

MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

Monday, April 18, 2016 ■ 6:30 PM

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

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - a. April 4, 2016 – Regular Meeting
 - b. April 13, 2016- Field Trip Notes
4. **Zoning Agent’s Report**
5. **Public Hearing**
6. **Old Business**
 - a. **Draft Zoning Regulations**
Memo from Director of Planning
 - b. **Zoning Map Amendment Application, 91 & 93 Meadowbrook Lane, PZC File #1338**
Tabled pending a 5/2/16 Public Hearing
 - c. **Special Permit Application, Meadowbrook Gardens, 91 & 93 Meadowbrook Lane, PZC File #1284-3**
Tabled pending a 5/2/16 Public Hearing
 - d. **Request for Interpretation of Lot Frontage Requirements**
Memo from Director of Planning
 - e. **Ad Hoc Committee on Rental Regulations and Enforcement**
 - f. **Other**
7. **New Business**
 - a. **Request for transient vendor on Town Square**
Memo from Zoning Agent
 - b. **Other**
8. **Reports from Officers and Committees**
 - a. Chairman’s Report
 - b. Regional Planning Commission
 - c. Regulatory Review Committee
 - d. Planning and Development Director’s Report
 - e. Other
9. **Communications and Bills**
 - a. Other
10. **Adjournment**

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, April 4, 2016 adjourned to Wednesday, April 6, 2016
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin, B. Chandy, R. Hall, K. Rawn, V. Ward
Members absent: C. Ausburger, G. Lewis, B. Ryan, S. Westa
Alternates present: T. Berthelot
Alternates absent: P. Aho
Staff present: Linda Painter, Director of Planning and Development
Janell Mullen, Assistant Planner/Zoning Enforcement Officer

Chairman Goodwin called the meeting to order at 6:47 p.m. and appointed alternate Berthelot to act.

Approval of Minutes:

a. March 16, 2016, Regular Meeting:

Hall MOVED, Chandy seconded, to approve the 3-16-2016 minutes as presented. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

Janell Mullen, Zoning Agent, requested the Commission add a New Business Item to the Agenda regarding a Certificate of Compliance for Quester's Way. Ward MOVED, Chandy seconded to add the Request for a Certificate of Compliance for Quester's Way as a New Business Item. MOTION TO ADD TO THE AGENDA PASSED UNANIMOUSLY.

Old Business:

a. Draft Zoning Regulations

This item was tabled until after all other business.

b. Zoning Map Amendment Application, 91 & 93 Meadowbrook Lane, PZC File #1338

Item is tabled pending a 5/2/16 Public Hearing.

c. Special Permit Application, Meadowbrook Gardens, 91 & 93 Meadowbrook Lane, PZC File #1284-3

Item is tabled pending a 5/2/16 Public Hearing, Field Trip set for 4/13/16.

d. Ad Hoc Committee on Rental Regulations and Enforcement

Chairman Goodwin tabled this discussion.

New Business:

a. Request for Interpretation of Lot Frontage Requirements

WARD moved, Chandy seconded, to table this item for discussion to when more members are present.

b. Request for Certificate of Compliance, Quester's Way

Chairman Goodwin disqualified herself and Ward was appointed as Acting Chair for this item.

Janell Mullen, Zoning Agent reviewed her 4/6/16 memo.

Rawn MOVED, Hall seconded, to authorize the Zoning Agent to issue the Certificate of Zoning Compliance for Quester's Way (PZC File #432-6). The Zoning Agent will verify that the work has been completed by the end of the month. Failure to construct the Zen Garden per the landscaping plan will result in citations and fines. MOTION PASSED UNANIMOUSLY.

Reports from Officers and Committees:

In addition to The Director's Report, it was noted that a Field Trip is scheduled for 4-13-16; and that Ward attended the Land Use Academy's Advanced Training.

Communications and Bills:

Noted.

Old Business Continued:

a. Draft Zoning Regulations

Painter distributed a handout with four potential options to address Commission concerns regarding potential for development of properties located outside the proposed water pipeline overlay district to bypass restrictions by acquiring an easement to access public water and potentially increase density. After discussion, members identified the addition of language prohibiting the use of such easements as justification for increased density as the preferred option.

Painter also distributed a handout with potential changes to the draft live music/amplified music regulations based on concerns identified by the Town Manager and Resident Trooper with the current draft regulations. After discussion, members recommended amending the current draft to delete references to live/amplified music associated with residential uses and specify the number of violations of noise and nuisance ordinances that would result in revocation. Based on the discussion, members requested that revised language be prepared for the April 18th meeting for the purpose of setting a public hearing date in June on the draft stormwater, water service connection/water pipeline overlay district, alcoholic liquor and live/amplified music regulations.

Adjournment:

The Chair declared the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

Field Trip Notes

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
SPECIAL MEETING – FIELD TRIP
APRIL 13, 2016

Members present: V. Ward, P. Aho
Conservation: J. Silander (Item #1)
Staff present: Jennifer Kaufman, Inland Wetlands Agent
Janell Mullen, Assistant Planner

The field trip began at approximately 2:35 p.m.

W1564- Storrs Lodges, 218 Units, Hunting Lodge Road (Parcel I.D. 15.21.3)

Members were met on site by the applicant's team: Attorney Thomas Fahey, George Logan, and Dave Ziaks. Members observed current conditions, and site characteristics. No decisions were made.

W1565- Uniglobe Investment, LLC., Meadowbrook Road, Sidewalk

Members were met on site by the applicant's team: Bob Maggi and Michael Yenke. Members observed current conditions, and site characteristics. No decisions were made.

W1562-Meadowbrook Gardens, 91 & 93 Meadowbrook Lane, 36 Units

Members were met on site by the applicant's team: Bob Maggi and Michael Yenke. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 4:30 p.m.

ZONING AGENT REPORT ■ MAR 2016

JANELL MULLEN, ZONING AGENT ISSUED ON APRIL 18, 2014

ZONING PERMITS ISSUED

ADDRESS	DESCRIPTION
49 Farrell Road	Shed
65 Meadowwood	Shed
44 Westgate	12 X24Shed
19 Monticello	Single Family Home
Colonial Townhouse Apartments, Foster Drive	31 studio apartments
123 Cedar Swamp Road	Deck addition

CERTIFICATES OF ZONING COMPLIANCE

ADDRESS	DESCRIPTION
95 Storrs Road- Quester's Way	Signage and outside façade and parking improvements. Zen Garden acceptance pending.
488 Mansfield Ave	Single family caretaker dwelling

ENFORCEMENT ACTIVITY

ADDRESS/BUSINESS	DATE OF ENFORCEMENT/TYPE	DEADLINE TO RESPOND/STATUS
497-499 Storrs Road	3/1/2016, Letter of Warning, Illegal use	Property is authorized for commercial ground floor with an upstairs tenant, currently being used as two residential units.
15 Agronomy Road	1/29/2016; Citation (2)	Met with owner who wants to appeal the Zoning Regulation that changed the definition of family from 4-3 as well as his numerous citations.
Home Selling Team/Countrywide Realtors	3/15/2016; Phone call	Uptick in directional signage. Calling the realtors before retrieving signs myself. Realtors calling to complain about other real estate companies.
22 Russett Lane	3/10/2016; Notice of Violation	Owner response on 3/22/2016. He sent over leases indicating three tenants; will continue to monitor.
68 Hanks Hill Road	2/25/2016; Notice of Violation: 4/7/2016; Citation	Failure to respond, Citation issued.
67 Hillyndale Road	2/8/2015; Notice of Violation; 4/7/2016 Citation	2/22/2016; failure to respond to NOV resulted in the issuance of a citation.

