

MEETING NOTICE AND AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting

TUESDAY, February 21, 2012 ■ 7:00 PM

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Council Chambers

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - a. February 6, 2012 Meeting
4. **Zoning Agent's Report**
 - Monthly Activity Update
 - Enforcement Update
 - Request for Building Signage, Storrs Automotive, PZC File #1256-3
 - Other
5. **Public Hearings**
 - a. **7:15 p.m.**
Special Permit Application, Cumberland Farms, (PZC File #1303-2)
643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant
Memo from Director of Planning and Planning
6. **Old Business**
 - a. **Special Permit Application, Addition to Eastbrook Mall, (PZC File #432-6)**
95 Storrs Road
New England Design/applicant
 - b. **Special Permit Application, Cumberland Farms, (PZC File #1303-2)**
643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant
 - c. **Proposed Revisions to the Pleasant Valley Residence/Agriculture (PVRA), Pleasant Valley Commercial/Agriculture (PVCA) Regulations and Research and Development/Limited Industrial Zone**
Memo from Director of Planning and Development
 - d. **Other**
7. **New Business**
 - a. **School Building Project (verbal update)**
 - b. **Other**

Michael Beal ■ Binu Chandy (A) ■ JoAnn Goodwin ■ Roswell Hall III ■ Katherine Holt ■ Gregory Lewis ■ Peter Plante
Barry Pociask ■ Kenneth Rawn ■ Bonnie Ryan ■ Vera Stearns Ward (A) ■ Susan Westa (A)

8. Reports from Officers and Committees

- a. **Chairman's Report**
- b. **Regional Planning Commission**
- c. **Regulatory Review Committee**
- d. **Planning and Development Director's Report**
- e. **Other**

9. Communications and Bills

- a. **Notice of Town of Windham Zoning Regulation Change**
- b. **2-29-12 Invitation to Mansfield's Agriculture Community**
- c. **2-8-12 ZBA Decision Notice**
- d. **2-7-12 Article from The Chronicle Re: Court: "Warrant Needed for Zoning Searches"**
- e. **Other**

10. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, February 06, 2012
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), K. Holt, G. Lewis, B. Pociask, P. Plante, K. Rawn, B. Ryan
Members absent: M. Beal, R. Hall
Alternates present: B. Chandy, S. Westa
Alternates absent: V. Ward
Staff Present: Linda M. Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 7:28 p.m. and appointed alternates Chandy and Westa to act in members' absence.

Minutes:

1-17-12 Minutes: Plante MOVED, Ryan seconded, to approve the 1/17/12 meeting minutes as written. MOTION PASSED with all in favor except Westa who disqualified herself. Pociask noted that he listened to the recording of the 1-3-2012 meeting and Holt noted that she listened to the recording of the 1-17-2012 meeting.

Zoning Agents Report:

Linda Painter, Director of Planning and Development, updated the Commission on the Cease & Desist Order issued to Kueffner regarding earth removal on Merrow Road as well as an investigation of a noise complaint about a farming operation on Wildwood Road. She noted that Hirsch will give a status report at the next meeting. Pociask asked that staff provide an update at the next meeting regarding the Paideia site, noting that another delivery of marble has recently arrived at the site.

Public Hearings:

a. **Special Permit Application, Addition to Eastbrook Mall, 95 Storrs Road, New England Design/applicant, PZC File #432-6**

Chairman Goodwin opened the continued Public Hearing at 7:35 p.m. Members present were Goodwin, Holt, Lewis, Pociask, Plante, Rawn, Ryan and alternates Chandy and Westa, both of whom were appointed to act. Linda Painter, Director of Planning and Development, noted the following communications received and distributed to members of the Commission: a memo from Deputy Fire Marshall Francis Raiola dated 1/31/2012; a memo from Assistant Town Engineer dated 2/2/2012; a letter from CT DEEP Natural Resources dated 1/31/2012 regarding wood turtles; and a memo from Linda Painter, Director of Planning and Development, dated 2/2/2012.

John Whitcomb, of BL Companies, noted that the out-parcel originally proposed as part of the application has been withdrawn. He distributed a 2/6/2012 cross-section of the retaining wall on the north side of the site and stated that irrigation will be installed to ensure adequate moisture for the vegetation planted in the retaining wall. Whitcomb stated that the travel lane, rain gardens and storm-water system remain as originally proposed, and noted that the storm-water system is designed to accommodate future development of the out-parcel.

John Everett, of New England Design, pointed out on revised plans the changes designed to add visual interest to the north and west sides of the proposed addition in response to comments about the blank concrete wall.

Noting no further comments or questions from the Commission, public or the applicant, Plante MOVED, Hall seconded, to close the Public Hearing at 7:50 p.m. MOTION PASSED UNANIMOUSLY.

b. **Special Permit Application, Cumberland Farms, 643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant, PZC File #1303-2**

Chairman Goodwin opened the Continued Public Hearing at 7:51 p.m. Members present were Goodwin, Holt, Lewis, Pociask, Plante, Rawn, Ryan and alternates Chandy and Westa, both of whom were appointed to act. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in the Chronicle on 1-25-12 and 2-1-12, and noted the following communications received and distributed to members of the Commission: a memo from Linda Painter, Director of Planning and Development, dated February 2, 2012; memos from the Assistant Town Engineer dated January 10, 2012, and January 30, 2012; a memo from Geoffrey Havens, Eastern Highlands Health District dated January 17, 2012; a memo from Mansfield Conservation Commission dated December 29, 2011; a memo from John Jackman, Fire Marshal, dated January 9, 2011; a letter from David A. Sawicki, State Traffic Commission, dated January 20, 2012; a letter from Nelson DeBarros, DEEP Wildlife Division, dated January 17, 2012; a memo from Peter Miniutti of the Design Review Panel dated December 21, 2011.

Attorney Joseph P. Williams, of Shipman and Goodwin, reviewed the project and site layout, the requested waivers and his opinion that the project was in compliance with the Mansfield Plan of Conservation and Development. Williams stated that the applicant would like to withdraw the signage plans and re-apply for this approval at a later date.

Kevin Thatcher, P.E., of CHA Companies, reviewed the site, landscape buffers, sidewalks, building layout, and refuse area and storm-water management. He stated that the applicant will be using the existing well and septic, noting that the new use is less intensive than the previous restaurant and the design load is adequate for the new use.

Dave Kahlbaugh, Traffic Engineer, of CHA Companies, summarized the traffic study and responded to the Commission's concerns regarding the left turn lane onto Route 195. It was his professional opinion a left turn onto 195 is appropriate. Plante and Rawn requested that consideration be given to a bus pull-off and shelter on the property.

Dick Kreuzscher, former owner of the Exxon Station at Four Corners, spoke in favor of the proposed application and improvements.

John Marth, Project Manager for Cumberland Farms, stated that an underground propane tank is proposed for the site.

Pociask asked that consideration be given to restricting the hours of operation to the same as the convenience/gas station across the street. The applicant and staff agreed, prior to the next meeting, to review the approved hours of operation, as well as the Route 195 access-driveway, bus pull-offs, underground tank, and lighting.

Noting no further comments or questions from the Commission, public or the applicant, at 9:01 p.m. Rawn MOVED, Holt seconded, to continue the Public Hearing to the 2/21/12 meeting. MOTION PASSED UNANIMOUSLY.

Old Business:

a. **Special Permit Application, Addition to Eastbrook Mall, 95 Storrs Road, New England Design/applicant,
PZC File #432-6**

After a brief discussion, Plante volunteered to work with staff to draft a motion for the next meeting.

- b. **Special Permit Application, Cumberland Farms, 643 Middle Turnpike & 1660 Storrs Road
Cumberland Farms, Inc./applicant, PZC File #1303-2**

Tabled, awaiting closure of the Public Hearing.

- c. **Special Permit Application for Fill, 28 Old Kent Road, James owner/applicant, PZC File #1306**

After extensive discussion, Ryan MOVED, Plante seconded, to deny the special permit application (File #1306) of James James for approximately 200 cubic yards of fill at 28 Old Kent Road, in an R-20 zone, as shown on the submitted plans, described in application submissions and as presented at a Public Hearing on January 3, 2012.

This denial action is taken because the application is incomplete. The applicant requested waivers of numerous application requirements as part of the special permit application, including basic site plan requirements and the supplemental information required for any application for fill, grading or excavation. While the Commission has the authority to grant such waivers, the requirements may only be waived in situations where the information is 'clearly not needed to determine compliance with these Regulations' (Article V, Section B.4 and X, Section H.4). In this situation, many of the application requirements are needed to determine compliance with the Regulations, particularly those relating to survey and site plan requirements for the subject property and surrounding properties that show topography existing prior to the fill activity and proposed changes in grade. This information is needed to determine how the fill activity will impact drainage, determine improvements needed to address drainage impacts and identify appropriate measures needed to stabilize banks resulting from the fill activity. Additionally, engineered plans for the structural retaining walls are needed to determine whether the retaining walls surrounding the filled area are structurally sound. MOTION PASSED with all in favor except Westa who disqualified herself.

New Business:

- a. **Request for BAE Revision, Sawmill Valley Estates, 102 Crane Hill Road, B. Lacy/applicant,
PZC File #1228**

Holt MOVED, Plante seconded, that the Planning & Zoning Commission approve the Building Area Envelope on Lot 4 of the Sawmill Valley Estates Subdivision as proposed in a 1/25/12 request and shown on plans dated 1/5/12. This action shall be noticed on the Land Records. MOTION PASSED UNANIMOUSLY.

- b. **Potential Changes to the Pleasant Valley Residence/Agriculture (PVRA) & Pleasant Valley
Commercial/Agriculture (PVCA) Regulations**

After extensive review and discussion, Painter agreed to finalize the draft for distribution at the next meeting based on the comments made tonight.

Reports from Officers and Committees:

It was noted that the next Regulatory Review Committee meeting will be on Wednesday, February 8th at 1:15 p.m. in Council Chambers and that there will be a presentation by Michael Dietz, UConn Cooperative Extension Program, on Low Impact Development.

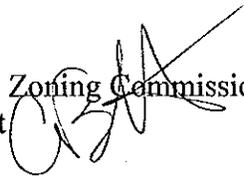
Communications and Bills: Noted.

