

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Monday, November 17, 2014 ▪ 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. November 3, 2014 Regular Meeting
 - b. November 5, 2014 Special Meeting
 - c. November 10, 2014 Special Meeting
 - d. November 12, 2014 Special Meeting
 - e. November 12, 2014 Field Trip
4. Zoning Agent's Report
5. Old Business
 - a. **New Subdivision Application, 153 Moulton Road, Mason Brook, LLC, PZC File# 1328**
Item tabled until 12/1/14 Meeting
 - b. **New Subdivision Application, 140 Codfish Falls Road, S. Guyette, PZC File #1329**
Item tabled until 12/1/14 Meeting
6. New Business
 - a. **Re-subdivision Application, Lot 9 Monticello Lane, K. and A. Lessenger, PZC File #223-2**
 - b. **Request for extended construction hours**
Memo from Zoning Agent
 - c. **Request for Bond Reduction, Beacon Hill Estates II, PZC File #1214-3**
Memo from Zoning Agent
 - d. **Request for Special Permit Extension, Whispering Glen, File #1284-2**
Memo from Director of Planning and Development
 - e. **Other**
7. Mansfield Tomorrow | Our Plan ▶ Our Future
 - a. Discussion of Draft Plan of Conservation and Development
8. Reports from Officers and Committees
 - a. **Chairman's Report**
 - b. **Regional Planning Commission**
 - c. **Regulatory Review Committee**
 - d. **Subcommittee on Infrastructure**
 - e. **Planning and Development Director's Report**
 - f. **Other**
9. Communications and Bills
 - a. 11/12/14 ZBA Action Notice
10. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, November 3, 2014
Council Chamber, Audrey P. Beck Municipal Building

Members present: Chairman Goodwin, B. Chandy, R. Hall, G. Lewis, B. Pociask, K. Rawn, B. Ryan
Members absent: K. Holt, P. Plante,
Alternates present: P. Aho, V. Ward, S. Westa
Staff present: Jennifer Kaufman, Inland Wetlands Agent
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:11 p.m. and appointed Aho and Ward to act in Holt and Plante's absence.

Approval of Minutes:

a. October 20, 2014 Meeting Minutes

Hall MOVED, Ryan seconded, to approve the 10-20-14 minutes as written. MOTION PASSED UNANIMOUSLY with Goodwin, Aho, Chandy, Pociask and Ward all noting that they listened to the record of the meeting.

Zoning Agent's Report:

None.

Old Business:

None.

New Business:

a. Sign Request, 625 Middle Turnpike, OMS Development, PZC File #983

Ryan MOVED, Hall seconded, that the PZC approve the request of Rossi Brothers, on behalf of Toast On 4 Corners, for a second building identity sign as submitted in an application package dated 10/15/14, because the proposed sign will be in compliance with Article X, Section C.6.e of the zoning regulations. MOTION PASSED UNANIMOUSLY.

b. New Subdivision Application, 153 Moulton Road, Mason Brook, LLC, PZC File# 1328

RYAN MOVED, Hall seconded, to receive the SUBDIVISION application (file # 1328) submitted by Mason Brook, LLC, for a 1-lot subdivision on property located 153 Moulton Road as shown on plans dated August 2014, and as described in other application submissions, and to refer said application to the Fire Marshal, Assistant Town Engineer, Conservation Commission, and Eastern Highlands Health District, for review and comments. MOTION PASSED UNANIMOUSLY.

c. New Subdivision Application, 140 Codfish Falls Road, S. Guyette, PZC File #1329

RYAN MOVED, Chandy seconded, to receive the SUBDIVISION application (file # 1329) submitted by Steven Guyette for a 3-lot subdivision on property located 140 Codfish Falls Road as shown on plans dated 9/25/14, and as described in other application submissions, and to refer said application to the Fire Marshal, Assistant Town Engineer, Conservation Commission, and Eastern Highlands Health District, for review and comments. MOTION PASSED UNANIMOUSLY.

d. 2015 Meeting Schedule

Ryan MOVED, Ward seconded, that the Planning & Zoning Commission approve the 2015 meeting schedules for the Planning and Zoning Commission and Inland Wetlands Agency. MOTION PASSED UNANIMOUSLY.

Mansfield Tomorrow | Our Plan ▶ Our Future:

The Commission reviewed chapters 1 and 2 of the proposed Plan of Conservation and Development. Staff stated that review of the entire draft needed to be completed by November 17 to allow sufficient time to edit the draft for receipt at the 12/1/2014 PZC meeting. Members agreed to review 3 chapters at each of the next 3 special meetings. Goodwin encouraged members to focus on the substance of the plan and provide minor editorial comments to staff directly.

Reports from Officers and Committees:

It was noted that staff is working with the Chairman of Regulatory Review Committee to identify a date for the next meeting.

Communications and Bills:

Noted.

