

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Monday, March 16, 2015 ▪ 7:00 PM

Or upon completion of Inland Wetlands Agency Meeting

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

1. Call to Order
2. Roll Call
3. Approval of Minutes
 - a. March 2, 2015 Regular Meeting
4. Zoning Agent's Report
5. Public Hearings
7:05 p.m.
Re-Subdivision Application, 101 East Road, C. & L. Niarhakos, PZC File #293-2
The public hearing on this item has been cancelled as the application has been withdrawn
6. Old Business
 - a. Re-Subdivision Application, 101 East Road, C. & L. Niarhakos, PZC File #293-2
3/12/2015 Letter from C. Niarhakos withdrawing application
 - b. Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)
Tabled to 4/6/15 for continuation of Public Hearing
 - c. Special Permit Application, Commercial Recreation Use with Restaurant, 95 Storrs Road; East Brook F LLC, East Brook T LLC, and East Brook W LLC; PZC File #432-6
Tabled to 5/4/15 Public Hearing
 - d. Other
7. New Business
 - a. Freedom Green, Request to Bond Remaining Work (PZC File #636)
Memos from Assistant Town Engineer and Zoning Agent
 - b. UConn South Campus Development
Memo from Director of Planning and Development
 - c. Other
8. Mansfield Tomorrow | Our Plan ▶ Our Future
 - a. Zoning Focus Group Update
 - b. Other
9. Reports from Officers and Committees
 - a. Chairman's Report
 - b. Regional Planning Commission

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. **Regulatory Review Committee**
- d. **Planning and Development Director's Report**
- e. **Other**

10. Communications and Bills

- a. January 2, 2015 letter from Jean Perry Phillips (Williams Heights/101 East Rd Subdivision)
- b. Undated letter from George and Jean Norman (William Heights/101 East Rd Subdivision)
- c. February 24, 2015 email from Liz Vitullo on East Road Water Concerns (William Heights/101 East Rd Subdivision)
- d. March 2, 2015 letter from Lois K. Happe on Mansfield Tomorrow
- e. DEEP Notice of Public Hearing on Water Diversion Permit for CWC Project
- f. CTDOT Notice regarding replacement of Route 275 bridge over Willimantic River
- g. Scoping Notice: Four Corners Sanitary Sewer Project

11. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
March 2, 2015
Council Chamber, Audrey P. Beck Municipal Building

Members present: B. Chandy, J. Goodwin (Chair) R. Hall K. Holt, G. Lewis, B. Pociask, K. Rawn, B. Ryan,
Members absent: P. Plante
Alternates present: V. Ward, S. Westa
Alternates absent: P. Aho
Staff Present: Linda Painter, Director of Planning and Development; Jennifer Kaufman, Natural Resources and Sustainability Coordinator; Mary Stanton, Town Clerk

Chair Goodwin called the meeting to order at 7:00 p.m., appointing alternate S. Westa to act in the absence of P. Plante.

Minutes:

- a. 2-17-15 Meeting Minutes –B. Chandy MOVED, B. Ryan seconded, to approve the 2-17-2015 meeting minutes as presented. The Chair noted for the record that she listened to the audio recording of the meeting. MOTION PASSED UNANIMOUSLY.

Zoning Agents Report:

There were no questions or comments on the Zoning Agent's report.

Public Hearing:

Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)

Chair Goodwin convened the public hearing at 7:01 p.m. Director of Planning and Development Linda Painter read the public hearing notice, noted the following correspondence and read the January 20, 2015 letter from the Capitol Region Council of Governments Regional Planning Commission into the record:

Committee and Agency Referrals

- o January 20, 2015 Letter from the Capitol Region Council of Governments Regional Planning Commission
- o Undated Letter from Mansfield Commission on Aging
- o January 15, 2015 Memo from the Transportation Advisory Committee
- o February 3, 2015 Memo from the Agriculture Committee
- o February 22, 2015 Memo from the Mansfield Parks Advisory Committee
- o February 17, 2015 Memo from the Open Space Preservation Committee
- o February 18, 2015 Memo from the Conservation Commission
- o January 6, 2015 Minutes of the Four Corners Sewer and Water Advisory Committee

Resident and Property Owner Comments

- o Comment form from Donald B. Hoyle, 125A Bassetts Bridge Road (with attachments on fracking and oil pipeline extension article)
- o Comment form from Meg Reich, 343 Bassetts Bridge Road
- o Comment form from Julia Barstow, 139 Woodland Road
- o Comment form from Bettejane Karnes, 353 North Eagleville Road
- o Comment form from Pat Hempel
- o Comment form from Miriam Kurland, 287 Wormwood Hill Road

- Undated Letters from Wilfred T. Bigl, 17 Hill Pond Drive (one addressed to the PZC Chair, one to the Director of Planning and Development)
- December 22, 2014 Comment from William Shakalis submitted through Joomag on-line portal
- December 29, 2014 Comment from John Perch submitted through Joomag on-line portal
- January 30, 2015 Comment from Mansfield Resident submitted through Joomag on-line portal
- January 2015 Letter from Charles Galgowski
- February 3, 2015 Email from Joan Buck
- February 9, 2015 Letter from Anthony Gioscia, 1708 Stafford Road
- February 10, 2015 Email from Emile Poirier
- February 12, 2015 Email from Vicky Wetherell
- February 20, 2015 Comment from John Fratiello submitted through Joomag on-line portal
- February 22, 2015 Email from Tulay Luciano to the Town Council and Town Manager
- February 24, 2015 Comment from Virginia Walton (Mansfield Recycling Coordinator) submitted through Joomag on-line portal
- February 25, 2015 Comments from Celeron Square (received in an email from John Sobanik)
- Draft Minutes of February 23, 2015 Town Council Public Hearing

L. Painter made a brief power point presentation summarizing the main objectives of the Plan. Copies of the presentation were distributed to members and made available to the public in attendance.

Jacqueline Gryphon, Cedar Swamp Road, asked if an Environmental Impact Evaluation has been or will be scheduled for the Four Corners sewer project and commented that she is concerned about impacts on the area's natural resources and wildlife. She also asked if the identified compact residential areas could include condominiums.

Gary Bent, Mansfield Hollow Road and representing the Eastern Connecticut Green Action Committee, spoke to his concerns about global warming and the expansion of the Algonquin natural gas pipeline in Town. He stated that natural gas also emits carbon dioxide and urged the Town to request of its legislators that they oppose the expansion.

Lois Happe, Olsen Drive, thanked the PZC and staff for their work and urged everyone to view Mansfield within a larger context. She commented that the expansion of the natural gas pipeline will be felt locally since a larger pipe line will result in more leakage, breaks and emissions.

George Rawitscher, Codfish Falls Road, commented that he is pleased that the Mansfield Tomorrow Plan looks both forward and backward and asked the Commission to focus on plan implementation, particularly Goals 2.4 and 2.5 regarding climate change.

Miriam Kurland, Wormwood Hill Road, complimented the PZC on its efforts on the Plan and urged the Commission to closely review the forthcoming comments of the Sustainability Committee. She also commented on the need to repair existing infrastructure and not build more gas lines and asked that the Town adopt a declaration against pipe line expansion.

David Nelson, Fort Griswold, expressed support for the previous statements adding that the Town should have a committee to address the inevitable changes that will happen as a result of climate change.

Jim Morrow, Chair of the Open Space Committee, thanked the Commission and staff for their work and noted the Open Space Committee comments reinforce the role open space plays in the Town's finances and economic growth.

Pat Suprenant, Gurleyville Road, thanked the Commission and participants in the process and expressed concern with the following aspects of the plan: future plans for development of Mansfield Depot if passenger rail returns; the lack of references to the CWC water project and associated connection restrictions identified in the draft DEEP permit; lack of reference or detail on overlay zones intended to prevent induced development along the new CWC pipeline route; possible locations of cluster development; lack of reference to specific flora, fauna and wildlife species in Chapter 2; the disconnect between sustainability principles and importing water from another area of the state; the lack of metrics such as maximum population or number of units the town can support; and the impacts of growth on cost of community services and state revenues.

Arthur Smith, Mulberry Road, commented on the lack of an identified number for the targeted population size; noted concern that while UConn is part of the community, the Town has very little control over how the university grows; suggested the Town set up a system of rights of first refusal and should use tax abatements for acquiring open space; urged the Town to work with DEEP to assist in monitoring self-reporting on projects; expressed concern with public-private partnerships and financial transparency of those partnerships; questioned the sewage capacity of the UConn system; identified a lack of commitment from UConn with regard to future biosafety labs; identified the need for more detail on the potential use of formulas to establish the number of dwelling units allowed by right; urged a commitment for making all parks in Town handicap accessible; suggested that rural character is also about lifestyle and that the town has been taking on more urban issues such as smoking and dog waste; noted that the WRTD bus program is underfunded resulting in long-term reliability concerns; and suggested that third party involvement is needed to ensure town open space acquisitions are protected in perpetuity and not subject to political changes at the Town Council.

Eva Csejtey, Browns Road, commented on the differences between addressing global warming and being resilient and indicated that the Town needs a specific plan to address the impacts of global warming such as flooding and drought.

Anthony Gioscia, Stafford Road, expressed appreciation for the time spent on the Plan and spoke in support of the rural commercial designation for the corner of Rte. 195 and Rte. 32.

M. Hall **MOVED** and B. Pociask seconded to continue the public hearing on the December 2014 draft of the Mansfield Tomorrow Plan of Conservation and Development to the Monday, April 6, 2015 Planning and Zoning Commission meeting. **MOTION PASSED UNANIMOUSLY.**

Old Business:

- a. **Re-Subdivision application, 101 East Road, C. & L. Niarhakos, PZC File #293-2**
Tabled to the 3/16/2015 Public Hearing

New Business:

- a. **Special Permit Application, Commercial Recreation Use with Restaurant, 95 Storrs Road, East Brook F, LLC, East Brook T, LLC, and East Brook W, LLC; PZC File #432-6**
B. Ryan **MOVED** and K. Holt seconded to receive the Special Permit application File number PZC 432-6, submitted by East Brook F, LLC; East Brook T, LLC; and East Brook W, LLC for a commercial recreation use with restaurant on property located at 95 Storrs Road, owned by the applicants, as shown on plans dated 2/16/15, and as described in other application submissions, and to refer said application to the staff for review and comments, and to set a Public Hearing for 05/04/15.

Mansfield Tomorrow:

- a. Zoning Focus Group Update

Painter updated the Commission on the ongoing work of the Zoning Focus Group and distributed a hard copy of the packet that had been emailed to members prior to the February 23, 2015 meeting. Copies of sections will be provided to the Commission for its review as the staff and focus group complete their edits. The next meeting is scheduled for March 9, 2015.

Reports from Officers and Committees:

- a. **Chairman's Report** – No field trip is needed.
- b. **Regional Planning Commission** – The March 19, 2015 meeting will be in Mansfield beginning at 7:00 p.m.; a tour of Storrs Center will be held at 6:00 p.m.
- c. **Regulatory Review Committee** – The Committee continues to meet as part of the Zoning Focus Group.
- d. **Planning and Development Director's Report** – No additional comments were offered.

Communications and Bills:

The DEEP Water Diversion Permit Public Hearing will take place in the Council Chamber on March 25, 2015 beginning at 6:00 p.m.

Adjournment:

The meeting was adjourned at 8:27 p.m. p.m. by the Chair.

Respectfully submitted,

Katherine Holt, Secretary

To: Planning & Zoning Commission
 From: Curt Hirsch, Zoning Agent
 Date: march 8, 2015

Re: *Monthly Report of Zoning Enforcement Activity*
For the month of February, 2015



Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	4	4	2	64	89
Certificates of Compliance issued	4	4	1	65	75
Site inspections	8	17	1	221	141
Complaints received from the Public	2	4	0	38	38
Complaints requiring inspection	0	4	0	28	24
Potential/Actual violations found	0	6	0	37	32
Enforcement letters	1	3	0	32	16
Notices to issue ZBA forms	2	0	0	4	7
Notices of Zoning Violations issued	0	4	0	20	11
Zoning Citations issued	0	1	0	8	1

Zoning permits issued this month for single family homes = 0, 2-fm = 0, multi-fm = 0
 2014/2015 fiscal year total: s-fm = 7, 2-fm = 0, multi-fm = 0

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Chris Niarhakos
68 Brookside Lane
Mansfield Center, CT 06250
860-617-5396

March 12, 2015

Inland Wetlands Agency &
Planning & Zoning Commission
Town of Mansfield
4 South Eagleville Road
Storrs, CT 06268

Re: William Heights Resubdivision, 101 East Road

Withdrawal of applications

Due to the short amount of time to complete the public hearings within the statutory time frame I am withdrawing my Inland Wetlands and Re-subdivision applications. This will allow my design team to resubmit new applications addressing all the concerns raised by the staff and abutters consultants and allowing adequate time for the public hearing process.

We are planning on resubmitting the revised applications for the April 6, 2015 meeting. If there are additional fees required please let me know.

Respectfully submitted,

Chris Niarhakos

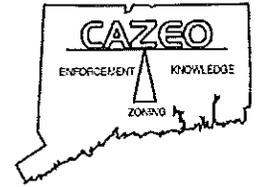


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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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

To: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: March 12, 2015

Re: Request to bond improvements
Freedom Green, PZC 636

We have received a February 27, 2015 request from Dennis Poitras, agent for the developer at The Villages at Freedom Green. The developer has one remaining unit waiting for a Certificate of Compliance, and a customer for the unit. I have been holding the C of C, and the Building Department is holding out the last CO, pending the completion of required zoning matters. The largest expense item still to be completed is the submission of as-built drawings of the major infrastructure (utility systems and roadways), documents that were required by the April 1991 Construction Agreement between the town and the developer. Pursuant to the Agreement, the as-built documents were to be submitted within 90 days of the completion of the work. Numerous reminders were issued to the developer over the years of the need to complete this documentation. *(several attached here)*

The developer's surveyor, Robert Amantea, has submitted a cost estimate for completion of the work he has been asked to perform. A 3/12/15 memo from Derek Dilaj, Assistant Town Engineer, indicates that Amantea's scope of work is not complete and that the full as-built requirements cannot be completed for the estimated amount. In addition to a more complete cost estimate, the Town will need to consider (should the town need to complete this work), its own costs to bid and oversee the project and the potential for higher costs should the work involve tasks for which prevailing wages are required.

