

AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting, Monday, June 6, 2011, 7:30 p.m.
Or upon completion of Inland Wetlands Meeting
Council Chambers, Audrey P. Beck Municipal Building

Minutes

5/16/11

Scheduled Business

Zoning Agent's Report

- A. Monthly Activity Report
- B. Enforcement Update
- C. Other

7:30 p.m. Public Hearing

Gravel Permit Renewals

- A. **Banis property on Pleasant Valley Road File #1164**
- B. **Hall property on Old Mansfield Hollow Road File #910-2**
- C. **Green Property, 1090 Stafford Road PZC File #1258**
Memo from Zoning Agent

7:45 p.m. Public Hearing

Application to amend the Zoning Regulation to add Place of Assembly-Banquet Hall as a permitted use in the Neighborhood Business 2 Zone, M. Healy, applicant, PZC File #1301
Report from Director of Planning

8:00 p.m. Public Hearing

4-Lot Subdivision Application, (3 New Lots) Wormwood Hill & Gurleyville Roads, S. Plimpton o/a, PZC File #1298
Reports from Director of Planning and Assistant Town Engineer

Old Business

1. **Special Permit Application, Proposed Veterinary Hospital, 266 Stafford Rd, W. Ernst-applicant/ Y. Desiato-owner, PZC File #1300 (M.A.D. 7/20/11)**
2. **4//14/11 Draft revisions to the Zoning Regulations Re: Agricultural Uses, PZC File #907-36**
Memo from Director of Planning
3. **3/30/11 Draft revisions to numerous sections of the Zoning Regulations, PZC File #907-35**
Memo from Director of Planning
4. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**
Memo from Director of Planning (To be tabled-awaiting information from applicant)
5. **Request to stop collecting bond escrow funds for Freedom Green Phase 4C, File # 636-4**
Memo from Director of Planning (To be tabled-awaiting information from applicant)
6. **Request to review and revise Plan of Conservation and Development regarding Hunting Lodge Road area**
Report from Chairman of Regulatory Review Committee
7. **Other**

New Business

Reports from Officers and Committees

1. Chairman's Report
2. Regional Planning Commission
3. Regulatory Review Committee
4. Other

Communications and Bills

1. Referral from WINCOG: Re: Town of Windham proposed revisions to Zoning Regulations
2. Notice of 6/8/11 ZBA Public Hearing
3. 5/20/11 letter from Senator Williams and Representative Haddad re: Ponde Place
4. 5/23/11 Memo to Zoning Agent Re: Conditional Zoning Permit authorization for Storrs Center Parking Garage/Intermodal Center
5. Other

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, May 16, 2011
Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Favretti called the meeting to order at 7:07 p.m. Ward was appointed to act if needed.

Minutes:

05-02-11- Plante MOVED, Hall seconded, to approve the 5/2/11 minutes with one addition - that Rawn was appointed to act if needed. MOTION PASSED with all in favor except Ward who disqualified herself.

Zoning Agent's Report:

Hirsch noted that one of the clothing drop boxes has been removed at Four Corners. He will continue to monitor the others.

Old Business:

2. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**
Tabled - awaiting information from applicant.
3. **Request to stop collecting bond escrow funds for Freedom Green Phase 4C**
Tabled - awaiting information from applicant.
4. **Request to review and revise Plan of Conservation and Development regarding Hunting Lodge Road area**
Tabled - referred to Regulatory Review Committee.
5. **4-Lot Subdivision Application, (3 New Lots) Wormwood Hill & Gurleyville Roads, S. Plimpton o/a, PZC File #1298**
Tabled pending 6/6/11 Continued Public Hearing.
6. **Application to amend the Zoning Regulation to add Place of Assembly-Banquet Hall as a permitted use in the Neighborhood Business 2 Zone, M. Healy, applicant, PZC File #1301**
Tabled pending 6/6/11 Public Hearing.

New Business:

1. **Gravel Permit Renewals**
 - A. **Banis property on Pleasant Valley Road File #1164**
 - B. **Hall property on Old Mansfield Hollow Road File #910-2**
 - C. **Green Property, 1090 Stafford Road PZC File #1258**
Holt MOVED, Pociask seconded, that the Commission set a public hearing for June 20, 2011, for the purpose of hearing special permit, gravel renewal requests. MOTION PASSED UNANIMOUSLY.

Reports from Officers and Committees:

Chairman Beal announced that the next meeting is scheduled for 5/25/11 at 1:15 p.m. in Conference Room B. Chairman Favretti reminded members of the Field Trip on Tuesday, May 17, 2011 at 1:30 p.m.

Communications:

Communications listed on the agenda were noted.

Public Hearing:

Special Permit Application, Proposed Veterinary Hospital, 266 Stafford Rd, W. Ernst-applicant/ Y. Desiato-owner, PZC File #1300

Chairman Favretti opened the Public Hearing at 7:15 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Rawn and Ward. Padick read the legal notice as it appeared in the Chronicle on May 3 and May 11, 2011, and noted the following communications received and distributed to the Commission in addition to the applicant's submissions which included a revised landscape plan: 5/12/11 memo from Grant Meitzler, Assistant Town Engineer; 5/9/11 memo from John DeWolf, Member of Mansfield Advisory Committee on Person with Disabilities; 5/10/11 email from Joy Mercure, 125 Meadowbrook Lane; 5/6/11 memo from Gregory Padick, Director of Planning; 5/5/11 memo from John Jackman, Deputy Chief/Fire Marshal; 5/2/11 letter from John DeCastro, CT DOT; 5/2/11 email from Annette and Roger Whitmore, 37 Higgins Highway; 4/28/11 email from Kathy and Tad McKinney, 22 Higgins Highway; 4/25/11 email from Doreen Palmer, 32 Higgins Highway; and a 4/18/11 plan approval memo from Geoffrey Havens, EHHD.

Wendy Ernst, applicant, addressed concerns raised in Padick's memo and agreed with all recommendations made by Padick and Meitzler.

Lionel Desrosiers, 259 Stafford Road, expressed concern for the traffic and speed on the road and the effects the addition of a business will have. Desrosiers asked if Ernst intends to practice large animal care in the future and if any consideration had been given to relocating the entrance/exit driveway on Stearns Road.

Jim Cayer, 393 Stearns Road, questioned if kenneling will be part of her business plan, expressing concern over noise. Cayer also expressed concern over light pollution and asked for more details on proposed exterior lighting and the potential for people wandering onto his property.

Favretti noted no further questions or comments from the public or the Commission. Beal MOVED, Plante seconded, to close the Public Hearing at 7:43 p.m. MOTION PASSED UNANIMOUSLY. Hall volunteered to work with staff to draft a motion for the next meeting.

Public Hearing:

4//14/11 Draft revisions to the Zoning Regulations Re: Agricultural Uses, PZC File #907-36

Chairman Favretti opened the Public Hearing at 7:44 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Rawn and Ward. Padick read the legal notice as it appeared in the Chronicle on May 3 and May 11, 2011, and noted the following communications received and distributed to the Commission: 5/16/11 letter from Attorney O'Brien; 5/16/11 email from Donald and Janis Hoyle, 125a Bassetts Bridge Road; 5/15/11 email from Ann Kouatly, 98 Fern Road; 5/10/11 email from Barbara Casey, 70 Davis Road; 5/10/11 email from Suzanne Hathaway, 117 Birch Road; 5/10/11 email from Careen Jennings, 5d Sycamore Drive; 5/5/11 memo from Gregory Padick, Director of Planning; and a 5/4/11 letter from Ted Melinosky, Vice Chair, WINCOG RPC, which Padick read into the record.

Padick reviewed the following key components of the proposed revisions to the Zoning Regulations regarding agricultural uses: A new Art. X, Sec. T that reorganizes, clarifies and adds new provisions designed to encourage agricultural uses subject to standards to address potential environmental, neighborhood impact or animal welfare issues; Revised farm stand provisions including new permitted-by-right standards for certain stands and new signage provisions; Revised permitted-by-right provisions for the Keeping of Farm Animals. Non-farmable wetlands are excluded from the acreage needed to qualify as a principal farm use and from acreage per animal unit calculations for Accessory/Secondary farm uses; Revised animal unit provisions and new special permit standards that allow more animals than permitted by right on lots that do not qualify as a principal farm; New permitted-by-right provisions for student projects.

Al Cyr, representing the Agriculture Committee, read a statement into the record and submitted a copy for the file.

Ed Wazer, 253 Maple Road, Shundhai Farm, thanked the Commissioners for their time and effort, noting that this is a big improvement over the existing regulations, but that there is still room for improvement. He discussed a few areas that he feels should be revisited: the farm animal acreage chart; that many local farms are on small parcels of land and requiring a 100' setback from property lines greatly restricts activity on small farms; the concern for impact in neighborhoods, noting that some of the most viable farmland is in neighborhood settings. He added that producing food locally saves money.

Robert Roberge, 32 Woodland Road, asked about enforcement of the regulations, noting that permitted-by-right activities should be granted unconditionally. He also wondered who verifies if an animal is neutered or not, and is it a state requirement for certain animals to be neutered after one year.

Charles Dainton, 96 Mansfield City Road, questioned if "non-farmable wetlands" is defined and expressed concern about mandatory neutering of male animals. He also questioned the requirement of maintaining a cover crop in pastures.

Al Cyr, Agriculture Committee, clarified that the neutering of male animals is proposed only for smaller lots, and cover crops on pastures (not pens, arenas, or riding arena) is proposed to prevent erosion.

Cynthia Opterbek, questioned the 100' setback if a lot is only 200' wide, because farming wouldn't be feasible according to the new regulation.

Chris Keuffner, stated that getting a waiver or special permit may be too cumbersome for some people and he's concerned for the impact this will have on local farming.

Favretti noted no further questions or comments from the public or the Commission. Plante MOVED, Beal seconded, to close the Public Hearing at 8:36 p.m. MOTION PASSED UNANIMOUSLY.

Public Hearing:

3/30/11 Draft revisions to numerous sections of the Zoning Regulations, PZC File #907-35

Chairman Favretti opened the Public Hearing at 8:44 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternates Rawn and Ward. Padick read the legal notice as it appeared in the Chronicle on May 3 and May 11, 2011, and noted the following communications received and distributed to the Commission: 5/16/11 letter from Attorney O'Brien; 5/5/11 memo from Gregory Padick, Director of Planning; 4/19/11 memo from Open Space Preservation Committee; and a 5/4/11 letter from Ted Melinosky, Vice Chair, WINCOG RPC, which Padick read into the record.

Padick reviewed the following key components of the proposed revisions to the Zoning Regulations: New Design Criteria for the Planned Business-3 zone (Four Corners Area); Revised application and approval criteria to protect historic resources and new zoning permit, site plan and special permit approval criteria for exterior construction in designated historic village areas; New revisions to existing Architectural and Design Standards; New setback provisions for outdoor recreational facilities; Revised site plan and special permit standards for lighting improvements; Revised provisions for sidewalk, bikeway, trail and other pedestrian and bicycle improvements; Revised notification provisions; Revised standards for refuse areas.

Favretti noted no questions or comments from the public or the Commission. Plante MOVED, Holt seconded, to close the Public Hearing at 9:12 p.m. MOTION PASSED UNANIMOUSLY.

Old Business:

1. Site/Building Modification Request, Proposed gym/fitness center at 1768 Storrs Road

Brook Magouirk, applicant, submitted return receipts verifying neighborhood notification. Favretti noted no comments or questions from the public or Commission.

Goodwin MOVED, Holt seconded, that the Planning & Zoning Commission authorizes the PZC Chairman and the Zoning Agent to approve with conditions, the 4/27/11 Request for Site/Building Modifications submitted by Brooke Magouirk and as described in the applicant's Statement of Use and other submissions. This conditional approval does not anticipate any significant changes to the site or impacts on the neighborhood. The conditions are:

1. Screening shall be re-established around the dumpster pad;
2. Any changes to the remaining existing uses or new additional uses of the site shall require further PZC review and approval;
3. All conditions of the PZC's 2/21/06 approval for the 120-seat chapel use of the site shall remain in effect.

MOTION PASSED UNANIMOUSLY.

Adjournment:

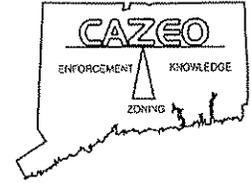
Chairman Favretti declared the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Katherine Holt, Secretary



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: June 1, 2011

MONTHLY ACTIVITY for May, 2011

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Bockholdt	705 Middle Tpke.	2-car garage
Kuenzig	237 Baxter Rd.	12 x 12 shed
Higham	14 Adeline Pl.	8 x 12 shed
LeBlond	82 Stone mill Rd.	(2) 8 x 12 sheds
Hamilton	43 Beacon Hill Rd.	14 x 18 shed
Chamberland	490 Stafford Rd.	Agric. Stand & greenhouse
Therault	30 Wildwood Rd.	28 x 36 2-bay garage
Block Properties	36 & 40 Willington Hill Rd.	(2) 2-fam. House additions
Stanton	29 Browns Rd.	22 x 30 garage
Storrs Center Alliance	Dog La. Phase 1A & 1B	lot line revisions
Sung & Yang	152 Coventry Rd.	8 x 10 shed
CrossFit Gym	1768 Storrs Rd.	new fitness use

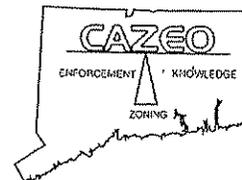
CERTIFICATES OF COMPLIANCE

Nesselroth/Lewis	157 Hillyndale Rd.	deck enlargement
Allain	224 Puddin La.	shed
Chen	53 Crane Hill Rd.	shed & enlarge deck
White	109 Stonemill Rd.	shed
Adamson	7 Jackson La.	shed
Keenan	156 Coventry Rd.	garage
Campo	61 Charles La.	garage
Spring Hill Properties	81 Beacon Hill Rd.	1 fm dw
Kronish	495 Chaffeeville Rd.	shed
Sung & Yang	152 Coventry Rd.	shed

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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: June 2, 2011

Re: Special Permit Renewal of Gravel Permits, 2011-2012 (Article X, Section H)
1) Steven Banis, Pleasant Valley Rd., PZC #1164
2) Edward Hall, Old Mansfield Hollow Rd., PZC #910-2
3) Karen Green, Stafford Rd., PZC #1258

Special permits for 'gravel' removal and/or filling expire on July 1st of each year but may be renewed by the PZC for additional periods of up to one year each. There are three active special permits for the removal of material and each permittee has requested a renewal of the existing permit. I will comment on each of the permits separately below. The Commission has not scheduled a field trip to any of the subject sites in advance of the 6/6/11 public hearing and if you choose to do so the hearing must be kept open. I have enclosed within your packets; the applicants special permit renewal requests (together with any supporting submission materials they may have submitted), and copies of the PZC, 2010 approval actions.

1) Banis, Pleasant Valley Road, PZC # 1164

Mr. Banis has submitted a letter dated 4/8/11 describing the status of his removal operation. His activity involves the blasting of rock ledge and the removal of the broken rock to an out-of-town location. A small amount is used on site. This is the eleventh year of the project. His letter states that about 250 cubic yards of material was removed during the past permit period and that approximately 7250 cubic yards remain to be removed. He estimates that several additional permit renewals will be required to finish his project. Mr. Banis has also submitted a revised site map dated 5/5/11 showing the location within Area 3 of the PZC approved plan where the current activity is taking place. (It shows as the darkened area at the southern tip of the crosshatching on his plan.) Area #1, of the approved plan has been completed and is currently being used for hay production. An agricultural barn was also constructed within area #1. Mr. Banis then proceeded into the southern portion of area #3 and that now has a good vegetation cover. Area #2 was completed near the end of 2006 and also has a good vegetative cover.

The current activity is in Area 3 and Mr. Banis is proceeding northward from the previously completed phase of this area. I had a phone conversation on 7/27/10 with the property owner at 60 Woods Road. The residence on this lot is over 1300 feet from the current activity on

the Banis site. The resident expressed concern over the long length of time that this project was taking to complete. He also stated that there was frequent activity on both Saturdays and Sundays. The special permit does not authorize any site work on Sunday and the applicant should be asked to respond to this statement. I observed a blast event at the permit site on 9/10/10 to get a personal look at what a blast experience is like. Also on the site were Mr. Banis and the licensed blasting contractor. We stood about 150 yards from the blast. The actual sound of the blast lasted no more than 1 to 2 seconds and it physically felt like driving over a railroad crossing in a car. The blast registered a Richter scale reading of 0.06 on the monitoring equipment the blasting contractor had set where we were standing.

In summary, this has been a well-managed operation. To date we have not received any information from the public in advance of the 6/6/11 public hearing. Bonding was not required for this operation. My review of the approval conditions shows that the applicant is in full compliance with the PZC approval except that the applicant should respond to the statement made about Sunday activity. Pending any contrary information presented at the public hearing and a likely field trip to the Banis site, the hearing should be kept open until 6/20/11.

2) Hall, Bassett's Bridge Road, PZC # 910-2

Mr. Hall has submitted a 5/27/11 request to renew his special permit application and paid the application fee. He has submitted me a revised site plan of the subject permit area as I am writing this report dated 5/28/11, showing a proposed new area that he is requesting permission to excavate. I mentioned Mr. Hall's intention to revise his permit area in my 6/16/10 report for the last renewal. His renewal request form indicates that approximately 1,200 cubic yards of material were removed in the past year and that approximately 800 yards remain within the approved phase of activity. Condition #6 of the special permit limits yearly excavation to 8,000 yards or the amount remaining in phase 1, whichever is less. This gravel excavation activity is entering its 19th year and work is nearing completion within phase 1. The initial 1992 permit plan depicted three anticipated phases for this site with each subsequent phase requiring special permit approval. Phase I encompasses approximately 2.5 acres in area containing an estimated 24,000 cubic yards of material. It is substantially vegetated simply through natural re-growth but has not been graded in any manner to achieve the final grades of the PZC approved plan. Except for a couple of viewpoints from Mansfield Hollow Rd. Ext., the phase 1 excavation is not visible from any of the properties abutting the site.

In 1996 Mr. Hall acquired a 5.39-acre piece of land that abuts the permit site on the north and has about 300 feet of frontage on Bassett's Bridge Road. The two properties were subsequently merged into a single lot. The property is level and currently used by Mr. Hall for agricultural field crops. The submitted, revised plan depicts a strip of land abutting on the northern side of phase 1, which shows 3 new phases. I have provided a very general depiction on an aerial view, of the 1992 areas and the new proposed area to give a general comparison of the approved versus the revised plan. Mr. Hall has placed notes on his submitted plan that provide some additional information about his requested modification. Beginning with the 2007 renewal, the Commission has waived, on a year-to-year basis, the requirement of Condition #7 for the submission of a professionally prepared map and

engineering report. The Commission must determine whether the submitted plan and information are adequate to properly review the requested modification.

Notes on the submitted plan either depict or request specific revisions to the approved plan and/or special permit conditions. Among them are:

- Closure of existing phase 1 area;
- Removal of the 50-foot buffer along southern boundary of Hall Trust parcel;
- Additional haul route out of the site

I believe that it is Hall's intent to abandon phases 2 & 3 of the 1992 plan in exchange for the land on the north side. Upon first look this exchange is a great benefit for the neighborhood. Initial phases 2 & 3 moved southerly from the existing area of activity toward many existing residential properties and required the clearing of substantial wooded areas that now serve as a good visual buffer between the homes and the excavation site. There is no visual sign of erosion beyond the confines of the gravel pit and any soil movement that could occur, would move inward on the site, not outward toward adjacent properties. The PZC retains an \$8,300 bond for site stabilization and restoration.