Adjournment:

The Chairman adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Bonnie Ryan, Acting Secretary

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Special Meeting
Wednesday, November 5, 2014 ■ 6:00 PM
Mansfield Community Center Community Room

Members present: Chairman Goodwin, B. Chandy, R. Hall, K. Holt, B. Pociask, K. Rawn,
Members absent: G. Lewis, P. Plante, B. Ryan,
Alternates present: P. Aho, V. Ward
Staff present: Linda Painter, Director of Planning and Development
Jennifer Kaufman, Natural Resources and Sustainability Coordinator

Chairman Goodwin called the meeting to order at 6:00 p.m. Aho was seated in place of absent members. Holt arrived at 6:10 p.m. Ward arrived at 6:11 p.m. and was also seated.

Mansfield Tomorrow | Our Plan ▶ Our Future:

Painter introduced Amy Kohn, Mansfield Tomorrow Project Manager, who was in attendance to facilitate revisions to the document based on Commission comments. Painter noted that staff was working on revisions to Chapter 1 based on comments provided by the Commission at the November 3, 2014 meeting. Commission members provided comments on chapters 2, 3 and 4 of the draft Mansfield Tomorrow: Plan of Conservation and Development as well as comments on photograph selection and general usability such as location of the glossary of terms and need for clear definitions of abbreviations and acronyms.

Chandy left the meeting at approximately 8:30 p.m.

Goodwin asked staff to see if either Monday, November 10th or Tuesday, November 11th would work as a special meeting date in lieu of November 13th due to a conflict that came up for many members that evening. Painter and Kaufman agreed to check on room availability as well as whether it would be legal to hold a meeting on the 11th due to the Veterans Day holiday.

Goodwin adjourned the meeting at 8:55 p.m.

Respectfully Submitted,

Linda Painter,
Director of Planning and Development

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DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Special Meeting
Monday, November 10, 2014 ■ 6:00 PM
Mansfield Community Center Community Room

Members present: Chairman Goodwin, B. Chandy, R. Hall, K. Holt, K. Rawn,
Members absent: G. Lewis, P. Plante, B. Pociask, B. Ryan,
Alternates present: P. Aho, V. Ward, S. Westa
Staff present: Linda Painter, Director of Planning and Development
Jennifer Kaufman, Natural Resources and Sustainability Coordinator

Chairman Goodwin called the meeting to order at 6:04 p.m. Aho and Ward were seated in place of absent members. Westa arrived at 6:29 p.m. and was also seated.

Mansfield Tomorrow | Our Plan ▶ Our Future:

Painter distributed copies of a new 'About the Plan' section that would be located between the Table of Contents and Chapter 1 as well as two alternative versions of a Chapter 1 rewrite for the Commission's review prior to the next meeting on November 12th. She also distributed markup revisions to the action plans for Chapters 2, 3 and 4 based on Commission comments at their November 5th special meeting. Holt distributed copies of a rewritten paragraph for Chapter 4; Painter noted that Goodwin had also provided revised paragraphs for About the Plan, Chapter 1 and Chapter 4 directly to staff.

Commission members provided comments on chapters 5, 6 and 7 of the draft Mansfield Tomorrow: Plan of Conservation and Development. Goodwin questioned whether actions related to education had been reviewed with the Board of Education. Painter noted that the first draft had been reviewed with the Board and the revised draft was reviewed by the Acting Superintendent. Additionally, Painter and Kaufman will be meeting with the Town Council to focus on topics that fall more under the Council's purview than the Commissions. Holt provided staff with edits to the description of Windham Hospital in Chapter 5 and Aho provided rewrites of specific paragraphs in Chapters 6 and 7.

Goodwin reminded members that the next special meeting is scheduled for Wednesday, November 12th at 6:00 p.m. in the same location.

Goodwin adjourned the meeting at 8:41 p.m.

Respectfully Submitted,

Linda Painter,
Director of Planning and Development

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DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Special Meeting
Wednesday, November 12, 2014 ■ 6:00 PM
Mansfield Community Center Community Room

Members present: Chairman Goodwin, B. Chandy (6:08 pm- 8:20 pm), K. Holt, K. Rawn, B. Ryan
Members absent: R. Hall, G. Lewis, P. Plante, B. Pociask,
Alternates present: P. Aho, S. Westa
Staff present: Linda Painter, Director of Planning and Development
Jennifer Kaufman, Natural Resources and Sustainability Coordinator

Chairman Goodwin called the meeting to order at 6:04 p.m. Aho and Westa were seated in place of absent members.

Mansfield Tomorrow | Our Plan ▶ Our Future:

Commission members provided comments on chapters 8, 9 and 10 of the draft Mansfield Tomorrow: Plan of Conservation and Development. Painter noted that staff will review markups with the Commission at the 11/17/14 Meeting.

Goodwin adjourned the meeting at 8:53 p.m.

Respectfully Submitted,

Linda Painter,
Director of Planning and Development

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DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
CONSERVATION COMMISSION
FIELD TRIP

Wednesday, November 12, 2014

Members present: K. Holt (Items #1-6), B. Ryan, P. Aho, Ken Rawn
Others present: S. Lehman, Conservation Commission
Staff present: J. Kaufman, Inland Wetlands Agent

The field trip began at 1:00 p.m.

W1539- Anderson, Lot 7 Wormwood Hill Road, Pond Dredging

Members were met on site by Mona and Greg Anderson. Members observed current conditions, and site characteristics. No decisions were made.

