

MEETING NOTICE AND AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, August 6, 2012 ▪ 7:15 PM

(or upon completion of Inland Wetland Agency Meeting)

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

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - a. July 16, 2012 Meeting
4. **Zoning Agent's Report**
 - Monthly Activity Update
 - Enforcement Update
 - Other
5. **Public Hearing**

7:15 p.m. Application to amend the Zoning Regulations, Article VII, Section S.2; Article VIII; and Article X, Section A.4.d- M. Healey-applicant, PZC File #1310
Memo from Director of Planning and Development
6. **Old Business**
 - a. **Gravel Permit Renewal**
 - Hall property on Old Mansfield Hollow Road File #910-2
 - b. **Application to amend the Zoning Regulations, Article VII, Section S.2; Article VIII; and Article X, Section A.4.d- M. Healey-applicant, PZC File #1310**
 - c. **8-24 Referral-School Building Project**
Memo from Director of Planning and Development
 - d. **Other**
7. **New Business**
 - a. **Request for a BAE Revision, Lot 16 Beacon Hill Estates, PZC File #1214-2**
Memo from Zoning Agent
 - b. **Request for extension, 9 Stafford Road, PZC File #404-3**
Memo from Zoning Agent
 - c. **Subdivision Pre-Application: North Windham Road**
Memo from Director of Planning & Development
 - d. **Consideration of Proposed Alternate Appointment: Alex Marcellino**
Email from Mark LaPlaca, Democratic Town Committee Chair

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

e. Other

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. Other

10. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, July 16, 2012
Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Goodwin called the meeting to order at 7:10 p.m., appointing Ward to act in members' absence.

Minutes:

6-18-12 Minutes- Ryan MOVED, Ward seconded, to approve the 7/18/12 meeting minutes as written.

MOTION PASSED Unanimously.

7-11-12 Field Trip Minutes: Holt MOVED, Chandy seconded, to approve the 7/11/12 field trip minutes as written. MOTION PASSED with Goodwin, Chandy, and Holt in favor and all others disqualified.

Zoning Agent's Report:

None.

Old Business:

a. Request for release and capping of bond escrow funds for Freedom Green (PZC File #636-4)

Phase 4B: Request to release \$25,000 in escrow funds

Phase 4C: Request to cap collection of bond escrow funds at current balance (\$325,000)

Holt MOVED, Plante seconded, that the Planning and Zoning Commission authorizes the Escrow Agent to release the full escrow balance of \$25,000.00 for Phase 4B of the Villages at Freedom Green to the developer. The Planning and Zoning Commission also recommends that the escrow account for Phase 4C of the Villages at Freedom Green be capped at \$100,000.00 and that the Escrow Agent is authorized to release the balance of the account to the developer. MOTION PASSED UNANIMOUSLY.

Public Hearing:

7:15 p.m. Gravel Permit Renewals

Banis property on Pleasant Valley Road File #1164 ; Hall property on Old Mansfield Hollow Road File #910-2; Green Property, 1090 Stafford Road PZC File #1258

Chairman Goodwin called the Public Hearing to order at 7:22 p.m. Members present were J. Goodwin (Chairman), B. Chandy, K. Holt, P. Plante, B. Pociask K. Rawn, B. Ryan and alternate V. Ward who was appointed to act. Linda Painter, Director of Planning and Development, read the Legal Notice as it appeared in The Chronicle on 7/3/12 and 7/11/12; and noted the 7/10/12 memo from Curt Hirsch, Zoning Agent.

Banis property on Pleasant Valley Road File #1164; Steven Banis was present. There were no comments or questions from the Commission or public.

Hall property on Old Mansfield Hollow Road File #910-2; Edward Hall was present. A 7/9/12 letter from Christine Stadler McCarthy and Robert McCarthy was noted. Members questioned the work being done in the buffer area.

Green Property, 1090 Stafford Road PZC File #1258; Karen Green and Philip DeSiato were present. There were no comments or questions from the Commission or public.

Plante MOVED, Pociask seconded, to close the Public Hearing at 7:36 p.m. MOTION PASSED UNANIMOUSLY.

Old Business:

a. Gravel Permit Renewals

Banis property on Pleasant Valley Road File #1164:

Holt MOVED, Chandy seconded, "to approve with conditions the special permit renewal application (file 1164) of Steven D. Banis for the removal of approximately 7,500 cubic yards of excess material from Area #3 to be used for agricultural purposes on property located at Pleasant Valley Farm, Pleasant Valley Road, in an RAR-90 zone, as submitted to the Commission and shown on plans dated 6/1/05 revised through 5/6/12, accompanied by a 5/6/12 letter, and as presented at Public Hearings on 7/16/12. This approval is granted because the application as hereby approved is considered to be in compliance with Article X, Section H, Article V, Section B, and other provisions of the Mansfield Zoning Regulations, and is granted subject to the following conditions:

1. The applicant shall implement the suggestions and recommendations for soil and erosion control contained in a 7/12/00 letter from David Askew, District Manager of the Tolland County Soil and Water Conservation District, Inc. This work includes the stabilization of areas adjacent to watercourses, the stabilization of the largest intermittent stream channel, the phasing of land-disturbing activity to minimize periods of soil exposure and the revegetation of disturbed areas.
2. No blasting or excavation work shall take place within fifty feet of a property line. Particular care shall be taken in meeting this requirement adjacent to the Wadsworth property.
3. All work shall be conducted between 7 a.m. and 7 p.m. Monday through Friday and between 9 a.m. and 7 p.m. Saturday. There shall be no blasting, excavation, loading of trucks or other work related to the Special Permit on Sundays.
4. All blasting work shall be subject to the permitting process administered by the office of the Fire Marshal. The applicant's blasting agent shall notify the Windham Airport prior to blasting activity pursuant to a schedule to be agreed upon by the blasting agent, Mansfield's Fire Marshal and the Windham Airport manager. In addition, the applicant shall place a temporary sign along Pleasant Valley Road at least twelve (12) hours prior to blasting activity. The sign shall note the anticipated period of blasting.
5. Based on the applicant's submissions, all material removed from site is to be trucked out of Mansfield. All trucks hauling material offsite shall use Pleasant Valley Road to Route 32 to Route 6, and all loads shall be covered during transit.
6. The site shall be maintained as follows:
 - A. There shall be no rock-processing equipment onsite;
 - B. There shall be no rock or stump burial onsite;
 - C. Onsite stockpiling shall be kept to a minimum to help prevent safety problems;
 - D. No topsoil shall be removed from the site;
 - E. The applicant shall submit bi-weekly erosion and sedimentation monitoring reports to the Zoning Agent until disturbed areas are revegetated;
7. Subject to compliance with all conditions, this permit shall be in effect until July 1, 2013;
8. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records. MOTION PASSED UNANIMOUSLY.

Hall property on Old Mansfield Hollow Road File #910-2;

Action on this item was tabled to the next meeting to allow time to review and revise a potential motion.