The Commission is not obligated to accept bonding in lieu of completion of required work. Article V.B.7.c of the zoning regulations states that the *Commission may authorize* bonding. Furthermore, there is a question as to whether the Commission could authorize issuance of a bond in this situation without first amending the 1991 Construction Agreement. Other sections of that agreement offer bonding as an alternative to completion of work, but the section on preparation of as-built drawings does not contain any language identifying bonding as an alternative. If the Commission were open to considering acceptance of a bond for the remaining work, this issue would need to be referred to the Town Attorney for review.

As the Commission considers the request, the primary concern identified by staff is the potential that the Town could be put in the position of completing the work. The purpose of bonds is to protect the Town's interest by ensuring that we have the financial ability to complete improvements if absolutely necessary should a developer default on his responsibility. Typically, there is a larger incentive for a developer to complete the required improvements, such as issuance of Certificates of Occupancy. In cases where the Commission has accepted financial guarantees for completion of work after a CO has been issued, it is typically for items such as landscaping that the developer wants to complete and has been unable to install due to seasonal constraints. Failure to complete landscaping improvements has the potential to impact the overall project value, providing a financial incentive for completion.

In this case, the developer is asking to bond completion of required documentation, something that is essential for the future repair and maintenance of the infrastructure, but has no visual impacts. Once a Certificate of Occupancy is issued for the final unit in the project, there are no additional approvals needed from the Town and the developer will have received the final revenues from the project with the sale of the final unit. If the developer chooses not to complete the work, the Town would be put in the position of using the bond to complete the work itself. Should the bond amount not be sufficient to cover the actual cost of the work, including the additional costs that would be incurred by the Town as noted above, the Town would be responsible for funding the balance.

If the Commission is open to considering the request, additional work by both staff and the Town Attorney would be required to determine if the Construction Agreement would need to be amended. As there are costs associated with this work, staff did not want to begin this process with the Town Attorney without first discussing the request with the Commission to determine if there was interest in potentially accepting a bond.



TOWN OF MANSFIELD
DEPARTMENT OF PUBLIC WORKS

Engineering Division

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599

From: Derek M. Dilaj, P.E., Assistant Town Engineer
To: Curt B. Hirsch, Zoning Agent
Copy: John Carrington, P.E., Town Engineer
Date: March 12, 2015
Date Received: February 12, 2015
Date Reviewed: March 11, 2015
Engineering Project #: N/A
Re: Final As-Built Freedom Green
Reports: Letter from Design Development Group dated February 13, 2015
Agreement made between the Town of Mansfield and JRJ Associates dated April 30, 1991

The Town of Mansfield Engineering Division has reviewed the letter prepared by Mr. Robert Amantea, PE & LS, regarding the balance of work to be completed for the As-Built plans for Freedom Green in Mansfield, CT and the agreement made between the Town of Mansfield and JRJ Associates for an expandable condominium consisting of a total of two hundred forty (240) common interest units a.k.a Freedom Green, situated in Mansfield, CT. The Design and Development Group has indicated the As-Built will consist of the following:

- As built of Sanitary Sewer showing all manholes
- As built of Storm Drain showing all catch basins and manholes with size of pipes
- As built of Water line showing all hydrant and all gate valves that are visible at the surface
- 40 or 50 scale drawing showing all roads, drives and buildings

The proposed work contained within the letter does not meet the required elements for completion. In paragraph 10 of the agreement between the Town of Mansfield and JRJ Associates the developer (JRJ Associates) agreed to have as-built plans of the utility systems and roadways within the common interest community. Further, in paragraph 6 of the agreement, major infrastructure is defined as the following:

- a. All main sewer lines constructed with each Phase and with all sewer connections and lines necessary for use of the system.
- b. A storm drainage system to the outfall locations.
- c. A water supply system with all water lines and secondary service lines to drives and buildings
- d. The electrical, telephone, and cable TV service lines within the right-of-way of either Independence or Liberty Drive.

The proposed work should include plans and profiles for each of the major utilities and shall be certified by a Registered Land Surveyor in accordance with the Town of Mansfield Engineering Standards and Specifications. It appears the scope of work prepared by Design and Development Group will not meet the requirements of the agreement and thus the amount of \$10,500.00 is inadequate for completion of the as-built plans.



458 EAST MAIN STREET
MERIDEN, CT 06450
203.235.9809 FAX 203.235.2233
CONSULTING ENGINEERS
LAND SURVEYORS

Feb. 13, 2015

Dennis Poitrus
1733 Storrs Rd
Storrs Ct 06268

RE: Final As-Built Freedom Green

Dear Dennis;

We have prepared an estimate for the balance of work to be done for the following As-Built on Freedom Green.

As built of Sanitary Sewer showing all manholes

As built of Storm Drain showing all catch basins and manholes with size of pipes

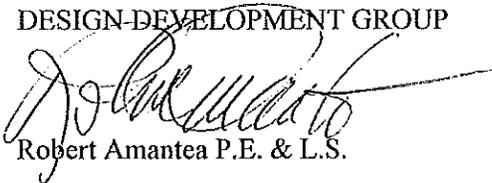
As built of Water line showing all hydrants, and all gate valves that are visible at the surface

All of the above will be on a 40 or 50 scale drawing showing all roads, drives and buildings. Some of this work is in our field books and can be put into an ACAD drawing now. Additional field location will have to wait until there is an appreciable snow melt so that the structures can be located.

We estimate that the additional work to finalize the As-Built Plan to be approximately \$10,500.00.

Sincerely,

DESIGN DEVELOPMENT GROUP



Robert Amantea P.E. & L.S.

Dennis R. Poitras
Attorney At Law
1733 Storrs Road
P.O. Box 562
Storrs, Connecticut 06268

Telephone (860) 487-0351
Fax (860) 429-4694

Email: drpoitras@yahoo.com

February 27, 2015

Mansfield Planning and Zoning Commission
c/o Linda Painter, Town Planner
Town of Mansfield
4 South Eagleville Road
Storrs, CT 06268

Re: The Villages at Freedom Green -- Final As-Built Maps
Sanitary Sewer/Storm Drains/Water Lines

Dear Linda:

I am writing on behalf of the developer, Beaudoin Brothers, LLC, to request the following:

1. that a cash bond be established to assure completion of the remaining incomplete mapping required by the Town
2. to authorize issuance of a Certificate of Occupancy for 30 Liberty Drive upon establishment of the requested bond.

Attached is a letter from our engineers, Design Development Group, dated February 13, 2015 setting forth what work remains and an estimate of the cost (\$10,500.00).

Much of the mapping work has been completed. Due to amount of constant snow cover this winter, efforts to complete the project have been held back. The project will be recommenced and completed once snow is gone.

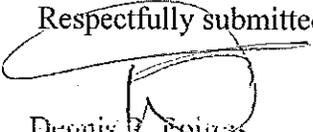
The bond substitution is being requested due to our engineer's inability to complete the mapping due to conditions on the ground. Location of certain items required to be mapped are extremely difficult due to snow cover. The Certificate of Occupancy on 30 Liberty (the final unit in need of a Certificate of Occupancy) is being held back until the mapping is completed. A sale of that unit is anticipated for April, 2015.

Linda Painter, Planner
Mansfield PZC
2/27/15

-2-

Thank you for considering this request.

Respectfully submitted,



Dennis R. Pollas

Enc.

as defined in the Common Interest Ownership Act of the State of Connecticut and, therefore, to assure that until such footpaths are completed the escrow requirements of paragraph 4 above shall apply to such Phase.

Town agrees that so long as the escrow requirements of paragraph 4 above are being met with respect to a Phase that Developer may receive Certificate of Zoning Compliance in all Phases and may receive Zoning Permits and Certificate of Zoning Compliance in other Phases prior to the completion of such footpaths.

The footpaths situated in Phase V and located west of the wetlands (approximately 1800 lineal feet) shall be constructed as part of Phase V. Town shall not issue the Certificate of Zoning Compliance and Certificate of Occupancy for the last permitted unit in Phase V until such footpaths have been completed.

4-30-91
Construction Agreement

→ 10. Developer agrees to have "As Built" plans of the utility systems and roadways within the common interest community prepared at Developer's sole cost and expense and to deliver such "As Built" plans to Town. The plans shall be prepared and delivered to Town within 90 days after substantial completion of the major infrastructure (as defined in Section 6 of this Agreement) in such Phase.

It is specifically understood and agreed that Developer shall not be responsible for "As Built" plans relating to Phase I of Freedom Green and that Developer shall not be responsible for any repairs or corrections to the infrastructure existing in Phase I.

11. Town agrees that the Units in a particular Phase may receive Certificates of Zoning Compliance and Certificates of Occupancy, and that Town will permit purchasers of such Units to occupy the Units, prior to the completion of final grading and seeding and completion of the parking lots in any particular Phase, so long as the escrow deposit requirements set forth in paragraph 4 above are being met with respect to such Phase.

Notwithstanding the foregoing, in the event the final grading and seeding associated with a particular Unit and the parking lots and drives associated with a particular Unit are not completed within one (1) year from the date Town issues a Certificate of Occupancy for such Unit then Developer shall post a cash bond in an amount equal to the cost of completion of the final grading and seeding and the paving associated with such Unit. The Town shall have the right to perform such work and to unilaterally deduct the cost thereof from the cash bond upon the later of (a) sixty (60) days after the date which is one (1) year after such Certificate of Occupancy was issued if such one (1) year expired on or before October 31 in any year; or (b) the following August 1 if the one (1) year expired on or after November 1.

12. The understandings, conditions and agreements set forth herein shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.

13. This Agreement may be modified only by a writing signed by each party unless such modification is made pursuant to a meeting before the appropriate agencies of Town and is recorded in the minutes of such meetings, which minutes shall specifically state that each party waives the requirements for a written modification of this Agreement.

14. This Agreement shall be construed in accordance with the laws of the State of Connecticut and each party agrees that all legal and equitable remedies available to the other party pursuant to such laws shall be appropriate in the event of a breach of this Agreement by either party.

years after Developer receives a Certificate of Zoning Compliance on the last unit permitted to be constructed in any Phase or (ii) the date which is two (2) years after Developer ceases construction activity in such Phase, Developer shall permit the Association to request a release of an amount from the escrow account established under subpart (c) above for such Phase equal to the cost incurred by the Association in completing such work in accordance with the plans and specifications approved by Town, and the Developer shall assign to the Association the right to make such request and receive the funds in escrow to such amount, and undertake and complete the work;

(f) Town shall not issue Zoning Permits, Building Permits, Certificates of Zoning Compliance and Certificates of Occupancy for more than twenty (20) units in Phase III until all recreational facilities in Phase II have been completed in accordance with the approved plans and specifications.

5. At the time the first Zoning Permit is issued for a particular Phase, Developer shall identify to the Town Zoning Agent a Clerk of the Works, which Clerk of the Works shall serve as the on-site contact and representative of Developer to monitor construction and to resolve problems that arise on the site.

6. Certificates of Zoning Compliance in Phases II, III and IV and Huntington Commons shall not be issued until the Developer has completed, in accordance with the approved plans and specifications, the major infrastructure in such Phase. For the purposes of this paragraph, the term major infrastructure shall mean the following:

(a) An operable, inspected and approved sanitary sewer system; including all main sewer lines under portions of Independence and Liberty Drive constructed with each Phase and with all sewer connections and lines necessary for use of the system by units for which Certificate of Compliance are considered;

(b) An operable, inspected and approved storm drainage system, with all of the system constructed to outfall locations as shown on approved plans and with all of the systems under Independence and Liberty Drives and "stubs" for later addition to and connection to this major portion of the system as per approved plans;

(c) An operable, inspected and approved water supply system with all water lines under Independence Drive and Liberty Drive and "stubs" for later addition of secondary service lines to drives and buildings and in addition, where continuation of a line through future Phase areas on Liberty Drive will result in "loop" service being provided, such connection shall be made;

(d) The portions of Independence and Liberty Drives contained within such particular Phase together with lighting and signing as required by the plans and specifications;

(e) The electrical, telephone and Cable TV service lines within the right-of-way of either Independence or Liberty Drive in such Phase; and

(f) With respect to Phase II, the Dike as hereinafter defined.

Certain of the work comprising the major infrastructure will be performed by the utility companies supplying the services and such companies may elect not to follow this timetable. Developer shall not be in default of this Agreement and Town shall issue Certificates of Zoning Compliance and Certificates of Occupancy

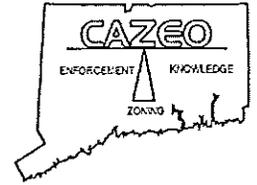
4.30.91

Construction

Agreement



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

March 26, 2014

Jean Beaudoin
Beaudoin Construction Co.
30 Liberty Drive
Mansfield Center, CT 06250

Re: As-Built plans, a reminder

Jean:

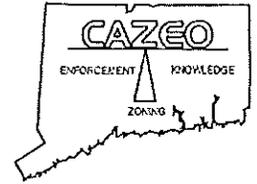
I understand that there are only three units at Freedom Green still to receive Certificates of Occupancy. I want to remind you again, that I will not authorize the release of the final CO until you submit satisfactory as-built plans of the infrastructure constructed under your ownership of the development. As-built plans are a specific PZC requirement of the special permit granted for this development. The completion of minor items that may need to be addressed will likely be covered under the substantial escrow funds that are being held. The PZC will not authorize the release of escrow money if the final punch list is too long.


Curt Hirsch
Zoning Agent

cc: Dennis Poitras



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

September 18, 2014

Jean Beaudoin
Beaudoin Construction Co.
30 Liberty Drive
Mansfield Center, CT 06250

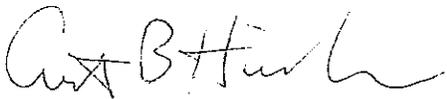
Re: Closing out Freedom Green

Dear Jean:

As we all look forward to the completion at last, of the Freedom Green development, I want you to begin thinking of some of the items that have been identified as not completed. This is a preliminary accounting and in some cases the items have been brought to your attention already, either by me or the "Villages" Board. They are in no particular order.

- 1. Debris and construction material must be removed along, and in the area of emergency access road. There is also a significant amount of ~~overgrowth~~ ^{overgrowth} that continues through the overgrowth. ^{Swold La.}
- 2. There were a number of evergreens ~~the~~ ^{the} two last buildings constructed on Liberty Dr., that were ~~simply~~ ^{simply} landscaping must be installed in addition to any landscaping required by the PZC due to the height of the buildings.
- 8. As I recall, some of the evergreens planted behind 29 - 39 Liberty Dr. have died and need to be replaced. Additional trees still need to be planted behind 38-40 as a buffer for the house on Meadowbrook Lane.

As you are also well aware, the trail work and as-builts of all utilities have been on my list for some time and are required to close out this project.