122-124 Thornbush Road	3/1/2016; Notice of Violation	Unauthorized trailer in Flood Hazard Zone
14 Westwood	10/28/2015; Notice of Violation	Complaints continue regarding the number of cars parked at the property. Passed upon Department inspections. Will continue to monitor/issue citation.
379 Middle Turnpike	3/7/2016; Notice of Violation	3/21/2016; tenant called to inform me that he had a second car which recently sold. Will continue to monitor.
213 N. Eagleville Road	3/8/2016; Letter of Warning;	Continued to monitor. Notice of Violation to follow.
441 N. Eagleville Road	2/16/2016; Notice of Violation;4/6/2016 Citation	Citation issued. Still seeing 7 cars regularly parked at the property as well as getting complaints. Illegal apartment might still be in the house according to realtors. House to go on the market.
42 Olsen Drive	2/10/2016; Notice of Violation	2/22/2016; Letter from owner verifying 4 tenants and mentioning guests. Will continue to monitor.
143 Separatist Road	12/16/2015; Notice of Violation	Follow-up inspection passed. Will continue to monitor during routine inspections. Received compliant since passed inspections.
406 S. Eagleville Road	2/8/2016; Notice of Violation	2/22/2016; Owner has not responded. Citation issued on 3/8/2016.
1008 Storrs Road	1/22/2016; Citation Issued	30 days have passed; follow-up citation on 3/8/2016.
1632 Storrs Road	3/2/2016; Notice of Violation	3/22/2016; landlord confirmed 4 tenants. Will continue to monitor.
22 Cedar Swamp Road	3/10/2016; Notice of Violation	3/22/2016; landlord to send leases. Will continue to monitor.
1630 Storrs Road	3/23/2016; Notice of Violation	4/9/2016; Waiting on owner response, will continue to monitor. Possible citation to follow.
436 Mulberry	3/30/2016; Notice of Violation	4/14/2016; Will continue to monitor.

In March, the Housing Department performed 153 inspections on 127 rental properties resulting in 6 properties referred to the Zoning Agent for enforcement.



Town of Mansfield

Department of Planning and Development

Date: April 18, 2016
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Subject: Draft Zoning Regulations: Stormwater Management, Water Service Connections, Alcohol Regulations, Live/Amplified Music

Stormwater Management Regulations

There have been no changes to the draft stormwater management regulations since the March 17, 2016 draft.

Water Service Connections/Water Pipeline Overlay District

The April 14, 2016 draft includes the following changes:

- Additional restrictions prohibiting water main easements to properties located outside of the district.
- Expansion of areas to be included within the Overlay Zone. The revised map dated March 21, 2016 includes properties within 300 feet of existing and proposed water mains as described below:
 - Southwest Quadrant which includes Thornbush Road served by Windham Waterworks
 - Southeast Quadrant including Saw Mill Brook, Clearview, Overlook
 - All areas along the Connecticut Water Company main

Alcoholic Regulations

- Deleted reference to adult oriented establishments

Live/Amplified Music Regulations

- Deleted references to live/amplified music in association with residential uses
- Deleted reference to adult oriented establishments
- Clarified that live/amplified music permit may be revoked after three noise and/or nuisance violations within 12-month period

Summary and Recommendation

If the Commission has no other suggested changes to the attached draft regulations, staff recommends that public hearings be scheduled on the draft regulations.

_____ MOVES _____ SECONDS, that a public hearing be scheduled for June 20th to hear comments on the proposed revisions to the Zoning Regulations related to stormwater management dated March 17, 2016 and draft regulations related to Water Service Connections and the creation of a Water Pipeline Overlay District dated April 12, 2018. The draft regulations shall be referred to the Town Attorney, CRCOG, adjacent municipalities, Town Council, Conservation Commission and Four Corners Sewer and Water Advisory Committee for review and comment.

_____ MOVES _____ SECONDS, that a public hearing be scheduled for June 20th to hear comments on the proposed revisions to the Zoning Regulations related to alcohol and live/amplified music dated April 8, 2016. The draft regulations shall be referred to the Town Attorney, CRCOG, adjacent municipalities, Town Council, and Economic Development Commission for review and comment.

DRAFT ALCOHOL AND LIVE MUSIC REGULATIONS

MANSFIELD DEPARTMENT OF PLANNING AND DEVELOPMENT ■ APRIL 13, 2016

OVERVIEW

ALCOHOLIC LIQUOR REGULATIONS

The proposed changes:

- Change alcoholic liquor permits from a principal to an accessory use for all liquor permits other than temporary permits.
- Eliminate requirement for site plan approval for temporary liquor permits provided certain conditions are met. (A list of temporary liquor permits pursuant to state statutes is attached to the end of this document.)
- Eliminate separation distance requirements between sales/manufacture of alcohol and certain uses.
- Eliminate references to specific state liquor permit types, thereby deferring to permits allowed by Code of Ordinances
- Allow brew pubs and brewpub/restaurants (alcohol manufacturing) by special permit in the PB-1, PB-2, PB-3, PB-4 zones, and by-right in the SC-SDD zone provided sewer and water infrastructure is available.*
- Allow breweries (alcohol manufacturing) by special permit in the PB-1 and PB-3 zones provided sewer and water infrastructure is available.*
- Allow farm wineries (manufacture of alcohol) in the RAR-90, PVRA and PVCA zones.*

*These uses would not be authorized unless/until the Code of Ordinances was changed to allow for these types of alcohol permits.

LIVE MUSIC REGULATIONS

The proposed changes:

- Change live music permits from a principal to an accessory use for live and/or amplified music associated with a business that meets the standards identified in the regulations.
- Zoning permit required but doesn't need to be renewed annually. Permit may be revoked if there are two or more noise/nuisance violations within a 12-month period.
- Allow outdoor music in all zones subject to day/time restrictions.
- Require special permit approval for proposed music venues that deviate from the defined standards.

AMENDMENTS TO ARTICLE FOUR: RULES AND DEFINITIONS

AMEND SECTION B – DEFINITIONS

Add the following definitions (alphabetic order) and renumber subsequent definitions accordingly.

