7 (b) and Section 7 (c) and Section 8 (c).

- Section 9 (a) and Section 9 (b) state that Mansfield will be charged two separate fees:
  - a fee based on actual amount of sewage treated at the plant; and
  - capital costs based on the 18% of capacity reserved for Mansfield.

  Are both charges ultimately passed on to the Mansfield end users?
  - Also with regard to Section 9, Shouldn't there be a carve-out in the event UConn receives state and/or federal grants (i.e. any so-called free money) for capital projects (does the definition of "UConn Capital Costs" (pg 65 of the Council package) sufficiently cover this?

- Section 10 (a), Term. I raise again my grave concerns regarding the term of the agreement. The draft CTDEEP Record of Decision ("ROD") explicitly states that this project/endeavor was based upon a 20-years planning horizon. That is, that today's existing capacity of the UConn Sewage Treatment Facility is more than sufficient to meet both UCONN's and Mansfield's sewage treatment needs taking into account both entities' anticipated growth over the course of the next 20-years.

  A 5-years base term doesn't come close to meeting the spirit, let alone the letter, of the sewage treatment commitment this project was based upon. What community, would embark on a project of this magnitude knowing going in that there was only a 5-years firm commitment from UConn for the treatment of Mansfield's sewage? Would voters have approved this project knowing this? Of course not. That's because the understanding going in (**as verified by the draft ROD**) was not 5 years but 20 years. CTDEEP should immediately be made aware of this significant development ("bait and switch").

  At a minimum the base term of this agreement should be for 20 years with UConn obligated to provide Mansfield written notice in year 15 as to whether or not it is willing or able (due to treatment facility capacity availability), to extend the agreement beyond the 20-years base term. This 5-years notice should provide Mansfield with sufficient time to plan and implement a "plan B" for the treatment of Mansfield sewage.

OTHER

Shouldn't there be a Change in Law provision whereby UConn cannot seek or lobby for changes in law or its sewer use regulations that would cause a significant adverse impact on Mansfield's financial obligations under the agreement?

The chart presented on pg 102 of the Council package should be incorporated into the agreement as an exhibit and referenced in Section 2 (b) (ii).

July 24, 2016

Dear Mansfield Town Council,

I commend the Town Council on its bi-partisan response to residents' concerns about rental properties in Mansfield.

The increasing number of rentals is a major threat to residents' quality of life and property values. We must have good regulations and enforcement that will protect both.

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Sincerely,

Kay Strother Ratcliff/RS

Kathryn Strother Ratcliff, 30 plus year resident at
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Mansfield, CT

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Jo Ann Douda

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Brian Coleman

July 25, 2106

To Mansfield Town Council:

UConn is showing a great deal of irresponsibility to the Mansfield community in their constant push to increase the student population--without providing housing even for the present student body. This, in effect, throws local real estate into a rescue role which has resulted in destabilization of our neighborhoods, and a lack of affordability for families to rent or buy homes when the prices are driven sky high by the fat money that landlords can charge for "rental homes"-- $2,800-$4,200 a month! We cannot count on the real estate firms to police themselves, as their work is to sell or rent homes, and they say they do not have the privilege of vetting buyers' intentions.

UConn has 13,481 undergraduate and graduate students living **off** campus. This is 54.9 percent of Mansfield's population of 24,588!! This means UConn's housing policies and its students have a more negative impact on Mansfield than the student population at 42 other state universities have on their host communities. It doesn't really matter which students make up this statistic. It is already an unsupportable intrusion into our community life, our water, roads, emergency services, police, recreational areas and other natural resources. But persistent zoning infractions have been difficult to identify due to privacy laws, civilian manpower requirements and such. Being outnumbered by a temporary population of students is preventing us from running our own town!

This is further compounded by the construction of large scale **private** apartments intended to house hundreds of students **directly adjacent to residential neighborhoods.**

We live on Rt. 44 just down from Four Corners and have to negotiate through constant construction and frequent gridlock to get anywhere, even in the summer. It does, of course, get much worse when school is in session.

This whole deteriorating situation is caused directly by UConn, which persists in not being supportive, or even available, to address these problems. Therefore, the full-time residents and home owners in Mansfield are forced to amend our zoning and rental laws to protect what is left of our community. We desperately need your support!

