

# MEETING NOTICE AND AGENDA

## MANSFIELD PLANNING AND ZONING COMMISSION

Monday, April 20, 2015 ▪ 7:00 PM

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

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
  - a. April 6, 2015 Regular Meeting
  - b. April 15, 2015 Field Trip (informational only)
4. **Zoning Agent's Report**
5. **Old Business**
  - a. **Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)**  
Tabled pending a 5/18/15 Public Hearing
  - b. **Special Permit Application, Commercial Recreation Use with Restaurant, 95 Storrs Road; East Brook F LLC, East Brook T LLC, and East Brook W LLC; PZC File #432-6**  
Tabled to 5/4/15 Public Hearing
  - c. **Special Permit Application, Efficiency Unit, 43 Storrs Heights Road; Ray DiCapua, PZC File #1331**  
Tabled to 5/4/15 Public Hearing
  - d. **Other**
6. **New Business**
  - a. **Subdivision Pre-Application, 522 Browns Road, Willard J. Stearns and Sons**  
Memo from Director of Planning and Development; Letter from Scott Lehman, 532 Browns Road
  - b. **Other**
7. **Mansfield Tomorrow | Our Plan ▶ Our Future**
  - a. Zoning Focus Group Update – Discussion of Draft Regulations  
Memo from Director of Planning and Development
  - b. **Other**
8. **Reports from Officers and Committees**
  - a. **Chairman's Report**
  - b. **Regional Planning Commission**
  - c. **Regulatory Review Committee**
  - d. **Planning and Development Director's Report**
  - e. **Other**
9. **Communications and Bills**
10. **Adjournment**

Binu Chandy ▪ JoAnn Goodwin ▪ Roswell Hall III ▪ Katherine Holt ▪ Gregory Lewis ▪ Peter Plante  
Barry Pociask ▪ Kenneth Rawn ▪ Bonnie Ryan ▪ Paul Aho (A) ▪ Vera Stearns Ward (A) ▪ Susan Westa (A)

**DRAFT MINUTES**  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday April 6, 2015  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin, B. Chandy, K. Holt, G. Lewis (7:09 p.m.), P. Plante, K. Rawn, B. Ryan,  
Members absent: R. Hall, B. Pociask  
Alternates present: P. Aho  
Alternates absent: 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 7:03 p.m. and appointed alternate P. Aho to act.

**Minutes:**

03-16-2015 Meeting Minutes –Plante MOVED and Chandy seconded, to approve the 03-16-2015 meeting minutes. Goodwin noted that she listened to the audio of the meeting. MOTION PASSED UNANIMOUSLY.

**Zoning Agents Report:**

There were no questions or comments on the Zoning Agent’s monthly report.

**Continued Public Hearings:**

**Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)**

Chairman Goodwin opened the continued Public Hearing at 7:05 p.m. Members present were Goodwin, Chandy, Holt, Plante, Rawn, Ryan and Alternate Aho who was seated. Painter explained the need to close and schedule a new hearing due to a notice defect. Rawn MOVED, Ryan seconded, to close the hearing on the December 2014 draft of the Mansfield Tomorrow Plan of Conservation and Development, and to schedule a new hearing on the December 2014 draft of the Mansfield Tomorrow Plan of Conservation and Development for May 18, 2015 at 7:00 p.m. MOTION PASSED UNANIMOUSLY.

**Old Business:**

- a. **Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)**  
Tabled pending May 18, 2015 Public Hearing.
- b. **Special Permit Application, Commercial Recreation Use with Restaurant, 95 Storrs Road; East Brook F LLC, East Brook T LLC, and East Brook W LLC; PZC File #432-6**  
Tabled pending May 4, 2015 Public Hearing.

**New Business:**

- a. **Request for Modification, Mansfield Community Center – Community Playground, 10 South Eagleville Road, Town of Mansfield, PZC File #1173**  
Painter provided an overview of the request and listed the recommended modifications identified in her April 2, 2015 motion. Curt Vincente, Director of Parks and Recreation, answered questions about the proposed playground location and design.

Ryan MOVED, Chandy seconded, that the PZC Chairman and Zoning Agent be authorized to approve the March 27, 2015 modification request for construction of a community playground on the Mansfield Community Center property, and related site work as described and depicted on submitted plans provided the following modifications are made to final construction plans prior to issuance of a Zoning Permit:

- Final construction plans shall include details for all proposed site work for review and approval by the Zoning Agent in accordance with the recommendations contained in the March 31, 2015 memo from the Fire Marshal, the April 2, 2015 memo from the Assistant Town Engineer and the following modifications to comply with Zoning Regulations:
  - At least one of the handicap accessible spaces shall be a van accessible space.
  - Parking spaces shall be a minimum size of 9 ½ feet by 19 feet.
  - Remnant stones from any stone walls displaced by the construction shall be integrated into the site.
  - Erosion and Sedimentation Control plan prepared in accordance with Article Six, Section B.4.s.
  - A statement describing excavation activities in accordance with the requirements of Article Ten, Section H.3 and H.5.
  - A note requiring coordination of construction with the operations of the Community Center to minimize impacts on the facility. When possible, construction vehicles should access the site during off-peak hours. As necessary, a traffic control person shall be used to direct traffic to and from the site. Additional parking may be needed off-site during construction to accommodate volunteer parking while ensuring adequate parking is available for Town Hall and the Community Center.

MOTION PASSED UNANIMOUSLY.

- b. **Special Permit Application, Efficiency Unit, 43 Storrs Heights Road; Ray DiCapua, PZC File #1331**  
Chandy MOVED, Holt seconded, to receive the Special Permit Application (File #1331), submitted by Ray DiCapua, for an efficiency unit on property located at 43 Storrs Heights Road, as shown on plans dated 3/18/15, and as described in application submissions, and to refer said application to staff for review and comments and to set a public hearing for 5/4/15. MOTION PASSED UNANIMOUSLY.
- c. **FY2015-16 Proposed Capital Improvement Program (CIP)**  
Holt MOVED, Plante seconded, that the PZC make a finding that the proposed FY2015-16 Capital Improvement Program Budget and the proposed projects contained therein are consistent with the 2006 Plan of Conservation and Development. Nothing herein shall imply PZC approval for any proposed projects. Departments involved with land use projects and site improvements must coordinate plans with the Director of Planning and Development and/or the Inlands Wetland Agent, and make such applications to the PZC or IWA as is required by the Mansfield Zoning and Inland Wetlands Watercourse Regulations. MOTION PASSED UNANIMOUSLY.
- d. **Storrs Center Phase 3: Main Street Homes (PZC File #1246-21)**  
Holt disqualified herself. Painter reviewed her 3-26-15 memo and updated the Commission on the status of this project.

### Mansfield Tomorrow

Zoning Focus Group Update – Painter noted that the work of the Zoning Focus Group to date will be discussed with the Commission in more detail at the April 20, 2015 meeting.

### Reports from Officers and Committees

- a. **Chairman's Report** – Field Trip set for 3/15/15 at 3pm.
- b. **Regional Planning Commission** – No report offered.
- c. **Regulatory Review Committee** – Committee members are participating in Zoning Focus Group meetings.
- d. **Planning and Development Director's Report** – Painter distributed responses from UConn administration to the Town's comments on the UConn Campus Master Plan.

DRAFT MINUTES

MANSFIELD PLANNING & ZONING COMMISSION  
SPECIAL MEETING – FIELD TRIP  
April 15, 2015

Members present: J. Goodwin  
Staff present: C. Hirsch, Zoning Agent

The field trip began at 3:10 p.m.

PZC file # 1331, Efficiency Unit, 43 Storrs heights Road, R. DiCapua owner/applicant.

Member present was met on site by the applicant, DiCapua. DiCapua pointed out the location of the proposed house addition and stated that it will enlarge the living area of the first floor of the existing house and incorporate an efficiency unit into the lower level, walk-out basement. No decisions were made.

The field trip ended at 3:20 p.m.

JoAnn Goodwin, Acting Secretary

\*Due to the lack of a quorum, this was not deemed a meeting, therefore no action on these minutes is necessary.

Communications and Bills:

Noted.

Adjournment:

The Chair declared the meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Katherine Holt, Secretary



# Department of Planning and Development

**Date:** April 16, 2015  
**To:** Planning and Zoning Commission  
**From:** Linda M. Painter, AICP, Director *LMP*  
**Subject:** Proposed Residential Subdivision: 522 Browns Road (corner of Coventry Road and Browns Road)  
Property of Willard J. Stearns and Sons Inc.

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## Project Overview

In accordance with Section 5.2 of the Mansfield Subdivision Regulations, Willard J. Stearns and Sons, Inc. LLC has submitted the following plans as part of Step 1 in the required design process for subdivisions containing over 4 lots or a street:

- Off-Site and Neighborhood Influences Inventory Plan
- Site Analysis Plan

The subject property is comprised of a 36.9 acre parcel located on the western corner of Browns Road and Coventry Road; there is currently one house located on the property facing Browns Road. The property is located in an agricultural area; the applicants own the property on the other side of Browns Road (part of Mountain Dairy) and the property on the other side of Coventry Road is preserved for agricultural use. The property has approximately 1,900 feet of uninterrupted frontage along Coventry Road and approximately 1,135 feet of total frontage along Browns Road that is separated by two out-parcels under separate ownership. A large wetland bisects the property, extending from the southwest corner of the property to the northwestern boundary. There is also a pond located in the south eastern portion of the property. As a result, much of the property falls within the upland review area for the Inland Wetlands Agency. As shown on the attached aerial photograph, most of the property is wooded with the exception of portions along Browns Road. The wooded areas along Coventry Road have been thinned in the last few years through logging; most of the wooded areas consist of deciduous second growth trees.

The site assessment prepared by John Alexopoulos provides details on assets and constraints in both narrative and map form.

## Preliminary Comments

I have prepared the following preliminary comments based on the submitted materials. The Open Space Preservation Committee and Conservation Commission conducted a site walk and held a special meeting on April 14<sup>th</sup> to discuss the property. I expect to receive their comments and recommendations in the

following week. Additionally, comments were received from Scott Lehman, the owner of one of the two outparcels noted above. As he sits on the Conservation Commission, he has recused himself from consideration of this project. I will finalize my comments and recommendations after receiving comments from the OSPC, Conservation Commission and PZC. The second step in the process is for the applicant to prepare a yield plan and conceptual layout plan. Once those plans have been received, I will schedule a field trip for the Commission prior to issuance of comments on the draft plans.

### Subdivision Design Criteria

In accordance with Section 5.1 of the Subdivision Regulations, primary considerations in designing streets, walkways/bikeways and other public improvements, lot layouts, proposed locations for houses, driveways, sanitary systems and other site work and identifying open space preservation areas shall be:

*The protection and enhancement of vehicular and pedestrian safety through the appropriate siting of streets, driveways, walkways, bikeways and trails.*

While there is extensive frontage along both Coventry Road and Browns Road, the landscape architect has identified sight line constraints due to trees (Coventry Road) and roadway alignment (Browns Road). Additionally, the number of curbcuts should be minimized in an effort to retain the rural character of this area. Due to the extensive stone walls located along the property boundaries, efforts should be made to locate site access points in existing breaks in the walls where possible such as the access to the existing hayfield along Browns Road. Additionally, this is an area where several trail systems have been developed as part of previous subdivision approvals. This property presents an opportunity to create another link in that system.

*The protection and enhancement of existing and potential public water supply wells and ground water and surface water quality through appropriate design and installation of sanitary systems, roadways, drainage facilities, house sites and other site improvements.*

The closest public water supply well is located upslope, approximately 1,300 feet to the northeast; the site is separated from the well by a large drumlin that runs from the northwest to the southeast. The site is not located in an area of stratified drift aquifer. However, given the proximity of adjacent homes, the large wetland that bisects the property and the existing pond, the use of Low Impact Development (LID) techniques in road and other site improvement designs should be used to maintain pre-development hydrology.

*The protection and enhancement of natural and manmade features, including wetlands, watercourses, aquifer areas, agricultural lands, hilltops or ridges, historic sites and features, expanses of valley floors, interior forests, significant trees and scenic views and vistas on and adjacent to the subdivision site. Wherever appropriate, site features shall be protected through a clustering of streets and house sites and the identification and preservation of significant open space areas including agricultural lands, interior forests and other land without physical limitations.*

In addition to the wetlands identified above, the site contains the following significant features:

- *Viewsbeds.* A vantage line runs east/west, located to the north and east of the two outparcels as shown on the attached map. The area to the north and east of the vantage line is a Class II Viewshed, hilltops that offer dramatic vantage points or lines of vantage to the surrounding landscape and as such are considered highly sensitive areas. The portion of the property located to the south and west of the vantage line is designated as a Class I Viewshed, slopes that rise from the valley floor to meet the hilltops, often containing steep slopes and ledges. As such these areas are sensitive areas to viewers, particularly from above. The site assessment map prepared by the applicant identifies a significant vantage point near the intersection of Browns and Coventry Roads that overlooks the agricultural lands located on the south side of Browns Road; this area should be preserved.
- *Archaeological Assessment.* The site is not located in an area of sensitivity nor does it contain historic or pre-historic site areas according to the archaeological assessment map contained in the POCD.
- *Historic Resources.* According to the historic resources map in the POCD, there are no historic sites on the subject site; however, there are residences built between 1800 and 1870 on the westernmost outparcel and on the property at 574 Browns Road. The abutting property to the west is the site of the former Mansfield City School, now used as a residence.
- *Agricultural Soils.* The portion of the property generally located east of the wetland contains locally important agricultural soils; there are no prime or statewide important soils on the property.
- *Stone Walls.* There are significant stone walls located along both Coventry and Browns Roads as well as some stone walls located to the south and east of the large wetland. Based on information provided by the abutter, it appears that there may be additional walls not currently depicted; future plans should be updated to accurately locate these features. These walls should be retained and integrated into the subdivision design where possible. As noted above, efforts should be made to locate driveways and road connections in areas where there are current breaks in the stone wall.
- *Watercourse.* An abutting property owner has indicated that there is a watercourse existing on the site; this needs to be verified as part of the formal survey of the property.

Based on the existing natural and historic site features, use of a cluster design to preserve significant open space is recommended for this property. Given the location of the wetland bisecting the property from northwest to southeast, a design that concentrates development on the east side of the wetland and eliminates the need for a wetland crossing is preferred. Use of the cluster provisions contained in Section 7.4 of the Subdivision Regulations would allow minimum lot sizes of 40,000 square feet. The Commission is also authorized to reduce minimum frontage requirements pursuant to Section 7.6 of the Subdivision Regulations.

*The utilization of a site's natural terrain, avoiding unnecessary re-grading, filling and removal activities.*

The property has gentle slopes from 2-5% on most of the property with some locations at a 7% slope. House and driveway placement should be situated to minimize need for grading.

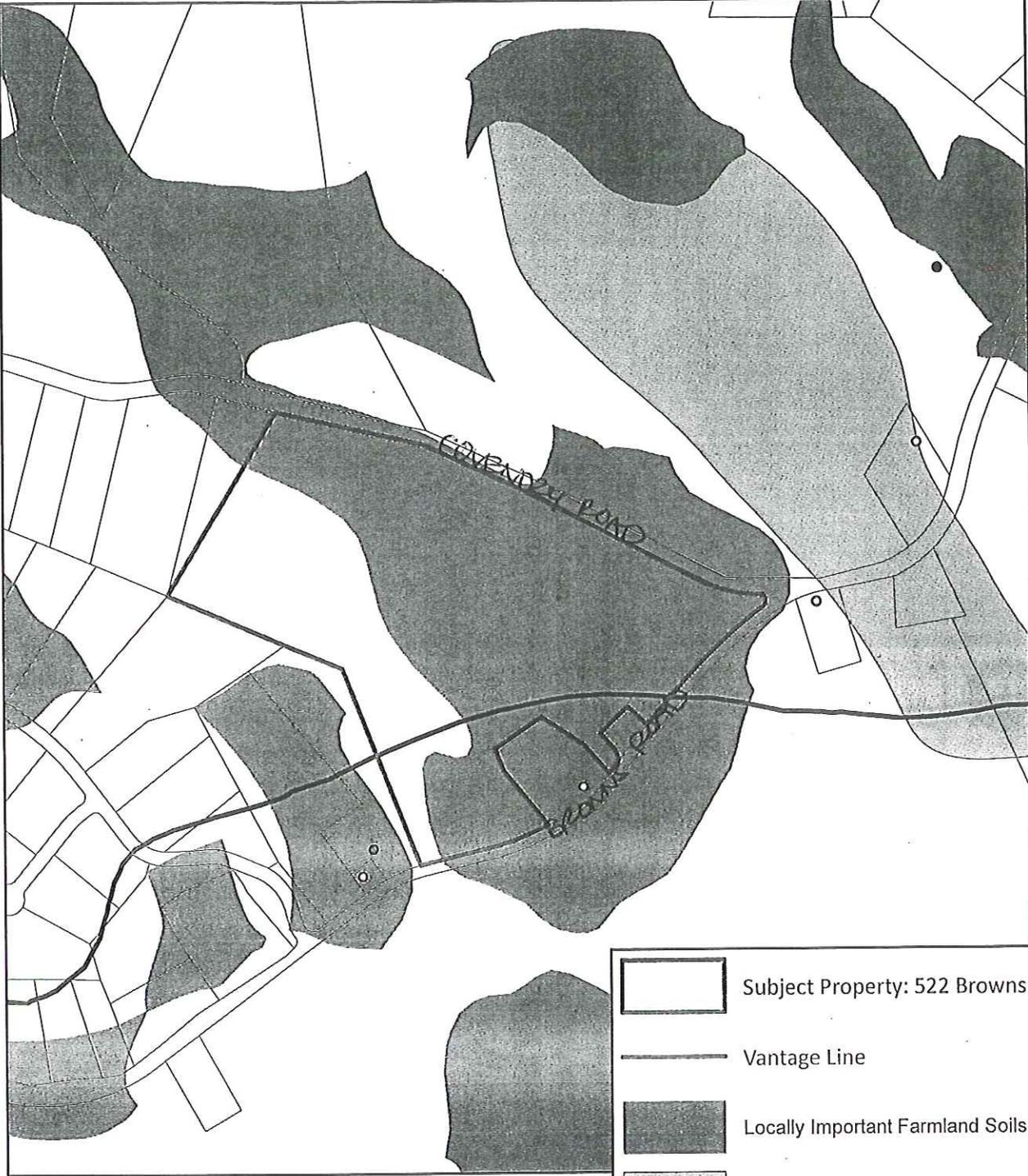
*The promotion of energy efficient patterns of development and land use, energy conservation and the use of solar and renewable forms of energy through the appropriate siting of streets, driveways and house sites, and wherever appropriate, bikeway and walkway/trail connections to neighboring streets and neighborhoods; existing and planned commercial areas; schools, parks and other public facilities and town designated walkway or bicycle routes.*

As described above, the recommended trail, open space, and cluster designs would promote a more efficient pattern of development that preserves the natural features of the site and offers significant amenities to subdivision and neighborhood residents.