Adjournment: Holt MOVED, Ryan seconded, to adjourn the meeting at 10:18 p.m. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Katherine Holt, Secretary

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To: Town Council/Planning & Zoning Commission
 From: Curt Hirsch, Zoning Agent 
 Date: February 16, 2012

Re: *Monthly Report of Zoning Enforcement Activity*
For the month of January, 2012

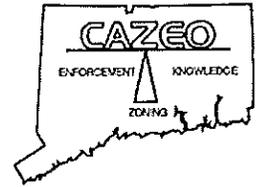
Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	2	8	1	69	66
Certificates of Compliance issued	8	8	4	60	72
Site inspections	13	20	6	171	284
Complaints received from the Public	6	5	0	29	29
Complaints requiring inspection	3	5	0	21	23
Potential/Actual violations found	3	2	1	13	21
Enforcement letters	4	5	9	35	75
Notices to issue ZBA forms	2	1	0	7	0
Notices of Zoning Violations issued	1	0	0	9	12
Zoning Citations issued	0	0	0	8	39

Zoning permits issued this month for single family homes = 0, 2-fm = 0, multi-fm = 0
 2011/2012 fiscal year total: s-fm = 3, 2-fm = 0, multi-fm = 0

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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: February 15, 2012

**Re: Request for Building Signage, Storrs Automotive
Building DL 1-2, Dog La, PZC file # 1256-3**

On 7/5/06, the PZC approved a special permit application for building Dog Lane-1 (DL-1), a commercial/mixed use building on the north side of Dog Lane in a PB-2 zone. DL-2, also located on the north side of Dog Lane is located within the SC-SDD zone. In a subsequent modification request on 1/19/11, the PZC authorized the merging of DL-1 and DL-2 into a single structure DL 1-2. Both actions required that storefront signage and lighting improvements be reviewed and approved by the Commission (for the portion of the structure within the PB-2 zone). Signage and lighting details for structures/uses within the SC-SDD zone are reviewed and approved by the Director of Planning & Development prior to the issuance of a zoning permit.

Leyland Alliance has submitted a request for a building identity sign for Storrs Automotive, an existing vehicle repair use now located on the south side of Dog Lane that will relocate to the DL-1 building. The request is to simply remove the existing sign and remount it at the new location. A photograph of the sign has been submitted along with a building elevation of the east façade of the DL-1-2 where the sign will be erected. I have also copied other portions of approved plans/elevations to help the Commission review this request.

The proposed sign is approximately 2' x 14 ½' in size or 29 square feet in area. The regulations will permit a building sign of up to 44 s.f. in area in the PB-2 zone based upon the buildings' front dimension. The submittal also depicts possible future sign lighting consisting of two, gooseneck fixtures mounted above the sign. Per the PB-2 regulations, any illuminated signs shall be turned off at 11:00 p.m. unless the use is open for business. At this time there is no plan to place any tenant signage on the east façade of the remainder of the DL 1-2 building.

In my opinion, this is a straightforward request for a building identity sign. The proposed sign complies with the location and dimensional requirements of the regulations. I recommend that the PZC approve the proposed signage for Storrs Automotive, to be located on the DL 1-2 building on Dog Lane, a PB-2 zone, as shown on a plan dated 2/13/12 and as described in a 2/14/12 e-mail from Macon Toledano of Leyland Alliance. Per Article X.C.11 of the Zoning Regulations, the sign may be illuminated during business hours or until 11:00 p.m., whichever is later.

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SIGN - STORRS AUTOMOTIVE

From: Macon Toledano [mailto:mtoledano@leylandalliance.com]

Sent: Tuesday, February 14, 2012 12:42 PM

To: Linda M. Painter

Cc: Lou Marquet

Subject: FW: Storrs Auto - Signage sketch

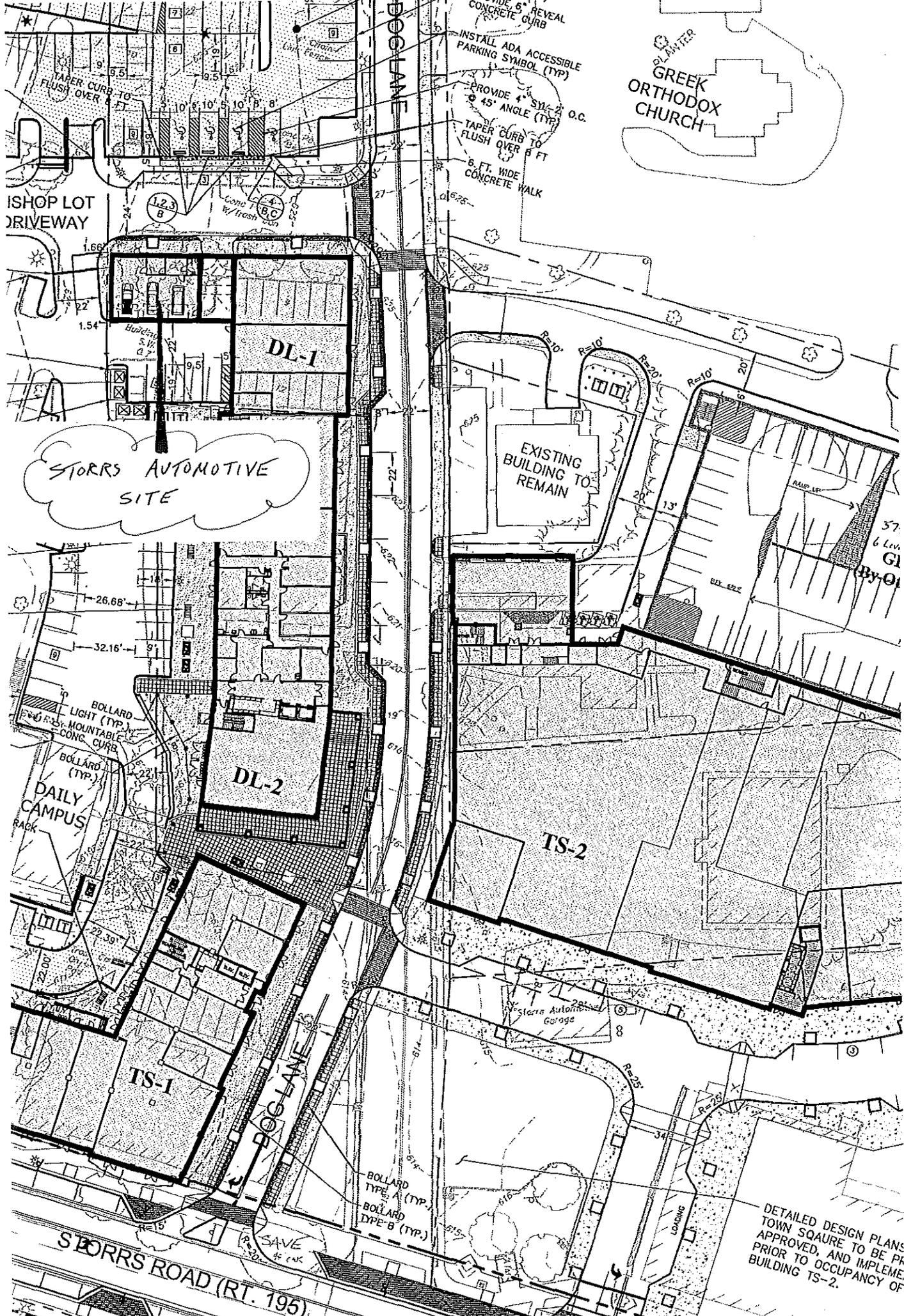
Hi Linda,

As you are aware, we are trying to open a couple of our key relocation tenants in mid-April and accordingly are striving to meet the necessary zoning requirements and building department requirements. The two critical path tenants are Select Physical Therapy and Storrs Auto. We will continue to discuss the zoning conditions with you in the effort to comply with everything in a timely manner for these two spaces. In the case of Storrs Auto, there is, however, one item that I believe needs to go back to PZC. The requirements of the PB-2 district special permit require submittal of exterior storefront elements such as signage, outdoor lighting, outdoor seating, etc. to go back to PZC for review. In the case of Storrs Auto, Rene would at least like to initially get permission to re-locate her old sign to the new building. We have put together a drawing showing how the sign would be re-located with a possible option for future lighting. This is an application for re-use of existing signage; so, I am not sure where it falls in this process. Let me know in what form you would like us to make this application if not by manner of this e-mail.

Thanks,
Macon

Macon C. Toledano
Vice President, Planning and Development
LeylandAlliance LLC
P.O. Box 878 - 233 Route 17
Tuxedo Park, NY 10987
office 845.351.2900
cell 845.649.1490

2/15/2012



STORRS AUTOMOTIVE SITE

GREEK ORTHODOX CHURCH

BISHOP LOT DRIVEWAY

EXISTING BUILDING TO REMAIN

DAILY CAMPUS RACK

Storrs Automotive Garage

DETAILED DESIGN PLANS TOWN SQAURE TO BE PR APPROVED, AND IMPLME PRIOR TO OCCUPANCY OF BUILDING TS-2.