Thank you for your support,

Carla Kelly

Carla and Jim Kelly
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Comments/Recommendations
Mansfield Housing Code and Related Ordinances
Public Hearing

Town of Mansfield Town Council Meeting
July 25, 2016

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

The proposed amendments to the Mansfield Housing Code and related Ordinances are logical, provide consistency, and close "loopholes" relative to existing Mansfield rental property requirements.

In an effort to insure compliance with this Code and related Ordinances, I would like to recommend the following which could be accomplished by additional amendments to this code and related ordinances or by the modification of applicable additional Town Ordinances:

First, The Mansfield Housing or Assessor's or Town Clerk's Office should maintain and continually update a listing of all rental properties. The ownership and residence of these property owners should be precise. This listing should be made available to The State of Connecticut Department of Revenue Services for their use in insuring both in state and out of state owners are subject to Connecticut Income tax on the earnings from the rental properties.

Secondly, Rental property not owned by an individual(s) must have their "Trade Name" certified per existing Mansfield Ordinance. This existing procedure will insure preciseness of ownership. In addition, the requirement to "speak with the planning and zoning office and health office to assume ability to conduct such business in said location" should be the initial step of Housing Code Section 901.2.

Copies of applicable State and Town Ordinances are attached.

Charles R. Naumec

JOHN E MURPHY
P.O. BOX 436
199 BROWNS ROAD
MANSFIELD CENTER, CT 06250

July 25, 2016

To: Mayor Shapiro and Members of the Mansfield Town Council
Re: Proposed Changes to Zoning Ordinances

I write again to strongly support swift action on the four proposed ordinance changes proposed by Planning and Zoning staff. It is very important for our town to resolve existing loopholes and differences in language between the building code and zoning regulations. These loopholes have been used for many years by property owners to maximize and in some cases exceed occupancy limits to maximize profits with little or no regard for the significant impacts on neighborhoods and the quality of life in our town.

Others have already documented the growth of staff levels and the student population at UConn, and that the university is accepting many more students than it can house on campus. Currently the university provides no housing for graduate students. The Mansfield Neighborhood Preservation Group is continuing its good work to research these changes and has learned that they are real and growing national issues for cities and towns of all sizes, as they struggle to accommodate the needs and demands of universities as they strive to succeed with their missions. This year we have a rare and unique opportunity to correct, realign and reconfigure the core relationship between UConn, our town government and residents. We can make this something positive and holistic and genuinely focused on long-term solutions.

Some have suggested that there should be a delay on the required hearing until after UConn students return in September. There is no need for this and in fact such a delay will hurt the process already underway. The proposals before you now concerns *correcting our existing system* more than fundamentally changing it. It does not concern the lives of students as tenants directly but rather is focused on the behavior of landowners who fail to manage their properties in good faith and with respect to neighbors and families in their neighborhoods. Currently one home per week is being converted to rental status by investors. This rate of change without correction only increases potential violations, damages morale among residents who are very worried about their future, and the resulting stress and tension will only make the job of the Council even more difficult.

One final point I raise today concerns the unintended consequences of rapid growth at UConn. The Board of Trustees rarely, if ever, hears from local residents directly about local concerns. Trustees hear primarily from the same administrators who are deeply involved with development of the university, and that information is often filtered through the lens of the achievement of short-term goals rather than ultimate long-term goals.

Harry Hartley was the last UConn President to come from within the institution – someone with a history of service prior to becoming President. Subsequent Presidents came from outside of our state and had no prior connection to our town or the people who live here. This is not necessarily bad, of course, but it shows an inherent lack of connection to the local quality of life, and a stronger possibility that decisions and priorities will be more focused on short term success during their term than on long term impacts -- thus the "unintended consequences." It is vital that during this process of correcting the core relationship between our town and UConn that the Trustees hear directly from residents in this context. It will be part of restoring the good will and good faith that so many people are trying to create.

I close with a reminder from the Mansfield Tomorrow planning document, which was developed by the whole town a few years ago. One of the identified Top 4 goals speaks loudly to us today:

> **Support Neighborhoods:** The continued conversion of single-family homes into rental units, particularly in neighborhoods near UConn and ECSU where there are large student populations, is a significant concern for the long-term health of these neighborhoods.

