

# MEETING NOTICE AND AGENDA

## MANSFIELD PLANNING AND ZONING COMMISSION

Monday, June 15, 2015 ▪ 7:00 PM

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

**1. Call to Order**

**2. Roll Call**

**3. Approval of Minutes**

- a. June 1, 2015 Regular Meeting
- b. June 10, 2015 Field Trip

**4. Zoning Agent's Report**

**5. Public Hearings**

**7:00 p.m.**

**Special Permit Application, Efficiency Unit, 17 Olsen Drive; Adam Lambert, PZC File#1333**

Memo from Zoning Agent

**7:05 p.m.**

**Gravel Permit Renewals**

Memo from Zoning Agent

**7:10 p.m.**

**Special Permit Application, Efficiency Unit, 5 Hillside Circle; Steven Sorrels, PZC File#1332**

Memo from Zoning Agent

**6. Old Business**

- a. **Special Permit Application, Efficiency Unit, 5 Hillside Circle; Steven Sorrels, PZC File#1332**
- b. **Special Permit Application, Efficiency Unit, 17 Olsen Drive; Adam Lambert, PZC File#1333**
- c. **Gravel Permit Renewals**
- d. **Special Permit Application, Efficiency Unit, 10 Meadowood Road; Germaine Mama, PZC File#1334**  
Tabled pending 7/6/15 Public Hearing
- e. **Mansfield Tomorrow: Plan of Conservation and Development (Dec 2014 Public Hearing Draft)**
- f. **Appointment of a PZC Member to the Sustainability Committee**
- g. **Other**

**7. New Business**

- a. **Subdivision Referral, Browns Road and Coventry Road, Willard J. Stearns & Sons, Inc., PZC File#1335**  
Memo from Director of Planning and Development
- b. **Other**

**8. Mansfield Tomorrow | Our Plan ▶ Our Future**

- a. Zoning Focus Group Update

**9. 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

**10. Communications and Bills**

- a. 6/10/15 ZBA Notice of Action
- b. 6/2/15 Letter from CT DOT Re: UConn Sewer Line Replacement
- c. 6/2/15 Permit from DEEP Re: CT Water Company Public Water System to UConn and Mansfield
- d. Other

**11. Adjournment**

**DRAFT MINUTES**  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday June 1, 2015  
Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Goodwin called the meeting to order at 7:17 p.m. and appointed alternate Aho to act.

**Approval of Minutes:**

May 18, 2015 Regular Meeting: Chandy MOVED, Rawn seconded, to approve the 5-18-15 meeting minutes as presented. MOTION PASSED. Chandy noted for the record that she listened to the recording. Plante and Pociask were disqualified.

**Zoning Agents Report:**

None

**Old Business:**

**a. 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**

Goodwin disqualified herself and appointed Westa to act in her place.

Rawn MOVED, Chandy seconded, to approve with conditions the special permit application (File #432-6) of East Brook F LLC, East Brook T LLC and East Brook W LLC to allow conversion of retail space into a commercial recreation use and restaurant along with associated changes to building elevations and the adjacent parking/loading area on property owned by the applicants and located at 95 Storrs Road. This approval is based on the project as described in the application dated February 19, 2015, and as shown on an existing condition survey dated October 18, 2013 revised through May 2, 2015, plans dated February 16, 2015 revised through April 30, 2015 and as presented at a Public Hearing on May 4, 2015.

Through this approval, the Commission accepts the submission of the supplemental information provided through revised maps as noted above and a letter from John Everett, Project Architect dated April 30, 2015 and determines that no new hearing was warranted as the changes and corrections to the map were minor in nature and did not impact the overall site layout. Furthermore, the Commission determines that due to the limited area of work associated with the proposed change in use, the site plan information identified in the letter dated April 30, 2015 from John Everett, Project Architect, is not needed to determine consistency with the Zoning Regulations and the submission of that information is therefore waived in accordance with Article Five, Section B.4. The submission of a formal Erosion and Sedimentation Control Plan is also not required as the area of disturbance is less than the 1/2 acre threshold identified in Article VI, Section B.4.s.

This approval is granted because the application is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations, and is granted with the following conditions:

1. **Extent of Approval.** This approval is specifically limited to the above application and the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed uses and site improvements shall be limited to those authorized by this approval. Furthermore, the approval of this special permit is not and shall not be construed to include approval, re-approval or acceptance of any site and building improvements shown on the existing conditions survey that were approved as part of the Michael's addition (PZC File #1307), which approval is currently on appeal. Any questions regarding authorized uses, required site improvements and conditions cited in this approval shall be reviewed with the Zoning Agent and Director of Planning and Development, and, as deemed necessary, the PZC.
2. **Permits.** No Zoning Permits shall be issued and no construction shall commence until the following conditions are met:
  - All applicable state and federal permits have been obtained;
  - Estimated wastewater calculations have been submitted to the Assistant Town Engineer; and
  - A landscape plan for the Zen Garden has been approved by the Director of Planning and Development.
3. **Signs.** While depicted on the elevations, signs have not been approved as part of this Special Permit. Sign permits must be obtained; review for compliance with regulations will be completed at that time.
4. **Parking Study.** After the business has been operating for one year, the applicant shall complete a parking study to determine whether additional parking to support the use is required. If the Commission determines that additional parking is needed after review of the study, the applicant shall submit a plan for the construction of additional parking for approval by the Commission.
5. **Validity.** This permit shall not become valid until the applicant obtains the special permit form from the Planning Office and files it on the Land Records.

MOTION PASSED with all in favor except Goodwin who was disqualified.

Ward MOVED, Chandy seconded to add to the agenda under New Business, the appointment of a PZC member to the Sustainability Committee. MOTION to add to the agenda PASSED UNANIMOUSLY.

#### Public Hearings:

##### **Special Permit Application, Efficiency Unit, 5 Hillside Circle; Steven Sorrels, PZC File#1332**

Chairman Goodwin opened the Public Hearing at 7:25 p.m. Members present were Goodwin, Chandy, Lewis, Plante, Pociask, Rawn, Ryan, Ward and Alternates Aho and Westa. Aho was appointed to act. Painter read the legal notice as it appeared in The Chronicle on 5-19-15 and 5-27-15 and noted a 5/26/15 memo from Curt Hirsch, Zoning Agent; and a letter handed out this evening from John Manning of 7 Hillside Circle.

Applicant Steven Sorrels, 5 Hillside Circle, presented his application. He submitted the receipts of the neighborhood notification, but did not present a copy of his mailing.

John Manning, 7 Hillside Circle, read into the record his previously submitted letter, which was copied for members. He expressed concern about an efficiency unit for income purposes in a residential neighborhood.

Curt Hirsch, Zoning Agent, noted that income potential is listed in our regulations as an acceptable reason for creating an efficiency unit.

Chairman Goodwin noted no further comments or questions from the Commission or the Public. At 7:45 p.m. Plante MOVED, Pociask seconded, to continue the Public Hearing in order to receive a copy of the certified mailing sent to neighbors. MOTION PASSED UNANIMOUSLY.

**Continued Public Hearing:**

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

Chairman Goodwin opened the Continued Public Hearing at 7:46 p.m. Members present were Goodwin, Chandy, Lewis, Plante, Pociask, Rawn, Ryan, Ward and Alternates Aho and Westa. Aho was appointed to act.

Painter noted that since the public hearing was opened on May 18, 2015, the Commission has received the following correspondence regarding the draft Plan of Conservation and Development (POCD). Copies of certain documents received at the last meeting (identified with an asterisk\*) were distributed to the Commission electronically on May 27, 2015. Copies of the other correspondence received are attached to this memo.

- May 18, 2015 – Beverly Sims submitted a copy of the Environmental Review Team report for the Ponde place project and a one page summary with excerpts from that report\*
- May 18, 2015 – Package of documents from Alison Hilding\*, 17 Southwood Road, including:
  - March 16, 2011 letter from Alison Hilding to the PZC
  - March 30, 2011 letter from Alison Hilding to the PZC with attached petition
  - 1918 Public Acts, Chapter 281
  - 1919 Interlocutory Judgement
  - EPA website information on Green Power Equivalency Calculator Methodologies
  - CEQ website information on Preserved Land
  - EPA website information on Environmental Footprint Analysis
  - CEQ website information on Rivers, Streams and Floods
  - CEQ report on State Oversight of Alternative Sewage Treatment Systems
  - April 6, 2015 letter from Alison Hilding and Richard Sherman to Carlos Esguerra at CT DEEP
- May 18, 2015 – Letter from Richard Cowles, 50 Meadowood Road, submitted at hearing
- May 18, 2015 – Letter from Jake Friedman, 65 Northwood Road, submitted at hearing
- May 18, 2015 – Email from David Patenaude, 54 Ellington Road, Tolland (entered into hearing record)
- May 19, 2015 – Letter from Michael Kirk, Deputy Chief of Staff to the President, University of Connecticut (this is a signed copy of the letter; an unsigned copy was received via email on May 18th and entered into the record of the hearing)
- May 19, 2015 – Memo from Open Space Preservation Committee
- May 23, 2015 – Letter from Beverly Sims, 61 Northwood Road
- May 23, 2015 – Email from Roberta Coughlin
- May 26, 2015 – Letter from Honour Mary D’Amato, 55 Northwood Road
- May 26, 2015 – Memo from Vicky Wetherell
- May 27, 2015 – Letter from David and Carol Prewitt, 425 Middle Turnpike
- May 28, 2015- Memo from Linda Painter, Director of Planning and Development
- May 28, 2015 – Letter from Virginia N. Gorin, 222 Separatist Road
- Undated letter from William Okeson, 61 Northwood Road
- May 28, 2015 – Letter from Lisa Young, 41 Meadowood Road

- May 28, 2015 – Letter from Roseann Kellner Gottier, Conserving Tolland
- May 29, 2015 – June 1, 2015- Email chain between Patricia Suprenant and Linda Painter
- May 30, 2015 – Barbara Hurd, 329 North Eagleville Road
- May 31, 2015 – Email from Laurie Symonds, 22 Ellington Road, Tolland
- May 31, 2015 – Letter from Gregory F. Cichowski, 53 Old Turnpike Road
- June 1, 2015 – Email from Vicky Wetherell
- \*\*May 30, 2015 – Letter from Merrill Cook, 219 Separatist Road (received in the Clerk's Office on Monday, June 1, 2015 prior to the closing of the Public Hearing, and subsequently emailed to Commission members on June 2, 2015)
- \*\*May 27, 2015 – Letter from John Maloney, 5 Southwood Road (received in the Clerk's Office on Monday, June 1, 2015 prior to the closing of the Public Hearing, and subsequently emailed to Commission members on June 2, 2015)

Chairman Goodwin invited the public to speak.

Michael Soares, 99 Dog Lane, member of the Open Space Preservation Committee, Conservation Commission and the Water System Advisory Committee, speaking as a citizen, stated that he was appreciative of all the work that has been done on the plan and the inclusion of the public in the process. He stated that he would like to see the area of Mansfield Apartments (Storrs Road side of South Eagleville Road remain designated as Compact Residential or, if changed to Mixed Use Center, that the recommendations of the Open Space Preservation Committee with regard to design and compatibility with Moss Sanctuary be addressed; he requested that Goal 4.2, Strategy E, regarding potential future expansion of the Storrs Center Special Design District be clarified to specify the inholdings and expressed concern if the district were to be expanded outward; he expressed reservations with the way in which the scenic road ordinance is addressed in several sections of the plan and suggested adding language to integrate scenic roads, bike and pedestrian walkways and to eliminate references to delaying future scenic road designations.

Alison Hilding, 17 Southwood Road, discussed the cost of having students living in residential areas of Town, the high cost of having rentals, the loss of quality of life of the citizens living in the residential neighborhoods, and the detrimental impacts to quality of life and natural resources of allowing high density zoning in the South Eagleville Road/Hunting Lodge Road area of Storrs. Ms. Hilding submitted several documents in support of the neighborhood's longstanding concern and struggle with these issues.

Anthony Giorgio, The Keystone Companies, LLC, who owns land on Hunting Lodge Road, expressed his support for recommendations in Chapters 7 and 8 of the plan and discussed the background of his previously withdrawn application to develop the land. He reiterated that even if the land use designation in the POCD remains compact residential, any future development will require additional review and approval from the Commission and Inland Wetlands Agency; these approvals will include public hearing processes.

Alison Hilding, 17 Southwood Road, stated that there were two communications she was certain were submitted to the Planning Office, but she did not hear them recited: namely, Merrill Cook, 219 Separatist Road and John Maloney, 5 Southwood Road.

At 8:24 The Commission agreed to temporarily hold the public hearing open while staff and Ms. Hilding attempted to locate those communications.

