

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Monday, December 15, 2014 ▪ 7:15 PM

Or upon completion of Special Inland Wetlands Agency Meeting

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

1. Call to Order
2. Roll Call
3. Approval of Minutes
 - a. December 1, 2014 Regular Meeting
 - b. December 10, 2014 Field Trip Agenda
4. Zoning Agent's Report
5. Public Hearings
 - 7:15 p.m.
Re-subdivision Application, Lot 19 Monticello Lane, K. and A. Lessenger, PZC File #223-2
Memo from Director of Planning and Development

 - 7:25 p.m.
Special Permit, Efficiency Unit, 51 Candide Lane, M. Bedore, PZC File #1330
Memo from Director of Planning and Development
6. Old Business
 - a. New Subdivision Application, 153 Moulton Road, Mason Brook, LLC, PZC File# 1328
Memo from Director of Planning and Development
 - b. Proposed Tenant Signage, 1659 Storrs Rd, OMS Development LLC., PZC File #1319
 - c. Re-subdivision Application, Lot 19 Monticello Lane, K. and A. Lessenger, PZC File #223-2
 - d. Special Permit, Efficiency Unit, 51 Candide Lane, M. Bedore, PZC File #1330
 - e. New Subdivision Application, 140 Codfish Falls Road, S. Guyette, PZC File #1329
Tabled pending a 1/20/15 Public Hearing for Scenic Road Ordinance
 - f. Re-Subdivision Application, 101 East Road, C. & L. Niarhakos, PZC File #293-2
Tabled pending a 1/20/15 Public Hearing
 - g. Other
7. New Business
 - a. Referral from Public Works Re: Four Corners Sewer Project Consistency with State POCD
Memo from Director of Planning and Development
 - b. New UConn Honors Residence Hall
Memo from Director of Planning and Development
 - c. Modification Request, 7 Storrs Road, PZC File #916
Memo from Zoning Agent
 - d. Approval Request: Revised Plans for Paideia Greek Theater Project Exhibit Building, 28 Dog Lane (File #1049-7)
 - e. Consideration of Citizen Request to Televise IWA/PZC Meetings
 - f. Other

8. Mansfield Tomorrow | Our Plan ▶ Our Future

- a. Scheduling of Public Hearing and Referral of Draft Plan of Conservation and Development

9. 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

10. Communications and Bills

- a. Other

11. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, December 1, 2014
Council Chamber, Audrey P. Beck Municipal Building

Members present: Chairman Goodwin, B. Chandy, R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan
Alternates present: P. Aho, V. Ward, S. Westa
Staff present: Linda Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 8:00 p.m.

Approval of Minutes:

November 17, 2014 Regular Meeting

Hall MOVED, Ryan seconded, to approve the 11-17-14 regular meeting minutes as written. MOTION PASSED UNANIMOUSLY with Chandy, Goodwin and Pociask noting for the record that they listened to the recording of the meeting.

Addition to Agenda:

Holt MOVED, Ryan seconded, to add discussion of directional signs to New Business. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Hirsch explained the several modifications that he and the Chair signed-off on, including the Town Hall driveway.

Old Business:

- a. **New Subdivision Application, 153 Moulton Road, Mason Brook, LLC, PZC File# 1328**
The Chairman declared this item tabled to the 12/15/14 meeting. Staff will work with the applicant to revise plans to address IWA concerns regarding the BAE and DAE.
- a. **New Subdivision Application, 140 Codfish Falls Road, S. Guyette, PZC File #1329**
Ryan MOVED, Holt seconded, to postpone consideration of the proposed 3-lot subdivision located at 140 Codfish Falls Road to the January 20th PZC meeting and to schedule a public hearing on the proposed alterations to Codfish Falls Road for the same evening. MOTION PASSED UNANIMOUSLY.
- b. **Re-subdivision Application, Lot 19 Monticello Lane, K. and A. Lessenger, PZC File #223-2**
Item tabled pending a 12/15/14 Public Hearing.

New Business:

- a. **Special Permit, Efficiency Unit, 51 Candide Lane, M. Bedore, PZC File #1330**
Ryan MOVED, Holt seconded, to receive the Special Permit Application (File #1330) submitted by Melissa Bedore for an efficiency unit on property located at 51 Candide Lane, as shown on plans dated 11/20/14 as shown and as described in application submissions, and to refer said application to staff and committees for review and comments, and to set a Public Hearing for 12/15/14. MOTION PASSED UNANIMOUSLY.
- b. **Re-Subdivision Application, 101 East Road, C. & L. Niarhakos, PZC File #293-2**
Ryan MOVED, Holt seconded, to receive the RESUBDIVISION application (file #293-2) submitted by Christopher and Lindsey Niarhakos for a 3-lot re-subdivision, on property located at 101 East Road owned by the applicants as shown on plans dated 9/25/14, 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 1/20/15.
MOTION PASSED UNANIMOUSLY.

c. Request to Bond Unfinished Site Improvements, 1659 Storrs Rd, OMS Development, LLC., PZC File #1319

Holt MOVED, Pociask seconded, that the PZC approve the 11/24/14 request of OMS Development, to authorize the Zoning Agent to issue a Certificate of Compliance and to accept a cash bond in the amount of \$64,922 with appropriate bond agreement, for the incomplete site work identified in said request, except for pavement line striping. This action is taken because the public health and safety components of the project will be completed prior to the issuance of the Certificate. MOTION PASSED UNANIMOUSLY.

d. Proposed Tenant Signage, 1659 Storrs Rd, OMS Development LLC., PZC File #1319

Bill Gavigan Jr. from Poyant Signs, and an associate, were present to discuss the sign package for the portion of the building that will be leased to Dunkin' Donuts. After a brief review, the Commission instructed the applicant to work with staff to create a sign plan for the entire site, including proposed signage for all tenants, and to return with a specific, comprehensive plan to the PZC to review.

e. Proposed Convenience Store-Determination of Approval Process, 7 Storrs Road, Magic Holding LLC., PZC File #916

The applicant, Ajmal Khan, and his realtor, Rick Nassiff, were present to describe the proposed future use at this site. The Commission decided by consensus that the minor changes proposed could be considered as a modification request. The Commission advised the applicant to be prepared to report on the status of the site remediation and monitoring work at this site when it returns with its formal modification request.

f. Discussion Regarding 1/5/15 Meeting

The January 5th meeting agenda will be limited to a review and discussion of the Draft Campus Master Plan. Staff will provide hard copies of the Executive Summary to members, and UCONN representative(s) will be present at the meeting for the purpose of addressing questions, if any.

g. Clarification on Directional/Advertising Signs

After reviewing the Zoning Agent's memo, the Commission concluded there was no legally supportable basis on which to prevent out-of-town agricultural enterprises from posting business signs in Mansfield, provided these businesses comply with the Mansfield sign regulations.

Mansfield Tomorrow | Our Plan ▶ Our Future:

Painter reported that she expects to have the draft plan ready to send to Public Hearing in February. In addition to her work on Mansfield Tomorrow, she reported on the progress of several committees: Windham Airport Master Plan, 195/44 Corridor Study, Next Gen Impact Study (UConn's impacts).

Reports from Officers and Committees:

Chairman Aho of the Regulatory Review Committee noted that there will be meeting on 12/8/14 at 1 p.m. for members and a second meeting at 2 p.m. with the Zoning Focus Group.

Westa reported on the recent CRCOG meeting.

Communications and Bills: Noted.

Adjournment: Chairman Goodwin adjourned the meeting at 9:09 p.m.