STORRS ROAD (RT. 195)

BOG LANE

SAVE

ALUM. GUTTER &
DOWNSPOUTS

SMOOTH VERTICAL
FIBER CEMENT PAN

OVERHEAD GARAGE DOORS

5 DL-1/2 EAST ELEVATION
3/32" = 1'-0"

PRE-FINISHED CEMENT SIDING

SPIRE

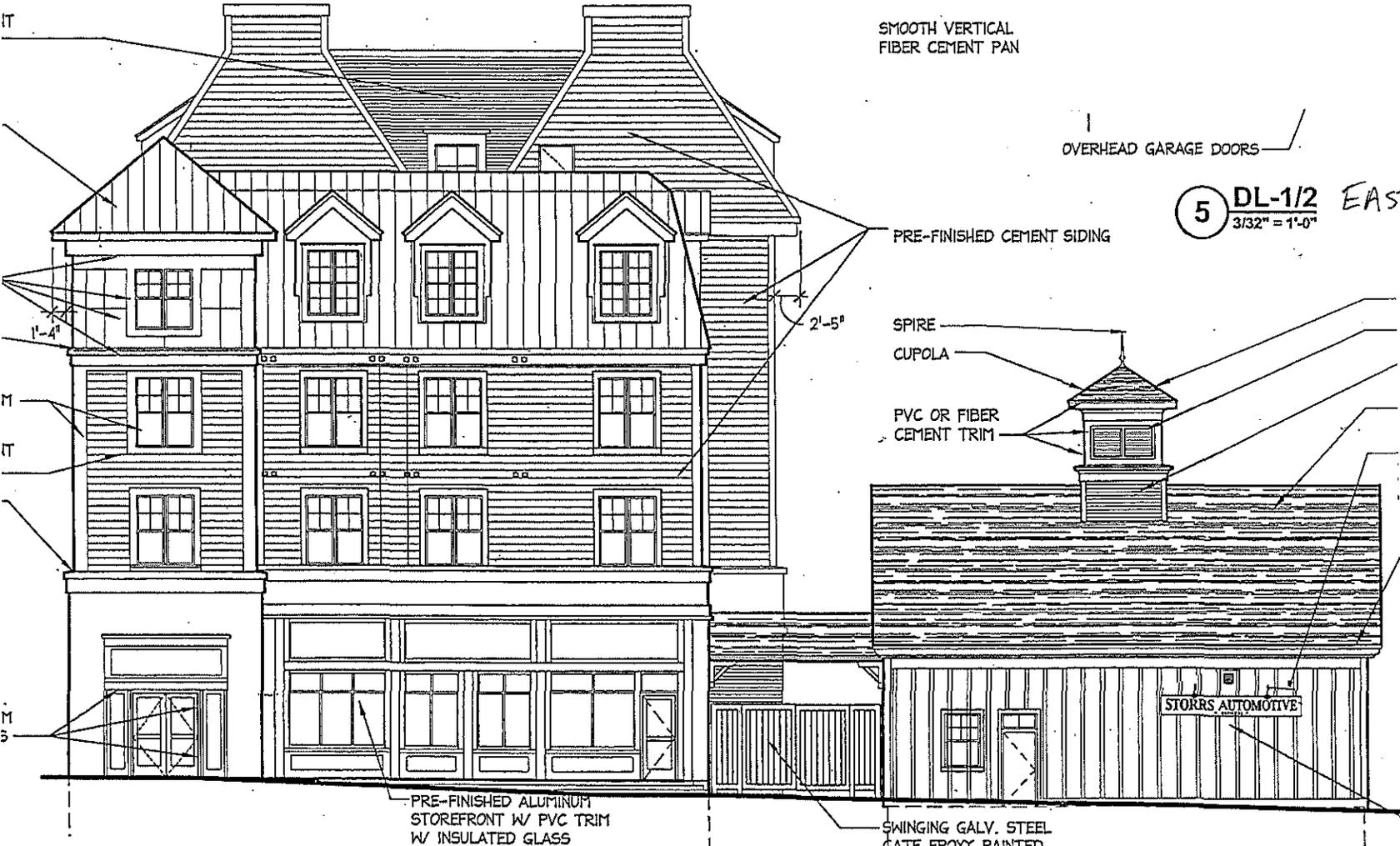
CUPOLA

PVC OR FIBER
CEMENT TRIM

STORRS AUTOMOTIVE

PRE-FINISHED ALUMINUM
STOREFRONT W/ PVC TRIM
W/ INSULATED GLASS

SWINGING GALV. STEEL
GATE EPOXY PAINTED



TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development 
Date: February 16, 2012
Subject: Cumberland Farms
1660 Storrs Road/643 Middle Turnpike
Special Permit Application (File 1307)

This memo supplements my report of February 2, 2012 and has been prepared in response to the following questions/issues raised during the public hearing on February 6, 2012 and revised site, landscaping and utility plans dated February 15, 2012:

- **Transit Facilities.** My initial report recommended that the applicant work with the Windham Regional Transit District (WRTD) and the Connecticut Department of Transportation (CTDOT) to include a bus pull-off and shelter in the streetscape along Storrs Road to serve the existing bus stop. This recommendation was based on Article X, Section A.11.a, which states:

"Developments along Routes 44 and 195 and along North Hillside Road shall incorporate a prominent pedestrian oriented and extensively landscaped streetscape. The streetscape area shall include a walkway/bikeway, street trees and other landscape enhancements and, as deemed appropriate by the Commission, pedestrian sitting areas, bicycle racks, bus stops and bus shelters. . . ."

At the February 6, 2012 Public Hearing, representatives of the applicant indicated that they did not believe a bus pull-off was feasible given the distance between the intersections of Route 195 with Route 44 and Route 320. I reviewed those concerns with Lon Hultgren, P.E., Director of Public Works and Grant Meitzler, the Assistant Town Engineer. After reviewing the site plan, Mr. Hultgren indicated that in his opinion it was possible to include a bus pull-off in this location. Ultimately, such a pull-off would need the support of both the WRTD and approval from CTDOT. As such, my recommendation remains that the applicant work with the two agencies to incorporate a bus pull-off and shelter into the streetscape, with the understanding that if either agency determines a pull-off is not feasible or practical in this location, that such pull-off will not be required. Passenger amenities including a shelter with paved connection to the street and sidewalk should be provided regardless of the final status of the pull-off. Unfortunately, the staff member from WRTD that works on these types of issues was out of the office this week. If she is back in the office on February 21, 2012, I will attempt to review the bus pull-off concept with her prior to the evening public hearing.

- **Driveway Access onto Storrs Road.** A revised site plan dated 2/15/12 was submitted showing the elimination of the left turn.
- **Bicycle Facilities.** The applicant noted at the public hearing that relocation of the bicycle racks closer to the main entrance could result in blocking the walkway in front of the store. This conflict could be eliminated by removing one of the parking spaces in front of the store and expanding the landscape island to include a paved area with bicycle racks.

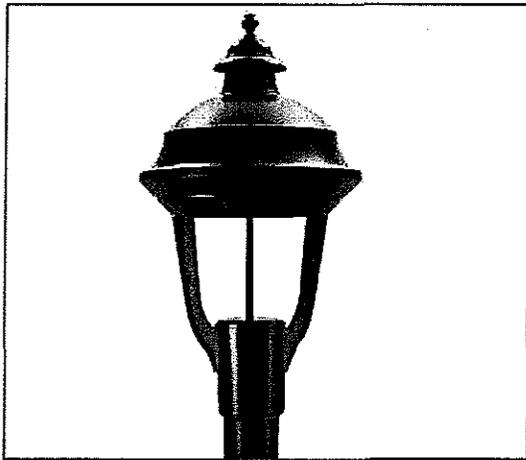
- **Lighting.** The applicant has submitted a proposed light fixture to illuminate the parking lot and the sidewalk in the streetscape that is consistent with the architectural design of the building. The LED fixture includes full-cutoff to direct light downward. (See attached fixture specifications)
- **Signs.** The applicant indicated at the February 6, 2012 public hearing that they were withdrawing their sign plans from consideration. The final sign plan should be brought back to the Commission for approval at a later date.
- **Underground Propane Tank.** The applicant has indicated that they plan to install an underground propane tank to the rear of the store building with appropriate separation from the well. The revised utility plan dated 2/15/12 has been forwarded to the Fire Marshal and Eastern Highlands Health District (EHHD) for their review. Final approval of the location of the propane tank will be needed from both the Fire Marshal and EHHD.
- **Hours of Operation.** As requested, staff reviewed the special permit approval for the gas station at the northwest corner of Route 195 and Route 44. No restrictions on hours of operation were included in the approval for that gas station.

Summary and Recommendations

Subject to the Commission's determination regarding appropriateness of the waivers to various design regulations that are requested as part of the application, I find no significant land use issues with the proposed development. Provided the applicant is able to address the issues identified in both this report and my report dated February 2, 2012 to Commission's satisfaction, the hearing should not need to be continued. The following conditions/issues should be addressed in any approval motion:

- **Waivers to the following regulations:**
 - Four Corners Design Criteria (Article X, Section A.11.c and A.11.d)
 - Landscape Buffer Width (Article VI, Section B.4.q.2)
- Establishment of building setbacks in accordance with Article X, Section A.4
- Revisions to the site plan including the following:
 - Relocation of bicycle racks closer to the main store entrance
 - Addition of a bus pull off and shelter on Storrs Road, subject to the approval of the bus pull-off by both WRTD and CTDOT
 - Revisions to landscape plan to meet site distance requirements on Middle Turnpike and add evergreens along north property line
 - Labeling of vacuum/air hose enclosure by spaces 19 and 20
- Provision of fence details surrounding the dumpster area
- Submission of a sign plan for Commission approval at a later date
- Voiding of the previous Special Permit approval issued for Republic Oil
- Authorization of Zoning Agent to provide a Certificate of Approval of the location for the sale of gasoline.

LED LEXINGTON DECORATIVE AREA LIGHTS (XLXM3)



US patent 782456 and US & Int'l. patents pending

SMARTTEC™ THERMAL CONTROL - Sensors in both optical unit and driver enclosure reduce drive current when ambient temperatures exceed 50°C. Current is lowered in imperceptible 5% increments every 5 minutes until safe operating temperature is reached.

EXPECTED LIFE - Minimum 60,000 hours to 100,000 hours depending upon the ambient temperature of the installation location. See LSI web site for specific guidance.

LEDS - Select high-brightness LEDs. 5800°K color temperature (nominal) 70 CRI (nominal).

DISTRIBUTION/PERFORMANCE - Types 2, 3, FT, and 5. Exceptional uniformity creates bright environment at lower light levels. Improved backlight cutoff minimizes light trespass.

HOUSING - One piece housing/support frame is die-cast aluminum. Pole top access cover and support arms are die-cast aluminum. Housing is sealed with an extruded silicone gasket.

HOUSING TOP CAP: Removable spun aluminum cap/driver enclosure is retained by captive stainless steel fasteners and safety cables. Housing and top cap interface is sealed with a one-piece extruded silicone gasket. Tool-less entry option is available.

SEALED OPTICAL UNIT - Lens is clear, flat tempered glass, sealed to aluminum optics housing. Pressure stabilizing breather allows super-tight protection while preventing temperature cycling from building up internal pressures and vacuums that can stress optical unit seals and components.

