

MEETING NOTICE AND AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Tuesday, January 22, 2013 ■ 7:00 PM

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Council Chambers

1. Call to Order
2. Roll Call
3. Approval of Minutes
 - a. January 7, 2013 Regular Meeting
4. Zoning Agent's Report
 - Monthly Activity Update
 - Enforcement Update
 - Other
5. Public Hearings
 - a. 7:05 p.m.
Special Permit Application, 54 residential apartments, 73 Meadowbrook Lane, Whispering Glen-Lakeway Farms, L.P., owner/applicant: PZC File #1284-2
6. Old Business
 - a. Special Permit Application, Efficiency Unit, 22 Russett Lane, Jorgensen owner/applicant; PZC File #1314
 - b. Special Permit Application, 54 residential apartments, 73 Meadowbrook Lane, Whispering Glen-Lakeway Farms, L.P., owner/applicant: PZC File #1284-2
 - c. Subdivision Application, Beacon Hill Estates, Section II, Mansfield City Road, west of Beacon Hill Road; Eagleville Development Group, LLC, applicant: PZC File #1214-3
(Tabled pending 2/4/13 continuation of public hearing)
 - d. Subdivision Application, 29 North Windham Road; J. Sauve, applicant: PZC File #1311
(Tabled pending 2/4/13 public hearing)
 - e. Mansfield Tomorrow | Our Plan ▶ Our Future
 - f. Other
7. New Business
 - a. Other

8. Reports from Officers and Committees

- a. Chairman's Report
- b. Regional Planning Commission
- c. Regulatory Review Committee
- d. Planning and Development Director's Report
- e. Other

9. Communications and Bills

- a. 1-9-13 ZBA Decision Notice
- b. Other

10. Executive Session

Strategy and negotiations with respect to pending claims or litigation State Statute 1-200(6)(b)

11. Adjournment

To: Town Council/Planning & Zoning Commission
 From: Curt Hirsch, Zoning Agent 
 Date: January 10, 2013

Re: *Monthly Report of Zoning Enforcement Activity*
For the month of December, 2012

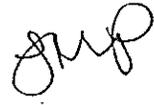
Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	5	10	8	61	67
Certificates of Compliance issued	7	5	8	49	52
Site inspections	17	27	20	180	158
Complaints received from the Public	5	3	5	29	23
Complaints requiring inspection	5	2	5	21	18
Potential/Actual violations found	4	1	2	16	10
Enforcement letters	6	10	5	54	31
Notices to issue ZBA forms	1	0	1	6	5
Notices of Zoning Violations issued	1	4	0	21	8
Zoning Citations issued	0	1	0	8	8

Zoning permits issued this month for single family homes = 0, 2-fm = 0, multi-fm = 0
 2012/2013 fiscal year total: s-fm = 3, 2-fm = 0, multi-fm = 0

PAGE
BREAK

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development 
Date: January 17, 2013
Subject: Whispering Glen Apartments
73 Meadowbrook Lane
Special Permit Application (File 1284-2)

Project Overview

Applicant: Lakeway Farms, L.P.

Property Location: 73 Meadowbrook Lane

Zoning: DMR

Property Size: 10.12 acres

Project Description: The applicant is requesting Special Permit Approval to develop 50 residential apartments. As part of the application, several dimensional adjustments are also requested pursuant to Article X, Section A.4.d.

This memo supplements my previous reports dated November 1, 2012 and January 7, 2013

Background

The property is zoned DMR and is currently developed with a vacant single family home. Surrounding land uses include single-family homes to the north, west and east (zoned R-20), Eastbrook Heights condominiums (zoned DMR) and Ledgebrook Office condominiums to the east (zoned PB-1), and vacant property zoned Planned Business 1 to the south.

- September 2009 ▪ The Commission approved a zone change from R-20 to DMR (File 1283) and a special permit (File 1284) for development of 32 luxury condominium units on the subject property.

- June 2010 ▪ The Commission approved a modification to the conditions of approval to authorize the Zoning Agent to issue a Zoning Permit for site work prior to filing of homeowners association documents on the land records.

- October 2011 ▪ The Commission approved a one year extension of the special permit approval to September 12, 2012.
- September 2012 ▪ The Commission received the current application.
- November 2012 ▪ The applicant initiated a redesign of the site plan based on the recommendations contained in my November 1, 2013 memo.

The original application used the same general site layout as the previous luxury condominium development, with a single entry and loop drive providing access to eight buildings. The revised layout includes 4 buildings, each with 2 units, fronting directly onto Meadowbrook Lane with driveway access for each units. The remainder of the buildings are situated facing a central open space internal to the site that is reminiscent of a traditional New England town green. The main entry drive loops around this open space. Proposed buildings include both one-story ranch and two-story townhouse units. Units range from ±1,200-1,600 square feet; each includes three bedrooms and a one-car garage. For most units, a second parking space is provided in the driveway leading to the garage. The design of the buildings and overall development is intended to accommodate a possible future conversion to condominium ownership. The overall building footprint has been reduced from the previous proposal even though the number of units has increased. This has been accomplished through a reduction in unit size. The proposed number of units has been reduced from 54 to 50 as a result of the new layout.