Respectfully submitted,

Katherine Holt, Secretary

DRAFT MINUTES

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

Wednesday, December 10, 2014

Members present: J. Goodwin, K. Holt, B. Ryan, P. Aho, V. Stearns,
Staff present: J. Kaufman, Inland Wetlands Agent (Item #1)
C. Hirsch, Zoning Agent
D. Dilaj, Assistant Town Engineer (Item #1)

The field trip began at 2:00 p.m.

W1545/PZC# 293-2 - Niarhakos, 101 East Road, 3-Lot Re-Subdivision

Members were met on site by property owner Chris Niarhakos. Joe Boucher and Donald Aubrey of Towne Engineering were present representing Mary and Ross Harper of 120 East Road who were also present, along with Betty Crane of 140 East Road. Members observed current conditions, and site characteristics. No decisions were made.

PZC File #1330 - Special Permit, Efficiency Unit, 51 Candide Lane, M. Bedore

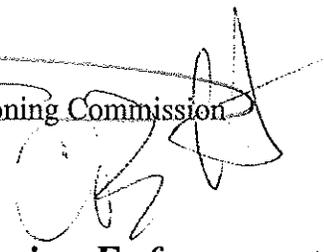
Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 3:00 p.m.

Katherine Holt, Secretary

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To: ~~Town Council/Planning & Zoning Commission~~
 From: Curt Hirsch, Zoning Agent
 Date: December 9, 2014



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

Activity	This month	Last month	Same month last year	This fiscal year to date	Last fiscal year to date
Zoning Permits issued	8	9	10	47	69
Certificates of Compliance issued	9	12	11	48	57
Site Inspections	28	17	28	170	140
Complaints received from the Public	4	6	4	29	36
Complaints requiring inspection	2	4	4	21	24
Potential/Actual violations found	2	6	3	22	32
Enforcement letters	1	3	3	24	16
Notices to issue ZBA forms	0	2	0	2	6
Notices of Zoning Violations issued	1	0	0	14	11
Zoning Citations issued	0	0	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 = 5, 2-fm = 0, multi-fm = 0

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Department of Planning and Development

Date: December 11, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LP*
Subject: Resubdivision Application-Kurt and Anne Lessenger (File 223-2)
Davis Manor Subdivision – Lots 5, 6 and 7
Monticello Lane (Assessors Map 22, Block 59, Lot 19)

The Davis Manor Subdivision (Monticello Lane) was approved by the Commission in 1968. Acceptance of Lots 5, 6 and 7 was made contingent upon approval of individual sewage disposal systems by the Mansfield Health Officer prior to issuance of building permits. These lots have since been combined under common ownership and are now identified as Assessors Map 22, Block 59, Lot 19. The original subdivision plan included a fifty-foot wide strip of land "Dedicated to Future Highway Purposes" abutting the eastern boundary of Lot 7; however, no deed transferring this land to the town was ever recorded. The applicants are proposing to merge Lots 5, 6 7 and the land reserved for highway purposes into one lot for the purpose of developing a single-family house. Due to the fact that the proposed lot includes land previously reserved for roadway purposes, a resubdivision is required under state law, as such, a public hearing is scheduled for December 15, 2014.

Based on the development that has occurred since the approval of the Davis Manor subdivision, the reserved area is no longer needed for a roadway. The reserved roadway connects to a 4.4 acre lot which is developed with a single family house. Incorporation of the fifty-foot wide area into the building lot provides sufficient space for a single-family house to be developed; something which would be difficult on the original approved lots given the extensive wetlands located on the property. The Inland Wetlands Agency has already reviewed and approved a license for the proposed house. The total lot will encompass 3.01 acres and have over 673 feet of frontage. The Eastern Highlands Health District has reviewed the proposed subdivision and determined that a septic system to support a three-bedroom house could be supported on the property.

Setbacks. With regard to setbacks, the applicant is proposing to use the standard setback lines required by Article 8 of the Zoning Regulations in lieu of establishing a Building Area Envelope and Development Area Envelope as required by Section 6.5.s of the Mansfield Subdivision Regulations. For consistency with the regulations and past practice, the plan should be amended to incorporate a BAE and DAE. This would also eliminate any confusion about the ability to construct new buildings within the wetlands that could be inferred from the current building setback line that encompasses the majority of the parcel.

Trees. No information regarding significant trees on the property was included on the subdivision map. Pursuant to Section 6.5.j.3 of the subdivision regulations, all trees over 15 inches d.b.h. are required to be identified, either individually or as part of a grove. Significant trees that are to be preserved are also required to be noted on the plans.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application submitted November 13, 2014 and received by the PZC on November 17, 2014, including:
 - 3-sheet subdivision plan prepared by Datum Engineering and Surveying LLC dated November 11, 2014
- The following correspondence regarding the proposed development has been received:
 - Memo from Jeff Polhemus, Eastern Highlands Health District, dated December 4, 2014
 - Memo from Windham Water Works to the Mansfield Inland Wetlands Agency dated August 11, 2014
- Neighborhood Notification Forms were required to be sent to abutting property owners in accordance with Section 4.11 of the Mansfield Subdivision Regulations. **A copy of the notice and certified mail receipts have been provided.**
- The Public Hearing on this item will be opened on December 15, 2014 and must be closed by January 19, 2014 unless a written extension is granted by the applicants.
- 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 applicants grant a written extension.



Eastern Highlands Health District

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MEMO

To: Linda Painter, Director of Planning and Development, Mansfield

Cc: Datum Engineering & Surveying, LLC

From: Jeff Polhemus, Chief Sanitarian

Date: December 4, 2014

Re: PZC File# 223-2: Davis Manor Lot 19 – 1 Lot Re-Subdivision

Property Location: Lot 19 Monticello Lane, Storrs

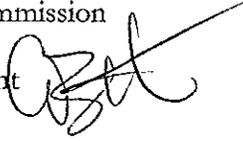
Applicants: Kurt and Anne Lessenger

We have reviewed the site development plan for the above referenced re-subdivision prepared by Datum Engineering & Surveying, LLC, dated 10/06/14, for compliance with the requirements of the Connecticut Public Health Code. This single lot appears to be suitable for development as proposed with a private water supply well and on-site subsurface sewage disposal system serving a 3-bedroom single-family home.

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Department of Planning and Development

Date: December 11, 2014
To: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent 
Subject: Special Permit Application
Efficiency Unit – 51 Candide Lane
File #1330

The following comments are based on a review of submitted information (undated Statement of Purpose, Site Plan and floor plan prepared by the applicant, and other application submissions), and a review of pertinent zoning regulations, particularly Article X, Section L and Article V, Section B.

Project Description

The applicant is requesting special permit approval for an efficiency unit in association with an existing single-family home on property located at 51 Candide Lane. No site work or exterior building alterations are proposed.

As the applicant is not proposing to make any site improvements or exterior changes to the existing house, most of the site plan information required pursuant to Article V, Section 5.A.3.d has not been provided. The applicant is requesting that this site plan information be waived.

Compliance with Zoning Regulations

The following list summarizes the requirements that must be met before the Commission can approve a special permit pursuant to Article X, Section L.2.a. Compliance with these criteria is indicated by a and a narrative description. If a requirement has not been met, it is preceded by a .

- Unit Size.** *The unit must contain at least 400 square feet and cannot exceed 35% of the floor area of the single family home in which it is located.*

The proposed efficiency unit is approximately 720 square feet, which equates to $\pm 25\%$ of the floor area of the 2,820 square foot home (including the new unit).

- Facilities.** *The unit must include independent living quarters, a distinct kitchen area, and a bathroom with sanitary and bathing facilities.*

The proposed efficiency unit has a living room/ bedroom, open kitchen area, and full bathroom and storage area.

