

AGENDA

Mansfield Conservation Commission
Wednesday, May 20, 2009
Audrey P. Beck Building
CONFERENCE ROOM B
7:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Opportunity for Public Comment**
4. **Minutes**
 - a. April 15, 2009
5. **New Business**
 - a. IWA/PZC Referrals:
 - W1430- Block - 8 Hanks Hill Rd - Expansion of Existing Building
 - W1431- Juliano Pools - 853 Storrs Rd - in-ground pool
 - PZC #907-31- Draft Revisions to the Zoning and Subdivision Regulations (see 5/13/09 Memo from Director of Planning)
 - b. Other
6. **Continuing Business** (see 5/13/09 memo from Director of Planning)
 - a. Protecting Mansfield's Aquifers
 - b. Notice of EIE: Construction of Two UConn Academic Buildings
 - c. CL&P "Interstate Reliability Project"
 - d. Proposed UConn Composting Facility
 - e. Ponde Place Student Housing Project
 - f. Natchaug River Basin project
 - g. Other
7. **Communications**
 - a. Minutes
 - Open Space (4/21/09)
 - PZC (4/20/09, 5/4/09 and 5/12/09 Field Trip)
 - IWA (5/4/09)
 - b. 4/16/09 Memo from L. Hultgren, Director of Public Works/Tree Warden
Re: Tree Removal, 34 Farrell Rd, a Town Designated Scenic Road
 - c. Other Correspondence
8. **Other**
9. **Future Agendas**
10. **Adjournment**

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Town of Mansfield
CONSERVATION COMMISSION
Meeting of 15 April 2009
Conference B, Beck Building
DRAFT MINUTES

Members present: Robert Dahn, Peter Drzewiecki, Quentin Kessel, Scott Lehmann, John Silander. *Members absent:* Joan Stevenson, Frank Trainor. *Others present:* Grant Meitzler (Wetlands Agent).

1. The meeting was **called to order** at 7:35p by Chair Quentin Kessel.

 2. The **agenda** was altered to begin with **aquifer protection**. The Commission is on record as urging additional protection for stratified drift aquifers in Mansfield, which perhaps would take the form of new regulations governing development within 300 ft of such aquifers. Kessel met with Town Planner Greg Padick on Tuesday about this. Padick doubts that sweeping new regulations are needed, since most such aquifers are now covered by 2-acre residential zoning and (in his view) single-family homes do not pose a threat to them. He also believes that new regulatory responsibilities might be a tough sell to the PZC and suggests that fairly minor additions to current zoning and subdivision regulations would suffice to give aquifer protection more prominence in PZC decision-making. Kessel asked Commission members to look over Padick's suggested additions before the May meeting and to consider whether they do in fact seem adequate to address our concerns.

 3. The draft **minutes of the 18 March 09 meeting** were approved as written.
- 3. IWA business.**
- a. Lehmann participated in the **IWA field trip** earlier in the day; his report is attached.
 - a. **W1425 (Stonemill Rd. bridge)**. The bridge over the Fenton at the Gristmill is in poor condition and needs to be retired; its double-arch concrete replacement would be slightly wider and longer. Silander questioned the need for a bigger bridge on a road that carries very little traffic and wondered if a wooden replacement had been considered. Meitzler replied that a wooden structure would be more expensive and less durable, and that state money is not available for a more modest structure. The Commission (1) agreed unanimously (motion; Drzewiecki, Silander) that the project should have no lasting impact on wetlands, assuming that appropriate sedimentation control measures are employed during construction (and that an Atwoodville-style fiasco will be avoided here), but (2) regrets that the proposed replacement is wider than necessary.
 - b. **W1426 (Hallock, Wormwood Hill Rd.)** A 3-lot subdivision is proposed for a (now) lightly wooded parcel on the E. side of Wormwood Hill Rd. near its junction with Rt. 89. The DAE for lot 2 would allow the septic system to be located even closer to the wetland to the S. than now shown; the septic system for lot 3 appears to be closer than necessary to this same wetland. The Commission (1) agreed unanimously (motion: Drzewiecki, Silander) that wetland impact would be minimized by moving the septic system closer to the house on lots 2 and (particularly) 3, but (2) is disappointed to see yet another application that exploits the common driveway clause without delivering clustered development.
 - c. **W1427 (Hartley, Crane Hill Rd.)** The proposed gazebo has already been constructed, so the Commission saw no need to comment.
 - d. **W1428 (Ponde Place, Northwood Rd.)** The applicant proposes to drill test wells in the

NW portion of the parcel to determine if there is enough water for a large apartment complex; a wetlands permit is required because drilling equipment would be brought in on a woods road at the end of Northwood Rd. that is flanked by wetlands. After some discussion, the Commission agreed unanimously (motion: Drzwiecki, Silander) that (1) moving equipment in and out is unlikely to have a significant impact on wetlands, as long as silt barriers are installed as indicated, but that (2) other concerns about this project should be addressed:

- Testing will involve pumping a large volume (45K gpd) of water for a number of days. What is going to happen to this water? There is a potential for erosion if it is simply dumped down the steep slope toward Nelson Brook.
- Draw-down of groundwater from testing will produce a “cone of depression” that may limit the output of other wells in the area.
- Recent testing of wells along Hunting Lodge Rd. which are no longer used reveals less contamination from chemicals in the old UConn landfill than formerly, presumably because contaminated water from the landfill is no longer replacing water that is drawn from them. Drawing a lot of water from the test wells could reverse this trend, leading to contamination of other wells in the area.

e. W1429 (Exxon, CVS at 4 Corners) DEP is requiring Exxon to pay for groundwater purification on an old gas station site now occupied by CVS at 4 Corners. A trench will be dug around along Rts. 44 and 195 to collect groundwater, which will then be treated, discharged into a storm sewer, and released to a wetland across Rt. 44. Since this is a DEP-mandated remediation, there does not appear to be reason for the Commission to comment.

5. Rainbarrel Garden project. The Town Manager has asked if Commission would agree to be listed as a sponsor of a rainbarrel garden talk/workshop later this spring. This is OK by us.

6. Adjourned at 9:05p.

Scott Lehmann, Secretary
16 April 09

Attachment: Report on 15 April 09 IWA field trip

W1427 (Hartley, 72 Crane Hill Rd). *A fait accompli*: the proposed gazebo has been constructed and the Town is collecting its \$155 permit fee. No apparent impact of significance on wetlands: the gazebo is separated from a large pond by an earthen berm; another small wetland at the edge of the road is about 80 ft away down a very gradual slope.

W1426 (Hallock, Wormwood Hill Rd 1/2 mile from Rt. 89). A 3 lot subdivision is proposed for a wooded parcel (thoroughly logged a few years ago) on the E. side of the road. The house on Lot 1 is about 50 ft from a small wetland on adjoining property to the N. The septic system on Lot 2 is about 100 ft uphill from a wetland; the DAE runs parallel to this wetland about 50 ft uphill from it. The septic system on Lot 3 is about 50 ft uphill from the same wetland; I don't see why it can't be moved closer to the house and out of the drainage for this wetland.

According to Greg Padick, IWA/PZC approval of a lot does *not* require that construction actually conform to the plan submitted – house & septic can go anywhere in an approved DAE unless

special conditions are attached. I would suggest requiring that the septic system on Lot 2 not be sited any closer to the wetland than shown on this plan, and that the system on Lot 3 be located not lower than the 328 ft contour.

W1425 (Town of Mansfield, Stonemill Bridge). The existing bridge over the Fenton R. at the Gristmill needs to be replaced. A slightly longer double-arch concrete bridge with a narrower central pier is proposed; the river would be slightly less constricted than it is at present, and the new bridge would be a considerable aesthetic improvement. Water pumped out of coffer dams during construction would be directed to the field S. of Stonemill Rd, not dumped directly back into the river.

W1429 (Exxon, CVS site at 4 corners). Groundwater contaminated with gasoline additives will be pumped from wells on the site, treated, and discharged (via a DOT storm sewer) into a wetland N. of Rt. 44. The groundwater remediation process will be overseen by DEP, which one hopes can be trusted to assure that impact on wetlands is minimal.

W1428 (Ponde Place, Northwood Rd). The (would-be) developer is seeking permission to drill test wells to determine if enough water is available for the project. The test sites are in the NW portion of the parcel; drilling equipment would be brought in over the woods road that extends from Northwood toward Carriage House Apts. This road is flanked by wetlands, hence the application. Silt barriers would be placed along this road. Wetland impact from this phase will probably be minimal. However, 3 of the test wells are down a relatively steep slope and getting heavy equipment down to them could lead to erosion. The map does not show enough of the adjacent area to judge whether wetlands might be affected by it.

According to Greg Padick, there is now an EA for this project, but I have not seen it.

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APPLICATION FOR PERMIT
 MANSFIELD INLAND WETLANDS AGENCY
 4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
 TEL: 860-429-3334 OR 429-3331
 FAX: 860-429-6863

FOR OFFICE USE ONLY
 File # W 1430
 Fee Paid \$50
 Official Date of Receipt _____

~~REQUEST FOR MODIFICATION~~ Received as full application

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.

Please print or type or use similar format for computer; attach additional pages as necessary.

Part A - Applicant

Name ~~Block~~ BLOCK PROPERTIES LLC

Mailing Address 22 Marsh Road
Willington CT Zip 06279

Telephone-Home 429-0777 Telephone-Business 429-0444

Title and Brief Description of Project
ADD ONTO LEFT SIDE OF HOUSE AND CONTINUE FOUNDATION FOR RETAINING WALL FOR DUMPSTER
AREA.

Location of Project 8 Hawks Hill Road

Intended Start Date May 20, 2009

Part B - Property Owner (if applicant is the owner, just write "same")

Name SAME

Mailing Address _____
 _____ Zip _____

Telephone-Home _____ Telephone-Business _____

Owner's written consent to the filing of this application, if owner is not the applicant:

Signature _____ date _____

Applicant's interest in the land: (if other than owner) _____

Part C - Project Description (attach extra pages, if necessary)

- 1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application – page 6.)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
 b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

Wetlands Permit was given for this property on 9/15/08 to move mobile home locations, expand paved parking area and relocate dumpster location.

This request is to add onto the existing house, #8 Hanks Hill Road on the left side of the building. It is the furthest location on the property to the wetlands. The proposed work is approximately 135' from wetlands. There will be no additional impact to the wetlands from this addition. No additional drainage or run-off will go to the wetlands from this addition.

- 2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
 b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

No disturbance

- 3) Describe the type of materials you are using for the project: concrete and existing gravel

- a) include **type** of material used as fill or to be excavated just material already on site
 b) include **volume** of material to be filled or excavated

- 4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

No measures needed, no adverse impact on the wetlands

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

flat

- 2) Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.
- 3) The Statewide Reporting Form (attached) shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes No ___ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes No ___ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes No ___ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. (Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)

Part L - Filing Fee

Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)

___ \$385. ___ \$110. ___ \$60. ___ \$25. *50.00 included*

Note: The Agency may require you to provide additional information about the regulated area which is the subject of the application, or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by members and agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agency.

Michael S Black

Applicant's Signature

1/10/09

Date

STATEMENT OF USE

This application is in reference to the small house in front of the property that is part of the Mobile Home Park located at 8 – 22 Hanks Hill Road, Storrs CT.

Last year the property received approvals from the Inland Wetlands Agency and the Planning and Zoning Commission as shown on a site plan dated 9/15/08. That application was for relocating six new mobile homes, expanding an existing paved interior parking lot and relocating the existing trash and recycle area.

This is a Special Permit Application to request a modification of the front building line setback requirements for the residential house located at 8 Hanks Hill Road shown on a revised site plan dated 4/10/09. The house was built prior to zoning regulations and is located closer to the front property line than what is now the current regulation. I am requesting to add thirty-four feet to the left side of the house with the addition staying the same distance from the front property line as the existing house now is.

This addition will make the house much nicer inside and out. The exterior of the existing house will be redone to have new windows and matching exterior vinyl siding. The roof on the addition will have the gables going the opposite way as the existing roof with the two peaks tied together with matching architectural shingles.

