

ZONING PERMIT APPLICATION
MANFIELD PLANNING & ZONING COMMISSION
 (See Article XI.C of the Zoning Regulations for applicability and permit requirements)

APPLICANT/OWNER SECTION

PERMIT # 14-8-3

Complete this page and submit with application fee to the Zoning Agent

1. See attached / _____ / _____
 Owners name Mailing address Telephone
 Education Realty Trust, Inc. See attached 10987
2. Storrs Center Alliance, LLC / P.O. Box 878, Tuxedo Park, NY / 845-351-2900
 Applicants name (if different than owner) Mailing address Telephone
3. See attached 3.A. N/A 3.B. SC-SDD
 Address of proposed activity map block parcel Scenic Road ??? Zone

4. **Statement of Use:** fully describe the proposed construction or use, including the estimated cost of construction and the quantity of fill material to be brought onto, moved within, or removed from the property.

See attached Statement of Use. Phase 2

5. **Plot Plan:** The applicant shall submit a plot plan showing property lines, lot area, lot dimensions, location and size of existing and proposed structures, driveways, parking areas, wells and septic systems, bordering streets, inland wetlands, flood hazard areas and any other information deemed necessary by the Zoning Agent to determine compliance with the regulations. The plans shall be prepared by a licensed land surveyor unless waived by the Zoning Agent. See attached.
6. Building plans and/or other information necessary to determine compliance. See attached.
7. To demonstrate that the proposal complies with local Inland Wetlands, Health District and Public Works requirements, the following approvals are required and any conditions of approval shall be incorporated into the zoning permit.

- A. [Signature] / 8/14/14 / _____
 Signature of Director of Health Date Comments
- B. _____ / _____ / _____
 Signature of Inland Wetland Agent Date Comments
- C. [Signature] / 8/13/14 / _____
 Signature of Town Engineer Date Comments

8. **Validity:** If approved, the Zoning Permit shall be voided unless construction is commenced within six months of the date of issue and unless construction is completed within 18 months of the date of issue.

Where a surveyors plot plan is required, no foundation for any structure or addition shall be constructed until the Zoning Agent has received a surveyors certification verifying that the foundation footings are installed per the approved plans.

9. **Certification:** The applicant accepts this Zoning Permit on the condition that all ordinances and regulations of the Town of Mansfield shall be complied with. The applicant further certifies that all information supplied to the Zoning Agent is true and accurate and that the land and structures subject to this permit shall not be occupied or used until a Certificate of Compliance has been issued. The applicant's signature authorizes the Zoning Agent to enter upon the property as needed to verify compliance with the permit and until a Certificate of Compliance has been issued.

[Signature]
 Owner / Applicants signature

Howard Kaufman
 Owner / Applicant (printed)
 Managing Member
 Storrs Center Alliance, LLC
 Thomas Trubiana, EdR

APRIL 3, 2014
 Date

[Signature]

APRIL 3, 2014
 Date

ADDENDUM
Zoning Permit # 14-8-3
Storrs Center, Phase 2, Building VS-2
August 14, 2014

The conditions listed below shall be a part of Zoning Permit # 14-8-3, issued to Storrs Center Alliance, LLC. on 8/13/14, for the construction of the structures and site improvements for Building VS-2 of Phase 2 of the Storrs Center Development. This approval is based on the plans submitted, together with the 4/3/14 Zoning Permit Application referenced in a 6/28/14 memo from Linda M. Painter, Director of Planning & Development to Curt Hirsch, Zoning Agent, as revised on 8/12/14. Any questions about the subject conditions or requirements shall be directed to the Zoning Agent. **Note that this is a zoning permit for Building VS-2 only**, even though the comments/conditions listed below may apply to other buildings within Phase 2.

