Open Space Preservation Committee
Agenda
Tuesday, December 21, 2010
MCC Conference Room
7:30 p.m.

1. Call to order
2. Appoint a Secretary
3. Approval of October minutes
4. Opportunity for public comment
5. New business
   - GIS
   - Memo from the Director of Planning regarding Proposed Revisions to Mansfield Subdivision Regulations January 18, 2011 Public Hearing
6. Executive Session
7. Old business
   - Dorwart Preserve
8. Communications
9. Other
10. Future agendas
11. Adjournment

Mansfield Open Space Preservation Committee

Minutes of November 16, 2010 meeting

Members present: Jim Morrow (chair), Quentin Kessel, Vicky Wetherell, Jennifer Kaufman (staff), Susan Westa, prospective member

1. Meeting was called to order at 7:35.

2. Minutes of October 19 meeting were approved.

3. Opportunity for Public Comment: none present.

4. **New Business**

The committee reviewed the Town's open space acquisition process as outlined in the Town's "Open Space Planning, Acquisition and Management Guidelines."

5. **Executive Session**

The committee voted in go into Executive Session at 8:10.

The committee voted to come out of Executive session at 9:10.

6. Meeting adjourned at 9:15.

7. Next meeting on December 21.

Respectfully submitted,

Vicky Wetherell, acting secretary

TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Town Council, Zoning Board of Appeals, Conservation Commission, Open Space Preservation Committee, Eastern Highlands Health District, Assistant Town Engineer, Fire Marshal, Zoning Agent
From: Gregory Padick, Director of Planning
Date: Monday, December 13, 2010
Re: Proposed Revisions to the Mansfield Subdivision Regulations- January 18, 2011 Public Hearing

The Planning and Zoning Commission has scheduled a Public Hearing for Tuesday, January 18, 2011 at 7:45 p.m. to hear comments on the attached Commission proposed 12/1/10 draft revisions to Mansfield's Subdivision Regulations. For inclusion in the Commission's pre-meeting packet, comments must be received in the Planning Office by Wednesday, January 12, 2011. Except for technical information from staff, no comments can be received after the close of the public hearing.

It is noted that explanatory notes are provided within the draft to help explain the proposed revisions. The attached legal notice highlights the most important draft revisions.

For more information, please contact the Planning Office at 860-429-3329.

LEGAL NOTICE

The Mansfield PZC will hold a Public Hearing on Tuesday, January 18, 2011 at 7:45 p.m. in the Council Chambers, A.P. Beck Bldg., 4 S. Eagleville Rd, to hear comments on PZC-proposed 12/1/10 draft revisions to numerous sections of the Mansfield Subdivision Regulations.

Proposed Subdivision Regulation revisions include:

1. Revisions to Sec. 3 (Definitions) including new definitions for conceptual layout plan, significant trees, view and vista;
2. Revisions to Sec.4 (General Provisions) including new referral requirements;
3. Replacement of existing Sec. 5 (Preliminary Plan) with new provisions (Subdivision Design Objectives/Design Process). The proposed design objectives revise and supplement provisions currently in Sec. 7. The proposed design process includes three (3) specific pre-application steps that are recommended for all subdivisions but specifically required for subdivisions with new streets or four (4) or more lots. The draft details submission requirements and review processes;
4. Revisions to Sec. 6 (Final Plans) including revised provisions regarding map submissions, depiction of significant trees, submittal of digital data for approved subdivisions and requirements for sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance bicycle and pedestrian use;
5. Revisions to Sec. 7 (Additional Subdivision Criteria) including new provisions to enhance the preservation of stonewalls and historic features and revised common driveway provisions that add new construction and signage requirements and authorize approval of common drives serving up to five (5) residential lots;
6. Revisions to Sec. 8.7 that provide more flexibility for requiring potential improvements along existing streets;
7. Revisions to Sec. 9 (Sidewalks/Bikeways/Trails) including new provisions that require in certain locations specific pedestrian improvements unless waived by a three quarters (3/4) vote of the Commission;
8. Revisions to Sec. 13.8 to clarify the Commission's right to require specific park and trail improvements in association with subdivision open space dedication requirements;
9. Revisions to Sec. 14 (Completion of Improvements/Bonding/As-Built Plans) including new and revised completion requirements for subdivision improvements and provisions that link Zoning Permits and Certificates of Compliance with the completion of subdivision improvements.

At this Hearing, interested persons may be heard and written communications received. No information from the public shall be received after the close of the Public Hearing. Additional information, including the exact wording of the proposed Subdivision Regulations is available in the Mansfield Planning and Town Clerks Offices and at www.mansfieldct.org.

R. Favretti, Chair
K. Holt. Secretary

TO BE PUBLISHED Wednesday, January 5 and Thursday, January 13, 2011

****PLEASE CHARGE TO THE MANSFIELD PZC/IWA ACCOUNT**

December 1, 2010 DRAFT

Proposed Revisions to the Subdivision Regulations

(New provisions are underlined or otherwise indicated)
(Deletions are bracketed or otherwise indicated)
(Explanatory Notes are provided to assist with an understanding of the proposed revisions. These notes are not part of the proposed zoning revisions.)

