

MEETING NOTICE AND AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, December 16, 2013 ■ 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. December 2, 2013 Regular Meeting
 - b. December 11, 2013 Field Trip
4. **Zoning Agent's Report**
 - Monthly Activity Update
 - Enforcement Update
 - Other
5. **Public Hearings**
 - a. **7:05 p.m.**
Special Permit Application: Efficiency Unit, W. Javaruski, 40 Mountain Rd, (File #1324)
Memo from Director of Planning and Development
 - b. **7:10 p.m.**
Special Permit Application: Efficiency Unit, K. Mahoney, 26 Jonathan Lane, (File #1325)
Memo from Director of Planning and Development
 - c. **7:15 p.m.**
Special Permit Application: Efficiency Unit, G. and D. Bogdanovich, 239 Mt. Hope Rd
(File #1322)
6. **Old Business**
 - a. Special Permit Application: Preservation Use including office, meeting and display spaces, Joshua's Tract, 624 Wormwood Hill Rd (File #1323)
 - b. Special Permit Application: Efficiency Unit, W. Javaruski, 40 Mountain Rd, (File #1324)
 - c. Special Permit Application: Efficiency Unit, K. Mahoney, 26 Jonathan Lane, (File #1325)
 - d. Special Permit Application: Efficiency Unit, G. and D. Bogdanovich, 239 Mt. Hope Rd (File #1322)
 - e. Subdivision Application: 1 Lot, Storrs Center Alliance, VS-11, Wilbur Cross Way, (File 1246-18)
Memo from Director of Planning and Development
 - f. Pre-Application Discussion Requests
 - g. Other
7. **New Business**
 - a. Determination of applicability of Development Area Envelope (DAE) restrictions to agricultural activities, B. Lacey, 102 Crane Hill Road
Memo from Director of Planning and Development
 - b. Modification to Storrs Common Special Permit, Storrs Associates, LLC , (File 888)
Memo from Director of Planning and Development

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

- c. **8-24 Referral: Wilbur Cross Way Right-of-Way Adjustment (Price Chopper)**
Memo from Director of Planning and Development
- d. **Water Supply Project: Review of Proposed Definitive Agreement with Connecticut Water Company**
Memo from Director of Planning and Development
- e. **Other**

8. Mansfield Tomorrow | Our Plan ▶ Our Future

9. Reports from Officers and Committees

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

10. Communications and Bills

- a. **Other**

11. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
MONDAY, December 2, 2013
Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Goodwin called the meeting to order at 7:11 p.m.

Minutes:

November 18, 2013 Regular Meeting: Rawn MOVED, Chandy seconded, to approve the 11/18/13 Meeting Minutes as presented. MOTION PASSED UNANIMOUSLY.

November 18, 2013 Special Joint Meeting: Hall MOVED, Ryan seconded, to approve the 11/18/13 Special Joint Meeting Minutes as presented. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

None.

Public Hearings:

a. Special Permit Application: Preservation Use including office, meeting and display spaces, Joshua's Tract, 624 Wormwood Hill Rd (File #1323)

Chairman Goodwin opened the Public Hearing at 7:12 p.m. Holt and Ryan recused themselves. Members present were Goodwin, Chandy, Hall, Lewis, Plante, Pociask, Rawn, and alternates Aho and Westa who were seated. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in The Chronicle on 11/19/13 and 11/27/13 and noted the following communication: a 11/25/13 memo from L. Painter, Director of Planning and Development.

Rudy J. Favretti, representing Joshua's Trust, described the property, its history and the proposed use. Favretti stated that there will be no additions or alterations to the property except a gravel parking area for 19 cars in the orchard and some minor handicap accessibility improvements.

Members questioned if the property will be used at night and if any additional lighting is proposed. Favretti said there are evening meetings but there will not be any additional lighting installed.

Goodwin noted no further questions or comments from the public or commission. Plante MOVED, Hall seconded, to close the Public Hearing at 7:25 p.m. MOTION PASSED with all in favor except Holt and Ryan who had recused themselves.

b. Special Permit Application: Efficiency Unit, G. and D. Bogdanovich, 239 Mt. Hope Rd (File #1322)

Chairman Goodwin opened the Public Hearing at 7:26 p.m. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Plante, Pociask, Rawn, Ryan and alternates Aho and Westa who were not seated. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in The Chronicle on 11/19/13 and 11/27/13 and noted the following communication: a 11/25/13 memo from L. Painter, Director of Planning and Development. Painter stated that the Public Hearing must remain open to allow

the appropriate time for public comment because the applicant's notice to their neighbors was sent out late.

George and Donna Bogdanovich were present and reviewed their request for an efficiency unit in their daughter's home. Donna Bogdanovich said the proposed addition will be approximately 700 square feet and located in the rear of the house with interior access to the main home.

The chairman noted there were no comments or questions from the Commission or public. At 7:30 p.m. the hearing ended, and Holt MOVED, Ryan seconded, to continue this Public Hearing to the 12/16/13 meeting. MOTION PASSED UNANIMOUSLY.

Old Business:

- a. **Special Permit Application: Preservation Use including office, meeting and display spaces, Joshua's Tract, 624 Wormwood Hill Rd (File #1323)**
Ryan and Holt recused themselves. West and Aho were seated. Hall agreed to work with staff on a draft motion for the next meeting.
- b. **Special Permit Application: Efficiency Unit, G. and D. Bogdanovich, 239 Mt. Hope Rd (File #1322)**
Public Hearing continued to 12/16/13.
- c. **Special Permit Application: Efficiency Unit, W. Javaruski, 40 Mountain Rd, (File #1324)**
Tabled-pending 12/16/13 Public Hearing
- d. **Subdivision Application: 1 Lot, Storrs Center Alliance, VS-11, Wilbur Cross Way, (File 1246-18)**
Item tabled pending staff review of revised plans.

New Business:

- c. **Water Supply Project: Proposed Pipeline Route**
Eric Thornburg, Maureen Westbrook, David Radka and David Benoit, all of CT Water Company, presented the proposed route of the water line from Tolland down Route 195 into Storrs. They answered questions from the Commission regarding, among other issues, hookups, expansion of the line, mitigation of wetlands impacts, development pressure and availability of water for present and future growth. Town Manager Matthew Hart asked for preliminary feedback from the Commission regarding this route. He also stated that the Council will receive the draft agreement at its meeting next Monday and will refer it to the PZC for comment. A public information session will be held in early January.
- a. **Special Permit Application: Efficiency Unit, K. Mahoney, 26 Jonathan Lane, (File #1325)**
Ryan MOVED, Holt seconded, to receive the Special Permit Application (File #1325) submitted by Kathleen Mahoney for an Efficiency Unit on property located at 26 Jonathan Lane as shown on plans dated 09/13/13, as shown and described in application submissions, and to refer said application to staff and committees for review and comments, and to set a Public Hearing for 12/16/13. MOTION PASSED UNANIMOUSLY.
- b. **8-24 Referral: Agricultural Leases**
Plante MOVED, Holt seconded, that the PZC report to the Town Council that the proposed leases are consistent with Mansfield's Plan of Conservation and Development and recommend that the leases be approved to facilitate active cultivation of town-owned agricultural property. MOTION PASSED UNANIMOUSLY.
- d. **Pre-Application Discussion Requests**
Painter presented the Commission with a request by a housing developer to meet with the Commission for a pre-application discussion of potential expansion of a currently developed site. After discussing the merits of engaging in pre-application discussions with applicants, the Commission requested that Painter research means by which such a meeting might occur and bring that information to the Commission, whenever she is ready, for further discussion.

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Painter stated that work continues on the draft POCD revisions and that a public draft may be ready for review by mid- January.

Reports from Officers and Committees:

A Regulatory Review Committee meeting will be held on 12/12/13 at 1pm in Conference Room C to discuss regulation revisions regarding dogs.

Communications and Bills:

None.

Field Trip:

The chairman set a Field Trip for Wednesday, December 11 at 3 p.m.

Executive Session:

Hall MOVED, Holt seconded, to enter into executive session at 8:39 p.m. MOTION PASSED UNANIMOUSLY. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Plante, Pociask, Rawn, Ryan and alternates Aho and Westa. Also present were Linda Painter, Director of Planning and Development; Matthew Hart, Town Manager; and Jennifer Kaufman, Natural Resources and Sustainability Coordinator.

Plante MOVED, Ryan seconded, to end executive session at 9:15 p.m. MOTION PASSED UNANIMOUSLY.

Adjournment:

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

Respectfully submitted,

Katherine Holt, Secretary

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
CONSERVATION COMMISSION
FIELD TRIP
Special Meeting
Wednesday, December 11, 2013

Members present: K. Holt

Staff present: L. Painter, Director of Planning and Development

The field trip began at 3:00 p.m.

PZC File#1325 – Mahoney, 26 Jonathan Lane, Special Permit -Efficiency Unit

Those present observed current conditions, and site characteristics. No decisions were made.

PZC File #1324 – Javaruski, 40 Mountain Road, Special Permit-Efficiency Unit

Members were met on site by Mr. Javaruski. Those present observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 3:40 p.m.

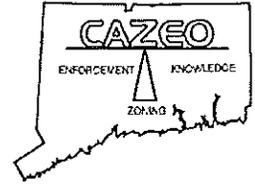
Respectfully submitted,

K. Holt, Secretary

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: December 2, 2013

MONTHLY PERMIT ACTIVITY for November, 2013

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Corridor Property Management	16 Hunting Heights Dr.	10 x 14 shed
Shafer	45 Echo Rd.	16 x 20 sunroom
Rudd	688 Middle Tpke.	ground mount solar
Town of Mansfield	Storrs Center	Town Square development
Campus Crossing	574-596 Middle Tpke.	lot-line revisions
Rossi	818 Storrs Rd.	grnd. solar array
Academic Associates	1066 Storrs Rd.	8 x 8 shed
Newcity Builders	Lot 17 Monticello Rd.	1 fm dw
Juniper Hill Village	1 Silo Cir.	Community bldg. & site work
Perkins	920 Storrs Rd.	grnd. solar array

CERTIFICATES OF COMPLIANCE

Mansfield Retirement Community	1 Silo Cir.	Gazebo
Drew	24 Pleasant Valley Rd.	deck
Spring Hill Properties	Beacon Hill Dr.	1 fm dw
Smith	243 Atwoodville Rd.	deck
Kaufman	147 Birch Rd.	screen porch
Cornerstone	591 Middle Tpke.	parking lot work
Renzulli	222 Warrenville Rd.	grnd solar array
Byron	106 Brookside La.	shed
Schott	131 Hickory La.	shed
Hope Lutheran Church	62 Dog La.	shed and entry roof
Mansfield Self Storage	533 Stafford Rd.	two storage buildings

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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: December 12, 2013
Subject: Special Permit Application
Efficiency Unit – 40 Mountain Road
File 1324

The following comments are based on a review of submitted information (undated Statement of Purpose, Site Plan and floor plan prepared by the applicant, and other application submissions), and a review of pertinent zoning regulations, particularly Article X, Section L and Article V, Section B.