FASTENERS: All exposed fasteners are black oxide coated stainless steel. Internal fasteners are stainless steel or zinc electro-plated steel.

ELECTRICAL - A terminal block for attachment of incoming primary wiring is supplied. Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Scenario 1, Location Category C. Available with universal voltage power supply 120-277VAC (50/60Hz input), 347VAC and 480VAC. Optional button-type photocells (PCI) are available in 120, 208, 240, 277 or 347 volt (supply voltage must be specified).

DRIVER - Available in 350mA and 450mA drive currents (Drive currents are factory programmed). State-of-the-art driver technology designed specifically for LSI LED light sources provides unsurpassed system efficiency. Components are fully encased in potting material for IP68 moisture resistance. Driver complies with IEC and FCC standards.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F).

FINISH: Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling, and is guaranteed for five full years. Standard colors include bronze, black, platinum plus, graphite, satin verde green, metallic silver and white.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Application layouts are available upon request. Contact LSI Applications Group at lighting.apps@lsi-industries.com

LISTING - Listed to U.S. and Canadian safety standards. Suitable for wet locations.

LIGHT OUTPUT - XLXM3						
	# of LEDES	Lumens (Nominal)				Watts
		Type 2	Type 3	Type FT	Type 5	
Post Top 350 mA	63	5015	4180	5125	4120	75
450 mA	63	6125	5250	6345	5025	98

Also available in traditional light sources

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



IP65



Project Name _____ Fixture Type _____
Catalog # _____

12/02/11

© 2012 LSI INDUSTRIES INC.

LED LEXINGTON DECORATIVE AREA LIGHTS (XLXM3)



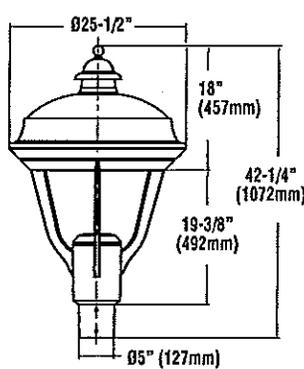
LUMINAIRE ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **XLXM3 PT 5 LED 63 450 CW UE MSV PCI120**

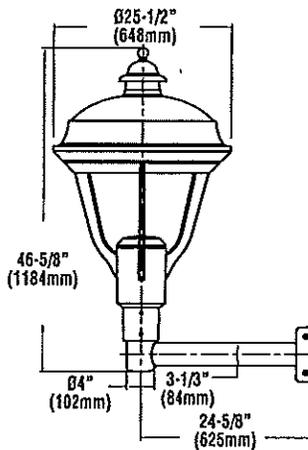
Prefix	Mounting Style	Distribution	Light Source	# of LEDs	Drive Current	Color Temperature	Input Voltage	Finish	Options
XLXM3	PT - Post Top	2 - Type II 3 - Type III FT - Forward Throw 5 - Type V	LED	63	350 - 350mA 450 - 450mA	CW- Cool White (5600°K nom.)	UE - Universal Electronic (120-277V 50/60Hz) 347-480	BRZ - Bronze BLK - Black PLP - Platinum Plus WHT - White SVG - Satin Verde Green GPT - Graphite MSV - Metallic Silver	Button Type Photocells PCI 120 - 120v PCHV208-277 - 208-277v PCI 347 - 347v TE - Tool-less Entry Accessories WM - Wall Mount (PT only) BK MPT B04 - Medium Bolt on Bracket (for PT 180) For 4" Dia. Round Poles ¹ BK MPT B05 - Medium Bolt on Bracket (for PT 180) For 5" Dia. Round Poles ¹

FOOTNOTES:

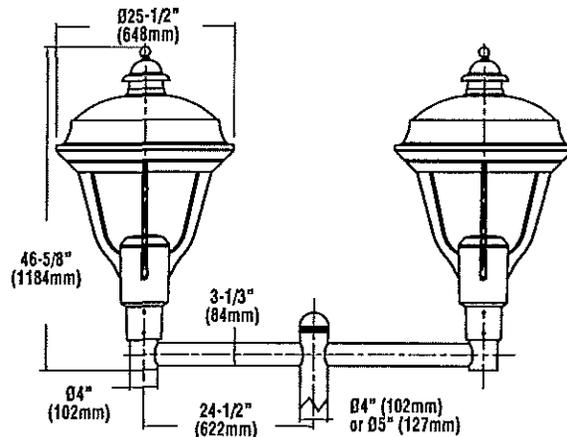
- 1- For correct mounting, order poles with 3" reduced drilling pattern. For mounting configurations other than D180, consult factory.
Order one bracket per fixture.



Post Top Single
Slipfits 4" Dia. Tenon (4N) or Pole



Post Top with WM Accessory



Post Top with BK MPT B0 (x2)
Mounts to 4" or 5" Dia. D180 Bolt-on Pole
(select 3" reduced drilling pattern)

LUMINAIRE EPA CHART - Crossover Lexington		
MOUNTING STYLE		
■ PT Single	PT	1.4
■ PT D180°	PT	2.7

Catalog Number	Est. Weight (kg/lbs.)
XLXM3 (PT)	29/64



Project Name _____ Fixture Type _____
Catalog # _____

12/02/11
© 2012
LSI INDUSTRIES INC.

**TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT**

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development 
Date: February 16, 2012
Subject: Draft Revisions to Zoning Regulations

Attached to this memo are draft revisions to the Zoning Regulations dated February 16, 2012. The draft revisions would revise regulations pertaining to the Pleasant Valley Commercial/Agriculture and Pleasant Valley Residence/Agriculture regulations, including use, dimensional requirements and special provisions for each zone. There is also a change to general use requirements that will impact the Research and Development/Limited Industrial Zone.

The draft revisions were reviewed and at the February 6, 2012 PZC meeting and have been revised pursuant to that discussion. At this time, the revisions are considered ready for PZC consideration and the scheduling of a public hearing. May 7th has been tentatively identified as an appropriate public hearing date. If the Commission considers the draft revisions ready for public hearing the following motion should be considered:

_____ MOVES _____ SECONDS, that a public hearing be scheduled for May 7, 2012 to hear comments on the attached 2/16/12 draft revisions to the Zoning Regulations. The draft regulations shall be revised to include explanatory notes and shall be referred to the Town Attorney, WINCOG Regional Planning Commission, adjacent municipalities, Town Council, Zoning Board of Appeals, Conservation Commission, Open Space Preservation Committee, Agriculture Committee and Design Review Panel.

PAGE
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Proposed Revisions to Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture (PVCA) Regulations

Draft: February 16, 2012

Underlined Text: Added
~~Strikethrough Text~~: Deleted

Article VII: Permitted Uses

Section A: General

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- 4. With the exception of all uses in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/Limited Industrial Zone (see provisions below), changes in the use of an existing structure or lot may be authorized by the Zoning Agent through the issuance of a Certificate of Compliance provided the new use is included in the same permitted use category as the previous use and provided all other applicable provisions of these regulations are met. In the Pleasant Valley Commercial/Agriculture Zone and Research and Development/Limited Industrial Zones, all changes in use from that described and approved in previous permit submissions, or from that established prior to zoning approval provisions, require the submission of a revised statement of use for review and approval by the Director of Planning and Development, and Planning and Zoning Commission review and approval. ~~The Commission~~ Director of Planning and Development shall have the right to refer the request to the Commission for their review and approval. ~~approve the proposed change in use without the submission of a new application.~~ However, where the proposed change in use is considered to be a significant alteration of the previous use with potential impacts that have not been reviewed, ~~the Commission.~~ The Commission shall have the authority to ~~shall~~ require the submission and processing of a new application as per the requirements for establishing a new use on a site.

Where questions arise regarding changes in use and permit requirements, the Planning and Zoning Commission shall determine whether a proposal constitutes a change in use and the appropriate permit requirements.

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Section K: Uses Permitted in the PVRA (Pleasant Valley Residence/Agriculture) Zone (Land South of Pleasant Valley Road and west of Mansfield City Road)

- 1. Intent
The PVRA has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road and west of Mansfield City Road. This area has been zoned for decades for industrial, commercial and/or residential use, but has remained primarily agricultural. The area is no longer considered appropriate for industrial and non-agricultural commercial use due to special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, medium to high density multi-family housing is considered an appropriate use for portions of this district, but only if designed, constructed, and utilized in a manner compatible with other Plan of Conservation and Development recommendations and neighborhood land uses. Accordingly, the PVRA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, to provide for affordable housing, and to address other important regulatory objectives.

2. General

The uses listed below in Sections K3 and K4 and associated site improvements are permitted in the PVRA zone, provided:

- a. Any special requirements associated with a particular use are met;
- b. Except as noted below, all uses permitted in the PVRA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted agricultural uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
- d. With the exception of those uses included in K.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

3. Categories of Permitted Uses in the Pleasant Valley Residence/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B, and Applicable Provisions of Article X, Section A,

- a. Two family and multi-family dwellings in accordance with the standards contained in Article X, Section A.
- b. Single Family dwellings, provided the dwellings are directly associated with a multi-family housing development and specifically authorized by the Commission due to specialized situations where site characteristics limit the ability to appropriately locate two-family or multi-family dwellings. All applicable provisions of Article X, Section A shall be met.
- c. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards are required of Article X, Section T are met;
- d. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations), provided special permit approval is obtained in accordance with Article V, Section B;
- e. State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D;
- f. Accessory commercial uses, such as a laundry or recreational facility, conducted primarily for the convenience of residents of an approved residential project, provided the use is located within a building.

4. Uses Which May be Authorized in the Pleasant Valley Residence/Agriculture Zone by the Zoning Agent:

- a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
- b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.

5. Uses Which May be Authorized within Agricultural Easement Areas in the Pleasant Valley/Residence Agriculture Zone:

The following uses may be allowed on 40,000 square feet within each separate agricultural easement area to encourage active farming of preserved agricultural land provided the provisions of Article X, Section A are met:

- a. One single-family dwelling, which may be authorized by the Zoning Agent;
- b. One single-family dwelling with one efficiency dwelling unit, provided the requirements of Article X, Section L are met and provided special permit approval is obtained in accordance with Article V, Section B.