- Occupancy.** *Either the single-family home or the efficiency unit must be owner-occupied. An affidavit certifying owner occupancy and a statement that the provisions of Article X, Section L have been met must be submitted as part of the application.*

The applicant indicated in the Statement of Use that she and her husband are the owners of 51 Candide Lane and they will be occupying the main portion of the house. The efficiency apartment would be occupied by the applicant's parents. **The statement of use needs to be signed and notarized by the applicant to fulfill this requirement.**

- Access.** *Interior access between the single-family residence and the efficiency unit is required.*

According to the statement of use, interior access to the efficiency apartment is provided over a stairway between floors. The submitted floor plan also depicts an exterior, walk-out doorway. A walkway connecting the parking area to the exterior door may be needed.

- Off-Street Parking.** *A minimum of 3 spaces with unobstructed access must be provided.*

The property currently has two parking spaces in a garage and three spaces outside of the garage, all with unobstructed access. There is no buffer (shrubs, trees or fence located between the parking area and the adjacent property).

The driveway that accesses the parking area appears to be newer than the house itself; however, it is unknown as to whether it is a non-conforming driveway constructed prior to the requirement that aprons be paved or whether the driveway was installed without a permit. As this application will be adding a second unit to the property, the Commission may want to require the owners to pave the apron in accordance with current standards.

- Maximum Occupancy.** *Occupancy of the efficiency unit is limited to 2 people.*

Pursuant to the statement of use submitted, the unit will be occupied by two people.

- Use and Dimensional Requirements.** *The single-family home must comply with use and dimensional requirements (height, area, yards) for the district in which it is located. No efficiency units are permitted on a lot with less than 40,000 square feet.*

The lot on which the home is located contains 1.26 acres (approx. 55,886 sq. ft.) according to the Town Assessor records. The property was part of a 1966 subdivision, Orange-Judd Estates, developed under the bulk requirements for a RAR-40 zone. The property is now in a RAR-90 zone.

- Character.** *The home in which the unit is located must retain its character as a single-family residence.*

The applicant states in the submittals that no external additions are being proposed with this application. The single-family house will not appear any different than its current condition after the efficiency unit is established. There may be an additional vehicle.

- Sanitary System.** *The applicant must demonstrate adequate sewage disposal prior to Commission approval of the special permit.*

According to the applicant, the existing house contains five bedrooms, including one in the basement that will be incorporated into the efficiency unit. The Eastern Highlands Health District has approved the B100a application for the change in use from a 5-bedroom single family dwelling to a 4-bedroom single-family dwelling with a 1-bedroom efficiency unit.

- Flood Hazards.** *Efficiency units are not permitted within Flood Hazard Areas as defined in Article X, Section E of the Zoning Regulations.*

Based on available maps, there are no flood hazard areas in the vicinity of the property.

- Street Frontage.** *All efficiency units must be located on a lot with street frontage as defined in the Zoning Regulations.*

At the time the subdivision was approved, the property was zoned RAR-40, which required 150 feet of frontage. Although the property is a non-conforming lot of record because it is less than 90,000 sq. ft. in area, it does have a little more than the 200 feet required for the zone.

- Inland Wetlands Agency.** *IWA approval is required for any proposed improvements within regulated wetland/watercourse areas prior to approval of the special permit.*

No site improvements were proposed as part of the application. The Town's Wetlands map indicates that there may be a wetland area toward the rear of the property.

Approval Considerations

Pursuant to Article V, Section B.5, the applicant must demonstrate to the satisfaction of the Commission that the proposed development will not detrimentally affect the public's health, welfare and safety and that the development meets the following approval criteria for special permit applications:

- a. That all approval criteria in Article V, Section A.5 (Site Plan Approval Criteria) of these regulations have been met.
- b. That the proposed use is compatible with the Town's Plan of Conservation and Development and Article I of the Zoning Regulations I(Intent and Purpose).
- c. That the location and size of the proposed use and the 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 compatible with other existing uses.
- d. That proper consideration has been given to the aesthetic quality of the proposal, including architectural design, landscaping, and proper use of the site's natural features. The kind, size, location and height of structures, and the nature and extent of site work, and the nature and intensity of the use, shall not hinder or discourage the use of neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.

The subject efficiency unit is not expected to detract from the house's overall appearance as a single-family home and it is not expected that the efficiency unit will result in detrimental neighborhood impacts. Public Hearing testimony may provide more information regarding this issue.

Summary/Recommendation

Subject to any testimony received during the public hearing and having the Statement of Use signed and notarized by the applicant, the proposal is considered to be in compliance with regulatory provisions and is not expected to cause any detrimental neighborhood impacts. Any approval motion should include a waiver of the site plan information required in Article V, Section A.3 as the information is not needed to determine compliance with the regulations and the following conditions:

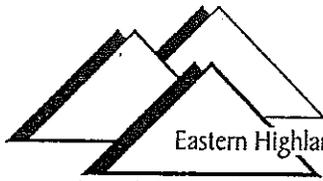
1. This approval has been granted for a one-bedroom efficiency unit in association with a single-family home having up to four additional bedrooms. Any increase in the number of bedrooms on this property shall necessitate subsequent review and approval from the Eastern Highlands Health District and the Planning and Zoning Commission.
2. This approval is conditioned upon continued compliance with Mansfield's Zoning Regulations for efficiency units, which include owner-occupancy requirements, limitations on the number of residents in an efficiency unit and limitations on the number of unrelated individuals that may live in a dwelling unit pursuant to the definition of Family contained in the Zoning Regulations. These limitations apply regardless of the number of bedrooms present in the home. Pursuant to Article X, Section L.2, the applicant shall submit a notarized affidavit certifying owner occupancy and a written statement regarding compliance with efficiency unit regulations every two years, starting on January 1, 2016.
3. The applicant shall install a walkway from the parking area to the exterior door of the efficiency unit and pave the apron of the driveway to bring it into conformance with current standards. In designing the walkway, the owner shall coordinate with the Inland Wetlands Agent to determine if a wetlands license is needed. A driveway permit from the Department of Public Works will be required.
4. This special permit shall not become valid until filed upon the Land Records by the applicant.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application submitted November 20, 2014 and received by the PZC on December 1, 2014, including:
 - Statement of Use/Consistency with Efficiency Unit Requirements
 - Floor plan of proposed efficiency unit
 - Site plan
 - Site Plan Checklist and associated waiver requests

- B100A approval dated December 10, 2014
- The following correspondence regarding the proposed development has been received:
 - Memo from Jeff Polhemus, Eastern Highlands Health District, dated December 10, 2014
- 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 and certified mail receipts have been provided.**
- The Public Hearing on this item will be opened on December 15, 2014 and must be closed by January 19, 2014 unless a written extension is granted by the applicants.
- 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 applicants grant a written extension.

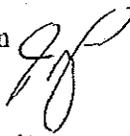
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Eastern Highlands Health District

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MEMO

To: Linda Painter, Director of Planning and Development, Mansfield
Cc: Melissa Bedore
From: Jeff Polhemus, Chief Sanitarian 
Date: December 10, 2014

Re: PZC File# 1330: Efficiency Unit

Property Location: 51 Candide Lane
Applicant: Melissa Bedore

We have reviewed a B100a application and plans for the above referenced efficiency unit proposal for compliance with the requirements of the Connecticut Public Health Code. The proposal includes renovating the existing finished basement in the dwelling, adding a kitchen and relocating a bathroom in this space. Based on our review, it appears that the proposal will comply with all of the applicable Public Health Code requirements. We have approved the applicant's proposal submitted to the health district for this project.