As part of the special permit approval, the applicant is requesting approval of the following adjustments to dimensional requirements pursuant to Article X, Section A.4.d, as amended effective October 1, 2012:

- Article VIII, Schedule of Dimensional Requirements:
 - Reduction of required 100 foot front yard setback to 24.1 feet
 - Reduction of required 50 foot side yard setback to 20 feet.
- Article VI, Section B.4.q.2: Requires a minimum 50 foot buffer adjacent to more restrictive zones. This requirement would need to be reduced along the eastern property line, where the building facing Meadowbrook Lane is located approximately 34 feet from the property line, and along the western property lines, where the patios for one of the buildings are located within 50 feet of property zoned R-20.
- Article X, Section A.6.f: Requires a minimum 50-foot building separation; the applicant is proposing separation distances between 30 and 50 feet depending on the location. The Commission has the ability to reduce the separation distance if it determines that the variation will 'enhance the design of the project without significantly affecting either emergency or solar access.'
- Article X, Section A.6.g: Requires that parking spaces be set back a minimum of 10 feet from principal buildings. This requirement assumes development of a standard surface parking lot, not driveways leading to individual garages. This requirement would need to be reduced to 0 feet to allow the second space for each unit to be provided in driveways leading to garages.

Special Permit Approval Criteria

Article V, Section B(5) of the Mansfield Zoning Regulations requires that the proposed project meet the following criteria in order to be approved:

- *The proposed project will not detrimentally affect the public's health, safety and welfare.*
Nearby residents have raised several concerns with regard to the potential impact of the project on the surrounding neighborhood, particularly with regard to traffic, pedestrian safety and crime. As noted below, the Traffic Authority did not consider the increased volume of traffic on Meadowbrook Lane to be significant; however, they did note the need for improved pedestrian facilities. As such, they recommended that the Commission require the applicant to construct sidewalks to key neighborhood destinations. In response, the applicant has proposed to extend a sidewalk to Sunny Acres Park.

The Commission needs to determine based on information provided through the public hearing process whether the proposed project would detrimentally affect the public's health, safety and welfare.

- *All approval criteria cited in Article V, Section A(5), Site Plan Approval Criteria, of the regulations have been met.*

Subject to the Commission's determinations regarding the Traffic Authority's recommendation for pedestrian connections on Meadowbrook Lane and the adjustments to dimensional requirements noted above, the proposed project is consistent with the site plan approval requirements.

- *The proposed use is compatible with the Town's Plan of Conservation and Development (POCD).*
The property is identified on Map 22 as appropriate for Medium to High-Density Residential Uses. Goal 1, Objective b encourages higher-density residential and commercial uses in areas with existing or potential sewer, public water and public transportation services and discourages development in these areas without public services. Specific recommendations under this objective address the need for appropriate approval criteria that address health, safety, environmental impact and neighborhood compatibility issues.

The proposed development will be served by public sewer and water as required by the POCD for the Commission to consider higher density development. The layout of the site has been redesigned to be more compatible with the surrounding neighborhood and reduce environmental impact through the reduction of impervious cover and use of infiltration beds.

The Commission will need to determine whether the project as proposed has sufficiently addressed health, safety, environmental impact and neighborhood compatibility issues.

- *The location and size of the proposed use and nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the town and other existing uses.*

As noted above, the proposed density is consistent with the Planned Development Areas identified in the Plan of Conservation and Development based on the existing water and sewer infrastructure in the area. The proposed development represents an increase of 18 units over the previously approved 32-unit development. The site layout has been significantly improved to help the development blend more cohesively into the neighborhood.

- *Proper consideration has been given to the aesthetic quality of the proposal, including the architectural design, landscaping and proper use of the site's natural features. The kind, size, location and height of structures, the nature and extent of site work, and the nature and intensity of the use shall not hinder or discourage use of the neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.*

As discussed below, the layout of the site has been changed to better reflect the character of Meadowbrook Lane in terms of massing, rhythm of solids and voids, and landscaping. Internally the site functions similarly to a New England village, with all of the units centered around a common open space.

Compliance with Zoning Regulations

During an initial review of the proposed development by staff, the Open Space Preservation Advisory Committee (see attached memo for more details), and the Commission's Design Review Panel, the following significant issues with the layout and overall design of the project were identified. These concerns were relayed to the applicant at a meeting on October 23, 2012. As a result of the discussions during that meeting, the applicant has spent the last several weeks revising the site plan. Further revisions were made based on comments in my memo dated January 7, 2013.

- *Site Design/Building Layout along Meadowbrook Lane.* Meadowbrook Lane is characterized by detached single-family homes. As a result, there is a strong pattern of modest buildings separated by open space. The front setback for many homes is approximately 60 feet, due to the fact that they are located on smaller lots in an R-20 zone. To address this inconsistency in visual pattern and scale (Article X, Section R.2.c, R.2.d, R.3.a, R.3.b), both staff and the members of the Design Review Panel suggested modifications to the plan to maintain the general rhythm of solids and voids along the street frontage by using smaller buildings (1-2 unit buildings) that face the street and using more natural landscaping between the buildings and the street. While the staff comments suggested that the access be taken from the internal loop road, the applicant has proposed driveways onto Meadowbrook Lane for each of the buildings facing Meadowbrook. A draft of the revised plan was reviewed by the Traffic Authority, which had no issue with the additional driveways provided adequate site distance is provided. Now that a final plan has been received, the Assistant Town Engineer will be reviewing the plan for site distance and other issues. One issue to note is the location of the easternmost driveway with respect to the speed bump along Meadowbrook; the applicant may need to relocate the speed bump.