1) In Section 3, Definitions, incorporate the following revisions:

a. **3.9 Natural and Manmade Features**

Significant trees, [specimens or groupings;] standing singly or in groves; agricultural lands including open fields and pastures; water, including ponds, lakes, brooks, streams, rivers, and cascades; ledges, and large rock outcroppings or formations, large hills or ridges, or expanses of valley floors; visible historic sites or features, such as stone walls, individual buildings or groupings of buildings, cemeteries, cellar holes, foundations, or similar features.

b. **3.10 Plan, [Preliminary] Conceptual Layout**

[The preliminary drawing(s) and any supporting data indicating the proposed manner and layout of the subdivision (see Section 5.0 for requirements)]

A plan prepared after analyzing off-site influences and site and neighborhood features and indicating potential streets, lots, open space areas and other site alterations. Conceptual plans, which are required for subdivisions with potential streets and/or four (4) or more lots, are reviewed by the planning staff pursuant to Section 5.

c. **3.18 [Trees (specimen and groups of trees)**

Specimen: a fully developed tree, standing singly or in a group, exceeding 9" (nine inches) d.b.h. (diameter breast height) on a proposed lot or 6" (six inches) d.b.h. within an existing or proposed street right-of-way. Groups of trees, ranging from 6" to 12" (six to twelve inches) d.b.h., of hardwoods or evergreens, especially as they stand along roadsides or boundaries or properties or lots, so as to serve as privacy screens or buffers, or to enhance a public road or way. Groups or masses of trees may be indicated on a plan as a mass, and each tree need not be delineated.]

Trees, Significant

A healthy, well formed, individual tree nine (9) inches or greater d.b.h. (diameter breast height) on a proposed lot or within an existing or proposed street right-of-way, and/or a grove of trees of any size, especially as they stand along streets or boundaries of existing or proposed lots, that add scenic character or serve as privacy screens or buffers.

d. **3.20 View**

[A sight or prospect of some landscape or extended scene; an extent or area covered by the eye from one vantage point, whether on or off a subdivision site.]

Scenery that exceeds one-hundred and eighty (180) degrees in width as observed from a vantage point.

e. **3.21 Vista**

[A view seen through a long or restricted passage, such as between rows or groups of trees or buildings.]

Scenery that is less than one-hundred and eighty (180) degrees in width as observed from a vantage point and is framed by trees, landforms, buildings or other vertical features.

f. **3.23 Yield Plan**

A map or maps containing a lot and site improvement layout and additional information, as required by these regulations (see Section 6.10.a.6), that demonstrates: compliance with the zoning Schedule of Dimensional Requirements provisions for standard lot size, lot frontage and building setbacks; compliance with all other zoning requirements, including minimum lot area requirements for new lots; and compliance with all subdivision requirements, including the Design Objectives of Section 5.1, the [Design Criteria of Section 7] lot size and configuration provisions of Section 7.4 and the Open Space requirements of Section 13.

A yield plan must be submitted whenever a subdivider seeks a reduction or waiver of minimum lot frontage (see Section 7.6) or in the R-90 and RAR-90 zones, a lot size of less than 90,000 square feet.

Explanatory Note: *The revised definitions are associated with new design process provisions in Section 5 and revised provisions in Sections 6.5 and 7.8 regarding the identification and preservation of significant trees, views and vistas.*

2) In Section 4, General Provisions, incorporate the following revisions and renumber Sections 4.7 through 4.9 to 4.5 through 4.7.

a. **4.2 Zoning Regulations**

No subdivision plan shall be approved unless it conforms to the Zoning Regulations of the Town, as adopted, as may be amended hereafter (copy on file in the Office of the Commission). [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 resubdivision applications. See Article III, Section A of Mansfield's Zoning Regulations for specific details.]

b. Relocate, without revision, Section 4.5 (Subdivisions in Flood Hazard Areas) to a new Section 7.1.

c. Relocate, without revisions, Section 4.6 (Solar Access-Energy Efficient Design) to a new Section 7.2.

d. Relocate, without revision, Section 6.17 (Submission to Regional Planning Commission) and Section 6.18 (Notification to Adjoining Towns) to new Sections 4.8 and 4.9.

e. Relocate, with the following revisions, existing Section 6.19 to a new Section 4.10

4.10 **[6.19] Windham Water Works/Connecticut Department of Public Health Notification**

When an applicant files with the Planning and Zoning Commission an application concerning a subdivision that is within an aquifer protection area delineated pursuant to Section 22a-354c of the State Statutes or which is within the watershed of the Willimantic Water Works or other water company as defined in Section 25-32a of the General Statutes, the applicant shall provide written notice of the application to the water company and the Commissioner of Public Health in a format prescribed by the Commissioner (provided such water company or said Commissioner has filed a map showing the boundaries of the watershed on the Mansfield Land Records and with the Mansfield Planning and Zoning Commission or the aquifer protection area has been delineated in accordance with Section 22a-354c, as the case may be). Such notice shall be made by Certified Mail, Return Receipt Requested, and shall be mailed within seven days [of] after the date of the application. The Willimantic Water Works or other such water company and the Commissioner of Health may, through a representative, appear and be heard at any hearing on any such application.

f. Relocate, with the following revisions, existing Section 6.20 to a new Section 4.11

4.11 **[6.20] Notification of Abutting Property Owners**

The applicant shall be responsible for notifying all property owners abutting the site of a proposed subdivision, including property owners across the street from a subject subdivision (as measured at right angles to straight street lines and radial to curved street lines). Said notification, which shall be sent by Certified Mail, [Return Receipt Requested,] within seven (7) days of the Commission's receipt of the application, shall include mapping that depicts the proposed subdivision. The notice also shall reference the fact that the complete application is available for review in the Mansfield Planning Office. Notification forms (available in the Mansfield Planning Office) shall be utilized for notifying abutting property owners.

g. Add a new section 4.12 to read as follows:

Referrals to Staff/Mansfield Boards and Committees

All subdivision applications and related mapping shall be referred to the Director of Planning, the Town Engineer or designee, the Fire Marshal, Eastern Highlands Health District, the Conservation Commission, the Open Space Preservation Committee and any other agency or organization the Commission deems appropriate including but not limited to: the Design Review Panel, the Agriculture Committee, the Parks Advisory Committee, the Recreation Advisory Committee and the Town Council.