The PZC must determine whether the requested revisions to the approved plan and permit conditions can be reviewed and approved as a modification or that it will require a new special permit submission. As stated above, the 1992 approval required that a new special permit approval would be required prior to moving beyond the phase 1 excavation. Provided that the existing wooded area between phase 1 and the residential properties to the south remains undisturbed (including the 50-foot buffer required along the southern boundary of the separate, Hall Trust (not Ed) property to the east), I do not have any objection to accepting this revision request as a modification as provided for under Article V, Section B.9 of the regulations. I am making this opinion solely based on the reduced neighborhood impact the new area would present over the 1992 phase 2 and phase 3 areas.

In summary: I will provide an updated memo for the public hearing continuation on 6/20/11. I do not want to hurry to a final recommendation having just received the plan and without the benefit of the Commission's comments after a field trip to the subject site.

3) Green, Stafford Road, PZC # 1258

Mrs. Green has submitted a renewal application and stated that she has not started the project yet. The authorized area of excavation was modified during the 2009-2010 renewal process. This 'new' area of the Green farm remains in its natural, undisturbed condition. I am not aware of any site conditions that would affect the nature of the proposed excavation and there have been no changes to the requested scope of activity that would change the Commission's previous approval. I recommend **that the existing special permit be renewed along with the existing approval conditions.**

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TOWN OF MANSFIELD
PLANNING AND ZONING COMMISSION

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILL ROAD
STORRS, CT 06268
(860) 429-3330

FILE

Thursday, June 24, 2010

Mr. Edward C. Hall
35 Mansfield Hollow Rd.
Mansfield, CT 06250

Re: Planning & Zoning Commission approved renewal of a special permit for gravel removal

Dear Mr. Hall:

At a regular meeting held on June 21, 2010, the Mansfield Planning and Zoning Commission adopted the following motion:

"to approve with conditions the special permit renewal application of Edward C. Hall (file 910-2) for excavating and grading on property owned by the applicant, located off Bassetts Bridge Road, as presented at a Public Hearing on 6/21/10. This renewal is granted because the application as hereby approved is considered to be in compliance with Art. V, Sec. B and Art. X, Sec. H of the Mansfield Zoning Regulations. Approval is granted with the following conditions, which must be strictly adhered to, due to potential adverse neighborhood impacts. Any violation of these conditions or the Zoning Regulations may provide basis for revocation or non-renewal of this special permit.

1. No activity shall take place until this renewal of special permit is filed on the Mansfield Land Records by the applicant. This approval for special permit renewal shall apply only to the authorized Phase I area of the site. The excavation activity taking place outside of the north perimeter of the authorized Phase I area shall cease until an application is submitted to the Commission for review and consideration of action.
2. This special permit renewal shall be effective until July 1, 2011;
3. Excavation activity shall take place only in accordance with plans dated 12/1/91 and 5/9/95, as revised to 6/13/06;
4. This permit renewal acknowledges that up to 500 cubic yards of clean topsoil may be brought onto the Phase 1 premises. Prior to depositing any topsoil/fill, the applicant shall contact the Assistant Town Engineer and identify the source of the topsoil material. The Assistant Town Engineer shall make a determination about the suitability of the material source and may require that it be tested for contamination. Only clean topsoil shall be brought in, and it shall be spread or stockpiled solely within the Phase 1 area.
5. All work shall be performed by Edward C. Hall or his employees. No other subcontractors or excavators shall excavate in or haul from this site. All work shall be performed using the equipment stated on said plans and in the applicant's Statement of Use;
6. No more than 8,000 cubic yards of sand and gravel or the amount of material remaining in Phase I, whichever is less, shall be removed per year;
7. In association with any request for permit renewal, the following information shall be submitted to the Commission at least one month prior to the permit expiration date:
 - A. Updated mapping, prepared by a licensed professional engineer, depicting current contour elevations and the status of site conditions, including areas that have been revegetated;
 - B. A status report statement that includes information regarding:

- the amount of material removed in the current permit year and the estimated remaining material to be removed in the approved phase;
 - the planned timetable for future removal and restoration activity;
 - conformance or lack thereof with the specific approval conditions contained in this renewal motion
8. Unless prior authorization has been granted by the Commission, the existing area to the south and southeast of the approved excavation phase shall be retained in its existing wooded state. This area provides a buffer between the subject excavation activity and neighboring residential uses and is deemed necessary to address neighborhood impact requirements. The buffer shall extend southerly from the approved Phase I area to the Stadler-McCarthy property and shall extend southeasterly along the Gray and Dyjak properties to Mansfield Hollow Road Extension. The southeasterly extension shall have a minimum width of 50 feet (see Article X, Section H.5.e);
 9. Topsoil:
 - A. A minimum of 4" of topsoil shall be spread, seeded and stabilized over areas where excavation has been completed;
 - B. No loam shall be removed from the property. All stockpiled loam presently on the site shall be used for restoration of the area where gravel is removed
 10. In order to ensure that dust does not leave the site, erosion and sedimentation controls and site restoration provisions as detailed in the plans shall be strictly adhered to and the following measures shall be implemented:
 - A. No more than 1.5 acres shall be exposed at any one time;
 - B. The work shall be performed as described, from north to south and west to east, occurring in a "trough";
 - C. The swale along the haul road shall be kept dust-free and maintained to trap fine material and to keep the gravel surface of the road clean;
 - D. If the above measures do not control dust on the site as evidenced by complaints from nearby residents and verification by the Zoning Agent, dust monitors shall be installed immediately, with the advice of the applicant's engineer, and with their operation approved by the PZC;
 - E. The haul road shall be watered as necessary to prevent dust;
 - F. All loads shall be covered at the loading location;
 - G. There shall be no stockpiles of any material other than topsoil located outside the excavation area. Any stockpiles will be only as part of the daily operation of the excavation and shall not exceed 10 cubic yards in size. All stockpiled material shall be graded off and stored within the lower portions of the site in order to minimize any windblown transport.
 11. In order to ensure that there is no damage to the major aquifer underlying the subject property and nearby wells, the following shall be complied with:
 - A. Excavation shall not take place within 4 feet of the water table;
 - B. Materials stored onsite shall be limited to those directly connected with the subject excavation operation or an agricultural or accessory use authorized by the Zoning Regulations. Any burial of stumps obtained from the permit premises shall be in conformance with the DEP's regulations;
 - C. With the exception of manure, which shall be spread in accordance with the letter received at the 4/6/94 PZC meeting from Joyce Meader of the Cooperative Extension Service, no pesticides or fertilizers shall be applied unless a specific application plan is approved by the PZC. All operations to restore the subject site shall employ Best Management Practices as recommended by the Natural Resources Conservation Service and State Department of Environmental Protection for the application of manure, fertilizers or pesticides and the management of animal wastes;
 - D. No refueling, maintenance or storage of equipment shall be done onsite, in order to minimize the potential for damage from accidental spills;
 12. At a minimum, the subject site shall be inspected monthly by the Zoning Agent. Said agent shall schedule quarterly site inspections and shall invite neighborhood representatives to accompany him;
 13. Old Mansfield Hollow Rd. shall be the only route used for deliveries out of the neighborhood;
 14. All zoning performance standards shall be strictly adhered to;
 15. Approval of this permit does not imply approval of any future phase;

16. The existing cash bond plus accumulated interest shall remain in place until the activity has ceased and the area has been stabilized and restored to the satisfaction of the PZC.
17. Hauling operations and use of site excavation equipment shall be limited to the hours of 8 am to 5:30 p.m. Mon.-Fri., and 8 a.m. to 1 p.m. on Saturday, with no hours of operation on Sunday;
18. For one year only, from July 1, 2010 to July 1, 2011, the Planning and Zoning Commission waives the requirement of a map submission as per Condition #7A.
19. This special permit shall become valid only after it is obtained by the applicant from the Mansfield Planning Office and filed by him upon the Mansfield Land Records.

Further, it is noted that if there are any changes to the site or plan not authorized by this approval, the applicant shall request a modification before proceeding. Such a request for modification may be considered major and may entail a Public Hearing, depending on the nature of the request and its potential for impact on the health, welfare and safety of Mansfield's citizens and nearby residents.

If you have any questions regarding this action, please call the Planning Office at 429-3330.

Very truly yours,



Katherine K. Holt, Secretary
Mansfield Planning & Zoning Commission

**TOWN OF MANSFIELD
PLANNING AND ZONING COMMISSION**

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILL ROAD
STORRS, CT 06268
(860) 429-3330

Thursday, June 24, 2010

Mr. Steven D. Banis
29 Norwich Road
Salem, Connecticut 06420

Re: Renewal of Mansfield Sand and Gravel Permit, PZC file #1164

Dear Mr. Banis:

At a regular meeting held on June 21, 2010 the Mansfield Planning and Zoning Commission adopted the following motion:

“to approve with conditions the special permit renewal application (file 1164) of Steven D. Banis for the removal of approximately 7,500 cubic yards of excess material from Area #3 to be used for agricultural purposes on property located at Pleasant Valley Farm, Pleasant Valley Road, in an RAR-90 zone, as submitted to the Commission and shown on plans dated 6/1/05 revised through 6/4/10, accompanied by a 6/4/10 letter, and as presented at a Public Hearing on 6/21/10. This approval is granted because the application as hereby approved is considered to be in compliance with Article X, Section H, Article V, Section B, and other provisions of the Mansfield Zoning Regulations, and is granted subject to the following conditions:

1. The applicant shall implement the suggestions and recommendations for soil and erosion control contained in a 7/12/00 letter from David Askew, District Manager of the Tolland County Soil and Water Conservation District, Inc. This work includes the stabilization of areas adjacent to watercourses, the stabilization of the largest intermittent stream channel, the phasing of land-disturbing activity to minimize periods of soil exposure and the revegetation of disturbed areas.
2. No blasting or excavation work shall take place within fifty feet of a property line. Particular care shall be taken in meeting this requirement adjacent to the Wadsworth property.
3. All work shall be conducted between 7 a.m. and 7 p.m. Monday through Friday and between 9 a.m. and 7 p.m. Saturday.
4. All blasting work shall be subject to the permitting process administered by the office of the Fire Marshal. The applicant's blasting agent shall notify the Windham Airport prior to blasting activity pursuant to a schedule to be agreed upon by the blasting agent, Mansfield's Fire Marshal and the Windham Airport manager. In addition, the applicant shall place a temporary sign along Pleasant Valley Road at least twelve (12) hours prior to blasting activity. The sign shall note the anticipated period of blasting.
5. Based on the applicant's submissions, all material removed from site is to be trucked out of Mansfield. All trucks hauling material offsite shall use Pleasant Valley Road to Route 32 to Route 6, and all loads shall be covered during transit.
6. The site shall be maintained as follows:
 - A. There shall be no rock-processing equipment onsite;
 - B. There shall be no rock or stump burial onsite;
 - C. Onsite stockpiling shall be kept to a minimum to help prevent safety problems;
 - D. No topsoil shall be removed from the site.
 - E. The applicant shall submit bi-weekly erosion and sedimentation monitoring reports to the Zoning Agent until disturbed areas are revegetated;
7. Subject to compliance with all conditions, this permit shall be in effect until July 1, 2011;

8. 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 there are any questions regarding this action, the Planning Office may be contacted at 429-3330. It is suggested that you phone the Planning Office prior to coming in to pick up the form, to make sure it is ready for filing.

Very truly yours,



Katherine K. Holt, Secretary
Mansfield Planning & Zoning Commission

**TOWN OF MANSFIELD
PLANNING AND ZONING COMMISSION**

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILL ROAD
STORRS, CT 06268
(860) 429-3330

FILE

Thursday, June 24, 2010

Karen Green
1090 Stafford Road
Mansfield, CT 06268

Re: Mansfield's PZC approval for a Special Permit for gravel removal at 1090 Stafford Road
PZC file #1258

Dear Karen Green,

At a meeting held on 6/21/10, the Mansfield Planning and Zoning Commission adopted the following motion:

"to approve with conditions the application of K. Green (File # 1258) for a special permit renewal for gravel removal activity at 1090 Stafford Road. The approved area for new excavation is shown on maps dated 7/2/09 and authorized work is described in a 6/15/09 letter from the applicant, other application submissions and testimony at a Public Hearing on 6/21/10. 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 Wetland 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 are not completed by 7/1/2011, renewal of this Special Permit shall be required."

If you have any questions regarding this action, please call the Planning Office at 429-3330.

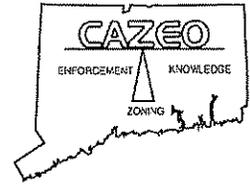
Very truly yours,



Katherine K. Holt, Secretary
Mansfield Planning & Zoning Commission



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: Steven Banis
From: Curt Hirsch, Zoning Agent
Date: March 10, 2011

Re: **Renewal of Special Permit for gravel removal/filling** PZC # 116A

Your special permit approval for gravel removal and/or filling expires on July 1, 2011. All applications for renewal of gravel permits shall be submitted to the Planning and Zoning Commission no later than May 30, 2011. The submission of a renewal request shall give the Commission and its staff the right to enter upon the permit premises at reasonable times for the purpose of determining compliance with the approved permit and the zoning regulations. Denial of such permission shall be cause for revocation of the permit. You will be given written notice of any proposed site inspection.

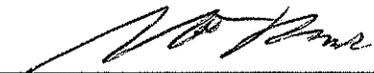
Please indicate below whether you do or you do not wish to renew your special permit. You shall submit a written statement containing any information about your removal/fill activity which has changed since your permit was issued, or last renewed. The Commission will use your statement and information gathered from an inspection of your site to determine whether you are in compliance with the permit and therefor, if the permit should be renewed. Please provide the following minimum information for Commission review (your permit may include additional renewal conditions that should be addressed with any request for a renewal):

- What is the amount of material removed/filled in the last year?
-
- What is the volume of material left to be removed/filled on the site?
-
- How long will it take to complete the authorized work?
-
- Are there any changes in the type or amount of equipment being used for this activity?

See 4-8-11 letter
Attached.

CIRCLE ONE:

I do I do not wish to renew my special permit. Signature: _____



Please complete and return to the Zoning Agent no later than **June 1, 2011** with a renewal fee of **\$250.00**.

Fee received 5-9-11
ck # 6571 \$250.00

April 8th, 2011

Steven D. Banis
29 Norwich Rd
Salem, CT 06420

Town of Mansfield
Curt Hirsch- Zoning Agent
Audrey P. Beck Building
4 South Eagleville Rd
Storrs, CT 06268

Re: Renewal of Special Permit for gravel removal/filling

Yes, I do wish to renew my special permit. Enclosed is a check for \$250.00 for the renewal fee. I have removed 250 +/- yards of material from the farm. Also some material has been used on site around the farm. I still have 7250 +/- yards of material yet to be removed. I estimate that I will need several more renewals.

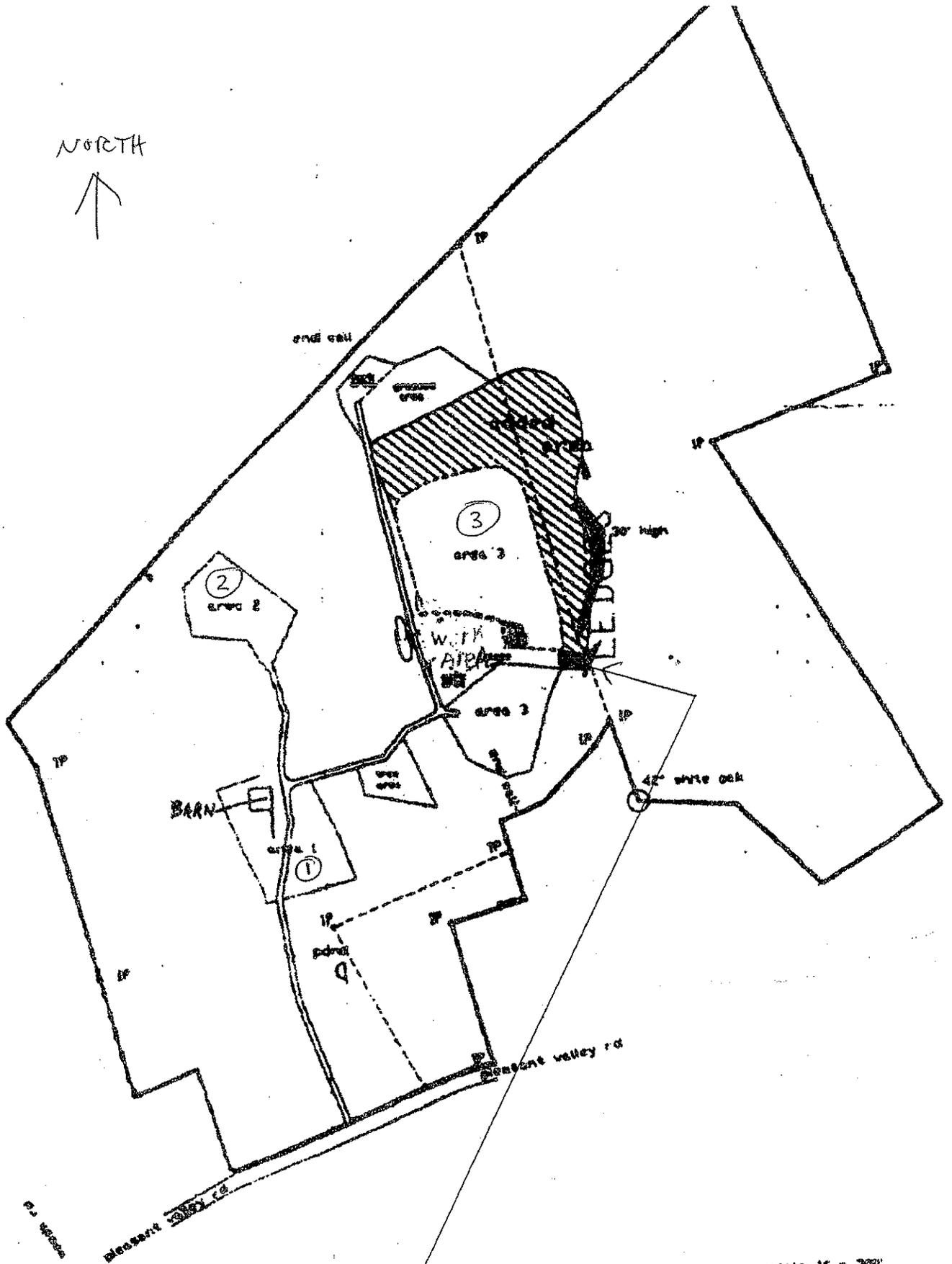
There has been no change in the type of equipment being used. I have attached a copy of the approved site plan, and it has been revised to show the existing condition of the removal activity.

If any questions please call me at (860) 884-3728.

Sincerely yours,

Steven D. Banis

NORTH



■ new Removal

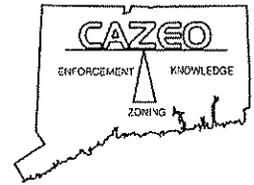
scale 1" = 30'

Steven D. Banis
Pleasant Valley Rd
May 5th, 2011
PZC #1164

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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: Edward Hall
From: Curt Hirsch, Zoning Agent
Date: ~~June 1, 2010~~
3-10-11

Re: **Renewal of Special Permit for gravel removal/filling**

Your special permit approval for gravel removal and/or filling expires on July 1, 2010. All applications for renewal of gravel permits shall be submitted to the Planning and Zoning Commission no later than May 30, 2010 (I'm late). The submission of a renewal request shall give the Commission and its staff the right to enter upon the permit premises at reasonable times for the purpose of determining compliance with the approved permit and the zoning regulations. Denial of such permission shall be cause for revocation of the permit. You will be given written notice of any proposed site inspection.

