

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Monday, October 5, 2015 ▪ 7:05 PM

Or upon completion of Inland Wetlands Agency Meeting

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

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - a. September 21, 2015 Regular Meeting
4. **Zoning Agent's Report**
5. **Continued Public Hearing**

7:05 p.m.
Special Permit Application, A. Gioscia, 1708 Stafford Road, PZC File #1336
6. **Old Business**
 - a. **Special Permit Application, Chucks Steak House, 1498 Stafford Road, PZC File#303-2**
 - b. **Zoning Map Amendment, A. Gioscia, 1708 Stafford Road, PZC File #1335**
 - c. **Special Permit Application, A. Gioscia, 1708 Stafford Road, PZC File #1336**
 - d. **Other**
7. **New Business**
 - a. **Request for B.A.E. exception for a shed, 79 Jonathan Lane, PZC File #1113-3**
Memo from Zoning Agent
 - b. **Request for B.A.E. exception for a shed, 15 Adeline Place, PZC File #1187-2**
Memo from Zoning Agent
 - c. **Water and Sewer Service Connections**
Memo from Director of Planning and Development
 - d. **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**
11. **Adjournment**

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday September 21, 2015
Council Chamber, Audrey P. Beck Municipal Building

Members present: B. Chandy, R. Hall (7:19 p.m.), G. Lewis, K. Rawn, B. Ryan, V. Ward
Members absent: J. Goodwin, B. Pociask
Alternates present: P. Aho, K. Holt (7:48 p.m.), S. Westa
Staff present: Linda Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Vice Chairman Ryan called the meeting to order at 7:05 p.m. and appointed Alternates Aho and Westa to act in members' absence. Alternate Holt was appointed to act upon her arrival at 7:48 p.m.

Approval of Minutes:

a. **September 8, 2015 Regular Meeting**

Chandy MOVED, Rawn seconded, to approve the 09-08-15 minutes as presented. MOTION PASSED UNANIMOUSLY. Aho noted that he listened to the recording.

b. **September 16, 2015 Field Trip**

Aho MOVED, Ryan seconded, to approve the 09-16-15 field trip minutes as presented. MOTION PASSED with Aho and Ryan in favor and all others disqualified.

Zoning Agent's Report:

None.

Public Hearing:

Zoning Map Amendment, A. Gioscia, 1708 Stafford Road, PZC File #1335

Vice Chair Ryan opened the Public Hearing at 7:08 p.m. Members present were Ryan, Chandy, Lewis, Rawn, Ward and Alternates Aho and Westa who were both appointed to act. Linda Painter noted that there are two hearings tonight on this property and will read the full legal notice into the record that was printed in The Chronicle on 9/8/15 and 9/16/15. Painter also noted her memo dated 9/17/15 and read the 9/18/15 opinion from CROG into the record.

Anthony Gioscia, property owner and applicant reviewed his request for a map amendment and discussed the surrounding parcels and their commercial uses and the increase of traffic and population of the intersection since the house was built.

Linda Painter, Director of Planning and Development, noted that copies of the neighborhood notice were received and the applicant confirmed that there are no wetlands on the property.

Vice Chair noted no public comment or further questions from the Commission. Rawn MOVED, Ward seconded to close the Public Hearing at 7:19 p.m. MOTION PASSED UNANIMOUSLY.

**Hall arrived at 7:19 p.m.

Special Permit Application, A. Gioscia, 1708 Stafford Road, PZC File #1336

Vice Chair Ryan opened the second portion of the 1708 Stafford Road Public Hearing regarding the Special Permit Application for the site at 7:20 p.m. Members present were Ryan, Chandy, Lewis, Rawn, Hall, Ward and Alternates Aho and Westa who were both appointed to act. Linda Painter noted that there are two

hearings tonight on this property and read the full legal notice into the record during the first portion of that hearing that was printed in The Chronicle on 9/8/15 and 9/16/15. Painter also noted her memo dated 9/17/15; a 9/15/15 letter from Andrew S. Morrill from CT D.O.T.; an 8/27/15 memo from D. Dilaj, Assistant Town Engineer; an 8/26/15 memo from F. Raiola, Deputy Chief/Fire Marshal; and an 8/4/15 Plan Approval from Eastern Highlands Health District. She noted the applicant submitted abutter's notification.

Gioscia noted that he is modifying less than ½ acre of the site which will be the house and parking area. He submitted elevations for the file and discussed the waivers he is requesting.

The Vice Chair noted no public comment or further questions from the Commission. At 7:30 p.m. Rawn MOVED, Chandy seconded, to continue the Public Hearing to 10/5/15. MOTION PASSED UNANIMOUSLY.

Special Permit Application, Chucks Steak House, 1498 Stafford Road, PZC File#303-2

Vice Chair Ryan opened the Continued Public Hearing at 7:31 p.m. Members present were Ryan, Chandy, Hall, Lewis, Rawn, Ward and Alternates Aho and Westa who were both appointed to act. Alternate Holt arrived at 7:48 p.m. and was appointed to act.

Linda Painter, Director of Planning and Development, noted a 9/17/15 memo from herself; a 9/9/15 email from Peter and Emily Benn from 26a Crystal Lane; a 9/8/15 email from Aaron Paterson from 26b Crystal Lane; and a 9/21/15 email from Kathleen Paterson of Crystal Lane, distributed tonight.

Attorney Dorian R. Famiglietti, of Kahan Kerensky & Capossella, LLP., representing the applicant, asked that the letter received tonight by Kathleen Paterson be read into the record since they had not previously seen or read it. Attorney Famiglietti reviewed the proposal and noted key components which included: no music will be played outdoors; there will be no bar on the patio, only food and beverage service; the patio will be on the parking lot side of the building to utilize the building as a noise buffer to the condo association; the patio hours will end at 11 p.m. and noted that management is working to minimize noise from the employees after hours.

Bennett Brooks, Brooks Acoustics Corporation, reviewed his findings and the impact to neighboring properties. He distributed a rendering of the proposed sound barrier for the bar employee break area.

Mike Gallagher, part owner of Chucks Steak House, reviewed the steps he has taken to minimize the impact on neighbors.

Cassandra Moore, condo unit owner, agreed with what Kathleen Paterson has stated in her letter. Moore noted that she has lived there for 5 years and is concerned with the negative impact that the deck/patio addition will have on the community and her property value.

Curt Hirsch, Zoning Agent, wanted to put on the record that according to his files he has listed that 219 seats were approved by the Planning and Zoning Commission and noted that they are proposing that there will be 268 seats.

