



MEETING NOTICE AND AGENDA

MANSFIELD PLANNING AND ZONING COMMISSION

AUDREY P. BECK MUNICIPAL BUILDING ■ 4 SOUTH EAGLEVILLE ROAD ■ COUNCIL CHAMBER

MONDAY, JUNE 20, 2016 ■ 6:30 PM

OR UPON COMPLETION OF INLAND WETLANDS AGENCY MEETING

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

A. JUNE 6, 2016 – REGULAR MEETING

3. ZONING AGENT'S REPORT

4. PUBLIC HEARINGS

A. 6:30 PM ■ SPECIAL PERMIT RENEWAL REQUESTS FOR REMOVAL OF ROCK SAND OR GRAVEL FROM:

- PROPERTY OF BANIS, NORTH SIDE OF PLEASANT VALLEY RD., APPROX. 300 FEET EAST OF WOODS RD. (PZC FILE 1164)
- PROPERTY OF HALL, NORTH OF MANSFIELD HOLLOW ROAD (PZC FILE 910-2))
- PROPERTY OF GREEN, 1090 STAFFORD ROAD (PZC FILE 1258)

Memo from Assistant Planner/Zoning Agent

B. 6:35 PM ■ AMENDMENT TO ZONING REGULATIONS RELATED TO THE BUSINESS ZONE, S. SCHRAGER (PZC FILE 1341)

Memo from Assistant Planner/Zoning Agent

C. 6:40 PM ■ AMENDMENTS TO ZONING REGULATIONS RELATED TO STORMWATER MANAGEMENT, WATER SERVICE CONNECTIONS, ALCOHOL, AND LIVE MUSIC; AND AMENDMENTS TO ZONING REGULATIONS AND MAP TO CREATE A WATER PIPELINE OVERLAY DISTRICT (PZC FILE 907-41)

Memo from Director of Planning and Development

5. OLD BUSINESS

A. ZONING AMENDMENT APPLICATION, 91 & 93 MEADOWBROOK LANE (PZC FILE 1338)

B. SPECIAL PERMIT APPLICATION, MEADOWBROOK GARDENS, 91 & 93 MEADOWBROOK LANE (PZC FILE 1284-3)

C. AMENDMENT TO ZONING REGULATIONS RELATED TO THE BUSINESS ZONE, S. SCHRAGER (PZC FILE 1341)

D. AMENDMENTS TO ZONING REGULATIONS RELATED TO STORMWATER MANAGEMENT, WATER SERVICE CONNECTIONS, ALCOHOL, AND LIVE MUSIC; AND AMENDMENTS TO ZONING REGULATIONS AND MAP TO CREATE A WATER PIPELINE OVERLAY DISTRICT (PZC FILE 907-41)

E. SPECIAL PERMIT RENEWAL REQUESTS FOR REMOVAL OF ROCK, SAND OR GRAVEL (BANIS PROPERTY, PLEASANT VALLEY ROAD; HALL PROPERTY, MANSFIELD HOLLOW ROAD; GREEN PROPERTY, 1090 STAFFORD ROAD)

F. ZONING REGULATION REVISIONS – MULTI-FAMILY HOUSING

G. OTHER

6. NEW BUSINESS

- A. CANCELLATION OF JULY 5, 2016 MEETING
- B. OTHER

7. 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

8. COMMUNICATIONS AND BILLS

- A. OTHER

9. ADJOURNMENT

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, June 6, 2016
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin, C. Ausburger, B. Chandy, R. Hall, G. Lewis, K. Rawn, B. Ryan, V. Ward,
Members absent: S. Westa
Alternates present: K. Fratoni
Alternates absent: P. Aho, T. Berthelot
Staff present: Linda Painter, Director of Planning and Development
Jennifer Kaufman, Inland Wetlands Agent

Chairman Goodwin called the meeting to order at 7:10 p.m. and appointed Fratoni to act.

APPROVAL OF MINUTES:

A. May 16, 2016- Regular Meeting:

Ryan MOVED, Chandy seconded, to approve the 05-16-2016 minutes as presented. MOTION PASSED with all in favor except Fratoni who disqualified herself. Lewis noted that he listened to the recording.

ZONING AGENT'S REPORT:

No report presented.

OLD BUSINESS:

A. ZONING AMENDMENT APPLICATION, 91 & 93 MEADOWBROOK LANE (PZC FILE 1338)

Hall volunteered to work with staff on a motion for the next meeting.