With regard to the setback, the new layout proposes setting the buildings back from Meadowbrook Lane between 24 and 34 feet. This setback appears to be generally consistent based on the location of the adjacent house shown on the site plan. The applicant has also submitted a figure ground study demonstrating that the proposed setbacks are generally consistent with the setbacks of homes along the south side of Meadowbrook Lane.

- *Housing Unit Mix.* Article X, Section A.6.j encourages projects to include a mixture of housing types in the DMR zone. While the proposed development is for rental units, the potential for a future conversion to owner-occupied units remains. Of the 11 buildings, proposed, 3 are two-family dwellings. This is consistent with the requirement that no more than 20% of the units be in one or two-family dwellings.
- *Relationship between Buildings.* Members of the Design Review Panel noted that there is no consistency in the way that buildings address one another in the original plan. For example, two buildings had the rear façade facing the open space, and two buildings had the front façade facing the open space (and the rear of the other buildings). The same was true for the relationship between on-site and off-site buildings, such as the rear of the buildings on Meadowbrook Lane facing the front of single-family homes on the other side of the street. Additionally, the buildings needed better siting with relationship to the driveway. The layout was cramped, with little space between buildings and the driveway in many locations.

The revised site plan addresses all of the above concerns. Most of the buildings face either Meadowbrook Lane or the open space in the center of the property. Of the 50 proposed units, only six (3, 4, 19, 20, 21, 22) face the sides of other units; the remaining all face the fronts of other units. The revised layout and corresponding reduction in units (from 54 to 50) has also resulted in buildings having sufficient separation from the driveway. Members of the Design Review Panel reviewed the revised plans on January 9, 2013 and were supportive of the redesign, particularly with regard to the central open space and overall landscaping approach.

- *Building Elevations.* As noted at the January 7, 2013 public hearing, the site plan provided as a key on the architectural plans needs to be updated to be consistent with the official site plan. The architect on the Design Review Panel reviewed the revised elevations and had the following recommendations:
 - *Find ways to reduce the roof massing on the 'B' units, particularly where there are multiple units in a row. For example, a dormer or other architectural feature could be added on some, not all of the units to break up the mass.*
 - *Windows should be added to the blank facades.*

- *Final plans should be submitted for approval that include gutter details, color and material samples, and increased font size for notes.*
- **Affordability.** Pursuant to Article X, Section A.6.k, at least 20% of the units must be designed, constructed and marketed for occupancy by low income persons. Affordability of units is determined by compliance with maximum size requirements. While the applicant has indicated that 10 of the 50 units are designated as affordable (20%); any three bedroom unit that has less than 1,400 square feet would be considered an affordable unit pursuant to the regulations. The applicant did submit a Draft Affordable Housing Strategy dated October 2012. This report identifies a list of actions that could be used to address affordability in a housing project, but does not specify specific measures for this development other than the difference in interior finishes and rent levels. It also incorrectly states that less than 10% of our housing stock is affordable, which is incorrect. *This strategy should be updated to correct the above statement and specifically address how the affordable units in the development will be marketed to low and moderate income residents.*
- **Proximity to Wetland and Slope.** On the previous plan, the southernmost buildings on the property were located closer to the slope and wetland than approved through the existing wetlands license. Both the Open Space Preservation Committee and Inland Wetlands Agent recommended that these buildings be moved further away from the slope and wetland, at least as far as approved through the existing wetlands license. The revised plan relocates the southernmost buildings away from the slope. The Assistant Town Engineer has determined that the revised layout is consistent with the existing wetlands license; his January 16, 2013 report addresses other measures to protect the slope.

The applicant was also requested to address the following:

- Relocation of the sewer line to the top of the slope.
The Assistant Town Engineer has reviewed the proposed sewer line location and found it to be acceptable.
- Stormwater management plan for the patios to minimize potential for further erosion of the slope.
The proposed patios have been replaced with decks that are located 6-12 inches above grade with crushed stone beneath to facilitate infiltration.
- Expansion of the conservation easement to include the slope in addition to the wetland.
The conservation easement has been expanded to include the slope.
- Relocation of the trails that are currently shown traversing the slope
The Open Space Preservation Committee has reviewed the revised plans and made several recommendations in their January 15, 2013 memo regarding the trails that should be incorporated into the applicant's final plans. Additionally, any conditions of approval should require the applicant to remove glass and metal debris along the top of the slope.
- **Grading/Removal of Material.** The previous plan identified over 6,000 cubic yards of material being removed from the site. Based on the revised grading and drainage plan, there will now be a net increase of 1,850 cubic yards of material coming onto the site. This is due primarily to fill needed for the gently sloping central open space, which will provide a large open recreation area for residents.
- **Pedestrian Trails/Sidewalk.** The revised plan includes a sidewalk within the Meadowbrook right-of-way for the length of the property and extending to Sunny Acres Park. This extension is in response to a recommendation from the Traffic Authority that the Commission require sidewalk connections to key destinations in the area. In their review of the project, the Traffic Authority did not feel that the increased vehicular traffic from the project was significant with regard to overall traffic volume on Meadowbrook. However, the Traffic Authority was concerned with the impact of the additional vehicular traffic on pedestrian safety given that there are no sidewalks presently existing in the area. *As such, the Traffic*

Authority recommended that the Commission require the applicant to extend sidewalks to key destinations in the area.