* * * * *

Section U: Uses Permitted in the PVCA (Pleasant Valley Commercial/Agriculture) Zone (Land South of Pleasant Valley Road and east of Mansfield Avenue)

1. Intent

The PVCA zone has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook. This area has been zoned for decades for intensive industrial and commercial use, but it has remained primarily agricultural. This area is no longer considered appropriate for intensive industrial and commercial use due to access limitations, special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, some lower intensity industrial and commercial uses are considered appropriate for portions of this district, but only if designed, constructed, and utilized in a manner compatible with Plan of Conservation and Development recommendations and neighboring land uses. Accordingly, the PVCA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, and to address other important regulatory objectives.

2. General

The uses listed below in Sections U3 and U4 and associated site improvements are permitted in the PVCA zone, provided:

- a. Any special requirements associated with a particular use are met;
- b. Except as noted below, all uses permitted in the PVCA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met; and
- d. With the exception of those uses included in U.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements. All changes in use in the PVCD-PVCA zone require Planning and Zoning Commission approval in accordance with the provisions of Article VII, Section A.4.

3. Categories of Permitted Uses in the Pleasant Valley Commercial/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X. Section A.

- a. Research and development laboratories and related facilities and the production, processing, assembly and distribution of prototype or specialized products which require a high degree of scientific input and on site technical supervision. Specialized products that may be authorized include but shall not be limited to the following: precision mechanical and electronic equipment; business machines; computer components; optical products; medical, dental and scientific supplies and apparatus; and precision instruments;

All genetic or bio-engineering research or development activities and the creation of biogenetic products are limited to those permitted in bio-safety level 1 and 2 (BL-1 and BL-2) laboratories as per the current "Guidelines" of the National Institutes of Health regarding research involving recombinant DNA molecules. The keeping and utilization of small animals for scientific purposes is authorized, provided the animals are kept in an enclosed portion of a building located on the subject lot or in areas specifically approved by the Planning and Zoning Commission;

- b. Commercial printing and reproduction services and the industrial production, processing, assembly and/or distribution of products not specified in Section 3a above, provided the nature, size and intensity of the proposed use complies with environmental, traffic safety, neighborhood impact and all other special permit approval criteria;
 - c. Business and Professional Offices;
 - d. Repair services for electronic and mechanical equipment, office equipment, home appliances, bicycles and recreational equipment and similar uses;
 - e. Commercial recreation facilities, such as tennis clubs and physical fitness centers;
 - f. Radio, television and other communication facilities but excluding communication towers or other structures that exceed the maximum height provisions for the PVCA zone;
 - g. Veterinary hospitals and commercial kennels boarding or breeding two or more animals provided potential noise impacts are addressed in association with the required Special Permit application;
 - h. Repair services for agricultural and commercial vehicles, machinery and equipment and automobile and truck repair services but auto salvage operations are not permitted;
 - i. State licensed group daycare homes or state licensed childcare centers as defined by State Statutes;
 - j. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards and requirements of Article X, Section T are met;
 - k. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations).
 - l. Accessory retail sales and accessory storage and warehousing for any permitted use authorized within Section 3.
4. **Uses Which May be Authorized in the Pleasant Valley Commercial/Agriculture Zone by the Zoning Agent:**
- a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
 - b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.
 - c. Accessory cafeterias or retail shops conducted primarily for the convenience of employees, provided the use is located within a building and there are no advertising or exterior displays.

5. Uses Which May be Authorized within Agricultural Easement Areas in the Pleasant Valley/Residence Agriculture Zone:

The following uses may be allowed on 40,000 square feet within each separate agricultural easement area to encourage active farming of preserved agricultural land provided the provisions of Article X, Section A are met:

- a. One single-family dwelling which may be authorized by the Zoning Agent;
- b. One single-family dwelling with one efficiency dwelling unit, provided the requirements of Article X, Section L are met and provided special permit approval is obtained in accordance with Article V, Section B.

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Article Eight: Schedule of Dimensional Requirements

ZONE	MINIMUM LOT AREA/ACRES See Notes (3) (4) (18)	MINIMUM LOT FRONTAGE/FT See Notes (4)(6)(7)(13)(16)	MIN. FRONT SETBACK LINE (IN FEET) See Notes (4)(8)(9)(15)(16)(17)(21)	MIN. SIDE SETBACK LINE (IN FEET) See Notes (4)(10)(11)(15)(16)(17)(21)	MIN. REAR SETBACK LINE (IN FEET) See Note (4)(15)(16)(17)(21)	MAXIMUM HEIGHT See Note (14)	MAXIMUM BUILDING GROUND COVERAGE
PVRA, PVCA: SEE NOTE (1)	25 ACRES <u>See Note 5</u>	200	See footnote 17 <u>200</u>	See footnote 17 <u>50</u>	See footnote 17 <u>50</u>	40	25%

Notes Schedule of Dimensional Requirements

Only notes that may pertain to the PVRA and PVCA zones are shown here for reference purposes.

1. See Article X, Section A for Special Design Development District requirements, including minimum acreage required to establish a new zone.

* * * * *
3. Larger lots may be required in areas with inland wetland soils and watercourses, visible ledge or steep slopes. See Article VIII, Section B.5.
4. Special provisions apply to non-conforming lots of record. See Article VIII, Section B.
5. No minimum lot area has been designated for this zone. The required lot area shall be governed by the required setbacks, parking and loading areas and other provisions of these Regulations.
6. The minimum lot frontage shall be continuous and uninterrupted along a street line. In residential zones, corner lots situated at the junction of two or more streets shall be required to have the minimum frontage along all abutting streets.
7. Where the front lot line is an arc or the sidelines converge toward the front lot line, the required frontage shall be measured along the front setback line, which shall be parallel to the street line.
8. All setbacks from the front lot line shall be measured in accordance with the provisions of Article VIII, Section 7 (Highway Clearance Setback).
9. On lots abutting more than one street, the minimum setback from the front lot line shall be required along all streets.
10. Lot lines on corner lots which abut side lot lines of adjacent lots shall be considered side lot lines and applicable side lot line setback shall be met.
11. All development on lots that adjoin a residential zone having greater side lot line setbacks shall comply with the side lot line setbacks of the adjacent residential zone.

* * * * *
13. Lot frontage requirements for business and residential uses within specified zones may be waived by the Planning and Zoning Commission for private roads, provided special permit approval is obtained (see Article VIII, Section B.3.d).
14. A maximum height of 45 (forty-five) feet may be applied per Article X, Section G.3, Height of Buildings.
15. Whenever a right-of-way exists for a future street, all new buildings, structures and site improvements shall, with respect to the right-of-way, meet the minimum setbacks from front lot lines as if the right-of-way included an existing street.

16. Special frontage and setback provisions may apply to subdivision lots and associated building area envelopes approved after February 20, 2002. See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.
17. Special setback provisions apply for all buildings, structures and site improvements approved after June 1, 2004 that are located within a designated Design Development District (see Article X, Section A.4.d).
18. For all subdivision lots in the R-90 and RAR-90 zones approved after June 1, 2006, the Planning and Zoning Commission shall have the right to authorize or require the minimum acreage for each new subdivision lot to be reduced to less than 90,000 square feet in size. (See Article VIII, Section B.6.b and applicable provisions of Mansfield's Subdivision Regulations.)

* * * * *
21. The Planning and Zoning Commission shall have the authority to reduce or increase front, side and/or rear setback line requirements for properties within one of the ten (10) historic village areas identified in Article X, Section J. Setback reductions or increases shall only be approved or required where the reduction or increase in setback is considered necessary to address the special historic village area review criteria contained in Article X, Section J.2.

Article Ten: Special Regulations

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9. Special Provisions for the Pleasant Valley Residence/Agriculture (PVRA) zone

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVRA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

b. Agricultural Land Preservation Requirements

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to ~~fifty-fourty~~ (5040) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than ~~fifty-fourty~~ (5040) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. The Commission shall have final approval of the ~~The~~ location of the agricultural acreage to be preserved shall be determined by the Commission, and may be on other land under the control of the applicant. ~~All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land in the Pleasant Valley area under the control of the applicant.~~

In identifying agricultural land for preservation, the Applicant and Commission shall consider whether:

- ~~that will retain the land will retain~~ agricultural value;
- ~~the agricultural use of the land would~~ complement existing and proposed land uses ~~and~~;
- ~~the agricultural use of the land would~~ enhance adjacent and nearby agricultural land; ~~and~~
- ~~whether the agricultural use of the land would conflict with existing and planned uses on adjacent properties.~~

Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road between Mansfield City Road and the Flood Hazard Zone containing Conantville Brook.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. ~~In addition,~~ While not required, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land to be transferred in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission. Additionally, to encourage active farming of the preserved agricultural land, the construction of a single family home on 40,000 square feet within each separate agricultural easement area shall be allowed. Efficiency units shall also be permitted in conjunction with the single family home in accordance with the requirements of Article X, Section L.

c. Compliance with provisions for the Design Multiple Residence Zone (See Article X. Section A.6)

All proposed developments in the PVRA zone shall comply with the density, building height, floor area, distance between structures, parking, courtyards, and housing units mix and affordable housing provisions for the Design Multiple Residence Zone (see Article X. Section A.6.). Additional density will be considered based on the proposed development plan and provision of affordable housing.

d. Student Housing Restrictions

Housing designed primarily for student occupancy shall not be authorized in this district due to potential neighborhood compatibility issues.

e. Age Restricted Housing

Due to the proximity of commercial and health care services in southern Mansfield and the adjacent Town of Windham and due to the physical characteristics of the Pleasant Valley Residence Agriculture Zone, ~~the Commission encourages Age Restricted Housing developments~~ are specifically allowed within this district. For age restricted developments the special density and floor area provisions for the Age Restricted Housing Zone shall apply (see Article X. Section A.5.b. and i.) in addition to the requirements for the DMR zone noted in subsection (c), above.