Project Description

The applicant is requesting special permit approval for an efficiency unit in association with an existing single-family home on property located at 40 Mountain Road. No site work or exterior building alterations are proposed.

As the applicant is not proposing to make any site improvements or exterior changes to the existing house, most of the site plan information required pursuant to Article V, Section 5.A.3.d has not been provided. The applicant is requesting that this site plan information be waived.

Compliance with Zoning Regulations

The following list summarizes the requirements that must be met before the Commission can approve a special permit pursuant to Article X, Section L.2.a. Compliance with these criteria is indicated by a and a narrative description. If a requirement has not been met, it is preceded by a .

- Unit Size.** *The unit must contain at least 400 square feet and cannot exceed 35% of the floor area of the single family home in which it is located.*

The proposed efficiency unit is approximately 734 square feet, which equates to ±33.8% of the floor area of the home once this portion of the basement is finished (2,170 square feet, including the apartment and the existing 1,436 square feet of floor area).

- Facilities.** *The unit must include independent living quarters, a distinct kitchen area, and a bathroom with sanitary and bathing facilities.*

The proposed efficiency unit has a bedroom, living room, kitchen area, and full bathroom.

- ☒ **Occupancy.** *Either the single-family home or the efficiency unit must be owner-occupied. An affidavit certifying owner occupancy and a statement that the provisions of Article X, Section L have been met must be submitted as part of the application.*

The applicant indicated in the Statement of Use that the home is owner-occupied and the efficiency apartment would be rented to no more than two people. An affidavit certifying owner occupancy has been provided.

- ☒ **Access.** *Interior access between the single-family residence and the efficiency unit is required.*

According to the statement of use, access to the efficiency apartment is provided from both inside the home and direct access to the exterior. A pedestrian pathway from the driveway to the exterior door of the unit is needed.

- ☒ **Off-Street Parking.** *A minimum of 3 spaces with unobstructed access must be provided.*

The property currently has two parking spaces in a garage and two signed visitor spaces along the side of the driveway, all with unobstructed access.

- ☒ **Maximum Occupancy.** *Occupancy of the efficiency unit is limited to 2 people.*

Pursuant to the statement of use submitted, the unit will be occupied by no more than two people.

It should be noted that in March 2013, the Department of Building and Housing Inspection found four unrelated tenants living on the property during investigation of a tenant complaint. The owner corrected the situation after being notified of the violation by the Zoning Agent. No Notice of Violation was issued as the property came into compliance upon notification. According to the statement of use, the property is now occupied by the owner.

- ☒ **Use and Dimensional Requirements.** *The single-family home must comply with use and dimensional requirements (height, area, yards) for the district in which it is located. No efficiency units are permitted on a lot with less than 40,000 square feet.*

The lot on which the home is located contains 5.76 acres square feet according to the Town Assessor records. The house exceeds the setback requirements based on the plan submitted and aerial photography.

- ☒ **Character.** *The home in which the unit is located must retain its character as a single-family residence.*

Due to the location of the property, the house cannot be seen from Mountain Road. Additionally, as this unit would be located in the basement, it will not change the character of the single-family home. The only exterior change would be the recommended addition of a pathway connecting the driveway to the exterior entrance to the unit, which is on the rear of the house, which would not alter the overall character of the property.

- Sanitary System.** *The applicant must demonstrate adequate sewage disposal prior to Commission approval of the special permit.*

The Eastern Highlands Health District has approved the B100A application for the change in use from a 2-bedroom single family dwelling to a 2-bedroom single-family dwelling with a 1-bedroom efficiency unit.

- Flood Hazards.** *Efficiency units are not permitted within Flood Hazard Areas as defined in Article X, Section E of the Zoning Regulations.*

Based on available maps, there are no flood hazard areas in the vicinity of the house.

- Street Frontage.** *All efficiency units must be located on a lot with street frontage as defined in the Zoning Regulations.*

The property has 40 feet of frontage on Mountain Road, and appears to previously had frontage on a now abandoned road. As the property is a non-conforming lot of record, the minimum required 200 foot frontage for the RAR-90 zone does not apply pursuant to Article VIII, Section B.4.a.

- Inland Wetlands Agency.** *IWA approval is required for any proposed improvements within regulated wetland/watercourse areas prior to approval of the special permit.*

No site improvements were proposed as part of the application. However, staff recommends that a pathway be installed from the driveway to the exterior entrance of the unit. Based existing maps, there are no wetlands within 150 feet of the subject property.

Approval Considerations

Pursuant to Article V, Section B.5, the applicant must demonstrate to the satisfaction of the Commission that the proposed development will not detrimentally affect the public's health, welfare and safety and that the development meets the following approval criteria for special permit applications:

- a. That all approval criteria in Article V, Section A.5 (Site Plan Approval Criteria) of these regulations have been met.
- b. That the proposed use is compatible with the Town's Plan of Conservation and Development and Article I of the Zoning Regulations I(Intent and Purpose)
- c. That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the Town and compatible with other existing uses.
- d. That proper consideration has been given to the aesthetic quality of the proposal, including architectural design, landscaping, and proper use of the site's natural features. The kind, size, location and height of structures, and the nature and extent of site work, and the nature and intensity of the use, shall not hinder or discourage the use of neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.

The subject efficiency unit is not expected to detract from the house's overall appearance as a single-family home and it is not expected that the efficiency unit will result in detrimental neighborhood impacts. Public Hearing testimony may provide more information regarding this issue.

Unit Affordability

There is one other issue that requires consideration by the Commission. In 2012, the owner was given a \$24,199 loan through the Town's Housing Rehabilitation Program to replace the garage door, install new windows and exterior doors, a chimney cap and storm doors. This program is available to all owner-occupants whose income is at or below 80% of area median income.

While the guidelines that govern this program have provisions for providing loans to properties with rental units, we typically do not make loans to rental properties due to the complexities involved with verifying that tenants meet income limitations associated with the housing rehabilitation program. In addition to tenant income limitations, the program guidelines require the following for rental units:

- That the owner agree that the rent after rehabilitation will be no higher than the Section 8 Existing Fair Market Rent, which DECD has established as an affordable rent.
- That the unit remain affordable for a period of years based on the level of investment. For loans between \$5,000 and \$25,000, the minimum period of affordability is ten years.

If the Commission approves the addition of an efficiency unit, staff recommends that conditions be attached either requiring repayment of the existing loan or the recording of a deed restriction requiring that the efficiency unit be rented for no more than the Section 8 Existing Fair Market Rent for a period of ten (10) years, and that all prospective tenants of the property must provide income information for verification by the Department of Planning and Development that they meet income limitations prior to execution of a lease. These conditions would ensure that the property continues to meet the guidelines associated with the housing rehabilitation program.

Summary/Recommendation

Subject to any testimony received during the public hearing, the proposal is considered to be in compliance with regulatory provisions and is not expected to cause any detrimental neighborhood impacts. Any approval motion should include a waiver of the site plan information required in Article V, Section A.3 as the information is not needed to determine compliance with the regulations and the following conditions:

1. This approval has been granted for a one-bedroom efficiency in association with a single-family home having up to two additional bedrooms. Any increase in the number of bedrooms on this property shall necessitate subsequent review and approval from the Eastern Highlands Health District and the Planning and Zoning Commission.
2. The applicant shall install a pathway from the driveway to the exterior entrance to provide pedestrian access to the unit.
3. The owner shall either repay the outstanding housing rehabilitation loan or comply with the following terms to ensure the affordability of the efficiency unit in accordance with the Housing Rehabilitation Program Guidelines:

- a. A deed restriction shall be recorded on the land records requiring that the rental rate for the efficiency unit shall not exceed the Section 8 Existing Fair Market Rent for a period of ten years from the issuance of a Certificate of Zoning Compliance.
 - b. Prior to executing any lease for the unit during the ten year affordability period, the owner shall direct prospective tenants to the Town for purposes of verifying that the tenant income does not exceed 80% of Area Median Income. No lease shall be executed until income verification has been provided by the Town.
 - c. Should the owner choose to live in the efficiency unit and rent the main living area of the house, the same affordability restrictions apply to the rental of the home.
4. This approval is conditioned upon continued compliance with Mansfield's Zoning Regulations for efficiency units, which include owner-occupancy requirements, limitations on the number of residents in an efficiency unit and limitations on the number of unrelated individuals that may live in a dwelling unit pursuant to the definition of Family contained in the Zoning Regulations. These limitations apply regardless of the number of bedrooms present in the home. Pursuant to Article X, Section L.2, the applicant shall submit a notarized affidavit certifying owner occupancy and a written statement regarding compliance with efficiency unit regulations every two years, starting on January 1, 2014.
5. This special permit shall not become valid until filed upon the Land Records by the applicant.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application submitted November 12, 2013 and received by the PZC on November 18, 2013, including:
 - Statement of Use/Consistency with Efficiency Unit Requirements
 - Floor plan of proposed efficiency unit
 - Site plan
 - Site Plan Checklist and associated waiver requests
 - B100A approval dated September 19, 2013
- The following correspondence regarding the proposed development has been received:
 - Memo from Geoffrey Havens, Eastern Highlands Health District, dated September 19, 2013
- Neighborhood Notification Forms were required to be sent to property owners within 500 feet of the subject property in accordance with Article V, Section B(3)(c) of the Mansfield Zoning Regulations. **A copy of the notice and certified mail receipts have been provided.**
- The Public Hearing on this item will be opened on December 16, 2013 and must be closed by January 20, 2014 unless a written extension is granted by the applicants.
- Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicants grant a written extension.

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K. & S. Clark
43 Mountain Road
(P.O. Box 37)
Mansfield Center, CT
06250

to:
The Mansfield Planning and Zoning Commission
4 South Eagleville Road
Storrs/Mansfield, CT 06268

860: 423-6543

Thank you for the opportunity to comment as a neighboring family on the proposal for a small apartment to be configured within the home currently owned by William Javaruski at 40 Mountain Road here in Mansfield Center.

The application conveys sensitive attention to the characteristics of this street as a residential neighborhood of close-together houses which are nearly all single-family homes.