As a local media producer I have covered these issues and I am very impressed with the good intentions and hopes of many citizens who share a common concern and purpose. It is still largely non-partisan and should not be polluted by further delay, lack of candor and disclosure, and potential manipulation by parties with personal interests. I hope you agree and will act now to support the proposed ordinance changes. These small steps will make a huge difference to the final results.

Thank you for your consideration and I wish you Godspeed in your good work!

John

Town Councilor Virginia Raymond
Comments and Questions
RE: Proposed Sewer Service Agreement between Town of Mansfield and University of Connecticut
July 25, 2016

- Section 2 (a) reads in part: "UConn and Mansfield agree to cooperate during the Term in clarifying the locations of, and inventorying of the infrastructure associated with, the UConn Sewerage System, the UConn Sewage Plant and the Mansfield Sewerage System".
  - Okay, so the location of "missing' inventory and infrastructure are identified; then what? What might this mean in dollars?

- Section 2 (b) (ii), last two lines of the paragraph. What is meant by "property interests UConn may have in the property receiving Sewerage Services from such infrastructure"? Provide an example in the context of this provision, please.

- Section 4 (2), states that UConn has the right to override Mansfield's decision to not allow Mansfield Facilities that UConn has approved to connect to the UConn Sewerage System. Please explain why this in the best interests of Mansfield as it appears to allow certain end users to do an end-round the Town.

- Section 5 (b), Shouldn't there be a reciprocal provision that UConn must maintain its systems and the treatment facility pursuant to applicable best industry practices. Further, is "best industry practices" supposed to be a defined term? It isn't in upper case nor does it appear in Exhibit A.

- Section 5 (c), Shouldn't there be a reciprocal provision that allows Mansfield the right of inspections?

- Section 7 (a), Shouldn't there be a reciprocal provision that allows Mansfield to make "reasonable requests" for improvements and modifications, etc. to ensure UCONN's compliance with its sewer use regulations or applicable law? Ditto for Section 7 (b) and Section 7 (c) and Section 8 (c).

- Section 9 (a) and Section 9 (b) state that Mansfield will be charged two separate fees:
  - a fee based on actual amount of sewage treated at the plant; and
  - capital costs based on the 18% of capacity reserved for Mansfield.

  Are both charges ultimately passed on to the Mansfield end users?
  - Also with regard to Section 9, Shouldn't there be a carve-out in the event UConn receives state and/or federal grants (i.e. any so-called free money) for capital projects (does the definition of "UConn Capital Costs" (pg 65 of the Council package) sufficiently cover this?

- Section 10 (a), Term. I raise again my grave concerns regarding the term of the agreement. The draft CTDEEP Record of Decision ("ROD") explicitly states that this project/endeavor was based upon a 20-years planning horizon. That is, that today's existing capacity of the UConn Sewage Treatment Facility is more than sufficient to meet both UCONN's and Mansfield's sewage treatment needs taking into account both entities' anticipated growth over the course of the next 20-years.

  A 5-years base term doesn't come close to meeting the spirit, let alone the letter, of the sewage treatment commitment this project was based upon. What community, would embark on a project of this magnitude knowing going in that there was only a 5-years firm commitment from UConn for the treatment of Mansfield's sewage? Would voters have approved this project knowing this? Of course not. That's because the understanding going in (**as verified by the draft ROD**) was not 5 years but 20 years. CTDEEP should immediately be made aware of this significant development ("bait and switch").

  At a minimum the base term of this agreement should be for 20 years with UConn obligated to provide Mansfield written notice in year 15 as to whether or not it is willing or able (due to treatment facility capacity availability), to extend the agreement beyond the 20-years base term. This 5-years notice should provide Mansfield with sufficient time to plan and implement a "plan B" for the treatment of Mansfield sewage.

OTHER

Shouldn't there be a Change in Law provision whereby UConn cannot seek or lobby for changes in law or its sewer use regulations that would cause a significant adverse impact on Mansfield's financial obligations under the agreement?

The chart presented on pg 102 of the Council package should be incorporated into the agreement as an exhibit and referenced in Section 2 (b) (ii).