

AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, November 1, 2010, 7:15 p.m.

Or upon completion of Inland Wetland Meeting

Council Chambers, Audrey P. Beck Municipal Building

Minutes

10/18/10

Scheduled Business

Zoning Agent's Report

- A. Monthly Activity Report
- B. Enforcement Update
- C. Other

Old Business

1. Draft Revisions to the Subdivision Regulations
Memo from Director of Planning
2. August 2010 Final Draft Environmental Assessment Re: Planned Animal Health Research Center at UConn Depot Campus
Memo from Director of Planning
3. Request to authorize overhead utility lines over a conservation easement area dedicated in association with the Hawthorne Park Subdivision, PZC File # 1177
(to be tabled-awaiting additional information)
4. Other

New Business

1. 2011 Meeting Schedule
Memo from Director of Planning
2. Request for Approval of Location, Eagleville Motors, 860 Stafford Rd, PZC File #279
Memo from Zoning Agent
3. Other

Reports from Officers and Committees

1. Chairman's Report
2. Regional Planning Commission
3. Regulatory Review Committee (next meeting scheduled for 11/10/10 at 1:15 pm)
4. Other

Communications and Bills

1. 10/25/10 letter from UConn Re: Water Conservation Measures
2. 10/25/10 Town Council action Re: Storrs Road and Dog Lane improvements and related project information
3. 10/25/10 Status Report Re: Assistant/Independent Living Project
4. Fall 2010 CT FPZA Quarterly Newsletter
5. Other

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DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, October 18, 2010 Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Favretti called the meeting to order at 7:02 p.m. and appointed Loxsom and Rawn to act in member absence. Beal was appointed as acting secretary in Secretary Holt's absence.

Minutes:

10-4-10-Beal MOVED, Rawn seconded, to approve the 10/4/10 minutes as written. MOTION PASSED with all in favor except Hall and Pociask who disqualified themselves.

Zoning Agent's Report:

Noted.

Old Business:

1. August 2010 Final Draft Environmental Assessment Re: Planned Animal Health Research Center at UConn Depot Campus
Padick summarized his 10/13/10 report and noted that the Conservation Commission meets on Wednesday, October 20th and he expects their comments to be prepared for the next PZC packet. No action taken.
2. Request to authorize overhead utility lines over a conservation easement area dedicated in association with the Hawthorne Park Subdivision, PZC File # 1177
Tabled-awaiting additional information.

New Business

1. 8-24 Referrals:

Hunting Lodge Road Bikeway/Walkway

Beal MOVED, Pociask seconded, to adopt the following resolution:

RESOLVED, that the Planning and Zoning Commission of the Town of Mansfield approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

Bikeway/walkway improvements along the western side of Hunting Lodge Road from its intersection with North Eagleville Road to the intersection of Carriage House Road.

The Resolution PASSED UNANIMOUSLY.

Salt Storage Shed

Beal MOVED, Pociask seconded, to adopt the following resolution:

RESOLVED, that the Planning and Zoning Commission of the Town of Mansfield approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

The construction of a salt shed, storing approximately 2,000 tons of de-icing materials and sand/aggregate mixtures and associated site work at the Mansfield Public Works Department property, 230 Clover Mill Road in Mansfield.

The Resolution PASSED UNANIMOUSLY.

3. **Town of Chaplin Referral: Proposed Subdivision on Chaplin/Mansfield Town Line**

Padick summarized his 10/18/10 memo distributed this evening. After a brief discussion, Hall MOVED, Beal seconded, that the Mansfield Planning and Zoning Commission authorize its Chairman to reply to the 9/30/10 referral from the Chaplin Planning and Zoning Agent regarding a pending subdivision on South Bedlam Road. The response should provide information regarding alternative depictions of the Mansfield/Chaplin Town line but should not include any recommended course of action. MOTION PASSED UNANIMOUSLY.

2. **Draft Revisions to the Subdivision Regulations**

Padick briefly summarized the draft revisions and it was suggested that a full discussion and summary of the revisions be postponed until a full complement of members are present.

Reports of Officers and Committees:

Chairman Favretti reminded Commission members that discussion of the pending court cases with the public or press is not appropriate and to refer questions or comments to the staff. Beal stated that the next Regulatory Review Committee meeting is on 10/27/10 at 1:15pm in Room C.

Communications and Bills:

Noted.

Adjournment:

Chairman Favretti declared the meeting adjourned at 7:37 p.m.

Respectfully submitted,

Michael Beal, Acting Secretary



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

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: October 28, 2010

MONTHLY ACTIVITY for October, 2010

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Kalichman	279 Woodland Rd.	10 x 16 shed
McCary	88 Mansfield City Rd.	15 x 24 deck
McKinney	22 Higgens Hwy.	16 x 24 workshp
St. Jean	43 Hickory La.	27' above pool
Boyle	108 Crane Hill Rd.	10 x 20 membrane storage

(the permits above were issued in September after my written report)

Thompkins	21 Codfish Falls Rd.	10 x 12 shed
Beaudoin	29 – 32 Liberty Dr.	4 multi-fam units
Beaudoin	33 – 36 Liberty Dr.	4 multi-fam units
Holzbach	866 Mansfield City Rd.	12 x 20 deck
Hometown Builders	72 Wormwood Hill Rd.	rebuild 1 fm dw
Reilein	50 Mountain Rd.	screen porch
Community Health Resources	7 B Ledgebrook La.	identity signage
Spring Hill Properties	Lot 19 Beacon Hill Dr.	1 fm dw
Rollins	986 Mansfield City Rd.	lot split – first cut
Campo	61 Charles La.	12 x 24 garage
Talbot	26 Southwood Rd.	12 x 16 shed

CERTIFICATES OF COMPLIANCE

Boyle	108 Crane Hill Rd.	membrane storage
St. Jean	43 Hickory La.	above pool
DeBoer	140 Bassett's Bridge Rd.	rebuild workshop/garage
Nestor	986 Middle Tpke.	front porch
Ballas	370 Woodland Rd.	house addition
Stebbins	191 Brookside La.	workshop / storage
Thompkins	21 Codfish Falls Rd.	shed
Hirsch	795 Stafford Rd.	shed
Kiss	834 Mansfield City Rd.	membrane storage
Doyle	92 Summit Rd.	front porch
Vigneau	3 Wormwood Hill Rd.	1 fm dw

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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: October 28, 2010
Re: Draft Subdivision Regulations



A copy of 10/7/10 draft revisions to the Subdivision Regulations was included in the October 18 PZC packet. Based on the current agenda for 11/1/10, Monday's meeting provides a good opportunity to review the subject draft regulations and determine whether it is appropriate to bring the drafts to public hearing. To date, I have not received any preliminary feedback from the Town Attorney and it would not be appropriate to schedule any hearing without his preliminary review comments. I also have passed on the draft revisions to the Open Space Preservation Committee and Conservation Commission. I expect to meet with some committee representatives prior to Monday's meeting and may have some additional feedback for the PZC's consideration.