The facts that no addition to the building is being sought, that the apartment will be rented to only up to two people at a time (with creation of a parking nook accomodating just two cars,) and that it also states in the application that the owner will live in the main portion of the house (helping to provide oversight of the apartment, including helping its occupants to become used to traffic intricacies during inclimate weather, and the like) are reassuring - including that these safeguards show that this apartment would have minimal impact on the number of residents' cars potentially needing to return up this road on a regular daily basis (- this is pointed out due to the nature of Mountain Road during ice, sleet, freezing rain, and/or snow - affected weather. My (Sheila's) parents were among the original owners of homes in this particular development. When it was built (during pre-zoning times,) town staff (according to my late Father) asked the developer to "snake" the road, for safety during slippery weather. Since this was not required, and would have resulted in one fewer housing lot, the developer declined to do so. Therefore, the steepness of this road going straight down the hill makes it like a ski slope at times when it is slippery. Add to this the fact that it is narrow - and, was constructed without actual shoulders - ~~plus~~ the fact that cars often fishtail on it when it is slippery at the very time that stopping if another car is coming the other way can cause one to get stuck if going uphill - and the need to keep limited the number of residents who might need to go uphill here to return home during inclimate weather becomes clear.)

Ken and Sheila Clark

12 / 11 / 2013

(Ken and Sheila Clark)

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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: December 11, 2013
Subject: Special Permit Application
Efficiency Unit – 26 Jonathan Lane
File 1325



The following comments are based on a review of submitted information (undated Statement of Purpose, Site Plan and floor plan prepared by the applicant, and other application submissions), and a review of pertinent zoning regulations, particularly Article X, Section L and Article V, Section B.

Project Description

The applicant is requesting special permit approval for an efficiency unit in association with an existing single-family home on property located at 26 Jonathan Lane. No site work or exterior building alterations are proposed.

As the applicant is not proposing to make any site improvements or exterior changes to the existing house, most of the site plan information required pursuant to Article V, Section 5.A.3.d has not been provided. The applicant is requesting that this site plan information be waived.

Compliance with Zoning Regulations

The following list summarizes the requirements that must be met before the Commission can approve a special permit pursuant to Article X, Section L.2.a. Compliance with these criteria is indicated by a and a narrative description. If a requirement has not been met, it is preceded by a .

- Unit Size.** *The unit must contain at least 400 square feet and cannot exceed 35% of the floor area of the single family home in which it is located.*

The proposed efficiency unit is approximately 700 square feet, which equates to $\pm 26\%$ of the floor area of the home (2,680 square feet including the new unit and the existing floor area of the home, 1,980 square feet according to the Town Assessor).

- Facilities.** *The unit must include independent living quarters, a distinct kitchen area, and a bathroom with sanitary and bathing facilities.*

The proposed efficiency unit has a bedroom, living room, kitchen area, and full bathroom.

- ☒ **Occupancy.** *Either the single-family home or the efficiency unit must be owner-occupied. An affidavit certifying owner occupancy and a statement that the provisions of Article X, Section L have been met must be submitted as part of the application.*

The applicant indicated in the Statement of Use that the home is owner-occupied and the efficiency apartment would be rented to no more than two people. The owner has submitted an affidavit that she owns the property, and has indicated in the statement of use that she is also the occupant. **The statement of use needs to be signed and notarized by the applicant to fulfill this requirement.**

- ☒ **Access.** *Interior access between the single-family residence and the efficiency unit is required.*

According to the statement of use, access to the efficiency apartment is provided from both inside the home and direct access to the exterior.

- ☒ **Off-Street Parking.** *A minimum of 3 spaces with unobstructed access must be provided.*

The property currently has two parking spaces in a garage and two spaces to the side of the garage, all with unobstructed access.

- ☒ **Maximum Occupancy.** *Occupancy of the efficiency unit is limited to 2 people.*

Pursuant to the statement of use submitted, the unit will be occupied by no more than two people.

- ☒ **Use and Dimensional Requirements.** *The single-family home must comply with use and dimensional requirements (height, area, yards) for the district in which it is located. No efficiency units are permitted on a lot with less than 40,000 square feet.*

The lot on which the home is located contains 0.924 acres (40,249) square feet according to the Town Assessor records. The house is located within the Building Area Envelope established as part of the original subdivision.

- ☒ **Character.** *The home in which the unit is located must retain its character as a single-family residence.*

From the street, the house appears to be a single-family home. The only exterior change would be the recommended addition of a pathway connecting the driveway to the exterior entrance to the unit, which is on the side of the house, which would not alter the overall character of the property.

- ☒ **Sanitary System.** *The applicant must demonstrate adequate sewage disposal prior to Commission approval of the special permit.*

The Eastern Highlands Health District has approved the B100A application for the change in use from a 3-bedroom single family dwelling to a 3-bedroom single-family dwelling with a 1-bedroom efficiency unit.

- ☒ **Flood Hazards.** *Efficiency units are not permitted within Flood Hazard Areas as defined in Article X, Section E of the Zoning Regulations.*

Based on available maps, there are no flood hazard areas in the vicinity of the house.

- ☒ **Street Frontage.** *All efficiency units must be located on a lot with street frontage as defined in the Zoning Regulations.*

At the time the subdivision was approved, the property was zoned RAR-40, which required 100 feet of frontage. As the property is a non-conforming lot of record, the minimum required 200 foot frontage for the RAR-90 zone does not apply pursuant to Article VIII, Section B.4.a.

- ☒ **Inland Wetlands Agency.** *IWA approval is required for any proposed improvements within regulated wetland/watercourse areas prior to approval of the special permit.*

No site improvements were proposed as part of the application. However, staff recommends that a pathway be installed from the driveway to the exterior entrance of the unit. Due to the slope involved, stairs may be needed at the bottom of the path. Based on the approved subdivision map, there are no wetlands within 150 feet of the subject property.

Approval Considerations

Pursuant to Article V, Section B.5, the applicant must demonstrate to the satisfaction of the Commission that the proposed development will not detrimentally affect the public's health, welfare and safety and that the development meets the following approval criteria for special permit applications:

- a. That all approval criteria in Article V, Section A.5 (Site Plan Approval Criteria) of these regulations have been met.
- b. That the proposed use is compatible with the Town's Plan of Conservation and Development and Article I of the Zoning Regulations I(Intent and Purpose)
- c. That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the Town and compatible with other existing uses.
- d. That proper consideration has been given to the aesthetic quality of the proposal, including architectural design, landscaping, and proper use of the site's natural features. The kind, size, location and height of structures, and the nature and extent of site work, and the nature and intensity of the use, shall not hinder or discourage the use of neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.

The subject efficiency unit is not expected to detract from the house's overall appearance as a single-family home and it is not expected that the efficiency unit will result in detrimental neighborhood impacts. Public Hearing testimony may provide more information regarding this issue.

Summary/Recommendation

Subject to any testimony received during the public hearing, the proposal is considered to be in compliance with regulatory provisions and is not expected to cause any detrimental neighborhood

impacts. Any approval motion should include a waiver of the site plan information required in Article V, Section A.3 as the information is not needed to determine compliance with the regulations and the following conditions:

1. This approval has been granted for a one-bedroom efficiency in association with a single-family home having up to three additional bedrooms. Any increase in the number of bedrooms on this property shall necessitate subsequent review and approval from the Eastern Highlands Health District and the Planning and Zoning Commission.
2. The applicant shall install a pathway from the driveway to the exterior door of the unit to provide pedestrian access from the driveway to the exterior entrance.
3. This approval is conditioned upon continued compliance with Mansfield's Zoning Regulations for efficiency units, which include owner-occupancy requirements, limitations on the number of residents in an efficiency unit and limitations on the number of unrelated individuals that may live in a dwelling unit pursuant to the definition of Family contained in the Zoning Regulations. These limitations apply regardless of the number of bedrooms present in the home. Pursuant to Article X, Section L.2, the applicant shall submit a notarized affidavit certifying owner occupancy and a written statement regarding compliance with efficiency unit regulations every two years, starting on January 1, 2014.
4. This special permit shall not become valid until filed upon the Land Records by the applicant.

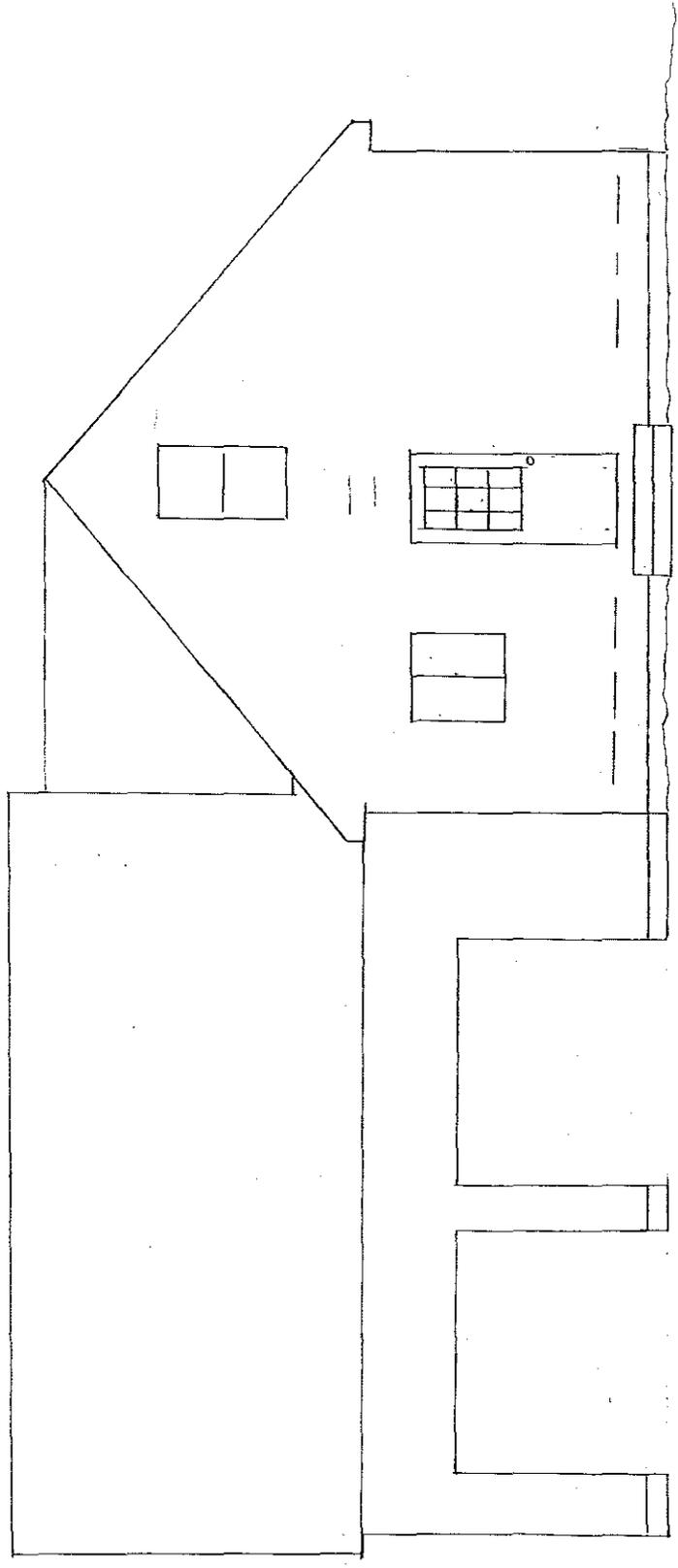
NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application submitted November 26, 2013 and received by the PZC on December 2, 2013, including:
 - Statement of Use/Consistency with Efficiency Unit Requirements
 - Floor plan of proposed efficiency unit
 - Site plan
 - Site Plan Checklist and associated waiver requests
 - B100A approval dated October 17, 2013
- The following correspondence regarding the proposed development has been received:
 - Memo from Geoffrey Havens, Eastern Highlands Health District, dated October 17, 2013
- Neighborhood Notification Forms were required to be sent to property owners within 500 feet of the subject property in accordance with Article V, Section B(3)(c) of the Mansfield Zoning Regulations. **A copy of the notice and certified mail receipts have been provided.**
- The Public Hearing on this item will be opened on December 16, 2013 and must be closed by January 20, 2014 unless a written extension is granted by the applicants.
- Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicants grant a written extension.