Green Property, 1090 Stafford Road PZC File #1258

Holt MOVED, Ward seconded, to approve with conditions the application of K. Green (File # 1258) for a special permit renewal for gravel removal activity at 1090 Stafford Road. The approved area for excavation is shown on maps dated 7/2/09, revised to 5/28/2012, and in other application submissions, and during testimony at Public Hearing on 7/16/12. This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and Article X, Section H of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. All disturbed areas shall be covered with a minimum of 4 inches of topsoil and revegetated as per regulatory requirements and application submissions. No topsoil shall be removed from site without prior authorization.
2. The haul route indicated on the 7/2/09 plans and approved by the Assistant Town Engineer shall be utilized. An anti-tracking pad shall be installed at the Route 32 intersection of the haul route.
3. Erosion and sedimentation controls shall be installed where necessary as determined by the Assistant Town Engineer/Inland Wetland Agent. Particular attention shall be given to the area where a haul road culvert will be placed.
4. Due to the agricultural nature of the subject application, the distance of the site activity from wetland/watercourse areas and the adequacy of submitted plans, no site development bonding shall be required at this time. The PZC reserves the right to require bonding if site development problems arise.
5. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records. If the subject excavation and site restoration work are not completed by 7/1/2013, renewal of this Special Permit shall be required.

This motion acknowledges the acceptance of the revised location for the gravel road.

MOTION PASSED UNANIMOUSLY.

c. Proposed Right to Farm and Agricultural Tax Incentive Ordinances

The consensus of the Commission was to instruct the Chairman to endorse the draft letter as presented and have the letter in support of these proposed ordinances delivered to the Town Council.

d. Application to amend the Zoning Regulations, Article VII, Section S.2; Article VIII; and Article X, Section A.4.d- M. Healey-applicant, PZC File #1310

Tabled- Pending Public Hearing Scheduled for 8/6/12. The proposed amendments were distributed this evening with a revised date of July 13, 2012.

New Business:

a. The Gardens at Bassetts Bridge Farm, PZC File #1217-2

Ryan MOVED, Holt seconded, that the Commission accept the statement provided by Steven Dumas as satisfaction of Condition #5 for the special permit for a wedding and brunch venue at the Gardens at Bassetts Bridge. Furthermore, Condition #3 of the original approval is hereby modified to read:

A Temporary Special Outing Facility Permit is approved as part of this special permit application subject to compliance with the Department of Consumer Protection Liquor Control regulations. Failure to comply with liquor control regulations or problems resulting from the provision of alcoholic beverages may result in reconsideration of the Temporary Special Outing Facility Permit by the Planning and Zoning Commission.

MOTION PASSED UNANIMOUSLY.

b. 8-24 Referral-School Building Project

Present were Matthew Hart, Town Manager; Betsy Paterson, Mayor; Mark LaPlaca, Chairman of Board of the Education; Fred Baruzzi, Superintendent of Mansfield Public Schools; Cherie Trahan, Director of Finance; William Hammon, Director of Facilities; Rick Lawrence, Lawrence and Associates; Tom DiMauro, and Judith Blank, Bond Counsel.

Mayor Paterson and Chairman LaPlaca each read a statement into the record, explaining the Town Council and Board of Education position, respectively, regarding renovations to the Middle School and the construction of two new elementary schools. Superintendent Baruzzi, Mr. Hart, Mr. Lawrence and Mr. DiMauro also offered comments.

Members questioned the project team at length on a variety of issues related to the project, including: the footprint of the two proposed buildings in comparison to the three existing buildings; projected student population; energy conservation measures; acquisition of property adjacent to the Goodwin site; disruption of students during construction; and the potential for staggering construction and temporarily consolidating students into two existing schools to allow demolition and construction on the existing building footprints, thereby minimizing impacts to undeveloped portions of the properties; the reasons for choosing one site over another; the reasons why existing spaces cannot be modified to accommodate need for additional space; the viability of existing portable classrooms; the quality of the land on which the schools are proposed to be built, including the existence of wetlands, stone walls, significant trees, proximity to residential uses, and the need for buffering; the impact of traffic patterns at existing sites on the choice of sites; the plan for reclaiming the land on which existing buildings are presently sited; among other comments.

The Commission, by consensus, deferred discussion of this matter to its next meeting on August 6, 2012, so as to allow the absent members an opportunity to review the record and participate in the discussion.

Reports from Officers and Committees:

Vera Ward noted that the next meeting of the Regulatory Review Committee will be Wednesday, July 25th at 1:15 p.m. in Conference Room C. She invited any interested members of the PZC to attend.

Linda Painter, Director of Planning and Development, noted that the D.O.T would not approve a bus pull-off for Cumberland Farms due to the fact that the proposed pull-off did not meet engineering standards. Painter noted that she will be working with WRTD to see if they will continue to stop at the property without a pull-off, and if necessary try to find an alternative stop for the bus heading northbound on Route 195.

Peter Plante requested that the Traffic Authority review the list of priority sidewalks planned to be built and send said list to the PZC.

Communications and Bills:

Noted.

Adjournment: The meeting was adjourned at 8:57 p.m. by the chairman.

Respectfully submitted,

Katherine Holt, Secretary

To: Town Council/Planning & Zoning Commission
 From: Curt Hirsch, Zoning Agent
 Date: July 18, 2012



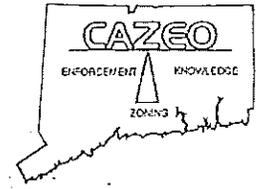
Re: *Monthly Report of Zoning Enforcement Activity*
For the month of June, 2012

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	14	11	14	109	104
Certificates of Compliance issued	4	4	12	84	104
Site inspections	41	35	33	118	406
Complaints received from the Public	8	8	3	53	44
Complaints requiring inspection	3	5	3	36	37
Potential/Actual violations found	3	2	0	4	27
Enforcement letters	6	7	5	72	104
Notices to issue ZBA forms	0	0	0	8	3
Notices of Zoning Violations issued	3	0	5	14	20
Zoning Citations issued	5	2	0	15	39

Zoning permits issued this month for single family homes = 2, 2-fm = 0, multi-fm = 0
 2011/2012 fiscal year-end total: s-fm = 10, 2-fm = 0, multi-fm = 0



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: June 28, 2012

MONTHLY ACTIVITY for June, 2012

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Babbitt	67 Willington Hill Rd.	10 x 10 shed
Guarino	216 Spring Hill Rd.	above pool
Moskowitz	1650 Storrs Rd.	shed roof
Cartier	Lot 2 Mulwood West	1 fm dw
McNabb	794 Warrenville Rd.	solar ground array
Benson	110 Woods Rd.	8 x 14 shed
Eastbrook F LLC	95 Storrs Rd.	Michaels addition
Stone	91 Chaffeeville - Lot 5	10 x 12 shed
Scruggs	21 Thomas Dr.	8 x 12 shed
Spring Hill Properties	Lot 16, Beacon Hill	1 fm dw
The White Rabbit	1029 Storrs Rd.	bldg. identity sign
Newmann	933 Middle Tpke.	15' above pool
Ristau	9 Elizabeth Rd.	12 x 16 shed
Town of Mansfield	Southeast Park	2, 5 x 10 announcers' booths