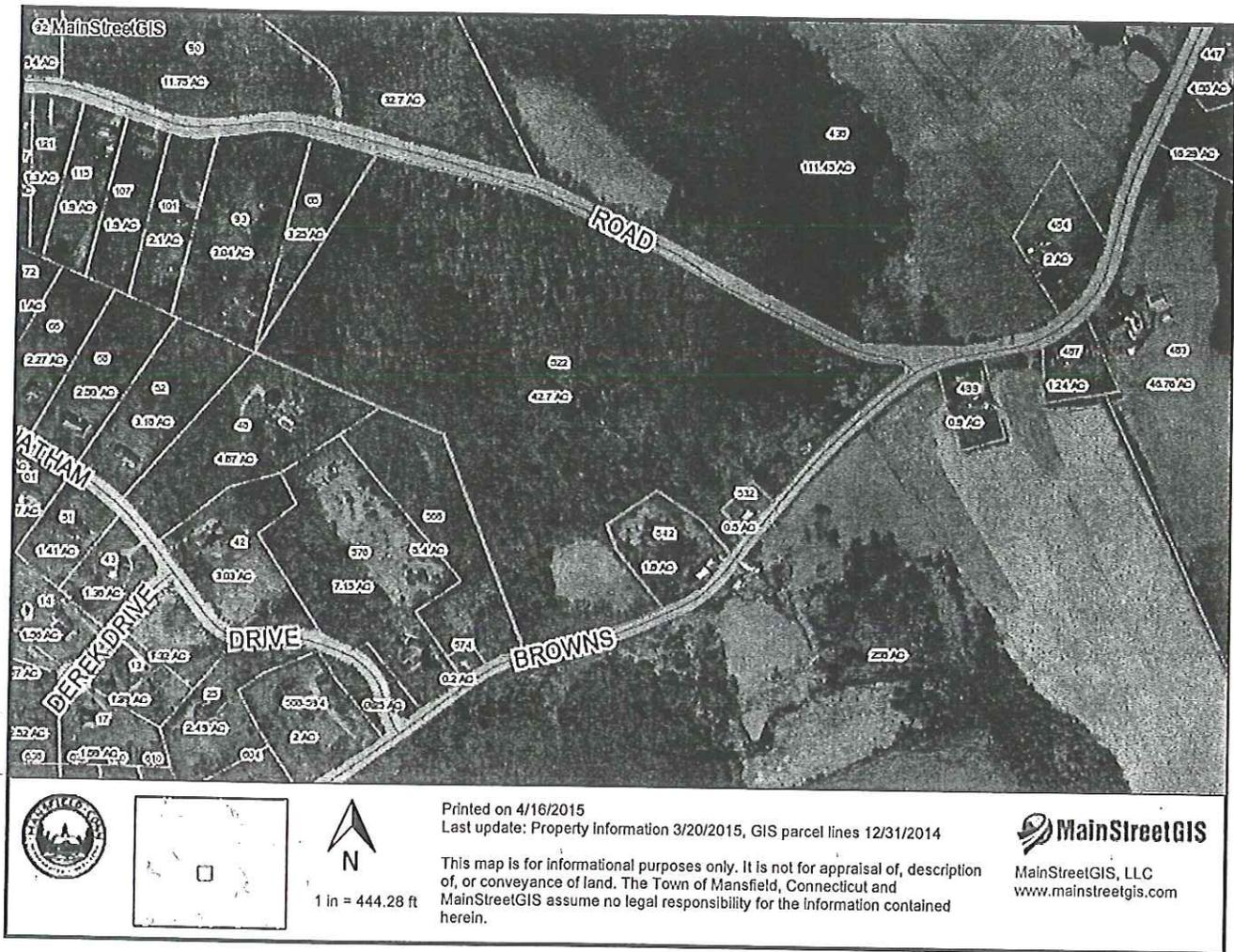
### **Summary**

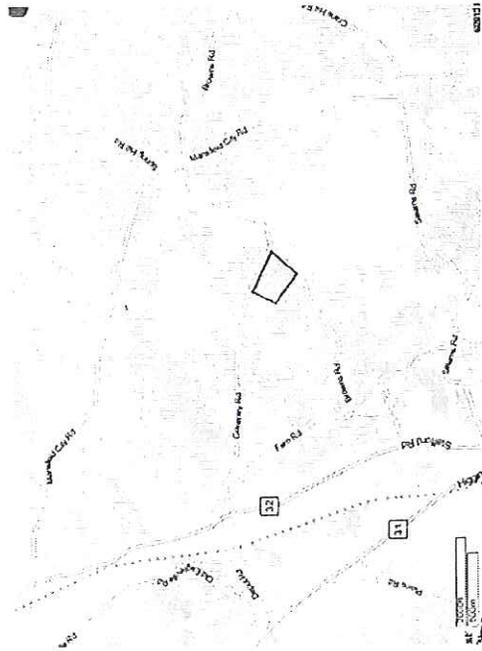
As noted, I will finalize my comments to the applicant after receiving comments from the OSPC, Conservation Commission and the PZC. Any comments provided to the applicant are nonbinding in accordance with the regulations.

# Proposed Residential Subdivision: 522 Browns Road

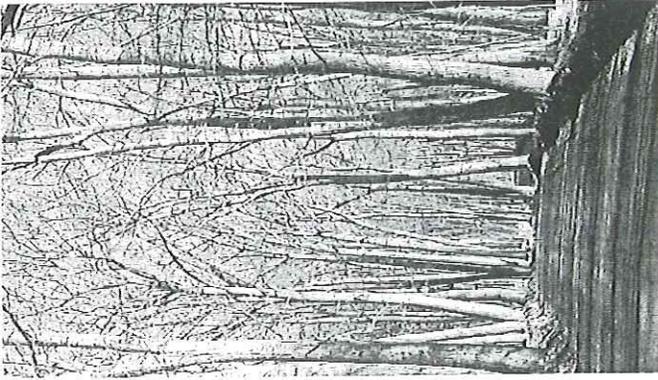


	Subject Property: 522 Browns Road
	Vantage Line
	Locally Important Farmland Soils
	Drumlin
	Mansfield City School (now a residence)
	residence built between 1800 and 1870
	residence built prior to 1800
	WaterSupply





SITE LOCATION



## SITE ANALYSIS NEIGHBORHOOD INFLUENCES

For Willard J. Stearns & Sons, Inc.  
Coventry & Brown Roads  
Mansfield, CT

John Alexopoulos, RLA, ASLA  
March 23, 2015

March 20, 2015

Off-Site and Neighborhood Influences Analysis  
Property of Willard J. Stearns # Sons, Inc., Mansfield Road  
John Skupponke, Landscape Architect, CT Lic. P-20

Property of Willard J. Stearns # Sons, Inc., Mansfield, CT

I visited the property on several occasions in the months of December 2014 through March of this year.

The property is located on Coventry Road and Brown Road. The 3.41 acre parcel falls within the KAKROF Rural Agricultural Reservoir 90 zoning district. The property is a single family home property with a driveway access to the western boundary. The driveway is located on the western boundary. The residence is located on the eastern boundary. The other two residences are separated by a driveway of this property.

About half of the eastern portion of the property was built, primarily in the past few years. The 1921 photograph shows that development prior to the current construction. There is no evidence of old foundations or any other remnant structures or foundations supporting agriculture. Most of this portion consists of woods and brush. There is a 1.5-acre field accessed through a driveway along Brown Road. This field is shown in section 14 of the 1921 photograph. Most of the remainder of the property including the wetlands is wooded and contains a variety of mostly deciduous natural growth trees. There is a small pond within the wetland closest to Coventry Road.

Coventry Road is classified as a local street while Brown Road is classified as a collector street. Coventry Road is unpaved for the western of the property. Coventry Road connects Brown Road to the east. Brown Road is paved for the eastern portion of the property. Brown Road less than a mile to the east. Mansfield Middle School is located to the east of this property. The distance from the intersection of Coventry Road and Brown Road to the intersection of Coventry Road and Spring Hill Road and Union School is about 0.5 miles.

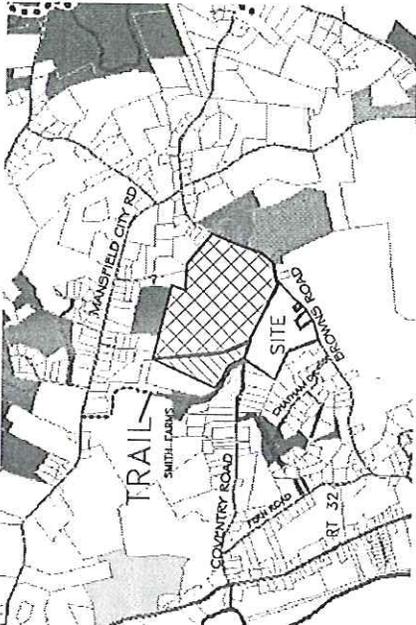
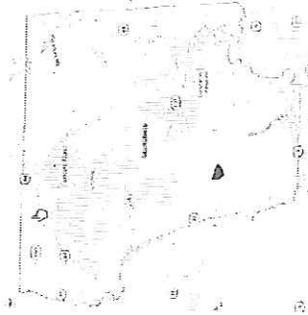
Significant Assets

- Wetland habitat that extends through the site from north to south
- Outside of the wetland soils and a small area of meadows, about 75 per cent of the site has buildable soils. A small area including the open layfield is limited as to what can be built.
- Fully cropped for nearly all of the site
- Rock outcrop adjacent to Brown Road
- Coventry Road is a local street and wetland
- Coventry Road is a local street and wetland
- Large trees along Coventry Road
- Scenic character of Coventry Road, a country road
- Notable views of the agricultural fields across Brown Road and of Chatham Hill-South from the site
- Small areas of rock outcrop adjacent to Brown Road
- Open space and protected farmland opposite Coventry Road and east of the site
- Length of this property

Comments

- Wetland extending across the site from north to south and west of adjacent Coventry Road. Access to a portion of property on the west side needs a wetland crossing.
- Limited area of slope 1:2 per cent or less - on the site close to Brown Road
- Scale line distance along Coventry Road due to existing utility lines and due to alignment along Brown Road.
- Small areas of rock outcrop adjacent to Brown Road

SITE LOCATION



OFF SITE LAND USES

- OPEN SPACE
- FARMLAND PROTECTION
- TRAIL

Considerations

number of easements into property from both Coventry Road & Brown Road. Potential driveway easements have possible restricted sight lines on Coventry Road because of existing trees. Access to the site from Brown Road due to sight line restrictions regarding trees and driveway access. Access to the site from Brown Road due to sight line restrictions regarding trees and driveway access. Access to the site from Brown Road due to sight line restrictions regarding trees and driveway access.

Off-Site Considerations

The property is bounded by existing residential on three sides. Chatham Drive residents have their rear properties on the southern boundary. A single home is located on the west boundary and along Brown Road are the two existing residences. This property is bounded by existing residential on three sides. The property is bounded by existing residential on three sides. The property is bounded by existing residential on three sides.



**March 20, 2015**

**Off-Site and Neighborhood Influences Analysis:**

**Proposed Residential Subdivision, Coventry Road and Browns Road**

John Alexopoulos, Landscape Architect CT Lic. # 550

**Property of Willard J. Stearns and Sons, Inc., Mansfield, CT**

I visited the property on several occasions in the months of December 2014 through March of this year.

The property is located on Coventry Road and Browns Road. The 36.9 acre parcel falls within the RAR90 Rural Agricultural Residence 90 zoning district. The surrounding properties are single family developments except for the agricultural lands across Browns Road. A single family home property is found on the western boundary whose driveway connects to Coventry Road, the rear of several single family home lots are found on the south boundary (Chatham Drive) and three residences are found on the eastern side, Browns Road. The residence closest to the intersection of Coventry and Browns Roads is part of this proposed development. The other two residences are separated by a segment of this property.

About half of the eastern portion of the property was likely pasturage in the past save for the wetlands. The 1934 photograph shows this easternmost portion of the property as open pastureland. There is no evidence of old foundations or any other remnant suggesting habitation or structures supporting agriculture. Most all of this portion consists of woods and emerging vegetation. There is a hayfield accessed through a barway along Browns Road. This field is about an acre in size. Excepting some open ground associated with the houses along Browns Road, this is essentially the only open on the property. Most all of the remainder of the property including the wetlands is wooded and recently logged and consists of mostly deciduous second growth trees. There is a small pond within the wetland closest to Coventry Road.

Coventry Road is classified as a local street while Browns Road is classified a collector street. Coventry Road is unpaved for the extent of the property. Coventry Road connects Browns Road with Route 32 some distance away. Brown's Road ends to the south at Route 32 some distance from where Coventry Road joins route 32. Browns Road connects to Mansfield City Road less than a mile to the east. Mansfield Middle School is just about 1.6 miles away from this property via Mansfield City Road and Spring Hill Road and Vinton School is about the same distance via Browns Road and Route 32.

**Significant Assets:**

The site has several significant features:

Wetland habitat that extends through the site from north to south

Outside of the wetland soils and a small area of stone/ledge, about 75 per cent of the site has buildable soils. A small area including the open hayfield is listed as farmland soil.

Fully canopied for nearly all of the site

Rock outcroppings adjacent Browns Road

Rock outcrop adjacent reverting field and associated with larger oak trees

Group of hemlocks adjacent wall and wetland

Large trees along Coventry Road and on the western boundary

Scenic character of Coventry Road, a canopy road

Notable views of the agricultural fields across Browns Road and of Chestnut Hill— though restricted to small "overlooks" next to Browns Road and from the hayfield.

Some rubbles of stone walls – though not extensive within the property and mostly on property boundaries

Open Space and preserved farmland opposite Coventry Road and

extending the length of this property

**Constraints:**

Wetland extending across the site from north to south and wetland adjacent Coventry Road. Access to a portion of property on the west side needs a wetland crossing.

Stony soils

Limited area of slopes 15 per cent or over – on the rise close to Browns Road

Sight line distances along Coventry Road due to existing large trees and due to alignment along Browns Road

Small areas of rock outcroppings adjacent Browns Road

**Considerations:**

Limit the number of entrances into property from both Coventry Road or Browns Road.

Potential driveway entrances have possible restricted sight lines on Coventry Road because of existing trees.

Limited areas for access from Browns Road due to sight line restrictions regarding slope and alignment. The existing barway into the hayfield appears to be a possible driveway access.

Buildable soils in the western portion require wetland crossing.

The stone wall along Coventry Road. Where curb cuts are required, any wall section needing removal should be relocated as near to the curb cut as possible.

Use the group of hemlock trees in the design layout.

Wetland protection through conservation easement or dedicated open space.

**Site Access:**

Access is by Coventry and Browns Road with constraints as noted above. There are no streets adjacent the property.

**Topography:**

The property generally slopes from Coventry Road south to the large north to south wetland. This wetland flows mostly gently until approaching the Browns Road property line where it is at its steepest. Across this large wetland, the southernmost piece of the property slopes at about two per cent north into the wetland. At the highest point near the intersection of Coventry Road and Browns Road the elevation is about 530 feet while the lowest point on the property is in the southeast corner near Browns Road is about an elevation of 467 feet. The elevation difference is about 63 feet.

Most of the buildable portions of the site range from nearly level in the large area adjacent Coventry Road to about seven per cent near the larger wetland. Steeper slopes, some of which are fifteen per cent or greater are mainly associated with the area close to Browns Road.

**Vegetation:**

The 1934 aerial photograph of the property shows a portion of the site related to Browns Road that is primarily open land, likely pasture. A variety of tree and shrub species are found throughout the property and are second growth. The area between the large wetland and Coventry Road has been recently logged of mostly oak and the trees remaining are mostly oak mixed with some ash and hickory. There are scattered young pine in this area. There is a high understory on most of the property with very young saplings beneath. Trees in the logged area are mostly oak and generally don't exceed 8" to 10" diameter at breast height (dbh). Larger trees are found on the edges of the open field as well as behind the existing houses and along the outcrop near the rear of one of the Browns Road residences. The wetlands are wooded with typical undergrowth and somewhat larger trees. Most of the site has a limited shrub or small tree understory. Large trees remain along Coventry Road, with dbh exceeding well over 12" for the most part. There is one relatively large grouping of hemlocks associated with the wall in the center of the property. The areas that were pastured and closer to Browns Road are reverting to forest with both shrubs and trees present. Invasive species are mostly found in this area and near the existing houses along Browns Road. Invasive species are multiflora rose, autumn olive, barberry and bittersweet.

**Stone Walls:**

Stone walls are found along both roads and approximately in the middle of the property. All of these walls are rubble. The wall along Coventry Road is nearly continuous until reaching the smaller wetland adjacent to the road. This wall has lost what would have been a top layer. There are old barway gaps here and there in these walls.

**Views:**

Into site –

There are no extensive views or vistas of great or unusual significance from Coventry Road. Views into the site from Browns Road are restricted because of slope, existing houses and vegetation.

Within site –

Relatively limited except due to logging and the absence of understory vegetation, much of the front portion of the property from the large wetland to Coventry Road can be seen.

Off site –

There are no undesirable views off-site.

Significant potential views of the agricultural fields to the east and Chestnut Hill are possible but from limited vantage points near Browns Road and on the highest points of elevation of the property as well as from the hayfield.

**Existing Open Space:**

There is adjacent Town of Mansfield Open Space across Coventry Road to the north. There is a trail that ascends from Chatham II and Fern Road and reaches Coventry Road some distance from the property, proceeds along Coventry Road and turns left onto the Smith Farms driveway.

**Aquifer Recharge Area or Flood Hazard:**

The property does not lie within an aquifer recharge or flood hazard area.

**Soils:**

Indicated from the Tolland County Soil Survey as either Leicester-Ridgebury-Whitman wetland soils complex, Woodbridge moderately drained upland soils association and Hollis near Browns Road. All soils are stony. The Woodbridge soils are buildable soils and can be used as pasture. These soils drain very slowly in the spring and after heavy periods of summer rains. The area of the hayfield and about another acre or so above it are listed as farmland soils. The Hollis soils group is found adjacent Browns Road and behind the three residences where the rock outcroppings associated with the high points of the property are found. There are large boulders found throughout the property.

