

AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting, Monday, June 7, 2010, 7:30 p.m.
Or upon completion of Inland Wetland Agency Meeting
Council Chambers, Audrey P. Beck Municipal Building

Minutes

5/17/10

Scheduled Business

Zoning Agent's Report

- A. Monthly Activity
- B. Enforcement Update
- C. Hall Property Old Mansfield Hollow Rd; DeBoer Property, Storrs Rd
- D. Other

7:45 Public Hearing

Draft Revisions to the Zoning Map, Zoning and Subdivision Regulations, PZC File 907-33

- a. Rezoning of Industrial Park Zone and Associated Regulation Revisions
- b. Aquifer and Public Water Supply Protection Regulations
- c. Invasive Plant Species Regulations

Memos from Director of Planning, Conservation Commission, Town Attorney, WINCOG Regional Planning Commission

8:00 Public Hearing

Draft Revisions to the Zoning Regulations Definitions of Family and Boarding House; Political Signs, PZC File 907-32

Memos from Director of Planning, Town Manager, WINCOG Regional Planning Commission

Old Business

New Business

1. **Request for Bond Release: Hallock Subdivision, Wormwood Hill Road, File # 1285**
Memos from Director of Planning and Assistant Town Engineer
2. **Gravel Permit Renewals, Banis property on Pleasant Valley Road File #1164; Hall property on Old Mansfield Hollow Road File #910-2; Green property at 1090 Stafford Road, File #1258**
Memo from Zoning Agent
3. **8-24 Referral: Dog Lane/Bundy Lane Parcel**
Memo from Director of Planning
4. **Request to manage plant growth in Conservation Easement, Dunham Farm Estates, File #1252**
Memo from Zoning Agent
5. **2010 PZC Vacation Schedule**

Reports from Officers and Committees

1. Chairman's Report
2. Regional Planning Commission
3. Regulatory Review Committee (5/11/10 and 5/25/10 minutes enclosed)
4. Other

Communications and Bills

1. ZBA Notice of Public Hearing 6-9-10
2. Notice of UConn waterline, utility work between Lakeside Apt and Towers Dormitory
3. 5/14/10 letter from E. Roberts, UConn Director of Facilities Operations Re: Irrigation Wells, Agronomy Farm south of Storrs Heights Road
4. Notice of Town Council Public Hearing on 6/14/10 on proposed N. Eagleville Rd. walkway
5. 5/18/10 letter to DEP from R. Miller Re: Swan Lake drainage outfall improvements
6. 6/1/10 letter to PZC Re: Paideia Society Amphitheater
7. Other

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting, Monday, May 17, 2010
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, B. Pociask, B. Ryan
Members absent: P. Plante
Alternates present: K. Rawn
Alternates absent: F. Loxsom, V. Stearns
Staff Present: Curt Hirsch (Zoning Agent)

Chairman Favretti called the meeting to order at 7:00 p.m. and appointed Rawn to act in Plante's absence. Favretti acknowledged an e-mail from Plante stating that he would miss three or more consecutive meetings including this evening. The Commission agreed by consensus to waive the attendance requirements upon receipt of proper notice from the absentee member, as per the PZC Bylaws [Article IV, Section 1].

Minutes:

5/3/10-Hall MOVED, Pociask seconded, to approve the 5/3/10 minutes as written. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Particular attention was given to the decision letter from the Citation Hearing Officer, R. Meehan, regarding the E. Hall citations. Hirsch stated that the last trailer was removed the day of the hearing and he will continue to monitor the site to ensure no trailers re-appear.

Old Business:

1. Special Permit Application, Permanent Agricultural Retail Sales, 483 Browns Road, o/a B. Kielbania, File #1292

Hall MOVED, Holt seconded, to approve with conditions the special permit application (file 1292) of Bryan Kielbania for a farm stand and associated agricultural uses on property located at 483 Browns Road, in an RAR-90 zone, as submitted to the Commission and described in application submissions, including a 4/15/10 Statement of Use and site plans dated 3/22/10 revised through 4/19/10, and as presented at Public Hearings on April 19, and May 3, 2010. This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. This approval, which authorizes certain agriculturally-oriented commercial uses within a residential zone, is specifically tied to the application submissions and conditions cited in this motion. Unless modifications are specifically authorized, approved uses of this property are limited to those uses and activities described by the applicant, including restrictions on hours of operation. Based on May 3rd testimony by the applicant's attorney, activities and events that may generate additional traffic, such as hayrides, sleigh rides and corn mazes, shall not take place unless prior PZC approval has been obtained.

Any questions regarding authorized uses of this property shall be reviewed in advance with the Zoning Agent and Director of Planning, and as appropriate, the PZC. Any significant changes or expansions of use, shall require additional special permit approval;

2. All agricultural uses shall comply with all applicable permitted use provisions of Article VII, and other Zoning requirements. In the event existing regulations regarding on-site sales are revised, the applicant shall have the right to utilize new provisions.

3. The applicant shall be responsible for obtaining all applicable State of Connecticut approvals, including authorizations from the Department of Agriculture regarding restricted development rights on the subject property.
4. The applicant shall be responsible for meeting all applicable permit requirements from Eastern Highlands Health District and Mansfield's Building and Fire Marshal's Offices.
5. Vehicular and pedestrian safety are primary issues that will necessitate careful monitoring and management. Parking along Browns Road will reduce sightlines and may result in safety problems, as well as inappropriate neighborhood impact. Accordingly, the applicant shall be responsible for monitoring vehicular traffic into and out of the site and providing adequate on-site parking for the subject agricultural use. If, based on observed use, the PZC determines that additional on-site parking is necessary, a revised parking plan with additional spaces shall be prepared by the applicant, submitted for PZC approval and implemented by the applicant.
6. To help reduce potential neighborhood impacts an evergreen landscape buffer shall be planted along the westerly property line between the approved parking and driveway area and the adjacent residence on property N/F Loukas/Despina. Proposed plantings, including the number and species of proposed evergreen plants and planting size, shall be depicted on final plans and approved by the PZC Chairman with staff assistance. In addition, there shall be no outside speakers used in association with the proposed agriculture use.
7. Final plans shall include the following revisions:
 - A. Landscape details as required by condition #6
 - B. Notation of the estimated amount of fill that will be needed for parking areas and other site work.
 - C. More specific details regarding the surfacing of the handicap parking space and access-way to the retail sales area. State requirements for surface material shall be met.
 - D. An increase in the proposed handicap parking space width to sixteen (16) feet which is required by the State Building Code.
8. All site work indicated on final plans, including parking and driveway improvements, pedestrian access improvements, signage and buffer landscaping, shall be completed prior to the issuance of a Certificate of Compliance.
9. It is anticipated that the applicant will want to install and maintain directional signage at nearby street intersections. The PZC Chairman, with staff assistance, is authorized to approve directional signage that complies with Zoning standards.
10. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

This approval waives the front setback requirements for parking as depicted on final plans. This waiver is based on site and neighborhood characteristics. In addition, this approval waives several site plan submission provisions of Article V, Section A.3.c., since the information submitted is sufficient to determine compliance with applicable approval criteria.

MOTION PASSED UNANIMOUSLY.

2. **Draft Revisions to the Zoning Map, Zoning and Subdivision Regulations, PZC File 907-33**
 - a. Rezoning of Industrial Park Zone and Associated Regulation Revisions
 - b. Aquifer and Public Water Supply Protection Regulations
 - c. Invasive Plant Species Regulations

Item tabled, pending a Public Hearing on 6/7/10.

3. **Draft Revisions to the Zoning Regulations Definitions of Family and Boarding House; Political Signs, PZC File 907-32**

Item tabled, pending Public Hearing Continuation on 6/7/10.

New Business:

None.

Reports of Officers and Committees:

Chairman Favretti noted the next Regulatory Review Committee meeting will be on 5/25/10 at 2pm.

Communications and Bills:

Noted.

Adjournment:

Chairman Favretti declared the meeting adjourned at 7:18 p.m.

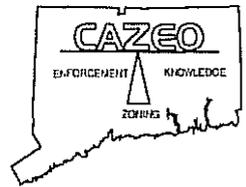
Respectfully submitted,

Katherine Holt, Secretary

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent 
Date: May 28, 2010

MONTHLY ACTIVITY for May, 2010

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Wazer – Raluca	253 Maple Rd.	temp. farm stand
Patrone	411 Gurleyville Rd.	12 x 16 shed
Maynard	37 Adeline Pl.	10 x 16 shed
Ren	Lot 31 Scottron Dr.	1 fm dw
Martin	17 Thornbush Rd.	house add & deck
Adams	422 Stafford Rd.	above pool & deck
Roy	9 Sawmill Brook La.	18 x 24 shed
Frasca	447 Stafford Rd.	12 x 32 deck
Tollefson	164 Davis Rd.	12 x 20 entry
Niarhakos	S. Bedlam Rd.	1 fm dw
Redmerski	83 Sawmill Brook La.	10 x 12 shed
Farrell	421 Stafford Rd.	10 x 16 shed
Kegler	252 Mansfield City Rd.	lot line revision
Lewis	547 Warrenville Rd.	10 x 18 shed
Koirala	787 Mansfield City Rd.	10 x 14 shed
Ainsworth	51 Bundy La.	1 fm dw (re-build)
Brown	232 Baxter Rd.	12 x 16 shed

CERTIFICATES OF COMPLIANCE

Naumec	52 Riverview Rd.	12 x 12 shed
Bill	952 Stafford Rd.	re-construct 1 fm dw
Rose	829 Stafford Rd.	6 x 8 shed
Wong	624 Storrs Rd.	10 x 12 shed
Daniels	45 Grandview Cir.	handicap ramp
Dube	28 Hill Pond Dr.	10 x 10 shed
Curran	57 Bundy La.	10 x 12 shed
Gray	93 Mansfield Hollow Rd.	10 x 12 shed
Beaudoin Const.	11 Pequot Sq.	1 mf unit
Beaudoin Const	25 Liberty Dr.	1 mf unit
R.F. Crossen	51 Homestead Dr.	1 fm dw

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Planning & Zoning Commission
From: Gregory J. Padick, Director of Planning
Date: June 3, 2010
Re: 6/7/10 Public Hearing on PZC-proposed revisions to the Zoning Map and Zoning and Subdivision Regulations (4/14/10 draft), File #907-33



General

Please find attached a copy of the legal notice for the June 7th Public Hearing. This notice provides a summary of the proposed revisions to the Zoning Map and Zoning Regulations. At Monday's meeting, I intend to make a brief presentation outlining the proposed revisions and rationale for considering the proposed revisions. I also will address any questions from Commission members and the public. After receiving public comments, the PZC will have to determine whether to close or continue the Public Hearing process. Once the Hearing is closed, only technical assistance from staff may be received by the Commission. Current state statutes authorize the PZC to modify the proposed revisions prior to adoption, but to minimize any potential procedural issues, an independent Hearing should be considered for any significant alterations.

Pursuant to statutory requirements, the proposed revisions have been referred to the Town Clerks of neighboring Towns and to the WINCOG Regional Planning Commission, and have been filed with the Mansfield Town Clerk. The proposed revisions also have been posted on the Town's web site, mailed to all property owners within the area of proposed rezoning and within 500 feet of the area of proposed rezoning. Notice also has been provided to all individuals who have signed up for the Town's Registry pursuant to recently adopted state statutes. Referrals also have been sent to the Town Attorney, Town Council, Zoning Board of Appeals, Design Review Panel, Open Space Preservation Committee, Conservation Commission, Agriculture Committee and other staff members. As of 1:00 p.m. on 6/3/10, comments have been received from the WINCOG Regional Planning Commission, the Town Attorney and the Conservation Commission. Comments are expected from the Agriculture Committee and Open Space Preservation Committee. All communications received prior to 4:30 p.m. on Monday, June 7th will be copied and distributed to PZC members.

As with any Zoning Map or regulation amendment, the PZC must weight anticipated public and private benefits versus anticipated public and private costs. All zoning districts and municipal land use regulations should be designed to serve a community need while protecting the public's health, safety, convenience and property values. The Commission has the legislative discretion to determine what is best for the Town as a whole, and zoning districts and land use regulations can and should be modified to meet changing circumstances or address a recognized public need. Sections 8-2 and 8-25 of the CT General Statutes and Articles I and XIII of our Zoning Regulations provide information on the legislative basis, procedure and criteria for considering Zoning Map and regulations revisions. Collective reasons for PZC legislative actions should be clearly documented, and Section 8-3.a of the State Statutes requires the Commission to make a public finding regarding the consistency of the proposed revisions with respect to the Municipal Plan of Conservation and Development.

It is important to note that some of the proposed regulation revisions are directly related to the proposed zone changes and need to be acted upon in conjunction with each other. The explanatory notes added at the end of each proposed revision identify revisions that are interrelated. The explanatory notes are not part of the regulation revisions.

Review Considerations

In reviewing the proposed Zoning Map and regulation revisions, a number of factors must be considered. These factors include policies, objectives and recommendations contained in Mansfield's Plan of Conservation and Development and state and regional land use plans; physical characteristics, including soils, slopes, wetlands and watercourses; the location and capacity of Mansfield's infrastructure (roads, public sewer and water systems, public transit, etc.), the nature and character of neighboring land uses and legal appropriateness. Article XIII, Section D includes or references additional information regarding approval considerations. I will briefly review some of the factors and provide some background on the preparation of the draft revisions. I have divided my review comments into 2 sections "Pleasant Valley Re-Zonings and associated Zoning Regulation Revisions" and "Other Zoning and Subdivision Regulation Revisions".

Pleasant Valley Re-Zonings and associated Zoning Regulations Revisions

The three proposed zoning map revisions and associated zoning regulation revisions were drafted after considerable review and discussion. In preparing the 4/14/10 draft revisions, a significant amount of information was considered including:

- Local, regional and state land use plans
- Information and testimony presented at 12/18/06, 1/2/07, 3/17/08, 4/21/08, and 5/19/08 Public Hearings on previous rezoning proposals for the subject area and associated Zoning Regulation revisions (portions of PZC minutes from the hearings and post hearing discussions are attached)
- Information presented to the PZC during the spring of 2007 by Mansfield's Superintendent of Schools, Board of Education Chairman, Fire Chief, Fire Marshal/Emergency Services Director and by Jim Gibbons of the University of Connecticut Co-operative Extension.
- A map display of site and neighborhood characteristics of the subject Pleasant Valley Road area prepared by Chairman Favretti and a 7/2/07 Land Use/Zoning Analysis of the subject area prepared by Chairman Favretti and myself (analysis attached and map will be displayed at 6/7/10 Public Hearing)
- Information presented by Attorney Kari Olson (representing Bruce and Franca Hussey, the primary property owners of the land currently zoned Industrial Park), following the completion of public hearings on previous rezoning proposals.

Clearly, a considerable amount of time has been taken in reviewing the subject area and in formulating the draft rezonings and associated regulations that are pending before the Commission. It is important to note that in addition to the explanatory notes provided with the draft, intent sections have been incorporated for the existing Pleasant Valley Residence/Agriculture (PVRA) zone and the proposed Pleasant Valley Commercial/Agriculture (PVCA) zone. These intent sections include reasons and objectives for the proposed rezonings.

The following additional review comments on revisions associated with the Pleasant Valley rezonings are offered for the PZC's consideration:

1. Relation to Mansfield's Plan of Conservation and Development

All of the proposed revisions associated with the proposed rezonings in the subject Pleasant Valley Road area are tied to implementing goals, objectives and recommendations contained in Mansfield's 2006 Plan of Conservation and Development. This subject Pleasant Valley Road area has special characteristics particularly scenic prime agricultural land which has been and continues to be actively used by local farmers. The area also has access to public sewer and water systems and is one of the few undeveloped areas left in town with access to these services. The area does not have good roadway access and intensive commercial or industrial uses would present significant traffic safety issues. The area also is proximate to existing residential uses and abuts other areas of existing agricultural uses. All of these factors as well as consistency with state and regional land use plans were evaluated by the Planning and Zoning Commission during the four year period during which Mansfield's Plan of Conservation and Development was updated and subsequently during discussions related to previously proposed rezonings. The area's special characteristics are documented in the 2006 Plan and the aforementioned 7/2/07 Land Use/Zoning Analysis prepared by the PZC Chairman and Director of Planning. Although the permitted uses for the proposed PVCA zone differ from the medium to high density residential recommendations cited in Mansfield's 2006 Plan, the overall plan objective of providing for both agricultural preservation and complementary development opportunities dependent on public sewer and water has been met.

More specifically, the rezonings and associated regulation revisions specifically address Plan of Conservation and Development policy goals 1, and 2 (page 4) and Part II recommendations associated with policy goal 1, objectives 1a (page 34), 1b (pages 35 to 37), 1d (page 38 and 39), policy goal 2, objectives 2a (page 41 and 42), 2c (page 45 and 46) and 2d (page 46). (These pages are attached).

2. Relation to State and Regional Land Use Plans

As specifically cited in Part III of Mansfield's Plan of Conservation and Development, the policies, objectives and recommendations contained in Mansfield's Plan are very consistent with both the Conservation and Development Policies Plan for Connecticut 2005-2010. In particular, the proposed Pleasant Valley Residence/Agriculture and Pleasant Valley Commercial/Agriculture zones and associated zoning regulations are considered consistent with Growth Management Principles 1 and 4 of the State's Plan. Areas proposed for rezoning to PVRA and PVCA are primarily within "growth" land use classifications in the State's Plan but the State plan also recognizes the important agriculture lands that exist in this area. This area is depicted on the state plan (pg. 66) as part of one of five areas of the state labeled "Important Agriculture Areas". The 5/5/10 letter from the WINCOG Regional Planning Commission supports the position that the proposed regulations and zone changes are consistent with the Regional Plan, which was updated in 2010. The regional plan mapping designates a portion of the area of proposed rezoning as Regional Center but land along Pleasant Valley Road and Mansfield Ave are within a high priority preservation category.

3. Text wording/coordination with other regulations/legal appropriateness

- The proposed revisions have been drafted to fit in with existing regulatory provisions.
- The proposed revisions have been found legally acceptable (see Town Attorney's 6/1/10 letter)

4. Mansfield's Public Infrastructure

The expansion of the existing Pleasant Valley Residence Agriculture Zone and establishment of a new Pleasant Valley Commercial Agriculture Zone will compliment Mansfield policy goals and objectives designed to encourage a higher percentage of Mansfield's future development into areas with public sewer and water systems. Currently, the only public water and sewer services are located adjacent to the University of Connecticut and the Town of Windham. Existing roadways in this area are not suitable to serve intensive industrial or commercial uses and therefore the listing of permitted uses for the PVCA zone have been refined to help prevent public safety problems.

5. Other

- After careful review of site and neighborhood characteristics, it was determined that rezoning land west of Mansfield Avenue to RAR-90 would be more compatible with neighboring land uses, existing zoning classifications and overall Plan of Conservation and Development goals, objectives and recommendations.
- The 25 acre minimum lot size provision for the PVRA zone and proposed PVCA zone is designed to limit the number of specific projects and help ensure Plan of Conservation and Development and regulatory provisions were appropriately addressed. This lot size provision would not be possible if there were numerous property owners in the subject area of rezoning. Other than two existing smaller lots of record that are used residentially, the subject area of rezoning involves three property owners and only one of these properties would be large enough to subdivide. Of importance, Mansfield's Zoning Regulations allow for development in phases.
- Following the 2008 public hearing process on a previous rezoning proposal, the PZC Chairman and I met with Bruce Hussey, the primary property owner that would be affected by the proposed rezoning, and his attorney, Kari Olson. An October 2009 draft revision that was not presented at public hearing was forwarded to Mr. Hussey and in early 2010, comments on the October draft were received from Attorney Olson. Subsequently, a number of revisions were incorporated into the 4/14/10 draft to address some of the issues raised by Attorney Olson.
- During the deliberations regarding the formation of the 4/14/10 draft, the Commission determined that more specific design criteria and a setback from Pleasant Valley Road should be included in the draft regulation. These provisions are designed to promote the retention of scenic agricultural areas closest to Pleasant Valley Road and to reinforce the objective of locating future development in southerly portions of the area, particularly in the Pleasant Valley Residence Agriculture Zone.

- Although a precise analysis has not been conducted, a preliminary assessment, based on generic mapping and previously approved multi-family developments, indicates that between 100 and 175 dwelling units are feasible on the area proposed for rezoning to Pleasant Valley Residence Agriculture.

Other Zoning and Subdivision Regulations Revisions

- In addition to the revisions associated with the proposed re-zonings, the 4/14/10 draft includes important revisions designed to strengthen existing submission and approval criteria regarding aquifer and public water supply well protection and to specify that invasive plant species identified by the State Department of Environmental Protection Agency shall not be used in submitted landscape plans. These changes have been supported by the Conservation Commission, who initiated consideration of the subject revisions (see 5/27/10 letter from Conservation Commission). In general, these revisions are designed to promote land use goals articulated in local, regional and state plans and promote and protect the public health, welfare and safety. The explanatory notes provided for each of these proposed revisions summarize the rationale for the draft amendments.

Summary/Recommendation

The proposed Zoning Map and regulation revisions present policy issues for the Commission's legislative discretion. The PZC must determine that the proposed revisions are legally appropriate, promote goals, objectives and recommendations contained in municipal, regional and state land use plans and in general promote the public's health, safety and welfare. The statutory provisions of Sections 8-2, 8-18 and 8-25 and the regulatory provisions of Article XIII, Section D of Mansfield's Zoning Regulations provide a legal basis and procedural guidance for making this determination. Pursuant to Section 8-3 (a) of the State Statutes, any approved revisions must include a finding with respect to compatibility with the Mansfield Plan of Conservation and Development. The PZC must consider all communications received during the Public Hearing process, but once the Hearing has been closed, no additional input shall be received except for technical assistance from staff. The PZC has the right to modify the proposed revisions prior to adoption, but any significant alterations should be presented through an additional Public Hearing review process.

Based on the information reviewed to date, it is this reviewer's opinion that the proposed Zoning Map and regulation revisions will significantly advance goals, objectives and recommendations contained in Mansfield's Plan of Conservation and Development, promote the public's health, welfare and safety, and enhance land use planning efforts in Mansfield. The proposed rezoning of the existing Industrial Park zone has been the subject of two previous public hearing review processes and many comments regarding the most appropriate rezoning for the subject area have been submitted for PZC consideration. The Commission and staff have carefully considered this area's physical characteristics and have made a concerted effort to balance the conservation of important agricultural and scenic assets with appropriate residential and commercial development opportunities that are afforded by public sewer and water availability that is only present in a very limited portion of Mansfield. The proposed revisions are part of a balanced and comprehensive land use approach that is documented in Mansfield's 2006 Plan of Conservation and Development. Adoption of the proposed revisions is recommended.

LEGAL NOTICE

The Mansfield PZC will hold a Public Hearing on Monday, June 7, 2010 at 7:45 p.m. in the Council Chambers, A.P. Beck Bldg., 4 S. Eagleville Rd, to hear comments on PZC-proposed 4/14/10 draft revisions to the Mansfield Zoning Map and numerous sections of the Zoning and Subdivision Regulations.

Proposed Zoning Map revisions are:

- A. Rezone areas zoned Industrial Park, located east of a Flood Hazard zone containing Conantville Brook and south of Pleasant Valley Road, to Pleasant Valley Residence/Agriculture (PVRA) zone.
- B. Rezone areas zoned Industrial Park located east of Mansfield Ave, west of a Flood Hazard zone containing Conantville Brook and south of Pleasant Valley Rd to a new Pleasant Valley Commercial/Agriculture (PVCA) zone.
- C. Rezone areas zoned Industrial Park that are west of Mansfield Avenue to a Rural Agriculture Residence-90 zone.

Proposed Zoning and Subdivision Regulation revisions include:

1. Revisions to Art. II, VII, VIII, and X. Sec. A. to reference/implement zoning map revisions and to incorporate needed reference and coordination changes. The proposed new PVCA zone will be a Design Development District.
2. A new Art. VII, Sec. U that lists permitted uses in the PVCA zone (including research and certain industrial and repair services uses, communication facilities, automotive garages, offices, commercial recreation, veterinary hospitals and kennels, and agricultural uses).
3. Revisions to Art. VIII, Sec. A including a twenty-five (25) acre minimum lot area for new lots in the proposed PVCA zone.
4. Revisions to Article X, Section A.9 to refine and supplement requirements for the PVRA zone, including provisions for agricultural land preservation and open space/recreation facilities and a new Design Criteria section that has setback requirements from Pleasant Valley Road.
5. A new Article X, Section A.10 to establish special provisions for the PVCA zone, including water and sewer requirements, agricultural land preservation provisions and a Design Criteria section that has setback requirements from Pleasant Valley Road.
6. Revisions to Article V and VI of the Zoning Regulations and Sections 5, 6, 7 and 13 of the Subdivision Regulations to clarify and strengthen existing submission and approval criteria regarding aquifer and public water supply well protection.
7. Revisions to Article V, VI, and X of the Zoning Regulations and Section 8 of the Subdivision Regulations to specify that invasive plant species identified by the State Department of Environmental Protection Agency shall not be used.

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 mapping of the proposed zoning map revisions and wording of the proposed Zoning and 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 Tuesday, May 25 and Wednesday, June 2, 2010

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

A. INTRODUCTION

Planning is a dynamic process of recognizing the past and anticipating and preparing for the future. This Plan of Conservation and Development for Mansfield, Connecticut, is adopted in accordance with the provisions of Section 8-23 of the Connecticut General Statutes, as amended. In formulating this 2006 revision, the Planning and Zoning Commission and Town Council have considered the information and findings contained in Mansfield's 1993, 1982 and 1971 Plans of Development, Mansfield's 2003 "Land of Unique Value Study" by the University of Connecticut's Landscape Architecture program, current State and regional land use plans, Connecticut's land use statutes, and the needs and desires of Mansfield residents as expressed through numerous public hearings and meetings.