CERTIFICATES OF COMPLIANCE

Leonard	93 Conantville Rd.	pool & deck
Trudeau	2 Mt. Hope Rd.	house additions
Shangold	66 Beacon Hill Dr.	ingd. Pool
Jambeck	57 Ellise Rd.	sun room



Town of Mansfield



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ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: July 27, 2012

MONTHLY ACTIVITY for July, 2012

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Amdur / Neff	49 Separatist Rd.	house addition
Mayer	46 Beacon Hill Rd.	14' x 14' deck
Julian	251 Clover Mill Rd.	6' x 6' shed
Patrone	411 Gurleyville Rd.	24' above grd. Pool
Froyo World	1 Dog La.	identity sign
Medbury	50 Beech Mtn. Rd.	grnd solar array
Dilaj	10 Michele La.	10 x 16 shed
Body Language Tattoo	9 Dog La.	identity signage
Subway	1 Dog La.	identity sign
Jahandarie	57 Candide La.	3-seasons room
Warren	357 Wormwood Hill Rd.	barn

CERTIFICATES OF COMPLIANCE

Guarino	216 Spring Hill Rd.	pool
Sabatelli	306 Stearns Rd.	garage addition
Travel Planners	9 Dog La.	office use
Babbit	67 Willington Hill Rd.	deck
McNabb	794 Warrenville Rd.	solar array
Littmand	15 Maplewoods	enlarge deck
Spencer	39 Maplewoods	enclosed addition

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**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: August 2, 2012

Subject: Proposed Revisions to Zoning Regulations
Article VIII, Section A, Schedule of Dimensional Requirements and Article X, Section A.4.d, Special Dimensional Exceptions (as applied to Design Development Districts)
PZC File #1310

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

As with any proposed regulation amendment, the PZC must weigh anticipated public and private benefits versus anticipated public and private costs. All zoning regulations should be designed to serve a community need while protecting the "public's health, safety, convenience and property values". The Commission has the legislative discretion to determine what is best for the community as a whole, and the Zoning Regulations can and should be modified to meet changing circumstances, Plan of Conservation and Development goals, objectives and recommendations or to address a recognized public need. Section 8-2 of the Connecticut General Statutes and Articles I and XIII of the Zoning Regulations provide information on the legislative framework within which PZC decisions must be made. Section 8-3a of the Connecticut General Statutes requires that the Commission making a finding regarding consistency with the Plan of Conservation and Development.

Applicant's Proposal

The applicant has proposed revisions to Article VIII, Section A (Schedule of Dimensional Requirements) and Article X, Section A.4.d, Special Dimensional Requirements (as applied to Design Development Districts). The specific amendments are attached to this memo. In summary, the proposed changes would:

- Change the maximum building height in the NB-1 and NB-2 zones from 30 feet to 35 feet
- Add footnote 17 to the Maximum Height and Maximum Building Ground Coverage columns of the Schedule of Dimensional Requirements
- Change the language of footnote 17 to generally refer to 'dimensional requirements' instead of just setbacks
- Amend the paragraph on special dimensional exceptions for Design Development Districts to allow the Commission to alter dimensional requirements related to building and site design through the site plan approval or special permit process to promote greater design and layout flexibility and the coordinated development of adjacent properties. Any adjustments made through the site plan approval process would require a public hearing.

The proposed changes to building height would apply to the NB-1 zone, which is currently applied to properties in the following general areas:

- Northwest and Southwest corners of the intersection of Routes 195 and 32
- Northwest and Southwest corners of the intersection of Route 44 and Depot Road
- West side of Route 32, south of its intersection with Route 275
- West side of Route 195, north of its intersection with Spring Hill Road

The changes to building height would also apply to the NB-2 zone, which is currently applied to properties in the following general areas:

- Northeast and Southeast corners of the intersection of Route 195 and Cemetery Road
- Northeast and Southeast corners of the intersection of Route 195 and Bassetts Bridge Road

The proposed change to allow greater discretion on dimensional requirements in Design Development Districts would apply to the following zones:

- ARH (Age-Restricted Housing)
- DMR (Design Multiple Residence)
- PRD (Planned Residence District)
- PB-1 (Planned Business-1)
- PB-2 (Planned Business-2)
- PB-3 (Planned Business-3)
- PB-4 (Planned Business-4)
- PB-5 (Planned Business-5)
- NB-1 (Neighborhood Business-1)
- NB-2 (Neighborhood Business-2)
- PO-1 (Professional Office-1)
- I (Institutional)
- PVCA (Pleasant Valley Commercial/Agriculture)
- PVRA (Pleasant Valley Residence/Agriculture)
- RD/LI (Research and Development/Limited Industrial Park)

The applicant has submitted a Statement of Justification in support of the proposed revision (attached) and additional testimony is expected at the 8/6/12 Public Hearing. As with any regulation amendment application, the burden is on the applicant to demonstrate that the proposal is acceptable and in the best interests of the Town.

Analysis

- The proposed revisions are administratively straightforward and suitably coordinated with related zoning provisions.
- The proposed revisions to maximum height requirements in the NB-1 and NB-2 zones and the Commission's ability to adjust dimensional requirements in Design Development Districts are not considered to be in conflict with Mansfield's Plan of Conservation and Development, the 2010 Windham Region Land Use Plan or the State's Conservation and Development Policies Plan. Pursuant to the State Statutes regarding zoning amendments, any approval must specify a finding regarding the amendment's compatibility with the Municipal Plan of Conservation and Development. The proposed amendments help to implement one of the recommendations under Policy Goal 1, Objective d, which states "Refine existing architectural and design standards and flexible dimensional provisions to address goals, objectives, and recommendations contained in this plan."
- The proposed amendments would provide the Commission with greater flexibility and discretion in determining appropriate dimensional requirements on a site by site basis to ensure that projects meeting the intent of the architectural and design standards in Article X.
- With regard to building height, the 30 feet maximum height allowed in the NB-1 and NB-2 zones is the lowest maximum height of all zoning districts. For example, the maximum height allowed in residential zones is 35 feet. According to information submitted by the applicant, many of the structures in the NB-1 and NB-2 zones are currently non-conforming to building height standards. As height is measured from the average elevation of the finished grade to the highest point on the building, the current height requirements could encourage roof pitches that are inconsistent with the traditional pattern of development in order to comply. Based on this review, the proposed change is consistent with the building layout and design standards contained in Article X, Section R, which encourage the preservation and reinforcement of historic scale, massing and proportions between building height, length and width.

Summary

The proposed Zoning Regulation amendments present a policy issue for the Commission's legislative discretion. Subject to any Public Hearing comments, my review indicates that the proposal is acceptably worded and can be adopted without conflict with other regulatory provisions.