Please indicate below whether you do or you do not wish to renew your special permit. You shall submit a written statement containing any information about your removal/fill activity which has changed since your permit was issued, or last renewed. The Commission will use your statement and information gathered from an inspection of your site to determine whether you are in compliance with the permit and therefor, if the permit should be renewed. Please provide the following minimum information for Commission review (your permit may include additional renewal conditions):

- What is the amount of material removed/filled in the last year? *1,200 cu. yds*
-
- What is the volume of material left to be removed/filled on the site? *800 ± cu yds*
-
- How long will it take to complete the authorized work? *1 yr.*
-
- Are there any changes in the type or amount of equipment being used for this activity? *NO*

CIRCLE ONE:

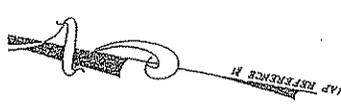
I do not wish to renew my special permit. Signature: *Edward Hall*

Please complete and return to the Zoning Agent no later than June 9, 2010 with a renewal fee of \$250.00.

5-27-11 Paid ck # 4262

*REQUEST MODIFICATION PER
ATTACHED PLAN DATED 5/28/11*

Edward Hall



PROPOSED CONTOURS PER MAP REFERENCE NO. 2

N/F EDWARD C. & JUDY I. HALL

AREA RECENTLY GRADED, LOAMED, AND RAKED (JUNE 18, 2006)

RE-BAR SMT 8/13/06

RE-BAR SMT 8/13/06

BENCHMARK 5/8" REBAR 2571.75-RECORD

250 255 260 265 270 275 280 285 290 295

APPROXIMATE LOCATION OF TEMPORARY LOAD SUPPORTS AS OF 8/30/06

LIMIT OF GRADING AREA (PER MAP REFERENCE #2)

TRAIL GRADED & STABILIZED AREA

EXISTING SPOT ELEVATIONS AS OF 8/9/04 (TYPICAL) (NO CHANGES NOTED AS OF 8/30/06)

LIMIT OF ACTIVE DISTURBED AREA AS OF 8/9/04 (NO CHANGES NOTED AS OF 8/30/06)

LIMIT OF GRADING AREA (PER MAP REFERENCE #2)

N/F EDWARD C. & JUDY I. HALL

ACTIVE AREA AS OF 8/30/06

LOCATION OF EXISTING AND NEW BANKS (JUNE 2004)

APPROXIMATE LOCATION OF EXISTING AND NEW BANKS (JUNE 2004)

N/F ERIC C. HALL & HOLLY HALL TRUSTEES OF THE JULIA HALL IRREVOCABLE SPECIAL NEEDS TRUST

LIMIT OF PERMITTED AREA

For Planning and Zoning Commission approval condition #1, September 18, 2006, buffer area is to remain in its existing wooded state, except for two oak trees shown by the 2006 tree survey. Existing oak trees, as shown on September 18, 2006 and shown on this plan, may remain and be maintained but not expanded. The plan shows the location of the trees and the minimum extent of the parcel, and may delete's understand to the minimum extent necessary for such trees to remain, but no tree shall be removed without the written consent of the Planning and Zoning Commission, as set forth in writing by the existing Environmental Ordinance.

Edward C. Hall
PZC 910-2

Approved Site Plan
for 2009-2010
Special Permit
6-13-06

AT POINT EXISTING 71 BELINS

HAUL ROAD

ROAD

ROAD

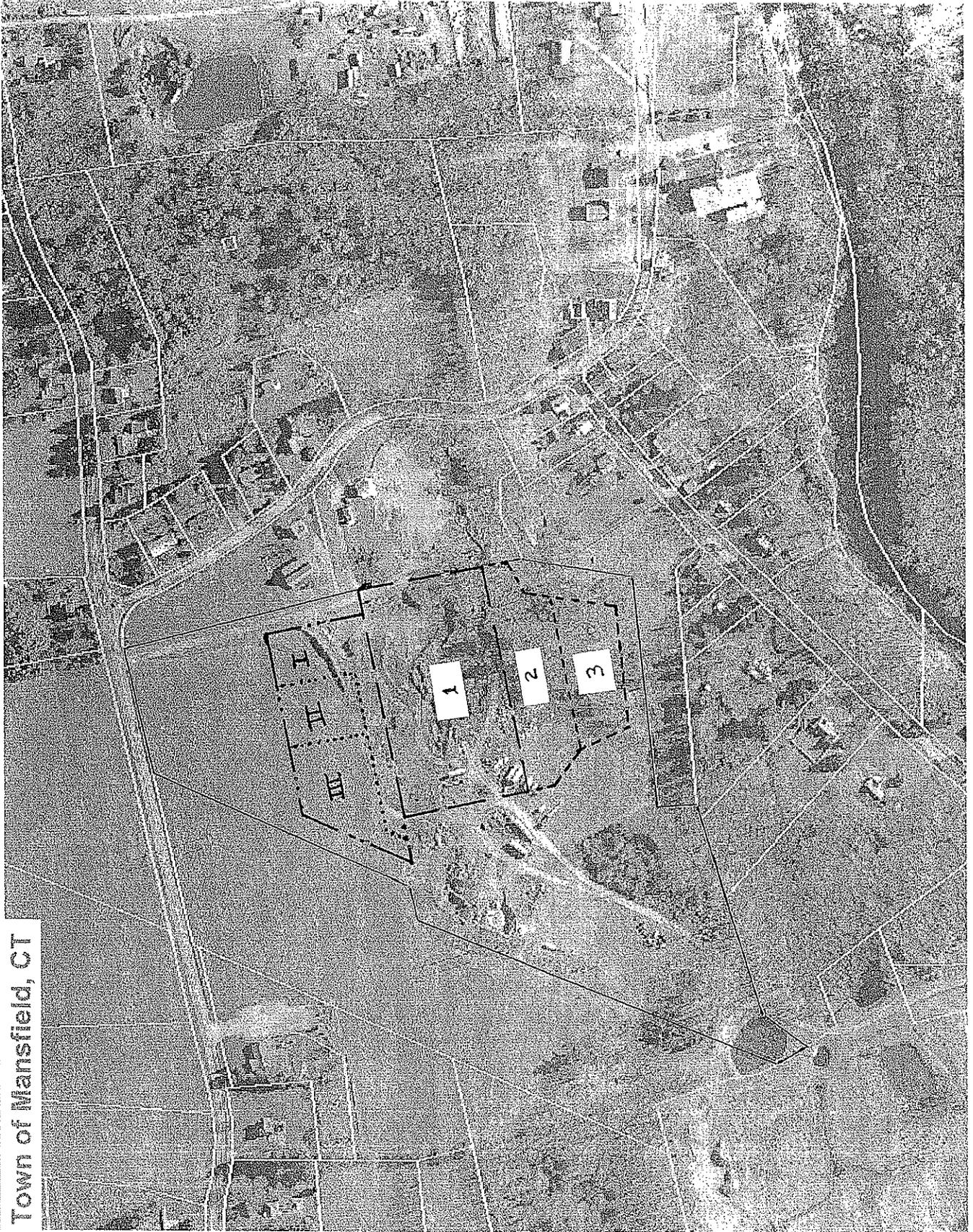
ROAD

ROAD

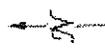
ROAD

60' BUFFER

Town of Mansfield, CT



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



1 in = 314.67 ft

Printed:
6/1/2011

MainStreetGIS
www.mainstreetgis.com

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

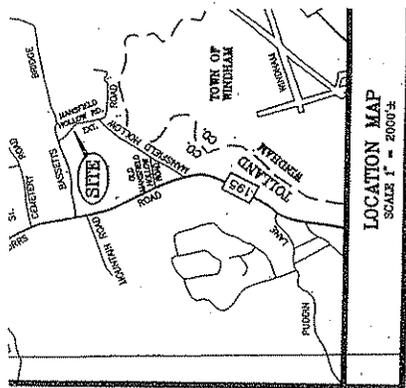
PAGE
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LINE TABLE

Sta.	Backsight	Sight	Distance
1	12.50	12.50	12.50

CURVE TABLE

Sta.	Backsight	Sight	Distance
1	12.50	12.50	12.50



MAP REFERENCE

1. BOUNDARY SURVEY PREPARED FOR EDWARD HALL
 125 HOLLOW ROAD EXT., MANSFIELD, CONNECTICUT,
 DATES: 9/24/2006, 10/10/2006, 10/10/2006, 10/10/2006,
 3011 DISK NO. 122(S) (CAD LING. 05-10-05), 3011 DISK
 NO. 1 OF 2, AND 2 OF 2, JOB NO. 08-108, PREPARED BY TOWNE
 ENGINEERING, INC., SOUTH WINDHAM, CONNECTICUT.

PROPOSED PHASE I

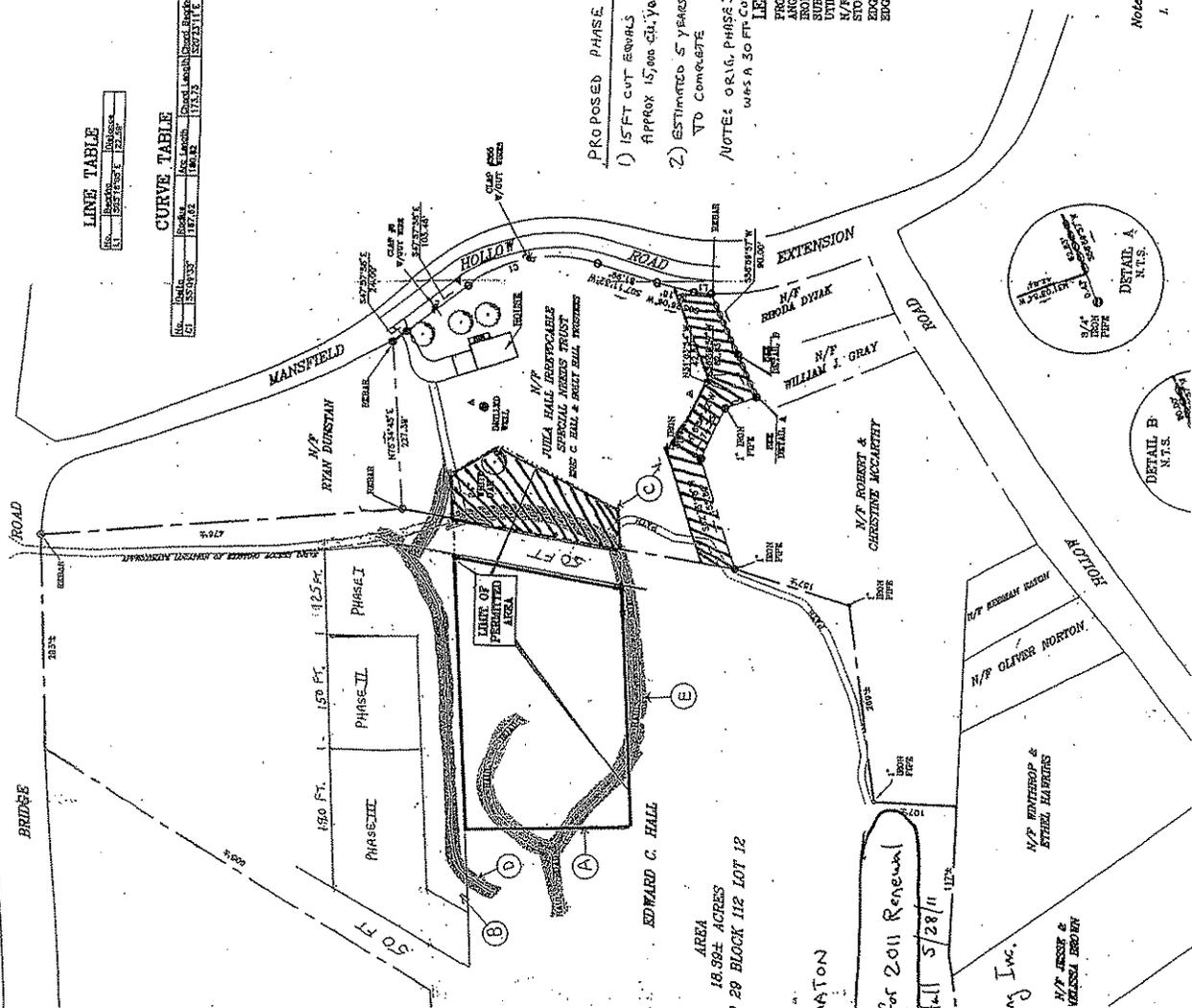
- 1) 15 FT CUT EQUALS APPROX 15,000 cu. yds
VD Concrete
 - 2) ESTIMATED 5 YARDS VD Concrete
- NOTE: ORIG. PHASE I WAS A 30 FT CUT

LEGEND

- PROPERTY LINE
- ANGLE POINT IN PROPERTY LINE (COMPUTED)
- IRON PIN OR DRILL HOLE (SET OF FOUND)
- UTILITY CONTROL POINT
- UTILITY POINT
- N/F, N/O, OR FORMERLY
- STORE WALL
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- CLOSURE OF PERMITS AREA AND EXTEND NORTH
- PROPOSED MODIFICATION
- REMOVE PERMIT AND RESTRICTIONS FROM THIS PROPERTY
- NEW HAIL ROAD
- REMOVE ROAD AND REGRAVE FOR AGRICULTURAL USE

Notes:

1. This Map and Survey were prepared in accordance with Sections 20-300b-1 through 20-300b-20 of the Regulations of the State of



LAND RECLAMATION PLAN

Proposed Changes for 2011 Renewal
 Drawn by Edward C. Hall 5/28/11

From previous maps by
 Towne Engineering Inc.

AREA 18.96± ACRES
 29 BLOCK 112 LOT 12

DETAIL B
 N.T.S.

DETAIL A
 N.T.S.

N/P BRIDGES & STEEL BARBERS
 N/P ISSER & WASSER BREWER

N/P BERNARD RICH
 N/P OLIVER HORTON

N/P ROBERT & CHRISTINE MCCARTHY

N/P WILLIAM J. GRAY

N/P REBEKA DYKAR

N/P JULIA HALL HENNINGER
 SPECIAL HEIRS TRUST
 200 C HALL & GREAT HILL TRUST

EDWARD C. HALL

N/P RYAN BUNSTAN

N/P MANSFIELD

HOLLOW ROAD

BRIDGE

PHASE I

PHASE II

PHASE III

50 FT

150 FT

125 FT

150 FT

50 FT

50 FT

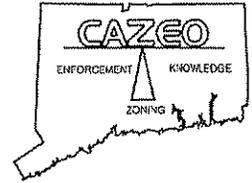
50 FT

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PAGE



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: Karen Green
From: Curt Hirsch, Zoning Agent
Date: March 10, 2011

Re: **Renewal of Special Permit for gravel removal/filling**

Your special permit approval for gravel removal and/or filling expires on July 1, 2011. All applications for renewal of gravel permits shall be submitted to the Planning and Zoning Commission no later than May 30, 2011. The submission of a renewal request shall give the Commission and its staff the right to enter upon the permit premises at reasonable times for the purpose of determining compliance with the approved permit and the zoning regulations. Denial of such permission shall be cause for revocation of the permit. You will be given written notice of any proposed site inspection.

Please indicate below whether you do or you do not wish to renew your special permit. You shall submit a written statement containing any information about your removal/fill activity which has changed since your permit was issued, or last renewed. The Commission will use your statement and information gathered from an inspection of your site to determine whether you are in compliance with the permit and therefor, if the permit should be renewed. Please provide the following **minimum** information for Commission review (your permit may include additional renewal conditions that should be addressed with any request for a renewal):

- What is the amount of material removed/filled in the last year? 0
-
- What is the volume of material left to be removed/filled on the site? 8-10,000 cubic yards
-
- How long will it take to complete the authorized work? 2 years
-
- Are there any changes in the type or amount of equipment being used for this activity? NO

CIRCLE ONE:

I do / I do not wish to renew my special permit. Signature: _____

Karen W Green

Please complete and return to the Zoning Agent no later than June 1, 2011 with a renewal fee of \$250.00.

Area = 2.6 acres

Estimated volume:

10,000 to 14,000 c.y.



Green
gravel permit modification
7-02-2009
access route

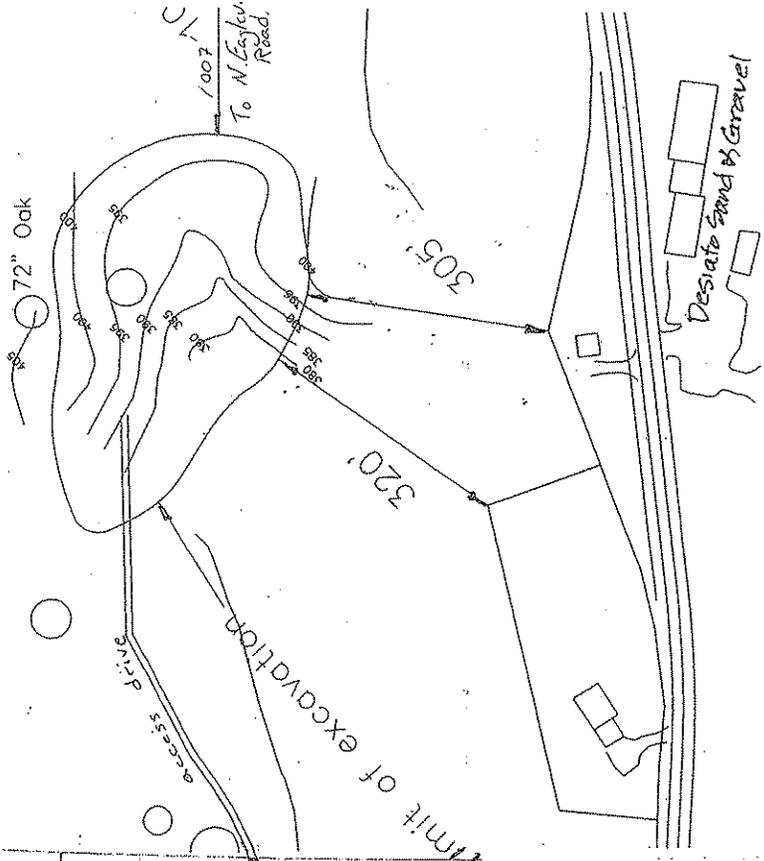
Good north bound sight
distance at this drive exit

access

wetland

wetland

recommended entry to Rte 32



Design to Sand & Gravel

GREEN
gravel permit modification
7-02-2009

**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 1, 2011
Re: Proposed revision to the Zoning Regulations, Article VII, Section S.2.h,
(Addition of Place of Assembly-Banquet Hall as a Permitted Use in the NB-2 Zone)
PZC file #1301



My review comments are based on application submissions, consideration of existing Zoning Regulations, Mansfield's Plan of Conservation and Development, State and Regional land use plans and professional conclusions regarding the merits of the proposed regulation revisions. My comments must be reviewed with respect to testimony and information presented at the June 6th Public Hearing and any subsequent continuations and the Commission's collective knowledge of the Town's needs and desires. No new information should be received from the applicant or the public after the close of the Public Hearing process. It is important to note that unless extensions are authorized, the Commission must make a decision on this application within 65 days of the close of the Public Hearing. Collective reasons for the Commission's decisions should be clearly documented.

As with any proposed regulation amendment, the PZC must weigh anticipated public and private benefits versus anticipated public and private costs. All zoning 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 community as a whole, and the Zoning Regulations can and should be modified to meet changing circumstances, Plan of Conservation and Development goals, objectives and recommendations or to address a recognized public need. Section 8-2 of the Connecticut General Statutes and Articles I and XIII of the Zoning Regulations provide information on the legislative framework within which PZC decisions must be made. Section 8-3a of the Connecticut General Statutes requires that the Commission making a finding regarding consistency with the Plan of Conservation and Development.