Curt Hirsch
Zoning Agent

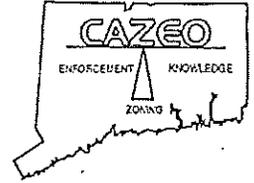
cc: Villages at Freedom Green, Board

Items 2-7 omitted intentionally





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

December 14, 2012

Jean Beaudoin
Beaudoin Construction Co.
37 Liberty Drive
Mansfield Center, CT 06250

**Re: Building As-Built plans
Completion of landscaping**

Dear Jean:

- 1) I am still missing as-built plans for the following units in Phase 4-C:

Uncas Ct. # ~~3~~, 9, 10, 11

Pequot Sq. # 5

Liberty Dr. # ~~23~~, 24

12/25/12

Your surveyor/engineer should also be reviewing the completeness of as-built plans for all buried utilities and structures (sewer, water, storm drainage etc.) These plans are required under the 1991 Agreement and as you approach the completion of this project you should be looking at these items. The escrow account does not cover this work and Certificates of Occupancy may be withheld on some of the final units in order to assure that all requirements of the Town are met.

- 2) As we discussed by phone today, landscaping is still required for 29-36 Liberty Drive. I am expecting the installation of landscape material approved on 4/1/12, specifically for these two buildings *in addition to* the general landscaping required under the 1991 construction Agreement (Exhibit A & B). Due to the removal of the treed buffer area behind Units 37-40, I am also requiring the installation of a "replacement" buffer planting. This can be satisfied with the planting of additional white pine, such as were planted recently behind 29-36. The number of trees shall be determined after I meet with you on the site prior to planting.

Curt Hirsch
Zoning Agent

cc: Dennis Poitras

PAGE
BREAK



Department of Planning and Development

Date: March 12, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LMP*
Subject: UConn South Campus Development (SCD) Scoping

The University of Connecticut is proposing a series of projects in the South Campus area, including:

- New 650-bed Honors Residence Hall at the corner of Gilbert Road and Mansfield Drive, including a 700 seat dining facility. The proposed building would have approximately 210,000 square feet within a five to six story building, including an eight to nine story tower element. This project will result in the removal of an 18-space parking lot*.
- A $\pm 30,000$ square foot addition to the Fine Arts Building to add production space including paint, scenery, costume and prop shops. The addition will extend north from the Nafe Katter Theatre and west from the Drama-Music Building. This project will result in the removal of 28-34 spaces* from the adjacent parking lot.
- Removal of two houses on the south side of Gilbert Road that are contributing structures to the University of Connecticut National Register District;
- Closure of Gilbert Road between Mansfield Road and Whitney Road to create a pedestrian walkway.
- Modifications to Whitney Road including removal of on-street parking.
- Closure of Coventry Road and Maple Lane to vehicular traffic with the exception of emergency vehicles which will utilize a new pedestrian way.

*Cumulatively, it is anticipated that between 83 and 94 spaces will be removed due to building locations, road closures and removal of on-street parking.

The earliest construction would commence during the fall of 2015 with all projects projected to be complete by fall of 2017. Due to their geographic proximity and common construction schedule, UConn is planning to address the Connecticut Environmental Policy Act (CEPA) requirements for these projects by grouping them into one larger project known as the South Campus Development (SCD). According to the scoping notice, the potential impacts of these projects will be evaluated cumulatively with impacts from projects constructed between 2013 and 2015 as well as other projects anticipated to be constructed between 2015 and 2017.

It should be noted that the proposed honors residence hall included in the South Campus Development was the subject of a previous scoping process in December 2014; the PZC issued comments on that project on December 18, 2014. A copy of those comments is attached for the Commission's reference. While UConn has indicated that previously issued comments on the honors residence hall would be included as part of the South Campus Development scoping, staff recommends that the Town issue a letter to replace those comments due to the expansion in project scope.

Scoping Meeting and Comment Deadline

The public scoping meeting for this project was held on March 11, 2015; a copy of the presentation is attached to this memo. In discussing the proposed projects with UConn staff, they have indicated that there will be a full Environmental Impact Evaluation (EIE) prepared after the scoping process is complete. The scoping process provides the Town with the opportunity to identify specific issues that we would like UConn to consider as part of the EIE review. Written comments must be submitted by March 19, 2015.

Whenever possible, we try to issue joint comments from both the Town Council and PZC. Due to the timeline for comments, the Council did not have the benefit of having the complete project details as their meeting was held prior to UConn's scoping session on March 11th. As such, the Council voted to authorize the Mayor to co-endorse the final set of comments approved by the PZC. Subsequent to the Council meeting and scoping meeting held by UConn, the draft comments were updated to address the potential removal of a special tree and add specific requests with regard to information needed to determine impacts of the proposed removal of parking spaces.

Draft Comments

I have prepared a draft letter with comments identified by staff based on the Commission's previous comments on the honors residence hall and the information provided by UConn as part of the scoping session. The main changes from your December 2014 comments on the honors residence hall deal with the potential impacts on the transportation network and on-campus parking as a result of the expanded project. This letter does reiterate the Town's previous request with regard to the completion of the master plan and NextGenCT impact study while recognizing the progress that has been made with those two projects over the last few months. This draft letter is attached for your consideration and discussion.

Recommendation

If the Commission concurs with the comments contained in the draft letter, the following motion would be in order:

_____ MOVES, _____ seconds to authorize the Chair to co-endorse a letter to the University of Connecticut with the Mayor regarding the South Campus Development scoping process. The draft letter attached to the March 12, 2015 memo of the Director of Planning and Development shall be used as the basis for this letter with any editorial changes deemed necessary by the Chair.

If the Commission identifies additional comments and/or changes that are needed to the letter, the following motion would be in order:

_____ MOVES, _____ seconds to authorize the Chair to co-endorse a letter to the University of Connecticut with the Mayor regarding the South Campus Development scoping process. The draft letter attached to the March 12, 2015 memo of the Director of Planning and Development shall be used as the basis for this letter with any editorial changes deemed necessary by the Chair and the following modifications:

-
-
-

TOWN OF MANSFIELD



Elizabeth C. Paterson, Mayor

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3330
Fax: (860) 429-6863

March __, 2015

DRAFT LETTER FOR REVIEW

Mr. Paul Ferri
UConn Office of Environmental Policy
31 LeDoyt Road, U-3055
Storrs, Connecticut 06269

Subject: Proposed South Campus Development

Dear Mr. Ferri:

The Mansfield Town Council and Planning and Zoning Commission (PZC) offer the following comments and recommendations with regard to the proposed South Campus Development (SCD). It is our understanding that UConn will be preparing a full Environmental Impact Evaluation (EIE) of the proposed projects included in the SCD. The issues and concerns identified in this letter need to be fully examined and addressed as part of this EIE process. As the scope of the projects to be included has changed since our December 2014 comments on the scoping for the new honors residence hall, this letter serves as a replacement to the December 18, 2014 letter issued by the PZC.

- **Campus Master Plan and Next Generation Connecticut Impact Study.** In March 2014, the Town requested that the campus master plan and Next Generation Connecticut Impact Study be completed prior to the construction of any future buildings related to the NextGenCT initiative other than the STEM residence hall and engineering/science building. As part of that request, we identified the need for a comprehensive, multi-modal transportation plan for the build-out of the campus that considers impacts to the local transportation network, including off-campus improvements for vehicular, pedestrian, bike and transit circulation. While a draft master plan was completed in 2014, the traffic analysis for that master plan has not yet been completed. This analysis is critical to understanding the potential impacts of UConn's growth on both state and town roadways. This analysis needs to be completed prior to the construction of any new buildings; ideally, the traffic study would be completed prior to the preparation of an EIE for the South Campus Development to ensure that the potential impacts of the projects on the transportation network are known and appropriate mitigation measures identified.

Similarly, the NextGenCT impact study is currently underway; a final report is expected in May 2015. The timing of the EIE should be coordinated with the completion of this study to allow the information contained in the impact study to inform the EIE and any recommended mitigation measures.

- **Transportation System.** The EIE should address specific measures that will be completed as part of this project to enhance the multi-modal transportation system and reduce off-campus transportation impacts and how such improvements will be coordinated with the overall campus master plan. Consideration should be given to off-campus bicycle and pedestrian improvements as a way to mitigate impacts on local roads.
- **Traffic Analysis.** The EIE should evaluate the potential impacts of the proposed buildings and roadway changes on the local road network, in addition to the state road network. While the changes are intended to

improve the on-campus pedestrian network, they may push additional traffic off onto local streets, including but not limited to Hillside Circle, Eastwood Road, Westwood Road, Separatist Road, Hunting Lodge Road and North Eagleville Road. This analysis should identify any necessary mitigation measures including off-campus pedestrian and bikeway improvements and be made available to the Town for review and comment prior to submission to OSTA. Furthermore, as noted in the Commission's May 2014 comments on the STEM residence hall, the EIE should identify needed mitigation measures as well as performance measures and a framework for reporting and modifying approaches as needed.

- **Parking.** The proposed improvements will result in the loss of up to 94 parking spaces. The EIE needs to address several issues, including:
 - Current parking capacity and demand (number of permits as compared to number of parking spaces on campus);
 - Parking policies for on-campus residents such as restrictions based on number of credit hours;
 - Net number of new beds that are being constructed as part of this project and the STEM residence hall; and
 - Replacement of the spaces over the short and long-term as well as other strategies that will be implemented with regard to use and management of on-campus parking.
- **Stormwater/Mirror Lake and Roberts Brook.** The University should identify specific measures that will be used to reduce impacts on Mirror Lake and the Fenton River/Roberts Brook watersheds. While the project area is not within the Eagleville Brook Watershed, use of Low Impact Development practices should be a focus to prevent impacts on these water bodies.
- **Cultural Resources and Visual Impact.** Given the prominent location of the proposed residence hall, design of the building should be sensitive to and complement the surrounding area. The EIE should also identify mitigation options for removal of the two contributing structures to such as relocation to other locations on the campus or in the community.
- **Trees.** The scoping presentation identified the potential loss of a "Special Tree" along Mansfield Avenue as part of the construction of the residence hall. As design of the building has not been completed, consideration should be given to ways in which this tree can be preserved such as the creation of a courtyard area.
- **Cumulative Impacts.** All analysis completed as part of the EIE for the South Campus Development should consider the cumulative impacts of these projects and previously approved buildings that have not yet been completed, including the STEM residence hall, Science and Engineering Building and Innovation Partnership Building, as well as other projects anticipated to be under construction during the same time period.

If you have any questions regarding these comments, please contact Linda Painter, Director of Planning and Development.

Sincerely,

Elizabeth Paterson
Mayor

JoAnn Goodwin
Chair, Mansfield PZC

Cc: Town Council
Planning and Zoning Commission

TOWN OF MANSFIELD
PLANNING AND ZONING COMMISSION



JoAnn Goodwin, Chair

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3330
Fax: (860) 429-6863

December 18, 2014

Mr. Paul Ferri
UConn Office of Environmental Policy
31 LeDoyt Road, U-3055
Storrs, Connecticut 06269

Subject: Proposed Honors Residence Hall

Dear Mr. Ferri:

The Mansfield Planning and Zoning Commission (PZC) offers the following comments and recommendations with regard to the proposed Honors Residence Hall.

In March 2014, the Town Council and PZC requested that the campus master plan and Next Generation Connecticut impact study be completed prior to construction of any buildings related to the NextGen initiative other than the proposed STEM residence hall and the engineering/science building. The Commission reiterates this request as it feels that it is important to understand the all of the impacts of UConn's proposed growth prior to the construction of any additional buildings. As previously stated, the master plan should include a comprehensive, multi-modal transportation plan for the build-out of the campus that considers impacts to the local transportation network, including off-campus improvements for vehicular, pedestrian, bike and transit circulation.

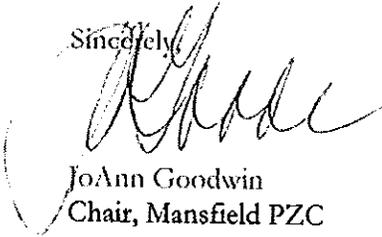
If the University chooses to proceed with an Environmental Impact Evaluation (EIE) for the Honors Residence Hall prior to completion of the master plan and impact study, the Commission would like the following to be taken into consideration:

- *Transportation System.* The EIE should address specific measures that will be completed as part of this project to enhance the multi-modal transportation system and reduce off-campus transportation impacts and how such improvements will be coordinated with the overall campus master plan.
- *Traffic Analysis.* The EIE should evaluate the potential impacts of the proposed building on the local road network, in addition to the state road network, to confirm the conclusion that no significant impacts on the local road network are anticipated. This analysis should identify any necessary mitigation measures and be made available to the Town for review and comment prior to submission to OSTA. Furthermore, as noted in the Commission's May 2014 comments on the STEM residence hall, the EIE should identify needed mitigation measures as well as performance measures and a framework for reporting and modifying

approaches as needed.

- *Cultural Resources and Visual Impact.* Given the prominent location of the proposed residence hall, design of the building should be sensitive to and complement the surrounding area.
- *Stormwater/Mirror Lake and Roberts Brook.* The University should identify specific measures that will be used to reduce impacts on Mirror Lake and the Roberts Brook watershed.
- *Cumulative Impacts.* All analysis completed as part of the EIE for the Honors Residence Hall should consider the cumulative impacts of this building and previously approved buildings that have not yet been constructed, including the STEM residence hall, Science and Engineering Building and Innovation Partnership Building.