Attorney Famiglietti reviewed the number of parking spaces based on the minimum requirements and summarized that there are more than the required number.

Vice Chair Ryan noted there were no further questions or comments from the public or the Commission. Holt MOVED, Chandy seconded, to close the public hearing at 8:35 p.m. MOTION PASSED UNANIMOUSLY.

Old Business:

- a. **Special Permit Application, Chucks Steak House, 1498 Stafford Road, PZC File#303-2**
Rawn volunteered to work with staff on a motion for the next meeting.
- b. **Zoning Map Amendment, A. Gioscia, 1708 Stafford Road, PZC File #1335**
Lewis volunteered to work with staff on a motion for the next meeting.
- c. **Special Permit Application, A. Gioscia, 1708 Stafford Road, PZC File #1336**
Item tabled pending public hearing continuation on 10/5/15.

New Business:

- a. **Modification Request, Storrs Road Plaza, 131-145 Storrs Road, PZC File#942-2**
Hirsch noted that generally this is something that he and the Chairman would sign off on, but the Chairman recused herself because of a conflict of interest; therefore, he brought it to the full Commission but did not charge the applicant for a full commission request.

After discussion about the site and the current planters, Ward MOVED, Hall seconded, that the PZC authorize the Chairman and the Zoning Agent to approve the 8/20/15 Request for Modifications of Hayes-Kaufman Mansfield, to replace the existing brick planters with the six composite planters, at the Storrs Road Plaza. The applicant is reminded that there is an ongoing maintenance obligation for maintaining the planters. The proposed modifications will not have a significant impact on plans approved by the PZC in 1988. MOTION PASSED UNANIMOUSLY.

Mansfield Tomorrow:

Painter anticipates having draft copies of the Zoning Regulations to the Commission in October.

Reports from Officers and Committees:

No reports were noted. The Director of Planning and Development informed the Commission she would be calling for an Infrastructure Subcommittee meeting to consider local roads for federally-funded projects.

Communications and Bills:

Noted.

Adjournment:

The Vice Chair declared the meeting adjourned at 9:05 p.m.

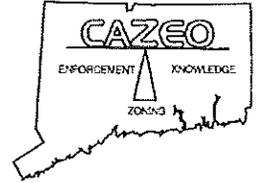
Respectfully submitted,

Vera S. Ward, Secretary

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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

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: October 1, 2015

MONTHLY PERMIT ACTIVITY for September 2015

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Knoecklein	74 Higgins Hwy.	home occupation, consultant
Stenta	21 Browns Rd.	wood storage
Kaufold	Lot 1, Mulwood West	1 fm dw
Frey	1010 Warrenville Rd.	home occupation, counselling
Moran	38 Philip Dr.	rebuild deck
UPS Store	1206 Storrs Rd.	building identity sign
Petrus	125 S. bedlam Rd.	14 x 24 pool shed
Kirby Veterinary Hospital	266 Stafford Rd.	building addition
Puckett	620 Mansfield City Rd.	10 x 20 porch
Educational Playcare	28 Wilbur Cross Way	building identity sign
Cone	538 Stafford Rd.	8 x 20 wood shed
Trindade	42 Monticello La.	Garage
Gioscia	1708 Stafford Rd.	residential foundation

CERTIFICATES OF COMPLIANCE

Beaudoin	37 Monticello La.	1 fm dw.
Doran	95 Hanks Hill Rd.	2 nd floor addition
Chen	36 Hunters Run	sunroom
Mansfield Housing Auth.	Holinko Estates	entry roofs
Bacon	206 Birch Rd.	rear deck
Markus	57 Hillyndale Rd.	addition
Smithwick	4 Hillyndale Rd.	shed

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DRAFT APPROVAL MOTION

CHUCK'S STEAK HOUSE SPECIAL PERMIT APPLICATION, DECK ADDITION, 1498 STAFFORD ROAD, FILE #303-2

_____ MOVED, _____ seconded, to approve with conditions the special permit application (File #303-2) of GAL Associates, LLC to allow the addition of an outdoor dining patio to the Chuck's Steakhouse Margarita Grill Mexican Cantina restaurant located at 1498 Stafford Road. This approval is based on the project as described in the application dated July 27, 2015, and as shown on plans dated July 15, 2015 and as presented at Public Hearings on September 8, 2015 and September 21, 2015.

Through this approval, the Commission accepts the submission of the supplemental information including revised hours of service for the patio; concept plan for a new sound barrier fence for the employee break area; a revised parking lot striping plan prepared in response to Fire Marshal comments; and a lighting plan dated September 3, 2015 and revised through submission of new fixture details distributed to the Commission as part of a September 17, 2015 memo from the Director of Planning and Development. The Commission further determines that no new hearing was warranted as the supplemental information did not significantly alter the original proposal. Furthermore, the Commission determines that due to the limited area of work associated with the proposed change in use, the site plan information identified as "not included" or "waiver requested" in the map checklist submitted as part of the application 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.

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. .
2. **Permits.** No Zoning Permits shall be issued and no construction shall commence until the following conditions are met:
 - o A revised parking lot striping plan is submitted for the approval of the Zoning Agent that includes the minimum number of handicap spaces required based on the size of the parking lot as well as signage and markings for handicap spaces that conform with Article 10, Section D.11 of the Mansfield Zoning Regulations.
 - o Details of the sound barrier fence are approved by the Zoning Agent, including location, height, color, material.

3. **Restrictions on Use.** The following restrictions apply to the use of the restaurant and patio:
 - There shall be no outdoor dining or drink service on the patio after 11 p.m.
 - There shall be no outdoor speakers or other amplification of music and other sounds.
 - The restaurant is approved for a maximum capacity of 268 seats for zoning purposes. Whenever the patio is in use, fifty seats in the interior dining rooms shall be closed and unavailable for use.
4. **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.

DRAFT APPROVAL MOTION

ZONE CHANGE RAR-90 TO NB-1 (1708 STAFFORD ROAD) FILE #1335

_____ MOVED, _____ seconded, to approve the application of A. Gioscia (File #1335), applicant and owner, to rezone approximately 2.68 acres of land addressed as 1708 Stafford Road from Rural Agriculture Residence 90 (RAR-90) to Neighborhood Business-1 (NB-1) as shown on a map dated July 24, 2015 and further described in a legal description submitted as part of the application, and as heard at a Public Hearing on September 21, 2015.