~~b.c.~~ **Open Space/Recreation Facilities**

~~The Commission shall have the authority to require appropriate open space and recreation facilities for all residential developments. The size and location of any required open space and the degree of any required improvement shall take into account the size and location of the agricultural land to be preserved pursuant to subsection 9.b. (above) and the size and nature of the residential development. In situations where the agricultural land preservation requirements of Section 9.b (above) have been addressed suitably, any additional acreage that may be required to meet this provision shall be limited to acreage needed to provide specific recreational improvements. As a general guide, for developments with fifty (50) or more dwelling units, the Commission may require multi-use ball fields, tennis courts, and/or playgrounds. For smaller projects, trails, garden areas, and multi-use lawn areas may be considered adequate to meet this requirement. Detailed plans and specifications for proposed or required open space and recreational improvements shall be shown on project plans. Whenever possible and appropriate, active recreational facilities shall be screened from residences, driveways, streets, and~~

parking areas. At least 600 square feet of open space and/or recreational area shall be required for each dwelling unit in the proposed development. This requirement may be satisfied through the preservation of agricultural land pursuant to subsection 9(b). If the area preserved for agricultural use meets or exceeds the minimum open space requirement per dwelling unit, no additional open space or recreational facilities shall be required other than the open space provided through building separation and site landscaping regulations.

e.d.PVRA Design Criteria

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Residence Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:
 - a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;
 - b. ~~(depicting~~ Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components) ~~and; and~~
 - c. Associated design guidelines for the entire area.

~~When required, this information shall be submitted in association with a pending special permit application. The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.~~

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of ~~five two~~ two hundred (200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 9.b) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.
3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

10. Special Provisions for the Pleasant Valley Commercial/Agriculture (PVCA) Zone

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVCA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

b. Building Height Requirements

No building shall exceed three stories or a height of 40 feet.

c. Distance Between Structures

Except as noted below, the distance between any two structures shall be no less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

d. Courtyards

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

e. Parking

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

f. Agricultural Land Preservation Requirements

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to ~~fifty-fourty (5040)~~ percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than ~~fifty-fourty (5040)~~ percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. ~~The Commission shall have final approval of the location of the agricultural acreage to be preserved shall be determined by the Commission and may be on other land under the control of the applicant.~~ All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land under the control of the applicant.

In identifying agricultural land for preservation, the Applicant and Commission shall consider whether:

- the land will retain agricultural value;
- the agricultural use of the land would complement existing and proposed land uses;
- the agricultural use of the land would enhance adjacent and nearby agricultural land; and
- whether the agricultural use of the land would conflict with existing and planned uses on adjacent properties .

~~that will retain agricultural value, complement existing and proposed land uses and enhance adjacent and nearby agricultural land.~~ Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. In addition, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission. Additionally, to encourage active farming of the preserved agricultural land, the construction of a single family home on 40,000 square feet within each separate agricultural easement area shall be allowed. Efficiency units shall also be permitted in conjunction with the single family home in accordance with the requirements of Article X, Section L.

g. PVCA Design Criteria

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Commercial Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence-Commercial Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or subdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:

a. Areas under common ownership at the time these regulations were adopted. If the application includes a subdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;

b. ~~(depicting~~ Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components) ~~and; and~~

c. ~~a~~ Associated design guidelines for the entire area.

~~When required, this information shall be submitted in association with a pending special permit application.~~ The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of five two hundred (500200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is

designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 10.f) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.

3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

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Proposed Revisions to Pleasant Valley Residence/Agriculture (PVRA) and Pleasant Valley Commercial/Agriculture (PVCA) Regulations

Draft: February 16, 2012

This version shows how the regulations would read if the proposed changes were adopted. Please refer to the underline and strike-through version to see the specific changes.

Article VII: Permitted Uses

Section A: General

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4. With the exception of all uses in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/Limited Industrial Zone (see provisions below), changes in the use of an existing structure or lot may be authorized by the Zoning Agent through the issuance of a Certificate of Compliance provided the new use is included in the same permitted use category as the previous use and provided all other applicable provisions of these regulations are met. In the Pleasant Valley Commercial/Agriculture Zone and Research and Development/Limited Industrial Zones, all changes in use from that described and approved in previous permit submissions, or from that established prior to zoning approval provisions, require the submission of a revised statement of use for review and approval by the Director of Planning and Development. The Director of Planning and Development shall have the right to refer the request to the Commission for their review and approval where the proposed change in use is considered to be a significant alteration of the previous use with potential impacts that have not been reviewed. The Commission shall have the authority to require the submission and processing of a new application as per the requirements for establishing a new use on a site.

Where questions arise regarding changes in use and permit requirements, the Planning and Zoning Commission shall determine whether a proposal constitutes a change in use and the appropriate permit requirements.

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Section K: Uses Permitted in the PVRA (Pleasant Valley Residence/Agriculture) Zone (Land South of Pleasant Valley Road and west of Mansfield City Road)

1. Intent

The PVRA has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road and west of Mansfield City Road. This area has been zoned for decades for industrial, commercial and/or residential use, but has remained primarily agricultural. The area is no longer considered appropriate for industrial and non-agricultural commercial use due to special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, medium to high density multi-family housing is considered an appropriate use for portions of this district, but only if designed, constructed, and utilized in a manner compatible with other Plan of Conservation and Development recommendations and neighborhood land uses. Accordingly, the PVRA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, to provide for affordable housing, and to address other important regulatory objectives.

2. General

The uses listed below in Sections K3 and K4 and associated site improvements are permitted in the PVRA zone, provided:

- a. Any special requirements associated with a particular use are met;
- b. Except as noted below, all uses permitted in the PVRA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted agricultural uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
- d. With the exception of those uses included in K.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements.

3. Categories of Permitted Uses in the Pleasant Valley Residence/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X, Section A.

- a. Two family and multi-family dwellings in accordance with the standards contained in Article X, Section A.
- b. Single Family dwellings, provided the dwellings are directly associated with a multi-family housing development and specifically authorized by the Commission due to specialized situations where site characteristics limit the ability to appropriately locate two-family or multi-family dwellings. All applicable provisions of Article X, Section A shall be met.
- c. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards are required of Article X, Section T are met;
- d. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations), provided special permit approval is obtained in accordance with Article V, Section B;
- e. State-licensed group day care homes or State-licensed child day care centers as defined by the State Statutes. State-licensed family day care homes are specifically authorized in Article VII, Section D;
- f. Accessory commercial uses, such as a laundry or recreational facility, conducted primarily for the convenience of residents of an approved residential project, provided the use is located within a building.

4. Uses Which May be Authorized in the Pleasant Valley Residence/Agriculture Zone by the Zoning Agent:

- a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
- b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.

5. Uses Which May be Authorized within Agricultural Easement Areas in the Pleasant Valley/Residence Agriculture Zone:

The following uses may be allowed on 40,000 square feet within each separate agricultural easement area to encourage active farming of preserved agricultural land provided the provisions of Article X, Section A are met:

- a. One single-family dwelling, which may be authorized by the Zoning Agent;
- b. One single-family dwelling with one efficiency dwelling unit, provided the requirements of Article X, Section L are met and provided special permit approval is obtained in accordance with Article V, Section B.

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Section U: Uses Permitted in the PVCA (Pleasant Valley Commercial/Agriculture) Zone (Land South of Pleasant Valley Road and east of Mansfield Avenue)

1. Intent

The PVCA zone has been established with special provisions for a distinct area of Mansfield located south of Pleasant

Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook. This area has been zoned for decades for intensive industrial and commercial use, but it has remained primarily agricultural. This area is no longer considered appropriate for intensive industrial and commercial use due to access limitations, special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, some lower intensity industrial and commercial uses are considered appropriate for portions of this district, but only if designed, constructed, and utilized in a manner compatible with Plan of Conservation and Development recommendations and neighboring land uses. Accordingly, the PVCA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, and to address other important regulatory objectives.

2. General

The uses listed below in Sections U3 and U4 and associated site improvements are permitted in the PVCA zone, provided:

- a. Any special requirements associated with a particular use are met;
- b. Except as noted below, all uses permitted in the PVCA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted uses provided it is documented to the Commission's satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
- d. With the exception of those uses included in U.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements. All changes in use in the PVCA zone require Planning and Zoning Commission approval in accordance with the provisions of Article VII, Section A.4.

3. Categories of Permitted Uses in the Pleasant Valley Commercial/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X. Section A.

- a. Research and development laboratories and related facilities and the production, processing, assembly and distribution of prototype or specialized products which require a high degree of scientific input and on site technical supervision. Specialized products that may be authorized include but shall not be limited to the following: precision mechanical and electronic equipment; business machines; computer components; optical products; medical, dental and scientific supplies and apparatus; and precision instruments;

All genetic or bio-engineering research or development activities and the creation of biogenetic products are limited to those permitted in bio-safety level 1 and 2 (BL-1 and BL-2) laboratories as per the current "Guidelines" of the National Institutes of Health regarding research involving recombinant DNA molecules. The keeping and utilization of small animals for scientific purposes is authorized, provided the animals are kept in an enclosed portion of a building located on the subject lot or in areas specifically approved by the Planning and Zoning Commission;

- b. Commercial printing and reproduction services and the industrial production, processing, assembly and/or distribution of products not specified in Section 3a above, provided the nature, size and intensity of the proposed use complies with environmental, traffic safety, neighborhood impact and all other special permit approval criteria;

- c. Business and Professional Offices;
 - d. Repair services for electronic and mechanical equipment, office equipment, home appliances, bicycles and recreational equipment and similar uses;
 - e. Commercial recreation facilities, such as tennis clubs and physical fitness centers;
 - f. Radio, television and other communication facilities but excluding communication towers or other structures that exceed the maximum height provisions for the PVCA zone;
 - g. Veterinary hospitals and commercial kennels boarding or breeding two or more animals provided potential noise impacts are addressed in association with the required Special Permit application;
 - h. Repair services for agricultural and commercial vehicles, machinery and equipment and automobile and truck repair services but auto salvage operations are not permitted;
 - i. State licensed group daycare homes or state licensed childcare centers as defined by State Statutes;
 - j. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards and requirements of Article X, Section T are met;
 - k. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations).
 - l. Accessory retail sales and accessory storage and warehousing for any permitted use authorized within Section 3.
4. **Uses Which May be Authorized in the Pleasant Valley Commercial/Agriculture Zone by the Zoning Agent:**
- a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article X, Sections T are met;
 - b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.
 - c. Accessory cafeterias or retail shops conducted primarily for the convenience of employees, provided the use is located within a building and there are no advertising or exterior displays.
5. **Uses Which May be Authorized within Agricultural Easement Areas in the Pleasant Valley/Residence Agriculture Zone:**
- The following uses may be allowed on 40,000 square feet within each separate agricultural easement area to encourage active farming of preserved agricultural land provided the provisions of Article X, Section A are met:
- a. One single-family dwelling which may be authorized by the Zoning Agent;
 - b. One single-family dwelling with one efficiency dwelling unit, provided the requirements of Article X, Section L are met and provided special permit approval is obtained in accordance with Article V, Section B.