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Department of Planning and Development

Date: December 11, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LM*
Subject: Mason Brook LLC
Mason Brook Heights Subdivision (File 1328)
153 Moulton Road

This memo is provided as a supplement to my November 24, 2014 memo. At the December 1, 2014 PZC meeting, the Commission tabled consideration of this item to allow staff to identify changes to the BAE boundary based to address concerns of the Inland Wetland Agency. At that meeting, staff also pointed out that the proposed BAE would be located 8 feet from the front property line for the entire length of the property. While members did not appear to have any objection at the December 1st meeting, I wanted to verify that the proposed setback was acceptable for any new structures prior to approval by the Commission. If the Commission would prefer that the BAE only encompass the existing house and that new structures have a larger setback, an adjustment to the BAE along the front property line would be required.

Summary

After reviewing the plans and the draft motion prepared for the Inland Wetlands Agency, staff has prepared the following draft motion for the Commission's consideration.

_____ MOVES, _____ SECONDS, to approve with conditions the subdivision application (File #1328) of Mason Brook LLC owned by the applicant located at 153 Moulton Road in an RAR-90 zone, as submitted to the Commission and shown on plans dated August 2014.

Pursuant to Sections 7.5 and 7.6 of the Subdivision Regulations, this approval accepts the applicants proposed lot layout and hereby authorizes the reductions to setbacks as depicted through the proposed Building Area Envelope. These reductions accommodate the existing structures on the property and allows for new structures to be located further from the wetlands and brook.

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

1. **Setback Reductions.** The approved reductions to the front and south side setbacks shall be specifically noted on the plans and on the deeds of the affected and abutting lots. Unless the Commission specifically authorizes revisions, the depicted building envelopes shall serve as the setback lines for all

future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be specifically noticed on the Land Records.

2. **Plan Revisions.** Final plans shall be revised to:
 - a. Eliminate the "Received for Recording" signature box from Sheet 1.
 - b. Add a signature box for the Inland Wetlands Agency.
 - c. Include signatures and seals of the responsible soil scientist in addition to surveyor and engineer pursuant to Section 6.3.d of the Mansfield Subdivision Regulations.
 - d. Include the month, date and year of the original plan and revision.
 - e. Revise the Building Area Envelope to be at least 50 feet from wetlands where possible. Where existing structures are within 50 feet of the wetlands such as the rear corner of the existing barn, the BAE may be less than 50 feet to accommodate the existing structure.
 - f. Increase the distance between the Development Area Envelope and the wetland where the DAE is closest to the edge of wetlands. To accomplish this, the DAE may be reduced to the minimum required 40,000 square feet provided that the width or depth of the DAE is at least 75 feet in all locations.
 - g. Remove the standard setback lines from the final plan to eliminate confusion with the BAE/DAE boundaries.
 - h. Clarify whether the front lot line represents existing conditions or a dedication to meet the required centerline setback. If it represents a dedication, the area to be dedicated shall be clearly identified and enclosed for the distance of the applicant's property.
 - i. Add the following notes to the plan:
 - i. Any new regulated activity in the upland review area or in the wetlands or watercourse will require the owner to obtain an Inland Wetlands license as required by the Town of Mansfield's Inland Wetlands and Watercourses Regulations.
 - ii. Open space dedication requirements for any future development of the remaining land identified on the subdivision map shall be based on the combined total acreage of the property (25 acres).
 - iii. The depicted BAE includes reductions to the front yard setback and side yard setback along the south property line. The BAE shall serve as the setback lines for all future structures and site improvements unless modified in the future by the Planning and Zoning Commission.
3. **Quit Claim Deed and Certificate of Title.** If a right-of-way dedication is required, the area to be dedicated must be deeded to the Town and covered by a certificate of title indicating that there are no encumbrances or stating what encumbrances there are and providing a partial release or subordination agreement.
4. **Extent of Approval.** The Planning and Zoning Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety or one hundred and eighty-day filing extension has been granted):

- a. All final maps, including submittal in digital format, right-of-way deeds for Moulton Road (if required), and a Notice on the Land Records to address condition #1 (with any associated mortgage releases) shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
- b. All monumentation with Surveyor's Certificate shall be completed pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

PAGE
BREAK



Department of Planning and Development

Date: December 11, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LMP*
Subject: Consistency of Four Corners Sanitary Sewer Service Area with the Connecticut Conservation and Development Policies Plan

The Connecticut Department of Energy and Environmental Protection has asked the Department of Public Works to respond to several questions as they begin their review of the Four Corners Sanitary Sewer Project, including whether the proposed sewer service area is consistent with the 2013-2018 Conservation and Development Policies: A Plan for Connecticut. As identified in the attached email, CTDEEP would like to have the Commission's opinion regarding consistency with the state plan. As such, I have prepared the following summary for your review and consideration.

▪ **Growth Management Principle 1**

Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure.

The Four Corners area is within a Regional Center due to its location abutting the University of Connecticut's main campus. It has also been one of the town's three commercial centers of activity for many decades. Mansfield has been planning for extension of sewer and water service to the Four Corners for several years. The 2006 Mansfield Plan of Conservation and Development (POCD) included the following specific recommendation: "Support initiatives to document surface and groundwater quality and public health issues in the Four Corners area and seek State and Federal funding to extend public sewer and water services to this area."

▪ **Growth Management Principle 2**

Expand Housing Opportunities and Design Choices to Accommodate a Variety of Household Types and Needs.

The availability of sanitary sewers in conjunction with public water service will allow for development of higher density residential and mixed use projects, expanding housing options in an area served by public transit.

▪ **Growth Management Principle 3**

Concentrate Development Around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options.

The Four Corners area is a cross roads of three Connecticut State Routes and is serviced by the Windham Region Transit District as well as the UConn shuttle system.

▪ **Growth Management Principle 4**

Conserve and Restore the Natural Environment, Cultural and Historical Resources, and Traditional Rural Lands.

The 2006 Mansfield POCD concentrates commercial and higher density residential growth in limited areas such as Four Corners that have access to water and sewer infrastructure to prevent

sprawl into rural portions of the town. One of the specific policies noted under this principle includes the following language: "Support the introduction or expansion of public water and/or sewer services or advanced on-site wastewater treatment systems when there is a demonstrated environmental, public health, public safety, economic, social or general welfare concern, and then introduce such services at a scale which responds to the existing need without serving as an attraction to more extensive development."

With regard to environmental resources, there are extensive wetlands associated with Cedar Swamp in the Four Corners area. These wetlands are under the jurisdiction of the Mansfield Inland Wetlands Agency, which regulates development within 150 of any wetland to ensure that the integrity of the wetland systems are retained. With regard to historic resources, a portion of the proposed service area is within the Four Corners Historic Village area. While most of the historic integrity of the village has been lost due to development that occurred several decades ago, there are still some historic houses remaining along Route 44 and Route 195, particularly east and south of the intersection. In addition to specific criteria that apply to properties within designated village areas, the architectural and design standards adopted as part of the Zoning Regulations require that historic and cultural features be identified and incorporated into a redesign of the site as appropriate.

▪ **Growth Management Principle 5**

Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety.

In addition to the regulations of activities near wetlands described above, the Zoning Regulations limit development within flood hazard zones to agricultural uses, open space /recreation uses, parking, accessory buildings, sand and gravel removal, hydropower facilities and swimming pools.