1. **General Conditions Pursuant to Zoning Regulations (All Phase 2 Buildings & Site Improvements).**
 - A. Erosion & Sedimentation Control. During periods of construction, bi-weekly erosion and sediment control monitoring reports shall be submitted to the Zoning Agent and Inland Wetland Agent until disturbed areas are stabilized. In lieu of the submission of bi-weekly reports, the applicant may opt to retain a log of E&S inspections and corrective actions that they have taken. This log shall be made available to the Zoning and Wetlands Agents upon request.
 - B. Foundation Footing Survey. Pursuant to Article XI, Section 4.d., no new foundation walls shall be constructed until certification from a licensed land surveyor is received by the Zoning Agent confirming that foundation footings are in approved locations. As-builts may be submitted prior to vertical construction upon foundation walls at the applicants risk.
 - C. Removal of Material. All material that will be removed from the project area in association with demolition activities shall be deposited in an appropriate location that has been approved for such deposition. All site demolition contractors shall be advised of this requirement.
 - D. Utilities. Unless specifically authorized by the Director of Planning and Development, all new utility lines shall be installed underground.
 - E. Plan Revisions. Pursuant to Article X, Section 5.6.g of the Zoning Regulations, any proposed revisions to the submitted and approved plans and associated application narratives and/or the proposed uses hereby granted Zoning Permit approval shall be submitted to the Director of Planning and Development for review and approval.
 - F. Local Approvals. All conditions of approval cited in the 10/1/07 Inland Wetland Agency license approval, as revised on 1/19/11, shall be met.
 - G. Construction Traffic. All construction traffic shall be required to access Phase 2 via Charles Smith Way to Wilbur Cross Way. No construction traffic shall utilize Bolton Road or Dog Lane. In addition to the information provided as part of the statement of use, the applicant shall be responsible for ongoing coordination with the Town of Mansfield with respect to management of construction traffic related to concurrent projects, including drainage work at the Post Office and completion of improvements on Charles Smith Way. The point of contact for this coordinated effort will be the Director of Public Works or his designee. If deemed necessary by the Director

of Public Works, a more formal traffic management plan shall be developed for the approval of the Traffic Authority.

- H. Common Interest Ownership. The proposed Common Interest Ownership arrangement is acceptable for Phase 2 subject to compliance with all applicable State requirements and incorporation of commitments made in the Zoning Permit application. A copy of the executed Common Interest Ownership documents shall be filed in the Mansfield Planning Office. The Common Interest Ownership documents shall specify who is responsible for maintaining the site improvements associated with the various buildings, including parking, landscaping, trash and storm water facilities.
- I. Parking.
1. The revised parking inventory and analysis dated 5/20/2014 shall be updated to reflect the specific parking requirements for Phase 4 identified in the updated parking study provided as part of the Zoning Map Amendment for Phase 4. For simplicity, the demand and inventory for Phase 4 could be identified separately from the demand and inventory for the overall project. Additionally, to be consistent with the conservative approach taken to classifying existing uses (using the higher of the required parking ratios for businesses that could fit under different categories), Select Physical Therapy should be reclassified using the new medical office parking ratio. Based on the Planners calculations, inventory will still exceed demand with these changes assuming the projected uses for phase 2 commercial uses are relatively accurate. The applicant has questioned the accuracy of this condition based upon adopted parking studies. The Planner is in the process of reviewing this and will issue a supplemental memo if needed.
 2. The revised parking inventory and analysis estimates demand for commercial uses in Phase 2 based on projected allocations of uses. In order to confirm the adequacy of parking for the final mix of commercial uses in Phase 2 buildings, the applicant shall submit a revised parking analysis as each lease is signed to ensure that sufficient parking is available. If the updated parking analysis indicates that actual uses are exceeding the projected allocations, the developer shall be notified to ensure that future leases take into account the parking limitations. No Certificates of Compliance for commercial spaces shall be issued unless sufficient parking is available to support that use.
 3. It is noted that if additional parking is needed to support the commercial tenant mix or based on future demand (see condition 1.1.3 below), there appears to be room to expand the surface parking lot located to the east of Building VS-8/9 within the approved development boundary of the master plan. Such an expansion would require a separate zoning permit approval and would necessitate changes to the storm water system as currently designed.
 4. Pursuant to the Zoning Map Amendment approved by the PZC on May 5, 2014, the following condition applies to availability of parking to support this phase as well as earlier phases of the project: *If parking demand and availability become a concern in the future, the Director of Planning and Development shall require the Master Developer to update the master parking study. The updated parking study shall be reviewed by the PZC as an amendment to the master plan. The PZC shall have the right to retain a third party consultant to conduct a peer review of the study as part of their review of the master plan amendment. The cost of the PZC's consultant shall be the responsibility of the developer. If the updated parking study demonstrates the need for additional parking, the developer shall be responsible for constructing the additional parking at their own expense.*
- J. Lighting. A lighting package shall be submitted for review and approval by the Director of Planning and Development prior to installation of exterior fixtures on all buildings.