**Continued Old Business:**

- c. **Special Permit Application, Efficiency Unit, 5 Hillside Circle; Steven Sorrels, PZC File#1332**  
Tabled pending continued Public Hearing on 6/15/15.
- d. **Special Permit Application, Efficiency Unit, 17 Olsen Drive; Adam Lambert, PZC File#1333**  
Tabled pending 6/15/15 Public Hearing
- e. **Gravel Permit Renewals**  
Tabled pending 6/15/15 Public Hearing

**New Business:**

- a. **Special Permit Application, Efficiency Unit, 10 Meadowood Road; Germaine Mama, PZC File#1334**  
Chandy MOVED, Ryan seconded, to receive the Special Permit application submitted by Germaine Mama, for an efficiency unit, on property located at 10 Meadowood Road, owned by the applicant, as shown on plans dated 5/27/15 and as described in other application submissions and to refer said application to the Staff for review and comments, and to set a Public Hearing for July 6, 2015. MOTION PASSED UNANIMOUSLY.
- b. **Appointment of PZC Member to the Sustainability Committee**  
Chairman Goodwin noted that Ward intends to resign as the PZC Representative to the Sustainability Committee and a new volunteer is needed. Member agreed to think about this appointment and discuss at the next meeting.

**Mansfield Tomorrow:**

No update provided.

**Reports from Officers and Committees:**

Re: CROG; Westa reported that a presentation on transportation issues in the region was made at the recent meeting.

Plante questioned the status of the Legal Opinion he requested at the May 4<sup>th</sup> meeting of the legality of the bylaw provision regarding implied resignation if a member has three consecutive, unexcused absences. Painter reported that she received a verbal opinion from the Town Attorney concurring that there is no recall provision for elected officials and that a member cannot be removed for failure to attend meetings.

**Communications and Bills:**

Noted.

**Continued Public Hearing:**

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

At 8:31 p.m. the Public Hearing resumed. At the time the meeting resumed, the documents had not been found, but it was noted that they may be in the locked mail room in the Town Clerk's Office. As noted in the list of communication in these minutes, these letters were located in the Town Clerk's office and confirmation was made that they were received prior to the close of the Public Hearing. Accordingly, they are part of this record.

Plante MOVED, Rawn seconded, to close the Public Hearing at 8:32 p.m. MOTION PASSED UNANIMOUSLY.

**Continued Old Business:**

- b. **Mansfield Tomorrow: Plan of Conservation and Development (December 2014 Public Hearing Draft)**  
Discussion tabled until 6/15/15.

**Adjournment:**

The Chair set a field trip for 6/10/15 at 3pm and declared the meeting adjourned at 8:36 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

DRAFT MINUTES

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

Wednesday, June 10, 2015

Members present: J. Goodwin, V. Ward, P. Aho, B. Ryan (except item 2)  
Staff present: J. Kaufman, Inland Wetlands Agent, except item 1  
C. Hirsch, Zoning Agent, items 1 & 4

The field trip began at 3:00 p.m.

PZC File#1334-Special Permit, Efficiency Unit, 10 Meadowood Road; Germaine Mama

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

W1551 – M. McDonald, 93 Candide Lane-Above Ground Pool

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

W1550 – W. St. Martin, 601 Storrs Road-Pond Clean Out

Members were met on site by William St. Martin. Members observed current conditions, and site characteristics. No decisions were made.

PZC File#1333-Special Permit, Efficiency Unit, 17 Olsen Drive; Adam Lambert

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

W1552 – L. and L. Wasiele, 357 Gurleyville Road-Addition

Members were met on site by Larry and Laurie Wasiele. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 4:45 p.m.

Vera S. Ward, Secretary

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# Department of Planning and Development

Date: June 11, 2015  
To: Planning and Zoning Commission  
From: Curt Hirsch, Zoning Agent  
Subject: Special Permit Application  
Efficiency Unit – 17 Olsen Drive  
File #1333

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

## Project Description

The applicant is requesting special permit approval for an efficiency unit in association with an existing single-family home on property located at 17 Olsen Drive. The proposed efficiency unit will be incorporated into a basement area of an existing single-family residence.

## Compliance with Zoning Regulations

The following list summarizes the requirements that must be met before the Commission can approve a special permit pursuant to Article X, Section L.2.a. Compliance with these criteria is indicated by a  and a narrative description. If a requirement has not been met, it is preceded by a . A PZC field trip has been scheduled for 6/10/15.

- Unit Size.** *The unit must contain at least 400 square feet and cannot exceed 35% of the floor area of the single family home in which it is located.*  
The proposed efficiency unit is approximately 723 square feet in area, which equates to  $\pm 33.4\%$  of the floor area of the 2,162 square foot home (including the new efficiency unit).
- Facilities.** *The unit must include independent living quarters, a distinct kitchen area, and a bathroom with sanitary and bathing facilities.*  
The statement of use indicates that the proposed efficiency unit has a living area, two bedrooms, complete kitchen and a full bathroom. I cannot recall any previous applications for efficiency units that proposed two bedrooms. These rooms are indicated on the submitted floor plan.
- Occupancy.** *Either the single-family home or the efficiency unit must be owner-occupied. An affidavit certifying owner occupancy and a statement that the provisions of Article X, Section L have been met must be submitted as part of the application.*

The applicant indicated in the statement of use that he is the owner of 17 Olsen Drive, and he will be occupying the main portion of the house as his principal residence. The statement of use has been signed and notarized.

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

According to the statement of use, interior access to the efficiency unit is provided through an existing stairway between floors. There is also an exterior door from the efficiency unit onto an existing paved driveway.

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

The property currently is served by a driveway, built of a combination of asphalt and gravel. The constructed area has ample width for three vehicles to maneuver with unobstructed access. An existing one-car garage would be renovated and incorporated into the proposed efficiency.

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

Pursuant to the submitted statement of use, the efficiency apartment “will not be occupied by more than two persons”. As stated above, this proposal calls for a two-bedroom efficiency unit, which is not the usual floorplan we’re presented. The controlling requirement however is the two person limitation.

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

The lot on which the home is located is 40,800 sq. ft. in area according to the 1960 subdivision plans for ‘Mulberry Village’. The property was located in a RA-40 zone at that time and is currently zoned RAR-90. This is a legal “lot of record”.

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

The efficiency will be located completely within the existing house footprint. The single-family house will not appear any different than it does currently except for the removal of the garage door. It was observed on the 6/10 field trip that the lower floor is substantially below the surrounding grade. The submitted floor plan does not show any windows in the proposed efficiency unit. The Building Department will need to confirm that bedroom windows are/or will be of sufficient size to meet Code requirements. A ‘presumed’ exterior doorway from the living room is show on the initial 5/7/15 floor plan, but omitted from the 5/26/15 revised floor plan. Any approval of this application should require that a suitable walkway be constructed connecting this doorway to an existing walk or the driveway.

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

The property is served by private well and septic systems. According to the Assessor’s record, the

existing home has four bedrooms. The applicant submitted and has received approval of a B100a application from the Eastern Highlands Health District. That approval states that the existing system is sized for a 3-bedroom home but that a reserve septic area has been identified to support a 6-bedroom home, which will be required “*in the event a future repair is needed*”. No upgrade is required at this time. The EHHD approval letter is part of the PZC application submittal.

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

Based on available maps, there are no flood hazard areas within 500 feet of the subject property.

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

The subject lot has approximately 450 feet of frontage on Olsen Drive, a town road. The lot is considered to be a ‘corner lot’ under the zoning regulations although both frontages are on Olsen Drive (see location plan submitted as part of the application). The subject lot is not conforming to the current 200 foot requirement for each frontage in a RAR-90 zone, but does meet the frontage requirement for an efficiency unit.

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

No site improvements are proposed and the property is not within a regulated wetland area.

### Approval Considerations

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

- a. That all approval criteria in Article V, Section A.5 (Site Plan Approval Criteria) of these regulations have been met. The applicant has submitted 26 certified mailing receipts and a copy of the mailed documents to demonstrate compliance with the neighborhood notification requirement. The proposed use is compatible with the Town’s Plan of Conservation and Development and Article I of the Zoning Regulations (Intent and Purpose).
- b. That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the Town and compatible with other existing uses. I have been contacted by two neighbors who received the required ‘hearing notice’. They each expressed concerns over this proposal and I encouraged them to appear at the hearing or to submit written comments. According to my record, I received complaints about one year ago concerning late-night motorcycle use and a crowing rooster at this property. A field trip to the subject site was conducted on 6/10/15 and members present at the site may have additional comments.

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

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

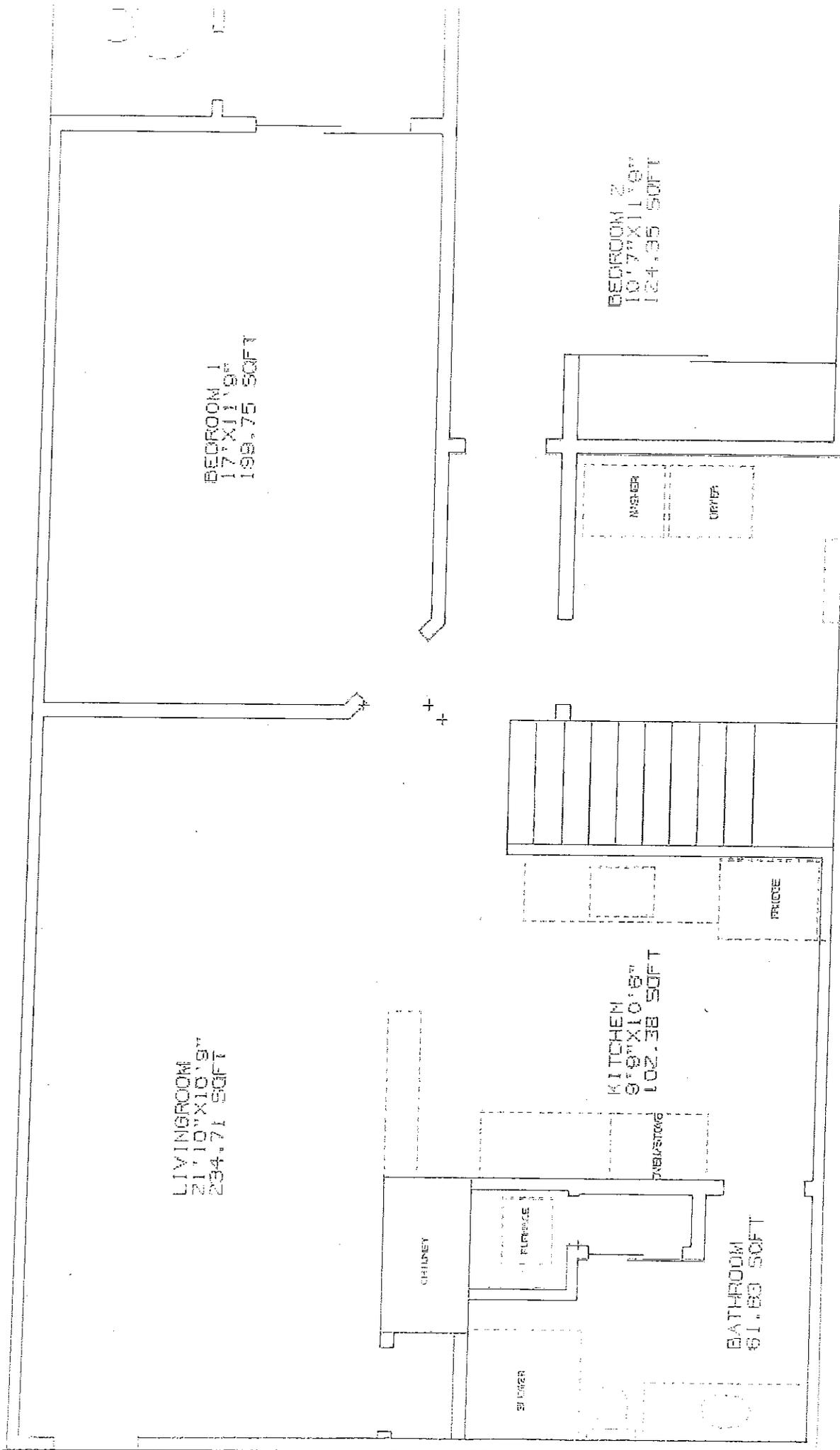
#### Summary/Recommendation

Subject to any testimony or receipt of written comments received during the public hearing, the proposal is considered to be in compliance with regulatory provisions and is not expected to cause any detrimental neighborhood impacts. The proposal to include two bedrooms within the efficiency is unique, but not specifically in conflict with the limitation of two-person occupancy

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#### NOTES

- o The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
  - Application submitted May 7, 2015 and received by the PZC on May 18, 2015 including:
    - Statement of Use/Consistency with Efficiency Unit Requirements
    - Floor plan of proposed efficiency unit, revised to 5/26/15
    - Site plan
    - Site Plan Checklist and associated waiver requests
- o The following correspondence regarding the proposed development has been received:
  - Email from Sherry McGann, Eastern Highlands Health District, dated May 8, 2015
- o Neighborhood Notification Forms are required to be sent to property owners within 500 feet of the subject property in accordance with Article V, Section B(3)(c) of the Mansfield Zoning Regulations.
- o The Public Hearing on this item will be opened on June 15, 2015 and must be closed by July 15, 2015 unless a written extension is granted by the applicants.
- o Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicants grant a written extension.