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Proposed Zoning Text Changes ■ Michael Healey

Draft: Revised July 13, 2012

Underlined Text: Added
~~Strikethrough Text~~: Deleted
Italic Text: Explanatory Notes

Article Eight: Schedule of Dimensional Requirements

Amend Article VIII, Schedule of Dimensional Requirements as follows:

Note: Only changes proposed are shown, no changes to other districts are proposed

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)(17)	MAXIMUM BUILDING GROUND COVERAGE (17)
NB-1, NB-2: SEE NOTE (1)	SEE NOTE (5)	200	60	50	50	3035	10%

Notes Schedule of Dimensional Requirements

* * * * *

17. ~~Special setback provisions for dimensional requirements~~ 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).

* * * * *

Article Ten: Special Regulations

Amend Article X, Sections A. 4.d as follows:

d. Special Dimensional Exceptions

To encourage compliance with the goals and standards of Article X, Section R (Architectural and Design Standards) and to promote greater design and layout flexibility and the coordinated development of adjacent properties, dimensional requirements related to building and site design identified in other sections of these regulations for setback requirements for buildings, structures and site improvements, including parking, loading and outside storage areas, on properties in Design Development Districts that abut properties that also are situated in a Design Development district or a street, shall be determined may be altered by the Commission through the site plan approval or special permit approval process. The required setbacks Appropriate dimensional requirements shall be determined by the Commission

based on all applicable approval criteria of these Regulations, the design and layout provisions of Article X, Section R and all other applicable provisions of these Regulations. Dimensional requirements that may be adjusted in accordance with this provision include those subject to Note 17 in Article VIII.A, Schedule of Dimensional Requirements; dimensional requirements unique to specific uses or zoning districts identified in Article VII; and dimensional requirements identified in Article X related to specific Design Development Districts. Any adjustments to dimensional requirements proposed through the site plan approval process shall require a public hearing in accordance with the requirements of Article V, Section B.2.

Statement of Justification for Regulation Change Provided by Applicant

The Zoning text changes are designed to provide the commission with the appropriate discretionary authority intended under Article 10 section A.4.d. Changes in Article 8 include the necessary language to cross reference Article 8 Schedule of Dimensional requirements with the provisions of Article 10. Change in the maximum Building height provides for consistency with existing structures and maximum heights allowed for in neighboring residential zones. ~~Change in Article Seven Section S.2 recognizes size limitation as a dimensional unit and provides cross reference to Article Ten Section A.4.d~~

All of the proposed regulation changes allows for greater design flexibility to take full advantage of the provisions of Article 10 Section R.

The proposed changes are compatible with the plan of conservation and community development.

Neighborhood Business-2 Zone consists of nine properties with structures located on the easterly side of Route 195. The current Zone has a maximum height requirement of 30' which is defined as "Height. The vertical distance measured from the average elevation of the proposed finished grade along the wall of a building to the highest point of such building".

Properties abutting the NB -2 zone are either a PO-1 zone can have a building height of 40 ft or a residential zone that can have a building height of 35 ft.

The following is a summary of the NB-2 Zone with its approximate building heights based on the height definition with existing ground elevations.

Along Route 195 corridor from south to north	
452 HST Real estate 1-1/2 story cape	approx. height = 25'
454 Husky Package Store 1 story commercial building	approx. height = 25'
460 T+B Motors Commercial Garage	approx. height = 32'
466 Mansfield Restaurant	approx. height = 25'
476 2 story office (colonial)	approx. height = 33'
476 Barn (excluding cupola)	approx. height = 40'
518 4 family house (Colonial)	approx. height = 33'
522 Post office	approx. height = 25'
522 multi family house (Colonial)	approx. height = 36'
534 General Store	approx. height = 40'

To remedy the apparent inconsistencies we recommend changing the allowable maximum building height to 35 ft

This will allow for appropriate architectural design elements considering New England proportions of existing Colonials within the Mansfield Center village.

DRAFT APPROVAL MOTION

SAND AND GRAVEL PERMIT RENEWAL-HALL FILE #910-2

Holt MOVES, _____ seconds, to approve with conditions the special permit renewal application of Edward C. Hall (file 910-2) for excavating and grading on property owned by the applicant, located off Bassetts Bridge Road, as submitted to the Commission and shown on a plan dated 5/28/11, and as presented at Public Hearing on 7/16/12. This renewal is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and Article X, Section H of the Mansfield Zoning Regulations. Approval is granted with the following conditions, which must be strictly adhered to, due to potential adverse neighborhood impacts. Any violation of these conditions or the Zoning Regulations may provide basis for revocation or non-renewal of this special permit.

1. This approval for special permit renewal shall apply only to the Phase I area of the site. No work shall commence in Phase II until the requirements of Condition #13 have been met.
2. This special permit renewal shall be effective until July 1, 2013;
3. Excavation activity shall take place only in accordance with plans dated 5/22/92, as revised to 5/28/11;
4. This permit renewal acknowledges that up to 500 cubic yards of clean topsoil may be brought onto the Phase I premises. Prior to depositing any topsoil/fill, the applicant shall contact the Assistant Town Engineer and identify the source of the topsoil material. The Assistant Town Engineer shall make a determination about the suitability of the material source and may require that it be tested for contamination. Only clean topsoil shall be brought in, and it shall be spread or stockpiled solely within the Phase I area.
5. All work shall be performed by Edward C. Hall or his employees. No other subcontractors or excavators shall excavate in or haul from this site. All work shall be performed using the equipment stated on said plans and in the applicant's Statement of Use;
6. No more than 8,000 cubic yards of sand and gravel or the amount of material remaining in Phase I, whichever is less, shall be removed per year;
7. In association with any request for permit renewal, the following information shall be submitted to the Commission at least one month prior to the permit expiration date:
 - A. Updated mapping, prepared by a licensed professional engineer, depicting current contour elevations and the status of site conditions, including areas that have been revegetated;
 - B. A status report statement that includes information regarding:
 - the amount of material removed in the current permit year and the estimated remaining material to be removed in the approved phase;
 - the planned timetable for future removal and restoration activity;
 - conformance or lack thereof with the specific approval conditions contained in this renewal motion.
8. The existing buffer area to the south and southeast of the approved excavation phase shall be retained in its existing wooded state. This area provides an important buffer between the active excavation work and neighboring residential uses, and is deemed necessary to address neighborhood impact requirements. This buffer shall have a minimum width of 50 feet (see Article X, Section H.5.e);
9. Topsoil:
 - A. A minimum of 4" of topsoil shall be spread, seeded and stabilized over areas where excavation has been completed;
 - B. No loam shall be removed from the property. All stockpiled loam presently on the site shall be used for restoration of the area where gravel is removed.
10. In order to ensure that dust does not leave the site, erosion and sedimentation controls and site restoration provisions as detailed in the plans shall be strictly adhered to and the following measures shall be implemented:
 - A. No more than 1.5 acres shall be exposed at any one time;
 - B. Both roads shall be kept dust-free and maintained to trap fine material and to keep the gravel surface of the road clean. A tracking pad at least 50' in length shall be installed and maintained at the haul road exit on Bassetts Bridge Road;