Applicant's Proposal

The applicant's proposed revision to Article VII, Section S is to add, as a new permitted use in the Neighborhood Business-2 (NB-2) zone, "Place of Assembly-Banquet Hall (A hospitality use group that is specific to special events/special occasions such as weddings, wedding receptions, rehearsals and banquets generally not used on a daily basis)." The NB-2 zone in Mansfield is situated along the easterly side of Storrs Road (Route 195) north and south of Bassetts Bridge Road and north and south of Centre Street. The zone contains a variety of existing uses including a restaurant, an automotive repair business, the Mansfield Center Post Office, professional offices, retail stores and multi family residences. The zone does not have either public sewer or public water services.

The applicant has submitted a Statement of Justification in support of the proposed revision and additional testimony is expected at the 6/6/11 Public Hearing. As with any regulation amendment application, the burden is on the applicant to demonstrate that the proposal is acceptable and in the best interests of the Town.

Analysis

- The proposed revisions are administratively straightforward and suitably coordinated with related zoning provisions.
- The proposed revision is not considered to be in conflict with Mansfield's Plan of Conservation and Development, which designates current NB-2 zoned properties as "Neighborhood Business/Mixed Use", or the 2010 Windham Region Land Use Plan, which includes this area as a "Rural Community Center". The State's Conservation and Development Policies Plan includes these areas in a rural land classification. Pursuant to the State Statutes regarding zoning amendments, any approval must specify a finding regarding the amendment's compatibility with the Municipal Plan of Conservation and Development. Mansfield's 2006 Plan of Conservation and Development specifically supports new commercial development in special design districts such as the existing NB-2 zone.
- Mr. Healey's request is associated with future plans to renovate an existing 18th Century barn at 476 Storrs Road. While this intended use can be considered, the proposed regulation amendment would apply to other properties within the NB-2 zone. The potential restoration of the existing barn would promote a number of Plan of Conservation and Development objectives and recommendations.
- The NB-2 zone contains two (2) parcels, in addition to Mr. Healey's property, that appear to be potential sites for the proposed Place of Assembly-Banquet Hall Use. Special permit approval processes will ensure that potential environmental impacts, potential traffic and parking impacts and other potential neighborhood impacts will be addressed.
- Subject to public hearing testimony, my review indicates that the proposal is acceptably worded and can be adopted without conflict with other regulatory provisions. Subject to any Public Hearing testimony or communications received prior to the close of the Hearing, this reviewer supports the proposed regulation revision.

Summary

The proposed Zoning Regulation amendment presents a policy issue for the Commission's legislative discretion. Subject to any Public Hearing comments, my review indicates that the proposal is acceptably worded and can be adopted without conflict with other regulatory provisions. The proposed revision would authorize, through the special permit review process, a new Places of Assembly-Banquet Hall Use in an area specifically designated in the Plan of Conservation and Development as suitable for future commercial development. My review indicates that there are potential sites in this zone that may be appropriate for the proposed use.

**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 2, 2011
Re: Plimpton subdivision, 4 lots (3 new) on Gurleyville and Wormwood Hill Roads, File #1298



This memo updates and supplements my 3/31/11 report and is based on the submission of revised plans (5/25/11 revision date). The revised plans include the following changes:

- Conservation Easement Areas have been added on Lots 1, 2 and 3 and the conservation easement area on Lot 4 has been expanded.
- An additional new catch basin has been proposed immediately south of the proposed Lot 4 driveway intersection with Wormwood Hill Road.
- A number of Building Area and Development Area envelope revisions have been incorporated.
- Additional driveway bypass and turnaround areas have been incorporated.

The following review comments are organized as per my 3/31/11 report.

Road/Drainage/Driveways

- An updated 6/1/11 report has been prepared by the Assistant Town Engineer. Remaining issues identified include: the need for more information regarding site restoration and silt fencing on Lot 2 and the need for a drainage easement and right to drain on property of Potz.
- The plans modified front property lines to meet right-of-way dedications requirements. Right-of-way dedication should be addressed in any approval motion.
- Neighbors have raised concerns over potential driveway drainage impacts. Subject to obtaining a required easement, the proposed driveways and associated drainage appear acceptable to the Assistant Town Engineer. Potential drainage impacts should be reviewed with the applicant.
- Driveway pull-off and turnaround requirements and underground utility requirements have been addressed.
- Subdivision Regulations authorize the PZC to require subdividers to construct and bond steep driveways and common driveways. This should be addressed in any approval motion.

Environmental Impact/Erosion Control

- No PZC action should take place until the Inland Wetlands Agency has acted on the plans.
- The plans now indicate the amount of fill needed for Lots 2, 3 and 4. Zoning Regulations exempt from a Special Permit process, 350 cubic yards of fill for septic systems and 500 cubic yards of fill for lot site work. Material moved on site is not considered fill. The applicant should review the fill estimates and if Special Permit approval is required, this issue needs to be addressed.
- The Conservation Commission recommended that consideration be given to moving the proposed Lot 2 building area envelope away from the vernal pool wetland. While there has been some modification of the envelopes and the depicted house has been shifted southerly, the building area envelope on Lot 2 remains within one hundred (100) feet of the vernal pool wetlands. There is room to move both the development area and building area envelopes to the Lot 4 property line which would allow greater separation from the vernal pool. This issue should be reviewed with the applicant.

Subdivision Design Criteria

- Any approval motion needs to address required frontage waivers, proposed setback waivers and associated map notes and deed references regarding setback and envelope provisions.
- Any approval motion should address tree protection for those trees to be saved within development area envelopes.
- The current BAE and DAE on Lot 2 extend into a conservation easement area. A common boundary should be depicted and, as previously noted, consideration should be given to shifting the envelopes and easement area further from the vernal pool wetland.
- The westerly DAE on Lot 3 needs to be revised to include the depicted foundation drain outlet. The existing stonewall and tree line in this area should be considered for a new envelope boundary. To facilitate identification and enforcement of easement and envelope boundaries a common boundary should be considered on Lot 4.

Open Space/Recreation

- Any approval motion should address open space dedication and monumentation requirements.
- The current plans include a character of land inventory (Sheet C4) and document on Sheet C5 that the percentage of wetlands and steep slopes on proposed open space areas approximate the percentage of wetlands and steep slopes on the entire site.
- The revised plans include 1.43 acres of conservation easement on Lot 1; 1.47 acres of easement on Lot 2; .98 acres of easement on Lot 3; and 25.45 acres of easement on Lot 4; 29.33 acres out of the 49.36 acre property (59%) are now proposed as open space.
- Subject to some refinement of easement boundaries on Lots 2 and 3, this reviewer considers the submittal to be in compliance with subdivision open space dedication provisions.

Other

- The applicant has addressed abutter notification requirements.
- Standard approval requirements cited in my 3/31/11 report should be addressed in any approval motion.
- On sheet C6, the scale needs to be corrected.

Summary

The revised plans addressed a majority of the issues identified in my 3/31/11 report. Subject to confirming that the plans are acceptable to the Inland Wetland Agency and determining that the proposed frontage and setback waivers are acceptable, other issues identified in this memo can be addressed with approval conditions.

It is also noted that any extension of the Public Hearing will require a timing extension from the application. Since the May 2nd opening of the Public Hearing, Mr. Plimpton has verbally related that he would approve any necessary timing extension if the Inland Wetland Agency and/or Planning and Zoning Commission determined that the Public Hearing should be continued beyond June 6th.

Memorandum:

June 1, 2011

To: Inland Wetlands Agency
Planning & Zoning Commission
From: Grant Meitzler, Inland Wetland Agent
Re: W1474 - Plimpton - Gurleyville & Wormwood Hill Rds
4 lot subdivision

plan reference: bearing latest revision date May 24, 2011, 21 sheets
Vernal Pool Report: undated letter received April 28, 2011, K.Bradley

This memorandum reflects my interpretation of how the Kimberly Bradley report comments have been incorporated, together with recommendations from my previous review of the plans. Kimberly Bradley's comments are indicated by *italics* below.

Summary Recommendations from my previous review:

- I. I recommend professional comment be sought from an appropriate expert to comment on the potential for significant impact on this pool.

The applicant has provided comment on the vernal pool from Kimberly Bradley of GEI Consultants. That review comments on both the nature of this pool and offers a list of suggestions for controlling potential impacts on this wetland. The recommendations:

- A. *Use of erosion and sediment control best management practices to reduce erosion, such as staggered silt fencing, use of combinations of silt fence and hay bales to reduce barrier effects, immediate re-seeding and permanent re-vegetation of native species with 85% cover, and prompt removal of silt fencing on completion.*

1. *staggered silt fencing,*

This treatment is intended for maintaining control on longer down slope areas which, I think, are not present here.

2. *use of combinations of silt fence and hay bales to reduce barrier effects,*

I did not see that this has been done. However, it may be better depending on the time of year when construction actually occurs to maintain a barrier for a short time than to maintain open access to the active construction areas near the vernal pool (Lot 2) which would be a threat to small fauna.

3. *immediate re-seeding and permanent re-vegetation of native species with 85% cover,*

There is a note under the plan narrative indicating immediate stabilization of fill slopes but I do not find any commentary on work in proximity to the vernal pool area (near the 100 ft distance).

4. *prompt removal of silt fencing upon completion.*

Removal is noted on completion of construction. I do not find any

comment on quick completion and removal of silt fence in the Lot 2 areas nearest the vernal pool. I feel it appropriate that the plan reflect the Bradley comments and suggestions insofar as it is feasible.

- B. *Minimize disturbed areas to protect down gradient buffers, including a well established vegetated buffer to the vernal pools.*

The house location on lot 2 has been revised to place it approximately 110' away from the edge of the vernal pool. A portion of the driveway remains within the 100' zone and the plan appears to show the edge of the yard only 70' away from the pool. There is a row of silt fence through the 100' critical area around the vernal pool which is placed as close as 50' to the vernal pool. I did not find any notes on the plan indicating the need for and importance of natural vegetation within this 100' zone around the vernal pool.

- C. *reduce the amount of roadway and impervious surfaces required for placement of residential properties, through the use of a shared driveway and permeable material such as gravel.*

The plans do show a shared drive for Lots 2 and 3, with a gravel surface.

- D. *Do not clear regions and maintain a natural vegetative buffer within 100 ft. of the vernal pool depression (envelope) and limit development to less than 25% of the critical terrestrial habitat located within 750 ft. of the vernal pool.*

A 100 ft buffer has been established on Lot 2 around the vernal pool but as noted above it appears to include portions of yard and drive together with a section of silt fence at only 50' from the pool. There is no comment on the 750' zone meeting the 25% development criteria.

- E. *Stormwater best management practices must be applied, including detention and biofiltration ponds placed appropriate distances from vernal pool habitat, treat stormwater using grassy swales less than 1:4 sloping edges, use of hydrodynamic barriers, avoidance of increase or decreases in wetland water levels, and limitation of impervious surfaces.*

There are no concentrations of flow directed toward this vernal pool. Flows from the shared driveway are directed away from the pool.

- F. *Selection of a portion of the property as a conservation easement would establish a connection with adjacent open space parcels and provide a corridor for migration of wildlife species.*

A conservation easement has been added on Lot 2. As previously noted the area appears to include portions of lawn area, driveway and has silt fence placed 50' within this easement area. The comments recommended natural vegetation that is not noted on the plans.

This easement area has a long curved edge running through what is shown as active yard. Clarification is needed as to how this can be effectively marked.

The following are my previous comments updated according to this May 24, 2011 plan revision.

- II. I recommend placing a stone filled excavation on the west side of the drive near the edge of Gurleyville Rd and at stations 11+00 and 12+00 to limit outflow for the long term.

This has been done and is consistent with the Bradley commentary.

- III. On Wormwood Hill Rd for the Lot 4 driveway, upgrading of the roadside drainage from the present 6" underdrains to 15" pipe is shown. Additional piping is needed to maintain the roadside flow coming from the uphill section of roadside swale.

This has been done.

- IV. Adding new water to the system carrying water across the Potz property and Lot 1 on the Plimpton property requires the acquisition of drainage rights in favor of lot 4 from each of these properties.

A 20' wide easement is needed for the new drainage from Lot 4, following the route of the present drain across the Potz property.
a 20' wide easement with a "right to drain" onto Lot 1 is also needed.

This has not been shown on the plans yet.

- V. Silt fencing on Lots 2 and 3 should be extended to protect wetland areas located downhill to the rear of each lot.

Silt fence needs to be added southerly of the house on lot 2 downhill of construction areas.

- 6. The potential of significant impact triggers consideration of the holding of a public hearing - May 2, 2011 is an option. The statutory limit for extension of time is 65 more days.

With the items noted as still needing to be addressed, I believe an extension of time is needed. Beyond June 6, 2011 we will need an extension of time to extend the public hearing any further.

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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 2, 2011
Re: 5/16/11 Public Hearing on PZC-proposed revisions to the Zoning Regulations
A. 4/14/11 Draft Revisions to the regulations regarding agricultural uses, File #907-36
B. 3/30/11 Draft Revisions to various sections of the regulations, File #907-35



A. 4/14/11 Draft Revisions to the regulations regarding agricultural uses, File #907-36

Please find attached a June 2, 2011 updated draft of the proposed agriculture regulations. Proposed revisions are in red. The June 2nd draft incorporates the specific wording revisions recommended by the Town Attorney and addresses comments received from the Agriculture Committee. Although the June 2nd draft does not incorporate the specific wording proposed in the Agriculture Committee's 5/11/11 report, in my opinion, all of the suggested revisions have been considered and addressed in the revised draft.

I will be present at the June 6th meeting to more specifically explain the recommended revisions. I do not believe the recommended revisions necessitate a new Public Hearing but I have emailed the suggested changes to the Town Attorney for his consideration.

B. 3/30/11 Draft Revisions to various sections of the regulations, File #907-35

I have attached a proposed rewording of proposed Article X, Section J.2.a. This wording is designed to address the "uniformity in building styles" issue raised at the May 16th Pubic Hearing.

In acting on the proposed revisions minor changes recommended by the Town Attorney also should be incorporated and consideration should be given to adding to Article V, Section A.3.d.15 the landscaping revision recommended in the 4/19/11 Open Space Preservation Committee report.

5) In Article X, delete existing Section J (Special Provisions for multi-family housing without sewers) in its entirety and replace it with a new Article X, Section J to read as follows:

J. Special Provisions for Plan of Conservation and Development designated Historic Village Areas

1. Intent

Mansfield's Plan of Conservation and Development emphasizes the importance of preserving historic structures, historic neighborhoods and other historic and/or archaeological resources. Although seventeen (17) separate historic village areas are identified in Mansfield's Master Plan, ten (10) of these areas have retained common characteristics that warrant special protective measures. To help preserve and enhance the character of these remaining village areas, the following special provisions have been adopted. These provisions shall apply to the following historic village areas as specifically identified on Map 5 of Mansfield's Plan of Conservation and Development: Eagleville, Gurleyville, Hanks Hill, Mansfield Center, Mansfield Depot, Mansfield Four Corners, Mansfield Hollow, Mount Hope, Spring Hill and Wormwood Hill.

2. Special Historic Village Area Review Criteria

All exterior construction within the ten (10) historic village areas noted above in Section 1, including but not limited to new primary or accessory structures, building additions, swimming pools, signs and site work or site improvements, that require site plan or special permit approval pursuant to Article V, Sections A or B of these regulations and/or Zoning Permit approval pursuant to Article XI, Section C of these regulations shall comply with the following provisions:

- a. New buildings and site improvements shall be designed to fit the individual characteristics of their particular site and village neighborhood. Careful consideration shall be given to promoting compatibility in architectural form, massing, detail and materials. ~~Compatible designs do not require uniformity in building styles.~~
- b. All structural elements shall be in scale with and proportionate to adjacent buildings and other visual structures.
- c. Overall spacing between roadside structures within the village area shall be maintained.
- d. Setbacks from roadways and property lines shall be consistent with neighboring structures within the village areas.
- e. The height of new building shall be consistent with neighboring structures within the village area. One and one-half to two and one-half story structures are typical in Mansfield's historic village areas. Through the use of variations in building height, roof line and grade definition, the perceived high of buildings can be influenced.
- f. Building and site improvements shall be designed to avoid impacts on significant trees, stone walls, scenic views and vistas and other features that contribute to a historic village area.
- g. Traditional building materials, such as wood siding and brick that reflect Mansfield's architectural tradition shall be used. Modern materials, such as fiber cement siding, that have the same visual characteristics as wood are considered acceptable.

→ This includes facade mass, facade projections, or recesses, windows, doors, roof mass and profile, as well as other architectural features.

Proposed Revisions to Mansfield's Zoning Regulations Associated with Agricultural Uses

(New provisions are underlined or otherwise indicated)

(Deletions are [bracketed] or otherwise indicated)

(Explanatory Notes are provided to assist with an understanding of the proposed revisions. These notes are not part of the proposed zoning and subdivision revisions.)

1. In Article IV- Delete existing subsections B.3 (definition of animal unit) and B.4 (definition of avocational livestock)
2. In Article VII. Section G- Delete existing subsections 13, 14, 15 and 16 and add a new subsection 13 to read as follows:
 13. Agricultural Uses as per the provisions of Article X, Section T. Certain Agricultural uses and structures require special permit approval in accordance with Article V, Section B and/or Zoning Permit approval in accordance with Article XI, Section C.

3. In Article VIII Section B.1.b replace the existing provisions with the following:

[b. **Stable, barn or manure pit** - No stable, barn or manure pit shall be located within 100 feet of any lot line.]

b. **Agricultural structures/Manure pits** Article X Section T includes special setback provisions for agricultural uses and structures.

4. In Article X Section C.4.h.3 replace the existing provisions with the following:

[3.Agricultural/horticultural sales sites authorized by the permitted use provisions of these regulations may have one non-illuminated sign not exceeding sixteen (16) square feet in area, provided the sign is located at the stand site, and provided it is utilized only when products are available for sale. In addition, up to three (3) offsite directional signs, provided each of said signs does not exceed two (2) square feet in area and provided the signs comply with the locational provisions of Section C.7 of this Article.]

3. See Article X Section T. 6 for agricultural sign provisions

5. In Article X, add a new subsection T to read as follows:

T. Agricultural Uses

1. **Statement of Purpose**

The purpose of these regulations is to preserve existing agriculture uses, encourage new agriculture uses, and to maintain and promote a healthy and sustainable environment for people, livestock, plants and wildlife in the Town of Mansfield through the use of appropriate standards and permit processes. Agriculture in Mansfield has its roots in the New England tradition of the small farm, the fruit orchard, and the dairy. It has continually evolved to include other farming enterprises such as silk worms, poultry, horses and ornamental horticulture. These numerous types of farms and farming enterprises have contributed to Mansfield's economy, scenic character and environmental resources. The Town's farmlands offer an inviting atmosphere and local source of fresh foods, ornamental plants and recreation. Grazing livestock, the scent of

new mown hay and experiencing the ever changing farmland scenery are treasures these regulations seek to preserve.

For the purposes of these regulations, agriculture is considered as the growing of crops, the raising of livestock and the storing, processing and sale of livestock and horticultural products and commodities, including those defined in Connecticut General Statutes Section 1-1q, as incidental to agricultural operations.