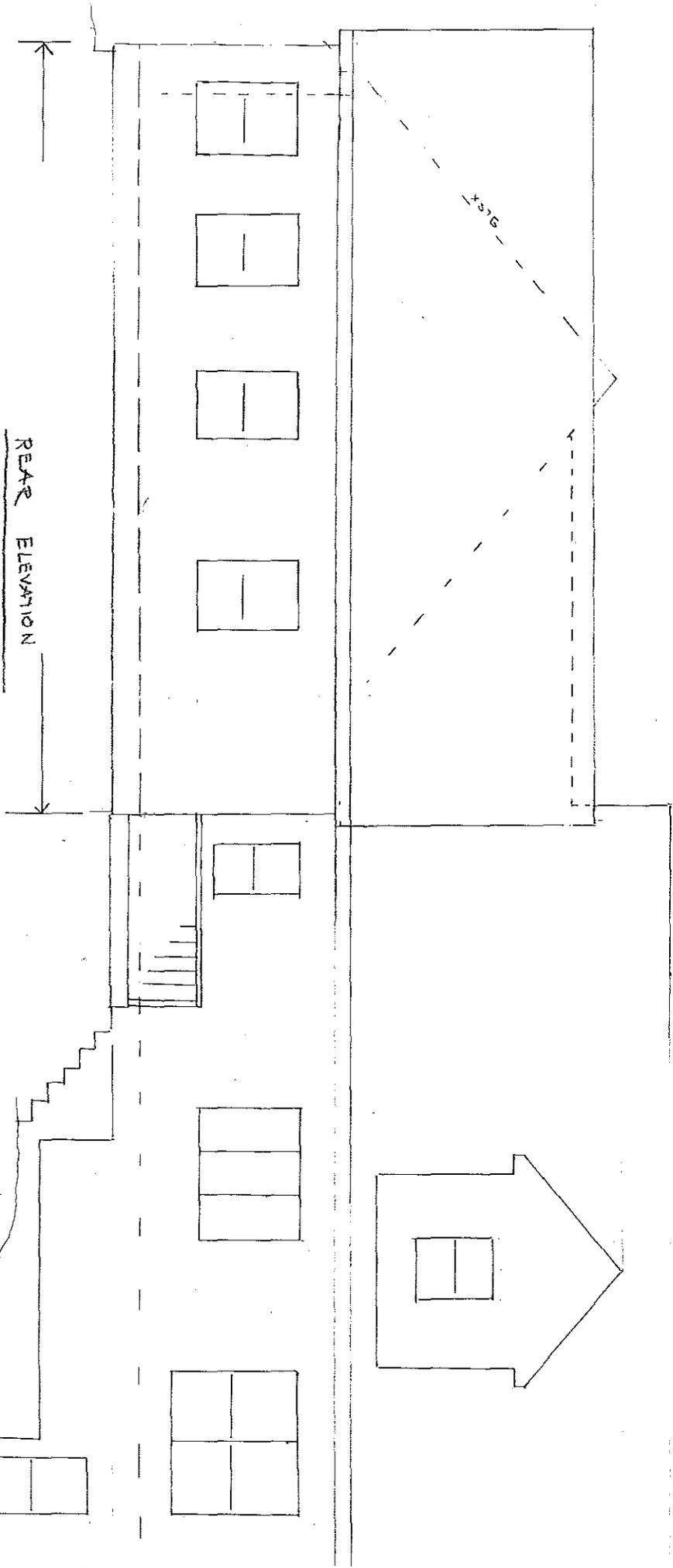
239 Mount Hope Rd
Mansfield Center, CT

George & Donna Bogdanovich
860-428-1703

239 MT HOPE RD XSTG NEW



RIGHT ELEVATION



**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: March 14, 2013
Subject: Storrs Center Alliance LLC
Subdivision Application (2 lots), Storrs Road south of Dog Lane
(PZC File 1246-11)

Project Description and Background

The subject property is located in the SC-SDD zone and comprised of a 0.510 acre parcel with 114.07 feet of frontage on Wilbur Cross Way. The proposed one-lot subdivision will be the site of a new child care facility; this building has been reviewed through the Zoning Permit process for Storrs Center.

As noted in my March 2013 review of the first subdivision at Storrs Center, this application is unusual with respect to the Town's Subdivision Regulations in that the regulations are primarily designed to address new single-family subdivisions that are not subject to any other design review process. As such, there is a tremendous amount of detail that is normally required as part of the subdivision review process, including environmental information, street layout and design, building and driveway locations, building/development area envelopes, open space preservation areas, stormwater and wastewater plans, etc.

In the case of Storrs Center, the zoning regulations, approved master plan and associated design guidelines proscribe the general building layout, detailed design standards and a review process through which proposed projects are evaluated for consistency with the master plan and regulations. As a result, many of the standards and requirements identified in the Mansfield Subdivision Regulations are not applicable to this subdivision.

Review of Proposed Subdivision Plan

The following comments are based on a review of the 1-page plan prepared by BL Companies and dated November 14, 2013 and revised through November 27, 2013 for compliance with the Mansfield Zoning and Subdivision Regulations.

Lot Layout, Size and Configuration

Pursuant to Section 2.3 of the Storrs Center Design Guidelines, there is no minimum lot size or frontage required in the Town Square area of the Storrs Center Special Design District. Setbacks, height, massing and other detailed design regulations are reviewed as part of the Zoning Permit process established in Article X, Section S of the Zoning Regulations.

Access

The street and driveway layout has been generally established through the master plan for Storrs Center. Changes to vehicular access are reviewed through the Zoning Permit process and referred to the Traffic Authority, and if necessary the Office of the State Traffic Administration. Pursuant to the approved Master Plan, the PZC retains the right to determine whether any access revisions constitute a significant departure from the approved master plan and would require a zoning map amendment. This would be determined at the time of Zoning Permit review.

Utilities

Water and Wastewater

The site is served by public water and sewer.

Open Space and Wetlands

This subdivision was not referred to the Conservation Commission or the Open Space Preservation Committee as open space preservation and wetlands impacts were addressed through the Storrs Center Master Plan as part of the creation of the Special Design District. No open space is proposed for the subject property pursuant to the adopted Storrs Center Master Plan.

Summary/Recommendations

Based on the above analysis, staff does not believe that a public hearing is needed for this application. If the Commission concurs, the following motion would be in order:

MOVE to approve with conditions the subdivision application (File #1246-18), of Storrs Center Alliance, LLC, for one lot, on property owned by the applicant, located on the east side of Wilbur Cross Way, north of Charles Smith Way, in the SC-SDD zone, as submitted to the Commission and shown on a one-page plan dated November 14, 2013 and revised to November 27, 2013.

The following requirements for the final subdivision plan are hereby waived as they are not applicable to this subdivision due to its location in the Storrs Center Special Design District: Section 6.5.d through 6.5.j, Section 6.5.m through 6.5.q., Section 6.5.s through 6.5.t, and Sections 6.7 through 6.9 of the Mansfield Subdivision Regulations. This waiver has been granted as the information has either been provided previously through the adoption of the Storrs Center Master Plan or will be provided through the Zoning Permit review process for development of the parcels established in Article X, Section S of the Zoning Regulations.

Furthermore, it is specifically noted that the provisions of the following sections of the Mansfield Subdivision Regulations are not applicable to the subdivision as there are no public improvements proposed as part of the subdivision and the remaining design standards have been addressed through the Storrs Center master plan, master stormwater drainage study and associated design guidelines: Sections 7.1 through 7.3, 7.4.a, 7.4.d through 7.4.g, 7.5 through 7.11, and Sections 8 through 15.

This approval is granted because the application, as hereby approved, is considered to be in compliance with the Mansfield Subdivision Regulations. Approval is granted with the following conditions:

1. Final plans shall be signed and sealed by the responsible surveyor and professional engineer.
2. Final plan shall include a title block with the information required by Section 6.4 of the Subdivision Regulations.
3. The following revisions shall be made to the subdivision map:
 - a. Zoning classifications of the subdivision and abutting properties shall be added pursuant to Section 6.5c of the subdivision regulations.
4. The Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety (90) or one hundred and eighty (180) day filing extension has been granted):
 - A. All final maps, including submittal in digital format, shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes, or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
 - B. All monumentation with Surveyor's Certificate shall be completed pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes, or, in the case of an appeal, no later than fifteen days, of any judgment in favor of the applicant.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application submitted November 14, 2013 and received by the PZC on November 18, 2013, including:
 - One-Page Plan Set dated November 14, 2013 and revised through November 27, 2013 prepared by BL Companies
 - Letter from Thomas P. Cody, Robinson and Cole, dated December 4, 2013
 - Copy of Letter sent to Windham Water Works.
- The following correspondence regarding the proposed development has been received:
- Neighborhood Notification Forms were required to be sent to property owners abutting the subject property (including property owners across the street) in accordance with Section 4.11 of the Mansfield Subdivision Regulations. A copy of the neighborhood notice and certified mail receipts have been received by the Planning Office.