Sincerely,



JoAnn Goodwin
Chair, Mansfield PZC

Cc: Town Council
Planning and Zoning Commission



Public Scoping Meeting

University of Connecticut
South Campus Development

Presented by:

Diane Mas, Fuss & O'Neill, Inc.
Paul Ferri, Environmental Compliance Analyst, UConn
March 11, 2015

Tonight's Agenda

- Meeting Purpose
- CEPA Process
- Project Overview & Alternatives
- Environmental Resources
- Project Schedule
- Public Comments

Scoping Meeting Purpose

- Provide information on the Proposed Action(s)
- Describe the Connecticut Environmental Policy Act (CEPA) process
- Provide a forum for public input
- Solicit verbal and written comments to be addressed in the CEPA process
- South Campus Development Proposed Actions
 - Close in proximity
 - Similar timeline
 - Consistent with Campus Master Plan (Feb. 2015)

South Campus Development EIE

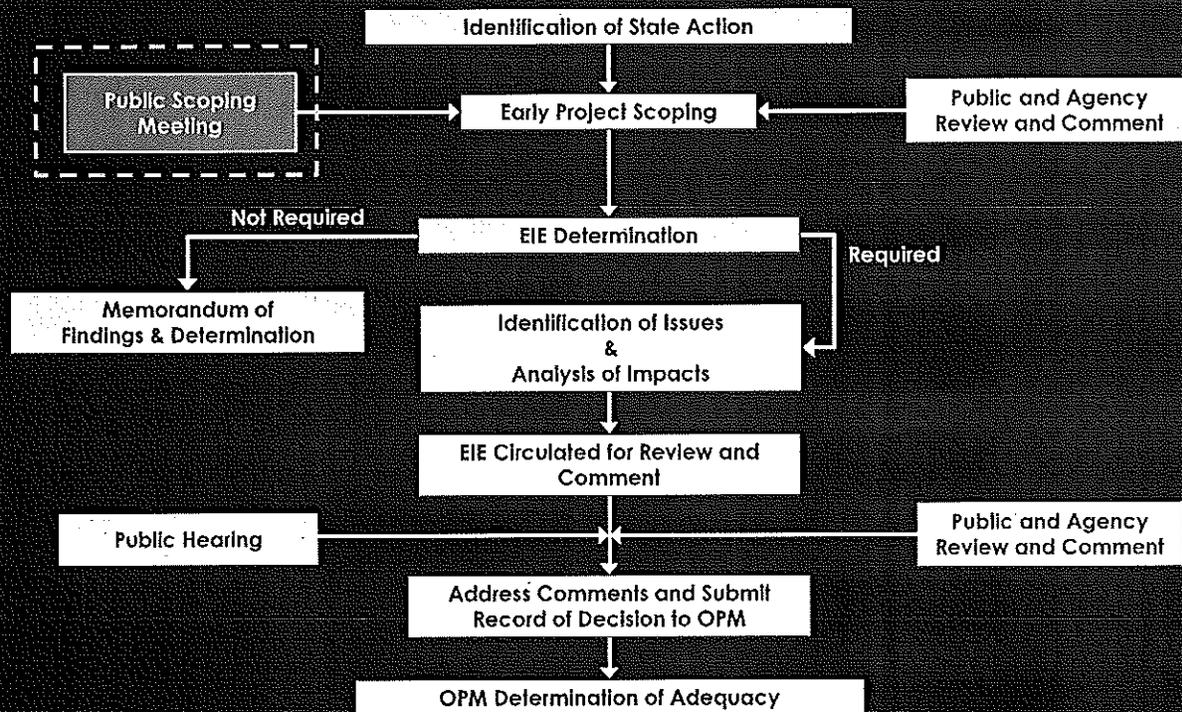
CEPA OVERVIEW

What is CEPA?

- Connecticut Environmental Policy Act (CEPA)
- Identify and evaluate the impacts of proposed state actions which may significantly affect the environment
- Allow for public input



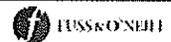
CEPA Process



South Campus Development EIE

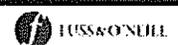
PURPOSE & NEED

10/20/2010



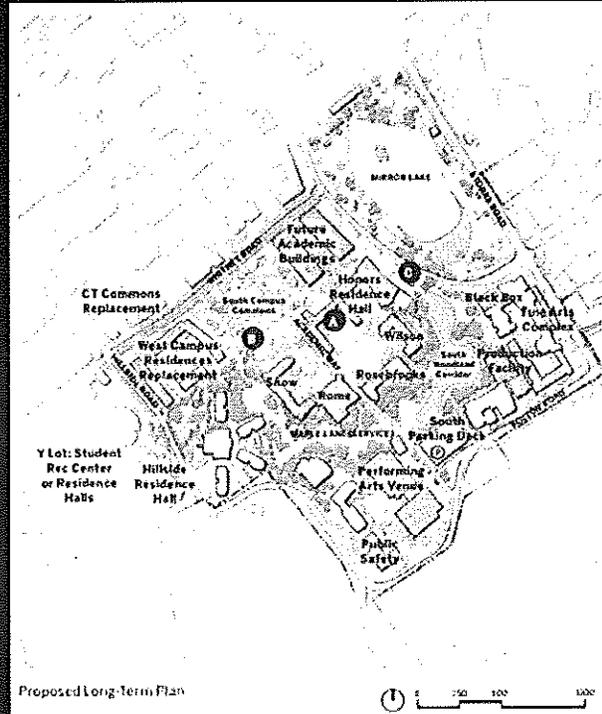
South Campus Development

- Honors Residence Hall & Dining Facility
- Fine Arts Production Facility Addition
- Partial closure and conversion of Gilbert Road
- Closure and conversion of Coventry Road and Maple Lane
- Demolish Two Contributing Structures in the UConn National Register Historic District



Purpose & Need – South Campus Development

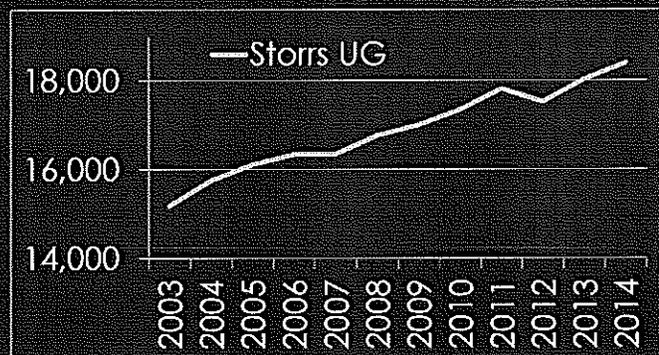
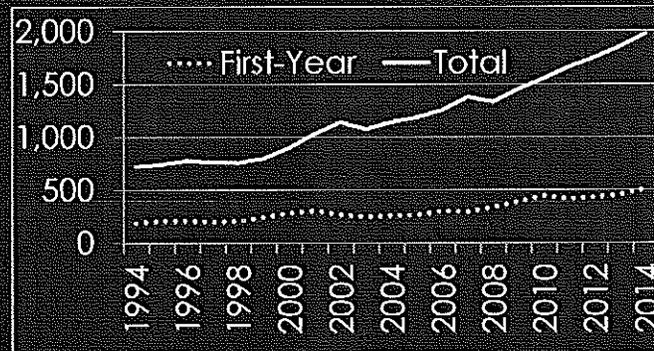
- Support Master Plan Goals
- Develop live-work-play communities
- Develop a South Campus Commons
- Develop a pedestrian-focused campus
- Support the academic needs of UConn



Proposed Long-Term Plan
Source: SOM (February 2015)

Purpose & Need – Honors Residence

- Accommodate and support the Honors Program
- Provide more residential life space for on-campus undergraduate population
- Alleviate existing on-campus housing shortage



Purpose & Need – Honors Residence

- Provide a consolidated space for Honors Program offices and staff
- Provide housing options to meet the needs of a diverse first-year student population
- Honors living/learning community supports the recruitment of high achieving students in STEM and other disciplines
- Support an Honors Program consistent with peer academic institutions
- Provide dining in proximity to residence halls

Purpose & Need – Historic Structures Removal

- Part of larger campus-wide Historic Preservation and Adaptive Reuse planning
- Support the Master Plan vision for South Campus and development of South Campus Commons
- Enable development of Honors Residence Hall

Purpose & Need – Fine Arts

- Expand production space to support Fine Arts Program
- Improve theatre and production facilities to serve current needs
- Relocate production spaces to be closer to theatres to enhance delivery of curriculum
- Provide needed utility upgrades and façade repairs

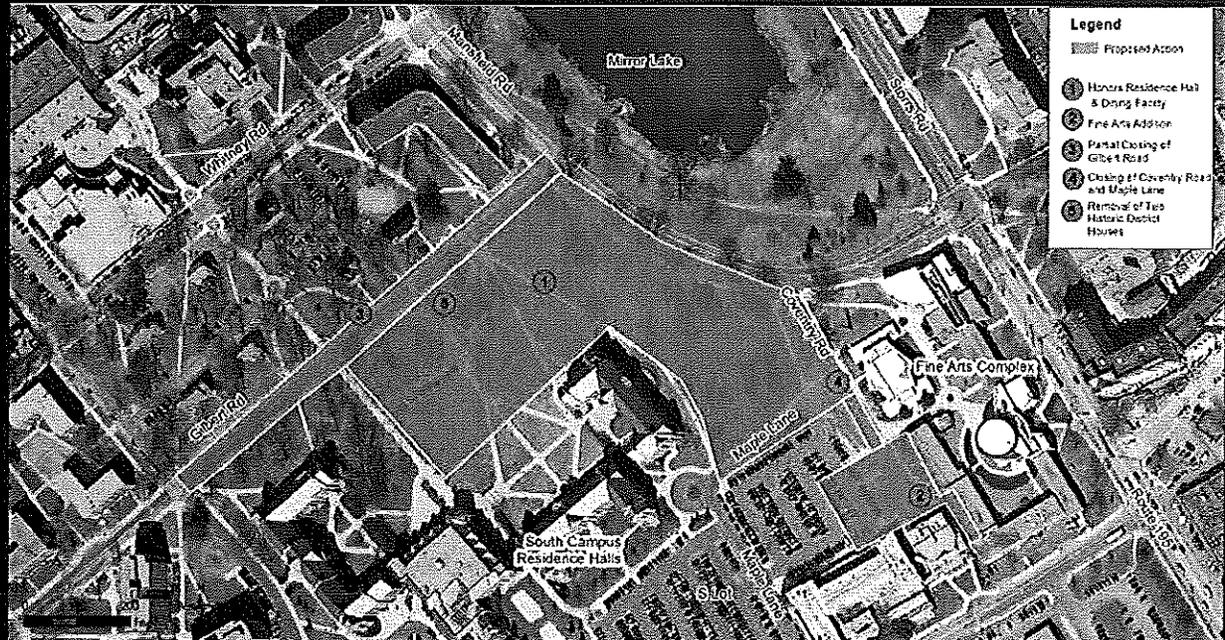
Purpose & Need – Road Conversions

- Strengthen pedestrian core of South Campus
- Align with Campus Master Plan objectives
- Separate pedestrians and vehicles
- Promote walking and simplify wayfinding
- Enhance circulation and pedestrian experience

South Campus Development EIE

PROJECT OVERVIEW

Proposed Action



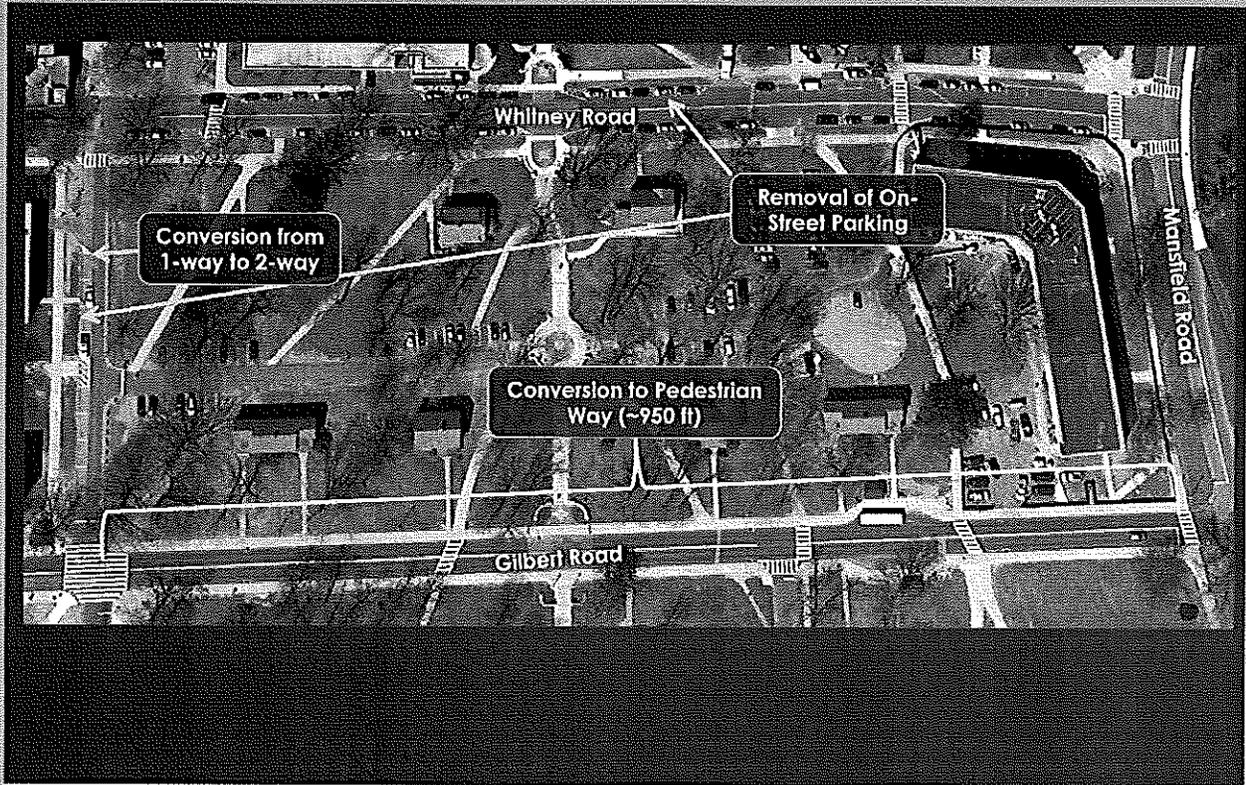
Proposed Action

- Honors Residence Hall and Dining Facility
 - Approximately 650 beds in an a 5-6 story structure with an 8-9 story tower element totaling up to approximately 210,000 GSF
 - Housing for first-year students
 - Single home for UConn's Honors Program
 - Residential Space, Dining Space, Honors Program Office Area, Building Commons and Support Areas, Floor Commons and Support Areas
- Fine Arts Production Facility Addition
 - Two-story, steel-framed structure
 - Provide production space for paint, scene, costume, and prop shops, central gathering space
 - ~30,000 GSF of additional space