▪ **Growth Management Principle 6**

Promote Integrated Planning Across all Levels of Government to Address Issues on a Statewide, Regional and Local Basis

▪ **Locational Guide Map**

The following state locational guide map classifications apply within the proposed service area:

- *Priority Funding Areas.* These areas have access to existing or planned infrastructure such as water, sewer and public transportation. Growth-related projects may proceed without exception
- *Balanced Priority Funding Areas.* These areas have access to infrastructure as described above but also contain land with conservation values such as wetland or agricultural soils, flood zones and critical habitats. Growth-related projects may proceed without an exception, if the sponsoring agency documents how it will address any potential policy conflicts.
- *Protected Lands.* These lands have some type of restriction on development, such as permanently protected open space or property for which development rights have been acquired.

As shown on the attached map, with the exception of on property that is identified as protected land, the remaining property within the proposed service area has been designated as either a Priority Funding Area or Balanced Priority Funding Area.

Summary

If the Commission concurs that the proposed sanitary sewer service area is consistent with the state plan, the following motion would be in order.

_____ MOVES, _____ seconds to authorize the Chair to submit a letter to the Connecticut Department of Energy and Environmental Protection stating that the Mansfield Planning and Zoning Commission has reviewed the proposed Four Corners Sanitary Sewer Service area and found it to be consistent with the *2013-2018 Conservation and Development Policies: A Plan for Connecticut*. Such letter shall also note that areas designated as Conservation on the Locational Guide Map are designated as Flood Hazard Zones in Mansfield's 2006 Plan of Conservation and Development and current Zoning Regulations; therefore, no development is proposed in these areas.

Derek M. Dilaj

From: Esguerra, Carlos <Carlos.Esguerra@ct.gov>
Sent: Monday, December 01, 2014 2:37 PM
To: Derek M. Dilaj
Cc: John C. Carrington
Subject: RE: Four Corners Map

Derek,

Thanks again. I have the following questions on the project. We have probably talked about some these issues in one way or another in the past- but I would appreciate confirmation:

1. Who is going to own and operate the sewer system? (Looks like the town, but please confirm this)
2. What is the design wastewater flow from the project area.
3. Is there an Intermunicipal agreement under development or in place?(Did UCONN agreed to receive the flows from the project area?)
4. Is the sewer extension consistent with the local zoning and plan of development?
 - a. Did Planning and Zoning approve the project?
 - b. Did the inland wetlands commission approve the project?
 - c. Did it receive approval from the WPCA?
5. Is the sewer service area consistent with the 2013-2018 state's plan of conservation and development? You may want to check with P&Z on this question and get their opinion in writing preferably.
6. Is there the potential or intention for providing sewer service to areas of town other than the proposed sewer service area?
7. Has the town developed a user charge and benefit assessment system for the project?

Regards,

Carlos

Carlos Esguerra
Sanitary Engineer II
Municipal Facilities Section
Planning & Standards Division
Bureau of Water Protection and Land Reuse
Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
P: 860.424.3756 | E:carlos.esguerra@ct.gov



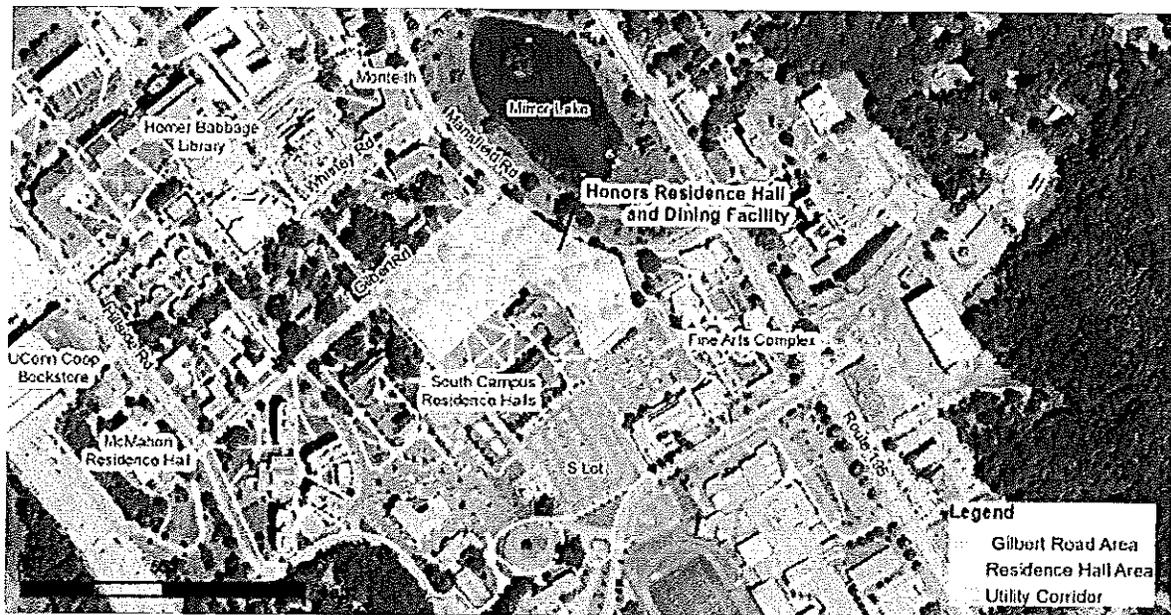


Department of Planning and Development

Date: December 11, 2014
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director *LMP*
Subject: UConn Honors Residence Hall

The University of Connecticut held a scoping meeting on December 2, 2014 to present initial plans for a new Honors Residence Hall; comments on the proposal are due to the University by December 18, 2014. The new residence hall will contain up to 650 beds and a 700-seat dining hall in a 210,000 square foot building. The building is expected to be 5 to 6 stories in height with an 8 to 9 story tower element. The residence hall would house first year honors students as well as the Honors Program offices.

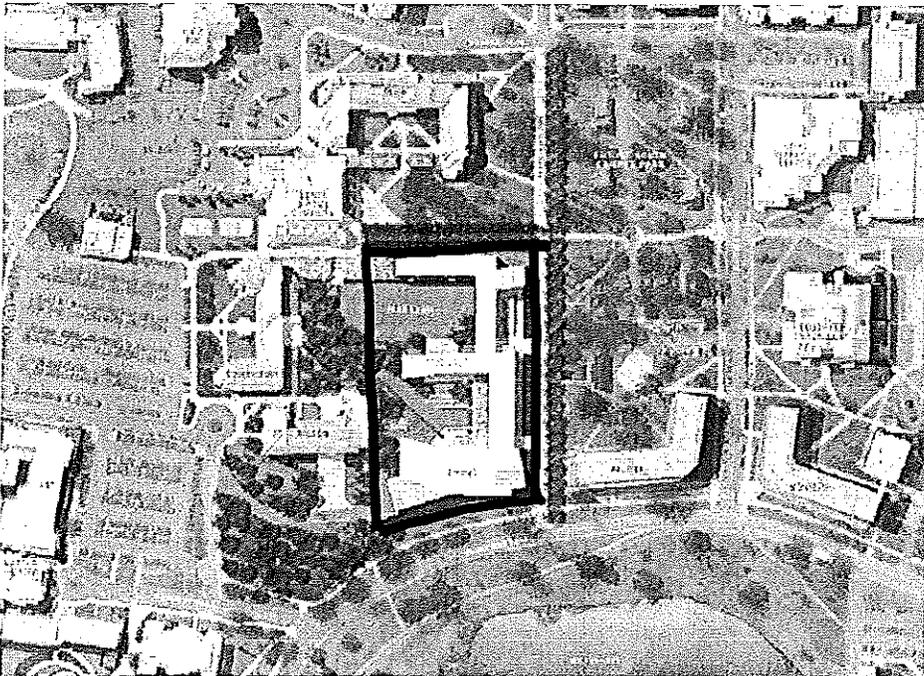
The preferred location for the residence hall is at the corner of Mansfield Road and Gilbert Road in the area of the South Campus Residence Halls, across from Mirror Lake. Other alternatives evaluated by the University included sites south of McMahon and S-lot.