W1542-Guyette, 140 Codfish Falls, 3 Lot Subdivision

Members were met on site by Steve and Alaina Guyette and Ed Pelletier from Datum Engineering. Neighboring property owner Quentin Kessell was also in attendance. Members observed current conditions, and site characteristics. No decisions were made.

W1541- Mason Brook, LLC, 153 Moulton Road, 2- Lot Subdivision

Members observed current conditions, and site characteristics. No decisions were made.

W1544-OMS, 625 Middle Turnpike, Site Work

Members were met on site by Dana Lambert from Desiato, Ozzie Torres; Rich Meehan from Meehan and Goodwin; and Alfred Randan. Members observed current conditions, and site characteristics. No decisions were made.

W1543-Stearns, 40-100 Stearns Road, Gravel Removal Request

Members were met on site by Les Stearns and Phil Desiato. Members observed current conditions, and site characteristics. No decisions were made.

W1540 - Anthony, 54 Mansfield Hollow Road, 18'x26' Garage

Members were met on site by Stephen Anthony. Members observed current conditions, and site characteristics. No decisions were made.

Request for Jurisdictional Ruling-Holt, 653 Storrs Road

Members were met on site by property owner Kay Holt. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 3:55 p.m.

B. Ryan, Acting Secretary

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To: Town Council/Planning & Zoning Commission
 From: Curt Hirsch, Zoning Agent
 Date: November 3, 2014

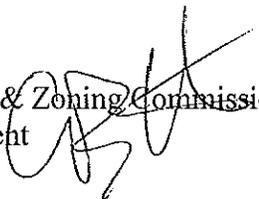


Re: *Monthly Report of Zoning Enforcement Activity*
For the month of September, 2014

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	6	12	18	30	45
Certificates of Compliance issued	7	9	9	27	47
Site inspections	32	42	41	105	98
Complaints received from the Public	4	11	8	19	22
Complaints requiring inspection	2	9	7	15	15
Potential/Actual violations found	5	7	4	14	21
Enforcement letters	6	11	2	20	10
Notices to issue ZBA forms	0	0	0	0	2
Notices of Zoning Violations issued	4	1	3	13	7
Zoning Citations issued	0	3	1	4	1

Zoning permits issued this month for single family homes = 1, 2-fm = 0, multi-fm = 0
 2014/2015 fiscal year total: s-fm = 3, 2-fm = 0, multi-fm = 0

To: Town Council/Planning & Zoning Commission
 From: Curt Hirsch, Zoning Agent
 Date: November 13, 2014



Re: *Monthly Report of Zoning Enforcement Activity*
For the month of October, 2014

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	9	6	14	39	59
Certificates of Compliance issued	12	7	1	39	48
Site inspections	17	32	21	142	119
Complaints received from the Public	6	4	10	25	32
Complaints requiring inspection	4	2	5	19	20
Potential/Actual violations found	6	5	8	20	29
Enforcement letters	3	6	3	23	13
Notices to issue ZBA forms	2	0	2	2	4
Notices of Zoning Violations issued	0	4	2	13	9
Zoning Citations issued	0	1	0	4	1

Zoning permits issued this month for single family homes = 1, 2-fm = 0, multi-fm = 0
 2014/2015 fiscal year total: s-fm = 4, 2-fm = 0, multi-fm = 0

RECEIPT OF APPLICATION FOR A RESUBDIVISION:

_____, move and _____ seconds to receive the

RESUBDIVISION application (file # 223-2)

submitted by Kurt and Anne Lessenger

for a 1-lot re-subdivision

on property located on Lot 9 Monticello Lane

owned by the Applicant

as shown on plans dated 11/11/14,

and as described in other application submissions, and to refer said application to the staff for review and comments and to set a Public Hearing for 12/15/14.

file # 223-2
filing date 11-13-14

**MANSFIELD PLANNING & ZONING COMMISSION
APPLICATION FOR SUBDIVISION OR RESUBDIVISION APPROVAL**

Name of subdivision Davis Manor

Name of subdivider (applicant) Kurt & Anne Lessenger Phone # 860-228-2799
(please PRINT)

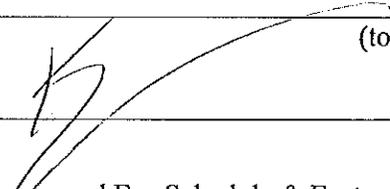
Address 218 Route 87, Columbia, CT 06237
(street) (town) (state) (zip)

Signature  (owner)
(optionee) Date 11-05-14

OWNER (IF OTHER THAN SUBDIVIDER)

Name same as applicant Phone # _____
(please PRINT)

Address _____
(street) (town) (state) (zip)

Signature  Date 11-05-14

FEES

See Town Council-approved Fee Schedule & Eastern Highlands Health District Review Fee Schedule
(Subdivisions will not be reviewed by Eastern Highlands Health District unless an Application for Plan
Review has been submitted)

SUBDIVISION DATA

Location: Monticello Lane - Assessor's Map 22, Block 59, Lot 19

Zoning district RAR-90 Total # of acres 3.01
Total # of lots 1

EXTENSION OF TIME

Pursuant to Section 8-26d, subsection (b) of the Connecticut General Statutes, the undersigned applicant hereby
consents to an extension of time within which the Planning and Zoning Commission is required by law to approve,
modify and approve or disapprove a subdivision plan known as

and located at/on _____

It is agreed that such extension of time shall not exceed 65 days and it is understood that this extension of time is in
addition to the first 65-day period after the receipt of the application by the Planning & Zoning Commission.