The adoption and subsequent implementation of a municipal Plan of Conservation and Development is a continuous process of documenting a community's multi-faceted land use characteristics and establishing a consistent and coordinated land use philosophy and regulatory framework for managing the Town's future physical, economic and social environment. This plan specifies policy goals, objectives and land use recommendations designed to protect and promote the overall health, welfare and safety of existing and future residents, but it is primarily an advisory document and, to a significant degree, must be implemented through the creation or refinement of zoning districts, zoning, subdivision and inland wetland regulations and Town ordinances. In addition, this plan will influence capital expenditure decisions and the formulation of housing, transportation, sewer and water system priorities.

→ B. POLICY GOALS

- To strengthen and encourage an orderly and energy-efficient pattern of development with sustainable balance of housing, business, industry, agriculture, government and open space and a supportive infrastructure of utilities, roadways, walkways and bikeways and public transportation services
- To conserve and preserve Mansfield's natural, historic, agricultural and scenic resources with emphasis on protecting surface and groundwater quality, important greenways, agricultural and interior forest areas, undeveloped hilltops and ridges, scenic roadways and historic village areas
- To strengthen and encourage a mix of housing opportunities for all income levels
- To strengthen and encourage a sense of neighborhood and community throughout Mansfield

PART II

LAND USE GOALS, OBJECTIVES AND RECOMMENDATIONS

A. GENERAL

Part II of this Plan provides, in an action-oriented format, listings of goals objectives and recommendations designed to implement the policy goals identified in Part I. The recommendations are based on the information contained or referenced in Part I. Particular attention has been given to recommendations contained in State and regional land use plans, Mansfield's 2003 Land of Unique Value Study and information provided individually or collectively through the town's various citizen committees by Mansfield residents who have participated in the Plan update process. Implementation of these recommendations will be dependent on many factors, including statutory and case law authority, fiscal viability and the receipt of new information. Implementation will take many forms, including the creation or refinement of zoning districts, zoning, subdivision and inland wetland regulations and Town Ordinances, capital expenditure decisions and, in some cases, referendum action. These recommendations must be continuously monitored and, as appropriate, periodically revised, to protect and promote the public's overall health, welfare and safety. Citizen volunteers must continue to play a vital role if Mansfield is to achieve the policy goals, objectives and recommendations cited in this Plan. It is noted that a number of the recommendations apply to multiple goals and objectives, and that, following many of the specific recommendations, background or rationale information (enclosed in parentheses) has been provided. It also is noted that important background information is contained within Mansfield's 1993 Plan of Development. This background information should be reviewed in conjunction with proposed amendments to Mansfield's Zoning Map or land use regulations.

B. SPECIFIC POLICY GOALS, OBJECTIVES & RECOMMENDATIONS

1. Policy Goal #1

→ **To strengthen and encourage an orderly and energy-efficient pattern of development with sustainable balance of housing, business, industry, agriculture, government and open space and a supportive infrastructure of utilities, roadways, walkways and bikeways, and public transportation services**

a. Objective

→ To address existing health or environmental quality issues and to encourage appropriately located higher-density development by expanding existing sewer and public water services where appropriate and considering appropriate community systems.

Recommendations

-
- Work with University of Connecticut, Town of Windham, Eastern Highlands Health District and State officials to plan, fund and construct appropriate expansions of existing sewer and water systems and to promote water conservation.

(This Plan's mapping of Medium to High-Density Residential, Medium to High-Density Age-Restricted Residential, Agriculture/Medium to High-Density Residential/Open Space, Planned Business/Mixed Use, Planned Office/Mixed Use, and Medium to High-Density Institutional/Mixed Use [see Map #22] should be used to help define potential sewer and public water service areas).

(Environmentally appropriate wellfield withdrawal capacities need to be established for the University of Connecticut's Fenton and Willimantic River

wellfields and, as necessary, additional public water for the University campus areas needs to be obtained from the Willimantic or Shenipsit reservoirs or other sources.)

- Support initiatives to document surface and groundwater quality and public health issues in the Four Corners area and to seek State and Federal funding to extend public sewer and water services to this area.
(This effort must be coordinated with the University of Connecticut and Eastern Highlands Health District and is of immediate importance. The University is finalizing plans to extend North Hillside Road to Route 44 and provide public utilities to undeveloped portions of “North Campus.”)
- Work with State officials and Eastern Highlands Health District to consider, on a case-by-case basis, the authorization of community wells and community septic systems where soils, bedrock geology and groundwater characteristics are appropriate and the site location is consistent with the locational goals and objectives of this Plan.
(The appropriate utilization of community systems will help promote opportunities for affordable housing, age-restricted housing and cluster or open space designs consistent with goals and objectives cited in this Plan. Any change to existing policies regarding community systems will necessitate specific action by Mansfield’s Water Pollution Control Authority (Town Council) and changes to existing zoning regulations.)

b. Objective



To encourage higher-density residential and commercial uses in areas with existing or potential sewer, public water and public transportation services and to discourage development in areas without these public services by refining Zoning Map and Zoning Regulations.

Recommendations



- Encourage, where public sewer and water services exist, higher-density commercial uses and, where appropriate, mixed commercial/residential uses in areas designated as Planned Business/Mixed Use and Planned Office/Mixed Use on this Plan’s “Planned Development Areas” Map (Map #22).
(Land use regulations must include appropriate approval criteria that address health, safety, environmental impact and neighborhood compatibility issues.)
- Consider, under comprehensive approval standards, higher residential densities in areas served by sewers and public water systems.
- Refine existing zone classifications and regulatory provisions that recognize that this Plan’s designated medium to high-density residential and planned commercial areas (see Map #22) have specific infrastructure capabilities and unique environmental and neighborhood characteristics.
(Individualized permitted use provisions should be refined for each designated area and regulatory approval criteria and associated design standards should take into account the specific character of each area. For example, contractor’s storage, automotive repair and similar commercial uses are more appropriate in the Planned Business/Mixed Use area along Route 32 than in other designated Planned Business/Mixed Use areas or Neighborhood Business/Mixed Use areas. As another example, to be compatible with this Plan, medium to high-density residential developments in areas south of Pleasant Valley Road and located east and west of Mansfield Avenue need to be designed to preserve existing onsite

agricultural resources and be compatible with neighboring agricultural resources. This Plan recommends that at least fifty (50) percent of a project site in this area be permanently preserved as agricultural or open space land, depending on specific site characteristics.)

- Refine existing zone classifications, permitted use provisions and approval criteria for Neighborhood Business/Mixed Use classifications, as designated on this Plan's "Planned Development Areas" Map (Map #22), that are not served by public sewer and water services.
(Zoning policies for these areas should allow for continuation and appropriate lower-density expansions of existing commercial uses, but should discourage any significant intensification of commercial development or redevelopment that would result in inappropriate neighborhood impacts and undermine goals and objectives of this Plan. Many of the designated Neighborhood Business/Mixed Use areas are within historic village areas and are proximate to residential uses.)
- Encourage University of Connecticut officials to continue to provide and expand on-campus housing opportunities for students. Where student demand cannot be accommodated on campus, town and University officials should take appropriate actions to facilitate the development or redevelopment of student housing in areas proximate to the Storrs campus where sewer and water systems exist or may be extended.
(Consideration should be given to establishing a specific student housing-oriented zone classification with specialized permitted use provisions in areas northwest of the Storrs campus where existing student housing exists.)
(Potential impacts on neighboring residential areas need to be addressed carefully.)
- Refine existing provisions regarding non-conforming uses.
(Zoning policies for non-conforming uses, particularly commercial and higher-density residential uses, should allow for continuation and potential limited expansions, but should discourage any significant intensification that would undermine goals and objectives of this Plan.)
- Refine existing provisions regarding non-conforming lots.
(Zoning policies for non-conforming lots should be reviewed to ensure that existing lots can continue to be used in a reasonable manner consistent with the goals and objectives of this Plan. The residential zoning revisions proposed in this Plan will increase the number of non-conforming lots in Mansfield.)
- Consider regulation revisions or specialized zone classifications for designated aquifer protection areas and areas of potential public water supply.
(Mansfield's 2002 Water Supply Study, Windham and University of Connecticut water supply plans and other information available from the State Department of Environmental Protection or other agencies should be considered in determining whether added zoning protection is appropriate for existing and potential public drinking water supplies.) (See Map #10.)
- • Consider Zoning Map revisions to promote consistency with this Plan's "Planned Development Areas" designations (Map #22) and goals and objectives of this Plan. It is emphasized that some rezonings may not be appropriate until infrastructure improvements are implemented or until a specific development proposal is submitted for approval. The following zone classification revisions should be considered:

- Rezone areas classified in this Plan as low-density residential to a Rural Agricultural Residence-90 zone.
(Consideration should be given to excluding areas of existing one-acre lot development.)
(Areas of potential rezoning include land currently zoned R-40, RAR-40 and RAR-40/MF)
(See Goal #2, Objective a recommendations for more information)

-
- Rezone areas noted below which are depicted in this Plan as medium to high-density residential and/or medium to high-density age-restricted residential to a Design Multiple Residence zone, Age-Restricted Residential, or another zone classification consistent with the goals and objectives of this Plan.
(Areas of potential rezoning include land east of Route 32 and south of Route 44, land east of Cedar Swamp Brook and south of Route 44, land east of Hunting Lodge Road, land east of Maple road and south of Route 275, land north of Route 44 and east of Cedar Swamp Brook, land south of Puddin Lane and land south of Pleasant Valley Road and located east and west of Mansfield Avenue.)
(Consideration should be given to maintaining or enacting a Low-Density Residential zone classification in these areas until an application for a specific higher-density residential development is submitted in conjunction with an application for a higher-density zone classification.)
(The existing Industrial Park zoning district south of Pleasant Valley Road is no longer considered appropriate, due to access limitations, agriculture, aquifer and wetland characteristics, site visibility, neighboring agricultural and residential uses and other goals and objectives of this Plan.)
-

- Rezone areas noted below which are depicted in this Plan as Medium to High-Density Age-Restricted Residential to a new zone classification that promotes appropriate housing opportunities for individuals age 55 or over.
(Areas of potential rezoning include land north of Route 44 and west of Cedar Swamp Road and land west of Maple Road and south of Route 275.)
(Consideration should be given to maintaining or enacting a Low-Density Residential zone classification in these areas until an application for a specific higher-density residential development is submitted in conjunction with an application for a higher-density zone classification.)
- Rezone areas along North Eagleville Road and King Hill Road from Planned Business to a less intensive commercial classification.
(Mixed commercial/residential uses, multi-family housing and institutional uses associated with the University of Connecticut are considered appropriate in this area, but more intensive commercial uses would be incompatible with the Plan's objective of encouraging higher-density commercial uses in the nearby Planned Business areas designated in this Plan.)
- Rezone areas situated west of Route 195 and south of Route 44 and designated as the University of Connecticut's "North Campus" to an Institutional classification.
(The current Research and Development/Limited Industrial is no longer appropriate, due to current University ownership.)
- Rezone areas east of Route 32 and south of Cider Mill Brook to a Planned Business classification.
(This rezoning would result in a more uniformly-configured commercial area.)

- Rezone areas east of Route 195 between Riverview Road and the Windham Water Works as a Planned Office zone or, subject to use restrictions that will minimize neighborhood impacts, a Planned Business zone.
(Mixed residential/commercial and other lower-intensity commercial uses may be appropriate in this area subject to consideration of noise and other neighborhood impacts, but any rezoning of this area should be done in conjunction with a development project for the entire area, and not on a lot-by-lot basis.)
- Rezone areas along Route 195 proximate to Dog Lane and the Storrs Post Office road to a special “Downtown” design district.
(See Goal #1, Objective c Recommendations for more information.)

c. Objective

To encourage mixed-use developments, such as the Storrs Center “Downtown” project, in areas with existing or potential sewer and public water.

Recommendations

- Upon approval of the pending Storrs Center Municipal Development Plan, action will be needed to establish a new special Design District zoning classification and to incorporate into the Zoning Regulations related design standards and approval processes.
(A Municipal Development Plan has been prepared for a mixed-use Storrs Center Downtown project and, upon resolution of remaining planning and construction details and the issuance of required permits, construction is expected to begin in 2006. This project, which includes new commercial and multi-family housing development and civic improvements, is expected to directly and significantly promote all four policy goals of this Plan. The Storrs Center Municipal Development Plan has been reviewed by the Planning and Zoning Commission and is in accord with this Plan of Conservation and Development. More information about the Storrs Center Downtown project is available under Downtown Partnership at www.mansfieldct.org.)
(Other priority mixed-use development areas are situated in the Four Corners and East Brook Mall Planned Business areas and the King Hill Road Neighborhood Business area. (See Map #21.) Similar Special Design District zoning regulations should be considered in these areas.)
(Special Design District provisions will need to address permitted uses, traffic, parking, drainage and infrastructure issues, neighborhood impact issues and design standards for buildings and associated site improvements.)
(To be consistent with this Plan, the Storrs Center Downtown project and the other identified mixed-use development areas shall be designed to promote and encourage human interaction and pedestrian usage. The scale (the size relationship of a structure or improvement to the site and people who use it) and the mass (the size or bulk of a structure or improvement) of new buildings and improvements in new design district shall be consistent with this objective and be compatible with the character of each subject site and neighborhood, as well as the New England region.)

d. Objective



To promote the public’s health, safety and convenience, to protect and enhance property values, to protect Mansfield’s natural and manmade resources and to promote other goals and objectives contained in this Plan by strengthening land use

regulations, particularly permitted use provisions, application requirements and approval standards.

Recommendations:

- • Refine existing land use regulations to ensure appropriate review of specialized or more intensive land uses that have the greatest potential for traffic, environmental or neighborhood impact or emergency services issues.
(Examples include multi-family housing projects, larger subdivisions, commercial and industrial uses, gravel removal or filling operations, telecommunication tower installations and uses in Flood Hazard zones.)

- • Refine existing permitted use provisions in the Zoning Regulations and associated approval criteria and permit processes to ensure that all permitted uses are compatible with the goals, objectives and recommendations contained in this Plan, and that appropriate review and approval standards are in place for each permitted use.

- Refine existing zoning and subdivision regulations regarding site development, drainage, erosion and sediment control, landscaping and buffering, signage, lighting and parking to ensure that appropriate standards are in place to promote the goals, objectives and recommendations contained in this Plan.
(Site development and erosion and sediment control provisions should be reviewed with respect to best management practices and stormwater management guidelines prepared by Federal and State agencies. A concerted effort should be made to minimize the impervious surfaces.)
(Parking requirements should be reviewed with respect to recent studies by the Institute of Traffic Engineers, the Urban Land Institute and the American Planning Association, to ensure that adequate but not excessive numbers of parking spaces are provided for land use developments.)
(Landscaping requirements should be reviewed with respect to controlling species that may be invasive.)
(Lighting requirements should be reviewed to ensure that site lighting is the minimum needed for safety and security purposes and to emphasize the prevention of undesirable illumination or glare above a site or beyond a site's property lines.)

- • Refine existing architectural and design standards and flexible dimensional provisions to address goals, objectives and recommendations contained in this Plan.
(Where appropriate due to specific analysis, individualized design standards should be incorporated in the Zoning Regulations. Examples include the Storrs Center Downtown project, the Four Corners area, designated historic districts and other historic village areas.)

- Refine existing zoning regulations regarding home occupation uses to continue existing policies of allowing accessory commercial uses in residential zones that do not create excessive traffic, noise or other inappropriate neighborhood impact.

- Consider zoning revisions to encourage and require, where legally appropriate, the use of "Leadership in Energy and Environmental Design (LEED) standards for new buildings and site work.

- • Refine existing land use regulations that encourage and require, where legally appropriate, layout designs that promote solar access and energy-efficient developments.

(Existing provisions should be reviewed with respect to roadway and driveway widths, sightline requirements and the use of common driveways to minimize curb cuts. This is particularly important along town-designated Scenic Roads.)

- Continue to maintain the town's existing public transportation, roadway, bridge and sidewalk-bikeway system and, as funding allows, implement improvements that promote goals, objectives and recommendations contained in this Plan. (See Appendix L for a 2005 listing of transportation improvement needs (public transportation and associated commuter parking facilities, streets, bridges and sidewalk-bikeways.)
- Continue to implement, on a location-by-location basis, speed humps, roundabouts and other traffic-calming improvements designed to reduce vehicular speed. (Guidelines should continue to require neighborhood notification and support and coordination with emergency service providers.) (Particular attention should be given to village areas identified in this Plan.)
- Continue to work with the University of Connecticut to encourage roadway, walkway/bikeway/ parking and public transportation improvements that serve areas proximate to the campus. (Priority projects include new arterial road/bikeway connections from Routes 44 and 275 to the core campus, a new South Campus parking garage, and implementation of an on-campus bicycle improvement plan.)
- Continue to publicize and promote bicycle usage in town, particularly along Town-designated and delineated bicycle routes. (See Map #18 for mapping of Mansfield's designated bicycle routes.)

2. Policy Goal #2-

→ To conserve and preserve Mansfield's natural, historic, agricultural and scenic resources with emphasis on protecting surface and groundwater quality, important greenways, agricultural and interior forest areas, undeveloped hilltops and ridges, scenic roadways and historic village areas.

a. Objective

→ To protect natural resources, including water resources, geologic/topographic resources and important wildlife habitats and plant communities, by refining the Zoning Map, land use regulations and construction standards, considering new municipal ordinances and capital expenditures, and considering other actions

Recommendations:

-
- Revise Zoning Map to classify areas designated as low-density residential on this Plan's "Planned Development Areas" Map (Map # 22) as Rural Agricultural Residence 90-Residence. (A residential density based on one dwelling per 90,000 square foot lot is considered appropriate, due to the lack of public sewer and water systems, physical limitations due to Mansfield's soils, wetland and watercourses, steep slopes and bedrock characteristics, the need to protect the watersheds of the Willimantic Reservoir and public drinking water wellfields, the need to protect existing and potential agricultural land, the desire to protect existing hilltops and ridge lines and recommendations contained in Mansfield's Land of Unique Value Study, the Windham Region Land Use Plan and the State Policy Plan for Conservation and Development.)



- Encourage appropriate extensions of existing sewer and public water supply systems to help reduce residential development pressure in areas classified low-density residential.
(In association with expanded opportunities for higher-density development in areas with public infrastructure, consideration should be given to a transfer of development rights program, to enhance the protection of natural, agricultural and scenic resources.)
- Refine Zoning and Subdivision Regulations to require, where physically possible, open space or cluster layouts with smaller lot sizes and a higher percentage of dedicated open space.
(Particularly appropriate for larger subdivisions and all subdivisions within depicted “Existing and Potential Conservation Areas” on Plan Map # 21).
(Frontage and minimum lot size requirements should be reviewed and revised as appropriate to encourage open space or cluster layouts.)
(Regulations should not authorize overall densities greater than would be possible under a conventional layout.)
- Revise Zoning and Subdivision Regulations to require for each new lot in a designated low-density residential area an appropriate development area envelope without inland wetlands or watercourses, exposed ledge, slopes exceeding 15 percent or easements dedicated to other use.
(Based on Mansfield’s soils, slopes, bedrock geology and other physical characteristics, which collectively pose significant development limitations, a minimum area of 40,000 square feet should be considered to ensure adequate area for new structures, onsite septic systems and wells and other site improvements, and to help ensure the protection of stone walls and other historic structures and other natural and manmade resources. Part I of this Plan documents or references the nature of Mansfield’s physical limitations.)
- Strengthen existing Zoning, Subdivision and Inland Wetland Regulations to clarify existing provisions that require a landscape architect, soil scientist, land surveyor, engineer and, as needed, other qualified professionals to inventory and suitably protect important site features with site-specific building area envelopes, development area envelopes and other measures.
(Mapping and other information in this Plan are designed to assist with the inventory of natural, historic, agricultural and scenic features and important wildlife habitats and plant communities, but, in most cases, a site-specific analysis is necessary for new land use applications.)
- Strengthen existing policy of discouraging extensive site-clearing, regrading and the removal or deposition of significant amounts of material for new subdivisions.
(This policy is particularly applicable within or proximate to areas classified in this Plan as “Existing and Potential Conservation Areas.”)
(A site’s original physical capabilities should be the prime determinant in establishing residential densities in non-sewered areas.)
- Strengthen existing policy of encouraging or requiring, in conjunction with a new land use application, the use of Best Management Practices for the use of fertilizers, pesticides and other chemicals.
- Strengthen Zoning, Subdivision and Inland Wetlands Regulations to incorporate more specific provisions for the submittal, approval and maintenance of stormwater management plans and erosion and sedimentation control plans to address potential water quality and water quantity impacts from a new

- Consider the establishment of a specialized town fund to help finance village improvements, including façade improvements, landscape improvements and pedestrian and public transit improvements.
- Preserve existing Town Meeting Notice signposts in Gurleyville, Mansfield Center, Mansfield City, Spring Hill and Wormwood Hill.

c. **Objective:**



To protect agricultural and forestry resources and to encourage retention and expansion of agricultural/forestry uses by refining Zoning Map and land use regulations and considering other actions.



Stearns Farm

Recommendations:



- Continue to utilize Mansfield's Open Space Acquisition Program and land use application dedication requirements to permanently preserve farmland and forest resources through ownership of land or development rights.
(This Plan's Existing and Potential Conservation Areas Map (Map # 21) and the open space acquisition priority criteria in Appendix K should be utilized to help establish priorities.)
- Revise zoning and subdivision regulations to incorporate more specific requirements for buffering and screening new development from existing agricultural uses.
- Continue existing taxation policies which promote utilization of the State's 490 Program for agricultural land and for forest lands over 25 acres in size, and consider implementing the open space component of the State's 490 Program.
- Continue existing policy of leasing town-owned agricultural land at reasonable rates, for agricultural purposes.
- Continue and expand existing policy of managing forest resources on Town open space land.



- Consider revisions to the Zoning Map to designate special zone classifications and permitted use provisions for high-priority agricultural land and interior forest areas.
(Special density provisions and design standards and a transfer of development rights program should be considered to promote retention of these areas and to discourage non-agricultural uses on productive farmland and prime agricultural soils. Within the designated medium to high-density residential area south of Pleasant Valley Road, special provisions should be enacted that require the preservation of at least fifty (50) percent of the designated agricultural or open space land, depending on site characteristics, and that address potential impacts for neighboring agricultural uses.)
- Revise road and driveway standards to help prevent inappropriate encroachments into designated interior forest or agricultural preservation areas or existing or potential open space preservation areas.
- Work with University of Connecticut officials to preserve State-owned farm land, prime agricultural soils and interior forest areas.
- Consider land use regulation revisions to provide more flexibility for agricultural property-owners to initiate or expand pick-your-own operations, retail farm stands and other commercial agricultural uses.
- Consider adoption of a municipal ordinance that supports and encourages agricultural uses and creation of agricultural districts.
- Support existing agricultural uses with active advice from Mansfield's Agriculture Committee.



d. Objective:



To help ensure protection of scenic resources by refining land use regulations and consider other actions.

Recommendations:



- Encourage use of this Plan's "Scenic Resources and Classifications" (Map # 12) to help identify and protect scenic overlooks and other areas of particular scenic importance.
(This map should be specifically referenced in the Zoning and Subdivision Regulations and used in conjunction with the town's open space acquisition programs, but should not take the place of a site-specific analysis as required by current regulations.)
- Refine zoning and subdivision regulations to emphasize the importance of siting new structures and designating open space areas in a manner that preserves important scenic resources, particularly views and vistas to and from public roadways, parks and preserved open space areas, agricultural fields, forested ridges, river valleys, glacial features and historic village areas.
- Consideration should be given to incorporating special building height restrictions and requiring open space or cluster layouts in hilltop and ridgeline areas.
- Encourage expansion of Mansfield's Scenic Road Program. Particular attention should be given to roads or portions of roads that are within or abut designated "Existing and Potential Conservation Areas" (Map #21), historic village areas (Map #5) and other areas having scenic significance based on this Plan's "Scenic Resources and Classifications" (Map #12).

Pleasant Valley Road Area Land Use/Zoning Analysis

(Prepared by R. Favretti and G. Padick)

July 2, 2007

Pursuant to Planning and Zoning Commission discussions during the spring of 2007, the Pleasant Valley Road area, west of Mansfield City Road and bordering Mansfield Avenue, was reanalyzed with respect to:

- Site and neighborhood characteristics
- Existing and potential zone classifications and associated regulations
- Priority agricultural/open space areas for potential Town acquisition and/or preservation through land use regulations
- Plan of Conservation and Development goals, objectives and recommendations
- Potential impacts on Town services
- Potential impacts on neighboring land uses

A site/area analysis map was prepared and will be available for review by Commission members and other interested persons. The following land use information and recommendations have been prepared for further consideration:

OVERALL LAND USE CONSIDERATIONS

- The entire area, which is about 165 acres in size, is relatively flat and within a designated stratified drift aquifer area. Significant portions of the area (about 25%) contain inland wetland soils and watercourses including a segment of Conantville Brook which is a designated flood hazard area.
- Non-wetland portions of the area, (about 125 acres) have soils that are considered prime agricultural soils. Actively tilled areas exist west of Mansfield City Road and south of Pleasant Valley Road to the east of Conantville Brook and to the west of Mansfield Avenue. Areas east of Mansfield Avenue and west of Conantville Brook are of an open field character and periodically mowed. Two single-family homes and two large poultry houses (previously used agriculturally) exist in this area. An additional single-family home exists on the west side of Mansfield Avenue and a single-family home with a commercially used outbuilding exists at the corner of Mansfield City Road and Pleasant Valley Road.
- The entire area is within a designated potential public water and sewer service area. Existing sewer and water lines exist on Mansfield City Road and a sewer force main exists between Route 6 and this area. Existing land uses in Windham along Mansfield Avenue are served by public sewer and water. Except for the sewer force main, the capacity of other existing utility lines is uncertain. To serve the subject area significant alterations of existing lines may be necessary.
- Based on Plan of Conservation and Development mapping, there are no significant historic structures or sites in the area.
- The subject area is not served by existing or planned public transit services.
- Pleasant Valley Road has limited width and numerous curves. Mansfield City Road, particularly north of Independence Drive (Freedom Green) is of similar character. There are no current plans to widen or alter these roads. Mansfield Avenue was widened and upgraded in the 1990's.
- All roadways in the subject area are actively used by pedestrians and bicyclists. Pleasant Valley Road and Mansfield City Road are Mansfield designated bicycle routes.
- Significant portions of the area have noteworthy scenic character. In particular, areas abutting Pleasant Valley Road are within a significant viewshed area which extends south of Stearns Road and west of Mansfield City Road.