Please contact the planning office if you need a copy of the 10/7/10 draft Subdivision Regulations.

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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: Thursday, October 28, 2010
Re: August 2010 Draft Final Environmental Assessment (EA)
U.S.D.A. Animal Health Research Center



This memo updates my 10/13/10 report which is attached. The Environmental Assessment was considered at the Conservation Commission's October 20th meeting and Chairman Kessel verbally related to me that the Conservation Commission had no issues with my 10/13/10 recommendation. My 10/13/10 report was included in the Town Council's 10/25/10 meeting packet but no action was taken pending the PZC's comments and recommendation. In keeping with past practices and subject to any PZC recommendations for additional comments, the following motion is recommended:

That the Planning and Zoning Commission authorize its Chairman to send a letter to University of Connecticut representatives communicating support for the findings of the August 2010 Draft Environmental Assessment (EA) regarding a proposed USDA Animal Health Research Center on UConn's Depot Campus. This letter of support shall include a request that Mansfield representatives be provided an opportunity to review final designs prior to any construction authorizations.

Furthermore, that the Town Council be provided an opportunity to co-endorse the letter of support. The attached 11/9/10 draft letter prepared by the Director of Planning shall be utilized as a guide for the subject letter.

TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, DIRECTOR OF PLANNING

Memo to: Mansfield Planning and Zoning Commission, Town Council, Conservation Commission
From: Gregory Padick, Director of Planning 
Date: 10/13/10
Re: August 2010 Draft Final Environmental Assessment (EA) - USDA Animal Health Research Center

Copies of the project abstract and assorted other pages of an August 2010 Draft Final Environmental Assessment (EA) for a new United States Department of Agriculture (USDA) Animal Health Research Center to be located at UConn's Depot Campus have been distributed to the Town Council, the Planning and Zoning Commission and the Conservation Commission. The draft final EA provides detailed information about the proposed project which has been in the planning stages for many years and was the subject of a recent public information session. Although the 9/21/10 transmittal letter from P. Ferri of UConn's Office of Environmental Policy specifies a thirty (30) day comment period, Mr. Ferri has verbally related to me that any review comments from Mansfield representatives received this fall would be considered.

I have reviewed the draft final EA and have the following comments:

- The subject EA has been prepared pursuant to National Environmental Policies Act (NEPA) requirements. The project is not subject to Connecticut's Environmental Policies Act (CEPA) procedures. If the August 2010 EA finding that the subject project is not expected to result in significant environmental impacts is found appropriate by federal reviewers, the project will be allowed to proceed to final design and construction processes. Final construction plans will necessitate a number of State permits but no municipal approvals are required.
- The attached EA abstract summarizes the proposed facilities, the planned uses and the animal research benefits the facility is expected to produce. The body of the EA report provides more details about the project, the selected Depot Campus site, alternative sites that were considered and potential environmental impacts.
- Table 2-1 on Page 15 summarizes the potential environmental consequences of each alternative. Based on my review to date, the EA finding of no significant impact on the physical environment is adequately documented in the EA. The site is not adjacent to existing private residences and no significant neighborhood impacts are expected. The site would be accessed by State roadways and no short term or long term traffic impacts are anticipated. The project would be served by UConn sewer and water systems and the anticipated need for 1,200 gallons of water per day is not expected to be a problem.
- Whereas the project may change prior to construction, it is recommended that Mansfield representatives request and opportunity to review final plans prior to the start of construction.
- Any additional comments or issues raised by the Conservation Commission (at its 10/20/10 meeting), by the Town Council (at its 10/25/10 meeting), or the Planning and Zoning Commission (at its 11/1/10 meeting) can be incorporated into a letter from the Town.

Summary/Recommendation

My review indicates that the subject Draft Final EA is thorough and appropriately addresses potential environmental impacts. Accordingly, subject to any review comments from Town Council, PZC or Conservation Commission members, it is recommended that Mansfield representatives support the findings of the EA. Any letter of support should request an opportunity to review final designs prior to construction.

TOWN OF MANSFIELD
Planning and Zoning Commission



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

10/28/10 DRAFT

November 9, 2010

Mr. Paul E. Ferri, Environmental Compliance Analyst
Office of Environmental Policy
University of Connecticut
31 LeDoyt Road
U-Box 3055
Storrs, CT 06269-3055

Re: August 2010 Draft Environmental Assessment, Proposed USDA Animal Health Research Center at the University of Connecticut Depot Campus

Dear Mr. Ferri:

Mansfield's Planning and Zoning Commission and Town Council, with assistance from staff and Mansfield's Conservation Commission, have reviewed the August 2010 draft Environmental Assessment for a new USDA Animal Health Research Center on UConn's Depot Campus. The following comments are presented for your consideration:

1. The proposed research center has been appropriately sited to minimize any impacts on the environment or surrounding neighborhood. The proposed project is considered to be fully consistent with Connecticut's Policies Plan for Conservation and Development, the Windham Regional Land Use Plan, and Mansfield's Plan of Conservation and Development.
2. The draft Environmental Assessment documents the proposed facilities, the planned uses and the animal research benefits the facility is expected to produce. The report suitably identifies potential environmental impacts and appropriate mitigation measures. It is expected that all of the recommended mitigation measures will be incorporated into construction plans and implemented during the proposed construction period.
3. Mansfield representatives, respectfully request an opportunity to review finalized designs prior to any construction authorizations.

Mansfield officials are available to discuss the subject project and the comments contained in this letter. We anticipate continued cooperation regarding the preparation and implementation of construction plans for the subject project. If you have any questions regarding this letter, please contact Mr. Gregory J. Padick, Mansfield's Director of Planning at 860-429-3329.

Very truly yours,

Elizabeth C. Paterson, Mayor
Mansfield Town Council

Rudy Favretti, Chairman
Mansfield Planning and Zoning Commission

Cc: Mansfield Town Council
Mansfield Planning and Zoning Commission
Mansfield Conservation Commission
Richard Miller, Director UConn Office of Environmental Policy
Gregory Weidemann, Dean UConn College of Agriculture and Natural Resources
Alexandria Roe, UConn Director of Planning
Robert Drechsler, USDA Engineering Project Manager

**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: 10/28/10
Re: 2011 Draft Meeting Schedule



Please review the attached 2011 draft meeting schedule for the Planning and Zoning Commission and Inland Wetland Agency. Also note that several meeting dates are on Tuesday due to a Monday Holiday.