2. **Agricultural uses such as field crops and orchards are permitted by right provided the following standards are met (special provisions apply to the on site display and sales of agricultural products):**
 - a. All State and Federal requirements, including pest control and provisions for the storage and use of fertilizers, pesticides, fungicides and other chemicals, shall be met. Each property owner shall be responsible for maintaining records and data required by State or Federal agencies that pertain to the subject agricultural or horticultural use, including information on fertilizers, pesticides, fungicides and chemical uses onsite. All agricultural uses shall be encouraged to utilize practices recommended by the USDA National Resources Conservation Service, the USDA National Organic Program Standards, the State Department of Agriculture, the University of Connecticut Cooperative Extension Service, the University of Connecticut Animal Science and Plant Science Departments, the Connecticut Agricultural Experiment Station and/or the Connecticut Department of Environmental Protection;
 - b. All other applicable sections of Mansfield's Zoning Regulations, including the Performance Standards cited in Article VI, Section B shall be met;
 - c. All agricultural uses involving onsite display and sales of products, including seasonal retail outlets, pick-your-own operations or permanent retail sales outlets shall comply with the standards listed below. It is the intent of these standards to allow the on-site retailing of agricultural products primarily grown or produced on the subject property or other land owned, leased or used by the subject property owner and a limited amount of related products. Furthermore, these standards are designed to prevent retail operations where a significant portion of the products displayed and sold are grown or produced on sites that are not owned, leased or used by the subject property owner, as this type of retail operation is more appropriately located in one of the Town's commercial zones.

It is recognized that for certain periods each year, due to seasonal or weather related issues or cooperative arrangements between agricultural property owners that the display and sale of products grown on land not owned, leased or used by the subject property owner may exceed a limited amount and may be considered significant. Any questions regarding whether the display and sale of agricultural products is in compliance with the intent of these regulations or the provisions listed below shall be resolved by the Planning and Zoning Commission.

1. The on-site display and sales of products shall be limited to agricultural products grown on the premises or on other land owned, leased or used by the property owner, a limited amount of agricultural products grown off-site on land not owned, leased or used by the property owner, and a limited amount of products that are accessory and associated with the agricultural products sold on the subject site. Examples of accessory products include but are not limited to: wreaths or tree stands associated with a Christmas tree farm; jams,

jellies, herb vinegars or cider associated with a fruit or vegetable farm; maple syrup associated with a sugar bush; and seeds, fertilizers, peat moss and other soil amendments;

2. To address traffic safety concerns, adequate off-street parking shall be provided so that customers and employees do not park on the travel portion of town or state roads. A minimum of one off street parking space for each five feet of stand or building length shall be provided pursuant to Article X, Section D. Except for authorized seasonal retail outlets, all parking spaces shall meet the setbacks contained in the Schedule of Dimensional requirements cited in Article VIII, Section A, or be 100 feet from existing dwelling units on adjacent properties, whichever setback is greater, unless these setbacks are waived by the Commission after a referral to the Agriculture Committee and consideration of potential neighborhood impacts and safety problems;
3. All driveway and parking areas shall be designed and constructed to promote vehicular and pedestrian safety and the proper discharge of storm water runoff. Safe and adequate sightlines shall be provided at access drive intersections with Town or State streets. As required, a driveway permit shall be obtained from the Mansfield Public Works Department or the State Department of Transportation;
4. In situations where sales or pick-your-own operations, parking areas, or access driveways are within one hundred (100) feet of an adjacent lot containing an existing residence, buffering by the use of fencing, berming or vegetative screening shall be considered, where appropriate, to help minimize neighborhood impacts;
5. All signs shall comply with the provisions of Article X, Section T.6;
6. Seasonal retail outlets consisting of display tables, shelving carts and/or structures less than 300 sq. ft. in area, that are only utilized during periods when agricultural or horticultural products are harvested onsite or on other land owned, leased or used by the property owner and "pick-your-own" operations are permitted by right, provided the following criteria are met:
 - a. The seasonal retail outlet is on the same site as the agricultural or horticultural use;
 - b. Applicable provisions of subsection c.1 through c.5 above are met;
 - c. Any structures shall be at least fifteen (15) feet from front lines and thirty (30) feet from any other lot lines, unless this these setback provisions is are specifically reduced or waived by the concurrence of the Chairman of the Planning and Zoning Commission and the Zoning Agent. Any waiver or reduction shall be based on specific site characteristics and a determination that the structure's location is not expected to result in neighborhood or environmental impact, traffic safety or parking problems. (Any questions regarding this provision and the appropriateness of a setback reduction or waiver shall be referred to the Agriculture Committee and resolved by reviewed with the Planning and Zoning Commission);
7. Other retail sales outlets (any fixture or structure other than one authorized in Subsection c.6 above) that is utilized for retail purposes either seasonally or for longer periods of time) are permitted, provided Special Permit approval is obtained in accordance with Article V, Section B and provided the following additional criteria are met:
 - a. The retail use is on the same site as the agricultural or horticultural use;

- b. The provisions of subsection c.1 through c.5, above, are met

3. **Keeping of Farm Animals**

The following provisions establish four (4) separate permitted use categories that authorize the keeping of animals. Sections 3.a, Principal Farm Use, Section 3.b, Accessory/Secondary use and Section 3.c, 4H,FFA or other Student Project use authorize the keeping of farm animals by right provided applicable standards are met. Section 3.d authorizes, subject to special permit approval of the Planning and Zoning Commission, additional Accessory/Secondary uses where the number of animals per lot exceeds the number of animals per lot authorized by right in section 3.b

a. **Principal Farm Use Permitted by Right**

The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses, and other animals for either commercial or non-commercial purposes, and accessory buildings and facilities, are permitted by right, provided the following standards and recommendations are addressed:

1. The subject lot is a minimum of five (5) acres in size exclusive of non-farmable wetlands and watercourses. (Any questions regarding non-farmable wetlands and watercourses shall be referred to the Agriculture Committee and resolved by reviewed with the Planning and Zoning Commission)
2. The animals shall be provided with safe and adequate shelter and shall be kept in a manner that conforms to all applicable regulations of the Connecticut Department of Environmental Protection, the Connecticut Department of Agriculture and the Connecticut Department of Public Health and with all applicable provisions of the State Statutes.
3. Zoning Permits, pursuant to Article XI, Section C, shall be required for all buildings and structures and all applicable zoning setback requirements shall be met.
4. It is recommended that all property owners keeping animals prepare a farm management plan that addresses the particular shelter, outdoor keeping areas, pasture and manure management needs related to the specific animals being kept on the property and any associated drainage or neighborhood impact issues. Information available from the CT Department of Agriculture, the University of Connecticut Cooperative Extension Service, the Connecticut Farm Bureau and/or the USDA Natural Resources Conservation Service should be utilized in preparing a site specific farm management plan. Agriculture practices contained in the Connecticut Department of Environmental Protection's manual of Best Management Practices for Agriculture should be followed.
5. Agriculture practices recommended by one of the agencies listed above in Section 3 a. 4 shall be utilized for all manure piles. Surface water flows shall be diverted away from manure piles, stables, barns and outside keeping areas such as corrals or pens. Unless these setbacks are specifically waived or reduced by the concurrence of the Planning and Zoning Commission Chairman and Zoning Agent, manure piles, stables, barns, and outside animal keeping areas (such as corrals or pens but excluding fenced pastures, portable small animal enclosures that are regularly moved to maintain ground cover and animal shelters less than two hundred (200) square feet in area) shall be a minimum of sixty (60) feet from front property lines, one hundred (100) feet from any adjacent side or rear property lines and a minimum of seventy-five (75) feet from any well. Standard setbacks shall be met for animal shelters less than two hundred (200) square feet in area.

There are no setback requirements for pastures or portable small animal enclosures that are regularly moved to maintain ground cover.

Any waiver or reduction shall be based on site and neighborhood characteristics and a determination that a waiver or reduction in setbacks would not be expected to result in environmental or neighborhood impacts. Waivers or reductions in setbacks are most appropriate where abutter consent has been granted; where properties abut existing agricultural uses or land without human occupied buildings; and/or where human occupied buildings and associated yards are a minimum of one hundred (100) feet from the subject property line. (Any questions regarding this provision and the appropriateness of a setback waiver or reduction shall be reviewed with referred to the Agriculture Committee and resolved by the Planning and Zoning Commission)

6. In order to maintain and improve animal health and water quality, all pasture land shall be managed to maintain healthy grass cover and it is recommended that pastures be a minimum of thirty-five (35) feet from rivers, streams and other watercourses. Additionally, it is recommended that all stables, barns, outside animal keeping areas, such as corrals or pens, and manure/compost piles be located a minimum of one-hundred (100) feet from rivers, streams and other watercourse areas. Greater setback buffers are recommended wherever slopes exceed fifteen (15) percent between watercourse channels and stable barns, outside keeping areas and manure/compost piles. It is further recommended that any necessary livestock watercourse crossings be confined to a short length of the watercourse and that culverts or bridges be used at crossings when feasible.
7. All manure stored on an agricultural site shall be composted or removed from the site on a regular basis pursuant to recommended agricultural practices recommended by the CT Department of Agriculture, the University of Connecticut Cooperative Extension Service, the Connecticut Farm Bureau, the USDA Natural Resources Conservation Service and/or the CT Department of Environmental Protection.

b. Keeping of Farm Animals-Accessory/Secondary Uses Permitted by Right

The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses and other animals for accessory and primarily, non-commercial purposes, and accessory buildings and facilities, on lots not meeting the lot size provisions of Article X, Section T.3.a. above are permitted by right, provided the following standards and recommendations are addressed. These standards and recommendations are designed to help ensure that each qualifying site is physically capable of safely supporting the proposed keeping of farm animals and that authorized animals are kept in a safe manner without inappropriate impact on the environment or neighboring land uses.

1. The provisions of Article X, Section T.3.a 1. through 7. shall be met.
2. Unless special permit approval is granted pursuant to the provisions of Article X, Section T.3.d, the square footage requirements contained in the following chart shall be met for each animal category. These square footage requirements exclude non-farmable wetlands and watercourses but include areas used for residential structures and accessory site improvements.

FARM ANIMALS: ACCESSORY/SECONDARY USE CHART FOR RESIDENTIAL LOTS	
<u>ANIMAL CATEGORY</u>	<u>SQUARE FOOTAGE</u> <u>(Excludes non-farmable wetlands and watercourses but includes areas used for residential structures and accessory site improvements)*</u>
Large animals including: Beef or Dairy Cows, Horses, Ponies, Mules, Buffalo, Donkeys and similar sized animals **	One (1) animal per 40,000 sq. ft.
Swine	Two (2) breeding sows plus litter (3 months or less) per 40,000 sq. ft.
Medium animals including: Sheep, Goats, Ostriches, Alpacas, Llamas and similar sized animals	Five (5) animals per 40,000 sq. ft.
Small poultry including: Chickens and Ducks***	Sixteen (16) birds per 40,000 sq. ft.
Large poultry including: Geese and Turkeys	Eight (8) birds per 40,000 sq. ft.
Rabbits	Twenty-five (25) animals per 40,000 sq.ft.
Other Animals	As determined by the Zoning Agent consistent with this chart
* Combinations consistent with this chart are permitted as determined by the Zoning Agent. Livestock offspring shall not apply to the animal unit calculation until after weaning. Special provisions also may be approved by the Zoning Agent for dwarf animal breeds and for young animals who have not reached adult size. Any questions regarding non-farmable wetlands shall be reviewed with the Planning and Zoning Commission.	
** Male animals in this category shall be neutered on or before one (1) year of age. Non-neutered males over the age of one (1) are not authorized by this use provision.	
***Due to potential noise and neighborhood impact problems, it is recommended that guinea fowl not be kept pursuant to this permitted use provision.	

c. 4H, FFA or other Student Projects Permitted by Right

Student projects involving the temporary keeping of farm animals are authorized by right provided a Statement of Use and animal management plan (see Article X, Section T.3.a.3) that comprehensively describes the proposed project, including shelter provisions, outside keeping areas and manure management, is prepared and found acceptable with respect to animal welfare and potential environmental and neighborhood impacts by the 4H Club Agent of the Cooperative Extension Service or a qualified school instructor or project manager.

d. Keeping of Farm Animals-Accessory/Secondary Uses-Permitted subject to Special Permit Approval

It is recognized that on a case by case basis, it may be appropriate to authorize a greater number of animals that is allowed by right pursuant to Article X, Section T.3.b. Therefore, subject to obtaining special permit approval in accordance with Article V, Section B, property owners may seek approval for more animals that would otherwise be permitted pursuant to Article X, Section T.3.b and the associated Farm Animals: Accessory/Secondary Use Chart For Residential Lots. To help address potential animal safety issues and potential environmental and neighborhood impact issues, applications shall include a specific animal management plan that demonstrates compliance with the standards of Article X, Section T.3.a.1 through 7 and all special permit approval criteria of Article V, Section B.5. Article X, Section T.3.a.4 provides potential sources of information that should be considered in preparing an animal management plan. Special Permit applications submitted pursuant to this provision shall be referred to Mansfield's Agriculture Committee for review and comment.

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: June 2, 2011
Re: A. Paideia Site, 28 Dog Lane, File #1049-7
B. Freedom Green, Phase 4C, File #636-4



A. Paideia Site, 28 Dog Lane, File #1049-7

Since this issue was last discussed by the Commission, the applicant's landscape architect provided to staff a proposed fall 2011 planting plan and a perspective drawing of the proposed exhibit building when viewed from Dog Lane. Additional information was requested regarding the proposed upper plaza railing and a new stairway on the Dog Lane side of the exhibit building. Staff is awaiting a more complete submittal before forwarding the information to the Commission. The information may be available prior to the June 6th meeting.

B. Freedom Green, Phase 4C, File #636-4

Staff is still awaiting a more precise breakdown of the remaining work in 4C that needs to be covered by the required escrow fund. It has been verbally related to the Zoning Agent that final paving work will be done before the required listing of remaining work is submitted.

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

Memo to: Mansfield Planning and Zoning Commission
From: Michael Beal, Chairman, PZC Regulatory Review Committee
Date: Thursday, May 26, 2011
Re: March 16, 2011 request to amend Mansfield's Plan of Conservation and Development

At April 27th and May 25th meetings, Regulatory Review Committee members reviewed the March 16th request to amend Mansfield's Plan of Conservation and Development. As part of this review, the attached May 25th legal opinion was prepared by the Town Attorney. At the May 25th meeting, attending Committee members: Favretti, Rawn, and Beal, agreed by consensus to authorize me to work with the Director of Planning to document the following recommendations to the Planning and Zoning Commission:

1. That the Director of Planning and Development be requested to prepare processing guidelines, a recommended fee schedule and a draft application form to formalize future requests to amend the Plan of Conservation and Development. The application form should include specific submission requirements and provisions that address both map and text revisions as these two plan components are interrelated.
2. That the Planning and Zoning Commission not pursue the March 16, 2011 request, which should be considered an application, and accordingly, not initiate the referral and public hearing processes contained in Section 8-23 of the State Statutes. This recommendation was agreed upon after considering the following:
 - A. The March 16th request was not specific with respect to individual parcels (five (5) potential undeveloped sites in the medium to high density residential classification were identified by the Director of Planning) and the request did not include text revisions which would be appropriate if the current classification mapping was altered. It is important that consistency be maintained between the mapping and text components of the Plan of Conservation and Development.
 - B. A Plan of Conservation and Development is a longer term planning document that provides a framework but not a mandate for a Town's Zoning Regulations and Zoning Map. Many Plan recommendations are associated with anticipated infrastructure improvements. The medium-high density residential classification in the Hunting Lodge Road area was based on both existing and potential water and sewer service.
 - C. The Town has established approval processes, including Inland Wetland License requirements, Zoning Change requirements and Special Permit requirements, which would apply to future medium to high density housing development in the Hunting Lodge Road area. These permit requirements are designed to address specific development proposals and potential environmental and neighborhood impacts.
 - D. A Plan of Conservation and Development is a comprehensive document with many interrelated goals, objectives and recommendations. Potential Plan revisions are most appropriate when considered on a Town-wide basis. The process for revising a plan involves significant public participation and mandatory referrals and public hearings. State Statutes require a Planning and Zoning Commission to update the Plan every ten (10) years. It is recommended that any potential interim revisions should only be considered if new and compelling information or other unanticipated circumstances arise.
 - E. UConn landfill and neighborhood impact issues affecting the Hunting Lodge Road area existed prior to 2006 when the current Plan was adopted.

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Gregory J. Padick
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Town of Mansfield
Audrey P. Beck Building
Four South Eagleville Road
Mansfield Storrs, CT 06268

Re: Review of Requests to Amend the Plan of Conservation and Development

Dear Greg:

You have informed me that the Planning & Zoning Commission has received a written petition requesting that the PZC revise the Town of Mansfield Plan of Conservation. Per Connecticut General Statutes section 8-23(i), any owner or tenant of real property or buildings in the town may submit a written proposal to the PZC requesting a change in the Plan.

C.G.S. section 8-23(i) further provides that "Notwithstanding the provisions of subsection (a) of diction 8-7d, the commission shall review and may approve, modify and approve or reject the proposal in accordance with the provisions of subsection (g). . . [of C.G.S. section 8-23].

On behalf of the PZC, you have asked me a series of four questions. First, "Do all requests to amend the plan need to follow the referral and public hearing procedures of Section 8-23 subsection g?" To begin, I searched for case law addressing these issues and found nothing. Subsection g generally provides a very detailed process for the PZC to use when it fulfills its responsibility per section 8-23(a)(1), to adopt or review and maybe amend the town's plan of conservation and development, a major responsibility and potentially enormous undertaking, as you and the PZC know from recent experience.

My reading of section 8-23 in its entirety leads me to believe that, subject to the ten year requirement of section 8-23(a)(1) the legislature intended for the local PZC and no one else to have the discretion whether to put into motion the detailed processes set forth in section 8-23(g), and therefore my answer to your first question is in the negative. I conclude that no, not all section 8-23(i) requests to amend the plan need to follow the referral and public hearing procedures of section 8-23, subsection (g).

Gregory J. Padick
Director of Planning
Town of Mansfield
May 25, 2011
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The PZC does need to review the proposal before it for possible submission to the entire 8-23(g) process, but it is not required to submit the citizen proposal to the entire subsection g process. If the PZC reviews the proposal and decides not to send it through the entire subsection g process, those who have submitted the proposal may appeal to the superior court per C.G.S. section 8-8, if they see fit. See especially, C.G.S. sections 8-8(p) and (r).

Your second question is "Are there any timing requirements that the PZC must adhere to in processing a request?" I know of no statutory or administrative time constraints on this process, but constitutional due process requires that the members of the PZC move forward with their inquiry expeditiously, under the circumstances. Meanwhile, the PZC should simultaneously begin developing regulations in this regard.

Next, you asked, "Can the Commission, after review, determine that they do not support the requested revision and end the process without any referrals or public hearing?" My answer to this question is in the affirmative and is set forth above in my response to your first question.

You asked if the PZC could charge a fee for reviewing and processing a citizen application to amend the Plan. Per C.G.S. section 8-1c, I believe the PZC and town are authorized to charge a reasonable fee for this kind of application, but I do not believe there is a current provision in our fee schedule that covers the citizen petition that was recently submitted, and therefore I do not conclude that a fee may be charged in this situation at this time. The PZC and town may establish a fee for future submissions via the normal process for establishing fees.

Finally, you have asked, "Can a Town distinguish between an informal request to the Commission as compared to a formal application?" Presuming that the PZC accepts my answers to your questions number one and three, there would be no need to make this distinction.

In sum, my general reading of C.G.S. section 8-23 is that the legislature has intended that the process by which a town plan of conservation and development is developed, amended or otherwise acted upon be managed by the town's PZC or planning commission, in our case the PZC. I do not believe that in enacting subsection (i) of the statute, the legislature intended that any town property owner or tenant may require the town to engage in the subsection (g) process at their whim, and that it is up to our PZC to decide whether to initiate the process, after due consideration to the citizen request.

Gregory J. Padick
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As you all apparently know, this being new to the PZC, regulations governing a section 8-23(i) proposal should be adopted soon. Meanwhile, the PZC should address the pending application forthwith with due care and consideration.

Please let me know if you need any more from me on this.