- C. If the above measures do not control dust on the site as evidenced by complaints from nearby residents and verification by the Zoning Agent, dust monitors shall be installed immediately, with the advice of the applicant's engineer, and with their operation approved by the PZC;
 - D. The haul road shall be watered as necessary to prevent dust;
 - E. All loads shall be covered at the loading location;
 - F. There shall be no stockpiles of any material other than topsoil located outside the excavation area. Any stockpiles will be only as part of the daily operation of the excavation and shall not exceed 10 cubic yards in size. All stockpiled material shall be graded off and stored within the lower portions of the site in order to minimize any windblown transport.
11. In order to ensure that there is no damage to the major aquifer underlying the subject property and nearby wells, the following shall be complied with:
 - A. Excavation shall not take place within 4 feet of the water table;
 - B. Materials stored onsite shall be limited to those directly connected with the subject excavation operation or an agricultural or accessory use authorized by the Zoning Regulations. Any burial of stumps obtained from the permit premises shall be in conformance with the DEP's regulations;
 - C. With the exception of manure, which shall be spread in accordance with the letter received at the 4/6/94 PZC meeting from Joyce Meader of the Cooperative Extension Service, no pesticides or fertilizers shall be applied unless a specific application plan is approved by the PZC. All operations to restore the subject site shall employ Best Management Practices as recommended by the Natural Resources Conservation Service and State Department of Environmental Protection for the application of manure, fertilizers or pesticides and the management of animal wastes;
 - D. No refueling, maintenance or storage of equipment shall be done onsite, in order to minimize the potential for damage from accidental spills;
 12. In addition to Old Mansfield Hollow Rd, this permit renewal authorizes the use of a new haul road to Bassetts Bridge Road shown as "D" on the approved plan;
 13. In order to protect the integrity of the buffer area required under Condition #8, the applicant shall complete the required restoration of the adjacent property at 23 Mansfield Hollow Road Extension to the satisfaction of the Zoning Agent. The applicant is the permittee for this restoration and has failed to complete the work as required under Zoning Permit #06-2-6, Certificate of Compliance #5765, a 2-2-09 Bonding Agreement, and a 1-19-11 order of the Zoning Citations Hearing Officer;
 14. All zoning performance standards shall be strictly adhered to;
 15. Approval of this permit does not imply approval of any future phase;
 16. The existing cash bond plus accumulated interest shall remain in place until the activity has ceased and the area has been stabilized and restored to the satisfaction of the PZC;
 17. Hauling operations and use of site excavation equipment shall be limited to the hours of 8:00 a.m. to 5:30 p.m. Mon.-Fri., and 8:00 a.m. to 1:00 p.m. on Saturday, with no hours of operation on Sunday;
 18. The Planning and Zoning Commission waives the requirement of a map submission as per Condition #7A, but reserves the right to require it again if the conditions warrant;
 19. This special permit shall become valid only after it is obtained by the applicant from the Mansfield Planning Office and filed by him upon the Mansfield Land Records. No activity shall take place until said filing has been done.

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Mansfield Planning and Zoning Commission
 From: Linda M. Painter, AICP, Director *LMP*
 Date: August 2, 2012
 Re: 8-24 Referral: School Building Project

This memo is provided as a supplement to my July 12, 2012 memo in response to a request from the Chair that a denial motion be provided to the Commission in addition to the suggested approval motions. Please note that a minor change has also been made to the approval motions to clarify that if you find the project in compliance with the Plan of Conservation and Development, you are not expressing an opinion on the need for the project. The language that has been revised from my previous memo on the approval motions is shown in bold.

Suggested Approval Motion:

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for the school building project referred to the Commission is in compliance with the Town's Plan of Conservation and Development; provided that this report is limited to a review pursuant to Section 8-24 of the General Statutes of Connecticut **and does not represent a determination of the need for such project**. For the purposes of this report, the school building project includes the following components:

- Renovations to the Mansfield Middle School;
- Construction of two new elementary schools on the Goodwin and Vinton sites, including demolition of the existing buildings and the acquisition of adjacent property as necessary; and
- Closure of Southeast Elementary School, with future use to be determined

Furthermore, the proposed project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals.

Alternative Approval Motions: Three Separate Resolutions for Each Project Component

Mansfield Middle School Renovations

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for renovations to the Mansfield Middle School referred to the Commission is in compliance with the Town's Plan of Conservation and Development; provided that this report is limited to a review pursuant to Section 8-24 of the General Statutes of Connecticut **and does not represent a determination of the need for such project**. The proposed project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals.

Two New Elementary Schools

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for construction of two new elementary schools on the Goodwin and Vinton sites referred to the Commission, including demolition of the existing buildings and the acquisition of adjacent property as necessary, is in compliance with the Town’s Plan of Conservation and Development; provided that this report is limited to a review pursuant to Section 8-24 of the General Statutes of Connecticut and does not represent a determination of the need for such project. The proposed project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals.

Southeast Elementary School Closure

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for closure of Southeast Elementary School referred to the Commission, with future use to be determined, is in compliance with the Town’s Plan of Conservation and Development; provided that this report is limited to a review pursuant to Section 8-24 of the General Statutes of Connecticut and does not represent a determination of the need for such project. The proposed project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals.

Suggested Denial Motion:

The following motion is provided if the Commission determines that the project is not consistent with the Plan of Conservation and Development.

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for the school building project referred to the Commission pursuant to Section 8-24 of the Connecticut General Statutes is not in compliance with the Town’s Plan of Conservation and Development for the following reasons:

- _____
- _____

For the purposes of this report, the school building project includes the following components:

- Renovations to the Mansfield Middle School;
- Construction of two new elementary schools on the Goodwin and Vinton sites, including demolition of the existing buildings and the acquisition of adjacent property as necessary; and
- Closure of Southeast Elementary School, with future use to be determined

Alternative Denial Motions (One for Each Project Component)

Mansfield Middle School Renovations

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for renovations to the Mansfield Middle School referred to the Commission pursuant to Section 8-24 of the Connecticut General Statutes is not in compliance with the Town's Plan of Conservation and Development for the following reasons:

- _____
- _____

Two New Elementary Schools

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for construction of two new elementary schools on the Goodwin and Vinton sites referred to the Commission pursuant to Section 8-24 of the Connecticut General Statutes, including demolition of the existing buildings and the acquisition of adjacent property as necessary, is not in compliance with the Town's Plan of Conservation and Development for the following reasons:

- _____
- _____

Southeast Elementary School Closure

RESOLVED, that the Mansfield Planning and Zoning Commission approves the issuance of a report to the Mansfield Town Council that the proposal for closure of Southeast Elementary School referred to the Commission pursuant to Section 8-24 of the Connecticut General Statutes, with future use to be determined, is not in compliance with the Town's Plan of Conservation and Development for the following reasons:

- _____
- _____

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TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER



Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

August 2, 2012

To: Members of the Planning and Zoning Commission
From: Matthew W. Hart, Town Manager *MWH*
Regarding: Proposed School Building Project

On behalf of the Town Council and the project team, I would like to thank you for providing us with the opportunity to present the proposed school building project at your July 16, 2012 meeting. We hope that our presentation helped to provide additional clarity on the proposed project.