6. **Brewpub/restaurant** – A restaurant where beer is manufactured, stored, bottled and sold to be consumed on premises. A limited amount of beer may be sold at retail in sealed containers for consumption off premises as accessory to the restaurant use.
7. **Brewpub** – A facility where beer can be manufactured, stored, bottled, sold at wholesale or at retail in sealed bottles or other sealed containers for consumption off premises, or sold to be consumed on premises in a room that is ancillary to the production of beer, with or without the sale of food.
8. **Brewery** – A facility where beer can be manufactured, stored, bottled and sold at wholesale or at retail in sealed containers for consumption off premises or offered for on-site tasting.

AMENDMENTS TO ARTICLE SEVEN: PERMITTED USES

AMEND SECTION D – USES PERMITTED IN ALL ZONES EXCEPT IN THE FLOOD HAZARD ZONE

Amend Section D.7, Accessory Buildings and Uses to add new subsections (g) and (h) as follows:

7. **Accessory buildings and uses** (see definition in Article IV), provided the following conditions are met:

* * * * *

- g. The sale of alcohol shall be permitted as accessory to the following uses provided the liquor permit type is authorized pursuant to Chapter 101 of the Mansfield Code of Ordinances:
 - Retail
 - Restaurant
 - Hotel
 - Place of Assembly-Banquet Hall
 - Commercial recreation facility
 - Brewpub/Restaurant, Brewpub, and Brewery
 - Farm Winery
- h. Live and/or amplified music shall be permitted provided the standards of Article Ten, Section I are met.

* * * * *

Amend Section D.15, Temporary Special Events involving the sale and consumption of alcoholic liquor as follows:

15. **Temporary special events involving the sale and consumption of alcoholic liquor pursuant to Sec. 30-25, 30-35, 30-37b and 30-37h, C.G.S.**, provided the following requirements are met:

- a. A Zoning Permit shall be obtained for proposed events unless the property meets one of the following criteria:

1. The property is owned or leased by a public agency; or
 2. The property has received prior zoning approval for a public assembly use.
- b. Proposed plans for parking, traffic control, crowd control, hours of operation and protection of minors shall be submitted with the Zoning Permit Application and approved by the Mansfield Police Department;
- c. Proposed plans for providing sanitary facilities for the subject event shall be submitted with the Zoning Permit application and found to be sufficient by the Zoning Agent in consultation with the local health district.

AMEND SECTION G – USES PERMITTED IN THE RAR-90 ZONE

Amend Section G to add new section G.15 as follows:

15. Farm Wineries provided special permit approval is obtained in accordance with Article V, Section B.

AMEND SECTION K – USES PERMITTED IN THE PVRA (PLEASANT VALLEY RESIDENCE/AGRICULTURE) ZONE (LAND SOUTH OF PLEASANT VALLEY ROAD AND WEST OF MANSFIELD CITY ROAD)

Amend Section 3 to add new Section 3.g as follows:

3. **Categories of Permitted Uses in the Pleasant Valley Residence/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B and Applicable Provisions of Article X, Section A:**

* * * * *

- g. Farm Wineries

* * * * *

AMEND SECTION L – USES PERMITTED IN THE PLANNED BUSINESS I ZONE (ROUTE 195/ROUTE 6 AREA)

Amend Section L as follows:

2. **Categories of permitted uses in the Planned Business 1 zone requiring special permit approval as per the provisions of Article V, Section B:**

- a. **Category A**

1. **Retail uses that comply with the following criteria:**

- the use results in a maximum of four separate stores, shops or businesses on the subject lot; and
- the use involves a maximum of two distinct or independent retail operations per store, shop or outdoor area

* * * * *

- e. **Category E**

1. **Retail uses that comply with the following criteria:**

- The use results in five or more separate stores or shops or businesses on the subject lot; or
- The use involves more than two distinct or independent retail operations per store, shop or outdoor area. (For example: a marketing operation where more than two independent merchants utilize a particular area)

* * * * *

f. Category F

Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

g. Category G

Game arcades as a primary (more than 3 games) and not accessory use, provided the following conditions are met:

Renumber subsequent provisions accordingly

* * * * *

h. Category H

Reserved.

i. Category I

Brewpub/restaurant, Brewpub and Brewery uses provided the site is served by public water and sanitary sewer systems.

* * * * *

k. Category K

1. Restaurants, provided the following conditions are met:

- a. all structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures.
- b. There shall be no drive-through food service.

* * * * *

m. Category M

Hotels, motels, tourist homes.

* * * * *

AMEND SECTION M-USES PERMITTED IN THE PLANNED BUSINESS 2 ZONE (ROUTE 195/DOG LANE AREA)

Amend Section M.2 as follows:

2. **Categories of permitted uses in the Planned Business 2 zone requiring special permit approval as per the provisions of Article V, Section B:**

* * * * *

f. **Category F**

Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers, and bowling alleys. All changes in use within this subsection require special permit approval.

* * * * *

j. **Category J**

Hotels, motels, tourist homes.

* * * * *

k. **Category K**

Reserved.

l. **Category L**

Brewpub/restaurant and Brewpub uses provided the site is served by public water and sanitary sewer systems.

* * * * *

AMEND SECTION N – USES PERMITTED IN THE PLANNED BUSINESS 3 ZONE (ROUTE 195/ROUTE 44 FOUR CORNERS AREA)

Amend Section N as follows:

3. **Categories of permitted uses in the Planned Business 3 zone requiring special permit approval as per the provisions of Article V, Section B:**

* * * * *

f. **Category F**

Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

* * * * *

i. **Category I**

Reserved.

j. Category J

Brewpub/restaurant, Brewpub and Brewery uses provided the site is served by public water and sanitary sewer systems.

k. Category K

1. Restaurants, provided the following conditions are met:

- a. the site is served by adequate public water and sewer systems;
- b. all structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures.
- c. There shall be no drive-through food service.

l. Category L

Hotels, motels, tourist homes.

* * * * *

AMEND SECTION O – USES PERMITTED IN THE PLANNED BUSINESS 4 ZONE (NORTH EAGLEVILLE RD./KING HILL RD. AREA)

Amend Section O.2 as follows:

2. Categories of Permitted Uses in the Planned Business 4 Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B:

* * * * *

l. Category L

Reserved.

m. Category M

Brewpub/restaurant and Brewpub uses provided the site is served by public water and sanitary sewer systems.

* * * * *

AMEND SECTION P – USES PERMITTED IN THE PLANNED BUSINESS 5 ZONE (ROUTE 32/ROUTE 31 AREA)

Amend Section P.2 as follows:

2. **Categories of Permitted Uses in the Planned Business 5 Zone Requiring Special Permit approval as per the Provisions of Article V, Section B:**

* * * * *

f. **Category F**

Commercial recreation facilities such as theaters, racquetball, tennis and physical fitness centers; and bowling alleys. All changes in use within this subsection require special permit approval.