**Species endangered, threatened or of special concern:**

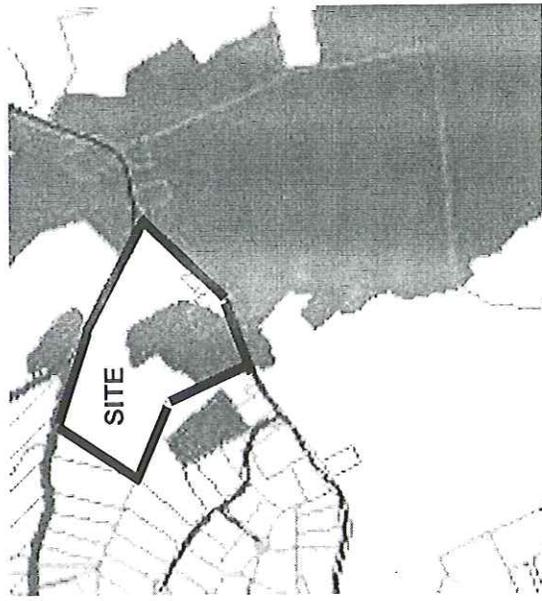
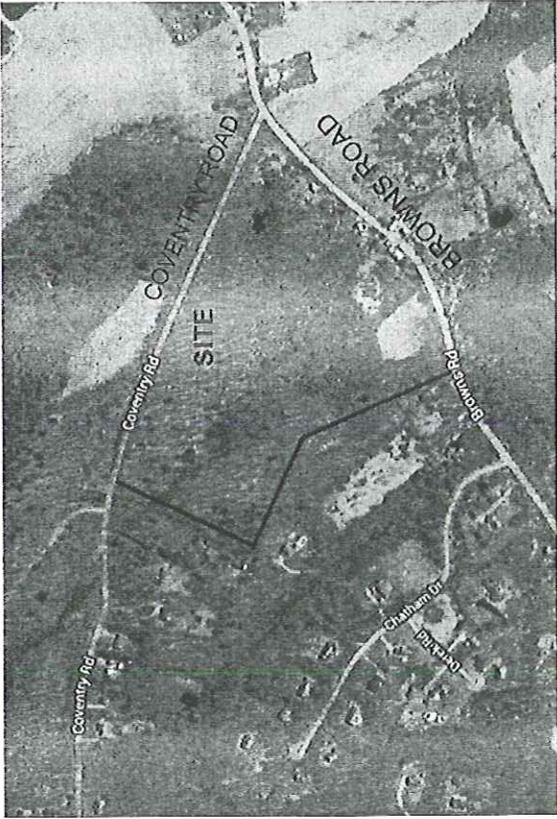
No species indicated within the property area or adjacent the property according to the State of Connecticut Natural History Database (DEEP Dec. 2014).

**Solar access:**

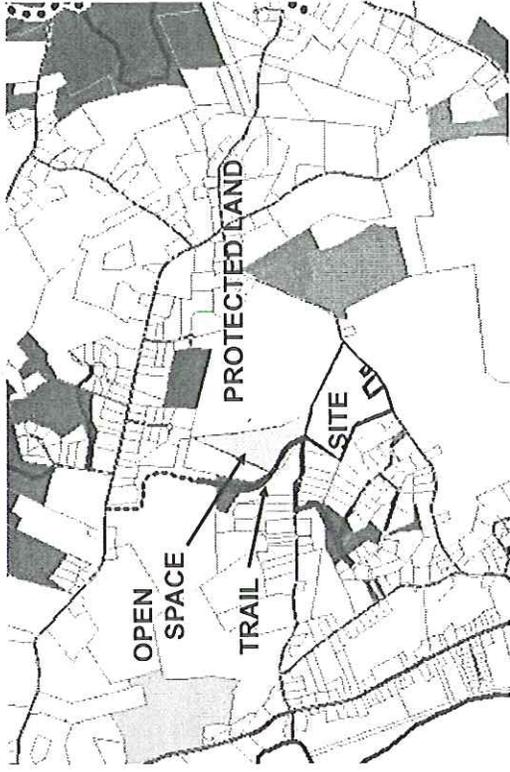
Residences can be oriented such that there is a maximum potential for solar gain and some attenuation of winter winds. There are no slopes on most of this property where orientation is dictated by slope aspect. It is possible that one or two house sites could be located adjacent Browns Road affording a southern aspect.

**Off-Site Considerations:**

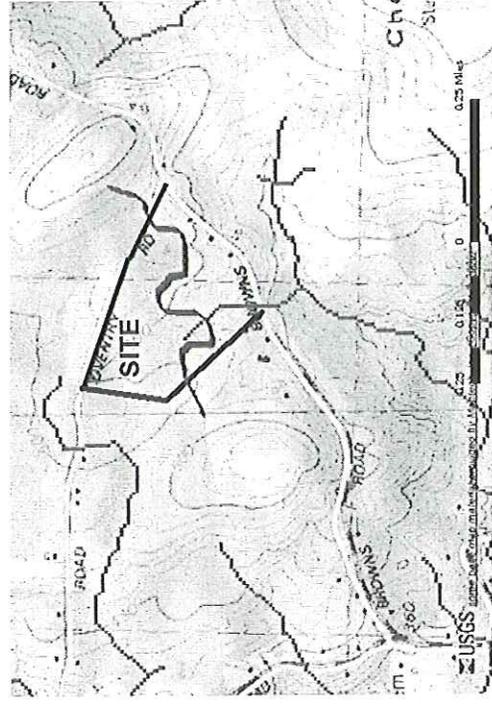
The property is bounded by existing residences on three sides. Chatham Drive residences have their rear properties on the southern boundary, a single home is immediately adjacent on the west boundary and along Browns Road are the three residences. This property connects to Browns Road in several locations between and aside these existing residences. Most houses on Chatham Drive are close to that road so much of the southern border is rear and forested property. Across Browns Road is the extensive agricultural property, mostly hay fields, sweeping up to the height of land approaching Stearns Road. Across Coventry Road is protected land, consisting of Mansfield Open Space and protected agricultural land. The Open Space is wooded and uses the Smith Farms driveway as the extension of the trail that comes from Chatham I and II. This trail enters Coventry road about a quarter mile from the Smith Farms driveway. The protected farmland is open pasturage.



AGRICULTURAL LAND



EXISTING OPEN SPACE/ PROTECTED LANDS



1983 PASTURE/WOODS EXTENT





March 20, 2015

Off-Site and Neighborhood Influences Analysis:  
Proposed Residential Subdivision, Coventry Road and Browns Road  
John Alexopoulos, Landscape Architect CT Lic. # 350

Property of Willard J. Stearns and Sons, Inc., Mansfield, CT

I visited the property on several occasions in the months of December 2014 through March of this year.

The property is located on Coventry Road and Browns Road. The 26.9 acre parcel falls within the RAR90 Rural Agricultural Residence 90 zoning district. The surrounding properties are single family developments except for the agricultural lands across Browns Road. A single family home property is found on the western boundary whose driveway connects to Coventry Road, the rear of several single family home lots are found on the south boundary. The driveway and these residences are found on the eastern side, Browns Road. The residences across Browns Road are a combination of Coventry and Browns Roads is part of this proposed development. The other two residences are separated by a segment of this property.

About half of the eastern portion of the property was likely pasture in the past save for the wetlands. The 1934 photograph shows this easternmost portion of the property as open pasture. There is no evidence of old foundations or any other remnant suggesting past agricultural use. The eastern portion consists of woods and emerging vegetation. The area is wooded through a barrow along Browns Road. This field is about an acre in size. Excepting some scattered trees with houses along Browns Road, this is essentially the only open on the property. Most of the remainder of the property including the wetlands is wooded and recently logged and consists of mostly deciduous second growth trees. There is a small pond within the wetland closest to Coventry Road.

Coventry Road is classified as a local street while Browns Road is classified a collector street. Coventry Road is unpaved for the extent of its proposed use. The property connects Browns Road with Route 32 some distance away. Brown's Road ends to the south at Browns Road distance from where Coventry Road joins route 32. Browns Road connects to Mansfield City Road less than a mile to the east. Mansfield Middle School is just about 1.6 miles away from this property via Mansfield City Road and Spring Hill Road and Vinton School is about the same distance via Browns Road and Route 32.

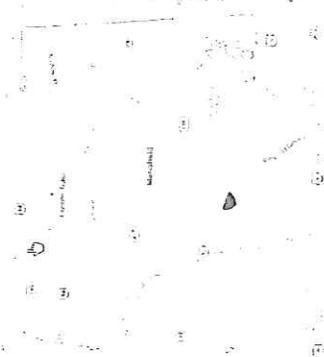
**Significant Assets:**

- The site has several significant features:
- Wetland habitat that extends through the site from north to south
- Outside of the wetland soils and a small area of silt/clay/silt, about 75 per cent of the site has buildable soils. A small area including the open hayfield is listed as farmland soil.
- Field cropped for nearly all of the site
- Rock outcrop adjacent to the driveway
- Group of hemlock's adjacent to wetland
- Large trees along Coventry Road and on the western boundary
- Scenic character of Coventry Road, a canopy road
- Notable views of the agricultural fields across Browns Road and of Chestnut Hill -
- Some "rubber tree" walls - though not extensive within the property and mostly on property boundaries.
- Open Space and preserved farmland opposite Coventry Road and extending the length of this property

**Constraints:**

- Wetland extending across the site from north to south and wetland adjacent Coventry Road. Access to a portion of property on the west side needs a wetland crossing.
- Stony soils
- Limited area of slopes 15 per cent or over - on the rise close to Browns Road
- Sight line distances along Coventry Road due to existing large trees and due to alignment along Browns Road
- Small areas of rock outcroppings adjacent Browns Road

**SITE LOCATION**



**OFF SITE LAND USES**

- OPEN SPACE
- FARMLAND PROTECTION
- TRAIL

**Considerations:**

- Limit the number of entrances into property from both Coventry Road or Browns Road
- Potential driveway entrances have possible restricted sight lines on Coventry Road because of existing trees.
- Limited areas for access from Browns Road due to sight line restrictions regarding slope and alignment. The existing barrow into the hayfield appears to be a possible driveway access.
- Due to the site's eastern portion require wetland crossing.
- The above wall site. Concrete curb cuts are required, any wall section needing removal should be retained as far as possible.
- Wetland protection through conservation easement or dedicated open space.

**Off-Site Considerations:**

The property is bounded by existing residences on three sides. Chestnut Drive immediately adjacent on the west boundary and along Browns Road are the three residences. This property connects to Browns Road at several locations between and across Browns Road is the extensive agricultural property, mostly hay fields, sweeping up to the height of land approaching Stearns Road. Chestnut Drive across Coventry Road is protected land, consisting of Mansfield Open Space and protected agricultural land. The Open Space is wooded and uses the Smith Farms entrance. Coventry Road is a canopy road that comes from Chestnut I and II. This trail protected farmland is open pastures.

**SITE AREA MAP**  
for WILLARD J. STEARNS & SONS, INC.  
COVENTRY & BROWNS ROADS MANSFIELD, CT  
JOHN ALEXOPOULOS, LAND. ARCH.  
March 21, 2015

To: Jennifer Kaufman  
From: Scott Lehmann (532 Browns Rd, Storrs 06268)  
Re: Stearns parcel  
Date 06 April 15

I regret that I will be out of town and unable to tag along on the OSPC Field Trip (12 April) to the Stearns parcel on Browns & Coventry Rds. The parcel surrounds ours on three sides, so I could not participate in the Field Trip as I normally would as a representative of the Conservation Commission. However, I would like to comment briefly as a private citizen on the Site Analysis, dated 23 March 2015. I am not sure exactly what is required of such a document, but this one seems – in some respects that appear relevant to planning – inaccurate or incomplete.

Some background:

Most of this parcel (maybe all of it) was part of the Brown brothers dairy farm (the rest of the farm lay across Browns Rd). The original part of our house at 532 Browns Rd was built in 1936 by Floyd Atkins for Harry Brown; we bought it in 1976 from his daughter Pauline B. Schroll after the death of her mother Florence. The similar house at 522 Browns Rd. had been Robert Brown's until he moved away to Australia. At the time we bought our house, Charles Brown and his sister Ruth still lived in the old family home (now, alas, a shambles) at 542 Browns Rd. They told us that they could not maintain the dairy operation after Harry's death and Robert's departure, and that they'd sold to Mountain Dairy rather than to a developer because they did not want to see the land developed.

In 1976, the surrounding land was open pasture, as shown on the map "1983 Pasture/Woods extent" on p.7 of the Site Analysis. Charles Brown worked to maintain these pastures, on which Mountain Dairy pastured cows for a number of years after we moved here. It was really a bigger job than he could do at his advanced age. After his death, essentially no maintenance was done, and this area is now a jungle of shrub and saplings. Nonetheless, we fondly remember the days when we could easily walk out over the pastures behind our house to the low rock outcrop shown on the Site Analysis map (and depicted in the righthand photo on the cover), a favorite place to visit with our daughter Phoebe (b. 1979) when she was little.

Comments on the Site Analysis:

1. The Site Assessment Map on p.3 (hereafter "map") suggests that the stone wall along Browns Rd between our property and Shirley Graves' at 542 Browns Rd does not extend all the way to our SW property line; this is incorrect.
2. Runoff down the narrow strip between 532 and 542 flows under Browns Rd in a culvert. The stone wall tends to act as a dam, so that the nearby upslope area is often pretty soggy (also true of some ground farther up in this swale). I suspect that soil analysis in this area would confirm that some of it is sufficiently poorly drained to qualify as wetland.
3. The map does not show a stone wall that extends NW from near the NW corner of our property to the narrow strip of wetland shown on the map. This wall is not just a "rubble" (unlike, say, the leftovers from a wall that, until mined for stones, ran a bit W of N from the end of the wall shown right below "WOODED/THINNED" to Coventry Rd).
4. The narrow strip of wetland mentioned in comment 3 is actually a watercourse that drains the

wetland on Coventry Rd (which receives water from wetlands across Coventry Rd to the N). Water from spring runoff and heavy rain flows down to the large N-S wetland shown on the map, and thence underneath Browns Rd. It is not accurate to omit this watercourse. I believe that it follows a dug channel along the back boundary of 542.

5. The Site Analysis (p.4) mentions "Large trees along Coventry Road and on the western boundary" and "larger oak trees" associated with the "Rock outcrop adjacent [to] reverting field" [shown below boxed "REVERTING" on the map], but does not locate any on the map on p.3. The largest tree I know on the property is a massive red oak, at least 48 inches DBH, one in a line of large trees growing along the stone wall noted in comment 3.

6. "There is no evidence of old foundations or any other remnant suggesting habitation or structures supporting agriculture." (p.4) This is not quite accurate: there is an old hand-dug well lined with stone and covered by a slab of rock located near the wetland-with-pond off Coventry Rd (it is approximately on a line running N from our house to the pond).

#### Suggestions:

My understanding is that site analyses such as this are required in part to permit input from the PZC and other parties early in the development planning process. So here are two suggestions:

1. Lest this parcel go the way of so many others, I urge the PZC to push for clustered development on it, so that large unfragmented areas of open space remain. Common driveways should not be permitted unless development is truly clustered.

2. There are two areas that seem to me particularly worth protecting as dedicated open space (leaving aside the extensive wetlands, which should not be on the table for development):

a. The rocky outcrop, roughly in the middle of the parcel, mentioned at the end of the "Some background" section above. This is near the hemlocks of which the Site Analysis recommends: "Use the group of hemlock trees in the design layout" (p.4). The woolly adelgid may do these trees in, but the rocky outcrop will be there for a long time; get rid of a bit of poison ivy and it would be a great spot for kids to play, and indeed for anyone to enjoy the cycle of the seasons (just now, you will probably flush woodcock if you pick your way through the jungle below the scarp).

b. The hill at the corner of Browns and Coventry Rds. This affords a prospect out over the Mountain Dairy fields across Browns Rd. Judging by its exposed ledge and relatively small trees, the hill is bedrock covered with a relatively thin layer of soil.

While neither of these spots is adjacent to other Town open space, anyone walking the trails that connect Chatham Dr & Mansfield City Rd to Coventry Rd could easily access them via a pleasant stroll on Coventry Rd.



# Department of Planning and Development

Date: April 16, 2015  
To: Planning and Zoning Commission  
From: Linda M. Painter, AICP, Director *LMP*  
Subject: Draft Zoning Regulations

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Given the light business scheduled for the April 20, 2015 PZC meeting, we would like to start review of draft zoning regulations with the Commission as a whole. Members of the Regulatory Review Committee have been participating in focus group discussions; copies of the focus group minutes are attached for your information. Additionally, copies of the following drafts are attached for your review and discussion:

- Draft Table of Contents (updated April 9, 2015)
- Draft Section 1: Introduction
- Draft Section 2: Definitions
- Draft Section 9: Application Review Procedures
- Draft Use Tables: Residential Zones
  - Initial 4/6/15 draft shows existing and proposed review procedures
  - Revised 4/16/15 draft shows only proposed procedures based on focus group comments
- Draft Use Tables: Non-Residential Zones
  - Initial 4/6/15 draft shows existing and proposed review procedures
  - Revised 4/16/15 draft shows only proposed procedures based on focus group discussions; this abbreviated chart only identifies uses discussed by the group. As noted in the minutes of the April 14<sup>th</sup> meeting, there are several items that were flagged for Commission discussion.
- Draft Use Descriptions

PAGE  
BREAK



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

Monday, December 8, 2014 | 2:00 pm

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

#### Minutes

I. **Call to Order**

Painter called the meeting to order at 2:00 p.m. The following members of the PZC's Regulatory Review Committee were present: Aho, Rawn, Holt, and Ward. The following community representatives were present: Padick, Pelletier, and Booth. Hilding arrived at 2:10 p.m.

II. **Mansfield Tomorrow Plan of Conservation and Development Update**

After welcoming the group and member introductions, Painter provided an update on the POCD and noted that the community representatives on the Focus Group had received binders with a copy of the current regulations as well as excerpts from the October 2014 draft of the POCD that identified proposed changes to zoning and subdivision regulations. It is anticipated that public hearings on the draft plan will be held in February-March 2015. While the consultant and focus group will be working on regulation revisions prior to the adoption of the plan, changes based on plan recommendations will not be presented for public hearing until after the POCD is adopted to ensure that the updated zoning regulations reflect the final POCD.

III. **Discussion of Goals and Objectives of Zoning and Subdivision Regulations**

Painter introduced Vince McDermott and Tim Baird from Milone and MacBroom, the Town's consultant for the regulation revisions. McDermott noted that based on their

initial review of the current regulations and the draft POCD recommendations, changes to zoning and subdivision regulations would fall into different categories:

- Organizational/Structural – Changes to how regulations are organized and information is depicted, including the potential for including illustrations to assist the reader in understanding the regulations.
- Technical – These would include changes to specific standards (for example, parking requirements) as well as changes to bring regulations into conformance with state law based on recent court decisions, including the limited ability of the Commission to grant waivers under state statute.
- Policy – These changes would include determining which of the recommendations contained in the draft POCD the group wants to proceed with as part of this project and which should be deferred to a later date. For example, creation of incentive housing zones could be postponed as there is state funding available to assist communities in developing these zones. Additionally, policy changes include items such as changing the review process for various uses; for example, increasing use of site plan review and decreasing the number of uses that need special permit approval.

Hilding noted that a one-size-fits-all approach will not work and the need to coordinate changes with other planning happening at the state and regional levels such as the creation of a state water plan.

Padick noted that previously the Commission had grouped changes rather than doing a replacement of the entire set of regulations to make sure that challenges to a set of regulations addressing one topic did not address the validity of regulations as a whole. Painter will discuss approaches with the Town Attorney.