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Article Eight: Schedule of Dimensional Requirements

ZONE	MINIMUM LOT AREA/ACRES See Notes (3) (4) (18)	MINIMUM LOT FRONTAGE/FT See Notes (4)(6)(7)(13)(16)	MIN. FRONT SETBACK LINE (IN FEET) See Notes (4)(8)(9)(15)(16)(17)(21)	MIN. SIDE SETBACK LINE (IN FEET) See Notes (4)(10)(11)(15)(16)(17)(21)	MIN. REAR SETBACK LINE (IN FEET) See Note (4)(15)(16)(17)(21)	MAXIMUM HEIGHT See Note (14)	MAXIMUM BUILDING GROUND COVERAGE
PVRA, PVCA: SEE NOTE (1)	See Note 5	200	200	50	50	40	25%

Notes Schedule of Dimensional Requirements

Only notes that may pertain to the PVRA and PVCA zones are shown here for reference purposes.

1. See Article X, Section A for Special Design Development District requirements, including minimum acreage required to establish a new zone.
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3. Larger lots may be required in areas with inland wetland soils and watercourses, visible ledge or steep slopes. See Article VIII, Section B.5.
4. Special provisions apply to non-conforming lots of record. See Article VIII, Section B.
5. No minimum lot area has been designated for this zone. The required lot area shall be governed by the required setbacks, parking and loading areas and other provisions of these Regulations.
6. The minimum lot frontage shall be continuous and uninterrupted along a street line. In residential zones, corner lots situated at the junction of two or more streets shall be required to have the minimum frontage along all abutting streets.
7. Where the front lot line is an arc or the sidelines converge toward the front lot line, the required frontage shall be measured along the front setback line, which shall be parallel to the street line.
8. All setbacks from the front lot line shall be measured in accordance with the provisions of Article VIII, Section 7 (Highway Clearance Setback).
9. On lots abutting more than one street, the minimum setback from the front lot line shall be required along all streets.
10. Lot lines on corner lots which abut side lot lines of adjacent lots shall be considered side lot lines and applicable side lot line setback shall be met.
11. All development on lots that adjoin a residential zone having greater side lot line setbacks shall comply with the side lot line setbacks of the adjacent residential zone.
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13. Lot frontage requirements for business and residential uses within specified zones may be waived by the Planning and Zoning Commission for private roads, provided special permit approval is obtained (see Article VIII, Section B.3.d).
14. A maximum height of 45 (forty-five) feet may be applied per Article X, Section G.3, Height of Buildings.
15. Whenever a right-of-way exists for a future street, all new buildings, structures and site improvements shall, with respect to the right-of-way, meet the minimum setbacks from front lot lines as if the right-of-way included an existing street.

16. Special frontage and setback provisions may apply to subdivision lots and associated building area envelopes approved after February 20, 2002. See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.
17. Special setback provisions apply for all buildings, structures and site improvements approved after June 1, 2004 that are located within a designated Design Development District (see Article X, Section A.4.d).
18. For all subdivision lots in the R-90 and RAR-90 zones approved after June 1, 2006, the Planning and Zoning Commission shall have the right to authorize or require the minimum acreage for each new subdivision lot to be reduced to less than 90,000 square feet in size. (See Article VIII, Section B.6.b and applicable provisions of Mansfield's Subdivision Regulations.)

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21. The Planning and Zoning Commission shall have the authority to reduce or increase front, side and/or rear setback line requirements for properties within one of the ten (10) historic village areas identified in Article X, Section J. Setback reductions or increases shall only be approved or required where the reduction or increase in setback is considered necessary to address the special historic village area review criteria contained in Article X, Section J.2.

Article Ten: Special Regulations

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9. Special Provisions for the Pleasant Valley Residence/Agriculture (PVRA) zone

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVRA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

b. Agricultural Land Preservation Requirements

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to forty (40) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than forty (40) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. The Commission shall have final approval of the location of the agricultural acreage to be preserved. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land in the Pleasant Valley area under the control of the applicant.

In identifying agricultural land for preservation, the Applicant and Commission shall consider whether:

- the land will retain agricultural value;
- the agricultural use of the land would complement existing and proposed land uses;
- the agricultural use of the land would enhance adjacent and nearby agricultural land; and
- whether the agricultural use of the land would conflict with existing and planned uses on adjacent properties .

Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road between Mansfield City Road and the Flood Hazard Zone containing Conantville Brook.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. While not required, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission. Additionally, to encourage active farming of the preserved agricultural land, the construction of a single family home on 40,000 square feet within each separate agricultural easement area shall be allowed. Efficiency units shall also be permitted in conjunction with the single family home in accordance with the requirements of Article X, Section L.

c. Compliance with provisions for the Design Multiple Residence Zone (See Article X. Section A.6)

All proposed developments in the PVRA zone shall comply with the density, building height, floor area, distance between structures, parking, courtyards, and housing unit mix provisions for the Design Multiple Residence Zone (see Article X. Section A.6.). Additional density will be considered based on the proposed development plan and provision of affordable housing.

d. Student Housing Restrictions

Housing designed primarily for student occupancy shall not be authorized in this district due to potential neighborhood compatibility issues.

e. Age Restricted Housing

Due to the proximity of commercial and health care services in southern Mansfield and the adjacent Town of Windham and due to the physical characteristics of the Pleasant Valley Residence Agriculture Zone, Age Restricted Housing developments are specifically allowed within this district. For age restricted developments the special floor area provisions for the Age Restricted Housing Zone shall apply (see Article X. Section A.5. i) in addition to the requirements for the DMR zone noted in subsection (c), above.

c. Open Space/Recreation Facilities

At least 600 square feet of open space and/or recreational area shall be required for each dwelling unit in the proposed development. This requirement may be satisfied through the preservation of agricultural land pursuant to subsection 9(b). If the area preserved for agricultural use meets or exceeds the minimum open space requirement per dwelling unit, no additional open space or recreational facilities shall be required other than the open space provided through building separation and site landscaping regulations.

d. PVRA Design Criteria

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Residence Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site

detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:
 - a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;
 - b. Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components; and
 - c. Associated design guidelines for the entire area.

The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of two hundred (200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 9.b) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.
3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

10. Special Provisions for the Pleasant Valley Commercial/Agriculture (PVCA) Zone

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVCA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

b. Building Height Requirements

No building shall exceed three stories or a height of 40 feet.

c. Distance Between Structures

Except as noted below, the distance between any two structures shall be no less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

d. Courtyards

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

e. Parking

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

f. Agricultural Land Preservation Requirements

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to forty (40) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than forty (40) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as "prime agricultural" by the Natural Resources Conservation Service. The Commission shall have final approval of the location of the agricultural acreage to be preserved. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land, including other land under the control of the applicant.

In identifying agricultural land for preservation, the Applicant and Commission shall consider whether:

- the land will retain agricultural value;
- the agricultural use of the land would complement existing and proposed land uses;
- the agricultural use of the land would enhance adjacent and nearby agricultural land; and
- whether the agricultural use of the land would conflict with existing and planned uses on adjacent properties .

Based on information reviewed prior to the adoption of this regulation, the following area should be considered a priority for agricultural land preservation:

- Land immediately south of Pleasant Valley Road.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. In addition, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission. Additionally, to encourage active farming of the preserved agricultural land, the construction of a single family home on 40,000 square feet within each separate agricultural easement area shall be

allowed. Efficiency units shall also be permitted in conjunction with the single family home in accordance with the requirements of Article X, Section L.

g. PVCA Design Criteria

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Commercial Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Commercial Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan when a proposed development would result in the division or resubdivision of a tract or parcel of land existing at the time these regulations were adopted into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development, excluding development for municipal, conservation or agricultural purposes. When required, the conceptual master plan shall be submitted in association with a pending special permit or subdivision application and shall include:
 - a. Areas under common ownership at the time these regulations were adopted. If the application includes a resubdivision as described above, the plan shall address how the proposed development will be compatible with development on the lot previously divided;
 - b. Depiction of future parcels, buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components; and
 - c. Associated design guidelines for the entire area.

The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.

2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of two hundred (200) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 10.f) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.
3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

SECTION 73. ALCOHOLIC BEVERAGES (Entire Section revised xx/xx/12)

The sale of alcoholic liquor at retail under any valid class of permit, as defined in Section 30-15, as amended, of the Connecticut General Statutes, issued by the Liquor Control Commission of the State of Connecticut for consumption either on the premises or off the premises shall require a Permit from the Town, and shall meet the following Regulations.

73.1. Separation Requirements.

73.1.1 The sale of alcoholic beverages, to be consumed on the premises or off the premises, shall not be located within 500 feet of any public or private school (defined as: the instruction of students under 18 years of age and giving instruction at least 3 days a week for 8 or more months a year), licensed children's daycare center, property owned by a religious institution used for worship services, hospital, convalescent home, or public playground.

a) The following exceptions are permitted:

- There is no separation requirements for restaurants serving alcohol under a State Liquor Permit for a Restaurant. A restaurant must meet the definition of a restaurant under the Liquor Control Act, Title 30, Connecticut General Statutes and hold a restaurant permit under Section 30-22, Title 30 of the Connecticut General Statutes. The hours of operation shall not exceed the hours for serving alcohol as permitted by Connecticut General Statutes.
- In addition, within the B1 District there is no mandatory separation requirements for the sale of alcohol for State Liquor Nonprofit Theater Permit, Hotel Permit or University Permit.

73.1.2 A retail outlet the sale of alcoholic beverages to be consumed off the premises shall not be located within 1,500 feet of another outlet selling alcoholic beverages to be consumed off the premises. A store primarily engaged in the sale of groceries, which also sells beer, shall not be regarded as selling alcoholic beverages for the purpose of this Section.