Explanatory Note: *The revisions to Section 4 eliminate an expired moratorium reference and incorporate statutory requirements regarding notification to the CT.*

Department of Public Health and to abutting property owners. A number of existing sections involving referrals have been relocated to this section and a new subsection has been added to address referrals to staff and Town Boards and Committees.

3) Delete Existing Section 5 in its entirety and add new Sections 5* as follows:
*(Section 5.1 modifies existing provisions currently contained in Section 7.1 and proposed revisions have been indicated. Section 5.2 is all new but to enhance clarity new provisions have not been underlined)

Section 5.0 Subdivision Design Objectives/Design Process

5.1 Design Objectives

Subdivisions shall be designed in a manner that protects the public's health and safety, promotes goals, policies and [objectives] recommendations contained in Mansfield's Plan of Conservation and Development, addresses the provisions of Section 1 of these Regulations (Purpose and Authority) and complies with all specific requirements contained or referenced in these regulations. To address these objectives, [accordingly] primary considerations in designing streets, walkways/bikeways and other public improvements, lot layouts, proposed locations for houses, driveways, sanitary systems and other site work and identifying appropriate open space preservation areas shall be:

a. The protection and enhancement of vehicular [bicycle] and pedestrian safety through the appropriate siting of streets, driveways, walkways, bikeways and trails;

b. The protection and enhancement of existing and potential public water supply wells and ground water and surface water quality through appropriate design and installation of sanitary systems, roadways, drainage facilities, house sites and other site improvements;

c. The protection and enhancement of natural and manmade features, including wetlands, watercourses, aquifer areas, agricultural lands, hilltops or ridges, historic sites and features, expanses of valley floors,[and features along existing roadways] interior forests, significant trees and scenic views and vistas on and adjacent to the subdivision site. Wherever appropriate, site features shall be protected through a clustering of streets and house sites and the identification and preservation of significant open space areas including agricultural lands, interior forests and other land without physical limitations.

d. The [use]utilization of a site's natural terrain, avoiding unnecessary re-grading, filling and removal activities.

e. The promotion of energy efficient patterns of development and land use, energy conservation and the use of solar and renewable forms of energy through the appropriate siting of streets, driveways and house sites and, whenever appropriate, bikeway and walkway/trail connections to neighboring streets and neighborhoods; existing and planned commercial areas; schools parks, and other public facilities and town designated walkway or bicycle routes.

5.2 Design Process

All prospective subdividers are encouraged to meet with the Director of Planning or other Planning Office Staff to review zoning and subdivision approval criteria and application submission requirements.

To help achieve the design objectives of Section 5.1, to expedite application reviews, to help reduce application submission costs and to help ensure compliance with all applicable provisions of Mansfield's Zoning and Subdivision Regulations, Mansfield has established a comprehensive pre-application design process. This design process, which is recommended for all subdivisions, includes mandatory pre-application submissions for all subdivisions with new streets or four (4) or more lots. The process has the following steps:

- Step 1 Preparation of an Off-Site and Neighborhood Influences Inventory Plan and preparation of a Site Analysis Plan (see Section 5.2.a)
- Step 2 Preparation of a Conceptual Yield Plan and a Conceptual Layout Plan (see Section 5.2.b)
- Step 3 Testing and Preparation of Final Subdivision Plans (See Section 5.2.c and Section 6)

It is important to note that any pre-application comments and/or recommendations provided to a prospective subdivider by Mansfield's Director of Planning, other staff member or Mansfield Commission or Committee member, shall not be binding on the applicant, the Planning and Zoning Commission or any other authority, agency or official having jurisdiction to review and act upon the subject subdivision.

a. Off-Site and Neighborhood Influences Inventory Plan and Site Analysis Plan

1. Off Site and Neighborhood Influences Inventory Plan

Regional, town-wide and neighborhood characteristics and influences shall be inventoried and considered with respect to the subject subdivision site and the Design Objectives of Section 5.1. State and regional land use plans, Mansfield's Plan of Conservation and Development, local knowledge and other sources of information should be considered in conducting this inventory of off-site influences.

While all prospective applicants are encouraged to submit and review with the Planning Staff an inventory of off-site and neighborhood influences, whenever a subdivision proposal includes new streets or four (4) or more lots, this inventory is mandatory and shall be submitted by a Connecticut Licensed Landscape Architect in association with the Site Analysis Plan requirements of Section 5.2.b. Where required, this inventory shall be presented in the form of a plan showing the location of the project site, area factors such as roads and transportation networks, noteworthy topographical and natural resource features, proximate commercial, recreational, educational and cultural land uses and any other external site features that could influence development on the project site. This plan may be displayed as a cover sheet for the set of final subdivision plans.

2. Site Analysis Plan

Natural and man-made features on or adjacent to a potential subdivision site shall be inventoried and considered in association with the design objectives of Section 5.1 and other provisions of these regulations. While all prospective applicants are encouraged to submit and review with Planning Staff a Site Analysis Plan (as described below), whenever a subdivision proposal includes new streets or four (4) or more lots, the submittal of a Site Analysis Plan is mandatory. Where required, a Connecticut Licensed Landscape Architect shall prepare and submit to the Director of Planning five (5) copies of a Site Analysis Plan containing the information listed below as applicable to the subject site. This plan shall be submitted in association with an Off-Site and Neighborhood Influences Inventory Plan as per Section 5.2.a.1.

The submitted Off-Site and Neighborhood Influences Inventory Plan and the Site Analysis Plan shall be reviewed by Mansfield staff members and shall be referred to the Conservation Commission and the Open Space Preservation Committee. As deemed appropriate by the Director of Planning, the above referenced plans also may be referred to other advisory committees for review and comment. Additionally, the Planning and Zoning Commission shall be informed in writing and provided with an opportunity to receive the submitted information for review and comment. The Director of Planning shall within forty-five (45) days of receipt provide review comments on the submitted plans to both the applicant and the Planning and Zoning Commission and any reviewer who provided comments to the Director. No final subdivision plan involving new streets or four (4) or more lots shall be considered complete and approvable by the Commission unless the Off-Site and Neighborhood Influences Inventory Plan and the Site Analysis Plan requirements have been met.