The powerpoint presentation prepared for the scoping meeting included a preliminary assessment of the potential impacts of the residence hall, including:

- **Cultural Resources.** The proposed location is within the National Register Historic District and would involve demolition of two buildings. UConn is consulting with the State Historic Preservation Officer and initiated a historic structure evaluation.
- **Wetlands and Natural Communities.** No wetlands were observed on-site. The property is on the edge of a Natural Diversity Database Area and construction of the residence hall will include some tree removal.
- **Water Resources.** The property drains to Mirror Lake and the Roberts Brook watershed. While there are no floodplains, the project is subject to CT DEEP Flood Management Certification. Stormwater peak flow due to the new impervious area created will need to be mitigated.
- **Traffic Circulation and Parking.** The project is not expected to generate significant new vehicle trips. Approximately 18 parking spaces currently used by staff on Maple Lane would be eliminated. Additionally, the draft campus master plan envisions the conversion of Gilbert Road to a pedestrian way. Elimination of vehicular traffic on Gilbert Road would possibly necessitate changes to Whitney Road to accommodate additional traffic such as removal of on-street parking.
- **Visual/Aesthetic.** The presentation notes that the “architectural design will be sensitive to current visual setting.”
- **Water Supply.** Water supply is expected to be available prior to occupancy based on the projected schedule for completion of the Connecticut Water Company interconnection.

It should be noted that the Town’s 2008 Vision 2020 plan encouraged the University to provide more housing for both undergraduate and graduate students.



Relationship to Other University Projects

In March 2014, the PZC and Town Council provided comments as part of the scoping process for the new STEM residence hall and Science and Engineering Building. These comments identified the need to complete the campus master plan and the Next Generation Connecticut Impact Study prior to construction of any other buildings related to the NextGen initiative. Specifically, the Town requested that the master plan include a comprehensive, multi-modal transportation plan for the build-out of the campus that considered impacts to the local transportation network, including off-campus improvements for vehicular, pedestrian, bike and transit circulation.

UConn issued a draft campus master plan in November; that plan is currently being reviewed by Town committees with the goal of submitting formal comments co-signed by both the Commission and Town Council by January 26, 2015. Appendix C of the draft master plan contains the Transportation, Circulation and Parking Plan. Staff will be reviewing the plan and assisting the Commission with drafting of comments in January 2015.

With regard to the NextGenCT impact study, the Town has taken the lead on contracting for that project. A consultant has been selected and the contract is being negotiated. The study is expected to commence in January 2015 and take approximately six to nine months to complete.

Summary

The next step in the environmental review process is the preparation of an Environmental Impact Evaluation (EIE) for the project; this study will more fully evaluate the impacts of the preferred site for the residence hall. Given the location of the proposed residence hall and the status of the draft campus master plan and impact study, I suggest that the Commission authorize the Chair to submit a letter to the university in response to the project scoping notice that includes the following preliminary comments:

- *Campus Master Plan.* In March 2014, the Town requested that the campus master plan and Next Generation Connecticut impact study be completed prior to construction of any buildings related to the NextGen initiative other than buildings under consideration at that time. The Town also identified the need for the campus master plan to include a comprehensive, multi-modal transportation plan for the build-out of the campus that considers impacts to the local transportation network, including off-campus improvements for vehicular, pedestrian, bike and transit circulation.

The Commission will be providing comments on the November 2014 draft campus master plan to the University in January 2014. The Honors Residence Hall EIE should address specific measures that will be completed as part of this project to enhance the multi-modal transportation system and reduce off-campus transportation impacts.

- *Traffic Analysis.* The EIE should evaluate the potential impacts of the proposed building on the local road network, in addition to the state road network, should be done to confirm the conclusion that no significant impacts on the local road network are anticipated. This analysis should identify any necessary mitigation measures and be made available to the Town for review and comment prior to submission to OSTA. Furthermore, as noted in the Commission's May 2014 comments on the STEM residence hall, the EIE should identify needed mitigation measures as well as performance measures and a framework for reporting and modifying approaches as needed.
- *Cultural Resources and Visual Impact.* Given the prominent location of the proposed residence hall, design of the building should be sensitive to the historic context of the area and nearby buildings.
- *Stormwater/Mirror Lake and Roberts Brook.* The University should identify specific measures that will be used to reduce impacts on Mirror Lake and the Roberts Brook watershed.
- *Cumulative Impacts.* All analysis completed as part of the EIE for the Honors Residence Hall should consider the cumulative impacts of this building and previously approved buildings that have not yet been constructed, including the STEM residence hall, Science and Engineering Building and Innovation Partnership Building.



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: December 11, 2014

**Re: Proposed Convenience Store/gasoline station
7 Storrs Road, PZC file #916**

Following the Commission's action on 12/1/14, Mr. Mohammad Khan (Khan) has submitted a Request for Modifications application for 7 Storrs Road. This site formerly operated as a Mobil gasoline sales station and vehicle service garage. As stated at your 12/1/14 meeting, Khan proposes to renovate the existing site structures within their current footprints, and to establish a retail convenience store in place of the former vehicle repair. The applicant has submitted a Modification form with Statement of Use, a site plan and copies of environmental reports that have been prepared for the subject site. Staff has not had sufficient time to review all of the material prior to the packet mailing. I have however included the following in your packets:

- 12/7/14 modification application
- 12/8/14 site plan
- 12/9/14 letter from Rick Nassiff, KellerWilliams Realty
- 3/19/14 report from J. Yeich & M. Franson, Charter Oak Environmental Services, Inc.
- 5/23/13 report from M. Franson, Charter Oak.
- 10/29/13 Soil Sample Location Map

A report will hopefully be sent to you electronically prior to the weekend.

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

APPLICANT/OWNER SECTION

1. Owner(s) Magie holding llc Telephone 860-426-1070
(please PRINT)
Address S2 Brothers way Town Southington Ct Zip 06489

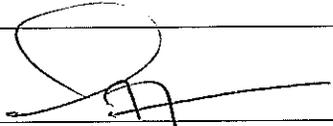
2. Applicant(s) Mohammad A Ichan Telephone 203-725-5252
(please PRINT)
Address _____ Town _____ Zip _____

3. Site Location 7 Storrs Road Mansfield Ct.

4. Reference any approved map(s) that would be superseded if this request is approved:
Plot Plan Building Plan Elevation
side Elevation!

5. Reference any new map(s) submitted as part of this request:

6. Itemize and describe the modification(s) being requested, using separate sheet where necessary. The description must be adequate to determine compliance with all applicable land use regulations: -
attach with letter to Planning + zoning comm.
with Plot Plan + store layout.

7.  _____ date 12/7/14
Applicant's signature

To: Mansfield Planning and Zoning Commission

Reference: 7 Storrs Rd., Mansfield, CT 06250

Request for site plan modification

Magic Holding LLC, a quality operator of convenience stores and gas stations is acquiring 7 Storrs Rd., a gas station/convenience store/service station that was last open to the public approximately 8 years ago. Magic holding would like to rehabilitate and modify the property as 7 Storrs Rd. as a gas station and convenience store, as a minor modification to the prior use, according to the rules and regulations of the planning and zoning commission.

The scope of work:

- Installation of two new tanks at the existing locations
- Reinstalling four gas pumps at the existing locations
- Replacing the existing sign with a new sign in the same location, according to the guidelines and regulations of the planning and zoning commission
- Reinstalling the garbage dumpster pad and installing fencing to screen the view of the dumpster

Using the existing building, we plan to modify the convenience store with:

- New windows
- New entry door
- Installation of a new walk-in cooler
- Modify the front of the building with cosmetic upgrades, using existing brick and adding stucco
- Install upgraded landscaping to give the site an enhanced look

You can see these modification on our reference blueprint layouts A & B, attached with the description to determine compliance with all applicable land use regulations.