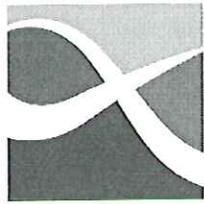
#### **IV. Public Comment**

There was no public comment

#### **V. Next steps and adjourn**

- Hilding requested that staff meet with the community representatives to the focus group to provide a more detailed overview of the draft POCD.
- Members discussed good days and times for meetings; 2:00 p.m. on Mondays worked for most members. Booth noted that she had conflicts on some Mondays, but the third Monday was available.
- Staff will work with McDermott and Baird to identify the frequency and timing of future meetings. McDermott noted that based on the schedule, they hope to have a draft set of regulations completed by May 2015.

The meeting was adjourned at 4:00 p.m.



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

Monday, January 13, 2015 | 2:00 pm

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

DRAFT Minutes

*\* An informal workshop to review the Daft POCD was held at 1 pm.*

- I. **Call to Order**

The meeting was called to order at 2:10 pm. The following members of the PZC's Regulatory Review Committee were present: Aho, Holt, and Ward. The following community representatives were present: Padick, Pelletier, and Booth. In addition, Painter, Kaufman, Hirsch (staff) and Vince McDermott from Milone and MacBroom were present.
- II. **Review of December meeting**

The December 8, 2015 meeting minutes were reviewed and approved by consensus.
- III. **Review of suggested changes to Mansfield Zoning Regulations**

The focus group reviewed the Draft Goals, Strategies, and Actions that Recommend Regulation Changes provided by Milone and MacBroom. The group reviewed through most of chapter 4 and agreed to have a follow up meeting at the end of the month to go through the remaining changes. The Draft Table of Contents provided will be reviewed at the next meeting.
- IV. **Discussion of meeting schedule and zoning revision process**

The focus group reviewed the schedule for the zoning regulation revision and agreed to meet monthly.

V. **Public Comment**

There was no public comment.

VI. **Next Steps and Adjourn**

The next meeting will be held on Monday, January 26, 2015. The committee will meet monthly thereafter.

The meeting adjourned at 4:00 pm.



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

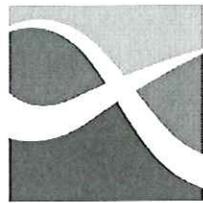
Friday, January 30, 2015 | 10:00 am

Council Chamber  
Audrey P. Beck Municipal Building  
4 South Eagleville Road

#### DRAFT Minutes

- I. **Call to order-** The meeting was called to order at 10:05 am. The following members of the PZC's Regulatory Review Committee were present: Rawn and Holt (arrived at 10:10 am). The following community representatives were present: Padick, Pelletier, and Hilding (from 10:20 am to 10:40 am). In addition, Painter, Kaufman, Hirsch (staff), Vince McDermott and Tim Baird (Milone and MacBroom) were present.
- II. **Minutes of January 13, 2015 meeting-** The minutes will be approved at the next meeting due to low attendance.
- III. **Review of suggested changes to Mansfield Zoning Regulations (Chapters 4-10)-** Suggested changes from chapters 4-10 were reviewed. Some of the key points of the discussion are detailed below.
  - **Chapter 4** (Goal 4.2.C) the group wanted to ensure that zoning in the Rural Residential Villages (RRV) did not impede energy efficiency. While the RRV zone is basically fully developed, modifications would allow for additions, redevelopment to be consistent with the character of the area. Also, it would make the lots in the RRV zone conforming.
  - **Chapter 5-** Most of the recommendations in this chapter appear to be non-regulatory except for requiring new developments to be pedestrian friendly, which would promote community health through fitness.
  - **Chapter 6-** While the PZC updated the zoning related to agriculture, recently, Eastern CT RC&D and RI DEM have published documents related to farm-friendly zoning. Milone and MacBroom will investigate these resources for guidance.

- **Chapter 7-**The group discussed affordable housing. Milone and MacBroom encouraged the group to proceed with caution when allowing “incentives” such as density bonuses. Density should not be increased if the land cannot support it. The group suggested perhaps allowing a development to go from 3 to 4 stories if there was affordable housing. Goal 7.4.A suggests updating the zoning to allow for co-housing and other alternative housing models. The group did not have an issue with this as long as the definition of a family was not changed.
  - **Chapter 8-** The group was very much in favor of implementing zoning that would prevent sprawl along utility line extensions and to encourage redevelopment of existing multifamily residential properties.
- IV. **Public Comment-** none
- V. **Next steps and adjourn-** The group will meet again on Monday, February 23 and on March 9 at 2pm. Jennifer will inform the remainder of the group. The meeting adjourned at 12:30 pm.



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

Monday, February 23, 2015 | 2:00 pm

Conference Room B  
Audrey P. Beck Municipal Building  
4 South Eagleville Road

### DRAFT Minutes

- I. **Call to order-** The meeting was called to order at 2:02 pm. The following members of the PZC's Regulatory Review Committee were present: Rawn and Ward. The following community representatives were present: Booth and Pelletier. In addition, Painter, Kaufman, Hirsch (staff), and Vince McDermott (Milone and MacBroom) were present.
- II. **Minutes of January 30, 2015 meeting-** Members present reviewed the January 30<sup>th</sup> minutes. Painter noted that Padick had sent an email suggesting the last sentence under Chapter 7 be revised to read as follows: "The group did not have an issue with this as long as the definition of a family was not changed for single family housing." The minutes were approved by the consensus of members present.
- III. **Review of draft Table of Contents/Outline for new Zoning Regulations**  
Painter and McDermott reviewed the draft TOC with members, noting that one of the sections titled "Special Regulations" would need to be changed. It was also suggested that the title of Section 4 be changed, with Non-Residential Districts identified as a suggested title. Painter noted that this is a working outline that will be amended and updated as regulations are drafted.
- IV. **Review of draft regulations for Chapters 1 and 2.** Painter and McDermott walked committee members through the drafts of Chapter 1, Introduction, and Chapter 2, Definitions. Painter explained that the notes at the end of each chapter contain questions/notes from her review. Members discussed current provisions in Article 12, which includes references to private deed restrictions and covenants. The consensus of those present was that those references should be removed. Additionally,

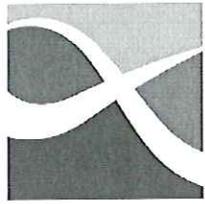
McDermott noted that the proper term is "Conservation Restriction" not "Conservation Easement" per state statutes.

V. **Discussion of review procedures and applicability to various uses and districts.**

McDermott reviewed the differences between administrative site plan review by staff, site plan review by the Commission and special permit review. Painter distributed a list of existing buildings/uses and the review process used for their approval, noting that several had been approved through site plan review prior to changes in the regulations requiring special permit approval. Members discussed various examples of possible development and expressed an interest in using both the administrative and commission site plan review process for more uses. Discussion was focused on non-residential examples as the consensus of the group was that multi-family residential development should only be allowed through special permit. Pelletier noted that many uses in Windham are subject to administrative site plan review; however, the Planner has the discretion to refer specific projects to the Commission for approval. Examples of possible criteria for identifying uses for which special permit approval would be required included potential for impacts on adjacent properties, location abutting residential property, and size of development.

VI. **Public Comment-** none

VII. **Next steps and adjourn-** The group will meet again on Monday, on March 9 at 2pm. Jennifer will inform the remainder of the group. The meeting adjourned at 4:15 pm.



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

Friday, March 20, 2015 | 10:00 A.M.

Conference Room B  
Audrey P. Beck Municipal Building  
4 South Eagleville Road

### DRAFT Minutes

- I. **Call to order-** The meeting was called to order at 10:08 a.m. The following members of the PZC's Regulatory Review Committee were present: Aho, Holt, Rawn (±10:20 am) and Ward. The following community representatives were present: Hilding and Pelletier. In addition, Painter, Hirsch (staff), and Vince McDermott (Milone and MacBroom) were present.
- II. **Minutes of February 23, 2015 meeting-** Members present reviewed the February 23, 2015 minutes. Holt MOVED, Ward seconded to accept the minutes as written. Aho noted that he listened to the audio. The motion was approved unanimously.
- III. **Review of draft regulations for Section 9, Procedures and Allowable Use Charts.** Painter and McDermott walked committee members through the draft of Section 9, Application Review Procedures. Members suggested consideration of the following changes:
  - General: Correct Inland Wetland to Inland Wetlands
  - Section 9.1.9: Determine whether we need to keep language authorizing the Commission to require maintenance agreements for site improvements. The main need for this language may be driven by need for maintenance of storm water facilities; need to consult Town Engineer.
  - Section 9.2: Add language clearly specifying the need for a public hearing under Section 9.2 Special Permit Applications
  - Section 9.2.8.2 and 9.2.8.3: Tie expiration dates to statutory requirements.

- Section 9.3.2.7: Correct punctuation to clarify the Reviewing Authority has the sole discretion to allow information to be omitted from an application.
- Section 9.3.4.2: Change timing of courtesy notices to at least 14 days before a public hearing and consider changing notice documentation requirements to notice of mailing instead of requiring return receipts. There was concern regarding this last change; need to determine the level of information provided on the notice of mailing including whether it includes a list of addressees.
- Section 9.5: Fix numbering.

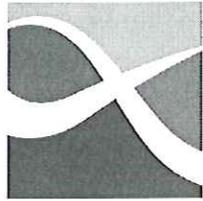
Painter and McDermott briefly introduced the draft use table for residential zones. Due to the time, further discussion on this table as well as the table for non-residential zones was deferred to the next meeting. The following topics were discussed:

- How to allow for small lot single-family development in areas designated as Compact Residential with sewer and water infrastructure, options include creation of a new zoning district or allowing by special permit.
- Concern with development of multi-family projects using community wells for water and sewers for wastewater due to lack of recharge.
- Caretaker Dwellings – continuing to allow in PVRA, but not allowing in other zones
- Consideration of changing review process for efficiency dwelling units from special permit to administrative site plan review. If that change is made, regulations would need to incorporate some protection to prevent abuse by owners looking for a way around the limitation on unrelated individuals.
- Community Residence/Childcare Facilities-request for clarification as to what is included under the state statutes for these facility types.
- Discussion on whether to allow construction of permanent farm worker housing; the consensus was to defer this issue to such time as a specific proposal is identified by an applicant or the Agriculture Committee.

**IV. Public Comment-** Pat Suprenant, Storrs, offered comments on the following:

- Noted the emphasis placed on conserving rural character in the draft POCD and the lack of references to rural character in the final chapter.
- Concern that discussion on certain items represented gentrification of the town and the resulting conflicts with rural character.
- Questioned whether caretaker units were needed for R&D facilities to address security issues.
- Requested that the group leave sufficient time at the end of the meeting for public comment.

**V. Next steps and adjourn-** The group will meet again on Monday, April 6<sup>th</sup>. Due to time conflicts for some members, staff will poll members to check availability for a 10:30 am meeting. The meeting adjourned at 12:05 pm.



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

Monday, April 6, 2015 | 10:30 A.M.

Council Chamber  
Audrey P. Beck Municipal Building  
4 South Eagleville Road

### DRAFT Minutes

- I. **Call to order-** The meeting was called to order at 10:35 a.m. The following members of the PZC's Regulatory Review Committee were present: Aho, Holt, Rawn and Ward. The following community representatives were present: Hilding and Pelletier. In addition, Painter, Kaufman (staff), and Vince McDermott (Milone and MacBroom) were present.
- II. **Minutes of February 23, 2015 meeting-** Members present reviewed the March 20, 2015 minutes. Rawn noted that the minutes should be corrected to reflect his attendance. With that correction, the minutes were approved by consensus.
- III. **Review of d Allowable Use Charts.** Painter distributed copies of draft use charts for residential and non-residential zones. Discussion focused on allowable uses in residential zones. Members had the following comments/suggested changes:
  - Community Residence/Childcare Residential Facility: Keep special permit requirement if a facility wants to locate within 1,000 feet of another facility.
  - Group Homes: Check statutory requirements.
  - Continuing Care Retirement Community and Hospital/Nursing Home; Res. Treatment Facility: Allow by special permit only in DMR and PVRA zones.
  - Farm Worker Housing: Painter noted that staff would be reviewing other communities and checking with the Agriculture Committee for input.
  - Mobile Processing Unit: Permit by Right in RAR-90 and PVRA zones.

- Government/Hazardous & Radioactive Materials: Staff to research and clarify what this is intended to address. Members noted that anything dealing with hazardous materials should require special permit approval.
- Wireless Communications: Staff to verify extent of Town jurisdiction to determine whether this needs to remain in the regulations.
- Bed and Breakfast/Inn: Allow through Special Permit in RAR-90 and PVRA zones.
- Short Term Rentals: Permit by right in all residential zones.

IV. **Public Comment** – No public comment received.

V. **Next steps and adjourn-** Staff will schedule a meeting for the week of April 13<sup>th</sup> to review the allowable use charts for non-residential zones. The meeting adjourned at 12:30 pm.



# Mansfield Tomorrow

OUR PLAN ► OUR FUTURE

## ZONING FOCUS GROUP MEETING

### Special Meeting

Tuesday, April 14, 2015 | 2:00 P.M.

Conference Room C  
Audrey P. Beck Municipal Building  
4 South Eagleville Road

#### DRAFT Minutes

- I. **Call to order-** The meeting was called to order at 2:00 p.m. The following members of the PZC's Regulatory Review Committee were present: Holt and Ward. The following community representatives were present: Booth, Hilding (2:11 p.m.), Padick and Pelletier. In addition, Painter, Hirsch (2:05 p.m.), and Kaufman (3:35 p.m.) were present.
- II. **Minutes of April 6, 2015 meeting-** Members present reviewed the April 6, 2015 minutes and approved them by consensus.
- III. **Review of Draft Regulations.** Painter distributed copies of the materials that had been distributed by email, including revised copies of Sections 1, 2 and 9 based on group discussion, use descriptions based on state statutes, copies of the original 4-6-13 draft use table for residential zones and a revised table dated 4/13/15 based on group discussion, and the 4/6/15 version of the draft use table for non-residential zones that was distributed at the prior meeting. Painter noted a few changes to the draft table for residential zones that staff identified when revising the table; the changes are shown in cells highlighted yellow. Painter also noted that after discussing the genesis of the government/hazardous & radioactive materials use, staff's recommendation would be to remove that from the table and prohibit facilities that store, transport or dispose of hazardous waste in all districts. Government facilities would be exempt due to jurisdictional issues.

Discussion focused on allowable uses in non-residential zones. Members had the

following comments/suggested changes with regard to the table. For reference PB1 refers to the southern 195/Route 6 area; PB2 refers to commercial properties in the vicinity of Storrs Center; PB3 refers to Four Corners, PB4 to King Hill Road/North Eagleville Road area; and PB5 to the Perkins Corner/Route 32 area.

- Delete B zone.
- Retain RD/LI zone (currently applied to UConn North Campus).
- Agriculture. Painter noted that there may be changes to agricultural uses (in both residential and non-residential zones) after more research on how other communities are addressing these types of uses is completed.
- Mobile Processing Unit. Change to Permitted in PVCA.
- Dry Cleaning-Drop/Off Pickup Only-include in Personal Services
- Dry Cleaning/Laundry (onsite cleaning). Leave as Special Permit in PB1, PB2, and PB4.
- Commercial Printing. Leave as Special Permit in PVCA.
- Day Care Center. Leave as Special Permit in NB1, NB2, and PO.
- Marijuana Dispensary. Allow with Site Plan approval in PVCA and all of the PB zones and require special permit in the NB1, NB2, and PO zones.
- Retail/Shopping Center (under 10,000 square feet). Discuss appropriate permit process with Commission for PB2, PB3, NB1 and NB2 zones; may need to revisit after design standards have been completed for these zones. Clarify whether shopping center includes restaurant uses.
- Alcoholic Beverage Sales. Delete as stand-alone use. Package stores would be considered retail and subject to specific standards for separation; alcohol licenses in association with restaurants would be reviewed as part of the restaurant.
- Drive-Throughs. Limit drive through uses to banks and pharmacies only; no restaurants or 'pick up windows' for convenience stores. Allow by special permit in PB1, PB3 and PB5. There was discussion as to whether this should be limited to banks only in the PB5 zone.

Due to time constraints, review concluded with drive-through uses. Painter asked members to email staff questions and suggested changes and noted that the remainder of the committee should not be copied on that correspondence. She will raise comments received during a discussion with the Commission as a whole scheduled for Monday, April 20<sup>th</sup>.

IV. **Public Comment** – No public comment received.

V. **Next steps and adjourn-** The next meeting was tentatively scheduled for April 23<sup>rd</sup> at 1:00 p.m.; staff will confirm availability of consultant for that time. The meeting adjourned at 3:56 pm.

Draft – 4/9/15 (ah)

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- Application Forms
- Map and Plan Contents

**REVISIONS**

Draft – 4/9/15 (lp)

## 1.0 INTRODUCTION

### 1.1 Authority

The Mansfield Planning and Zoning Commission, acting under authority of the Town Referendum held on March 28, 1958, Section 67-3 of the Code of the Town of Mansfield, and Chapter 124 of the Connecticut General Statutes, as amended, hereby adopts and enacts these regulations to be known as the "Zoning Regulations of the Town of Mansfield."

### 1.2 Purpose

These Regulations are adopted for the purposes set forth in C.G.S. Sec. 8-2, as amended. These Regulations are designed to meet statutory responsibilities and to achieve the following purposes:

- 1.2.1 To promote and protect the overall health, safety, convenience, and welfare of the residents of Mansfield, Connecticut and the general public;
- 1.2.2 To implement the goals and strategies of the Town's Plan of Conservation and Development as it may from time to time be amended;
- 1.2.3 To provide for and facilitate the orderly growth and expansion of the municipality, thereby preventing an undue concentration of population and an overcrowding of the land;
- 1.2.4 To make suitable provisions for transportation, potable water, sewerage and waste disposal, schools, parks, open space, and other public requirements;
- 1.2.5 To protect the character and maintain the stability and property values of residential, business, and industrial areas within the Town, including areas and properties of historic value;
- 1.2.6 To provide for the protection of the physical environment, including air quality, existing and potential surface and ground drinking water supplies, and specific environmentally sensitive areas such as wetlands and watercourses and areas subject to flooding and/or erosion and sedimentation problems;
- 1.2.7 To encourage safe and efficient vehicular and pedestrian facilities and circulation patterns and thereby avoid traffic hazards and congestion;
- 1.2.8 To provide protection against fire, flood, explosion, hazardous materials, and other potential dangers associated with existing or proposed land uses;

1.2.9 To provide for energy-efficient patterns of development and the use of solar and other renewable forms of energy and energy conservation;

1.2.10 To encourage the use of aesthetic considerations in designing proposed buildings and site improvements, thereby promoting attractive projects that are compatible with the character of the site and subject neighborhood, and promote the value of properties in the neighborhood and the Town;

1.2.11 To divide the Town into various zoning districts, restricting and regulating therein the location of construction, reconstruction, alteration and use of land, buildings, structures and associated improvements for residence, business and industrial and other uses, with a view toward conserving the value of properties, encouraging a variety of housing and economic development opportunities, and encouraging compatible and appropriate uses of land within the various zones and throughout the Town;

1.2.12 To protect residents from nuisances from sight and/or sound; and

1.2.13 To define the powers and the duties of the administrative officers and bodies as provided herein.

### 1.3 Zoning Map

1.3.1 Zoning Districts. To accomplish the purposes of these Regulations, The Town of Mansfield is divided into districts as described herein. The location and boundaries of these districts appear on the official Zoning Map entitled "*Zoning Map of the Town of Mansfield,*" on file in the office of the Town Clerk of the Town of Mansfield. The Zoning Map, as may be amended from time to time, is hereby adopted by reference and declared to be part of these Regulations.

1.3.2 Zoning Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules shall apply:

1.3.2.1 Boundaries indicated as abutting right-of-way lines of streets, highways, or alleys shall be construed as extending to the center line of such streets, highways, or alleys.

1.3.2.2 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

1.3.2.3 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

1.3.2.4 Boundaries indicated as following shorelines shall be construed to follow such shore lines and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center line of streams, rivers, or other bodies of water shall be construed to follow such center lines.

1.3.2.5 Boundaries indicated as parallel to or extensions of features indicated in subsection (a) through (d) above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.

1.3.2.6 In cases of uncertainty, the Planning and Zoning Commission shall determine the location of the boundary.

1.3.2.7 In cases of uncertainty in definition of Flood Hazard Areas, the Flood Insurance Rate Maps, Floodway Maps, Flood Insurance Study, Letters of Map Amendment, and Letters of Map Revision shall take precedence over the Zoning Map.

#### **1.4 Interpretation of Regulations**

1.4.1 Uses Prohibited If Not Permitted. Unless allowed by Section 8.3 of these Regulations, any use of land, buildings, or structures that is not expressly permitted in a district by these Regulations is prohibited in that district.

1.4.2 Minimum Requirements. The requirements established within these Regulations shall be minimum requirements and, except where specific exceptions are made within these Regulations, shall apply uniformly to each piece of property, category of use, or kind of structure.

1.4.3 Strictest Standards Control. In the event that conflicting requirements are found in these Regulations, the most restrictive requirement shall be applied. Wherever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules or regulations, the most restrictive or that imposing the highest standards shall govern.

1.4.4 Other Local, State, and Federal Requirements. All land uses in Mansfield shall comply with all other applicable local, state, and federal requirements, including but not limited to compliance with the Mansfield Subdivision Regulations and the regulations of the Mansfield Inland Wetland Agency, the Mansfield Water Pollution Control Authority, the Mansfield Fire Marshal, the Mansfield Historic District Commission, the Mansfield Town Engineer, and the State of Connecticut Departments of Health, Department of Energy & Environmental Protection, and Department of Transportation.

1.4.5 Property in Two Districts or in Two Municipalities. Where any established or proposed lot falls into two or more zoning districts or two or more municipalities, any questions of uncertainty as to district boundaries, permitted uses, setbacks, and other regulatory requirements shall be determined by the Commission, after taking into account the portion of the lot within each zone or municipality.

#### **1.5 Conformity Required**

1.5.1 Conformity with All Applicable Regulations. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all applicable provisions of these Regulations.

1.5.2 Changes in Lot Size. No lot shall be reduced in area or dimension below the minimum requirements set forth in these Regulations. All lots created shall meet the minimum area and other dimensional requirements established in these Regulations.

#### **1.6 Separability**

Should any section, paragraph, clause, or provision of these Regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of these Regulations as a whole, or any part thereof, other than the part so declared to be invalid.

#### **1.7 Effective Date**

These Regulations and any amendment or change hereto shall be in full force and effect upon the date established by the Commission in accordance with the provisions of the Connecticut General Statutes, as amended. A record of all amendments to the Zoning Regulations since their initial adoption on April 28, 1959 is on file in the Mansfield Planning Office. Any zoning provisions replaced or modified due to approved amendments or changes shall be considered repealed, except that if any part of these Regulations is declared to be invalid by a court of competent jurisdiction, the repeal provision of this Article shall be inoperable with respect to any land that would otherwise be considered unzoned or unregulated as a result of such judicial decision.

The effective date of these Regulations is \_\_\_\_\_, 2015.

Draft – 04/9/15 (ah)

## 2.0 DEFINITIONS

### 2.1 Use of Terms

2.1.1 Definitions to be Applied. For the purposes of these Regulations, the terms, phrases, and words shall be construed as defined in this Section except where the context clearly indicates otherwise.

2.1.2 Terminology. When consistent with the context, the following rules apply:

2.1.2.1 The word "shall" is mandatory and not discretionary.

2.1.2.2 The word "may" is permissive.

2.1.2.3 Words in the singular include the plural and vice versa.

2.1.2.4 Words in the present tense include the future tense and vice versa.

2.1.2.5 The words "lot," "piece," "plot," "premises," and "parcel" shall have the same meaning.

2.1.2.6 The words "zone," "zoning district," and "district" have the same meaning.

2.1.2.7 The word "person" includes individual, partnership, limited liability partnership or corporation, incorporated association, or similarly constituted organization.

2.1.2.8 The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

2.1.2.9 The phrase "these Regulations" shall refer to the entire Zoning Regulations.

2.1.3 Text to Control. In the case of any difference of meaning among the text of a Regulation and any caption or illustration, the text shall prevail.

2.1.4 Terms Not Defined. Any questions that arise regarding the regulatory meaning of other words and terms shall be determined by the Planning and Zoning Commission giving them meaning they typically have in land use regulation usage with reference to the Connecticut General Statutes, as amended, a comprehensive general dictionary, Black's Law Dictionary, and the State Building Code, as amended.

### 2.2 Defined Terms



Draft – 4/9/15 (ah)

## 9.0 APPLICATION REVIEW PROCEDURES

### 9.1 Site Plan Applications

9.1.1 Purpose. The following site plan requirements are designed to ensure the appropriate and orderly use and development of land within the Town; to minimize any detrimental effects on neighborhood character, the natural environment and property values; and to protect and promote Mansfield's public health, safety, and welfare.

9.1.2 Applicability. A site plan application shall be required for:

9.1.2.1 Any activity designated in these Regulations as requiring Site Plan approval.

9.1.2.2 Any construction, development, expansion, or major alteration of a multiple dwelling unit development or nonresidential use.

9.1.2.3 Any construction, development, expansion, or major alteration of any building including alteration of site improvements such as parking, pedestrian and vehicular circulation, public utilities, or reduction of landscaping in any nonresidential district unless it is determined to be a minor modification pursuant to Section 9.6.4.

9.1.3 Review Process. Prior to the issuance of a Zoning Permit for any use or activity that requires approval of a site plan, an application with accompanying information shall be submitted to the Planning Office in accordance with Section 9.3.

9.1.3.1 Administrative Review. For applications where review and approval authority has been delegated to the Zoning Enforcement Officer or Director of Planning and Development in these Regulations (referred to herein as the Reviewing Authority), such applications shall be reviewed and approved, approved subject to modifications, or denied within the time limits set forth in C.G.S. Sec. 8-7d.

9.1.3.2 Upon receipt of an application, the Reviewing Authority may refer the application to Town staff, Town advisory commissions and committees, and other local, state, or federal agencies.

9.1.3.3 The Reviewing Authority may refer a site plan application to the Commission for review in accordance with Section 9.1.3.2 when, in his/her sole

discretion, he/she believes the scope or magnitude of the proposed development necessitates additional scrutiny.

9.1.3.4 Commission Review. For applications requiring Commission approval pursuant to these Regulations, the review process shall be conducted in accordance with Section \_\_\_\_.

9.1.4 Application Requirements. A site plan application shall include the information prescribed by Section 9.3 and the number and type of materials prescribed in Appendix \_\_\_\_\_ of these Regulations.

9.1.5 Approval Considerations. In reviewing and approving a site plan application, the Reviewing Authority shall determine that the public's health, safety, and welfare have been protected and that the following criteria have been met:

9.1.5.1 All required or necessary information has been provided by the applicant so that compliance with applicable regulations can be determined.

9.1.5.2 The proposal complies with all other applicable sections of these Regulations.

9.1.5.3 The application has considered all other applicable local, state, and federal requirements, including subdivision approval and necessary permits from the Mansfield Inland Wetlands Agency, Mansfield Water Pollution Control Authority, Mansfield Fire Marshal, Mansfield Historic District Commission, Eastern Highlands Health District, and the Connecticut Departments of Public Health, Energy & Environmental Protection, and Transportation. For applications involving concurrent Inland Wetlands Agency (IWA) license applications, no decision shall be made until the IWA has issued a final decision.

9.1.6 Action Documentation. In acting on a site plan, the Reviewing Authority may approve, modify and approve, or deny an application.

9.1.6.1 Except for site plan applications that qualify for longer approval periods or have been granted extensions pursuant to C.G.S. Sec. 8-3, all work associated with a site plan approval shall be completed within five years after approval of the plan. Failure to complete all physical improvements required by the approved plan shall result in automatic expiration of the site plan approval.

9.1.6.2 Notice of the decision shall be provided to the applicant within 15 days of the decision in accordance with Section 9.3.6 herein.

9.1.7 Actions Following Approval. Within 12 months following approval of a site plan application and prior to issuance of a Zoning Permit, the applicant shall provide one set of final plans to the Planning Office. The plans shall contain the date upon which the approval expires and any modifications set forth in the approval and shall bear the seal of the licensed professional(s) responsible for the preparation of the plans.

9.1.8 Modifications of Approved Site Plans. Since all site plans are based on the submitted plans and specifications, all proposed revisions to an approved project are required to receive prior approval pursuant to Section 9.6.4.

9.1.9 Maintenance of Improvements. All improvements shown or required on an approved site plan, including but not limited to road and drainage facilities, water supply and waste disposal facilities, parking areas, pedestrian ways, lighting, and signs, must be maintained on a continuing basis in good order and repair and in proper appearance. All plantings and landscaped areas shall be maintained in a healthy state, and the site shall be maintained free of debris, sand, salt, litter, weeds, and other unsightly or deleterious matter or vegetation. As deemed necessary, the Commission may require written agreements between the Town and the applicant/owner to ensure continued maintenance of site improvements. Failure to maintain required improvements shall be a violation of the site plan.

## 9.2 Special Permit Applications

9.2.1 Purpose. It is recognized that there are certain uses that would only be appropriate in Town if controlled as to area, location, or relation to the neighborhood so as to promote the public health, safety, and general welfare. As provided for elsewhere in these Regulations, such uses shall be treated as Special Permit uses. These uses may be permitted in their respective zoning districts provided procedures, standards, and conditions set forth or referenced herein are complied with. All such uses are considered to have special characteristics and, accordingly, each application must be carefully reviewed on a case-by-case basis.

9.2.2 Procedure. Prior to the issuance of a zoning permit for any use requiring approval of a Special Permit, an application with accompanying information shall be submitted to the Planning Office in accordance with Section 9.3.2. Such application shall be reviewed by the Commission in accordance with the procedures established in Section 9.3. Once the application has been received as complete, the Commission shall hold a Public Hearing and grant, grant subject to conditions or deny the special permit application within the timeframes set forth in C.G.S. Sec. 8-7d.

9.2.3 Application Requirements. A Special Permit application shall include a site plan in accordance with Section 9.3.2 and the number and type of materials prescribed in Appendix \_\_\_ of these Regulations.

9.2.4 Approval Criteria. In all Special Permit applications, the burden rests with the applicant to demonstrate to the Commission that the subject proposal will not detrimentally affect the public's health, welfare, and safety and that the following approval criteria have been satisfied:

9.2.4.1 All approval criteria cited in Section 9.1.5 herein.

9.2.4.2 An inland wetlands permit has been granted, and the Commission has given due consideration to a report issued by the Inland Wetlands Agency where applicable.

9.2.4.3 The proposed use is consistent with the goals, strategies, and actions of the Town's Plan of Conservation and Development and Section 1.2 of these Regulations.

9.2.4.4 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 nearby existing uses.

9.2.4.5 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.

9.2.4.6 The type, 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.

9.2.4.7 The design, location, and specific details of the proposed use or activity shall not adversely affect safety in the streets, unreasonably increase traffic congestion in the area, or interfere with the existing circulation patterns in a manner that will create unsafe traffic conditions.

9.2.4.8 Streets shall be of such size, condition, capacity, width, grade, and alignment to adequately accommodate additional traffic generated by the proposed use.

9.2.4.9 Parking areas shall be of a size sufficient for the proposed use of the property, suitably screened from adjoining residential uses, and have egress and exits located so as to avoid hazardous conditions.

9.2.4.10 Adequate provisions have been made for the management of stormwater, water supply, and sewage disposal and shall not unduly burden the capacity of those facilities.

9.2.4.11 The proposed use shall provide ready accessibility for public safety vehicles and equipment.

9.2.5 Additional Conditions and Safeguards. In granting any Special Permit, the Commission may stipulate additional conditions and safeguards that are deemed necessary to protect and promote property values, maintain the environment in the vicinity of the proposed use, improve neighborhood compatibility, and enhance the overall development of the site. Such conditions and safeguards may include, but shall not be limited to the following:

9.2.5.1 Setbacks greater than the minimum required by these Regulations.

9.2.5.2 Additional screening of parking areas or other components of the proposal from adjoining properties or from the street through the use of walls, fences, plantings, or other devices as specified by the Commission.

9.2.5.3 Limitations regarding the term of the Special Permit approval, including requirements for periodic renewal.

9.2.5.4 Modifications of the exterior features or appearance of any structure where necessary to be in harmony with the surrounding area.

9.2.5.5 Limitations on the size, number of occupants, methods, or time of operation or extent of facilities.

9.2.5.6 Regulation of number, design, and location of access drives or other site plan features, including pedestrian ways, turning lanes, driveway width, pavement extensions, traffic controls, and storm drainage, and the requirement for off-site improvements.

9.2.5.7 Additional off-street parking or other special features beyond the minimum required by these Regulations to improve vehicular and pedestrian safety.

9.2.5.8 Regulation of the number, type, and location of outdoor lighting facilities.

9.2.5.9 Requirements for periodic environmental testing and the submission of environmental monitoring reports, including but not limited to periodic testing of groundwater or surface water, air quality, noise level testing, periodic water usage reports, and periodic reports on the transportation, storage, use, handling, and disposal of hazardous materials.

9.2.5.10 Requirements related to the timing for installation of improvements when the Commission has authorized phased development.

9.2.5.11 Any data, plans, or drawings, including architect's plans or drawings, voluntarily submitted by the applicant or his duly authorized agent in support of his application may be accepted in whole or in part by the Commission.

9.2.6 Action Documentation. In acting on a Special Permit, the Commission may approve, approve with conditions, or deny an application. Notice of the decision shall be provided to the applicant and published in the newspaper within 15 days of the decision in accordance with Section 9.3.6 herein.

9.2.7 Actions Following Approval. A Special Permit shall only become effective upon the filing by the applicant of a copy of the notice of approval within 12 months following approval of the Special Permit application.

9.2.7.1 No zoning permits shall be issued until the applicant has filed notice of the Special Permit approval on the Land Records as per statutory requirements and, in situations where a site plan has been approved, until a Final Plan has been submitted in accordance with Section 9.1.7.

9.2.7.2 Except as noted below, no Certificate of Compliance shall be issued for a use requiring Special Permit approval until approved site improvements have been satisfactorily completed and the professional(s) responsible for the plan have certified in writing that the approved plan has been followed. Maintenance bonds may also be required by the Commission prior to the issuance of a Certificate of Compliance.

In situations where public health and safety components of the project or a section thereof have been satisfactorily completed, the Commission may authorize the issuance of a Certificate of Compliance provided a suitable bond with written bond agreement has been submitted and approved for the remaining site work or provided acceptable alternative arrangements are approved by the Commission.

9.2.7.3 Failure to strictly adhere to the approved plan, terms, and conditions shall be a violation of the Special Permit.

9.2.7.4 A Special Permit may be amended or modified in the same manner as provided in this section for the approval of a Special Permit except when the Commission in its sole discretion, finds that such amendments or modifications are minor in nature and do not materially alter the Special Permit and may be approved without another public hearing.

9.2.8 Expiration and Completion.

9.2.8.1 Failure to record a special permit within 12 months of the date of the Commission's action on a Special Permit shall void the Special Permit.

9.2.8.2 Any improvements to a site or building related to a Special Permit shall commence within 12 months of the date of approval and shall be completed within the times limits specified in C.G.S. Sec. 8-3(i); otherwise the approval shall be null and void.

9.2.8.3 Upon request by the applicant, the Commission may extend its approval for periods of up to one year for good cause without the need for a new application. For projects approved in phases, the Special Permit approval shall be automatically extended if work has been satisfactorily progressing.

9.2.9 Enlargement. No Special Permit may be enlarged, expanded, or substantially altered until such time as a new application for a Special Permit has been approved by the Commission in accordance with Section 9.2 of these Regulations.

### 9.3 Procedural Requirements for Site Plan and Special Permit Applications

9.3.1 Pre-Application Conference. All potential site plan and Special Permit applicants are encouraged to arrange with the Director of Planning and Development a pre-application conference to discuss application requirements and procedures. Such a meeting will help identify potential problems.

9.3.2 Application Submissions. Applications shall be submitted on a form prescribed by the Commission to the Town's Planning Office and accompanied by the fees established by the Town Council; supporting maps, plans, and reports identified below as applicable; and other materials described in Appendix \_\_\_\_\_. The application shall be signed by the applicant and by the owner of the affected property.

9.3.2.1 Statement of Use. A written statement shall be provided describing the proposed use in sufficient detail to determine compliance with the permitted use provisions of these regulations.

9.3.2.2 Site Plan. A site plan shall be provided meeting the requirements set forth in Appendix\_\_\_\_\_. For all projects involving new construction, the Architectural and Design Standards contained in Section \_\_\_\_\_ shall be utilized as determinants to organize a site layout and to develop the composition and character of new buildings and site improvements.

9.3.2.3 Architectural Plans. Schematic architectural plans of all proposed buildings, structures, and signs, including exterior elevations, floor plans, perspective drawings, and information on the nature and color of building materials shall be provided.

9.3.2.4 Water and Wastewater Infrastructure.

- On-site Water and Wastewater Systems. Where on-site systems are proposed, a written sanitation report containing information on site characteristics and the proposed water supply and wastewater disposal systems shall be provided. The report shall be prepared by a licensed professional engineer or registered sanitarian and must demonstrate that the subject sanitary systems will comply with state and local health code and all other applicable regulations including the requirements of Section 7.5 related to sand and gravel.
- Public Water and Sewer Service. Where connections to public water and sewer service are proposed, documentation from the utility provider shall be provided to verify authorization to connect and available capacity.

9.3.2.5 An Erosion and Sediment Control Plan in accordance with the requirements of Section 7.7 of these Regulations shall be provided.

9.3.2.6 Depending on the nature of the proposal, the Reviewing Authority shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and performance standards. Such information may include but shall not be limited to traffic impact analysis; aquifer, watershed, and flooding data; drainage calculations and documentation of necessary drainage rights or easements; environmental and neighborhood impact analysis; future plans for adjacent land under the control of the subject applicant or owner; information on homeowner or property-owner associations; maintenance provisions; estimates of site improvement costs; and financial guarantees.