The following information shall be included, as applicable to the subject site, on all required Site Analysis Plans:

1. North arrow, date and scale. All plans shall be drawn at a scale of one (1) inch equals forty (40) feet (1" = 40') or less. The Director of Planning shall have the right to permit different scales for larger parcels provided the scale used shall also be used for the final subdivision plan. Use of the same scale will facilitate a transfer of information.
2. Name of subdivider and subdivision and the name and seal of the Landscape Architect who prepared the plan.
3. Boundaries of tract to be subdivided.
4. Existing contours at two (2) foot intervals. All slopes over 20 percent and watershed divides should be indicated.
5. Existing streets, easements, fences, walkways, bikeways, trails, structures both onsite and immediately adjacent to the site.
6. Wetlands and watercourses including intermittent streams both onsite and immediately adjacent to the site.
7. One Hundred (100) year flood plains, including base flood information on any portion of the land being subdivided which is within flood hazard areas as shown on the Zoning Map and in greater detail in the flood insurance study dated July 1980, and the most current Federal Emergency Management "Floodway" and Flood Insurance Rate Maps.
8. Aquifer areas and public drinking water wells on or within 500 feet of a site.

9. Soil type classifications as per the current U.S.D.A. Natural Resource Conservation Service Soil Survey for Tolland County, CT.
10. On-site and adjacent historic features including: all structures, wells and other utility features, walls and fences regardless of their condition, existing or former walks, paths, drives, trails, etc., curbs and pavement, man-made elements inserted into the ground such as hitching posts, garden or enclosed areas, significant vegetation, remains of old foundations, rip-rapping, arbors, trellises, etc., and any other historic features observed.
11. On-site and adjacent agricultural land with existing uses identified.
12. Areas with potential State and Federally-listed endangered, threatened or special concern species as per the current State and Federal Listed Species and Natural Communities Map published by the Connecticut Geological and Natural History Survey of the Connecticut Department of Environmental Protection; and significant natural flora and fauna communities as per Mansfield's Plan of Conservation and Development mapping.
13. Other natural and man-made features, including rock ledges and rock outcropping, significant trees, tree or shrub groves or masses of groundcover and obvious wildlife habitats.
14. Desirable scenic and/or historic views and vistas into or out of the site, desirable internal vistas and views and any undesirable views and vistas both off and on-site.
15. On-site and adjacent open space and recreational land with existing uses identified.
16. Off-site nuisances to be screened.
17. Negative site conditions such as dangerous and dilapidated buildings, dead and falling trees, diseased plants, infestation of invasive species, areas of stripped top soil, deposits or junk and refuse.
18. Objectionable noises or odors and their sources both on and off site.
19. Particular micro-climatic conditions that may affect development.
20. Directions of prevailing winter winds and summer breezes.
21. Horizontal angles of the sun (azimuth) on December 21 and June 21.
22. Primary directions of off-site traffic flow and relative volumes; points of connection of site with sidewalks, bikeways and trails, if any.
23. Logical points of ingress and egress to the site; sight lines of possible driveway to road; locations of all trees over 9 inches in diameter (d.b.h.) within sight lines.
24. Tentative notations of possible preservation and conservation areas (areas where development should be discouraged).
25. Tentative identification of areas that are better suited for development.

An example of a site analysis plan is contained in Appendix A of these regulations.

In situations where the Director of Planning becomes aware of a planned subdivision but the mandatory submittal of an Off-Site and Neighborhood Influences Inventory Plan and a Site Analysis Plan are not required, the Director is encouraged (subject to privacy considerations or other factors) to notify other staff members, the Conservation Commission, the Open Space Preservation Committee and, as appropriate, other advisory committees that a subdivision is being considered for the subject property. This notification provision is

designed to facilitate the communication of useful information to a potential applicant at an early stage of the subdivision design process.

In situations where an Off-Site and Neighborhood Influences Inventory Plan and Site Analysis Plan have not been submitted but the Director of Planning has notified staff and advisory Committees of a potential subdivision application, the Planning and Zoning Commission shall be informed in writing and provided an opportunity to comment. Any pre-application review comments from staff members, commission or committee members shall be incorporated into a report from the Director of Planning, which shall be submitted to the applicant, the Planning and Zoning Commission and any reviewer who provided comments to the Director. Any comments from the Commission shall not be binding on the applicant, the Commission or any other authority, agency or official having jurisdiction to review and act upon the subject subdivision.

b. <u>Conceptual Yield Plan and Conceptual Layout Plan</u>

Following the analysis and review of off-site and neighborhood influences and site features, the next step in designing a Mansfield Subdivision shall be the preparation of a Conceptual Yield Plan and a Conceptual Layout Plan. These plans shall take into account all comments received in association with the initial step as described in Section 5.2.a.

All applicants are encouraged to submit to the Planning Office a Conceptual Yield Plan and Conceptual Layout Plan for review prior to the submittal of final plans. However, whenever a subdivision proposal includes new streets or four (4) or more lots, a Connecticut Licensed Landscape Architect shall prepare and submit to the Director of Planning five (5) copies of a Conceptual Yield Plan and a Conceptual Layout Plan. Several concept plans may be submitted concurrently. The submitted plans shall be reviewed by Mansfield staff members and, shall be referred to the Conservation Commission, the Open Space Preservation Committee and the Design Review Panel. As deemed appropriate by the Director of Planning, the plans also may be referred to other advisory committees for review and comment. Additionally, the Planning and Zoning Commission shall be informed in writing and provided with an opportunity to receive the submitted plans for review and comment. The Director of Planning shall within forty-five (45) days of receipt provide review comments on the submitted plans to both the applicant and the Planning and Zoning Commission and any reviewer who provided comments to the Director. No final subdivision plan involving new streets or four (4) or more lots shall be considered complete and approvable by the Planning and Zoning Commission unless these conceptual plan requirements have been met. All review comments on conceptual plans shall not be considered as a commitment to approve final plans which are subject to independent review and approval pursuant to Section 6 and compliance with all applicable approval criteria contained in these regulations.