Signature _____ Date _____



Samuel L. Schrager
(t) 860.548.2656
(f) 860.487.0030
sschrager@uks.com

November 12, 2014

Mansfield Planning and Zoning Commission
Town of Mansfield
4 South Eagleville Road
Storrs, Connecticut 06268

Re: **Kurt Lessenger – Re-subdivision application**
Land on Monticello Lane, Mansfield

Dear Commissioners:

I represent Kurt and Anne Lessenger, the owners of the land on the southerly side of Monticello Lane in Mansfield which is the subject of a proposal for the development of a single-family building lot.

Mr. and Mrs. Lessenger acquired title to the land in question on December 6, 2012 from the estate of Jeffrey P. Ossen and James W. McCoy. The land includes lots 5, 6 and 7 from a subdivision created in 1967. In addition, the Lessengers acquired title from the same grantors to a fifty (50') foot parcel on the easterly end of the other lots. The fifty (50') foot parcel was shown on the initial subdivision as "Dedicated to Future Highway Purposes". This parcel was set aside to accommodate any future subdivision with a potential road network on the property then owned by the Gifford family. The Gifford land was subsequently subdivided without the necessity of utilizing the fifty (50') parcel for access. It is important to note that when these parcels were subdivided the fifty (50') foot parcel was not conveyed to the Town of Mansfield or an abutter for the purpose as designated on the initial subdivision.

There is no question that the fifty (50') foot parcel is owned by Mr. and Mrs. Lessenger. Their grantors had every right to convey the land and any rights the grantors may have had with respect to this parcel. The parcel was not merged with the other land, but certainly could have been and can easily be merged at this time.

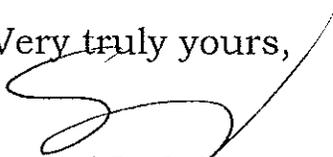
There is documentation from a number of years ago of a request by the former owners to join the fifty (50') feet parcel with Lot 7. The response by the Planning and Zoning Commission was that a plan should be submitted. However, the owners did not proceed.

The policy for subdivisions has been that stubs of land be set aside for future development of adjacent parcels. That was the case in this instance, but is no longer applicable.

The operative issue is the use of the parcel, not the title. Since the original subdivision designated this strip as an area for future road development and that is highly unlikely it would seem appropriate to allow the use of this parcel to be joined with the adjacent lots and create a single building lot. I fully recognize that the Planning and Zoning Commission has jurisdiction over the use of this small piece without true ownership rights. Nothing is to be achieved by having the Lessengers continue to own the parcel and wait until it is used for highway purposes, other than to prohibit the development of the adjoining land and this parcel as a building lot.

On behalf of my clients I respectfully request that you allow the use of the fifty (50') foot parcel to revert to the applicants as part of a merger with their adjoining land as a single parcel.

Very truly yours,



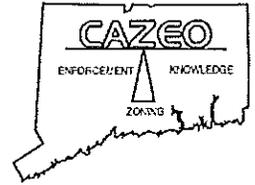
Samuel L. Schrager

cc: Kurt and Anne Lessenger
Datum Engineering

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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 B. Hirsch, Zoning Agent
Date: November 12, 2014

Re: Request for extended construction hours

I received an 11/11/14 request from Bill Kerensky, Project Manager of Leyland Alliance, to begin work at 6:00 a.m. on Wednesday, 11/17. The work would be limited to pouring concrete.

Projects authorized through the issuance of a Zoning Permit are restricted to construction hours between 7:00 a.m. and 9:00 p.m., Monday through Saturday. These time restrictions may be modified by the PZC on a case by case basis, based on site and neighborhood characteristics and the nature of the planned construction activity. In my opinion, the regulatory requirement for PZC approval of working hours outside of the standard parameters, was meant to address a day-to-day modification of operations, not a one time, or very infrequent request.

This request seeks an earlier one hour of time in the morning to start the concrete pour and allow more daytime warmth to allow the concrete to cure. While there is always some noise associated with truck operations, the most annoying is the repeating beeping from the backing up of vehicles. Mr. Kerensky makes the statement in his request that the trucks will enter the site from a direction that helps limit this backing maneuver. Previous requests for working outside of the prescribed hours have always been for concrete work. I specifically asked Mr. Kerensky whether we would be getting further requests of this nature for the remaining three buildings. He indicated that since these would be poured deeper into the colder winter temperatures, the concrete mix itself would be formulated to be poured in the lower temperatures and not require the same curing times as the immediate situation presents.

I recommend that the PZC approve the 11/11/14 request of Leyland Alliance, to allow construction activity limited to concrete work, to begin at 6:00 a.m., for one day, on or about 11/19/14. This request is granted because the nature of the activity is sensitive to weather conditions. The applicant shall alert the office of *The Oaks on the Square* at least 24 hours in advance of this work. Additionally, due to the substantial on-going construction activity at Storrs Center, this approval authorizes the Zoning Agent and the PZC Chairman to modify the restrictions on construction hours using the same case by case considerations as would be required for Commission approval.