* * * * *

h. **Category H**

Reserved.

i. **Category I**

* * * * *

m. **Category M**

Reserved.

n. **Category N**

Reserved.

* * * * *

AMEND SECTION Q – USES PERMITTED IN THE BUSINESS ZONE

Amend Section Q.3.c as follows:

c. **Category C**

Game arcades as a primary (more than 3 games) and not accessory use, provided the following conditions are met:

Renumber subsequent provisions accordingly

* * * * *

h. **Category H**

Reserved.

* * * * *

AMEND SECTION R – USES PERMITTED IN THE NEIGHBORHOOD BUSINESS 1 ZONES (ROUTE 44/MANSFIELD DEPOT AREA; ROUTE 195/32 AREA; ROUTE 195/SPRING HILL RD AREA; ROUTE 32/EAGLEVILLE AREA)

Amend Section R.2 as follows:

2. Categories of Permitted Uses in the Neighborhood Business 1 Zones requiring special permit approval as per the provisions of Article V, Section B:

* * * * *

a. Category A

1. Retail stores that comply with the following criteria:

- a. There is a maximum of four separate stores, shops or businesses on the subject lot;
- b. There is a maximum of two distinct or independent retail operations per store, shop or outdoor area;

* * * * *

g. Category G

Reserved.

h. Category H

Restaurants, provided the following conditions are met:

- 1. All structures and parking areas are a minimum of 100 feet from residential zone boundaries or 100 feet from the property lines of an existing residence on an adjacent lot. This setback requirement may be reduced if the applicant can demonstrate to the satisfaction of the PZC that the subject uses will be effectively buffered from adjacent properties by existing or proposed vegetation, topographic features, walls, fences or other measures.
- 2. There shall be no drive-through food service.

* * * * *

AMEND SECTION S – USES PERMITTED IN THE NEIGHBORHOOD BUSINESS 2 ZONE (ROUTE 195/MANSFIELD CENTER AREA)

Amend Section S.2 as follows:

2. Categories of Permitted Uses in the Neighborhood Business 2 zones requiring special permit approval as per the provisions of Article V, Section B:

* * * * *

g. Category G

Reserved.

AMEND SECTION U – USES PERMITTED IN THE PVCA (PLEASANT VALLEY COMMERCIAL/AGRICULTURE) ZONE (LAND SOUTH OF PLEASANT VALLEY ROAD AND EAST OF MANSFIELD AVENUE)

Amend Section 3 to add new Section 3.m as follows:

3. Categories of Permitted Uses in the Pleasant Valley Commercial/Agriculture Zone Requiring Special Permit Approval as per the Provisions of Article V, Section B and Applicable Provisions of Article X, Section A:

* * * * *

m. Farm Wineries

* * * * *

AMEND SECTION V – USES PERMITTED IN THE RD/LI (RESEARCH AND DEVELOPMENT/LIMITED INDUSTRIAL) ZONE (ROUTE 44/NORTH EAGLEVILLE RD AREA)

Amend Section V.3 as follows:

3. Permitted Uses in the RD/LI Zone requiring Special Permit Approval as per the Provisions of Article V, Section B

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AMENDMENTS TO ARTICLE TEN

DELETE SECTION I – SALE OF ALCOHOLIC LIQUOR AND REPLACE WITH LIVE AND/OR AMPLIFIED MUSIC

Delete Section I in its entirety and replace with the following:

I. Live and/or Amplified Music

- 1. Purpose.** The purpose of these regulations is to allow for amplified and live music as accessory to certain assembly related uses while establishing minimum standards to protect adjacent neighborhoods from noise impacts.
- 2. Applicability.**

- a. Live and/or amplified music shall be permitted with Zoning Permit approval as an accessory use to the following uses pursuant to the requirements of this Section:
 - Restaurant
 - Hotel
 - Place of Assembly-Banquet Hall
 - Commercial recreation facility
 - Brewpub/Restaurant, Brewpub, and Brewery
- b. The Zoning Permit requirements and restrictions on outdoor music contained in this section shall not apply to public property and properties in the SC-SDD.

3. Outdoor Music.

Outdoor music will be allowed in all zones during the following days and times.

	Outdoor Music Permitted
Thursday-Saturday	12:00 pm – 10 pm
Sunday	12 pm – 6 pm

Outdoor music on days or times other than those identified in the table below may be authorized by Special Permit approval.

- 4. **Noise and Nuisance Regulations.** All events involving live and/or amplified music shall comply with the noise and nuisance regulations contained in Chapters 134 and 135 of the Code of Ordinances.
- 5. **Violations.** In addition to penalties for violation identified in Article Eleven, Section F of these regulations and Chapters 134 and 189 of the Mansfield Code of Ordinances, the Zoning Permit for any live/amplified music use may be revoked by the Zoning Agent if there are three or more noise and/or nuisance violations within a 12 month period. Special Permit approval shall be required for reinstatement of any Live/Amplified Music Permit that has been revoked.

AMEND SECTION 5.4 – USES PERMITTED IN THE STORRS CENTER SPECIAL DESIGN DISTRICT

Amend Section 5.4.a to add the following use:

(xxvii) Brewpub and Brewpub/restaurant as defined in Article IV

AMENDMENTS TO ARTICLE ELEVEN

AMEND SECTION C-ZONING PERMITS

Amend Section C.1.a as follows:

- a. The following provisions for Zoning Permits are in addition to any application requirements associated with uses and/or construction activities that also require the review and approval of the Planning and Zoning Commission. All proposed uses and/or construction activities shall comply with permitted use provisions and all other applicable regulatory provisions. Except as noted below in subsection b, Zoning Permits shall be required for the following activities:
 - 6. Temporary special outing liquor permits pursuant to article vii, section [D.15](#).

TEMPORARY LIQUOR PERMIT TYPES

PURSUANT TO DEPARTMENT OF LIQUOR CONTROL TEMPORARY LIQUOR PERMIT APPLICATION
▪ EXCERPTS FROM STATE STATUTES

Sec. 30-25. Special club permit for picnics. (a) A special club permit shall allow the sale of alcoholic liquor by the drink at retail to be consumed at the grounds of an outdoor picnic conducted by a club or golf country club. Such permits shall be issued only to holders of club or golf country club permits and shall be issued on a daily basis subject to the hours of sale in section 30-91, and shall be the same as provided therein for clubs and golf country clubs. The exception that applies to railroad and boat permits in section 30-48 shall apply to such a special club permit. No such club or golf country club shall be granted more than four such special club permits during any one calendar year.

(b) The Department of Consumer Protection shall have full discretion in the issuance of such special club permits as to suitability of place and may make any regulations with respect thereto.

(c) The fee for such a special club permit shall be fifty dollars per day.