The following motion has been prepared if members deem it appropriate. **That the Planning & Zoning Commission approve the 2011 meeting schedules for the Planning and Zoning Commission and Inland Wetlands Agency.**

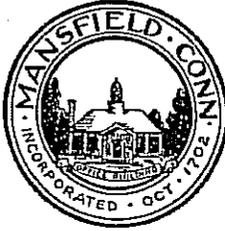
**INLAND WETLANDS AGENCY
AND
PLANNING ZONING COMMISSION**

MEETING SCHEDULE 2011

(IWA-1st Monday of each month, PZC-1st and 3rd Monday of each month, unless otherwise noted)

JAN	3 18 (TUES due to Martin Luther King Jr Day)	JULY	5 (TUES due to 4th of July) 18
FEB	7 22 (TUES due to Presidents Day)	AUG	1 15
MAR	7 21	SEPT	6 (TUES due to Labor Day) 19
APR	4 19 (TUES due to Passover)	OCT	3 17
MAY	2 16	NOV	7 21
JUNE	6 20	DEC	5 19

ALL MEETINGS UNLESS OTHERWISE NOTED MEET AT 7:00 PM IN THE
COUNCIL CHAMBERS
AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
STORRS, CT 06268



Town of Mansfield Office of the Town Clerk

To: Chairman
From: Mary Stanton, Town Clerk
Date: October 21, 2010
Re: Schedule of Meeting Dates for 2011

The **FREEDOM OF INFORMATION ACT** requires:

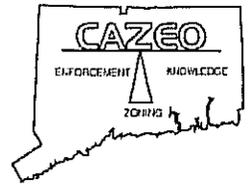
- A **schedule of regular meetings** for the ensuing year, signed by the chairman or the secretary be filed with the Town Clerk not later than January 31st, and no such meeting shall be held sooner than 30 days after such schedule has been filed. Your list should include the exact date (not, for instance, first Monday), time and place of the meetings. In accordance with Sec. 2-21f of the general statutes, if any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. A list of legal holidays is attached. In order for the Town website to reflect all regularly scheduled meetings for the year, as required by law, all meeting rooms should be reserved as soon as the schedule for the year is known.
- The **agenda of each regular meeting** must be available to the public and must be filed not less than 24 hours (excluding Saturdays, Sundays, holidays and any date on which the agency's office is closed) before the meeting in the office of the Town Clerk and on the Town's website.
- A **notice of special meeting** must be filed in the office of the Town Clerk and on the Town's website at least 24 hours (excluding Saturdays, Sundays, legal holidays and any day on which the office is closed) prior to the time of such meeting, and must include the business to be transacted. No business other than that listed in the notice may be considered. In addition, such written notice shall be delivered to the usual place of abode of each member of the public agency so that it is received prior to the special meeting. In case of emergency, a special meeting may be held without posting such notice, but a copy of the minutes of such emergency meeting must be filed with the Town Clerk and on the website not later than 72 hours following the meeting.

(When a meeting is cancelled for any reason, please post the cancellation as soon as possible.)

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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

To: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: October 28, 2010

**Re: Request for approval of location
Eagleville Motors, 860 Stafford Road
PZC file # 279**

We have received a 10/28/10 request from Elicia and Andrew Ladyga of Eagleville Motors, 860 Stafford Road, for the *approval of location* of a DMV Used Car Dealers License. This request is being made pursuant to Section 14-54 of the Connecticut General Statutes. The Statute requires that the 'local authority' approve the location for a used car dealer license even when the only change to the business operation is new ownership. The Ladyga's purchased the Eagleville Garage in February of 2010 and have been working toward securing the change in licensing.

The subject site is located within a RAR-90 zone and has been used for motor vehicle repair and used-car sales since the early 1980's, operating as the Eagleville Garage. A used car dealer license also permits general repairs of motor vehicles. The current use is a non-conforming use in the RAR-90 zone. The Zoning Board of Appeals approved a change in non-conforming use from a restaurant to a vehicle repair and sales use on 12/10/1980 under the zoning regulations at that time. On the same date, acting under its function as an Agent of the State, the ZBA granted an approval of location for the subject use. Historically the site had been used for several restaurants and as Moquin's Town & Country Store, a grocery store with gasoline sales. There is also a residential apartment located on a second-floor level of the building. This unit has been unoccupied for some years.

The Planning & Zoning Commission acts through its administrative function as an Agent for the State under CGS 14-54 in reviewing and approving requests for the approval of the location for the various types of motor vehicle dealer licenses. The PZC has reviewed this site on several occasions up until 1977 for its use as a restaurant, the service of alcohol and for the use of live music associated with a restaurant use. Several site plans were reviewed and approved in association with the prior restaurant/live music uses. An A-2 survey of the subject site has been prepared (a DMV requirement) and I have copied a portion of the plan for your packet. I have also copied the 1980 plan approved by the ZBA. The existing site is being used in substantial compliance with the site plan approved by the ZBA in 1980. There are designated areas for the

display of vehicles for sale and for customer vehicles awaiting work or to be picked up. The Ladyga's are asking for a waiver of a hearing on this request. The Commission shall hold a hearing for a location not previously approved but may waive a hearing on a location that has been previously approved. There are no changes being proposed to the site or to the lone structure on the site. The Ladyg's state in their request that they intend to operate the business in the same manner that it has been operating for almost 30 years. The building has been repainted and new landscaping has been installed.

It is my recommendation that the PZC grant an approval of location without a hearing, to Eagleville Motors, LLC as a used car dealer under CGS Section 14-54, as submitted in a --- request from Elicia and Andrew Ladyga and as shown on a "Plan For Repair License for Eagleville Motors, LLC", dated 9/30/10, because there are no changes being proposed to the site or to the existing operation of the used car dealer use.

Received 10/28/10

Eagleville Motors LLC

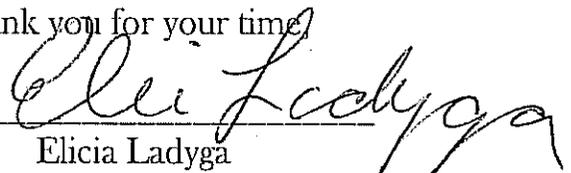
860 Stafford Road Storrs, CT 06268
Phone (860) 487-1700 Fax (860) 487-0736

Dear Planning and Zoning Commission,

We are requesting an approval to change our used car dealer license to 860 Stafford Road Storrs/Mansfield CT 06268. Over the last several months we have been working diligently to transform Eagleville Garage into a successful business that the town and its people are proud to have in their community. Some of the changes performed to the property include landscaping, painting and removal of the junk cars. The improvements we have made to the property have been greatly appreciated by the neighbors, people traveling in the area and our customers. We will be operating as a used auto dealership which is the same business that has operated out of this location for the past thirty years. We will be selling quality used vehicles and also doing services like oil changes, brakes and rotors, tune ups and tire changes. We will not be making any physical alterations to the building only cosmetic. The parking/vehicle display areas will be the same that it has been. We have submitted our A-2 survey of the subject property as required by the DMV. We are requesting a waiver of the hearing because this location was previously approved by the Zoning Board of Appeals and we are continuing the same use. If you have any other questions please feel free to call us (860) 487-1700.

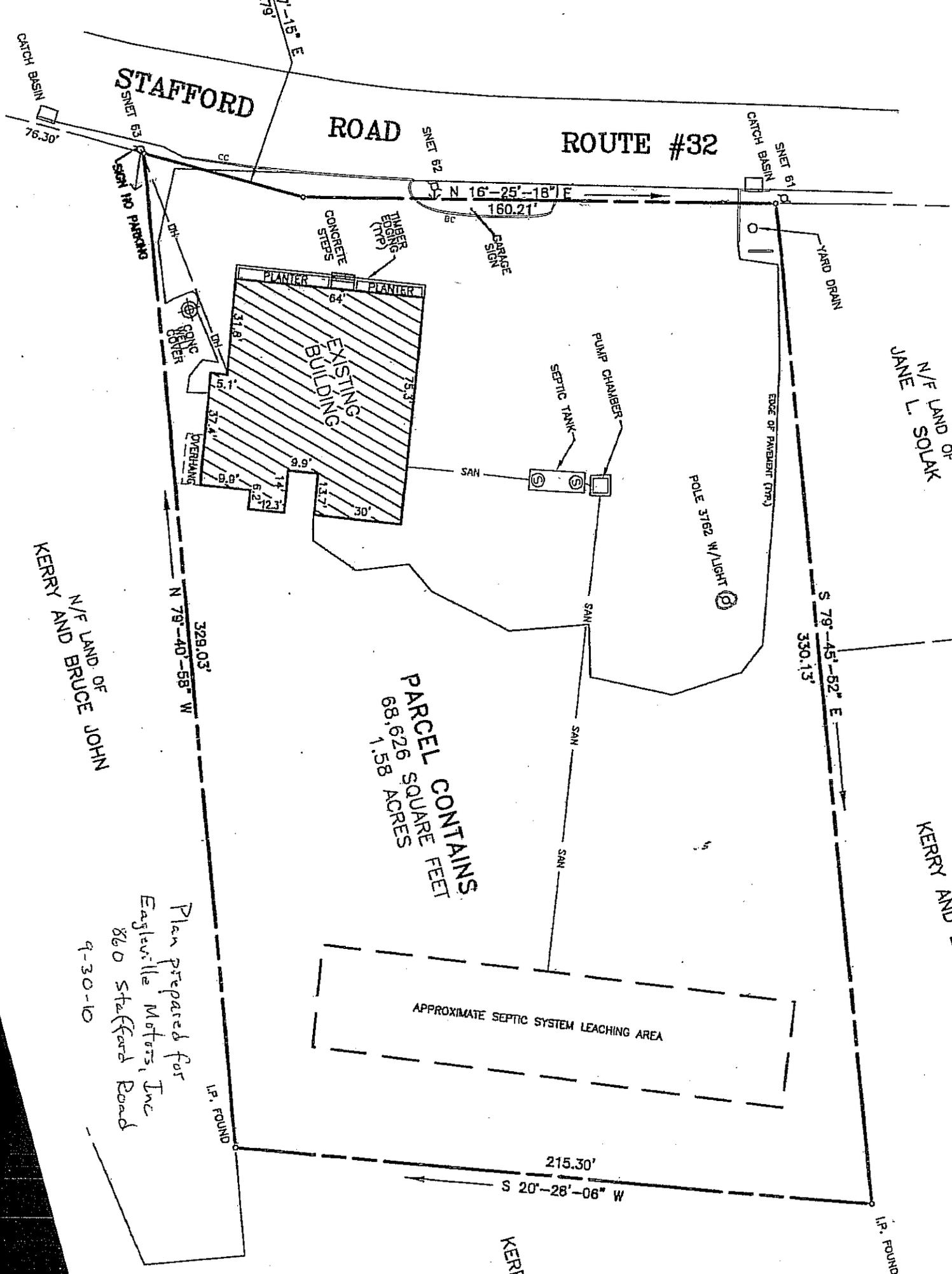
Thank you for your time!

X


Elicia Ladyga

X


Andrew Ladyga



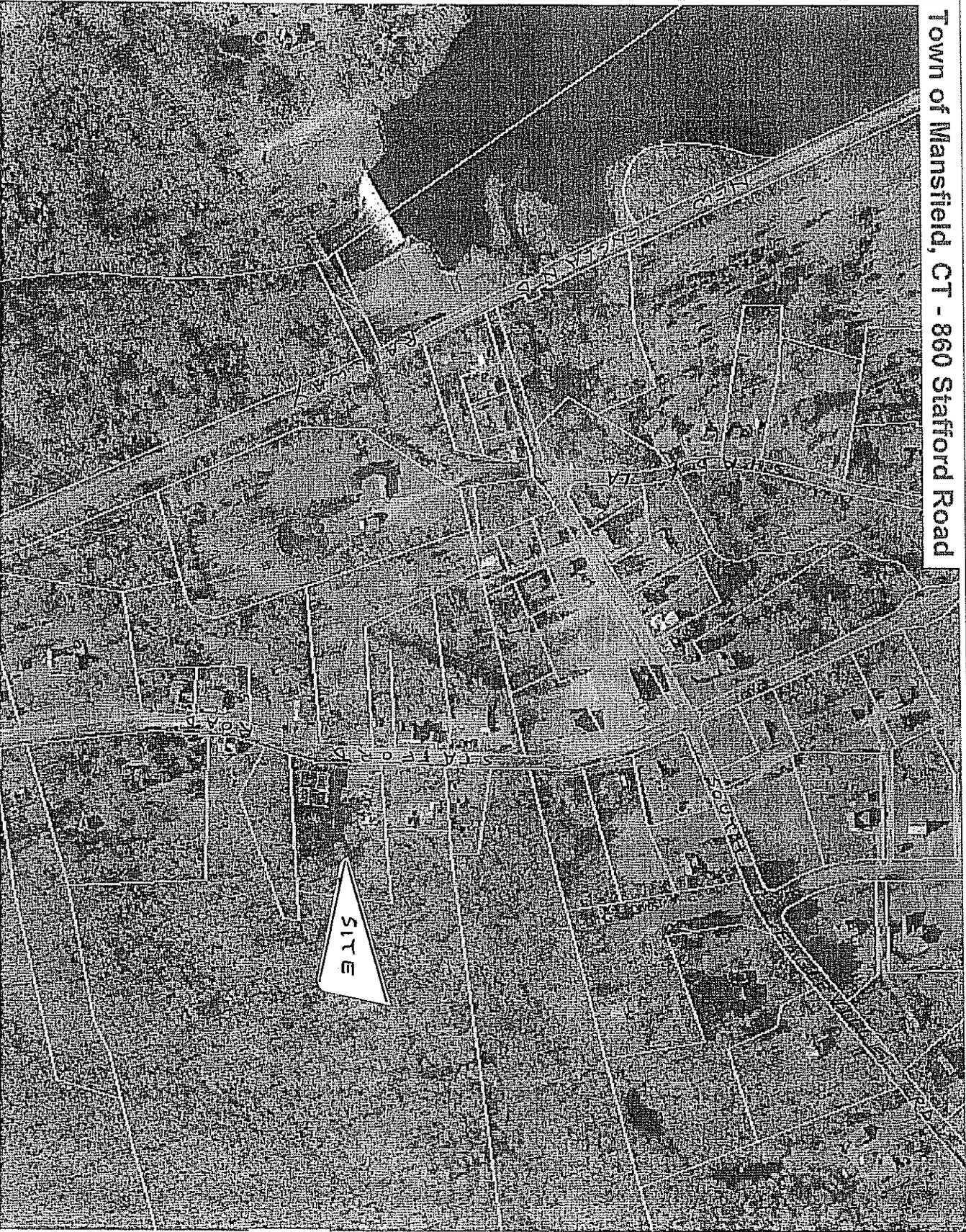
Plan prepared for
 Eagleville Motors, Inc
 860 Stafford Road
 9-30-10

I.P. FOUND

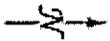
KERRY AND BRUCE

I.P. FOUND

Town of Mansfield, CT - 860 Stafford Road



- MapGrid
- Towns
- Dimensions
- Address
- ParcelID
- Area
- Streets
- Parcels
- powerlines
- wetlands
- water
- Town
- roads
- highways



1 in = 334.94 ft

Printed:
10/19/2010

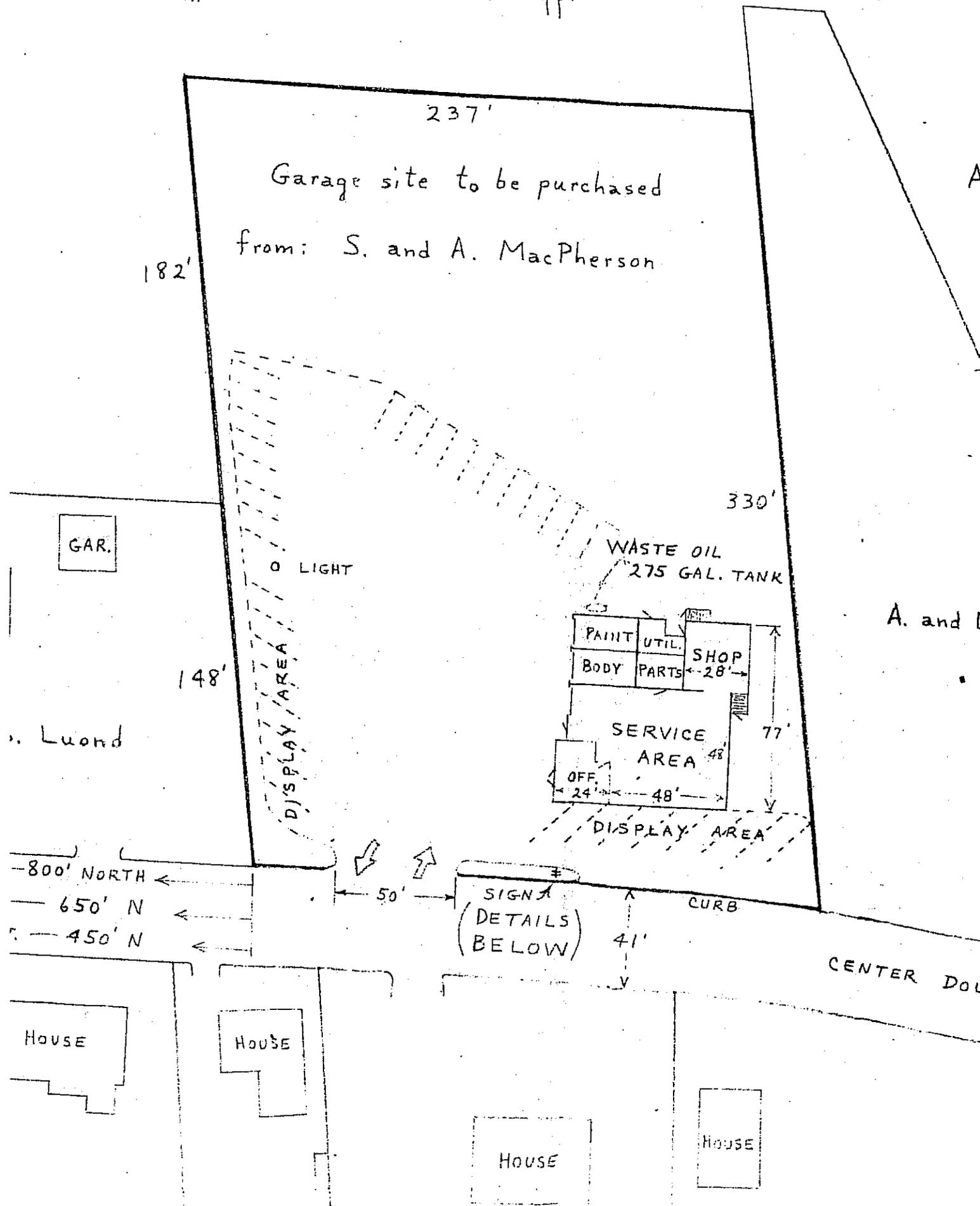


MainsStreetGIS, LLC - www.mainsstreetgis.com / info@mainsstreetgis.com
 Disclaimer: This map is for assessment purposes only. It is not valid for use as a survey or for conveyance

* 1981 plan by Gilliam

ice L. John

ZBA-Approved Plan





University of Connecticut
Administration and Operations Services

Facilities Operations

October 25, 2010

Dear Members of the University of Connecticut Community and UConn Water System Users:

In light of the recent rains, the University of Connecticut is lifting the mandatory water conservations measures that have been in effect since we issued our August 13th drought notice. Please note that the streamflow in the Fenton River has not fully recovered and is still below normal for this time of year. Therefore, the University will maintain a Stage IA Water Conservation Alert and we request that you continue to conserve water.

While our water system is able to meet current and projected demands, operating the supply wells can add stress to the local rivers that were affected by the drought. We expect to remain in a Water Conservation Alert until we're confident that the Fenton River streamflow will be sustained above three cubic feet per second. This critical threshold was indentified in the comprehensive river study and incorporated into our drought response plan. Streamflow information for the Fenton River is available on the United States Geologic Society's website, <http://waterdata.usgs.gov/ct/nwis/>.

We plan to issue a follow-up notice in the up-coming weeks. Until such time, we urge you to reduce your water use the following ways.

- ✓ Take short showers. Turn off the water flow while soaping or shampooing.
- ✓ Use the appropriate water level or load size selection on the washing machine.
- ✓ Use water only as needed when washing dishes, shaving, and brushing teeth. Don't let the faucet run unnecessarily.
- ✓ Run dishwashers only when completely full.
- ✓ Use of public water to wash building exteriors, driveways, sidewalks or a vehicle is discouraged.
- ✓ Reconsider pouring water down the drain when there may be another use for it.
- ✓ Immediately report any leaky fixtures in UConn buildings to Facilities Operations (486-3113).

We ask for and appreciate your continued support and cooperation. Please contact us at eugene.roberts@uconn.edu (486-3185) or rich.miller@uconn.edu (486-5446) with any comments, suggestions or questions you may have.

Sincerely,

Eugene B. Roberts,
Director of Facilities Operations

Richard A. Miller
Director of Environmental Policy

An Equal Opportunity Employer

25 LeDoyt Road Unit 3252
Storrs, Connecticut 06269-3252

Facsimile: (860) 486-1486

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works; Greg Padick, Director of Planning; Tim Veillette, Project Engineer
Date: October 25, 2010
Re: Public Information Session: Storrs Road & Dog Lane Improvement Projects

Subject Matter/Background

Since portions of the grants the Town is receiving for the Storrs Road and Dog Lane improvement projects for the Storrs Center Development are being administered by the Connecticut Department of Transportation (ConnDOT), public information meetings at the preliminary design stage are required to inform interested parties of the proposed designs.

As the Storrs Road and Dog Lane projects are interrelated, we have combined the public information meetings for each project into one. Attached you will find copies of the press release, ads for this meeting placed in the Chronicle and the Courant, and letters sent to the abutters and other interested parties.

Recommendation

At the public information meeting, representatives from the design engineering firm will present the preliminary designs of the proposed work and hear comments from interested parties. At the conclusion of the public information meeting (at this Council meeting or a Council meeting in the near future), the Town Council should vote to proceed to final design for these projects.

If the Town Council concurs with this recommendation, the following motion is in order:

Move, effective October 25, 2010, to proceed to the final design stage for the Storrs Road & Dog Lane Improvement Projects.

*Approved at
10/25/10 Town
Council meeting
GDP*

Attachments

- 1) Press release
- 2) Box ad
- 3) Letter to abutters

NEWS RELEASE

MANSFIELD, CONNECTICUT – the TOWN of MANSFIELD has two projects; State Project No. 77-223 and 77-227. Project No. 77-223 is a streetscape enhancement project along Storrs Road (Rte. 195) between South Eagleville Road/Post Office Road and Mansfield Road. Project No. 77-227 is a reconstruction and improvement project along Dog Lane from Storrs Road to 700' north. Preliminary design has been completed and the projects are slated for construction under the Surface Transportation Program, administered by the Connecticut Department of Transportation.

It is the Town's and the State's policy to keep persons informed and involved when such projects are undertaken. It is important that the community share its concerns to assist in the project's development. The Town will conduct an informational meeting on Monday, October 25, 2010 at 7:30 P.M. at the Town Council chambers, Audrey P. Beck Municipal Building, 4 South Eagleville Road, Mansfield, CT 06268.

Project No. 77-223 is a streetscape enhancement project that involves the widening and overlaying of Storrs Road (Rte. 195), Post Office Road and South Eagleville Road (Rte. 275). Also included in this project will be the installation of decorative sidewalks, crosswalks, mountable median with decorative trees, decorative lights and stone retaining walls.

Project No. 77-227 is a reconstruction and infrastructure improvement project that involves the relocation of intersection of Dog Lane with Storrs Road, and reconstruction of Dog Lane. Also included in this project will be the installation of decorative sidewalks and crosswalks, decorative lighting, planting decorative trees and utility improvements.

Based upon a preliminary assessment, the construction cost for Project No. 77-223 will be approximately \$5,028,000 and Project No. 77-227 will be approximately \$2,498,000.

Federal Highway Administration, State of Connecticut Urban Action and STEAP grants and Town of Mansfield will provide funding for the construction cost of these projects. Additional private funding may be provided to cover a portion of the construction costs associated with Project No. 77-227, Dog Lane Improvements.

Anyone interested in obtaining further information or providing input may do so by contacting:

Lon Hultgren, Director of Public Works/Town Engineer

Tel: 860-429-3332

Email: HultgrenLR@mansfieldct.org

AGENDA
TOWN OF MANSFIELD PUBLIC INFORMATION MEETING

STATE PROJECT NO. 77-223
STORRS ROAD (ROUTE 195) IMPROVEMENTS
STATE PROJECT NO. 77-227
DOG LANE IMPROVEMENTS

MONDAY, OCTOBER 25, 2010 – 7:30 PM
TOWN COUNCIL CHAMBERS

I. INTRODUCTORY REMARKS

Moderator
Mr. Lon Hultgren
Director of Public Works/Town Engineer
Town of Mansfield

II. DESIGN PRESENTATION

Mr. Derek Kohl, P.E.
Director of Engineering
BL Companies

III. RIGHTS OF WAY REQUIREMENTS

Mr. Steve Degen
ConnDOT Representative
Office of Rights of Way

IV. AUDIENCE PARTICIPATION

Federal, State, Regional and Local Representatives
Public Participation*

V. ADJOURNMENT

*NOTE: WRITTEN STATEMENTS OR EXHIBITS FOR THE RECORD MAY BE MADE IN PLACE OF (OR IN ADDITION TO) ORAL STATEMENTS MADE AT THIS MEETING. SUCH ADDITIONAL STATEMENTS SHOULD BE SENT TO (OR FILED AT) THE FOLLOWING ADDRESSES NO LATER THAN NOVEMBER 8, 2010.

LON HULTGREN
DIRECTOR OF PUBLIC WORKS
4 SOUTH EAGLEVILLE ROAD
STORRS, CT 06268

HUGH H. HAYWARD
PRINCIPAL ENGINEER
CONSULTANT DESIGN/LOCAL ROADS
CONNECTICUT DEPARTMENT OF TRANSPORTATION
2800 BERLIN TURNPIKE
NEWINGTON, CT 06131

After the Design and Rights-of-Way presentations, the Moderator will recognize persons wishing to speak. There will be a five-minute limit on all first time speakers. Persons wishing to speak a second time will not be recognized until all have had an opportunity to speak. Documents and other information are available for public inspection or copy, at the following location:

Town of Mansfield Department of Public Works
4 South Eagleville Road
Storrs, CT 06268

GENERAL INFORMATION

The project limits for State Project No.77-223 are located on Storrs Road (Route 195) starting approximately 100 feet south of the Mansfield Road intersection and ending approximately 300 feet south of the South Eagleville Road/Post Office Road intersection, a total distance of approximately 2230 feet. Storrs Road (Route 195) is an urban principal arterial roadway with a width that varies from 36' to 56'. There is an existing storm drainage system along Storrs Road and throughout the project limits. The existing intersections of Dog Lane, Bolton Road and South Eagleville Road (Route 275) are signalized. There is an adjacent and abutting project along the Storrs Road (Route 195) corridor. State Project 77-217 is an enhancement project being completed by the Town of Mansfield in parallel with State Project 77-223.

It is proposed to reconstruct the existing roadway, including milling and overlaying the existing pavement structure, full depth pavement construction in areas of widening and the installation of granite stone curbs. New concrete sidewalks with sections of decorative concrete will be installed on both sides of the roadway. New catch basins will be installed along the proposed gutter lines and connected to the existing storm drainage system. A portion of the existing storm drainage system between Dog Lane and Mansfield Road will be upgraded. New traffic signals are proposed at the intersections of Bolton Road and South Eagleville Road (Route 275).

Based on the preliminary design estimate, the anticipated construction cost for State Project No. 77-223 is \$5,028,000. Federal Highway Administration, State of Connecticut Urban Action and STEAP grants, and Town of Mansfield will provide funding for the construction cost of these projects.

The project limits for State Project No. 77-227 are located on Dog Lane starting at the intersection of Storrs Road (Route 195) and ending approximately 350 feet west of the Willowbrook Road intersection, a total distance of 650 feet. Dog Lane is classified as a

Local Urban Street with a width that varies from 22' to 38'. There is a small existing storm drainage system located near the intersection of Storrs Road. This system discharges into the Storrs Road storm drainage system. The existing intersection with Storrs Road is signalized.

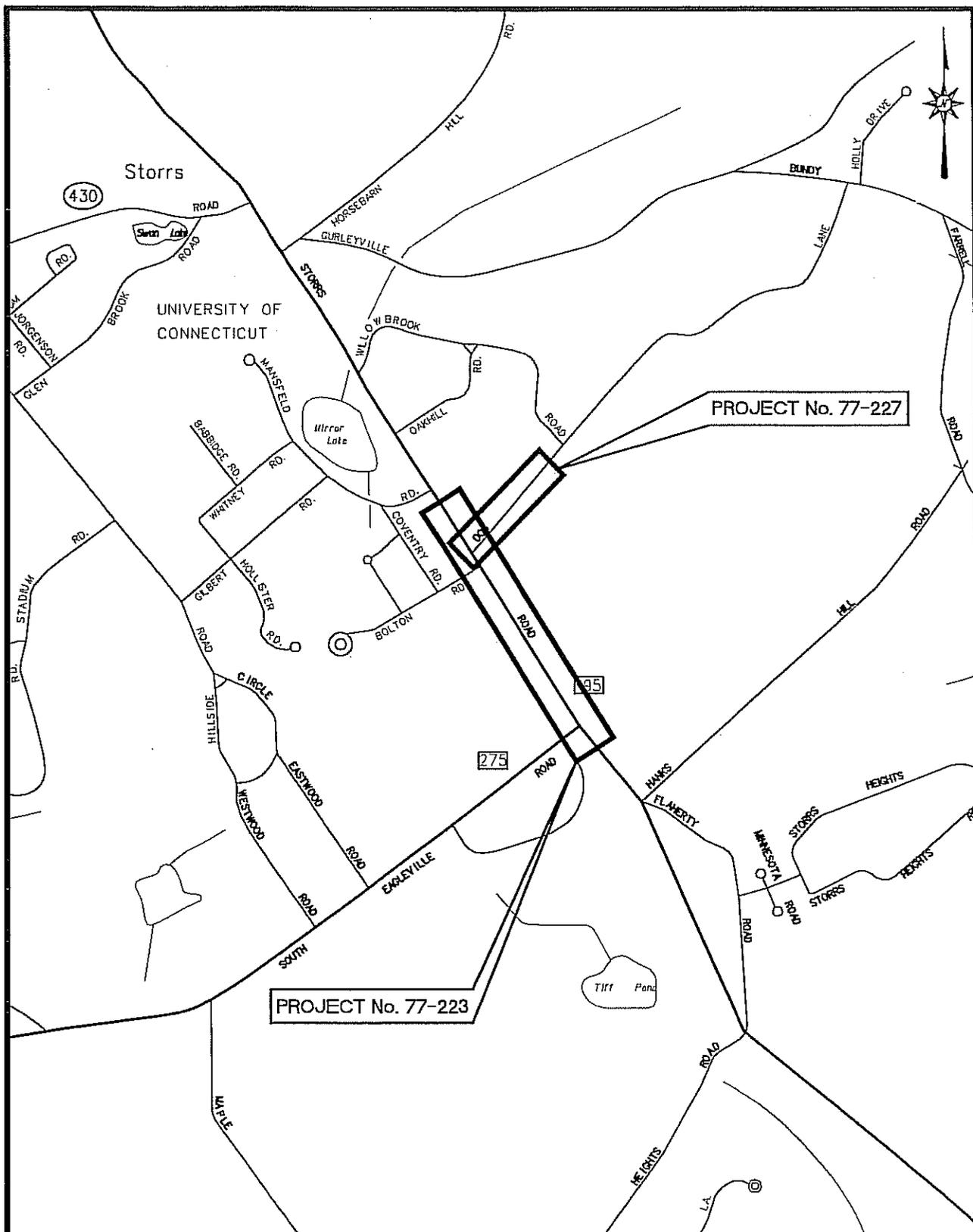
It is proposed to reconstruct and realign the existing roadway, including full depth pavement reconstruction and the installation of new concrete and granite stone curbs. New concrete sidewalk will be installation along both sides of the roadway. The existing storm drainage system will be replaced with a new system consisting of new catch basin and tree box filters for primary storm water treatment. Dog Lane will be realigned and the existing intersection with Storrs Road will be moved approximately 100 feet to the north. The existing signal will be removed and replaced with a stop condition at the location of the new intersection.

Based on the preliminary design estimate, the anticipated construction cost for State Project No. 77-227 is \$1,470,000. Federal Highway Administration, State of Connecticut and STEAP grants, and Town of Mansfield will provide funding for the construction cost of these projects. Additional private funding may be provided to cover a portion of the construction costs associated with Project No. 77-227, Dog Lane Improvements.

It is anticipated that all design work for the proposed projects will be completed by early 2011. Bidding for the proposed work will then occur in early spring 2011 with construction to directly follow.

The design details for these proposals will be discussed this evening along with private property rights-of-way acquisition procedures and tentative schedule for rights-of-way acquisition and construction activities.

All comments and recommendations made at this evening's public informational meeting will receive careful consideration by the Town of Mansfield and the State of Connecticut Department of Transportation.



PROJECT LOCATION MAP
 STATE PROJECT NOS. 77-223 & 77-227
 MANSFIELD, CONNECTICUT
 TOLLAND COUNTY

FIG-1

Scale 1"=1000'
 Date 10/25/2010



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant to Town Manager; Kevin Grunwald, Director of Human Services
Date: October 25, 2010
Re: Status Report on Assisted/Independent Living Project

Subject Matter/Background

At its meeting on August 23, 2010, the Town Council unanimously moved to revisit the status of the Assisted/Independent Living project, and to decide whether or not to reaffirm the status of Masonicare as the preferred developer for the project. At this point, there is no legal import to the designation of a "preferred developer." This designation represents the Town's interest in working collaboratively with Masonicare to facilitate the development of this project.

Since the August 23rd Council meeting, Masonicare has taken the following actions:

- The Board of Directors of Masonicare has approved a budget which includes funds allocated for the purchase of property in Mansfield to develop an assisted/independent living facility.
- The Town Manager and the Director of Human Services have met with Steve McPherson and John Paul Venoit of Masonicare to discuss next steps in developing this project, including Masonicare's hiring of an engineering firm and a local real estate attorney.
- Masonicare has contracted with the engineering firm of Milone & McBroom to conduct an environmental study of the proposed property. The study began approximately two weeks ago.
- Masonicare has initiated a market study to determine the current demand for independent/assisted living services in the Mansfield area. The company is exploring interest in both a "buy-in" and a rental model. Masonicare anticipates the market study will be complete in mid-November.

At this time Masonicare plans on finalizing the details of the purchase of the identified property by mid to late November 2010, subject to a favorable environmental review. If the environmental review is not satisfactory, Masonicare will look at other potential sites in Mansfield. Once these preliminary conditions are satisfied and a definitive site has been selected, the actual design and construction process for the assisted/independent living facility would take approximately two to three years to complete.

Recommendation

All indications are that there continues to be significant interest in the development of an independent/assisted living facility in Mansfield, and that such a facility would meet the needs of a number of our residents who wish to continue to stay in this community as their needs for assistance increase.

In Masonicare, the committee and staff believe that we have selected a preferred developer that has a proven track record in Connecticut and is well-positioned to meet the needs of our community. Masonicare is the process of completing its due diligence and will move forward to design and construction once certain conditions, such as market demand, land, water capacity and other environmental factors, are satisfied.

Based upon the reasons listed above and the progress that Masonicare has made since late August, I recommend that the Town Council maintain Masonicare's designation as the preferred developer for this project. I would also recommend that the Council schedule another status report in January 2011 regarding this initiative.

Staff will be available at Monday's meeting to address any related questions that the Council may have.

CONNECTICUT FEDERATION OF
PLANNING AND ZONING AGENCIES
QUARTERLY NEWSLETTER

Fall 2010

Volume XIV, Issue 4

SITE PLAN MODIFICATION MAY
NOT REQUIRE WETLAND REVIEW

An owner of a six acre parcel zoned for rural residential use applied to the PZC for site plan approval to build a single family dwelling and a kennel on the property. Since the property contained wetlands, an application was also filed with the inland wetlands commission as required by General Statute sec. 8-3(g).

While approval from the inland wetlands commission was obtained, the PZC delayed approval due to a question whether the regulations would permit these two uses on a lot this size. The owner subsequently amended his application by removing the dwelling. The PZC approved this site plan with the dwelling removed, over the objections of a neighbor who filed an appeal to court of the decision.

The issue before the court was whether the modified application had to be resubmitted to the inland wetlands commission. The court said no because the removal of the dwelling from the site plan application did not amount to a substantial modification to the plan, thus no new approval from the inland wetlands commission was needed. See *Vine v. Planning & Zoning Commission*, 122 Conn. App. 112 (2010).

ZONING AMENDMENT DOES NOT
CAUSE A HARDSHIP

A property owner of a residential rear lot applied for a variance. The hardship stated was that, due to the adoption of a new zoning regulation, the lot was now nonconforming and this would reduce its value. The regulation amendment stated that in computing lot area for a rear lot, the driveway access would not be counted. The applicant's lot, absent the driveway area, would not conform to the area requirements for the zone it was in. The Board granted the variance, stating as a reason that "there is hardship due to a change in the regulations that effectively reduces the lot area".

On appeal, the court reversed this decision because there was no finding that this hardship, which applied to all rear lots, was somehow unique to this lot. Section 8-6 of the General Statutes requires that before a variance can be granted, a hardship must be proven and this hardship must be unique to the property involved. This was not proven.

In addition, since this was the only stated reason for the decision, the court would search no further for additional reasons in the record which might support the decision. See *Michler v. Zoning Board of Appeals*, 123 Conn. App. 182 (2010).

Written and Edited by
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NEGATIVE IMPACT ON WILDLIFE
CAN JUSTIFY THE DENIAL OF A
WELANDS APPLICATION

A developer sought to build a golf course and 221 residential housing units on a 934 acre parcel of land. The land contained 114 acres of wetlands and served as the home for various amphibians, such as wood frogs and spotted salamanders. When the Inland Wetlands Commission denied its application, the developer appealed claiming that the Commission improperly based its decision on protecting wildlife as well as activities occurring in upland areas. In particular, the developer claimed that it was improper for the Commission to base its decision on evidence in the record which focused on the protection of the wood frog.

The court disagreed, stating that the Commission properly relied upon evidence in the record which demonstrated that planned activities within an upland review area would negatively impact the wetlands by negatively impacting the wood frog. The Appellate Court agreed to review the trial court's decision.

On review, the Appellate Court looked to the General Statutes and found support for the Commission's decision. In regard to upland areas, the Court

found that section 22a-42a provides specific authority for a Wetlands Commission to regulate activities occurring within areas around wetlands or watercourses if those activities are likely to impact or effect the wetlands or watercourses.

As for wildlife, 22a-41(c) was amended to include plant and animal life within the definition of a wetland or watercourse. In addition, 22a-41(d) provides authority for a Commission to deny an application if a regulated activity occurring within an area outside of a wetland or watercourse would impact or affect plant, animal or aquatic life if such activity will impact or affect the characteristics of the wetland or watercourse.

In this case, the Commission's denial was based upon evidence in the record that the developer's activities in constructing the golf course would impact the wood frog, which in turn would reduce or eliminate the number of wood frog tadpoles in the wetlands. The evidence demonstrated that without the tadpoles, the wetlands would suffer as they are a 'keystone species' which aid in improving water quality, among other things. This connection allowed for the Commission to base its denial on protecting wood frog habitat outside of the wetlands. See *River Sound Development LLC v. Inland Wetlands &*

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Watercourses Commission, 112 Conn. App. 644 (2010).

**ZONING BOARD NOT REQUIRED
TO FOLLOW PAST ERRONEOUS
DECISIONS**

When a zoning board of appeals affirmed the denial of a zoning permit to construct a home on a vacant lot, the property owner appealed to court. The owner had been the owner of two, adjoining nonconforming lots. One had a home on it while the other was vacant. The owner had sold the lot with the house, retaining the vacant lot.

During the zoning board of appeal hearing and again at court, the owner claimed that he was entitled to the permit because the board, in the past, had found in similar situations that the vacant lot had not merged with an adjoining lot owned by the same entity and thus could be used as a building lot.

In dismissing the appeal, the Court stated that "we decline to require that a [ZBA] be bound by an earlier mistaken approval with respect to a different property in the absence of other circumstances." Thus, in this case, the Board was allowed to leave the path of error it had been on and proceed on the correct path. See *Goulet v. Zoning Board of Appeals*, 117 Conn. App. 333 (2009).

ANNOUNCEMENTS

Workshops

If your land use agency recently had an influx of new members or could use a refresher course in land use law, contact us to arrange for a workshop. At the price of \$175.00 per session for each agency attending, it is an affordable way for your agency to keep informed.

Workshop Booklets

Copies of the booklets handed out at workshops are now available to members at the price of \$6.00 each and to non-members for \$9.00 each.

Annual Conference

The Annual Conference is scheduled for March 24, 2010. Please keep this date open. The Conference not only provides an opportunity to meet land use agency members from around the State but also can satisfy an educational component.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut. A principle in the firm of Byrne & Byrne, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.

In addition to his dedicated service as Executive Director of the Federation, he is a member of the land use section of the Connecticut Bar Association as well as writer and editor of several books and pamphlets on zoning and planning.

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