Where such sidewalks are across the frontage of other properties that may be developed/redeveloped in the future, an agreement could be entered into that would allow for reimbursement of the sidewalk costs by future developers. The exact location, width and material of the sidewalks should be coordinated with the Assistant Town Engineer and the Inland Wetlands Agency as needed. Some type of physical barrier will be needed at the eastern terminus to keep pedestrians from running into the guy wires for the existing utility pole and traversing across the adjacent yard.

- *Phasing.* According to the Erosion and Sedimentation Control Plan, the project will be completed in three phases. The Assistant Town Engineer has reviewed the E&S phasing plan and found it to be acceptable.
- *Sewer Capacity.* The Windham Water Pollution Control Facility issued a letter indicating that sufficient capacity is available for the proposed project.
- *Stormwater.* The applicant is encouraged to use Low Impact Development techniques to the maximum extent feasible as part of the site redesign. The applicant has replaced the originally proposed rain gardens with underground storage beds. The proposed infiltration beds will provide similar benefits to the rain gardens with less long-term maintenance required. *The Assistant Town Engineer's January 16, 2013 report contains several minor recommendations for the drainage system that should be addressed in final plans. Several spot elevation notes need to be corrected as well based on his review. Additionally, a final Stormwater management plan needs to be submitted that addresses the prohibition or restriction of salts and chemicals for ice removal in the winter to reduce the risks of groundwater contamination in accordance with Article VI, Section B.4.m.5.*
- *Sign.* The applicant has submitted a revised sign detail. The proposed sign structure is 6 feet high by 5 feet wide. The sign itself is not dimensioned, but appears to be less than the 12 square foot maximum allowed. Pursuant to Article X, Section C.7, the sign is set back a minimum of 10 feet from the property line and the Assistant Town Engineer did not note any concerns with sight distance visibility in his report. The applicant should relocate the sign and identify whether it will be parallel to the street (as it appears on the site plan) or perpendicular to the street. *Final design of the sign and lighting should be submitted for approval by the Director of Planning and Development prior to issuance of a zoning permit.*
- *Lighting.* While revised plans include a note that the proposed lighting fixtures will be full cut-off; the design of the fixture itself is not full-cutoff as shown. Additionally, the applicant is proposing the use of incandescent lighting; more energy efficient sources such as LED should be considered. *The final fixture should be subject to approval by the Director of Planning and Development, should be fully shielded, and should conform to the requirements of Article X, Section R.4.*
- *Open Space.* The proposed central open space continues approximately 52,200 square feet; which equates to approximately 1,044 square feet per unit. This meets the requirements of Article X, Section A.6.h, which requires that at least 600 square feet of open space be provided per unit. This calculation does not include the conservation area, which contains another 13,200 square feet of open space from the top of the slope to the south property line. Please note, the ballfield shown on the last version of the site plan and landscape plan for the purposes of demonstrating the size of the open space has been removed from the revised plan as it is not proposed for construction.

The Town's Natural Resources and Sustainability Coordinator has also suggested that the applicant consider installing infrastructure (access to a water source and a small shed) in the central green to

support a community garden for residents.

- *Landscaping.* Members of the Design Review Panel reviewed the revised landscaping plans. One member expressed concern with the number of perennials and long-term maintenance of these planting beds. The applicant responded to this concern in their January 14, 2013 letter; indicating that the number of perennials has dramatically decreased from the previous plan and their intent to hire a management company to maintain all aspects of the grounds. *Pursuant to Article VI, Section B.4.m.6, a landscape management plan that addresses use of fertilizers, pesticides and other organic or chemical applications to minimize the risks of groundwater contamination should be submitted and approved prior to issuance of a Zoning Permit.*

Summary and Recommendations

Due to statutory timeframes, the hearing must close on January 22, 2013 as no further extensions can be granted by the applicant. Based on staff review of the revised plans, sufficient information has been submitted and there is no reason the public hearing should not be closed. The revisions and additional information noted in the analysis above and in the associated report from the Assistant Town Engineer could be included in conditions should the Commission approve the special permit request.

As noted in the above analysis, the Commission will need to determine whether the proposed project meets the approval criteria for special permits and whether the proposed dimensional adjustments are appropriate. If the Commission approves the project, conditions related to the following would be appropriate:

- Submission of final details related to elevations, building materials and lighting as described in this memo
- Corrections to the site plan to address issues raised in this report and reports from the Assistant Town Engineer and Open Space Preservation Committee
- Submission of a refined affordable housing strategy
- Submission of landscaping and storm water management plans that address the aquifer area protection requirements contained in Article VI, Section B.4.m.5 and m.6.
- Submission of a property management and security plan for approval by the Commission prior to issuance of a Zoning Permit. In preparing such plan, the applicant should work with the Resident Trooper to include best practices that have been used in other multi-family developments in town.
- Finalization of the conservation easement
- Bonding
- Relocation of the existing speed hump on Meadowbrook lane at the eastern end of the property