PAGE
BREAK

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: December 12, 2013
Subject: Determination regarding applicability of DAE to agricultural activities
102 Crane Hill Road (File 1228-2)

In 2005, the PZC approved a resubdivision at Sawmill Valley Estates to create Lot 4, which contains over 32 acres of land, including approximately 4.5 acres in two different Conservation Easements. As part of the subdivision, the Commission established both a Building Area Envelope (BAE) and a Development Area Envelope (DAE). In 2012, the PZC approved a modification to the Building Area Envelope to allow construction of a new barn.

The owner of the property, Benjamin Lacey, would like to use the entirety of the property, with the exception of the Conservation Easement Area, for agricultural activities including raising cattle and Christmas Trees. (See attached email dated December 10, 2013). He is planning on bringing a map depicting the areas he is interested in using to the December 16th meeting.

As most of our subdivision lots are only a few acres, the question of how the Development Area Envelope impacts agricultural activities has not previously been encountered. The Subdivision Regulations define the DAE as:

“Portion of a lot within which a house, garage, shed and other structures, swimming pools, driveways, parking areas outside storage areas, septic system, septic reserve area, water supply well, utility lines, lawn areas and other site improvements are to be located. Proposed development area envelopes shall meet the minimum area requirements of Article VIII, Section B.6 of the Mansfield Zoning Regulations.”

Based on this definition, staff has typically indicated that removal of trees and installation of fenced areas outside of the DAE is not allowed. However, in this case we are not talking about the creation of landscaped lawn areas, but rather agricultural uses which are expressly permitted in the RAR-90 District by Article VII, Section G and Article X, Section T of the Zoning Regulations.

As such, staff is requesting a determination from the Commission as to whether such agricultural activities are allowed by right outside of the DAE boundary. If the Commission concurs, a motion indicating this interpretation would be appropriate. If the Commission does not agree, the alternative would be for the applicant to request a formal modification to the DAE boundary.

Linda M. Painter

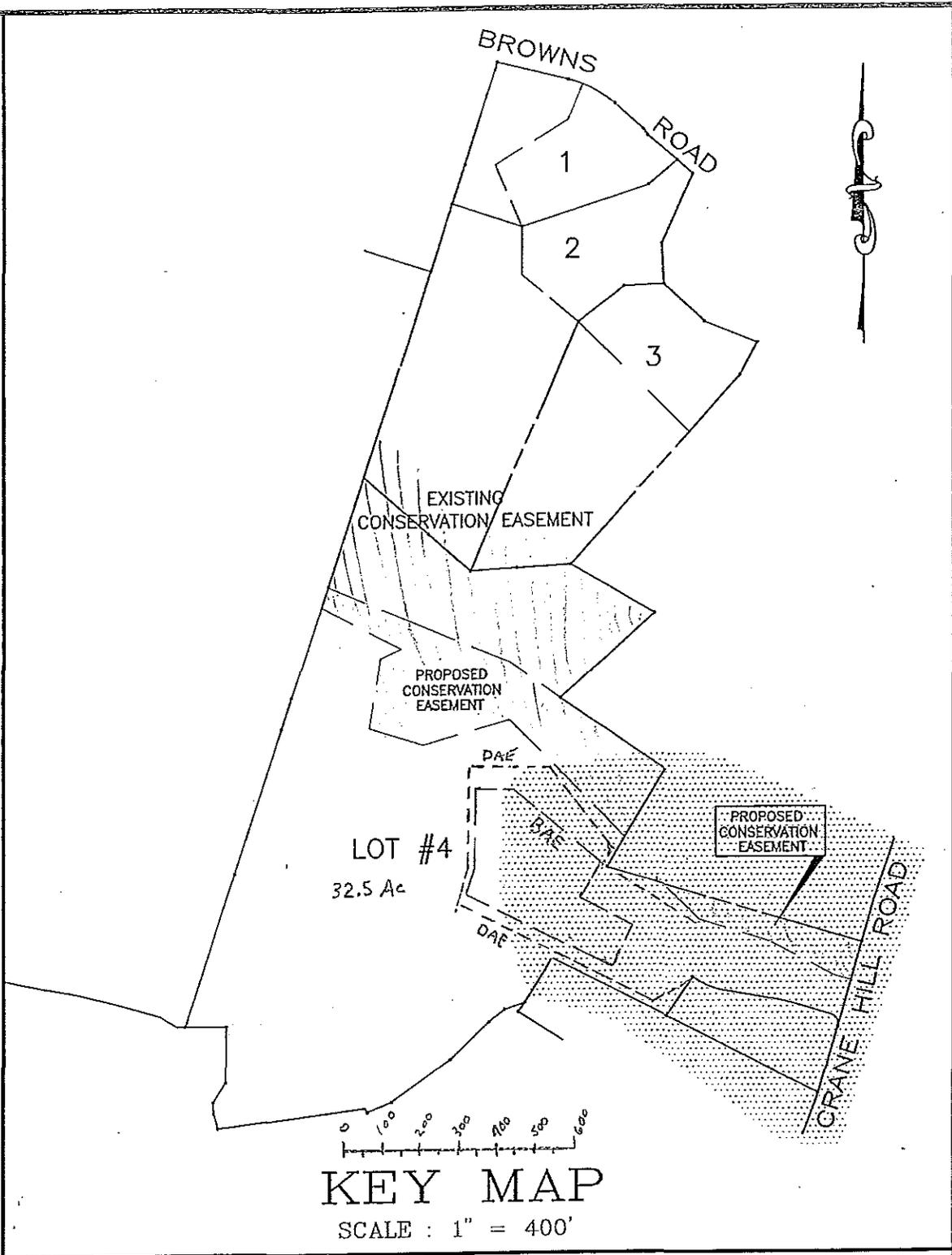
From: Ben Lacy <greenstarct@hotmail.com>
Sent: Tuesday, December 10, 2013 7:50 PM
To: Linda M. Painter
Subject: 102 Crane Hill RD land use revision

Linda Painter,

This letter is in regards to the land located at 102 Crane Hill Rd. I would like to revise the subdivision agreement to permit agricultural activities on the entire lot outside the development envelope with the exception of the conservation easement. These activities would include all the necessities for raising cattle and propagating Christmas trees.

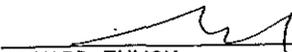
Regards,
Ben Lacy

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Conservation Easement = 4.4 Ac
No Fences, Grade Changes,
Removal of Trees, GRAZING

THE WETLAND SOILS ON THIS SITE WERE IDENTIFIED IN THE FIELD USING THE CRITERIA REQUIRED BY CONNECTICUT P.A. 72-155 AS AMENDED BY CONN. P.A. 73-571, CONN. P.A. 87-338 AND P.A. 87-533. THE BOUNDARIES OF THESE SOILS AND OF IDENTIFIED WATERCOURSES ARE ACCURATELY REPRESENTED ON THIS PLAN.


RICHARD ZULICK
1/2/06
DATE

To whom it may concern,

I would like to request an expansion of the development envelope, and re wording of the conservation easement on the 32.5 acres located at 102 Crane Hill Rd. The first reason for the expansion of the development envelope is that I would like to be able to fence some land, and thin out some trees for a small beef cattle operation. The second reason is I would like to be able to manage the remaining forest in accordance with a forestry plan that I had prepared when I enrolled my land in the 10 year forestry program. This includes addressing a birch canker infestation.

I would also like to request that the wording in the conservation easement be modified to allow grazing and the repair/replacement of the existing barbwire fencing that currently outlines sections of the property located within said easement.

Thank You

Ben Lacy

102 Crane Hill

Lacy-greenstarct@hotmail.com

A note to the landowner from the Connecticut State Forester.

Congratulations on being a steward of the future! With proper care, the forested land you own will provide a home for wildlife, a moderate source of income, fresh air, fresh water, and unmatched beauty for you – and for generations to come. How well you care for the forest will have a direct and lasting impact on the quality of life in Connecticut for the future. The following page(s) provide a brief description of your forest and some suggested forest management activities that are intended to help you attain your goals of forest ownership and pass on a forest that is healthier and more vigorous than when you took charge of it.

You certainly should consult your certified Forester as you manage your forest for the future. But, you may also consult (free of charge) with one of our State Service Foresters. Simply contact my office (860-424-3630) and I will have the Service Forester for your area contact you.

Some facts to help you understand your Qualified Forester's Report . . .

What is a forest "stand"? A stand is a contiguous area where the species, size, age, and general condition of trees is uniform enough to be distinguished from adjacent areas. The forest map(s) that accompany this report will show the layout of the property and the various forest stands.

Tree diameters are measured in inches at 4.5 feet above ground level, known as "diameter at breast height" (dbh). Trees are described according to the following size groups:

- seedlings - trees less than or equal to 0.5 inches dbh.
- saplings - trees greater than 0.5 inches and less than or equal to 5.5 inches dbh.
- poletimber - trees greater than 5.5 inches and less than or equal to 11.5 inches dbh.
- sawtimber - trees greater than 11.5 inches dbh.

Forest Stand Descriptions are coded as follows:

H = hardwoods (broadleaf trees)	0 = seedlings	A = overstocked (needs thinning)
M = mixed hard and softwoods	1 = saplings	B = well stocked for optimal growth
S = softwoods (conifers)	2 = poletimber	C = poorly stocked (young or over-cut)
X = xmas trees (harvest w/o roots)	3 = sawtimber	

(As an example, the forest stand class "H2A" describes a stand of hardwood poletimber that is overstocked and in need of thinning. Where more than one size group is present the classifications are combined, such as "M2,3B" represents a well stocked mixed stand of pole and sawtimber.)

The "priority" listed for treatment of a forest stand is a subjective evaluation by your Qualified Forester of how important is it to perform the treatment of the stand in comparison to treatments proposed for other stands. If you've decided to actively manage your forest, start with the top priority treatments (labeled #1) and work down the priorities. That way you know you're getting the most important work done first!

UPDATE THESE GUIDELINES !!!

Natural processes, harvesting, and other management practices cause changes in the forest that will make these guidelines less valid with the passage of time. Therefore, new guidelines should be developed at least every 10 years.