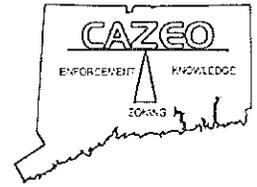
This zone change shall become effective as of October 15, 2015. Approval is granted for the following reasons:

1. The subject zone change is consistent with the future land use designation of Rural Commercial and text specified goals and strategies identified in the Mansfield Tomorrow Plan of Conservation and Development. This new POCD was adopted by the Commission prior to the public hearing on the subject zone change and will be in effect prior to the effective date of the zone change.
2. The Capitol Region Council of Governments reviewed the proposed zone change and found no conflicts with regional plans and policies or concerns of neighboring towns.
3. The subject site is located at the intersection of two state roads and is proximate to existing commercial uses in both Mansfield and the Town of Willington. The site can physically support small-scale commercial development. The zone change extends the existing NB-1 zone currently applied to properties located on the west side of Route 32 at the intersection with Route 195.
4. The proposed re-zoning is considered to be consistent with approval considerations contained in Articles I and XIII of Mansfield's Zoning Regulations and Section 8-2 of the State Statutes.
5. Based on site and neighborhood characteristics, it is expected that any potential impacts from uses permitted in the Neighborhood Business zone can be appropriately addressed by standards limiting the size and scale of development in Neighborhood Business zones as well as the special permit review process required for various uses in this zone.

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Town of Mansfield



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MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: September 28, 2015
Re: Request for B.A.E. exception for shed, 79 Jonathan Lane
G. & S. Kernozicky, Wild Rose Estates PZC # 1113-3

Article VIII, Section B.1.d authorizes the PZC to approve smaller sheds in areas outside of building area envelopes on subdivision lots approved after 2/20/02. Such sheds shall not exceed 200 square feet in area and ten feet in height, shall not be used as a motor vehicle garage or for housing animals or humans. This regulation allows the PZC to approve smaller sheds provided that the shed meets the standards above, there is a minimum 10-foot setback from side or rear lot lines, the shed is within a PZC-approved development area envelope and the shed is consistent with subdivision standards regarding the protection of significant natural and manmade features and/or scenic views and vistas.

Garrett & Stephanie Kernozicky of 79 Jonathan Lane, have requested an exception under the zoning regulations for a 12' x 16' storage shed. The approved subdivision plan for the subject lot placed the BAE 30' off the rear property line, which is also the approved DAE. The proposed 12' x 16' shed will be constructed on site and the applicants have revised the plans in order to reduce the shed's height to 10 feet. The proposed location will be 20' off the rear property line/DAE. There are no significant natural or manmade features or scenic views that would be impacted by the placement of the shed in the proposed location. In 2008, the Commission approved a revision to the rear BAE on the adjacent lot 29 in order for those owners to erect a 12' x 24' storage structure. Both lots are shown on an aerial view I provided in your packet.

I recommend that the PZC authorize the placement of a 12' x 16' storage shed, as described in a 9/24/15 letter from G. & S. Kernozicky, and depicted on a 9/24/15 plan, as provided for under Article VIII, section B.1.d of the regulations, because the proposed structure will be in compliance with the approval criteria of the subject regulation. The shed is still subject to the issuance of a Zoning Permit.

September 24, 2015

Curt B. Hirsch
Zoning Agent
Audrey P Beck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268

Mr. Hirsch,

This letter is providing the details of the proposed storage shed construction for a requested variance to the building area envelope as we had discussed previously.

We are looking to construct a 12' x 16' storage shed (not for use as a garage for motor vehicles) with a maximum height of 10' at 79 Jonathan Ln. This shed will be self-built from plans by Better Barns of Bethlehem, CT and James CC Rice, AIA modified to accommodate the 10' height restriction. This design is of similar construction as built at 70 Jonathan Ln.

We are requesting a variance from the current 30 foot setback from the rear property line to 20 feet to maximize the back yard as an open space field. We have considered 3 locations for the shed. Our property has limited number of locations due to an irregular BAE and existing landscaping on our property. An alternate location, in front of our fenced in garden plot, was considered. This location, due to the steeper pitch of the land would be visually more obtrusive to our neighbors' properties and make the eastern edge of our property more densely populated with structures and trees. The proposed location with 20' setback fits well into the property providing a better visual tie with the taller adjacent white pines which provide visual screening between neighboring lots.

We hope this information provides the necessary detail for you to accept our proposal.

Garrett and Stephanie Kernozicky
79 Jonathan Ln

REVISION
24 SEP 2005

- GENERAL**
1. MAP REF
 2. ELEVATION
 3. THIS
 4. T

PROPOSED CONSERVATION EASEMENT

N69°54'25"W
214.90'

20' MINIMUM

VEGETABLE GARDEN

BUILDING AREA ENVELOPE

PROPOSED SWED
location

THE DEVELOPMENT AREA ENVELOPE (DAE) LINE FOLLOWS THE LOT BOUNDARY LINES, UNLESS OTHERWISE NOTED.

LOT 23
CONTAINS: 0.976 ACRES
42,520 sq.ft.

PROPOSED ACCESS TO LOT 23 & UTILITY EASEMENT
IN FAVOR OF LOT 23 & 28
S11°44'47"W 249.03'

248.69'

152.8ft

32.0' 29.0'

HIGH POINTS OF FOUNDATION WALL = 577.39'

24.0'

21.9'