LIVINGROOM  
21'10" X 10'9"  
234.71 SQFT

BEDROOM 1  
17' X 11'9"  
199.75 SQFT

KITCHEN  
9'9" X 10'8"  
102.38 SQFT

BEDROOM 2  
10'7" X 11'9"  
124.95 SQFT

BATHROOM  
61.63 SQFT



447

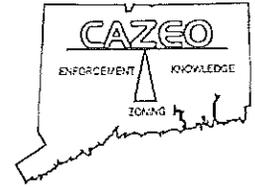
Proposed Efficiency Unit  
17 Olsen Drive  
Adams Lambert

Revised 5/26/15

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# Town of Mansfield



CURT B. HIRSCH  
ZONING AGENT  
HIRSCHCB@MANSFIELDCT.ORG

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

To: Planning & Zoning Commission  
From: Curt Hirsch, Zoning Agent  
Date: June 10, 2015

Re: Special Permit Renewal of Gravel Permits, 2011-2012 (Article X, Section H)  
1) Steven Banis, Pleasant Valley Rd., PZC #1164  
2) Karen Green, Stafford Rd., PZC #1258  
3) Edward Hall, Old Mansfield Hollow Rd., PZC #910-2

Special permits for 'gravel' removal and/or filling expire on July 1<sup>st</sup> of each year but may be renewed by the PZC for additional periods of up to one year each. There are three active special permits for the removal of material and each permittee has requested a renewal of the existing permit. The special permit for Mason Brook on Merrow Road will not be renewing as excavation is complete and site restoration is substantially complete. I will comment on each of the permits separately below. I have enclosed within your packets; the applicants special permit renewal requests (together with any supporting submission materials they may have submitted), and copies of the PZC, 2014 approval actions.

1) Banis, Pleasant Valley Road, PZC # 1164

Mr. Banis has submitted a letter dated 4/25/15 describing the status of his removal operation and a revised 4/27/15 site plan showing the current condition. His activity involves the blasting of rock ledge and the removal of the broken rock to an out-of-town location. A small amount is used on site for constructing road access. This is the 15th year of the project. His letter states that about 400 cubic yards of material was removed during the past permit period but the excavation has not expanded in area since last year's renewal and the letter states there will be no expansion this year. Approximately 6150 cubic yards remain to be removed and it is estimated that several additional permit renewals will be required to finish this project. Area #1, of the approved plan has been completed and is currently being used for hay production. An agricultural barn was also constructed within area #1. Mr. Banis then proceeded into the southern portion of area #3 and that now has a good vegetation cover. Area #2 was completed near the end of 2006 and also has a good vegetative cover. The current activity is in Area 3 and Mr. Banis is proceeding south to north within this phase. There was a single blasting event during the past year (on New Year's Eve) and Banis anticipates a blast in July and perhaps one more over the coming permit period. I have not received any feedback from the neighborhood over this operation in the past year. I conducted a site visit to the site on 6/2/15 for the preparation of this report.

In summary, this has been a well-managed operation with only a small area of activity open at any time. Completed areas of disturbance have been re-vegetated as the activity progresses. To date we have not received any information from the public in advance of the 6/15/15 public hearing. Bonding was not required for this operation. My review of the approval conditions shows that the applicant is in full compliance with the PZC approval. **I recommend approval of this renewal request with all existing conditions remaining in place.**

2) Green, Stafford Road, PZC # 1258

Philip DeSiaato has submitted a renewal application and fee on behalf of Karen Green, the property owner. I met with DeSiaato and Green on site on 6/9/15. A copy of the PZC-approved, 2014 site plan with 6/9/15 revisions is also included in your packet. The work is being performed by DeSiaato Sand & Gravel Corp. The renewal request states that about 4,600 cubic yards have been removed in the past year. The renewal application indicates that the volume of material remaining will depend on the quality of the material uncovered. Mr. DeSiaato estimates that another five years will be required to complete the removal. Activity on the site is done at a frequency when DeSiaato is not especially active on other jobs. The removal is confined to a protected area within the Green farm property and there are no erosion concerns because of this containment. The finished area of removal (south of the access road) is well vegetated. **I recommend that the existing special permit be renewed along with the existing approval conditions, with one modification.** With respect to Condition #3 of the 2013 approval, I recommend that the first sentence end after '*Assistant Town Engineer*' and that '*Inland Wetland Agent*' be deleted. This condition was based on a previous access route, which crossed a small brook. In 2012, the Commission approved a revised access road that has no wetland involvement.

3) Hall, Bassett's Bridge Road, PZC # 910-2

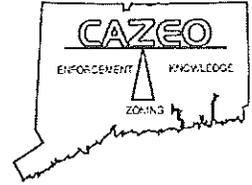
This gravel excavation/removal operation is entering its 23rd year of activity. The renewal request states that approximately 600 cubic yards of material were removed during the past year. Condition #6 of the special permit limits yearly excavation to 8,000 yards or the amount remaining in phase 1, whichever is less. Mr. Hall's request indicates that there are approximately 600 to 1,000 yards remaining within the Phase 1 area. In 2011, the PZC approved a revision to the phasing of excavation approved in 1992. The revised phasing is shown on the 5/13/13 map submitted with the application. I conducted a site inspection of the subject property on 6/9/15 for preparation of this report. The active work is confined to a relatively small area of the property and in my opinion has minimal impact on adjacent properties. There is no visual sign of erosion beyond the confines of the gravel pit and any soil movement that could occur, would move inward toward the excavation. The PZC retains an \$8,300 bond for site stabilization and restoration. This removal operation remains as a small scale activity. Although the permit allows the removal of up to 8,000 yards of material each year, the actual removal is far less. There is an undisturbed, treed area along the south side of the property that serves as a buffer for the residents in that area. This has remained

undisturbed. I have not had any inquiries concerning the operation of this excavation/removal operation during the past permit period.

In summary: The excavation and earth removal on the permit premises remains confined to a relatively small area of the site and does not present any off-site problems or erosion concerns. There have not been any issues with wind-blown dirt or other concerns that have been brought to my attention. **I recommend approval of this renewal request with all existing conditions remaining in place.**



# Town of Mansfield



CURT B. HIRSCH  
ZONING AGENT  
HIRSCHCB@MANSFIELDCT.ORG

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

To: Steve Banis PZC# 1164  
From: Curt Hirsch, Zoning Agent  
Date: April 8, 2015

Re: **Renewal of Special Permit for gravel removal/filling**

Your special permit approval for gravel removal and/or filling expires on July 1, 2015. All applications for renewal of gravel permits shall be submitted to the Planning and Zoning Commission no later than May 15, 2013. The submission of a renewal request shall give the Commission and its staff the right to enter upon the permit premises at reasonable times for the purpose of determining compliance with the approved permit and the zoning regulations. Denial of such permission shall be cause for revocation of the permit. You will be given written notice of any proposed site inspection.

Please indicate below whether you do or you do not wish to renew your special permit. You shall submit a written statement containing any information about your removal/fill activity which has changed since your permit was issued, or last renewed. The Commission will use your statement and information gathered from an inspection of your site to determine whether you are in compliance with the permit and therefor, if the permit should be renewed. Please provide the following minimum information for Commission review (your permit may include additional renewal conditions that should be addressed with any request for a renewal):

- What is the amount of material removed/filled in the last year?
- 
- What is the volume of material left to be removed or filled on the site?
- 
- How long will it take to complete the authorized work?
- 
- Are there any changes in the type or amount of equipment being used for this activity?

**CIRCLE ONE:**

I do / I do not wish to renew my special permit. Signature: Steve Banis

Please complete and return to the Zoning Agent no later than MAY 15, 2015 with a renewal fee of \$250.00.

CK #3628

Permit Renewal 2015

April 25, 2015

Steven D. Banis

29 Norwich Rd

Salem, Ct 06420

Town of Mansfield

Curt Hirsch-Zoning Agent

4 South Eagleville Rd

Storrs, Ct 06268

RE: Renewal of Special Permit for gravel removal/ filling

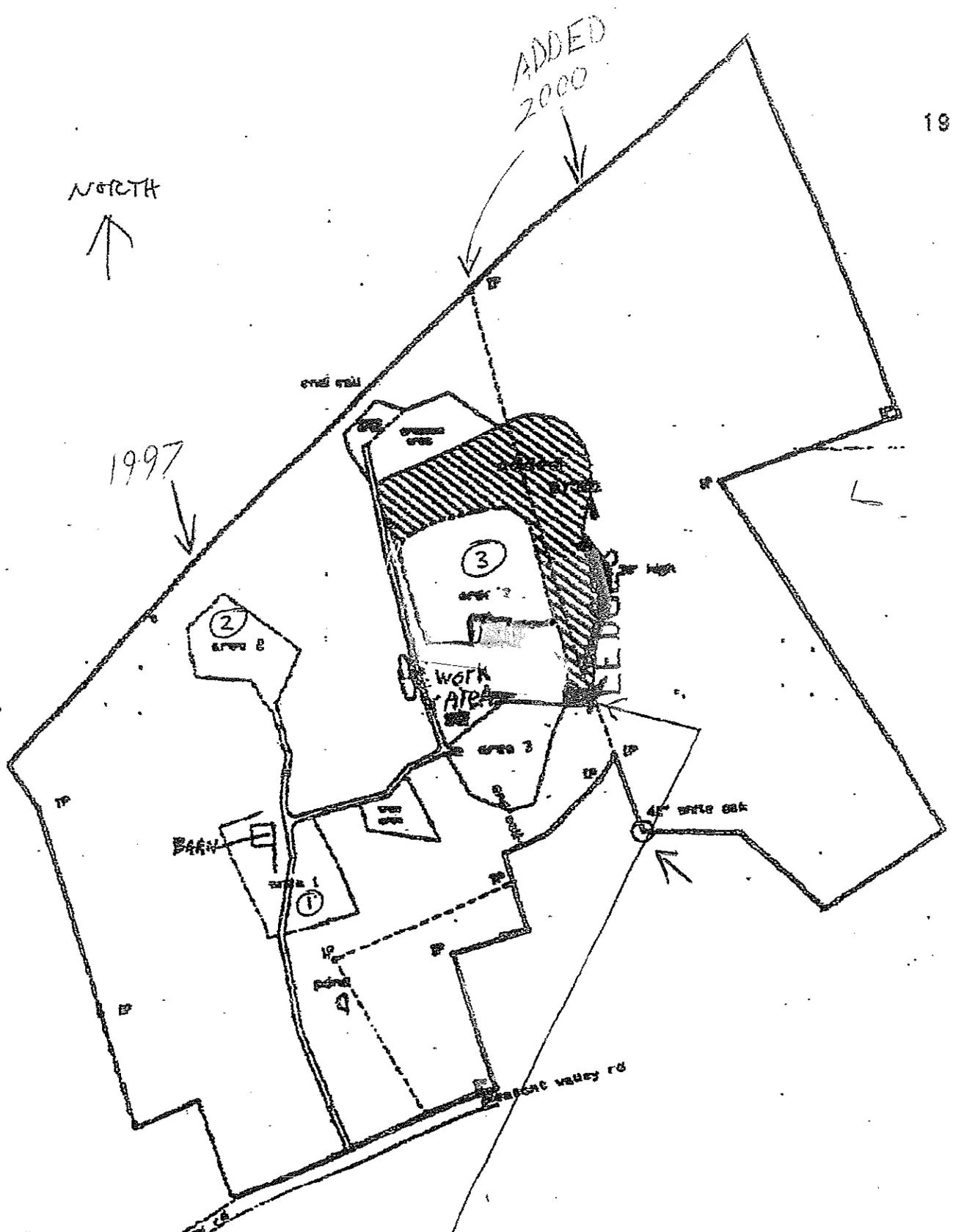
Yes, I do wish to renew my special permit. Enclosed is a check for \$250.00 for the renewal fee. I have removed 400+/- yards yet of material from the farm. Also some material has been used on site around the farm. I still have 6,150+/- yards yet to be removed. I estimate that I will need several more renewals.

The site will have no expansions this year on the area of removal. There has been no change in the type of equipment being used. I have attached a copy of the approval site plan, and it has been revised to show the existing condition of the removal activity.

If any questions please call me at (860)884-3728.