Forest Stand Descriptions

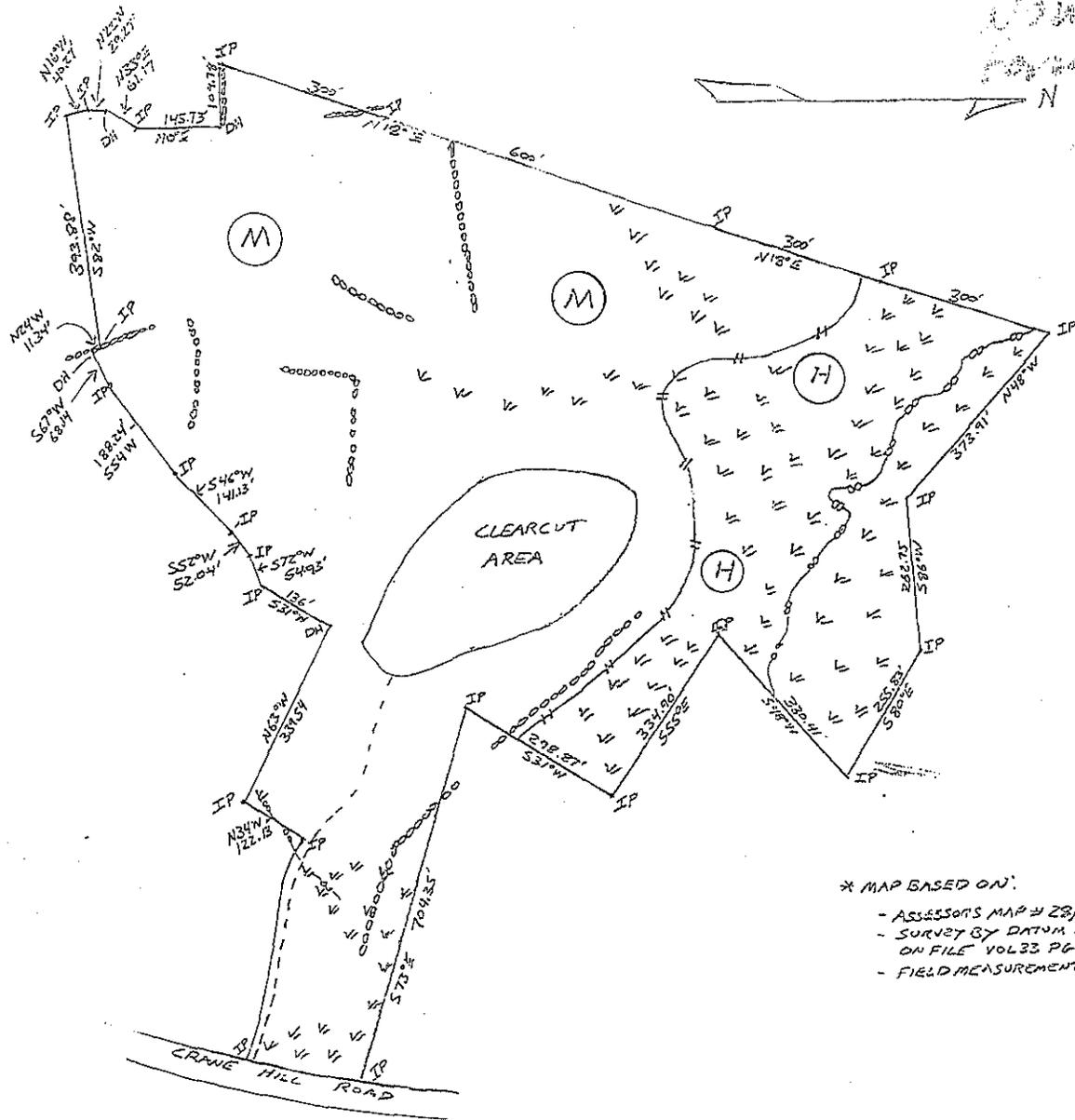
The accompanying forest map shows the layout of the property and the various forest stands. Management recommendations are offered for each stand and are based upon owner objectives and stand characteristics.

Stand #:	M	Acres:	22.83	Trees/Ac.:	150	Code:	H-2,3-B	Priority:	1
Predominant species:	RED, BLACK, WHITE OAKS, RED+SUGAR MAPLE, HICKORY, B. BIRCH								
Suggested Treatment(s):	NONE, AS TIMBER WAS RECENTLY CUT								
Forest health and protection issues:	NECTRIA CANKER ON BLACK BIRCH								
Special or unique features/values:									

Stand #:	H	Acres:	737	Trees/Ac.:	180	Code:	H-2,3-B	Priority:	1
Predominant species:									
Suggested Treatment(s):	SAME AS ABOVE								
Forest health and protection issues:	NECTRIA CANKER ON BIRCH								
Special or unique features/values:	SIGNIFICANT WETLANDS								

Stand #:		Acres:		Trees/Ac.:		Code:		Priority:	
Predominant species:									
Suggested Treatment(s):									
Forest health and protection issues:									
Special or unique features/values:									

(attach additional pages as necessary.)



Would like to purchase
 some additional acreage
 near the

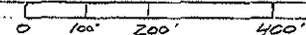
PROPERTY OF
 BENJAMIN + OLIVIA LACY
 CRANE HILL RD, MANSFIELD, CT.

— LEGEND —

- V V WETLANDS
- ~ ~ ~ BROOK
- - - - STONE WALLS
- IP - IRON PIN OR PIPE
- DH - DRILL HOLES
- - - ACCESS ROAD
- AREA TO BE DESIGNATED FORESTLAND
- ⊙ M TIMBER STAND DESIGNATION
- — — TIMBER STAND BOUNDARY

* MAP BASED ON:
 - ASSESSOR'S MAP # 28/90/17A
 - SURVEY BY DATUM ENG,
 ON FILE VOL 33 PG 33-44
 - FIELD MEASUREMENTS

SCALE: 1" = 200 FEET



MAP DRAFTED BY FORSTER J. THEROUX
 3/17/11
 FORESTELCERT. # F-028

Ben Lacy

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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: December 12, 2013
Subject: Modification to Storrs Commons Special Permit (File 888)



The Special Permit Approval for the Storrs Commons Shopping Center included a sign plan for the building. This sign plan included the use of 'sign boxes' located within a sign band above the entries to different tenant spaces. Michael Taylor, the owner of Storrs Commons, is requesting a modification to the sign plan on behalf of Hartford Healthcare, the new tenant for the lower floor of the building. The proposed sign would be located on the rear of the building and would replace several existing sign boxes. Instead of using a sign box in the sign band, the sign would consist of individually illuminated letters and logo placed above the traditional sign band in an architectural embellishment intended to simulate a peaked roof. The proposed sign meets the maximum area requirements; no other signs would be changed or added as part of this application other than the elimination of several individual sign boxes on the rear of the building. The sign is not visible from Storrs Road. While it will be visible from Wilbur Cross Way, that visibility will be eliminated once buildings are constructed along the south side of Wilbur Cross Way.

Summary/Recommendation

It is recommended that the PZC approve the modification to the sign plan for Storrs Commons to allow the Hartford Healthcare sign to be installed on the rear of the Storrs Commons building as proposed.

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

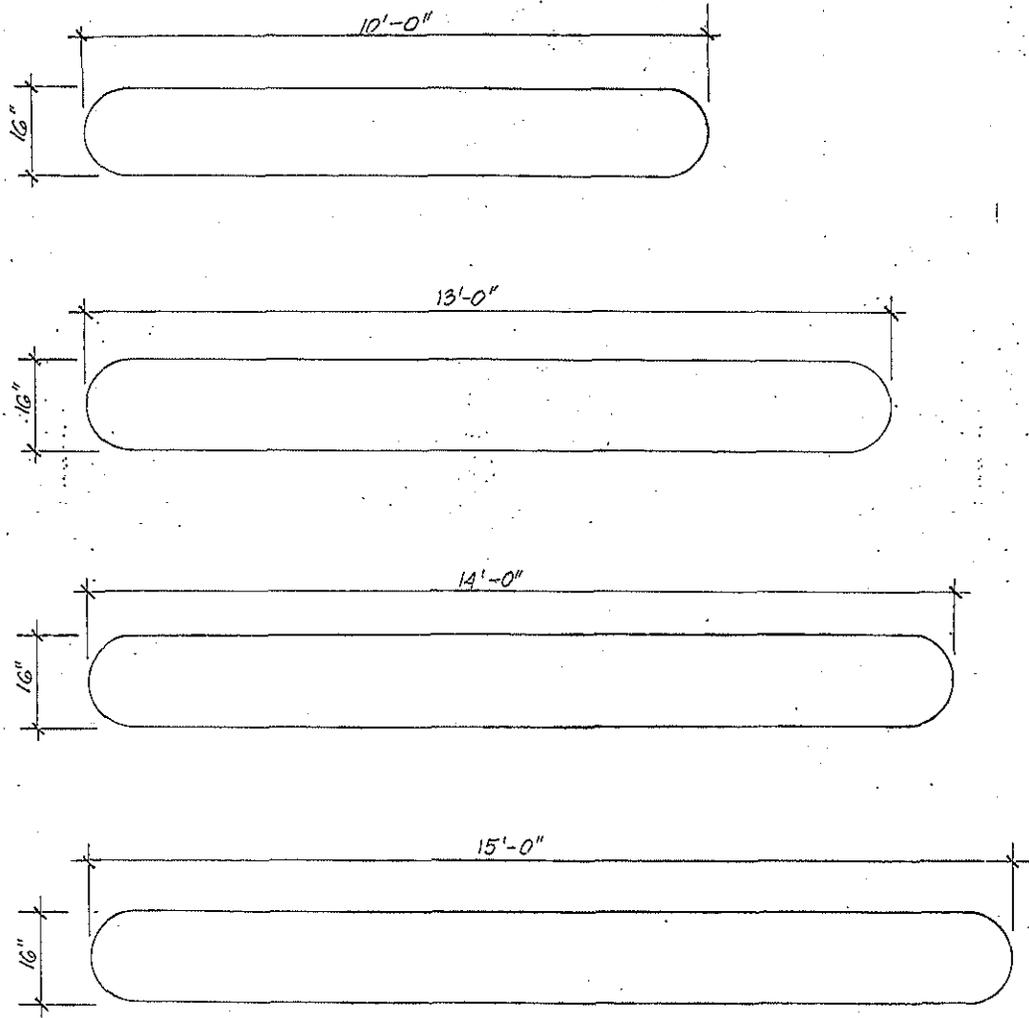
APPLICANT/OWNER SECTION

- Owner(s) STORRS ASSOCIATES LLC Telephone 860 429 8891
 Address Box 476 (please PRINT) Town Storrs CT Zip 06268
- Applicant(s) Michael M. Taylor Telephone 860 429 8891
 Address P.O. Box 476 (please PRINT) Town Storrs CT Zip 06268
- Site Location 1244 Storrs Rd. Storrs (Storrs Commons)
- Reference any approved map(s) that would be superseded if this request is approved:
Sign Plan dated ~~5/19/11~~ revised through ~~6/17/11~~ ^{final} ~~6/17/11~~ _{8/11/12} ~~8/11/12~~ _{8/11/12}

- Reference any new map(s) submitted as part of this request:
PALISSON SIGN GROUP - HARTFORD HEALTHCARE
Sign Graphic
 (Attached) DATE 07, 05, 2013
Christine Couturier, Draftsman
Page 1 of 1

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: -
To replace the series of small sign boxes - which were originally part of the 1987 PZC sign approvals - on the rear face of the South Building with a single sign w/ a picture. The sign would have illuminated letters. This would be the only exterior sign on the entire rear face of this building.
No other signs will be changed or modified or added due to this modification - other than the elimination of the several previous sign boxes on this face.