The Conceptual Yield Plan, which shall be drawn to a scale best suited to the site and allows appropriate review, shall identify potential streets (where applicable), potential lots and potential open space areas that could be developed with standard frontages and lot sizes pursuant to all applicable zoning and subdivision approval criteria. Mansfield's Subdivision Regulations require a yield plan to determine the maximum number of lots that could be developed on a subject site (see Section 6.10.a.6 for yield plan provisions).

The Conceptual Layout Plan, which shall be drawn to a scale best suited to the site and allows appropriate review, shall identify potential streets (where applicable), potential lots and potential open space areas that could be developed pursuant to all applicable zoning and subdivision approval criteria, including Mansfield's "Cluster Development" provisions. Section 7.4 of the Subdivision Regulations authorizes the Commission to require new subdivisions to be clustered with reduced lot sizes and larger areas of preserved open space. Section 7.6 includes provisions to reduce or waive lot frontage and setback requirements. A submitted Conceptual Layout Plan should reflect an applicant's intended final plan submission subject to soil testing and obtaining more specific site information.

c. **Testing/Preparation of Final Subdivision Plans**

Following the receipt of review comments on all submitted conceptual plans, applicants shall conduct all required testing pursuant to State Health Code requirements and permits issued by Eastern Highlands Health District. Following on-site testing and further analysis, applicants can elect to resubmit conceptual plans pursuant to Section 5.2.b. or prepare final plans pursuant to Section 6. The final plan shall take into account all information obtained through Mansfield's design process.

Final Subdivision plans shall depict proposed streets, lot lines, building and development area envelopes, house locations, well and septic system locations, open space areas, natural and manmade resources and other details required by Section 6 and other provisions of these Regulations. The final subdivision plan shall address the minimum lot size provisions of the Zoning Regulations, and the number of proposed lots shall be no greater than the number depicted on a finalized yield plan prepared pursuant to Section 6.10.a.6.

Explanatory Note: *The revisions to Section 5 include the relocation and expansion of subdivision design objectives and the establishment of a new pre-application process designed to promote compliance with the design objectives and all applicable subdivision submission and approval standards. For subdivisions involving four (4) or more lots or new streets, the proposed regulations require applicants to submit to the Director of Planning, and as deemed appropriate, other staff members and advisory committees, an inventory of regional, town-wide and neighborhood characteristics and influences and a site analysis plan before preceding to the preparation of conceptual yield and layout plans which also must be submitted for review and comments. Any subdivision application submitted to the Planning and Zoning Commission pursuant to Section 6, that involves four (4) or more lots or new streets, would be incomplete if the new pre-application requirements have not been met. The new pre-application process is expected to expedite Planning and Zoning Application reviews and help reduce application revisions and associated processing costs.*

4) In Section 6, Final Plans, incorporate the following revisions:

a. Revise Section 6.1 to read as follows:
Plan Required
[Except as provided for in Section 4.9,] In order for land to be subdivided, all procedures and requirements of this Section (6.0) and other applicable sections of these regulations, including the subdivision design process of Section 5 [design criteria of Section 7,] must be complied with. Only final plans approved by the Commission may be filed in the office of the Town Clerk.

b. Revise section 6.2 to read as follows:

Complete Application

The subdivision application shall be considered complete by the Commission when it determines the subdivider has complied with the design process provisions of Section 5 and all submission provisions of Section 6 [all the plan requirements]. If an application involves activities within regulated areas as defined by the Mansfield Inland Wetland Agency (IWA), the application shall not be received unless a license application for said activities has been received by the IWA and is currently under IWA review; or unless a license for said activities has been approved by the IWA; or unless the proposed activities have been ruled by the IWA to be exempt from licensing requirements. The date of the meeting at which the Commission determines the application is complete shall be designated the official date of submission.

c. Revise section 6.3 to read as follows:

Final Plan Requirements

a. The final plans shall consist of the subdivision map, construction and public improvement plan (if needed), pursuant to Section 6.7 and supportive documentation (Section 6.10 and 6.11) either required herein or as may be required by the Commission.
b. All required plans shall be prepared by and shall bear the name, signature and seal of a land surveyor and professional engineer licensed by the State of Connecticut.
c. Final plans shall include the name, signature and seal of a landscape architect licensed by the State of Connecticut whenever a subdivision proposal includes new streets or four or more lots, or the Commission determines that a landscape architect is needed to address application requirements and approval criteria including potential impacts on natural and manmade features and scenic views and vistas.
d. Final plans shall include the name and signature of a certified soil scientist whenever wetlands or watercourses exist within one hundred fifty feet of proposed building envelopes or the Commission determines that a soil scientist is needed to address application requirements and approval criteria.
e. All <u>full sized</u> plans shall be drawn at a scale of one (1) inch equals forty (40) feet (1"=40') or less. The Commission may permit different scales for large parcels.
f. All plans shall be submitted on sheets at least 24 inches wide and 36 inches long (24" x 36"). The subdivider shall submit at least 6 copies of all <u>full size</u> maps. [, two of which shall be on Mylar or similar reproducible medium.] The Commission may require additional copies. <u>In addition, the subdivider shall submit fifteen (15) copies of the final plans reduced, wherever possible, to fit paper eleven (11) inches wide and seventeen (17) inches long. The reduced sized maps shall be at a measurable scale, which shall be noted on the reduced size map.</u> [Upon approval by the Commission, final plans also shall be submitted in digital form AutoCAD R-14 or compatible form acceptable to the Town (unless specifically waived by the Commission for smaller subdivisions where a digital form is not available).]