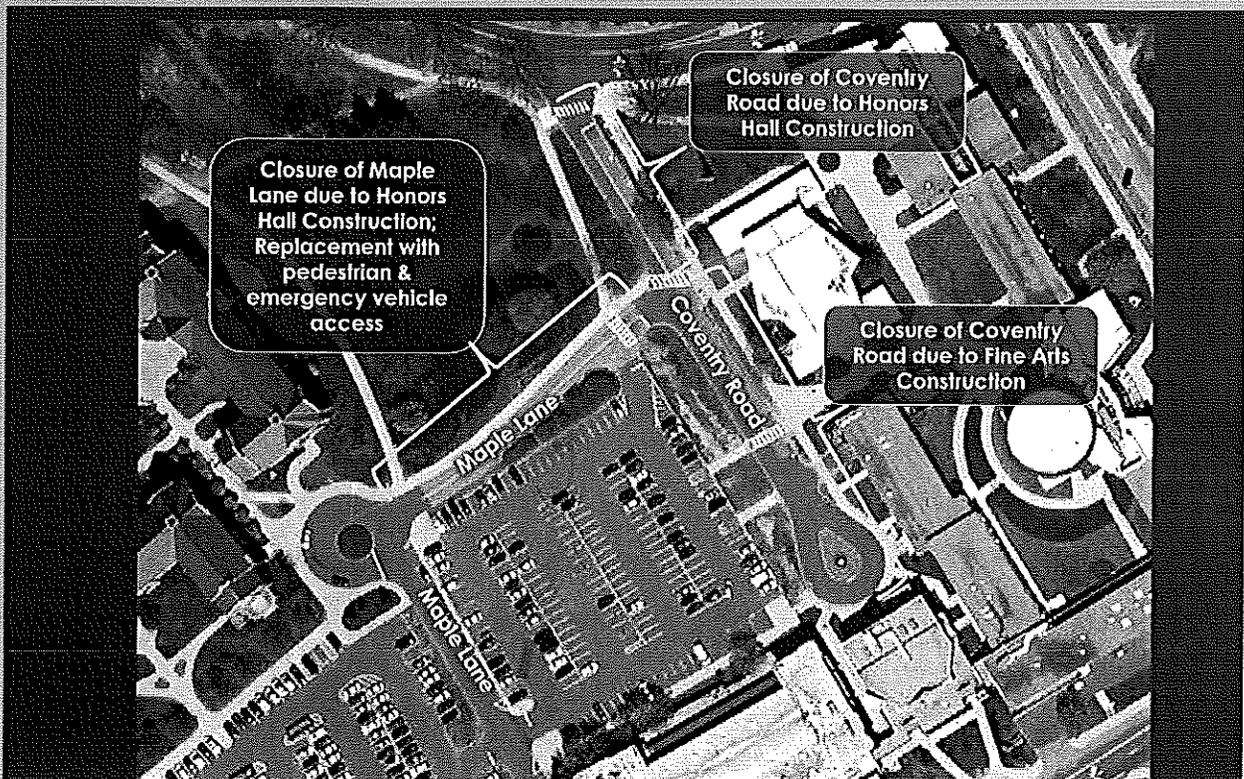
Proposed Action

- Removal of two Historic District houses on Gilbert Road
 - Removal recommended by conditions assessment and reuse/removal study
- Partial closure of eastern segment of Gilbert Road to vehicular traffic
 - ~950 feet between Whitney Road and Mansfield Road for creation of a pedestrian walkway
 - Modifications to Whitney Road to improve the road connection to western segment of Gilbert Road
- Closure of Coventry Road and Maple Lane to vehicular traffic
 - Replacement with pedestrian access
 - Accommodation for emergency (life/safety) vehicles and equipment

Gilbert Road Conversion

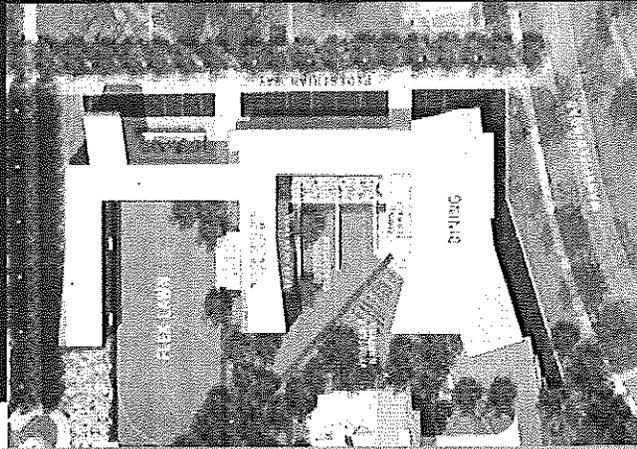


Coventry Road and Maple Lane Closure



Honors Residence Hall Programming

- Student & Staff Residential Space
 - Single and Double, ~ up to 650 beds
 - Resident Director and Graduate Assistant
- Floor Common & Support Areas
 - Lounge, Study Rooms, etc.
- Honors Program Area
 - Office, Workroom, Conference Rooms
- Building Commons
 - Lobby, Lounge, Laundry, Seminar, Music Practice
- Building Support & MEP
- Dining Hall
 - Up to ~700 seats, 4000 - 4500 meals/day
 - Kitchen, Storage, etc.
- Dedicated delivery area accessed from Bolton Rd.



Source: Sasaki (November 2014)

Fine Arts Programming

- Scene Shop
 - Welding shop
 - Tool room
 - Prop shop
 - Production and prop offices
- Costume shop
 - Fitting Room
 - Costume working stock
 - Laundry
 - Costume Manager Office
- Administrative Offices
- Paint Shop
- Electric Lighting
- Dressing Rooms
- Mechanical



Source: H² (October 2014)

South Campus Development EIE

ALTERNATIVES

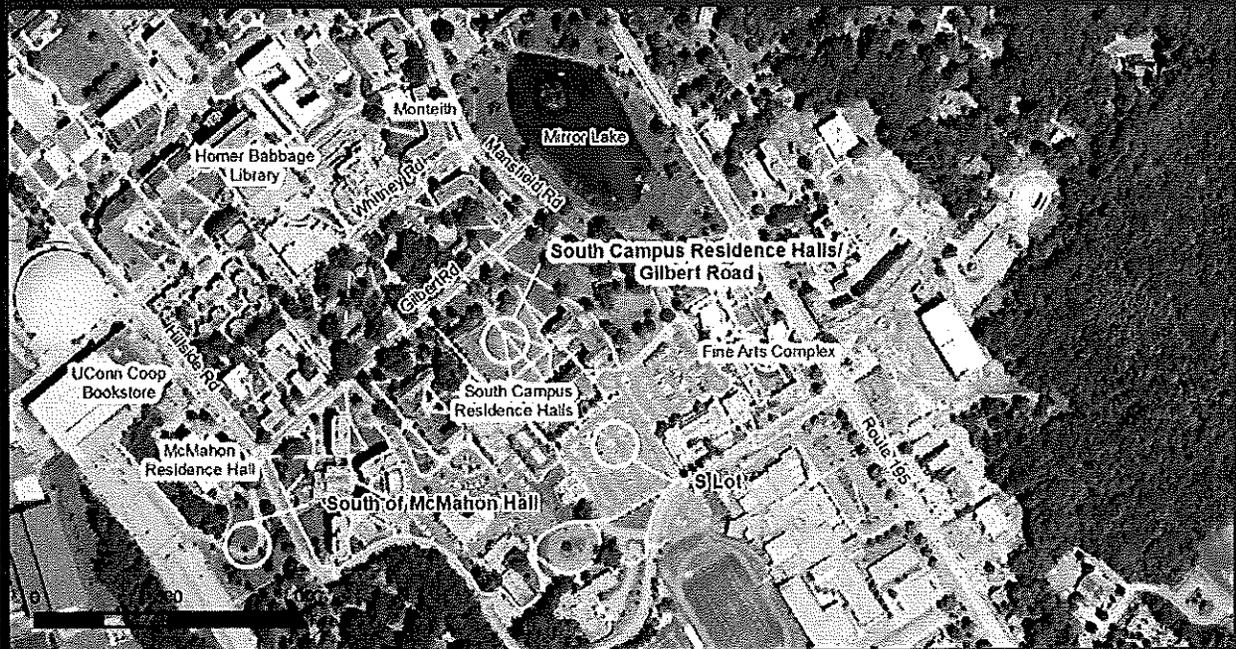
Alternatives

- Honors Residence Hall and Dining Facility
 - No Action
 - South of McMahon Hall
 - S Lot
 - South Campus Residence Hall Complex (Gilbert Road)
- Fine Arts Production Facility
 - No Action – limited prop production at Jorgensen
 - Depot Campus
 - S Lot
 - Alternatives are limited by location and need to support functions in the existing Fine Arts building

Alternatives

- Removal of Historic District Houses on Gilbert Road
 - No Action
 - Relocate 2 houses south of Gilbert Road
 - Demolish 2 houses south of Gilbert Road
- Partial Closure of Gilbert Road
 - No Action
 - Close road, create pedestrian walkway
- Closure of Maple Lane and Coventry Road
 - No Action
 - Partial to complete road closure to vehicular traffic, create pedestrian and emergency vehicle access

Alternative Honors Residence Hall Sites



Honors Residence Hall and Dining Facility

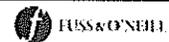
- Anticipated to tie into central utilities for electricity, chilled water, steam, sewer, stormwater, potable water, and telecom
- Dedicated natural gas emergency generator
- Incorporate best practices of sustainability with a minimum goal of Leadership in Energy & Environmental Design (LEED) Silver
- Comply with State's High Performance Building Regulations

Alternatives – Fine Arts Production Facility

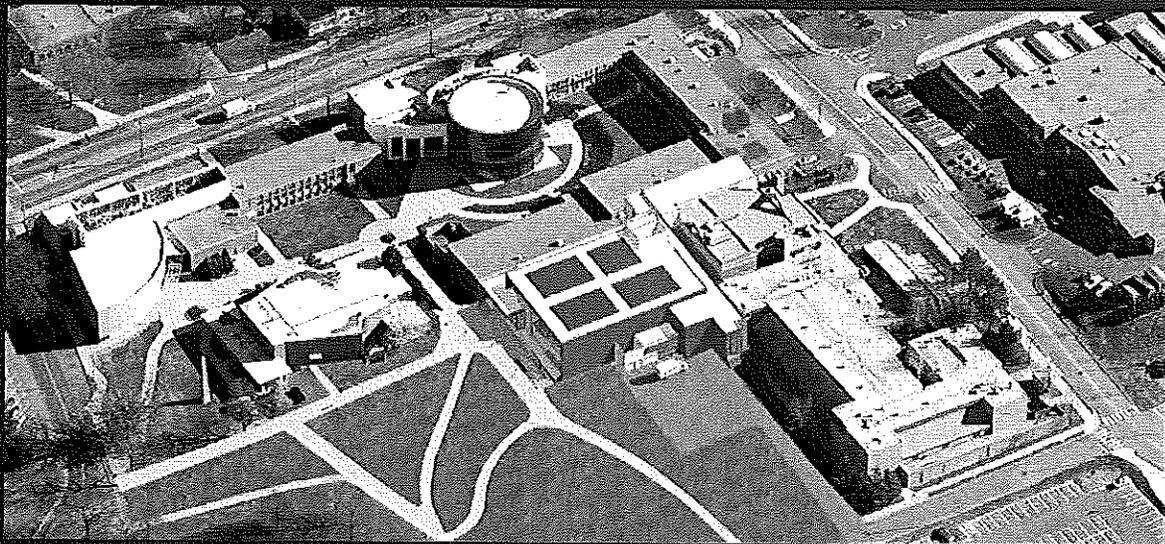
- No Action
 - Fails to meet the needs of the Fine Arts program
 - Large props can't be worked on at Jorgensen
 - Limited space at Jorgensen prohibits prop production during use of the theater
- Depot Campus
 - Too remote from existing theater locations
 - No contiguous, appropriately-sized space
- Preferred Alternative
 - Connect to all adjacent buildings, providing ease of circulation and a central gathering space
 - Central to theater district of campus
 - Program peer reviewed
 - Loss of 28-34 parking spaces in S-Lot
 - Developed location

Fine Arts Production Facility

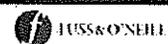
- As an extension of the existing Fine Arts Building, it's anticipated to tie into central utilities for electricity, chilled water, steam, sewer, stormwater, potable water, and telecom
- Incorporate best practices of sustainability with a minimum goal of Leadership in Energy & Environmental Design (LEED) Silver
- Comply with State's High Performance Building Regulations



Fine Arts Production Facility



Source: H² (October 2014)



Alternatives – Historic Structures

- Removal of Historic Structures on Gilbert Road
 - No Action
 - Construction of Honors Residence Hall could not proceed
 - Demolition or Relocation
 - Mitigation required for either option; coordination with State Historic Preservation Office (SHPO)
 - Demolition recommended as most feasible based on outcome of condition and reuse assessment
 - UConn is coordinating campus-wide Preservation and Adaptive Reuse planning with SHPO