Very truly yours,



Dennis O'Brien
Town Attorney

PAGE
BREAK

TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Dennis O'Brien, Town Attorney
From: Gregory J. Padick, Director of Planning
Date: April 28, 2011
RE: Process for reviewing requests to amend the Plan of Conservation and Development

As recently discussed, the Planning and Zoning Commission has received a request to revise Mansfield's Plan of Conservation and Development. Based on the provisions of Section 8-23 Subsection i of the Connecticut General Statutes, citizens have a right to request a revision in a Town's Plan of Conservation and Development. However, it is unclear whether all requests need to be processed pursuant to 8-23 subsection g. Furthermore, the statutes do not appear to address timing issues related to reviewing a citizen proposed revision.

Please review this issue and provide legal advice regarding statutory obligations associated with reviewing and potentially acting on a request to amend the Plan of Conservation and Development. As part of your reply, please address the following questions:

- Do all requests to amend the plan need to follow the referral and public hearing procedures of Section 8-23 subsection g?
- Are there any timing requirements that the PZC must adhere to in processing a request?
- Can the Commission, after review, determine that they do not support the requested revision and end the process without any referrals or public hearing?
- Can the Commission charge a fee for reviewing and, as appropriate, processing a citizen application to amend the plan?
- Can a Town distinguish between an informal request to the Commission as compared to a formal application?

Please contact me if you want to discuss this issue.

PAGE
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Sec. 8-23. Preparation, amendment or adoption of plan of conservation and development. (a)

(1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Environmental Protection and Economic and Community Development that explains why such plan was not amended. A copy of such letter shall be included in each application by the municipality for discretionary state funding submitted to any state agency.

(3) Notwithstanding any provision of subdivisions (1) and (2) of this subsection, no commission shall be obligated to prepare or amend a plan of conservation and development for such municipality from July 1, 2010, to June 30, 2013, inclusive.

(b) On and after the first day of July following the adoption of the state Conservation and Development Policies Plan 2013-2018, in accordance with section 16a-30, a municipality that fails to comply with the requirements of subdivisions (1) and (2) of subsection (a) of this section shall be ineligible for discretionary state funding unless such prohibition is expressly waived by the secretary, except that any municipality that does not prepare or amend a plan of conservation and development pursuant to subdivision (3) of subsection (a) of this section shall continue to be eligible for discretionary state funding unless such municipality fails to comply with the requirements of said subdivisions (1) and (2) on or after July 1, 2014.

(c) In the preparation of such plan, the commission may appoint one or more special committees to develop and make recommendations for the plan. The membership of any special committee may include: Residents of the municipality and representatives of local boards dealing with zoning, inland wetlands, conservation, recreation, education, public works, finance, redevelopment, general government and other municipal functions. In performing its duties under this section, the commission or any special committee may accept information from any source or solicit input from any organization or individual. The commission or any special committee may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan.

(d) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of conservation and development adopted pursuant to chapter 297, (6) the regional plan of conservation and development adopted pursuant to section 8-35a, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, (9) the objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation, and (10) protection and preservation of agriculture.

(e) (1) Such plan of conservation and development shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate, (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns and land reuse, (D) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation and other purposes and include a map showing such proposed land uses, (E) recommend the most desirable density of population in the several parts of the municipality, (F) note any inconsistencies with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (iv) conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local, regional and state-wide basis, (G) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a, (H) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the housing plan prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297. In preparing such plan the commission shall consider focusing development and revitalization in areas with existing or planned physical infrastructure.

(2) For any municipality that is contiguous to Long Island Sound, such plan shall be (A) consistent with the municipal coastal program requirements of sections 22a-101 to 22a-104, inclusive, (B) made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound, and (C) designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(f) Such plan may show the commission's and any special committee's recommendation for (1) conservation and preservation of traprock and other ridgelines, (2) airports, parks, playgrounds and other public grounds, (3) the general location, relocation and improvement of schools and other public buildings, (4) the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewerage, light, power, transit and other purposes, (5) the extent and location of public housing projects, (6) programs for the implementation of the plan, including (A) a schedule, (B) a budget for public capital projects, (C) a program for enactment and enforcement of zoning and subdivision controls, building and housing codes and safety regulations, (D) plans for implementation of affordable housing, (E) plans for open space acquisition and greenways protection and development, and (F) plans for corridor management areas along limited access highways or rail lines, designated under section 16a-27, (7) proposed priority funding areas, and (8) any other recommendations as will, in the commission's or any special committee's judgment, be beneficial to the municipality. The plan may include any necessary and related maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality.

(g) (1) A plan of conservation and development or any part thereof or amendment thereto prepared by the commission or any special committee shall be reviewed, and may be amended, by the commission prior to scheduling at least one public hearing on adoption.

(2) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body or, in the case of a municipality for which the legislative body of the municipality is a town meeting or representative town meeting, to the board of selectmen. The legislative body or board of selectmen, as the case may be, may hold one or more public hearings on the plan and shall endorse or reject such entire plan or part thereof or amendment and may submit comments and recommended changes to the commission. The commission may render a decision on the plan without the report of such body or board.

(3) At least thirty-five days prior to the public hearing on adoption, the commission shall post the plan on the Internet web site of the municipality, if any.

(4) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto to the regional planning agency for review and comment. The regional planning agency shall submit an advisory report along with its comments to the commission at or before the hearing. Such comments shall include a finding on the consistency of the plan with (A) the regional plan of conservation and development, adopted under section 8-35a, (B) the state plan of conservation and development, adopted pursuant to chapter 297, and (C) the plans of conservation and development of other municipalities in the area of operation of the regional planning agency. The commission may render a decision on the plan without the report of the regional planning agency.

(5) At least thirty-five days prior to the public hearing on adoption, the commission shall file in the office of the town clerk a copy of such plan or part thereof or amendment thereto but, in the case of a district commission, such commission shall file such information in the offices of both the district clerk and the town clerk.

(6) The commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, or less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such draft plan in the office of the town clerk, or both the district clerk and the town clerk, as the case may be.

(h) (1) After completion of the public hearing, the commission may revise the plan and may adopt the plan or any part thereof or amendment thereto by a single resolution or may, by successive resolutions, adopt parts of the plan and amendments thereto.

(2) Any plan, section of a plan or recommendation in the plan that is not endorsed in the report of the legislative body or, in the case of a municipality for which the legislative body is a town meeting or representative town meeting, by the board of selectmen, of the municipality may only be adopted by the commission by a vote of not less than two-thirds of all the members of the commission.

(3) Upon adoption by the commission, any plan or part thereof or amendment thereto shall become effective at a time established by the commission, provided notice thereof shall be published in a newspaper having a general circulation in the municipality prior to such effective date.

(4) Not more than thirty days after adoption, any plan or part thereof or amendment thereto shall be posted on the Internet web site of the municipality, if any, and shall be filed in the office of the town clerk, except that, if it is a district plan or amendment, it shall be filed in the offices of both the district and town clerks.

(5) Not more than sixty days after adoption of the plan, the commission shall submit a copy of the plan to the Secretary of the Office of Policy and Management and shall include with such copy a description of any inconsistency between the plan adopted by the commission and the state plan of conservation and development and the reasons therefor.

(i) Any owner or tenant, or authorized agent of such owner or tenant, of real property or buildings thereon located in the municipality may submit a proposal to the commission requesting a change to the plan of conservation and development. Such proposal shall be submitted in writing and on a form prescribed by the commission. Notwithstanding the provisions of subsection (a) of section 8-7d, the commission shall review and may approve, modify and approve or reject the proposal in accordance with the provisions of subsection (g) of this section.

(1949 Rev., S. 856; 1959, P.A. 577, S. 6; 1969, P.A. 477, S. 1; 1971, P.A. 862, S. 5, 6; P.A. 78-314, S. 3; P.A. 80-327, S. 2; P.A. 85-279, S. 4; P.A. 88-13, S. 1, 3; P.A. 91-392, S. 2; 91-395, S. 3, 11; 91-398, S. 2, 7; P.A. 95-239, S. 3; 95-335, S. 9, 26; P.A. 99-117, S. 1, 2; P.A. 01-197, S. 1, 4; P.A. 03-19, S. 20; P.A. 05-205, S. 1; P.A. 06-17, S. 1; 06-24, S. 1; P.A. 07-239, S. 3; June Sp. Sess. P.A. 07-5, S. 4; P.A. 08-182, S. 16, 17; P.A. 09-230, S. 7; P.A. 10-138, S. 5.)

History: 1959 act added provisions re districts; 1969 act substituted "shall" for "may" thereby requiring that recommendation for most desirable land uses and population density be included in development plan, but did leave optional the inclusion of other recommendations re streets, bridges etc. and further clarified contents of plan re economic development, schedules, budgets, various codes and regulations and community needed and deleted requirement that report be filed annually; 1971 act changed public hearing notice requirements from publication at least seven days before hearing to publication "twice at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days" before hearing; P.A. 78-314 allowed consideration of energy-efficient development, renewable forms of energy and energy conservation in development plan; P.A. 80-327 allowed consideration of water supplies and their protection in development plan; P.A. 85-279 made consideration of surface and ground drinking water supplies in preparation of the plan mandatory rather than discretionary; P.A. 88-13 allowed consideration of affordable housing and open space acquisition in the plan of development and required that the plan of development be reviewed and updated at least once every 10 years; P.A. 91-392 added provisions re development of housing opportunities and promotion of housing choice and economic diversity in housing; P.A. 91-395 designated existing provisions as Subsec. (a) and amended them to require that municipal plans take into account the state plan and that plans adopted under this section be reviewed for consistency with the state plan of development and added Subsec. (b) requiring municipalities to consider use of cluster development; P.A. 91-398 added provision re plans in municipalities contiguous to Long Island Sound; P.A. 95-239 amended Subsec. (a) to provide that the plan may make regulations re traprock ridgelines; P.A. 95-335 amended Subsec. (a) to change the name of the plan of development to the plan of conservation and development and authorized the plan to include provisions re greenways protection and development, effective July 1, 1995; P.A. 99-117 divided existing Subsec. (a) into (a) and (b), redesignating existing Subsec. (b) as (c), and amended Subsec. (b) by adding provision regarding explanation of failure to conduct review of the plan, effective January 1, 2000; P.A. 01-197 deleted former provisions and inserted new Subsecs. (a) to (h) which reorganized former provisions and authorized planning commissions to appoint special committees and to submit the plan

to the legislative body of the town, broadened the scope of the plan to include cluster development, traprock and other ridgelines and neighborhood and district plans and made technical changes to form and content, effective July 1, 2001, and applicable to municipal plans of conservation and development adopted after that date; P.A. 03-19 made a technical change in Subsecs. (f) and (g), effective May 12, 2003; P.A. 05-205 amended Subsec. (c) to add Subdiv. (10) re protection and preservation of agriculture, amended Subsec. (d)(1) to redesignate subparagraphs and require the commission to consider focusing development and revitalization in areas with infrastructure, adding new Subpara. (B) re system of principal thoroughfares, revising new Subpara. (C) to add provisions re identification and promotion of areas of mixed use development patterns and land reuse, and revising new Subpara. (F) re growth management principles, amended Subsec. (e) to eliminate provisions re principal thoroughfares consistent with changes in Subsec. (d), revising Subdiv. (3) to add recommendations for schools and adding new Subdiv. (6)(F) re corridor management areas and new Subdiv. (7) re priority funding areas, amended Subsec. (f) to require posting of plan on Internet web site of the municipality, change the number of days the regional planning agency has for review from 65 to 35, require the regional planning agency to make specific findings and add provisions re revision of the plan and submission to the legislative body, amended Subsec. (g) to add provisions re Internet posting and notice to the Office of Policy and Management, replaced former Subsec. (h) re hearings and endorsement with new Subsec. (h) authorizing an owner or tenant to request changes to the plan and made technical changes throughout the section, effective July 1, 2005 (Revisor's note: In Subsec. (d)(1)(C)(ii), the words "land and reuse" were changed editorially by the Revisors to "and land reuse" for consistency); P.A. 06-17 amended Subsec. (f) by revising provisions re submission to the legislative body or board of selectmen and organizing subsection into subdivisions, amended Subsec. (g) by adding requirement that a plan of conservation and development not endorsed by the legislative body or board of selectmen be approved by a two-thirds majority of the commission, making conforming changes and organizing subsection into subdivisions and amended Subsec. (h) by making conforming changes, effective October 1, 2006, and applicable to plans of conservation and development adopted after that date; P.A. 06-24 amended Subsec. (g) by replacing requirement that the commission notify the Secretary of the Office of Policy and Management of inconsistencies of the municipal plan with the state plan with requirement that the commission submit to the secretary a copy of the plan and a description of any such inconsistencies not more than 60 days after adoption of the plan; P.A. 07-239 divided existing Subsec. (a) into Subsecs. (a) and (b), added provisions re discretionary funding therein, deleted provision re application for funding for conservation or development submitted to secretary or commissioners in said Subsec. (b) and redesignated existing Subsecs. (b) to (h) as Subsecs. (c) to (i), effective July 1, 2010; June Sp. Sess. P.A. 07-5 amended Subsec. (a)(2) to insert "state" re discretionary funding, effective July 1, 2010; P.A. 08-182 amended Subsecs. (c)(6) and (f)(4)(A) to change "regional plan of development" to "regional plan of conservation and development" and, effective July 1, 2010, amended Subsecs. (d)(6) and (g)(4)(A) to change "regional plan of development" to "regional plan of conservation and development"; P.A. 09-230 amended Subsec. (b) to delete provision re plan amendment and provide that municipality shall be ineligible for discretionary state funding for failure to comply with Subsec. (a) following adoption of state plan, effective July 1, 2010; P.A. 10-138 added Subsec. (a)(3) providing that no commission shall be obligated to prepare a plan from July 1, 2010, to June 30, 2013, and amended Subsec. (b) to make technical changes and provide that municipalities that do not prepare a plan pursuant to Subsec. (a)(3) shall continue to be eligible for discretionary state funding unless such municipalities fail to comply with Subsec. (a)(1) and (2) on or after July 1, 2014, effective July 1, 2010.

See Sec. 7-148 re municipal powers generally.

See Sec. 8-39a for definition of "affordable housing".

Cited. 141 C. 79. Planning commissions are empowered to prepare, adopt and amend plans of

development for their respective communities. 144 C. 117. Aim of municipal planning; distinguished from zoning. 145 C. 28; 146 C. 570. Stamford charter provides for review of action of planning board by board of representatives; held that function of latter board is legislative and it may act without notice and hearing. 148 C. 44. Aim of municipal planning compared with that of zoning. *Id.*, 172. Cited. *Id.*, 517. Adoption of a "plan of development" pursuant to this section is not a condition precedent to the enactment of valid subdivision regulations. 153 C. 193. Master plan controlling as to municipal improvements, merely advisory as to zoning. 154 C. 202. Cited. *Id.*, 472. Plan of development is of broader significance than zoning and two terms are not interchangeable. Planning connotes systematic development of municipality to promote general welfare and prosperity of its people, while zoning is concerned primarily with use of property. 155 C. 669. Recommendation in plan of development, pursuant to this section, designating appropriate uses for various areas in town is merely advisory and does not bind zoning commission. 156 C. 102. Appeals from amendments hereunder are governed by section 8-28. 159 C. 1. Cited. 160 C. 114; 295. Cited. 186 C. 466. Cited. 213 C. 604. Cited. 217 C. 103. Cited. 225 C. 731.

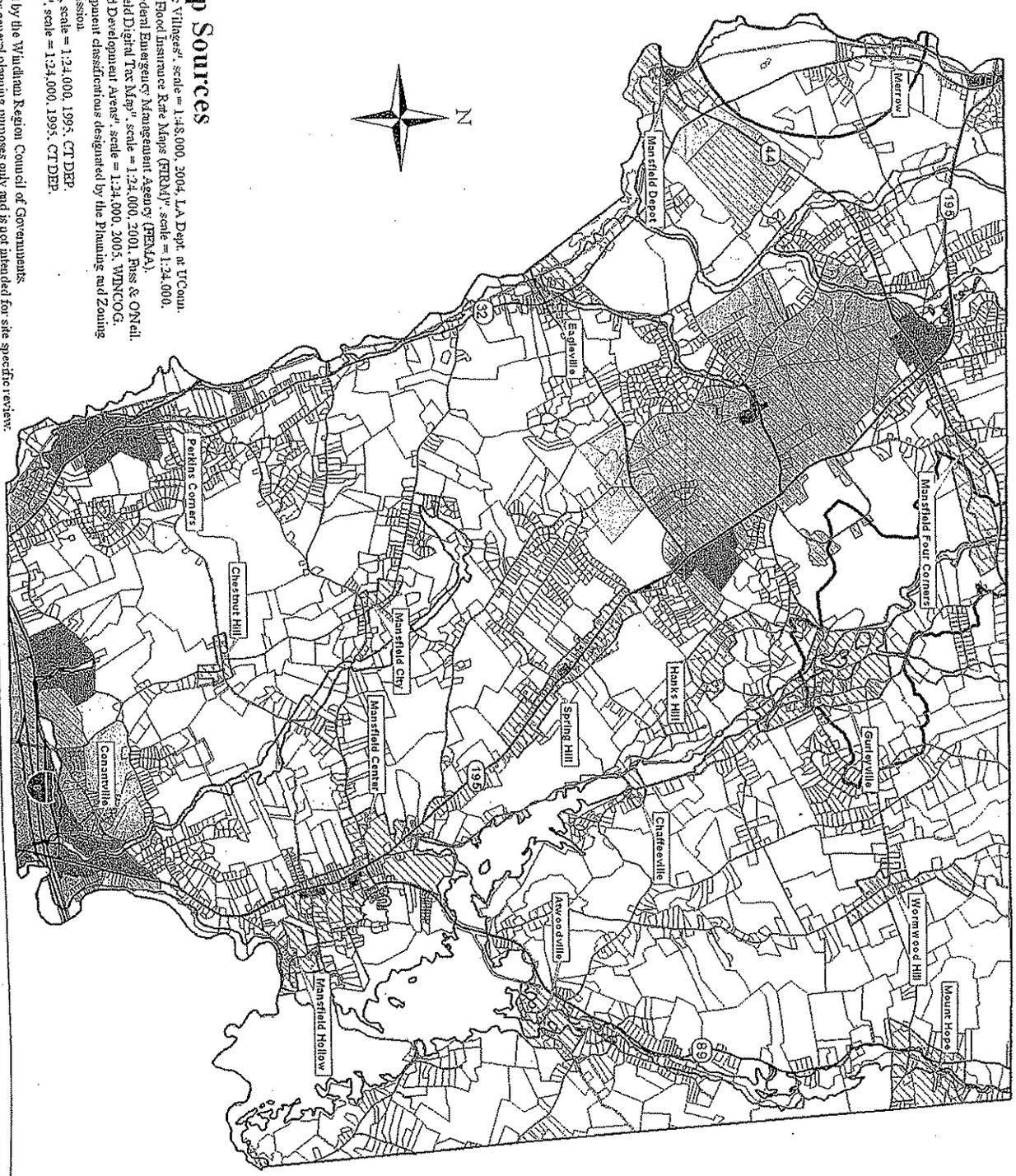
Cited. 2 CA 49. Cited. 29 CA 18.

Cited. 18 CS 519. Cited. 34 CS 52.