SUB-DISTRICT LAND USE CONSIDERATIONS

Based on existing land uses and site/neighborhood characteristics, the overall review area, can be considered as four distinct sub-districts. The following land use considerations are organized by sub-district.

1. Land immediately west of Mansfield City Road; currently zoned PO-3; about 45 acres in size.

- Large wetland system (25 +/- acres) distinctly separates Mansfield City Road frontage from Pleasant Valley Road frontage.
- Existing tilled agricultural land along Mansfield City Road (10 +/- acres) abuts existing multi-family housing (Freedom Green) and ECSU ball fields. This area is adjacent to existing public sewer and water services. This area is not proximate to other agricultural areas.
- An existing house and commercially used barn on a 2 acre lot at the corner of Mansfield City Road and Pleasant Valley Road are non-conforming with respect to existing zoning.
- Existing tilled agricultural land south of Pleasant Valley Road (5 +/- acres) abuts other existing agricultural land. This area is not adjacent to existing water and sewer lines.

2. Land south of Pleasant Valley Road, east of Conantville Brook; currently zoned IP; about 40 acres in size.

- This area is bordered by wetlands to the east, south and west which provide a significant buffer or separation from existing and potential residential or commercial uses.
- Existing tilled agricultural land south of Pleasant Valley Road (15 +/- acres) abut existing agricultural land to the north and northeast. This area does not abut existing residences and has significant scenic value.
- 1934 aerial maps indicate that portions of the forested areas to the south of the tilled agricultural land (20 +/- acres) were historically used for active agricultural purposes.
- This area is not adjacent to existing sewer and water lines.

3. Land south of Pleasant Valley Road, east of Mansfield Avenue and west of Conantville Brook; currently zoned IP; about 60 acres in size.

- Northern portions of this district contain two existing houses and are proximate to areas with existing low density residential and existing agricultural uses. Undeveloped areas are of an open field character that has scenic value.
- Central portions of this district contains two large poultry houses no longer in agricultural use. Undeveloped areas are of an open field character and, in general this area is less visible from adjacent streets and is more distant from existing residential and active agricultural areas. This area is adjacent to the existing sewer force main and proximate to potential extensions of public water and sewer along Mansfield Avenue.
- Southern and eastern portions of this area have extensive wetlands.

4. Land south of Pleasant Valley Road, west of Mansfield Avenue; zoned IP; about 20 acres in size.

- Northern portions of this district contain tilled agricultural land (9 +/- acres) and are adjacent to other agricultural land and low density residential uses. This area is not adjacent to existing sewer and water lines.
- Southern portions of this district contain an existing single family home on a 1 acre lot and extensive wetlands.

RECOMMENDATIONS

The following recommendations have been prepared based on the land use considerations noted in this report and further consideration of potential land use impacts on Town services, potential impacts on neighboring property owners and the goals, objectives and recommendations contained in Mansfield's Plan of Conservation and Development. If zoning related recommendations are considered appropriate by the Planning and Zoning Commission, the Regulatory Review Committee should be asked to work with staff to prepare draft revisions to the Mansfield Zoning Map and Zoning Regulations.

1. Rezone existing PO-3 zone to a new multi-family housing/agricultural and open space preservation classification that incorporates provisions similar to the previously proposed Pleasant Valley Design District.

Rationale: Areas along Mansfield City Road are most appropriate for multi-family residential uses due to the nature of abutting uses and the proximity of public sewer and water service. Areas along Pleasant Valley Road are most appropriate for agricultural preservation.

2. Town ownership or purchase of development rights should be considered for existing agricultural areas immediately south of Pleasant Valley Road, particularly the areas east of Conantville Brook.

Rationale: This area is considered the highest priority area for potential agricultural preservation based on existing agricultural use, scenic character and separation from existing or potential residential or commercial uses. If not purchased by the Town these areas should be the highest priorities for protection/preservation through new regulatory provisions.

3. Rezone existing IP area east of Mansfield Avenue to a new non-retail commercial zone classification with regulatory provisions designed to cluster commercial uses in the central and south western quadrant of this area in the vicinity of the existing coops. Similar to the previously proposed Pleasant Valley Special Design District, regulations should require signification portions of agricultural land to be preserved with the highest priority to be given to existing tilled land south of Pleasant Valley Road and other areas south of Pleasant Valley Road adjacent to existing low density residential uses. Permitted uses, authorized by Special Permit, should be oriented toward office and research uses and should not allow high traffic generating uses. Consideration should be given to allowing automotive service uses and contractor storage uses which are not allowed in other Mansfield zones.

Rationale: This recommendation is based on the proximity of an existing sewer line, the lack of similar non-retail oriented commercial zones in Mansfield and the ability of this area to be buffered and screened from existing residential and agricultural land uses. It is noted that the Plan of Conservation and Development includes other potential locations for higher density housing including the Storrs Downtown area and mixed use areas in the Storrs/Conantville Road area and in the Four Corners area that are served by public transit and within existing or potential public sewer and water service areas.

4. Rezone existing IP area west of Mansfield Avenue to RAR-90.

Rationale: This area abuts existing agricultural land and low density residential uses and it is not adjacent to existing public sewer and water services. Existing RAR-90 zoning would authorize the PZC to require clustering on 1 acre lots and preservation of a portion of the existing tilled agricultural land.

4. Special Permit Application, Proposed Expansion of Gibbs Oil Company gasoline service station/convenience store, 9 Stafford Road, File #404-3
Item tabled – Public Hearing continued until 1/2/07.
5. Proposed rezoning from R-20 to PB-1, 93 Conantville Road, B. & C. McCarthy, o/a, File #1254
Item tabled – Public Hearing scheduled for 1/16/07.
6. Bonding/Subdivision Issues:
Item tabled.
7. 8-24 Referral Proposed acceptance of Jackson Lane-File #1231
Item tabled.
8. Potential Revisions to PZC/IWA Fee schedule
Item tabled.
9. Presentation by Paula Stahl from the Green Valley Institute on Open Space Subdivisions
Item tabled.

New Business:

1. Four Corners Area Sewer Study-Memo from Director of Planning
Padick summarized his memo and informed the Commission that Earth Tech would like to present their preliminary findings to the PZC at the January 16, 2007 meeting. Hall MOVED and Gardner seconded to meet with Earth Tech for a Four Corners Sewer Study presentation on 1/16/07. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

None

Communications and Bills:

The agenda items were noted.

Holt MOVED, Plante seconded, to add to the Agenda under Communications and Bills a memo from the Director of Planning regarding an invoice from the Town Attorney. MOTION PASSED UNANIMOUSLY.

Goodwin MOVED, Holt seconded, that the Planning and Zoning Commission authorize the Director of Planning to take appropriate action to pay the Town Attorney's 12/18/06 Invoice for legal services provided. MOTION PASSED UNANIMOUSLY.

Public Hearing

PZC-proposed revisions to the Zoning Map and Zoning Regulations, file #907-29.

Chairman Favretti opened the Public Hearing at 8:04 p.m. Present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Plante, Ryan, Zimmer, and Alternate Pociask. Alternate Kusmer disqualified himself. Gregory Padick, Director of Planning, read the Public Notice as it appeared in the Chronicle on 12/5/06 and 12/13/06, and read a 12/7/06 letter from WINCOG Regional Planning Commission. Padick also noted a 12/13/06 e-mail letter from J. Kaufman on behalf of the Conservation Commission and Open Space Preservation Committee; a 12/13/06 letter from Francis Pickering of 23 Hillside Circle; a 12/13/06 memo from the Agricultural Committee; a 12/13/06 letter from Attorney Olson of Murtha Cullina LLP, representing Bruce and Franca Hussey; a 12/14/06 letter from the Town Attorney; a 12/14/06 letter from Alexinia Baldwin, of 3 Charter Oak Square; a 12/15/06 memo from the Director of Planning; and a 12/18/06 letter submitted at the meeting from John and Charleen McGill of 11B Charter Oak Square.

Padick summarized the proposal to re-zone land south of Pleasant Valley Road from Industrial Park (IP) and Professional Office-3 (PO-3) to a new Pleasant Valley Design District zone (PVDD), and displayed the proposed zone on an aerial map. At this time Favretti noted that there have been written requests to keep the Public Hearing open until the January 2, 2007. He noted that any testimony given tonight will be on the record, and does not need to be repeated for the January 2, 2007 continuation of the Public Hearing. Favretti stated that

anyone who submitted letters need not read them at this hearing as they are part of the record and have been distributed to all members of the Commission.

Edward Clark, of Lebanon Square at Freedom Green, expressed concern that the road conditions in and around the subject area are already narrow, windy, and bumpy. Clark feels the Town should address this issue prior to proposing a zone change that would greatly increase the already high traffic in the area. He stated that fire and police protection should be considered before increasing housing in this area, and that the agriculture there should be preserved.

Jeanne Mott, of 169 Pleasant Valley Road, expressed concern that such a large population increase will create a financial hardship for retirees. She fears taxes will go up because of the increased number of children that will be enrolled in the school system. She also expressed concern that roads in this area are inadequate for any increase in traffic or population.

Alexinia Y. Baldwin, of 3 Charter Oak Square at Freedom Green, questioned the potential number of housing units in the area and the impact this will have on the value of existing housing. Baldwin is concerned about low income housing units and would like to see more specific requirements to prevent over-development. She also expressed concern for the impact on the agricultural land and the potential traffic problems.

Catherine White, of Fort Griswold Lane at Freedom Green, questioned the maximum number of housing units that could be proposed. Padick responded that a preliminary review showed there could be approximately 300-400 housing units.

Carl Kusmer, of Patriot Square at Freedom Green and an Alternate Member of PZC, approached the Commission to express his concerns. Chairman Favretti consulted with Padick who asked Kusmer to defer his comments until Padick could check with the Town Attorney on the appropriateness of a Commission member who has disqualified himself but then wants to speak on the issue before the Commission.

Jim Stearns, abutting property owner on the north side of Pleasant Valley Road, questioned Padick if any of the land involved affects any property owners other than the Husseys. Padick named the few property owners that are directly affected by the proposed zone change, and offered to meet separately with any neighboring property-owner who would like to discuss concerns further.

Jean Meddick, of 7-A Charter Oak Square at Freedom Green, was worried about the impact that the increase in traffic will have on this area and the dangerous road conditions that already exist. She also feels that adding low income housing to town is not beneficial and will have a negative impact on the school system. Meddick also questioned the owner's reason for initiating this zone change. Padick stated that the Town is the one who initiated the zone change.

Adrienne Marks, of 19 Patriot Lane at Freedom Green, stated that people move to this area because they love the country atmosphere, and she hopes that the PZC will preserve the essence of this land. Marks also expressed concern that any additional development will have a negative impact on the families in the area and the safety of the roads. She suggested that the structures built be 2 stories high, versus 3 stories, which would help to preserve the country aspect.

Michael Taylor, 12 Stonemill Road in Storrs, felt the country character of the community should be preserved, but he also felt that more dense housing is needed. He would not like to see any large-lot, grid-type development here, because of the water and sewer services that can be extended from Windham. This zone change will get the Town to its next level of growth with responsibility and balance. In conclusion, he commended the Commission for a sensitive plan.

Curt Hirsch, Zoning Agent, asked Padick to restate and clarify the current zone classification and what is permitted. Hirsch felt that the audience was not aware that the current zoning classification allows a broader range of uses than what is being proposed. Padick listed these uses.

Larry Mott, of Pleasant Valley Road, expressed concern about the impact the increase in traffic will have on the already poor roads. He felt that a Multi-Family Zone would be better suited at the junction of Routes 44/32.

Edward Clark, of Lebanon Square at Freedom Green, re-emphasized that he would like to see the roads upgraded to adequately support existing development before new growth is contemplated.

Robin Chesmer, one of the property owners who will be affected by the zone change, asked for clarification on the 100' setback which he felt would not be practical. He expressed his concern about several issues including affordable housing, and that stipulation may make it difficult to sell or use his land.

Michael Dilaj, of Datum Engineering on Conantville Road, noted that case law indicates that the Town needs to notify the individual condo owners at Freedom Green, and Padick replied that the every condo owner within 500 feet was notified.

Favretti noted at 8:55 p.m. that there were no further comments from the public or Commission members. Kochenburger MOVED, Gardner seconded, to continue the Public Hearing to Tuesday, January 2, 2007.
MOTION PASSED UNANIMOUSLY.

Adjournment:

Favretti declared the meeting adjourned at 8:58 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

Carole Masters feels the D.P.A. is entitled to a reason why the Open Space Preservation Committee is recommending that Joshua's Trust be deeded the land instead of the D.P.A.

Padick related that, based on the existing Zoning Regulations, unless the D.P.A. owns the subject open space, the PZC can mandate to whom the open space be deeded. The PZC is not bound by any pre-application approval arrangements that were made between the applicant/owners and the Dunham Pond Association.

Madge Manfred, President of Joshua's Trust, was present to express that the Trust has no particular interest in who holds the easement/dedication, as long as the open space area is preserved and protected. She will meet with the Trust's Board of Directors to see if they would be willing to hold the easement.

Commissioner Zimmer questioned Manfred if Joshua's Trust wanted to create a trail from North Eagleville Road. She indicated that no formal discussion or proposals have taken place about any part of the Dunham Pond area, and that Joshua's Trust has no stand on the topic.

Ken Feathers, of the Mansfield Open Space Preservation Committee, expressed concern with third party owners of land to be dedicated. He felt this would set a precedent for other developers to follow.

There were no further comments from the public and no questions from the Commission. Favretti noted that the Commission agreed by consensus that discussion shall be continued at the January 16th meeting and draft motions be prepared for the February 5th meeting.

Public Hearing Continuation:

PZC-proposed revisions to the Zoning Map and Zoning Regulations, file #907-29

Chairman Favretti called the continued Public Hearing to order at 8:06 p.m. Present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Plante, Ryan, Zimmer, and Alternate Pociask. Gregory Padick, Director of Planning, mentioned that no additional Public Notice was published in the Chronicle, but noted a 12/14/06 email from C. Hirsch; a 12/18/06 letter handed in at the 12/18/06 Public Hearing from John and Charleen McGill; a 12-19-06 email from Cheryl-Leigh Kusmer; a 12/28/06 report from the Town of Mansfield Open Space Preservation Committee; a 1/2/07 letter from the Mansfield Conservation Commission; a 12/28/06 letter from Kari Olsen of Murtha Cullina, Attorney representing the Hussey Family; and a 12/28/06 memo from Gregory Padick, Director of Planning.

Padick gave a brief summary of the proposal, and summarized the events of the Public Hearing on 12/18/06. At this time Chairman Favretti opened the floor for any public comment.

Katherine White, of Fort Griswold Lane at Freedom Green, stated that she would like to see the land be kept as open space/farmland, and would rather see the old Mansfield Training School site be utilized to develop housing. She expressed concern for the water supply in this area.

Padick stated that his understanding of the issue, as based on State Statutes, is that zoning for agricultural/open space is not permissible. He also noted that this area of Mansfield has access to water and sewer from Windham.

Alexinia Baldwin, of 3 Charter Oak Square at Freedom Green, reiterated that she is concerned for the safety of pedestrians, bicyclers, and motor vehicles traveling on roads that cannot handle an increase in traffic.

Michael Orenstein, of Charter Oak Square at Freedom Green, expressed his opposition to the proposed zone change and would prefer a professional office or light industrial zone. He feels that the current zoning better serves the community tax base, rather than the potential multi-family housing. Research he has done as a teacher at E.O. Smith High School has shown that it costs \$12,000 per student per year for schooling. To increase housing that has the potential to bring a large amount of children into the community will raise taxes substantially.

Commissioner Holt questioned if he would rather see age-restricted housing. Orenstien indicated he would rather see that because it would not cause overcrowding of the schools and would keep taxes down.

David Nelson, of 14 Griswold Lane at Freedom Green, thought that the age-restricted aspect was good, but the buildings should be unobtrusive. Many residents moved to the area because of the rural community character and the agricultural terrain. He does not want to see that spoiled. If the zone change is made he

would rather see the change on Mansfield Avenue rather than Mansfield City Road. He also expressed concern that with the price of oil going up, he feels that development of this type should be close to amenities that can be accessed by public transportation, walking, or bicycling.

Adrienne Marks, of 19 Samuel Lane at Freedom Green, read a letter into the record, (which will be distributed to members) expressing her concern for the safety of the area with the increase of population. She hopes that if approved, there will be enough fire/safety support.

Richard Pfau, of 44 Mountain Road, spoke in favor of the revisions. He feels there is a shortage of low income housing in Mansfield. He said that most new homes are very high end, and as a community we are not addressing the low income-earners who may want to live here. Many people move to Mansfield for the superior education system, and he feels it is unfair to discriminate against low income-earners who want to live here to better their children's education.

Eric Lanka, of 91 Pleasant Valley Road, expressed his concern that between 6:30am and 9:00am the traffic is high volume and fast, and he fears for his safety just exiting his own driveway. He feels the road needs to be widened and possibly a traffic light installed at the intersection of Pleasant Valley and Route 32.

Ken Feathers, of Gurleyville Road, expressed the need for walking access to facilities or public transportation to accommodate low income families who may not have vehicles.

Carolyn Stearns, of 440 Mansfield City Road, felt that the farmland shouldn't be developed, reminding the Commission that Buckland Hills were once a farming community. She doesn't see why the zone should be changed. She expressed concern for farmers such as her family (Mountain Dairy) who can't afford to buy more land because of the increasing price of land for development. She would rather keep the agricultural feel of Mansfield. She also said that the school system is already approaching capacity, and any additional housing would put an additional strain on the system.

When Commissioner Holt questioned Stearns if her family has the need for extra land, Stearns stated that currently they are renting land in the area and as far away as Windham, and are paying for the trucking to and from the outlying areas. They would prefer to rent land closer to home.

Attorney Kari Olsen, representing the Hussey Family, indicated that she submitted a 12/28/06 letter. Her clients own the most significant portion of land that potentially will be affected. She offered herself available to those with questions or comments.

Sandra Roth, of 9 Liberty Drive at Freedom Green, asked Padick to explain the procedure if someone proposes any development. Padick summarized the process.

Adrienne Marks, of 19 Samuel Lane at Freedom Green, felt that extensive planning should be done prior to any development.

Commissioner Goodwin questioned Stearns if in her experience any new housing owners complained about the farming. Stearns indicated that they have received complaints about the smell of manure, and that they can no longer walk the cows out to the pasture because of the traffic and speed of cars traveling on the roads. Stearns responded to Zimmer's question about saving 50% of land for farming, that she would be happier with housing, if 50% were kept farmland, rather than industrial. She is fearful of the pollutants that industrial enterprises would contribute.

Commissioner Holt questioned Stearns if she was aware of the Right to Farm Ordinance. Stearns indicated she is, but people still will always complain about the smell.

Jean Meddick, of 7a Charter Oak Square, would like to see the agricultural land preserved.

Favretti noted that there were no further comments from the public or questions from commission members. Hall MOVED, Gardner seconded, to close the Public Hearing at 9:01 p.m. MOTION PASSED UNANIMOUSLY.

Public Hearing Continuation:

Special Permit Application, Proposed Expansion of Gibbs Oil Company gasoline service station/convenience store, 9 Stafford Road, File #404-3

Chairman Favretti called the continued Public Hearing to order at 9:08 p.m. Present were Favretti, Gardner, Goodwin, Hall, Holt, Plante, Ryan, Zimmer, and Alternate Pociask. Commissioner Kochenburger disqualified himself, and Favretti appointed Alternate Pociask to act. Gregory Padick, Director of Planning,

Reports of Officers and Committees:

Favretti noted the next Regulatory Review Committee Meeting will be scheduled later this month, and members will be notified. Holt noted that she resigned as Chair of the Regional Planning Commission, but remains a member representing the Town. Favretti noted that Zimmer's resignation has left an opening on both the Traffic Advisory Committee and the Town University Relations Committee. Beal volunteered to be a representative on the Town University Relations Committee and Gardner volunteered to be representative on the Traffic Advisory Committee. By consensus, the PZC designated them.

Communications and Bills:

Items were noted.

3/17/08 minutes

Public Hearing:

PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30

Chairman Favretti opened the Public Hearing at 7:32 p.m. for the above application. Alternate Lombard disqualified himself. Members present were R. Favretti, B. Gardner, J. Goodwin, K. Holt, P. Kochenburger, B. Ryan, and alternates M. Beal and B. Pociask. Favretti appointed Beal and Pociask to act. Padick read the Legal Notice as it appeared in the Chronicle on March 4 and March 12, 2008. Padick read into the record a 3-6-08 letter from Kevin McDonald, Chairman of the Regional Planning Commission of the Windham Regional Council of Governments. Padick listed the following communications that have been received and distributed to all members of the Planning and Zoning Commission: a 3-4-08 letter from Joseph J. Morrone, 11A Heritage Square; a 3-13-08 memo with attachments from Gregory J. Padick, Director of Planning; a 3-13-08 letter from Dennis O'Brien, Mansfield Town Attorney; a 3-14-08 letter from C. Stearns, 440 Mansfield City Road; and a 3-16-08 letter from C. Pellegrine, 269 Clover Mill Road.

Padick summarized the 1/30/08 proposed revisions to the Zoning map and zoning regulations. He noted that copies of the proposed revisions and legal notice had been mailed to all property owners within the area of proposed rezoning and to all property owners within 500 feet of proposed areas of rezoning. His presentation focused on the key elements of the proposal: the rezoning of three parcels of land along Pleasant Valley Road and Mansfield City Road from Industrial Park and Professional Office-3 zones to Pleasant Valley Commercial/Agriculture, Pleasant Valley Residence/Agriculture and Rural Agricultural Residence-90 zones. He identified these areas on a display map, and he outlined the underlying reasons for drafting the proposed revisions. He specifically noted a 7-2-07 Pleasant Valley Road Area Land Use/Zoning Analysis report and map that he prepared with chairman Favretti, who is a registered landscape architect/site planner. Padick said that he has included additional information in Commission members' packets (also available to the public), such as portions of PZC minutes and meeting notes from 2006 and 2007 regarding previously proposed revisions for the subject area and minutes of the discussions held by the PZC with the Town Fire Marshal, Fire Chief, Resident State Trooper, Chairman of the Board of Education, Superintendent of Schools, and Jim Gibbons, a land use planner with UConn's Cooperative Extension Service; 2007 and 2008 PZC Regulatory Review Committee minutes; and portions of the 2006 Plan of Conservation and Development that are related to the 1/30/08 proposed revisions.

Chairman Favretti then asked for questions and comments from the public.

Alexinia Y. Baldwin, of 3 Charter Oak Square, asked for clarification on the current zoning and the proposed zoning on the parcel across from Freedom Green. Baldwin questioned if promoting public transportation in this area is part of this proposal. Padick responded that public transportation is not part of the proposed zoning revisions. Any public transportation or road issues would be addressed at the time of any application for development.

Jean Meddick, of 3a Charter Oak Square, expressed concern for traffic on the narrow roads in this area, and if public transportation were to serve the area, there would not be enough road-width to accommodate sidewalks, a feature of public transportation. She wondered who would pay for the road widening. She also asked Padick for clarification on some property lines and parcels, which he provided.

Jael Orenstein, of 11a Charter Oak Square, asked for clarification on the site map, and questioned what the change in zone would allow for uses in the area. He also wondered if development is to be set back from the road, back by the tree-line. Padick addressed his questions.

Dennis Flanagan, 205 Pleasant Valley Road, asked if there are any projects currently being considered for this area. Padick noted that he was not aware of any specific proposals.

Chairman Favretti asked for further questions and comments from Commission members and the public.

Kari L. Olson, from the Law Firm Murtha Cullina LLP, representing the Hussey family, submitted to the Commission a 3-17-08 Notice of Protest to Proposed Zoning Revisions. Olson also submitted a 3-17-08 letter outlining 8 reasons why the Husseys protest this proposal. Olson elaborated on each of the eight reasons cited in the 3-17-08 letter and added that the Husseys are willing to work with the Town to address their concerns.

Michael Orenstein, of 11a Charter Oak Square, expressed concern that additional multi-family housing would negatively impact the area by adding more strain to the road and school systems.

Sandy Dunnack, 220 Pleasant Valley Road, questioned whether existing 150 foot setback requirements from existing residential uses would apply in the proposed PVCA and RAR-90 zones. She asked if any negative impact would occur on the residential shallow wells from commercial activity. Padick agreed to respond to the setback issue in an update memo and related that potential impacts to surface and ground water are addressed by existing special permit approval criteria.

Noting no further comments or questions from the public, Padick explained to the Commission about the Notice of Protest submitted by attorney Kari L. Olson on behalf of the Hussey Family. It is his understanding that a 2/3 member vote would be needed to approve the proposed rezonings of the Hussey property. Olson noted that this Notice of Protest is new and pertains only to the current proposal, and that the Notice of Protest also would apply to the proposed rezoning of the Professional Office-3 zone.

A. Baldwin questioned if Freedom Green has to collectively submit a protest or if individuals can submit one.

It was explained that the Husseys' Notice of Protest may apply to all 3 rezonings and that it may not be necessary for Freedom Green to submit a protest petition if they oppose the PO-3 rezoning. Padick related that he would be researching the protest petition and would report back to the PZC.

Gardner MOVED, Holt seconded, to continue the Public Hearing to April 21, 2008. MOTION PASSED, with all in favor and Lombard disqualified.