d. **Revise Section 6.5.j.3 to read as follows;**

3. Open fields and meadows, woodlands, tree lines, significant trees. The subdivision map shall identify all <u>significant</u> trees <u>(see definition) that are within a proposed development area envelope or an existing or proposed street right of way. In addition, all</u> [over six (6) inches d.b.h. (diameter breast height) within an existing or proposed street right-of-way or nine (9) inches d.b.h. on a proposed lot that are to be removed in association with road, drainage, driveway, house, septic or underground utility construction. All] trees over fifteen (15) inches d.b.h. (diameter breast height) situated on the subdivision site shall be identified,

either individually or as part of a [group of trees] grove. [Specimen] Significant trees [and groups or masses of trees (see definition)] that are to be preserved shall be specifically [shown and] labeled on final plans.

e. **Revise Section 6.5 to read as follows:**

n. Proposed street layout (where applicable) with pavement type and typical street cross-section, right-of-way widths, street names, location of existing and proposed street signs and street lights, with design details and street trees, with standard plant specifications;[signs and sidewalks, if any;]

f. Add a new Section 6.5.o to read as follows and re-letter existing Section o through t to p though v.

o. Sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance safe bicycle and pedestrian use (see Section 9). Where required, cross-sections and related construction details shall be provided.

g. In Section 6.10, Required Documentation, incorporate the following revisions: 6.10.a.5, change Section 4.6 to Section 7.2; 6.10.a.6, delete "design" in line 6; 6.10.b.1, delete "Sewer Authority" in line 1

h. In sections 6.13 a and b, replace "Town Planner" with "Director of Planning" (3 locations)

i. **Revise Section 6.14 to read as follows:**
Submittal of Approved Plans/ Endorsement
Upon approval, the subdivider shall submit, in accordance with the schedule contained in Section 6.15, two (2) sets of reproducible subdivision plans acceptable to the Town Clerk based on the provisions of Section 7-31 of the State Statutes; [and] three (3) sets of full sized paper prints of the approved plans[shall be submitted to] and three (3) sets of reduced size maps as per the submission provisions of Section 6.3.f In addition, the subdivider shall submit the final plans in digital form AutoCAD R-14 or a compatible form acceptable to the Town. Alternatively, Town staff may accept other forms of digital data (property lines, wetland boundaries and other data contained on a final subdivision plan) provided the data can be readily incorporated into the Town's current digital mapping system. This digital data is needed to appropriately update Town records.

The Chairman of the Commission who, after determining that [they] the submittals comply with the Commission's action and that all other regulatory requirements have been met, shall sign the plans. When the Chairman is absent, or otherwise unable to act, the Vice-Chairman or Secretary of the Commission shall sign said maps. No plan shall be recorded with the Town Clerk until approval has been endorsed thereon and recording of the plan without such endorsement shall make said plan void. A plan revised without a proper endorsement shall also be void. The endorsement of approval shall state the date on which the subdivision approval period expires (see Section 6.16). [The applicant also shall file with the Town the final plans in digital form (see Section 6.3.g).]

j. Renumber Section 6.21 to 6.17 (existing Sections 6.17 through 6.20 are being relocated to Section 4).

Explanatory Note: *The revisions to Section 6, clarify and update final subdivision plan application submission and post approval requirements. The revisions reference the new pre-application provisions of Section 5, clarify significant tree inventory provisions and provide alternatives for submitting final plans digitally.*

5) In Section 7 to be relabeled "Additional Subdivision Criteria" incorporate the following revisions.

a. Delete existing Sections 7.1 and 7.2 and replace them with existing provisions contained in Sections 4.5 and 4.6.

b. **7.7 Stone Walls/Historic Features**

[Subdivisions shall be designed to preserve, where] To the extent possible (subject to any safety issues) [after consideration of other regulatory provisions,] all existing stone walls, remains of old foundations and any other historic features on the subject site shall, regardless of condition, be preserved and maintained. Furthermore, wherever possible, existing stonewalls shall be used to delineate property lines. The Commission may require stone walls and other historic features to be included within conservation easements to help ensure long term protection.

All existing stone walls that need to be removed due to street, driveway, house, septic system or other site construction shall be[rebuilt elsewhere on the property, or the stones shall be] used to enhance adjacent segments of walls or other existing walls on the property, particularly along new property lines. [Information] Specific plans regarding any stone wall removal and proposed stone wall rebuilding or improvements shall be included on the subdivision plans and the Commission shall have the right to require stone wall work to be the responsibility of the subdivider.

c. **7.8 Trees**

a. Unless specifically authorized by the Commission, no roadside tree over [six (6)] nine (9) inches d.b.h. (diameter breast height) shall be removed unless the removal is necessary to provide suitable sightlines, to establish suitable driveway or roadside drainage, or to provide suitable underground utility service (see underground utility provisions of section 11.1);

b. Subdivisions shall be designed to preserve, where possible after consideration of other regulatory provisions, [specimen] significant trees [and groups of trees] that contribute to Mansfield's scenery and/or help enhance significant man-made and natural features (see definitions of scenery, significant trees and natural and man-made features).

d. **7.10 Common Driveways**

a. The use of a common driveway may be authorized or required by the Commission where:

1. Wetlands, steep slopes or other physical constraints would require extensive grading, filling or tree removal for individual driveways;

2. Common driveways will enhance vehicular and/or pedestrian safety;
3. Common driveways will protect and preserve natural and manmade features [and], scenic views and vistas, interior forests and/or existing or potential conservation areas identified in the Plan of Conservation and Development(see map 21) or [where];
4. Common driveways will promote cluster development and other design objectives of these regulations (see Section 5.1). [Any approved common driveway shall serve no more than three (3) residential lots.]