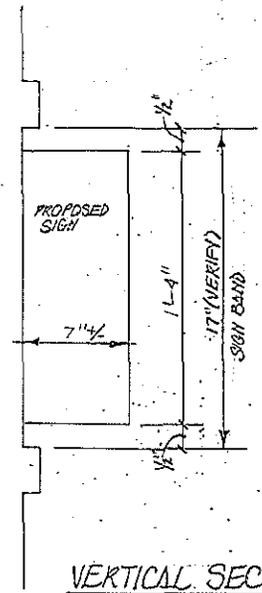
7. [Signature] date Dec. 11, 2013
 Applicant's signature



NOTE: MESSAGE AREA TO BE DETERMINED BY TENANT WITH OWNER'S APPROVAL.

SIGNAGE BOX LENGTHS

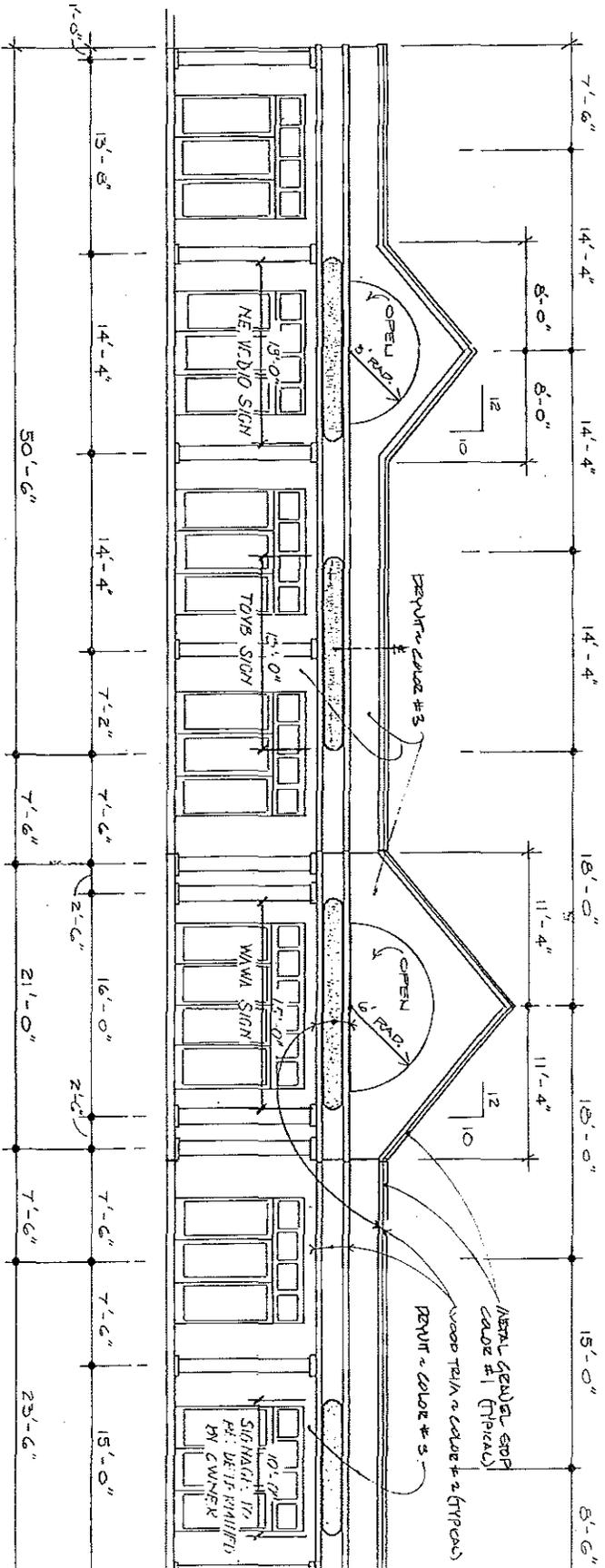
1/2" 1'-0"



SIGN FACE & CABINET SHALL BE .060 ALUM. CONT. WELDED, W/ STENCIL CUT LETTERS BACKED W/ PLEXIGLASS, LIGHTING SHALL BE HIGH OUTPUT FLUORESCENT LAMPS & BALLAST - MESSAGE BY TENANT.
ALL SIGNS PTD W/ BAKED ENAMEL FINISH.

Original Sign Plan

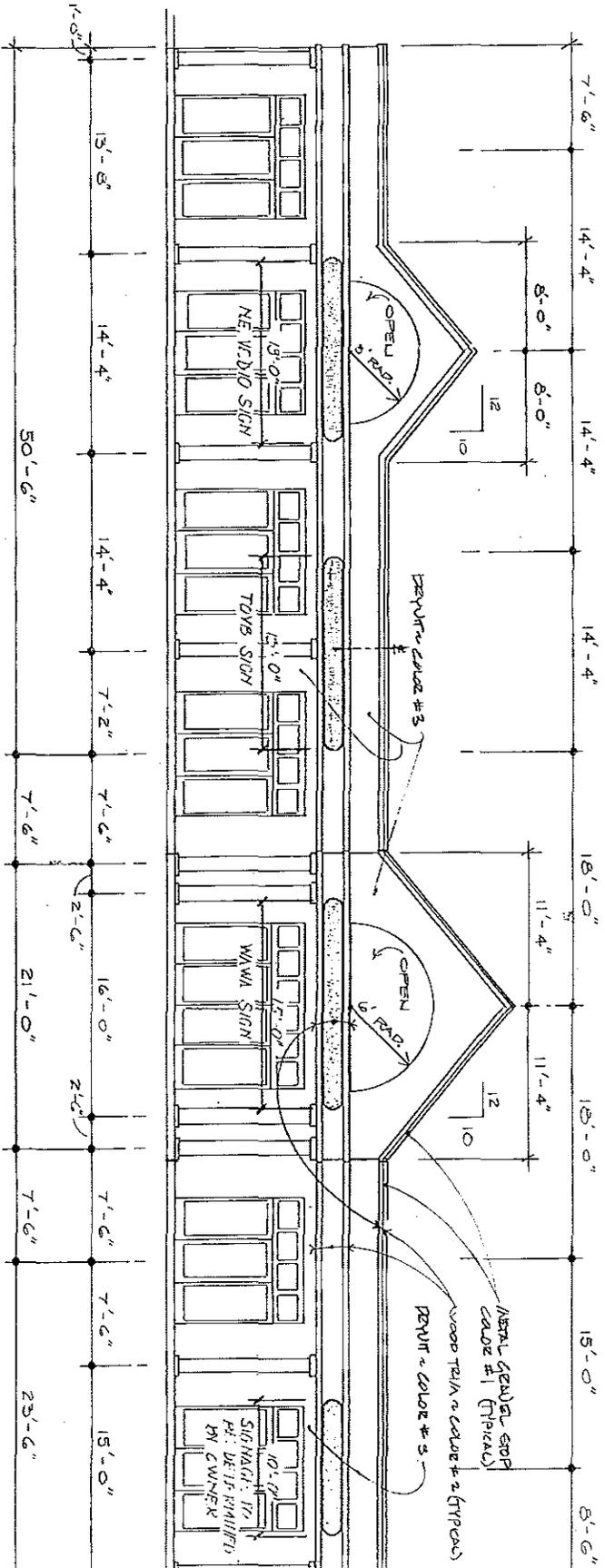
title SIGN DETAIL	scale AS NOTED	date 7-21-87	project no. 111111-01-001111
	dwr. no. SK-14 REVISED	REV: 8/19/87	
project STORPS COMMON	architect tector. p. c.	one hartford sq. west hartford, ct.	



WEST

Original Sign Plan

5/23/08
5/1
Front - 100'



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: December 12, 2013
Subject: 8-24 Referral: Wilbur Cross Way Deed Adjustment

Pursuant to the provisions of Section 8-24 of the State Statutes, the above-referenced proposed adjustments to the Right-of-Way for Wilbur Cross Way has been referred to the PZC for comment. The PZC has 35 days to report to the Town Council. A copy of the Council Agenda Item, deeds and a location map are attached for your reference.

The proposed request would make a small alteration to the existing Right-of-Way for Wilbur Cross Way (aka the Village Street) to accommodate the new grocery store in the Storrs Center Market Square area. A change in the type of foundation wall used for the eastern portion of the building resulted in an approximate 6 inch encroachment into the right-of-way. This encroachment is due to the change from a stone veneer to a cast in place concrete with stone pattern; this change increased the thickness of the wall by approximately 4 inches. The proposed 6 inch adjustment to the deed will accommodate this additional wall thickness, a field error of approximately 1 inch, and leave an extra inch for protection. The additional 6 inches is not expected to have a negative impact on the safety of the adjacent sidewalk. However, there is a light pole located in close proximity to the corner of the foundation that was designed as part of the Village Street, prior to the finalization of the grocery store design and location. This light pole should be relocated at the developer's expense to ensure clear, unobstructed pedestrian passage.

As the changes to the right-of-way and easement areas are minimal and pedestrian access along both roads are maintained, staff recommends that the PZC notify the Town Council that the proposed adjustments are consistent with the Plan of Conservation and Development.

Summary/Recommendation

It is recommended that the PZC notify the Town Council that the proposed adjustment to the Right-of-Way for Wilbur Cross Way is consistent with Mansfield's Plan of Conservation and Development.

MEMORANDUM

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



To: Planning and Zoning Commission
CC: Linda Painter, Director of Planning and Development
From: Matt Hart, Town Manager
Date: December 12, 2013
Re: Referral: Deed Adjustment – Wilbur Cross Way at Supermarket Southeast Corner

The following motion was passed by the Town Council on 12/09/13:

"Move, effective December 9, 2013, to refer the proposed revision of the property line between the Supermarket parcel and the Wilbur Cross Way right-of-way to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes."

Please see the attached information regarding the above captioned matter for your review. Your assistance with this matter is greatly appreciated.