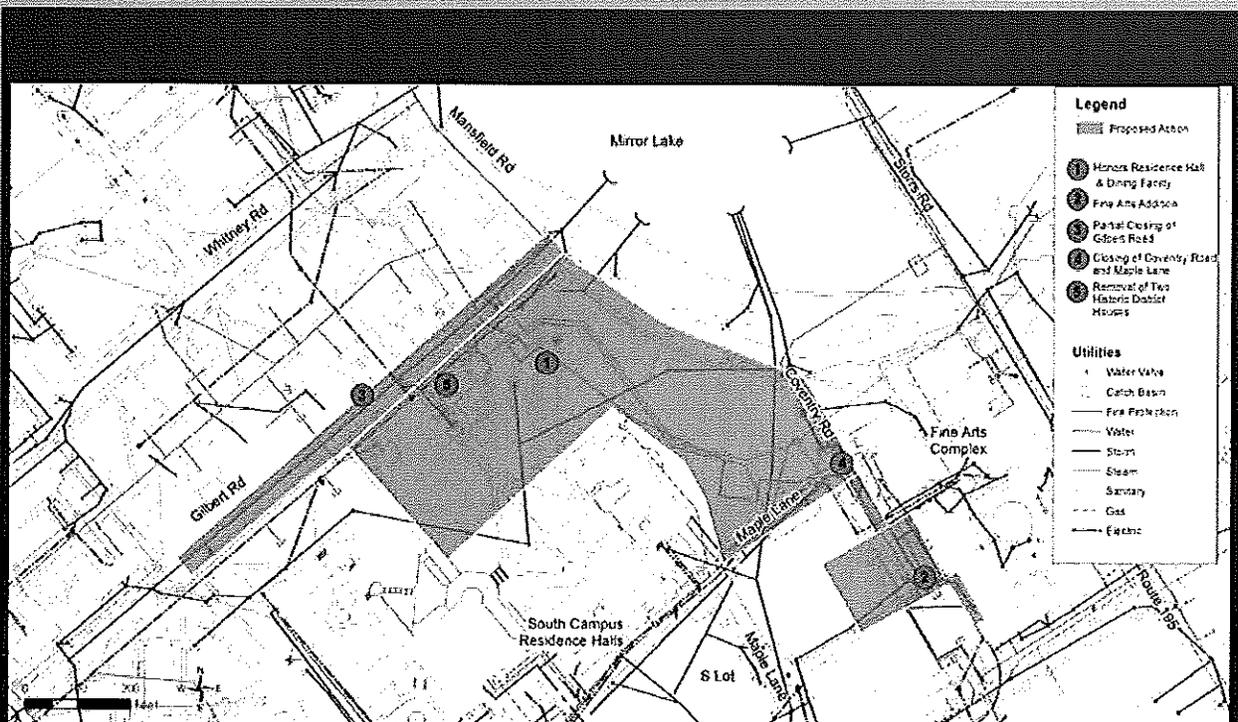
South Campus Development EIE

ENVIRONMENTAL RESOURCES & IMPACT ASSESSMENT

Gilbert Road Site – Resources

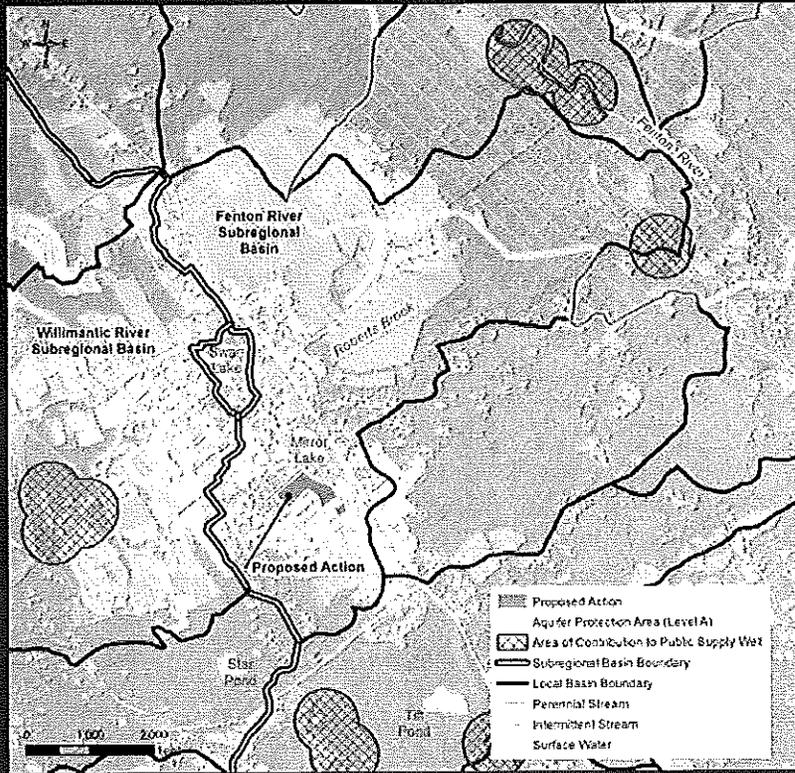
- Resources Not Present
 - Floodplains
 - Wetlands
- Minimal new parking demand and traffic generation associated with support staff & dining hall/production deliveries
- No pedestrian conflicts
- Consistent with Campus Master Plan
- Consistent with existing land use setting
- Utilities available in project area

Utilities



Water Resources

- Stormwater discharges to Mirror Lake
- Stormwater management features to mitigate peak flows from post-construction impervious surfaces
- UConn seeks a CTDEEP diversion permit to augment the UConn water supply
- Spring/Summer 2015 - Draft permit and construction start
- Operational late Summer 2016



Natural Resources/Landscape

- One "special tree" in conflict with proposed construction



- Smooth green snake (*Liochlorophis vernalis*) – unlikely in project area

Cultural Resources

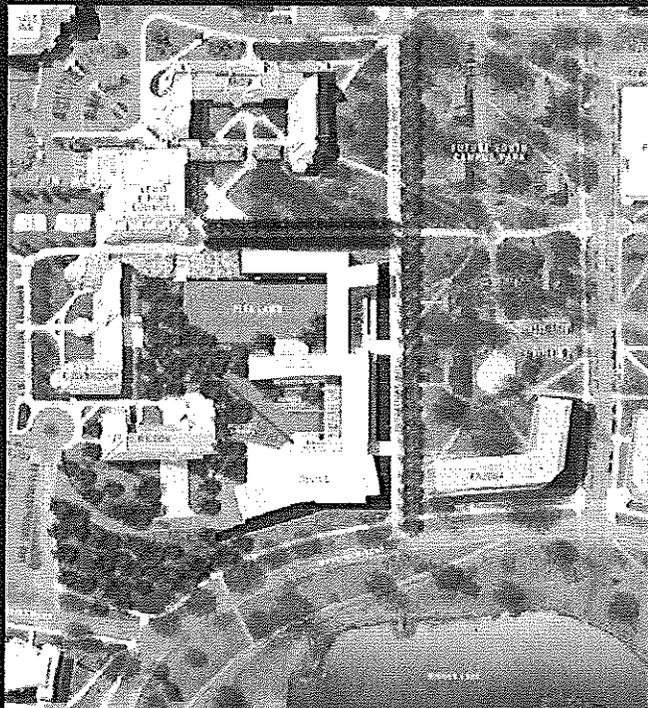


- Coordination with State Historic Preservation Office (SHPO)
- Historic Structures Assessment performed
- Demolition and mitigation of these 2 structures found to be most feasible

Gilbert Road Site – Traffic/Parking



- Pedestrian-focus
- Improvements to Whitney Road
- Loss of parking spaces
- Consistent with Master Plan



Source: Sasaki (November 2014)

Preliminary Direct Impact Screening

Environmental Sector	Negative Impact?	Comments
Air Quality	Not Anticipated	<ul style="list-style-type: none"> Stationary sources to be included in UConn air quality permit
Noise	No	<ul style="list-style-type: none"> Consistent with residential/academic setting
Water Resources	Not Anticipated	<ul style="list-style-type: none"> Stormwater peak flow due to new impervious area will be mitigated Subject to CTDEEP Flood Management Certification No floodplains
Water Supply	Not Anticipated	<ul style="list-style-type: none"> Honors Residence Hall included in Water Supply Plan EIE ROD Fine Arts addition – negligible new demand Anticipating Draft Permit for Connecticut Water Company diversion Construction ~ Spring 2015 to August 2016
Wetlands & Natural Communities	Not Anticipated	<ul style="list-style-type: none"> Edge of Natural Diversity Database Area (species unlikely on project site) No wetland resources observed Some trees will be removed; landscape plan for site
Geology & Soils	No	<ul style="list-style-type: none"> No unique features or farmland soils

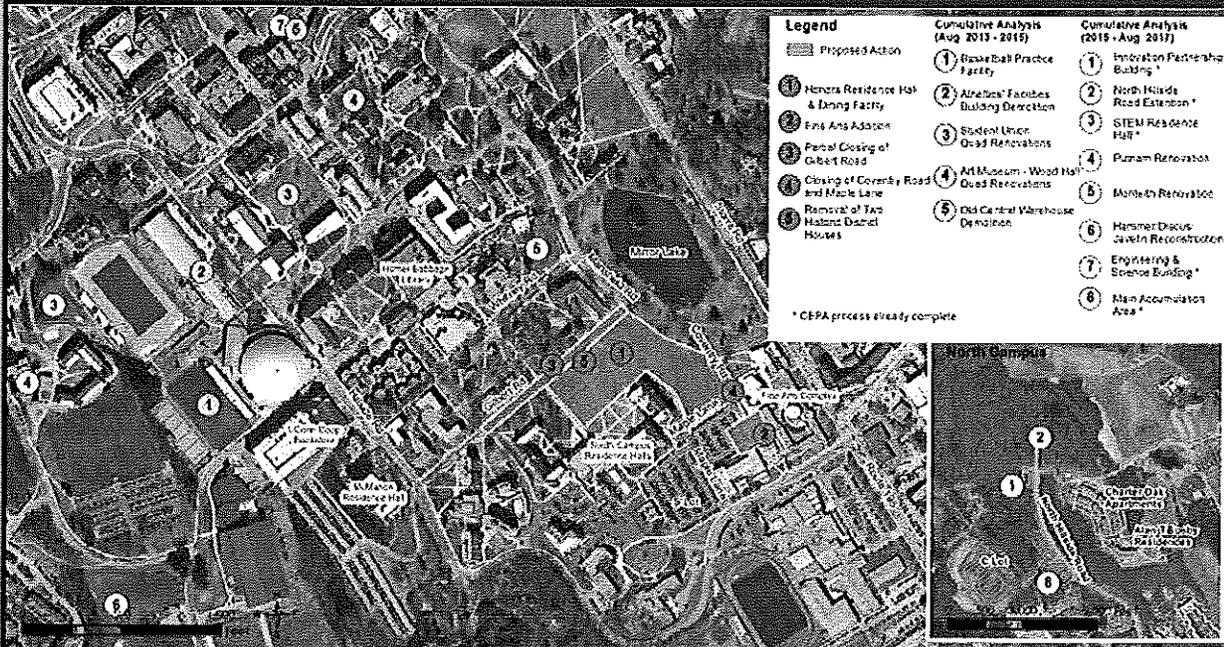
Preliminary Direct Impact Screening

Environmental Sector	Negative Impact?	Comments
Traffic, Parking, Circulation	Not anticipated	<ul style="list-style-type: none"> 55-60 parking spaces lost from Maple Lane lot and Whitney Rd (Honors and Gilbert conversion) 28-34 parking spaces lost from S-Lot (Fine Arts) Minimal new vehicle trips Changes in traffic patterns to be assessed in EIE Dining hall and production deliveries scheduled Pedestrian character strengthened by roadway conversions
Visual/Aesthetic	No	<ul style="list-style-type: none"> Architectural design will be sensitive to current visual setting
Cultural Resources	Yes – mitigation required	<ul style="list-style-type: none"> Within National Register Historic District Consultation with SHPO initiated Consistent with campus-wide Preservation and Adaptive Reuse planning
Utilities and Services	Not Anticipated	<ul style="list-style-type: none"> Utilities present in project area Stormwater impacts to be evaluated in context of South Campus projects Underground detention at Honors to mitigate peak flows

Preliminary Direct Impact Screening

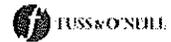
Environmental Sector	Negative Impact?	Comments
Public Health & Safety	No	<ul style="list-style-type: none"> Public Health & Safety services in place for residential students and production
Solid Waste & Hazardous Materials	No	<ul style="list-style-type: none"> Typical residential/dining waste stream Typical production Studio waste stream
Socioeconomic	No	<ul style="list-style-type: none"> Anticipated socioeconomic benefit
Land Use Planning	No	<ul style="list-style-type: none"> Consistent with campus, local, regional, state planning Balanced Priority Funding Area in State Plan of Conservation and Development Locational Guide Map
Energy Use and Conservation	Not Anticipated	<ul style="list-style-type: none"> LEED Silver or above High Performance Building Standards

Cumulative Impacts

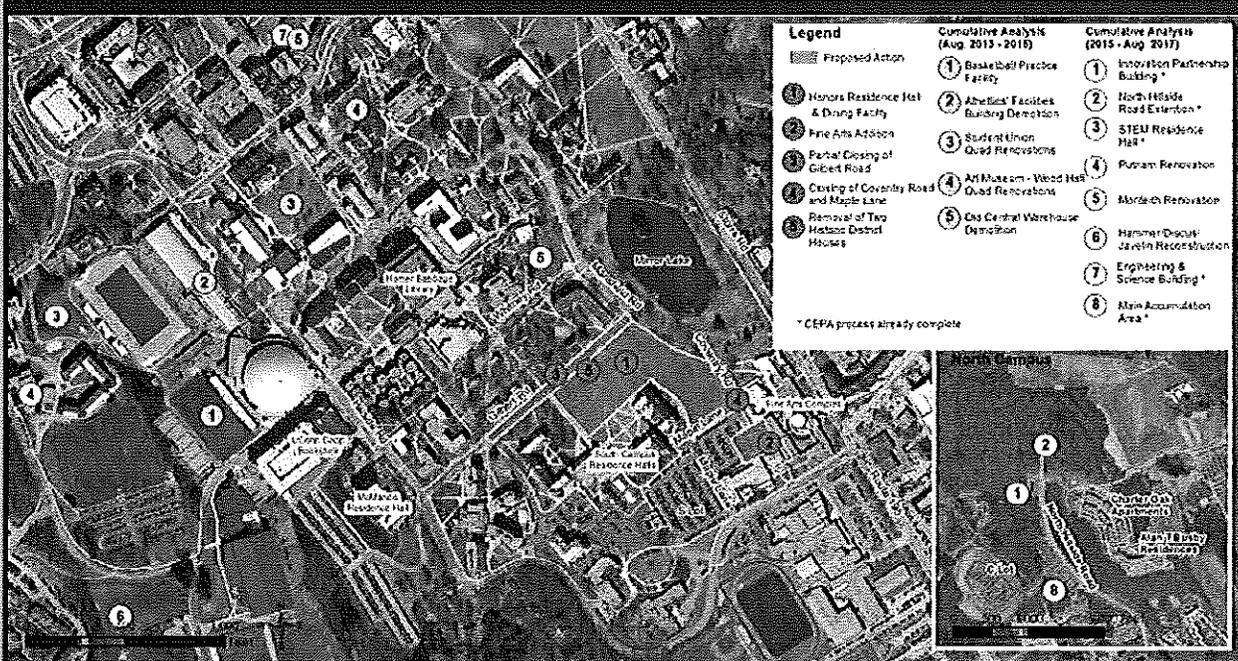


Cumulative Impacts

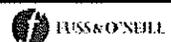
Aug. 2013-2015	2015-Aug. 2017
Basketball Practice Facility	Innovation Partnership Building*
Athletics Facilities Building Demolition	North Hillside Road Extension*
Student Union Quad Renovations	STEM Residence Hall*
Art Museum – Wood Hall Quad Renovations	Putnam Renovation
Old Central Warehouse Demolition	Monteith Renovation
	Hammer/Discus/Javelin Renovation
	Engineering and Science Building*
	Main Accumulation Area*



Cumulative Impacts

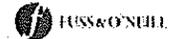


* Copies of the CEPA documents for those projects are available at <http://www.envpolicy.uconn.edu/eiarchivedCEPA-NEPReviews.html>



CEPA Project Schedule

<u>Milestone</u>	<u>Date</u>
Start of 30-Day CEPA Public Scoping Period	February 17, 2015
CEPA Public Scoping Meeting	March 11, 2015
End of 30-Day CEPA Scoping Period	March 19, 2015
CEPA Process	February 2015- Summer 2015
Start of Construction	Fall 2015 (Honors) Winter 2016 (Fine Arts)
Occupancy	Fall Semester 2017 (Honors) Spring 2017 (Fine Arts)

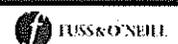


Public Comments

Written comments about the project or CEPA process should be submitted to:

Paul Ferri, Environmental Compliance Analyst
University of Connecticut
Office of Environmental Policy
31 LeDoyt Road
U-Box 3055
Storrs, CT 06269-3055
860-486-9295
paul.ferri@uconn.edu

Comments accepted until close of business March 19, 2015



Public Comments

- Verbal comments accepted tonight
- Please use sign-in sheet
- Written and verbal comments to be considered in CEPA process

Comments?