9.3.2.7 In certain situations, generally for expansions of existing buildings and uses and changes in the use of existing buildings, the applicant may request and the Reviewing Authority, in its sole discretion, may allow that such information be omitted from the application, where the information specified herein clearly is not needed to determine compliance with these Regulations.

9.3.3 Receipt of Applications. Applications requiring Commission approval shall only be received at a regular meeting of the Commission. Applications should be filed in the Mansfield Planning Office at least seven days prior to such meeting for placement on the agenda. Applications received less than seven days prior to the meeting may be placed on the agenda for receipt at the sole discretion of the Director of Planning.

9.3.3.1 If an application involves activities within regulated areas, as defined by the Mansfield Inland Wetlands Agency (IWA), the application shall not be received unless a license application for such activities either has been received and is under review by the IWA; or a license has been approved by the IWA; or the proposed activities have been ruled by the IWA to be exempt from licensing requirements.

9.3.3.2 Once an application has been received, the Commission shall conduct its review and, within the time limits set forth in C.G.S. Sec. 8-7d, approve, approve subject to modification, or deny the application.

9.3.3.3 Upon receipt of an application, the Commission may refer the plan to local staff members, including the Eastern Highlands Health District, Town Engineer, Public Works Departments, the Commission's appointed Design Review Panel, and other local, state, or federal agencies.

9.3.3.4 The Commission shall hold a formal public hearing for all Special Permit applications. For site plan applications that are not part of an application for a Special Permit, the Commission may require that a public hearing be held. The notification requirements and time for conducting the public hearing and making a decision shall be in accordance with the requirements of C.G.S. Sec. 8-7d.

9.3.3.5 Final action shall be based on the application as originally received unless the Commission agrees to accept revised information. In no case shall additional information be submitted by the applicant after the close of a public hearing.

9.3.4 Applicant Notification Requirements. Applicants for site plan and/or Special Permit approval shall be responsible for providing the following notifications:

9.3.4.1 Notification to Water Companies and Department of Public Health. Pursuant to C.G.S. Sec. 8-3(i), the applicant, within seven days of filing an application with the Commission, shall provide written notice by certified mail, return receipt requested, to a water company when an application is filed with the Commission for any project that is within an aquifer protection area delineated pursuant to C.G.S. Sec. 22a-354c or within the watershed of the water company provided a map of the watershed has been filed with the Commission.

9.3.4.2 Courtesy Notices to Property Owners.

- Site Plan Applications. When the Commission decides to hold a public hearing on a site plan application, the applicant shall be responsible for notifying all property owners abutting the site of a proposed use or activity requiring site plan approval, including property owners across the street from a subject site (as measured at right angles to straight street lines and radial to curved street lines).
- Special Permit Applications. In addition to the notices required for site plan applications, the applicant shall be responsible for notifying property owners within 500 feet of the proposed use.
- Notice Timing and Content. The notification, which shall be sent at least 14 days prior to a public hearing, shall include the applicant's Statement of Use and mapping that depicts areas of proposed activity. The notice also shall reference the fact that the complete application is available for review in the Planning Office. Notification forms available in the Planning Office shall be utilized for notifying abutting property owners.
- Notices shall be sent by certified mail using the latest records of the Town of Mansfield Tax Assessor to determine the owners of each lot. A list of owners to whom the notices were sent and Certificates of Mailing issued by the U.S. Postal Service shall be provided to the Commission prior to the opening of the public hearing.

9.3.5 Commission Notification Requirements. The Commission shall be responsible for providing the following notifications required by Connecticut General Statutes:

9.3.5.1 Notification by Newspaper. When a public hearing is required by C.G.S. Sec. 8-3c or by these Regulations, the Commission shall cause a notice of the hearing to be published in a newspaper having substantial circulation in the Town of Mansfield. The notice shall include a description of the proposed application, date, time, and location of the scheduled hearing.

9.3.5.2 Notification to Adjoining Municipalities. Pursuant to C.G.S. Sec. 8-7d(f), the Commission shall notify the town clerk of the adjoining municipality of any application where:

- Any portion of a lot affected by the application is within 500 feet of the town boundary
- A significant portion of the traffic from the completed project will use streets within the adjoining municipality
- A significant portion of the sewer or drainage will flow through or impact the sewer or drainage facilities of the adjoining municipality
- Water runoff from the completed project will impact streets or other municipal or private property in the adjoining municipality

9.3.6 Notification of Decisions. Notice of a decision by the Commission shall be sent by certified mail, return receipt requested, to the applicant within 15 days after such decision has been rendered. In addition, the Commission shall cause the notice of such decision to be published in a newspaper in the same manner as described in Section 9.3.6. If the notice has not been published within the 15-day period, the applicant may provide for the publication of such notice within 10 days thereafter.

#### 9.4 Variance Application

9.4.1 Applicability. The Zoning Board of Appeals (ZBA) shall have the power and duty in accordance with C.G.S. Sec 8-6 to vary the application of these Regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land where owing to the conditions especially affecting such parcel but not affecting generally the conditions of the district in which the parcel is located, the literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship. Variances shall not be granted for uses that are not permitted in the district in which the property is located.

9.4.2 Application Requirements. An application for a variance shall be submitted to the Mansfield Town Clerk and shall be accompanied by the number and type of materials prescribed in Appendix \_\_\_\_.

9.4.2.1 The application shall include a detailed description of the existing conditions of the property, the specific regulation from which a variance is being

sought, and the specific difficulty or hardship justifying why a variance should be granted.

9.4.2.2 A survey prepared by a licensed land surveyor shall be filed when the variance is dimensional in nature or such survey is integral to the understanding of the application.

9.4.2.3 The ZBA shall not be required to hear any application for the same, or substantially the same variance for a period of six months after a decision by the ZBA.

9.4.3 Nature of Variance. Any variance granted by a Zoning Board of Appeals shall run with the land and shall not be personal in nature to the person who applied for and received the variance. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.

9.4.4 Variances Involving Flood Hazard Areas. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built, and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

9.4.5 Decision Considerations. In granting a variance, the ZBA shall find that the literal enforcement of the Regulations would result in exceptional difficulty or unusual hardship solely with respect to the parcel of land owing to conditions peculiar to the parcel and not affecting generally the district in which the parcel is located. The concurring vote of four members of the ZBA shall be required to grant a variance of the Regulations. Notice of the decision shall be provided to the appellant and published in the newspaper within 15 days of the decision in accordance with Section 9.3.6 herein.

## 9.5 Zoning Permits

9.5.1 Applicability. The following provisions for Zoning Permits are in addition to any application requirements associated with uses and/or construction activities that also require the review and approval of the Commission. All proposed uses and/or construction activities shall comply with permitted use provisions and all other applicable regulatory provisions. A Zoning Permit is not required for repairs or alterations to existing buildings or structures provided the repairs or alterations are for maintenance purposes and will not alter the square footage of the subject building or structure and provided the repairs or alterations will not conflict with any associated Planning and Zoning Commission or Zoning Board of Appeals actions.

Except as noted in Section\_\_\_\_, a Zoning Permit shall be required for the following construction activities:

9.5.1.1 The erection, placement, or enlargement of any building or structure, including accessory buildings, or the construction of site improvements or external or internal building alterations authorized by the Commission under other sections of these Regulations.

9.5.1.2 The erection, placement, or enlargement of any sign requiring prior approval under the provisions of Section 7.4 herein.

9.5.1.3 The placement or replacement of any trailer or mobile manufactured housing unit or addition thereto.

9.5.1.4 The erection, placement, or enlargement of any building or structure, including accessory buildings, or the construction of site improvements or external or internal building alterations on any property zoned SC-SDD, consistent with the requirements of Section \_\_\_\_.

9.5.1.5 Site work and/or site improvements authorized by the Commission in association with subdivision or Special Permit approval. Examples include tree removal, site grading, drainage improvements, and road or driveway improvements.

9.5.1.6 Limited Amplified Music Uses pursuant to Section \_\_\_\_\_.

9.5.1.7 The erection, placement, or enlargement of any structure, sign, fence, wall, or similar site improvement for properties within one of the 10 historic village areas identified in Section \_\_\_\_\_.

9.5.1.8 For all lot line revisions based on adequate information to demonstrate that a proposed lot line revision is in compliance with all applicable zoning and subdivision requirements.

9.5.2 Procedure. When a Zoning Permit is required, the use or activity shall not commence until the Zoning Enforcement Officer (ZEO) has issued a Zoning Permit. Applications for a Zoning Permit shall be made by a property owner or his/her authorized agent. Applications shall be complete in all details and shall be returned to the applicant in the event a submitted application is incomplete. Except as noted below within each subsection, Zoning Permit applications shall include the following information:

9.5.2.1 A completed application form and fee

9.5.2.2 A statement of use fully describing the proposed construction activity, the use or uses to which the subject buildings, structures, or site shall be devoted, the estimated cost of construction, and estimates of the quantity of material (soil, stone, sand and gravel) to be brought to, moved within, or removed from the site

9.5.2.3 Three copies of a plot plan prepared in accordance with Appendix\_\_\_\_ and any other information that may be required by the ZEO to determine compliance with these Regulations. For proposed construction activity involving subdivision lots approved after June 30, 2002, plot plans shall include building area envelopes and development area envelopes (see definition in Subdivision Regulations).

9.5.2.4 A certified plot plan need not be submitted when the ZEO in his sole judgment determines that all applicable regulatory provisions, particularly dimensional requirements, will be clearly met, and provided the proposal involves one of the following:

- An accessory structure(s) or attached garage addition
- An addition less than 500 square feet in ground floor area or an addition proposed to be located farther than five feet from a required building setback line
- A new house on property shown on an A-2 survey subdivision map, provided the proposed structures clearly are within setback lines and provided the foundation certification requirements of Section 9.5.4.4 will be met in association with the submission of an "as-built" plan
- Signs, site or building modifications, or other proposals that have been granted Special Permit or site plan approval without a surveyor's site plan, in which case the approved site plan may be accepted as the plot plan.
- An agricultural building or structure where the submitted plot plan shall be accurately drawn to scale by the applicant or his agent and shall contain all information deemed necessary by the ZEO to determine compliance with applicable regulations
- For signs or other construction activities that require a Zoning Permit but do not affect the floor area of a structure or site improvements

9.5.2.5 Two copies of dimensional floor plans, building elevations, or dimensional details of proposed signs except when the ZEO in his sole judgment determines that such information is not needed to verify compliance with applicable regulations

9.5.3 Approval Considerations for Zoning Permits. In reviewing and approving any application for a Zoning Permit, the ZEO shall determine compliance with the following provisions:

9.5.3.1 The Zoning Permit application is complete and all necessary information has been submitted.

9.5.3.2 All applicable provisions of the Zoning Regulations, including but not limited to dimensional requirements, performance standards, permitted use provisions, and filling, grading, excavation, removal, processing of soil, stone, sand, and gravel, peat moss, and other similar materials regulations, have been met or varied through the prior action of the Zoning Board of Appeals.

9.5.3.3 All applicable conditions required by the Commission or Zoning Board of Appeals have been met including but not limited to the posting of any required performance bond and the filing of any Special Permit or variance notice on the land records.

9.5.3.4 The Mansfield Inland Wetlands Agent has reviewed the application and confirmed that all necessary Inland Wetlands Agency approvals have been granted and have been incorporated in the subject application.

9.5.3.5 The Director of the Eastern Highlands Health District or his designee has reviewed the application and confirmed that all necessary Health District approvals have been granted and have been incorporated into the subject application.

9.5.3.6 The Mansfield Town Engineer, or his designee, has reviewed the application and confirmed that all necessary Public Works Department approvals, including the issuance of driveway permits and any necessary approvals of the Water Pollution Control Authority, have been granted and have been incorporated into the subject application.

9.3.5.7 Permit requirements of state and federal agencies, including the state Departments of Energy & Environmental Protection, Public Health, and Transportation have been considered by the applicant and that all known state and federal permits that are applicable to the subject application have been issued.

9.5.3.8 All required erosion and sedimentation controls that are to be installed prior to development according to an approved Erosion and Sedimentation Control Plan have been installed.

9.5.3.9 Any other applicable regulations of the Town of Mansfield, including the Subdivision Regulations, have been met.

9.5.3.10 Any required "Certificate of Appropriateness" has been granted by Mansfield's Historic District Commission for properties within one of Mansfield's designated Local Historic Districts.

9.5.3.11 The Commission has reviewed the proposed development and determined compliance with the special historic village area review criteria

contained in Section \_\_\_\_ for properties located within one of the 10 historic village areas identified in Section \_\_\_\_.

9.5.4 Approval Conditions for Zoning Permits. All approved Zoning Permits shall be subject to the following provisions as they apply to the specific use or construction activity as well as any conditions noted by the ZEO. Notice of all Zoning Permits, including renewal permits, shall be reported to the Commission.

9.5.4.1 The recipient of a Zoning Permit accepts the permit on the conditions that he or his agents or assigns will comply with all Regulations, ordinances, or other regulations of the Town of Mansfield and with all state and federal laws regarding the use and occupancy of the premises.

9.5.4.2 A Zoning Permit shall be voided unless construction is commenced within six months of the date of issue and unless construction is completed 18 months after the date of such issue. Renewal permits may be granted by the ZEO for good cause provided necessary extensions of Special Permit or site plan approvals have been granted by the Commission.

9.5.4.3 Approved Zoning Permits should be posted on the premises at all times during the period that such permit is in force. Permits should be posted in public view in a weatherproofed manner. All Zoning Permits shall be available for public inspection in the Mansfield Municipal Building.

9.5.4.4 In situations where a surveyor's plan was required, no foundation walls for any building, addition, or structure shall be constructed until the recipient of the Zoning Permit has filed with the ZEO a signed and sealed certification from a surveyor verifying that the foundation footings were installed in accordance with approved plans. Modifications of an approved foundation location may be authorized by the ZEO provided all Zoning Permit approval considerations are still met and provided the approved plot plan is appropriately revised.

9.5.4.5 To promote the health, welfare, and safety of Mansfield residents, no site clearing, grading, or construction activity shall take place before the hour of 7:00 a.m. Monday through Saturday or before the hour of 9:00 a.m. on Sundays and holidays. Furthermore, no site clearing, grading, or construction activity shall take place after 9:00 p.m. daily. On a case-by-case basis, these time restrictions may be modified by the Commission based on site and neighborhood characteristics and the nature of planned construction activity.

## 9.6 Site and Building Modifications

9.6.1 Prior Authorization. All deviations from site and building plans associated with an approved Zoning Permit require authorization prior to construction. Failure to obtain necessary approval for revisions to approved plans shall be considered a violation and pursued in accordance with the provisions of Section 9.--.

9.6.2 Inland Wetlands Agency. Any proposed site or building modification involving activities within regulated areas as defined in the Mansfield Inland Wetlands and Watercourses Regulations shall not be approved unless all necessary IWA licenses or license modifications have been granted.

9.6.3 Storrs Center Special Design District. All site and building modifications in the SC-SDD zone are subject to the provisions of Section \_\_\_\_.

9.6.4 Site Plan and Special Permit Modifications.

9.6.4.1 Commission approval is required for the following site and building modifications associated with uses and construction activities that have received site plan or Special Permit approval from the Commission.

- Site and building modifications affecting the overall layout, design, or nature of existing or proposed buildings or site improvements including but not limited to changes to entrance drive design or locations, overall parking, storm drainage, or waste disposal layouts;
- Substantive changes in external building design, signs, or building materials;
- Interior alterations or renovations that alter or intensify a land use, such as, but not limited to, increases in finished floor area for the subject use, alterations affecting the nature of occupancy or number of possible occupants or customers, alterations affecting water supply or wastewater disposal needs, or alterations to uses involving hazardous materials.

The Commission, in the reasonable exercise of its discretion, shall have the right to approve the modification without the submission of a new application or, where the proposed modification is considered a significant alteration of the approved plans, the Commission shall have the right to require the submission and processing of a new application. Modifications to signs shall not require the submission and processing of a new application.

9.6.4.2 Minor Modifications. Modifications to site and building plans associated with uses and construction activities that have received site plan or Special Permit approval from the Commission that do not meet the criteria established in Section 9.6.4.1 may be authorized by the concurrence of the Commission Chair and ZEO. All authorized minor changes shall be reported to the Commission.

9.6.4.3 Approval Criteria. Modifications to site and building plans shall meet the criteria for site plan approval identified in Section 9.1.5.

## 9.7 Certificates of Zoning Compliance

9.7.1 Applicability. No land, building, or structure shall hereafter be occupied, and no new use or change in use, including extensions or enlargements of nonconforming uses of land or buildings, shall be initiated or added to an existing use until a Certificate of Compliance has been issued by the ZEO.

9.7.2 Procedure. Applications for a Certificate of Compliance shall be made by a property owner or his authorized agent. Applications must be complete in all details and shall be returned by the ZEO in the event a submitted application is incomplete. Except as noted below, applications for Certificates of Compliance shall include:

9.7.2.1 A completed application form which, depending on the nature and size of the use, may be a part of the Zoning Permit application form.

9.7.2.2 A statement of use fully describing the use or uses to which the subject buildings, structures, or site shall be devoted. This requirement may be met with information that has already been presented in conjunction with an approved Zoning Permit or a Commission or Zoning Board of Appeals application.

9.7.2.3 In situations where a construction project that has received Special Permit or site plan approval was based on a plan prepared by a professional land surveyor, professional engineer, or landscape architect, a written certification from the professional(s) responsible for the plan stating that the approved plan has been followed shall be submitted with the application for a Certificate of Compliance. Where substantial changes to an approved plan have been authorized, a certified as-built plan shall be required for a Certificate of Compliance. These certification requirements may be postponed or modified by the Commission for situations where the Commission has authorized a Certificate of Compliance prior to the completion of all site improvements.

9.7.2.4 Where a new building or structure is situated within three feet of any setback requirement, the ZEO may require that verification of the setback distance be provided by a professional land surveyor.

9.7.2.5 Any other information deemed necessary to determine compliance with the Mansfield Zoning Regulations.

9.7.3 Approval Considerations for Certificates of Compliance. Notice of all Certificates of Compliance shall be reported to the Commission. In reviewing an application for a Certificate of Compliance, the ZEO shall determine that the following conditions have been met:

9.7.3.1 All required or necessary information has been submitted.

9.7.3.2 The proposal meets all applicable provisions of the Regulations and all other Town regulations and permit requirements. As provided for in Section 9.7.3.3, Certificates of Compliance may be issued before all site improvements are completed.

9.7.3.3 All known state and federal regulations applying to the proposal have been met.

9.7.3.4 All structures, buildings, or site improvements have been constructed in accordance with plans approved by the Zoning Agent through the Zoning Permit and, as appropriate, with plans approved by the Planning and Zoning Commission and/or Zoning Board of Appeals.

9.7.3.5 When a project that has received Special Permit or site plan approval and public health and safety components of the project (or sections thereof) have been satisfactorily completed, the Commission may authorize the issuance of a Certificate(s) of Compliance for individual units, individual buildings, or separate phases of the development, provided a suitable financial guaranty with written agreement has been submitted and approved for the remaining site work or provided acceptable alternative arrangements are approved by the Commission.