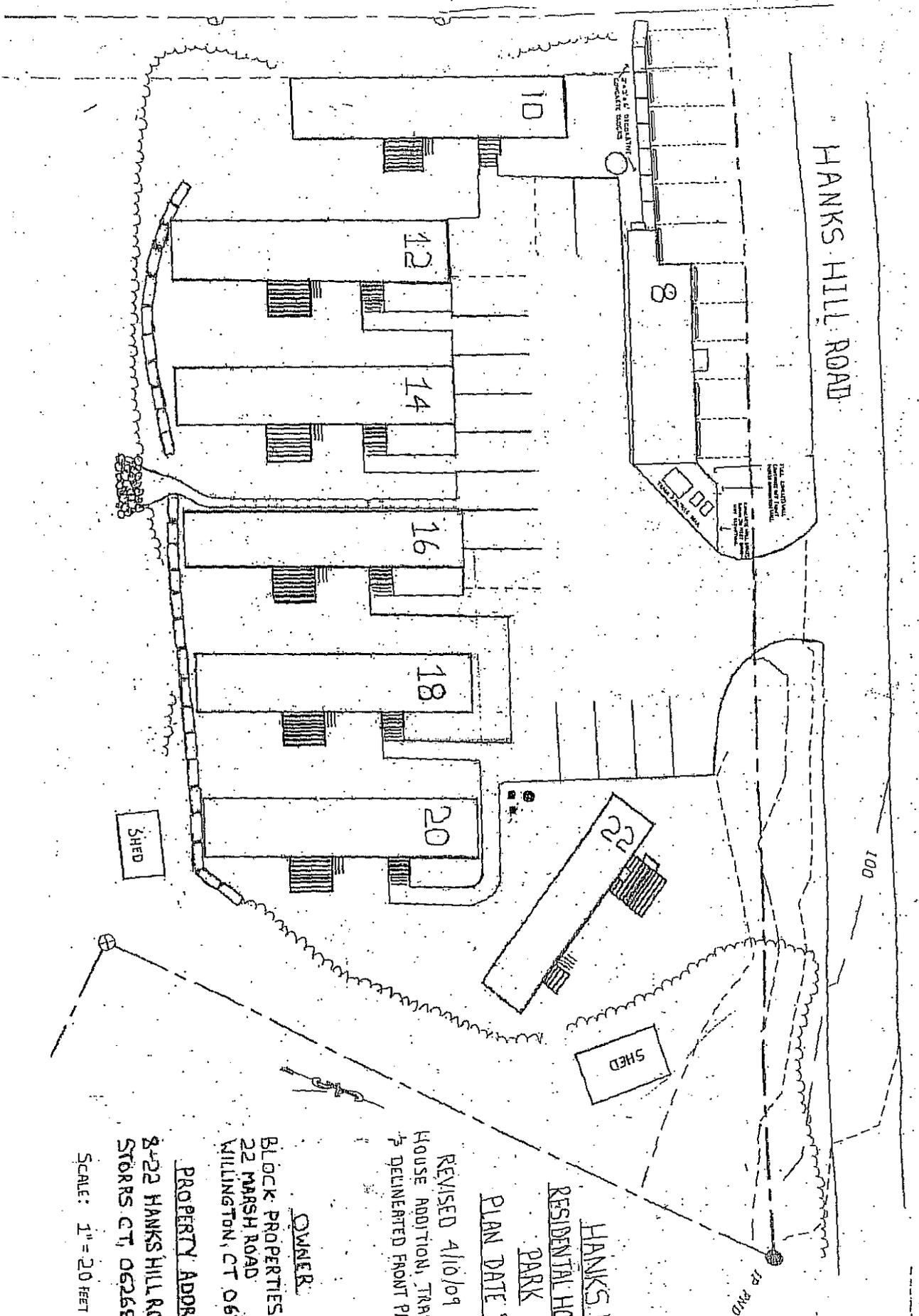
The trash/recycle bin located next to the road in front of the property will also be eliminated. The new location, approved with the plan dated 9/15/08, is located down the driveway and off the right inside corner of the interior parking lot for the mobile homes. It is to the left of the house at a lower elevation than the road on sloping ground.

This proposed house addition is specifically designed to allow for a concrete retaining wall to be extended off the left end of the foundation with it then tapering down to meet the grade of the existing driveway. This serves a dual purpose of eliminating the only existing run-off issue by removing the hillside while also incorporating the new dumpster area into the corner.

Also shown on this revised site plan is the existing parking area at the road in front of the property showing adequate room for any additional parking spaces needed due to increasing the size of the house. The spaces in front of the house will be delineated with parking stops and the spaces to the right of the house will be made deeper into the property using decorative concrete blocks. These decorative blocks will not be visible from the road, just from the interior parking lot of the mobile homes.

The parking provisions written in the leases for each mobile home prior to last year's expansion of the interior parking lot below was that each home was given one space in the interior parking lot and a second space in the front lot at the road. With last year's expansion to the interior lot, which more than doubled its size, parking spaces from the front lot are no longer given to the homes below leaving many extra parking spaces.

Also, half the parking spaces in the expanded lot below have been unassigned leaving eight spaces in the lower lot open for guest parking to date.



HANKS HILL ROAD

100

HANKS HILL
RESIDENTIAL HOUSING
PARK

PLAN DATE 9/15/08

REVISED 4/10/09 FOR
HOUSE ADDITION, TRASH AREA
& DELINEATED FRONT PARKING

OWNER:

BLOCK PROPERTIES LLC
22 MARSH ROAD
WILLINGTON, CT 06279

PROPERTY ADDRESS

8+22 HANKS HILL ROAD
STORRS CT, 06268

SCALE: 1" = 20 FEET

APPLICATION FOR PERMIT
 MANSFIELD INLAND WETLANDS AGENCY
 4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
 TEL: 860-429-3334 OR 429-3331
 FAX: 860-429-6863

FOR OFFICE USE ONLY
 File # W 1431
 Fee Paid G.M.
 Official Date of Receipt 4-28-09

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.

Please print or type or use similar format for computer; attach additional pages as necessary.

Part A - Applicant

Name Bryan Cormier / Juliana's Pools

Mailing Address 321 Talcottville Rd.

Vernon, CT Zip 06066

Telephone-Home (860)402-5582 Telephone-Business (860)870-1085

Title and Brief Description of Project

20' x 46' Lazy-L inground swimming pool

Location of Project 853 Storrs Rd. Mansfield, CT

Intended Start Date May 22, 2009

Part B - Property Owner (if applicant is the owner, just write "same")

Name Suzanne Gormley

Mailing Address 853 Storrs Rd.

Mansfield, CT Zip 06268

Telephone-Home 429-4657 Telephone-Business 933-3662 (cell)

Owner's written consent to the filing of this application, if owner is not the applicant:

Signature Suzanne Gormley date 4/28/09

Applicant's interest in the land: (if other than owner) Contractor.

Part C - Project Description (attach extra pages, if necessary)

- 1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application – page 6.)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
 b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

We will be constructing a 20'x44' Inground Swimming Pool in accordance with IRC 2003. The pool will be constructed with galvanized steel walls and a vinyl liner. A concrete footing will be poured around the base of the steel panels. Plumbing will be 1/2" + 2" schedule 40 PVC. Julian's pools will be doing the excavation and backfilling of the pool. Stone + screened sand will be used to backfill the pool.

- 2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
 b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

Approximately 900 sq. ft. of area will be disturbed for placement of the pool. 85 total yds of material will be excavated

- 3) Describe the type of materials you are using for the project: The pool is vinyl liner with galvanized steel walls. A concrete footing will be poured

- a) include type of material used as fill or to be excavated Fill material will be ~~stone~~ ^{Stone} + screened sand
 b) include volume of material to be filled or excavated Clay + Hard pan to be excavated 85 yds to be excavated

- 4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

Silt fence will be put up to minimize effects on wetlands area and to ~~avoid~~ avoid disturbing the stream

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

The area where the pool is to be constructed is flat. The land drops off to the side and rear of pool where the stream is

Part E - Alternatives

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

With the location of stream and septic tank this is best location for
paul

Part F - Map/Site Plan (all applications)

1) Attach to the application a map or site plan showing **existing conditions** and the **proposed project** in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See **guidelines at end of application – page 6.**)

- 2) Applicant's map date and date of last revision _____
- 3) Zone Classification RAR-90
- 4) Is your property in a flood zone? Yes No Don't Know

Part G - Major Applications Requiring Full Review and a Public Hearing

See Section 6 of the Mansfield Regulations for additional requirements.

Part H - Notice to Abutting Property Owners

1) List the names and addresses of abutting property owners

Name	Address
<u>University of Connecticut</u>	<u>Box 3033 Facilities Management Storrs/Mansfield, CT 06269</u>

2) **Written Notice to Abutters** . You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress, and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. **Postal receipts of your notice to abutters must accompany your application.** (This is not needed for exemptions).

Part I - Additional Notices, if necessary

1) Notice to Windham Water Works is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

- 2) Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.
- 3) The Statewide Reporting Form (attached) shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes ___ No ___ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes ___ No ___ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes ___ No ___ Don't Know

Part K - Additional Information from the Applicant

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Part L - Filing Fee

Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)

___ \$385. ___ \$110. ___ \$60. ___ \$25. \$155

Note: The Agency may require you to provide additional information about the regulated area which is the subject of the application, or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by members and agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agency.



Applicant's Signature

4/28/09

Date

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Mansfield Conservation Commission
From: Gregory Padick, Director of Planning
Date: 5/13/09
Re: 5/20/09 Conservation Commission Agenda Items



1. New IWA/PZC Referrals

Included in the May Conservation Commission packet are IWA referrals for a dwelling expansion/reconstruction on Hanks Hill Road, an in-ground pool on Storrs Road and Draft Revisions to the Zoning and Subdivision Regulations. The draft revisions, which are attached and include explanatory notes, will be presented at a June 15th public hearing which is before the June Conservation Commission meeting. Draft regulations revisions that may be an interest include: ZONING REVISIONS- Item A: Agricultural Use regulation revisions; Item E: Height Provisions for wind turbines; Item I: Home Occupation revisions that would allow limited storage of vehicles, equipment and/or materials; SUBDIVISION REVISIONS- Item A: Yield Plan; Item B: Common Driveways.

Potential Aquifer regulation revisions are still being worked on and I will plan on attending a future Conservation Commission meeting to discuss potential draft revisions. I am not available to attend the May meeting.

2. EIE UConn Academic Buildings

A public hearing has been scheduled for May 20th to receive comments on a draft Environmental Impact Evaluation (EIE) for two new academic buildings near the center of UConn Storrs Campus. The attached 5/6/09 report I prepared recommends that the Town comment on the need to implement proposed mitigation measures and to limit construction traffic to state roads. At its May 11th meeting, the Town Council authorized the Mayor to co-endorse with the PZC Chairman, Town comments following the 5/20/09 Public Hearing and after receiving any recommendations from the Conservation Commission and PZC. The Town Council also instructed staff to:

1. Emphasize the need to implement EIE referenced stormwater measures designed to enhance water quality in Eagleville Brook;
2. Emphasize the need to adequately fund the maintenance of all stormwater and other project improvements.

3. CL&P Interstate Reliability Project

No new information. The project has not yet been submitted to the Siting Council.

4. UConn Compost Facility

No new information. Construction is still planned for this summer.

5. Ponde Place Project

The IWA has conditionally approved well installation and testing. A State DOT permit has not been issued. The applicant has not communicated to the Planning Office regarding the Environmental Review Team report.

6. Natchaug River Basin Project

The third and final workshop was held on March 30th. We are awaiting a final report and recommendations for the next steps.

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TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Town Council, Zoning Board of Appeals, Conservation Commission, Agriculture Committee, Open Space Preservation Committee, Eastern Highlands Health District, Zoning Agent, Assistant Town Engineer/ Inland Wetland Agent, Fire Marshal
From: Gregory J. Padick, Director of Planning 
Date: May 11, 2009
Re: 4/27/09 Draft Revisions to the Zoning and Subdivision Regulations
Public Hearing Scheduled for June 15, 2009

Attached please find 4/27/09 draft revisions to the Zoning and Subdivision Regulations. The Planning and Zoning Commission has scheduled a 6/15/09 Public Hearing to receive any comments on the proposed revisions and has referred the drafts to agencies and individuals noted above. Independent referrals have been sent to the WINCOG Regional Planning Commission, neighboring Towns and the Town Attorney. It would be appreciated if any referral comments are received in the Planning Office by June 11, 2009. The draft revisions also will be filed with the Town Clerk and posted on Mansfield's website: www.mansfieldct.org.