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicant:
 - Application submitted August 28, 2012 and received by the PZC on September 4, 2012, including:
 - Eleven-page plan set prepared by Development Solutions LLC dated December 11, 2011 and updated through January 10, 2013
 - Eleven-page set of building elevations dated January 1, 2013
 - Statement of Use dated December 19, 2011
 - Stormwater Management Evaluation prepared by Development Solutions, Inc. dated June 20, 2012
 - Sanitation Report prepared by Development Solutions Inc. dated December 2011
 - Letter from F.A. Hesketh and Associates to Development Solutions Inc. dated April 24, 2012 regarding updated traffic analysis

- Bond estimate dated December 2011
- Revised sign detail (no date)
- Photos of a condominium project in Norwich-undated
- The following correspondence regarding the proposed development has been received:
 - Letter from Development Solutions Inc. to Windham Sewer Dept dated June 24, 2012
 - Letter from Development Solutions Inc. to Paul Deveny at Windham Water Works dated June 24, 2012
 - Email from Paul Deveny at Windham Water Works to Patrick Lafayette with Development Solutions dated August 30, 2012
 - Letter to David Garand at Windham Sewer Dept. from Patrick Lafayette dated September 26, 2012
 - Letter to Paul Deveny at Windham Water Works from Patrick Lafayette dated September 26, 2012
 - Letter from Linda Painter to abutters noting that no presentation would take place at the public hearing on October 15, 2012
 - Memo from Open Space Preservation Committee dated October 23, 2012
 - Memo from Linda Painter, dated November 1, 2012
 - Letter from Thomas Peters, 27 Michelle Lane, dated November 3, 2012
 - Letter from Jessica Higham, 14 Adeline Place, undated
 - Letter from Marianne Barton and David Henry, 8 Adeline Place, dated November 5, 2012
 - Letter from William and Sarah Kaufold, 7 Michelle Lane, undated
 - Letter from Karen and Tony Molloy, 18 Adeline Place, dated November 5, 2012
 - Letter from Linda Painter to abutters noting that the hearing was being tabled until December 3, 2012, dated November 14, 2012
 - Email from Doug Murphy, 21 Michelle Lane, dated November 14, 2012
 - Email from Michele and Zeljko Boskovic, 11 Michelle Lane, dated November 16, 2012
 - Letter from Anna and Kevin Cranmer, 33 Adeline Place, dated November 19, 2012
 - Letter from Patrick Lafayette requesting extension dated November 19, 2012
 - Letter from Frederick Goetz, Advisory Committee on Needs of Persons with Disabilities dated November 28, 2012
 - Letter from Patrick Lafayette requesting extension dated December 3, 2012
 - Email from Ricky and Kathy Wang, 86 Meadowbrook Lane, dated December 9, 2012
 - Letter from Patrick Lafayette of Development Solutions dated December 21, 2012
 - Letter from David Garand, Windham Water Pollution Control, dated December 26, 2012
 - Letter from Patrick Lafayette to David Garand, Windham Water Pollution Control, dated December 31, 2012
 - Letter from Patrick Lafayette to Paul Deveny, Windham Water Works, dated December 31, 2012
 - Memo from Francis Raiola, Fire Marshal, dated January 2, 2012 (supposed to be 2013)
 - Letter from Patrick Lafayette requesting extension dated January 2, 2013
 - Email from Rudy Favretti, Design Review Panel member, dated January 3, 2013
 - Email from Susan and Harry Barney, 37 Michele Lane, dated January 6, 2013
 - Letter from Kathleen Berman, 76 Meadow Lane, dated January 7, 2013
 - Letter from Yu Lei, 46 Adeline Place, dated January 7, 2013
 - Letter from Zhiyi Chi and Min Yang, 24 Adeline Place, dated January 7, 2013
 - Email from J. and Monique Brown, 7 Adeline Place, dated January 7, 2013
 - Two emails from Thomas Peters, 27 Michelle Lane, dated January 7, 2013
 - Email from David Henry, 8 Adeline Place, dated January 7, 2013
 - Email from Robert Goldberg, 28 Michelle Lane, dated January 7, 2013
 - Memo from Linda Painter, Director of Planning and Development, dated January 7, 2013
 - Letter from Pat Lafayette dated January 14, 2013 regarding revisions to plans
 - Memo from Open Space Preservation Committee dated January 15, 2013
 - Memo from Grant Meitzler, Assistant Town Engineer, dated January 16, 2013

- Neighborhood Notification Forms were required to be sent to property owners within 500 feet of the subject property in accordance with Article V, Section B(3)(c) of the Mansfield Zoning Regulations. A copy of the notice has been provided. **Certified mail receipts have been submitted.**
- Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicant grants a written extension.
- The Public Hearing on this item was opened on October 15, 2012 and must be closed by January 22, 2013 based on extensions granted by the applicant.

Memorandum:

January 16, 2013

To: Planning & Zoning Commission

From: Grant Meitzler, Assistant Town Engineer

Re: Whispering Glen - 50 unit apartment complex - Meadowbrook Lane

plan reference: dated 12-10-2012

1. Traffic

Meadowbrook Lane is lightly travelled. I have checked our longer term traffic count information, and field verified those results which show a further modest decline in overall amounts of traffic on the road. This is apparently due to a combination of the effectiveness of the speed humps placed together with the current economy. The applicant has supplied professional comment to this effect.