73.1.3 The sale of alcoholic beverages under a State Liquor Permit for a Cafe, Tavern or similar outlet for consumption of alcoholic beverages on the premises shall not be located within 500 feet of another Cafe, Tavern or similar outlet for consumption of alcoholic beverages on the premises.

73.2. The sale of alcoholic beverages, to be consumed on the premises or off the premises, shall not be permitted in any residential zones. Clubs and fraternal organizations permitted in a residential zone may apply for a Special Permit for the sale of alcoholic beverages to be consumed on the premises, subject to all the restrictions of this section; approval, if granted, shall apply to the applicant only and shall not be transferable.

73.3. Permit Process.

73.3.1 If State Liquor Permit is for a Restaurant Permit, Nonprofit Theater Permit or Hotel Permit to be located in a zone permitting such activity approval by the Zoning Officer is required; to be located in other nonresidential zones requires a Special Permit considered for approval by the Commission after a Public Hearing.

- 73.3.2 If the State Liquor Permit is for a Cafe or Tavern Permit (as defined by State Statutes as not necessarily having a dining room or kitchen) to be located any zone permitting a cafe or tavern use, approval by the Zoning Officer is required.
- 73.3.3 If State Liquor Permit is for a Package Store to be located in a District where retail is permitted approval by the Zoning Officer is required.
- 73.3.4 If State Liquor Permit is a Manufacturer Permit for a brew pub in the B1, B1A or B2 District approval by the Zoning Officer is required; to be located in any other zone requires a Special Permit considered for approval by the Commission after a Public Hearing.
- 73.3.5 If State Liquor Permit is a Manufacturing Permit, Wholesale Permit or Distribution Permit to be located in an industrial or manufacturing zone, or any zone permitting such activity, approval by the Zoning Officer is required.
- 73.3.6 If State Liquor Permit is for any other type license approval requires a Special Permit considered for approval by the Commission after a Public Hearing.
- 73.4. Measurements: All measurements referred to above shall be a radial arc drawn from the exterior boundaries of the property line to the exterior boundaries of the property line or any other premises from which separation is required using the latest Town of Windham Assessor's map, an A-2 Boundary Survey, or an approved subdivision map recorded in the Windham Land Records. Where the use is located within a shopping center or is in the B-1 Downtown Business District, the method of measuring the separation requirement shall be done with a straight line between any customer entrance to the building or premises and the exterior boundaries of the property line of the exterior boundaries of the property line of any other use, or premises from which separation is required.
- 73.5. In the event the use of a building or a portion thereof for the sale of alcoholic beverages for which a Zoning or Special Permit has been granted is abandoned or discontinued for a period of ninety (90) days, the Permit shall be terminated.
- 73.6. No provisions in this section and no provisions elsewhere in these regulations shall be interpreted as allowing a nonconforming use to intensify the sale of alcoholic liquors or to qualify for a liquor permit different from the class of liquor permit existing at the time of adoption of these regulations.
- 73.7. The Commission, or its Agent, has the right to revoke a Permit for the sale of alcohol for violation of these Regulations per Section 91.10 of these Regulations.

Invitation to Mansfield's Agriculture Community

We want to hear from you!

Please Join Us On

Wednesday, February 29, 7:00 p.m.

(optional tours of EO Smith's Agricultural Education Center at 6:30 p.m.)

EO Smith High School Regional Agricultural Education Center

Please enter on the northwest side of EO Smith High School

across from UConn's Fine Arts Building

You are invited to share thoughts and suggestions on ways Mansfield can assist in supporting local farms in the community.

Agenda

- Introductions – Agriculture Committee, past committee projects
- Snapshot of Agriculture in Mansfield
- Results of the 2011 Survey and your comments
- Upcoming projects and grants
- Questions and discussion
- Refreshments

**Sponsored by the Town of Mansfield and the Agriculture Committee*

The Mansfield Agriculture Committee, established in 1995, advises the Town Council on issues related to agricultural viability in Mansfield. The Committee meets on the first Tuesday of each month at 7:30 p.m. in Conference Room B in the Mansfield Town Hall.

To find out more about Mansfield's Agriculture Input Session on Wednesday, February 29, or to get involved with Mansfield's Agriculture Committee, please contact Jennifer Kaufman at 860-429-3015 x204 or KaufmanJS@MansfieldCT.org.

The Mansfield Agriculture Committee--Wesley Bell, Gardens at Bassetts Bridge Farm • Al Cyr (Chair), Breezy Acres Percherons- Chair • Chrissie Dittrich, Connecticut Country Store (Alt.) • Larry Lombard, Pleasant Valley Harvest (Alt.) • Kathleen Paterson, Storrs Farmers Market • Charles Galgowski, Round the Bend Farm/USDA NRCS • Meredith Poehlitz, M.S., R.D., Master Gardener (Alt.) • Carolyn Stearns, Mountain Dairy • Edward Wazer, Shundahai Farm • Vicky Wetherell (Open Space Preservation Committee Liaison and Secretary)-Alt. • Staff Liaison: Jennifer Kaufman, Parks Coordinator

ZONING BOARD OF APPEALS

DECISION NOTICE

On February 8, 2012, the Mansfield Zoning Board of Appeals took the following action:

Denied the application of Colin Martin for a Variance of Art VIII A to construct a 12' x 16' x 16' high storage shed, 6' from the property line where 15' is required at 17 Thornbush Rd, as shown on submitted plan.

In favor of approving application: Katz, Welch

Opposed to approving application: Accorsi, Gotch, Pellegrine

Reasons for voting in favor of application:

- Topography
- Location of reserve septic area
- Aesthetically pleasing

Reasons for voting to oppose application:

- Shed is too close to property line
- There are other possible locations for shed
- No demonstrated hardship

Application was denied.

Additional information is available in the Town Clerk's Office.

Dated February 8, 2012

Beverly Gotch
Chairman

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Malloy said in announcing the turnaround program at a Hartford elementary school. He was joined by Education Commissioner Stefan Pryor and others.

Earlier Monday, the Malloy administration unveiled a separate \$21.6 million education proposal

Court: Warrant needed for zoning searches

By PAUL HUGHES
Republican-American

HARTFORD — The state Supreme Court says towns and cities must have probable cause and a court order to search someone's property for suspected zoning violations.

The court's ruling in a case involving the town of Bozrah sets up a new procedure for zoning officials to follow to protect against unreasonable searches. "It is really one of those cases that is significant statewide," said Richard S. Cody, a Mystic attorney who represented the Bozrah property owner. Cody also represents the Town of Windham.

The state chapter of the American Planning Association and the Connecticut Association of Zoning Enforcement Officials intervened in the case, filing written arguments in the appeal.

Cody said the high court ruling's implications on code enforcement could reach beyond Connecticut to other states.

According to the 15-page ruling, towns and cities must obtain a court-issued warrant to inspect a single property for possible zoning violations. To obtain a war-

Republicans ask Supreme Court to redraw map

By PAUL HUGHES
Republican-American

HARTFORD — Republican officials made a last-ditch pitch Monday to the state Supreme Court to send its special redistricting master back to the drawing board.

The Republican members of a state redistricting panel want the high court to have the special master draw up a new congressional map.

The Republicans do not like the map that special master Nathaniel Persily submitted to the court last month.

They also believe the justices should have given Persily more discretion to revise congressional district lines.

Ross Garber, the attorney for the Republicans, urged the justices

Association of Public School Superintendents, said the turnaround proposal is "a major step forward as far as we're concerned."

Malloy's alternative schools plan calls for boosting the state's per-pupil contribution for charter school students to \$11,000, a

warrant, municipalities must show probable cause to believe that a zoning violation will be discovered.

"When a zoning inspection is aimed at a particular property, we find that the government's interest does not sufficiently outweigh the threat to individual privacy to warrant suspension of the Fourth Amendment requirement of particularized suspicion," Justice C. Ian McLachlan stated in the unanimous decision.

A court hearing on an application for a warrant will put the property owner on notice, the ruling said.

If granted, a warrant will also inform property owners that the inspection is authorized by law, that inspectors are looking for particular violations, and that the search is limited to certain times and places.

Parties seeking a temporary injunction must make several showings to a court to get one.

The high court acknowledged that the new procedure will likely cause difficulties for municipalities and zoning officials. However, it concluded that a municipality will not be unduly impeded from

Columbia University with expertise in redistricting.

Under questioning from the justices, Garber conceded Persily's recommended redistricting plan does not violate any state laws or the state constitution. He also acknowledged the special master followed the court's Jan. 3 instructions.

The Democratic members of the redistricting panel opposed the Republican request, along with the governor's office and a coalition of community and political leaders from four cities. Aaron Bayer, the attorney for the Democrats, argued the Jan. 3 order was well reasoned and well supported in both case law and public policy.

"I think you did the right thing in January when you instructed the special master, and the spe-

schools. "The governor makes a strong effort to address this unequal situation by compelling charters to be held accountable for the education of all children, just as their counterparts, local public schools, always have had to be accountable," Levine said in a statement.

enforcing zoning regulations, including inspecting properties for violations.

In the underlying case, the town of Bozrah's first selectman had directed the zoning enforcement officer to inspect a property belonging to Anne D. Chmurynski for unregistered cars and other junk. After being refused permission twice, the town sought a court order to inspect the property.

"This was an effort by local government to get a warrantless search," Cody said.

He said the search was ordered the day after Chmurynski brought a legal action against the town's zoning board of appeals. That dispute concerned a request to search the property for dogs in conjunction with a cease-and-desist order from the zoning enforcement officer, according to the ruling.

The trial judge sided with the town and authorized the inspection. However, the Supreme Court concluded the lower court did not apply the correct standard.

It said the judge needed to make a preliminary determination that there was probable cause to believe there were zoning violations on the property.

It is the first time the high court has assumed responsibility for redrawing U.S. House districts.

Democrats contended the current congressional map only needs slight changes. Republicans sought more comprehensive revisions to the five districts, including shifting the city of New Britain from the 5th District to the 1st District.

Congressional and statehouse districts are redrawn every 10 years after every national census to ensure equal representation.

The current map was adopted in 2001, when the state lost one of its six House seats because of national population shifts. This loss meant that two sitting members of Congress would have their districts merged. The former 5th

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