Planned Development Areas

Legend

-  Historic villages or hamlets
-  Medium to High-Density Institutional/Mixed-Use
-  Low Density Residential
-  Medium to High Density Age Restricted Residential
-  Medium to High Density Residential
-  Planned Business/Mixed Use
-  Planned Office/Mixed Use
-  Agriculture/Medium to High Density Residential/Open Space
-  Neighborhood Business/Mixed Use
-  Flood Hazard Zone (Depicted for Reference Purposes)



Map Sources

Historic VillagesSM, scale = 1:48,000, 2004, LA Dept. at UConn.
 FEMA Flood Insurance Rate Maps (FIRM), scale = 1:24,000.
 951, Federal Emergency Management Agency (FEMA).
 Mansfield Digital Tax MapSM, scale = 1:24,000, 2001, Ross & O'Neill.
 Planned Development AreasSM, scale = 1:24,000, 2003, WINCOG.
 Development classifications designated by the Planning and Zoning Commission.
 RoadsSM, scale = 1:24,000, 1995, CTDEP.
 TownsSM, scale = 1:24,000, 1995, CTDEP.

prepared by the Windham Region Council of Governments
 Map is for general planning purposes only and is not intended for site specific review.



Plan of Conservation and Development
 April 2006

4000
 0 4000 Feet
 MAP

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.

e. **Objective**

To achieve an integrated intermodal transportation network by encouraging road, walkway, bikeway and public transportation services in areas with existing or potential sewer and public water and appropriately expand and maintain all elements of the town's transportation system.

Recommendations:

- Work with the Windham Regional Transit District, University of Connecticut and State officials to continue, expand and promote public transit services, particularly to areas served by existing or potential sewer and water systems.
(See Appendix L for a listing of transportation improvement needs.)
- Continue to fund, with State and Federal assistance whenever available, public transit amenities and pedestrian and bicycle improvements, particularly in areas served by existing or potential sewer and water systems.
(Priority areas include the Storrs Center Downtown area and areas proximate to the UConn Campus, including the Four Corners and King Hill Road commercial areas and the East Brook Mall commercial area.)



Middle Turnpike Bikeway

- Refine existing land use regulations to ensure that all higher-density residential projects and all commercial projects are designed to promote pedestrian and bicycle use and, where locationally appropriate, public transportation opportunities.
(All higher-density residential and commercial developments should provide or reserve space for bus stops, bus shelters, sidewalks/bikeways, bicycle racks, bicycle lockers and other amenities that will promote public transportation and pedestrian and bicycle traffic. High-priority locations include the Storrs Center Downtown and Four Corners and East Brook Mall commercial areas.)
- Refine land use regulations and Public Works standards and specifications for new roads and driveways to help ensure that new developments have appropriate access with minimal impact on natural and historic resources and roadside character.

(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

development.



(Comprehensive stormwater management and erosion and sedimentation plans are important elements of any land use project that significantly increases impervious surfaces such as subdivisions with new roads or steep driveways, multi-family housing and commercial development.)



- Continue existing policy of requiring new development proposals to comprehensively evaluate potential impacts to existing public and private water supply sources.
- Revise the town's Public Works road and drainage standards and specifications to ensure compatibility with the goal of protecting natural resources.
- • Revise Zoning, Subdivision and Inland Wetlands Regulations to incorporate more specific requirements for retaining natural vegetated buffers along water resources and wetlands. (Based on the State's 2005 stormwater management guidelines and other information, a minimum buffer of at least 100 feet should be considered).
- Revise Zoning Map and Zoning Regulations to implement Aquifer Protection zones pursuant to State requirements.
- Revise Zoning Regulations to strengthen existing provisions regarding the protection of stratified drift aquifer areas and include consideration of buffer or setback areas for aquifers. Similar protections shall be considered for existing or potential community wells.
(Data from State officials and from Mansfield's 2002 Water Study should be considered.)
- Consider the adoption of a municipal ordinance requiring mandatory septic system inspection and maintenance for high-risk land uses such as multi-family housing developments, restaurants and other uses which discharge non-domestic septage.
- Strengthen the Inland Wetland Agency policy of regulating all proposed land uses proximate to a wetland or watercourse.
(The existing 150-foot regulated area should be retained and, as appropriate, extended for more significant wetland systems. Larger buffers should be considered for commercial developments and subdivisions where cumulative impacts may result in more significant impacts.)
- Continue existing policy of restricting any new development and limiting any land-disturbing activity within a flood hazard area
- Strengthen existing land use regulations to emphasize the importance of identifying and protecting notable wildlife habitats and plant communities, including vernal pools, marshes, cedar swamps, meadows/grasslands and large contiguous forest tracts.
- Continue implementing Mansfield's Invasive Species Policy (adopted by the Town Council in 2005), utilizing the list of invasive species banned by Public Act 04-203 of the State of Connecticut, with any subsequent revisions.

b. Objective

To protect historic and archaeological resources by refining Zoning Map, Zoning and Subdivision Regulations and consider other actions.



Reconstruction of the historic Ash House on Cichowski property, Old Turnpike Road

Recommendations:

- Refine existing Zoning and Subdivision Regulations to ensure the identification and protection of all significant historic and archaeological resources, including: historic structures, historic and archaeological sites, cemeteries, stone walls, fences and roadside features and open space features. Protection shall extend to areas adjacent to or visually important to historic and archaeological resources. Buffers, setbacks, open space requirements and other regulatory provisions shall be considered.
(Include provisions that authorize the submittal of a professionally-prepared historical or archaeological assessment report. Protection of historic and archaeological resources is particularly important in historic districts and other historic village areas.)
- Establish new village zoning designations, pursuant to statutory provisions or, alternatively, implement specialized village design standards for the historic village areas identified in this Plan.
(Mansfield's historic villages are identified on Maps #5 and #22 of this Plan.)
(Specific information on Mansfield's village areas is contained in Appendix B of this Plan.)
- Refine Zoning and Subdivision Regulations to incorporate more specific identification and preservation requirements for stone walls.
- Consider the adoption of a municipal ordinance that requires advance notice before an historic structure is moved or demolished or an historic site is disturbed.
- Promote the expansion of existing Historic Districts in Mansfield Hollow, Mansfield Center and Spring Hill to coincide with the village boundaries defined in this Plan.
- Consider new local and National Historic District designations for Atwoodville, Eagleville, Gurleyville (already a National Historic District), Hanks Hill, Mansfield City, Mansfield Depot, Mansfield Four Corners, Mount Hope and Wormwood Hill.

- 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).

e. Objective:

To increase the amount of preserved open space land.

Recommendations:

- Continue Mansfield's Open Space Acquisition Program with local funds and, when available, State and Federal funds.
(Consider periodic referendum allotments to a specifically-dedicated Open Space Fund)
(Many studies have concluded that the preservation of agricultural land and open space areas can be economically advantageous to a municipality).
- Encourage State officials to identify and permanently preserve important natural, historic and agricultural and scenic resources on State land
- Work with Joshua's Tract Conservation and Historic Trust to preserve important open space properties
- Work with legislative representatives to revise State Statutes to enable municipalities to increase the State's real estate conveyance tax for municipal open space acquisition through a specifically dedicated open space fund.
- Evaluate potential open space acquisitions using comprehensive review standards, mapping recommendations contained in this Plan's Existing and Potential Conservation Areas Map (Map # 21) and information obtained by reviewing each site through an active public participation process.
(Recommended open space acquisition priority criteria are contained in Appendix K.)
(Specific attention should be given to linking existing preserved open space areas and for providing linkages from existing developed areas to larger tracts of preserved open space.)
- Refine and expand, as legally appropriate, required open space/recreation dedications associated with subdivisions and other land use applications.
(Modify subdivision and zoning dedication standards to reflect criteria in Appendix K)

f. Objective:

To work with State, regional and local organizations to expand existing and establish new State-designated greenways and other greenways of local importance.

Recommendations

- Work with the Willimantic River Alliance to protect and expand public access to the intra-town Willimantic River Greenway as depicted on this Plan's "Existing and Potential Conservation Areas" Map #21.
(Encourage continued development of public parks within the greenway, such as Merrow Meadow Park, off Merrow Road, and Plains Road Park.)
- Encourage establishment of a State-designated greenway encompassing the Fenton, Mount Hope and Natchaug Rivers and Naubesatuck Lake (Mansfield Hollow).
- Expand/improve trail systems within existing or planned greenways, including the inter-town Nipmuck Trail greenway, with emphasis on connecting existing trails and trail links to preserved open space areas.

- Encourage, through purchase or donation, public land and private conservation easements along existing and planned greenway corridors.

3. Policy Goal #3

a. Objective

→ To promote construction of additional affordable housing by refining land use regulations and considering other actions.

Recommendations

- • Continue and refine existing policies that authorize higher-density multi-family housing in many areas of town; authorize two-family and efficiency unit apartments in most areas of town and retain 800 square feet as the minimum size for single-family homes throughout the town.
- Incorporate uniform density standards for developments with a mixture of single-family, two-family and multi-family dwelling units.
(Existing Design Multiple-Residence regulations have different density requirements for each type of dwelling unit.)
- Consider incorporation of specific regulatory provisions for “co-housing” projects with shared community facilities.
(This form of housing can help reduce dwelling unit size and overall housing costs.)
- Consider regulatory provisions that authorize new community septic systems and wells for affordable housing projects and co-housing projects.
(See recommendation under Policy Goal #1, Objective a.)
- Continue to support the activities of Mansfield’s Housing Authority, which operates the Wright’s Village elderly housing development, the Holinko Estates low and moderate-income housing development, and administers a rental support program for individuals who qualify under Federal and State guidelines.
- Work with legislative representatives to revise State statutes to enable municipalities to increase the State’s real estate conveyance tax for local affordable housing activities.
- Continue to participate in the Federal Small Cities Program and/or other Federal or State programs designed to promote affordable housing opportunities.
- Consider incorporation of specific low and moderate-income “inclusionary” provisions for multi-family housing and larger subdivision developments.
(Regulatory provisions should consider requirements that a certain percentage of new dwelling units or lots be permanently set aside for low and moderate-income individuals. Particularly in areas with public sewer and water, density bonuses should be considered.)
- Continue and refine existing policies that provide for flexible setbacks and frontages and common driveways, where physical characteristics are appropriate.
(These policies can help reduce infrastructure requirements and overall development costs.)

b. Objective

To consider actions to improve the quality of existing affordable housing

Recommendations

- Continue and expand, as funds are available, Mansfield's existing housing rehabilitation program.
(This program, which has operated since 1993 with Federal Small Cities funds, has provided assistance to about fifty projects in Mansfield. Through the use of additional Federal or State funds, revolving loan funds or other sources of funds, this program should be continued.)
- Consider adoption of a Municipal Housing Code for rental housing.
(A housing code will improve the overall quality of existing rental housing, promote the health and safety of tenants and enhance property values.)

4. Policy Goal #4:

a. Objective

To promote public participation in all significant land use decisions by refining land use regulations and considering other actions.

Recommendations

- Refine Mansfield's "Notification and Public Hearing" Ordinance to ensure that appropriate notice and opportunity to comment is provided for all residents and property-owners who may be affected by a pending land use decision or other issue being considered by the Town Council.
- Refine zoning, subdivision and inland wetland regulations regarding public notice, neighborhood or abutter notification requirements and Public Hearing processes associated with land use applications pending before the Planning and Zoning Commission, Inland Wetland Agency or Zoning Board of Appeals.
- Refine Mansfield's use of the Town's internet web site and local public access cable TV station to promote access to information on pending land use issues.

b. Objective

To promote developments and neighborhoods with a diversity of housing types that address the needs of all income groups and all age groups.

- Refine zoning and subdivision regulations to consider density bonuses or other incentives that promote this objective.
- Promote vehicular and pedestrian linkages between separate development areas and open space/ recreational improvements that are within walking distance of residential areas.

c. Objective

To incorporate public access and civic and recreational amenities in new land use developments by refining land use regulations and considering other actions.

Recommendations

- Refine zoning and subdivision regulations to encourage and, where appropriate, require or reserve vehicular and/or pedestrian linkages between adjacent developments and between land use developments and existing or anticipated public facilities.

- Refine zoning and subdivision regulations to encourage and, where appropriate, require or reserve areas for public spaces and public amenities, such as outdoor seating, in new commercial and/or higher-density residential developments.
- Refine zoning and subdivision regulations to encourage and, where appropriate, require or reserve areas for active as well as passive recreational amenities in new multi-family and larger subdivision developments.
(Active recreational improvements could include swimming pools, club houses, playgrounds, ball fields, tennis courts and trails; passive improvements could include picnic areas, informal lawn areas and garden areas.)

d. Objective

To encourage retention and appropriate expansion of high quality educational, recreational and other governmental facilities, programs and services

Recommendations

- Continue to maintain high-quality educational and childcare facilities and, as funding allows, implement improvements that are consistent with the goals, objectives and recommendations contained in this Plan.
(Unless the rate of residential development and/or the number of children per household increases in Mansfield or other Regional School District 19 municipalities, no major educational facility needs are anticipated at this time. The following education-related projects have been identified and would be consistent with this Plan: an expansion of athletic fields at Vinton School; an expansion of onsite parking at E.O. Smith High School; track and athletic field improvements at E.O. Smith High School; an expansion and reuse of the Reynolds School on Depot Road for Regional District 19 programs.)
(See information contained in Part I of this Plan.)
- Continue to maintain high-quality facilities for Mansfield's administrative and service functions (the Municipal Building, Library, Senior Center, Community Center, Public Works Garage and Transfer/ Recycling Center) and, as funding allows, implement improvements that are consistent with the goals, objectives and recommendations contained in this Plan.
(Although no major administrative or service-related facility needs have been identified at this time, the following projects have been identified and would be consistent with this Plan: the creation of additional parking at the Municipal Building/Community Center site; the creation of additional parking to service the Senior Center site – an off-site location appears necessary; the construction of a storage addition for the Library; the addition of fitness center/active recreational space at the Community Center; the addition of a covered salt storage/mixing area structure at the Town Garage site; general facility upgrading at the Transfer Station/Recycling Center site.)
(Although no major cemetery space needs have been identified at this time, the potential need for new sites or expansions of existing sites needs to be comprehensively analyzed.)
- Continue to maintain high-quality facilities for Mansfield's fire protection/emergency services functions and, as funding allows, implement improvements that are consistent with the goals, objectives and recommendations contained in this Plan.
(The potential need for an additional fire station or expansion of an existing station has been identified and is expected to be the subject of an independent analysis. If a new or expanded facility is deemed appropriate, locations in

southern Mansfield proximate to higher-density residential and commercial designations should be considered.)

(See information contained in Part I of this Plan.)

- Continue to maintain high-quality facilities for Mansfield's park and recreation functions and, as funding allows, implement improvements that are consistent with the goals, objectives and recommendations contained in this Plan.
(A listing of Potential park and recreation facility improvements is contained in Appendix I.)
(Encourage research and data collection about the town's natural areas and promote environmental education activities.)
(Promote active management of the town's parks, trails and open space areas. Promote volunteer stewardship programs.)
(Continue to expand and improve the town's trail system to provide important recreational and educational opportunities. The proposed "Path Through Time" trail project in Mansfield Center is a good example of a trail improvement that will promote many Plan objectives.)
(Incorporate accessibility and other improvements to park and recreational areas designed to serve the town's growing elderly population.)
(Continue to provide and improve community gardening opportunities.)
- Continue to support existing and potential private recreational facilities such as the Holiday Hill recreational center/summer day camp on Chaffeeville Road and the Highland Ridge golf driving range/training facility on Stafford Road.

e. Objective

To consider actions to enhance civic pride by promoting safe occupancy, compatible building and site designs and suitable property maintenance

Recommendations

- Refine and enforce zoning regulations and, where applicable, approval requirements regarding residential occupancy.
(The Zoning Regulations definition of "family" and other regulatory provisions regarding occupancy should be reviewed and, as appropriate, revised to promote compliance with this recommendation.)
- Refine and enforce zoning regulations and, where applicable, approval requirements regarding outside storage, unregistered motor vehicles and junkyards.
(Existing regulations regarding outside storage and property maintenance should be reviewed and, as appropriate, revised to promote compliance with this recommendation.)
- Refine and enforce nuisance abatement ordinances such as Mansfield's "Noise," "Litter" and "Possession of Alcohol by Minors" ordinances, and consider other actions to address health and safety issues, improve neighborhood aesthetics and enhance property values
- Consider adoption of a housing code for rental housing, a rental property licensing program and a rental housing certification program to help ensure a safe and appropriately maintained stock of rental housing.
(More specific recommendations are contained in an April, 2005 report from the Town Council's Special Committee on Community Quality of Life.)

- Produce and distribute a model lease and fact sheet for landlords and tenants to protect the rights of both parties, to promote positive relationships and to help ensure compliance with applicable ordinances and land use regulations
- Refine zoning regulations regarding the consideration of neighborhood characteristics and appropriate buffering to reduce potential land use impacts

f. Objective

→ To continue to work collaboratively with the University of Connecticut to address land use and occupancy issues of mutual interest



University of Connecticut, Fairfield Way

Recommendations

- Strengthen the coordination and information-sharing roles of the Town/University Relations Committee
- • Maintain and strengthen communication between town, State and University staff and public safety agencies to address public safety and quality of life issues, particularly concerning off-campus student housing
- Continue to monitor changes to the University's Master Plans, all new developments constructed under the UConn 2000/21st Century UConn program, and any other projects with potential traffic, environmental impact or infrastructure capacity issues
- Coordinate residential/commercial/industrial objectives and recommendations with University officials, particularly with respect to development on the North and Depot Campuses and commercial uses within campus buildings.
- Work with University and State officials to address management and capacity issues associated with University water and sewer systems.

DRAFT MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Wednesday, April 27, 2011
Conference Room B, Audrey P. Beck Municipal Building

Members present: M. Beal R. Favretti, P. Plante, K. Rawn
Others present: G. Padick, Director of Planning; A. Hilding; T. Fahey

Call to Order:

Chairman Beal called the meeting to order at 1:20 p.m.

Minutes:

03-30-11- Favretti MOVED, Plante seconded, to approve the 3/30/11 minutes as written. MOTION PASSED with Beal and Rawn disqualifying themselves.

04-13-11- Favretti MOVED, Rawn seconded, that the 4/13/11 minutes be approved as written. MOTION PASSED with Plante disqualifying himself.

PZC Referral: Proposed revision of the Plan of Conservation and Development regarding Hunting Lodge Road area residential classifications:

Padick noted that the meeting packet included the citizen request to revise the Plan of Conservation of Development, and associated attachments, Section 8-23 of the State Statutes, a copy of the Plan of Conservation and Development map #22 "Planned Development Areas" and the Land Use Goals, Objectives and Recommendations portion of Mansfield's 2006 Plan of Conservation and Development. He summarized important elements of Section 8-23, including the process for revising a Plan and a section that provides for citizen requests to amend the Plan. Padick noted that a legal opinion may be necessary to address procedural aspects of the pending referral.

Committee members focused their discussion on process aspects of the subject request to amend the Plan. It was noted that based on the Statutes, citizens had a right to propose revisions and therefore the PZC needs to formalize a written process for evaluating and potentially acting on proposed revisions. It was acknowledged that the statutory process for revising a Plan would be time consuming and would involve costs. There was general agreement that it would be problematic if all requests, regardless of merit, need to be processed through the statutory Public Hearing and referral process. After further review of Section 8-23(i), it was agreed that the Town Attorney's opinion shall besought regarding process issues, particularly whether all submittals needed to be processed pursuant to 8-23 subsection g. Padick agreed to seek a written opinion on this issue.

CLEAR recommendations for Low Impact Development Practices:

Padick briefly reviewed with Committee members April 2011 recommendations forwarded to the Town from UConn Center for Land Use Education and Research. It was agreed that a number of the recommendations should be considered. Padick agreed to begin work on this issue but implementation will need to be delayed until the fall of 2011.

Future Meetings:

The next meeting was scheduled for Wednesday, May 25th at 1:15 in Conference Room B.

Adjournment:

The meeting was adjourned at 2:36 p.m.