Adjournment:

Favretti declared the meeting adjourned at 8:35 p.m.

Respectfully submitted,



Katherine K. Holt, Secretary

Noting no further questions or comments from the public, Plante MOVED, Gardner seconded, to continue the public hearing until 5/19/08. MOTION PASSED UNANIMOUSLY with Holt disqualified.

Public Hearing Continuation:

PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30

Chairman Favretti opened the continued Public Hearing at 9:00 p.m. Lombard disqualified himself. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, B. Pociask, P. Plante, B. Ryan, and alternates G. Lewis, and M. Beal. Hall noted for the record that he listened to the tapes of the last Public Hearing. Recording Secretary Shea noted the following communications received and distributed to Commission members since the last Public Hearing: a 4-17-08 memo from Gregory J. Padick, Director of Planning; a 4-17-08 memo from Dennis O'Brien, Town of Mansfield Attorney; undated comments from the Open Space Preservation Committee's February 20 and March 19th meetings; undated comments from the Agricultural Committee's March 12th meeting; and a supplemental page 4 to the 4-17-08 Memo from Dennis O'Brien, Town of Mansfield Attorney (distributed to all members this evening).

Favretti opened the discussion to the public.

Kari L. Olson, from the Law Firm Murtha Cullina LLP, representing the Hussey family, spoke of her concern that Commissioner Plante would be seated during this public hearing. She questioned whether Plante has a conflict of interest because of a prior situation wherein he, as a real estate broker, brought a client to show him a portion of the property (owned by her client). Plante stated that he does not feel there is a conflict of interest, as this incident occurred over 3 years ago and that he has had no financial gain or any other gain from it. After extensive discussion, members unanimously agreed that they trust Plante's judgment about his being seated and that there is no conflict of interest. Olson stated that she is satisfied that now the record reflects that the issue has been brought to the attention of the Commission and that Plante has stated he feels no conflict is present.

Olson noted that this morning she received all the communications referenced at the beginning of the public hearing, adding that she is not prepared at this time to comment, and would like to reserve the opportunity to do so at the next public hearing. Olson did, however, discuss the following issues: disagreement with Town Attorney O'Brien's interpretation of Section 8-2 of the Connecticut General Statutes; the Special Permit conditions; Open Space dedications; spot zoning; ambiguities in the designation of farmland, location of farmland, permanent designation of farmland, and Section U.b (lack of criteria for low traffic generator).

Olson added that Mansfield's Agricultural Committee and the Open Space Preservation Committee both disagree with the PVCA and RAR-90 zone proposals.

Kochenburger asked that Olson submit a letter outlining her discussion.

Gardner questioned if the current zoning fits the Hussey's future plans. Olson noted that at this time the Husseys do not have any plans for the property.

Alexinia Y. Baldwin, of 3 Charter Oak Square, felt that the zone change would lower property values. She explained that she has spoken with the Director of Planning by phone since the last Public Hearing and he clarified what was said at the previous public hearing about protest petitions. He explained that the protest petition submitted by the Hussey family was only applicable for the rezoning of the Hussey property and not to the proposed rezoning along Mansfield City Road (PVRA zone). He added that in order to protest the proposed rezoning of that area, a protest petition must be signed by 20% of the land-owners within 500 feet of the area to be rezoned.

Jean Meddick, 7a Charter Oak Square, would like to know the comments that were previously made by the Town staff, such as school, police and fire officials and other experts, during an informational session held by the PZC after the previous proposal was rejected.

Noting no further comments or questions, Hall MOVED, Ryan seconded, to continue the Public Hearing until 5/19/08. MOTION PASSED UNANIMOUSLY.

5/19/08 Public Hearing

Public Hearing Continuation:

PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30

Chairman Favretti opened the continued Public Hearing at 8:22 p.m. Lombard disqualified himself. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante, B. Ryan, and alternate G. Lewis, who was appointed to act. Padick noted the following communication received and distributed to members of the Commission: a 5-13-08 Letter from Attorney Kari L. Olson, of Murtha Cullina LLP., representing the Husseys, which outlines her testimony at the 4-21-08 Public Hearing; a 4-30-08 memo from the Conservation Commission; and a 5-18-09 memo from Gregory J. Padick; and a 5-19-08 memo from Denis O'Brien, Town Attorney.

Attorney Kari L. Olson, of Murtha Cullina LLP., represented the Husseys who are property owners of a majority of the land affected by this proposal. She has reviewed the Town Attorney's and Town Planner's memos and disagrees with their comments. She stated that she feels that the provisions as written are legally inappropriate and cannot be amended to address the Husseys' concerns without starting the review process again. She asked that the Planning and Zoning Commission withdraw this proposal and review the comments made at these public hearings and sit down with all of the affected property owners and draft a new proposal. She noted that the applicant appreciates the amount of time and effort that went into this, and would like to see a proposal that benefits everyone involved.

Holt asked if Jim Gibbons, of the UConn Cooperative Extension Service, has reviewed this proposal. Padick indicated that he had not.

Favretti noted no further questions or comments from the public or the Commission. Hall MOVED, Holt seconded, to close the public hearing at 8:28.m. MOTION PASSED UNANIMOUSLY with all in favor except Lombard who was disqualified.

Old Business:

1. Zoning Agent's Report

A. The enforcement update was noted.

B. DAE Modification Request, 171 Mount Hope Road, PZC File #1191

Holt MOVED, Hall seconded, that the PZC approve the requested Development Area Envelope revision as proposed, except that the proposed DAE shall run parallel to, and twenty feet away from the southern perimeter line of the designated wetlands as flagged on the approved subdivision plan. The applicant shall also file a Notice of Development Area Envelope Revision upon the land record. MOTION PASSED UNANIMOUSLY.

C. Special Permit renewal - Gravel Permits

Holt MOVED, Gardner seconded, that the Commission set a public hearing for June 16, 2008, for the purpose of hearing special permit, gravel renewal requests. MOTION PASSED UNANIMOUSLY.

2. Special Permit Application, Request to approve the use of off-site parking to increase restaurant occupancy at the Thirsty Dog Pub, N. Eagleville Rd., File #930-7

Plante disqualified himself. After extensive discussion which included use of a nearby UConn parking lot and occupancy number limits, the Commissioners asked Padick to verify the numbers again. Holt volunteered to draft a motion for the next meeting. Hall requested that any approval motion include "at no time while occupied shall the doors remain locked".

3. Subdivision Application, Windwood Acres, Baxter Estates Section II, 6 lots off of Storrs Rd., Crossen., o/a File # 1229-2

Tabled pending a continued Public Hearing on 6/2/08.

4. 11 lot Subdivision Application, Wormwood Hill and Knowlton Hill Rds, Green o/a, File #1269

Tabled pending a continued Public Hearing on 6/2/08.

5. Application to Amend Art. X, Sec. C.5. of the Zoning Regulations Re: Table Umbrella Signs. Storrs Associates, LLC. o/a File #1271

Tabled pending a continued Public Hearing on 6/2/08.

6/16/08 minutes

Lot Subdivision Application, Wormwood Hill and Knowlton Hill Rds, Green o/a, File #1269

Tabled pending a scheduled 7/7/08 continued Public Hearing.

PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30

After extensive discussion, the majority of Commission members decided to draft an approval motion for sections of the zoning regulations that could be approved without any alterations, and to deny the other sections at this time. The remaining sections or revisions shall be sent to Regulatory Review and staff to be re-worked. Hall volunteered to work with staff to draft an approval motion.

10. Review of Summer Vacation/Meeting Schedule

Holt MOVED, Hall seconded, to cancel the August 18, 2008 meeting due to vacation schedules.
MOTION PASSED UNANIMOUSLY.

New Business:

1. Request for BAE/DAE revisions, lot 11, Beacon Hill Drive, File #1214-2

Hall MOVED, Holt seconded, that the Planning and Zoning Commission approve Building and Development Area Envelope revisions for Lot 11 in the Beacon Hill Estates subdivision as depicted on a 5/23/08 map prepared by Datum Engineering subject to the incorporation of revisions recommended in a 6/12/08 report from the Director of Planning and the preservation of stonewalls as per approval requirements. This action shall be noticed on the Land Records. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

Noted.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 10:07 p.m.

Respectfully submitted,



Katherine K. Holt, Secretary

Request for Bond Releases

Item tabled pending more information from staff.

Reports of Officers and Committees:

Favretti noted the next Regulatory Review Committee on 2-10-09 at 1pm.

Communications and Bills:

Padick noted a Special Meeting of WINCOG will be called to discuss the CL&P Interstate Reliability Proposal to see if other towns had taken a stance and to determine if WINCOG wants to endorse Mansfield's position.

Scheduled Business:

Discussion regarding Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue.

Lombard disqualified himself and Chairman Favretti appointed Lewis in his place. Padick began the discussion with the background information. He discussed the previous proposals, utilizing a map developed by Favretti and him. Padick pointed out various land uses (agriculture, residential, commercial) which were proposed earlier by the Commission but that were never approved as new zone changes.

Attorney Kari Olson and Bruce Hussey emphasized that they have no specific development plan in mind at this time. They stated that they are in accord with the concept suggested by the Favretti/Padick map, but would like to discuss further the details of what would be included in each of these zones and also the extent of them.

Favretti asked Hussey and Olson if they would be willing to meet with him and Padick to discuss this point further. They were in agreement, and Padick stated that he will set up a meeting in January.

Discussion regarding the definition of lot as it applies to property on a Town Line. (Communications from R. Lennon and K. Kaufman)

Chairman Favretti stated that although tonight's discussion was not a public hearing, he would conduct it similarly, and he asked Mr. Lennon to begin the discussion. Robert Lennon of 20 Jackson Lane and Joseph Cerreto of 6 Jackson Lane stated their opposition to the recent ruling regarding the definition of lot as it applies to property on a town line. Lennon referred to his letters of November 30, 2008, and December 10, 2008, which in essence refer to the fact that he and his neighbors bought their properties thinking that the lot in question, partially in Chaplin, would not be developed, based upon the PZC regulations and conditions of the sub-division plan.

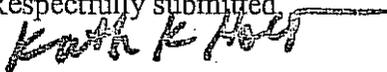
Attorney Samuel Schrage, representing the applicant, reviewed the timeline of events leading to the present situation. He noted that the applicant is prepared to have the same covenants placed on the lot in question as are on the approved lots in the subdivision, consisting of a substantial buffer from existing lots. He stated that the lot in question will be utilizing a separate driveway, accessed from Bedlam Road in Chaplin. Schrage submitted to the Commission a letter in response to Lennon's letters.

After extensive discussion between the property owner, the neighbors, and the Commission, Favretti tabled further discussion until the next meeting on 1-5-09.

Adjournment:

Favretti declared the meeting adjourned at 9:18 p.m.

Respectfully submitted,



Katherine K. Holt, Secretary

Old Business:

5. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue.**
Lombard disqualified himself. Padick reviewed the background of this site and discussed the conclusions that were drawn based on the meeting he and Chairman Favretti had with B. Hussey and his Attorney K. Olson. Extensive discussion followed but no conclusions were reached. It was decided that the members should think further about this issue and come prepared to discuss the matter at the next meeting. Padick agreed to highlight key elements to set a framework for this discussion. He asked that members continue to think of possible proposals to discuss at the next meeting.

Other Old Business:

1. **Proposed Zoning Regulation Amendment, Valley View, LLC., File #1281**
Tabled pending 4/20/09 continued Public Hearing.
2. **Proposed Special Permit Modification, 1559 Stafford Road, Valley View LLC., File #105**
Tabled pending action on associated regulation revision.
3. **Application to Amend the Zoning Map, Whispering Glen, LLC, 73 Meadowbrook Lane, File #1283**
Tabled-awaiting 5/4/09 Public Hearing.
4. **Special Permit Application for a Proposed 37 Unit Multi-Family Development, Whispering Glen, LLC, 73 Meadowbrook Lane, File #1284**
Tabled-awaiting 5/4/09 Public Hearing.

New Business:

1. **New Subdivision Application, 3 lots, Wormwood Hill Rd, K. Hallock o/a, File #1285**
Goodwin MOVED, Plante seconded, to receive the SUBDIVISION application (file # 1285) submitted by Kathryn Hallock for a 3-lot subdivision on property located at the east side of Wormwood Hill Road owned by the applicant as shown on plans dated 03/20/09, and as described in other application submissions, and to refer said application to the staff, Conservation Commission, and Open Space Preservation Committee for review and comments. MOTION PASSED UNANIMOUSLY.
2. **8-24 Referral: Proposed 2009/10 Capital Improvement Budget**
Holt MOVED, Plante seconded, that the PZC approve, subject to the condition below, the proposed 2009-10 Capital Improvement Program.
 1. Several items are land use-regulated and may require PZC and/or IWA approvals before implementation. The PZC respectfully requests that the departments involved with land use projects coordinate plans with the Director of Planning and Inland Wetland Agent and that the Commission/Agency be given adequate time to thoroughly review and act upon final plans for all projects that require PZC or IWA approval.
MOTION PASSED UNANIMOUSLY.
4. **Site Modification Request: Proposed Groundwater Remediation System, 632 Middle Turnpike Merchants Mansfield o/a (CVS), File #1157-2**
It was agreed by consensus to refer this modification request to staff for review.
5. **Farrell Road, Town Designated Scenic Road, Tree Removal**
Chairman Favretti informed the Commission about the removal of an oak tree on Farrell Road, a town of Mansfield scenic road, without the Commission's approval as required. The PZC had denied a request for the removal of this tree about two years ago. He asked that the PZC support his writing a letter to the Department of Public Works regarding tree removal on a Town designated scenic road with the required approval from the PZC, and to request an explanation for this occurrence. By consensus, the PZC authorized the Chairman to write such a letter to the D.P.W.

proposed regulation changes except the common driveway and agricultural revisions. The Commission requested that staff arrange a meeting with the Agriculture Committee with the goal of revising the proposed revisions. Goodwin volunteered to contact the CT Department of Agriculture to inquire if they offer assistance to municipalities in writing agricultural regulations.

3. **Gravel Permit Renewal/Modification Request, Green Property, 1090 Stafford Road PZC File #1258**
Staff reports from the Director of Planning and Assistant Town Engineer were received. Goodwin MOVED, Holt seconded, that the Planning and Zoning Commission schedule a Public Hearing for July 20, 2009 to hear comments on the Special Permit modification request of Karen Green for excavation activity at 1090 Stafford Road. In association with this Public Hearing, the applicant shall notify property owners within 500 feet of proposed excavation activity in accordance with Mansfield's neighborhood notification requirements. MOTION PASSED UNANIMOUSLY.
5. **Draft 2009 Windham Regional Land Use Plan**
A staff report from the Director of Planning was received. Padick updated the PZC regarding the 7/1/09 public hearing held by WINCOG's Regional Planning Commission. He noted that the Conservation Commission will be discussing the draft at its 7/15/09 meeting. Padick will draft letter for PZC consideration at its 7/20/09 meeting and for Town Council consideration on 7/27/09.
6. **2009 Draft Update: Planning Acquisition and Management Guidelines**
A staff report from the Director of Planning was received. Holt MOVED, Gardner seconded, that the Planning and Zoning Commission communicate to the Town Council that it has reviewed the draft revisions to Mansfield's "Planning, Acquisition and Management Guidelines" and recommends approval subject to the addition of the following sentence at the end of the last paragraph of Section II.A: "In such event, before acting the Town Council will provide the PZC/TWA an opportunity to comment on the subject dedication or easement. MOTION PASSED UNANIMOUSLY.
7. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue**
Alternate Lombard disqualified himself. A staff report from the Director of Planning was received. Extensive discussion was held regarding the next step for the Industrial Park zone in southern Mansfield. It was the consensus of the PZC that a 50% Agricultural Dedication and lower density housing should be considered. Padick agreed to draft a bulleted list of potential changes for an upcoming meeting.

New Business:

1. **Eagleville Brook Impervious Surface TMDL Project**

Padick noted a 7/14/09 stakeholder's meeting at 9am. Favretti stated that he plans to attend.

Reports of Officers and Committees:

Favretti noted a 7/14/09 Field Trip at 1:00 p.m. There were no other reports.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 9:47 p.m.

Respectfully submitted,



Katherine K. Holt, Secretary

described in a 6/15/09 letter from the applicant, other application submissions and testimony at a Public Hearing on 7/20/09. This approval is granted because the application as hereby approved is considered to be in compliance with Article XI, Section D, Article V, Section B and Article X, Section H of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. All disturbed areas shall be covered with a minimum of 4 inches of topsoil and revegetated as per regulatory requirements and application submissions. No topsoil shall be removed from site without prior authorization.
2. The haul route indicated on the 7/2/09 plans and approved by the Assistant Town Engineer shall be utilized. An anti-tracking pad shall be installed at the Route 32 intersection of the haul route.
3. Erosion and sedimentation controls shall be installed where necessary as determined by the Assistant Town Engineer/Inland Wetlands Agent. Particular attention shall be given to the area where a haul road culvert will be placed.
4. Due to the agricultural nature of the subject application, the distance of the site activity from wetland/watercourse areas and the adequacy of submitted plans, no site development bonding shall be required at this time. The PZC reserves the right to require bonding if site development problems arise.
5. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records. If the subject excavation and site restoration work for both the original and new areas of excavation are not completed by 7/1/2010, renewal of this Special Permit shall be required.
6. This approval accepts the applicant's requested waivers of map submission requirements. The information provided is adequate to address all applicable approval requirements.

MOTION PASSED UNANIMOUSLY.

2. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue

Lombard disqualified himself. Padick reviewed his 7-30-09 memo at length. After extensive discussion, the consensus of the Commission was to proceed with Option 2a presented in Padick's 7-30-09 memo. This option would to rezone the land east of Conantville Brook to a refined PVRA zone and re-zone Industrial Park land west of Conantville Brook to a refined Pleasant Valley Commercial Agriculture. Padick noted that if the entire area designated for rezoning to PVRA is developed in multi-family projects, the maximum number of units would be about 200. Padick agreed to work with members to present this for a fall public hearing.

3. Special Permit Conversion, 1620 Storrs Road, Y. Ghiaei o/a, File #1276-2

Tabled, Public Hearing scheduled for 9/8/09.

Reports of Officers and Committees:

Favretti noted an 8/19/09 Field Trip at 2:00 p.m. There were no other reports.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 9:22 p.m.

Respectfully submitted,



Katherine K. Holt, Secretary

not been sent to the Design Review Panel. Padick responded that this application was for a modification, and modifications are not normally sent to the Panel.

2. Site Modification Request, Chuck's Margarita Grill, Proposed Deck, 1498 Stafford Rd, File #303

Mike Gallager, of Chuck's Margarita Grill, reviewed the revised plans submitted this evening. He indicated that they are planning a deck on two levels and would like background music to be piped outside if allowed. There are no plans for live music. Patrons would be served by the inside kitchen and bar with no bar on deck. The deck would remain open roughly one hour after the kitchen is closed. On Sunday-Thursday food is served until 10pm, and Friday and Saturday food is served until 11pm. They request the deck be open on Friday and Saturday until 12:30am, and the rest of the week until 11pm.

The applicant stated that there will be low-voltage down-lighting on the deck, and fans will be used to eliminate mosquito problems. The Commission suggested a fence to break sound, in addition to the pine trees, on the north side of the deck nearest the neighbors. No cooking will be allowed in the proposed fire pit.

Extensive discussion was held regarding the handicap access that is proposed through the inside bar area and if it would offer safe egress during an emergency. Also discussed was the possibility of paving the deck.

Padick suggested discussion be continued to the next meeting and said that the Commission members should decide what the neighborhood impact may be. He also requested that the applicant notify neighbors for the next meeting.

Steve Browning, patron and area resident, commented that summer months in this community are economically hard for businesses, and he hopes that the application will be approved.

Noting no further questions or comments, the Commission agreed to continue discussion at the 11/2/09 meeting.

3. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.

Lombard disqualified himself. Padick discussed the proposed changes in the 10-15-09 draft revisions. The consensus of the Commission was that Padick should send a copy of these draft revisions to the Husseys, who are the major owners of the tract.

New Business:

1. Request for bond releases:

a. Baxter Road Estates, PZC File #1229

Kochenburger MOVED, Holt seconded, that the PZC authorizes the Director of Planning to take appropriate actions to release a \$7,500 cash bond, plus accumulated interest, that was posted with the Town to ensure completion of required subdivision work in the Baxter Road Estates Subdivision. MOTION PASSED UNANIMOUSLY.

b. Windwood Acres, PZC File #1229-2

Kochenburger MOVED, Holt seconded, that the PZC authorizes the Director of Planning to take appropriate actions to release a \$10,000 cash bond, plus accumulated interest, that was posted with the Town to ensure completion of required monumentation in the Windwood Acres Subdivision. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

None noted.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 9:39 p.m.



Respectfully submitted,
Katherine K. Holt, Secretary

Padick noted that verification of neighborhood notification has not yet been received and his recommendation would be to continue the public hearing. Hall MOVED, Holt seconded, to continue the public hearing until 2-16-10. MOTION PASSED UNANIMOUSLY.

Old Business

2. Democratic Town Committee's PZC Alternate and Full Member Recommendations

Holt MOVED, Hall seconded, to appoint alternate Gregory Lewis as a full member of the PZC. MOTION PASSED UNANIMOUSLY.

Fred Loxsom was present to introduce himself and answer any questions members had since reviewing his professional resume. Noting no questions or comments, Rawn MOVED, Holt seconded, to appoint Fred Loxsom as a PZC alternate. MOTION PASSED UNANIMOUSLY.

Favretti congratulated and reminded both Lewis and Loxsom that they will need to be sworn in to their new positions by the Town Clerk prior to the next meeting.

3. Draft Policy on Transparency and Open Government from the Town Council Personnel Committee

The consensus of the Commission was to review the draft policy and be prepared to discuss and draft any recommendations to the Town Council at the next meeting.

Old Business

1. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.

Padick discussed the prior drafts and procedures that brought us to this draft revision. He noted the 1-26-10 written response from the Hussey's Attorney, Kari Olson, which stated the Hussey's are willing to come and discuss this further with the Commission or the Chairman and Staff. After extensive discussion, the consensus of the Commission was to move forward with the draft without further meeting with the Hussey or their attorney. Padick commented that he would like to make some minor changes prior to the next meeting and present another draft for the Commission at which time a date for public hearing can be set.

2. Proposed Revision to Article X, Section C regarding Political Signs

Padick noted his 2-1-10 memo and stated that the Town Attorney feels the draft revision can be sent to public hearing with other revisions and can include that no political signs are allowed on private property. After extensive discussion, the consensus of the Commission was to not request the Town Council make a policy, but rather to include those changes in the Regulations and bring to a public hearing.

3. Verbal feedback from Town Planner Re: Proposed Parking Ordinance for Residential Rental Properties, Zoning Definition of Family, Student/Tenant Registry Ordinance

Padick briefed the commission that he is currently working on plans to modify the current zoning definition of family and noted the Town Council is working on a draft student registry and the proposed parking ordinance has been presented at a Town Council Public Hearing.

New Business

1. New Special Permit Application, Proposed Sale of Alcoholic Liquor at Jack Rabbit's Restaurant, 1244 Storrs Road, File #1291

Holt MOVED, Hall seconded, to receive the Special Permit application (file #1291) submitted by Jack Rabbits of Storrs, LLC for the sale of alcoholic liquor, on property located 1244 Storrs Road, (Storrs Commons) owned by Storrs Associates as shown and described in application submissions, and to refer said application to the staff, for review and comments and to set a Public Hearing for 2/16/10. MOTION PASSED UNANIMOUSLY.

Plante requested that Padick provide the linear distance between the proposed business and the E.O. Smith High School and the Church on Dog Lane for the next meeting.

2. Special Permit Application, Proposed Sale of Alcoholic Liquor at Jack Rabbit's Restaurant, 1244 Storrs Road, File #1291

After briefly discussing the nature of the subject restaurant, J. Goodwin MOVED, K. Holt seconded, to approve with conditions the special permit application (File #1291) of Jack Rabbits of Storrs LLC for the sale of alcoholic beverages in association with a restaurant use at Storrs Commons, 1244 Storrs Road, as depicted on a submitted floor plan, as described in a statement of use and other application submissions and as presented at a Public Hearing on 2/16/10. This approval is granted because the application as approved is considered to be in compliance with Article X, Section I, Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. Any significant change in the proposed restaurant use and sale of alcoholic beverages, as described in application submissions and at the 2/16/10 Public Hearing, shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC;
2. Pursuant to Mansfield's current Zoning requirements for Planned Business-2 sites within 500 feet of a school, all alcoholic beverages shall be served from a service bar in conjunction with the service of meals to customers seated at tables or the proposed counter;
3. The owner shall be responsible for training staff with respect to all applicable Connecticut liquor laws;
4. This approval grants the requested site plan submission waivers. The information submitted is adequate to appropriately address applicable approval criteria;
5. This permit shall not become valid until the applicant obtains the special permit form from the Planning Office and files it on the Land Records.

MOTION PASSED UNANIMOUSLY.

3. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.

2/25/10 Memo from the Director of Planning was noted. Padick briefly summarized the revisions that had been incorporated into a current draft. After a brief discussion, it was agreed that this matter shall be forwarded to the Regulatory Review Committee for its review. Chairman Favretti noted the next Regulatory Review Committee meeting is scheduled for 3/2/10 at 2pm in Room B as cited on the Agenda.

4. Verbal feedback from Town Planner Re: Draft Revision on Definition of Family; Proposed Parking Ordinance for Residential Rental Properties; and Student/Tenant Registry Ordinance

Preliminary draft of proposed revisions to the zoning definition of family was distributed to the Commission. It was noted that this subject, as well as other items such as proposed parking ordinance and student/tenant registry, were currently under review by Community Quality of Life Committee. No action of the commission is required at this time.

New Business:

1. 8-24 Referral-Potential Town Acquisition of Land on Birchwood Heights Rd.