While the project team will be at your August 6, 2012 meeting to answer any additional questions that may arise, we would like to offer the following information in response to questions raised during the discussion at the last meeting.

Selection of Goodwin and Vinton Sites

As was noted during the discussion on July 16th, the Council spent considerable time weighing the benefits of each of the existing school sites, and faced a difficult decision in determining which two of the three sites would be used for the new schools. The following are contributing factors that led to the recommendation to construct the two new schools on the site of the Goodwin and Vinton Elementary school sites:

- **Neighborhood Anchors.** The elementary schools currently serve as community centers and gathering places for different areas of town. In the case of Goodwin, the school is an existing anchor for a neighborhood that has seen a steady decrease in owner occupants in recent years. There was significant concern on the part of the Council that the loss of the elementary school would place further pressure on an already struggling neighborhood. In the southwest part of town, Vinton is the only community facility in close proximity to our fastest growing neighborhoods. In contrast, the Mansfield Center/southeast area of town contains the library, the athletic fields adjacent to Southeast Elementary School and the Lion's Club soccer fields, all of which serve as neighborhood gathering places. For the Council, the selection of the Goodwin and Vinton schools ensured that each area of town retained a community facility as an anchor for the surrounding neighborhoods.
- **Proximity to Residential Neighborhoods and Locations of Future Development.** As depicted in the presentation that was attached to Linda Painter's memo, currently the Southeast School has the lowest density of dwelling units within close proximity to the school as well as the lowest potential for significant residential development in the

future. It is anticipated that the strongest demand for new residential subdivisions will be in the southwest area of town due to the physical characteristics of property that is currently undeveloped or in agricultural use. The northwest area of town also has the potential to see additional residential growth at higher densities due to proximity to water and sewer infrastructure and the new technology park. While most development in this area has traditionally been in the form of student housing, this area could potentially provide opportunities for workforce housing as well as housing to serve the new technology park at UConn. This area is also home to two Mansfield Housing Authority projects, Holinko Estates and Wright's Village.

- **Site Access.** One of the other factors considered was the ability of children to walk or bike to school, an objective that is consistent with the Town's emphasis on sustainability and promoting healthy lifestyles (Mansfield 2020: A Unified Vision). This desire to provide transportation choices is also consistent with Policy Goal 1 of the POCD: *"To strengthen and encourage an orderly and energy-efficient pattern of development with a sustainable balance of housing, business, industry, agriculture, government and open space and a supportive infrastructure of utilities, roadways, walkways and bikeways, and public transportation services."*

The Goodwin School with its location on neighborhood streets with lower speeds and traffic volumes presents some of the best opportunities for walking and biking. While it is not located on a major thoroughfare, it is a short distance to the current entrance driveway from Route 44. The Vinton school is already served by an existing town trail that connects to the school as well as the potential to add a pedestrian connection to Stearns Road. While we recognize that many children will continue to ride the bus or be dropped off by parents, we believe that it is important to provide the opportunity for those who would choose to walk or bike, either with parents or in groups.

School Size

One of the questions asked at the last meeting pertained to how many square feet we would gain with the two new elementary schools. While there is a net increase of ± 15,000 square feet, the square footage devoted to educational uses is greatly improved, due to consolidation of support facilities such as administrative offices, kitchens, etc. with the change from three schools to two schools. Additionally, the proposed project would provide the following benefits:

- **Educational Enhancements**
 - State-of-the-art library and media centers
 - Separate gymnasiums and cafeterias
 - Opportunity for increased diversity and more creative groupings
 - Larger/uniform classrooms including space for individual and group activities as well as equipment and storage
 - Additional options for student placement and improvement of the ability of teachers to collaborate, plan and share best practices
 - Enhancements to science and social studies curricula
- **Infrastructure Improvements**
 - New schools built to LEED standards, resulting in significant energy savings and 50% reduction in carbon footprint
 - Use of second floor at elementary schools will reduce the overall building footprint
 - Temporary classrooms at middle school will be replaced with permanent construction
 - Middle school improvements include renovations to the office area, 6th grade special education room and toilet rooms, improved fire alarm system, ADA and technology upgrades, and a new ADA compliant elevator

- **Safety Improvements**

- Offices will be located by the front entrance of the new schools to monitor access and improve security
- New schools will be designed with improved vehicle access and pedestrian safety measures, particularly important for student drop-off and pick-up areas

Other concerns raised with regard to the size of the schools dealt with population projections and capacity of the proposed elementary schools should enrollment rise. Currently, enrollment in the elementary schools is ± 700 students. The proposed schools would have a combined capacity of 750 students, as well as the ability to convert 3 flex-space rooms (art/music) in each building into additional classrooms if needed. The schools would also be designed to accommodate additions in the future if needed. As to whether enrollment would significantly increase due to the hiring of additional faculty at UConn and the development of the Technology Park, it is important to note that no significant increase in enrollment occurred based on previous UConn investments, including the UConn 2000 project.

Wetland Impacts

As one of the Commission's other roles is that of the Inland Wetlands Agency for the Town, we understand and appreciate your desire to understand the potential for wetland impacts as part of the project. While no detailed soil surveys have been conducted on the existing school sites to determine exact locations of any wetlands, we have reviewed the general wetland maps on the Town's GIS system and found the following:

- Goodwin Elementary School. There appears to be a small wetland located in southwest corner of the site in the woods adjacent to the existing playing field. Based on the preliminary concepts for location of a new school building, it is not anticipated that there would be any significant construction or changes to this area of the site.
- Vinton Elementary School. There appear to be wetlands that extend along the front of the property on Stafford Road. Based on the preliminary concepts for location of a new school building, it is not anticipated that there would be any significant construction or changes to this area of the site.
- Mansfield Middle School. There are wetlands interspersed throughout the middle school property. Depending on exact mapping, the end of the proposed addition may fall within the 150 foot buffer.

If the project is approved at referendum, the next step would be to proceed with detailed surveys and designs for the project. Any proposed activity within 150 feet of surveyed wetlands would require a license or exemption from the Inland Wetlands Agency.

Construction Phasing

Several questions were asked regarding the potential to phase construction of the two new schools instead of constructing them simultaneously while the existing schools remain open. The Board of Education does not see this as a viable alternative due to the disruption that will be caused by student and teacher displacement. The students and teachers from one school would need to be separated and placed at two different schools for the duration of construction. Additionally, while each of the schools has three flex-space rooms that could be converted to standard classrooms (for a total of 6 classrooms), there are approximately 11-12 classrooms that would need to be relocated. As a result, portable classrooms would be needed to accommodate the remaining students and teachers. The use of portable classrooms would be a significant additional cost to the project, and given their lifespan of ± 20 years, would not

be cost effective given that the project would be completed in less than half of that time if phased.