Respectfully submitted,
R. Favretti, Acting Secretary

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DRAFT MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Wednesday, May 24, 2011
Conference Room B, Audrey P. Beck Municipal Building

Members present: M. Beal R. Favretti, K. Rawn
Others present: G. Padick, Director of Planning;
L. Painter, Director of Planning and Development; A. Giorgio

Call to Order:

Chairman Beal called the meeting to order at 1:22 p.m.

Minutes:

04-27-11- Favretti MOVED, Rawn seconded, that the 4/27/11 minutes be approved as written.
MOTION PASSED UNANIMOUSLY.

PZC Referral: Proposed revision of the Plan of Conservation and Development regarding Hunting Lodge Road area residential classifications:

Padick distributed and briefly reviewed a May 25, 2011 legal opinion from Town Attorney O'Brien. Members discussed with Padick, the legal opinion and associated statutory requirements, existing Plan of Development mapping and the submitted March 16th request to amend the Plan mapping in the Hunting Lodge Road area. It was then agreed by consensus that there was a need to formalize an application process for requests to amend the Plan and that the Committee member present did not support the March 16th request. Chairman Beal was authorized to work with Padick to forward these findings as a recommendation to the Planning and Zoning Commission. It was agreed that the letter to the PZC should include the reasons why the March 16th request is not supported by Committee members.

CLEAR recommendations for Low Impact Development Practices:

Padick briefly reviewed with Committee members April 2011 recommendations forwarded to the Town from UConn Center for Land Use Education and Research. He related that he generally supported the proposed revisions but some modification of proposed Zoning Regulations changes will be needed and that specific wording for the recommended subdivision revisions need to be drafted. The addition of an application checklist was supported but some distinction between Zoning and Subdivision applications need to be incorporated. It also was suggested that when this issue is considered next fall, the PZC should recommend to the Director of Public Works, revisions to the town's Road and Drainage Standards.

Padick distributed a portion of the Zoning Map depicting existing Zoning classifications for areas proximate to the University of Connecticut's Storrs and Depot campuses. After discussion with Padick, members agreed that consideration should be given to rezoning to "Institutional" a number of State owned parcels adjacent to both campuses. These potential rezonings would include parcels, with existing UConn facilities, the undeveloped land between the Storrs Campus and the Fenton River and all State owned land proximate to the Depot Campus including Spring Manor Farm. It was agreed that until more information is obtained regarding planned North Campus research and development uses, undeveloped State land north of the Storrs Campus should remain RDLI.

Future Meetings:

After discussion, it was agreed that the next meeting will be scheduled for August or early September.

Adjournment:

The meeting was adjourned at 2:52 p.m.

Respectfully submitted, R. Favretti, Acting Secretary

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REFERRAL FORM

FOR ZONING, SUBDIVISION, and POCD REFERRALS

FOR WINCOG OFFICE USE

REFERRAL # _____
POSTMARKED May 20, 2011
RECEIVED _____
CERTIFIED MAIL NO. _____
PUBLIC HEARING June 23, 2011

FROM: [X] PLANNING AND ZONING COMM. [] ZONING COMMISSION [] PLANNING COMMISSION

TOWN OF WINDHAM

MAILING ADDRESS 979 Main St., Willimantic, CT. 06226

DATE: May 18, 2011

Mansfield

#7007-0080-0001-7517-1396

TO: WINDHAM REGION COUNCIL OF GOVERNMENTS
968 MAIN STREET
WILLIMANTIC, CT 06226

NOTE: ZONING AND SUBDIVISION REFERRALS MUST BE SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AT LEAST 30 DAYS PRIOR TO THE PUBLIC HEARING.

PROPOSAL (CHECK ONE) INFORMATION SUBMITTED
[] ZONE MAP CHANGE [] MAP ENCLOSED
C.G.S. ESTABLISHMENT OR CHANGE OF ZONE BOUNDARY WITHIN 500 FEET OF ANOTHER MUNICIPALITY
PRESENT ZONING _____
PROPOSED ZONING _____

[X] ZONING REGULATION CHANGE SECTION (S) TO BE REVISED See attached document
C.G.S. ADOPTION OR AMENDMENT OF WORDING OF PROPOSED REGULATION [X] TEXT ENCLOSED
Sec. 8-3b ZONING REGULATIONS AFFECTING LAND WITHIN 500 FEET OF ANOTHER MUNICIPALITY:
Specifically the following Towns: Chaplin, Columbia, Coventry, Franklin, Lebanon, Mansfield, Scotland, and Sprague

The Town of Windham's Planning & Zoning Commission is considering revisions to its land use regulations in light of recommendations made in the Town Plan of Conservation and Development as adopted by the Windham Planning Commission in 2007. These revisions include changes to the Town's Subdivision Regulations as they relate to non-residential subdivisions. In addition, the Commission will consider revisions to the Town's Zoning regulations as follows: deleting references to referrals to the Windham Planning Commission as the Planning & Zoning Commissions have been merged; Section 3 - General Provisions relating to procedures and time lines for certificates of zoning compliance, and on provisions for non-conformities to reflect State Law; Section 52 - Special Flood Hazard Area to clarify procedures for minor amounts of fill; Deleting Section 77 on Soil Erosion And Sediment Control Plan and making reference to the State's Erosion and Sedimentation Control Guidelines instead; replacing Section 71, Off-Street Parking and Loading requirements; replacing Section 74 - Performance Standards; revising Section 80 on Home occupations - removing restriction that they are only permitted in single family dwellings; revising Section 91-Administrative and Enforcement - allowing staff greater flexibility to approve activities that are substantially in compliance with the regulations and allowing for minor deviations from standards as may be appropriate, and authority to revoke a zoning certificate where a violation of conditions may occur.

AREA AFFECTED: these zoning amendments will affect most of all areas in the Town of Windham
Other changes under consideration - which are not subject to this referral notice requirement - but are offered for information are those relating to changes to the B-1 Downtown Central Business District, along with revising the boundaries, and to establish a new zoning district for the neighboring area to be identified as B-1A; in addition, revisions to Section 73- Alcoholic Beverages to reflect changes to the B-1 regulations regarding restaurants serving alcohol; also establishing a new zoning district in the North Windham Shopping area to be identified as C-4 that is currently zoned for Manufacturing, but has largely been developed as Commercial or retail. The final details of the proposed language is subject to further changes or revisions that may be necessary as a result of input from the Town Attorney, staff, administration, the Commission, or as a result of public input. SEE DETAILED REGULATION CHANGES AT: http://www.windhamct.com/commission.htm?id=ubcne5dm&m=boards

[] SUBDIVISION [] SKETCH MAP ENCLOSED [] SUBDIVISION PLANS
ENCLOSED
C.G.S. PROPOSED SUBDIVISION WHICH NAME OF SUBDIVISION _____
Sec. 8-26b WILL ABUT OR INCLUDE LAND IN TWO OR MORE MUNICIPALITIES LOCATION _____

[] PLAN OF CONSERVATION & DEVELOPMENT [] PLAN OR AMENDMENT ENCLOSED
C.G.S. PROPOSAL TO ADOPT A PLAN,
Sec. 8-23(f)(4) PART THEREOF, OR AMENDMENT THERETO

FOR ALL REFERRALS: PUBLIC HEARING DATE June 23, 2011
SIGNED James E. Finger, Town Planner PHONE: 860-465-3045

FOR THE WINDHAM PLANNING & ZONING COMMISSION

LEGAL NOTICE

The Windham Planning & Zoning Commission will conduct a public hearing on **June 23, 2011 at 7:00 PM** at the Windham Town Hall, 979 Main St., Willimantic, CT. 06226 to consider revisions to its regulations for non-residential subdivisions, zoning, and the zoning district map changes.

The Commission is considering revisions to its land use regulations in light of recommendations made in the Town Plan of Conservation and Development as adopted by the Windham Planning Commission in 2007. These revisions include changes to the Town's Subdivision Regulations as they relate to non-residential subdivisions, as well as revisions to the Town's Zoning regulations as follows: deleting references to referrals to the Windham Planning Commission as the Planning & Zoning Commissions have been merged; Section 3 - General Provisions relating to procedures and time lines for certificates of zoning compliance, and on provisions for non-conformities to reflect State Law; Section 52 - Special Flood Hazard Area to clarify procedures for minor amounts of fill; Deleting Section 77 on Soil Erosion And Sediment Control Plan and making reference to the State's Erosion and Sedimentation Control Guidelines instead; replacing Section 71. Off-Street Parking and Loading requirements; replacing Section 74 - Performance Standards; revising Section 80 on Home occupations - removing restriction that they are only permitted in single family dwellings; revising Section 91- Administrative and Enforcement - allowing staff greater flexibility to approve activities that are substantially in compliance with the regulations and allowing for minor deviations from standards as may be appropriate, and authority to revoke a zoning certificate where a violation of conditions may occur.

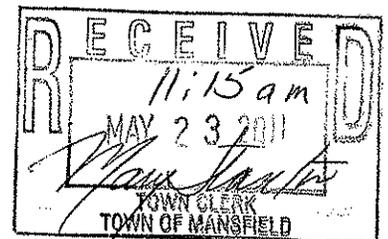
Other changes under consideration, are those relating to changes to the B-1 Downtown Central Business District, along with revising the boundaries, and to establish a new zoning district for the neighboring area to be identified as B-1A; in addition, revisions to Section 73 - Alcoholic Beverages to reflect changes to the B-1 District regarding restaurants serving alcohol; also establishing a new zoning district in the North Windham Shopping area to be identified as C-4 that is currently zoned for Manufacturing, but has largely been developed as Commercial or retail. The final details of the proposed language is subject to further changes or revisions that may be necessary as a result of input from the Town Attorney, staff, administration, the Commission, and as a result of public input. SEE DETAILED REGULATION CHANGES AT:

<http://www.windhamct.com/commission.htm?id=ubcne5dm&m=boards>

Those who wish to comment on the proposed changes should attend the hearing, or send written comments to the Commission by the hearing date. For more information, please contact James Finger in the Planning Department located in the Town Hall at 860-465-3045.

Paula Stahl, Chair

Windham Planning & Zoning Commission



Legal Notice:

The Mansfield Zoning Board of Appeals will hold a public hearing on June 8, 2011 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 applications:

7:00 P.M. – Jon Knowlton for a Variance of Art VIII, Sec A to construct a single-family residence with detached garage which will replace a former non-conforming residence, requiring an approx front-yard variance of 22.5' where 60' is required and an approx side-yard variance of 15' where 35' is required at 523 Woodland Rd.

7:30 P.M. – Bruce Freeman for a Variance of Art VIII, Sec A to construct a 24' x 30' garage requiring a front yard variance of 3' where 43' is required and side-yard variance of 20' where 21' is required at 727 Browns Rd.

8:00 P.M. – Mike Strycharz for a Variance of Art VIII, Sec A to construct a 4,100 sq ft warehouse structure and associated parking requiring a front yard variance of 55' where 100' is required at 173 Storrs 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 23, 2011.

Carol Pellegrine

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State of Connecticut

GENERAL ASSEMBLY
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

May 20, 2011

Commissioner Jewel Mullen
Department of Public Health
410 Capitol Ave.
Hartford, CT 06134

Re: Ponde Place, Hunting Lodge Rd., Ref. Docket No. 09-02-10

Dear Commissioner Mullen:

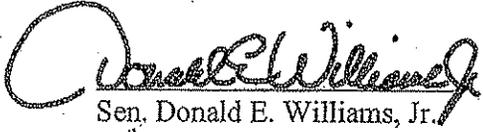
We have read the letter written by Eastern Highland Health District Director Robert Miller to the state Department of Public Health regarding the proposed Ponde Place project, dated May 10, 2011, and the proceeding article authored by Mike Savino in the Willimantic Chronicle dated May 17, 2011. We echo their concerns and calls for closer scrutiny.

Four sites on the Ponde Place property were recently drilled to create monitoring wells that required no oversight by any regulatory agency. Shortly thereafter, Ponde Place revised its Phase 1-A Application to change the classification of these new wells from monitoring to production wells. The aforementioned wells are located 250 ft. from the nearest residential well and 700 ft. from a historical inferred groundwater contamination plume attributed to the UConn Landfill and former chemical pits. As such, we associate ourselves with the comments made by Robert Miller and published in the Willimantic Chronicle, in which Mr. Miller stated, "long-term use of these high yielding wells and said proximity to both the contaminated site and private wells deserve close scrutiny".

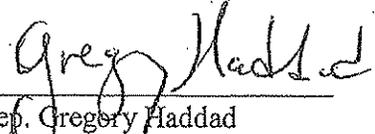
Those of us who are familiar with the UConn Landfill and the former chemical pits recall the social and environmental impacts felt by the surrounding community. The capping of the landfill was a massive, costly and intricate endeavor. The DPH must proceed cautiously and judiciously with the goal of preserving the integrity of the landfill cap while ensuring an adequate water supply, free from contamination for local residents. To that end, it has been expressed by Robert Miller and others that DPH may not have the requisite hydrochemical expertise to facilitate a comprehensive review of this matter. Should that be the case, we encourage DPH to seek outside assistance to ensure a thorough technical review of the proposal is executed.

We thank you for your attention to this matter. Please feel free to contact us directly should you have any questions or comments.

Sincerely,



Sen. Donald E. Williams, Jr.
20th Senatorial District



Rep. Gregory Haddad
54th House District

TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Curt Hirsch, Mansfield Zoning Agent
From: Gregory J. Padick, Director of Planning
Date: May 23, 2011
Re: Zoning Permit Application, Storrs Center Parking Garage/Intermodal Center

Pursuant to the provisions of Article X, Section S of the Zoning Regulations, I have completed my review of the 4/15/11 Zoning Permit application of the Town of Mansfield. and have determined that, subject to the attached conditions of approval, the Zoning Permit is in compliance with all applicable Zoning requirements. Accordingly, you are authorized to issue a Zoning Permits for the subject parking garage and intermodal center subject to incorporation of conditions which do not involve immediate map revisions.

In the process of making this compliance determination, I note the following findings:

- The applicant's submission includes a site and architectural plans with original submission dates of 3/29/11, 4/4/11 and 4/15/11, as revised through the May 4, 2011 Public Hearing, and a comprehensive application packet dated 4/15/11 which contains a Statement of Use; documentation of public water and sewer service; statements of consistency with the PZC approved Preliminary Master Plan, Master Parking Study, Master Traffic Study, Master Stormwater Drainage Study, the Storrs Center Design Guidelines; and a Design Review Checklist and signed Design Certification. This information appropriately meets the submission requirements of Article X, Section S.5.c.
- Pursuant to the provisions of Article X, Section S.6.b.(ii), the Mansfield Downtown Partnership has conducted a public hearing and provided an appropriate opportunity for the submittal of public comment. On 5/5/11, the Mansfield Downtown Partnership determined that the Zoning Permit application for the parking garage and intermodal center complies with the requirements of the Storrs Center Special Design District regulations and the Storrs Center Design Guidelines. This action was taken after consideration of public comments and a report from its Planning and Design Committee. The Director of Planning attended the Downtown Partnership Public Hearing.
- On 1/19/11, the Inland Wetland Agency determined that plans for Phases 1A and 1B, which included site work for the garage and intermodal center site, were consistent with its 10/1/07 License approval for the Storrs Center Project.
- For a number of months various Mansfield staff members have met with applicant representatives to help ensure compliance with all applicable regulatory requirements. Reports have been received from R. Miller, Director of Health; J. Jackman, Deputy Chief/Fire Marshal; Q. Kessel, Conservation Commission Chairman; J. DeWolf, Mansfield Advisory Committee on the Needs of Persons with Disabilities; L. Stoddard, Chairman of the Sustainability Committee; and R. Favretti, Chairman of the Planning and Zoning Commission. Subject to conditions included in this Zoning Permit approval authorization, all identified zoning issues will be addressed.
- All approval criteria contained or referenced in Article X, Section S.6.d, including Article V, Section A.5 and Article XI, Section C.3. have been addressed or will be addressed by conditions included in this Zoning Permit authorization.

Article X, Section S.6.e. authorizes the Director of Planning and Development to add conditions deemed necessary to ensure compliance with all applicable regulatory requirements. The following conditions, except for those that require immediate map revisions, shall be incorporated into the Zoning Permit approval for the Storrs Center parking garage and intermodal center.

1. Pursuant to Article X, Section S.6.g. of the Zoning Regulations, any proposed revisions to the submitted plans and associated application narratives and/or the proposed uses hereby granted Zoning Permit approval shall be

submitted to the Director of Planning and Development for review and approval. It is recognized that plans for the Village Street and other site improvements are not yet finalized and accordingly, plan revisions may be appropriate.

2. No construction shall start until title to the garage and intermodal center parcel is conveyed to the Town.
3. Pursuant to Article XI, Section 4.d. no foundation walls shall be constructed until certification from a licensed land surveyor is received by the Zoning Agent confirming that foundation footings are in approved locations.
4. All material removed from the project area shall be disposed of in an appropriate location that has been approved for such disposal.
5. Due to the nature of proposed site work and delivery activities, it is essential that construction access and traffic be fully coordinate with other Storrs Center projects. The construction management plan approved in association with the Phase 1A/1B Zoning Permit approval shall be followed by all site contractors.
6. No Zoning Permit shall be issued for the parking garage or intermodal center projects until final designs for the exteriors of the respective structures, including the color and nature of building materials, has been approved by the Director of Planning and Development. Approval shall not be considered until a recommendation is received from the Chairman of the Downtown Partnership Planning and Design Committee.

In addition to addressing material finishes, glass tints, brick colors, potential concrete scoring, signage, attached lighting and the screening of roof top mechanicals, final plans shall consider extending the width of intermodal center canopies and incorporating additional sheltered cover in the plaza area east of the intermodal center.

7. As articulated in the May 6, 2011 letter from the Planning and Zoning Commission Chairman, it is essential that the intersection area south of the intermodal center be designed to address and minimize potential vehicular and pedestrian safety problems. This issue needs to be carefully analyzed and addressed in association with the Town's forthcoming Village Street Zoning Permit application. The nature and location of pedestrian crossings, parking areas, bus stops, wayfaring and traffic control signage, landscaping and other site improvements need to be comprehensively studied.

The forthcoming Village Street application also needs to address street lighting, benches, bus shelters, trash/recycling receptacles and other streetscape improvements, including landscaping east of the parking garage. As discussed at the 4/19/11 Planning and Design Committee meeting, new plantings shall be placed between the garage and sidewalk and along the easterly side of the adjacent drive. Landscaping objectives should be to help screen the garage's easterly elevation and to enhance the pedestrian pathway. It is encouraged that new vegetative screening be coordinated with the adjacent property owner, the Hellenic Society Paideia.

8. To address State building code requirements, two (2) percent of the number of parking garage spaces need to be accessible spaces (including van spaces). Noting the recommendations from the Mansfield Advisory Committee on Persons with Disabilities, the Town should monitor the use of accessible spaces and, if demand exceeds supply, additional accessible spaces should be delineated in the garage.
9. In association with the preparation of final building plans, the applicant is encouraged to work with the Downtown Partnership Planning and Design Committee and the Mansfield Sustainability Committee to address the adopted Storrs Center Sustainability Guidelines.

Please let me know if you have any questions regarding this report and the listing of approval conditions. If additional information is received regarding the subject conditions or it is determined that wording revisions are necessary to clarify requirements, I will reconsider the conditions.

Cc: Lon Hultgren, Mansfield Director of Public Works; Matthew W. Hart, Mansfield Town Manager; Mansfield Downtown Partnership Inc.; Mansfield Planning and Zoning Commission/Inland Wetland Agency; Mansfield Town Council; Barry Feldman, UConn Vice President and Chief Operating Officer; Storrs Center Alliance, LLC; Education Realty Trust, Inc.