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Curt B. Hirsch

From: Bill Kerensky <bkerensky@leylandalliance.com>
Sent: Tuesday, November 11, 2014 4:50 PM
To: Curt B. Hirsch
Cc: David Maiden; Lou Marquet; Matthew Maher; Stephen Krohley; Terry Mellow; Michelle Tompkins; Jeffrey Resetco
Subject: Winter Weather Condition Request

Hi Curt

I am writing to you in regards to the placement of the concrete deck for the VS 6 building. We currently have the placement of this deck scheduled for Wednesday November 19th.

Our general contractor has inquired if they could have an early start time of 6:00 a.m. for the placement of this concrete, due to cold weather concerns. The additional daylight and extra day time warmth would give the concrete a better chance to cure in accordance with the specifications.

As such, we would like to request an early start time for the performance of this work at 6:00 a.m.

Note that the concrete trucks will be entering the site from the Price Chopper location, and will pull up to the concrete pump without the use of back up beepers. This should help to mitigate the noise factor.

Please advise regarding what procedures I need to follow to formalize this request to the Town.

Thanks for your on going assistance.

With regards,

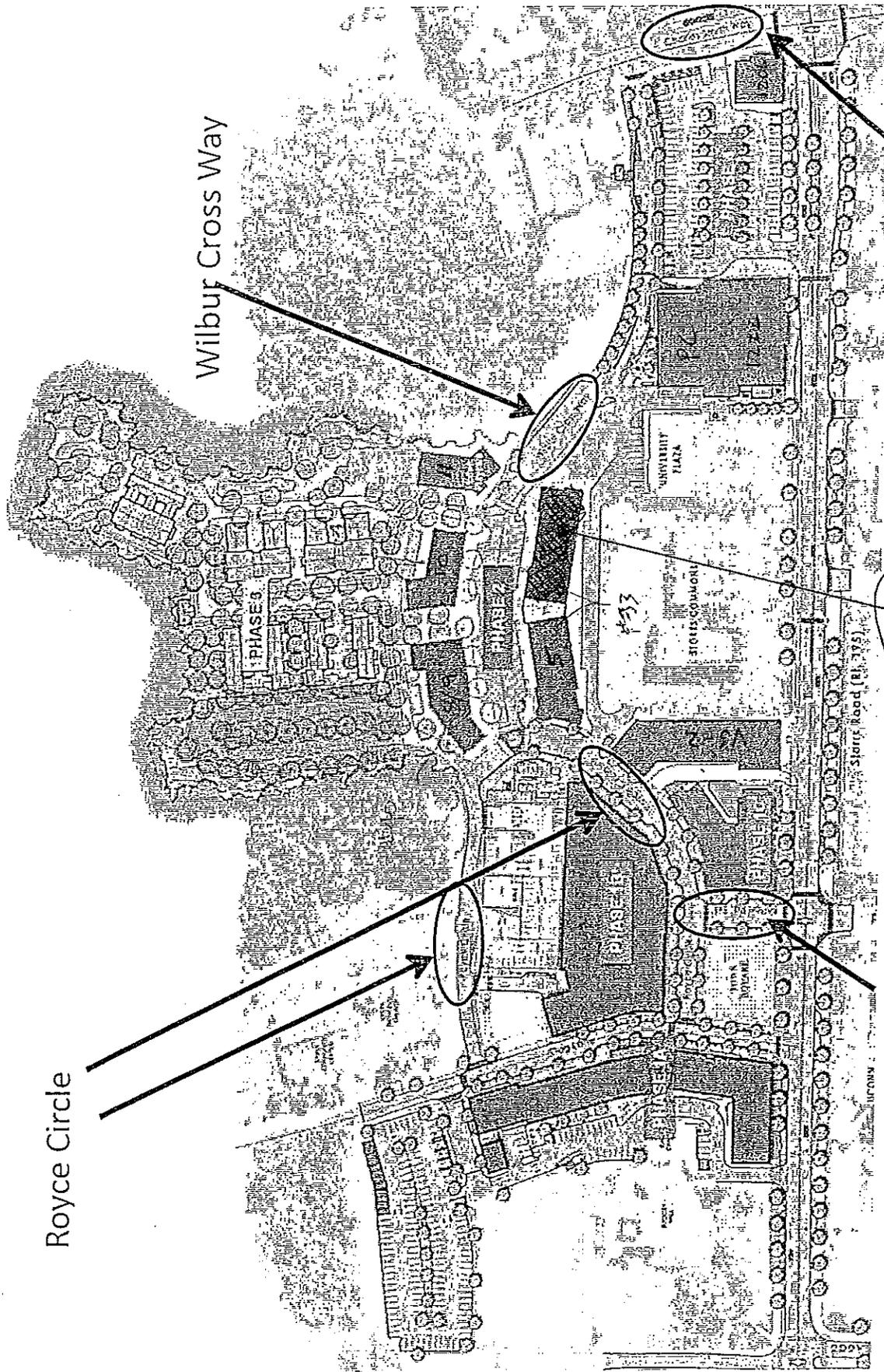
--
Bill Kerensky

Senior Project Manager

Leyland Alliance LLC
Storrs Center
9 Dog Lane, Suite 109
Storrs, CT 06268

Cell:(860) 771-3132
Fax (860) 429-3076

Email: bkerensky@leylandalliance.com



Royce Circle

Wilbur Cross Way

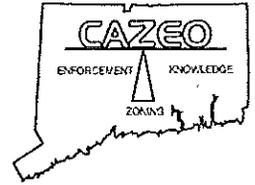
Charles Smith Way

Bolton Road Ext

Site of Concrete
Pour 15-6



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 & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: November 5, 2014