Consistency with the POCD

The proposed project is consistent with Policy Goal 4, Objective d: "To encourage retention and appropriate expansion of high quality educational, recreational and other governmental facilities, programs and services." The first recommendation listed under this objective is "Continue to maintain high-quality educational and childcare facilities and, as funding allows, implement improvements that are consistent with the goals, objectives and recommendations contained in this plan."

The purpose of this project is to improve our educational facilities by addressing physical issues with the existing buildings that impact educational programming. We know that when the plan was written in 2005, it included language that no major educational facility needs were anticipated unless there was significant residential development or an increase in the number of children per household, something that is reflected in both the description of existing municipal facilities in Part I, Section F as well as a note under the above listed recommendations.

While there were no plans to undertake significant projects at any of the schools at the time the plan was being drafted, the Town Council and BOE did appoint a school building committee in June 2005 to assess current needs as well as future expansion of the schools. In retrospect, it would have been appropriate to include a reference to this work in the Plan; however, it does not change the fact that the purpose of the proposed project is to improve the quality of our educational facilities, which is the focus of Policy Goal 4, Objective d.

Further Commission Review

This referral is not the only opportunity the Commission will have to review the proposed building project. If approved at referendum, special permit approval will be required for each of the new schools and the renovations to the middle school, as well as any licenses that may be required from the Inland Wetlands Agency.

Summary

I hope this memo helps to provide further clarification on some of the key issues raised at your last meeting. We welcome your input and guidance regarding the land use issues related to the proposed project and, as stated previously, the project team will be available to answer any other questions you might have on the project at your August 6th meeting.

Rec'd 7-16-12
7-16-12
2012



TOWN OF MANSFIELD
OFFICE OF THE TOWN COUNCIL

ELIZABETH C. PATERSON, Mayor

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

July 16, 2012

Planning and Zoning Commission/Inland Wetlands Agency

Re: CGS §8-24 Review of Proposed School Building Project

Dear commission members:

Since 2005, the Town has been examining various options to upgrade Mansfield's elementary schools and middle school, in order to replace aging infrastructure and to improve the educational program in the schools. Our three elementary schools (Goodwin, Vinton and Southeast) were constructed in 1956-57 and have not had major renovations since 1990-1991. The Mansfield Middle School was built in 1969, and, outside of an energy system upgrade, has not had major renovations since 1998-99. After careful review and consideration of the various options, the Town Council supports the recommendation of the Board of Education to construct two new elementary schools as well as select heavy renovations to the Mansfield Middle School. The new elementary schools would each accommodate 375 students and be located on the existing Vinton and Goodwin sites. The Council would intend to acquire property adjacent to the Goodwin site in order to provide sufficient land to build a new school while the current Goodwin School remains open.

The Council concurs with the Board of Education that the proposed project would provide several important educational, infrastructure and safety improvements. Among other enhancements, the new elementary schools would feature state-of-the-art library/media centers; larger, more uniform classrooms; and separate cafeterias and gymnasiums. The new schools would also have modern, efficient energy systems, plumbing, wiring and other key infrastructure and would conform to LEED standards, saving energy costs and reducing the school district's carbon footprint. In addition, the Town would design the elementary schools with offices located by the front entrance, to improve security and control access. The select heavy renovations to the middle school would include the replacement of the temporary relocatable classrooms with permanent construction as well as an upgraded fire alarm system, ADA and technology upgrades, and a new ADA compliant elevator.

In making its recommendation to the Town Council, the Board of Education proposed that the new elementary schools be located on two of the existing sites. After careful study, the Council has preliminarily endorsed the Goodwin and Vinton locations. These sites are geographically dispersed with adequate well and septic supply, and are proximate to neighborhoods and state highways. The Goodwin site does have the best access for pedestrians and cyclists, and the Vinton School is an important anchor for the southwestern part of town. If the proposed project is approved, the Council would decide at a later point as to how to best re-purpose the Southeast School.

With a net cost of \$35.9 million and a state reimbursement rate of 45.4%, the Town Council and the Board of Education believe that, among the many options that were considered, the proposed project would provide the Town with the best return on its investment, particularly for the long-term (20+ years). The project would allow the school district to maintain its favorable student-teacher ratios and to enhance the curriculum, while realizing significant savings in energy, administrative and maintenance expenditures.

The Council welcomes your input and guidance regarding the land use issues related to the proposed project, and the project team and I are happy to answer any questions that you might have.

Sincerely,

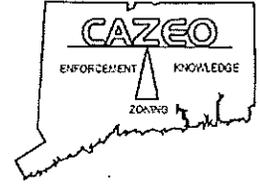


Elizabeth C. Paterson
Mayor

CC: Town Council
Mansfield Board of Education
Matt Hart, Town Manager
Fred Baruzzi, Superintendent of Schools
Cherie Trahan, Director of Finance



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: July 25, 2012

Re: **Proposed revision to Building Area Envelope (BAE)
Lot 16, Beacon Hill Estates, PZC file # 1214-2**

The attached 7/23/12 request for Site/Building Modifications from Spring Hill Properties, LLC, seeks approval to *further* revise the BAE for Lot 16 of the Beacon Hill Estates Subdivision. A BAE revision was approved by the Commission on 6/18/12, to extend the BAE along a line 40' distant, and parallel to the street line. The current request would move the BAE five feet closer to the street line. It comes about due to a location error in the construction of the building foundation, which was discovered in drawing the as-built plan, to be five feet over the BAE. The Building Area Envelope serves as the minimum building setback from property lines. A new modification form has been submitted together with a revised site plan dated July 18, 2012.

Based on the provisions of Section 6.13 of the subdivision regulations, the PZC must approve any proposed revisions to the BAE. My review of the approved plans for the entire subdivision found that the BAE's on the 23 lots vary in depth from 20' to 40' on 20 lots with direct street frontage. The requested 35' BAE would be consistent with other front-yard setbacks of the subdivision.

I recommend that the Planning & Zoning Commission approve the proposed revision to the building Area Envelope for Lot 16 of the Beacon Hill Estates Subdivision, as described in the 7/23/12 request from Spring Hill Properties, LLC., and shown on a revised plan dated 7/18/12. This revision will not affect neighboring properties, natural or manmade features or the overall character of the subdivision. This action shall be noticed on the land record.