The traffic report shows little impact, with Level of Service remaining at "A" after this project is completed. My only concern here is the need to trim or transplant bushes on adjacent property over which this developer has indicated no control.

There is a speed hump that contacts the driveway for the duplex units 1 & 2. This creates a conflict with entering and exiting turns meeting a speed hump in the middle of turns that create hazard. This speed hump needs to be moved to be lined up with the northeast property corner of the Whispering Glen property.

2. Construction of sewer and water system connections

The applicant has submitted letters from the Windham Waterworks commenting on their requirements, as well as from the Windham Sewer Plant superintendent indicating requirements from that office. Jurisdiction for this sewer connection is with the Town of Windham which owns the Conantville Interceptor where the actual sewer connection is being made.

A specific plan for the sections of the sewer involved with wetlands Has been submitted and reflects comment both from this office and the Windham Sewer Department.

3. Sediment & Erosion Plan

The plans note two places where hay bale check dams are to be used. One is the moving placement of a hay bale check dam along the sewer line coming down the steep slope. The other is actually placed in the tributary brook creating a sediment trap a short distance downstream of the sewer line.

Silt fencing has been indicated to isolate Pase 1, 2, and 3 work areas.

The main portion of the work site is quite flat and the project has

been broken into 3 phases. Each is separated from the last with a row of silt fencing. Additional silt fencing is needed along the east and west sides of the project where abutting land is at a lower elevation and may be subject to sedimentation. This is not a wetlands issue.

Pat Lafayette is named as the responsible person for the S&E plan implementation.

4. The 75 foot "buffer area" adjacent to wetlands is steep slope. The steep slope is questionable as an effective buffer and is closer to being an area of concern. The steep slope will reduce the capacity of this zone to mitigate impacts.
 - a. provide a buffer zone at the top of the steep slope to allow the separation zone to act as an effective buffer.
 - b. the final drainage system outlet rip-rap pad is placed at the top of a steeply sloping area. This outlet has been placed near the bottom of this slope to avoid erosion on the steep slope.
 - c. the detail for the footpath along the steep slope shows a very narrow walking path. This has been done to minimize sediment movement. Pat Lafayette and I walked the full route of this path and found the narrow path to be workable as now shown.
5. The grading plan shows a low spot in the roadway in front of units 26 and 27 that will be an ice collector in the winter
6. There is a patio area also opposite units 26 and 27 that is labelled for top of wall being at 240 and bottom of wall at 324. 84 feet high ?
7. In front of units 21 and 22 grades indicated surface water flows to catch basin 13. I recommend a note be added to direct surface flow to that catch basin to avoid overbank flow which could lead to slope erosion.
8. The bond estimate of \$ 373,600 should include a 15% contingency for a total of \$ 429,640.
9. Completed deed and easement documents, unsigned should be submitted including mortgage releases and or subordination agreements as necessary.
10. DEP approval is required for any proposal with over 5 acres of construction area.

January 15, 2013

To: Inland Wetlands Agency, Planning and Zoning Commission, Linda Painter, Grant Meitzler

From: Open Space Preservation Committee

Re: **Whispering Glen Special Permit Application**

At their January 15, 2013 meeting the Open Space Preservation Committee reviewed the revised plans for the Whispering Glen special permit application and discussed it with the landscape architect for the project. Members of the committee toured most of the property on October 21, 2012. Priorities and recommendations:

Priorities:

- Protection of the Conant Brook stream valley and adjoining steep slope.
- Appropriate pedestrian access to the Conant Brook valley.
- Sidewalk along the frontage of the property.

Protection of the Conant Brook stream valley and adjoining steep slope

1) Proposed Expansion of the Conservation Easement Area

The committee supports the expanded conservation area to the top of the slope. This will preserve a scenic view of the Conant Brook valley and a natural area of mature trees with an open understory. Protection of this valley will maintain the view of the "Glen" from the proposed overlook patio at the top of the slope, maintain water quality in the brook and ensure viable conditions for the valley's plants and wildlife.

2) Relocation of sewer line and building units

The committee supports the relocation of the sewer line to near the top of the slope and relocation of buildings away from the slope. However, care needs to be taken to control erosion during and after construction.

Appropriate pedestrian access to the Conant Brook valley

Trails on the slope: locations and surface

The committee remains concerned about the erosion of trails proposed to cut across and down the slope, both during the construction process and afterward. Removal of soil and cutting into the bank to create a 3-foot-wide trail will hasten the erosion process. The proposed wood chip surface would not last long.

The committee has several recommendations: Use stone dust on the trails for a longer lasting surface. Create dips in the surface at points along the trail to help keep runoff from going all the way down the sloping trail surface. These depressions across the trail would last longer and require less maintenance than water bars.

After the consultant left the committee discussed the possibility of the proposed trail going west from the overlook to join the sewer line. This trail is proposed to follow an old farm

road, which after years of use had no significant erosion. Perhaps the best approach is to do nothing to improve this trail and allow it to keep its natural width and surface without disturbing the soil or removing vegetation. A similar type of trail at Coney Rock Preserve has remained in good condition for many years on a very steep trail section with heavy use, so it could be the most successful type of trail to keep this Glen trail in good condition. The committee suggests that the landscape architect consider this option. The proposed trail going east from the overlook toward the stormwater collection area is not as steep and is mostly on disturbed areas, so a constructed stone dust trail would be more appropriate there.