9.7.3.6 When a project has been authorized through the issuance of a Zoning Permit, without prior Special Permit or site plan approval, and public health and safety components of the project (or sections thereof) have been satisfactorily completed, the ZEO may issue a Certificate of Compliance provided a suitable cash bond with written bond agreement has been submitted and approved.

9.7.3.7 All specified conditions in any Zoning Permit and/or Commission or Zoning Board of Appeals approval have been met, including the posting of any required maintenance bonds.

9.7.3.8 All sanitary systems, roadways, and driveways designed to serve a prospective dwelling unit have been suitably constructed.

9.7.4 Approval Conditions for Certificates of Compliance. The recipient of a Certificate of Compliance accepts the permit on the condition that he/she or his/her agents or assigns will comply with the use as described in application submissions and will comply with all applicable federal, state, or local laws regarding the use and occupancy of the premises.

## 9.8 Administration and Enforcement

9.8.1 Zoning Enforcement Officers (ZEOs). Except as otherwise provided in these Regulations, the ZEO(s) appointed by and responsible to the Commission shall administer and enforce these Regulations. ZEO responsibilities shall include the inspection of any building, structure, premises, or use; the issuance of violation notices with appropriate follow-up; and the processing of Zoning Permits and Certificates of Compliance. The ZEO shall review with the Commission officers and, as necessary the Commission, any questions that arise regarding administrative forms and procedures and the interpretation and enforcement of these Regulations.

9.8.2 Orders. The ZEO is authorized to issue a stop work order, cease and desist order, cease and correct order, and any order to undertake a specific action where in his judgment the use of land, buildings, or structures, or the construction, reconstruction, enlargement, or extension of a building or structure is not being carried out in compliance with these Regulations, or with the conditions of any permit or variance issued in accordance with these Regulations. The ZEO shall withdraw any order when he determines that there is compliance with these Regulations.

9.8.3 Violations. If any building or structure has been erected, constructed, altered, converted, or maintained, or any building structure or land has been used, in violation of these Regulations and/or specific permit authorizations, any official having jurisdiction, in addition to other remedies, may institute an action or proceeding to prevent such unlawful erection, construction, alteration, conversion, maintenance, or use, or to restrain, correct, or abate such violation or to prevent the occupancy and use of such building, structure, or land or to prevent any illegal act, conduct, business, or use in or about such premises. Such actions may include revocation of the Certificate of Compliance if violations are not corrected within the time period established by the ZEO.

9.8.4 Penalties. The owner or agent of any building or premises where a violation of any provision of these Regulations has been committed or exists, or the lessee or tenant of any part of the building or premises in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part, or assists in any such violation or who maintains any building or premises in which any such violation exists shall be subject to the civil and criminal penalties provided for in C.G.S. Sec. 8-12 and any other penalties that may be applicable.

These penalties shall apply to any person who, having been served with an order to discontinue any such violation, fails to comply with such order within 10 days after such service, or having been served with a cease and desist order with respect to a violation involving grading of land or removal of earth, fails to comply with such order immediately, or continues to violate any provision of these regulations.

## 9.9 Appeal of Zoning Enforcement Officer Order or Decision

9.9.1 Applicability. Pursuant to C.G.S. Sec. 8-7, the ZBA shall have the power and duty to hear and decide appeals where it has been alleged by an aggrieved person that there is an error in any order, requirement, or decision by the ZEO.

9.9.2 Procedure. An appeal may be taken to the ZBA by any aggrieved person by filing a notice of appeal and specifying the grounds thereof. The appeal shall be taken within 30 days of the earliest of the following:

9.9.2.1 Receipt of the order requirement or decision of the ZEO

9.9.2.2 The publication of a notice in accordance with C.G.S. Sec. 8-3(f)

9.9.2.3 Actual or constructive notice of such order, requirement, or decision

9.9.3 Effect of an Appeal. An appeal of an order, requirement, or decision that prohibits further construction or expansion of a use that is in violation of these Regulations shall not permit the construction or expansion to continue except to the extent the ZBA may allow. An appeal of any order, requirement, or decision of the ZEO shall stop all enforcement unless the Commission or ZEO certifies to the ZBA that a stay would cause imminent peril to life or property.

9.9.4 Proceedings. Upon receipt of an appeal, the ZBA shall hold a public hearing on such appeal within the time specified in C.G.S. Sec. 8-7d. Notice of the hearing shall be published in accordance with Section 9.3.5 of the Regulations.

9.9.5 Decision Considerations. The ZBA may affirm, affirm in part, or reverse the order requirement or decision of the ZEO that has been appealed to the ZBA. A concurring vote of four members of the ZBA shall be required to reverse any order, requirement, or decision. Notice of the decision shall be provided to the appellant and published in the newspaper within 15 days of the decision in accordance with Section 9.7.9 herein.

## 9.10 Applications to Amend Zoning Regulations or Zoning Map

9.10.1 Application Requirements. A petition to create a new regulation, repeal an existing regulation or otherwise amend the Zoning Regulations, or to amend the Zoning Map shall be submitted in accordance with the procedural requirements set forth in Section 9.3 herein. Such petition shall be accompanied by the number and type of materials prescribed in Appendix \_\_\_ accompanied by the application fee established by the Town.

9.10.2 Additional Information. The Commission may require additional information as, in its sole discretion, it deems necessary to undertake a review of such petition.

9.10.3 Commission Not Obligated to Hear Petition. The Commission shall not be required to hear any petition to amend the Regulations or Zoning Map relating to the

same, or essentially the same, change more than once in a period of 12 months unless it finds that a material change in circumstances justifies such action. A change of ownership of real property shall not be deemed to be a material change.

9.10.4 Proceedings and Notifications. Upon receipt of such petition, the Commission shall provide written notice of such petition in accordance with Section 9.3.5 herein and, if required by C.G.S. Sec. 8-3b, provide written notice of such petition to the regional planning agency. The Commission shall hold a public hearing in accordance with C.G.S. Sec 8-7d after providing legal notice of such hearing and filing a copy of the petition at the office of the Town Clerk.

9.10.4.1 Notification to Regional Planning Agencies. The Commission shall give written notice to the regional planning agency when any land affected by a change to the Regulations or Zoning Map affecting the use within a district is located within 500 feet of a municipal boundary in the manner prescribed in C.G.S. Sec. 8-3b.

9.10.5 Decision Considerations and Action. In making its decision, the Commission shall take into consideration factors identified in C.G.S. Sec. 8-2; consistency with the goals, objectives, and recommendations of the Plan of Conservation and Development; and any reports from a water company, adjacent municipality, regional planning agency, or other agency board or commission.

Amendments to the Regulations or Zoning Map may be approved by a majority of the Commission unless a legally valid protest has been filed prior to or at the public hearing in accordance with C.G.S. Sec. 8-7d, in which case such amendment shall be adopted by a two-thirds majority of all members of the Commission.

9.10.6 Action Documentation.

9.10.6.1 The effective date of any change to the Regulations or Zoning Map shall be either the date established by the Commission as part of its action on the petition or 15 days after publication of the Commission decision.

9.10.6.2 In addition to the notices of decision provided to the applicant and posted in the newspaper in accordance with C.G.S. Sec. 8-3c, the Commission shall file the amendment to the Regulations or Zoning Map in the office of the Town Clerk prior to the effective date of the Regulations or Map amendment.



## Use Descriptions

### Agriculture (CGS 1-1(a))

*Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.*

### Community Residence/Childcare Residential Facility (CGS 8-3e)

*a) No zoning regulation shall treat the following in a manner different from any single family residence: (1) Any community residence that houses six or fewer persons with intellectual disability and necessary staff persons and that is licensed under the provisions of section 17a-227, (2) any child-care residential facility that houses six or fewer children with mental or physical disabilities and necessary staff persons and that is licensed under sections 17a-145 to 17a-151, inclusive, (3) any community residence that houses six or fewer persons receiving mental health or addiction services and necessary staff persons paid for or provided by the Department of Mental Health and Addiction Services and that has been issued a license by the Department of Public Health under the provisions of section 19a-491, if a license is required, or (4) any hospice facility, including a hospice residence, that provides inpatient hospice care and services to six or fewer persons and is licensed to provide such services by the Department of Public Health, provided such facility is (A) managed by an organization that is tax exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended; (B) located in a city with a population of more than one hundred thousand and within a zone that allows development on one or more acres; and (C) served by public sewer and water.*

### Day Care Center (CGS 19a-77)

*A "child day care center" which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis*

**Family Day Care Home (CGS 19a-77)** *A "family day care home" which consists of a private family home caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider's children shall be permitted.*

**Group Day Care Home (CGS 19a-77)** *A "group day care home" which offers or provides a program of supplementary care (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family day care home except that it operates in a facility other than a private family home*

**Kennel** *One pack or collection of dogs consisting of more than five dogs over six months old kept on a single premise and/or one pack or collection of two or more dogs where more than two litters of puppies are bred over the course of a 12 month period on a single premise.*

**Commercial Kennel** *An establishment where dogs are boarded, treated or groomed.*

**Domestic Animal Care** *Includes domestic animal grooming and domestic animal daycare.*

Table 1a. Proposed Permitted Land Uses in Residential Zones, Town of Mansfield

Delete ARH and PRD Zones; integrate special provisions for student housing and senior housing in DMR

Proposed changes are in parenthesis ()

Spec - Special Permit

ZP - Zoning Permit

SP - Site Plan

P - Permitted by-right; no permit authorizations needed

Use	Residential Zones						
	R-20	R-90	RAR-90	ARH	DMR	PRD	PVRA
<b>Principal Dwelling Units</b>							
One-Family Dwelling Unit	ZP	ZP	ZP	Spec <sup>3</sup>	Spec	-	Spec
Two-Family Dwelling Unit	-	-	ZP	Spec <sup>3</sup>	Spec	-	Spec
Multi-Family Dwellings	-	-	-	Spec <sup>3</sup>	Spec	-	Spec
<b>Accessory Dwelling Units</b>							
Efficiency Dwelling Unit	Spec (SP)	Spec (SP)	Spec (SP)	-	-	-	-
Caretaker Dwelling	-	-	-	-	-	-	ZP
<i>Efficiency - consider Site Plan approval process if potential impacts of student housing can be addressed through standards.</i>							
<b>Group Housing</b>							
Community Residence/Childcare Residential Facility <sup>1</sup>	ZP/Spec (SP)	ZP/Spec (SP)	ZP/Spec (SP)	-	-	-	-
Community Residence for Mentally Ill-Adults	-	-	ZP	-	-	-	-
Group Homes	-	-	Spec (SP)	-	(SP)	-	-
Boarding House / Fraternities / Sororities / Dormitories	-	-	-	-	(Spec)	Spec	-
Continuing Care Retirement Community (CCRC)	-	-	(Spec)??	-	(Spec)	-	(Spec)
Hospital/Nursing Home/Res Treatment Facility	-	-	Spec	-	(Spec)	-	-
Farm Worker Housing	-	-	-	-	-	-	-
<i>Merged Community Residence for Mentally Ill Adults into Community Residence/Childcare Residential Facility</i>							
<sup>1</sup> Subject to CGS Section 8-3e							

**Agricultural Uses**

Agricultural Use	(P)	(P)	P/Spec P/(SP)	-	-	-	P/Spec P/(SP)
Agriculture/Horticulture Retail	-	-	P/ZP*	-	-	-	Spec (P/ZP*)
Agriculture/Horticulture Commercial	-	-	(Spec)	-	-	-	Spec (SP)
Mobile Processing Unit	-	-	(Spec)	-	-	-	(Spec)
<i>*Zoning Permit required if structures involved, otherwise permitted by right</i>							
<i>Agricultural use as defined by CGS</i>							

**Open Space Uses**

Cemetery	-	Spec	Spec	-	-	-	-
Outdoor Recreation	-	-	Spec	-	-	-	(Spec)
Parks/Playgrounds	P	P	P	P	P	P	P
Sand and Gravel Removal*	Spec						

*\*Applies to sand and gravel removal as a use, not grading, excavation and fill conducted as part of site development*

Table 1a. Proposed Permitted Land Uses in Residential Zones, Town of Mansfield

Delete ARH and PRD Zones; integrate special provisions for student housing and senior housing in DMR

Proposed changes are in parenthesis ( )

Spec - Special Permit

ZP - Zoning Permit

SP - Site Plan

P - Permitted by-right; no permit authorizations needed

Use	Residential Zones						
	R-20	R-90	RAR-90	ARH	DMR	PRD	PVRA
<b>Educational, Faith-Based, Governmental and Infrastructure Uses</b>							
Government/Town	SP	SP	SP	SP	SP	SP	SP
Government/State & Federal	P	P	P	P	P	P	P
Government/Hazardous & Radioactive Materials	Spec	Spec	Spec	Spec	Spec	Spec	Spec
School	-	-	Spec	-	-	-	(Spec)
Library	-	-	Spec	-	-	-	-
Place of Worship	-	-	Spec	-	-	-	(SP)
Public Utility	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	SP (SP)	Spec (SP)
Utilities / Communications <sup>2</sup>	-	-	Spec	-	-	-	-
Hydropower	-	-	(Spec)	-	-	-	-
Solar Farms	-	-	(Spec)	-	-	-	-
Wireless Communications	Spec	Spec	Spec	Spec	Spec	Spec	Spec
<i>State/Fed Govt uses deleted since town has no jurisdiction</i>							
<i>Library merged with Government/Town uses</i>							
<i>Wireless Communications deleted under jurisdiction of Connecticut Siting Council</i>							
<i>Public Utilities - require review for buildings and structures</i>							
<sup>2</sup> Including reservoirs, sewage treatment plants, radio, television, and other communications facilities, including microwave towers							
<b>Childcare Uses</b>							
Day Care Center	-	-	Spec (SP)	-	Spec	Spec	-
Group Day Care Home	Spec (SP)	Spec (SP)	(SP)	-	Spec	Spec	Spec
Family Day Care Home	ZP	ZP	ZP	Spec <sup>3</sup>	Spec	-	Spec
<b>Animal Uses</b>							
Cat Boarding/Shelter	-	-	(Spec)	-	-	-	(Spec)
Domestic Animal Care	-	-	(Spec)	-	-	-	(Spec)
Kennel	-	-	(Spec)	-	-	-	(Spec)
Kennel/Commercial	-	-	(Spec)	-	-	-	(Spec)
<i>Define Kennel as one pack or collection of dogs consisting of more than five dogs over six months old kept on a single premise and/or one pack or collection of two or more dogs where more than two litters of puppies are bred over the course of a 12 month period on a single premise.</i>							
<i>Define Commercial Kennel as an establishment where dogs are boarded, treated or groomed.</i>							
<i>Define Domestic Animal Care to include domestic animal grooming and domestic animal daycare</i>							
<b>Non-Residential Uses</b>							
Preservation Use Adaptive Reuse of Historic Buildings	-	-	Spec	-	-	-	-
Accessory Commercial Uses	-	-	-	-	-	-	Spec
Bed & Breakfast/Inn							
Short Term Rentals							
<i>Changed Preservation Use to Adaptive Reuse</i>							
<i>Deleted Accessory Commercial Uses as they relate to accessory uses for apartment complexes such as laundry facilities, etc. only for use of residents</i>							
<i>Add standards for B&amp;Bs/Inns with more than 3 rooms</i>							

Table 3-\_. Table of Allowable Uses in Residential Zones, Town of Mansfield

Use this table to determine permitted uses and the applicable review procedure. For additional regulations for specific uses, see Section \_\_-\_\_.

- Blank: Prohibited
- P: Permitted by-right; no permit authorizations needed
- ZP: Zoning Permit
- SP: Site Plan
- Spec: Special Permit

Use	Residential Zones				
	R-20	R-90	RAR-90	DMR	PVRA
<b>Educational, Faith-Based, Governmental and Infrastructure Uses</b>					
Government/Town	SP	SP	SP	SP	SP
School			Spec		Spec
Place of Worship			Spec		SP
Public Utility	SP <sup>4</sup>	SP <sup>4</sup>	SP <sup>4</sup>	SP <sup>4</sup>	SP <sup>4</sup>
Utilities / Communications <sup>5</sup>			Spec		
Hydropower			Spec		
Solar Farm			Spec		
<sup>4</sup> Site plan review required for buildings and structures					
<sup>5</sup> Including reservoirs, sewage treatment plants, radio, television, and other communications facilities, including microwave towers					
<b>Childcare Uses</b>					
Day Care Center			Spec	Spec	
Group Day Care Home	SP	SP	SP	Spec	Spec
Family Day Care Home	ZP	ZP	ZP	Spec	Spec
<b>Animal Uses</b>					
Cat Boarding/Shelter			Spec		Spec
Domestic Animal Care			Spec		Spec
Kennel			Spec		Spec
Kennel/Commercial			Spec		Spec
<b>Non-Residential Uses</b>					
Adaptive Reuse of Historic Buildings			Spec		
Bed & Breakfast/Inn			Spec		Spec

Table 3-\_. Table of Allowable Uses in Residential Zones, Town of Mansfield

Use this table to determine permitted uses and the applicable review procedure. For additional regulations for specific uses, see Section \_\_\_-\_\_.

Blank: Prohibited

P: Permitted by-right; no permit authorizations needed

ZP: Zoning Permit

SP: Site Plan

Spec: Special Permit

Use	Residential Zones				
	R-20	R-90	RAR-90	DMR	PVRA
<b>Principal Dwelling Units</b>					
One-Family Dwelling Unit	ZP	ZP	ZP	Spec	ZP
Two-Family Dwelling Unit			ZP	Spec	ZP
Multi-Family Dwellings				Spec	Spec
Short Term Rentals	P	P	P	P	P
<b>Accessory Dwelling Units</b>					
Efficiency Dwelling Unit	SP	SP	SP	SP	SP
Caretaker Dwelling					ZP
<b>Group Housing</b>					
Boarding House / Fraternities / Sororities / Dormitories				Spec	
Community Residence/Childcare Residential Facility	ZP <sup>1</sup>	ZP <sup>1</sup>	ZP <sup>1</sup>	Spec	Spec
Continuing Care Retirement Community (CCRC)				Spec	Spec
Farm Worker Housing					
Group Homes			Spec	Spec	
Hospital/Nursing Home/Res Treatment Facility				Spec	Spec

<sup>1</sup> Special Permit required when a Community Residence/Childcare Residential Facility is proposed within 1,000 feet of another community residence in accordance with CGS Sec. 8-3f.

**Agricultural Uses**

Agricultural Use	p <sup>2</sup>	p <sup>2</sup>	p <sup>3</sup>		p <sup>3</sup>
Agriculture/Horticulture Retail			p <sup>3</sup>		p <sup>3</sup>
Agriculture/Horticulture Commercial			Spec		Spec
Mobile Processing Unit			P		P

<sup>2</sup> Agricultural Uses in these zones shall be limited to those identified in Section \_\_\_.

<sup>3</sup> A Zoning Permit is required for any buildings or structures.