Thank you,

Magic Holding LLC

Estimated Cost Summary for Excavation and Disposal of Impacted Soil
Former Used Oil UST Area
Former Mobil Station, 7 Storrs Road, Willimantic, Connecticut

Description	Potential Price/Unit (range provided as applicable)	Unit	Potential Quantity (range provided as applicable)	Potential Total Cost Range
<i>Additional Delineation Soil Sampling</i>				
Labor, Equipment and Materials (Hand Auger Borings)	\$ 1,500 \$ 2,000	LS	1	\$ 1,500 \$ 2,000
Lab Analysis (ETPH/EPH)	\$ 1,000 \$ 1,500	LS	1	\$ 1,000 \$ 1,500
Data Evaluation	\$ 500 \$ 750	LS	1	\$ 500 \$ 750
<i>Remedial Measures</i>				
Project Management and Preparation Activities				
Remediation Subcontractor (Mob/Demo, Excavate/Stage Soils, Load Out Soils, Backfill Hole)	\$ 1,500 \$ 2,500	LS	1	\$ 1,500 \$ 2,500
Trans & Disposal of Waste Soil	\$ 6,000 \$ 7,500	LS	1	\$ 6,000 \$ 7,500
Trans & Recycling of Pavement	\$48	Ton	85	\$ 4,080 \$ 5,520
Clean Backfill	\$400	Ton	1	\$ 400 \$ 400
Lab Analysis	\$30	CY	60	\$ 1,800 \$ 2,250
Oversight of Remediation	\$ 2,500 \$ 3,500	LS	1	\$ 2,500 \$ 3,500
Summary Letter	\$ 1,000 \$ 1,200	DAY	1	\$ 1,000 \$ 2,400
	\$ 1,500 \$ 2,500	LS	1	\$ 1,500 \$ 2,500
15% Contingency (Rounded):				\$ 3,300 \$ 4,600
Total Potential Cost Range (Rounded):				\$ 25,000 \$ 35,000

Notes:

- Costs and quantities presented are based on Charter Oak's current understanding of site conditions and remedial goals. Additional soil sampling is proposed which may alter the remedial approach. AES Remedial Contracting, LLC provided budgetary pricing for this cost estimate. Final project costs will be determined based on actual contractor/subcontractor bid pricing, efficiency and other factors. These costs are exclusive of tasks not specifically included in this estimate.
- The proposed excavation area is 12.5 feet by 22.5 feet to a depth of 6 feet (seasonal low ground water table). See accompanying figure for proposed area. Approximately 65 cubic yards, or 95 tons assuming 1.5 tons per cubic yard, has been estimated for excavation and disposal. The waste soil will need to be sampled and profiled into a disposal facility. The soil is impacted by ETPH/EPH. This cost assumes that the soil can be used as daily cover at a Massachusetts landfill.
- Remedial measures lab analysis includes 5 to 10 soil samples from the excavation extent and one to two samples for waste disposal characterization.
- Estimate assumes that the area will not be repaved and that ground water will not need to be pumped, collected or managed.
- Compliance groundwater monitoring is not included within this cost estimate but will be required following remediation.



Rick Nassiff - Realtor
Phone: 860-208-1354
Email: rick@nassiff.com

Keller Williams Realty
10 Higgins Highway, Unit 8
Mansfield, CT 06250

December 9, 2014

Mansfield Planning and Zoning Commission
C/o Curt Hirsh, Zoning Official

Dear Curt,

I am working with Mr. Mohammad Khan, member of Magic Holding LLC, in the potential purchase of 7 Storrs Rd., Mansfield, CT, a retail gasoline sales/convenience store site.

At the December 1 PZC meeting, when we consulted the commission on the best course of action, the question of the environmental status of the site was raised, as there was reference to past interaction that the commission has had with regard to monitoring on the property. The commission asked for a statement from DEEP as to the status of the property. In an effort to provide the commission with more information on that topic, I contacted the State of CT DEEP and asked them to provide a letter as to the status of the site. My initial contact was with Ms. Jade Barber on Wed 12/3/2014. Mr. Kahn made a visit to DEEP on 12/4/2014, and met with a co-worker of Ms. Barber, Ms. Joanna Burnham, Environmental Analyst, Waste Management Bureau, CT DEEP.

We were told that the DEEP will not provide a letter – that they do not do that, and that environmental considerations were a State of CT matter, not a local matter. Ms. Burnham was very helpful, and offered to field any contact that you would like to make – we have provided you with her contact information.

In an effort to provide more information to the commission, I have collected information and will outline below. Please understand that I make no technical representation – as I do not have the credentials to do so, but am relaying the status as represented to me.

The site is in a voluntary ongoing remediation program, entered into by the former tenant, Mobil Corp. There has been extensive remediation at the site, with large volumes of soil removed when the gasoline tanks were removed. Mobil claims to the now closed UST (Underground Storage Tank) cleanup fund were in excess of \$423,000, for cleanup and monitoring efforts from 2008 through 2013.

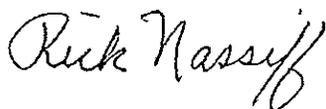
It is my understanding that the vast majority of contaminated soil was removed from the site, so much so that the State of CT allowed Mobil to move to a status of just monitoring on an ongoing basis the small amount of contaminants in the ground, with the likelihood that over time the levels of contamination would naturally attenuate over time. That perspective has been sustained by Mr. Mark Franson, Charter Oak Environmental, a State of CT licensed, Mansfield, CT environmental company hired by the current property owner to consult on the status of the clean up efforts by Mobil.

I have forwarded correspondence from Mr. Franson that outlines his perspective on the process.

I hope that this is helpful and sufficient.

Thank you for your consideration,

Sincerely,

A handwritten signature in cursive script that reads "Rick Nassiff".

Rick Nassiff
Keller Williams Realty

Cc: Mohammed Khan

March 19, 2014

Nicholas J. Harding, Esq
Reid and Riege, P.C.
One Financial Plaza, 21st Floor
Hartford, Connecticut 06103

Re: Remediation Cost Estimate
Used Oil UST Area
Former Mobil Station
7 Storrs Road, Willimantic, Connecticut

Dear Attorney Harding:

This letter presents a cost estimate to perform remediation, by excavation and off-site handling, of certain petroleum hydrocarbon impacted soils within the former used oil underground storage tank (UST) area at the former Mobil station located at 7 Storrs Road, Willimantic, Connecticut.

Background

Soil samples from within the former used oil UST area were sampled on several occasions, by others, with Connecticut Extractable Total Petroleum Hydrocarbons (ETPH) and Massachusetts Extractable Petroleum Hydrocarbons (MA EPH) detected at concentrations above Connecticut Remediation Standards Regulations (RSR) criteria. ETPH was detected in samples EX-17 (5') and EX-18 (5') at concentrations of 631 and 523 milligrams per kilogram (mg/kg) respectively. MA EPH was detected in samples SB-100 (5') and SB-101 (5') at total MA EPH concentrations of 3,191.2 and 2,215 mg/kg respectively. Further details on these results can be found in prior reports prepared by Groundwater & Environmental Services, Inc. (GES) and Kleinfelder.

Status Assessment

The current plan by GES is to leave this petroleum contamination of soils to attenuate naturally, with no estimated timeframe to compliance. This approach will unduly extend the time required to achieve compliance with Connecticut's RSRs.