The proposed Zoning Regulation revisions include changes to Agricultural Regulations regarding the keeping of animals, the deletion of an existing conversion provision, changes to the efficiency unit provisions, the addition of a limited live music permit, refinements of provisions for mobile home park expansions, revisions to temporary occupancy provisions for recreational vehicles and new home occupation provisions for vehicle, material and equipment storage for tradesmen and contractors. Subdivision regulation revisions would refine yield plan requirements and would allow, subject to a PZC waiver, up to five houses on a common driveway. Explanatory notes that follow each draft revision provide more information on the draft revisions.

Please contact the Mansfield Planning Office at 429-3330 if you have any questions.

LEGAL NOTICE

Mansfield Planning and Zoning Commission

The Mansfield PZC will hold a Public Hearing on Monday, June 15, 2008, in the Council Chambers, A.P. Beck Bldg., 4 S. Eagleville Rd, to hear comments on the following:

7:30 p.m PZC-proposed 4-27-09 draft revisions to numerous sections of Mansfield Zoning and Subdivision Regulations. Draft revisions include:

1. Revisions to Art. IV, VII and X to reorganize, clarify and add new standards for agricultural uses, particularly the keeping of animals as a secondary use. Wetlands and a residence use area would be excluded from acreage needed to keep animals or qualify for a farm. Other revisions address potential environmental, neighborhood impact or animal welfare issues;
2. Revisions to Art. III and IV to address property in more than one town or more than one zone;
3. Deletion of Art. VII, Sec. G that authorizes additional dwelling units as a "conversion";
4. Addition of a new limited live music permit that can be approved by the Zoning Agent;
5. Revisions to Art. VII, to exempt small satellite dish antennae from setback requirements and to authorize potential height exceptions for wind turbines;
6. Revisions to Art. X, to recognize community wells as public water facilities;
7. Revisions to Art. X, F., to limit mobile home park expansions to original lots and to clarify standards for temporary occupancy of travel trailers, motor homes, etc.,
8. Revisions to Art. X, M., to clarify efficiency unit requirements for kitchen areas and owner-occupancy;
9. Revisions to Art. X, O., to add the limited storage or parking of vehicles, equipment and/or materials as a home occupation use. Specific standards are included in the draft regulations;
10. Revisions to Art. XI., to refine the list of activities needing zoning permits and to authorize the Zoning Agent to accept bonds for work authorized by a Zoning Permit;
11. Revisions to Subd. Regs. Sec. 3 and 6.10 to define yield plan and clarify yield plan submission and approval requirements, particularly with respect to associated Inland Wetland Agency reviews;
12. Revisions to Subd. Regs. Sec. 7.10 to authorize, with a $\frac{3}{4}$ vote, common driveways serving 4 or 5 houses.

At this Hearing, interested persons may be heard and written communications received. No information from the public shall be received after the close of the Public Hearing. Additional information, including the wording of the proposed zoning and subdivision regulations, is available in the Mansfield Planning and Town Clerks Offices and at www.mansfieldct.org.

R. Favretti, Chair
K. Holt, Secretary

TO BE PUBLISHED Monday, June 1, and Tuesday, June 9, 2009

****PLEASE CHARGE TO THE MANSFIELD PZC/IWA ACCOUNT**

Preliminary Listing of Draft Regulation Revisions

(Public Hearing Scheduled for 6/15/09)

(see specific 4/27/09 Drafts for Details)

1. Comprehensive revision of Agriculture Regulations, particularly regarding the keeping of animals on lots less than 6 acres, excluding wetlands and a 1 acre dwelling area.
2. Refinement of the definition of lot and provisions for lots in two municipalities to address town line issues.
3. Elimination of permitted use provisions for conversions of 20+ year old dwellings into 2 or 3 dwelling units.
4. Revision of live music permit provisions to establish a new accessory-oriented, live music category that could be approved with zoning permit.
5. Revision of setback provisions for small dish antennas
6. Addition of wind turbines to the types of structures where a special permit can be sought to exceed standard height requirements.
7. Clarification of multi-family public water supply requirements regarding acceptance of community wells.
8. Revision of Regulations re: temporary occupancy of recreational vehicles, camp trailers, etc.
9. Revisions to Mobile Home Park Regulations to limit potential expansions to original park sites.
10. Refinement of efficiency unit regulations regarding kitchen and bathroom areas and proof of owner occupancy.
11. Revision of Home Occupation regulations re: authorization of vehicle, material and equipment storage for tradesmen, contractors, etc.
12. Revision of Zoning Permit provisions regarding site work and other improvements, such as new roads, driveways, drainage and Certificate of Compliance provisions regarding bonding.
13. Revisions to subdivision Yield Plan provisions, particularly with respect to Inland Wetland Agency review and approval.
14. Revision of subdivision common driveway provisions to allow, with a $\frac{3}{4}$ vote waiver, up to 5 houses on a common drive.

PAGE
BREAK

Proposed Revisions to Mansfield's Zoning Regulations and Subdivision Regulations

(New provisions are underlined or otherwise indicated)

(Deletions are [bracketed] or otherwise indicated)

(Explanatory Notes are provided to assist with an understanding of the proposed revisions. These notes are not part of the proposed zoning and subdivision revisions.)

Proposed Zoning Regulation Revisions

A. Agriculture Use Regulation Revisions:

1. In Article IV- Delete existing subsections B.3 (definition of animal unit) and B.4 (definition of avocational livestock)
2. In Article VII. Section G- Delete existing subsections 13, 14, 15 and 16 and add a new subsection 13 to read as follows:
 4. Agricultural Uses as per the provisions of Article X, Section U. Certain Agricultural uses require special permit approval in accordance with Article V, Section B and/or Zoning Permit approval in accordance with Article XI, Section C.
3. In Article X, add a new subsection U to read as follows:

U. Agricultural Uses

1. Statement of Purpose

Local farms contribute to Mansfield's diversity, economy and scenic character and help preserve an important link to the agricultural history of the town and region. This section is designed to promote the retention of existing agricultural uses, encourage new agricultural uses and provide appropriate standards and permit processes to address potential environmental impact, neighborhood impact and animal welfare issues.

For the purposes of these regulations, agriculture is considered: The growing of crops; raising of livestock; and, the storing, processing and sale of agricultural and horticultural products and commodities, including those defined in Connecticut General Statutes Section 1-1q, as incidental to agricultural operations.

2. Agricultural and horticultural uses such as field crops, orchards, greenhouses and accessory buildings and facilities are permitted, provided the following standards are met:
 - a. There is no commercial production or commercial processing of fertilizers;
 - b. All State and Federal requirements, including pest control and provisions for the storage and use of fertilizers, pesticides, fungicides and other chemicals, are met. The Planning and Zoning Commission shall have the right to require from the subject property owner complete records and data required by State or Federal agencies that pertain to the subject agricultural or horticultural use, including information on fertilizers, pesticides, fungicides and chemical uses onsite. All agricultural and horticultural uses are expected to utilize "Best Management Practices" and "Integrated Pest Management" practices as recommended by the State Dep't. of Agriculture, the University of Connecticut or the Connecticut Agricultural Experiment Station;
 - c. All other applicable sections of Mansfield's Zoning Regulations, including the Performance Standards cited in Article VI, Section B shall be met;
 - d. All agricultural or horticultural uses involving onsite display and sales of products, including temporary stands, pick-your-own operations or permanent retail sales outlets shall comply

with the following standards. It is the intent of these standards to authorize the onsite retailing of agricultural or horticultural products primarily grown or produced on the subject property or other land owned, leased or used by the subject property owner. Furthermore, these standards are designed to prevent retail operations where a significant portion of the products displayed and sold are grown or produced on sites that are not owned, leased or used by the subject property owner, as this type of retail operation is more appropriately located in one of the Town's commercial zones. (Any questions regarding these provisions shall be reviewed with the Planning and Zoning Commission);

1. The onsite display and sales of products shall be limited to agricultural and horticultural products grown on the premises or on other land owned, leased or used by the property owner, a limited amount of agricultural and horticultural products grown offsite on land not owned, leased or used by the property owner, and a limited amount of products that are accessory and associated with the agricultural or horticultural products sold on the subject site. Examples of accessory products include but are not limited to: wreaths or tree stands associated with a Christmas tree farm; jams, jellies, herb vinegars or cider associated with a fruit or vegetable farm; maple syrup associated with a sugar bush; and seeds, fertilizers or peat moss associated with shrub, tree and bedding plant farm;
2. To address traffic safety concerns, adequate off-street parking shall be provided so that customers and employees do not park on Town or State roads. A minimum of one off street parking space for each five feet of stand or building length shall be provided pursuant to Article X, Section D. Unless waived by the Commission after consideration of potential neighborhood impacts and safety problems, all parking spaces shall meet the setbacks contained in the Schedule of Dimensional requirements cited in Article VIII, Section A, or be 100 feet from existing dwelling units on adjacent properties, whichever setback is greater;
3. All driveway and parking areas shall be designed and constructed to promote vehicular and pedestrian safety and the proper discharge of stormwater runoff. Safe and adequate sightlines shall be provided at access drive intersections with Town or State streets. As required, a driveway permit shall be obtained from the Mansfield Public Works Department or the State Department of Transportation;
4. In situations where sales or pick-your-own operations, parking areas, or access driveways are within one hundred (100) feet of an adjacent lot containing an existing residence, buffering through the use of fencing, berming or evergreen screening shall be considered, where appropriate, to help minimize neighborhood impacts;
5. All signs shall comply with the provisions of Article X, Section C;
6. Temporary stands (display tables, shelving carts, structures less than 100 sq. ft. in area, etc., that are readily movable and are only utilized seasonally during periods when agricultural or horticultural products are harvested onsite or on other land owned, leased or used by the property owner) and "pick-your-own" operations are permitted with Zoning Permit approval, provided the following criteria are met:
 - a. the temporary stand is on the same site as the agricultural or horticultural use;
 - b. the provisions of subsection d.1 through d.5 above are met;
 - c. Any structures shall be at least thirty (30) feet from any lot line. The Planning and Zoning Commission may waive this thirty-foot setback requirement, provided the structures are seasonal and removed every year to a location that meets all setback requirements of the Schedule of Dimensional Requirements cited in Article VIII, Section A, and provided there are no neighborhood impact or safety problems associated with locating the temporary stand within thirty (30) feet of a lot line.

7. Permanent retail sales outlet (any fixture or structure other than a temporary stand as provided for in Subsection d.6 above) that is utilized for retail purposes either seasonally or for longer periods of time) are permitted, provided Special Permit approval is obtained in accordance with Article V, Section B and provided the following additional criteria are met:
 - a. the retail use is on the same site as the agricultural or horticultural use;
 - b. the provisions of subsection d(1) through d(5), above, are met

3. Keeping of Farm Animals-Principal Farm Use

The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses, and other animals for either commercial or non-commercial purposes, and accessory buildings and facilities, are permitted, provided the following standards and recommendations are addressed:

- a. The subject lot is a minimum of five (5) acres in size exclusive of wetlands and watercourses and, in situations where a residence is located on the subject lot, exclusive of a forty-thousand (40,000) square foot minimum lot area for the residence and accessory buildings and uses as required by Article VIII Section B.6.
- b. The animals are kept in a manner that conforms to all applicable regulations of the Connecticut Department of Environmental Protection, the Connecticut Department of Agriculture and the Connecticut Department of Public Health and with all applicable provisions of the State Statutes.
- c. Manure piles, stables, barns, and outside animal keeping areas (such as corrals or pens but excluding fenced pastures) shall be a minimum of one hundred (100) feet from any adjacent property line and a minimum of seventy-five (75) feet from any well.
- d. All structures and keeping areas shall meet RAR-90 setback requirements or where applicable, approved Building and Development Area Envelopes.
- e. Best Management Practices shall be utilized for all manure piles. Surface water flows shall be diverted away from manure piles, stables, barns and outside keeping areas such as corrals or pens.
- f. Zoning Permits, pursuant to Article X. Section C, shall be required for all buildings and structures.
- g. It is recommended that all new pasture areas be a minimum of thirty-five (35) feet from wetlands or watercourse areas and that all stables, barns and outside animal keeping areas, such as corrals or pens, be a minimum of one-hundred (100) feet from wetlands or watercourse areas. Greater setback buffers are recommended wherever slopes exceed fifteen (15) percent between wetland/watercourse areas and pastures, stables, barns or outside keeping areas.