PAGE
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11 Mulberry Road
Mansfield Center CT 06250

January 20, 2015

Ms. Linda Painter, Town Planner,
Ms. Jennifer Kaufman, Inland Wetland Agent
Mansfield Town Hall
4 South Eagleville Road
Storrs CT 06268

RE: Proposed Resubdivision 101 East Road

Dear Ms. Painter and Ms. Kaufman,

I am writing with regard to the proposed resubdivision at 101 East Road in Storrs. I have grave concerns about the effect of the proposed actions on neighboring properties and on East Road itself.

The Mansfield Zoning Regulations state that "proper provisions shall be made for water supply, drainage, sewage disposal, soil erosion and sediment control, and protective flood control measures." I urge the Town of Mansfield to take every measure to ensure that the proposed resubdivision will in fact satisfy this mandate.

I am particularly concerned about the effect of adding three homes to East Road due to the already very apparent drainage problems on East Road. I drive East Road every day (often more than once) and I walk it often for exercise. This time of year, one must be particularly careful on East Road due to the consistent existence of a very large ice dam that accumulates on the northern side of the road just south of 101 East Road and then again further down. This is already a very dangerous condition and to knowingly add to and potentially exacerbate this condition is unacceptable.

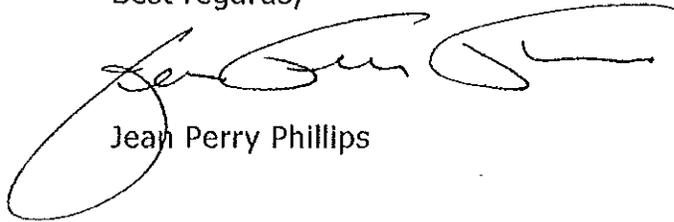
The existing homes on East Road are understandably concerned with the impact on this proposed resubdivision on their property. I have been provided with and read recent reports from Towne Engineering and Dr. Robert Thorson regarding the proposed resubdivision and its foreseeable effects on the environment and the neighboring homes. Grave concerns have been raised regarding the impacts on existing potable wells and septic systems.

This is a wet part of town. Springs abound and artesian wells can be found. We live at a time when large storm events are becoming more common. Property owners on East Road and motorists and walkers all must be protected from the impact of increased water runoff and inadequate drainage and protective flood control measures.

Section 10 of the Zoning Regulations, Drainage, states: "An adequate storm and surface water drainage system shall be provided to all subdivisions so as to protect them from flood hazard and inundation by storm water, springs and other surface waters."

I ask that the Zoning Commission take every measure to make sure that the proposed subdivision does in fact provide such an adequate system which will not negatively impact or exacerbate existing conditions on neighboring properties and East Road. Simply put: there must be no runoff impact on neighboring properties and East Road. This will need to be accomplished via improvements to the existing street drainage system and responsible design and engineering in the proposed resubdivision.

Best regards,

A handwritten signature in black ink, appearing to read "Jean Perry Phillips", written over a large, light-colored oval scribble.

Jean Perry Phillips

Linda Painter
Town Planner
4 Eagleville Road
Storrs, CT 06268

RE: The Williams Heights Subdivison

We are concerned about the proposed three lot subdivison on East Road (formerly the Trainor property).

Our understanding is that this will cause a drainage problem greater than already exists on East Road and for nearby neighbors.

We reside on Hanks Hill Road and we are on now on the East side. Formerly we lived on the West side and can verify the wet conditions from runoff down the hill.

Please consider carefully the problems that this development may cause and your remedies for them.

George and Jean Norman
301 Hanks Hill Road

George R. Norman
Jean M. Norman

cc: Jennifer Kaufman
Inland Wetland Agent

Linda M. Painter

From: Elizabeth Vitullo <lrvitullo@yahoo.com>
Sent: Thursday, January 15, 2015 2:13 PM
To: Linda M. Painter; Jennifer S. Kaufman
Subject: East Road Water Concerns

Dear Ms. Painter and Ms. Kaufman,

I write to you today to express my concerns over the further development being considered on East Road. I own a home at the bottom of East and have noticed in the past few years an increase in the water flow down the street after rainfall or snow melt. With very limited drainage on East any further development will increase the water pooling near my home and at the intersection of East Road and Hanks Hill.

Currently during heavy rainfall the pooling is so extreme that large puddles form on the road are wearing away at the road and destroying the grounds on the sides of the road. I appreciate that additional development may occur on East Road however I am requesting that the development is done in a responsible manner. Once the trees are cleared to develop the area more I am concerned that the run off will increase dramatically and harm both the road and other homes on our street.

I urge the committee to consider the development of this area in a responsible manner.

Sincerely,

Liz Vitullo
146 East Road



March 2, 2015
Public Hearing
Mansfield Tomorrow

Although the focus of the Planning and Zoning Commission has been the future development of Mansfield proper, I want to encourage the Commission to take into account the larger context in which Mansfield exists.

There are several utilities whose transmission routes pass through the town of Mansfield and while their regulation and management are not immediately accessible to either citizens or the government of Mansfield, nevertheless the decisions about them have a significant impact on land use as well as the lives of Mansfield citizens.

I am most concerned about the proposed expansion of the natural gas pipeline that bisects the town. The Algonquin pipeline is a major conveyor of natural gas through Connecticut and the plans to double its size have serious consequences for everyone adjacent to its route.

There are two significant problems connected with the expansion: the increased level of emissions (associated with "normal" operation) as well as increased risk of leakage or pipeline failure. Both these hazards pose a threat to the health of the citizens of Mansfield as well as potential degradation of the environment generally.

According to the Subra company, an environmental consulting firm, compressor stations like the one just outside town boundaries in Chaplin, emit at least two dozen toxic chemicals into the air, including formaldehyde, benzene, nitrogen oxide, butane and propane. The health risks associated with these emissions are visual impairment, respiratory impacts, severe headaches, decreased motor skills, irregular heartbeat, skin rashes, dizziness and allergic reactions.

In order to protect the attractive character of Mansfield, due attention must be paid to the impact of environmental issues, issues that involve more than what is simply contained within the town limits. The proposed expansion of the natural gas pipeline is detrimental to the health and well-being of the town and its citizens, a significant concern that will affect choices on the part of individuals and businesses who otherwise might find Mansfield attractive.

I urge the Commission to oppose the expansion of the pipeline, voicing that opposition to our state representatives, our governor, as well as the Federal Energy Regulatory Commission. The quality of the future of Mansfield depends on it.

Lois K. Happe

Lois K. Happe
56 Olsen Drive, Mansfield
860-429-2165

PAGE
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NOTICE OF PUBLIC HEARING

Diversion of Water

Application No. DIV- 201404187

Towns: Ellington, Vernon, Tolland, Coventry, Mansfield

Waters: Shenipsit Reservoir, Hockanum River, Willimantic River

The Department of Energy and Environmental Protection ("DEEP") has made a tentative determination to approve an application submitted by The Connecticut Water Company and the University of Connecticut (the "applicants") under section 22a-368 of the Connecticut General Statutes (CGS) for a permit to divert the waters of the state.

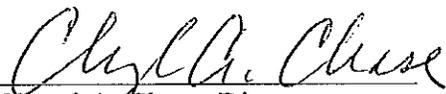
The proposed activity includes the interconnection and transfer of a maximum of 1.85 million gallons per day of water from the Connecticut Water Company public water system in Tolland to the University of Connecticut and Town of Mansfield.

Pursuant to section 22a-371, DEEP will hold a public hearing on this application on Wednesday, March 25, 2015, beginning at 6:00 pm, in the Council Chamber of the Audrey P. Beck Municipal Building, 4 South Eagleville Road, Mansfield. The room will open at 5:30 pm on that day for interested members of the public to review posted exhibits and ask questions of the applicants and staff. An evidentiary hearing will be held in the Russell Room at DEEP Headquarters, 79 Elm Street, 3rd Floor, Hartford on Thursday, March 26, 2015 and Friday, March 27, 2015 (if needed), starting at 10:00 am each day. The evidentiary hearing is open to the public, but is not a forum for the receipt of public comment. Written comments will be accepted in person at the evening hearing and if submitted to the Office of Adjudications via e-mail (deep.adjudications@ct.gov), fax (860-424-4053), or mail (Office of Adjudications, DEEP Headquarters, 79 Elm Street, 3rd Floor, Hartford, 06106) by the close of business on April 15, 2015. Members of the public should check the DEEP Calendar of Events on the DEEP website, www.ct.gov/deep/calendar, for any alterations to this hearing schedule, including additional hearing dates or cancellations.

The Department will hold a site visit on Tuesday, March 10, 2015 commencing at 1:00 pm at the Rockville Water Treatment Plant, 10 Snipsic Street, Vernon, CT. The site visit will be conducted on March 17, 2015 in case of inclement weather on March 10. Notice of a postponement to March 17 will be posted on the DEEP Calendar of Events, www.ct.gov/deep/calendar, no later than 11:00 am on March 10. The site visit is a public meeting, but is not for the purpose of collecting evidence and therefore will not be conducted on the record.

The application is available for inspection at the DEEP Headquarters, 79 Elm Street, Hartford. Questions may be directed to Doug Hoskins of the Inland Water Resources Division at 860-424-4192.

February 20, 2015
Date


Cheryl A. Chase, Director
Inland Water Resources Division
Bureau of Water Protection and Land Reuse

ADA PUBLICATION STATEMENT

The Department of Energy and Environmental Protection is an Affirmative Action and Equal Opportunity Employer that is committed to requirements of the Americans with Disabilities Act. To request an accommodation call 860-424-3194, or email deep.hrmed@ct.gov

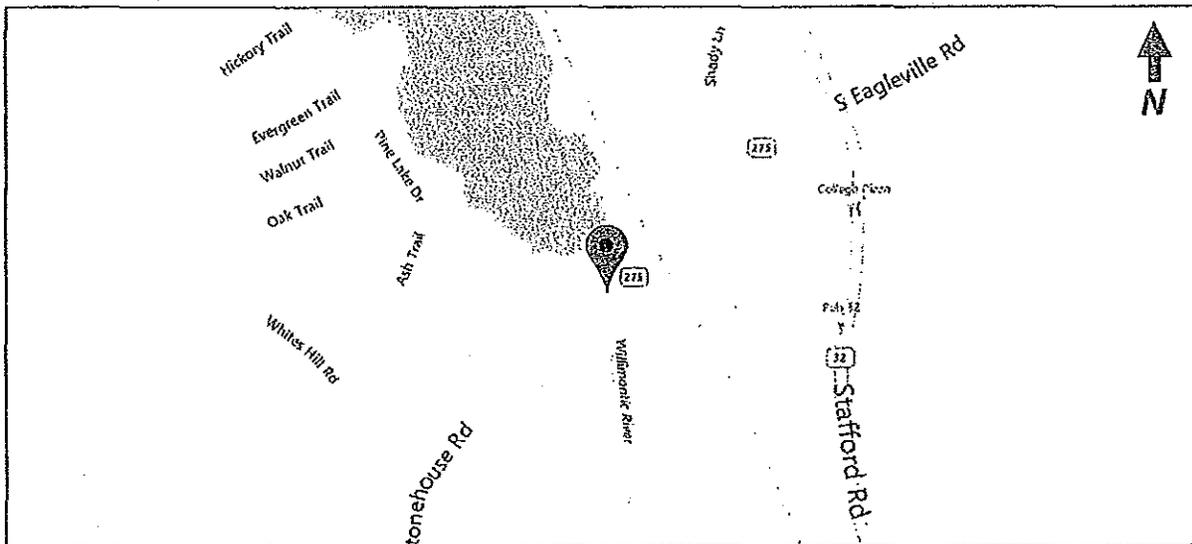
STATE PROJECT NO. 32-148
REPLACEMENT OF BRIDGE NO. 02866
ROUTE 275 OVER WILLIMANTIC RIVER

Project Description

The Connecticut Department of Transportation has identified Bridge No. 02866, which carries Route 275 over Willimantic River in Coventry and Mansfield, as being in need of replacement. The proposed project consists of replacing the existing bridge with a two span precast, prestressed box beam superstructure on pile supported concrete abutments. The existing pier will remain and the pier cap will be modified to accept the new bridge superstructure. The bridge roadway width will be widened to accommodate an 11-foot travel lane and 5-foot shoulder in each direction. An open metal bridge rail system will be utilized across the structure. The new abutments will be constructed behind the existing stone masonry abutments which are to remain to maintain the existing aesthetics of the area. The majority of construction will be performed during an 8-week closure of Route 275 at the bridge site. An all-state detour route will be posted.

Construction

The replacement is anticipated to begin in summer of 2015 and be completed by the fall of 2015. The estimated construction cost for this project is \$2,900,000.