Re: Request for reduction of financial guarantee
Beacon Hill Estates II, PZC # 1214-3

On March 4, 2013, the PZC approved with conditions a 17-lot subdivision, Beacon Hill Estates, Section II. The subdivision included the construction of a new road, common driveway, the planting of street trees, construction of a walking trail and other public improvements. As provided for in condition #3 of said approval, the developer chose to post a financial guarantee of \$568,000.00 in lieu of completing the construction of the public improvements, in order to file the subdivision on the land record. Ten percent of the amount was posted in cash and the remainder assured through an Irrevocable Letter of Credit from Rockville Bank. Financial guarantees were finalized in a 11/22/13 Bonding Agreement. Substantial work has been completed and the developer is requesting a reduction in the amount of the financial guarantee for the completion of the remainder of the work. In an 11/4/14 letter, the developer provides some background of the financing and a work sheet listing the cost of all work to be done, with an adjustment for work completed/remaining. The Bonding Agreement requires all public improvements to be completed by March 3, 2018. The developer told me that work is scheduled for completion in the spring of 2015 and upon completion, will request that the town accept Wyllys Farm Road into the town's street system.

The Department of Public Works has been monitoring the construction of the new road and related public improvements. They have also reviewed the work sheet submitted by the developer and are satisfied with the cost figures provided therein. The reduced financial guarantee would still be a combination of cash and a letter of credit. A revised 'Bonding Agreement' would need to be implemented to reflect the changes.

I recommend that the PZC approve \$155,077.50 as the cost of remaining subdivision improvements for the Beacon Hill Estates, Section II subdivision, (10% cash and 90% irrevocable letter of credit), authorize the PZC Chairman, with staff assistance, to sign a new bond agreement, and authorize the Director of Planning & Development to take appropriate action to release town-held funds that exceed the new bond requirement.

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Spring Hill Properties, LLC

P.O. Box 917
Storrs, CT 06238

Telephone (860) 429-8227

November 4, 2014

Mr. Kurt Hirsch
Zoning Enforcement Office
Town of Mansfield
Mansfield, CT 06238

Re: Bond Reduction Request - Beacon Hill Estates Section II
Wyllys Farm Road, Mansfield, CT

Dear Kurt:

Spring Hill Properties, LLC hereby requests a bond reduction relative to the bond posted on or about November 22, 2013 for Beacon Hill Estates Section II, Wyllys Farm Road, Mansfield, CT.

The original bond posted was in the amount of \$568,000.00 of which \$56,800.00 or 10% was posted in cash and the balance of \$511,200 by Irrevocable Letter of Credit of Rockville Bank. I have attached the work sheet which was used in formulating the original bond, noted adjustments to the original line items for work that is complete, and calculated what I believe to be the remaining values, plus the required 15% contingency. Based on this methodology, we are requesting that the total bond be reduced from \$568,000 to \$155,077.50 by way of reduction of the cash bond from \$56,800.00 to \$15,507.75 and reduction of the Letter of Credit from \$511,200.00 to \$139,569.75. The ratios for the remaining work remain the same with 10% of the remaining work covered by the cash bond and 90% of the remaining work covered by the Irrevocable Letter of Credit.

If you have any questions or would like to meet at the site to review the status of completed development please let me know and I will be happy to meet you.

Since our bond with Rockville rolls over on November 22, we are hoping that you will have time to submit this request to P&Z for action at its November meeting.