B. SPECIAL PERMIT APPLICATION, MEADOWBROOK GARDENS, 91 & 93 MEADOWBROOK LANE (PZC FILE 1284-3)

Hall volunteered to work with staff on a motion for the next meeting.

C. AMENDMENT TO ZONING REGULATIONS RELATED TO THE BUSINESS ZONE, S. SCHRAGER (PZC FILE 1341)

Tabled pending a 6/20/16 Public Hearing.

D. AMENDMENTS TO ZONING REGULATIONS RELATED TO STORMWATER MANAGEMENT, WATER SERVICE CONNECTIONS, ALCOHOL, AND LIVE MUSIC; AND AMENDMENTS TO ZONING REGULATIONS AND MAP TO CREATE A WATER PIPELINE OVERLAY DISTRICT

Tabled pending a 6/20/16 Public Hearing.

E. REQUEST FOR PRE-APPLICATION REVIEW: THE LODGES AT STORRS, HUNTING LODGE ROAD/ NORTHWOODS ROAD

Anthony Giorgio and Jeffrey Resetco presented an overview of the proposed multi-family project. They stated that the design anticipated that the regulation defining "family" would be revised to allow four unrelated individuals to reside in a unit in a project of this type. Members commented regarding the following issues: parking and traffic generation; proposed density/project size; potential impact on natural resources; compatibility of developments along Hunting Lodge Road; placement of buildings, scale of buildings, sustainable design; light pollution; long-term property management and due to the fact that the project as presently designed cannot be built under the current regulations, whether the wetlands application was premature.

NEW BUSINESS:

A. GRAVEL PERMIT RENEWAL REQUESTS

Hall MOVED, Rawn seconded, to set a public hearing for June 20, 2016, to hear gravel renewal requests and to refer to relevant staff for review. MOTION PASSED UNANIMOUSLY.

B. REQUEST FOR MODIFICATION TO EFFICIENCY UNIT PERMIT, S. & C. SORRELS (PZC FILE 1332)

Rawn MOVED, Ausburger seconded, to deny the modification request and require the applicant to submit a new Special Permit Application for the requested change. MOTION PASSED with all in favor except Hall who was opposed.

C. ZONING REGULATION REVISIONS-MULTI-FAMILY

Painter reviewed the proposed approach to Multi-Family Housing Regulations with the Commission. Members generally concurring with the approach, and identifying the need for appropriate transitions between established single-family neighborhoods and new multi-family developments. Staff will refer the draft approach to various committees for review and comment.

REPORTS FROM OFFICERS AND COMMITTEES:

Painter reviewed her report and called attention to UConn's determination that no Environmental Impact Evaluation will be required for the new student recreation center.

COMMUNICATIONS AND BILLS:

Noted.

ADJOURNMENT:

The Chair declared the meeting adjourned at 8:34 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

ZONING AGENT REPORT ■ MAY 2016

JANELL MULLEN, ZONING AGENT ISSUED ON JUNE 13, 2016

ZONING PERMITS ISSUED

ADDRESS	DESCRIPTION
18 Jude Lane	Deck
381 Browns Road	Work shed (25'X25')
650 Mansfield City Road	Efficiency Apartment + driveway improvements
353 Warrenville Road	Patio & Pergola
355 Spring Hill Road	Addition & Deck
154 Conantville Road	12' X 14' Screened in porch
Sheffield Dr Lot #21	Single family dwelling

CERTIFICATES OF ZONING COMPLIANCE

ADDRESS	DESCRIPTION
104 Timber Trail	Deck & Gazebo
240 Mulberry Road	Single Family Dwelling
1708 Stafford Road	Signage
597 Wormwood Hill	Two-story addition
710 Storrs	In-ground pool

ENFORCEMENT ACTIVITY DURING THE MONTH OF MAY

ADDRESS/BUSINESS	DATE OF ENFORCEMENT/TYPE	DEADLINE TO RESPOND/STATUS
15 Agronomy Road	Spring Semester/Over-Occupancy	Property Owner Ted Panagopolous has requested an appeal for Citation #16-1
229 Browns Road	Spring Semester/Over-Occupancy	Citation #16-9 paid
242 Browns Road	Spring Semester/Over-Occupancy	Citation #16-20 paid
46 Clover Mill Road	Spring Semester/Over-Occupancy	Property Owner Gregory Roy has requested an appeal hearing for Citation #16-4
109 Hunting Lodge Road	Spring Semester/Over-Occupancy	Property Owner Penny Tavar has requested a hearing for Citation #16-10.
195 Hunting Lodge Road	Spring Semester/Over-Occupancy	Property Owner Ted Wrubel has requested an appeal hearing for Citation #16-19.