- K. Commercial Storefront Areas. All designs for commercial storefront areas, including signage, lighting, awnings, outdoor seating and other features to enhance the streetscape, shall be submitted for approval by the Director of Planning and Development or her designee prior to issuance of building permits for this work. Individual commercial spaces may also need approval from the Eastern Highlands Health District. Any internal layouts that would impact storefront windows (such as placement of equipment, interior partition walls, etc.) shall require approval of the Director of Planning and Development.
- L. Colors. Final building colors including the storefront and trim color palette shall be subject to review and approval by the Director of Planning and Development.
- M. Foundation Permits. Foundation permits may be issued in advance of submission and approval of revised site and architectural plans. No other building permits shall be issued until the changes required to site and architectural plans have been approved by the Director of Planning and Development and it is confirmed that the Phase 2 improvements are acceptable to all federal and state agencies who have granted permit approval for the entire Storrs Center project.
- N. Damage to Town Infrastructure. Any damage done to Town infrastructure, including streets, curbs, sidewalks and streetscapes during construction, including replacement of street trees, shall be repaired, replaced or restored to the satisfaction of the Town Engineer prior to issuance of Certificates of Compliance for the last building in Phase 2.
- O. Revisions to Floor Plans and Building Elevations. While the applicant has submitted one zoning permit application for multiple buildings in Phase 2, they will be submitting separate Building Permits for each building. As such, submission of complete sets of revised architectural and floor plans may be submitted separately, provided a complete set is received prior to the issuance of a Building Permit for the relevant building.
- P. Site Plan Revisions. The applicant has submitted sketches of how the site plan set will be revised to meet the requirements of the Planners 6/28/14 memo. Additional revisions related to the dumpster for Educational Playcare, the University Plaza dumpster/recycling area and the size of the Douglas Firs at planting shall be submitted as part of the final plan set based on comments provided to Langan via email on August 6, 2014. As the changes pertain primarily to areas surrounding the VS 5/6, 8/9 and 10 buildings, this zoning permit approval is limited to the construction of building VS-2. Zoning Permits for the remaining buildings shall not be issued until a complete revised set of plans has been submitted for the zoning record.

2. General Conditions Pursuant to Zoning Regulations (Building VS-2)

- A. Storrs Road Pedestrian Access. Full pedestrian access across the sidewalk along the east side of Storrs Road, shall be maintained during construction of VS-2 through use of pedestrian sheds and other techniques.
- B. Survey Monumentation. No Certificates of Compliance shall be approved until the monumentation for this lot and the lot to the north has been completed with Surveyor's Certificate.
- C. Shared Use Agreement. Prior to issuance of a Certificate of Compliance, provide a copy of an executed shared-use agreement for the driveway and trash compactor that will be shared by TS-3 and VS-2.
- D. Site and Architectural Revisions. The northern façade of the VS-2 building shall not be constructed until the applicant has submitted revised site and architectural elevations for review and approval by the Director of Planning & Development for changes related to ground floor window placement and elevation changes in the adjacent pedestrian area.