Where common driveways are approved, a driveway easement that establishes maintenance and liability responsibilities shall be depicted on the plans, shall be incorporated onto the deeds of the subject lots and shall be filed on the Land Records.

b. Except where specifically authorized by the Commission pursuant to this section, any approved common driveway shall serve no more than three (3) residential lots.

By a three-quarters (3/4) vote of the entire Commission (seven (7) votes), the maximum number of residential lots served by a common driveway may be increased to four (4) or five (5) lots, but only if the Commission finds that doing so would significantly:

1. Reduce environmental impacts; or
2. Enhance vehicular and/or pedestrian safety; or
3. Protect and preserve natural and man-made features, scenic views and vistas, interior forests and/or other existing or potential conservation areas identified in the Plan of Conservation and Development (see map 21); or
4. Promote cluster development and other design objectives of these regulations (see Section 5.1).

c. [b.] All sections of a common driveway that include areas that have a slope of ten (10) percent or greater shall be surfaced with an appropriate thickness of bituminous concrete or an equivalent surface approved by the Commission;

d. [c.] Common driveways serving two (2) or three (3) lots shall have a minimum travel width of twelve (12) feet and minimum load-bearing shoulder widths of two (2) feet. Common driveways serving four (4) or five (5) lots shall have a minimum travel width of twenty (20) feet. All curves along a common driveway shall have a minimum inside radius of twenty-five (25) feet.

e. All common driveways shall be designed and constructed to safely accommodate fire department apparatus, pursuant to Mansfield's Fire Lane Ordinance (Chapter 125 of the Mansfield Code). Subdivision plans shall include a common driveway cross-section that demonstrates compliance with this requirement.

f. At all intersections of a common driveway and a street, common driveways shall have a minimum travel width of twenty (20) feet for a minimum length of forty (40) feet. This width is necessary to safely provide for entering and exiting traffic.

g. [d.] Common driveways shall meet the slope, sightlines and drainage standards of Section 7.9 and the driveway length standards of Section 7.11.

h. Common driveway improvements shall include the following street number signage:

1. Signage listing the approved street numbers of all dwellings served by a common driveway shall be erected at the intersection of a common driveway and a street. Signage details, including the location and nature of support posts, shall be included on subdivision plans. The subject sign shall not exceed two (2) square feet in size.

2. Signage listing the approved street number of an individual dwelling shall be erected at the intersection of a common driveway and individual driveway. Signage details, including the location and nature of support posts, shall be included on subdivision plans.

i. Common driveways shall not be used for parking, storage or other uses that could act as an access impediment.

j. [e.] Common driveways and all associated improvements, including signage, shall be considered the responsibility of a subdivider and shall be completed or bonded pursuant to Mansfield's regulatory requirements, prior to the filing of a subdivision on the Land Records.

e. **7.11 Driveway Length Standards**

To help ensure safe and appropriate access to a house site for all vehicles, including emergency vehicles, the following provisions shall apply for all driveways exceeding a length of three hundred (300) feet:

a. The driveway shall have a minimum travel width of twelve (12) feet and minimum load-bearing shoulder widths of two (2) feet, except for certain common driveway improvements that require a twenty (20) foot minimum travel width. All driveway curves shall have a minimum inside radius of twenty-five (25) feet;
b. Pull-off areas adjacent to the driveway shall be provided at average intervals of every three hundred (300) feet or as deemed necessary by the Commission due to slope, sightline or other site characteristics. Pull-offs shall have a minimum load-bearing length of forty (40) feet and minimum width of ten (10) feet;
c. An adequately-sized, located and surfaced turnaround area that will accommodate a fire truck shall be provided. Unless the following distance requirements are waived by the Commission due to specific site characteristics, the turnaround area shall be no closer than seventy-five (75) feet from a house site and no further than two hundred (200) feet from a house site and the turnaround shall be at least thirty (30) feet in length with two (2) foot wide, load-bearing shoulders.

Explanatory Note: *The revisions to Sections 7.8 and 7.9 expand provisions designed to protect stone walls and any other historic feature on a subdivision site and clarify provisions designed to protect significant trees. The new provisions reference the potential use of conservation easements to protect historic features.*

The revisions to Sections 7.10 and 7.11would allow, subject to specific criteria and a ¾ vote waiver, common driveways to serve four (4) or five (5) residential lots. This change is proposed to provide more flexibility in situations where environmental impacts will be significantly reduced, where traffic safety will be significantly enhanced and/or where increasing the number of homes served by a common driveway would promote subdivision design objectives as documented in the regulations. The revisions also incorporate additional width provisions, street number signage requirements and other requirements designed to enhance safety and help ensure safe emergency vehicle access.

6) In Section 8.7, incorporate the following revisions:

a. **Existing Street Improvements**

Whenever any subdivision is proposed for land fronting on or accessible only by a street or streets that do not meet the Town's current "Engineering Standards and Specifications" requirements as administered by the Mansfield Department of Public Works, and the Commission determines that approval of the subdivision plan would be contrary to the public safety unless such street or streets were altered or improved along the frontage of the proposed subdivision or beyond the limits of the proposed subdivision, the Commission [may disapprove] shall consider denial of such plan or [may condition] shall consider conditioning its approval upon completion of the improvements or alteration of such street or streets by and at the expense of the subdivider, or [may disapprove] shall consider the denial such plan until the Town Council has authorized expenditures for such improvements.

In [making the above determination] considering alternative actions, the Commission shall take into account the width and degree of improvement of the street and its ability to handle the increased volumes of traffic which will be generated by the proposed subdivision, the ability of school buses and emergency vehicles to travel the street safely, the drainage conditions of the street, pedestrian and bicycle safety and, [generally] the ability of any vehicle or person to use the street safely. Before taking action, the Commission shall consult with the Town Attorney or other qualified legal consultant with respect to statutory authority and case law pertaining to this issue.