G. Lewis disqualified himself and Rawn was appointed to act in his place. Reports from the Director of Planning and Open Space Preservation Committee were noted. Both reports support acquisition, as this site will allow a connection between neighborhoods and a pedestrian trail. K. Holt MOVED, R. Hall seconded, that the PZC notify the Town Council that the proposed acquisition of the Ossen/McCoy property would promote Plan of Conservation and Development goals, objectives and recommendations, and is supported by the Planning and Zoning Commission. G. Lewis disqualified, K. Rawn acting, MOTION PASSED UNANIMOUSLY.

2. Proposed Drainage Improvements, Juniper Hill Apartments File #627

The request is for a minor modification. P. Plante indicated that the project promotes goals and objectives of the Plan of Conservation and Development. R. Hall MOVED, K. Holt seconded, that the PZC Chairman and Zoning Agent be authorized to approve under the site modification process proposed stormwater and building façade improvements at the Juniper Hill Village elderly housing development, 1 Silo Circle, as described in a 2/23/10 letter from project engineer, C. Gagnon and as described at the IWA's March 1st meeting, subject to the following conditions:

1. All drainage improvement designs shall be approved by the Assistant Town Engineer.

MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Tuesday, March 30, 2010
Conference Room C, Audrey P. Beck Municipal Building

Members present: M. Beal, R. Favretti, K. Holt, K. Rawn
Others present: G. Padick, Director of Planning

I. Call to Order

Chairman Beal called the meeting to order at 2:02 p.m.

II. Minutes

3-16-10- Holt MOVED, Rawn seconded, to approve the 3/16/10 minutes as revised (Hall removed from members present listing).

MOTION PASSED UNANIMOUSLY.

III. Consideration of potential revisions to the Zoning Regulations/Zoning Map

Padick related that the primary objectives of the meeting are to discuss and provide direction for the refinement of the draft revisions for rezoning the existing Industrial Park zone; to review and potentially pass on for PZC consideration draft revisions to the Zoning definitions of family and boarding house and to begin a review of potential revisions to enhance aquifer and public drinking water resources. He added that draft political sign regulations are ready for public hearing and draft revisions to address invasive plant species issues will be ready for the next committee meeting.

Members reviewed with Padick a 2/25/10 draft of proposed revisions regarding the rezoning of the existing Industrial Park zone south of Pleasant Valley Road. Particular attention was given to draft design criteria. Setback and height requirements, protecting important views and vistas, buffering and lighting and phasing issues were emphasized. Padick was instructed to draft, for consideration at the next meeting, proposed revisions based on the Committees discussion.

Padick distributed and explained a 3/29/10 draft revision to the Zoning definitions of family and boarding houses. After discussion, committee members agreed the draft was ready for PZC consideration.

Padick distributed portions of the Zoning and Subdivision regulations with suggested draft revisions designed to enhance the protection of aquifer areas and public drinking water wells. He noted that in his opinion the draft revisions met overall objectives contained in a specific proposal from the Conservation Commission but not all of their recommendations were incorporated into the current draft. Padick explained each of his proposed changes to the Zoning Regulations and Subdivision regulations and agreed to reformat the proposed revisions for further consideration of the next meeting. Favretti left the Committee meeting at 3:30 p.m. while these draft revisions were being discussed.

IV. Future Meetings

The next meeting is scheduled for 4/13/10 at 2pm in Room B.

V. Adjournment

The meeting was adjourned at 3:56 p.m.

Respectfully submitted,

K. Holt, Secretary

MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Tuesday, April 13, 2010
Conference Room B, Audrey P. Beck Municipal Building

Members present: M. Beal, R. Favretti, R. Hall, K. Holt (left at 3:15), G. Lewis (left at 3:25),
P. Plante
Others present: G. Padick, Director of Planning

I. Call to Order

Chairman Beal called the meeting to order at 2:04 p.m.

II. Minutes

3-30-10- Holt MOVED, Favretti seconded, to approve the 3/30/10 minutes as submitted. MOTION PASSED with Hall, Lewis, and Plante disqualified.

III. Consideration of potential spring 2010 revisions to the Zoning Regulations/Zoning Map

Members spent a majority of the meeting reviewing and refining draft regulation revisions associated with the proposed rezoning of the current Industrial Park zone south of Pleasant Valley Road. Particular attention was given to new design criteria for the existing Pleasant Valley Residence Agriculture zone. It was agreed that a five hundred foot setback from Pleasant Valley Road should be required unless specifically reduced by the Commission. This setback will help minimize incompatible visual impacts and help preserve agriculture land closest to Pleasant Valley Road. Other wording revisions to a 4/12/10 draft were agreed upon.

Members briefly reviewed and found acceptable distributed drafts for potential revisions to the Zoning and Subdivision Regulations regarding aquifer and public and public water supply well protection and regarding a prohibition of invasive plant species use. By consensus, members agreed that the five (5) sets of proposed regulation and zoning map revisions listed on the agenda be forwarded to the full Commission for review and the scheduling of a public hearing.

It was agreed to postpone discussion on other agenda items until the next meeting.

IV. Future Meetings

The next meeting is scheduled for 4/26/10 at 2pm in Room C.

V. Adjournment

The meeting was adjourned at 3:30 p.m.

Respectfully submitted,

K. Holt, Secretary

Padick, Director of Planning; a 4/15/10 report from G. Meitzler, Assistant Town Engineer; a 4/5/10 report from J. Jackman, Fire Marshall; and a 4/6/10 report from the Agriculture Committee.

The applicant's representative, Wes Wentworth, P.E., Soil Scientist, Wentworth Civil Engineers, LLC, distributed revised plans dated 4/19/10. Wentworth reviewed the changes to the plans based on staff comments, and discussed the reduction in driveway widths with a one-way traffic flow and elimination of the second easterly driveway exit. Wentworth noted that the farm stand will be open three days a week, from April to December (based on demand). There is a stone wall under construction along the western front boundary of the property, to then be supplemented by evergreen trees and shrubs, to act as a landscape buffer for the abutting neighbor to the west.

Members raised questions regarding the traffic, road conditions, sight lines, winter parking, handicapped signage and accessibility, parking layout, hours of operation, lighting and products that are to be sold.

Chairman Favretti opened the discussion for members of the public.

Raluca Mocanu, 253 Maple Road, asked the applicant to explain how this proposal will be sustainable, environmentally safe and what will be grown on site. She also referenced comments from Bill Palmer of the Agriculture Committee and his concern that the agricultural deed covenant be upheld. (To clarify this point, Wentworth submitted a 2-19-10 email correspondence from J. Dippel, Director Farmland Preservation Program, Connecticut Department of Agriculture.)

Gus Loukas, Browns Road, the abutter to the west, expressed concern for the value of his property, traffic, parking and the safety of his children noting the proximity of his property to the barn and driveway entrance. He stated that when the former owner opened his corn maze to the public, there were cars parked along the road, in his driveway and on his lawn. Often cars would turn around in his driveway, making it unsafe for his children to play there.

Edward Weiser, member of the Agriculture Committee, feels that the type and quantity of product that can be brought in from off-site should be clearly defined. He wanted to know which of Kielbania's fields will be actively cultivated this year and in the future.

There were no further comments or questions from the Commission or the public. Holt MOVED, Hall seconded, to continue the public hearing until 5/3/10. MOTION PASSED UNANIMOUSLY.

Old Business:

1. **Draft Revisions to the Zoning Regulations Definitions of Family and Boarding House; Political Signs**
Item tabled, pending a public hearing scheduled for 5/3/10.
2. **Draft Revisions to the Zoning Map, Zoning and Subdivision Regulations, dated 4/14/10, regarding:**
 - a. Rezoning of Industrial Park Zone and Associated Regulation Revisions
 - b. Aquifer and Public Water Supply Protection Regulations
 - c. Invasive Plant Species Regulations

Padick referenced his 4/15/10 memo and reviewed in detail the associated 4/14/10 draft revisions.

Holt MOVED, Hall seconded, that a public hearing be scheduled for June 7, 2010 to hear comments on the attached 4/14/10 draft revisions to the Zoning Map and Zoning and Subdivision Regulations. The draft regulations shall be specifically referred to the Town Attorney, WINCOG Regional Planning Commission, the adjacent municipalities, Town Council, Zoning Board of Appeals, Conservation Commission, Open Space Preservation Committee, Agriculture Committee and Design Review Panel.

MOTION PASSED UNANIMOUSLY.

New Business:

1. **8-24 Referral, 2010-11 Capital Improvement Budget**

Ryan MOVED, Holt seconded, that the PZC approve, subject to the condition below, the proposed 2010-11 Capital Improvement Program.

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**TOWN OF MANSFIELD
CONSERVATION COMMISSION**

Memo to: Mansfield Planning and Zoning Commission
From: Mansfield Conservation Commission
Date: May 27, 2010
Re: 4/14/10 Proposed Draft Revisions

At a meeting held on 5/19/10, the Mansfield Conservation Commission made the following comments on this proposal:

- a. **Invasive plant species.** The Commission applauds proposed revisions to the zoning and subdivision regulations that would prohibit use of invasive species (as determined by the DEP) in landscaping.
- b. **Aquifer and public water supply well protection.** The Commission likewise approves of proposed revisions to zoning and subdivision regulations that would give more prominence to protecting aquifers and public water supply wells.
- c. **Pleasant Valley rezoning.** Concerning the proposed rezoning of the area south of Pleasant Valley Road, the Commission unanimously agreed (**motion:** Kessel, Dahn) to make the following comments:
 - The Commission supports requiring a 500' setback from Pleasant Valley Road for development in the PVRA and PVCA zones to preserve existing agricultural land and scenic vistas.
 - The Commission supports authorizing the PZC to require designating up to 50% of prime agricultural land for permanent agricultural use in developments proposed for the PVRA and PVCA zones. It urges the PZC to attempt to coordinate these designations with the 500' setback so that preserved agricultural land is, to the extent possible, not fragmented.
 - The Commission notes that the only kind of development expressly prohibited in the PVCA zone is "auto-salvage operations" (U.3.h). Whether we get development that does protect this area's "special agricultural, floodplain, wetland, and aquifer characteristics" and "scenic character" (U.1) will depend on how the PZC exercises its considerable discretion.

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O'Brien and Johnson

Attorneys at Law

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Attorney Dennis O'Brien
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(860) 423-2860

June 1, 2010

Attorney Susan Johnson
susan@OBrienJohnsonLaw.com
(860) 423-2085

Planning & Zoning Commission
Town of Mansfield
Audrey P. Beck Building
Four South Eagleville Road
Mansfield, CT 06268-2599

Ladies and Gentlemen:

As requested by Town of Mansfield Director of Planning Gregory Padick, I have completed my review of the **Draft Zoning Map, Zoning and Subdivision Regulation Revisions, 4/14/10/ Draft, PZC file #907-32.**

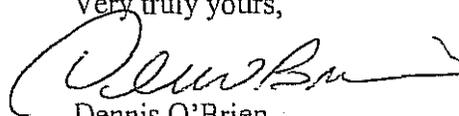
As you know, the only question for me as town counsel is whether the proposed amendments are legal. It is my responsibility to say whether the proposed amendments are within the purview of the Commission's authority under our constitutions and laws, especially Connecticut General Statutes section 8-2, the statute which expressly authorizes the PZC to adopt regulations controlling the zoning of land, and Connecticut General Statutes section 8-25, the statute which authorizes the PZC to adopt regulations controlling the subdivision of land, but only to the extent set forth in those laws.

My review of the planning and zoning law of the State of Connecticut has revealed no legislative provision or case directly on point that provides or holds that any condition or requirement like those proposed in these amendments is beyond the scope of the legislative mandate, or unconstitutional.

My opinion, then, is that the PZC has the legal authority to enact and to implement the subject draft amendments to the Town of Mansfield Zoning Map and Regulations, and to the Subdivision Regulations.

Please contact me if there are any questions that arise, now or during the public hearing process.

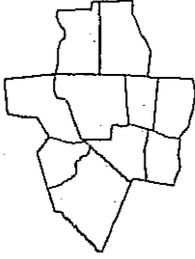
Very truly yours,



Dennis O'Brien
Attorney at Law

cc: Gregory Padick
Director of Planning

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WINDHAM REGION COUNCIL OF GOVERNMENTS

Chaplin Columbia Coventry Hampton Lebanon Mansfield Scotland Willington Windham

REGIONAL PLANNING COMMISSION

Date: May 5, 2010
Referral #: 10-04-14-MD
Report on: Zoning

MANSFIELD

Pleasant Valley Zones

To: Town of Mansfield Planning and Zoning Commission
C/o: Gregory Padick, Director of Planning

Commissioners;

This referral involves: A proposal to rezone the land on Pleasant Valley Road from Industrial Park to Pleasant Valley Commercial/Agriculture, Pleasant Valley Residential/Agriculture, and Rural Agriculture Residence- 90.

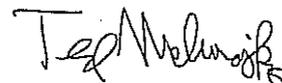
Receipt is hereby acknowledged of the above referral. Notice of this proposal was transmitted to the Windham Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

Comments for Inclusion in the Public Record: The Regional Planning Commission reviewed the proposed amendments to the zoning regulations. The commission offers recommendations on how proposals can better meet the goals and vision of the Windham Region Land Use Plan, WINCOG's regional guide for conservation and development. The recommendations of the Regional Planning Commission are purely advisory.

- The proposal to rezone the land on Pleasant Valley Road from Industrial Park to Pleasant Valley Commercial/Agriculture, Pleasant Valley Residential/Agriculture, and Rural Agriculture Residence- 90 is compatible with the Windham Region Land Use Plan which identifies the subject properties as part of the Willimantic Regional Center.
- The Regional Planning Commission applauds the efforts of the Mansfield Planning and Zoning Commission in striving to balance conservation and development.

Questions concerning this referral should be directed to Jana Butts at the Windham Region Council of Governments.

Sincerely,


Ted Melinosky, Vice Chair
WINCOG RPC

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Planning & Zoning Commission
From: Gregory J. Padick, Director of Planning 
Date: June 3, 2010
Re: 6/7/10 Public Hearing continuation on PZC-proposed revisions to the Zoning Regulations:
Definitions of Family and Boarding House; Political Signs, File #907-32

Since the 5/3/10 public hearing, review comments have been received from the WINCOG Regional Planning Commission and from the Town Manager, who has communicated Town Council comments regarding the proposed Zoning Regulation Revision on Political Signs. The Town Council did not convey any comments on the proposed revisions to the Definition of Family and Boarding House. No other communications have been received since the May 3rd hearing.

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MEMORANDUM

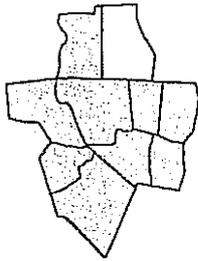
Town of Mansfield
Town Manager's Office
4 So. Eagleville Rd., Mansfield, CT 06268
860-429-3336
Hartmw@mansfieldct.org



To: Planning and Zoning Commission
CC: Gregory Padick, Director of Planning
From: Matt Hart, Town Manager *MWH*
Date: May 27, 2010
Re: Draft Revisions to Mansfield's Zoning Regulations regarding political signs

I am pleased to inform you that at its meeting on May 10, 2010, the Mansfield Town Council endorsed the April 8, 2010 draft revisions to Mansfield's zoning regulations regarding political signs, with the following recommendations:

- Political signs should be defined as "election or referenda related materials which advocate for or urge the defeat of a candidate or issue;" and
- The Town should develop and implement a consistent plan for the enforcement of the regulations regarding the removal of improperly placed signs on town property.



WINDHAM REGION COUNCIL OF GOVERNMENTS

Chaplin Columbia Coventry Hampton Lebanon Mansfield Scotland Willington Windham

REGIONAL PLANNING COMMISSION

Date: May 5, 2010
Referral #: 10-04-12-MD
Report on: **Zoning**

MANSFIELD
Families, Boarding Houses
& Political Signs

To: Town of Mansfield Planning and Zoning Commission
C/o: Gregory Padick, Director of Planning

Commissioners;

This referral involves: A proposal to modify the definition of family and boarding house and to modify the regulations concerning political signs.

Receipt is hereby acknowledged of the above referral. Notice of this proposal was transmitted to the Windham Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

Comments for Inclusion in the Public Record: The Regional Planning Commission reviewed the proposed amendments to the zoning regulations. The commission offers recommendations on how proposals can better meet the goals and vision of the Windham Region Land Use Plan, WINCOG's regional guide for conservation and development. The recommendations of the Regional Planning Commission are purely advisory.

- The proposals to modify the definition of family and boarding house and to modify the regulations concerning political signs do not directly conflict with any regional goals or policies and are not anticipated to create negative intermunicipal impact.

Questions concerning this referral should be directed to Jana Butts at the Windham Region Council of Governments.

Sincerely,

Ted Melinosky, Vice Chair
WINCOG RPC

**TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT**

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Planning and Zoning Commission
From: Gregory Padick, Director of Planning
Date: June 1, 2010
Re: Bond release request, Hallock Subdivision, Wormwood Hill Road, PZC File #1285



Earlier this year, K. Hallock, posted a \$5,000 cash to ensure that open space monumentation had been completed and that common driveway edges had been acceptably revegetated as per approved plans. The Assistant Town Engineer has confirmed that disturbed areas are now suitably stabilized/revegetated. The project surveyor has confirmed that all monumentation has been done as per approved plans. Staff now considers it appropriate to authorize the release of the \$5,000 bond. It is recommended:

That the Director of Planning is authorized to take appropriate action to release \$5,000 plus accumulated interest that has been held to ensure suitable completion of the Hallock Subdivision monumentation and driveway work on Wormwood Hill Road.

Memorandum:

June 3, 2010

To: Planning & Zoning Commission
From: Grant Meitzler, Assistant Town Engineer
Re: Hallock Bond release

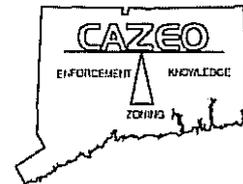
Hallock Subdivision - Wormwood Hill Rd

Release of this bond is appropriate.

Additional bank grading was done for sight distance at Wormwood Hill Road and seeding of edges along the shared drive has been done with satisfactory establishment of growth.



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent *CH*
Date: June 1, 2010

Re: Gravel Permit Renewals

There are three "active" gravel permits, which are due to expire on July 1, 2010. I have sent the permittees a standard form letter asking if they are seeking renewal of their special permits. I expect that all three of the permittees will seek renewal. The three are:

Steven Banis, Pleasant Valley Rd., file 1164
Edward Hall, Old Mansfield Hollow Rd. file 910-2
Karen Green, 1090 Stafford Rd., file 1258

In order to get the required legal notices into the newspaper in a timely manner, I recommend **that the Commission set a public hearing for June 21, 2010, for the purpose of hearing special permit, gravel renewal requests.** These sites should also be placed on a field trip agenda at a date prior to such public hearing.

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**TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT**

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Mansfield Planning and Zoning Commission
From: Gregory Padick, Director of Planning
Date: 6/3/10
Re: 8-24 Referral: UConn Foundation Property, Dog Lane/Bundy Lane



Pursuant to the provisions of Section 8-24 of the State Statutes, the above-referenced proposed acquisition of land has been referred to the PZC for comment. The Town Council has scheduled a 6/14/10 Public Hearing on this issue, and if possible, comments should be forwarded prior to the Public Hearing. The PZC has 35 days to report to the Town Council. The following information is provided for the PZC's consideration.

- The property being considered by the Town is 4.6 acres in size, is undeveloped and is situated at the corner of Bundy Lane and Dog Lane (see attached maps).
- The subject property is zoned RAR-90, is wooded in nature, is relatively flat and contains wetlands. It is situated within the Fenton River and Willimantic Reservoir drainage basins. The site is not within designated flood hazard or stratified drift aquifer areas.
- Existing single family residences are situated to the north, east and south of the subject parcel.
- A site visitation revealed a large brush pile west of Bundy Lane and that wetlands appear more extensive than Plan of Conservation and Development mapping.
- Another undeveloped parcel exists to the west of the subject UConn Foundation property. This abutting parcel is 13 acres in size and is adjacent to the Whetten Woods Open Space Preserve owned by Joshua's Trust. It is possible that in the future the Whetten Woods open space area could be expanded easterly to incorporate all or part of these two undeveloped parcels.
- A UConn Foundation representative related that Joshua's Trust also was contacted regarding the potential conveyance of this land and that at this time Joshua's Trust was not interested in acquiring the subject parcel. I have contacted a Joshua's Trust representative and am awaiting confirmation of this representation from the Foundation.
- Wetlands portions of the subject property are within an open space preservation classification on Plan of Conservation and Development mapping. Town acquisition would be consistent with numerous generic objectives and recommendations contained in Mansfield's 2006 Plan of Conservation and Development. Of particular importance, acquisition will help promote the scenic character of Dog Lane, a Town designated Scenic Road.
- Mansfield's Open Space Preservation Committee has reviewed the proposed acquisition. The attached 5/10/10 report from the Committee supports Town acquisition and the possible transferal of ownership to Joshua's Trust.

Summary/Recommendation

Based on generic open space priority criteria and mapping contained in Mansfield's Plan of Conservation and Development, Town acquisition would be consistent with Mansfield's Master Plan. The primary benefit of Town ownership would be to maintain the existing wooded character along a Town designated scenic road. It is recommended **that the PZC notify the Town Council that the proposed acquisition of the UConn Foundation property on Dog Lane and Bundy Lane would be consistent with Mansfield's Plan of Conservation and Development and would help protect the scenic character of Dog Lane, a designated "Scenic Road"**.

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MEMORANDUM

Town of Mansfield
Town Manager's Office
4 So. Eagleville Rd., Mansfield, CT 06268
860-429-3336
Hartmw@mansfieldct.org



To: Planning and Zoning Commission
CC: Gregory Padick, Director of Planning
From: Matt Hart, Town Manager *MWH*
Date: May 27, 2010
Re: Referral - Dog Lane/Bundy Lane Parcel

Please see the attached information regarding the above captioned matter for your review and comment.

Your assistance with this matter is greatly appreciated.

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Town of Mansfield
Agenda Item Summary

To: Town Council
 From: Matthew Hart, Town Manager *MH*
 CC: Maria Capriola, Assistant to Town Manager; Gregory Padick, Director of Planning; Open Space Preservation Committee
 Date: May 24, 2010
 Re: Dog Lane/Bundy Lane Parcel

Subject Matter/Background

In the 1980's, the University of Connecticut Foundation received a gift of a 4.6 acre parcel of vacant land at the corner of Dog Lane and Bundy Lane. The Foundation has determined that the University has no use for the parcel, and the organization has offered to transfer it to the Town by quit claim deed at no charge with the intent that the Town preserve it as open space.

The Open Space Preservation Committee (OSPC) reviewed the Foundation's offer at its April 20, 2010 meeting and some members conducted a subsequent site visit to the property. After consideration, the Committee has recommended that the Town pursue acquisition of this property and consider the possibility of transferring ownership to Joshua's Trust because the Trust owns a nearby preserve.

Recommendation

Staff recommends that the Town Council schedule a public hearing to solicit public comment regarding the proposal from the UConn foundation to transfer the Dog Lane/Bundy Lane parcel to the Town of Mansfield. Staff also recommends the referral of this item to the Mansfield Planning and Zoning Commission for review and comment.

If the Council supports these recommendations, the following motions are in order:

Move, effective May 24, 2010, to schedule a public hearing for 8:00 p.m. at the Town Council's regular meeting on June 14, 2010, to solicit public comment regarding the proposal from the UConn foundation to transfer ownership of the Dog Lane/Bundy Lane parcel to the Town of Mansfield.

Move, effective May 24, 2010, to refer to the Planning and Zoning Commission for review and comment the proposal from the UConn foundation to transfer ownership of the Dog Lane/Bundy Lane parcel to the Town of Mansfield.

MOTIONS APPROVED 5/24/10

OPEN SPACE PRESERVATION COMMITTEE

May 10, 2010

To: Mansfield Town Council, Matt Hart

Re: Proposal from UConn Foundation for transfer of Dog Lane/Bundy Lane parcel

The University of Connecticut Foundation received a gift of a 4.6 acre parcel of vacant land at the corner of Dog Lane and Bundy Lane in the 1980's. They have determined that the University has no use for it, and they have offered to transfer it to the Town by quit claim deed at no charge with the intent that the Town preserve it as open space. The committee reviewed this offer at its April 20, 2010 meeting and during a subsequent visit to the property by some committee members.

Description

This parcel is mostly wetlands with a few small "islands" of dry land that support large white pines. Access to the parcel is limited to a small dry area next to Dog Lane and another small area next to Bundy Lane. The wet areas host skunk cabbage and red maple. A large red maple/shrub swamp with standing water lies in the southwest corner of the property (see map). Most of the land has a barberry infestation, but there were some native wildflowers and a healthy stand of red maples and pines. A year-round stream crosses the northwest corner. A man-made ditch drains across the property from Bundy Lane into the wetlands associated with the stream. Piles of fill along Bundy Lane may have resulted from creating this ditch. A large brush pile and many leaf piles have been dumped on the Bundy Lane frontage by neighboring home owners. There is also a large patch of pachysandra spreading from plants dumped there. Pipes associated with percolation tests were also noted.

Comments

The parcel has little recreational value because of numerous wetland areas. No informal trails or other neighborhood recreational uses were noted. Town ownership of this parcel would help maintain the natural character of this visible parcel in a suburban area. The committee considered the possibility of a trail across this property to connect Joshua Trust's Whetten Woods Preserve to Bundy Lane, but the size of the swamp and adjacent wetlands probably would make it difficult to construct this trail.

Town Plan's Open Space Acquisition Priority Criteria (Appendix K):

The committee reviewed these criteria as they pertained to this property. A relevant criteria is "preserves or protects important scenic resources." This property is the only undeveloped parcel remaining on Dog Lane, a Town Scenic Road.

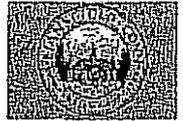
Anticipated start-up or maintenance requirements

The committee recommends that this property be allowed to remain in its natural state, without trail construction or improvements. "No dumping" signs are recommended.