**Open Space Uses**

Cemetery		Spec	Spec		
Outdoor Recreation			Spec		Spec
Parks/Playgrounds	P	P	P	P	P
Sand and Gravel Removal/Processing	Spec	Spec	Spec	Spec	Spec

\*Applies to sand and gravel removal as a use, not grading, excavation and fill conducted as part of site development

Table 2a. Proposed Permitted Land Uses in non-Residential Zones, Town of Mansfield

Delete B Zones

Proposed changes are in parenthesis ( )

Spec - Special Permit

ZP - Zoning Permit

SP - Site Plan

P - Permitted by-right; no permit authorizations needed

Use	Non-Residential Zones												
	PB 1	PB 2	PB 3	PB 4	PB 5	B	NB1	NB 2	PO	PVCA	RD/LI	I	FH
<b>Agricultural Uses*</b>													
Agriculture	-	-	-	-	-	-	-	-	-	Spec (P)	ZP	-	Spec
Commercial Greenhouses	-	-	-	-	Spec (SP)	-	-	-	-	(SP)	-	-	-
Sand and Gravel Removal	-	-	-	-	-	-	-	-	-	-	-	-	Spec
Agriculture/Horticulture Retail	-	-	-	-	-	-	-	-	-	Spec (P)	ZP	-	-
Agriculture/Horticulture Commercial	-	-	-	-	(SP)	-	-	-	-	(SP)	-	-	-
<b>Farm Worker Housing</b>													
<b>Meat and Food Processing</b>	-	-	-	-	-	-	-	-	-	(Spec)	-	-	-
<b>Mobile Processing Unit</b>	-	-	-	-	-	-	-	-	-	(Spec)	-	-	-

Update Agriculture based on best practice research from other communities.

Office and Personal Services													
Personal Services	Spec (SP)	ZP	Spec (SP)	Spec (SP)	-	-	-	-	-				
Repair Services	Spec	Spec	Spec	Spec	Spec	ZP	Spec	Spec	-	Spec	-	-	-
Dry Cleaning/Laundry (cleaning onsite; dropoff/pickup only considered personal service)	Spec (SP)	Spec (SP)	(SP)	Spec (SP)	-	Spec (SP)	-	-	-	-	-	-	-
Commercial Printing	Spec (SP)	Spec	Spec	Spec	Spec	ZP	-	-	-	Spec (SP)	Spec (SP)	-	-
Day Care Center	Spec (SP)	ZP	Spec (SP)	-									
Group Day Care Home	Spec (SP)	ZP	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	-	Spec	-				
<b>Marijuana Dispensary</b>													
Professional Offices	Spec (SP)	ZP	Spec (SP)	Spec (SP)	ZP	Spec (SP)	Spec (SP)	Spec (SP)	-				

Merged repair services with personal services

Table 2a. Proposed Permitted Land Uses in non-Residential Zones, Town of Mansfield



Delete B Zones

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Spec - Special Permit

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Use	Non-Residential Zones												
	PB 1	PB 2	PB 3	PB 4	PB 5	B	NB1	NB 2	PO	PVCA	RD/LI	I	FH
<b>Commercial Uses</b>													
Auto Sales / Service	Spec	-	Spec	-	Spec	Spec	-	-	-	-	-	-	-
Banks	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	ZP	Spec (SP)	Spec (SP)	-	-	-	-	-
Retail/Shopping Center (Max 4-stores-10,000 square feet or less)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	ZP	Spec (SP)	Spec (SP)	-	-	-	-	-
Retail/Shopping Center (5 or more-stores greater than 10,000 square feet)	Spec	Spec	Spec	Spec	Spec	Spec	-	-	-	-	-	-	-
Changes to Shopping Center	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	-	-	-	-	-	-	-
Restaurants	(SP)/ Spec	(SP)/ Spec	(SP)/ Spec	(SP)/ Spec	Spec	Spec	Spec	(Spec)	-	-	-	-	-
Alcoholic Beverage Sales	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	ZP	Spec (SP)	Spec (SP)	-	-	Spec	-	-
Drive-Through	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)		-	-	-	-	-	-	-
Hotels and Motels	Spec	Spec	Spec	-	-	Spec	-	-	-	-	Spec	-	-
B&B/Inn							(Spec)	(Spec)	(Spec)	(SP)	-	-	-
Conference Centers	-	-	-	-	-	-	-	-	-	-	Spec	-	-
Accessory Delivery Services	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP- (Spec)	-	-	-	-	-
Commercial Parking Lots	-	-	-	Spec	-	ZP	-	-	-	-	Spec	-	-
Accessory Retail & Warehousing	-	-	-	-	-	-	-	-	-	Spec	-	-	-
Food Sales	Spec	Spec	Spec	Spec	Spec	ZP	Spec	Spec	-	-	-	-	-
Tourist Homes	Spec	Spec	Spec	-	Spec	Spec	Spec	Spec	-	-	-	-	-
<i>Restaurants-Site Plan if on public sewer/water; otherwise special permit</i>													
<b>Residential Uses</b>													
Boarding House / Fraternities / Sororities / Dormitories	-	-	-	Spec	-	Spec	-	-	-	-	-	Spec	-
Caretaker Dwelling	-	-	-	-	-	-	-	-	-	ZP	ZP	-	-
Mixed Commercial/Residential	(Spec)	Spec	(Spec)	Spec	(Spec)	-	Spec	Spec	(Spec)	-	-	Spec	-
Mobile Home Park Expansion	-	-	-	-	-	Spec	-	-	-	-	-	-	-
One-Family Dwelling Unit	-	-	-	-	-	(ZP)	(ZP)	(ZP)	(ZP)	(ZP)	-	-	-
Two-Family Dwelling Unit	-	-	-	-	-	(ZP)	(ZP)	(ZP)	(ZP)	(ZP)	-	-	-
Efficiency Dwelling Unit	-	-	-	-	-	(SP)	(SP)	(SP)	(SP)	(SP)	-	-	-
Multi-Family Dwellings	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	-	-	-

Table 2a. Proposed Permitted Land Uses in non-Residential Zones, Town of Mansfield

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Use	Non-Residential Zones												
	PB 1	PB 2	PB 3	PB 4	PB 5	B	NB1	NB 2	PO	PVCA	RD/LI	I	FH
<b>Educational, Faith-Based, Governmental and Infrastructure Uses</b>													
Government/Town	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	-
Government/Hazardous & Radioactive Materials	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	-
Schools	(SP)	(SP)	(SP)	(SP)	(SP)	ZP	(Spec)	(Spec)	(Spec)	(SP)	Spec (SP)	(SP)	-
Place of Worship	(SP)	Spec (SP)	(SP)	(SP)	Spec (SP)	-	(Spec)	(Spec)	(Spec)	(SP)	-	Spec (SP)	-
Public Utility (see notes Res Zone)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	Spec (SP)	-
Utilities / Communications <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	-	(Spec)	-
Government/State & Federal	P	P	P	P	P	P	P	P	P	P	P	P	-
Communications Facilities (Radio/Television)	(SP)	(SP)	(SP)	(SP)	(SP)	-	-	-	-	Spec (SP)	Spec (SP)	-	-
Solar Farm	-	-	-	-	(SP)	-	-	-	-	-	(SP)	(SP)	-
Hydropower Facilities	-	-	-	-	-	-	-	-	-	-	-	(SP)	Spec (SP)
Libraries	-	-	-	-	-	ZP	-	-	-	-	-	-	-
School/Private	-	-	-	-	-	Spec	-	-	-	-	-	-	-
Wireless Communications	Spec	Spec	Spec	Spec	Spec	Spec	Spec	Spec	Spec	Spec	Spec	Spec	-
<b>Animal Uses</b>													
Domestic Animal Care	(SP)	-	(SP)	-	(SP)	(Spec)	(Spec)	(Spec)	(Spec)	(SP)	-	-	-
Kennel	(SP)	-	(SP)	-	(SP)	-	-	-	-	(Spec)	-	-	-
Kennel/Commercial	(SP)	-	(SP)	-	(SP)	-	-	-	-	(Spec)	-	-	-
Veterinary Hospitals	(SP)	-	(SP)	-	(SP)	(Spec)	(Spec)	(Spec)	(Spec)	Spec	-	-	-
<b>Entertainment &amp; Recreation</b>													
Arcades	Spec	Spec	Spec	Spec	Spec	Spec	-	-	-	-	-	-	-
Amplified Music	Spec (ZP)	Spec (ZP)	Spec (ZP)	Spec (ZP)	Spec (ZP)	Spec	Spec (ZP)	-	-	(ZP)	Spec (ZP)	-	-
Adult Entertainment	Spec	-	Spec	-	Spec	-	-	-	-	-	-	-	-
Commercial Recreation	Spec	Spec	Spec	Spec	Spec	Spec	Spec	Spec	-	Spec	Spec	-	-
Banquet Hall/Conference Center/Public Assembly	(SP)	(SP)	(SP)	(SP)	(SP)	-	-	Spec	-	-	Spec (SP)	-	-
Dance Halls	-	-	-	-	-	-	-	-	-	-	-	-	-
Private Clubs	(SP)	(SP)	(SP)	(SP)	(SP)	-	-	-	-	-	-	-	-
Indoor Recreation	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)	-	-	-	-	(Spec)	-	(Spec)	-
Open Space-Outdoor Recreation	-	-	-	-	(Spec)	-	-	-	-	-	-	-	Spec
Parks/Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	(P)

Table 2a. Proposed Permitted Land Uses in non-Residential Zones, Town of Mansfield

 Delete B Zones

Proposed changes are in parenthesis ()

Spec - Special Permit

ZP - Zoning Permit

SP - Site Plan

P - Permitted by-right; no permit authorizations needed

Use	Non-Residential Zones												
	PB 1	PB 2	PB 3	PB 4	PB 5	B	NB1	NB 2	PO	PVCA	RD/LI	I	FH
<b>Research &amp; Development/Light Industrial Uses</b>													
Research & Development Lab	-	-	-	-	-	-	-	-	-	Spec	Spec	-	-
Research & Development/ Dry Lab	(SP)	(SP)	(SP)	(SP)	(SP)		(SP)	(SP)	(SP)	(SP)	(SP)		-
Research & Development/ Wet Lab	(Spec)	(Spec)	(Spec)	(Spec)	(Spec)		-	-	-	(Spec)	(Spec)		-
Research & Development/ Bio Lab (BSL 1 AND 2 ONLY)	(Spec)	(Spec)	(Spec)	(Spec)	-		-	-	-	(Spec)	(Spec)		-
Manufacturing/Processing	(Spec)	-	(Spec)	-	(Spec)		-	-	-	(Spec)	(Spec)	-	-
Warehousing/Distribution	(Spec)	-	(Spec)	-	(Spec)		-	-	-	(Spec)	(Spec)	-	-
Marijuana Production	-	-	-	-	-		-	-	-	-	-	-	-

Table 4-\_. Table of Allowable Uses in Non-Residential Zones, Town of Mansfield

Use this table to determine permitted uses and the applicable review procedure. For additional regulations for specific uses, see Section \_\_-\_\_.

- Blank: Prohibited
- P: Permitted by-right; no permit authorizations needed
- ZP: Zoning Permit
- SP: Site Plan
- Spec: Special Permit

Use	Non-Residential Zones											
	PB 1	PB 2	PB 3	PB 4	PB 5	NB1	NB 2	PO	PVCA	RD/LI	I	FH
<b>Agricultural Uses*</b>												
Agriculture									P	ZP		Spec
Sand and Gravel Removal												Spec
Agriculture/Horticulture Retail									P	ZP		
Agriculture/Horticulture Commercial					SP				SP			
Farm Worker Housing												
Meat and Food Processing <sup>1</sup>									Spec			
Mobile Processing Unit									P			

<sup>1</sup> Must be connected to public water and sewer service

Update Agriculture based on best practice research from other communities.

**Office and Personal Services**

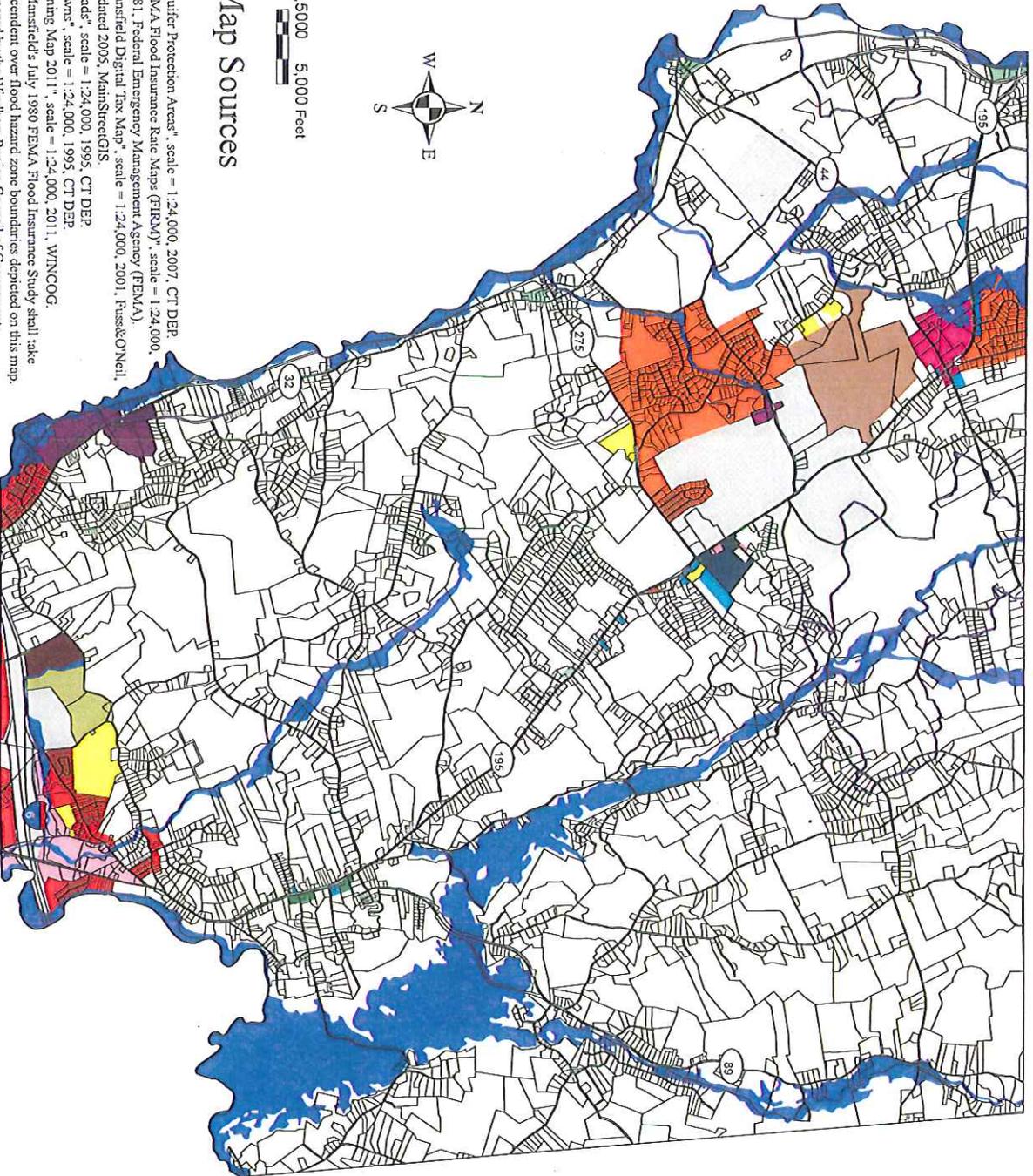
Personal Services	SP											
Dry Cleaning/Laundry On-Site <sup>1</sup>	Spec	Spec	Spec	Spec								
Commercial Printing	SP	Spec	Spec	Spec	Spec				Spec	SP		
Day Care Center	SP	SP	SP	SP	SP	Spec	Spec	Spec	SP	SP	SP	
Group Day Care Home	SP	SP	SP	SP	SP	Spec	Spec	Spec	SP		SP	
Marijuana Dispensary	SP	SP	SP	SP	SP	Spec	Spec	Spec	SP			
Professional Offices	SP	SP	SP									

**Commercial Uses**

Auto Sales / Service	Spec		Spec		Spec							
Banks	SP	SP	SP	SP	SP	SP	SP					
Retail/Shopping Center (10,000 square feet or less)	SP	SP	SP	SP	SP	SP <sup>2</sup>	SP <sup>2</sup>					
Retail/Shopping Center (greater than 10,000 square feet)	Spec	Spec	Spec	Spec	Spec							
Changes to Shopping Center	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	ZP/ Spec (SP)	-	-	-	-	-	-	-
Restaurants	SP <sup>3</sup>	SP <sup>3</sup>	SP <sup>3</sup>	SP <sup>3</sup>	Spec	Spec	Spec					
Drive-Throughs (Banks and Pharmacies only)	Spec		Spec		Spec							
Drive-Throughs (Restaurants and Convenience Stores)												

<sup>2</sup> Additional restrictions on maximum building size and footprint apply in these zones. See Section \_\_-\_\_.

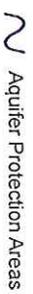
<sup>3</sup> Special Permit required if not served by public water and sewer.



## Map Sources

- \*Aquifer Protection Areas", scale = 1:24,000, 2007, CT DEP.
- \*FEMA Flood Insurance Rate Maps (FIRM)", scale = 1:24,000, 1981, Federal Emergency Management Agency (FEMA).
- "Mansfield Digital Tax Map", scale = 1:24,000, 2001, Fusk&O'Neil, updated 2005, MainStreetGIS.
- "Roads", scale = 1:24,000, 1995, CT DEP.
- "Towns", scale = 1:24,000, 1995, CT DEP.
- "Zoning Map 2011", scale = 1:24,000, 2011, WINCOG.
- \* Mansfield's July 1980 FEMA Flood Insurance Study shall take precedent over Flood hazard zone boundaries depicted on this map.
- Prepared by the Windham Region Council of Governments.

- Residence 20 Zone (R-20)
- Residence 90 Zone (R-90)
- Rural Agricultural Residence 90 Zone (RAR-90)
- Design Multiple Residence Zone (DMR)
- Pleasant Valley Residence/Agriculture Zone (PVR/A)
- Pleasant Valley Commercial/Agriculture Zone (PVCA)
- Planned Business 1 Zone (PB-1)
- Planned Business 2 Zone (PB-2)
- Planned Business 3 Zone (PB-3)
- Planned Business 4 Zone (PB-4)
- Planned Business 5 Zone (PB-5)
- Neighborhood Business 1 Zone (NB-1)
- Neighborhood Business 2 Zone (NB-2)
- Business Zone (B)
- Professional Office 1 Zone (PO-1)
- Storrs Center Special Design District (SC-DD)
- Research and Development Limited Industrial Zone (RD/LI)
- Flood Hazard Zone (FH) \*
- Institutional Zone (I)



**Aquifer Protection Areas**  
 The boundaries of the aquifer protection areas are identical to the CT DEP approved aquifer protection areas for the University of Connecticut's Fenton River and Williamantic River wetlands.

# Zoning Map

of the  
**Town of Mansfield,**  
 Connecticut  
*(Effective June 7, 2011)*