4. Keeping of Farm Animals-Accessory/Secondary Uses

The keeping, breeding, or raising of beef or dairy cows, sheep, poultry, swine, goats, horses and other animals for accessory and primarily, non-commercial purposes, and accessory buildings and facilities, may be permitted on lots not meeting the lot size provisions of Article X, Section U2. above, provided a zoning permit is obtained pursuant to Article XI. Section C., and provided the following standards are addressed. These standards will help ensure that each qualifying site is physically capable of safely supporting the proposed keeping of farm animals and that authorized animals may be kept in a safe manner without inappropriate impact on the environment or neighboring land uses.

- a. The animals are kept in a manner that conforms to all applicable regulations of the Connecticut Department of Environmental Protection, the Connecticut Department of

Agriculture and the Connecticut Department of Public Health and with all applicable provisions of the State Statutes.

- b. The following square footage requirements shall be met for each animal category, exclusive of wetlands and watercourses and exclusive of a forty-thousand (40,000) square foot minimum lot area for residences and accessory building and uses as required by Article VIII, Section B 6:

FARM ANIMALS: ACCESSORY/SECONDARY USE CHART	
<u>ANIMAL CATEGORY</u>	<u>SQUARE FOOTAGE EXCLUSIVE OF WETLANDS/WATERCOURSES AND MINIMUM 40,000 sq. ft. LOT AREA FOR HOUSE ETC.*</u>
Beef or Dairy Cows, Horses, Ponies, Mules, Buffalo, Donkeys and similar sized animals **	One (1) animal per 40,000 sq. ft.
Swine	Two (2) animals plus litter (3 months or less) per 40,000 sq. ft.
Sheep, Goats, Ostriches, Alpacas, Llamas and similar sized animals	Five (5) animals per 40,000 sq. ft.
Chickens, Ducks, Geese, Turkeys, and other Poultry***	Twelve (12) animals per 40,000 sq. ft.
Rabbits	Twenty-five (25) animals per 40,000 sq.ft.
Other Animals	As determined by the Zoning Agent consistent with this chart
* Combinations consistent with this chart are permitted as determined by the Zoning Agent. Special provisions also may be approved by the Zoning Agent for dwarf animal breeds.	
** Male animals in this category shall be neutered on or before one (1) year of age. Non-neutered males over the age of one (1) are not authorized by this use provision.	
***Due to potential noise and neighborhood impact problems, it is recommended that guinea fowl not be kept pursuant to this permitted use provision.	

- c. Manure piles, stables, barns, and outside animal keeping areas (such as corrals or pens but excluding fenced pastures) shall be a minimum of one hundred (100) feet from any adjacent property line and a minimum of seventy-five (75) feet from any well.
- d. All structures and keeping areas shall meet RAR-90 setback requirements, or where applicable, approved Building and Development Area Envelopes.
- e. All animals shall be provided with safe and adequate interior shelter with adequate under cover storage for hay, grain, or other food supplies. Sufficient space shall be provided for animal comfort and health. Based on current state and national standards, horses, beef and dairy cows, and similarly sized animals should be provided with stalls twelve (12) feet by twelve (12) feet in size per animal and sheep and goats should be provided with stalls a minimum of twelve square feet in size per animal. The Zoning Agent is authorized to determine appropriate interior shelter requirements based on a specific animal management plan for a subject site and livestock recommendations from the UConn Cooperative Extension Service.
- f. With the exception of rabbits and other animals traditionally kept in cages, all animals shall be provided with a safe and adequate outdoor keeping area, such as corrals and pens, compatible with their age and size. Based on current state and national standards the outdoor keeping area should be one-thousand (1,000) square feet in size for each large animal, such as a horse or beef or dairy cow, and for every six (6) sheep, goat or similar sized animal. The

- Zoning Agent is authorized to determine appropriate outdoor keeping areas based on a specific animal management plan for a subject site and livestock recommendations from the UConn Cooperative Extension Service.
- g. All pasture areas shall be a minimum of thirty-five (35) feet from wetlands or watercourse areas and all stables, barns and outside keeping areas, such as corrals or pens, shall be a minimum of one-hundred (100) feet from wetlands or watercourse areas unless specific authorization to be closer has been granted by the Inland Wetland Agency. Greater setback buffers are recommended wherever slopes exceed fifteen (15) percent between wetland/watercourse areas and pastures, stables, barns or outside keeping areas.
 - h. Best Management Practices shall be utilized for all manure piles. Surface water flows shall be diverted away from manure piles, stables, barns and outside keeping areas such as corrals or pens.
5. 4H, FFA or other student projects involving the temporary keeping of farm animals may be authorized by the Zoning Agent without meeting the provisions of Article VII, Section G.15 providing the following conditions are met:
- a. A Zoning Permit is issued pursuant to Article XI, Section C. Said permit shall be for a time period of up to one (1) year and may be renewed.
 - b. A Statement of Use that comprehensively describes the proposed project, including shelter provisions, outside keeping areas and manure management, is submitted and found acceptable with respect to animal welfare and potential environmental and neighborhood impacts.
 - c. The project has been reviewed and approved by Mansfield's Agriculture Committee, the 4H Club Agent of the Cooperative Extension Service, a qualified school instructor or project manager or other qualified individual as determined by the Zoning Agent.
6. Other Commercial Agricultural Uses
Any other agricultural use that is not specially authorized by subsections U.2. to U.5. above or other provisions of these Regulations may be permitted provided special permit approval is obtained in accordance with Article X, Section B.

Explanatory Note:

These revisions are designed to reorganize, clarify and incorporate new standards (particularly for the keeping of farm animals as a secondary or accessory use) for agricultural uses in Mansfield. As proposed, agricultural use provisions would be relocated from Article VII to a new subsection of Article X and a new statement of purpose has been added. The proposed revisions would exclude wetlands and watercourses and a 40,000 square foot residential use area from the 5 acre minimum lot size requirement to qualify as a principal farm use and from the acreage needed per animal unit for secondary or accessory keeping of farm animal uses. Revised provisions are included for 4H, FFA or other student projects involving the keeping of farm animals. The revised regulations are designed to promote agricultural uses while providing appropriate standards and permit processes to address potential environmental impact, neighborhood impact or animal welfare issues.

B. Revisions to Definitions of “lot line”; Provisions for Lots in Two Zoning Districts or Two Municipalities

1. In Article IV, Section B.39 - Revise the existing definition of lot to read as follows:

39. **Lot.** One or more contiguous parcels of land under single ownership or control that conforms with all applicable Zoning Regulations [designated by its owner, at the time of filing an application for the Zoning Permit,] as a tract to be used, developed or built upon as a unit. It may or may not coincide with the deed description thereof filed for record or otherwise, and it may be subsequently subdivided into two or more lots, provided all such lots conform to all applicable Zoning [Regulations of the district] and subdivision Regulations.

2. In Article IV, Section B.42 - Revise the existing definition of lot line to read as follows:

42. **Lot line.** A property line bounding a lot. For zoning purposes, town boundary lines are not assumed to be lot lines and a Mansfield lot may extend into an adjacent municipality.

3. In Article III- Revise Section D to read as follows:

D. Lots In Two Zoning Districts or Two Municipalities

Where any established or proposed lot falls into two or more zoning districts or two or more municipalities, any questions of uncertainty as to district boundaries, [and] permitted uses, setbacks and other regulatory requirements shall be determined by the Mansfield Planning and Zoning Commission, after taking into account the portion of the lot within each zone or municipality.

Explanatory Note:

These revisions are designed to specifically address situations where a property is situated in more than one municipality and to clarify provisions that apply to lots in two municipalities or two zoning districts.

C. Deletion of Existing Special Permit Provisions for Potential Conversions of Existing Dwellings to Create Additional Dwelling Units

1. In Article VII, Section G- Delete existing subsection 17 (Conversions of existing dwelling to create additional dwelling units)

2. In Article X- Delete Section J (Conversions of Existing Dwellings)

Explanatory Note:

This revision would delete in its entirety a provision that has been in existence since the 1960's and is considered no longer appropriate. The existing provision would allow with special permit approval any residential structure over 20 years old to add additional dwelling units. The existing standards are not considered adequate to address potential neighborhood impacts and potential health and safety concerns.

D. Revisions to Live Music Permit Requirements to Authorize with Zoning Permits limited Live Music Uses

1. In Article VII, Section L.2.h - Revise the existing permit requirements for live music to read as follows (this revision would apply to all zones where live music may be authorized):

h. Category H

The use of live music associated with any hotel, motel, commercial recreation facility or restaurant, provided no outside speakers shall be used in conjunction with the use of such music and provided no music associated with the use is objectionable at the site's property lines. Any special permit issued pursuant to this subsection shall expire on November 1 of each year and, upon application and Public Hearing, may be renewed.

As an exception to this requirement for Special Permit approval, limited live music uses may be authorized with Zoning Permit approval provided the following standards are met:

1. The subject live music shall be limited to singing or the playing of musical instruments that, in the opinion of the Zoning Agent, are accessory to an authorized use (such as background music to enhance a dining experience) and not a primary use, (such as a separate concert event).
2. The subject live music shall be unamplified or amplified at volume levels that, in the opinion of the Zoning Agent, would have low potential for causing noise issues for neighboring property owners. If neighborhood noise problems occur, the subject live music authorization may be altered or revoked.
3. No live music use authorized under this Zoning Permit provision shall take place after 10 pm on weekdays and 11 pm on weekends.
4. Zoning Permits issued for live music under this provision shall be valid for an initial period ending on November 1 of an even numbered year and may, upon application of the holder of such permit, be renewed for additional periods of two (2) years each provided the requirement of this section are continually met. Such permit shall not be transferable.

Any questions regarding the appropriate permit process for authorizing live music uses, shall be resolved by the Planning and Zoning Commission.

Explanatory Note:

These revisions incorporate a new category of live music permit that can be authorized without special permit approval. The proposed standards for these limited live music permit uses are designed to address potential neighborhood impacts.

E. Revisions to Setback and Height Provisions for Satellite Dish Antennas and Wind Turbines

1. In Article VIII, Section B.1.g.- Revise the existing provision regarding Satellite Dish Antennas to read as follows:

- g. **Satellite dish antennas** - All satellite dish antennae one (1) meter (39.37") or greater in diameter shall be located a minimum of 200 feet from front property lines unless, in the opinion of the Zoning Agent, the subject antenna is in a location that is not readily visible from the street or streets upon which the subject lot is located. Satellite dish antennae [must] one (1) meter (39.37") or greater in diameter shall meet all applicable setbacks from side or rear property lines and all applicable height

requirements. Based on federal laws and regulations, satellite dish antennae one (1) meter (39.37") or smaller in diameter are not subject to Zoning dimensional requirements. Any questions regarding this requirement should be reviewed with the Planning and Zoning Commission.

2. In Article VIII, Section B.8 - Add wind turbines to the listing of uses where maximum height requirements may be waived by the Commission through the issuance of a Special Permit. As proposed, Article VIII, Section B.8 would read as follows:

8. Exception to Maximum Height Requirements

The maximum height requirements of the Schedule of Dimensional Requirements may be waived by the Commission, provided special permit approval is obtained in accordance with Article V, Section B and provided the height waiver applies to one of the following: church spire, tower or belfry; flag pole; communications tower or antenna, including radio and television antennae; chimney; water tank; elevator bulkhead and other roof top mechanical structures; solar collectors; wind turbines; farm silos or similar uses. In all business and industrial zones, the Commission may waive the maximum height requirements for elevator bulkheads and other rooftop mechanical structures without additional special permit approval, provided the subject rooftop structures are approved as part of a site plan or special permit application.

Explanatory Note:

These revisions are designed to address federal provisions for small dish antennas and to include wind turbines as an example of a structure that can seek special permit approval to exceed standard maximum height requirements.