67.2ft

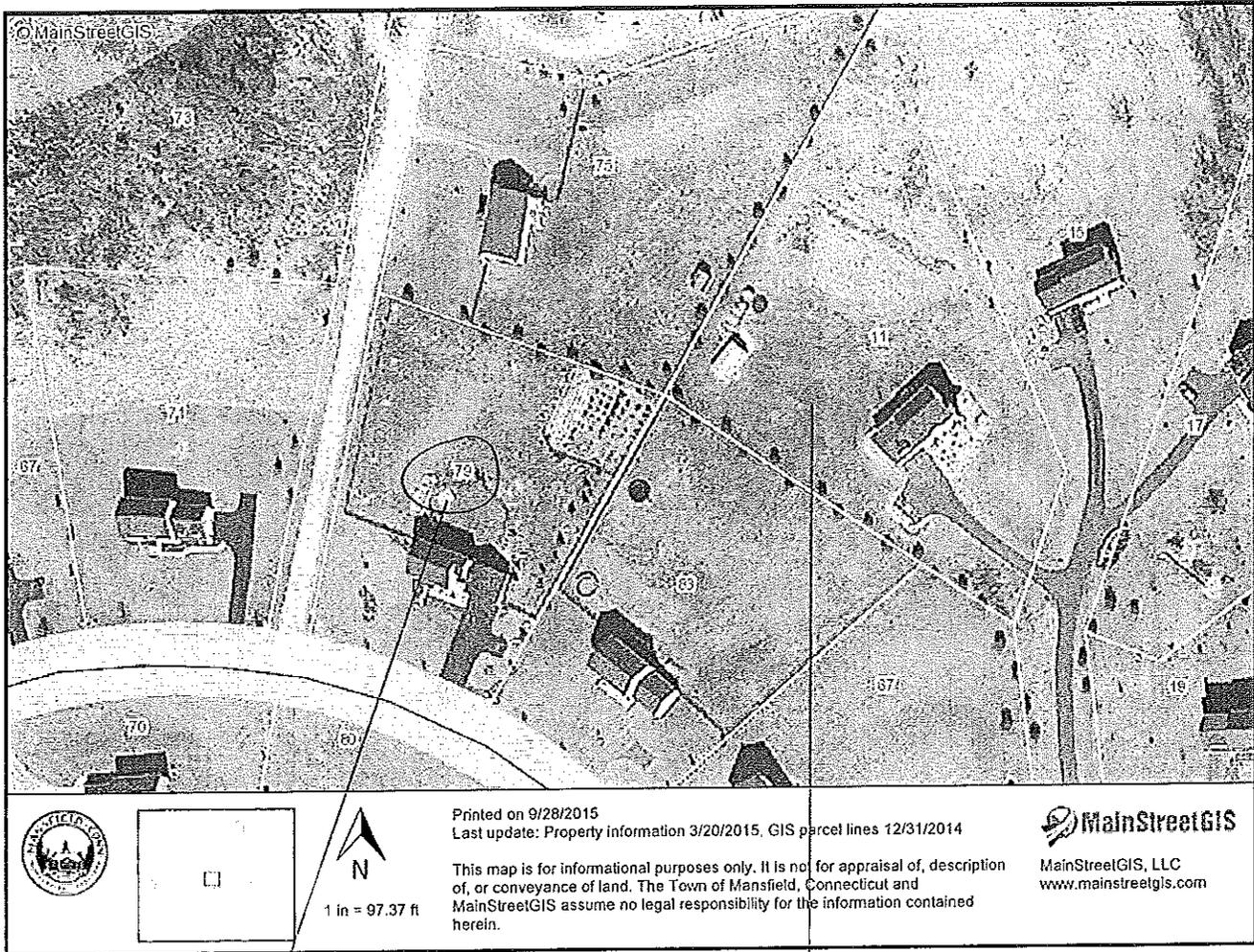
30.0'

22.7'

29.3ft

61.9ft

C34



79 Jonathan Ln.
Lot 23

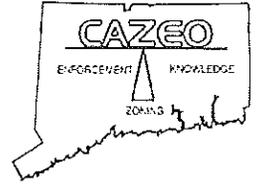
Subject application for
exception to BAE

LOT 29

17 Blake Lane
2008 BAE revision



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

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

Memo to: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: September 24, 2015

Re: Request for B.A.E. exception for shed, 15 Adeline Place.
F. & N. Gifford, Pine Grove estates, PZC # 1187-2

Article VIII, Section B.1.d authorizes the PZC to approve smaller sheds in areas outside of building area envelopes on subdivision lots approved after 2/20/02. Such sheds shall not exceed 200 square feet in area and ten feet in height, shall not be used as a motor vehicle garage or for housing animals or humans. This regulation allows the PZC to approve smaller sheds provided that the shed meets the standards above, there is a minimum 10-foot setback from side or rear lot lines, the shed is within a PZC-approved development area envelope and the shed is consistent with subdivision standards regarding the protection of significant natural and manmade features and/or scenic views and vistas.

Frank & Nancy Gifford of 15 Adeline Place, have requested an exception under the zoning regulations for a 10' x 16' storage shed. The approved subdivision plan for the subject lot placed the BAE 50' off the rear property line, which is also the approved DAE. The constructed house is 51.4' off the property line at its closest point, leaving only a small wedge of the rear yard for the placement of accessory structures (see plan). This application represents the third time that the Commission has reviewed a request for an exception to the BAE for a small structure. The proposed 10' x 16' shed is 10 feet in height and will be placed 12' off the rear property line/DAE. There are no significant natural or manmade features or scenic views that would be impacted by the placement of the shed in the proposed location.

I recommend that the PZC authorize the placement of a 10' x 16' storage shed, as described in a 9/20/15 letter from F. & N. Gifford, and depicted on the submitted plan, as provided for under Article VIII, section B.1.d of the regulations, because the proposed structure will be in compliance with the approval criteria of the subject regulation. The shed is still subject to the issuance of a Zoning Permit.

PZC-approved
Subdivision Plan

WILLIAM F. B...
&
BARBARA BRC

N/F
NANCY JOHNSON
&
42 MICHELE LANE

N/F
GAYANATH W.
&
SANDAYA FERNANDO
&
36 MICHELE LANE

20 WIDE CONSERVATION
EASEMENT ALONG LOTS
1, 4, 6, & 7

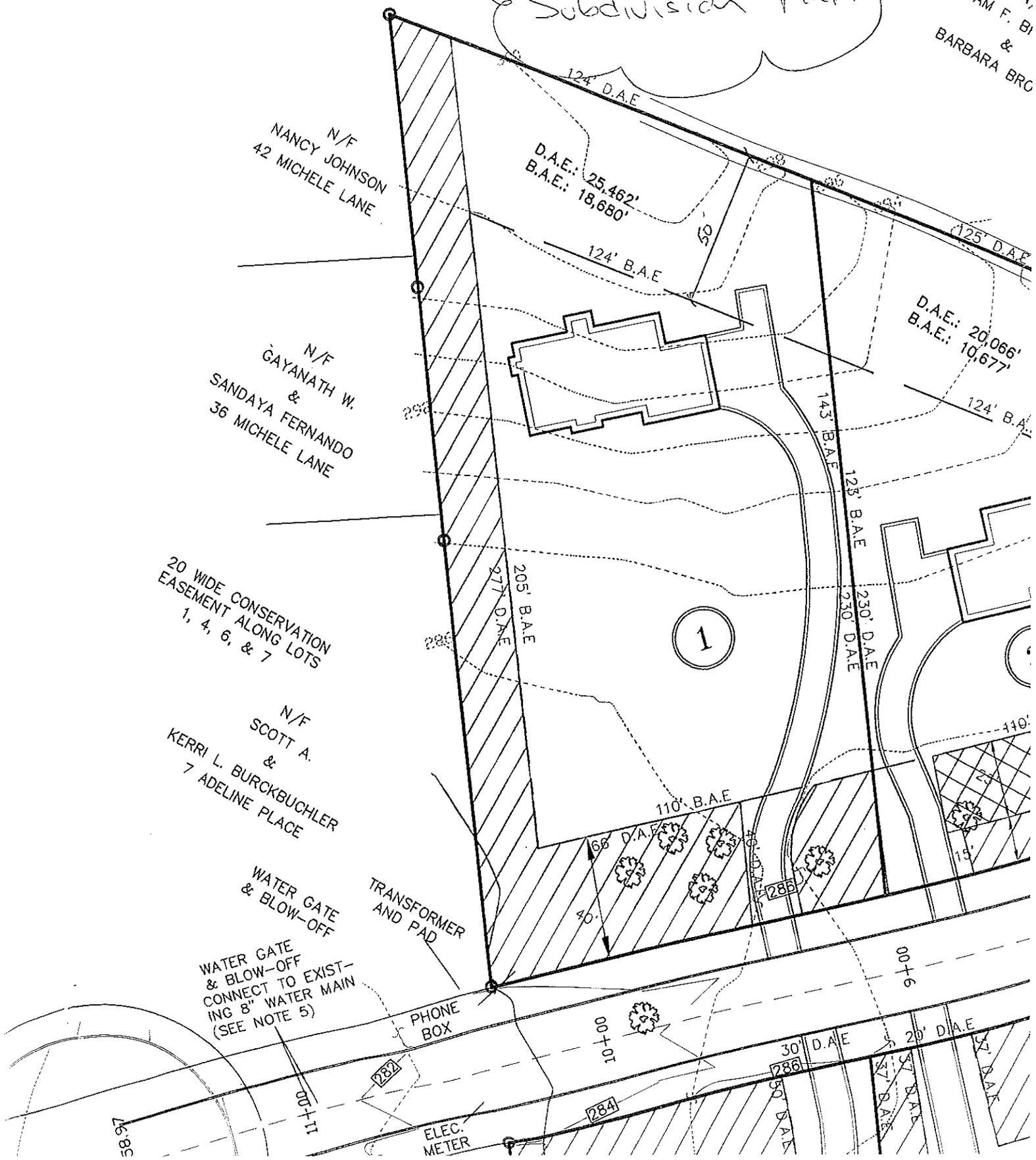
N/F
SCOTT A.
&
KERRI L. BURCKBUCHLER
&
7 ADELINE PLACE

WATER GATE
& BLOW-OFF
& BLOW-OFF
CONNECT TO EXIST-
ING 8" WATER MAIN
(SEE NOTE 5)

TRANSFORMER
AND PAD

PHONE
BOX

ELEC.
METER



Frank and Nancy Gifford
15 Adeline Place
Mansfield Center, CT 06250

September 20, 2015

Mansfield Planning and Zoning Commission
Audrey P. Beck Building
4 South Eagleville Road
Mansfield, CT

Subject: 15 Adeline Place, Mansfield Center Zoning Permit Application

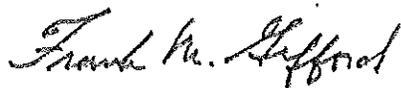
To: Mansfield Planning and Zoning Commission:

I wish to install a 10' X 16' storage shed on our property at 15 Adeline Place in Mansfield Center. Prior to submitting a complete zoning permit application, I ask the Planning and Zoning Commission consider an exception for a storage shed that is not within the building area envelope.

The proposed site conforms to this neighborhood's standard of having storage sheds in the back yard near the rear property line.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Frank M. Gifford".

Frank M. Gifford

PROPOSED GARDEN SHED 10'x16'

15 ADELINE PLACE
MANSFIELD CENTER, CT
06250

FRANK GIFFORD
(860) 208-6264

LOT #1

11' SETBACK FROM
CONSERVATION EASEMENT

12' SETBACK FROM
PROPERTY LINE

20' CONSERVATION
EASEMENT

BAE

RETAINING WALL

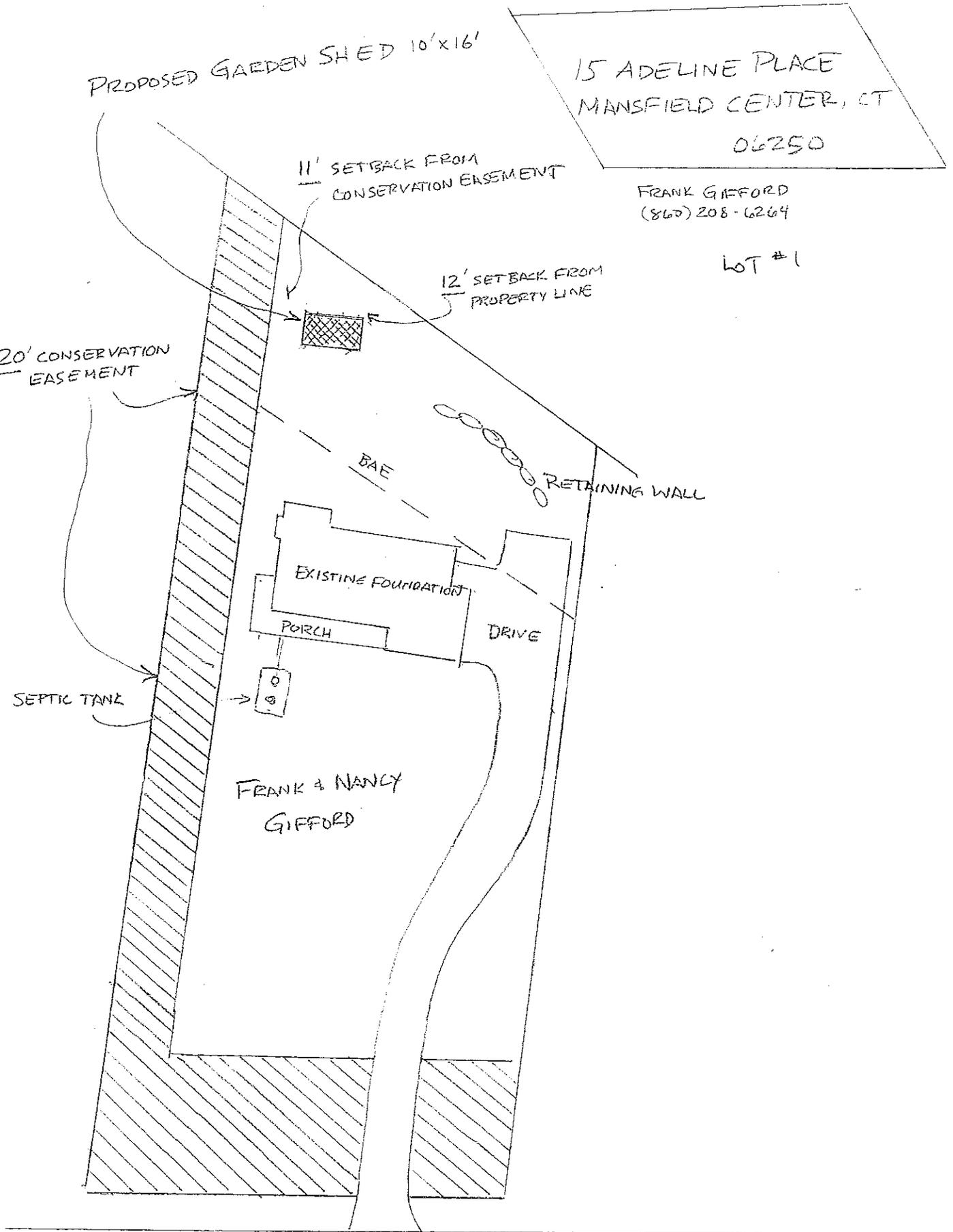
EXISTING FOUNDATION

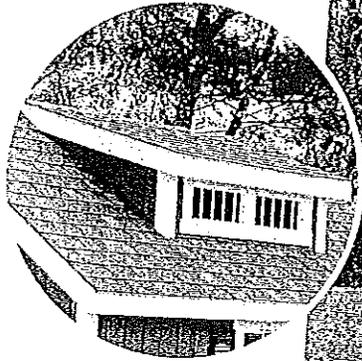
PORCH

DRIVE

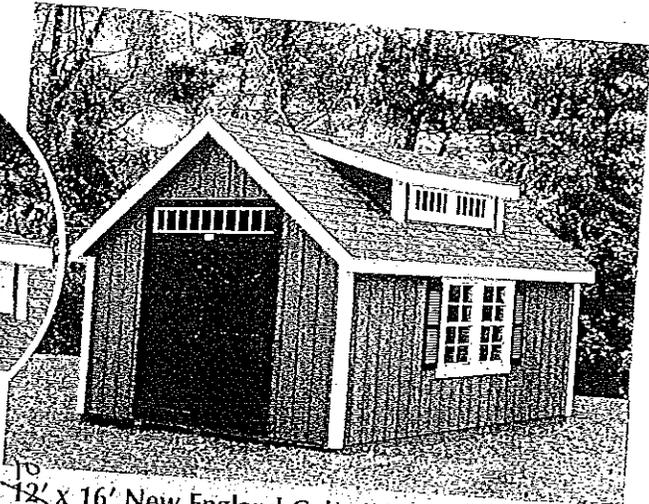
SEPTIC TANK

FRANK & NANCY
GIFFORD





Mini Shed Dormer
with two transom
windows \$795



12' x 16' New England Colonial

Shown with Duratemp® T-1-11 siding, optional (E) windows, long transom window and mini dormer with transom windows.

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Town of Mansfield

Department of Planning and Development

Date: October 1, 2015
 To: Planning and Zoning Commission
 From: Linda M. Painter, AICP, Director of Planning and Development *LMP*
 Subject: Water and Sewer Service Connections: Timing of Applications

The Connecticut Water Company (CWC) commenced construction on the new interconnection with the UConn water system in July of this year. While construction was estimated to take approximately 18 months; CWC is currently anticipating that the connection may be complete prior to the start of the Fall 2016 semester. With construction underway, CWC has been receiving inquiries from parties interested in connecting to the system.

The agreement between the CWC and the Town of Mansfield outlined the following process for review proposed water connections:

Type of Connection Request	Notify Director of Planning & Development	Review by Water System Advisory Committee	Compliance with CWC Main Extension Agreement	Demonstration by Applicant that All Required Approvals have been secured
Existing Uses. Connections to allow for the existing use of property where no main extension is required.	✓			Any required approvals for building, zoning, public health or as otherwise required.
New Use (Approval by Zoning Permit or other Administrative Procedure). Uses that are consistent with zoning regulations in effect at the time of the request and do not require a main extension.	✓			Any required approvals for building, zoning, public health or as otherwise required.
Change in Zoning or Other Land Use Approval Needed. Uses that require approval from a local land use commission for a change in zone or other approval (such as special permit).	✓	✓		Any required local land use approvals.
Main Extension. Any use requiring extension of the CWC system in Mansfield after the pipeline project is completed.	✓	✓	✓	Any required local land use approvals.

Given the construction schedule and the interest being expressed in connecting to the system, the Water System Advisory Committee has inquired as to when they could expect to start receiving referrals from the Planning and Zoning Commission for projects that require PZC approval. It should be noted that any uses proposed to be connected to the new water system must be consistent with the 2006 POCD to comply with the DEEP diversion permit issued for the water project.

The Mansfield Zoning Regulations require that certain zones/uses be served by public water and wastewater facilities, including:

- **Planned Business 2 Zone (Storrs Center Area)**
Article 7, Section M.2 requires the following uses (which are allowed by special permit) to be served by public water and sewer systems: mixed use projects containing one or more of the uses permitted in the zone and multi-family housing.
- **Planned Business 3 Zone (Four Corners)**
Article 7, Section N.3 requires the following uses (which are allowed by special permit) to be served by public water and sewer systems: restaurants; hotels, motels and tourist homes.
- **Planned Business 4 Zone (North Eagleville/King Hill Road Area).**
Article 7, Section O.2 requires the following uses (which are allowed by special permit) to be served by public water and sewer systems: boarding houses, fraternities and sororities; mixed use projects containing one or more of the uses permitted in the zone and multi-family housing.
- **Research and Development (RD/LI) Zones.**
Uses permitted in the RD/LI Zone by special permit must be served by adequate public water and sewer systems (Article 7, Section V.2.b). The RD/LI Zone currently applies to university owned land.
- **Age-Restricted Housing (ARH), Design Multiple Residence (DMR), and Planned Residence District (PRD) Zones**
Pursuant to Article 10, Sections A.5.a, A.6.a, and A.7.a, all proposed developments in these zones must be served by public water and sewer facilities or must be readily connected to such services. 'Readily connected' is defined as that point in time when contracts have been let for construction of public sewer and water facilities requested for connection. A Certificate of Compliance shall not be issued until the site is connected to public water and sewer facilities." In addition to the requirement that development in these zones be served by public water and sewer, no zoning map amendment to create one of these zones may be approved unless a concurrently submitted special permit application is also approved by the Commission.

Other Districts

In addition to the specific restrictions noted above in districts which are designed to accommodate greater density of development, the Commission was also concerned with the potential for induced growth in rural areas along the pipeline route. The recently adopted Mansfield Tomorrow POCD contains the following recommendation:

"Update Zoning and Subdivision Regulations in areas designated as Conservation/Recreation/Managed Resource Areas, Rural Residential/Agriculture/ Forestry, Rural Commercial, Rural Residential Village and Village Center to establish overlay zones within 1,000 feet of new water/sewer lines that limit the number of service connections to prevent sprawl and retain low-density character. Connections in these areas should be limited to what could be supported by an on-site well."

This recommendation is being addressed in the new draft zoning regulations currently being prepared for the Commission's review. As shown in the attached map, the primary area to which the overlay would apply is along Route 195 from the Willimantic River to Cedar Swamp. Properties that would be included within the overlay zone are currently zoned NB-1, PO or RAR-90; the overlay zone would not apply to the properties in the vicinity of Four Corners located east of Cedar Swamp zoned PO or PB-3. It is anticipated that these regulations will be finalized prior to completion of the pipeline in 2016. Until an overlay zone and associated regulations are adopted, the following general regulations apply to development of properties within the NB-1, PO and RAR-90 zones:

▪ **RAR-90 (Rural Agriculture Residence 90)**

The following uses allowed in the RAR-90 zone by right: single-family dwellings, two-family dwellings, community residences, and agricultural uses. All other uses require special permit approval. For any use requiring a Special Permit, the Commission must find that the proposed development is consistent with the POCD. As such, the Commission could evaluate the overall density of development with regard to whether it is consistent with the goal of retaining rural character expressed in the above action and other related actions in the Plan.

With regard to subdivisions, the minimum lot area in this zone is 90,000 square feet. The Commission has the ability to reduce the lot size to 40,000 square feet to promote cluster development and increase the amount of open space preserved. However, that reduction does not allow for any additional lots or density.

▪ **NB-1 (Neighborhood Business 1).**

All uses in the NB-1 zone require special permit approval from the Commission. Additionally, building sizes in the NB-1 zone are limited to 3,000 square feet total floor area, with no more than 2,000 square feet on the first floor. Structures that existed prior to January 1, 1996 may be expanded up to 10% even if the resultant square footage exceeds the referenced size limits. As noted above, any uses requiring special permit approval must be consistent with the POCD.

▪ **PO (Professional Office)**

The following uses are allowed in the PO zone with site plan approval from the Commission: offices and one dwelling unit if on the same property as a professional office. All other uses require special permit approval. While there are no restrictions on building size in the PO zone, all development is subject to the architectural and design standards contained in Article 10, Section R.

Summary

As you can see, some of the regulations are more specific than others with regard to connections to public water and sewer systems, which raises several questions for the Commission's consideration:

- Where the regulations require a use to be served by public water and sewer systems and there is no reference to "readily connected," at what point could someone apply for the required Commission approvals?
 - Does the system have to be complete or would the Commission consider applications once the system is under construction with a potential condition that no Certificate of Compliance be issued until the use is connected to the required facilities?
 - Would the Commission apply the same "readily connected" standard that is specified for the various residential zones?

- With regard to the definition of “readily connected” that is identified in some of the regulations, the CWC project would appear to meet that threshold test once construction contracts for all portions of the project have been signed, including the four phases of CWC construction and the portion that will be constructed by UConn to connect the pipeline into the UConn water system. Does the Commission concur with that interpretation?

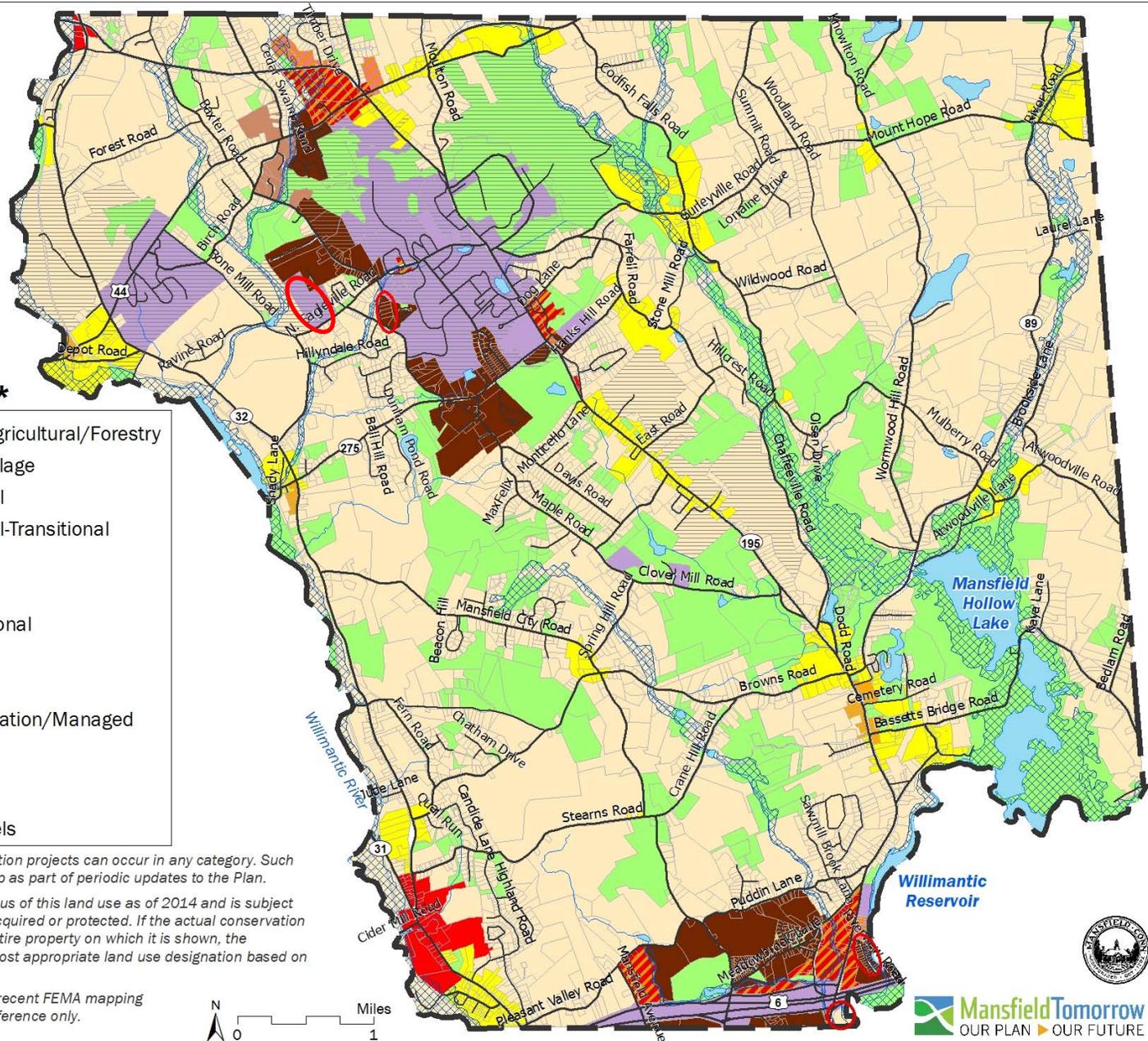
While status of the water system project served as a catalyst for this interpretation request, it should also be noted that the Commission’s interpretation will also apply to any projects that require connection to a public sewer system.

Note: See Map 4.2 for locations of historic villages

DRAFT
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**Map 8.3:
Future Land Use***

- Rural Residential/Agricultural/Forestry
- Rural Residential Village
- Compact Residential
- Compact Residential-Transitional
- Village Center
- Mixed-Use Center
- MXU Center-Transitional
- Rural Commercial
- Institutional
- Conservation/Recreation/Managed Resource Areas**
- Flood Zone***
- UConn-Owned Parcels

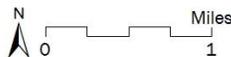


* Future land conservation/recreation projects can occur in any category. Such projects will be reflected in the map as part of periodic updates to the Plan.

** This designation shows the status of this land use as of 2014 and is subject to change as new properties are acquired or protected. If the actual conservation restriction does not apply to the entire property on which it is shown, the Commission shall determine the most appropriate land use designation based on the surrounding context.

*** Flood zone data is from most recent FEMA mapping done in 1980 and is for general reference only.

Source: Town of Mansfield, 2015



Willimantic Reservoir



Mansfield Tomorrow
OUR PLAN ▶ OUR FUTURE



Town of Mansfield

Department of Planning and Development

Date: September 30, 2015
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development 
Subject: Director's Report

If there are any other items or questions, I will address them at the October 5th meeting.

Staffing

Curt Hirsch will be retiring in December after 30 years of service. With Curt's retirement, the position is being changed to an Assistant Planner who will have planning duties and responsibilities in addition to the traditional permitting and enforcement functions performed by the Zoning Agent. The Assistant Planner will also be required to hold (or obtain) certification from DEEP so that they can function as a backup Inland Wetlands Agent when Jennifer Kaufman is not available. A copy of the new job description is attached for your information. We are hoping to have the new Assistant Planner on board by the beginning of December so that we can have a few weeks of overlap with Curt for training purposes.

Mansfield Tomorrow

- *POCD* – Staff is working with the consultant to make the changes to the POCD identified by the Commission. The Plan will be available on-line and in the Town Clerk's office by the close of business on October 8th. Copies for the Commission will be distributed in the following weeks.
- *Zoning and Subdivision Regulations* – Staff continues to refine the initial draft prepared by the consultant; we hope to have a draft to the Commission and Focus Group by the end of October.

Open Space Preservation

- There are no specific open space preservation projects to announce at this time.

Economic Development

- *Brownfield Redevelopment Planning (BAR) Program* – Governor Malloy announced last week that the Connecticut Department of Economic and Community Development will be accepting applications for a new grant developed to remediate and redevelop clusters of brownfield sites. This grant allows multiple brownfield sites to be included in one application and it is meant to spur economic development and job creation. It provides \$200,000 to eligible applicants; use of funds include but are not limited to community visioning processes, market studies, mapping, inventory, infrastructure and streetscape planning, and conceptual designs.

UConn has expressed interest in partnering with the Town on an application for the Depot Campus.

Infrastructure

- *Connecticut Water Company Pipeline* – According to recent updates from CWC, the project is approximately 20% complete and they are hoping to have the pipeline completed prior to the start of the Fall 2016 semester at UConn. More information on the project is available at <https://www.ctwater.com/Current%20Projects/PP%20-%20UCONN.aspx>.
- *Four Corners Sanitary Sewer Project* – A draft of the Environmental Impact Evaluation is under review by DEEP. Once the report is finalized it will be released for a 45 day public comment period.
- *Bicycle Pedestrian Master Plan*– Bike Mansfield, a new non-profit organization dedicated to making Mansfield a bike-friendly community is interested in spearheading the creation of a bicycle and pedestrian master plan for the town. They will be hosting a kick-off meeting in the coming weeks for all interested stakeholders. I will let you know when a meeting date has been finalized.
- *Local Transportation Capital Improvement Program (LOTICIP)* – CRCOG has issued an RFP for project proposals under the LOTICIP program. Municipalities may submit up to two proposals from a combination of any of the following categories: roadway reconstruction; bicycle pedestrian; pavement rehabilitation and stand-alone sidewalk projects. We will be convening a meeting of the Subcommittee on Infrastructure Needs to discuss project ideas with the Town's engineering staff. Applications are due December 1, 2015.

Upcoming Events and Training

Please email Jessie Richard if you are interested in attending any of the following events:

- *October 8, 2015* - Attracting Investment to Municipalities: The Planner's Toolkit, Developer's Wish List; Joint dinner program sponsored by the Connecticut Chapter of the American Planning Association and the Connecticut Developer's Council; Thursday, October 8th, 6 p.m. to 9 p.m. at the Waverly Inn in Cheshire. Due to cost, we have the ability to send a maximum of 2 PZC members; registration is due by October 6th. If you are interested in attending, please indicate preference of prime rib, Chilean sea bass or chicken Florentine.
- *October 24, 2015* – Connecticut Land Use Academy Advanced Training. This all-day training will focus on: Bias, Predisposition and Conflicts; Implementing and Enforcing Land Use Decisions; and Running a Meeting and Making the Decision. The training will be held at the Middlesex County Extension Center in Haddam from 9 am to 3 pm.
- *November 10, 2015* – Connecticut Land Use Academy Basic Training. This 2 hour training will focus on legal requirements and procedures and roles and responsibilities. The training will be held at the Lebanon Fire Safety Complex from 6:30 p.m. to 8:30 p.m.
- *November 17, 2015* – Connecticut Land Use Academy Basic Training. This 2 hour training will focus basic elements of plan reading. The training will be held at the Lebanon Fire Safety Complex from 6:30 p.m. to 8:30 p.m.

More information on the Connecticut Land Use Academy events can be found at <http://clear.uconn.edu/lua/index.htm>.