3. **General Conditions Pursuant to Zoning Regulations (Building VS-5/6 and associated access driveway/parking area to the west of the building)**
 - A. Coordination with Storrs Commons. Construction of the rear access drive and parking area shall be coordinated with the owner of Storrs Commons. Prior to approval of a Zoning Permit for vertical construction, the applicant shall submit written approval of the owner of Storrs Commons for the improvements depicted on the Storrs Commons property and authorization for the trash collection company to utilize a portion of the access drive on the Storrs Commons property for turning movements needed to access the trash compactor.
 - B. Architectural Revisions. The northern and western facades of the VS 5/6 building shall not be constructed until revised architectural elevations are submitted for review and approval by the Director of Planning & Development. Revisions shall address the required architectural plan revisions noted in Condition 1.B.6 of the Planners 6/28/14 memo. In particular, the revisions shall ensure that the detailing of the northern and western facades 'turns the corner' given the highly visible nature of this portion of the western façade from both Royce Circle and Storrs Road.

4. **General Conditions Pursuant to Zoning Regulations (Buildings VS-8/9 and 10, Surface Parking Lot and Related Stormwater Improvements)**
 - A. Erosion and Sedimentation Control. Due to the proximity of these site improvements to wetlands, no permit for construction of the surface parking lot and associated stormwater improvements shall be issued until the owner/developer has provided a \$5,000 financial guarantee and executed a bond agreement with the Town.
 - B. Certificates of Compliance. No Certificates of Compliance shall be issued for Buildings VS 8/9 and 10 until the following conditions have been met.
 1. Roadway Acceptance. The access roadway and associated stormwater improvements have been completed and accepted by the Town or a financial guarantee has been provided and accepted by the Town. See Condition 5 below.
 2. Maintenance Plan. A maintenance plan for the permeable surface shall be submitted for review and approval by the Directors of Planning and Development and Public Works.
 3. Lighting. A revised lighting plan for the parking lot shall be submitted for approval by the Director of Planning and Development.
 4. Architectural Revisions. The eastern façade of building VS-10 shall not be constructed until revised architectural elevations have been submitted for review and approval by the Planner in accordance with required revision noted in Condition 1.B.8 of the Planners 6/28/14 memo. The revisions shall include changing of the window in question to either the "K" or ½ of the "N" windows specified on sheet A1.09.

5. **General Conditions Pursuant to Zoning Regulations (New Roadway & Stormwater Improvements to be dedicated to the Town)**
 - A. Streetscape. Final design of the eastern and southern sides of the access road may be revised based on plans for Phase 3 and coordination with the developer of VS-11. Revisions shall be subject to the approval of the Directors of Planning and Development and Public Works. A minimum clear sidewalk width of 5 feet shall be provided as part of any revised design.
 - B. Street Construction. The street shall be constructed in accordance with the Town's *Engineering Standards and Specifications Ordinance*.
 - C. Warranty Deed. The developer shall provide a warranty deed running from the record owner to the Town, free and clear of all encumbrances except easements, for the street, together with, as appurtenant to such street, all utility, access and other easements as shown on the final plan. In

reviewing and approving the deeds and easements, the Town shall have the right to require title certifications, the release, or where applicable, subordination of all liens and encumbrances and any other related information that may be required by the Town Attorney. All deeds must be acceptable to the Town Attorney and shall refer to maps by title and to road stationing where necessary for Town acceptance of public streets. Such deed shall be held in escrow by the Town to be recorded on the Town Land Records upon acceptance of by the Town of the road, and in no case shall the acceptance of any such deed by board or commission, official agent, or employee of the Town be deemed an acceptance of such street by the Town.

- D. As-Built Plans. The developer shall have his engineer prepare as-built public improvements and utilities maps which show all public improvements and utilities as constructed and installed. Such maps shall be based on information provided by the Director of Public Works or his designee, utility companies and the developer's engineer. As-built plans shall be on Mylar and filed with the Department of Public Works.
- E. Roadway Acceptance. Approval of the Phase 2 plans shall not be deemed to constitute or affect an acceptance of any street or public improvement by the Town. Final acceptance of the new access road wrapping around the east side of Buildings VS 8/9 and VS-10 is subject to the approval of the Planning and Zoning Commission and the Town Council. The request for roadway acceptance should include a street name that does not duplicate or closely approximate in spelling or sound existing street names in Mansfield or any adjoining city or town. Should the Town not accept the roadway, it shall become a private road maintained by the owner.