Sincerely yours,

*Steven D. Banis*



NORTH  
↑

ADDED  
2000

1997

new Removal

scale 1" = 300'

Steven D. Banis  
Pleasant Valley Rd  
April 27<sup>th</sup> 2015  
PZC #1164

To: Town Clerk  
From: Planning and Zoning Commission  
Subject: Public Act 75-317, RECORDATION OF SPECIAL PERMIT

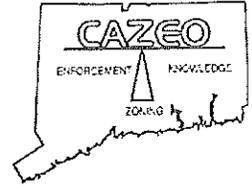
**COPY**  
BANIS

- I Notice is hereby given that the Mansfield Planning and Zoning Commission, at a meeting held on July 21, 2014, did grant to Steven D. Banis a special permit for removal of approximately 7,500 cubic yards of excess material from Area #3 to be used for agricultural purposes, pursuant to Article V, Sections A.5 and B, and Article X, Section H of the Mansfield Zoning Regulations.
- II Said approval was granted subject to the conditions given below. Failure to comply with these conditions may result in revocation of the special permit. To inquire about any modifications of these conditions of approval, consult the Planning Office.
1. The applicant shall implement the suggestions and recommendations for soil and erosion control contained in a 7/12/00 letter from David Askew, District Manager of the Tolland County Soil and Water Conservation District, Inc. This work includes the stabilization of areas adjacent to watercourses, the stabilization of the largest intermittent stream channel, the phasing of land-disturbing activity to minimize periods of soil exposure and the re-vegetation of disturbed areas.
  2. No blasting or excavation work shall take place within fifty feet of a property line.
  3. All work shall be conducted between 7 a.m. and 7 p.m. Monday through Friday and between 9 a.m. and 7 p.m. Saturday. There shall be no blasting, excavation, loading of trucks or other work related to the Special Permit on Sundays.
  4. All blasting work shall be subject to the permitting process administered by the office of the Fire Marshal. The applicant's blasting agent shall notify the Windham Airport prior to blasting activity pursuant to a schedule to be agreed upon by the blasting agent, Mansfield's Fire Marshal and the Windham Airport manager. In addition, the applicant shall place a temporary sign along Pleasant Valley Road at least twelve (12) hours prior to blasting activity. The sign shall note the anticipated period of blasting.
  5. Based on the applicant's submissions, all material removed from site is to be trucked out of Mansfield. All trucks hauling material offsite shall use Pleasant Valley Road to Route 32 to Route 6, and all loads shall be covered during transit.
  6. The site shall be maintained as follows:
    - A. There shall be no rock-processing equipment onsite;
    - B. There shall be no rock or stump burial onsite;
    - C. Onsite stockpiling shall be kept to a minimum to help prevent safety problems;
    - D. No topsoil shall be removed from the site.
    - E. The applicant shall submit bi-weekly erosion and sedimentation monitoring reports to the Zoning Agent until disturbed areas are re-vegetated;
  7. Subject to compliance with all conditions, this permit shall be in effect until July 1, 2015;

(see PZC file 1164)



# Town of Mansfield



CURT B. HIRSCH  
ZONING AGENT  
HIRSCHCB@MANSFIELDCT.ORG

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

To: Karen Green PZC # 1258  
From: Curt Hirsch, Zoning Agent  
Date: April 8, 2015

Re: **Renewal of Special Permit for gravel removal/filling**

Your special permit approval for gravel removal and/or filling expires on July 1, 2015. All applications for renewal of gravel permits shall be submitted to the Planning and Zoning Commission no later than May 15, 2015. The submission of a renewal request shall give the Commission and its staff the right to enter upon the permit premises at reasonable times for the purpose of determining compliance with the approved permit and the zoning regulations. Denial of such permission shall be cause for revocation of the permit. You will be given written notice of any proposed site inspection.

Please indicate below whether you do or you do not wish to renew your special permit. You shall submit a written statement containing any information about your removal/fill activity which has changed since your permit was issued, or last renewed. The Commission will use your statement and information gathered from an inspection of your site to determine whether you are in compliance with the permit and therefor, if the permit should be renewed. Please provide the following minimum information for Commission review (your permit may include additional renewal conditions that should be addressed with any request for a renewal):

- What is the amount of material removed/filled in the last year? *4,600 CUBIC YARDS.*
- 
- What is the volume of material left to be removed or filled on the site?
- *IT ALL DEPENDS ON QUALITY OF MATERIAL.*
- How long will it take to complete the authorized work?
- *5 PLUS YEARS.*
- Are there any changes in the type or amount of equipment being used for this activity? *NO*

**CIRCLE ONE:**

I do /  I do not wish to renew my special permit. Signature: *Pfeiffer DiStasio (owner)*  
*For Karen Green OWNER.*

Please complete and return to the Zoning Agent no later than MAY 15, 2015 with a renewal fee of \$250.00.

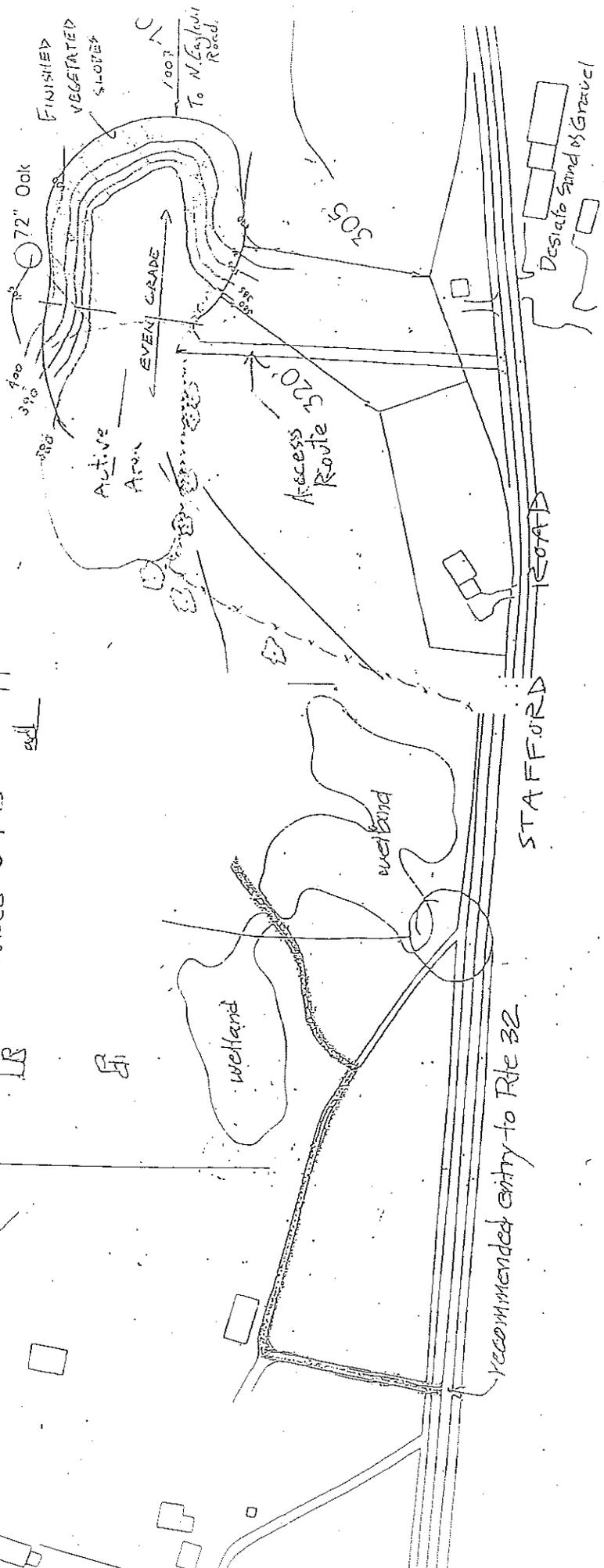
ck # 29058  
DiStasio  
5/6/15

Area = 2.6 acres  
Estimated volume:  
10,000 to 14,000 c.y.

Green  
gravel permit  
7-02-2009  
Revised 6-9-15

North

North



Final grading  
and seeded

To: Town Clerk  
From: Planning and Zoning Commission  
Subject: Public Act 75-317, RECORDATION OF SPECIAL PERMIT

GREEN

- I Notice is hereby given that the Mansfield Planning and Zoning Commission, at a meeting held on July 21, 2014, did grant to Karen Green a special permit renewal for gravel removal activity, pursuant to Article V, Sections A.5 and B, and Article X, Section H of the Mansfield Zoning Regulations.
- II Said approval was granted subject to the conditions given below. Failure to comply with these conditions may result in revocation of the special permit. To inquire about any modifications of these conditions of approval, consult the Planning Office.
1. All disturbed areas shall be covered with a minimum of 4 inches of topsoil and revegetated as per regulatory requirements and application submissions. No topsoil shall be removed from site without prior authorization.
  2. The haul route indicated on the 5/28/12 plan and approved by the Assistant Town Engineer shall be utilized. An anti-tracking pad shall be installed at the Route 32 intersection of the haul route.
  3. Erosion and sedimentation controls shall be installed where necessary as determined by the Assistant Town Engineer/Inland Wetland Agent.
  4. Due to the agricultural nature of the subject application, the distance of the site activity from wetland/watercourse areas and the adequacy of submitted plans, no site development bonding shall be required at this time. The PZC reserves the right to require bonding if site development problems arise.
  5. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records. If the subject excavation and site restoration work are not completed by 7/1/2015, renewal of this Special Permit shall be required.

(see PZC File #1258)

- III The premises subject to the special permit for gravel removal may be described as follows:  
1090 Stafford Road  
Map 14, Block 28, Lot 3
- IV The record owner of the above-described property is  
Karen W. Green  
1090 Stafford Road, Storrs, CT 06268
- V This permit is subject to annual renewal and approval conditions may be altered or the permit may be terminated. For latest approval conditions, consult Planning Office.

I certify that the above is a true and correct copy of the foregoing approval from the Planning & Zoning Commission records.

by   
JoAnn Goodwin, Chairman  
Mansfield Planning & Zoning Commission

date 8/7/14

Picked Up 8/28/14



To: Town Clerk  
From: Mansfield Planning and Zoning Commission  
Subject: Public Act 75-317, RECORDATION OF SPECIAL PERMIT

HALL

- I Notice is hereby given that the Mansfield Planning and Zoning Commission, at a regular meeting held on July 21, 2014, did grant to Edward C. Hall special permit renewal for excavating and grading, pursuant to Article V, Section B and Article X, Section H of the Mansfield Zoning Regulations.
- II Said approval was granted subject to the conditions given below, and must be strictly adhered to, due to potential adverse neighborhood impacts. Any violation shall be reason for revocation or non-renewal of this special permit.
1. This special permit renewal shall be effective until July 1, 2015, and shall apply only to the Phase 1 area of the site that is on the applicant's property.
  2. Excavation activity shall take place only in accordance with plans dated 5/22/92, as revised to 5/22/13;
  3. This permit renewal acknowledges that up to 500 cubic yards of clean topsoil may be brought onto the Phase 1 premises. Prior to depositing any topsoil/fill, the applicant shall contact the Assistant Town Engineer and identify the source of the topsoil material. The Assistant Town Engineer shall make a determination about the suitability of the material source and may require that it be tested for contamination. Only clean topsoil shall be brought in, and it shall be spread or stockpiled solely within the Phase 1 area.
  4. All work shall be performed by Edward C. Hall or his employees. No other subcontractors or excavators shall excavate in or haul from this site. All work shall be performed using the equipment stated on said plans and in the applicant's Statement of Use;
  5. No more than 8,000 cubic yards of sand and gravel or the amount of material remaining in Phase I, whichever is less, shall be removed per year;
  6. In association with any request for permit renewal, the following information shall be submitted to the Commission at least one month prior to the permit expiration date:
    - A status report statement that includes information regarding:
      - the amount of material removed in the current permit year and the estimated remaining material to be removed in the approved phase;
      - the planned timetable for future removal and restoration activity;
      - conformance or lack thereof with the specific approval conditions contained in this renewal motion.
  7. The wide buffer area located north of the cart path on the applicant's property shall be maintained in its existing wooded state with no disturbance of any kind. The buffer acts as a shield, providing an important separation between active excavation work and neighboring residential uses, and is deemed necessary to address neighborhood impact requirements.

15. Hauling operations and use of site excavation equipment shall be limited to the hours of 8:00 a.m. to 5:30 p.m. Mon.-Fri., and 8:00 a.m. to 1:00 p.m. on Saturday, with no hours of operation on Sunday;

(see PZC file #910-2)

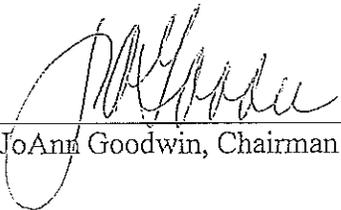
III The premises subject to the special permit for the material removal may be described as follows:  
Bassetts Bridge Road  
Assessor's Card: Map 29, Block 111, Lot 12

IV The record owner of the above-described property is:  
Edward Hall  
35 Old Mansfield Hollow Road, Mansfield

V This permit is subject to annual renewal and approval conditions may be altered or the permit may be terminated. For latest conditions of approval, consult Planning Office.