Contact Information

Connecticut Department of Transportation
Ms. Lesgie Ruiz
(860) 594-3351
Lesgie.Ruiz@ct.gov

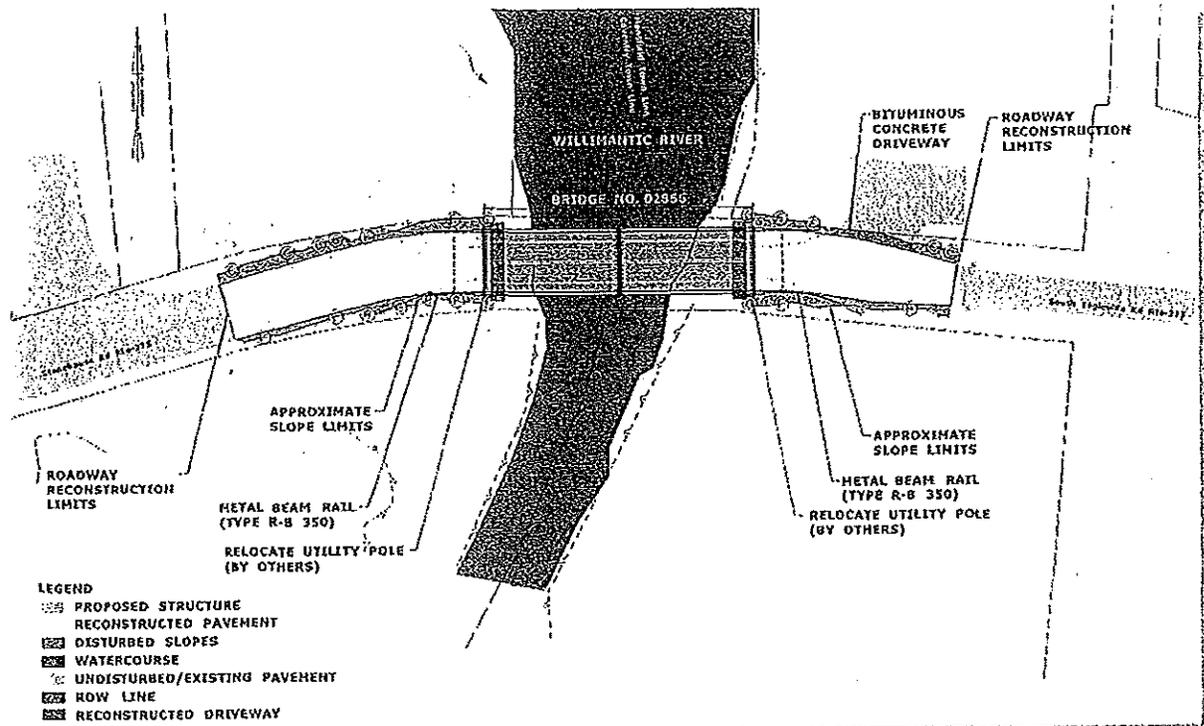
Close, Jensen and Miller, P.C.
Mr. Michael Woods
(860) 563-9375
MWoods@cjmpc.com

Comments can also be mailed to:

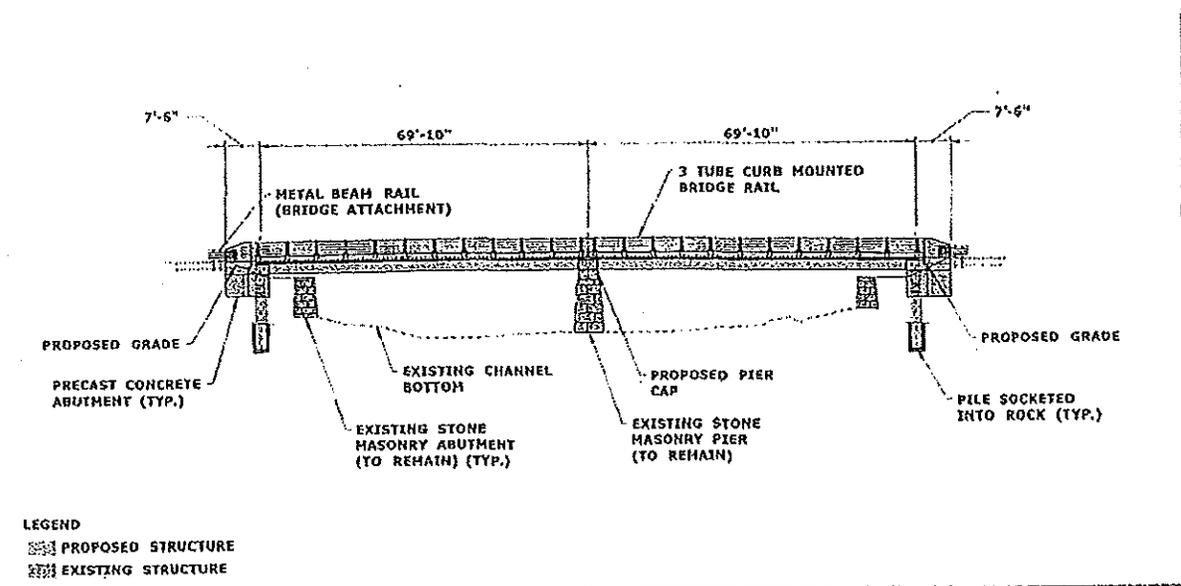
Theodore H. Nezames, P.E.
Manager of Bridges
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131-7456

STATE PROJECT NO. 32-148
REPLACEMENT OF BRIDGE NO. 02866
ROUTE 275 OVER WILLIMANTIC RIVER

Proposed Plan

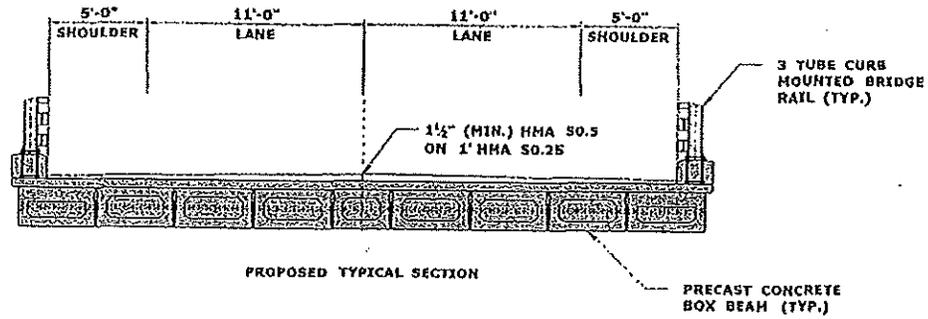


Proposed Elevation

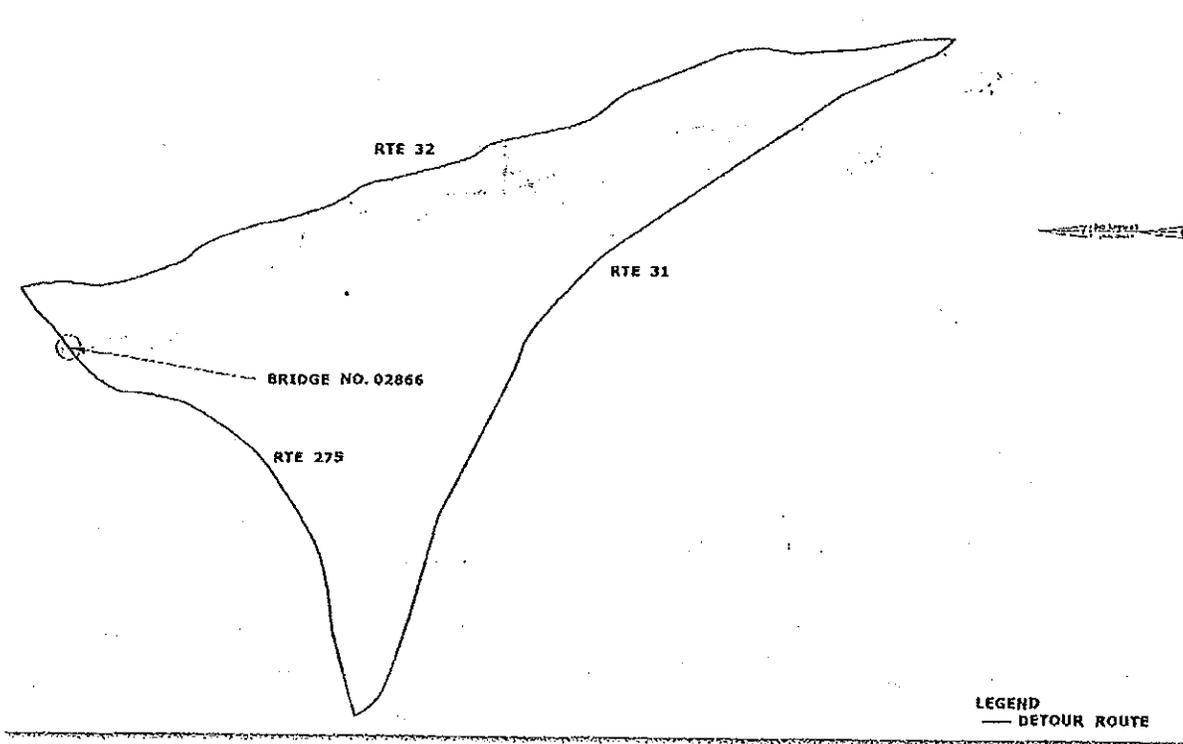


STATE PROJECT NO. 32-148
REPLACEMENT OF BRIDGE NO. 02866
ROUTE 275 OVER WILLIMANTIC RIVER

Proposed Section



Proposed Detour Route



followed the CEPA process and are documented at <http://www.envpolicy.uconn.edu/eiarchivedCEPA-NEPAreviews.html>.

Project Map(s): [Click here to view a map of the project area.](#) [Click here to view a map of the projects.](#)

Written comments: from the public are welcomed and will be accepted through **March 19, 2015**. Comments previously received during the Honors Residence Hall's scoping period will also be considered as comments received on the SCD proposed action.

There will be a Public Scoping Meeting for this project at:

Date: March 11, 2015

Time: 7:00 p.m. (Doors will be open at 6:00 p.m. to allow review of Informational materials.)

Place: Room 146, UConn Bishop Center; One Bishop Circle; Storrs, CT

Written comments should be sent to:

Name: Paul Ferri

Agency: UConn - Office of Environmental Policy

Address: 31 LeDoyt Road, U-3055; Storrs, CT 06269

Fax: 860-486-9295

E-Mail: paul.ferri@uconn.edu

If you have questions about the Public Scoping Meeting, or other questions about the scoping for this project, please contact Mr. Ferri as directed above.

The agency expects to release an Environmental Impact Evaluation for this project, for public review and comment late spring 2015.

5. Notice of Scoping for Mansfield Four Corners Sewer Extension

Municipality where proposed project would be located: Mansfield

Project Location: Along Route 195 (Storrs Road), approximately 3,000 feet north and 1,000 feet south from its intersection with Route 44 (Middle Turnpike Road); along Route 44, approximately 600 feet east and 3,700 feet west from its intersection with Route 195; and along portions of North Hillside Road and Professional Park Road.

Project Description: Public Act 14-98, Section 97 authorized a \$3 million grant-in-aid to the Town of Mansfield to extend sewers to the Four Corners area. The project involves installation of approximately 22,000 feet of sewer piping inclusive of collection system, a trunk sewer and a force main, two submersible pump stations, and related equipment and appurtenances to provide public sewer service to the Four Corners area as well as certain properties along Route 195 and Route 44, including a manufactured home development known as Rolling Hills Community. This area has a history of sewage disposal challenges due to high water table and poor soils. Wastewater would be discharged to the University of Connecticut's wastewater treatment plant.

The Four Corners area is one of three main commercial centers in Mansfield. It serves as the northern gateway to Mansfield and has the benefit of being located at the crossroads of two state arterial roads. Plans to extend water and sewer to this area will enable redevelopment with a mixture of residential and commercial uses. Given its proximity to the new Technology Park, it is anticipated that this area will be focal point for research and light industry and may also become a priority housing location for Tech Park workers. The size of the area combined with extensive wetland resources will result in clusters of development that have been designated by the Town as appropriate for higher intensity uses.

Project Map: [Click here to view a map of the proposed project.](#)

Written comments from the public are welcomed and will be accepted until the close of business on: April 3, 2015

There will be a Public Scoping Meeting for this project at:

DATE: March 18, 2015

TIME: 7:00 p.m. (Doors will be open at 6:00 p.m. to allow review of informational materials.)

PLACE: Council Chamber, Mansfield Town Hall; Four South Eagleville Road; Storrs, CT

Purpose of Meeting: The Scoping Meeting will present information about the project and solicit public

comments on the project's purpose and need, preliminary alternatives, and areas of key environmental concern.

Written comments should be sent to:

Name: Carlos Esguerra
Agency: Department of Energy & Environmental Protection
 Bureau of Water Protection & Land Reuse
Address: 79 Elm Street
 Hartford, CT 06106-5127
Phone: 860-424-3756
Fax: 860-424-4067
E-Mail: carlos.esguerra@ct.gov

If you have questions about the public meeting, or other questions about the scoping for this project, contact Mr. Esguerra, as directed above.

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Please contact us at (860) 418-5910 or deep.accommodations@ct.gov if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

Post-Scoping Notices: Environmental Impact Evaluation Not Required

This category is required by the October 2010 revision of the Generic Environmental Classification Document for State Agencies. A notice is published here if the sponsoring agency, after publication of a scoping notice and consideration of comments received, has determined that an Environmental Impact Evaluation (EIE) does not need to be prepared for the proposed project.

No Post-Scoping Notice has been submitted for publication in this edition.

EIE Notices

After Scoping, an agency that wishes to undertake an action that could significantly affect the environment must produce, for public review and comment, a detailed written evaluation of the expected environmental impacts. This is called an Environmental Impact Evaluation (EIE).

No Environmental Impact Evaluation has been submitted for publication in this edition.

State Land Transfer Notices

Connecticut General Statutes Section 4b-47 requires public notice of most proposed sales and transfers of state-owned lands. The public has an opportunity to comment on any such proposed transfer. Each notice includes an address where comments should be sent. [Read more about the process.](#)

The Following State Land Transfer Notice has been submitted for publication in this edition.

1. NOTICE OF PROPOSED LAND TRANSFER

Complete Address of Property: Portion of 64 Center Street, Hartland

Number of acres to be transferred: 2.439 acres (in exchange for 11.275 acres)

Click to view [map](#) of property location

Description of Property

Brief Description of Historical and Current Uses: In 2009, during a routine inspection of Tunxis State Forest, the Department of Energy and Environmental Protection ("DEEP" or the "Department") discovered that there were encroachments onto State land by Daniel Nelson, who lives at 58 West Center Street, Hartland. The encroachments included a crushed stone driveway, a frame garage, a canopy, concrete pavers, man-made ponds, a stone retaining wall, clay and PVC piping, flood lights, and an ATV trail. While there were several encroachments, they did not extend very far onto State land. Further, DEEP believes that Mr. Nelson did not knowingly encroach. Removing the encroachments, especially the retaining wall and the manmade ponds that do not extend far onto State land would be extremely difficult and expensive. In order to resolve this issue, an exchange was requested to eliminate the need to remove the encroaching structures. DEEP evaluated this request pursuant to DEEP's 2008 Directive - Exchanges of Land or Interests in Land (the "Directive"). The Directive states that land or interests in land shall not be exchanged, except in extenuating circumstances and only when all of the following criteria are met: