

**AGENDA**  
**MANSFIELD PLANNING AND ZONING COMMISSION**  
Regular Meeting, Monday, April 19, 2010, 7:00 p.m.  
Council Chambers, Audrey P. Beck Municipal Building

**Minutes**

4/5/10; 4/14/10 Field Trip

**Scheduled Business**

**Zoning Agent's Report**

- A. Enforcement Update
- B. Hall Property Old Mansfield Hollow Rd; DeBoer Property, Storrs Rd
- C. Other

**7:15 p.m. Public Hearing**

**Special Permit Application, Permanent Agricultural Retail Sales, 483 Browns Road, o/a B. Kielbania, File #1292**

Reports from Director of Planning, Assistant Town Engineer, Fire Marshall, Agriculture Committee

**Old Business**

1. **Draft Revisions to the Zoning Regulations Definitions of Family and Boarding House; Political Signs**  
(Public Hearing Scheduled for 5/3/10)
2. **Draft Revisions to the Zoning Map, Zoning and Subdivision Regulations regarding:**
  - a. Rezoning of Industrial Park Zone and Associated Regulation Revisions
  - b. Aquifer and Public Water Supply Protection Regulations
  - c. Invasive Plant Species RegulationsMemo from Director of Planning
3. **Other**

**New Business**

1. **8-24 Referral, 2010-11 Capital Improvement Budget**  
Memo from Director of Planning
2. **Request to Extend Special Permit Approval, Gibbs Oil Company, 9 Stafford Rd, PZC File #404-3**  
Memo from Director of Planning
3. **Request to Extend Special Permit Approval, St. Paul's Collegiate Church, 1768 Storrs Rd, File #1275**  
Memo from Director of Planning
4. **Modification Request -Proposed Office Addition, Motor Vehicle Driving School, 699 Storrs Rd, File #554-3**  
Memo from Zoning Agent
5. **Request for Utility Work within Conservation Easement Area, Adeline Place, File #1187**  
Memo from Director of Planning
6. **Other**

**Reports from Officers and Committees**

1. Chairman's Report
2. Regional Planning Commission
3. Regulatory Review Committee-meeting scheduled for Tuesday, 4/27/10 at 2p.m. in Conf. Room C.
4. Other

**Communications and Bills**

1. 4-14-10 ZBA Decision Notice
2. 4-8-10 Letter from Baystate Environmental Consultants to DEP Re: Mirror Lake Dredging

PAGE  
BREAK

## DRAFT MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, April 5, 2010 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, P. Plante  
B. Pociask, B. Ryan  
Alternates present: K. Rawn  
Alternates absent: F. Loxsom, V. Stearns  
Staff Present: Gregory Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:14 p.m.

#### Minutes:

Hall MOVED, Ryan seconded, to approve the 3/15/10 minutes as written. MOTION PASSED with all in favor except Plante who disqualified himself.

#### Zoning Agent's Report:

The Zoning Agent's Monthly Enforcement Report was noted.

#### Old Business:

##### 1. Review of Draft Revision on Zoning Definition of Family

Padick summarized the latest revisions to the Draft Zoning Definition of Family and Boarding House. After extensive discussion regarding item 2, (Article IV, Section B, 25.2 and 25.3), the consensus of the Commission was to re-word 25.3 to refer to "adult" persons; to delete "either related or unrelated" and to add a reference that more than 3 adult persons could qualify as a family pursuant to other categories of the definition.

##### 4. Review of potential schedule for Public Hearings on draft Zoning and Regulation Revisions

Padick referenced his 3/31/10 memo. The consensus of the Commission was to hold two separate Public Hearings, the first one on 5-3-10 on the draft definition of family and boarding house and the proposed political sign revisions; the second on 6-7-10 on the remaining pending revisions currently before the Regulatory Review Committee. Hall MOVED, Holt seconded, to schedule a public hearing on 5-3-10 to hear comments on the draft definition of family and boarding house and proposed political sign revisions. MOTION PASSED UNANIMOUSLY.

##### 2. Draft Off-Street Rental Parking Ordinance

After discussion, the Commission voted that the PZC Chairman, with staff assistance, should write a letter to the Town Council in support of the Off-Street Rental Parking Ordinance. (The vote was 6 in favor, 2 opposed, and 1 abstention.)

##### 3. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Road and Mansfield Ave

Item was tabled, under review by PZC Regulatory Review Committee.

##### 5. Special Permit Application, Permanent Agricultural Retail Sales, 483 Browns Road, o/a B. Kielbania, File #1292

Tabled-awaiting 4/19/10 Public Hearing.

#### New Business:

##### Re-Approval Request: Popeleski Estates Subdivision, Bassetts Bridge and S. Bedlam Rds, PZC File #1278

Holt MOVED, Ryan seconded, that the Planning and Zoning Commission receive and re-approve the Popeleski Estates subdivision of the Estate of Shirley Popeleski with the same approval conditions cited in a February 2, 2009 action. The minutes of this meeting shall incorporate the 2/2/09 approval conditions and map references. MOTION PASSED UNANIMOUSLY.

At a meeting held on 2/2/09, the Mansfield Planning and Zoning Commission adopted the following motion:

“to approve with conditions the subdivision application (File #1278), of the Estate of Shirley Popeleski, for three lots, on property owned by the applicant, located on Bassetts Bridge and South Bedlam Roads, in an RAR-90 zone, as submitted to the Commission and shown on plans dated July 1, 2008 as revised to January 5, 2009.

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

1. Final plans shall be signed and sealed by the responsible surveyor, engineer, and soil scientist.
2. Pursuant to subdivision regulations, particularly Sections 7.5 and 7.6, this action specifically approves the depicted Building Area and Development Area Envelopes and sideline setback waivers for Lots 1 and 2. Unless the Commission specifically authorizes revisions, the approved envelopes shall serve as the setback lines for all future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be specifically Noticed on the Land Records and the deeds for the subject lots.
3. The final plans shall be revised to incorporate the following revisions:
  - a. Note 3 on Sheet 1 shall be revised to delete the clause “except where noted”.
  - b. On Sheet 2 the erosion and sediment control notes shall be revised to update the estimated start of construction and to change the frequency of inspections to daily.
  - c. The Development Area Envelope on Lot 2 shall be revised near the southwestern corner to exclude a low lying area defined by a stone wall. The stone wall shall be used as the DAE.
  - d. On all three lots, the Development Area Envelopes along the Bassetts Bridge Road street line shall be moved at least 25 feet from the street line except for the driveway areas for Lots 2 and 3.
  - e. On Sheet 1, a note shall be added to specify that no structures shall be located on septic system and reserve areas.
4. The approved plans include notes regarding stone wall and tree preservation. Pursuant to Section 7.7, no existing stone walls shall be altered except for site work depicted on the approved plans. No stones from existing walls shall be removed from the site. Furthermore, a number of specimen trees have been identified to be saved. No Zoning Permits shall be issued on individual lots until a protective barrier has been placed around the specimen trees identified to be saved and has been found acceptable to the Zoning Agent. In conjunction with the filing of final maps, notice of this condition shall be filed on the Land Records and referenced in the deeds of the subject lots.
5. Due to the size of the subject subdivision and distance from existing survey control points, this approval waives (pursuant to Section 6.5.4.b) the requirement that the survey be tied to the Connecticut Plane Coordinate System.
6. The Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety (90) or one hundred and eighty (180) day filing extension has been granted):
  - a. All final maps, including submittal in digital format, a right-of-way deed for land along Bassetts Bridge and South Bedlam Roads, the depicted drainage easement on Lot 3 and a Notice on the Land Records to address conditions 2 and 4 (with any associated mortgage releases) shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes, or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
  - b. All monumentation with Surveyor’s Certificate, shall be completed or bonded pursuant to the Commission’s approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes, or, in the case of an appeal, no later than fifteen days, of any judgment in favor of the applicant.”

**Reports of Officers and Committees:**

Chairman Favretti congratulated Kay Holt, Betty Gardner, Gregory Padick and Curt Hirsch for receiving CFPZA Achievement Awards. He noted a Regulatory Review Committee meeting is scheduled for 4/13/10 at 2 p.m. in Room B.

**Communications and Bills:**

Padick recommended that item #5 be referred to the Regulatory Review Committee: the 3/1/10 Declaratory Ruling from the State Board of Examiners for Professional Engineers and Land Surveyors Re: GIS Data.

**Adjournment:**

Chairman Favretti declared the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Katherine Holt, Secretary

BREAK

PAGE

## MINUTES

### MANSFIELD INLAND WETLAND AGENCY/PLANNING AND ZONING COMMISSION FIELD TRIP Special Meeting Wednesday, April 14, 2010

Members present: R. Favretti, M. Beal, K. Holt, R. Hall  
Staff present: G. Padick, Director of Planning  
J. Kaufman, Parks and Recreation Coordinator  
V. Wetherall, Open Space Committee  
S. Lehman, Conservation Commission

The field Trip began at 1:10 p.m.

1. HEALEY, PROPERTY, 476 Storrs Road. IWA File #W1450  
Members reviewed plans for a new driveway and associated fencing and drainage culvert. Site characteristics, particularly the location of wetland areas and site topography were observed. No decisions were made.
2. KIELBANIA PROPERTY, 483 Browns Road. PZC File #1292  
Members were met by B. Kielbania and W. Wentworth. Members reviewed plans for a proposed permanent farm stand and associated parking areas and other site improvements. Particular attention was given to proposed driveways and parking areas and access to the sales area. Site and neighborhood characteristics were observed. No decisions were made.

The field trip ended at approximately 2:00 p.m.

Respectfully submitted,

K. Holt, Secretary

PAGE  
BREAK

To: Town Council/Planning & Zoning Commission  
 From: Curt Hirsch, Zoning Agent  
 Date: April 14, 2010



Re: **Monthly Report of Zoning Enforcement Activity**  
*For the month of March, 2010*

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	13	9	12	92	98
Certificates of Compliance issued	11	8	5	84	107
Site inspections	63	24	26	380	417
Complaints received from the Public	4	2	2	29	40
Complaints requiring inspection	3	0	2	23	23
Potential/Actual violations found	2	3	15	42	39
Enforcement letters	7	14	7	100	80
Notices to issue ZBA forms	1	0	1	7	4
Notices of Zoning Violations issued	2	0	9	31	48
Zoning Citations issued	4	7	2	46	10

Zoning permits issued this month for single family homes = 2, multi-fm = 0  
 2009/10 fiscal year total: s-fm = 11, multi-fm = 8

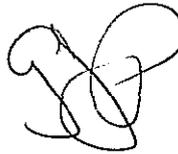
PAGE  
BREAK

**TOWN OF MANSFIELD  
OFFICE OF PLANNING AND DEVELOPMENT**

---

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Mansfield Planning and Zoning Commission  
From: Gregory Padick, Director of Planning  
Date: April 15, 2010  
Re: Special Permit application, proposed agricultural product retail sales use, 483 Browns Rd, Enviro Enterprises, LLC o/a, File #1292



**General**

My review comments are based on the submissions of the applicant (including a Statement of Use, a 4 page set of site plans dated 3/22/10 as prepared by Wentworth Civil Engineers, LLC and Rob Hellstrom Land Surveying), an onsite visit and review of applicable zoning regulations. Since the submission of the 3/22/10 set of site plans, the applicant has submitted an updated 4/15/10 Statement of Use, an updated floor plan of the interior retail sales area, signage details and return receipts from neighborhood notifications. The referenced application supplements are attached. In addition, staff members have met with the applicant to review building and health code requirements and it is anticipated that an interior restroom and associated septic system and well will be added to the plans. The PZC also must consider other referral reports and Public Hearing testimony before rendering a decision on this application. A decision must be made within 65 days of the close of the Public Hearing.

The subject application seeks special permit approval for the retail sales of agricultural products on property located at 483 Browns Road. An existing barn and greenhouse will be utilized in association with the retail sales. The primary sales orientation will be directed to the southerly L-shaped portion of the existing barn with entry from the easterly side. Outside displays are planned for other areas adjacent to the barn and greenhouse. The proposal includes planned driveway and parking area site work. Based on information contained in the applicant's Statement of Use, the proposed retail sales will take place from April through December with typical hours of operation of 9am to 6pm. Products will include perennials, annuals, vegetables, nursery plants and associated supplies and made to order products, such as wreaths and table decorations. Applicant plans include hay rides/sleigh rides, corn mazes, pick your own fruits, vegetables, flowers etc and educational classes. As described by the applicant, agricultural products will be from the farm and other area farms.

The proposed retail sales area is located near Browns Road on the northerly portion of a 46 acre parcel that is a mix of open fields and woodland. This site is across the street from additional farmland owned by the applicant. The subject site and adjacent property are part of a 160 acre area that, due to the previous sale of development rights to the State of Connecticut, is restricted to agriculture uses. A copy of the State's agriculture deed restriction is attached. The applicant's Statement of Use and other submissions provide more details about the proposal.

The subject property is immediately adjacent to two abutting residential homes that are not owned by the applicant. A number of other residences are located along Browns Road both east and west of the site. The subject site is within a Plan of Conservation and Development designated "Agricultural Land" classification due to existing uses and the State's Agricultural easement. The site does contain some inland wetland areas but all proposed activity is not within regulated areas. The subject retail site is not within the Willimantic Reservoir drainage basin and it is not within a designated stratified drift aquifer area. The site slopes to the east and south at grades that in areas exceed 15 percent. The property abuts a Joshua's Trust protected parcel along its easterly border.

It is important to emphasize that agricultural uses are allowed by right and that the primary emphasis of this Special Permit review is whether the retail sales aspects of the use comply with applicable approval criteria. It is anticipated that driveway, parking, sanitary system and other site oriented aspects of the proposal will be resolved and that the primary issue for the PZC will involve potential neighborhood impacts. The provisions of Article VII, Section G.13.d.1 limit products that may be sold to those grown on the premises or on other land owned, leased or used by the subject property owner; a "limited amount" of products grown off-site on land not owned, leased or used by the owner and a "limited amount" of accessory/associated products. The regulations do not define "limited amount". Section 13.d.1 also specifies that the intent of this section is to authorize sales of products "primarily grown or produced on the subject property or other land owned, leased or used by the subject property owner."

### Sanitary

- A report is expected from the Eastern Highlands Health District. Test pits recently have been dug and it is understood that a septic system is being designed. A new well also is planned.

### Traffic/Driveway/Parking

- See a 4/15/10 report from the Assistant Town Engineer
- The potential amount of traffic coming to and from the site is difficult to estimate and could significantly increase over time as this use evolves. Primary traffic issues include the adequacy of sightlines along Browns Road and potential noise and neighborhood impact associated with the proposed commercial agricultural use. The PZC must determine that the applicant has adequately addressed the approval standards of Article V, Section A.5.e, and Article VII, Section G.13.d.3 which require an applicant to provide safe vehicular and pedestrian access.
- The subject site is situated near the crest of a significant hill and both vertical and horizontal roadway alignments restrict sightlines near this hilltop segment of Browns Road. This will affect traffic movements into and out of the site. Due to the potential for significant traffic volumes into and out of the site, it is essential that the proposed traffic pattern and driveway locations and design be carefully considered.
- As currently depicted on submitted plans, there would be one 38 foot wide entry drive near the western property line and two exit drives which would be 24 and 13 feet wide. The proposed entry drive is closest to the hilltop portion of Browns Road and adjacent driveways for the two nearby residences. Even though one-way signage is proposed, the width of two of these driveways will facilitate two-way traffic which could be disruptive to the proposed parking layout and internal circulation. The applicant should be asked to re-analyze the proposed driveway and parking design and consideration should be given to reducing the number of driveways, selecting optimal locations and designing the driveway widths to be consistent with the planned traffic pattern. This work should be coordinated with the Assistant Town Engineer.
- The subject driveways will need to accommodate customers as well as farm vehicles.
- The Assistant Town Engineers recommendation for advance warning signage on Browns Road is supported by this reviewer.
- As proposed, ten gravel surfaced parking spaces would be provided for day to day use and a secondary grass surfaced parking area would be opened up for peak periods. This approach is considered acceptable provided access and design issues noted above are addressed.
- Article VII, Section G.13.d.2 requires 1 parking space per 5' of stand or building length. In this reviewer's opinion, this provision has been met with the applicant's planned approach.

This section also specifies that parking spaces must meet setback requirements and a 100 foot setback from abutting residences, unless waived by the PZC. As currently depicted, a number of the proposed spaces do not meet the 60 foot setback from Browns Road. Some of these spaces exist in a gravel

area adjacent to the barn and others are in the secondary grass parking area. All of the spaces meet the 100 foot setback provisions. I have no objections to granting the requested waivers as long as driveway, access and circulation issues noted above are addressed.

- A handicap parking space, meeting state width and signage requirements needs to be added to the plans. It is anticipated that this space will be located near the silo area of the barn. The plans need to clearly specify that the handicap space and access to the retail sales area will be surfaced with a material acceptable for wheelchair use.
- The applicant should clarify how the spaces in the gravel lot will be delineated. The current plan is unclear, and landscape timbers or other wheel stops should be considered by the applicant.

### **Environmental Impacts**

- No drainage issues are anticipated.
- To create an acceptable grass parking area, some significant re-grading will be required. The detail for this area (sheet 4) indicates that 10 inches of gravel will be placed under a top-soiled top layer. An estimate of the amount of fill that will need to be delivered to the site should be provided.
- The submittal includes a generic Erosion and Sedimentation Control Plan. No erosion or sedimentation problems are anticipated due to proposed retail sales aspects of the project.
- The applicant has verbally related that all agricultural operations will use best management practices.

### **Architectural Plan/Signage/Landscaping/Lighting**

- The application includes a floor plan for the retail sales portion of the barn structure. Assuming a restroom will be added, it will need to be handicap-accessible.
- A 6-sq. ft. identity sign is proposed. The proposed sign location should be depicted on the site plan.
- Article X.C.4.h.3 authorizes up to three directional signs that are up to two square feet in size. Potential locations should be discussed with the applicant.
- Existing trees along Browns Road are to be retained. The proposal will not alter existing scenic views that exist along Browns Road.
- The plans depict existing “shielded” lights in three locations on barn walls.
- Underground utilities are depicted on the plans.

### **Neighborhood Impact**

- The applicant has submitted return receipts to demonstrate that neighborhood notification requirements have been met.
- To date, no letters have been received from neighboring property owners. As previously noted, two existing residences are situated close to the proposed retail sales area and other residences are located along Browns Road to the east and west of the site.
- The greatest potential for neighborhood impact is expected to be noise from vehicular traffic entering or exiting the site and activity adjacent to the barn retail area. The PZC must determine that the neighborhood impact criteria of Sec. A.5.g, A.5.j, B.5.c and B.5.d have been suitably addressed. Public Hearing testimony may provide more information on this issue.
- The PZC has the right to impose conditions of approval to help ensure compliance with approval criteria (see Article V, Section B.6). Consideration could be given to limiting approval to those elements of the plans that can be clearly presented and described at this time and to require further PZC review and approval for elements that are not yet detailed enough to assess neighborhood impacts.

### Other

- The submittal does not contain all site plan details that can be required and some submission waivers have been requested. Subject to addressing issues raised in this report, the submittal is considered adequate to address applicable approval requirements.
- Bonding of site improvements may be required, but is not considered necessary, as all improvements can be directly tied to the issuance of a Certificate of Compliance.
- As recommended by the Fire Marshal, any PZC approval motion should reference the need for Building Official and Fire Marshal approvals.
- The Agriculture Committee has expressed its overall support for the subject property subject to confirmation of compliance with State agriculture easement requirements and Zoning requirements, including provisions regarding the amount of products for sale grown on site or other land owned, leased or used by the applicant. These issues should be addressed in any approval motion.

### Summary

Within this report I have identified a number of issues which must be addressed by the applicant to the satisfaction of the PZC. As appropriate, the Public Hearing can be continued by 35 days by the Commission or longer, with the submittal and approval of an extension request.

As noted in this report and the Assistant Town Engineer's report, the primary design issue involves the suitability of the proposed driveway, parking and circulation pattern. The applicant should be asked to further review the proposal to help ensure the most appropriate and safe design. The primary judgment issue involves potential neighborhood impacts. To address Special Permit approval criteria, the PZC should carefully consider both short term and potential long term impacts. The proposed uses should be discussed with the applicant during the public hearing process, particularly with respect to products not grown on site or other land under the applicant's direct control.

Memorandum:

April 15, 2010

To: Planning & Zoning Commission  
From: Grant Meitzler, Assistant Town Engineer  
Re: Enviro Enterprises, LLC. - Farm Stand, Sales - Browns Rd

plan reference: dated 3-22-2010

I have reviewed this plan and am concerned about traffic impacts with respect to interior circulation and mixing with traffic flow on Browns Road. These concerns have been communicated to the developer and his engineer at a meeting held April 14, 2010. I am expecting expanded discussion and clarification that is not yet available.

I have timed traffic and visibility at each of the three drives and found acceptable conditions at each location. The amount of traffic on Browns Rd is quite low and should easily accommodate this use provided modest advance warning signs are placed. I have suggested advance warning signs for each direction on Browns Rd stating, for instance, "WATCH FOR TURNS" or "WATCH FOR TURNING TRAFFIC".

Regrading of the central and east drives has been indicated to provide a near level approach/exit safety area next to Browns Rd for each.

This application proposes an unusual drive arrangement without information on how it is to be operated. I am expecting additional information to come in for this upcoming meeting and ask for continuation of the public hearing to allow time for review. This may not be necessary if the additional information is received before Monday's meeting.

Points at issue are:

1. advance warning signs on Browns Rd for each direction stating "WATCH FOR TURNS" or "WATCH FOR TURNING TRAFFIC". The form and placement of the proposed "exit" and "entrance" signs should be clarified.
2. clarification of interior parking lot circulation and handling of the close off and use of the overflow parking lot area, with the aim of trying to minimize confusion for users.
3. the eastmost drive to/from the "overflow parking area" is only 13' wide at its narrowest point, indicating one way use, that has not been set forth in the application materials. This should be widened to accommodate two way traffic.
4. it is not clear if the westmost drive is to remain in place after construction traffic stops using it. If so a paved apron with a painted dividing line or planted island is recommended to encourage separation of in and out movements.
5. the access area for the interior "overflow parking area" access has parking spaces shown across it for use when the overflow parking is not needed. However, there is no explanation of how the open or closed condition is to be handled and communicated to drivers.



Town of Mansfield  
Mansfield Fire Department  
Office of the Fire Marshal



**To:** Planning and Zoning Commission  
**From:** John Jackman, Deputy Chief/Fire Marshal   
**Date:** Monday, April 05, 2010  
**Re:** Enviro Enterprises, LLC – 483 Browns Road

---

After reviewing the revised site plan and file for a special permit application for a “farm stand” located 483 Browns Road, submitted by Enviro Enterprises LLC, I have the following comments:

- The site plans appear to be in compliance with the Town of Mansfield Fire Lane Ordinance.
- This application appears to seek authorization to change the use of the barn from Group U (currently classified as Group U – Utility and Miscellaneous by the Connecticut Building and Fire Code) to a Group M (Mercantile) use. The applicant is required apply to both Building Department and Office of the Fire Marshal for authorization to change the use of the structure from Group U to Group M.

It should be noted that plans and specifications, documenting compliance with the Connecticut Building Code and Connecticut Fire Safety Code for the change of use are required.

## MANSFIELD AGRICULTURE COMMITTEE

To: Mansfield Planning and Zoning Commission  
Re: Special Permit Application, Twin Ponds Farm Stand  
Date: April 6, 2010

The Agriculture Committee considered this application at its April 6 meeting following a discussion with the applicant, Bryan Kielbania of Enviro Enterprises, LLC. The committee welcomes new agricultural operations in town and is pleased to learn that farming will continue on preserved farmland. Although we recognize the need for agricultural businesses to evolve and change over time, it is important that the proposed operation conform to the Purchase of Development Rights (PDR) agreement that the Martins made with the Ct. Department of Agriculture.

### RECOMMENDATIONS

The committee recommends that this special permit application be approved with the following conditions:

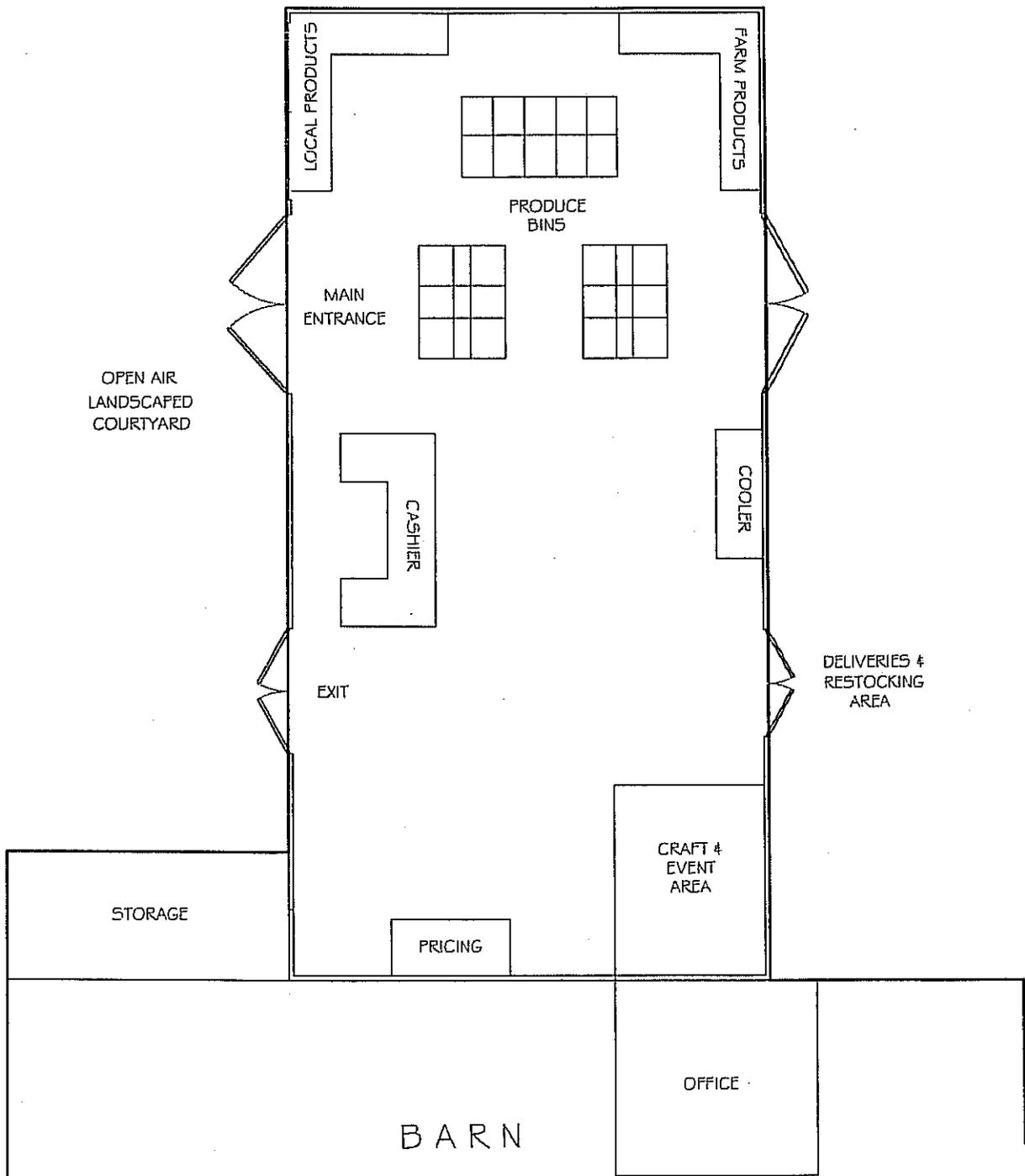
- 1) Evidence that the proposed farm stand (and any other proposed uses) are consistent with the PDR agreement with the state. This should be verified by a written statement from the Ct. Department of Agriculture.
- 2) Statement by the Town's attorney that he has reviewed the property's deed to confirm that this application is in compliance with PDR restrictions on the property.
- 3) Statement by the Zoning Enforcement Officer that the proposed farm stand is in compliance with Mansfield's zoning regulations for farm stands, particularly concerning the amount of products for sale that are grown on Twin Ponds Farm or on land owned, leased or used by the Twin Ponds Farm's owner.

BREAK

PAGE

Statement Of Use  
Revised April 15, 2010

Twin Pond Farms will open its season in mid April with a large selection of perennials, annuals, vegetable and nursery plantings/supplies and will close with the Christmas season in late December. Our hours of operation will usually be 9 am to 6 pm daily-hours will vary based on business activity. Our sales activities will take place primarily inside the L portion of barn complex with additional selling/display areas in the existing dairy barn. There will also be outside sales displays in areas used previously on the farm along with areas on the northeast side of barn and displays associated with the nearby greenhouse/crop areas. Many of our products will be grown and produced in our and other local area fields and greenhouses. We will also offer made to order products, esp. during seasonal times of the year, such as wreaths, table and mantle decorations from materials grown on our farm and other suppliers. We will eventually offer pick your own flowers, berries, vegetable and pumpkins thru our farm operations. We will carry on past traditions on this farm of activities such as hay rides, corn maze walk paths, sleigh rides and trail walks. To promote local environmental activities, we will have presentations/displays from local environmental groups and/or individuals. To promote 'Connecticut Grown Products' our stand will offer products grown and processed on our farm but also from other area local farms and families in the area. Such products could include dairy products, organic herbs, vegetables, fruits, vineyard grapes and other agricultural products. These products would be sold to our customers at our farm location or at other agricultural locations, businesses and markets. Our mission is to produce a CT Grown Product of high quality, to promote Ct Farming and spread awareness of farming practices and environmental stewardship in our area. Our goals support our farm's operations and its sustainability since its 160 acres are protected under the Connecticut Farmland Preservation Program.



# FARMSTAND OPERATIONS DETAIL

SCALE: 1"=10'

**Gregory J. Padick**

---

**From:** Jessie L. Shea  
**Sent:** Wednesday, April 07, 2010 3:03 PM  
**To:** Curt B. Hirsch; Gregory J. Padick  
**Subject:** 483 Browns Road  
**Attachments:** SDC12280.JPG; SDC12282.JPG; SIGN-Model.PDF

Please see the attached.

---

**From:** Wes Wentworth [mailto:wes@lebanongreen.com]  
**Sent:** Wednesday, April 07, 2010 2:59 PM  
**To:** Jessie L. Shea  
**Subject:** 483 Browns Road

Hi Jessie

Could you forward this to Greg (or Curt if applicable). It shows the dimensions and a picture of the sign to be posted in front of the farm stand for Bryan Kielbania. The sign is currently in front of his property on Mansfield City Road and will be relocated to 483 Browns Road.

Thank you for your help.

Wes Wentworth  
P.E., Soil Scientist  
Wentworth Civil Engineers, LLC  
177 West Town St.  
Lebanon, CT 06249  
T 860-642-7255  
Fax 860-642-4794

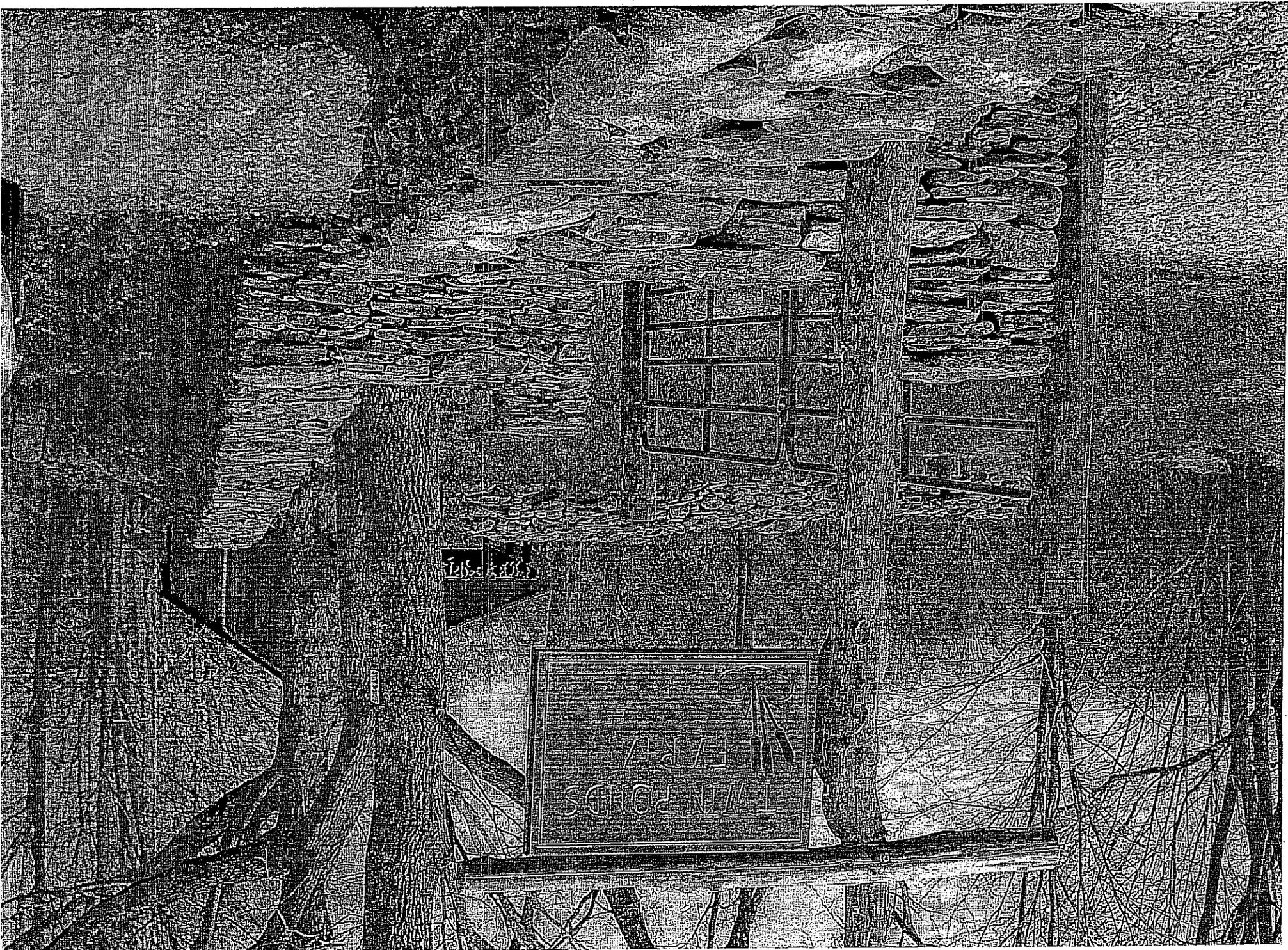
36"

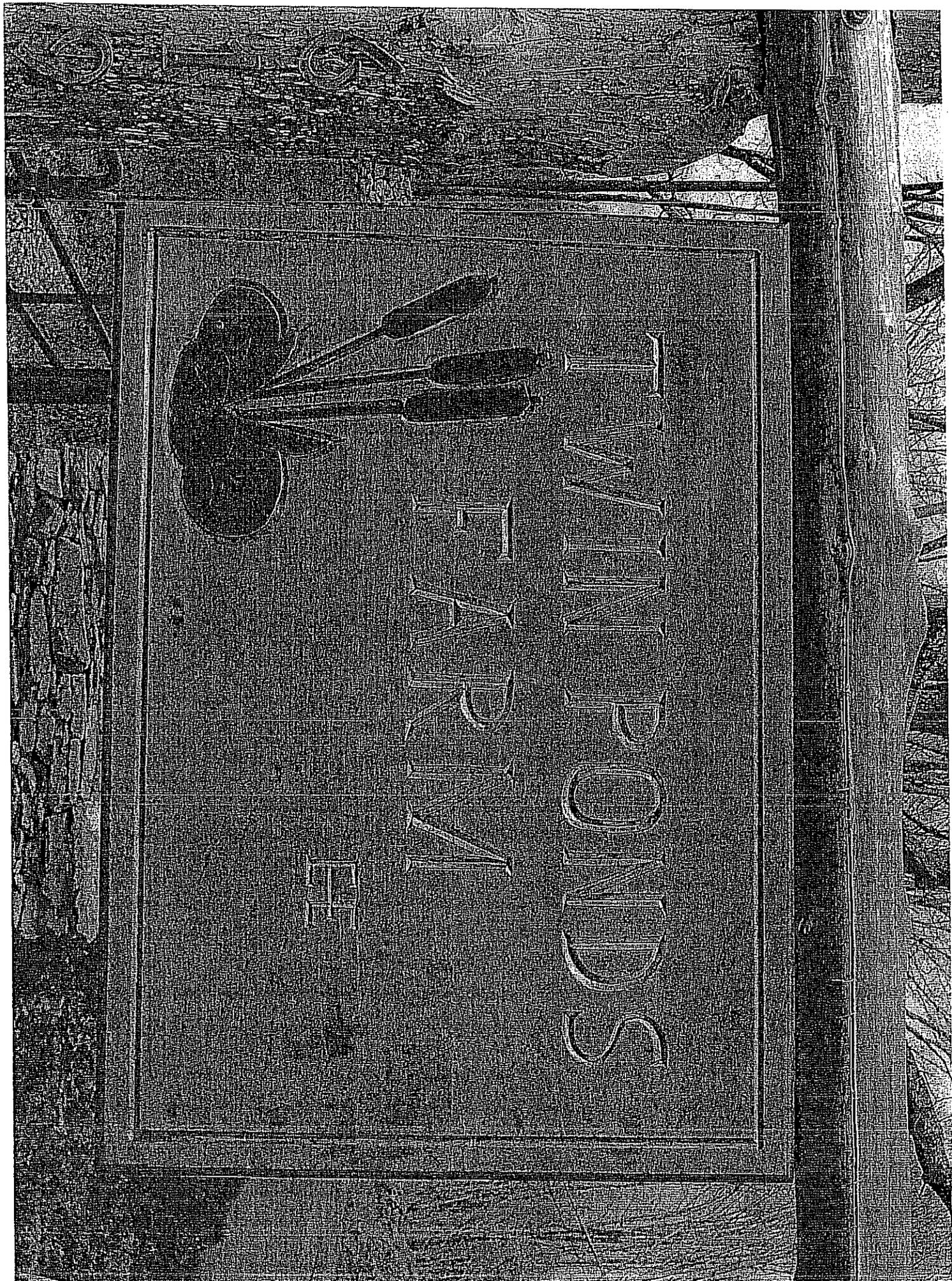
TWIN PONDS  
FARM

26"

EXISTING SIGN DIMENSIONS

(NO SCALE)

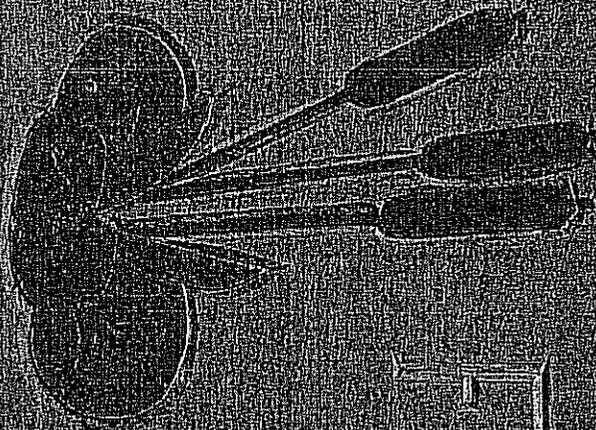




THE PRINCE OF PROUDS

THE PRINCE OF PROUDS

THE



Agriculture Easement Provisions  
referenced in Deed for Enviro Enterprises, LLC  
Property, 483 Browns Road. *WJ*

CONVEYANCE OF DEVELOPMENT RIGHTS

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

18732

KNOW YE THAT Russell W. Martin and Phyllis Martin, both of the Town of Mansfield, County of Tolland, and State of Connecticut, hereinafter referred to as Grantors, in consideration of TWO HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED NINEY SIX AND 00/100 (\$286,596.00) DOLLARS and other good and valuable considerations, received to their full satisfaction of the STATE OF CONNECTICUT, a sovereign, do hereby grant, bargain, sell and confirm in perpetuity unto the said STATE OF CONNECTICUT, its successors and assigns, hereinafter referred to as "Grantee", forever, all such right, title, interest, claim and demand which the said Grantors have to DEVELOPMENT RIGHTS, as such term is defined in Chapter 422a of the Connecticut General Statutes, more specifically Section 22-26bb(d) of the Connecticut General Statutes, in and to the following described agricultural land:

ALL THOSE certain pieces or parcels of land situated in the Town of Mansfield, County of Tolland, and State of Connecticut, as follows:

See Schedule "A" annexed hereto and made a part hereof, which land is hereinafter referred to as the "Premises".

The rights herein conveyed are conveyed subject to and in accordance with the purposes and provisions of Chapter 422a of the Connecticut General Statutes (hereinafter referred to as "Chapter 422a").

Said DEVELOPMENT RIGHTS are conveyed subject to the matters on Schedule B attached hereto and made a part hereof.

Grantors acknowledge that it is the purpose and intent of Chapter 422a of the Connecticut General Statutes that agricultural land be maintained and preserved for farming and food production purposes and that such maintenance and preservation is necessary in order to insure the well-being of the people of the State of Connecticut now and in the future. Grantors acknowledge that the parties intend by this conveyance to prohibit the subdivision or development of the Premises for residential, commercial and/or industrial purposes on the Premises. This conveyance is made in accordance with the following terms and conditions:

A. The Grantors covenant for themselves, their legal representatives, successors and assigns, that the Premises will, at all times, be held, used, and conveyed in their entirety and subject to, and not used in violation of, the following restrictions as said restrictions may be limited or affected by the provisions of Paragraph B below:

(1) The fee simple owner of the above described land shall not subdivide, develop construct on, sell, lease or otherwise improve the Premises for uses that result in rendering the Premises no longer agricultural land;

(2) No use shall be made of the Premises, and no activity shall be permitted or conducted thereon which is or may be inconsistent with the perpetual protection and preservation of the land as agricultural land. No activity shall be carried on which is detrimental to the actual or potential agricultural use of the Premises, or detrimental to soil conservation, or to good agricultural management practices;

(3) Said development rights are considered and deemed dedicated to the State of Connecticut in perpetuity in accordance with Chapter 422a of the Connecticut General Statutes.

B. Notwithstanding any provision of this instrument to the contrary, the Grantors for themselves, their legal representatives, successors and assigns, hereby reserve all other customary rights and privileges of ownership including:

"No Conveyance Tax collected

*Rudolph C. [Signature]*  
Town Clerk of Mansfield"

- (1) the right to privacy;
- (2) the right to carry out regular agricultural practices;
- (3) the right to conduct the uses defined in Subsection (g) of Section 1-1 of the Connecticut General Statutes;

→ (4) the rights of the fee owner of the premises to develop, construct on, sell the Premises in its entirety, lease or otherwise improve the Premises to preserve, maintain, operate or continue the Premises as agricultural land, including but not limited to construction thereon of (a) residences for persons directly incidental to farm operation and buildings for animals, (b) roadside stands and farm markets for sale to the consumer of food products and ornamental plants, (c) facilities for the storage of equipment and products or processing thereof, or (d) such other improvements, activities and uses thereon as may be directly or incidentally related to the operation of the agricultural enterprise, as long as the acreage and productivity of arable land for crops is not materially decreased and due consideration is given to the impact of any decrease in acreage or productivity of such arable land upon the total farm operation, provided, however, that new construction or modification of an existing farm building necessary to the operation of the farm on prime farmland, as such term is defined by the United States Department of Agriculture, on the Premises, shall be limited to not more than five percent of the total of such prime farmland;

(5) the rights of the fee owner of the Premises to provide for the extraction of gravel or like natural elements for purposes directly or incidentally related to the operation of the agricultural enterprise or;

(6) the rights of the fee owner of the Premises to the existing water and mineral rights, exclusive of gravel, except that no extraction or removal of minerals by any surface mining method shall be permitted. Furthermore, retention of such mineral rights is made subject to the purposes and provisions of Paragraph A(2), above. Grantors, their heirs, successors and assigns, shall notify the Commissioner of Agriculture of any proposed sub-surface extraction or removal of minerals, or construction on the Premises. Such notification shall be made on a form provided by the Commissioner.

The Commissioner of Agriculture may enter upon the Premises, at all reasonable times, for the purpose of determining compliance with the provisions of the conveyance and of Chapter 422a.

Grantee, its successors and assigns, shall have the right to enforce the restrictions contained in this conveyance by appropriate legal proceedings, including but not limited to, the right to require the restoration of the property to its condition at the time of the conveyance, as modified by any uses and alterations permitted under this conveyance.

TO HAVE AND TO HOLD the above granted DEVELOPMENT RIGHTS, unto it, the said Grantee, its successors and assigns forever, to its and their own proper use and behoof.

AND ALSO, the said Grantors do for themselves, their heirs, executors, successors, assigns and administrators, covenant with the said Grantee, its successors and assigns, that at and until the ensembling of these presents, it is well seized of the Premises, as a good indefeasible estate in FEE SIMPLE: and form as above written; and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.



## FIRST PIECE:

MAP REFERENCE:

"PROPERTY OF RUSSELL W. AND PHYLLIS MARTIN, BROWNS ROAD, MANSFIELD, CONNECTICUT. DATE: FEB. 17, 1988, SCALE: 1"=100', SHEET 1 OF 2, BY KANHU & PRONOVOST ASSOC., INC."  
Said map is about to be recorded in the Mansfield Land Records.

Beginning at a point in the easterly street line of Browns Road, said point being the southwesterly corner of N/F Dorothy C. Goodwin;

Thence  $S75^{\circ}-00'-40''E$  along said Goodwin a distance of 495.79' to a point;

Thence  $N61^{\circ}-54'-30''E$  along said Goodwin a distance of 440.36' to a point in the westerly property line of N/F Russell C. Slate et al.;

Thence  $S21^{\circ}-42'-36''E$  a distance of 438.79' to a point;

Thence  $S35^{\circ}-54'-25''E$  a distance of 169.13' to a point;

Thence  $S40^{\circ}-03'-50''E$  a distance of 441.50' to a point;

Thence  $S41^{\circ}-43'-10''E$  a distance of 221.04' to a point;

Thence  $S35^{\circ}-11'-50''E$  a distance of 111.72' to a point;

Thence  $S01^{\circ}-08'-40''E$  a distance of 339.00' to a point;

Thence  $S18^{\circ}-53'-49''E$  a distance of 68.23' to a point;

Thence  $S65^{\circ}-31'-30''W$  a distance of 679.15' to a point;

Thence  $S67^{\circ}-11'-00''W$  a distance of 310.41' to a point in the northeasterly property line of N/F Willard J. Stearns & Sons, Inc.;

Thence  $N36^{\circ}-01'-30''W$  along N/F Willard J. Stearns & Sons, Inc., a distance of 1281.03' to a point;

Thence  $N70^{\circ}-46'-33''E$  along N/F Russell W. Martin et al, a distance of 49.08' to a point;

Thence  $N36^{\circ}-01'-30''W$  along said Martin a distance of 267.44' to a point in the easterly street line of Browns Road;

Thence running northerly on a curve to the left having a radius of 445.00' and an arc length of 232.91' to a point;

Thence  $N02^{\circ}-58'-48''E$  a distance of 135.54' to a point;

Thence running northerly on a curve to the right having a radius of 1223.73' and an arc length of 245.33' to the point and place of beginning. The last 3 courses being along the easterly street line of Browns Road.

The above described parcel contains 46.764 acres.

**TOWN OF MANSFIELD  
OFFICE OF PLANNING AND DEVELOPMENT**

GREGORY J. PADICK, DIRECTOR OF PLANNING

---

Memo to: Mansfield Planning and Zoning Commission  
From: Gregory Padick, Director of Planning  
Date: 4/15/10  
Re: 4/14/10 Draft Revisions to the Zoning Map and Zoning and Subdivision Regulations



Please find attached 4/14/10 draft revisions to the Zoning Map and Zoning and Subdivision Regulations. The draft revisions would:

1. Rezone the existing Industrial Park zone into three (3) separate zone classifications (Pleasant Valley Residence Agriculture zone, a new Pleasant Valley Commercial Agriculture zone and RAR-90 Zone) and incorporate associated regulation revisions;
2. Revise existing regulations to enhance the protection of aquifers and areas adjacent to public water supply wells; and
3. Revise existing regulations to specify that invasive plant species as listed by the State Department of Environmental Protection are not to be used.

The draft revisions were reviewed and refined at the 4/13/10 PZC Regulatory Review Committee and are considered ready for PZC consideration and the scheduling of a public hearing. June 7<sup>th</sup> has been tentatively identified as an appropriate public hearing date. If the Commission considers the draft revisions ready for public hearing the following motion should be considered:

**\_\_\_\_\_ MOVE \_\_\_\_\_ seconds, that a public hearing be scheduled for June 7, 2010 to hear comments on the attached 4/14/10 draft revisions to the Zoning Map and Zoning and Subdivision Regulations. The draft regulations shall be specifically referred to the Town Attorney, WINCOG Regional Planning Commission, adjacent municipalities, Town Council, Zoning Board of Appeals, Conservation Commission, Open Space Preservation Committee, Agriculture Committee and Design Review Panel.**

PAGE  
BREAK

## April 14, 2010 Draft

### Proposed Revisions to Mansfield's Zoning Map and Zoning 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 revisions.)

#### **A. Proposed Zoning Map revisions (depicted on attached map):**

1. Rezone land south of Pleasant Valley Road and east of the Flood Hazard Zone containing Conantville Brook from Industrial Park (IP) to a Pleasant Valley Residence/Agriculture (PVRA) zone classification;
2. Rezone land south of Pleasant Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook from Industrial Park (IP) to a new Pleasant Valley Commercial/Agriculture (PVCA) zone classification;
3. Rezone all areas west of Mansfield Avenue that are zoned Industrial Park (IP) to a Rural Agricultural Residence-90 (RAR-90) zone classification.

*Explanatory Note: These zone changes are designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, to address potential health, safety and neighborhood compatibility issues and to address goals, objectives and recommendations contained in Mansfield's Plan of Conservation and Development.*

#### **B. Proposed Zoning Regulations revisions:**

1. Revise Article II, Section A as follows:
  - a. Delete IP (Industrial Park zone) from the current listing of zones:
  - b. Add PVCA (Pleasant Valley Commercial/Agriculture zone) to the current listing of zones:

*Explanatory Note: These revisions are associated with and tied to the proposed Zoning Map revisions listed in Item A above, and the fact that there is no existing Professional Office 2 zones.*

2. Revise Article II, Section B as follows:
  - a. Delete IP Industrial Park from the current listing of "Design Development" Districts;
  - b. Add PVCA Pleasant Valley-Commercial/Agriculture zone to the current listing of "Design Development" Districts.

*Explanatory Note: These revisions are associated with and tied to the proposed Zoning Map revisions listed in A above and the fact that there is no existing Professional Office 2 zones.*

3. Revise Article VII, subsections A.2. and A.4 as follows:
  - a. Replace "Industrial Park" with "Pleasant Valley Commercial Agriculture" Zone in line 3 of subsection A.2.c
  - b. Replace "Industrial Park" with "Pleasant Valley Commercial Agriculture" Zone in lines 1 and 6 of subsection A.4

*Explanatory Note: These revisions are associated and tied to the proposed Zoning Map revisions listed in A above.*

4. Revise Article VII, Section K.1. to replace “and” with “and/or” in line 3.

*Explanatory Note: This revision reflects the fact that the new area that is proposed to be rezoned from Industrial Park to Pleasant Valley Residence Agriculture historically did not authorize residential uses.*

5. Delete Article VII, subsection U, “Uses Permitted in the Industrial Park Zone” in its entirety, add a new Article VII, Subsection U “Uses Permitted in the Pleasant Valley Commercial/Agriculture Zone” (land south of Pleasant Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook) and, as necessary, revise zoning cross-references to subsections of Article VII.

The new Article VII, Subsection U shall read as follows:

**U. Uses Permitted in the PVCA (Pleasant Valley Commercial/Agriculture Zone (Land south of Pleasant Valley Road and east of Mansfield Avenue))**

1. Intent

The PVCA zone has been established with special provisions for a distinct area of Mansfield located south of Pleasant Valley Road between Mansfield Avenue and the Flood Hazard Zone containing Conantville Brook. This area has been zoned for decades for intensive industrial and commercial use, but it has remained primarily agricultural. This area is no longer considered appropriate for intensive industrial and commercial use due to access limitations, special agricultural, floodplain, wetland, and aquifer characteristics that warrant protection and preservation, site visibility and scenic character, neighboring agricultural and residential uses and other Plan of Conservation and Development goals, objectives and recommendations. Due primarily to the fact that this area is one of a very limited number in Mansfield that have access to public sewer and water systems, some lower intensity industrial and commercial uses are considered appropriate for portions of this district, but only if designed, constructed, and utilized in a manner compatible with Plan of Conservation and Development recommendations and neighboring land uses. Accordingly, the PVCA zone is subject to special provisions designed to preserve significant areas of prime agricultural land, to protect important natural and scenic resources, and to address other important regulatory objectives.

2. General

The uses listed below in Sections K3 and K4 and associated site improvements are permitted in the PVCA zone, provided:

- a. Any special requirements associated with a particular use are met;
- b. Except as noted below, all uses permitted in the PVCA zone shall be served by adequate public sewer and water supply systems. On a case-by-case basis the Planning and Zoning Commission shall have the right to authorize the use of onsite sanitary waste disposal and/or water supply systems for permitted uses provided it is documented to the Commission’s satisfaction that there is a low risk of aquifer contamination or other health, safety or environmental problems.
- c. Applicable provisions of Article X, Section A (Design Development Districts) and Article VI, Sections A and B (Performance Standards) are met: and
- d. With the exception of those uses included in K.4 below, special permit approval is obtained in accordance with the provisions of Article V, Section B for any of the activities delineated in Article VII, Section A.2.

Article VII, Sections A.3., A.4 and A.5 also include or reference provisions authorizing the Zoning Agent to approve certain changes in the use of existing structures or lots and authorizing

the PZC Chairman and Zoning Agent to approve minor modifications of existing or approved site improvements. All changes in use in the PVCD zone require Planning and Zoning Commission approval in accordance with the provisions of Article VII, Section A.4.

3. Categories of Permitted Uses in the Pleasant Valley Commercial/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B. and Applicable Provisions of Article X, Section A.
  - a. Research and development laboratories and related facilities and the production, processing, assembly and distribution of prototype or specialized products which require a high degree of scientific input and on site technical supervision. Specialized products that may be authorized include but shall not be limited to the following: precision mechanical and electronic equipment; business machines; computer components; optical products; medical, dental and scientific supplies and apparatus; and precision instruments;

All genetic or bio-engineering research or development activities and the creation of biogenetic products are limited to those permitted in bio-safety level 1 and 2 (BL-1 and BL-2) laboratories as per the current "Guidelines" of the National Institutes of Health regarding research involving recombinant DNA molecules. The keeping and utilization of small animals for scientific purposes is authorized, provided the animals are kept in an enclosed portion of a building located on the subject lot or in areas specifically approved by the Planning and Zoning Commission;
  - b. Commercial printing and reproduction services and the industrial production, processing, assembly and/or distribution of products not specified in Section 3a above, provided the nature, size and intensity of the proposed use complies with environmental, traffic safety, neighborhood impact and all other special permit approval criteria;
  - c. Business and Professional Offices;
  - d. Repair services for electronic and mechanical equipment, office equipment, home appliances, bicycles and recreational equipment and similar uses;
  - e. Commercial recreation facilities, such as tennis clubs and physical fitness centers;
  - f. Radio, television and other communication facilities but excluding communication towers or other structures that exceed the maximum height provisions for the PVCA zone;
  - g. Veterinary hospitals and commercial kennels boarding or breeding two or more animals provided potential noise impacts are addressed in association with the required Special Permit application;
  - h. Repair services for agricultural and commercial vehicles, machinery and equipment and automobile and truck repair services but auto salvage operations are not permitted;
  - i. State licensed group daycare homes or state licensed childcare centers as defined by State Statutes;
  - j. Permanent retail sales outlets for agricultural and horticultural products, provided all the standards and requirements of Article VII, Section G. 13 are met;
  - k. Other commercial agricultural operations (any agricultural or horticultural use that is not authorized by other provisions of these Regulations).
  - l. Accessory retail sales and accessory storage and warehousing for any permitted use authorized within Section 3.

4. Uses Which May be Authorized in the Pleasant Valley Commercial/Agriculture Zone by the Zoning Agent:
  - a. Agricultural and horticultural uses such as the keeping of farm animals, field crops, orchards, greenhouses, accessory buildings, etc., provided the provisions of Article VII, Sections G.13 through G.15 are met;
  - b. Dwelling units for property owners, managers, caretakers, or security personnel associated with a permitted agricultural use provided all residential structures are located on the same lot as the agricultural use.
  - c. Accessory cafeterias or retail shops conducted primarily for the convenience of employees, provided the use is located within a building and there are no advertising or exterior displays.

*Explanatory Note: These revisions are associated and tied to the proposed zoning map revisions listed in item A above. This section proposes new permitted use provisions consistent with the intent provisions for the PVCA zone.*

6. Revise Article VIII, Section A, Schedule of Dimensional Requirements, as follows:
  - a. Delete from the Schedule the existing row for the IP.
  - b. Add in the Zone Column "PVCA" to the row containing PVRA (all existing provisions in this row also shall apply to the PVCA Zone). The revised rows shall read as follows:

ZONE	MINIMUM LOT AREA/ACRES	MINIMUM LOT FRONTAGE/FT	MIN. FRONT SETBACK LINE (IN FEET)	MIN. SIDE SETBACK LINE (IN FEET)	MIN. REAR SETBACK LINE (IN FEET)	MAXIMUM HEIGHT	MAXIMUM BUILDING GROUND COVERAGE
	See Notes (3) (4) (18)	See Notes (4)(6)(7)(13)(16)	See Notes (4)(8)(9)(15)(16) (17)	See Notes (4)(10)(11)(15)(16) (17)	See Note (4)(15)(16) (17)	See Note (14)	
PVRA PVCA see note 1	25 ACRES	200	See footnote 17	See footnote 17	See footnote 17	40	25%

- c. Revise existing foot note 13 on the Schedule of Dimensional Requirements to read as follows:
      13. Lot frontage requirements for business and ~~[industrial]~~residential uses within specified ~~[business and industrial]~~ zones may be waived by the Planning and Zoning Commission for private roads, provided special permit approval is obtained (see Article VIII, Section B.3.d)

*Explanatory Note: These revisions are associated and tied to the proposed zoning map revisions listed in item A above. The proposed 25 acre minimum lot size proposal is designed to help ensure that Plan of Conservation and Development recommendations, particularly those tied to agricultural land preservation, are not undermined by smaller, uncoordinated developments. Existing regulations would allow larger projects to be built in smaller phases.*

7. Revise Article VIII, subsection B.3.a, B.3.b, B.3.c, and the first paragraph of B.3.d to read as follows:
  3. **[Business and Industrial Exceptions]/[Special Dimensional Requirements]**
    - a. **Setback from Residential Zones** - In the [IP and] RD/LI zone[s], a minimum setback of 150 feet is required between all new industrial or research buildings and residential zone boundary lines. This setback may be reduced by the Commission due to physical characteristics, the nature of proposed landscape and buffer plans or the character of existing land uses.

- b. **Lot Coverage** - Except as noted below, the total ground area coverage of buildings and parking areas in the [IP and] RD/LI Zone[s] shall not exceed 50 percent of the total lot area. Provided all other requirements of these Regulations are met, this coverage limit can be increased to 75 percent for projects directly associated with a program that permanently preserves large tracts of open space or agricultural land.
- c. **Gate Houses/Security Structures** - In the [IP and] RD/LI Zone[s], the Commission may reduce or waive front or side line setbacks for gatehouses and security structures other than residences.
- d. **Lots on Private Roads** - Provided the standards noted below are met and provided special permit approval is obtained in accordance with Article V, Section B, the Commission may allow lots to be created off of private roads [for business and industrial uses] in the following zones: B; PB-1, PB-2, PB-3, PB-4, PB-5, NB-1, NB-2, PO-1, I, [IP] PVCA, PVRA and RD/LI. This regulation allows, under specific standards, lots to be created without frontage on a Town or State road.

(Note: Subsections 3.d.1 through 6 shall remain in effect.)

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

8. Revise Article VIII, subsection C.2 to read as follows:

**2. Business**

In all Business, [Industrial] and Institutional (PB-1 through 5, NB-1 and 2, B, PO-1 [IP], RD/LI and I) zones, each new building shall have a minimum of 500 square feet of floor area on the ground level.

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

9. Revise Article X, Section A.1 as follows:

- a. Delete IP-Industrial Park from the listing of Design Development Districts.
- b. Add PVCA-Pleasant Valley Commercial/Agriculture Zone to the listing of Design Development Districts.

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

10. Revise Article X., Section A.2.c to delete in line 10 "Industrial park or" and to change "an" to "a".

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

11. Revise Article X, Section A.4.e to delete in line 11 "IP and" and to change "zones" to "zone".

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

12. Revise Article X, Section A.4.h to delete in line 3 "IP or"

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

13. Revise existing Article X, Section A.8 to delete "Industrial Park (IP) and" in the title line of this subsection and to delete references to "IP or" in line 1 of subsection 8a and 8c.

*Explanatory Note: These revisions are associated and tied to proposed zoning map revisions listed in item A above.*

14. Revise Article X, Section A.9 (Special Provisions for the Pleasant Valley Residence Agriculture (PVRA) Zone) to read as follows:

a. Delete existing subsection 9.b and replace it with a new Subsection 9.b. to read as follows:

**b. Agricultural Land Preservation Requirements**

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to fifty (50) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than fifty (50) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as “prime agricultural” by the Natural Resources Conservation Service. The location of the agricultural acreage to be preserved shall be determined by the Commission and may be on other land under the control of the applicant. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land that will retain agricultural value, complement existing and proposed land uses and enhance adjacent and nearby agricultural land. Based on information reviewed prior to the adoption of this regulation, the following area should be considered for agricultural land preservation:

- Land immediately south of Pleasant Valley Road between Mansfield City Road and the Flood Hazard Zone containing Conantville Brook.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. In addition, the Commission shall have the authority to recommend and facilitate the transferral of agricultural land to be transferred in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission.

b. In Subsection 9.c. delete “open space/recreational facilities” in lines 2 and 3.

c. Add a new subsection 9.f. to read as follows:

**f. Open Space/Recreation Facilities**

The Commission shall have the authority to require appropriate open space and recreation facilities for all residential developments. The size and location of any required open space and the degree of any required improvement shall take into account the size and location of the agricultural land to be preserved pursuant to subsection 9.b. (above) and the size and nature of the residential development. In situations where the agricultural land preservation requirements

of Section 9.b (above) have been addressed suitably, any additional acreage that may be required to meet this provision shall be limited to acreage needed to provide specific recreational improvements. As a general guide, for developments with fifty (50) or more dwelling units, the Commission may require multi-use ball fields, tennis courts, and/or playgrounds. For smaller projects, trails, garden areas, and multi-use lawn areas may be considered adequate to meet this requirement. Detailed plans and specifications for proposed or required open space and recreational improvements shall be shown on project plans. Whenever possible and appropriate, active recreational facilities shall be screened from residences, driveways, streets, and parking areas.

d. Add a new subsection 9.g. to read as follows:

g. **PVRA Design Criteria**

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Residence Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan (depicting future buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components) and associated design guidelines for the entire area. When required, this information shall be submitted in association with the initial special permit application. The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.
2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of five hundred (500) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 9.b) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.
3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside

the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

*Explanatory Note: These revisions are associated and tied to the proposed zoning map revisions listed in Above. The revisions in this section are designed to clarify and update agricultural preservation provisions and incorporate appropriate open space/recreational and design criteria requirements for the PVRA zone.*

15. Add a new Article X, Section A.10 to read as follows:

**10. Special Provisions for the Pleasant Valley Commercial/Agriculture (PVCA) zone**

**a. Water and Sewer Facilities**

Except as noted below, all proposed developments in the PVCA 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.

**b. Building Height Requirements**

No building shall exceed three stories or a height of 40 feet.

**c. Distance Between Structures**

Except as noted below, the distance between any two structures shall be no less than fifty (50) feet. The Commission may vary this spacing requirement when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**d. Courtyards**

Except as noted below, courts enclosed on all sides shall not be permitted and no open court shall have a length or width less than fifty (50) feet. The Commission may vary these requirements when it determines that such variations will enhance the design of the project without significantly affecting either emergency or solar access.

**e. Parking**

Required parking spaces shall not be allowed on any street or internal roadway and shall be set back a minimum of 10 feet from principal buildings. All spaces shall comply with the parking provisions of Article X, Section D and other dimensional requirements of these Regulations.

**f. Agricultural Land Preservation Requirements**

Pursuant to the Plan of Conservation and Development recommendations, the Commission shall have the authority to require up to fifty (50) percent of the prime agricultural acreage on a subject property to be permanently preserved for agricultural use. This agricultural dedication provision may be addressed prior to any development, in association with an initial development phase or incrementally, over a series of phases or developments. However, in applying this provision, cumulatively no more than fifty (50) percent of the prime agriculture acreage of a property in existence at the time this regulation is adopted shall be required to be permanently preserved for agricultural use.

As utilized in this provision, prime agricultural acreage shall be those areas that have been cultivated or otherwise used for agricultural purposes and/or those areas with soils that are classified as “prime agricultural” by the Natural Resources Conservation Service. The location of the agricultural acreage to be preserved shall be determined by the Commission and may be on other land under the control of the applicant. All property owners and prospective developers are encouraged to work with the Commission to identify an appropriate location(s) for preserved agricultural land that will retain agricultural value, complement existing and proposed land uses and enhance adjacent and nearby agricultural land. Based on information reviewed prior to the adoption of this regulation, the following area should be considered for agricultural land preservation:

- Land immediately south of Pleasant Valley Road.

To ensure the permanent preservation of designated agricultural land, conservation easements, approved by the Commission, shall be filed on the Land Records. In addition, the Commission shall have the authority to recommend and facilitate the transfer of agricultural land in title to the Town of Mansfield or an acceptable organization dedicated to agricultural preservation. Agricultural easement areas shall be monumented with iron pins and Town Conservations easement markers shall be placed every 50 to 100 feet around the perimeter boundary of the easement area. The Town Markers shall be placed on trees, fences, four (4) inch cedar posts or other structures acceptable to the Commission.

**g. PVCA Design Criteria**

To promote the retention and enhancement of the agricultural and scenic character of the Pleasant Valley Commercial Agriculture Zone, all new developments shall be designed to preserve and, as appropriate, enhance existing views and vistas from adjacent and nearby roadways and neighboring properties. Developments consisting of more than one structure shall exhibit a high degree of coordination in site planning, architectural design, site design and site detailing. All physical components shall be designed to complement an overall plan. In addition to addressing all applicable provisions of the Architectural and Design Standards contained in Article X, Section R of these regulations, all development shall address the following design criteria:

1. In the event the area zoned Pleasant Valley Residence Agriculture situated south of Pleasant Valley Road is developed in more than one phase or by more than one developer, all design components (including site layout, building layout and building design, and landscaping, lighting and other site improvements) shall be compatible and designed to complement an overall plan. To help ensure compliance with this requirement, the Commission shall have the authority to require the submission of a conceptual master plan (depicting future buildings, roadways/driveways, walkways, service areas, public sewer and water lines, storm water facilities, agricultural preservation areas and other site development components) and associated design guidelines for the entire area. When required, this information shall be submitted in association with the initial special permit application. The Commission shall have the right to approve conditions regulating the development of future phases and ensuring that this provision has been addressed.
2. All new buildings and structures and all associated parking, loading and waste disposal or storage areas shall be located a minimum of five hundred (500) feet from Pleasant Valley Road and appropriately screened. The Commission shall have the right to reduce this locational requirement based on individual site characteristics, the specific proposed use and

the specific development design. This locational requirement is designed to help preserve existing agricultural land immediately south of Pleasant Valley Road (see Section 10.f) and to minimize incompatible visual impacts, particularly from Pleasant Valley Road, Mansfield City Road north of Pleasant Valley Road and from Stearns Road.

3. New buildings shall be designed to minimize mass by utilizing smaller visual components through the use of projections, recesses, varied façade treatments, varied roof lines and pitches, and where appropriate, variations in building materials and colors;
4. Site specific landscape and lighting plans shall be designed by qualified professionals and implemented to reduce visual impact, minimize light spill (undesirable light that falls outside the area of intended illumination) and promote compatibility with neighboring agricultural and residential uses.

*Explanatory Note: These revisions are associated and tied to the proposed zoning map revisions listed in A above. This section proposes new provisions consistent with the intent for the PVCA zone as described in item 5 (proposed Article VII Subsection U).*

April 14, 2010 DRAFT

Proposed Revisions to the Zoning and Subdivisions Regulations;  
Aquifer and Public Water Supply Well Protection

(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 revision)

A. Proposed Zoning Regulation Revisions:

1. Revise Article V, Section A.3. as follows:

a. Revise subsection d.10 to read as follows:

Watercourses, swamps and other water related features, specifically including, regulated inland wetlands, flood hazard areas, state designated channel encroachment lines and identified aquifers on the site or [adjacent to] within 500 feet of the site. For more information on flood hazard areas see Article X, Section E and Article IV (definition of flood hazard area). For more information on aquifer areas see Article VI, Section B.4.m.

b. Revise subsection d.12 to read as follows:

Waste disposal and water supply facilities, including the locations and findings of all test pits, borings and percolation tests, and the location of public drinking water wells within 500 feet of the site.

c. Revise subsection g to read as follows:

**Other information:** Dependent on the nature of the proposal, the Commission shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and performance standards. Such information may include but shall not be limited to: traffic impact analysis, including specific information on how construction traffic will be regulated, routed and monitored; aquifer, watershed and flooding data; drainage calculations and documentation of necessary drainage rights or easements; environmental and neighborhood impact analysis; erosion and sedimentation control plans, future plans for adjacent land under the control of the subject applicant or owner; information on homeowner or property-owner associations; maintenance provisions; estimates of site improvements costs, and bonding agreements.

2. Revise Article V, Section A.5.d. to read as follows:

The proposal has made safe and suitable provisions for water supply, waste disposal, flood control, fire and police protection, the protection of the natural environment, including air quality and surface and groundwater quality and the protection of existing aquifers and existing and potential public water supplies, cemeteries, historic structures and other features of historic value;

3. Revise Article V, Section B.3.g. to read as follows:

**Other information:** Dependent on the nature of the proposal, the Commission shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and performance standards. Such information, which through other provisions of these regulations may be required for particular uses, may include but shall not be limited to: architectural plans of all proposed buildings, structures and signs, including exterior elevations, floor plans, perspective drawings and information on the nature and color of building

**April 14, 2010 DRAFT**

**Proposed Revisions to the Zoning and Subdivisions Regulations;**  
**Aquifer and Public Water Supply Well Protection**

materials; traffic studies; aquifer, watershed and flooding data; drainage calculations and documentation of necessary drainage rights or easements; environmental and neighborhood impact analysis; erosion and sedimentation control plans; future plans for adjacent land under the control of the subject applicant or owner; information on homeowner or property owner associations; maintenance provisions; estimates of site improvement costs and bonding agreements.

4. Revise Article V, Section B.4.m. to read as follows:

**Aquifer Areas** - To prevent or minimize detrimental effects on the groundwater quality within aquifer areas, which are existing or potential sources of [large] significant quantities of potable water, land use activities on or within 500 feet of identified aquifer areas must be carefully reviewed and appropriately regulated. Accordingly, the following requirements shall apply to all land use activities on or within [primary or secondary recharge areas] 500 feet of aquifer areas as identified in Mansfield's Plan of Conservation and Development, Mansfield's Water Supply Plan, an October, 1979 map entitled GROUNDWATER RECHARGE AREAS, prepared by the Connecticut Area-wide Waste Treatment Management Planning Board, sheets 40, 41, 55 and 56, (on file in the Mansfield Planning Office and the Town Clerk's Office), [as may be modified by new] and any additional information obtained from the State Department of Environmental Protection, [the Tolland County Soil and Water Conservation District,] federal agencies or on-site investigation [meeting the standards of the U.S. Geological Survey].

1. No commercial or industrial land use and no residential land use involving three or more dwelling units, which utilizes an on-site waste disposal system, shall be permitted unless it can be demonstrated to the satisfaction of the Planning and Zoning Commission that the waste disposal system discharges will not contaminate aquifer recharge areas. As deemed [necessary] appropriate, the proposed land use shall be referred to the Mansfield Health Officer, the Mansfield Conservation Commission and the State Departments of Health and Environmental Protection for review comments. A written report from the owner-developer's sanitary engineer and/or geologist or other qualified professional, detailing the system design, the physical characteristics of the area, existing land uses in the area, and potential short-term and cumulative impacts on identified aquifer areas, shall be submitted to the Commission.
2. No underground fuel or chemical storage tanks shall be permitted, except after review and approval of the Mansfield Building Inspector and Fire Marshal. Where Planning and Zoning Commission approval is required for the subject use, all underground storage tanks must also be approved by the Commission. All such tanks and pipe connections shall be designed and constructed to prevent accidental contamination of groundwater. All storage tank facilities shall be designed and installed in conformance with [the] all applicable provisions of [Section 29-62 of] the State Statutes and regulations, and the standards of Underwriters Laboratories, Inc. and the National Fire Prevention Association. [The recommended standards contained in the November 1979 report of the Area Waste Treatment Management Planning Board entitled: A GUIDE TO GROUNDWATER AND AQUIFER PROTECTION (copy on file in the Mansfield Planning Office) shall also be considered.]
3. All agricultural operations must employ best management practices, as recommended by the State Department of Environmental Protection and the USDA Natural Resources Conservation Service [Tolland County Soil and Water Conservation District], for the application of manure, fertilizer or pesticides and the management of animal wastes.
4. No road salt storage and loading facilities shall be permitted except after review and approval of the State Department of Environmental Protection. Where authorized, adequate measures must be taken to prevent groundwater contamination and to detect potential contamination problems.

**April 14, 2010 DRAFT**

**Proposed Revisions to the Zoning and Subdivisions Regulations;  
Aquifer and Public Water Supply Well Protection**

5. All commercial, industrial or multi-family developments and other land uses with cumulatively more than 1/2 acre of impervious surface shall incorporate best management practices for storm water [management] controls in accordance with State Department of Environmental Protection Best Management Guidelines, [such as oil/water separators and infiltration structures] and shall prohibit or restrict the use of salts and chemicals for ice removal in order to minimize the risks of ground water contamination. A storm water management plan detailing proposed provisions shall be submitted for Commission approval.
6. All land uses involving the maintenance of lawns, fields and landscaped areas shall incorporate-rate landscape management plans regarding the use of fertilizers, pesticides, and other organic or chemical applications to minimize the risks of groundwater contamination. A landscape management plan detailing proposed provisions shall be submitted for Commission approval.

**B. Proposed Subdivision Regulation Revisions:**

1. Revise Section 5.2 to add a new subsection h. to read as follows (existing subsection h - m to be re-lettered i - n):
  - a. Aquifer areas and public drinking water wells on or within 500 feet of a site.
2. Revise Section 6.5 as follows:
  - a. Add a new subsection h to read as follows (existing subsection h - s to be re-lettered i - t):
    - h. Aquifer areas and public drinking water wells on or within 500 feet of a site.
  - b. Revise existing subsection i.5 (to be re-lettered 6.5.j.5) to read as follows:
    5. Soil delineations and symbols as per the current U.S.D.A. Natural Resources Conservation Service Soil Survey for Tolland County. Prime farmland soils and stratified drift aquifer areas shall be [delineated] specifically identified and clearly labeled.
3. Revise Section 7.1 Subsections b and c to read as follows:
  - b. The protection of existing and potential public water supply wells and ground water and surface water quality through appropriate design and installation of sanitary systems, drainage facilities, and other site improvements;
  - c. The protection and enhancement of natural and manmade features, including aquifer areas, agricultural lands, hilltops or ridges, expanses of valley floors and features along existing roadways and scenic views and vistas on and adjacent to the subdivision site;
4. Revise Section 7.2 a and b to read as follows:
  - a. Property boundaries, site topography soil types, natural and manmade features and scenic views and vistas should be delineated: (see provisions of 6.5.b through [i]j);
  - b. Significant natural and manmade features, including aquifer areas, agricultural lands, hilltops or ridges, expanses of valley floors and features along existing roadways and scenic views and vistas and adjacent to the subdivision site, and scenic views and vistas and appropriate buffer areas should be incorporated into proposed open space areas.

**April 14, 2010 DRAFT**

**Proposed Revisions to the Zoning and Subdivisions Regulations;  
Aquifer and Public Water Supply Well Protection**

5. Revise Section 7.4.a.5 to read as follows:

5. The site's location with respect to the Willimantic Reservoir Watershed, existing public water supply wellfields or [stratified drift] aquifer areas that may serve as future public water supply wellfields;

6. Revise Section 7.6.a. to read as follows:

a. The Commission determines that a reduction or waiver will help protect significant natural and manmade features, including aquifer areas, agricultural lands, hilltops or ridges, expanses of valley floors and features along existing roadways and/or scenic views and vistas;

7. Revise 13.1.4.b. to read as follows:

b. Protecting and conserving natural and manmade features, including aquifer areas, agricultural lands, hilltops or ridges, expanses of valley floors and features along existing roadways, and/or scenic views and vistas;

Explanatory note: The proposed revisions are designed to clarify and strengthen existing policies regarding aquifer and public water supply well protection.

## April 14, 2010 Draft

### Proposed Revisions to Mansfield's Zoning & Subdivision Regulations Re: Invasive Plant Species

(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 revisions.)

#### **A. Proposed Zoning Regulation Revisions:**

1. Revise Article V, Section A.3.d.15 to read as follows:

Existing and proposed fencing, walls, screening, buffer and landscaped areas, including the location, size and type of significant existing vegetation and unique or special landscape elements; historic features; and the location, size and type of proposed trees and/or shrubs. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used. Areas to remain as natural or undisturbed and areas to be protected through the use of conservation easements shall be identified on the site plan.

2. Revise Article VI, Section B.4.q.1 to read as follows:

**General** - All land use activities and particularly structures, parking areas and outdoor storage areas associated with commercial, industrial, or multi-family residence uses, shall include strategically placed landscape and buffer areas, which shall be designed to protect and preserve property values; to provide privacy from visual intrusion, light, dirt and noise; to prevent the erosion of soil and to provide water recharge areas; to promote pedestrian and vehicular safety; and to enhance the environmental quality and attractiveness of Mansfield.

Except where alternative uses, such as parking areas, are provided for in other sections of these regulations, all required setback areas shall either be attractively landscaped with lawns trees and shrubs or, where appropriate, left in a sightly and well kept natural state. Landscape plans submitted in conjunction with a land use application shall identify, by type, size, height and placement, all proposed landscaping and all existing landscape features to be retained. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used. All submitted landscape plans must be adequate to meet the intended aesthetic, buffer and environmental purposes. Particular attention should be given to parking and loading areas, outside storage areas and shadow patterns with respect to south wall and rooftop solar access. See Article X, Section D.16 for supplemental interior parking lot landscaping requirements and Article X, Section S for architectural and design standards.

3. Revise Article X, Section D.18 b. to read as follows:

Interior landscape areas shall contain a mix of trees, shrubs, ground covers and other plantings. At a minimum, one deciduous shade tree at least two (2) inches in caliper, shall be planted for each ten (10) parking spaces. Trees and shrubs placed within five (5) feet of paved areas shall be of a variety capable of withstanding salt damage. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used.

4. Revise Article X, Section R.4.b to read as follows:

Where appropriate, integrate existing mature vegetation into the design [and avoid the use of invasive species.] Incorporate a variety of plant species into the design and avoid monocultures. Where appropriate, integrate existing mature vegetation into the design and avoid the use of invasive species. Incorporate a variety of plant species into the design and avoid monocultures. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used.

**B. Proposed Subdivision Regulations Revisions:**

1. Revise Section 8.10 subsections e and g to read as follows:

- e. All new street trees shall be selected by the project landscape architect based on site characteristics, street design, or architecture and tree durability. Where appropriate based on site and neighborhood characteristics, native tree species should be considered. Plants identified in the current State Department of Environmental Protection Agency listing of invasive species shall not be used.
  
- g. The following list is provided as a guide for selecting durable, quality street trees. However, the Commission encourages consideration of additional trees of equivalent quality (see subsection e above). [It is recommended that street tree species that may be invasive (based on the current listing by the University of Connecticut Center for Conservation and Biodiversity) not be used.]

*Explanatory Note:*

The proposed revisions are designed to clarify and strengthen existing policies regarding invasive plant species. The regulations all uniformly refer to the State Department of Environmental protection Agency listing of invasive plant species.

*Statement to accompany list – January 2004:* This is a list of species that have been determined by floristic analysis to be invasive or potentially invasive in the state of Connecticut, in accordance with PA 03-136. The Invasive Plants Council will generate a second list recommending restrictions on some of these plants. In developing the second list and particular restrictions, the Council will recognize the need to balance the detrimental effects of invasive plants with the agricultural and horticultural value of some of these plants, while still protecting the state's minimally managed habitats.

In May 2004, Public Act 04-203 banned a subset of the January 2004 list making it illegal to move, sell, purchase, transplant, cultivate, or distribute banned plants.

@ column indicates growth form or habitat: A = Aquatic & Wetland; G = Grass & Grass-like; H = Herbaceous; S = Shrub; T = Tree; V = Woody Vine

Explanation of symbols after Common Name:

(P) indicates Potentially Invasive (all other plants listed are considered Invasive in Connecticut)

\* denotes that the species, although shown by scientific evaluation to be invasive, has cultivars that have not been evaluated for invasive characteristics. Further research may determine whether or not individual cultivars are potentially invasive. Cultivars are commercially available selections of a plant species that have been bred or selected for predictable, desirable attributes of horticultural value such as form (dwarf or weeping forms), foliage (variegated or colorful leaves), or flowering attributes (enhanced flower color or size).

^ indicates species that are not currently known to be naturalized in Connecticut but would likely become invasive here if they are found to persist in the state without cultivation

BAN column indicates ban date: 2003 = banned under PA 03-136; 2004 = effective October 1, 2004; 2005 = effective October 1, 2005; N/A = invasive or potentially invasive plants not banned under PA 04-203; effective July 1, 2009, PA 09-52 removed the ban on water lettuce.

COMMON NAME	@	SCIENTIFIC NAME	SYNONYMS	BAN
American water lotus (P)	A	<i>Nelumbo lutea</i> (Willd.) Pers.	American lotus-lily	2005
Amur honeysuckle	S	<i>Lonicera maaackii</i> (Rupr.) Maxim.		2004
Amur maple (P)	T	<i>Acer ginnala</i> L.		N/A
Autumn olive	S	<i>Elaeagnus umbellata</i> Thunb.		2004
Bell's honeysuckle	S	<i>Lonicera X bella</i> Zabel	Belle honeysuckle	2004
Bittersweet nightshade (P)	H	<i>Solanum dulcamara</i> L.	Climbing nightshade	2004
Black locust*	T	<i>Robinia pseudo-acacia</i> L.		N/A
Black swallow-wort	H	<i>Cynanchum louiseae</i> Kartesz & Gandhi	<i>Vincetoxicum</i> or <i>Cynanchum nigrum</i>	2004
Border privet (P)	S	<i>Ligustrum obtusifolium</i> Sieb. & Zucc.		2005
Brazilian water-weed (P)	A	<i>Egeria densa</i> Planchon	Anacharis; Egeria	2003
Bristled knotweed (P)	H	<i>Polygonum caespitosum</i> Blume	Smartweed	2004
Brittle water-nymph (P)	A	<i>Najas minor</i> All.	Eutrophic water-nymph	2005
California privet (P)	S	<i>Ligustrum ovalifolium</i> Hassk.		N/A
Canada bluegrass (P)	G	<i>Poa compressa</i> L.		2004
Canada thistle (P)	H	<i>Cirsium arvense</i> (L.) Scop.		2004
Coltsfoot	H	<i>Tussilago farfara</i> L.		2004
Common barberry	S	<i>Berberis vulgaris</i> L.		2004
Common buckthorn	S	<i>Rhamnus cathartica</i> L.		2004
Common kochia (P)	H	<i>Kochia scoparia</i> (L.) Schrader	Summer cypress; Fireweed	2004
Common reed	G	<i>Phragmites australis</i> (Cav.) Trin.	Phragmites	2004
Common water-hyacinth^ (P)	A	<i>Eichhornia crassipes</i> (Mart.) Solms		N/A
Crested late-summer mint (P)	H	<i>Elsholtzia ciliata</i> (Thunb.) Hylander	Elsholtzia	2004
Crispy-leaved pondweed	A	<i>Potamogeton crispus</i> L.	Curly or Curly-leaved pondweed	2003
Cup plant (P)	H	<i>Silphium perfoliatum</i> L.		2004
Cypress spurge (P)	H	<i>Euphorbia cyparissias</i> L.		2004
Dame's rocket	H	<i>Hesperis matronalis</i> L.		2004
Drooping brome-grass (P)	G	<i>Bromus tectorum</i> L.	Cheatgrass	2004
Dwarf honeysuckle^ (P)	S	<i>Lonicera xylosteum</i> L.	European fly-honeysuckle	2005
Eulalia* (P)	G	<i>Miscanthus sinensis</i> Anderss.	Chinese or Japanese silvergrass	N/A
Eurasian watermilfoil	A	<i>Myriophyllum spicatum</i> L.		2003
European privet (P)	S	<i>Ligustrum vulgare</i> L.		N/A
European waterclover (P)	A	<i>Marsilea quadrifolia</i> L.	Water shamrock	2005
False indigo (P)	S	<i>Amorpha fruticosa</i> L.		2004
Fanwort	A	<i>Cabomba caroliniana</i> A. Gray		2003
Fig buttercup	H	<i>Ranunculus ficaria</i> L.	Lesser celandine	2004
Flowering rush (P)	A	<i>Butomus umbellatus</i> L.		2005
Forget-me-not	A	<i>Myosotis scorpioides</i> L.	True forget-me-not; Water scorpion-grass	2005
Garden heliotrope (P)	H	<i>Valeriana officinalis</i> L.	Valerian	2004
Garden loosestrife* (P)	H	<i>Lysimachia vulgaris</i> L.		2005
Garlic mustard	H	<i>Alliaria petiolata</i>	auth. = (Bieb.) Cavara & Grande	2004
Giant hogweed (P)	H	<i>Heracleum mantegazzianum</i>	auth. = Sommier & Lavier	2004

COMMON NAME	@	SCIENTIFIC NAME	SYNONYMS	BAN
Giant knotweed (P)	H	<i>Polygonum sachalinense</i>	auth. = F. Schmidt ex Maxim.; <i>Fallopia s...</i>	2004
Giant salvinia^ (P)	A	<i>Salvinia molesta</i> Mitchell complex		2005
Glossy buckthorn	S	<i>Frangula alnus</i> Mill.	European buckthorn; <i>Rhamnus frangula</i>	N/A
Goutweed	H	<i>Aegopodium podagraria</i> L.		2005
Ground ivy (P)	H	<i>Glechoma hederacea</i> L.	Run-away robin; Gill-over-the-ground	2004
Hairy jointgrass (P)	G	<i>Arthraxon hispidus</i> (Thunb.) Makino	Small carpgrass	2004
Hydrilla	A	<i>Hydrilla verticillata</i> (L.f.) Royle		2003
Japanese barberry*	S	<i>Berberis thunbergii</i> DC.		N/A
Japanese honeysuckle*	V	<i>Lonicera japonica</i> Thunb.		2005
Japanese hops (P)	H	<i>Humulus japonicus</i> Sieb. & Zucc.		2004
Japanese knotweed	H	<i>Polygonum cuspidatum</i> Sieb. & Zucc.	<i>Fallopia japonica</i>	2004
Japanese sedge^ (P)	G	<i>Carex kobomugi</i> Owhi		2004
Japanese stilt grass	G	<i>Microstegium vimineum</i>	auth. = (Trin.) A. Camus	2004
Jimsonweed (P)	H	<i>Datura stramonium</i> L.		2004
Kudzu (P)	V	<i>Pueraria montana</i> (Lour.) Merr.	<i>Pueraria lobata</i>	2004
Leafy spurge	H	<i>Euphorbia esula</i> L.		2004
Mile-a-minute vine	H	<i>Polygonum perfoliatum</i> L.		2004
Moneywort* (P)	H	<i>Lysimachia nummularia</i> L.	Creeping jenny	N/A
Morrow's honeysuckle	S	<i>Lonicera morrowii</i> A. Gray		2004
Multiflora rose	S	<i>Rosa multiflora</i> Thunb.		2004
Narrowleaf bittercress	H	<i>Cardamine impatiens</i> L.		2004
Norway maple*	T	<i>Acer platanoides</i> L.		N/A
Onerow yellowcress (P)	A	<i>Rorippa microphylla</i>	auth. = (Boenn. ex Reichenb.) Hyl. ex A. & D. Löve	2005
Oriental bittersweet	V	<i>Celastrus orbiculatus</i> Thunb.	Asiatic bittersweet	2004
Ornamental jewelweed^ (P)	H	<i>Impatiens glandulifera</i> Royle	Tall impatiens	2004
Pale swallow-wort	H	<i>Cynanchum rossicum</i> (Kleov.) Borhidi	<i>Vincetoxicum rossicum</i>	2004
Parrotfeather (P)	A	<i>Myriophyllum aquaticum</i>	auth = (Vell.) Verdc.	2005
Perennial pepperweed	H	<i>Lepidium latifolium</i> L.	Tall pepperwort	2004
Pond water-starwort (P)	A	<i>Callitriche stagnalis</i> Scop.		2005
Porcelainberry* (P)	V	<i>Ampelopsis brevipedunculata</i>	auth. = (Maxim.) Trautv.	N/A
Princess tree (P)	T	<i>Paulownia tomentosa</i>	auth. = (Thunb.) Steudel; Empress-tree	2004
Purple loosestrife	A	<i>Lythrum salicaria</i> L.		2005
Ragged robin (P)	H	<i>Lychnis flos-cuculi</i> L.		2004
Reed canary grass	G	<i>Phalaris arundinacea</i> L.		N/A
Reed mannagrass (P)	G	<i>Glyceria maxima</i> (Hartman) Holmberg	Tall mannagrass	2004
Rugosa rose* (P)	S	<i>Rosa rugosa</i> Thunb.	Beach, Salt spray, Jap., or Ramanas Rose	N/A
Russian olive (P)	S	<i>Elaeagnus angustifolia</i> L.		2004
Scotch thistle (P)	H	<i>Onopordum acanthium</i> L.		2004
Sheep sorrel (P)	H	<i>Rumex acetosella</i> L.		2004
Slender snake cotton (P)	H	<i>Froelichia gracilis</i> (Hook.) Moq.	Cottonweed	2004
Spotted knapweed	H	<i>Centaurea biebersteinii</i> DC.	<i>Centaurea maculosa</i>	2004
Star-of-Bethlehem (P)	H	<i>Ornithogalum umbellatum</i> L.		N/A
Sycamore maple (P)	T	<i>Acer pseudoplatanus</i> L.		2004
Tansy ragwort^ (P)	H	<i>Senecio jacobaea</i> L.	Stinking Willie	2004
Tatarian honeysuckle (P)	S	<i>Lonicera tatarica</i> L.		2005
Tree of heaven	T	<i>Ailanthus altissima</i> (Mill.) Swingle		2004
Variable-leaf watermilfoil	A	<i>Myriophyllum heterophyllum</i> Michx.		2003
Water chestnut	A	<i>Trapa natans</i> L.		2003
Water lettuce^ (P)	A	<i>Pistia stratiotes</i> L.		N/A
Watercress (P)	A	<i>Rorippa nasturtium-aquaticum</i>	auth. = (L.) Hayek; <i>Nasturtium officinale</i>	2005
White poplar (P)	T	<i>Populus alba</i> L.		2004
Wineberry (P)	S	<i>Rubus phoenicolasius</i> Maxim.		2004
Winged euonymus*	S	<i>Euonymus alatus</i> (Thunb.) Sieb.	Burning-bush	N/A
Yellow floating heart^ (P)	A	<i>Nymphoides peltata</i> (Gmel.) Kuntze		2005
Yellow iris	A	<i>Iris pseudacorus</i> L.		2005

**TOWN OF MANSFIELD**  
**OFFICE OF PLANNING AND DEVELOPMENT**

GREGORY J. PADICK, DIRECTOR OF PLANNING

---

Memo to: Planning and Zoning Commission  
From: Gregory Padick, Director of Planning  
Date: April 15, 2010  
Re: 8-24 Referral; 2010-11 Capital Improvements Budget



I have reviewed the proposed 2010-11 Capital Improvements Budget (attached) with respect to Plan of Conservation and Development goals and objectives. The following comments and recommendation are presented for consideration by the PZC:

- The 2010-11 Capital Budget includes a number of large projects that will primarily be funded with State and Federal grants. A majority of the other listed projects involve equipment, vehicles, maintenance of existing town facilities and funds for ongoing planning initiatives.
- The major projects included in the proposed C.I.P. are:
  - Storrs Road Improvements (\$5 million, 2 grants)
  - Storrs Center Parking Garage/Intermodal Center (\$10.6 million, 2 grants)
  - Storrs Center Phase 1 infrastructure (\$.7 Million)
  - Laurel Lane Bridge (\$1.1 million)
  - Four Corners Sewer/Water improvements (\$.33 million)
- It is noted that the current proposal does not include any additional open space funds. The Town Council is considering the addition of \$1 million which will be subject to referendum approval. The Town's Plan of Conservation and Development supports retention of the Town's Open Space Acquisition program. I am in the process of determining whether the addition of C.I.P. open space funds need to await referendum approval. I will update the PZC at Monday's meeting and, as deemed appropriate, the PZC can consider adding a recommendation in its response to the C.I.P. referral.

All of the listed projects are considered consistent with the Town's Plan of Conservation and Development. For a number of years, the PZC has responded to the 8-24 referral on the Capital Budget by noting that some projects may need approval by the PZC and/or the IWA, and that adequate time must be given for review and action. The following draft motion is based on previous PZC actions:

**That the PZC approve, subject to the condition below, the proposed 2010-11 Capital Improvement Program.**

1. **Several items are land use-regulated and may require PZC and/or IWA approvals before implementation. The PZC respectfully requests that the departments involved with land use projects coordinate plans with the Director of Planning and Inland Wetland Agent and that the Commission/Agency be given adequate time to thoroughly review and act upon final plans for all projects that require PZC or IWA approval.**

PAGE  
BREAK

# MEMORANDUM

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



To: Planning and Zoning Commission  
CC: Gregory Padick, Director of Planning  
From: Matt Hart, Town Manager *MWH*  
Date: April 7, 2010  
Re: Referral: 2010-11 Capital Improvement Budget

---

Please see the attached information regarding the above captioned matter. Please review and comment on the proposal, pursuant to your authority under Connecticut General Statutes Section 8-24.

Your assistance with this matter is greatly appreciated.

Attach: (1)

PAGE  
BREAK

## INTRODUCTION

### TOWN OF MANSFIELD CAPITAL IMPROVEMENT PROGRAM FOR FY 2010/11 TO 2014/15

What is a capital improvement program? A capital improvement program (CIP) such as that used in Mansfield and by other government entities serves as a multi-year planning instrument designed to identify needed capital projects and to coordinate the financing and timing of the improvements.

The first year of the CIP is the proposed capital fund budget. The proposed capital fund budget is reviewed and amended, if necessary, by the Council and then presented to the Town Meeting for adoption along with the general fund budget. Projects slated for subsequent years in the program are approved on a planning basis and do not receive ultimate expenditure authority until they are eventually incorporated in a capital budget. The CIP is a "rolling" process, because subsequent-year items in the initial capital program are moved up in each future year. Each project must, however, be reconsidered in subsequent years. As discussed, many of the Town's projects are really maintenance in nature and new items will appear from time-to-time. Projects can be moved up or moved back in the plan depending upon priorities and monetary constraints.

Why does the Town need a CIP? Many governments go about the process of considering and approving capital projects in an undisciplined and uncoordinated manner. Such ad hoc procedures inevitably waste public funds, fail to consider available information and sometimes result in poor project timing. Optimal results require an orderly, comprehensive process that: 1) considers all projects at a single time; and 2) produces a planning document that considers available financing sources and feasible timing. With a CIP, opportunities for public input can be enhanced, while complaints are minimized about projects that seemingly "come from nowhere."

A CIP ensures some continuity when decision makers change because of expiring terms or personnel changes. Most importantly, projects of dissimilar character are compared and evaluated by elected officials who represent the public in choosing between various facilities and services.

Can capital programming save the Town money? Investors and bond rating agencies stress the value of a CIP to a government seeking to borrow funds. In fact, a copy of the five (5) year plan is generally included in the offering statement for every bond issuance. The absence of rational, long-term planning weighs against the bond ratings issued by rating agencies. The result is a higher interest rate on bond issues sold by governments that do not document and disclose their long-term capital financing needs and plans. Thus, a government entity realizes tangible cost savings results when it utilizes capital improvement programming.

Another financial benefit from the capital programming process is the avoidance of poorly timed projects. Far too often, governments install capital facilities only to find that these facilities soon must be replaced by other installations. Good planning can ensure that these efforts are coordinated and costly duplications avoided. Finally, significant savings can accrue to taxpayers when major capital financing is coordinated so that bond issues are sold infrequently, but at good times during the economic cycle. A sound capital planning process helps to promote such practices.

Will a CIP show local government officials anything that they do not already know? Many governments have failed to engage in long-term financial planning, and are unaware of how their capital financing requirements will accumulate over future years. As a result, some jurisdictions unfortunately have deferred maintenance and capital replacement projects in order to sustain operations beyond their financial capabilities. The CIP process can help to identify financial imbalances and begin the steps necessary to assure sound, long-term operations and capital financing strategies. In some cases, the CIP process helps to identify long-term financing needs that require specific public attention in a purely financial context.

What is the relationship of the capital budget to the general fund budget? An appropriation should be included in the general fund budget annually for capital expenditures. This appropriation becomes one of several sources of funds to finance individual specific projects that are accounted for within the capital projects fund. In Mansfield that appropriation is made from the capital and nonrecurring reserve (CNR) fund.

Other sources of financing for the capital budget include state and federal grants, transfers from other funds and miscellaneous items such as a one-time sale of land, and the sale of debt.

Most elements of the capital budget will be included in the capital fund as an authorized project once approved by the voters at the annual Town Meeting. However, items to be financed from bond issues may not be included in the capital fund as an approved project until such time as a successful bond referendum is held.

In addition to the CIP, the Town of Mansfield has established the afore-mentioned CNR fund. The purpose of the CNR fund is to accumulate over a period of years a reserve out of which a portion of the capital budget can be financed. Under ideal conditions, payments would be made from the general fund using the unexpended balance of completed capital projects, and from other sources contributed to the reserve fund each year. Expenditures, on the other hand, would rise and fall with need, but over the long run would be expected to equal revenues.

Finally, the capital projects committee, which is a management committee created by the Town Manager, is responsible for developing the CIP and the CNR Budget for the coming budget year.

The CIP, submitted herewith by the capital projects committee, constitutes only a recommendation to the Town Council to undertake certain projects. Actual authorization to begin a project requires formal budgetary approval by the Council and the Town Meeting, and, in the case where the project is to be financed by the issuance of debt, a Town referendum.

In addition to presenting the updated CIP each year, the committee meets periodically during the fiscal year to review projects under construction for the purpose of comparing the actual construction costs with original estimates, as well as to ensure that the Town is completing projects in a timely manner.

The attached CIP recognizes the Town's ongoing responsibility to maintain its capital investment in facilities, equipment and infrastructure and to improve those facilities to meet the demands of a dynamic community. The program also recognizes the Town's responsibility to limit such undertakings to a level that will preserve the financial integrity of the organization. To that end, the capital projects committee supports a program that will allow for a level or decreasing combined capital and debt burden, a systematic application of "cash to capital", and the use of the CNR Fund to acquire the funds prior to meeting the costs of a capital project.

It is the conclusion of this committee that a proper mix of borrowing, "cash to capital", and savings to establish a reserve will ensure that: 1) the Town's overall debt remains well within statutory limits; 2) the Town's annual capital and debt service payments will consume a level or declining percentage of the Town's operating budget; 3) the Town's credit rating will be preserved; and 4) that funding will be available so that capital improvements can be undertaken on a timely basis.

**THIS PAGE LEFT  
BLANK INTENTIONALLY**

TOWN OF MANSFIELD  
CAPITAL FUND BUDGET SUMMARY  
2010/11

	<u>09/10</u> <u>Adopted</u>	<u>10/11</u> <u>Proposed</u>
Estimated Revenues:		
Capital Non-Recurring Reserve Fund (CNR)	\$ 395,000	\$ 365,045
Infrastructure Grant (LOCIP)	182,255	182,255
Federal and State Grants	-	17,582,100
Bonds	250,000	896,020
Lease Purchase	325,000	-
Other	165,000	49,000
	<u>\$ 1,317,255</u>	<u>\$ 19,074,420</u>

	<u>09/10</u> <u>Adopted</u>	<u>10/11</u> <u>Proposed</u>
Estimated Expenditures:		
General Government	\$ 155,000	\$ 132,000
Community Development	-	16,575,000
Public Safety	63,000	63,000
Community Services	39,300	98,300
Facilities Management	204,455	238,000
Public Works	855,500	1,968,120
	<u>\$ 1,317,255</u>	<u>\$ 19,074,420</u>

**TOWN OF MANSFIELD**  
**PROPOSED CAPITAL PROJECTS FUND BUDGET FINANCING PLAN - FISCAL YEAR 2010/11**

	Budget 2010/11	LOCIP	CNR Fund	Fed & State Grants	Mgmt Services Fund	Other Fund	Bonds
<b>General Government</b>							
Strategic Planning/Organization Develop.	30,000		30,000				
Prof & Tech Services - Storm Center Proj.	50,000		50,000				
Financial Software	52,000		52,000				
<b>Total General Government</b>	<b>132,000</b>	<b>-</b>	<b>132,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Community Development</b>							
DECD STEAP 2 - 84127	500,000			500,000			
Improv. Storms Rd/Urban - 84122	2,500,000			2,500,000			
Parking Garage/Transit Hub/Urban - 84126	10,000,000			10,000,000			
Improv. Storms Rd/Lebenman - 84124	2,250,000			2,250,000			
Storm Center Inter. Transp/Cong. Transp. - 84125	612,500			612,500			
Omnibus - 84129	712,500			712,500			
<b>Total Community Development</b>	<b>16,575,000</b>	<b>-</b>	<b>-</b>	<b>16,575,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Public Safety</b>							
<b>Fire and Emergency Services</b>							
Replacement Boal	10,000						10,000
Forestry 307 - Chassis Changeover	30,000						30,000
Upgrade to Hydraulic Rescue Equipment	18,000						18,000
Fire Ponds - 82902	5,000						5,000
<b>Total Public Safety</b>	<b>63,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>63,000</b>
<b>Community Services</b>							
Fitness Equipment	34,000					34,000	
Locker Rms. - Ventilation Improve.	20,000						20,000
Park Improvements	20,000						20,000
Playground Surfacing	5,000						5,000
Amenities - Lions Park	10,000						10,000
Restroom Building Improvements at BCP	3,000						3,000
Trail Improvements/Parking Area-Commonfields	4,000						4,000
WHIP Grants - MHP, EGVP, OSHF - 85835	2,300		2,300				
<b>Total Community Services</b>	<b>98,300</b>	<b>-</b>	<b>2,300</b>	<b>-</b>	<b>-</b>	<b>34,000</b>	<b>62,000</b>
<b>Facilities Management</b>							
<b>Town</b>							
Senior Center Roof Shingles	45,000			45,000			
Energy management system	35,000			35,000			
Maintenance shop boiler/heat piping	37,000			37,000			
Improve Security at Town Buildings	13,000						13,000
Boiler/Heating/Plumbing at Fire Stations - 82205	15,000				15,000		
Oil Tank repairs - all buildings	6,000		6,000				
<b>Education</b>							
Maintenance Projects - 86250	25,000		25,000				
Roof Repairs	12,000		12,000				
MMS Heating - Pipe Line	50,000		50,000				
<b>Total Facilities Management</b>	<b>238,000</b>	<b>-</b>	<b>93,000</b>	<b>117,000</b>	<b>15,000</b>	<b>-</b>	<b>13,000</b>
<b>Public Works</b>							
Pickup-mounted Message Sign	10,000						10,000
Small Dump Trucks & Sanders	45,000						45,000
Snowplows - 83729	5,500						5,500
Tree Replacement - 83101	5,000						5,000
Guardrails Imprv/Replace - 83510	5,000		5,000				
Road Drainage - 83401	50,000						50,000
Small Bridges and Culverts - 83302	10,000						10,000
Large Bridges (over 20 foot span) - 83303	20,000						20,000
Laurel Lane Bridge - 83309 (80% Grant)	1,112,620			890,100			222,520
Road/Resurfacing - 83524	300,000	182,255	117,745				
Engineering CAD Upgrades - 83911	15,000		15,000				
Transportation/Walkways per Town's priority listing	60,000						60,000
Four Corners Sewer/Water Imprv.(full design & permitting)	330,000						330,000
<b>Total Public Works</b>	<b>1,968,120</b>	<b>182,255</b>	<b>137,745</b>	<b>890,100</b>	<b>-</b>	<b>-</b>	<b>758,020</b>
<b>TOTAL C.I.P. 2010/11</b>	<b>\$ 19,074,420</b>	<b>\$ 182,255</b>	<b>\$ 365,045</b>	<b>\$ 17,582,100</b>	<b>\$ 15,000</b>	<b>\$ 34,000</b>	<b>\$ 896,020</b>
Stone Mill Bridge C.I.P. 2007/08							197,630
<b>Total Bonding</b>							<b>\$ 1,093,650</b>

TOWN OF MANSFIELD  
CAPITAL IMPROVEMENTS PROGRAM NARRATIVE

FY 2010/11

Strategic Planning/Organization Development - \$30,000

This appropriation will provide continued funding for the Town's strategic planning initiative, as well as professional and technical services necessary to evaluate Mansfield's current policing model as well as the projected policing needs of the Town. The police services study will help the Town to effectively address the policing needs of our growing community.

Professional & Technical Services - Storrs Center Project - \$50,000

This appropriation will provide for continued professional and technical services to assist with the assessment of the public components of the Storrs Center project, and to negotiate a development agreement between the developer and the Town, subject to Town Council approval.

Financial System Software - \$52,000

This appropriation will continue the upgrade of the Financial Application software to the Windows-based version. The current VMS operating system software has been in place for almost 13 years and is out dated. The Windows-based version will provide many productivity improvement opportunities because it is more intuitive and efficient to use. The application supports functions such as general ledger, purchasing, accounts payable, human resources, and budget so it is an important part of our operations.

DECD STEAP 2 - \$500,000

This is a State of Department of Economic and Community Development Grant under the Small Town Economic Assistance Program obtained by the Mansfield Downtown Partnership on behalf of the Town for the Storrs Center Development. This grant targets infrastructure improvements in the first phase of the development.

Improvements Storrs Road/Urban - \$2,500,000

This is a State of Connecticut Urban Action Grant obtained by the Mansfield Downtown Partnership on behalf of the Town for the Storrs Center Development. This grant will fund improvements to Route 195 (Storrs Road) in the Storrs Center Development area.

Parking Garage/Transit Hub - \$10,000,000

This is a State Department of Economic and Community Development Grant obtained by the Town for the construction of the first parking garage in the Storrs Center Development.

Improvements Storrs Road/Lieberman - \$2,250,000

This is a Federal grant obtained by the Mansfield Downtown Partnership on behalf of the Town for the Storrs Center Development. This grant, a high-priority funding project submitted by Senator Lieberman, will fund improvements to Route 195 (Storrs Road) in the Storrs Center Development area.

Storrs Center Inter. Transp/Cong. Transp. - \$612,500

This is a Federal grant obtained by the Mansfield Downtown Partnership on behalf of the Town for the Storrs Center Development. This grant, from the Federal Transit Administration, will fund the design and construction of the intermodal elements in and around the first parking garage.

Omnibus - \$712,500

This is a Federal grant obtained by the Mansfield Downtown Partnership on behalf of the Town for the Storrs Center Development. This grant targets the development of roads and utilities for the first phase of the development.

Replacement Boat - \$10,000

This appropriation will replace Marine 307 in order to provide adequate support the department water rescue operations. The existing boat was removed from service last year when severe structural deterioration was discovered during annual preventative maintenance. At this time the department is seeking to replace Marine 307 with a Zodiac style craft and motor.

Forestry 307 – Chassis Changeover - \$30,000

This appropriation is for Forestry 307 is a 1986 Ford F-350 with a pickup truck mounted skid unit containing a 300 gallon water tank and pump. This project seeks to use another of the department's vehicles, a 1996 Ford F-350 with a utility body and a greater GVW (gross vehicle weight) to maximize the Forestry unit's capability. The two truck bodies would be swapped between the two existing chassis. Each vehicle's truck body would undergo a limited refurbishment and be updated as needed.

Upgrade Hydraulic Rescue Equipment - \$18,000

This appropriation continues the update of department hydraulic rescue equipment that began in fiscal year 2009 – 2010. The previous project revealed additional improvements in equipment technologies that would enable the department to conduct more efficient rescue operations. Specifically, advancements in connections between power units and tools provide an uncomplicated connection that enhances deployment of multiple tools at the same time. In addition the department has identified hydraulic tools that would complete the standardization among apparatus.

Fire Ponds - \$5,000

This is a recurring annual appropriation that is used to sustain a program of fire pond maintenance. Fire ponds are used by the fire department as a source of water for firefighting operations. Upgrades may include the purchase of equipment and components of dry hydrants, the installation of dry hydrants, improving access for fire apparatus, and improving the capacity of the pond.

Fitness Equipment - \$34,000

This appropriation will fund the replacement of exercise equipment that are currently being used beyond normal depreciation and life expectancy.

Locker Rooms – Ventilation Improvements - \$20,000

This appropriation will fund the replacement of the locker room ventilation units at the Mansfield Community Center with units that are designed for and more appropriate for the locker room environment.

Park Improvements - \$20,000

This appropriation will fund an ongoing effort to replace and repair equipment and facilities throughout the Town's park system. This includes playground equipment, picnic areas, ballfields, trail network, signage, fencing, etc. Facility repair and equipment replacement helps to limit the Town's potential liability and provides for safe areas for use by the public.

Playground Surfacing - \$5,000

This appropriation will provide funds to replace the specialty wood shavings that are required for safety reasons under the Town's playscapes. This material is renewed annually so that the surfaces under the equipment meet current safety standards.

Amenities – Lions Park - \$10,000

This appropriation will fund the purchase of necessary site amenities for the new soccer field at Lions Memorial Park. These include player benches, soccer goals, spectator bleachers, and garbage receptacles.

Restroom Building Improvements – BCP - \$3,000

This appropriation will fund the hiring of an Architect to prepare preliminary designs, options and detailed costs to improve the restroom facilities at Bicentennial Pond. The BCP facilities are over 30 years old and no longer meet the needs of park users.

Trail Improvements/Parking Area – Commonfields - \$4,000

This appropriation will fund the Town's 20% grant obligation to install a small parking area and a trail connecting the Colonel Experience Storrs meadow and bog and the Commonfields to improve public access.

Whip Grants MHP, EGVP, OSHF - \$2,300

This appropriation will fund the Town's share of the Wildlife Habitat Incentive Program (WHIP), a Federally funded grant to help the Town manage several of its open space areas at Mount Hope Park, Eagleville Preserve, and Old Spring Hill Field.

Senior Center Roof Shingles - \$45,000

This appropriation is for the replacement of the Senior Center roof shingles which have exceeded their expected life. They need to be replaced before the building receives water damage that would be expensive to repair.

Energy Management System - \$35,000

This appropriation is for the first year of a two year plan to get all Town buildings on a computer controlled energy management system. This will control the boilers and circulator pumps for all major town buildings. It will not control individual rooms at this time.

Maintenance Shop Heat Piping - \$37,000

This appropriation is to replace the maintenance shop heating system which is leaking and very inefficient with a state of the art condensing gas fired boilers system.

Improve Security at Town Buildings - \$13,000

This appropriation is for the first stage of improving security in Town Buildings.

Boiler/Heating/Plumbing at Fire Stations - \$15,000

This appropriation will provide the funds to replace heating and plumbing systems that are over 30 years old, beyond their life expectancy and in need of repair.

Oil Tank Repairs - \$6,000

This appropriation will provide funding to install devices on the Town Hall oil tanks to prevent the tanks being overfilled and pumping oil on the ground.

Maintenance Projects - \$25,000

This fund is used to repair equipment or buildings which could not be foreseen.

Roof Repairs - \$12,000

This is an on-going capital account used for roof repairs at Town and school buildings.

Mansfield Middle School – Pipe Line - \$50,000

This appropriation will partially fund the installation of the gas service main on Maple and Spring Roads to bring natural gas to the Mansfield Middle School for the Fuel Conversion project.

Pickup-mounted Message Sign - \$10,000

This appropriation would purchase one work-zone programmable message sign and mount for one of the DPW pickups for use in and around the Town's road repair work zones. The messages would indicate lane closures, detours, slow or stop ahead, etc., and are primarily for increased safety.

Small Dump Trucks and Sanders - \$45,000

This appropriation would provide funds to replace one of the Town's small dump trucks, either a 1995 International with approximately 90,000 miles on it or a 1999 Ford F450 with approximately 90,000 miles on it. Small dumps are used both to plow snow in the winter and for light hauling during the rest of the year in both roads and grounds maintenance.

Snowplow - \$5,500

This appropriation will provide funds to replace one of the Town's large snow plows, which is necessary due to wear and tear on the plow and its mounting structure.

Tree Replacement - \$5,000

This appropriation will provide funds to replace trees that are removed from Town roads and grounds due to old age, disease, or in some cases small new facilities (walkways, small parking lots). Many of the Town's trees are over 100 years old.

Guardrails Improvement/Replacements - \$5,000

This appropriation will provide funds to purchase replacement metal-beam guardrails and wooden guideposts along Town roadways.

Road Drainage - \$50,000

This appropriation will fund the purchase of drainage pipe, catchbasins, inlet and underdrains needed in the regular course of responding to drainage maintenance and complaints along Town roads. This is the only source of drainage materials for the DPW.

Small Bridges and Culverts - \$10,000

This appropriation will fund to perform maintenance (concrete repairs, painting, etc) to the Town's small bridges and large culverts. Most of the work is contracted or done through a design-build process.

Large Bridges (over 20 foot span) - \$20,000

This appropriation will provide funds for the rehabilitation (capital maintenance) of the Town's large bridges. In recent years this has included footing repairs, railing repairs, concrete repairs, etc.

Laurel Lane Bridge - \$1,112,620

This appropriation will provide funding for the project costs to replace the Laurel Lane Bridge and is funded in part by an 80% Federal bridge grant.

Road Resurfacing – \$300,000

These funds have been included to resurface approximately 11 miles of Town roads as part of the Town's continuing road surface maintenance program. These funds also are used to purchase all the bituminous materials used by the DPW in patching roads, paving over trenches and leveling roads prior to resurfacing. (The Town's pavement maintenance program recommends 15 to 17 miles of resurfacing each year.)

Engineering CAD Upgrades - \$15,000

This appropriation will provide funds to support the CAD (Computer Assisted Drafting) systems in the Engineering office as well as provide some funds to further some modes GIS (Geographical Information Systems) development within various Town departments.

Transportation/Walkways - \$60,000

This appropriation will provide funds to assist in the design, inspection, maintenance and construction of various transportation facilities that are not auto related such as bus stops and priority walkways and bikeways.

Four Corners Sewer/Water Improvements - \$330,000

This appropriation will provide funds to complete the design of the Four Corners area water and sewer systems (approximately \$200,000 for the study, testing and permitting for water supply, \$100,000 for the design of the sewage pump station; and \$30,000 for related and bonding costs). The design of the water and sewer pipes themselves is being done by the Town's Engineering/Public Works staff.

TOWN OF MANSFIELD  
IMPACT OF 2010/11 CAPITAL EXPENDITURES  
FUTURE OPERATING BUDGETS

The majority of the Town's capital expenditures are maintenance in nature or recurring replacements and are intended to extend the useful life of a building or facility or reduce operating costs by replacing equipment or rolling stock on a scheduled basis.

The transportation and walkway improvement projects are design only at this point, and therefore, will not have an impact on operating budgets. It is further anticipated that the 4 corners sewer/water systems will be self-supporting.

Full implementation of the upgrade to the financial management system will have a positive impact on future operating budgets as it will increase efficiency by eliminating duplicate entry into multiple systems and providing for distributed purchase order processing.

THIS PAGE LEFT  
BLANK INTENTIONALLY

**TOWN OF MANSFIELD  
OFFICE OF PLANNING AND DEVELOPMENT**

GREGORY J. PADICK, DIRECTOR OF PLANNING

---

Memo to: Mansfield Planning and Zoning Commission  
From: Gregory Padick, Director of Planning  
Date: April 15, 2010  
Re: Gibbs Expansion Project, 9 Stafford Rd, PZC File #404-3



On March 17, 2007 the PZC approved with conditions, an expansion of the Gibbs gasoline station and convenience store located at 9 Stafford Road. The Special Permit was filed on the Land Records in October 2007. Subsequently, both a Zoning Permit and a Building Permit for the subject project were issued.

Article V Section B.7.e specifies that work should begin within 1 year of the effective approval unless an extension has been granted by the PZC. Last year the PZC granted a second, one year extension and in the attached 4/9/10 letter an additional one year extension has been requested. Staff has no objection to approving this request as regulatory provisions have not changed. Accordingly, the following motion is recommended:

**That the Planning and Zoning Commission approve a third extension of the period of time to begin construction of the Gibbs Expansion Project on property located at 9 Stafford Road. The new date to begin construction is October 1, 2011 unless an additional extension is requested and approved.**

PAGE  
BREAK

**BRANSE, WILLIS & KNAPP, LLC**

148 EASTERN BOULEVARD  
GLASTONBURY, CONNECTICUT 06033  
TELEPHONE: (860) 659-3735  
FAX: (860) 659-9368

MARK K. BRANSE  
MATTHEW J. WILLIS \*  
ERIC KNAPP  
BRENDAN SCHAIN  
\*ADMITTED IN MASSACHUSETTS

OF COUNSEL:  
RONALD F. OCHSNER

## E-Mails:

mbransa@bransewillis.com  
mwillie@bransewillis.com  
eknapp@bransewillis.com  
bschain@bransewillis.com

rochsner@bransewillis.com

**VIA FAX (860) 429-6863**

April 9, 2010

Gregory Padick, Town Planner  
Town of Mansfield  
Audrey P. Beck Building  
Four South Eagleville Road  
Storrs, CT 06268

**RE: Gibbs Oil Company re 9 Stafford Road, Mansfield, CT**  
**FILE NO: 3252/02-161**

Dear Greg:

We represent Gibbs Oil Company relative to the Special Permit that was approved for a new retail convenience store and gas station at 9 Stafford Road in Mansfield.

As you are aware, Gibbs secured a zoning permit for this site and anticipated commencing construction by October 1 of 2008, but the building plans had to be revised, which pushed this schedule back. The Commission granted an extension to October 1, 2009, and another extension of time through October 1, 2010. It is already apparent that Gibbs will not be able to meet this new deadline and we thought the appropriate thing to do was approach the Commission as early as possible to seek a further extension.

To prevent the zoning permit from expiring, Gibbs is seeking an extension of time on the commencement of construction from October 1, 2010 to October 1, 2011. We hope that this will permit Gibbs to weather the current economic conditions, and we are seeing preliminary signs of improvement. Please let me know if you require any additional information.

Gregory Padick, Town Planner  
April 9, 2010  
Page 2

Thank you for your assistance.

As always, if you have any questions, please do not hesitate to contact me.

Very truly yours,



Mark Branse

MB:arh

cc: Mr. Andrew S. Beland - 781-338-1755  
Al Micale, P.E. - 401-724-1110

To: Town Clerk  
From: Planning and Zoning Commission  
Subject: Public Act 75-317, **RECORDATION OF SPECIAL PERMIT**

- I. Notice is hereby given that the Mansfield Planning and Zoning Commission, at a regular meeting held on 3/19/07, did grant to Gibbs Oil Company, a special permit for a gasoline service station with retail store and drive-through service, pursuant to Article V, Section B, and other provisions of the Mansfield Zoning Regulations.
- II. The special permit for a gasoline service station with retail store and drive-through service was approved subject to the conditions listed below. Failure to comply with these conditions may result in revocation of the special permit. Information regarding any modifications of the permit may be found in the files of the Planning Office.

This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B, Article IX, Section D.3.b and other provisions of the Mansfield Zoning Regulations and is granted with the following conditions:

1. This approval, which authorizes the expansion of an existing non-conforming use, is specifically tied to the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed uses and site improvements shall be limited to those authorized by this approval. Any questions regarding authorized uses, required site improvements, and conditions cited in this approval, shall be reviewed with the Zoning Agent and Director of Planning and, as appropriate, the PZC.
2. Vehicular and pedestrian safety are primary issues in this area, due to several factors: the volume and speed of traffic on Route 32, the number of intersecting streets, driveways and lane/shoulder configurations in the vicinity of the Gibbs site, and the fact that the pavement width of Route 32 narrows along the subject site, which is located in a residential zone. Although the proposed revisions to the Gibbs site are expected to enhance vehicular movements into and out of the subject site, concerns remain that the plans have not adequately addressed pedestrian and bicycle use along Route 32. Therefore, this approval is conditioned upon the following:
  - A. The applicant's 1/16/07 proposed lane and shoulder configurations for Route 32 shall be revised to provide a shoulder area on each side of the road for pedestrian/bicycle use.
  - B. A plan that addresses the requirement of condition 2A above shall be submitted to and approved by the State DOT.
  - C. No zoning permit shall be issued until State DOT approval has been obtained.
3. Final plans shall be revised to reduce potential drive-through traffic flow conflicts during periods when fuel deliveries are being made. Consideration should be given to relocating or redesigning the underground fuel storage tanks and/or shifting the drive-through exit drive. In conjunction with this revision, the retail store may be shifted and, whereas pump island parking may be considered to address retail store parking needs, one or two designated parking spaces may be deleted. Furthermore, wherever possible, parking space width shall be increased to 9.5 feet. Alternative designs to address this issue shall be presented to the PZC and a finalized plan shall be approved by the PZC Chairman with staff assistance prior to the issuance of a Zoning Permit.
4. No Zoning Permit shall be issued until the plans have been approved by the Windham Water Works.
5. The final plans shall incorporate a refuse area that is a minimum of 15 feet wide and 11 feet deep. This size is needed to address Mansfield's recycling requirements. Some landscaping revisions will be needed to address this condition.
6. The submitted Landscape Management Plan, as revised to 1/11/07 shall be implemented by Gibbs Oil Company or any future owner of the site. All site improvements including landscaping, striping, fencing, and signage shall be maintained by the property owner.
7. Depicted employee parking spaces shall be clearly identified with pavement markings and signage. This approval does not require these spaces to be connected to the drive-through lane. Subject to revisions cited in

Condition #3 above, this approval authorizes 9 foot wide parking spaces in areas where 9.5 foot spaces are not possible due to other site work.

8. Prior to the issuance of a Zoning Permit, a \$5,000 cash site development bond with associated bond agreement, approved by the PZC Chairman with staff assistance, shall be posted by the applicant.
9. Final plans shall include fencing details as submitted for the 1/2/07 Public Hearing. Proposed fencing and landscaping are acceptable with respect to the provisions of Article VI, Section B.4.q.2.
10. Based on the provisions of Article V, Section 6.e., the PZC reserves the right to restrict hours of operation for the drive-through component of the proposed retail use. Any restriction of hours of operation must be supported by information that clearly demonstrates that nighttime/early morning use of the drive-through lane has resulted in significant noise impacts for neighboring property owners. Before acting to impose any restrictions, the PZC shall afford the applicant an opportunity to comment.

In addition, at a meeting held on 4/5/07, the Mansfield Planning and Zoning Commission adopted the following motion:

That the Planning and Zoning Commission hereby agrees that in the event the Commission considers restricting hours of operation for the drive-through component of the Gibbs commercial use at 9 Stafford Road, as provided for in a March 19, 2007 approval motion, the Commission shall publish a notice of decision as per statutory provisions for PZC actions.

11. Final plans shall:
  - A. Depict pavement markings and signage for the handicap parking space that meet current State requirements.
  - B. Clarify underground electrical service to the canopy.
  - C. Incorporate on Sheet ER-1 the need to submit bi-weekly E&S monitoring reports to the Zoning Agent.
  - D. Incorporate uniform revision dates.
  - E. Be signed and sealed by all responsible professionals, licensed in the State of Connecticut.
  - F. Indicate that all lighting will be full spectrum white lighting and the minimum necessary for site safety needs.
  - G. Address the provisions of condition #2.
12. No Certificate of Compliance shall be issued until all approved site work is completed or bonded as per regulatory requirements.
13. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

(see PZC File #404-3)

III. The premises subject to the special permit for may be described as follows:

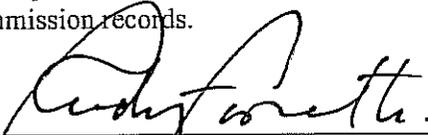
9 Stafford Road  
Assessor's Map 36, Block 86, Lot 2

IV. The record owners of the above described property are:

Gibbs Oil Company Ltd.  
90 Everett Avenue  
Chelsea, MA 02150

I certify that the above is a true and correct copy of the foregoing approval from the Planning and Zoning Commission records.

By

  
Rudy Favretti, Chairman  
Mansfield Planning & Zoning Commission

Date

10/11/07

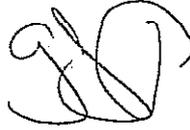
Filed: 10/12/07

TOWN OF MANSFIELD  
OFFICE OF PLANNING AND DEVELOPMENT

---

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Planning and Zoning Commission  
From: Gregory J. Padick, Director of Planning  
Date: 4/15/10  
Re: Special permit, expansion of St. Paul's Collegiate Church #1275



On 9/15/08 the PZC approved with conditions (attached), an expansion of the St. Paul's Collegiate Church to 240 seats and related site work on property located at 1768 Storrs Road. The Special Permit was filed on the Land Records on 5/7/09.

Article V Section B.7.e specifies that work should begin within 1 year of the effective approval unless an extension has been granted by the PZC. In the attached 4/6/10 letter a one year extension has been requested. Staff has no objection to approving this request as regulatory provisions have not changed. Accordingly, the following motion is recommended:

**That the Planning and Zoning Commission approve an extension of the period of time to begin construction of the expansion at St. Paul's Collegiate Church on property located at 1768 Storrs Road. The new date to begin construction is May 7, 2011 unless an additional extension is requested and approved.**

To: Town Clerk  
From: Planning and Zoning Commission  
Subject: Public Act 75-317, RECORDATION OF SPECIAL PERMIT

- I Notice is hereby given that the Mansfield Planning and Zoning Commission, at a meeting held on September 15, 2008 did grant B.T. Partners, LLC a special permit for an expansion of St. Paul's Collegiate Church to 240 seats and related site work on property located at 1768 Storrs Road, pursuant to Article X, Sections B and other provisions of the Mansfield Zoning Regulations.
- II Said approval was granted subject to the conditions given below. Failure to comply with these conditions may result in revocation of the special permit. To inquire about any modifications of these conditions of approval, consult the Planning Office.

This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations and is granted with the following conditions:

1. Any significant change in the expanded church use as described in application submissions and at the 9/2/08 Public Hearing or the office use that occupies the remainder of the building on this property shall require further PZC review and approval. Any questions regarding what constitutes a significant change shall be reviewed with the Zoning Agent and, as deemed necessary, the PZC;
2. Dumpster screening and the parking lot expansion authorized by the Inland Wetland Agency, shall be implemented prior to the issuance of a Certificate of Compliance for the expanded church use. Wheel stops or other measures approved by the Director of Planning shall be installed to help identify individual parking spaces.
3. The property owner and tenants shall monitor parking patterns in the gravel/crushed stone parking area to help encourage parking in the approved pattern. No parking or other obstructions shall be allowed in parking lot aisles, as they are part of the fire lane system and must be kept clear for use by emergency vehicles, and no parking shall be allowed along Route 195.
4. All applicable Health, Building and Fire Codes shall be addressed and required permits obtained prior to construction/renovation or occupancy by the public for this approved change in use.
5. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

(see PZC File #864-3)

**B.T. PARTNERS, LLC**  
**15 Shore Drive**  
**Coventry, CT 06238**

**860-742-9580 or Cell 860-478-7003**  
**NorvSmith@aol.com**

April 6, 2010

Mr. Gregory Padick,  
Director of Planning  
Town of Mansfield  
4 South Eagleville Rd  
Mansfield, Ct. 06238

Re: St Paul's Collegiate Church, 1768 Storrs Rd, Storrs

Dear Greg:

St Paul's church received a Special Permit for the expansion of the church capacity and parking on September 15, 2008.

Because of the present economy the project has been on hold, however they are requesting a one year extension on the permit. They feel that they may wish to move ahead with the plans within the next year.

In a recent phone conversation I had with Kurt Hirsch, he suggested that I send a formal request to you.

Please advise if such an extension is possible.

Sincerely,



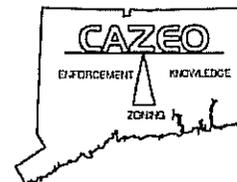
Norval Smith  
B T Partners LLC

cc: Vince Guyer, St Paul's Collegiate Church

PAGE  
BREAK



# Town of Mansfield



CURT B. HIRSCH  
ZONING AGENT  
HIRSCHCB@MANSFIELDCT.ORG

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

To: Planning & Zoning Commission  
From: Curt Hirsch, Zoning Agent  
Date: April 15, 2010

**Re: Modification Request for additional use  
699 Storrs Rd., PZC file # 554-3**

We have received a 4/12/10 Request for Site/Building Modifications application from Maximo Garcia, to incorporate an additional use on the 699 Storrs Road site. On 3/22/06, the PZC approved a special permit for retail/wholesale sales, storage and office use on the site. The current request seeks to add a classroom use for driver's education instruction. The proposed use would utilize existing office areas and there are no plans for any physical alterations to the building or site. The application contains more specific information about the nature of the proposed use including class size and hours of operation. The 2006 special permit approval was specifically tied to the (previous) applicant's proposed uses and under Condition #1 required that, any proposed changes to the stated uses shall require further PZC approval. Provided such changes do not affect the overall layout, design or use of the site, changes may be approved through the modification process. The PZC could however require the submission of a new special permit. In either situation, the PZC can also require that neighboring property owners be notified of the proposed change to the use of the subject property prior to making any decision on the application.

The existing uses of the subject site are non-conforming in a RAR-90 zone. Schools and 'other educational facilities' are a permitted use in the RAR-90 zone with special permit approval. I believe a good argument could be made that the proposed use is a permitted use but that is a determination that the Commission must make. The business hours of the existing and proposed uses will have substantial overlapping. Mr. Garcia explained to me that his students are predominantly college students and other adults who do not have driver's licenses and therefore would not be arriving and parking vehicles on the site. The proposed 8 to 10-person classes would be for a minimum two-hour period, thus vehicle traffic would be limited to those periods during class change. My personal observations of the site have not seen more than three vehicles parked at any one time. There are ten approved parking spaces within the parking lot with access from Clover Mill Road. The entire lot is paved and there may be some flexibility to designate additional parking spaces if use of the site required that. The site is currently underutilized in my opinion and I believe that the property owner is trying to augment his income with an additional tenant.

Provided that the Commission can make a determination that the proposed additional site use will not significantly alter the utilization of the site as approved through the 3/22/06 special permit and that the proposed use is not an additional non-conforming use requiring a special permit, I recommend that the PZC approve the 4/12/10 Request for Modifications of Maximo Garcia for driver's education classroom instruction, as submitted and described by the applicant with the condition that class size is limited to a maximum of ten students and that if the Zoning Agent determines that the existing parking is insufficient for the combined uses of the site, class size shall be reduced or additional parking spaces shall be proposed and reviewed and approved by the PZC.

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

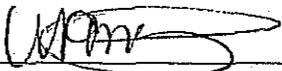
APPLICANT/OWNER SECTION

1. Owner(s) WEISON Huang Telephone 860-533-6161  
 Address 699 Storrs Rd (please PRINT) Town Mansfield/Storrs Zip 06268
2. Applicant(s) Maximo Garcia Telephone 860-796-2346  
 Address 90 South Park Street (please PRINT) Town Willimantic Zip 06226
3. Site Location small office space next to the store. 699 Storrs Rd.
4. Reference any approved map(s) that would be superseded if this request is approved:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

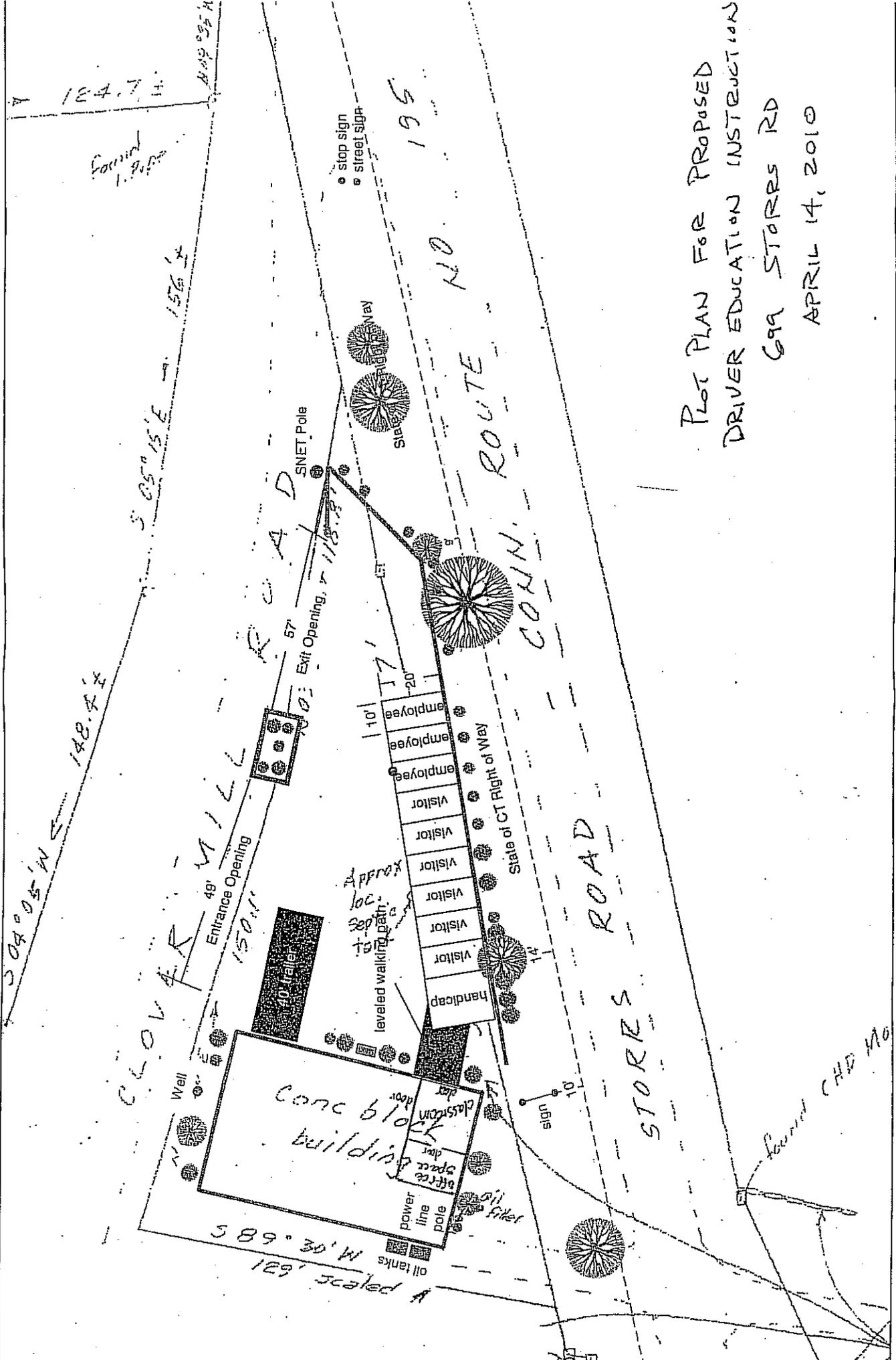
5. Reference any new map(s) submitted as part of this request:  
Plot Plan for proposed Driver Education Instruction,  
699 Storrs Rd, April 14, 2010  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Itemize and describe the modification(s) being requested, using separate sheet where necessary. The description must be adequate to determine compliance with all applicable land use regulations: -

My intention is to open another office/classroom in which to teach the mandatory "Safe Driving Practices Course" required by the Department of Motor Vehicles. I have been in business for approximately 10 years now. The plan consist in teaching in two hour blocks or four hour block. A maximum of 8-10 students will be allowed per class. Students will not need to park in premises. They will be dropped off and picked up at this location. Hour of operation may run from 8am to 1pm and/or 5pm to 7pm. The size of the classroom area is @ 13' x 17'. The size of the office space is 10' x 8 1/2'

7.   
 Applicant's signature

date April 12, 2010



Plot Plan For Proposed  
DRIVER EDUCATION INSTRUCTIONS

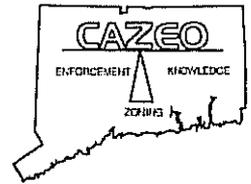
699 STORRS RD

APRIL 14, 2010

Survey CHD MO



# Town of Mansfield



CURT B. HIRSCH  
ZONING AGENT  
HIRSCHCB@MANSFIELDCT.ORG

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

To: Planning & Zoning Commission  
From: Curt Hirsch, Zoning Agent  
Date: April 15, 2010

**Re: Request to perform work within a conservation easement area  
Pine Grove Estates, Lot 1 PZC file #1187-2**

We have received a 4/14/10 request from Robert Beaudoin of Pine Grove Estates, LLC, together with a 4/12/10 plot plan, seeking permission to perform work within a defined conservation easement area on Lot 1 of the Pine Grove Estates subdivision. The proposed work consists of excavating an approximately three-foot wide trench four feet deep, placing utility conduit in the bottom, backfilling the excavated material and installing a ground cover over the disturbed area. Please note that the requested work was substantially completed prior to my being informed of the work. The trench and the placement of utility conduit are finished. The work was immediately stopped and the Building Department at my request has not scheduled inspections of the subject work. The trench is open at this time.

The Conservation Easement requires that any disturbance within the easement area receive prior approval of the PZC. The approved plot plan depicts all of the utility routes running under the proposed driveway toward the street, then across the lot frontage to a transformer and utility box installed as part of road construction. The utilities in fact come through the house foundation on the opposite side and take a very direct route to the transformer and utility box, a more logical route in my opinion that minimizes turns in the conduit.

The disturbance to the easement area is minor in my opinion. There was no cutting of trees and once restored the disturbance will be substantially unnoticed. Although the procedural order for a request was not followed, in my opinion the request can be approved as submitted and therefore I recommend that the PZC approve the 4/14/10 request of Pine Grove Estates, LLC to perform the described work within a conservation easement area as shown on the submitted plan and that the disturbed area be restored with a vegetative ground cover satisfactory to the Zoning Agent.

PAGE  
BREAK

# Pine Grove Estates LLC

April 14, 2010

Town of Mansfield  
Planning & Zoning Commission  
4 South Eagleville Rd  
Storrs-Mansfield, CT 06268

RE: Lot 1 Adeline Place

Dear Commission Members:

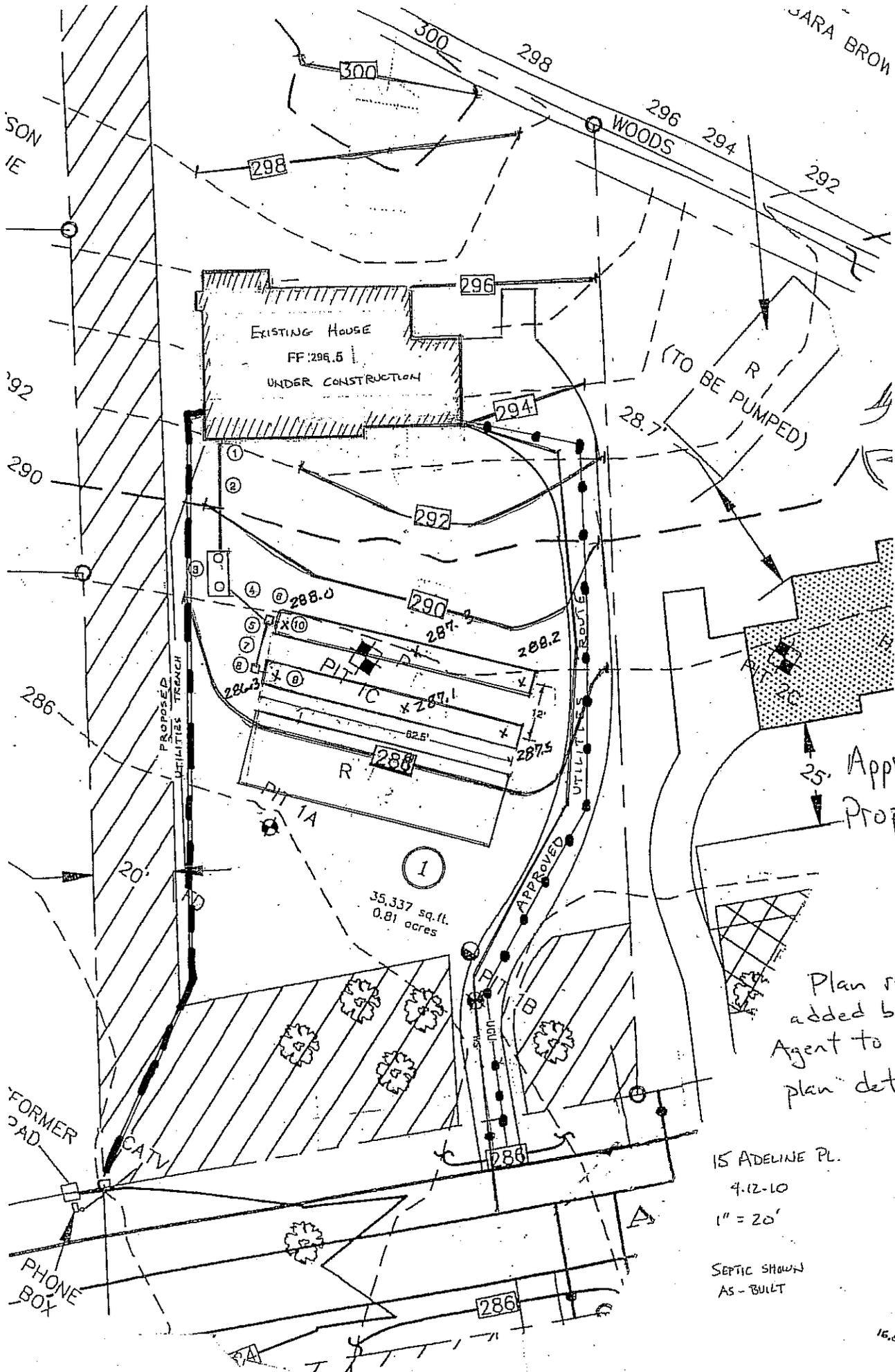
When the power lines were brought from the street to the house on Lot 1 Adeline there was an encroachment on the conservation easement for that property. After reviewing a solution to relocate the power lines, I have determined that trenching along the front of the property will impact the root systems and require removal of a substantial amount of trees lining the property. I feel that the environmental impact on the property will be far greater by relocating these lines.

I would like to ask the commission for an exception for the wiring on this one property. The current tree layout fits with the continuity of the neighborhood. I would like to back fill the trench and put a base coat of wood chips to create a natural look to the disturbed area. I hope this solution is acceptable to the commission and would be happy to answer any questions or address any concerns you may have.

Sincerely,

  
Robert Beaudoin

Pine Grove Estates LLC



JARA BROW

SON  
IE

292

290

286

20'

FORMER  
PAD

CATV

PHONE  
BOX

EXISTING HOUSE  
FF: 296.5  
UNDER CONSTRUCTION

(TO BE PUMPED)  
R

PIT 1C

PIT 1A

1

35,337 sq. ft.  
0.81 acres

286

Approved: .....  
Proposed: - - - - -

Plan revisions  
added by Zoning  
Agent to emphasize  
plan details!

15 ADELINE PL.

4-12-10

1" = 20'

SEPTIC SHOWN  
AS-BUILT

ZONING BOARD OF APPEALS

DECISION NOTICE

On April 14, 2010, the Mansfield Zoning board of Appeals took the following action:

Approved the application of Windham Water Dept for a Special Exception of Art IX, Sect C.2.b to construct a 12' x 24' lean-to addition to an existing non-conforming garage, 14½' from side property line where 35' is required, at 174 Storrs Rd, as shown on submitted plan.

In favor: Katz, Gotch, Pellegrine, Singer-Bansal, Wright

Reason for approval:

- Will not adversely affect the neighborhood

Additional information is available in the Town Clerk's Office.

Dated April 15, 2010

***Carol Pellegrine***  
***Chairman***

PAGE  
BREAK



Baystate  
Environmental  
Consultants  
Inc.  
A GZA Company

Civil Engineers  
Environmental Scientists  
Planners

296 North Main Street  
East Longmeadow, MA 01028  
Tel (413) 525-3822  
Fax (413) 525-8348

120 Mountain Avenue  
Bloomfield, CT 06002  
Tel (860) 286-8900  
Fax (860) 243-9055

GZA Offices in Connecticut, Massachusetts,  
Maine, New Hampshire, Rhode Island, New  
York, New Jersey, Pennsylvania, Michigan, Ohio,  
Vermont, Wisconsin

[www.b-e-c.com](http://www.b-e-c.com)  
[www.gza.com](http://www.gza.com)

April 8, 2010  
15.0166134.00

Ms. Denise Ruzicka, Director  
Inland Water Resources Division  
State of Connecticut - Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106

RE: FM-2009033960/IW-200903962/DS-200903961  
Response to Notice of Insufficiency  
Mirror Lake Dredging  
University of Connecticut  
Storrs, Connecticut

Dear Ms. Ruzicka:

The University of Connecticut (UConn), the Applicant, has received the Notice of Insufficiency (NOI) from the Department of Environmental Protection (DEP) dated March 10, 2010 which enumerates several potential insufficiencies in UConn's permit application to the Inland Water Resources Division for the Mirror Lake Dredging and Dam Modifications. On behalf of UConn, Baystate Environmental Consultants, Inc., A GZA Company (BEC) is writing to provide responses to DEP's comments and requests for additional information.

The Applicant wishes to withdraw the Dam Construction Permit from the application at this time. The Applicant requests that the Department proceed with the Inland Wetlands Permit and Flood Management Certification for the Mirror Lake Dredging only.

Responses to DEP comments related to the Mirror Lake Dam will not be made herein. The questions posed in the NOI regarding the dam and spillway cannot be satisfactorily answered at this time, and further investigation and design will be performed in the upcoming months. Separate applications for all required permit or certifications will be prepared and submitted in the future after further information becomes available. No work on either the dam or the spillway shall be performed without all required permits and approvals.

The following are our responses in bold type following each comment in the order in which they were listed in the DEP's March 10, 2010 letter:

1. "In attachment E, under Executive Summary, the content references a 2006 UConn Campuswide Drainage Master Plan prepared by Lenard Engineering, Inc. (LEI). That report recommends some of the proposed work depicted on the plans entitled "Mirror Lake Dredging University of Connecticut Storrs Campus Project No. 901392" dated December 11, 2009. Although the computations in this report indicate the capacity of the proposed spillway matches the design flow requirements of the flood management approval, they do not specifically address that the dam has an adequately sized spillway for the design storm with the required freeboard.



Please provide this supporting data. If this information is already in a previous study/report, provide only the applicable portions of the report.”

**The Dam Construction Permit application is withdrawn as of this letter and relevant information will be provided in a future application.**

2. In attachment E, specifications are included for concrete, reinforcing steel bars, etc. Is this a complete set of specifications for the project? This set is labeled as DRAFT. Submit a final copy of the specifications, as a permit would be issued based on approval of final Contract Documents.

**The Dam Construction Permit application is withdrawn as of this letter and relevant information will be provided in a future application.**

3. Attachment Q of the application consists of a letter from Robert J. DeSista of the Department of the Army, New England District, Corps of Engineers (COE) to the University of Connecticut & Baystate Environmental Consultants, Inc. dated October 15, 2009. As stated in this letter, a COE permit is not required based on plans dated September 2009, which only showed the dredging work. Is the COE aware of the proposed work to the spillway, spillway apron/downstream channel, etc? Verify if no COE permit is required for this additional work not shown on the plans dated September 2009.

**The Dam Construction Permit application is withdrawn as of this letter and relevant information will be provided in a future application.**

4. On Sheet 2 of 7 of the plans, under Sediment & Erosion Control Notes, comment #14 mentions CT DEP General Permit. Note that this application is for an individual permit. UConn understands that the application is for an Individual Permit. The comment #14 is an instruction to the selected contractor that activities shall comply with CTDEP's *General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities*. An application for registration under this General Permit will be submitted prior to any construction.

5. Calculations are required for the downstream riprap stilling basin and riprap channel protection. The calculation must show all adequate design while maintaining the minimal amount of impacts to the regulated area.

**The Dam Construction Permit application is withdrawn as of this letter and relevant information will be provided in a future application.**

6. Water handling plan must be provided showing how stormwater will be handled in accordance with the DOT Drainage Manual for both the dredging and dam modifications.

**The Dam Construction Permit application is withdrawn as of this letter and relevant information will be provided in a future application.** Stormwater management for the dredging operation will not involve diversion of water. The hydraulic dredging process is a closed system where a water-sediment slurry is pumped to the dewatering process and clarified water is returned to the lake either by gravity or by pumping. Rainfall events affecting Mirror Lake will not affect the dredging process, which can be ceased by stopping the dredge. The Applicant respectfully submits that the DOT Drainage Manual does not apply to this type of activity.



7. The plans must include details of the four sediment dewatering areas.  
The project plan is for the dredged sediment dewatering to utilize either geotextile fabric tubes or a mechanical process and it will be up to the bidding contractors to determine which method to use. The proposed dredged sediment dewatering areas shown on the plans are maximum useable areas based on an estimated geotextile fabric tube. Selection of the contractor will be based upon proposed methodology and proven experience with such as well as feasibility of application and cost. Therefore, the Applicant respectfully requests that submission to DEP of details of use of the dredged sediment dewatering areas be a condition of the permit.
  
8. Certification of Notice Form and copy of the published notice.  
The Certification of Notice Form and the Affidavit of Publication from the Hartford Courant, including a copy of the published notice, were submitted to DEP on December 22, 2010. A copy of each is enclosed herein.
  
9. Enclosed is a letter from the Mansfield Conservation Commission dated January 25, 2010 listing several items of concern. Documentation is required showing that the six items have been addressed.  
The Applicant has been in communication with the Mansfield Conservation Commission regarding the concerns enumerated in their letter of January 25, 2010 to DEP. Please see the expanded response to the Commission's concerns enclosed herein.

Finally, with this letter, we are transmitting a copy of the permit application documents as amended to reflect withdraw of the Application for Dam Construction Permit. Of course, additional copies are available upon request.

We hope that we have provided the information requested in the NOI, however, should you require any additional information, please do not hesitate to contact this office.

Sincerely,

Baystate Environmental Consultants, Inc.

A handwritten signature in black ink, appearing to read 'Nat Arai'.

Nat Arai, P.E.  
Project Engineer

Enclosures

cc (letter only): Richard Miller, University of Connecticut  
Danielle Missell, DEP  
Kartik Parekh, DEP  
Quentin Kessel, Mansfield Conservation Commission  
Gregory Padick, Mansfield Director of Planning  
Paul Deveny, Windham Waterworks



University of Connecticut  
*Office of the Vice President and  
Chief Operating Officer*

Office of Environmental Policy

December 22, 2009

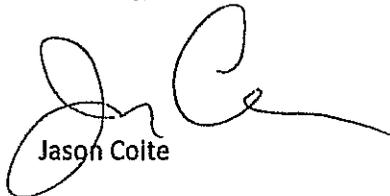
Inland Water Resources Division  
Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

RE: Certification of Notice  
Maintenance Dredging & General Enhancements of Mirror Lake, Storrs, CT  
University of Connecticut  
Application Nos. 200903961 and 200903962

To whom it may concern:

Enclosed please find the Certification of Notice Form – Notice of Application for the above referenced project. Applications for Dam Safety and Inland Wetlands & Watercourses were submitted on December 16, 2009. The public notice of the applications was published in the Hartford Courant on December 18, 2009. A copy of the notice was sent to the Mayor of the Town of Mansfield on December 22, 2009.

Sincerely,



Jason Colte

*An Equal Opportunity Employer*

31 LeDoyt Road Unit 3055  
Storrs, Connecticut 06269-3055

Telephone: (860) 486-5446  
Facsimile: (860) 486-5477  
web: [www.ecohusky.uconn.edu](http://www.ecohusky.uconn.edu)



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**Certification of Notice Form -  
Notice of Application**

DEP USE ONLY

Division \_\_\_\_\_

Application No. \_\_\_\_\_

I, **Richard A. Miller, University of Connecticut**, certify that  
*(Name of Applicant)*

the attached affidavit represents a true copy of the notice that appeared in **Hartford Courant**  
*(Name of Newspaper)*

on **December 18, 2009**  
*(Date)*

I also certify that I have provided a copy of said notice to the chief elected municipal official listed below as required by section 22a-6g CGS.

**Elizabeth C. Paterson** Mayor

*Name of Official* *Title of Official*

**4 South Eagleville Road**

*Address*

**Mansfield** CT 06268

*City/Town* *State* *Zip Code*

*Richard A. Miller*

**12/22/09**

*Signature of Applicant* *Date*

**Richard A. Miller** Dir. of Env. Policy

*Name of Applicant (print or type)* *Title (if applicable)*



# The Hartford Courant.

A TRIBUNE PUBLISHING COMPANY

## Affidavit of Publication

State of Connecticut

Friday, December 18, 2009

County of Hartford

I, Joy Shroyer, do solemnly swear that I am Financial Operations Assistant of the Hartford Courant, printed and published daily, in the state of Connecticut and that from my own personal knowledge and reference to the files of said publication the advertisement of Public Notice was inserted in the regular edition.

On dates as follows: 12/18/2009

In the amount of \$452.17

ST OF CT UNIV OF CT/PLANT AC

release 280

700370

Full Run

Financial Operations Assistant  
Joy Shroyer

Subscribed and sworn to before me on December 18, 2009

Notary Public

WILLIAM B. McDONALD  
NOTARY PUBLIC, CONNECTICUT  
MY COMMISSION EXPIRES FEB. 28, 2014

### Notice of Permit Application Town(s): MANSFIELD

Notice is hereby given that University of Connecticut (the "applicant") of 31 LeDoyt Road, Storrs, CT 06269-3055 has submitted to the Department of Environmental Protection an application under Connecticut General Statutes Sections 22a-39 (INLAND WETLANDS) and 22a-403 (DAM CONSTRUCTION) for a permit to 22a-39; conduct an activity in a wetland or watercourse; 22a-403: repair a dam and alter a dam.

Specifically, the applicant proposes to hydraulically dredge 17,000 cubic yards of accumulated sediments from Mirror Lake and make minor repairs and modifications to the lake's dam. The proposed activity will take place at Mirror Lake located immediately northwest of the intersection of Storrs Road (CT Route 195) with Mansfield Road on the University of Connecticut Storrs Campus. The proposed activity will potentially affect Mirror Lake which discharges to Roberts Brook, a tributary to the Fenton River.

Interested persons may obtain copies of the application from Nathaniel Aral, P.E., Baystate Environmental Consultants, Inc., 296 H Main Street, East Longmeadow, MA 01028, Phone (413) 525-3922.

The application is available for inspection at the Department of Environmental Protection, Inland Water Resources Division, 79 Elm Street, Hartford, CT 06106-5127, telephone: 860-424-3019, from 8:30am to 4:30pm, Monday through Friday.

### Notice of Permit Application Town(s): MANSFIELD

Notice is hereby given that the University of Connecticut (the "applicant") of 31 LeDoyt Road, Storrs, CT 06269-3055 has submitted to the Department of Environmental Protection an application under section 22a-403 of the Connecticut General Statutes for a permit to create, originate, or maintain a discharge of water, substance or material to the waters of the state.

Specifically, the applicant proposes to hydraulically dredge 17,000 cubic yards of accumulated sediments from Mirror Lake. The proposed activity will take place at Mirror Lake located immediately northwest of the intersection of Storrs Road (CT Route 195) with Mansfield Road on the University of Connecticut Storrs Campus. The proposed activity will potentially affect Mirror Lake which discharges to Roberts Brook, a tributary to the Fenton River.

Interested persons may obtain copies of the application from Nathaniel Aral, P.E., Baystate Environmental Consultants, Inc., 296 H Main Street, East Longmeadow, MA 01028, Phone (413) 525-3922.

The application is available for inspection at the Department of Environmental Protection, Bureau of Materials Management and Compliance Assurance, Permitting and Enforcement, 79 Elm Street, Hartford, CT 06106-5127 (860-424-3018) from 8:30 to 4:30, Monday through Friday.

**Mirror Lake Dredging**  
**DEP Notice of Insufficiency, Item No. 9**

Response to Mansfield Conservation Commission Letter of January 25, 2010

The Applicant and their consultant attended the March 17, 2010 Mansfield Conservation Commission meeting to make an overview presentation regarding the Mirror Lake Dredging Project and to discuss the issues raised in their January 25, 2010 letter. At this meeting, the Conservation Commission made reference to prior studies regarding sediment removal, phytoremediation, eutrophication, and unintended consequences. Subsequently, parties have communicated via emails and the Commission has provided reference citations for scientific articles/publications addressing these issues. These citations have been reviewed as part of this response. The Commission's letter offered six specific issues and, for ease of review, each issue is repeated in italics with each response, provided in the same sequence as originally listed in the letter.

1. *The 17,000+ tons of sediments to be dredged from Mirror Lake are known to contain toxic materials that exceed DEP standards; indeed additional testing is recommended in the Wastewater Discharge Application.*

The existing sediments within Mirror Lake have been extensively sampled and tested. The following table summarizes the number of in-situ sediment samples collected from Mirror Lake and the number and types of exceedences of the DEP remediation standards, here used as guidance for sediment management planning.

	No. of Samples	No. Exceeding DEP Standards
Pesticides and Herbicides	4	None
Volatile Organics	5	None
PCBs	5	None
Total Petroleum Hydrocarbons (TPH)	24	13
Polycyclic Aromatic Hydrocarbons (PAHs)	24	17
Metals (11 to 15 different metals, per sample)	24	2 (arsenic)

The results support that the sediment removed during the dredging will be non-hazardous, however the DEP exceedences mean that the material cannot be used as clean fill and will likely need to be disposed at a licensed, lined solid waste landfill (see the

response to #2, below). The exceedance for PAHs, common constituents of asphalt, and total petroleum hydrocarbons (TPH), are strongly believed to be from contamination transported in runoff from roadways and parking areas. The source of the two arsenic exceedences (11.2 and 11.8 ppm, compared to the 10 ppm standard) is less certain, but arsenic is often naturally occurring at these levels.

With respect to the Wastewater Discharge Application, the Applicant anticipates that both pre-dredge bench testing as well as testing during actual dredge activities will be conducted, all subject to DEP review. Testing will not only address toxicity, but also nutrient levels. A prior Technical Memorandum dated 7/2/09, a copy of which is provided in the permit application, concluded that “the majority of the chemical constituents of concern are limited to the upper sediment horizon.” From the Applicant’s perspective, removal of these contaminants from the lake environment, which otherwise could be re-suspended subject to wind, wave, and current activities, is a positive benefit to long term protection of the downstream resources since the potential source of contamination will have been removed from the watershed.

2. *Inadequate details are provided on disposal of the dredging spoils.*

It is the Applicant’s intent that all sediments are disposed in an environmentally appropriate manner complying with all DEP regulations or laws and therefore the precise manner of disposal is not necessarily mandated by the permit application. An earlier feasibility study identified the CRRA Hartford landfill as a possible in-state disposal facility, but also stated that this facility would likely stop accepting waste by the time the dredging was conducted. Three possible out-of-state disposal facilities (two in Massachusetts and one in New Hampshire) were also listed as possible disposal facilities in the feasibility study. Construction specifications for the dredging project will include the sediment testing results and will clearly require disposal at a licensed solid waste facility. The contractor will be required to document and submit the proposed disposal site for confirmation by the Applicant and material handling from the construction site to the accepted disposal facility will be monitored for compliance by chain-of-custody documentation.

3. *The sediments (primarily anaerobic) contain large quantities of nutrients that when exposed to air in the dewatering process will convert anaerobic processes to aerobic processes, resulting in potentially heavy nutrient loadings, especially nitrogen, being introduced into Roberts Brook. This brook is designated a class AA water course in the permit application and is a tributary to a public drinking water supply. Moreover, these nutrient loadings may have cascading effects on ecological and biological processes in the system (e.g. algal blooms, significant alteration of the biota, changes in pH, etc.)*

Nutrients, namely Phosphorus and Nitrogen compounds, are understood to be present within the sediments. The sediments will be hydraulically dredged in their current anaerobic state, entrained with the oxygenated pond water and pumped to geotextile fabric tubes at a nearby designated dewatering site. Flocculants are anticipated to be added to facilitate fine particulant coagulation and settling. During dewatering within the geotextile fabric tubes, water will drain from the tubes and be returned to the lake. We anticipate that the oxygen levels in the sediment will rapidly be depleted within the geotubes as the sediment is removed and collected. Under the brief period of oxygenation, there are two potential opportunities for mobilization of nutrients: 1. In the return supernatant to the pond at the exit from the geotextile fabric tubes immediately following discharge into the geo-tube; and 2. As the excess water exits the sides of the geotextile fabric tubes as the sediments are settled. In the anaerobic state phosphorous is not solubilized and organic nitrogen and other nitrogen compounds tend to be less mobile.

One of the cited references (Ahearn and Dahlgren, 2005) reported increased downstream nutrients following a dam removal project in California. A nutrient budget was established for the two years prior to the dam removal with a net positive discharge of Total Phosphorus and Total Nitrogen downstream from the lake calculated. Once the dam was removed both TN and TP's yearly downstream budget significantly increased. Presumably, nutrients were released from the exposed sediments left adjacent to the restored stream within the prior lake basin, the result of repeated wetting and dewatering. Also the Total Suspended Solids were determined with a significant increase in this parameter reported as the new watercourse stabilized by undercutting through the prior lake sediments. The report notes that higher concentrations of TN were primarily released by re-wetting sediments that previously were very well drained after the dam was removed. Another cited reference (James, Barko and Eakin, 2004) evaluated the nutrient release from dewatered sediment at various levels of moisture content and concluded that sediments released a far greater level of TN when dried to a 95% dewatered state, a finding also noted in the dam removal study.

These scenarios differ from the proposed work at Mirror Lake since the sediments will be permanently removed from the watershed after partial compaction and dewatering still in a saturated anaerobic state. In our experience, dredged sediments are typically trucked for disposal with water content in the range of 35-40% under saturated or near saturated conditions. The organic sediments have a high Biochemical Oxygen Demand which will rapidly deplete the oxygen from the sediments as they compact and collect within the geotextile fabric tubes. Thereafter, the process of nutrient mobilization due to oxygenation is brief during hydraulic dredging for the pumped sediments. Once settled,

the sediments in the geotextile fabric tubes will maintain saturation similar to anaerobic wetland soils above groundwater until they are removed by the contractor.

In summary, while there is agreement that oxygenated sediment is a concern relative to nutrient mobilization, the Applicant believes that the conditions within the geotextile fabric tubes will not be conducive for significant nutrient release. Similar in nature to Issue No. 1, the Applicant is of the opinion that the permanent removal of sediment will result in a long term reduction in downstream nutrient loading.

That stated, the Applicant shares the concern raised by the Commission to some extent such that monitoring is warranted. On a prior hydraulic dredging project in Bristol, DEP required Total Phosphorus monitoring. The Applicant proposes monitoring of both Total Phosphorus and Total Nitrogen in the discharge from the dewatering areas back to Mirror Lake (an expected condition of the Wastewater Discharge Permit), as well as the discharge from Mirror Lake to Roberts Brook during active dredging. Please note that discharge waters from the dewatering operations will be returned to the lake and not directly discharged to the brook.

4. *Alternative options including phytoremediation appear to have been inadequately explored.*

At the March 17, 2010 meeting, the Conservation Commission expanded upon this issue, noting that they were suggesting *in-situ* phytoremediation without a lake drawdown as an option. In essence, they proposed a weed harvesting management scenario as a means to removing nutrients, and possibly contaminants, from the in lake sediment column, albeit possibly with particular macrophytes shown to result in favorable phytoextraction of TN and TP. In both 2008 and 2009, the Applicant conducted “suction harvesting” over the lake, removing aquatic vegetation matter and nutrient rich geese droppings from the lake bottom. While suction harvesting theoretically can reduce nutrient contributions from the sediment, the 40 years of nutrient rich sedimentation within Mirror Lake has the likelihood of sustaining multiple decades of a eutrophic state in Mirror Lake despite a well regimented effort to achieve reduced lake fertility through weed harvesting. It is the Applicant’s position that this is a positive but limited action that is not a viable substitute for removal of all soft sediments by dredging to the mineral base hard bottom which will restore the lake’s morphology to its status prior to sedimentation.

5. *Studies on small lakes elsewhere have shown that sediment removal alone does not provide long-term restoration, and that the effects of dredging can have unintended negative consequences.*

The Applicant concurs with the statement that “sediment removal alone does not provide long-term restoration.” This is a well documented opinion shared by one of the referenced materials (Phillips et al, 1999) that reported this conclusion based upon 25 years of shallow lake documentation. The Applicant recognizes that comprehensive watershed management must accompany any in-lake remediation, in particular at Mirror Lake due to the relatively large impervious surface area tributary to such a small waterbody. Since most of Mirror Lake’s watershed is on campus, a successful management approach is attainable. By the time dredging is complete, five nearby “end of pipe” sediment/water separators will be installed at the stormwater drainage outlets to Mirror Lake. In addition, comprehensive non-point source management planning is underway. Maintenance practices are being updated, including reducing the amount of sand used for deicing roads and walkways and more frequent catch basin cleanings with UConn-owned equipment, and low impact designs such as rain gardens, green roofs, and permeable pavement are being evaluated.

6. *Additional sustainable remediation efforts should be further explored.*

Sustainable remediation is a laudable goal for all projects in today’s society. We respectfully submit that removal of the sediment from Mirror Lake coupled with control of future inputs from the watershed, as is being actively pursued, is consistent with the goals and objectives of sustainable projects as they pertain to the management of small lakes and ponds. Furthermore, Professor Cristian Schulthess is exploring *Ex-Situ* Phytoremediation opportunities with possibly up to 2,000 cubic yards of Mirror lake sediment utilized to advance his research. At the present time, the Applicant has not identified a suitable location in which to perform Prof. Schulthess’ research and has not included this concept into the current permit application. If such a location is identified, and if the project can be performed in such a manner to assure that the test site and surrounding environment will not be impacted by contaminated runoff or leachate, the Applicant will collaborate with all parties including Town representatives and DEP to help facilitate such research.

PAGE  
BREAK