Attach (1)



Town of Mansfield
Agenda Item Summary

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Lon Hultgren, Director of Public Works; Linda Painter, Director of Planning and Development; Cynthia van Zelm, Executive Director of the Mansfield Downtown Partnership, Inc.
Date: December 9, 2013
Re: Deed Adjustment – Wilbur Cross Way at Supermarket Southeast Corner

Subject Matter/Background

When the original property was deeded to the Town for Wilbur Cross Way, a “carve out” was made to allow the corner of the supermarket building to extend slightly into what would have been the right-of-way for Wilbur Cross Way. This was done with the Town’s full knowledge and permission, as it was a very tight fit to get the supermarket building in between Wilbur Cross Way and Storrs Road (Route 195).

When the supermarket structure was actually built, they overshot this “carve out” by about six inches. As a result, the deed needs to be adjusted so that the building and road are appropriately separated.

The attached deed revision and map needs to be referred to the Planning and Zoning Commission for review prior to Council action on this item.

Legal Review

The documents have been reviewed by the Town Attorney.

Recommendation

Staff recommends the Town Council refer this item to the Planning and Zoning Commission for review.

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

Move, effective December 9, 2013, to refer the proposed revision of the property line between the Supermarket parcel and the Wilbur Cross Way right-of-way to the Planning and Zoning Commission for review pursuant to Section 8-24 of the Connecticut General Statutes.

Attachments

- 1) Quitclaim Deed from the Town of Mansfield to Storrs Center Alliance, LLC
- 2) Map of Deed Transfer Area

Record and return to:
Storrs Center Alliance, LLC
c/o Edward S. Hill, Esq.
Cappalli & Hill, LLC
325 Highland Avenue
Cheshire, CT 06410

Quit Claim Deed

Town of Mansfield, a municipal corporation having its territorial limits in Tolland County, with an office and principal place of business at 4 South Eagleville Road, Mansfield, CT 06268 (hereinafter referred to as the "Grantor") for the consideration of One Dollar (\$1.00) and other good and valuable considerations received to its full satisfaction of Storrs Center Alliance, LLC, a Connecticut limited liability company, whose mailing address is c/o Leyland Alliance LLC, P.O. Box 878, Tuxedo, NY 10987 (hereinafter referred to as the "Grantee") grants, with QUIT-CLAIM COVENANTS, to the Grantee:

All of that tract or parcel of land, situated in the Town of Mansfield, County of Tolland and State of Connecticut, containing a total of 27 square feet or 0.0006 acres and more particularly bounded and described as follows, and also depicted as "Area To Be Conveyed To Storrs Center Alliance, LLC = 27 Sq. Ft. or 0.0006 Acres" on the map hereinafter referred to:

Commencing at a Connecticut Highway Department monument found on the easterly highway line of present Storrs Road (State Route 195), thence running along said easterly highway line of present Storrs Road (State Route 195) North 46°-00'-16" West a distance of 173.28 feet to a point, thence running North 40°-46'-26" West a distance of 2.30 feet to a point, said point being at the northwesterly corner of land now or formerly State of Connecticut (Map 16, Block 41, Lot 10);

Thence running along the northerly line of said land of State of Connecticut (Map 16, Block 41, Lot 10) North 47°-22'-51" East a distance of 4.73 feet to a point;

Thence running along an easement for highway purposes in favor of the State of Connecticut along a curve to the right having a radius of 1,755.00 feet, a delta angle of 00°-05'-12", an arc length of 26.13 feet and a chord bearing of North 41°-05'-48" West a chord distance of 26.13 feet to a point, along a curve to the right having a radius of 1,355.00 feet, a delta angle of 02°-01'-58", an arc length of 48.07 feet and a chord bearing of North 39°-39'-13" West a chord distance of 48.07 feet to a point;

Thence running along land now or formerly Town of Mansfield, Charles Smith Way, North 62°-59'-12" East a distance of 34.65 feet to a point, North 47°-27'-19" East a distance of 77.21 feet to a point, North 46°-01'-10" East a distance of 98.35 feet to a point;

Thence running along other land now or formerly Town of Mansfield, Wilbur Cross Way, the following six (6) courses and distances: North 28°-32'-13" West a distance of 12.73 feet to a point, North 43°-26'-38" West a distance of 92.95 feet to a point, along a

curve to the right having a radius of 121.00 feet, a delta angle of 11°-17'-02", an arc length of 23.83 feet and a chord bearing of North 37°-48'-07" West a chord distance of 23.79 feet to a point, North 32°-09'-36" West a distance of 134.90 feet to a point, North 28°-02'-44" West a distance of 54.12 feet to a point, North 39°-22'-33" West a distance of 10.43 feet to the True point and place of beginning, said point also being the southwest corner of the herein described parcel;

Thence continuing along said land of Town of Mansfield, Wilbur Cross Way, North 39°-22'-33" West a distance of 0.51 feet to a point, North 57°-09'-00" East a distance of 4.58 feet to a point, North 32°-51'-00" West a distance of 47.63 feet to a point, along a curve to the right having a radius of 408.00 feet, a delta angle of 00°-13'-42", an arc length of 1.62 feet and a chord bearing of North 14°-56'-09" West a chord distance of 1.62 feet to a point;

Thence running through said land of Town of Mansfield, Wilbur Cross Way, South 32°-51'-00" East a distance of 49.68 feet to a point, South 57°-09'-00" West a distance of 5.02 feet to the True point and place of beginning.

For a more particular description of the above described land, reference is made to a map to be filed in the Mansfield Town Clerk's Office entitled "Lot Line Modification Plan Storrs Center Storrs Road (Route 195), Charles Smith Way & Wilbur Cross Way Mansfield, Connecticut" Scale 1"=40' Dated 11/13/2013, rev. 11/26/2013, Sheet No. BS-7, prepared by BL Companies, Inc. Meriden, Connecticut.

Signed this ____ day of _____, 2013

Witnessed by:

Town of Mansfield

By: _____

Matthew W. Hart
Town Manager

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: December 12, 2013
Subject: Water Supply Project

On December 9, 2013, the Town Council referred the proposed Definitive Agreement for Water Supply Services between the Town of Mansfield and the Connecticut Water Company to the Planning and Zoning Commission/Inland Wetlands Agency, Conservation Commission, Four Corners Sewer and Water Advisory Committee, and Sustainability Committee for review and comment. This Agreement is based on the Letter of Intent approved by the Town Council on October 28, 2013. The Council has requested that committees provide comments on the proposed agreement prior to their January 13, 2014 meeting.

A Public Information Meeting on the agreement will be held on Wednesday, December 18th at 6:00 p.m. in the Town Council Chambers. Connecticut Water Company will be making a presentation and will be available for Q&A as part of the information session. Additionally, staff is working on scheduling a joint meeting of the other three committees during the week of January 6th for a presentation by Connecticut Water Company. Commission members are welcome to attend either of those sessions to get additional information. The date, time and location of that meeting will be forwarded to Commission members once it is finalized.

The following is a summary of provisions contained in the Agreement. A link to a full copy of the agreement, including exhibits, will be emailed to members prior to the December 16th meeting.

- Recitals – this section provides the background and purpose of the Agreement.
- Section 1. Definitions and Adoption – this section defines key terms used in the Agreement and confirms the accuracy of the statements made in the preamble and recitals.
- Section 2. Water Supply – this section speaks to the CWC’s commitment to provide water service and explains how new service connections will be handled.
- Section 3. Water Rates, Charges and Customers – this section addresses rates for existing and new customers, and water supply planning and information sharing.
- Section 4. Representations, Warranties and Covenants – this section details the various representations, warranties and covenants made by the CWC, including its authority to enter into the Agreement, its title to assets and licenses and permits.
- Section 5. Capital Improvements – this section covers the CWC’s obligations to design and construct the system, the Town’s rights to review the CWC’s design and construction plans, the CWC’s requirements to fund the infrastructure costs, the CWC’s responsibilities for obtaining easements and rights of way, the Town’s rights to observe and inspect construction, and the parties’ intent to coordinate the timing of water main construction and sewer line installation.

- Section 6. Water Supply Infrastructure Ownership and Management – this section explains how ownership of the Town-owned and UCONN off-campus infrastructure shall transfer to the CWC, the irrevocable license that the Town shall extend to the CWC for the use of Town-owned infrastructure and the CWC’s liability for property taxes.
- Section 7. Insurance, Indemnification and Dispute Resolution Procedures – this section highlights the CWC’s obligations to carry insurance and to indemnify the Town for liability associated with the Agreement, as well as the dispute resolution process.
- Section 8. Water Supply Permitting and Licensing – this section explains the CWC’s obligations to obtain any necessary permits or licenses necessary to perform its obligations under the Agreement.
- Section 9. System Meter Reading and Billing – this section covers the CWC’s responsibilities for water meters, its obligations to ensure that billing procedures confirm with company and state regulations, and its intent to assist the Town in complying with FOIA requirements. The section also sets out the basic framework of a Water System Advisory Committee, which is to be further refined in a memorandum of agreement to be completed within 120 days from the execution of the Agreement, and the CWC’s intent to adhere to best management practices. In addition, the section details how the Town would seek to enforce the CWC’s obligations (if necessary), the Town’s obligation to reasonably support the designation of an exclusive service area to the CWC and how the sale or transfer of the CWC would be subject to PURA’s approval.
- Section 10. Force Majeure Event and Special Notice – this section address how the parties would handle a force majeure event, where one party is prevented from performing its obligations under the Agreement for events beyond its control.
- Section 11. General Provisions – this section sets out a number of general provisions including notice, amendments and modifications, governing law, severability and assignment.

MEMORANDUM

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



To: Planning and Zoning Commission
CC: Linda Painter, Director of Planning and Development
From: Matt Hart, Town Manager
Date: December 12, 2013
Re: Referral: Water Supply Project/Agreement between the Town of Mansfield and Connecticut Water Company (CWC)

The following motion was passed by the Town Council on 12/09/13:

"Move, effective December 9, 2013, to refer the proposed Definitive Agreement for Water Supply Services between the Town of Mansfield and the Connecticut Water Company to the Conservation Commission, the Planning and Zoning Commission/Inland Wetlands Agency, the Four Corners Water and Sewer Advisory Committee and the Sustainability Advisory Committee for review with a deadline to report back to the Town Council for its January 13, 2014 meeting, and to direct staff to conduct a public information session in collaboration with the Connecticut Water Company to review the proposed Definitive Agreement with members of the public."

Please see the attached information regarding the above captioned matter for your review. Your assistance with this matter is greatly appreciated.

Attach (1)

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