Sidewalk along the frontage of the property

The committee supports the proposed sidewalk along the front of the property and its extension to Sunny Acres Park. This would provide safe access to the recreation facilities at the Park for the Glen's residents and would be beneficial to the entire neighborhood.

Additional comments:

Metal and glass debris near the top of the slope should be removed for safety and for aesthetic reasons.

The committee supports the proposed central green with a sidewalk around the perimeter as a good outdoor recreation resource for residents.

Future impact of this application

Decisions about the issues raised above will set a precedent for future development on the adjacent properties to the west, which have the same topography and view of the Conant Brook valley.



TO: Linda Painter
Director of Planning & Development

January 14, 2013

FROM: Pat Lafayette
Project Engineer

RE: Whispering Glen Apartments
73 Meadowbrook Lane
SPA-File 1284-2

The attached revised plans and responses are in response to Town Staff comments:

Linda Painter (1/7/13)
Site Design/Building Layout Along Meadowbrook Lane

1. The landscape architect has provided (email) a plan indicating existing structure relationships along Meadowbrook Lane

Affordability

1. An "Affordable Housing Strategy" was previously submitted and is attached.

Proximity to Wetlands and Top of Slope

1. The sewer line has been relocated to the top of the slope as much as practical
2. Applicant will attend 1/15/13 Open Space Preservation Committee meeting.

Pedestrian Trails/Sidewalk

1. The bit. conc. sidewalk along the front of the property is to be extended westerly to the Town's recreation area.
2. A note has been added at the terminus of the east end of the sidewalk.

Sign

1. The sign has been moved 10 feet back from the property line, located perpendicular to the roadway and lighting note added

Lighting

1. Site lighting is to be full-cut off

Open Space

1. Ball field is removed from plans

Speed Bump

1. To be relocated note added – Town to advise on new location

Acting Deputy Chief/Fire Marshall (1/2/13)

1. Inside turning radii are now a minimum of 25 feet
2. No Parking signs have been noted at key fire land locations

Rudy Favretti (1/3/13)

Response to Landscape Architecture Comments:

The ball field shown on the central green was for scale purposes only, it will be removed for final plans.

The maintenance of the landscape, especially perennials is always a concern in our projects. Due to the change from condos to apartments, the amount of perennials shown on the current application, has been significantly reduced over the previously approved plan. The perennials are now confined to small beds in front of the foundations, and are not as elaborate due to the fact that the occupants will not be owners and will not have a vested interest in the upkeep.

The perennials selected were chosen for their ability to provide interest and color, while being hardy enough to be sustainable in our climate without significant additional inputs (water/fertilization). There will need to be maintenance performed on the perennials as well as the lawn areas and trees proposed for this site. It is the intent of the developer of this project to engage a management company that will manage all aspects of the completed project. Part of their management contract will be to maintain all aspects of the grounds according to best horticultural practices.

Town of Windham Water Works (1/7/13)

1. (A). note added to detail on Sheet 11 regarding Ford Brass compression fitting
(B). Note added to detail on Sheet 11 regarding Buffalo Box for curb boxes
(C). Concrete removed from hydrant as a thrust block.
2. (A). The six (6) proposed hydrants shown on Sheet 5 have valves shown
(B). Valves have been added on Sheet 5 to facilitate the phasing shown on Sheet 7
(C). Note 4 is contained on sheet noting separation distances.
(D). A note has been added to Sheet 5 regarding abandoning existing water service to #73.



TOWN OF WINDHAM WATER WORKS

174 Storrs Road
Mansfield Center, CT 06250
Tel. 860-465-3075 • FAX 860-465-3085

January 7, 2013

Patrick Lafayette
Development Solutions LLC
33 East Town Street
Norwich, CT 06360

RE: Whispering Glen Apartments
73 Meadowbrook Lane

Dear Mr. Lafayette:

Thank you for providing the Windham Water Department with a set of plans for the proposed Whispering Glen Residential Development. After review, our Department has the following comments:

- The following on the utility detail page (11):
 - A. Ford Brass – compression only
 - B. Buffalo Box to be used for curb boxes
 - C. No concrete under valves or hydrants – only for thrust block protection

- On the utility layout page (5):
 - A. The six proposed hydrants require valves
 - B. The plan proposes water to be done in phases. This would require valves at the end of the first two phases. Example: Phase (1) – valve located after each hydrant tee (units #41 & #9) or complete the run to intersection in front of unit #17, in lieu of a valve in front of Unit #9.

- There appears to be some very tight separating clearances between water and storm drainage – Example: Basin 6 & 7 – Please make note, we require a minimum of 6-inches with sand protection.

- Lastly, please be advised that the current water service to house #73 Meadowbrook Lane needs to be abandoned in the street prior to the demolishing of this building, by the owner of the property.

If you have any questions, please contact me at our office at 860-465-3086.