Regards,
Spring Hill Properties, LLC

Francis Halle, Manager

Beacon Hill Section II
Final Cost Estimate

Nov. 4, 2014

		Cost		
DESCRIPTION		Estimate	Completed	Remaining
1	Engineering - Construction Stake Out	\$7,500.00	\$7,500.00	\$0.00
2	Sedimentation Control - Silt Fence/Hay Bales	\$10,000.00	\$10,000.00	\$0.00
3	Construction Entrance/Anti Tracking Pad	\$1,620.00	\$1,620.00	\$0.00
4	Tree Clearing	\$10,000.00	\$10,000.00	\$0.00
5	Grubbing/Stumping/Chipping	\$20,000.00	\$20,000.00	\$0.00
6	Strip and Stockpile Topsoil	\$24,000.00	\$24,000.00	\$0.00
7	Construct Emergency Access Road	\$10,000.00	\$10,000.00	\$0.00
8	Road Box & Sub Base Gravel - Wyllis Farm Road	\$35,000.00	\$35,000.00	\$0.00
9	Road Box & Sub Base Gravel - Common Driveway	\$15,000.00		\$15,000.00
10	Process Gravel - Wyllis Farm Road & Common Driveway	\$25,000.00	\$15,000.00	\$10,000.00
11	Storm Water Drainage System	\$80,000.00	\$80,000.00	\$0.00
12	Detention Pond	\$15,000.00	\$15,000.00	\$0.00
13	Underground Utilities (Elec-Tele-Cable)	\$55,000.00	\$55,000.00	\$0.00
14	Bituminous Binder Course - Class 1	\$45,000.00	\$45,000.00	\$0.00
15	Bituminous Surface Course - Class 2	\$45,000.00		\$45,000.00
16	Bituminous Curbing	\$15,000.00	\$15,000.00	\$0.00
17	Placement of Topsoil & Grading	\$10,000.00	\$10,000.00	\$0.00
18	Fertilizing, Seeding & Mulching	\$10,000.00	\$5,000.00	\$5,000.00
19	Compaction Testing	\$2,500.00	\$2,500.00	\$0.00
20	Access Road - Gate with Lock	\$1,000.00		\$1,000.00
21	Stone Wall Relocation	\$20,000.00		\$20,000.00
22	Walking Trail Surface Treatment	\$8,000.00		\$8,000.00
23	Split Rail Fencing	\$5,000.00		\$5,000.00
24	Street Trees	\$13,000.00		\$13,000.00
25	Street & Traffic Signs	\$1,000.00		\$1,000.00
26	Street Lights - 1 (Beacon Hill & Wyllis Farm)	\$1,000.00		\$1,000.00
27	Iron Pins	\$4,275.00		\$4,275.00
28	Concrete Monuments	\$2,275.00		\$2,275.00
29	Open Space & Conservation Tags	\$1,800.00		\$1,800.00
30	Engineering - "As Built" Survey	\$2,500.00		\$2,500.00
	Sub Total	\$495,470.00	\$360,620.00	\$134,850.00
31	Contingency - 15%	\$72,530.00	\$52,302.50	\$20,227.50
	TOTAL	\$568,000.00	\$412,922.50	\$155,077.50

		Original	Requested	Reduced
Bond Posted	%	Bond	Bond Reduction	Bond
Cash	10	\$56,800.00	\$41,292.25	\$15,507.75
Letter of Credit	90	\$511,200.00	\$371,630.25	\$139,569.75
Total Bond	100	\$568,000.00	\$412,922.50	\$155,077.50

BONDING AGREEMENT

This Agreement is entered into on this 22nd day of November, 2013, between the Town of Mansfield, CT, by its Planning & Zoning Commission (PZC) and Spring Hill Properties, LLC, (Developer).

Recitals:

- A. On March 4, 2013, the PZC approved with conditions a seventeen lot subdivision named Beacon Hill Estates, Section II, on Mansfield City Road, west of Beacon Hill Road, Mansfield CT.
- B. Per Connecticut General Statutes section 8-25, Section 14.2 of the Subdivision Regulations of the Town of Mansfield, and Article VI, Section C.2. of the Zoning Regulations of the Town, rather than completing the subdivision improvements that are the responsibility of the subdivider as required by said March 4, 2013 Approval at this time, or accepting a conditional approval of said subdivision, the Developer has elected to submit to the PZC a perpetual and irrevocable Letter of Credit (LOC) from the Rockville Bank of Vernon, CT.
- C. Said approval also requires that the amount of the financial guarantee made by said Developer cover the estimated cost of remaining construction plus 15 % contingency, in this instance a total commitment of \$568,000.00 made by way of said LOC in said amount of \$511,200.00.
- D. With regard to said Letter of Credit (LOC), Article VI, Section C.2 of the Zoning Regulations of the Town of Mansfield requires that the submission of an LOC to secure construction of all required Developer improvements be secured by a cash bond with agreement amounting to at least ten (10) percent of the PZC's bond requirement, in this instance a total of \$56,800.00

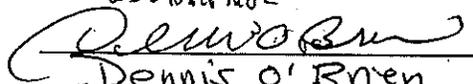
The Parties Agree:

1. The foregoing Recitals are incorporated herein as part of this Bonding Agreement.
2. The Developer hereby submits a cash bond of \$56,800.00, as required by the PZC.
3. The Developer agrees that said cash bond of \$56,800.00 (plus accumulated interest) shall remain in place and in combination with said companion Letter of Credit issued by Rockville Bank in the amount of \$511,200.00 guarantee for a period of five years all subdivision improvements, including the Sedimentation and Erosion Control Plan, as per the Subdivision Regulations and to ensure that all other subdivision improvements are successfully addressed by said Developer to the satisfaction of the proper officials of the Town of Mansfield, whereupon said companion letter of Credit will be released, and said cash bond with accumulated interest will be returned to the Developer.
4. If the Developer fails to complete satisfactorily any necessary work required in association with this Agreement by March 3, 2018, or in the event any public safety or sediment and erosion control problems are not remedied within 48 hours on notice to the Developer, the Town shall have the right, without interference from the Developer, to retain the services of a Contractor to implement the required work, including sediment and erosion controls, and in such event the cost thereof and related Bonding Agreement expenses shall be paid from the cash bond retained pursuant to paragraph 1, above. Said process shall be accomplished in a summary manner without further notice to the Developer.