Recommendation

The committee recommends that the Town pursue acquisition of this property and consider the possibility of transferring ownership to Joshua's Trust because the Trust owns a nearby preserve.

Town of Mansfield, CT



- MapGrid
- towns
- Dimensions
- Address
- ParcelID
- Area
- Streets
- Parcels
- powerlines
- wetlands
- water
- Town
- roads
- highways



1 in = 211.59 ft

Printed:
5/20/2010



ID: 15.32.15

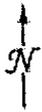
MainStreetGIS, LLC - www.mainstreetgis.com / Info@mainstreetgis.com

Disclaimer: This map is for assessment purposes only. It is not valid for use as a survey or for conveyance

Town of Mansfield, CT - UConn Foundation property Dog/Bundy Lane



- MapGrid
- towns
- Dimensions
- Address
- ParcelID
- Area
- Streets
- Parcels
- powerlines
- wetlands
- water
- Town
- roads
- highways



1 in = 253.58 ft

Printed:
6/2/2010

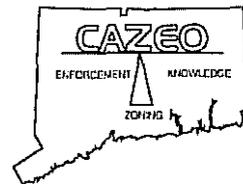


MainStreetGIS, LLC - www.mainstreetgis.com / info@mainstreetgis.com

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: May 21, 2010

**Re: Request to perform work within a conservation easement area
Dunham Farm Estates, PZC file #1252**

As part of the PZC approval for the Dunham Farms Estates subdivision, the Dunham Pond Association, Inc. acquired title to a 7.4-acre parcel of open space land adjacent to the north side of the Dunham Pond. The Association in turn granted a conservation easement to the Town of Mansfield. The conditions and restrictions placed upon each party are spelled out in a 3/27/07 Conservation Easement Agreement filed on the land record. As required in said Agreement we have received a written request dated 5/18/10 from Derek Allinson on behalf of the Dunham Pond Association, to "conduct some minimal maintenance on the site". Mr. Allinson's letter provides an explanation of the reasons for performing some regular, minor work "so that the desirable seedlings could grow and develop into mature specimens". His request goes on to state that all work would be done with hand tools.

I have enclosed the full text of the subject conservation easement for the Commissions review. Per the Agreement, the Association is the *Grantor* and the Town is the *Grantee*. Section II of the Agreement spells out the types of activities that are restricted within the easement area. It rests with the Commission to determine whether the proposed activity is permitted or not under the terms, including the intent, of the conservation easement. I do not have a recommendation for you. The Commission can also choose to refer this request to the Conservation Commission and the Open Space Preservation Committee for additional review and comment. Mr. Allinson expects to be present at the June 7th regular meeting to discuss his request and answer any questions of the Commission.

Received 5-18-10

Mr. Curt Hirsch
Zoning Officer
Town of Mansfield
Storrs, Ct

May 18, 2010

Dear Mr. Hirsch,

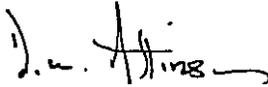
This brief letter is further to our conversation concerning the Conservation Easement that the Dunham Pond Association established on the land on the northern side of Dunham Pond.

Since the Association purchased the property a number of desirable seedlings, primarily of white pine, hemlock, and oak, have become established. These seedlings, varying in height from a few inches to two or three feet, no doubt developed from seeds from mature trees on the west side of Dunham Pond Road. We would like these seedlings to develop normally but in some cases the seedlings are very close together, in some cases only a few inches apart. It would be advantageous if competing vegetation was removed so that the desirable seedlings could grow and develop into mature specimens.

We are requesting approval to conduct some minimal maintenance on the site. This would entail entering the site on foot and removing competing vegetation with hand tools such as clippers. Very small seedlings which could be dug without disturbing nearby species would be placed in locations on site where they could grow without creating competition for other tree species. This work would also be done using hand tools.

Since this minimal maintenance is likely to be needed in the future, as well as at present, would it be possible to obtain approval for this ongoing maintenance? I will be happy to respond to any questions that you may have.

Sincerely



Derek W. Allinson

929-2322

CONSERVATION EASEMENT AGREEMENT

The purpose of a Conservation Easement is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use; to protect in perpetuity significant natural features and to minimize the environmental impact of activities associated with land development within the Town of Mansfield.

It is the responsibility of the property owner to be fully aware of all of the conditions contained in the Conservation Easement Agreement as expressed below. The Town of Mansfield retains the right to enforce the conditions established herein.

THIS INDENTURE made this 29th day of March, 2007, by and between DUNHAM POND ASSOCIATION, INC., a Connecticut corporation with an office located in the Town of Mansfield, County of Tolland, and State of Connecticut (hereinafter called "Grantor"), and the TOWN OF MANSFIELD, a municipal corporation incorporated under the laws of the State of Connecticut and the Charter of the Town of Mansfield (hereinafter called "Grantee"):

WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of certain real property in the Town of Mansfield, County of Tolland and State of Connecticut, (hereinafter called "The Conservation Easement Area") and described as follows:

A certain piece or parcel of land located in the Town of Mansfield, County of Tolland and State of Connecticut, shown as "Open Space To Be Conveyed To Dunham Pond Association, Inc." on a certain map or plan entitled: "Boundary Plan for Subdivision Entitled DUNHAM FARM ESTATES Dunham Pond Road & South Eagleville Road, Storrs, Connecticut - Owner - Russell Johnston, Jr. & Jack Stephens 127 Separatist Road Storrs, CT. 06268 270 South Eagleville Road Storrs, CT. 06268 Applicant & Subdivider EJK Properties, LLC 46 Quercus Avenue Willimantic, CT. 06226 Scale: 1" = 50' Date: September 13, 2006 Revised: November 28, 2006 (per staff comments) Revised: February 6, 2007 (per PZC approval conditions) Sheet 1 of 3" prepared by Datum Engineering & Surveying, LLC 132 Conantville Road Mansfield Center, CT 06250 Tel (860) 456-1357 Fax (860) 456-1840 Job No. 206060, which map or plan is to be filed in the Office of the Town Clerk of the Town of Mansfield for further reference. Said piece or parcel of land is more particularly described as follows:

Beginning at a concrete monument set in the northeasterly street line of Dunham Pond Road being the northwesterly corner of the herein described parcel and the southwesterly corner of Lot #1; thence N 39°-32'-44" E along said Lot #1 a distance of 184.59 feet to a concrete monument set; thence N 51°-43'-12" E along Lot #2 a distance of 288.78 feet to a concrete monument set; thence N 55°-57'-19" E along Lot #3 a distance of 288.22 feet to a concrete monument set in the southwesterly line of land now or formerly of John R. & Robin F. Blomstrann; thence S 52°-23'-22" E along land of said Blomstrann a distance of 149.01 feet to a point; thence S 50°-09'-31" E along land of said Blomstrann a distance of 48.15 feet to a point; thence S 50°-09'-31" E along land now or formerly of Joshua's Tract Conservation and Historic Trust a distance of 85.56 feet

to an 8" Birch; thence S 44°-36'-14" E a distance of 41.93 feet to an iron pipe found; thence S 6°-51'-41" W a distance of 126.19 feet to an iron pipe found, the last three courses being along land of said Joshua's Tract Conservation and Historic Trust; thence S 53°-36'-29" W along land now or formerly of Dunham Pond Association, Inc. a distance of 793.15 feet to an iron rod set in the northeasterly street line of said Dunham Pond Road; thence N 11°-26'-26" W a distance of 72.02 feet to an iron rod set; thence along the arc of a curve to the left having a radius of 390.60 feet and a delta of 39°-24'-37" a distance of 268.67 feet to an iron rod set; thence N 50°-51'-03" W a distance of 37.55 feet to the point and place of beginning, the last three courses being along the northeasterly street line of said Dunham Pond Road. The above described parcel contains 7.40 acres.

Said Conservation Easement Area is delineated on the following map filed or about to be filed on the Land Records of the Town of Mansfield:

"Boundary Plan for Subdivision Entitled DUNHAM FARM ESTATES Dunham Pond Road & South Eagleville Road, Storrs, Connecticut - Owner - Russell Johnston, Jr. & Jack Stephens 127 Separatist Road Storrs, CT. 06268 270 South Eagleville Road Storrs, CT. 06268 Applicant & Subdivider EJK Properties, LLC 46 Quercus Avenue Willimantic, CT. 06226 Scale: 1" = 50' Date: September 13, 2006 Revised: November 28, 2006 (per staff comments) Revised: February 6, 2007 (per PZC approval conditions) Sheet 1 of 3" prepared by Datum Engineering & Surveying, LLC 132 Conantville Road Mansfield Center, CT 06250 Tel (860) 456-1357 Fax (860) 456-1840 Job No. 206060.

WHEREAS, the Conservation Easement Area possesses ecological, scientific, educational, aesthetic, agricultural, historic and/or recreational values of importance to the Grantor, the people of Mansfield and the people of the State of Connecticut; and

WHEREAS, the Grantee, acting through its Planning and Zoning Commission, has determined that it would be in the public interest to retain, maintain and conserve the Conservation Easement Area in its present state to protect its conservation values, and that the maintenance and conservation of said property of the Grantor can be accomplished by the securing of a Conservation Easement over, across, and upon said Conservation Easement Area;

WHEREAS, the Planning and Zoning Commission, pursuant to applicable zoning and subdivision regulations and pursuant to actions by the Mansfield Town Council, is authorized to acquire easements in the name of the Grantee, the Town of Mansfield; and

WHEREAS, the Grantor is willing, in consideration of One (\$1.00) Dollar and other good and valuable considerations, receipt of which is hereby acknowledged, including a desire to conserve and protect the fauna, flora and hydrologic/geological features and the natural beauty of the property for posterity, to grant to said Grantee the easement and covenants and hereinafter expressed concerning the Conservation Easement Area, thereby providing for its maintenance and conservation;

NOW, THEREFORE, the Grantor, for and in consideration of the facts above recited and of the mutual covenants, terms, conditions and restrictions herein contained, does hereby give, grant,

bargain, sell and convey with quit claim covenants unto the Grantee, its successors and assigns forever, a Conservation Easement in perpetuity over the defined Conservation Easement Area, of the nature and character and to the extent hereinafter set forth. All terms, covenants and conditions contained herein are deemed to run with the land.

I. Rights of the Grantee

To accomplish the purpose of this Easement, the following rights are conveyed to the Grantee by this easement;

- A. The right to preserve and protect the Conservation Easement Area;
- B. The right to enter (following reasonable notice to current Grantor or occupant) the Conservation Easement Area at all reasonable times and, if necessary, across other lands of the Grantor, for the purposes of:
 - 1. Inspecting the Conservation Easement Area to determine if the Grantor, his successors or assigns, is complying with the covenants and purposes of this Easement;
 - 2. Enforcing the terms of this Conservation Easement Agreement;
 - 3. Taking any and all actions with respect to the Conservation Easement Area as may be necessary or appropriate, with or without order of the court, to remedy or abate violations hereof;
 - 4. Maintaining and/or replacing boundary markers of the Conservation Easement Area.
- C. The right, but not the obligation, to monitor the condition of any rare or endangered plant and animal populations and plant communities in the Conservation Easement Area, and to manage them, if necessary, for their continued survival and quality in the Conservation Easement Area;
- D. The right to enforce the covenants contained herein pursuant to Section 8-12 CGS and/or other provisions of the Connecticut General Statutes. Nothing herein shall be construed to entitle the Grantee to institute any enforcement proceedings against the Grantor for any changes to the Conservation Easement Area due to causes beyond the Grantor's control, such as changes caused by fire, floods or storms. The Grantor hereby waives any defense of laches with respect to any delay by the Grantee, its successors or assigns, in acting to enforce any restriction or exercise any rights under this easement.

II. Covenants

The Grantor makes the following covenants:

Without prior express written consent from the Grantee, the Grantor agrees to prohibit and refrain from the following activities under, over or upon the Conservation Easement Area:

- A. There shall be no construction or placing of buildings, sewage disposal systems, wells, drainage systems, underground tanks, roads, driveways, mobile homes, fences, signs, billboards or other advertising, or structures of any kind;
- B. There shall be no dumping, storing or placing of soil or other substances or materials and no storage or disposal of vehicles, vehicle parts or wastes of any kind;
- C. There shall be no topographic changes, no ditching, draining, diking, dredging, tilling, excavating, regrading, mining or drilling, and no removal or filling of topsoil, loam, peat, sand, gravel, rock, minerals or other substances;
- D. There shall be no removal or destruction of trees, shrubs, or other vegetation, no use of fertilizers, poisons, pesticides, herbicides or biocides, no hunting or trapping, no grazing of domestic animals, no introduction of non-native plants and animals and no disturbance or change in the natural habitat in any manner. There shall be no removal of dead trees and no pruning and thinning of live trees and brush unless necessary to maintain trails and access ways;
- E. There shall be no alteration of water courses, water bodies or wetland areas, nor shall there be activities or uses conducted on the Conservation Easement Area which are to have the potential for being detrimental to drainage, flood control, surface or ground water quality, erosion control, soil conservation, wildlife or the land and water areas in their natural condition;
- F. There shall be no operation of snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles;
- G. There shall be no removal or disturbance of the iron pins, boundary markers or any other field identifications of the Conservation Easement boundaries.

Any request for written approval for uses and activities noted above shall be accompanied with a detailed statement of purpose and specific plans for the proposed use or activity. Grantee shall have the right to approve such changes in use provided the changes do not interfere with or have an adverse impact on the natural scenic, ecological and open space values being protected within the Conservation Easement Area.

III. Reserved Rights

- A. The Grantor herein reserves the right to make use of the Conservation Easement Area for any and all purposes which are keeping with the stated intent of this Conservation Easement Agreement and which shall in no way endanger the maintenance and conservation of the Conservation Easement Area in its natural state.

- B. The Grantor herein reserves the right to sell, give or otherwise convey the Conservation Easement Area or any portion or portions of the Conservation Easement Area, provided such conveyance is subject to the terms of this easement and all applicable requirements of the Town of Mansfield and State of Connecticut.

IV. Public Access

Nothing contained in this Conservation Easement Agreement shall give or grant to the public a right to enter upon or use the Conservation Easement Area or any portion thereof where no such right existed for the public immediately prior to the execution of this easement.

V. Subsequent Transfers

- A. The Grantor further covenants and agrees to incorporate the terms of this easement in any deed or legal instrument by which any interest in all or a portion of the Conservation Easement Area is divested, including without limitation, a leasehold interest. Failure of said Grantor to provide such notice shall not impair the validity of this easement or limit its enforceability in any way.
- B. The Grantor further covenants and agrees to give written notice by certified mail to the Mansfield Town Clerk of the transfer of any interest in the Conservation Easement Area at least five (5) days prior to the date of such transfer. Failure of said Grantor to provide such notice shall not impair the validity of this easement or limit its enforceability in any way. A copy of this notice shall also be sent to the Chairman of the Mansfield Planning and Zoning Commission.

VI. Other Provisions

- A. The Grantor agrees to pay any real estate taxes or other assessments levied by competent authorities on the Conservation Easement Area.
- B. If any provision of this Conservation Easement Agreement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of the easement and the application of such provisions to persons or circumstances other than those as to which it is found to be invalid shall not be affected thereby.
- C. The covenants agreed to and the terms, conditions, restrictions and purposes imposed with this grant shall not only be permanent and binding upon the Grantor, but also upon his lessees, agents, personal representatives, successors and assigns, and all other successors to him in interest, and shall continue as a servitude running in perpetuity with the Conservation Easement Area.

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DRAFT MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Tuesday, May 11, 2010
Conference Room B, Audrey P. Beck Municipal Building

Members present: M. Beal, R. Favretti, K. Holt
Others present: G. Padick, Director of Planning

I. Call to Order

Chairman Beal called the meeting to order at 2:05 p.m.

II. Minutes

4-27-10- The draft minutes were distributed and tabled until the next meeting.

III. Consideration of potential fall 2010 revisions to the Zoning Regulations/Zoning Map

Padick briefly presented an overview of a variety of issues that have been raised and should be considered by the Committee for potential revisions to be presented during the fall of 2010. The balance of the meeting was spent reviewing the agenda items 5 through 12. Padick agreed to draft potential revisions based on Committee discussion.

A. Specimen Tree Inventory/Preservation

After discussion members agreed that a number of revisions to existing provisions should be considered. These potential revisions include: changing "specimen" to "significant" and revising the definition; revising the minimum diameter of trees that need to be surveyed individually within street rights of way and proposed DAE's to 9 inches; and clarifying requirements for identifying stands containing trees 9 inches in diameter and larger. It also was agreed that tree inventories need to be addressed in preliminary site analysis requirements.

B. Historic Preservation/Stone Walls

Committee members discussed, but did not resolve, how to distinguish between intact stone walls and wall remnants. It was agreed that stones removed for driveway and other site work should be used to enhance adjacent walls and not simply used on site. It also was agreed that state statutes regarding lot boundary walls needed to be referenced and that walls should be used for lot delineation wherever possible. More specific reference to sluiceways, mill races, former dams and foundations needed to be added to the regulations. Favretti agreed to assist with providing information for potential regulation revisions.

C. Lighting

After discussing a range of potential submission requirements, it was agreed to proceed with an approach that required adequate information to determine the appropriate spacing of lighting fixtures and to ensure compliance with approval criteria regarding safety and neighborhood impact and light spill. The regulations need to authorize more complete lighting plans on an application by application basis. Manufacturer's installation charts should be provided.

D. Loading/Waste Storage Areas

It was agreed to work with the Town's Recycling Coordinator to prepare more specific provisions for waste storage areas.

E. Design Guidelines (particularly for major projects)

After discussion, committee members agreed that current design guidelines in the Subdivision Regulations need to be coordinated better with a preliminary site analysis, particularly with respect to the use of a landscape architect. Additionally, Article X, Section R of the Zoning Regulations needs to be better integrated with the submission process. The design focus should be oriented toward size, scale and continuity elements. Proper attention also needs to be given to health, welfare and safety considerations. A clear intent needs to be documented in the regulations and more specific design provisions can be added on a zone by zone basis.

F. Road and Drainage Standards

Padick noted that the ongoing Eagleville Brook TMDL Study will produce suggested stormwater

management guidelines by next fall. It was agreed to await the recommendations from this study. It also was noted that the Town's Road Standards and Specifications Ordinance should be updated.

G. Notification Provisions

Padick reported that recent state statute revisions regarding notification of abutting property owners have not yet been incorporated into Zoning and Subdivision Regulations. It was agreed that Statutory provisions needed to be addressed.

H. Setbacks-Patios, Tennis Courts, etc

After discussion, it was agreed that there should be specific setback provisions for recreational courts and patios due to potential impacts on neighbors.

I. Zoning Map Issues

This item was tabled until the next meeting.

IV. Digital Mapping Requirements

Padick distributed a recent ruling by the State Board of Examiners for Engineers and Surveyors regarding distribution of digital mapping data. It was agreed that the Town's regulations should be consistent with the State licensing provisions.

V. Future Meetings

The next meeting is scheduled for 5/25/10 at 2pm in Room C.

VI. Adjournment

The meeting was adjourned at 3:46 p.m.

Respectfully submitted,

K. Holt, Secretary

DRAFT MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Tuesday, May 25, 2010
Conference Room C, Audrey P. Beck Municipal Building

Members present: M. Beal, R. Favretti, K. Holt (arrived at 2:14 and departed at 3:00), K. Rawn
Others present: G. Padick, Director of Planning

I. Call to Order

Chairman Beal called the meeting to order at 2:02 p.m.

II. Minutes

4-27-10- Favretti MOVED, Rawn seconded that the 4-27-10 Minutes be approved as distributed.
MOTION PASSED UNANIMOUSLY.

5-11-10- The draft minutes were distributed and tabled until the next meeting.

III. Consideration of potential fall 2010 revisions to the Zoning Regulations/Zoning Map

Padick related that the focus of the meeting would be on potential zone changes and any associated regulation revisions. Making direct reference to the current Zoning map and the Planned Development Areas map from the 2006 POCD, the following potential rezonings were discussed:

A. Institutional Zone/RDLI Zone

Padick pointed out that State owned land between UConn's developed Storrs campus area and Route 44 is still zoned Research and Development/Limited Industrial (RDLI). This zone was created in association with the Connecticut Technology Park project and is no longer appropriate for this State owned land. He also noted that State land between Dog Lane and Willowbrook is zoned RAR-90 but contains two dormitories, the Bishop Center and UConn's President's House. After discussion it was decided to propose rezoning both the RDLI zone and the State land North of Dog Lane to Institutional. Padick also agreed to revisit the current permitted use provisions for the Institutional zone with a particular focus on uses identified for UConn's North Campus. The North Campus area could be developed in association with a planned extension of North Hillside Road which could occur in 2011.

B. King Hill Road Area

Padick pointed out that currently approximately 20 acres of land along North Eagleville and King Hill Roads are zoned Planned Business, but the 2006 Plan of Conservation and Development recommends a Neighborhood Business/Mixed Use zone. Noting that this area is immediately adjacent to the UConn Campus, committee members indicated their support for higher density multi-family housing which currently is not authorized in existing neighborhood business zones. It also was noted that commercial uses should be oriented toward serving the UConn campus area and not be of a size and scale that could conflict with commercial initiatives for the Storrs Center and Four Corners areas. Padick noted that a new zone would need to be established with separate permitted use provisions and appropriate references throughout the Zoning Regulations. Committee members supported Padick's work on this rezoning proposal.

C. Four Corners Area

Padick and Rawn briefly updated the other Committee members on the current status of the Four Corners sewer and water initiative. It was agreed that the existing Zoning for the planned sewer and water service area need to be reviewed and that if public sewer and water becomes available, permitted uses need to be revised to allow higher density commercial and residential development. Special Design Guidelines for the area also need to be considered. After discussion, it was agreed to postpone working on this issue until additional progress has been made on providing public water and sewer.

D. Area east of Storrs Road south of Willimantic Water Works

Padick noted that the 2006 Plan of Conservation and Development recommends Professional Office/Mixed Use Zoning for land between Riverview Road and the Willimantic Water Works property adjacent to the Willimantic Reservoir. Noting that the Plan indicates that this area should be

developed as a unified project and that there currently are 6 or 7 separate parcels with single family homes in this area, it was agreed not to initiate any rezoning at this time.

E. Planned Business area along Route 32 and Route 31

Padick noted that an area along the easterly side of Route 32 south of Mansfield Auto Parts is zoned RAR-90 but designated in the 2006 Plan as Planned Business. After discussion, it was agreed that any rezoning of this area should be initiated by the subject property owners. This approach was supported due to the existence of two small lots in this area and a desire to promote coordinated development and not lot by lot development.

F. Village Area Zoning

Padick noted that numerous village areas are identified in the Plan of Conservation and Development and the Plan recommends consideration of special village zoning to help protect the character of these areas. It was noted that all or part of three of the designated village areas have protection through the Historic District Commission and that some of the village areas no longer have special character or have little or no undeveloped land. It was agreed that members would review the identified village areas with an orientation toward selecting one or more for consideration of special village zoning. Current statutory provisions for village zoning also need to be reviewed further.

IV. Review of Potential Regulation Revisions

Padick related that in association with his work on a regional effort to promote healthy communities, he planned to review subdivision and zoning Regulations with respect to walkway, bikeway and trail improvement requirements. Committee members expressed support for this initiative and it was generally agreed that in areas designed for development and for areas adjacent to schools, parks and public facilities, walkway/bikeway/trail improvements should be required unless specifically waived. Padick agreed to add this issue to the listing of higher priority regulation revisions that may be considered at fall 2010 public hearings.

V. Future Meetings

After discussion it was agreed to postpone the next committee meeting until July. As appropriate, Padick agreed to email information and any draft regulations to Committee members prior to the next meeting.

VI. Adjournment

The meeting was adjourned at 3:25 p.m.

Respectfully submitted,

Katherine Holt, Secretary

Legal Notice:

The Mansfield Zoning Board of Appeals will hold a public hearing on June 9, 2010 at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Municipal Building, 4 South Eagleville Road, to hear comments on the following application:

7:00 P.M. – Ray Duplissie for a Special Exception of Art IX, Sec C.2.b to construct a 17'4" x 30' deck onto a non-conforming residence, at 527 Middle Tpk.

7:30 P.M. – Stephen Baker for a Special Exception of Art IX, Sec D.3.a to construct a 425 sq ft porch with staircase access onto an existing residence within a Flood Hazard Zone, at 109 Thornbush Rd.

At this public hearing, interested parties may appear and written communications may be received. No information shall be received after the close of the public hearing. Additional information is available in the Mansfield Town Clerk's Office. Dated May 24, 2010.

Carol Pellegrine

PAGE
BREAK



STATE OF CONNECTICUT
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Central Permit Processing Unit
 79 Elm Street
 Hartford, CT 06106-5127

CPPU USE ONLY

App #: _____

Doc #: _____

Check #: _____

Permit Application Transmittal Form

Please complete this transmittal form in accordance with the instructions in order to ensure the proper handling of your application(s) and the associated fee(s). Print legibly or type.

Part I: Applicant Information:

- *If an applicant is a corporation, limited liability company, limited partnership, limited liability partnership, or a statutory trust, it must be registered with the Secretary of State. If applicable, applicant's name shall be stated exactly as it is registered with the Secretary of State.
- If an applicant is an individual, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.).

Applicant: University of Connecticut
 Mailing Address: 31 LeDoyt Road, U-3055
 City/Town: Storrs State: CT Zip Code: 06269-3055
 Business Phone: 860-486-5446 ext.: Fax: 860-486-5477
 Contact Person: Richard Miller Phone: 860-486-5446 ext.
 E-Mail: richard.miller@uconn.edu

Applicant (check one): individual *company federal gov't state agency municipality

*If a company, list company type (e.g., corporation, limited partnership, etc.):
 Check if any co-applicants. If so, attach additional sheet(s) with the required information as supplied above.

Please provide the following information to be used for *billing purposes only*, if different:

Company/Individual Name:
 Mailing Address:
 City/Town: State: Zip Code:
 Contact Person: Phone: ext.

Part II: Project Information

Brief Description of Project: (Example: Development of a 50 slip marina on Long Island Sound)
 Utilities General Permitting involved with 16" water main, electrical manhole and conduit installation.
 Location (City/Town): Mansfield

Other Project Related Permits (not included with this form):

Permit Description	Issuing Authority	Submittal Date	Issuance Date	Denial Date	Permit #

ADDITIONAL INFORMATION
PART V: Site Information

Item 7 – Existing Conditions

- a. Describe the present and intended use(s) of the property on which the subject activity is proposed?

Response: This area is part of the University of Connecticut main campus at Storrs. The project area involved in this permit can be broken down into two specific land uses, as shown in the photographs in Appendix J3. Former Wetland Area A is part of the first area, while Wetland Area B is part of the second area.

The first area is a developed area behind the Lakeside building, which consists of paved parking, a mowed lawn area, and a landscaped area which is used primarily by Lakeside building personnel. As shown on the site plan in Appendix B, and further identified in Appendix J-1, part of this area contained wetland soils, which were disturbed during the prior 2005 Lakeside Building renovation to the current state. These previous wetland locations are identified as Former Wetland Area A on the drawings and in this application. A DEP Inland Wetlands and Watercourses permit #IW-200501956 was issued for this project, a copy of which is in Appendix J-1. Refer to photos in Appendix J-3.

The second area is a grassed field at the base of a gentle slope, where a small pocket of wetland soil (approximately 20' x 45') exists. This grassed area is immediately adjacent to a chain link fence which separates University property (within the field) on the east from a paved parking area on the property of St. Mark's Church to the west. During construction, underground water mains and electrical conduits will be installed, with the trench area restored to original grades, and vegetated. In the area of flagged wetlands, wetland soils will be segregated into a separate stockpile for replacement, with a special "wet meadow" grass seed mixture utilized, in order to replicate the area of disturbance as best possible.

- b. Describe all natural and man-made features including wetlands, watercourses, fish and wildlife habitat, floodplains and any existing structures potentially affected by the subject activity. Such features should be depicted on the site plan (Attachment B).

Response: As described above, Former Wetland Area A (the area immediately behind the Lakeside Building) presently has paved parking, mowed lawn, and landscaped areas. This area will be restored to its present conditions, once the utility improvements are constructed.

The second area is a tall grass field at the base of a slope, with a pocket of wetlands, characterized by hydric soils, at the base of the slope and immediately against a chain link fence. The area will be restored to its current condition as much as possible, once the utility improvements are constructed. See photos in Appendix J-3.

Part VI: Project Summary (cont.)

c. *Dam Characteristics:*

Maximum height: _____ feet

Total length: _____ feet

Type of construction (e.g., earth, concrete masonry, timber etc.):

Type of spillway (e.g., weir, drop inlet, ogee, etc.):

d. *Fill in Watercourses:*

Does the subject activity involve placement of fill material in the existing brook, stream, river or impoundment? Yes No

If yes, describe the volume of such fill, its engineering characteristics and intended purpose:

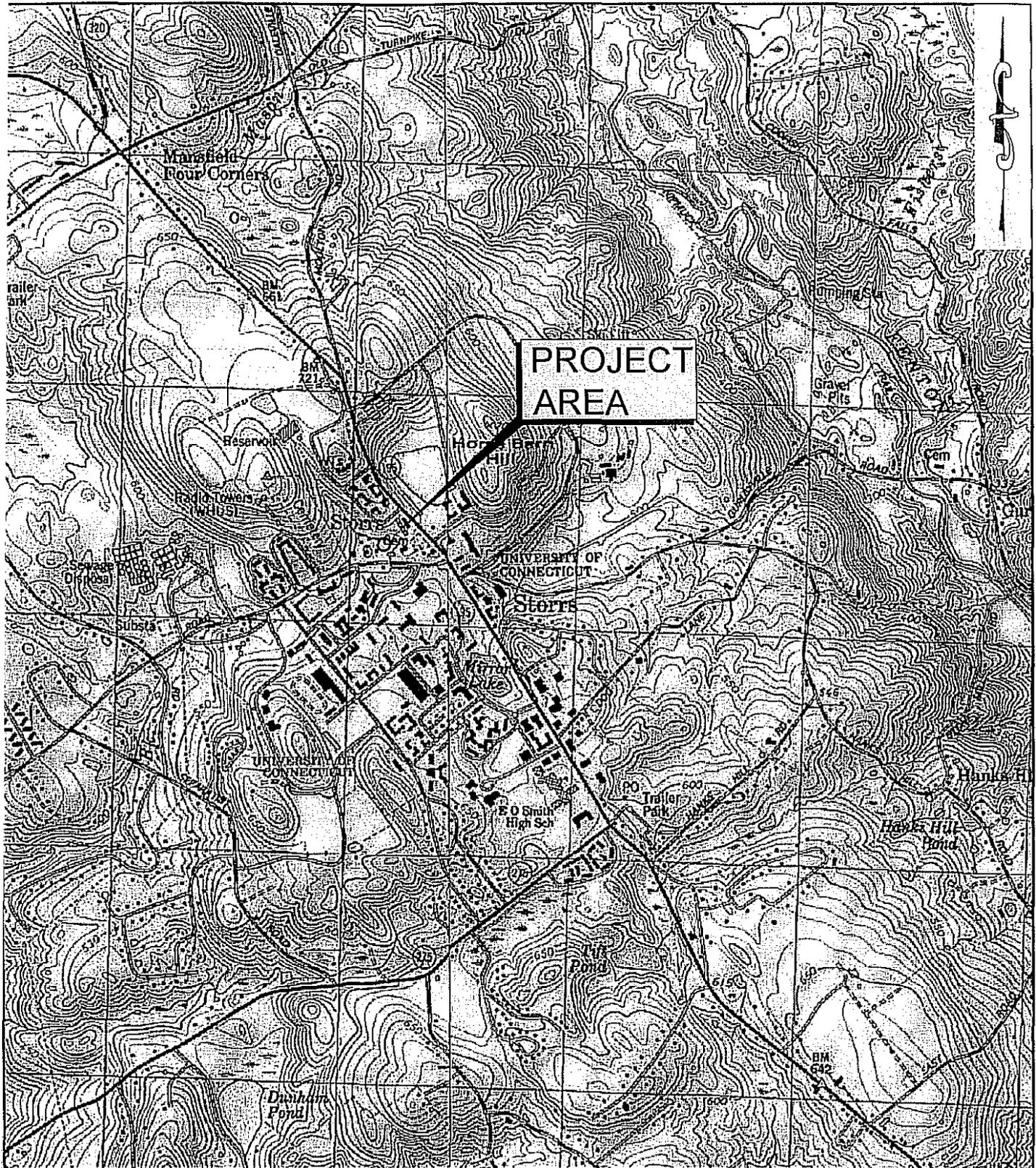
Check if *additional* sheets are attached to this page.

9. **Best Management Practices**

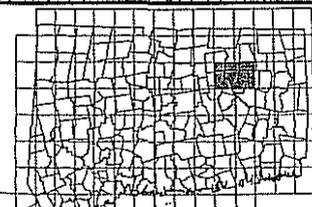
Describe the pollution prevention and best management practices that will be implemented during construction and operation of the proposed activity to: minimize disturbance and pollution of floodplains, wetlands, and watercourses; maintain an uninterrupted stream flow; and prevent flooding or other environmental damage. Show erosion and sedimentation controls in Attachment B, include pretreatment of stormwater runoff.

The construction activity is scheduled to take place between June and October, 2010, the dry period of the year. Silt fencing will be placed along the toe of the slope in the vicinity of Wetland Area B, and catch basin protection will be provided, to minimize the impacts of construction to storm water discharges. In addition, erosion control matting will be placed on the steep slope immediately above Wetlands Area B, to encourage re-vegetation and minimize the potential for erosion.

Check if additional sheets are attached to this page.



**PROJECT
AREA**



Source:
USGS TOPOGRAPHIC MAP
Coventry, CT QUADRANGLE
Spring Hill, CT QUADRANGLE

ATTACHMENT A

USGS TOPOGRAPHIC QUADRANGLE MAP

16" Water Main and Electrical Manhole / Conduit Installation

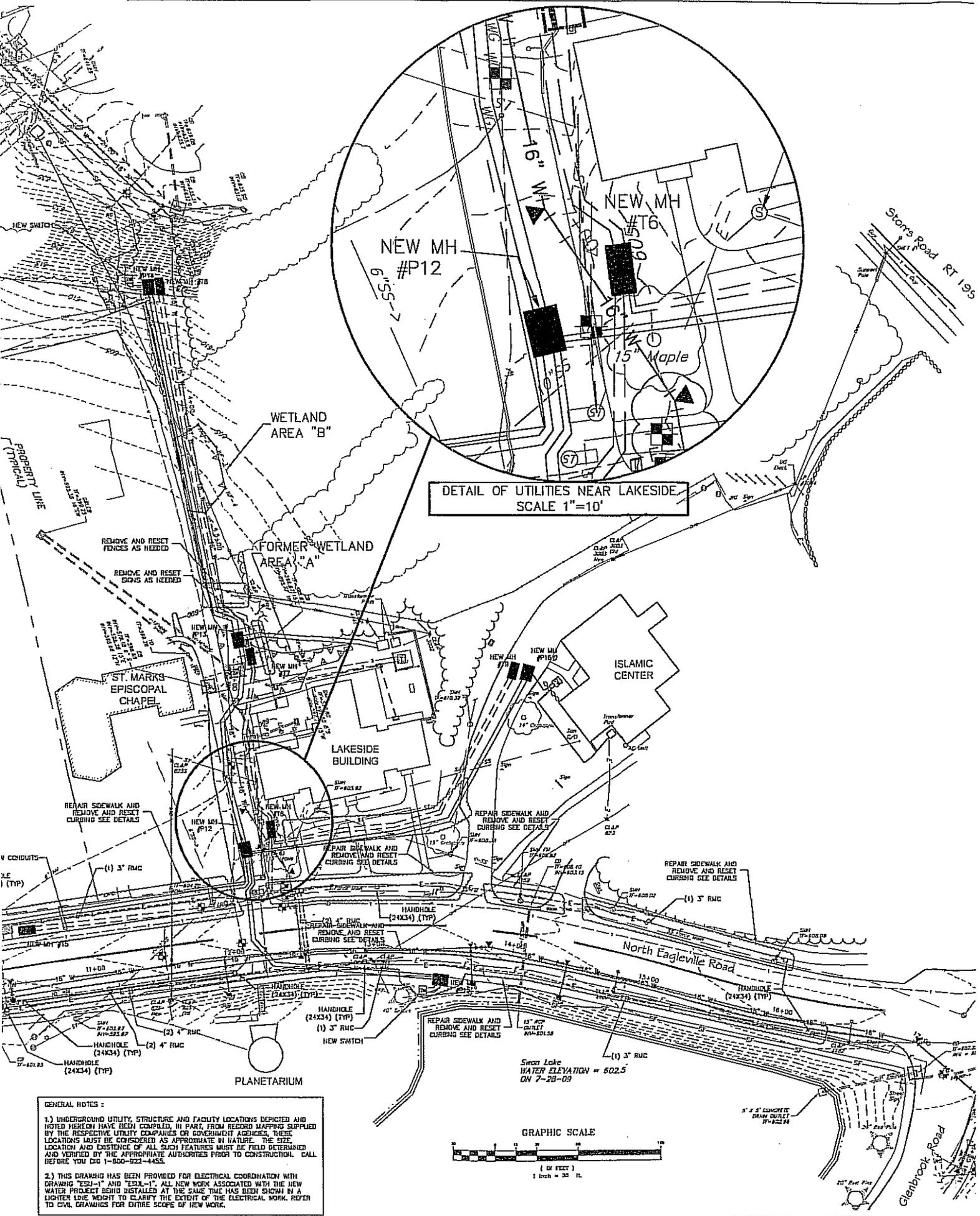
STORRS, CT

Scale 1"=2000'

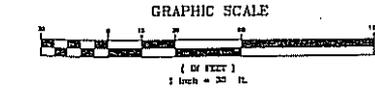


Lenard Engineering, Inc.

Storrs, CT

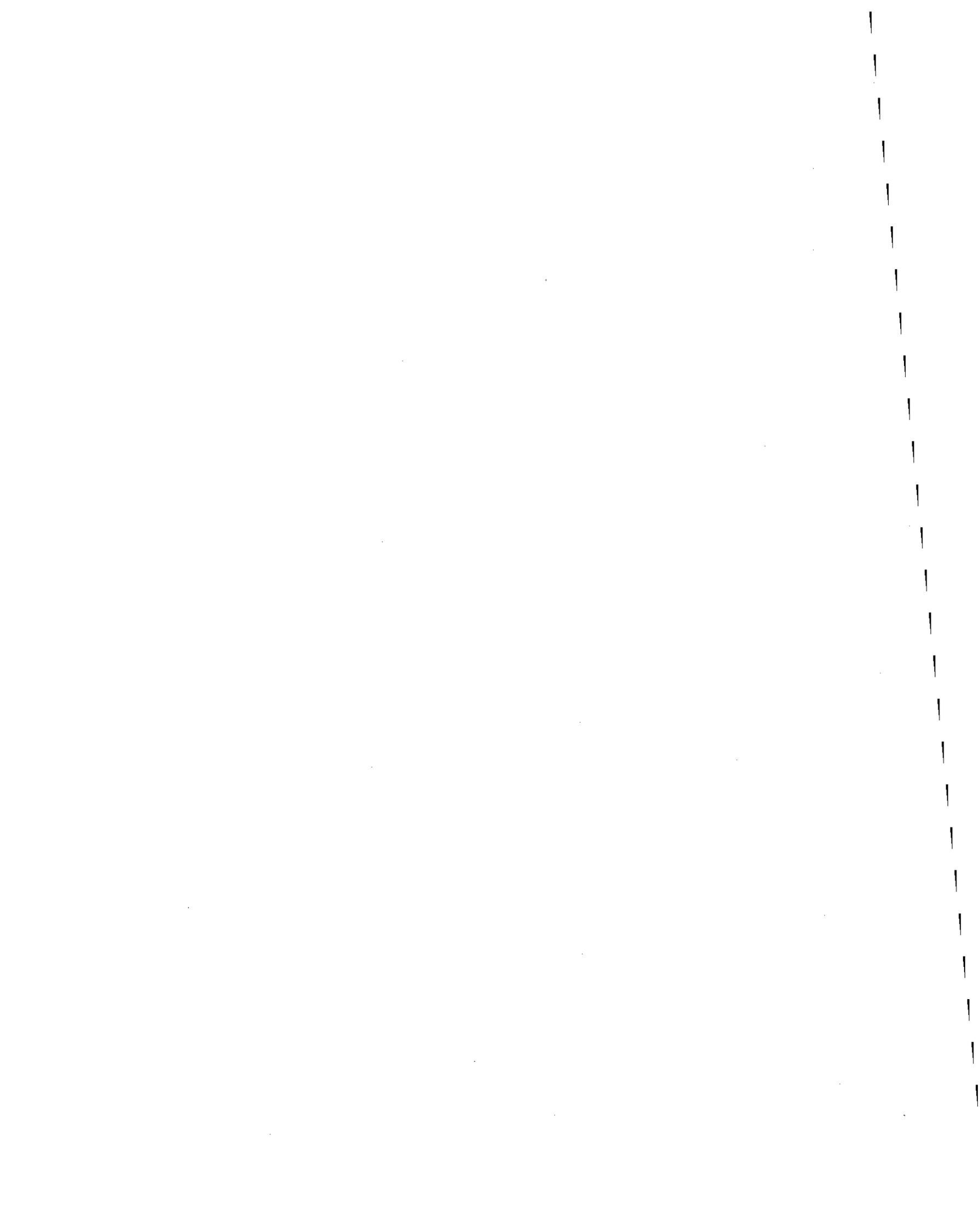


DETAIL OF UTILITIES NEAR LAKESIDE
SCALE 1"=10'



GENERAL NOTES :

- 1.) UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENT AGENCIES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.
- 2.) THIS DRAWING HAS BEEN PROVIDED FOR ELECTRICAL COORDINATION WITH DRAWING "E231-1" AND "E231-2". ALL NEW WORK ASSOCIATED WITH THE NEW WATER PROJECT BEING INSTALLED AT THE SAME TIME HAS BEEN SHOWN BY A LIGHTER LINE WEIGHT TO CLARIFY THE EXTENT OF THE ELECTRICAL WORK. REFER TO CIVIL DRAWINGS FOR ENTIRE SCOPE OF NEW WORK.





University of Connecticut
Administration and Operations Services

Facilities Operations

May 14, 2010

Mr. Neil Facchinetti
6 Storrs Heights Road
Storrs, CT 06268

Dear Mr. Facchinetti:

As you know, the University has met with the Storrs Heights association on three occasions since the proposal to install three new irrigation wells was first introduced. These meetings included detailed history of water quality monitoring at the farm. Dr. Gary Robbins has also presented the scope and results of his scientific hydrogeologic study for the farm and surrounding area at these meetings. At the last such public meeting the University committed to abide by the recommendations of Dr. Robbins' study, and made several other commitments to further investigate the quality of groundwater.

With the exception of the letter dated January 27, 2010 from the UConn Plant Science department and a follow-up visit to the farm by several Storrs Heights residents on February 9, 2010, there has not been a formal update on the progress of our commitments. We'll take this opportunity to address all of your questions, reprinted here as they appear on the "Information for Neighbors of the UConn Farm" website followed by our responses in italics.

Water Quantity Questions

- 1) Of the four (4) deep wells designated for testing, only two (2) have the potential for yielding useful data; one of the four is dry and the other collapsed at 60 feet. What are the plans for achieving a total of four (4) deep test wells?

It is true that PW-2 partially collapsed, making it impossible to use as a production well. However, it is still perfectly suitable for monitoring purposes, and it is one of the four wells that will be used to measure the depth of groundwater. The other deep wells are MW-3 and MW-4, located along the Storrs Heights boundary, and MW-2 (see attached map).

An Equal Opportunity Employer

25 LeDoyt Road Unit 3252
Storrs, Connecticut 06269-3252

Facsimile: (860) 486-1486

Mr. Neil Facchinetti

May 14, 2010

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- 2) We understand that data collection from the 4 test wells will be performed manually by visiting each test well periodically. How often will these readings be conducted? How can we routinely receive notification of testing and test results? We want the opportunity to observe data collection at the deep test wells and to receive the results promptly.

The water level data will be continually collected by instruments installed in the four deep test wells. The data will be continually transmitted to the office at the farm and automatically uploaded to a UConn Plant Science website that will be fully accessible to you and the public essentially in "real time."

In addition, Dr. Robbins study prescribed operating conditions that should make it highly unlikely for the farm's irrigation to affect the nearby residential wells. The pump rates and operating times of the irrigation wells will also be on the website. The Storrs Heights association shall be notified when the website is active.

- 3) What are the criteria by which pumping will be curtailed or suspended? Initial recommendations called for 15 feet and 25 feet as suspension and cessation thresholds, respectively. How are these criteria established? Should they be more restrictive to provide better protection for neighboring water supplies? Drops of 15 and 25 feet in our shared aquifer would be a massive loss of water resources for surrounding residential communities.

If groundwater levels at the property line as measured at MW-3 and MW-4 drop 15 feet from the seasonal norm, pumping will be curtailed. If groundwater levels drop 25 feet beneath the seasonal norm, all irrigation pumping will be suspended. Fluctuations on the order of 15 feet represent natural variations in bedrock well water levels in the area as noted in Dr. Robbins' study. Given the height of the water columns in the bedrock wells in the Storrs Heights community, as noted in Dr. Robbins's hydrogeologic study, a decrease of this magnitude at the property line represents an immaterial portion of the available water. Wells that are further away from the property line should be affected even less or not at all.

- 4) Apparently the three (3) deep production wells will be in service before the 4 test wells are fully functional. We question the usefulness of data from test wells without initial baseline measurements conducted in the absence of pumping from the production wells.

There will be no pumping from the irrigation wells until the four deep monitoring wells are capable of reporting actual data to the Plant Science website. Water level readings will be used to establish threshold water levels to evaluate the water level fluctuations in MW-3 and MW-4... The threshold estimates will be clearly displayed on the website for comparison to the actual "real time" groundwater levels.

Mr. Neil Facchinetti

May 14, 2010

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- 5) To date we have not discussed methods for applying water to the plots from these new wells. Certainly some methods are more efficient than others. Will the farm take steps to conserve water by using the most efficient and latest irrigation systems that minimize waste?

The farm will continue to implement several measures it already deploys to reduce the need to use the supply wells.

- *The irrigation systems used for both turfgrass and nursery plants are controlled by "rain-out" meters – these irrigation systems will automatically turn off water if more than a ¼" to ½" of rain is measured by these meters.*
- *More irrigation heads and watering hose hookups were recently installed and a mobile irrigation sprinkler was recently purchased. These features allow the farm to water only the small areas that need water the most.*
- *Potted plants are watered using drip-irrigation systems as much as feasible. Emitters placed in each pot that water only the plant, not the surrounding ground.*

In addition, the farm has also expanded its irrigation pond as part of the commitments made to the community. The purpose of this is to capture more rain water during the wetter months, which gives the farm more water in storage and delays when the new wells are needed to supplement the natural supply.

Water Quality Questions: Two (2) shallow (20') test wells are planned along the border between Storrs Heights and the farm. We have several questions regarding these shallow test wells:

- 1) Will these shallow test wells be ready for testing before new irrigation wells go into production and before the next and subsequent applications of agricultural and experimental chemicals? They should be online before increased irrigation takes place.

The two shallow water-quality wells have already been installed next to the deeper wells MW-3 and MW-4 (see attached map). The groundwater from these wells will be tested before the irrigation wells are used. Limited spring applications of agricultural chemicals typical of previous years have already occurred.

- 2) Who will conduct these tests and how often will these tests be conducted? Will we be notified of these tests and have the opportunity to be present when samples are drawn and tested?

A private environmental consulting firm will collect the samples. The quality analysis will be performed by a private laboratory. We will notify the Storrs Heights association and the Eastern Highlands Health District when the sampling is scheduled so that any interested persons can be present.

Mr. Neil Facchinetti

May 14, 2010

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- 3) How will we gain reliable access to these results?

The laboratory reports shall be forwarded to the Storrs Heights association, the Eastern Highlands Health District and any other persons who request the data.

- 4) Will pond water be tested?

The pond consists primarily of stormwater run-off from the wooded area southeast of the farm. There are no plans to test the pond water.

- 5) In a letter of January 27th from UConn, in response to questions from neighbors of the farm, we learned that tests for water quality will be limited to nitrate detection. We question whether this is adequate when we consider the grave consequences of toxic chemical slipping underneath the "radar," especially for children and pregnant women. It was stated in the UConn letter that the measurement of only nitrates is an "accepted and approved indication" of well contamination. By whom is it accepted and approved and is this approval based on expediency and commercial pressures on regulators or on sound scientific evidence?

The groundwater samples will be analyzed for nitrates and agricultural chemicals. The list of pesticides used on the farm has been reviewed with the CT Department of Public Health testing lab and several private laboratories. The consensus has been to test the groundwater using several EPA-approved drinking water test methods designed to detect pesticides and herbicides.

- 6) Concrete action plans need to be developed to ensure a rapid and effective response in the event chemicals are detected in the water. Under what test criteria will applications be suspended and remedial actions taken? Specifically, how will neighboring wells be protected in light of positive tests? In the UConn letter of January 27th, it was stated that "we [UConn] would institute any necessary remediation in consultation with the appropriate state agency including the installation of carbon trap filters if recommended," in response to neighbors' concerns. This statement leads us to several more questions: a) What state agency would be consulted? Who in that agency would be involved in decision making? B)Does this agency have established criteria and related remedial actions for chemical contamination? c) Are these agency criteria and remedial actions simply recommendations or are they backed by formal compulsory regulations? d) Where would funding be found for implementing remedial steps?

Should any contaminants be detected in the monitoring wells, the results shall also be forwarded to the CT Department of Environmental Protection. More specifically, the Remediation Division of the Bureau of Water Protection and Land Reuse will be consulted, since this division administers the State's Remediation Standard Regulations, which include established criteria for remediating contamination. UConn shall abide by any requirements or recommendations made by DEP.

Mr. Neil Facchinetti
May 14, 2010
Page 5

It's my understanding that the questions on the "Information for Neighbors of the UConn Farm" website are generally more comprehensive than those posed at the Mansfield Conservation Commission on April 21, 2010. However, in reviewing the minutes from that meeting, it appears that there is an additional question regarding provisions for monitoring any neighborhood wells. The intent is to operate the farm in a manner such that there could only be minimal affects at the property line, and this shall be confirmed with our monitoring. Private wells that are further away from the property line should be affected even less or not at all. As such, we have no plans to interfere with any private wells.

Should you have any questions or wish to discuss further, please contact me at 860-486-3185 or eugene.roberts@uconn.edu.

Sincerely,



Eugene B. Roberts
Director of Facilities Operations

CC (electronic): Quentin Kessel, Mansfield Conservation Commission, Chair
Greg Padick, Mansfield Director of Planning
Matt Hart, Mansfield Town Manager
Rob Miller, Eastern Highlands Health District Director
Natalie Miniutti, President, Storrs Heights Association
Steve Olsen, UConn Plant Science Farm Manager
Karl Guillard, UConn Professor, Department of Plant Science and Landscape Architecture
Mary Musgrave, UConn Professor and Head, Department of Plant Science and
Landscape Architecture
Gary Robbins, UConn Professor of Geology, Department of Natural Resources and the
Environment
Rich Miller, UConn Director of Environmental Policy
Alexandria Roe, UConn Director of Planning and Project Development
Tom Callahan, UConn Health Center
Barry Feldman, UConn Vice President/COO

Monitoring Well and Production Well Locations
University of Connecticut
Plant Science Research and Education Facility





**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works; Tim Veillette, Project Engineer
Date: May 24, 2010
Re: North Eagleville Road Sidewalk Project

Subject Matter/Background

Sidewalks on both South Eagleville Road and North Eagleville Road remain the Town's highest priority walkway projects that are yet to be funded. We are applying for a small cities program grant to fund the South Eagleville walk (from Separatist to Maple), and have worked out a cooperative funding arrangement with the University of Connecticut to design and build the walkway on North Eagleville Road from Hunting Lodge Road to Northwood Road. Under this arrangement, UConn will fund the design and construction and the Town will obtain the necessary permits and easements for the project.