Sincerely,


Paul Deveny
Assistant Superintendent

cc: Lon Hultgren, Public Works Director, Town Engineer
Grant Meitzler, Assistant Town Engineer

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Kathleen Berman
76 Meadow Lane
Mansfield, Ct 06250

~~November 11, 2012~~ January 7, 2013

Planning & Zoning Committee
Town Of Mansfield
4 South Eagleville Road
Mansfield, Ct 06268

Dear Committee Members:

I am a long-time resident of Mansfield, Connecticut and I am writing to express my concern about recent discussion and pending decision to build a ⁵⁰54 unit apartment complex on a ten acre lot located on Meadowbrook Lane. As a homeowner at 76 Meadowbrook Lane since 1981, we purchased land and built our home here because this area was underdeveloped and offered a low amount of traffic as well as the peacefulness that nature offers.

I am not opposed to the growth of the community however; I do not believe that an apartment complex of that size would benefit our rural area. The homeowners of Meadowbrook Lane take great pride of ownership and believe that constructing an apartment complex would significantly decrease the value of our homes. With an addition of a ³⁰54 unit complex, the traffic would increase significantly, to the possibility of an additional one hundred drivers. My concern additionally lies with the fact that the location of this possible dwelling is between two universities, Eastern Connecticut State University and The University of Connecticut. This could increase the likelihood of leasing to college students changing the very character of our community. The collateral costs are likely to be considerable as well. Has the town considered the necessary increased police monitoring? This area has families with children who have enjoyed the rural experience as well as peace of mind knowing who their neighbors are as well as a quiet community nicely fit to raise a family.

Please reconsider your decision to construct an apartment complex in this beautiful rural area that has been the pride and joy of each and every homeowner who resides here.

Sincerely,

Kathleen Berman

Subject: Petition to veto the new construction of the Meadowbrook Lane Apartment Complex

01/07/2013

Dear Sir/Madam:

This is Yu Lei, the residence of 46 Adeline Place, Mansfield Center, CT 06250. I am writing this formal letter to sincerely request the Town Council to veto the new construction of the Meadowbrook Lane apartment complex because of following reasons.

First, there are many kids who are living and playing in the neighborhood near the construction site. The new apartment complex will significantly increase the traffic flow on Meadowbrook Lane and put those kids in high risk of car accidents as there is no sidewalk for them.

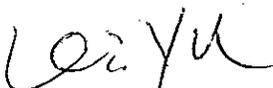
Second, in the past several months, there are several break-in happened for the houses along Meadowbrook Lane. Such high-frequency of break-in in one neighborhood causes the concerns of safety of this neighborhood. The new apartment complex will further increase the uncertainty of population in this neighborhood and more break-in crimes may happen in future.

Third, the Town Council has already approved Storrs Center Project which will build 127-unit apartment in Phase 1A, 195-unit apartment in Phase 1B, 92-unit apartment in Phase 1C. As Mansfield Town has already had so many new apartments (total 414 units) under development (All data comes from Mansfield Independent News). Therefore, there is no such urgent need to build another apartment complex in Meadowbrook Lane.

Finally, near the construction site, there is a beautiful wetland with a brook flowing through. The construction will definitely destroy the wetland environment. We and our kids will not have chance to see those beautiful animals anymore.

Based on aforementioned arguments, I strongly reject the Meadowbrook Lane Apartment Complex Construction and also petition the Town Council to veto this project.

Sincerely,



Yu Lei
46 Adeline Place
Mansfield Center, CT 06250

Dear Members of the Planning and Zoning Commission,

We are writing to respectfully request your rejection of the application by Lakeway Farms for a 50 unit development on Meadowbrook Lane.

As parents of a 3 year old son, we are strongly opposed to the development on several grounds. First, Meadowbrook Lane is a narrow road in a highly residential area. It already has heavy traffic and, unfortunately, not every driver is careful about safety. Since we moved to the current home, each year I have experienced several occasions where vehicles passed my car on Meadowbrook Lane or Conantville Road at a speed way above the speed limit. These vehicles were even not supposed to pass other vehicles on the road! It is inevitable that if the development is materialized, the traffic will become more hazardous, in particular, to the young children in the neighborhood.

Second, the current proposal is for apartments and not for single houses. We all know how apartments can become unsafe – just take a look at the apartments on Foster Drive. There is already an unsettling increase in burglaries in the neighborhood. Unfortunately, we feel that the Town of Mansfield has already tried its best to maintain the current level of security. The addition of some many rental units can only make the situation even worse.

From my experience of purchasing the current house, I feel that the neighborhood of Meadowbrook Lane is one of the most attractive residential areas in the Town. I sincerely hope that the Commission will help keep the neighborhood that way. However, we strongly feel that the proposed development will destroy many features that make the neighborhood attractive.

Please reject the application of Lakeway Farms.

Sincerely,



Zhiyi Chi, Min Yang
24 Adeline Place
Mansfield Center, CT 06250

01/07/2013

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ZONING BOARD OF APPEALS

DECISION NOTICE

On January 9, 2013 the Mansfield Zoning Board of Appeals took the following action:

Approved the application of Christopher Lowe for a variance of Art VIII, Sec A to construct a 28' x 36' garage approximately 25' from the rear property line where 50' is required, at 222 Warrenville Rd, as shown on submitted plan.

In favor of approving application: Accorsi, Brosseau, Katz, Welch

Reason for voting in favor of application:

- Topography

Application was approved.

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

Dated January 10, 2013

Sarah Accorsi
Chairman

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