Cost Estimate

A cost estimate (attached) was prepared for excavation and off-site handling of the petroleum hydrocarbon impacted soils identified in the former used oil UST area. The estimate includes removal of accessible soils from an approximately 12.5 by 22.5 foot area as shown on the attached figure. The estimate assumes excavation to a depth of six feet that coincides with the seasonal low water table in this area. Approximately 65 cubic yards, or 95 tons assuming 1.5

33 Ledgebrook Drive Mansfield, Connecticut 06250

Remediation Cost Estimate - Former Used Oil UST Area
Former Mobil Station, 7 Storrs Road, Willimantic, Connecticut
March 19, 2014
Page 2



tons per cubic yard, was calculated for excavation and off-site handling. Additional assumptions are including on the attached estimate.

Additional soil sampling, prior to remediation implementation, is also included in the estimate to further refine the soils that will require excavation and off-site handling.

A cost estimate range of \$25,000 to \$35,000 was calculated based on current data.

Closing

Charter Oak Environmental Services, Inc. appreciates the opportunity to perform additional environmental related services for this property. Feel free to contact us if you have any questions.

Sincerely,

Charter Oak Environmental Services, Inc.

A handwritten signature in black ink, appearing to read "Jonathan R. Yeich", with a long horizontal line extending to the right.

Jonathan R. Yeich
Senior Project Hydrogeologist

A handwritten signature in black ink, appearing to read "Mark A. Franson", with a long horizontal line extending to the right.

Mark A. Franson
President

cc: Eugene Mittleman - Property Owner

Attachments



May 23, 2013

Mr. Thomas R. Kasper, Esq.
Reid and Riege, P.C.
One Financial Plaza
Hartford, CT 06103

Re: Remedial Action Plan Comments
7 Storrs Road
Willimantic, Connecticut

Dear Attorney Kasper:

I have reviewed the April 30, 2013 Remedial Action Plan (RAP) prepared by Groundwater & Environmental Services, Inc. (GES) on behalf of ExxonMobil Environmental Services Corporation (EMESC) for the above-referenced site. While previous efforts on the site have made reasonable progress in restoring the site to compliance with applicable Connecticut criteria, the currently planned actions fail to properly finish the job.

Background and Timetable

The site is located in an area with a GA ground water classification, meaning that the ground water quality goal is that it meets drinking water quality. For perspective, a local, public spring is located a short distance away that receives regular use. The ground water surface is reported to fluctuate between about four to six feet below grade. The site is in an area of mixed residential and commercial use and is adjacent to a small public park. Connecticut's Remediation Standard Regulations (RSRs) apply.

Beginning on page three of the RAP, GES provides a brief summary of past environmental remedial efforts. An abbreviated summary is provided below for perspective:

- June & July 1992: Approximately 10 tons of petroleum-impacted soil was discovered, excavated and removed from the site during installation of Phase II vapor recovery systems. Additionally, an undocumented quantity of ground water was removed during dewatering activities.
- March 2008: Approximately 249 tons of petroleum-impacted soils were removed from the site during site decommissioning activities. Additionally, approximately 66,500 gallons of ground water were removed from the gasoline UST excavation area.

- December 2009: Kleinfelder (on behalf of EMESC) prepared a scope of work for the injection of chemicals to treat contamination in-situ.
- August and September 2010: Kleinfelder implemented the chemical injection program.
- Ground water monitoring has continued since 2010.

It is apparent that EMESC did not perform any investigations to determine the extent of soil and ground water contamination discovered in 1992, since no such documentation is provided. Soil and ground water investigations were only undertaken upon decommissioning of the service station in 2008, 16 years later.

In the five years since 2008, contamination on the site has been characterized and remediation has been largely effective. However, soil remediation is not completed and the steps proposed by GES are not sufficient to finish the job so that this property can be returned to service unencumbered by the disruption of remedial activities.

Summary of Current Soil and Ground Water Conditions

In the case of ground water, past contamination over applicable criteria has improved to the extent that current conditions are below the applicable RSR criteria.

Soil contamination, however, remains in certain locations above the applicable RSR criteria.

- AOC-3: Petroleum hydrocarbons remain at the bottom of the excavation for hydraulic lift No. 2 above the applicable criteria.
- AOC-4: Petroleum hydrocarbons remain at five feet below grade on the east and west sidewalls for the used oil underground storage tank (UST). A sample collected between these locations between 8-10 feet below grade ostensibly delineates this contamination vertically. The drum storage area contains shallow petroleum-related soil contamination at two locations at depths of 1.0 – 1.5 feet below grade and at one location at 3.0 – 3.5 feet below grade.
- AOC-2: A soil sample collected from 5.0 - 7.0 feet below grade from MW-112 in 2009 exhibited volatile organic compound (VOC) levels above RSR criteria. There has been no resolution of this condition.

Critique of the Proposed Remedial Actions / Recommended Next Steps

The GES report confuses issues related to soil and ground water contamination in the discussion of Remedial Goals as summarized by the bullets at the top of page seven and as further discussed in the following Proposed Remedial Action section. The confusion arises from the inappropriate application of Monitored Natural Attenuation (MNA) as explained below.

“Monitored natural attenuation (MNA) to address residual groundwater impacts;” As the report documents, ground water conditions currently meet the applicable criteria, therefore, MNA is not required for the ground water.

“Following the completion of MNA, post-remedial soil sampling will be completed in the vicinity of MW-112 and AOC-3 and AOC-4 to document compliance with the applicable CTDEEP RSRs.” This is a non sequitur. MNA is not necessary for ground water. Soils are simply out of compliance with the applicable standards and require additional remediation.

Remedial Steps that Should be Performed to Establish Compliance with the RSRs

Soils: A plan to actively remediate the remaining soil contamination by excavation, chemical treatment or a combination of those means should be prepared and implemented as soon as possible. The extent of soils contamination appears to be limited, so this task should be straightforward. Appropriate data to confirm that the soils have been successfully remediated should be collected. Accomplishing this step as soon as feasible is the key to the timing for establishing compliance for the ground water conditions and the site as a whole.

Ground water: Since recent ground water data meets the RSR criteria, compliance monitoring (four quarterly events) could be initiated immediately. While this step should be taken, there is also a post-remediation monitoring step that may not begin until the soil remediation is completed. That is why I emphasize completing the soil remediation as soon as possible. Post-remediation monitoring must be performed for three years in a GA area. Once remediation is completed, the one year of compliance monitoring may double as the first year of post-remediation monitoring.

Summary

Certain soil contamination remains above RSR criteria that should be remediated as soon as possible. In addition, both compliance and post-remediation ground water monitoring needs to be performed. The use of MNA in this case is not appropriate and would only serve to further extend the already lengthy period of years of contamination in excess of state standards at this site (likely without success).

RAP Comments
7 Storrs Road, Willimantic, Connecticut
May 23, 2013
Page 4



If necessary, I could prepare comments to the Department of Energy and Environmental Protection along the lines as described in this letter.

Let me know if you have any questions.

Sincerely,

Charter Oak Environmental Services, Inc.

A handwritten signature in black ink, appearing to read "MAF", followed by a long horizontal line extending to the right.

Mark A. Franson
President

cc: Eugene Mittleman

Jessie Shea

From: tulay luciano <tulayluciano@yahoo.com>
Sent: Monday, December 01, 2014 7:14 PM
To: Town Mngr; PlanZoneDept
Subject: A request: PZC Meetings

Dear Town Manager Hart:

I request that PZC meetings be broadcast online. Their meetings are too important to miss.

Respectfully,

Tulay Luciano
808 Warrenville Road
Mansfield Ctr. 06250
860.429.6612

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