Sec. 30-35. Temporary permit for outings, picnics or social gatherings. A temporary beer permit shall allow the sale of beer and a temporary liquor permit shall allow the sale of alcoholic liquor at any outing, picnic or social gathering conducted by a bona fide noncommercial organization, which organization shall be the backer of the permittee under such permit. The profits from the sale of such beer or alcoholic liquor shall be retained by the organization conducting such outing, picnic or social gathering and no portion of such profits shall be paid, directly or indirectly, to any individual or other corporation. Such permit shall be issued subject to the approval of the Department of Consumer Protection and shall be effective only for specified dates and times limited by the department. The combined total of outings, picnics or social gatherings, for which a temporary beer permit or temporary liquor permit is issued pursuant to this section, shall not exceed twelve in any calendar year and the approved dates and times for each such outing, picnic or social gathering shall be displayed on such permit. The fee for a temporary beer permit shall be thirty dollars per day and for a temporary liquor permit shall be fifty dollars per day.

Sec. 30-37b. Charitable organization permit. A charitable organization permit shall allow the retail sale of alcoholic liquor by the drink to be consumed on the premises owned or leased by the organization. Such permit shall be issued subject to the hours of sale in section 30-91 and the combined total of days for which such permit shall be issued shall not exceed twelve days in any calendar year. The dates for which such permit is issued shall be displayed on such permit. The fee for a charitable organization permit shall be fifty dollars.

Sec. 30-37h. Nonprofit corporation permit. A nonprofit corporation permit shall allow the retail sale of wine at auction, provided the auction is held as part of a fund-raising event to benefit the tax-exempt activities of the nonprofit corporation. Each permit shall allow the sale of wine at a maximum of twelve such auctions in any calendar year, except as provided in section 30-37d. The fee for a nonprofit corporation permit shall be twenty-five dollars.

DRAFT STORMWATER MANAGEMENT REGULATIONS

MANSFIELD DEPARTMENT OF PLANNING AND DEVELOPMENT ■ MARCH 17, 2016

OVERVIEW

The proposed changes:

- Establish thresholds for when stormwater management plans are required;
- Identify the minimum information required as part of a stormwater management plan;
- Promote the use of Low Impact Development practices to improve groundwater recharge;
- Require the use of more recent rainfall data (NOAA Atlas 14) to estimate stormwater volumes; and
- Establish minimum stormwater management requirements for small scale projects.

AMENDMENTS TO ARTICLE SIX OF THE ZONING REGULATIONS

AMENDMENTS TO SECTION B.4 – PERFORMANCE STANDARDS

Add new Section B.4.t:

t. Stormwater Management

1. Definitions. For the purpose of this section, the following definitions shall be used:
 - a. *Low Impact Development (LID).* A stormwater management strategy designed to maintain or replicate the predevelopment hydrologic regime. Hydrologic functions of storage, infiltration and groundwater recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and distributed micro-scale stormwater retention and detention areas; reduction of impervious surfaces, and the lengthening of run-off flow paths and flow time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, floodplains, woodlands and highly permeable soils.
 - b. *Impervious Surface.* The area of a building site or lot that is covered by materials that prevent the infiltration of surface water into the ground beneath. Such materials may include, but are not limited to, roofs, paved driveways, concrete slabs, sealed-joint paving blocks or stones, and pools. Impervious surface shall be expressed in terms of square footage or acreage, and percentage of total site or lot area.
 - c. *Predevelopment site hydrology.* The water balance between runoff, infiltration, storage, groundwater recharge, and evapotranspiration prior to the development of a site.
 - d. *Disturbed area.* All land areas that are stripped, graded, grubbed, filled, or excavated at any time during the site preparation or removing vegetation for, or construction of, a project.

"Disturbed area" does not include routine maintenance, but does include re-development and new impervious areas. "Routine maintenance" is maintenance performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility. Paving impervious gravel surfaces while maintaining the original line and grade, hydraulic capacity and original purpose of the facility is considered routine maintenance. Cutting of trees, without grubbing or stump removal is not considered "disturbed area".

A disturbed area continues to be considered as disturbed area if it meets the definition of "developed area" or "impervious area" following final stabilization.

- e. *Developed area*. "Disturbed area" excluding area that within one calendar year of being disturbed is returned to a condition with the same drainage pattern that existed prior to the disturbance and is revegetated, provided the area is not mowed more than twice per year.
 - f. *Retention Basin*. A vegetated pond that retains a permanent pool of water and is constructed to provide both treatment and attenuation of stormwater flows. Also known as a stormwater pond.
 - g. *Detention Basin*. A vegetated area designed to capture, temporarily hold, and gradually release a volume of stormwater runoff to attenuate and delay stormwater peaks. Also known as a dry pond or dry detention pond.
 - h. *Sheet Flow*. An overland flow or downslope movement of water taking the form of a thin, continuous film over relatively smooth soil or rock surfaces where there are no defined channels and the flood water spreads out over a large area at a uniform depth.
 - i. *Point Discharge*. The release of collected and/or concentrated surface and stormwater runoff from a pipe, culvert or channel.
2. Purpose. The purpose of these stormwater management regulations is to:
- a. Promote the goals and objectives for the conservation of the town's water resources as identified in the Plan of Conservation and Development;
 - b. Preserve the predevelopment site hydrology to the extent practical in order to maintain stream base flow conditions; maintain groundwater recharge; and minimize flooding, erosion, and the effects from runoff on downstream properties;
 - c. Minimize the sources and amounts of pollution transported by stormwater runoff to wetlands, watercourses, groundwater, and other natural resources, and minimize impacts to downstream properties; and
 - d. Promote the use of Low Impact Development (LID) practices in the planning, design, and execution of land development activities.
3. Applicability. These regulations are applicable to any new development and/or modifications to existing land uses that meet the following criteria:
- Any development resulting in the disturbance of one or more acres of land;
 - Residential development of five or more dwellings;
 - Residential development involving the construction of a new road or common driveway serving more than two dwellings;
 - Any development where stormwater will have a point discharge to a wetland or watercourse;
 - Nonresidential development having greater than 10,000 square feet of impervious surface;
 - Other activities as described in the CTDEEP 2004 Connecticut Stormwater Manual (the Manual) as may be amended; or
 - Other developments determined by the Commission to have the potential for stormwater management issues.