REQUEST FOR SITE/BUILDING MODIFICATIONS
(see Article XI, Section D of the Mansfield Zoning Regulations)

APPLICANT/OWNER SECTION

1. Owner(s) Spring Hill Properties, LLC Telephone 429-8227
(please PRINT)
Address P.O. Box 917 Town Storrs, CT Zip 06268

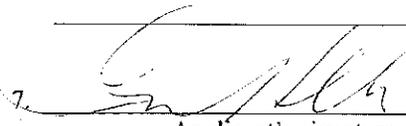
2. Applicant(s) same as owner Telephone _____
(please PRINT)
Address _____ Town _____ Zip _____

3. Site Location Beacon Hill Estates Subdivision, Lot 16, Beacon Hill Drive, Mansfield

4. Reference any approved map(s) that would be superseded if this request is approved:
"Subdivision Plan 'Beacon Hill Estates' Prepared For Smith Farm Development Group, LLC
Mansfield City Road Mansfield, Connecticut Date: 01/05" Revised Through 03/28/06 Scale:
1" = 100' Sheet 2 of 15 Prepared By Messier & Associates, Inc. Manchester and Putnam, CT

5. Reference any new map(s) submitted as part of this request:
"Subsurface Sewage Disposal Design Prepared For Spring Hill Properties, LLC Beacon Hill
Estates Subdivision -Lot 16- Beacon Hill Drive Mansfield, Connecticut Scale: 1" = 20'
Date: April 5, 2012 Revised: June 5, 2012 (Modified BAE Line) Revised: July 18, 2012
(House & Modified BAE Line)."

6. Itemize and describe the modification(s) being requested, using separate sheet where necessary. The description must be adequate to determine compliance with all applicable land use regulations: -
Modification of Easterly BAE line along Beacon Hill Drive to accomodate existing foundation size.


Applicant's signature

date 7/23/2012

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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 *CPA*
Date: July 23, 2012
Re: 'Gibbs Expansion Project', 9 Stafford Rd, PZC File #404-3

On March 17, 2007 the PZC approved with conditions, an expansion of the Gibbs gasoline station and convenience store located at 9 Stafford Road. The Special Permit was filed on the Land Records in October 2007. A \$5,000 bond together with a Bond Agreement was executed in June 2008. Subsequently, both a Zoning Permit and a Building Permit for the subject project were issued. The Building Permit has been revoked due to lack of activity. In May of this year, the property was conveyed to new owners.

Article V Section B.7.e specifies that work should begin within 1 year of the effective approval unless an extension has been granted by the PZC. Last year the PZC granted a fourth, one year extension. In the attached 5/22/12 letter, the new owners have requested an additional one year extension in order to review the PZC-approved special permit and plans. Staff has no objection to approving this request as regulatory provisions have not changed. Prior to the start of any development activity on the site, a new bond and bond agreement will need to be executed with the new owners. The bond is to assure that all site work, including associated drainage and sediment & erosion control work is completed prior to the issuance of a Certificate of Compliance. At this time, the Gibbs Oil Company has not requested a release of their bond. Accordingly, the following motion is recommended:

That the Planning and Zoning Commission approve a fifth extension of the period of time to begin construction of the gasoline station and convenience store, on property located at 9 Stafford Road, now owned by K Brothers, LLC. The new expiration date to begin construction is October 1, 2013 unless an additional extension is requested and approved. No work shall commence until a new bond with a bond agreement has been approved and executed by the PZC Chairman with staff assistance.

K BROTHERS, LLC
2138 SILAS DEANE HIGHWAY
ROCKY HILL, CONNECTICUT 06067
TEL: (860) 757-3434 Ext 104
FAX: (860) 757-3443
Email: Saidfaz9@yahoo.com

Charles DiFazio
Corporate Counsel

Forwarded by Certified Mail
Return Receipt Requested

May 22, 2012

Katherine K. Holt
Secretary of the Mansfield Planning & Zoning Commission
Audrey P. Beck Building
Four South Eagleville Road
Storrs, Ct. 06268

*Re: Request for an extension of the period of time to begin Construction at 9 Stafford Road,
PZC file #404-3*

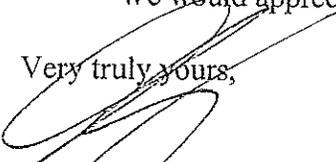
Dea Ms. Holt:

Please accept this letter as a request by K Brothers, LLC, the new owner of the above-mentioned property, for an extension of time to begin construction of the "Gibbs Expansion Project".at 9 Stafford Road to September 30, 2013. Our company purchased the property from Gibbs Oil Company Limited Partnership on May 14, 2012 with the full intent to proceed with the construction.

As new owners, we wish to examine the construction possibilities including proper design etc. and the extra time frame would give us the ability to plan without the pressure of making decisions with an impending time restraint of October 1, 2012.

We would appreciate the Commission's approval of this extension request.

Very truly yours,



Charles DiFazio
Corporate Counsel

CD:hs

Enc: Copy of prior extension to Branse Willis & Knapp, LLC representing Gibbs Oil Company Limited Partnership

TOWN OF MANSFIELD
PLANNING AND ZONING COMMISSION

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

Wednesday, September 07, 2011

Branse, Willis & Knapp LLC
Mark Branse
148 Eastern Boulevard
Suite 301
Glastonbury, CT 06033

Re: Mansfield's PZC time extension for Gibbs Property at 9 Stafford Road, PZC file #404-3

Dear Mr. Branse,

At a meeting held on 9/6/11, the Mansfield Planning and Zoning Commission adopted the following motion:

"That the Planning and Zoning Commission approve a fourth extension of the period of time to begin construction of the Gibbs Expansion Project on property located at 9 Stafford Road. The new date to begin construction is October 1, 2012 unless an additional extension is requested and approved."

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

Very truly yours,



Katherine K. Holt, Secretary
Mansfield Planning & Zoning Commission

TOWN OF MANSFIELD
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 *LMP*
Date: Thursday, August 02, 2012
Subject: 27 North Windham Road-Sauve Property

The Planning Office has received preliminary plans for a proposed 3 lot subdivision located at 27 North Windham Road. Staff recommends adding this item to the end of the next field trip agenda on August 14th. Please plan on allotting at least 1 ½ hours for this site walk.

This item will be placed on a subsequent agenda for discussion prior to the deadline for providing comments to the applicant, which is September 14, 2012 unless an extension is granted. Given the small size of this subdivision, I am recommending that we combine the first two phases of the pre-application review into one phase.

The pre-application materials will also be sent to the Conservation Commission, Open Space Preservation Committee and Design Review Panel for their review and comment. They will also be invited to the field trip on August 14th.

C: Conservation Commission
Open Space Preservation Committee
Design Review Panel

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Jessie Neborsky

From: Linda M. Painter
Sent: Monday, July 30, 2012 1:49 PM
To: Jessie Neborsky
Subject: FW: PZC Alternate appointment

From: Mark LaPlaca
Sent: Wednesday, July 18, 2012 11:40 AM
To: Joann Goodwin; Linda M. Painter
Subject: PZC Alternate appointment

Joann and Linda,

At our meeting last night, the Mansfield Democratic Town Committee voted unanimously to recommend to the PZC that Alex Marcellino be appointed to fill the vacant spot for an alternate on the PZC.

Alex is a retired Deputy Director of the Public Works Dept. of the city of Hartford and has served as a member of Mansfield's Transportation Advisory Committee. We have great confidence that he will serve as a thoughtful and diligent member. Alex has been advised as to the next meeting date of the PZC.

Thanks very much.

Mark LaPlaca
Chair, Mansfield DTC

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