5. This Bonding Agreement is accompanied by said Letter of Credit from Rockville Bank. The PZC is further authorized to obtain funds secured by said Letter of Credit for non-compliance with conditions of approval, approved plans and specifications or any other provision of this Bonding Agreement.
6. When all necessary work is completed to the satisfaction of the PZC, the Finance Director of the Town of Mansfield shall forthwith deliver to the Developer any funds not utilized pursuant to this Agreement.
7. The subject bond shall earn interest at the rate equal to one-half per cent less than the average rate of return on the State Treasurer's Investment Fund. (STIF).

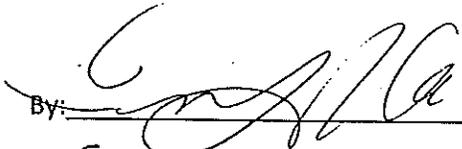
Signed, Sealed and Delivered
in the Presence of:



 Co-Member


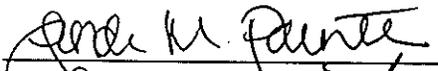
 Dennis O'Brien

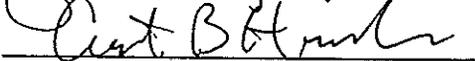
DEVELOPER: SPRING HILL PROPERTIES, LLC

By: 

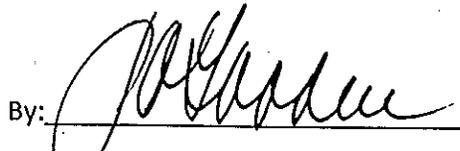
 Co-Owner - Nest

TOWN OF MANSFIELD

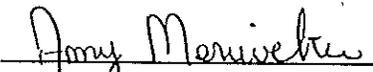


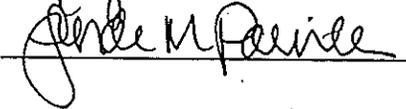


 JoAnn Goodwin

By: 

 JoAnn Goodwin, Chair, Planning and Zoning Commission





 Cheryl A. Trahan

By: 

 Cheryl A. Trahan, Director of Finance

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: Thursday, November 13, 2014
Re: Request for Special Permit Extension, Whispering Glen, File #1284-2

The Commission has received an 11/12/14 request from Attorney Mark Block, representing Lakeway Farms L.P., (Whispering Glen File #1284-2), asking for a renewal of the PZC's 2/19/13 special permit approval.

There have not been any changes to the regulations or site conditions since the Commission's 2/19/13 approval that would alter the conditions under which the special permit was granted. Staff has been working with the applicant over the past several months to finalize the site plan and elevations pursuant to the Commission's conditions of approval. This reviewer recommends that the PZC approve a second one-year extension, until February 19, 2016, of the Special Permit granted to Lakeway Farms L.P. (Whispering Glen File #1284-2), for the construction of a 50-unit apartment complex on Meadowbrook Lane.

Mark E. Block
Eric M. Janney
Richard J. Pascal

Matthew J. Curtiss
Amanda L. Sisley



Respond to:
138 Main Street
Norwich, CT 06360

November 12, 2014

Linda M. Painter, AICP, Director of Planning & Development
Town of Mansfield
Audrey P. Beck Municipal Building
4 South Eagleville Road
Mansfield, Connecticut 06268

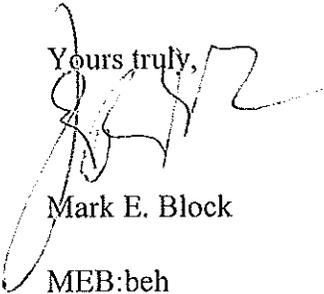
**Re: Whispering Glen
73 Meadowbrook Lane**

Dear Linda:

As you know we represent Lakeway Farms Limited Partnership, the owner of the above named project. The Special Permit for this project is scheduled to expire February 19, 2015 according to our best information. As you are aware this project is under contract of sale and the purchaser will be completing this project. As a consequence, we would request a one (1) year extension of the Special Permit to February 19, 2016.

Please acknowledge receipt of this request and advise whether an appearance will be required before the Commission. Thank you for your attention to this.

Yours truly,



Mark E. Block

MEB:beh

On November 12, 2014, the Mansfield Zoning Board of Appeals took the following action:

Approved the application of Joanna Borucinska for a Special Exception of Art IX, Sec C.2.c to construct a 32' x 20' barn with lean-to in the location of an existing non-conforming garage, decreasing the side property setback from 21.7' to 10' at 41 Mulberry Rd, as shown on submitted plan.

In favor of approving application: Accorsi, Katz, Shaiken, Stearns, Welch

Reasons for voting in favor of application:

- Will not negatively affect the property values of neighborhood

Application was approved.

Approved the application of Julie Menard & Steven Lane for a Special Exception of Art IX, Sec C.2.c for a proposed 8'x 27' front porch on an existing non-conforming residence, reducing the front yard setback from 31' to 23' at 131 Brookside Ln, as shown on submitted plan.

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

Reasons for voting in favor of application:

- Will enhance the neighborhood
- Proposal is in keeping with other houses in neighborhood

Application was approved.

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

Dated November 13, 2014

Sarah Accorsi
Chairman

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