4. Stormwater Management Plan. A Stormwater Management Plan (SWM) shall be included in any application that requires the submission and approval of a Site Plan or Subdivision Plan and shall be consistent with the purpose set forth in subsection 2 above, the Mansfield Standards and Specifications, and the principles set forth in the Manual.
 - a. The SWM shall be consistent with generally accepted engineering and site planning practices, and shall include best management practices and Low Impact Development practices where feasible. The plan shall include a summary report describing the nature of the improvement; a SWM improvement plan; supporting computations where appropriate; a description of construction sequence; and a program for operation, maintenance, and monitoring. The professional engineer shall sign and seal all documents which they prepared.
 - b. The design report shall include:
 - Description of existing site and relevant off-site conditions that may be affected by the selection of water quality measures;
 - Rainfall data for the design storms as identified by the NOAA Atlas 14, as amended;
 - An evaluation of existing on-site and off-site hydrology including estimates of preconstruction and post-construction development from the 1-, 2-, 10-, 25-, and 100-year, 24-hour storm events;
 - A discussion of the function for the stormwater management system during typical operation and during a possible failure of a component; and
 - A discussion of the proposed treatment and control measures and their estimated effect on improving the quality of stormwater runoff, specifically for the removal of 80 percent of total suspended solids.
 - c. The improvement plan shall be designed to:
 - Maintain the predevelopment site hydrology to the maximum extent feasible;
 - Reduce peak runoff from 2-year, 24-hour postdevelopment event to 50 percent of the predevelopment conditions for that storm event or to the equivalent of the 1-year, 24-hour storm event unless the Commission determines that such reduction is impractical;
 - Provide zero net increase in peak runoff from the 10-, 25-, and 100-year storm events unless the applicant demonstrates that this would be a detriment to downstream properties;
 - Provide treatment of stormwater runoff in accordance with the Manual;
 - Have conveyance systems meeting the applicable provisions of the CTDOT Drainage Manual; and
 - Minimize structural stormwater components and incorporate vegetative measures such as rain gardens and bioretention basins where appropriate.
 - d. When the proposed development involves modification to an existing developed area, the applicant shall demonstrate that the stormwater quality treatment is being provided to the maximum extent practicable for all undisturbed impervious areas. New impervious areas and existing impervious areas that are disturbed shall meet the standards set forth in subsection (c), above.
5. Small Scale Projects. Any development that meets one or more of the thresholds set forth in subsection 3 but does not require Site Plan or Subdivision approval shall manage stormwater by implementing one or more of the following LID measures. Compliance with this requirement will be determined as part of the Zoning Permit process.

Reducing Hydraulic Connectivity of Impervious Surfaces

- Disconnecting roof drains and directing flows to vegetated areas or infiltration structures (swales, trenches, or drywells)
- Directing flows from paved areas such as driveways to stabilized vegetated areas
- Breaking up flow directions from large paved surfaces
- Encouraging sheet flow through vegetated areas
- Locating impervious areas so they drain to natural systems, vegetated buffers, natural resource areas, on-lot bioretention areas, or permeable soils

Modifying/Increasing Runoff Travel Time

- Maximizing overland sheet flow
- Increasing and lengthening drainage flow paths
- Maximizing use of vegetated swales

Increasing Groundwater Recharge

- Vegetated Swales, Buffers, and Filter Strips
- Bioretention/Rain Gardens
- Dry Wells/Leaching Trenches
- Rainwater Harvesting
- Vegetated Roof Covers (Green Roofs)

More detailed guidance for implementation of these measures can be located in the 2004 Connecticut Stormwater Quality Manual as may be amended.

6. Conflicts. If there are any conflicts between these Regulations and other standards, the more stringent requirement shall apply.

DRAFT REGULATIONS RELATED TO WATER SERVICE CONNECTIONS

MANSFIELD DEPARTMENT OF PLANNING AND DEVELOPMENT ▪ APRIL 11, 2016

OVERVIEW

The proposed changes:

- Establish a new water pipeline overlay zoning district to regulate water service connections in that zone.
- Prohibit water main access easements or rights of way to properties that abut water overlay district. Provide criteria for regulating uses served by the Connecticut Water Company pipeline pursuant to the diversion permit issued by DEEP.

AMENDMENTS TO ARTICLE TWO

AMEND SECTION 2.A

Add “W – Water Pipeline Overlay Zone” to end of list of Zoning Districts

AMENDMENTS TO ARTICLE SIX

AMENDMENTS TO ARTICLE SIX, SECTION B.4 – PERFORMANCE STANDARDS

Add new section B.4.u as follows:

- u. Special Requirements for Properties Served by Connecticut Water Company. Pursuant to the terms of the water diversion permit issued by CT DEEP in June 2015 for the interconnection of the CWC and UConn water systems, future development served by that pipeline, whether directly or indirectly, shall meet the following requirements in addition to the requirements of Article 10, Section V, where applicable.
 1. Any use that exists as of the effective date of this Regulation may connect to the water main with a service connection(s) properly sized to serve only that use.
 2. No connections shall be authorized for new or expanded uses unless one or more of the following conditions is met:
 - The type and intensity of use is consistent with the Planned Development designation identified in the 2006 POCD; or
 - For properties where a change in use from the 2006 POCD is proposed, the developer must demonstrate that: (1) the proposed use is consistent with the current POCD; and (2) that the water demands of the proposed use are equivalent to or less than the water demands of uses allowed pursuant to the 2006 POCD or that the proposed uses could be supported by an on-site water system. The Commission may require verification of on-site capacity through hydrologic engineering studies and/or issuance of a permit for a water system in accordance with the Public Health Code.

3. Uses developed using on-site water systems after the effective date of this section may connect to the public water system with a connection sized only to serve that use if their on-site well fails or is contaminated. Any new uses or expansions of use on the site subsequent to connecting to the CWC system shall comply with the provisions of subsection 2, above.
3. Any projects requiring a water main extension and/ or Site Plan, Special Permit or Subdivision approval shall be referred to the Connecticut Water Company Water System Advisory Committee for review and comment.

AMENDMENTS TO ARTICLE TEN: SPECIAL REGULATIONS

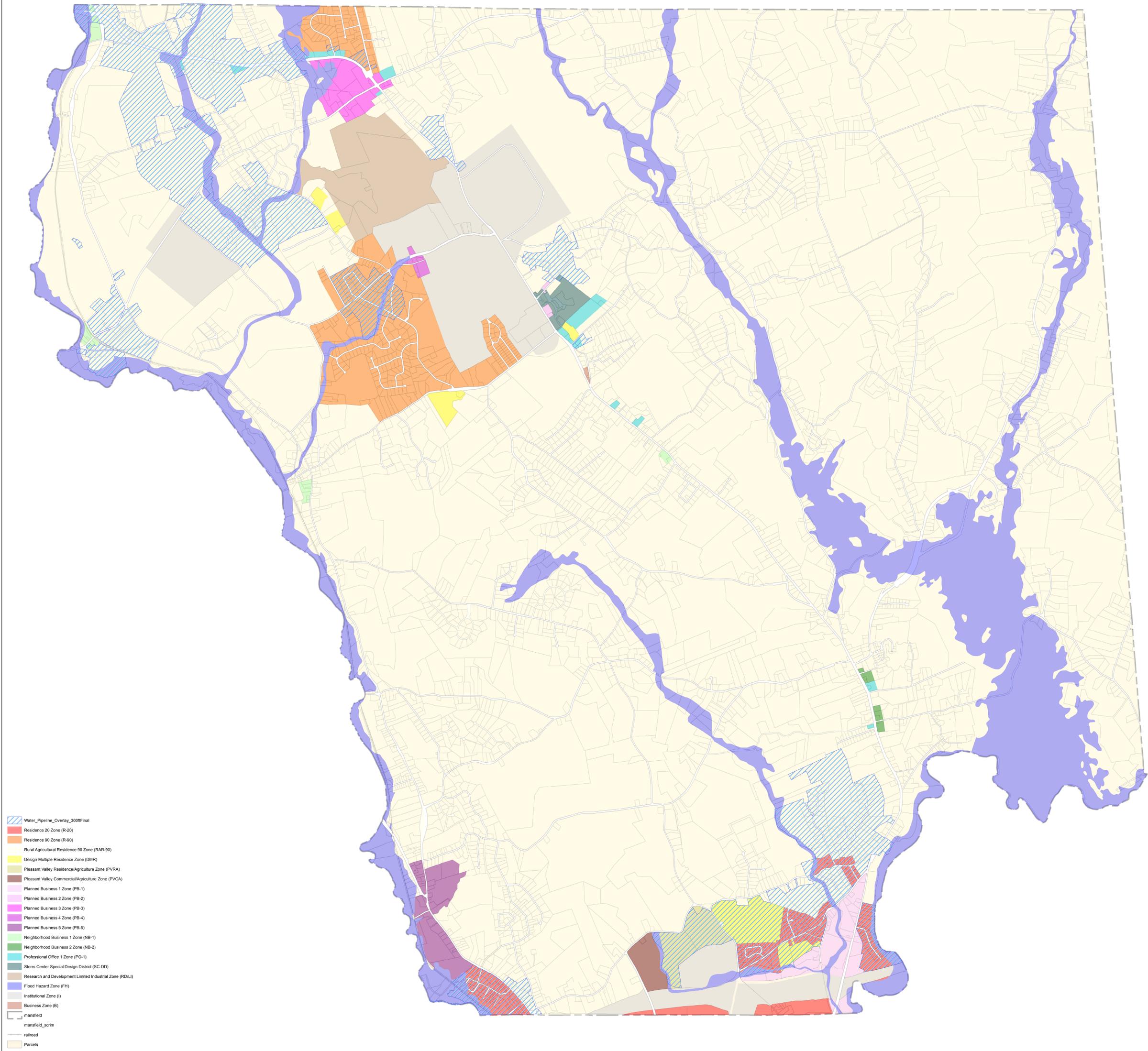
ADD NEW SECTION V – WATER PIPELINE OVERLAY ZONE

1. Purpose. The purpose of this section is to protect rural areas of the community (designated as Rural Character Conservation Areas in the POCD) from inappropriate development that could be spurred by new water transmission mains traversing these areas destined for areas designated as Smart Growth Development Areas in the POCD. Therefore, the presence of water mains in Rural Character Conservation Areas shall not be used to justify the intensification of land uses in a manner that would conflict with the overall character of that specific area as described in the POCD.

To implement this objective, this section establishes standards for connecting to new water mains in Water Pipeline Overlay Zones and identifies limitations specific to properties that will be served by the interconnection between the Connecticut Water Company and University of Connecticut water systems.

2. Applicability. The standards set forth herein are applicable to all properties located within the Water Pipeline Overlay Zone as depicted on the Official Zoning Map.
3. Establishment of New Water Pipeline Overlay Zones. This district may be applied to any area where a water pipeline exists or an extension is proposed that meets one or more of the following requirements:
 - a. The property is designated on the current POCD Future Land Use map as:
 - Conservation/Recreation/Managed Resource Area
 - Rural/Residential/Agriculture/Forestry;
 - Rural Residential Village;
 - Village Center; or
 - Rural Commercial.
 - b. The property was designated in the 2006 POCD as:
 - Low Density Residential; or
 - Planned Office/Mixed Use; or
 - Neighborhood Business/Mixed Use.
4. Development Requirements. Any owner of property located within a Water Pipeline Overlay Zone that desires to connect to the water main shall meet the following requirements.
 - a. Any property that will be served by the Connecticut Water Company shall comply with the requirements of Article 6, Section B.4.u.
 - b. Any use that exists as of the effective date of this Regulation may connect to the water main with a service connection(s) properly sized to serve only that use.

- c. New uses that are permitted in the underlying zone may connect to the water main upon receipt of a Zoning Permit.
 - d. New residential developments requiring subdivision approval shall be limited to the number of units allowed in the underlying zone either through conventional design or cluster design pursuant to the Mansfield Subdivision Regulations. While the overall number of units shall be limited to what could have been developed without access to a public water system, the Commission may authorize alternative minimum lot size, frontage and setback requirements by Special Permit to preserve a greater amount of open space.
 - e. The Commission may approve a Special Permit to allow higher density development to occur on a portion of a property while preserving the remainder of the property as open space provided the overall density of development on the entire property is not greater than what can be achieved in the underlying zone. The Commission may require a density analysis that gives consideration to such features as wetlands and water courses, steep slopes, soil conditions, and access to determine the development potential of the property in the underlying zone.
5. Easements and Water Main Extensions. Extension of water service to properties located outside of the Water Pipeline Overlay Zone through an easement or right-of-way on property located within the Water Pipeline Overlay Zone shall be prohibited.





Department of Planning and Development

Date: March 31, 2016
To: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director
Subject: Interpretation of Zoning Regulations
Definition and Application of Frontage Requirements

Background

The IWA has a pending application for a subdivision on Dog Lane (W1561). After reviewing the history of the property, staff has determined that the creation of a second lot constitutes the first cut and therefore does not meet the definition of a subdivision, which is defined as “The division of a tract or parcel of land into three (3) or more parts or lots for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.” This determination is based on the fact that the original lot of record existed in 1944, prior to the establishment of zoning and subdivision regulations. Additional land was purchased from the UConn Foundation in 2012 and added to this lot to create the parcel that exists today.

As the property has not been previously divided, splitting the parcel into two lots can be approved through the Zoning Permit process as a lot line revision provided both lots conform to minimum zoning requirements. Based on the definitions and dimensional regulations outlined in this report, staff’s initial interpretation of the regulations as applied to the Dog Lane property concluded that, while an unusual configuration, the proposed lots met the minimum requirements for 200 feet of uninterrupted frontage. No Zoning Permit application for a lot line revision has been received or reviewed at this time as the proposed changes are still under review by the IWA. Additionally, it appears that the current proposal may result in alterations to the scenic road which would require a public hearing before the PZC and approval by the Town Council.

Request for Interpretation

As described in the attached memo, the owners of properties located at 128 Dog Lane, 127 Dog Lane, 60 Bundy Lane, and 54 Bundy Lane have requested that the PZC review and issue an official interpretation of the regulations related to minimum required lot frontage. Article 11, Section A of the Regulations requires the Zoning Agent to review any questions regarding interpretation and enforcement of the regulations with the PZC officers, and if necessary, the Planning and Zoning Commission.

Definitions

Article 4 of the Zoning Regulations contains the following rules and definitions:

A. Rules

In the construction of these regulations, the rules and definitions contained in this Article shall be observed and applied, except where the context clearly indicates otherwise.

1. Uses of land, buildings or structures not permitted in the various zoning districts are prohibited.
2. Words in the singular shall include the plural, the plural the singular; and words used in the present tense shall include the future.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The word "lot" shall include the words "piece" and "parcel".
6. The words "Zone, zoning district" and "district" have the same meaning.
7. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for"
8. The phrase "these regulations" shall refer to the entire Zoning Regulations.

B. Definitions

For the purpose of these regulations, certain terms and words used herein shall be used, interpreted and defined as set forth in this section.

Any questions that arise regarding the regulatory meaning of other words and terms shall be determined by the Planning and Zoning Commission with reference to the Connecticut General Statutes and the Random House Dictionary of the English Language, unabridged edition, respectively.

* * * * *

38. **Lot, Corner.** A corner lot is a lot whose street lot lines have an interior angle of less than 135 degrees at the intersection of the two lines. A lot abutting on a curved street shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of less than 135 degrees.

39. **Lot, Frontage.** The horizontal distance measured long the full length of the front lot line. At existing, proposed or future streetline intersections with a radius, the frontage may be measured along the full length of the front lot line to the point of intersection of the front lot lines extended beyond the radius to their point of intersection.

40. **Lot line.** A property line bounding a lot. For zoning purposes, town boundary lines are not assumed to be lot lines and a Mansfield lot may extend into an adjacent municipality.

* * * * *

42. **Lot line, Front.** A front lot line is the line of a street on which a lot abuts.

43. **Lot line, Rear.** A rear lot line is any lot line, other than another front lot line on another street, which is the farthest lot from the street.

* * * * *

45. **Lot line, Side.** Any lot line not a front lot line or rear lot line, bounding a lot and extending from the street toward the rear in a direction approximately perpendicular or radial to the street.

* * * * *

Dimensional Requirements

Pursuant to the Schedule of Dimensional Requirements in Article 8 of the Zoning Regulations, the minimum required lot frontage in the RAR-90 zone is 200 feet. The following footnotes also apply to minimum lot frontage requirements:

4. Special provisions apply to non-conforming lots of record. See Article VIII, Section B.
6. The minimum lot frontage shall be continuous and uninterrupted along a street line. In residential zones, corner lots situated at the junction of two or more streets shall be required to have the minimum frontage along all abutting streets.
7. Where the front lot line is an arc or the sidelines converge toward the front lot line, the required frontage shall be measured along the front setback line, which shall be parallel to the street line.
13. Lot frontage requirements for business and residential uses within specified zones may be waived by the Planning and Zoning Commission for private roads, provided special permit approval is obtained (see Article VIII, Section B.3.d)
16. Special frontage and setback provisions may apply to subdivision lots and associated building area envelopes approved after February 20, 2002. (See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.)

Frontage of Proposed Lots

As shown on the attached map, Lot 1 has 250.68 feet of frontage on Dog Lane. Lot 2 wraps around Lot 1 and has frontage on Dog Lane on both sides of Lot 1. The portion of the lot located east of Lot 1 has 414.57 feet of frontage; however, this portion of the lot contains extensive wetlands. The portion of the lot located west of Lot 1 has 107.32 feet of frontage and shares an upland area with Lot 1. The applicant is proposing to locate the house and driveway on the western (uplands) portion of the lot, between Lot 1 and the abutting property at 128 Dog Lane. As the frontage of the western portion of the lot is less than 200 feet, the two proposed houses would be located closer together than other homes on Dog Lane, as most of the lots on Dog Lane have more than 200 feet of frontage.

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

Janell M. Mullen/Assistant Planner & Zoning Agent
Prepared on April 5, 2016

MEMO TO: Planning and Zoning Commission
FROM: Janell M. Mullen, Assistant Planner/Zoning Agent
DATE: April 18, 2016
SUBJECT: Request for temporary vending in Town Square

Project Description

I have received a request from Ethan Haggerty, Area Manager for UConn Cafes & Dairy Bar, to park an ice cream truck at the Town Square from 4:30 pm- 9:00 pm, on 06/06/16, in conjunction with the CT Main Street Award Gala. He also requests the ice cream truck be parked for outdoor movie nights occurring on 06/24/2016, 7/29/2016, and 8/19/2016 from 7:00-8:30 pm.

Compliance with Zoning Regulations

This type of temporary use is not addressed in the regulations for the Storrs Center – Special Design District. However, in Article VII, Section I.1, the following applies in commercial zones:

“Except for Commission-authorized temporary uses associated with existing uses on a site, there shall be no transient uses of an outdoor area for food, produce or other merchandise sales.”

The Dairy Bar truck has maintained a food service license from the Eastern Highlands Health District. The Mansfield Traffic Authority and the Mansfield Downtown Partnership will also receive this request, as the ice cream truck will need authorization to park in a 30-minute parking space for an extended period of time. The applicant also requests that designated parking spaces (as shown in Ethan’s submittal) be coned off at least an hour before each event.

I suggest that, in the future, a simple procedure for permitting food trucks should be incorporated into the regulations for the Storrs Center Special Design District. For now, I didn’t see a way to authorize the “transient” use without the Commission’s approval. I recommend **that the PZC authorize the temporary parking and use of the UConn ice cream truck at the Town Square in Storrs Center as described in the letter from Ethan Haggerty. The use is accessory to Downtown Storrs events and shall be subject to any conditions that may be placed upon the use by the Mansfield Traffic Authority.**

To whom it may concern:

Uconn Dining services would like to have our Dairy Bar Ice Cream truck participate in the following community events selling ice cream to the participants.

CT Main Street Awards Gala on June 6th from 4:30pm-9:00pm

-We request to have the parking spaces picture below coned off around 3:00pm if possible

Outdoor movies on 6/24, 7/29, 8/19 from 7:00pm-8:30pm

-We request to have the parking spaces picture below coned off around 6:00pm if possible



Please let me know if there are any questions or concerns we hope to be able to support these community events.



Thanks,

Ethan W. Haggerty

Area Manager UC Cafes/Dairy Bar/Dairy Bar truck

860-486-8167

Ethan.haggerty@uconn.edu



Town of Mansfield

Department of Planning and Development

Date: April 8, 2016
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 April 18th meeting.

Housing

- *Ad Hoc Committee on Rental Housing Regulation and Enforcement.* The next meeting of the Ad Hoc committee is scheduled for **April 13th at 5:30 p.m. Buchanan Center.** Commission members are welcome to attend and participate in discussion.

Workshop/Training Opportunities

- *CLEAR Webinar: The Bears are Back.* CLEAR is hosting a webinar on Thursday, May 5th from 2 pm to 3 pm on Black Bear movement and behavior in Connecticut. Contact Jessie for more information on how to register.