F. Revisions that Would Clarify that Community Wells are Public Water Facilities for Projects in ARH, DMR, PRD and PVRA Zones

1. Revise Article X, Section A.5.a - to read as follows:

a. Water and Sewer Facilities

All proposed developments in the ARH zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

2. Revise Article X, Section A.6.a - to read as follows:

a. Water and Sewer Facilities

All proposed developments in the DMR Zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for

connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

3. Revise Article X, Section A.7.a - to read as follows:

a. Water and Sewer Facilities

All proposed PRD developments must be served by public water and sewer facilities or must be readily connected to such services. Readily connected is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

4. Revise Article X, Section A.9.a - to read as follows:

a. Water and Sewer Facilities

Except as noted below, all proposed developments in the PVRA zone must be served by public water and sewer facilities or must be readily connected to such services. "Readily connected" is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities. Article VII Section K.2.b. authorizes the commission to waive this requirement.

For the purposes of this requirement, community well water supply systems authorized, constructed and operated pursuant to the Connecticut Department of Public Health regulations are considered public water facilities.

Explanatory Note:

These revisions clarify existing requirements to specifically recognize that community well water supplies approved by the CT Department of Public Health are public water facilities.

G. Revisions to Existing Provisions Regarding Mobile Home Park Expansions and the Temporary Occupancy of Recreational Vehicles/Trailers, etc.

1. In Article X, Section F.3.e. revise subsection 2 to read as follows:

- e. Expansion of existing parks shall be permitted only in strict conformity with the standards and procedures of this Section. All such expansion shall be [onto contiguous land only.] on portions of the mobile home park lot that existed when the park was established or subsequently authorized by the Planning and Zoning Commission.

2. In Article X, Section F.7- Revise subsection C to read as follows:
 - c. Persons visiting Mansfield residents may park and occupy their travel, motor home, camping trailer, or pick-up coach on the property of their host for a period not exceeding 30 days in any one year period. [without securing a permit from the Zoning Agent.] Parking of trailers (etc) shall be confined to an area within existing setback requirements or upon existing driveway areas. All Connecticut Health Code requirements shall be met.

Mansfield residents owning and parking a legally registered travel trailer, motor home, camping trailer or pick-up coach on the site of their residence may allow temporary occupancy of such vehicle to guests for a period not exceeding 30 days in any one year period. Parking of trailers (etc) shall be confined to an area within existing setback requirements or upon existing driveway areas. All Connecticut Health Code requirements shall be met.

Explanatory Note:

The Revision to Article X, Section F.3.e. clarifies that any proposed mobile home park expansion must be on the original lot in existence when the mobile home parks were established. The revision to Article X, Section F.7.c. clarifies time restrictions for the temporary occupancy of travel trailers, motor homes, canopy trailers etc.

H. Revisions to Kitchen Area and Proof of Ownership Provisions for Efficiency Units

1. In Article X, Section M- Revise subsection 2.a to read as follows:
 - a. This separate efficiency unit within a single-family detached residence shall contain at least 400 square feet of livable floor area and shall not exceed 35% of the square footage of livable floor area of said single-family residence. This efficiency unit shall include independent living quarters, a distinct kitchen or kitchen area containing a sink, refrigerator, stove or stovetop, oven, cabinets and adequate counter space for food preparation and serving, and a [lavatory] bathroom containing [complete sanitary facilities] toilet, sink and shower or bathtub. This efficiency unit shall also meet the following requirements:
2. In Article X, Section M- revise subsection 2.a.1.a to read as follows:
 - a. Proof of owner-occupancy, which shall consist of a notarized affidavit.

Explanatory Note:

These revisions more specifically identify what constitutes kitchen and bathroom areas in an efficiency unit and incorporate a more specific proof of owner occupancy provision.

I. Revisions to Home Occupation Regulations to Authorize Vehicle, Material and Equipment Storage for Tradesmen Contractors, etc.

1. Revise Article X, Section O, Home Occupations to read as follows:

O. Home Occupations

1. Permitted Uses

A home occupation may include, but not be limited to, the following uses for the zones indicated:

- a. R-20 and R-90 residential zones: Art studios, barber shops, beauty salons limited to one operator, dressmaking, teaching, bed and breakfast operations provided no more than 3 bedrooms are utilized for guests, office of a recognized profession, such as physician, lawyer, engineer, architect, real estate or insurance agent, contractor or tradesman and similar such uses, but specifically excluding the sale of any goods on the premises.
- b. All other zones: All the uses permitted in 1.a. above and in addition, the sale of antiques, the sale of handcrafted items produced on the premises, the assembly, repair and sale of small retail goods, [and] home baking and limited food preparation/catering operations, and the limited storage or parking of vehicles, equipment and/or materials associated with a contractor, tradesman or other home occupation use.

2. Requirements

- a. Except for authorized on-site parking or storage, the home occupation shall be conducted wholly within a detached single-family residence dwelling or within a completely enclosed permitted accessory building on the same lot as the detached single-family residence. Home occupations are not permitted within dwellings that contain two or more dwelling units or within buildings accessory to a dwelling containing two or more dwelling units.
- b. Except for authorized on-site parking or storage, the total area devoted to the home occupation shall not exceed thirty-five percent of the livable floor area of the single-family residence dwelling.
- c. No more than two persons who are not residents of the detached single-family dwelling shall be employed and working at the site of the home occupation, except as provided in 1.a above, for beauty salons. A home occupation use may involve additional employees, provided these employees do not work or leave their vehicles at the site of the home occupation.
- d. There shall be no display or advertising of the home occupation on the lot except for a nameplate not exceeding five (5) square feet in area. The nameplate shall indicate that the business may only be transacted by appointment in letters having a minimum height of 1 ¼ inches. Home occupation signs shall not be internally illuminated and, if lighted externally, the sign shall be lighted only during the hours open for appointments.
- e. Except for authorized signage, there shall be no, [No exterior storage of materials or other] indication of the home occupation or alteration of [variation from] the residential character of the residence dwelling or the lot. [shall be permitted].
- f. No offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced; no health or safety hazard shall be created; no interference with radio or television reception in the neighborhood shall be produced.

- g. Parking adequate to meet the needs of the proposed home occupation shall be provided. [Recommendations of the Department of Public Works shall apply unless otherwise required by the Commission.]
- h. All home occupations involving food preparation, such as bed and breakfast, home bakery or catering operations, shall demonstrate that:
 - 1. Onsite sanitary systems (well/septic), are adequately sized and in suitable condition to serve the proposed use;
 - 2. All other applicable health code requirements are met;
 - 3. All applicable fire and building code requirements are met;
 - 4. All refuse generated shall be covered, screened from public view and promptly removed from site;
 - 5. All other requirements applying to home occupations
- i. All home occupations involving on-site storage or parking of vehicles, equipment and/or materials shall demonstrate through application submissions that the following requirements shall be met:
 - 1. All on-site vehicle, equipment and/or material storage areas shall meet applicable setback provisions of Article VIII for the zone classification of the subject site.
 - 2. All vehicles, equipment and/or materials stored on site shall not be visible from adjacent properties. Where fencing and/or evergreen plantings are proposed, details of the subject fencing and/or evergreen screening (including size and type of proposed plantings) shall be provided. Tractor-trailer bodies, truck bodies, with or without a chassis, shipping or storage containers, boxcars or similar objects are prohibited for on-site storage purposes.
 - 3. All on-site vehicle, equipment and/or material storage areas shall be limited in size and clearly accessory to the primary residential use of the site. A listing of all vehicles, equipment and materials to be stored on site (including size, height and type) shall be provided and updated where appropriate. Depending on site and neighborhood characteristics, the Zoning Agent shall have the authority to specifically restrict the area approved for on-site storage and/or the size, height and type of vehicle, equipment or material storage.
 - 4. All vehicle and equipment use shall not begin before the hour of 7am Monday-Saturday or before the hour of 9am on Sundays and holidays. No vehicle and equipment use shall take place after 9pm.
 - 5. All outside vehicle, equipment and/or material storage areas shall comply with applicable Inland Wetland Regulation and approval requirements.

3. Permit

- a. A Home Occupation Permit, issued by the Zoning Agent, shall be valid for a period ending January 1 of an even-numbered year and may, upon application by the holder of such permit, be renewed for additional periods of two years each, provided the requirements and intent of this Section are continually met. Such permit shall not be transferable.
- b. All applications for a home occupation shall include:

1. A completed application form for a Home Occupation Permit;
 2. A detailed statement of use fully describing the use or uses to which the subject building, accessory structures or site shall be devoted. Said statement of use shall fully address the approval criteria of Article X, Section O.2 (above) and provide adequate information to determine that the proposed home occupation complies with applicable zoning definitions, permitted use provisions, performance standards and other applicable zoning regulations;
 3. A plot plan depicting property lines, house, accessory structures, driveway, parking areas, [outside] on-site storage areas and any other information deemed necessary by the Zoning Agent to determine compliance with applicable zoning regulations;
 4. Any other information deemed necessary by the Zoning Agent to determine compliance with all applicable zoning regulations.
- c. No Home Occupation Permit shall be issued until the Health Officer, Fire Marshal, Building Official and Inland Wetland Agent have signed the subject permit application to indicate that all applicable Health Code, Fire Code and Building Code requirements have been satisfactorily addressed in the subject home occupation proposal.
- d. A Home Occupation Permit shall not be renewed and an outstanding Permit may be revoked if, in the opinion of the Zoning Agent and the Commission:
1. The use has clearly altered the residential character of the premises and neighborhood through the generation of traffic or noise substantially in excess of that normally generated by a residential dwelling unit;
 2. Changes in the lot or the occupied building have been made altering the residential character of same, or
 3. Other conditions prohibited in subsection O.2 above have been created.
- Any uncertainty regarding the issuance or renewal of a Home Occupation Permit shall be resolved by the Mansfield Planning and Zoning Commission.
4. The granting of a permit for a home occupation shall not constitute the establishment of a legal non-conforming use.
 5. Prohibited Uses - A home occupation shall not be construed to include restaurants, or other eating and drinking places, kennel, animal hospital, automotive repairs, small engine repair, or any other use which in the opinion of the Zoning Agent or the Commission would create conditions prohibited in Section O.2 above.

J. Revisions to Zoning Permits and Certificates of Compliance Provisions to More Completely List Land Uses that Require a Zoning Permit and to Authorize the Zoning Agent to Accept Bonds to Ensure Completion of Site Work Authorized by a Zoning Permit

1. In Article XI, Section C.1.a- add new subsections 5 and 6 to read as follows:
 5. Site work and or site improvements authorized by the Planning and Zoning Commission in association with subdivision or special permit approval. Examples include: tree removal, site grading, drainage improvements, road or driveway improvements, etc.
 6. Limited Live Music Uses pursuant to Article VII, Section L.2.h.

2. In Article XI Section E.3.d- add a new third paragraph to read as follows:

- d. In situations where a project has been authorized through the issuance of a Zoning Permit, without prior special permit or site plan approval, and public health and safety components of the project (or sections thereof) have been satisfactorily completed, the Zoning Agent may issue a Certificate of Compliance provided a suitable cash bond with written bond agreement has been submitted and approved.

Explanatory Note:

These revisions add site work and improvements authorized by a subdivision or special permit approval and limited live music uses to the listing of land uses that necessitate a Zoning Permit and authorize the Zoning Agent to accept cash bonds for incomplete site work authorized by a Zoning Permit.

Proposed Revisions to Mansfield's Subdivision Regulations

A. Revisions Regarding Required Documentation and Yield Plan Provisions

1. In section 3, add a new subsection 3.20 Yield Plan and renumber remaining subsections. The new section 3.20 to read as follows:

3.20 Yield Plan

A map or maps containing a lot and site improvement layout and additional information, as required by these regulations (see section 3.10.a.6), that demonstrates: compliance with the zoning Schedule of Dimensional Requirements provisions for standard lot size, lot frontage and building setbacks; compliance with all other zoning requirements, including minimum lot area requirements for new lots; and compliance with all subdivision requirements, including the Design Criteria of Section 7 and the Open Space requirements of Section 13.

A yield plan must be submitted whenever a subdivider seeks a reduction or waiver of minimum lot frontage (see Section 7.6) or in the R-90 and RAR-90 zones, a lot size of less than 90,000 square feet.

2. In Section 6.10-add the clause "wherever applicable" to the beginning of the first sentence. This sentence would now read as follows: In Section 6.10. - Add the clause "wherever applicable" to the beginning of the first sentence. This sentence would now read as follows:
 - a. Wherever applicable, the subdivider shall submit, along with the final subdivision map, the construction and public improvement map and the grading plan, the following:
3. In Section 6.10.a.6 - Revise the existing provisions to read as follows:
 6. In all situations where a proposed subdivision application necessitates a frontage waiver pursuant to Section 7.6 and/or in the R-90 or RAR-90 zones, proposes a lot size of less than 90,000 square feet, a yield plan shall be submitted. The [A] yield plan shall depict[ing] the number of potential lots that could be developed with standard frontage, lot size (90,000 square feet in the R-90 and RAR-90 zones), setbacks and lot configuration, taking into account the information noted or referenced below, the subdivision design criteria of Section 7, the open space dedication provisions of Section 13 and other requirements of these Subdivision Regulations. At a minimum, the yield plan shall include all onsite testing data, site topography, delineation of wetlands, watercourses and exposed ledge and adequate additional information about onsite natural and manmade resources (see Section 6.5) to determine that the yield plan is feasible.

In all situations where a yield plan has been submitted with activity within regulated wetlands and watercourse areas, the submitted yield plan also shall be submitted for review and comment by the Inland Wetland Agency. [Although a yield plan need not be submitted to and approved by the Inland Wetland Agency,] [t]The Commission shall consider potential yield plan impacts on wetland and watercourse areas taking into account Inland Wetland Agency comments on the yield plan, including whether the proposed plan is preferable to the yield plan with respect to potential wetland impact. [and must determine that the proposed development of roadways and development on yield plan lots would likely be approved by the Inland Wetland Agency.]

The submitted yield plan shall be used by the Planning and Zoning Commission to determine the maximum number of lots that can be approved. Sections 7.4, 7.5 and 7.6 and other provisions of these Regulations shall be used to determine final lot sizes, lot frontages and development and building area envelopes for all approved subdivision lots. Acceptance of the yield plan shall be based on the standards contained in the Mansfield Subdivision and Zoning Regulations.

Explanatory Note:

These revisions incorporate a definition of yield plan and clarify yield plan submission and approval requirements. It is now recommended that all yield plans be submitted to the Inland Wetland Agency. The advisory role of the Inland Wetland Agency in reviewing yield plan submissions also has been revised.

B. Revisions to Common Driveway Provisions to Authorize, with a ¾ Vote Waiver, Common Driveways Serving 4 or 5 Houses

1. In Section 7.10.a - Delete in line 5 the following sentence: Any approved common driveway shall serve no more than three (3) residential lots.
2. In Section 7.10 add a new subsection b and re-letter remaining subsections. The new subsection b to read as follows:
 - b. Except for Commission authorized exceptions (see below), any approved common driveway shall serve no more than three (3) residential lots.

By a three-quarters (3/4) vote of the entire Commission (seven (7) votes), the maximum number of residential lots served by a common driveway may be increased to five (5) lots. The burden of proof shall be on a subdivider to show that a proposed increase in the number of lots served by a common driveway will promote the public's health and safety and goals and objectives contained in Mansfield's Plan of Conservation and Development. The following additional factors shall be considered by the Commission in reviewing any request to serve more than three (3) lots with a common driveway.

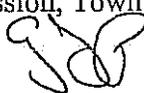
1. Consistency with the primary considerations for subdivision layout contained in Section 7.1
2. The degree to which the proposed common driveway arrangement will reduce environmental impacts.
3. The degree to which the proposed common driveway arrangement will promote vehicular and pedestrian safety.
4. The degree to which the proposed common driveway will benefit future lots owners.

Explanatory Note:

This revision would allow, subject to specific criteria and a ¾ vote waiver, common driveways to serve more than 3 residential lots up to a maximum of 5 residential lots. This provision is proposed to provide more flexibility in situations where environmental impacts will be reduced, traffic safety will be enhanced and/or future owners would be benefitted.

TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Mansfield Planning and Zoning Commission, Town Council, Conservation Commission
From: Gregory Padick, Director of Planning 
Date: 5/6/09
Re: April 2009 Draft Environmental Impact Evaluation- Two UConn Academic Buildings

Copies of the executive summary and assorted other pages of an April 2009 Draft Environmental Impact Evaluation (EIE) for two new academic buildings have been distributed to the Town Council, the Planning and Zoning Commission and the Conservation Commission. The draft EIE provides detailed information about the proposed project which has been in the planning and design stages for many years. The two new buildings will have a total square footage of 196,000 square feet and the buildings will be located in areas previously utilized by UConn's Pharmacy and Co-Op buildings. A public hearing on the draft EIE has been scheduled for May 20, 2009. Any Town comments must be submitted on or before May 21, 2009.

I have reviewed the draft EIE and have the following comments:

- The subject academic buildings have been designed to serve students, faculty and staff currently utilizing the Monteith and Arjona academic buildings located west of Mirror Lake. The new buildings will be located in the center of UConn's Storrs campus adjacent to the Library. The buildings will be designed and constructed to meet LEED Silver Certification standards. A garden green roof is planned for the west building.
- The EIE documents the need for the project, analyzes potential environmental impacts and identifies proposed mitigation measures (see Table ES-1). The mitigation measures include water conservation measures and stormwater management improvements designed to address quantity and quality impacts. The proposed design and planned mitigation measures are considered appropriate and no significant impacts are anticipated. However, it is essential that the proposed measures be incorporated into final construction plans.
- A project of this size will have construction impacts. Town comments should emphasize the need to use state roads and not local roads to access the construction sites.
- Any additional comments or issues raised by the Town Council (at its 5/11/09 meeting), by the Planning and Zoning Commission (at its 5/18/09 meeting) or the Conservation Commission (at its 5/20/09 meeting) or by the public (at the 5/20/09 public hearing) can be incorporated into town comments.

Summary/Recommendation

My review indicates that the subject draft EIE is thorough and comprehensively addresses potential environmental impacts. Accordingly, it is recommended that subject to any review comments from Town Council, PZC or Conservation Commission members and any public hearing testimony, that Mansfield representatives support the findings of the EIE. It is suggested that a letter of Town support be finalized following the 5/20/09 public hearing. Due to Town Council and PZC meeting schedules and the May 21st comment deadline, it is recommended that the Mayor and PZC Chairman be authorized before the May 20th public hearing to endorse Town comments to be finalized following the public hearing.

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Town of Mansfield
Open Space Preservation Committee
April 21, 2009 - minutes

Members present: Evangeline Abbott, Steve Lowrey, Jim Morrow, Vicky Wetherell.

1. Meeting called to order at 7:40.
2. Minutes of the March meeting approved on motion by Wetherell/Lowrey.
3. Opportunity for Public Comment: none present.
4. Old Business: **Subdivision Regulation Update:** V. Wetherell reported on her discussion with G. Paddick in regard to which sections of the regulations are under consideration for revision. One area of interest is a pre-application landscape review that would highlight areas developers should be aware of at the onset (stormwater elimination and soil test data) which could effectively help avoid delays and setbacks and make the whole process more efficient without being too burdensome. Farm animal regulations were also discussed.
5. New Business: **PZC File #1285 – Hallock, Wormwood Hill Rd.** The committee reviewed the landscape architect's site assessment. **Whispering Glen – condominium development.** The committee reviewed this proposal with special attention given to stormwater management (OSPC supports Conservation Commission's comments in this area) and proposed trail access/use.
6. Meeting adjourned at 9:00.

Respectfully submitted,
Evangeline Abbott

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MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, April 20, 2009

Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, R. Hall, K. Holt, P. Kochenburger,
P. Plante, B. Ryan
Members absent: J. Goodwin, B. Pociask
Alternates present: M. Beal, G. Lewis, L. Lombard

Chairman Favretti called the meeting to order at 7:00 p.m. Favretti appointed alternates Lewis and Lombard to act in place of the absent members, and Beal for member disqualification, if necessary.

Minutes:

4/6/09-Hall MOVED, Gardner seconded, to approve the 4/6/09 Minutes as written. MOTION PASSED UNANIMOUSLY.

4/15/09 Field Trip-Beal MOVED, Ryan seconded, to approve the 4/15/09 Field Trip minutes as written. MOTION PASSED with Holt, Beal, Gardner, Favretti, and Ryan in favor, all others disqualified.

Zoning Agent's Report:

Items A and C were noted, and members expressed appreciation for the historical facts Hirsch compiled to commemorate the 50th Anniversary of Zoning in Mansfield. Hirsch stated that he has sent a letter to DeBoer, and DeBoer responded that he is currently removing items that are not associated with his business. Hirsch noted that he and the Chairman signed off on a modification request for Holiday Hill. Ryan questioned the tractor trailer bodies on the Atkins property on Mansfield City Road. Hirsch indicated the trailers were an existing non-conforming use.

Old Business:

1. Proposed Special Permit Modification, 1559 Stafford Road, Valley View LLC., File #105
Tabled pending action on associated regulation revision.
2. Application to Amend the Zoning Map, Whispering Glen, LLC, 73 Meadowbrook Lane, File #1283
Tabled, awaiting 5/4/09 Public Hearing.
3. Special Permit Application for a Proposed 37 Unit Multi-Family Development, Whispering Glen, LLC, 73 Meadowbrook Lane, File #1284
Tabled, awaiting 5/4/09 Public Hearing.
4. Subdivision Application, 3 lots, Wormwood Hill Rd, K. Hallock o/a, , File #1285
Tabled, awaiting referral reports.
5. Site Modification Request: Proposed Groundwater Remediation System, 632 Middle Turnpike Merchants Mansfield o/a (CVS), File #1157-2
Tabled until 5/4/09, awaiting referral reports and IWA action.
6. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue.
Ongoing Discussion, tabled until 5/4/09.

New Business:

1. New Special Permit: Proposed expansion of a dwelling unit, 8 Hanks Hill Rd. Block Properties, LLC File #1272
Holt MOVED, Lombard seconded, to receive the Special Permit application (file # 1272) submitted by Block Properties, LLC for an expansion of a non-conforming residence on property located 8 Hanks Hill Road owned by the applicant, as shown and described in application submissions, and to refer said

application to the staff, for review and comments and to set a Public Hearing for 5/18/09. MOTION PASSED UNANIMOUSLY.

2. Verbal Update from Director of Planning: Draft Revisions to the Zoning and Subdivision Regulations

Padick distributed a list of potential changes to the regulations that the Regulatory Review Committee has been deliberating. He briefly discussed each item and asked members to be prepared for discussion at the 5/4/09 meeting. A public hearing will be scheduled for June.

Public Hearing:

Proposed Zoning Regulation Amendment, Valley View, LLC., File #1281

Chairman Favretti opened the Public Hearing at 7:20 p.m. Members present were Favretti, Gardner, Hall, Holt, Kochenburger, Plante, Ryan, and alternates Lewis, Lombard and Beal. Favretti appointed Lewis and Lombard to act. Padick read into the record a 4/1/09 letter from WINCOG signed by Kevin McDonald, Chair.

Attorney Mark Branse and property owners Charles and Kenneth Hoddinnot were present to answer any questions. Branse reviewed the proposed regulation amendment noting that it would replace an antiquated regulation that does not apply to today's mobile home parks. Branse submitted a statement with signatures from 37 out of 56 residents stating that they have no objections to the proposal.

Keith Jensen, VP of Jensen (Rolling Hills), stated that he is in favor of the proposal. He also noted that there is no need for concern by the residents of Jensen's as was rumored; the clubhouse will not be affected at Jensen's.

Wilfred Bigl, resident of Jensen's, submitted a letter to the PZC with concerns that this change will result in management discontinuing the use of the recreation facility that is currently being used by residents at Jensen's.

Branse stated that the present regulations require management to provide a utility building but not a recreational facility. He noted that the recreational facility at Jensen's was provided to the residents as a good management tool and not because it was required by the zoning regulations.

Favretti noted no further questions or comments from the audience, applicant or Commission. Gardner MOVED, Ryan seconded, to close the public hearing at 7:35 p.m. MOTION PASSED UNANIMOUSLY.

Hall agreed to work with staff to draft a motion for the next meeting.

Continued Public Hearing:

4-Lot Subdivision, Hanks Hill & Farrell Rds., Clark Estates Subdivision, File #1280

Chairman Favretti opened the continued Public Hearing at 7:37 p.m. Members present were Favretti, Gardner, Hall, Holt, Kochenburger, Plante, Ryan, and alternates Lewis, Lombard and Beal. Favretti appointed Lewis and Lombard to act. Padick noted a 4/16/09 memo from Grant Meitzler, Assistant Town Engineer and a 4/16/09 memo from Gregory Padick, Director of Planning. Padick noted a 4/9/09 revised set of reduced-size plans that were distributed this evening to members.

Ed Pelletier, of Datum Engineering and Surveying, reviewed the changes made to the 4/9/09 plans and the comments made in Padick's 4/16/09 memo, noting no objections to Padick's recommendations. Pelletier stated that his client has no interest in cluster development.

Members asked for clarification regarding sight lines, stone wall disturbance, open space dedication given now or postponed to when Lot 3 may be re-subdivided in the future, and cluster development.

Mr. Clark, son of the property owner, stated that he and his mother want the large parcel of land (Lot 3) to remain with the farm house and they have no intention of subdividing that parcel in the foreseeable future.

Favretti noted no further questions or comments from the audience, applicant or Commission. Plante MOVED, Lombard seconded, to close the public hearing at 8:08 p.m. MOTION PASSED UNANIMOUSLY.

New Business:

3. **Notice of EIE: Proposed UConn Academic Buildings**

Item was tabled.

4. **Environmental Review Team Report Re: Ponde Place,**

Padick summarized the report and urged members to read the report for themselves. Padick noted that anyone interested in the report can read it on line at the following web address:

http://www.ctert.org/ERTWebsite/pdfs/Mansfield_PondePlace_624.pdf

Reports of Officers and Committees:

Favretti noted the next Regulatory Review Committee meeting is set for 4/27/09 at 1 p.m. in the Council Chambers.

Communications and Bills:

Noted.

Lewis asked about the email Padick had sent to members regarding the creation of a winery in Town. Padick explained that the production of alcohol is prohibited by Town Ordinance, and he reviewed the procedure that would have to be followed in order to initiate a change in the ordinance. Members discussed that perhaps the ordinance should be re-evaluated as some members felt a winery would be a nice addition to Mansfield.

Adjournment:

Favretti declared the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

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DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, May 4, 2009 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, B. Pociask, B. Ryan
Members absent: P. Kochenburger, P. Plante,
Alternates present: M. Beal, G. Lewis, L. Lombard
Staff Present: Gregory Padick, Director of Planning

Chairman Favretti called the meeting to order at 8:40 p.m. Alternates Beal and Lewis were appointed to act for the absent members, and Lombard for member disqualifications if necessary.

Minutes:

4/20/09-Gardner MOVED, Ryan seconded, to approve the 4/20/09 Minutes as written. MOTION PASSED with all in favor except Goodwin and Pociask who disqualified themselves. .

Public Hearing:

Application to Amend the Zoning Map and Special Permit Application for a Proposed 37 Unit Multi-Family Development, Whispering Glen, LLC, 73 Meadowbrook Lane, PZC Files #1283 and #1284

Chairman Favretti opened the Public Hearing at 8:41 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Pociask, Ryan, and Alternates Beal, Lewis, and Lombard. Favretti appointed alternates Beal and Lewis to act. Padick read the legal notice as it appeared in the Chronicle on 4/21/09 and 4/29/09 and listed the following communications distributed to all members: a 4/21/09 memo from the Advisory Committee on Persons with Disabilities; a 4/21/09 memo from the Conservation Commission; a 4/22/09 memo from the Open Space Preservation Committee; a 4/27/09 memo Assistant Town Engineer; a 4/27/09 memo from Eastern Highlands Health District; a 4/28/09 memo from the Traffic Authority; a 4/30/09 memo from the Design Review Panel; a 4/30/09 memo from the Fire Marshal, and a 4/30/09 memo from the Director of Planning.

Pat Lafayette, Development Solutions, agreed to have his presentation at the Inland Wetlands Agency Public Hearing be made part of the record for the PZC Public Hearing. Lafayette indicated that he has received the staff reports and is requesting a 35-day extension to address the staff comments, and he would like to continue the Public Hearing to 6-1-09. He indicated that staff will receive revised plans in adequate time for review.

Hall MOVED, Holt seconded, to accept the 35-day extension request from Pat Lafayette of Development Solutions. MOTION PASSED UNANIMOUSLY.

Padick indicated that both PZC applications may be considered simultaneously, but should the Commission wish to approve both applications, the application to change the zone must be approved first before approval can be granted for the Special Permit application.

Lafayette reviewed the proposed site and the zones of neighboring sites noting that all parts of the property are proposed for the zone change with the exception of the designated Flood Hazard (FH) zone. Lafayette did not elaborate on the buildings and their locations, as many of those details may change due to comments that are in the staff reports. He further stated that he will present revised plans in more detail at the 6/1/09 meeting.

Holt questioned Lafayette concerning the comment in the Assistant Town Engineer's report that in some instances the grade level of building is below the grade of the land, and this could lead to water drainage problems. The applicant stated that these discrepancies will be addressed in the revised plans.

Paul Bacon, 80 Meadowbrook, asked for explanation of what is considered “affordable housing”, noting he is concerned for the neighborhood if subsidized housing were to be built.

Bob Olson, 64 Meadowbrook, said the traffic increase will be unacceptable, and he would like to see the notification process include a wider range of neighbors than the currently required 500-foot neighborhood notification.

Michele Boskovic, 11 Michelle Lane, expressed concern for the traffic in the area and the effect that this project will have on the school system. Boskovic submitted a letter with 41 signatures of the 45 residents she spoke to who opposed this proposal.

Lafayette referred to the traffic study and staff comments stating that there would be no significant impact to this area with the increased volume of traffic. Padick asked Lafayette to have his Traffic Engineer attend the next meeting.

Chairman Favretti noted no further comments or questions from the public or Commission. Gardner MOVED, Holt seconded, to continue the Public Hearing until 6/1/09. MOTION PASSED UNANIMOUSLY.

Old Business:

1. 4-Lot Subdivision, Hanks Hill & Farrell Rds., Clark Estates Subdivision, File #1280 (M.A.D. 6/24/09)

There was extensive discussion regarding whether the open space dedication should be accepted now or in the future when Lot 3 is subdivided, if that were to happen at all. Several members felt uneasy about relying on a condition about a future open space dedication being written into a deed, especially if Lot 3 is never sub-divided. Other members voiced concern that if the open space as proposed is accepted now, then no more land could be deeded as open space, even if Lot 3 were intensively developed. It was also noted that the Commission may have the option of accepting the applicant’s open space proposal and still have the right to require an additional dedication in the event Lot 3 is re-subdivided.

Hall volunteered to work with staff to draft a motion. Padick related that he would consult with the Town Attorney to determine legally supportable options and alternative conditions regarding the open space dedication, for the motion to be drafted for Commission consideration.

2. Proposed Zoning Regulation Amendment, Valley View, LLC., File #1281 (M.A.D. 6/24/09)

Goodwin and Pociask disqualified themselves. All alternates were acting.

Hall MOVED, Gardner seconded, to approve the application of Valley View LLC (File #1281) to amend Mansfield Zoning Regulations, by deleting Article X, Section F.3.g.7 regarding service buildings in Mobile Home Parks, as submitted to the Commission and heard at Public Hearings on March 16 and April 20, 2009.

This amendment shall be effective as of May 15, 2009.

Reasons for approval include:

The approved regulation revision will delete a requirement for a service building that has been in existence since 1960. The existing provision is out-of-date and no longer is needed to address the health and safety needs of residents of mobile home parks. The applicant has appropriately provided reasons in support of this deletion.

1. The deletion is not in conflict with any goals, objectives or recommendations contained in Mansfield’s 2006 Plan of Conservation and Development, the Windham Region Land Use Plan, or the 2005-2010 Conservation and Development Policies Plan for Connecticut.
2. The deletion will not affect other provisions of Mansfield’s Zoning Regulations.
3. The applicant has represented that residents of Valley View Mobile Park, the only park with an existing service building required by the current zoning provisions, support the proposed deletion.

MOTION PASSED with all in favor except Goodwin and Pociask who disqualified themselves.

3. Proposed Special Permit Modification, 1559 Stafford Road, Valley View LLC., File #105

Tabled pending action on associated regulation revision.

4. **Subdivision Application, 3 lots, Wormwood Hill Rd, K. Hallock o/a, , File #1285**

Padick noted the following reports received and distributed to all members: a 4/14/09 report from Windham Water Works, Watershed Inspector Troy Quick; a 4/15/09 copy of the Conservation Commission Meeting Minutes; a 4/22/09 report from the Open Space Preservation Committee; a 4/28/09 memo from the Assistant Town Engineer; a 4/29/09 memo from Eastern Highlands Health District; a 4/30/09 memo from the Fire Marshal; and a 4/30/09 memo from the Director of Planning.

Peter Henry, Holmes & Henry, noted that abutter notifications were sent out today due to a miscommunication and he requested a continuation to the 5/18/09 meeting.

5. **Site Modification Request: Proposed Groundwater Remediation System, 632 Middle Turnpike Merchants Mansfield o/a (CVS), File #1157-2**

Mark Habedank, Project Manager, Kleinfelder, briefly reviewed the proposal including the location of the underground collection system and the location of the proposed equipment building. Padick stated that the proposal is unclear as to the impact to the existing landscaping and walkways and requested a clarification in writing. Members stated that more details were necessary about the building's exact location, especially if it were to be shifted closer to the western boundary line, as well as details on the building's size, materials, appearance, landscaping, replacement of shrubs/planting and any necessary screening. Habedank was instructed to work with staff to ensure there is adequate information for the next meeting.

6. **Special Permit: Proposed expansion of a dwelling unit, 8 Hanks Hill Rd. Block Properties, LLC File #1272**

Tabled pending a Public Hearing on 5/18/09.

7. **Zoning Agent's Report:**

Items were noted. Hirsch stated that Hall's deadline for cleanup is one day after the next meeting, adding that there is still quite a bit of work to be done. He stated there are no extensions and if Hall does not comply, violation notices will begin.

8. **Draft Revisions to the Zoning and Subdivision Regulations:**

Gardner MOVED, Holt seconded, that the Planning and Zoning Commission schedule a Public Hearing for Monday, June 15, 2009, on 4/27/09 draft revisions to various sections of Mansfield's Zoning and Subdivision Regulations. Furthermore, that the Planning and Zoning Commission refer the proposed revisions to the staff, Town Attorney, Agriculture Committee, Town Council, Conservation Commission, Open Space Preservation Committee, Zoning Board of Appeals, EHHD, WINCOG Regional Planning Commission, and abutting towns for review and comment. MOTION PASSED UNANIMOUSLY.

9. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Avenue**

Item tabled.

10. **Notice of EIE: Proposed UConn Academic Buildings**

Padick stated that he will have a staff report for the next meeting, but does not anticipate any issues.

New Business:

1. **New Special Permit Application, Efficiency Unit, 135 Mansfield Hollow Rd, A. Ward o/a File #1286**

Holt MOVED, Hall seconded, to receive the Special Permit application submitted by Alan Ward for an efficiency unit, on property located at 135 Mansfield Hollow Road, owned by Alan and Joan Ward, as shown on plans dated 1-21-72, revised through 4-28-09, and as described in other application submissions, and to refer said application to staff for review and comments, and to set a public hearing for 5-18-09. MOTION PASSED UNANIMOUSLY.

2. **Request to establish Building and Development Area Envelopes on Lot #5, Mulwood West Subdivision, File #1225-2**

Goodwin MOVED, Holt seconded, that the Planning and Zoning Commission approve Building and Development Area Envelopes for Lot 5 in the Mulwood West subdivision as depicted on a map dated 7/31/07, revised to 4/28/09, as prepared by Rob Hellstrom, Land Surveyor, with a condition that the map be revised to modify the BAE as recommended in a 4/30/09 report from the Director of Planning. The final map shall be filed on the Land Records. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

Chairman Favretti noted a 5/12/09 Field Trip at 1:30 p.m.

Communications and Bills:

Chairman Favretti called particular attention to a letter written in response to his, regarding the tree removal on a Town Designated Scenic Road. Said letter, distributed to the Commission this evening, was from Lon Hultgren, Director of Public Works and Tree Warden. It was agreed that the tree removal situation was unfortunate but that Mr. Hultgren's letter appropriately commits to a more comprehensive review in the future.

Adjournment:

Favretti declared the meeting adjourned at 10:05 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

MINUTES

MANSFIELD INLAND WETLAND AGENCY/PLANNING AND ZONING COMMISSION
FIELD TRIP
Special Meeting
Tuesday, May 12, 2009

Members present: M. Beal, R. Favretti, B. Gardner, J. Goodwin, K. Holt, L. Lombard, B. Ryan
Staff present: G. Meitzler, Wetlands Agent, Assistant Town Engineer (Items 1 & 2);
G. Padick, Director of Planning; S. Lehman, Conservation Commission

The field Trip began at 1:30 p.m.

1. BLOCK PROPERTY, 8 HANKS HILL ROAD- Proposed Dwelling Unit Expansion
W1430, PZC #1272
Members were met by Michael Block who briefly explained proposed plans for enlarging an existing structure and associated landscaping and parking. Site characteristics were observed. No decisions were made.
2. CORMIER-GORMLEY PROPERTY, 853 STORRS ROAD- Proposed In Ground Pool W1431
Members were met on site by a representative of Juliano's Pools and the residents of 853 Storrs Road. Members observed the proposed pool site and adjacent sloped areas and watercourse. No decisions were made.
3. WARD PROPERTY, 135 MANSFIELD HOLLOW ROAD- Proposed Efficiency unit PZC #1286
Site and neighborhood characteristics were observed. No decisions were made.

The field trip ended at approximately 2:35 p.m.

Respectfully submitted,

K. Holt, Secretary

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DRAFT MINUTES
MANSFIELD INLAND WETLANDS AGENCY
Regular Meeting
Monday, May 4, 2009
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, B. Pociask, B. Ryan
Members absent: P. Kochenburger, P. Plante,
Alternates present: M. Beal, G. Lewis, L. Lombard
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:02 p.m. Alternates Beal and Lewis were appointed to act in Kochenburger's and Plante's absence, and Lombard to act when needed.

Minutes:

4-6-09 - Gardner MOVED, Pociask seconded, to approve the 4-6-09 minutes as written. MOTION PASSED UNANIMOUSLY.

4-15-09 Field Trip - Beal MOVED, Ryan seconded, to approve the 4-15-09 Field Trip minutes as written. MOTION PASSED with Ryan, Holt, Favretti, Gardner, Goodwin, and Beal in favor and all others disqualified.

Communications:

The 4-15-09 Conservation Commission Draft Minutes and 4-30-09 Wetlands Agent's Monthly Business report were noted. There were no questions or comments.

Outstanding Enforcement Actions:

W1400 – Glode – Stafford Rd

Meitzler stated that the site has been completely cleaned up and has been re-seeded, and he expects that at the next meeting the violation order can be lifted.

Old Business:

W1425 - Town of Mansfield - Stone Mill Bridge Replacement

Holt MOVED, Ryan seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to **the Town of Mansfield** (file no. W1425), for replacement of the Stone Mill Road Bridge over the Fenton River and within the 150 foot regulated area adjacent to wetlands, located 546 feet from the Stone Mill Road northern intersection with Chaffeeville Road, as shown on plans dated 3/3/09 revised through 3/25/09, and as described in other application submissions. This action is based on the application submissions and consideration of applicable regulations.

Based on the above considerations, the Agency hereby finds this project will not cause significant impact, provided the following conditions are met:

1. Erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.
2. The plans are very detailed and contain specific protective measure to mitigate wetland impacts. Every effort needs to be made to follow the details of the plans.

This approval is valid for a period of five years (until May 4, 2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1426 - Hallock Subdivision - Wormwood Hill Rd

Meitzler referenced a 4-28-09 report from G. Meitzler, Wetlands Agent and a 4-14-09 memo from Windham Water Works. Peter Henry, Land Surveyor from Holmes & Henry, and John Alexapolus, Landscape Architect, were present. Henry reviewed the plans and depicted the wetlands and contours on the maps.

Holt stated that the two wetlands would be better protected by a Conservation Easement that encompassed them, rather than just having them outside the Development Area Envelope of Lot 2. Henry stated that in the property owner's absence, he would have to discuss this suggestion with Mrs. Hallock and report back at the Special IWA Meeting on 5/18/09. Favretti noted no further questions from the audience or the Agency.

W1427 - Hartley - Crane Hill Rd - gazebo in buffer

Hall disqualified himself. Favretti noted that Lombard will act in his place. Holt MOVED, Pociask seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to **Tom and Kathy Hartley** (file no. W1427), for a 10-foot octagonal gazebo on 3 inches of crushed stone, on property owned by the applicant, located at 72 Crane Hill Road, as shown on plans dated March 31, 2009 and as described in other applications submissions. This action is based on a finding of no anticipated significant impact on the wetlands. MOTION PASSED with all in favor except Hall who disqualified himself.

W1428 - Ponde Place - well drilling access way in buffer

Roger Kellman, of Hesketh & Associates, depicted where the well sites are proposed and emphasized that silt fence will be used in areas depicted on the plans, specifically around the farm road crossing near the wetlands and down-slope of the well drilling sites.

Gardner questioned if drilling the wells will affect the water table for nearby residential homes. Pociask questioned the potential of the wells producing too much water and if the test wells will become the production wells. Favretti noted no further questions from the audience or the Agency.

Holt MOVED, Hall seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to **Ponde Place LLC** (file no. W1428), for Phase I well drilling and testing, on property owned by the Keystone Companies, LLC, located at Hunting Lodge and Northwood Roads, as shown on plans dated March 31, 2009 and as described in other applications submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.
2. There shall be no additional work on the access road in the old fill area between the 2 wetlands; however, if using heavy equipment necessitates additional fill, the applicant shall consult with the Wetlands Agent as to the type and placement of said fill.

This approval is valid for a period of five years (until May 4, 2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1429 - Kleinfelder - Rte 44 & 195 - remediation CVS, former Exxon site

Meitzler referenced a 4-28-09 report from G. Meitzler, Wetlands Agent. Mark Habendank, Project Manager, Kleinfelder, Inc., briefly reviewed the proposal and depicted the location of the storage building in relation to the wetlands. Favretti noted no further questions from the audience or the Agency.

Holt MOVED, Hall seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to **Brian McCann, Kleinfelder, Inc.**, (file no. W1429), for the installation and operation of a groundwater extraction and treatment system, on property owned by Larry Nirenberg, Merchant Mansfield, LLC, located at 632 Middle Turnpike, as shown on plans dated March 30, 2009, and as described in other applications submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.

This approval is valid for a period of five years (until May 4, 2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

Public Hearing:

W1424 - Whispering Glen Condominiums - Meadowbrook Lane

Chairman Favretti opened the Public Hearing at 7:50 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Pociask, Ryan and alternates Beal, Lewis and Lombard. Alternates Beal and Lewis were appointed to act. Wetlands Agent Meitzler read the legal notice as it appeared in the Chronicle on 4-21-09 and 4-29-09. Meitzler noted the following communications received and distributed to all members: 3-2-09 and 3-17-09 communications from Windham Water Works; a 4-21-09 memo from the Conservation Commission; a 4-27-09 communication from the Open Space Preservation Committee; and a 4-27-09 report from Grant Meitzler, Wetland Agent.

Pat Lafayette, of Development Solutions, agreed to have the testimony and presentation of the Inland Wetlands Agency Public Hearing be entered into the record of the Planning and Zoning Commission Public Hearing. Lafayette indicated that he received the staff reports and requested a 35-day extension to address the staff comments. He would like to continue the Public Hearing on 6-1-09, by which time staff will have received revised plans and will have had adequate time for review.

Holt MOVED, Hall seconded, to accept the 35-day extension request of Pat Lafayette, of Development Solutions.. MOTION PASSED UNANIMOUSLY.

Lafayette briefly highlighted the details of the site, but gave no specific details, because he intends to revise the plans according to staff recommendations.

Ed Pollack, Soil Scientist and Certified Wetland Scientist of CT Ecosystems, reviewed the wetlands depicted on the map and stated that in his opinion there will be no significant impact to the wetlands if the work is done in the dry season (summer months). He pointed out on the map where the proposed sewer line will cross the wetlands to connect to an existing Windham sewer line, noting it will be crossing in a narrow portion of the wetlands.

Gardner questioned what the distance from wetlands is the closest building.

Eric Goldberg, 96 Meadowbrook Lane, expressed concern for the quality of the water of the wetlands and noted the decrease in wildlife since the expansion of housing in the area, attributing the decline to the run-off of oils, pesticides and herbicides from the new housing.

Bob Olson, 64 Meadowbrook Lane, expressed concern that the only access to the proposed development is off of an already overly busy Meadowbrook Lane.

Favretti noted no further questions from the audience or the commission. Gardner MOVED, Holt seconded, at 8:24 p.m. to continue the public hearing until 6/1/09. MOTION PASSED UNANIMOUSLY.

New Business:

W1430 - Block - 8 Hanks Hill Rd - Modification Request

Goodwin MOVED, Holt seconded, receive the application submitted by Block Properties, LLC (IWA File #W1430) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for an

addition to an existing residence and expansion of a foundation for a retaining wall, at 8 Hanks Hill Road, on property owned by the applicant, as shown on a map dated April 10, 2009 and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

W1431 – Juliano’s Pools - 853 Storrs Rd - in-ground pool

Goodwin MOVED, Holt seconded, receive the application submitted by Bryan Cormier and Juliano’s Pools (IWA File #W1431) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the installation of a 20-foot by 46-foot in-ground pool, at 853 Storrs Road, on property owned by Suzanne Gormley, as shown on a map dated April 28, 2009 and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

Field Trip:

A field trip date was set for Tuesday, May 12, 2009 at 1:30 p.m.

Reports of Officers and Committees:

None noted.

Other Communications and Bills:

Noted

Adjournment:

The meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary



PLANNING AND ZONING COMMISSION
TOWN OF MANSFIELD

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CONNECTICUT 06268
(860) 429-3330

Memo to: Lon Hultgren, Director of Public Works/Tree Warden
From: Mansfield Planning and Zoning Commission
Date: April 16, 2009
Re: Tree Removal, 34 Farrell Road, a Town Designated Scenic Road

At the PZC's 4/6/09 meeting, members were informed about the recent removal of a 30 inch white oak tree adjacent to the driveway for 34 Farrell Road. This tree was the subject of a 1999 Scenic Road application requesting removal for sightline and turning radius purposes. At that time, the removal request was not approved based on criteria contained in the Mansfield Scenic Road Ordinance and a PZC determination that the subject tree "is one of the major contributing amenities to the scenic quality of Farrell Road."

Having specifically discussed the subject tree in the past, PZC members expressed concern and disappointment that the subject tree removal was authorized without prior PZC consultation. Members also noted that a segment of stone wall located near the subject tree was impacted, apparently in association with the tree removal. Mansfield has a limited number of designated scenic roads. It is essential that special caution be taken before authorizing any tree removal along a scenic road and where authorized, all removal work needs to be carefully monitored to minimize any additional impacts on nearby trees and stone walls.

It is understood that the subject tree removal was not preceded by a typical posting and that the subject tree removal was authorized due to a public safety concern. It is recognized that Section 6.c. of the Scenic Road Ordinance provides for tree removal without PZC or Town Council approval in emergency situations and other special situations where public safety is jeopardized. However, in the subject situation there was no indication of a dangerous tree condition in 1999 and the Commission is not aware of any documentation (for example: photographs) indicating an imminent danger necessitating immediate removal.

To help prevent future issues or questions regarding tree removal practices along scenic roads, the Commission respectfully requests the following:

1. An explanation of the events and rationale that lead to the authorization to remove the subject Farrell Road tree.
2. An explanation of existing procedures that are used to address requests for tree removal along scenic roads and to monitor authorized tree removals. Please clarify when trees are posted in advance of removal.
3. Suggestions for potential revisions to existing practices to minimize future issues or questions regarding tree removal along scenic roads

Cc: Mansfield Town Council; Mansfield Conservation Commission; Town Manager, Matthew Hart;
Deputy Tree Warden, Mark Kiefer

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