Explanatory Note: *The revisions to Section 8.7 are designed to provide more flexibility in considering potential off-site improvements and to help ensure compliance with applicable statutory authority, as refined through Connecticut Case Law.*

7) In Section 9, incorporate the following revisions:

9.0 Sidewalks/Bikeways/Trails

[Sidewalks may be required by the Commission] Sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance safe pedestrian and bicycle use shall be required, unless specifically waived by a three-quarter (3/4) vote of the entire Commission (7 votes), in all subdivisions within or proximate to Plan of Conservation and Development designated "Planned Development Areas" [commercial areas; in locations] proximate to schools, playgrounds, parks and other public facilities; [and in areas along] or proximate to existing or planned [Town-designated] walkway [or], bicycle or trail [priority] routes. In evaluating any waiver request, [determining the need for sidewalks,]the Commission shall consider the size and [review] the location of the proposed subdivision [and] its relationship to [commercial areas,] existing or planned development, school sites, playground areas and other public areas and the location and nature of existing or planned sidewalk, bikeway or trail improvements.

Explanatory Notes: *The revisions to Section 9 are designed to clarify and expand existing provisions regarding requirements for sidewalks, bikeways, trails and other improvements designed to encourage pedestrian and bicycle use. The proposed provisions require pedestrian oriented improvements, unless waived by a ¾ vote of the Planning and Zoning Commission,*

when a subdivision is within or proximate to planned development areas, schools, parks or other public facilities or existing or planned walkways, bikeways or trails.

8) Revise Section 13.8, incorporate the following revisions:

13.8 Site Improvements

a. In addition to the access requirements of Section 13.7, the Commission shall have the right to require a subdivider to include, as part of subdivider responsible improvements, park and/or hiking trail improvements, including, as appropriate, clearing, grading, drainage, base preparation, surfacing and re-stabilization of all disturbed areas. [make site improvements such as clearing, grading, drainage, seeding and parking areas where active park, playground or hiking trail uses are deemed appropriate.] [The] All referral reports shall be considered in determining whether site improvements are appropriate. The degree of site improvement required shall be directly associated with the number of proposed lots within the subject subdivision. For example, a graded and seeded multi-purpose playground field may be a suitable requirement for a larger subdivision of twenty (20) or more lots and/or trail improvements may be required to link a subdivision site to adjacent parks and trail systems or to otherwise enhance access to existing or proposed open space areas. In situations where site improvements are required, the site work shall be depicted and fully documented on final subdivision plans and the site work shall be completed or fully bonded to the Commission's satisfaction before final maps are signed and filed on the Land Records.

   In situations where trail improvements are deemed appropriate, the degree and nature of clearing, base preparation, drainage and surface improvements shall be determined taking into account the size and location of the subdivision and site and neighborhood characteristics. Where required, trails shall have a minimum width of five (5) feet and shall have an appropriate base, surface and drainage to allow year round use. Stone dust surfacing may be required and all wetland or watercourse crossings shall utilize cedar or pressure treated wood or other materials acceptable to the Commission. Trail marking and access signage also can be required.

b. With the exception of site work that may be required by the provisions of Sections 13.7 and 13.8a or agricultural activities approved by the Commission, all land dedicated as open space or park land shall be left in its natural state by the subdivider and shall not be graded, cleared or used as a repository for stumps, rocks, brush, soil, building materials or debris.

   Explanatory Note: *This proposed revision clarifies and expands existing provisions regarding the Planning and Zoning Commission's authority to require site improvements in association with subdivision open space dedications. In particular, the new provisions focus on trail improvements and associated construction requirements.*

9) In Section 14, incorporate the following revisions:

a. Revise the Title of this Section from "Bonding" to "Completion of Improvements/Bonding/As Built-Plans"

b. [**14.1 Completion**

The Commission may, with the advice of the Department of Public Works, prescribe the extent to which and the manner in which the streets shall be graded and improved and public improvements and utilities and services provided in connection with any subdivision plan, and may require that all or a specified portion of such work and installations be completed prior to the final approval of the plan. As provided in other provisions of these regulations, the Commission also may require driveway, drainage and other site work to be completed by the subdivider or bonded prior to the filing of the subdivision on the Land Records.]

14.1 Completion of Improvements

Pursuant to other provisions of these regulations, subdividers shall be responsible for completing and bonding subdivision improvements, including approved streets, common driveways, sidewalks, trails and parking improvements, drainage and site work improvements. These subdivision improvements shall be completed and/or bonded prior to the filing of the subdivision plans on the Land Records. The Commission, with the advice of the Town's Planning and Engineering staff, may prescribe the extent to which and the manner in which subdivision improvements are completed and associated utilities are provided.

For all subdivision lots that are dependent on new streets for access, the following specific completion provisions shall be met:

No Zoning Permit shall be issued for new dwellings until the roadway binder course and all associated drainage and grading have been completed to the satisfaction of the Town Engineer, or his designated agent, and the Fire Marshal and until the new subdivision road has been fully bonded for completion pursuant to Mansfield's regulatory provisions.

Unless specifically authorized by the Commission, no Zoning Certificate of Compliance shall be issued for new dwellings unless the roadway and all associated drainage, signage, site stabilization and lot monumentation has been completed and accepted by the Town.

Explanatory Note: *The proposed revisions to Section 14, clarify existing provisions regarding the completion of subdivision improvements. For subdivision lots dependent on new streets for access, the revisions incorporates new provisions that link Zoning Permits for new houses to the completion of a roadway binder course and associated site work and Certificates of Compliance for completed houses to the completion of roadway drainage, signage, monumentation and site stabilization work.*