As with any Town public improvement project costing over \$50,000, public notice of the abutters and a public hearing is required by Town ordinance. As the preliminary plans are now available, ask Council to schedule a public hearing at its next Council meeting (June 14, 2010). Following the public hearing, staff will obtain final plans and apply to the Inland Wetlands Agency for a wetlands permit. Council will also need to refer the project's final plans to the Planning and Zoning Commission for review under CGS §8-24.

Financial Impact

Over the past several years the Town has budgeted some funds for walkway projects in the capital fund (project # 83308 – Town Walkways/Transportation Enhancements). We estimate the cost of acquiring the easements (the cost of appraisals, legal and the easements themselves) will run under \$10,000, which is available in this capital budget line item. Once the walkway is built, it will add an additional 2,200 feet (.42 miles) of walkway to the Town's approximately five miles of existing maintained bike and pedestrian facilities. We estimate the additional cost of manpower and equipment necessary to plow, sand, sweep and perform other maintenance to this .42 miles of walkway will not exceed \$1,000 per year.

Legal Review

Our attorney for these acquisitions is Dennis Poitras (he completed the acquisitions for the last few of our walkway projects). He will work with us on these acquisitions and will handle the closings.

Recommendation

Staff recommends that the Town Council schedule a public hearing to solicit public comment regarding the North Eagleville Road sidewalk project.

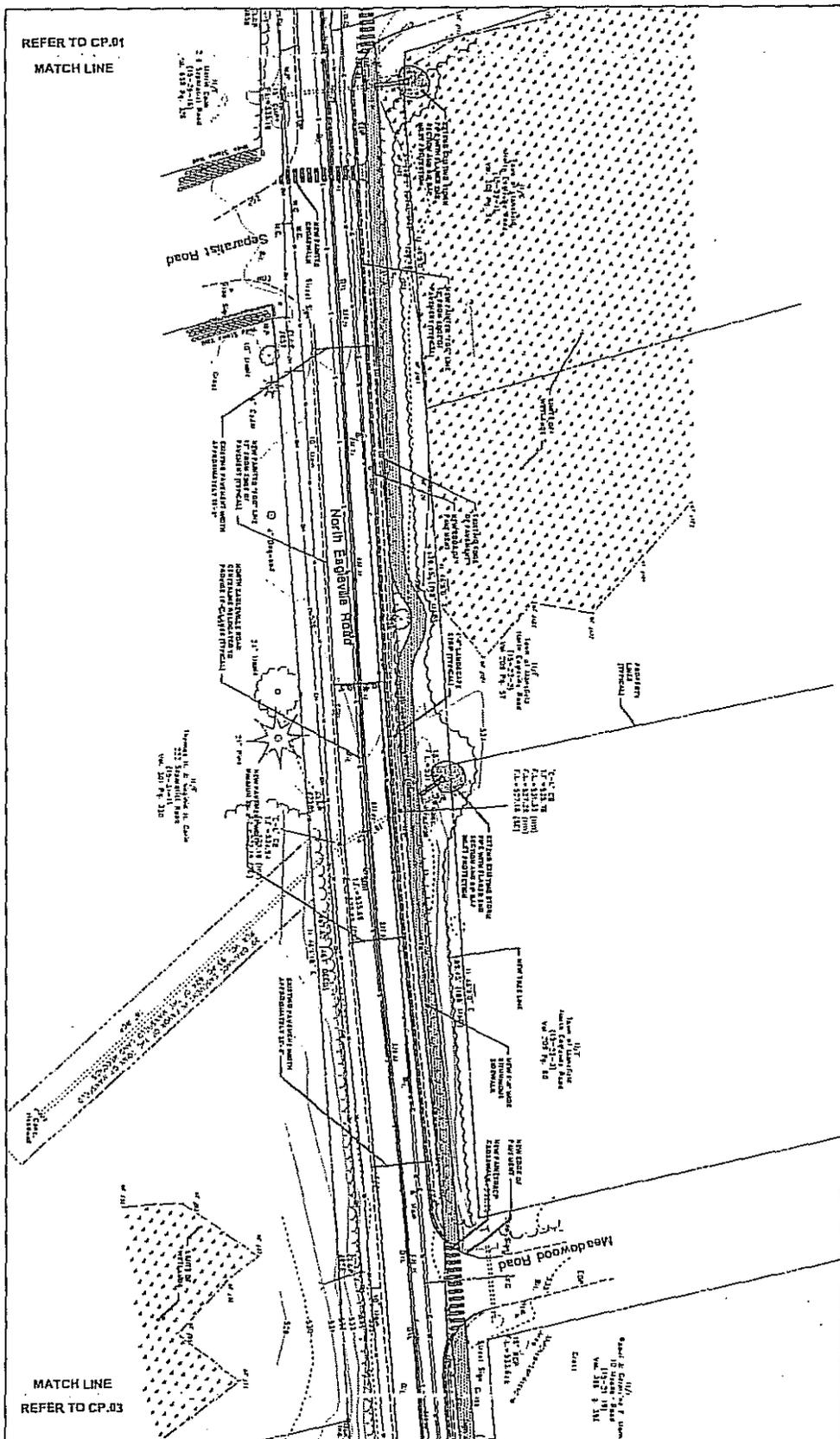
If the Council supports this recommendation, the following motion is in order:

* *Move, effective May 24, 2010, to schedule a public hearing for 7:45 p.m. at the Town Council's regular meeting on June 14, 2010, to solicit public comment regarding the North Eagleville Road sidewalk project.*

** motion
Approved -*

Attachments

- 1) Reduced (11"x17") plan sheets (4 sheets – CP.01 to CP.04)



North Eagleville Road Sidewalk Project
University of Connecticut
 Storrs, Connecticut



NO.	DATE	DESCRIPTION
1	11/15/05	CONCEPTUAL SITE PLAN
2	11/15/05	CONCEPTUAL SITE PLAN
3	11/15/05	CONCEPTUAL SITE PLAN
4	11/15/05	CONCEPTUAL SITE PLAN
5	11/15/05	CONCEPTUAL SITE PLAN
6	11/15/05	CONCEPTUAL SITE PLAN
7	11/15/05	CONCEPTUAL SITE PLAN
8	11/15/05	CONCEPTUAL SITE PLAN
9	11/15/05	CONCEPTUAL SITE PLAN
10	11/15/05	CONCEPTUAL SITE PLAN

Conceptual
 Site Plan



University of Connecticut
*Office of the Vice President and
Chief Operating Officer*

Office of Environmental Policy

Richard A. Miller, Esq.
Director

May 18, 2010

Ms. Denise Ruzicka
Director Inland Water Resources Division
CT Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

RE: Swan Lake Drainage Outfall Improvement

Dear Ms. Ruzicka:

As you know, DEP IWRD issued General Permit authorization IW-200903033GP permitting UConn to install a plunge pool where Swan Lake drains to Valentine Meadow. A drainage pipe from the portion of campus east of Rt. 195 and north of Gurleyville Road also daylight at the proposed plunge pool location. A retaining wall and pipe extensions were included in the design. The plunge pool is an erosion control measure designed to correct existing erosion and to prevent future erosion related to increased flow as a result of full implementation of our Drainage Master Plan/Campus-Wide Flood Management Certification.

As you specified in your letter dated April 20, 2010, we have suspended all actions related to the general permit authorization. Before we proceed with the proposed activity, your letter requires UConn to respond to the three items of concern which are copied below in italics and followed by our responses.

- *Correct, as necessary, information or materials submitted in its request for authorization.*

We have attached copies of corrected pages from the original general permit application. Corrections are noted in red text in the attachment and consist of the following.

An Equal Opportunity Employer

31 LeDoyt Road Unit 3055
Storrs, Connecticut 06269-3055

Telephone: (860) 486-8741
Facsimile: (860) 486-5477
e-mail: rich.miller@uconn.edu

On page 6, part V, #2 of the application we had inadvertently indicated that the discharge and the proposed plunge pool location were in an area that formed the headwaters of Roberts Brook. In fact, Roberts Brook runs perpendicular to and 520' south of the Swan Lake outfall. The subject activity is to a storm drainage trench that has effectively become an unnamed, intermittent watercourse and a tributary to Roberts Brook, and we have revised the application to indicate as such. This correction is made throughout the application, specifically on Page 7a - Additional Information and on Page 8, Part VI, #1.

On page 7, part V, #6a of the application we had indicated that the subject activity was not within a watercourse or floodplain. The subject activity is not within a mapped floodplain. However, while most if not all of the water flowing through the area of the subject activity is derived from storm drainage, the subject area would appear to technically meet the criteria for an intermittent watercourse defined in CGS 22a-38. As such, we have revised the application to indicate that the subject activity is within a watercourse by checking off "yes." The total land surface area draining to the site of the subject activity is approximately 102 acres.

On page 8, part VI, #2 of the application, the initiation of activity was reported to be Fall 2009. We have revised the application to indicate that we plan to initiate activity in the summer of 2010.

- *Provide documentation that a copy of the request for authorization was provided to the inland wetlands agency, zoning commission, planning commission or combined planning and zoning commission, and conservation commission of each municipality which is or may be affected by the subject activity.*

The Town of Mansfield has an inland wetlands agency (IWA), which is also its combined planning and zoning (P&Z) commission, and a separate conservation commission. On August 17, 2009, two copies of the permit application were hand delivered to the Mansfield town planning office. The copies were intended for the wetlands agency and combined P&Z commission, as page 12 of 13 of the permit application indicates. A receipt of delivery was not obtained, however the IWA's September 7, 2009 meeting agenda (attached) lists the Swan Lake permit application, and several pages from the application are included in the agenda packet (available at http://www.mansfieldct.gov/filestorage/1904/5335/2166/20090908_packet.pdf). Note, the membership for Mansfield IWA is the same as that for its P&Z commission.

The conservation commission was not directly provided a copy of the application by UConn. This was inadvertent and unintentional. However, the permit application was discussed with the Commission when UConn presented our Drainage Master Plan at their November 18, 2009 meeting. In addition, the Swan Lake outfall permit application appears on their December 16, 2009 meeting agenda (attached) and a copy was included in the December meeting packet (available at http://www.mansfieldct.gov/filestorage/1904/5335/2134/20091216_packet.pdf).

As you know, page 12 of the general permit application clearly states that DEP cannot authorize the proposed activity until thirty-five days after the date of service to the appropriate municipal agencies. Based on the published meeting agendas, the Mansfield IWA (and the P&Z by virtue of having the same membership) and the Conservation Commission received the applications and had more than thirty-five days to comment before the general permit authorization was issued on February 22, 2010.

- *Please provide information responsive to the attached letter[s] from Mr. Quentin Kessel on behalf of the Mansfield Conservation Commission.*

Chairman Kessel's Letter dated March 17, 2010

This letter relates to the Swan Lake drainage outfall improvements by referring to previous alterations made to Swan Lake in the early to mid-1990's. At that time, Swan Lake's outlet to Eagleville Brook was slightly raised, thereby increasing flow through the pond's outlet to Valentine Meadow – the subject area of the proposed activity. The Commission's letter assesses that the erosion observed downstream of the Swan Lake's Valentine Meadow outlet, one of the principal reasons for the proposed activity, is due to this outlet alteration. Note, the drainage area for Swan Lake is sixteen acres, far less than the 100-acre threshold for diversion permitting. Further, raising Swan Lake's Eagleville Brook outlet is Flood Management certified since it was included as an existing feature in our Drainage Master Plan, which was recently approved as a campus-wide Flood Management Certification.

This letter also notes that increasing the flow from Swan Lake into a watercourse that contributes to a public drinking water supply should have necessitated a permit from the Department of Public Health (DPH). Although DPH requires a permit for any new stormwater discharge within 100' of a watercourse that contributes to a public water supply, DPH staff have advised us that retro-actively permitting this discharge is not possible. At DPH's request, we have submitted a stormwater discharge application for the Swan Lake drainage outfall work, noting that there is no actual new stormwater discharge as a result of this work. Also at DPH's request, this application includes supplemental information on the Swan Lake alteration completed in the 1990's.

Any diversion of runoff from the North Campus area (proposed "55-acre diversion") several years from now in accordance with our Drainage Master Plan would also require such authorization from DPH.

Chairman Kessel's Letter dated March 18, 2010

The Conservation Commission lists two concerns with the Swan Lake drainage outfall permit application. The first refers to Page 7, Part V, #6a of our general permit application in which we indicated that the erosion-prevention measures proposed at the Swan Lake outfall were not within a watercourse. The subject area would technically appear to meet the criteria for an intermittent watercourse defined in CGS 22a-38 (see above, paragraph 2, page 2). As such, we have revised the application to indicate that the subject activity is within a watercourse by checking off "yes."

The second concern posed in this letter relates to the lack of documentation confirming that the appropriate municipal agencies received copies of the Swan Lake outfall general permit application. This is addressed in our response to your request for documentation that the application was delivered to the appropriate town agencies (see above, paragraph 2, page 3).

Chairman Kessel's Letter dated March 19, 2010

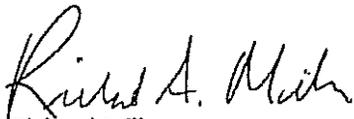
This is a cover letter to several attachments, including photographs of the Swan Lake outfall area that is the location of the permitted activity. While the photos may illustrate the heavy volume and rate of discharge during peak storm events and the current need for the Swan Lake outfall improvements, we believe the Commission intended to illustrate that the discharge was to an intermittent watercourse. As previously stated, we have revised our permit application to indicate the work area is within an intermittent watercourse. Regarding the necessity of the project, the UConn Drainage Master Plan documents the existing erosion problem caused by the flows of water through this channel. The installation of the proposed plunge pool will slow down the flow and allow the downstream channel to restore itself over time. Further, the plunge pool has been sized to safely accommodate any additional flows. All required permits for the diversion work will be applied for at the proper time.

It should be noted that in addition to this written response, UConn has attended two Mansfield Conservation Commission meetings in which we discussed the Drainage Master Plan and the Swan Lake outfall improvements. Also, we have met separately with the Commission's chair on this subject three times since last November.

RE: Swan Lake Drainage Outfall Improvement
Page 5
May 18, 2010

We look forward to receiving your approval to proceed with already permitted Swan Lake outfall project. Our permit application and our discussions with the Commission demonstrate that the outfall project is a necessary improvement that will be a benefit to Roberts Brook. The permit applications for our future drainage projects will continue to demonstrate that any affects to the Roberts Brook watershed as a result the flood and water quality improvements to Eagleville Brook will be environmentally permissibile.

Regards,



Richard Miller

Director of Environmental Policy

Attachments

Cc: Quentin Kessel, Mansfield Conservation Commission, Chair
Greg Padick, Mansfield Director of Planning

Attachment 1

**Copies of Corrected Pages from
Swan Lake Drainage Outfall Improvements,
Request for Authorization, General Permit Authorization for Utilities and Drainage**

Part V: Site Information

1. **Site Location:**

a. Name of facility, if applicable:
Street Address or Description of Location: Intersection of Gurleyville Road and Horsebarn Hill Road
City/Town: Storrs State: CT Zip Code: 06269
Project No., if applicable:

b. Tax Assessor's Reference: Map Block Lot
(Assessor's reference is not required if requester is an agency of the State of Connecticut.)

c. Latitude and Longitude of the approximate "center of the site" in *degrees, minutes, and seconds*:
Latitude: 72-14'-43" N Longitude: 41-48'-11" W
Method of determination (check one): GPS USGS MAP Other
If a USGS Map was used, provide the quadrangle name: Spring Hill

d. In case of an existing dam structure, the CT Dam Inventory Number:

2. Name of the wetland or watercourse involved with or adjacent to the subject activity:
~~Roberts Brook~~ unnamed tributary to Roberts Brook, which is ~520' downstream from the outfalls

3. Is the subject activity located in a public water supply watershed? Yes No
If yes, provide the name of the water utility: Windham Water Works

4. Is the activity which is the subject of this registration located within the coastal boundary as delineated on DEP approved coastal boundary maps? Yes No
If yes, and this registration is for a new authorization under the general permit or for a modification of an existing general permit, you must submit a *Coastal Consistency Review Form* (DEP-APP-004) with your registration as Attachment C.
For forms or assistance, please call the Permit Assistance Office at 860-424-3003.

5. Is the project site located within an area identified as a habitat for endangered, threatened or special concern species as identified on the "State and Federal Listed Species and Natural Communities Map"?
 Yes No Date of Map: June 2009
If yes, complete and submit a *Connecticut Natural Diversity Data Base* (CT NDDB) *Review Request Form* (DEP-APP-007) to the address specified on the form.
When submitting this request for authorization, please include copies of any correspondence to the NDDB, including copies of the completed CT NDDB Review Request Form, any field surveys, and any other information which may lead you to believe that endangered or threatened species may or may not be located in the area of your existing or proposed permitted activity, as Attachment D.
Has a field survey been conducted to determine the presence of any endangered, threatened or special concern species? Yes No If yes, provide:
Biologist's Name:
Address:
and submit a copy of the field survey with your application as Attachment D.

Part V: Site Information (cont.)

6a. Is the subject activity within a watercourse or floodplain? Yes No

If yes: Provide the land surface area draining to the site of the subject activity:

acres or square miles

6b. Will the subject activity be within a FEMA floodway? Yes No

(i) If yes, and the subject activity is the construction of a culvert or a bridge, submit, as Attachment E, the certification by a licensed engineer, together with the hydraulic analysis in support thereof, that such culvert or bridge is designed in accordance with accepted engineering practices and conforms to the applicable flood management standards and criteria under 44CFR Chapter 1, Part 59 through 79, inclusive.

(ii) If the requester has a Flood Management (FM) Certification for the subject activity, provide the FM certification number:

An FMC application accompanies this GP application.

7. Existing Conditions

a. Describe the present and intended use(s) of the property on which the subject activity is proposed.

The property is part of the University of Connecticut's Storrs campus. The project site currently receives stormwater flows from two sub-watersheds on campus, and will continue to receive stormwater flows from these sub-watersheds, in addition to flows from a ~57-acre watershed in the future. This project was included in the University's April 2006 Campuswide Drainage Master Plan, submitted as a Flood Management Certification application.

Check if additional sheets are attached to this page.

b. Describe all natural and man-made features including wetlands, watercourses, fish and wildlife habitat, floodplains and any existing structures potentially affected by the subject activity. Such features should be depicted on the site plan (*Attachment B*). In the case of maintenance and repair or improvements to an existing dam, describe the condition of the structure which necessitates such work.

Approximately 700 square feet of wetland and watercourse will be affected by the activity. Some trees will be removed for the proposed construction to stabilize the slope. The existing 30" and 36" drain lines will be relocated, a new head wall and preformed scour hole will be constructed. The relocated drain lines will be extended no more than 5' from their existing location.

Check if additional sheets are attached to this page.

approximately 520' away.

ADDITIONAL INFORMATION
PART V: Site Information

that converges with

Item 6a. Is the subject activity within a watercourse or floodplain?

which

Response: ~~No.~~ The project location consists of the combined discharge locations for the Swan Lake overflow piping, as well as a pipe ~~with~~ drains the Horsebarn Hill Watershed. These pipes discharge adjacent to each other, into a small channel, ~~and form the headwaters of Roberts Brook.~~ These discharges only flow generally when there is a storm event, after which there is no significant flow in the channel. ~~Therefore, we believe the area immediately downstream of the discharge location should not technically be a watercourse.~~

We also reviewed the FEMA flood plain maps, and our project is well outside the limits of the mapped FEMA floodplain.

Part VI: Project Summary

1. Regulated Activity

Describe the activity which is the subject of this request for authorization including the reason for conducting or maintaining the activity. If the subject activity is to be conducted on an existing dam, describe the specific nature and location of maintenance, repair or improvement activities relative to the dam structure itself.

an unnamed tributary to

The existing storm drainage outlets into Roberts Brook are showing signs of erosion and the proposed project will correct that erosion, as well as provide additional erosion protection at the outlet suitable for the proposed increased stormwater flows as described in the attached sheet.

Check if additional sheets are attached to this page.

2. Initiation of Activity

When does the requester plan to initiate construction of the subject activity?

~~Fall, 2009~~ Summer 2010

3. Construction Activity Details

Provide the following information about the subject activity's impact on wetlands, watercourses or floodplains (all such details must also be depicted on the site plan included in this request for authorization as Attachment B):

- a. Volume of proposed fill: cubic yards
- b. Area of proposed fill: acres
- c. Volume of proposed excavation: cubic yards
- d. Area of proposed excavation: 0.016 acres
- e. Area of any clearing, grubbing of land, or other alteration of the land: 0.15 acres
- f. Describe the volume and area of any temporary fill, the purpose of such fill, and when it will be removed.

Check if additional sheets are attached to this page.

Attachment 2

**Copies of Mansfield IWA September 7, 2009 Meeting Agenda
and Mansfield Conservation Commission December 16, 2009 Meeting Agenda**

AGENDA

Mansfield Conservation Commission
Wednesday, December 16, 2009
Audrey P. Beck Building
CONFERENCE ROOM B
7:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Opportunity for Public Comment**
4. **Minutes**
 - a. November 18, 2009
5. **New Business**
 - a. IWA Referrals: (memo from Inland Wetlands Agent)
 - W1444 - Hillel House - sidewalk and parking alternations
 - W1445 - Chermushek - add'l gravel removal
 - W1446 - Kielbania - Mansfield City R - SF house in buffer
 - b. Proposed Telecommunication Tower, Daleville Road, Willington
(memo from Director of Planning)
 - c. Proposed State Streamflow Standards and Regulations (email from River Alliance of CT and draft Regulations attached)
 - d. Other
6. **Continuing Business**
 - a. UConn Master Drainage Plan/Memorandum of Agreement with DEP/Swan Lake
Drainage Outfall Report
 - b. Water Supply Issues
(Willimantic Wellfield Study Technical Advisory Committee meeting postponed to January)
 - c. Invasive Plantings (PZC has agreed to revise Zoning Regulations)
 - d. Protecting Mansfield's Aquifers (Conservation Commission recommended revisions to Zoning Regulations to be incorporated into Spring 2010 revision proposal)
 - e. CL&P "Interstate Reliability Project" (See attached email from CL&P)
 - f. Proposed UConn Composting Facility
(site work has started and facility expected to be in operation in early 2010)
 - g. Ponde Place Student Housing Project (well drilling and testing has started)
 - h. Natchaug River Basin project (no new information)
 - i. Eagleville Brook Impervious Surface TMDL Project (no new information)
 - j. Conservation Commission Administrative Procedures
 - k. Other

AGENDA
Inland Wetland Agency
Regular Meeting
Tuesday, September 8, 2009
Council Chambers, Audrey beck Building

Call to Order: 7:00 PM

Review of Minutes of Previous Meetings and Action Thereon:

8.03.2009 - Regular Meeting
8.19.2009 - Field Trip

Communications:

Conservation Commission: W1437-B'Nai Brith Hillel, N. Eagleville Rd

GM monthly business memorandum

Outstanding Enforcement Actions:

Old Business:

W1424- Whispering Glen Condominiums - Meadowbrook Lane
W1436- Gaffney- 125 Wildwood Road - 90' x 30' Fire Pond
W1437- B'Nai Brith (Hillel)- North Eagleville Rd- parking & yard work

Public Hearing Continuation:

New Business:

W1438- Beall & Higgins- Wormwood Hill Road-Single Family House in Buffer

Reports of Officers and Committees:

Other Communications and Bills:

1. UConn re: Swan Lake Drainage Outfall Improvements
2. 7/14/09 Notes from Northeast Regional Management Area Water Supply Forum

Adjournment:

June 1, 2010

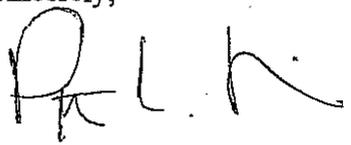
Planning and Zoning Commission
Town of Mansfield
RE: Paideia Society Amphitheater

Dear Commissioners:

We the undersigned would like the Planning and Zoning Commission to require the Paideia Society to substantially complete the grading and landscaping on Dog Lane in front of its amphitheater that is currently under construction. All of us had hoped that the project would be completed by now, but instead the pace of work has been disappointing and we're left with an unsightly, half finished construction site covered with poison ivy and other weeds. What's disturbing is that with no realistic completion date in sight, the site could remain in this state for many years to come.

What we are asking is simple and reasonable. Before you grant any more approvals, please require the owners to do much of the final grading and landscaping they promised. We understand that all the finish landscaping may not be possible, since more construction needs to take place, but the site can be substantially cleaned up, most plantings installed, and in general the property brought up to the standards of the neighborhood. As it is now, it's an eyesore, detrimental to property values, and could remain the way it is for many years. It is a problem that can be corrected with your help.

Sincerely,

 PETER MILMAN 122 DOG LANE, STORRS
Marie E. Cantino Marie Cantino 122 Dog Lane, Storrs
Gary M. Zimmer GARY M. Zimmer 127 Dog Ln. Storrs
Karen Zimmer Karen Zimmer, 127 Dog Ln, Storrs
Suzanne Singer Suzanne Singer 67 Willowbrook Rd. Storrs
Richard Schwab - Richard Schwab - 85 Willowbrook Rd
Kristin E. Schwab - Kristin E. Schwab - 85 Willowbrook Rd

IT WOULD BE APPRECIATED IF WE COULD BE NOTIFIED FOR FUTURE PAIDEIA AGENDA ITEMS.

PAGE
BREAK