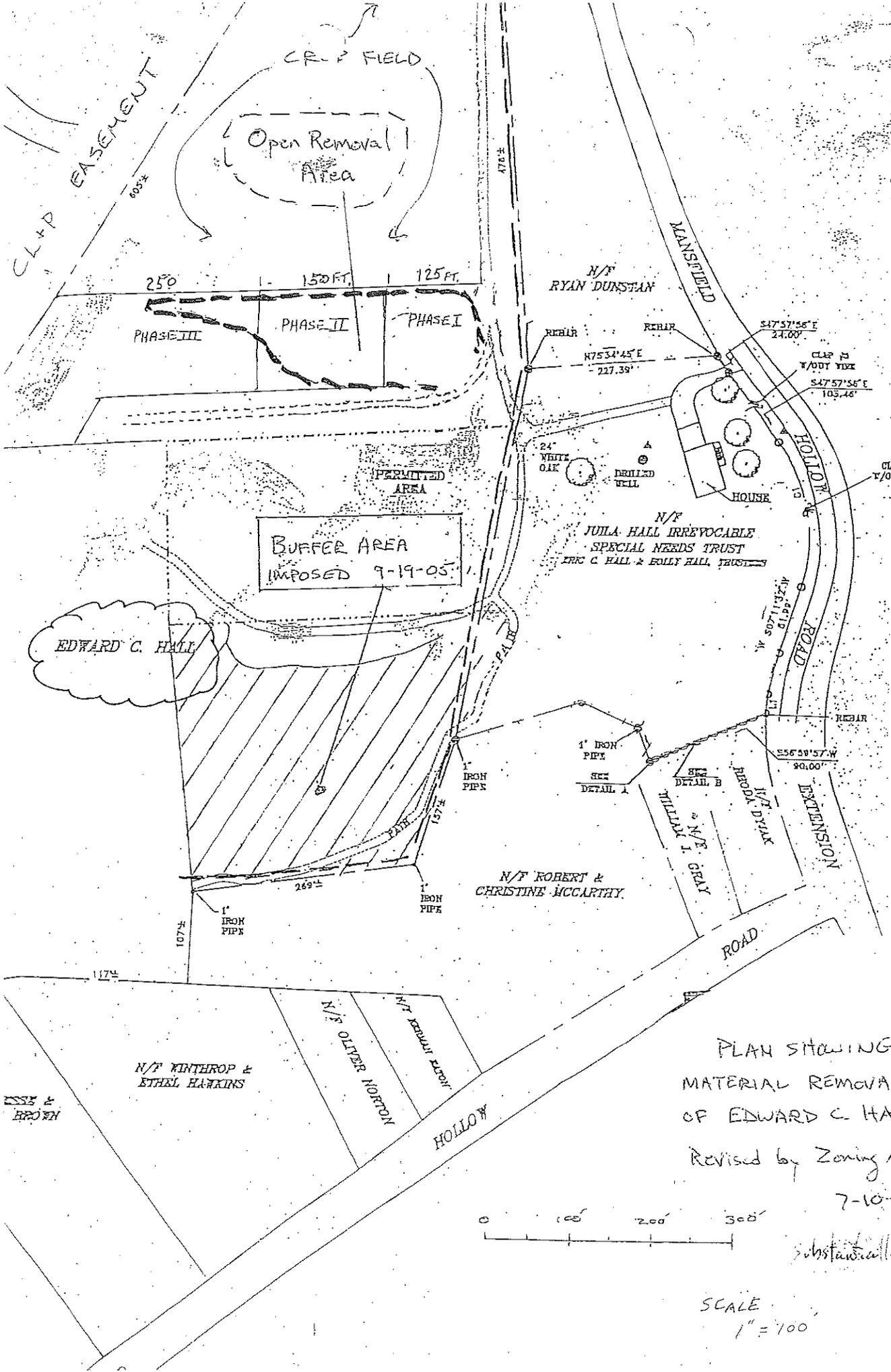
I certify that the above is a true and correct copy of the foregoing approval from the Planning and Zoning Commission records.

Planning and Zoning Commission of the Town of Mansfield, Connecticut

by   
JoAnn Goodwin, Chairman

date 8/7/14

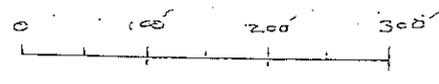
NORTH



PLAN SHOWING  
MATERIAL REMOVAL SITE  
OF EDWARD C. HALL

Revised by Zoning Agent  
7-10-14

substantially the same  
6/9/15



SCALE  
1" = 100'



# Department of Planning and Development

Date: June 8, 2015  
To: Planning and Zoning Commission  
From: Curt Hirsch, Zoning Agent  
Subject: Special Permit Application  
Efficiency Unit – 5 Hillside Circle  
File #1332

This memo updates my memo of 5/26/15. Since the public hearing on 6/1/15, the applicant has submitted a copy of the materials he enclosed in the required neighborhood notification mailing. The materials include the Neighborhood Notification Form, The applicants Statement of Use, an aerial-view site plan, elevations of the existing house & the proposed addition and a floor plan of the addition, which includes the proposed efficiency unit. At the 6/1/15 hearing, a neighbor presented testimony and submitted a letter dated 6/1/15 objecting to the application. That letter is attached to this memo. I did not find any information in my review of the cited letter to alter the comments contained in my 5/26/15 memo to the Commission.

## Summary/Recommendation

Subject to any testimony received during the continued public hearing on 6/15/15, the proposal is considered to be in compliance with regulatory provisions and is not expected to cause any detrimental neighborhood impacts. I recommend that the 4/23/15 special permit application for an efficiency unit at 5 Hillside Circle, submitted by Steven Sorrels, as described in a 4/27/15 statement of use and shown on a series of plans dated 4/23/15, and as presented at a public hearing on 6/1/15 and 6/15/15, be approved with the following conditions:

1. This approval has been granted for a one-bedroom efficiency unit in association with a single-family home having four additional bedrooms.
2. This approval is conditioned upon continued compliance with Mansfield's Zoning Regulations for efficiency units, which include owner-occupancy requirements, limitations on the number of residents in an efficiency unit and limitations on the number of unrelated individuals that may live in a dwelling unit pursuant to the definition of Family contained in the Zoning Regulations. These limitations apply regardless of the number of bedrooms present in the home. Pursuant to Article X, Section L.2, the applicant shall submit a notarized affidavit certifying owner occupancy and a written statement regarding compliance with efficiency unit regulations every two years, starting on January 1, 2016.
3. This approval waives the requirement for an A-2 survey plan as the information is not needed to determine compliance with the regulations.
4. This special permit shall not become valid until filed upon the Land Records by the applicant.

## Statement of John J Manning, 7 Hillside Circle, to the Mansfield P & Z Commission, 1 June 2015

I should like to register my objection to the construction project proposed for land use at 5 Hillside Circle in Storrs, which lot abuts my own at number 7, where I have lived for about 47 years. In my view this project does not conform to the meaning, spirit and intent expressed and implied in Mansfield's zoning regulations as the ordinary homeowner would understand such matters.

In a word, my neighbors do not propose, as they claim, "to establish an efficiency within [their] single-family residence" in a neighborhood intended for single-family use. They actually propose to undertake new construction to be used for commercial purposes. This new construction would house independent living facilities for a second family, or (as stated) for transient individuals, in rental space that has not yet been built.

It is easy to understand why my neighbors' choice of language seems misleading. The "efficiency unit" traditionally evokes a sense of rearranging one's living facilities in response to compassion or need within the nuclear or extended family. Parents age while continuing to merit privacy and dignity, so space of their own within the larger contours of their children's dwelling is often desirable.

To serve such needs our zoning rules expressly permit both internal remodeling and the modest expansion of a family home's residential footprint, while striving to preserve a community sense of "one residential building per lot". The regulations imply that efficiency units are primarily intended to provide for family arrangements; they also define family housekeeping units as not for profit.

One can sense in the regulatory language an ongoing struggle to cope with the incursion of undergraduates, particularly in groups, into single-family neighborhoods, and the language touching upon "efficiency units" shows signs of that struggle. It is difficult, for instance, for the ordinary homeowner to interpret the compassionate but sometimes imprecise language of Article X, L., where some apparent ambiguity was thought useful, presumably to be resolved case-by-case through the permitting process.

A permit requirement implies that some permits will not be granted. Article X, L, 1 invites confusion: unwittingly, one hopes, it suggests that efficiency units can be a financial boost for young people not yet able to purchase housing (and thus age-tested), or an assist for overburdened families (thus perhaps means-tested). Whether either such exigency applies here, I leave to you.

In brief, my neighbors seek to make some money by enlarging their house to introduce independent rent-producing living facilities suitable for a second family, in a neighborhood developed and sub-divided expressly for single-family occupancy. The regulations may contemplate this, but in my view do not require it.

My petitioning neighbors moved in a couple of years ago. Apart from the occasional nod in passing, I've never met them. I learned their name when I received the required notice about this hearing last month. Their style is not mine, I admit, but then they are not elderly pensioners. A few months ago several handsome, fully mature hardwood trees graced the south side of their property, over 75 feet tall. Now they are stumps.

As a final potentially relevant observation, I suspect that like other Hillside Circle properties, the premises at number 5 "are subject to all the covenants, conditions, restrictions and reservations set forth in the deed" granted over 75 years ago to the original private owners by the Trustees of the University, and referenced in successor deeds throughout the neighborhood. These may have a bearing upon questions such as those prompted by this application.

**TOWN OF MANSFIELD**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**

---

LINDA M. PAINTER, AICP, DIRECTOR

**Memo to:** Planning and Zoning Commission  
Conservation Commission  
Open Space Preservation Committee  
Agriculture Committee  
Francis Raiola, Fire Marshal  
Derek Dilaj, Assistant Town Engineer  
Geoffrey Havens, Eastern Highlands Health District

**From:** Linda M. Painter, AICP, Director of Planning and Development

**Date:** June 10, 2015

**Subject:** Willard J. Stearns & Sons Subdivision  
Subdivision Design Process Submission  
PZC File #1335

In March 2011, the PZC adopted a new design process that is mandatory for proposed subdivisions that include 4 or more lots or a street. In accordance with the requirements of Section 5.2 of the Subdivision Regulations, I have received a yield plan and conceptual layout plan for a proposed subdivision at the corner of Browns Road and Coventry Road from Gardner & Peterson Associates, LLC.

Pursuant to Section 5.2.a.2, these plans are to be reviewed by town staff and referred to the Conservation Commission and Open Space Preservation Committee for review and comment. Due to the location of the property, the proposed subdivision is also being referred to the Agriculture Committee. The PZC is required to be notified in writing and provided with an opportunity to review and comment.

To meet the 45-day deadline for providing comments to the applicant, the following schedule has been identified:

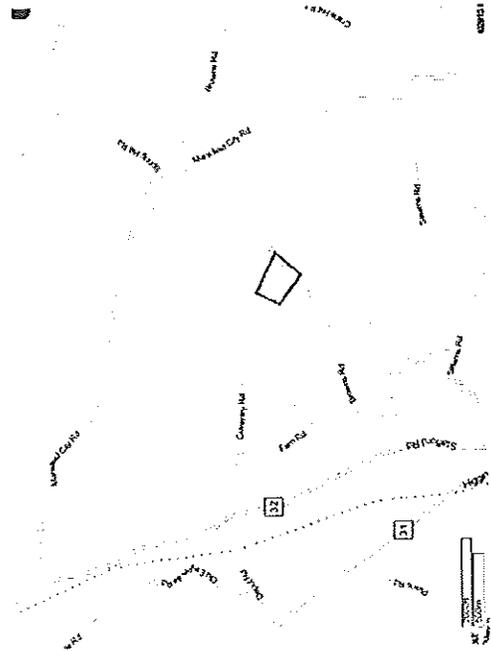
- PZC/IWA Field Trip: July 15, 2015
- PZC Discussion: July 20, 2015
- Comments issued to applicant: July 21, 2015

Please provide any comments on the proposed subdivision layout by July 15, 2015 so that I can include them in the packet for PZC review.

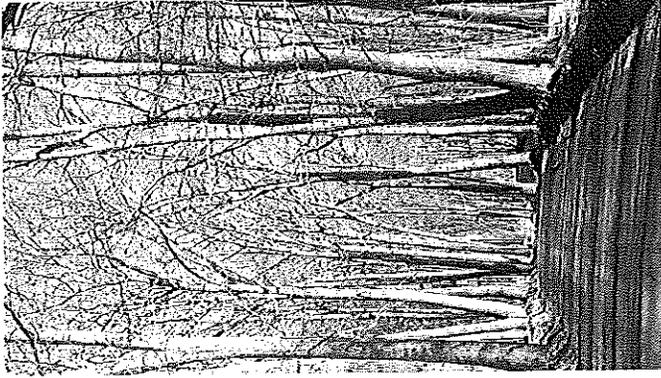
PAGE  
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PAGE  
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SITE LOCATION



# 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

QUEST and Neighborhood Influences Study  
Proposed Residential Subdivision  
John Alexopoulos, Landscape Architect, CT Lic. # 520

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 2015.

The property is located on Coventry Road and Brown Road. The 26.9 acre parcel falls within the R-1000 Rural Agricultural Use Zoning Ordinance. The surrounding properties are single family developments except for the agricultural lands across Brown Road which are currently in agricultural use. The property is bounded on the western boundary, along Brown Road, by Coventry Road. The eastern boundary is the western boundary of the Brown Road. The distance across to the intersection of Coventry and Brown Roads is part of the proposed development. The other two references are separated by a requirement of this property.

About half of the eastern portion of the property was mostly pasture and the rest was for the wetlands. The 1931 photograph shows the easternmost portion of the property is open pastureland. There is no evidence of old foundations or any other remains suggesting previous structures. The site is mostly open pasture with some scattered trees and shrubs. This field is about an acre in size. Looking west across Brown Road, the site is mostly open pasture. Along Brown Road, this is essentially the only open space on the property. Most of the remainder of the property, including the wetlands is wooded and contains a variety of trees and shrubs. There are several small ponds within the wetlands closest to Coventry Road.

Coventry Road is identified as a local street with Brown Road is identified as a collector street. Brown Road is proposed for the eastern portion of the property. Coventry Road crosses Brown Road at its eastern end. The intersection is located about 100 feet from the south at Route 22, some distance from where Coventry Road crosses Route 22. Mansfield Middle School is just about 1.0 mile away from this property via Mansfield City Road and Spring Hill Road and Vilnius School is about the same distance via Brown Road and Route 22.

Significant Assets

The site has several significant features:  
Wetland habitat that covers through the site from north to south.  
Outside of the wetland soils and a small area of open field, about 7% per acre of the property is open field.  
A small area containing the open field is located in the north east corner of the site.  
The site is mostly open pasture with some scattered trees and shrubs.  
Large trees along Coventry Road and on the western boundary.  
Some character of Coventry Road, a county road.  
The site is mostly open pasture with some scattered trees and shrubs.  
Some patches of open field - although not contiguous with the property and nearby on property boundaries.  
Open space and preserved farmland across Coventry Road and extending the length of the 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.  
Limited area of about 15 per cent or less - on the site close to Brown Road.  
Site has numerous trees, Coventry Road line is existing large trees that line to alignment along Brown Road.  
Small areas of rock outcroppings adjacent Brown Road.

Considerations

Limit the number of entrances and property from both Coventry Road or Brown Road.  
Potential driveway entrance have possible expanded sight lines on Coventry Road and Brown Road.  
Limit the number of entrances and property from both Coventry Road or Brown Road.  
Limit the number of entrances and property from both Coventry Road or Brown Road.  
Limit the number of entrances and property from both Coventry Road or Brown Road.

Off-site Considerations

The property is bounded by existing residential on three sides. Chatham Drive is to the north, Brown Road to the east, and Coventry Road to the south. The property is bounded by existing residential on three sides. Chatham Drive is to the north, Brown Road to the east, and Coventry Road to the south. The property is bounded by existing residential on three sides. Chatham Drive is to the north, Brown Road to the east, and Coventry Road to the south.

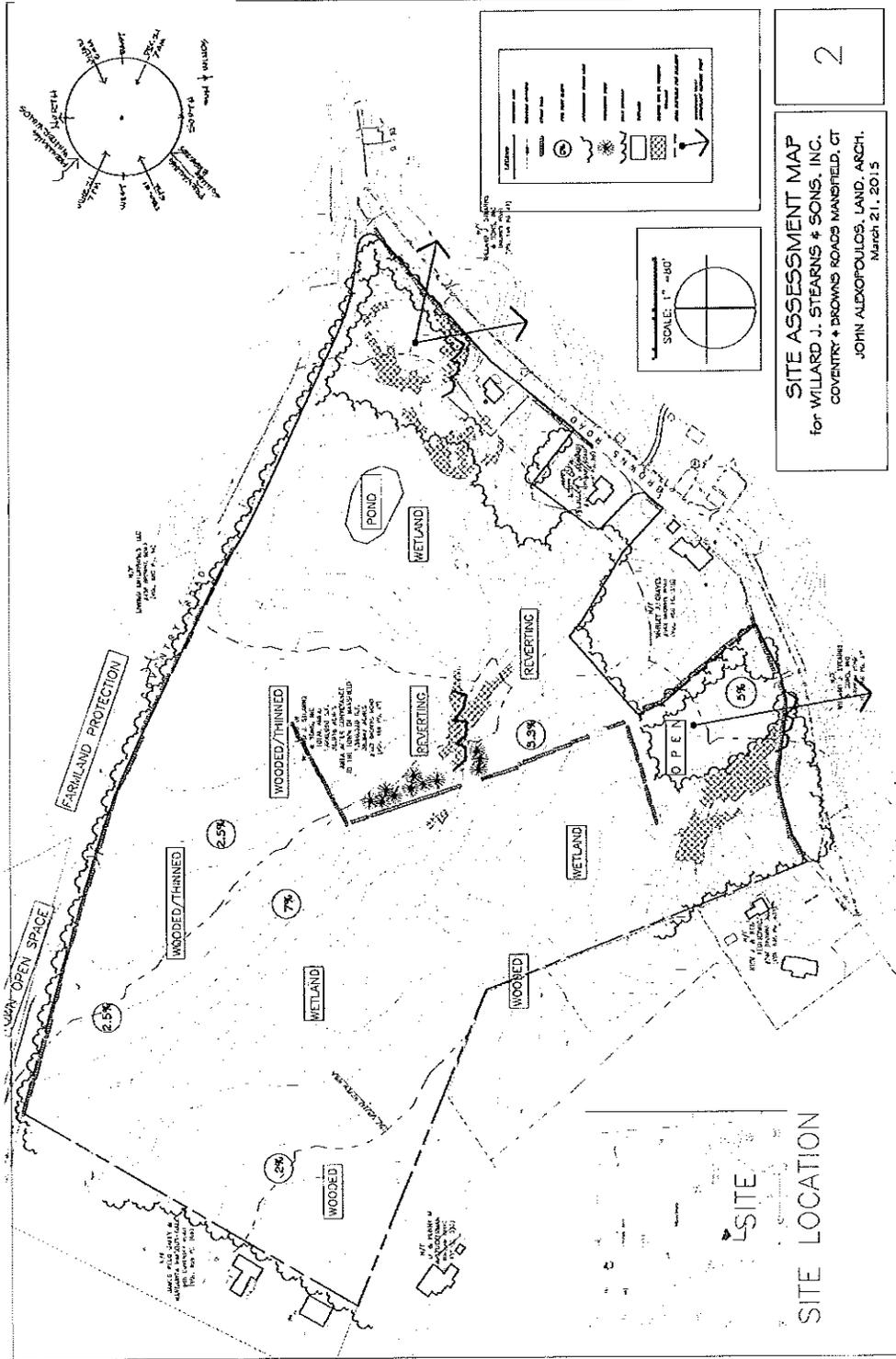
SITE LOCATION



OFF SITE LAND USES



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



**2**

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

# 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 pasture 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:**

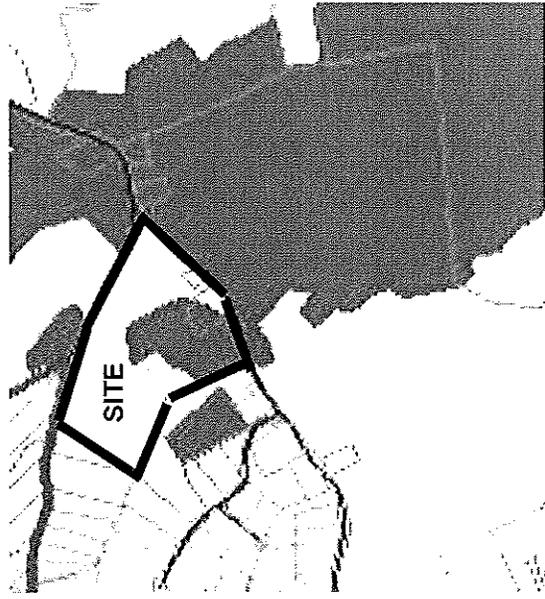
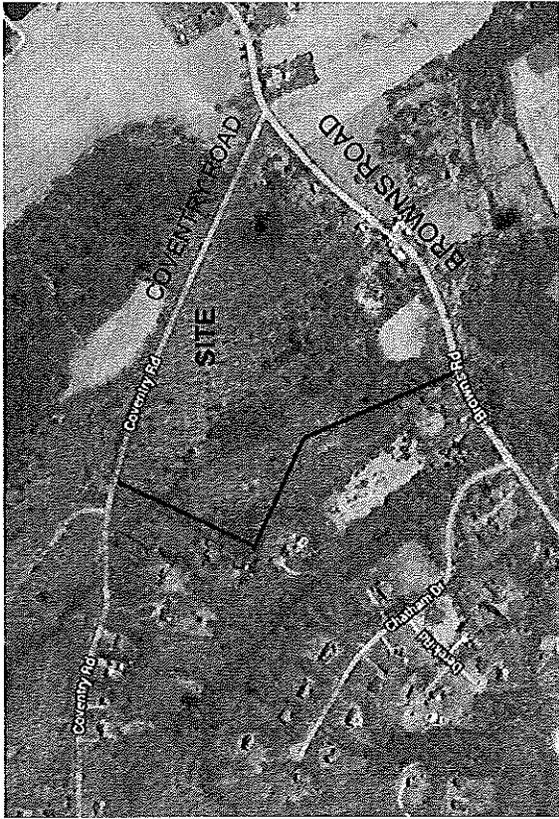
No species indicated within the property area or adjacent the property according to the State of Connecticut Natural History Database (DEEP Dec. 2014).

**Solar access:**

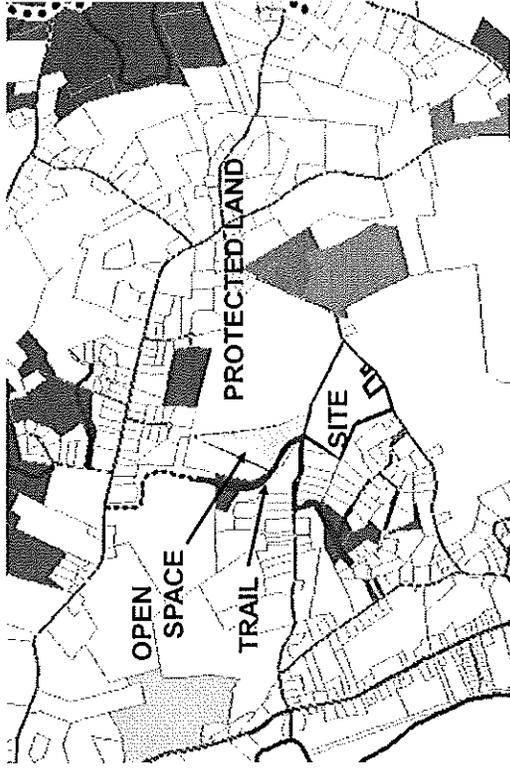
Residences can be oriented such that there is a maximum potential for solar gain and some attenuation of winter winds. There are no slopes on most of this property where orientation is dictated by slope aspect. It is possible that one or two house sites could be located adjacent Browns Road affording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

**Off-Site Considerations:**

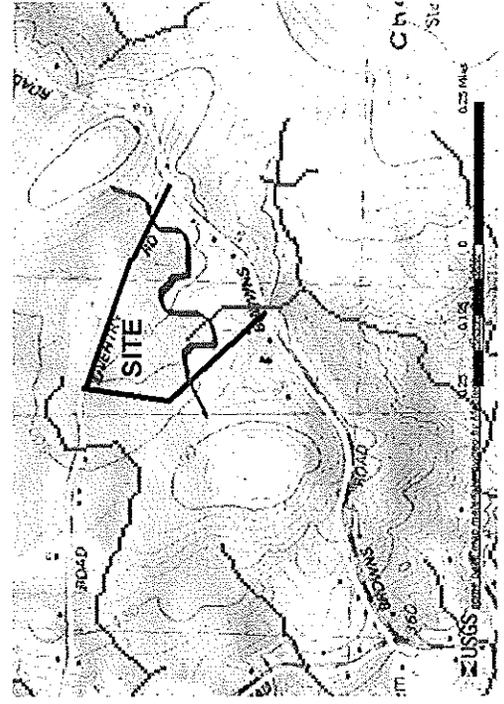
The property is bounded by existing residences on three sides. Chatham Drive residences have their rear properties on the southern boundary, a single home is immediately adjacent on the west boundary and along Browns Road are the three residences. This property connects to Browns Road in several locations 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 PASTUREWOODS EXTENT

SITE AREA: 36.647

10.9 ACRES

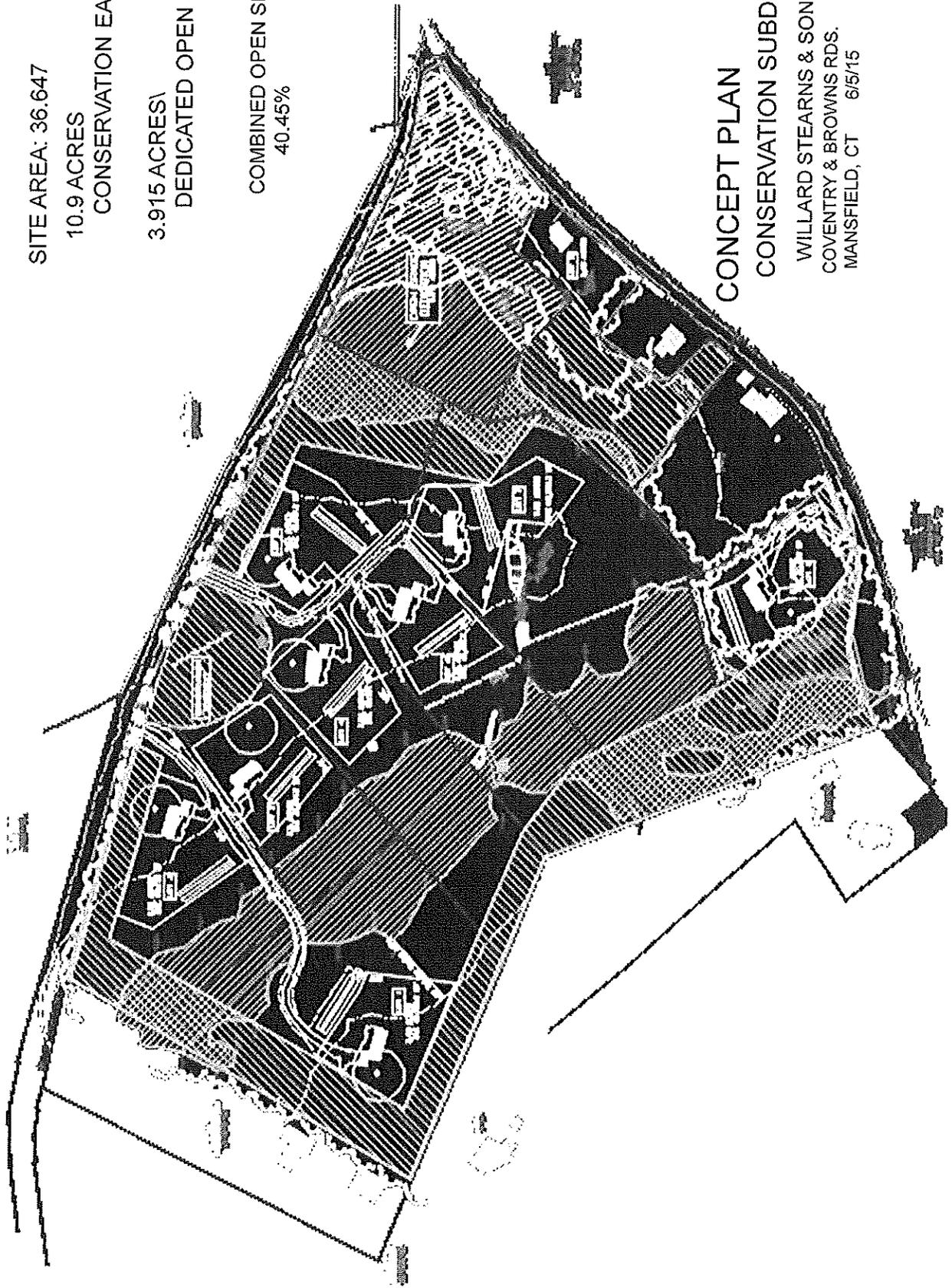
CONSERVATION EASEMENT

3.915 ACRES

DEDICATED OPEN SPACE

COMBINED OPEN SPACE

40.45%



CONCEPT PLAN

CONSERVATION SUBDIVISION

WILLARD STEARNS & SONS, INC.  
COVENTRY & BROWNS RDS.  
MANSFIELD, CT 6/5/15



TOWN OF MANSFIELD  
Certified Motion

I, Mary Stanton of the Town of Mansfield, a Connecticut municipality, do hereby certify that the following is a true and correct copy of a motion duly adopted at a meeting of the Town Council of the Town of Mansfield duly held and convened on April 27, 2015, at which meeting a duly constituted quorum of the Town Council was present and acting throughout and that such motion has not been modified, rescinded or revoked and is at present in full force and effect:

*Move, effective April 27, 2015, to endorse the December 2014 Public Hearing Draft of the Mansfield Tomorrow Plan of Conservation and Development, with the changes recommended at the April 9, 2015 Special Town Council meeting and reflected in the minutes of said meeting.*

  
\_\_\_\_\_  
Mary Stanton  
Town Clerk

Date June 10, 2015

SEAL

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On June 10, 2015 the Mansfield Zoning Board of Appeals took the following action:

Approved the application of Ricardo Trindade for a Variance of Art VIII, B.4 to construct a two-car garage set back 25' from the front property line, where 58' is required at 42 Monticello Ln, as shown on submitted plan.

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

Reasons for voting in favor of application:

- Topography
- Septic & leech fields
- Location of house

Application was approved.

Approved the application of William & Elizabeth Lawson for a Special Exception of Art IX, C.2.c to construct a porch onto an existing non-conforming house, which would increase the nonconformity by 7', at 3 Hillside Circle.

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

Reasons for voting in favor of application:

- Will improve appearance of house and be an asset to community
- No neighborhood objections
- Doesn't affect health, welfare or safety of town

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

Dated June 11, 2015

***Sarah Accorsi***  
***Chairman***

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STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION  
DISTRICT II  
171 Salem Turnpike  
Norwich, Connecticut 06360  
Phone: (860) 823-3114



June 2, 2015

Mr. Michael J. Joyce, P.E.  
Milone & MacBroom, Inc.  
99 Realty Drive  
Cheshire, CT 06410

Dear Mr. Joyce:

Subject: UCONN Sewer Line Replacement  
Storrs Road (Route 195)  
In the Town of Mansfield

This office has completed our review of the submitted plans entitled, "UCONN Sewer Line Replacement – Storrs Road – Mansfield, Connecticut" dated March 27, 2015, and last revised May 18, 2015. We find the proposal acceptable and have one further comment at this time.

1. Limits of milling will be to the center line or nearest lane line. This must be called out on the final plans.

Upon receiving Town Planning and Zoning approval, a final review will be performed by the Department of Transportation, at which time additional changes may be required. As regulated by Connecticut General Statute 13b-17, no work is to commence within the State right of way without first obtaining a DOT encroachment permit.

An encroachment permit may be obtained upon approval of the following:

- Two complete sets of the latest town-approved plans (40 scale or larger).
- A completed encroachment permit application (State Form PMT-1 Rev. 5/91).
- A Bond on State Form CLA-5 in the amount of \$50,000 in the owner or developer's name.
- Proof of minimum insurance requirements (General Liability of \$1,000,000 and Aggregate of \$2,000,000). Insurance may be carried by the contractor.
- A check or money order in the amount of \$100 payable to "Treasurer - State of Connecticut."

These forms, along with additional information, may be obtained at [www.ct.gov/dot](http://www.ct.gov/dot).

If you have any questions in regard to this matter, please contact Mr. Carlos Wimberly of this office at (860) 823-3114.

Sincerely,

Andrew S. Morrill  
Special Services Section Manager  
Bureau of Highway Operations

cc: Mansfield Planning and Zoning

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The Connecticut Water Company  
93 West Main Street, Clinton, CT 06413-0562  
Attn: David Radka [DRadka@ctwater.com](mailto:DRadka@ctwater.com)

The University of Connecticut  
31 LeDoyt Road, Unit 3055, Storrs, CT 06269-3055  
Attn: Jason Coite [Jason.Coite@uconn.edu](mailto:Jason.Coite@uconn.edu)

Application No.: DIV-201404187  
Towns: Ellington, Vernon, Tolland, Coventry, Mansfield  
Waters: Shenipsit Lake, Hockanum River, Willimantic River  
Permit type: Water Diversion  
Project: Interconnection and diversion of water from the Connecticut Water Company public water system in Tolland to the University of Connecticut and the Town of Mansfield

Dear Messrs. Radka and Coite:

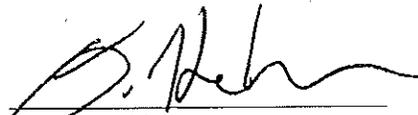
The Commissioner of Energy and Environmental Protection has approved your application to conduct certain regulated activities. Your attention is directed to the conditions of the enclosed permit. You should read your permit carefully. Construction and other work must conform to that which is authorized.

If you have not already done so, you should contact your local Planning and Zoning Office and the U. S. Army Corps of Engineers to determine local and federal permit requirements on your project, if any. Write the Corps' New England District, Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751; <http://www.nae.usace.army.mil/> or call 1-800-343-4789.

Section 22a-379 of the General Statutes requires the holder of a water diversion permit authorizing a consumptive use of waters of the state to pay an annual fee to the Commissioner of Energy and Environmental Protection. Each year, the department mails an invoice for payment to each permit holder. Payment of the invoice is due by July 1<sup>st</sup>.

If you have any questions concerning your permit, please contact the Inland Water Resources Division at (860) 424-3019.

6/2/15  
DATE

  
Doug Hoskins  
Environmental Analyst III

COPIES FURNISHED TO:

All Parties  
Mayor/First Selectman  
Conservation Commission  
Inland Wetland Agency

DEEP Inland Fisheries  
DPH Drinking Water Section  
U. S. Army Corps of Engineers  
Planning & Zoning Commission

Mark Sussman, Esq. [msussman@murthalaw.com](mailto:msussman@murthalaw.com)  
Patricia L. Boye-Williams, Esq. [pboyewilliams@murthalaw.com](mailto:pboyewilliams@murthalaw.com)  
W. Richard Smith, Jr., Esq. [wsmith@rc.com](mailto:wsmith@rc.com)  
David Murphy [DaveM@miloneandmacbroom.com](mailto:DaveM@miloneandmacbroom.com)



## PERMIT

Permittees: The Connecticut Water Company  
93 West Main Street, Clinton CT 06413-0562  
Attn: David Radka

The University of Connecticut  
31 LeDoyt Road, Unit 3055, Storrs, CT 06269-3055  
Attn: Jason Coite

Permit No: DIV-201404187

Town: Ellington, Vernon, Tolland, Coventry, Mansfield

Project: Interconnection and diversion of water from the Connecticut Water Company public water system in Tolland to the University of Connecticut and the Town of Mansfield

Waters: Shenipsit Lake, Hockanum River, Willimantic River

Pursuant to Connecticut General Statutes Section 22a-368, the Commissioner of Energy and Environmental Protection ("Commissioner") hereby grants a permit to The Connecticut Water Company and The University of Connecticut ("the Permittees") to conduct regulated activities associated with the interconnection and transfer of water from the Connecticut Water Company public water system in Tolland to the University of Connecticut and Mansfield. The purpose of said activities is to provide supplemental public water supplies to the University of Connecticut and the Town of Mansfield.

### AUTHORIZED ACTIVITY

Specifically, the permittees are authorized to: 1) transfer a maximum of 1.85 million gallons per day of potable water from The Company's Northern Operations Western System to Mansfield and the University of Connecticut's public water system Connecticut Water via a proposed regional 5.3 mile pipeline along Route 195, and 2) installation of a 0.5 mile water distribution main emanating from the aforementioned regional pipeline westerly along Route 44 from Mansfield Four Corners to the vicinity of the Jensen's Mobile Home Park. The location of the regional pipeline and the water distribution main authorized by this permit are referred to as "the Site".

The activities proposed will impact Shenipsit Lake, Hockanum River, and the Willimantic River.

All activities shall be conducted in accordance with plans entitled: "Water Systems and Proposed Improvements / Tolland-Mansfield Regional Pipeline and Interconnection / Tolland, Coventry &

Mansfield, CT," prepared by Milone & MacBroom, dated 12/6/2013, revised through 4/7/2014, submitted as a part of the application.

This authorization constitutes the licenses and approvals required by Section 22a-368 of the Connecticut General Statutes.

This authorization is subject to and does not derogate any present or future property rights or other rights or powers of the State of Connecticut, conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, or local laws or regulations pertinent to the property or activity affected thereby.

