Howard A Raphaelson
119 Timber Drive
Storrs, CT 06268

I have some concerns about the proposed sewer program for the Four Corners area.

At a presentation a week ago, it was pointed out that since 1998, there have been "ten documented overflows/failures and twenty seven repairs." When I asked for more details, I was told that this data was produced by the Eastern Health District and there has been no investigation beyond the numbers above.

Clearly, to solve a problem you first have to understand it. The DEEP wants us to deal with the problem, but has not told us how. We should first understand the problem and then look at the options available for remediating it. At least, we should see where the problems occurred. I don't know what area the Health District calls Four Corners. Some or all of the problems may not be within the proposed sewer project. We should also look at the causes of the problems, and their character. If five of the ten "failures" were on the same property and resulted from a faulty design or improper maintenance, the answer is not sewers. Likewise, the twenty seven repairs could be unrelated to the high water table and/or may not have required significant expense.

The cost is currently estimated to be $9 million, plus of course the substantial costs to the property owners to connect. Much of this will be public funds. Part of the justification for the donation of local funds - $3 million – are justified by the anticipated property tax revenue that will result from the resultant development. Leyland Associates spent many years and a lot of money analyzing the Downtown Partnership opportunity before concluding that there was enough probability of success to warrant going ahead. Each additional commercial space has a lower likelihood of success than the previous one, as the need for additional spending approaches the amount that will be made available by consumers. A further risk is that the Four Corners opportunity will siphon business from the Downtown Partnership location, causing economic problems for the current businesses (and reducing the property taxes).

The long empty Rosal's was replaced by at least two successors. They certainly knew about any septic system problems, but gave it a try anyway. It is possible that the empty building is not the result of infrastructure problems. The late Yukon Jack's is on a hill. I do not believe that septic system problems were part of the decision to close. The former Zenny's is currently undergoing revisions and a reopening is planned, without sewers.

I doubt that there is an infinite supply of customers for additional Mansfield business. I doubt that sewers are the only solution to the reported problems in the Four Corners area. Sewers may be the best solution, but we will not know that until we understand the problem and look at alternative appropriate solutions. I urge the Council to assure that this takes place.

August 25, 2014

The presentations by Weston & Samson along with the data they've presented have convincingly shown that, at this time, there is no septic failure at Four Corners that cannot be cured with an onsite system. Contamination of water should not be discussed as that problem is solved provided CWC gets the approvals required.

Thus, the **real reason** for the sewer system, as now proposed, is to allow for major development of a few parcels of land.

Thus, the proposed method of payment for this sewer system is purely and simply to require the taxpayers of Mansfield to subsidize a few developers.

Who decided that the taxpayers should subsidize the few developers? The Four Corners Committee never discussed any method of payment. This was never discussed at Council. Lon Hultgren arrived at one Four Corners meeting and declared it to be so. A question for you, my Town Council, was there **outside influence** upon town staff and, possibly some council members to propose that taxpayers subsidize these developers? I might think that someone may have been "paid off". Town taxpayers are being asked to subsidize a handful of investors?

Next, citizens brought up issues about the environmental impact of major development; the area has a high water table. You have stated that $3 million in State money will be provided for this project. State money provided to promote development should require an Environmental Impact Evaluation. This project requires an EIE.

For these reasons and others, I urge my council members to vote against the motion to Approve the Sewer Project.

STORRS, CT

August 25,2014

Dear Town Council,

In the last meeting I spoke in regards to the expansion of rental certification zone and how some rental inspections laws are being found unconstitutional under the 4th amendment. In summary the 4th amendment reads: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. To be clear I have been opposed to this ordinance since its inception in 2006. I am an advocate for private property rights, a basic right that is supposed to be protected by the 4th amendment of the Constitution.

Mansfield's Rental Inspection Ordinance Chapter 9 Section 901.6 in summary says rental certificates will not be issued to those who do not consent to inspections and persons will be in violation of the ordinance and issued fines of 100 dollars a day until they comply. In essence it is a way for the town of Mansfield to make law abiding citizens forfeit their 4th amendment rights! Government is forcing people to allow warrantless search and seizures without probable cause.

The safety inspections are clearly a way for the government to target a single group (UConn students and those who rent to them) this has been stated many times by our town officials, in fact Councilor Ryan in the last council meeting stated his neighbor complained to him that students were renting in the neighborhood and this was why he raised the discussion of expanding the rental zone. Sure some students and landlords can be problematic but they are protected by the constitution of United States, as they should be.

Neighbors of irresponsible students and landlords may ask me what about our quality of life, our peace and tranquility? Students and landlords are neighbors and they should act like good neighbors, we all should. This, without argument,

isn't always the case. Rowdy, noisy parties, under aged drinking, drug use and other crimes occur in our neighborhoods. These are illegal activities and can lead to probable cause. Imagine that, having probable cause to enter a premise? Existing laws should be levered against those who violate the law not those who obey it.

The town should strengthen its relationship with UCONN and students who misbehave in our neighborhoods be treated the same way that students who misbehave on campus, they are thrown out! Behavior on campus is completely under control. The State Police and University Police should work together in our neighborhoods. In my opinion there appears to be some conflict between the two agencies. We need to end this.

I would be supportive of inspections of new rentals, and landlords as other municipalities are doing. After initial compliance you could certify each landlord and if complaints follow the certification could be withdrawn and a new inspection could be mandated.

It appears that landlord and tenants are growing tired government agents having the right to invade their privacy, impose fines on their yards for personal vehicles. One would believe more people will follow the lead of Wood Edge Apartments, as has happened in other cities and towns.

In 2008 in Garland Texas their rental inspection ordinance was deemed unconstitutional, the municipality was ordered to pay the plaintiffs legal fees of more $100,000.

In July 2014 in Hampton Virginia the ACLU declared that municipality's rental inspection law unconstitutional.

http://www.usatoday.com/story/news/nation/2014/07/01/aclu-rental-ordinance-unconstitutional/11372997/

In June of 2013 Islip NY discontinued its rental inspections due to constitutional issues.

, http://www.newsday.com/long-island/towns/islip-town-discontinues-rental-inspections-1.5534215

Brian Coleman

Centre St.

.

901.6 Violations and penalties. Any owner, agent or other authorized persons who lets for occupancy any dwelling or dwelling unit in the Town of Mansfield and who does not hold a valid certificate of compliance from the Code Official shall be given written notice by said official of said violation by personal service or by certified mail, addressed to said owner, agent or other authorized person in control of the subject property at his/her last known address. Any such person or entity who or which fails to cure such violation within 15 days after the date of such written notice may be assessed a fine of not more than $100 per day for each and every day that such violation continues, as each day of such continued violation shall be considered a separate violation of this chapter.

[Amended 3-26-2007, effective 4-20-2007]