*The permittees' failure to comply with the terms and conditions of this permit shall subject the permittees, including the permittees' agents or contractor(s) to enforcement actions and penalties as provided by law.*

This authorization is subject to the following conditions:

**CONDITIONS:**

1. **Expiration.** This permit shall expire on May 29, 2040.
2. **Construction Commencement and Completion.** If construction of any structures or facilities authorized herein is not completed within three years of issuance of this permit or within such other time as may be provided by this permit, or if any activity authorized herein is not commenced within three years of issuance of this permit or within such other time as may be provided by this permit, this permit shall expire three years after issuance or at the end of such time as may be authorized by the Commissioner.
3. **Notification of Project Initiation.** The permittees shall notify the Commissioner in writing two weeks prior to: (A) commencing construction or modification of structures or facilities authorized herein; and (B) initiating the diversion authorized herein.
4. **De minimis Alteration.** For Water Diversion Permits (CGS 22a-368) - The permittees may not make any alterations, except de minimis alterations, to any structure, facility, or activity authorized by this permit unless the permittees apply for and receives a modification of this permit in accordance with the provisions of section 22a-377(c)-2 of the Regulations of Connecticut State Agencies. Except as authorized by subdivision (5) of section 22a-377(b)-1(a) of the Regulations of Connecticut State Agencies, the permittee may not make any de minimis alterations to any structure, facility, or activity authorized by this permit without written permission from the Commissioner. A de minimis alteration means an alteration which does not significantly increase the quantity of water diverted or significantly change the capacity to divert water.

5. **Maintenance of Structures.** All structures, facilities, or activities constructed, maintained, or conducted pursuant hereto shall be consistent with the terms and conditions of this permit, and any structure, facility or activity not specifically authorized by this permit, or exempted pursuant to section 22a-377 of the General Statutes or section 22a-377(b)-1 of the Regulations of Connecticut State Agencies, or otherwise exempt pursuant to other General Statutes, shall constitute a violation hereof which may result in modification, revocation or suspension of this permit or in the institution of other legal proceedings to enforce its terms and conditions.

Unless the permittees maintain in optimal condition any structures or facilities authorized by this permit, the permittees shall remove such structures and facilities and restore the affected waters to their condition prior to construction of such structures or facilities.

6. **Accuracy of Documentation.** In issuing this permit, the Commissioner has relied on information provided by the permittees. If such information was false, incomplete, or misleading, this permit may be modified, suspended or revoked and the permittees may be subject to any other remedies or penalties provided by law.
7. **Best Management Practices & Notification of Adverse Impact.** In constructing or maintaining any structure or facility or conducting any activity authorized herein, or in removing any such structure or facility under condition 5 hereof, the permittees shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. Best Management Practices include, but are not limited, to practices identified in the *Connecticut Guidelines for Soil Erosion and Sediment Control* as revised, 2004 *Connecticut Stormwater Quality Manual*, Department of Transportation's *ConnDOT Drainage Manual* as revised, and the Department of Transportation Standard Specifications as revised.

The permittees shall immediately inform the Commissioner of any adverse impact or hazard to the environment which occurs or is likely to occur as the direct result of the construction, maintenance, or conduct of structures, facilities, or activities authorized herein.

8. **Reporting of Violations.** The permittees shall, no later than 48 hours after the permittees learn of a violation of this permit, report same in writing to the Commissioner. Such report shall contain the following information:
- a. the provision(s) of this permit that has been violated;
  - b. the date and time the violation(s) was first observed and by whom;
  - c. the cause of the violation(s), if known
  - d. if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;

- e. if the violation(s) has not ceased, the anticipated date when it will be corrected;
  - f. steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented;
  - g. the signatures of the permittee(s) and of the individual(s) responsible for actually preparing such report, each of whom shall certify said report in accordance with condition 12 of this permit.
9. **Material Storage in the Floodplain.** The storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five-hundred (500) year flood is prohibited. Any other material or equipment stored at the site below said elevation by the permittees or the permittees' contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day.
10. **Permit Transfer.** This permit is not transferable without the prior written consent of the Commissioner.
11. **Contractor Notification.** The permittees shall give a copy of this permit to the contractor(s) who will be carrying out the activities authorized herein prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The permittees' contractor(s) shall conduct all operations at the Site in full compliance with this permit and, to the extent provided by law, may be held liable for any violation of the terms and conditions of this permit.
12. **Certification of Documents.** Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the permittees or a responsible corporate officer of the permittees, a general partner of the permittees, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:
- "I have personally examined and am familiar with the information submitted in this document and all attachments thereto and I certify that based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement in the submitted information may be punishable as a criminal offense in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b and in accordance with any other applicable statute."

13. **Submission of Documents.** Any document or notice required to be submitted to the Commissioner under this permit shall, unless otherwise specified in writing by the Commissioner, be directed to:

Director, Inland Water Resources Division  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval on any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" means any calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or legal holiday shall be submitted or performed by the next business day thereafter.

14. **Rights.** This permit is subject to and does not derogate any rights or powers of the State of Connecticut, conveys no property rights or exclusive privileges, and is subject to all public and private rights and to all applicable federal, state, and local law. In constructing or maintaining any structure or facility or conducting any activity authorized herein, the permittees may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this State. The issuance of this permit shall not create any presumption that this permit should be renewed.
15. **Shenipsit Lake Stream Flow Release.**
- a. In order to mitigate potential fisheries impact resulting from the authorized diversion, the permittees shall maintain the current stream flow release of 3.24 cubic feet per second (cfs), with the current spring freshet release as defined in Table L-1 in Attachment L of their application dated April 23, 2014. Such stream flow releases shall be made from the Shenipsit Lake to the Hockanum River immediately downstream of the lake, and
  - b. Within ten (10) years of the issuance of this permit, the permittees shall make stream flow releases from the Shenipsit Lake fully coincident with Class 3 releases as defined in section 26-141b-6(a)(3) and 26-141b-6(b) of the Regulations of Connecticut State Agencies (RCSA).
  - c. The permittees may request from the commissioner an extension of time to comply with the releases as defined in section 26-141b-6(a)(3) RCSA. Any such request for a time extension shall be submitted in writing to the commissioner and shall include reasons for such a request, including but not limited to, engineering,

financial, permitting, or public health considerations. The commissioner shall have sole discretion to approve or deny such request.

- d. The permittees may request an alternative site specific release compatible with the standards of section 26-141b-6(f)(2) of the RCSA.
  - e. In accordance with commitments made by the permittees in the application, the permittees shall not reduce managed stream flow releases from Shenipsit Lake due to an inadequate water supply margin of safety for the duration of this permit.
16. **Stream Discharge Record Keeping and Reporting.** The permittees shall monitor and record the daily discharge to the Hockanum River immediately downstream of the Shenipsit Lake. The permittees shall record the stage reading, the gate opening, the date and time of the reading and the converted flow value at the time of measurement. The permittees shall also record the number of hours elapsed since their discharge to the Hockanum River has fallen below the specified trigger thresholds as required in Condition #15. A copy of the daily discharge records shall be included in the Annual Report to the Commissioner required by Condition #23 of this permit.
17. **Metering.** The permittees shall measure the total amount of water transferred each day from The Connecticut Water Company water supply system to the Town of Mansfield and the University of Connecticut at the intersection of Route 195 and Towers Loop Road in Mansfield and shall for the duration of this authorization continuously operate and maintain any meters used in such measuring in good working order. In the event of meter malfunction or breakage, the permittees shall repair or replace such meter within 72 hours. The permittees shall submit for the Commissioner's approval a metering plan no later than 60 days prior to the initiation of the diversion.
18. **Meter Calibration.** The permittees shall biennially test and calibrate any distribution meter used for measuring the total amount of water transferred each day within two percent accuracy as shown through a post-calibration test. The permittees shall maintain a record of the accuracy and calibration test(s) along with supporting documentation and certifications. The permittees shall make a copy of said records available to the Commissioner or the Commissioner's designee immediately upon request.
19. **Daily Transfer Record.** The permittees shall maintain a daily record of the meter readings indicating the total volume of water in gallons transferred from The Connecticut Water Company water system to the Town of Mansfield and the University of Connecticut water supply system that day. The daily record shall also record the time of meter readings and denote and explain any instances in which the diversion of water exceeded the authorized withdrawal limitation(s) specified in this permit. A copy of the daily record of withdrawals shall be included in the Annual Report to the Commissioner required by Condition #23 of this permit.

20. **Leak Detection.** Within five years of the issuance of this permit, and every five years thereafter, the permittees shall complete a system wide comprehensive leak detection survey of the water distribution system and repair any leaks found. The leak detection survey shall follow standards and criteria contained within AWWA Manual M36 as may be amended or revised. A copy of all actions taken pursuant to the leak detection survey, including the number of miles of main surveyed, survey techniques and methodology, leaks found and repairs made shall be included in the Annual Report to the Commissioner required by Condition #23 of this permit.
21. **Long-range Water Conservation Plan.** The permittees shall implement their Long-range Water Conservation Plans, as described in the permittees' application, and in accordance with the permittees' Water Supply Plan as approved pursuant to CGS Section 25-32d and any amendments or updates thereto. The permittees shall maintain a summary of all actions taken each year pursuant to the Long-range Water Conservation Plan and a description of the estimated or actual water savings achieved. A copy of this summary shall be included in the Annual Report to the Commissioner required by Condition #23 of this permit.
22. **Record Keeping Requirements.** Except as provided below, or as otherwise specified in writing by the commissioner, all information required under this permit shall be retained at the permittees' principal place of business, or be readily available on request. The permittees shall maintain a copy of this permit on Site at all times during the construction of the pipeline. The permittees shall retain copies of all records and reports required by this permit; and records of all data used to compile these reports for a period of at least ten years from the date such data was generated or report created, whichever is later.
23. **Annual Reporting.** The permittees shall submit by February 28 of each year, for the duration of this authorization, an Annual Report for the preceding calendar year. The Annual Report shall be certified in accordance with Condition #12 of this permit and shall contain a compilation of the following:
  - a. A copy of the daily record of stream discharge as required by Condition #16 of this permit;
  - b. A copy of the records documenting the daily transfer of water from The Connecticut Water Company water system to The University of Connecticut water supply system as required by Condition #29 of this permit;
  - c. A copy of the leak detection report as required by Condition #20 of this permit;
  - d. A summary report from each permittee of all the actions taken pursuant to the Long-Range Water Conservation Plan and Water Conservation Plan and description of actual or estimated water savings achieved, as required by Condition #21 of this permit;
  - e. A copy of the list of the number and types of customers connected to the regional pipeline during the prior year as required by Condition #26; and

- f. Denotation and explanation of any instances of violation of the authorized withdrawal limitation(s) or any other condition of this authorization.

24. **Wood Turtle Conservation.** To limit the potential for impacts to Wood Turtles (a Connecticut species of special concern) at locations as indicated on Figure 4-3 of Attachment D-4 of the permittees' application, project construction activities should be restricted to the turtles' dormant period of November 1 to April 1 at said locations. If work must be done during the turtle's active period of April 1 to November 1 at said locations, the permittee shall adhere to the following precautionary measures:

- silt fencing shall be installed around the appropriate work area prior to construction,
- work crews shall be apprised of the species description and possible presence prior to construction,
- work crews shall search the work area for wood turtles each day prior to construction,
- any wood turtles encountered during the work shall be moved unharmed to an area immediately outside of the fenced work area and oriented in the same direction it was walking when found,
- all precautionary measures should be taken to avoid degradation to wetland habitats including any wet meadows and seasonal pools,
- work conducted in these habitats during the early morning and evening hours should occur with special care not to harm basking or foraging individuals,
- no heavy machinery or vehicles shall be parked in any turtle habitat and precautions shall be taken when the machinery is traveling to the work area to avoid turtles,
- work conducted during the early morning and evening hours shall occur with special care not to harm basking or foraging individuals, and
- all silt fencing shall be removed after work is completed when soils are stable so that reptile and amphibian movement between uplands and wetlands is not restricted.

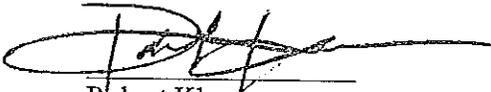
Refer to the attached fact sheet for species and habitat description.

25. **Southern Bog Lemming Conservation.** Work crews shall be apprised of the species description, habitat and possible presence of the Southern Bog Lemming, at locations as indicated on Figure 4-3 of Attachment D-4 of the permittees' application, prior to construction. Refer to the attached fact sheet for species and habitat description.
26. **New Service Connections.** New service connections along the distribution pipeline route from Tolland, or more intensive use of an existing service connection along said route, from water supplied pursuant to this permit shall be limited to only those proposed land uses of an intensity allowed under local plans of conservation and development as of the

date of the Connecticut Office of Policy and Managements' notice of Environmental Impact Evaluation sufficiency (September 16, 2013). Connections for users of greater intensity will be allowed only if determination is made by State or local agencies, within their applicable authorities, including but not limited to the Public Utility Regulatory Authority pursuant to Section 16-10 Connecticut General Statutes, that such connection is necessary to address a demonstrated environmental, public health, public safety, economic, social, or general welfare concern. The permittees shall provide in the annual report as, required by Condition #23 of this permit, a list of the number and types of customers connected to the pipeline during the prior year.

Issued by the Commissioner of Energy and Environmental Protection on:

6/2/15  
Date

  
Robert Klee  
Commissioner

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