205 Hunting Lodge Road	Spring Semester/Over-Occupancy	Property Owner Steve Rogers has requested an appeal hearing for
78 Lynwood	Spring Semester/Over-Occupancy	Property Owner Ryan McDonald has requested an appeal hearing for Citation #16-9 & #16-16.
379 Middle Turnpike	Spring Semester/Over-Occupancy	Citation #16-22 paid
441 No. Eagleville Road	Spring Semester/Over-Occupancy	Citation #16-4, #16-13, #16-14 paid
42 Olsen Drive	Spring Semester/Over-Occupancy	Citation #16-23 paid
22 Russett Lane	Spring Semester/Over-Occupancy	Citation #16-8 paid
14 Westwood	Spring Semester/Over-Occupancy	Property Owner Lynn Kuo has requested an appeal for the Citation #16-8.
806 Storrs Road	Spring Semester/Over-Occupancy	Citation #16-24 paid
1008 Storrs Road	Spring Semester/Over-Occupancy	Citation #16-1, #16-3, #16-15 paid
1925 Storrs Road	Junkyard	Final Inspection with Fran Raiola occurred on May 26, 2016; vehicles and fitness equipment have been removed from the property. We will continue to monitor the situation.
122-124 Thornbush Road	Flood Hazard Zone/Failure to obtain permit	A trailer has been abandoned on this property. Owner has been cited. No response. Will continue to cite the property owner until compliance.



TOWN OF MANSFIELD

DEPARTMENT OF PLANNING AND DEVELOPMENT

Date: June 16, 2016
To: Planning and Zoning Commission
From: Janell M. Mullen, Assistant Planner/ZEO
Subject: Special Permit Renewal of Gravel Permits, 2016-2017 (Article X, Section H)

- 1) Steven Banis, Pleasant Valley Rd., PZC #1164
- 2) Karen Green, Stafford Rd., PZC #1258
- 3) Edward Hall, Old Mansfield Hollow Rd., PZC #910-2

PROJECT OVERVIEW

Special permits for gravel removal expire on July 1st of each year but may be renewed by the PZC for additional periods of up to one year. There are three active special permits for the removal of material. Each permittee has requested a renewal of the existing permit. I will comment on each of the applicant's permits below.

1) Banis, Pleasant Valley Road, PZC # 1164

Mr. Steven D. Banis has submitted a letter dated 4/25/16 describing the status of his removal operation and a revised site plan showing the proposed site for removal during this upcoming year. His activity involves the blasting of rock ledge and the removal of the broken rock to an out-of-town location. A small amount is used on site for the farm. This gravel extraction operation started about 16 years ago. His letter states that about 500 cubic yards of material was removed during the past permit period and that the excavation area has not expanded for three years. Approximately 5,650 cubic yards of materials remain. It is stated in Mr Banis' letter that additional permit renewals will be requested to finish this project. There is no change to the equipment being used. The conditions of the special permit are as follows:

- No blasting or excavation work shall take place within 50 feet of the property line.
- The applicant shall implement soil and erosion controls to minimize periods of soil exposure.
- All work shall be conducted between 7 am and 7 pm Monday thru Friday, and between 9 am to 7 pm on Saturdays.
- All blasting work shall be subject to the permitting processes administered by the office of the Fire Marshal. Additionally, the applicant shall place a temporary sign along Pleasant Valley Road to Route 32 to Route 6 which note the anticipated period of blasting.

- The applicant shall adhere to the haul route.
- The site shall be maintained as follows:
 - A. There shall be no rock-processing equipment onsite
 - B. There shall be no rock or stump burial onsite
 - C. Onsite stockpiling shall be kept to a minimum to help prevent safety problems;
 - D. No topsoil shall be removed from the site.
 - E. The applicant shall submit bi-weekly erosion and sedimentation monitoring reports to the Zoning Agent until disturbed areas are re-vegetated.

2) Green, Stafford Road, PZC # 1258

On March 15, 2016, Philip DeSiato was granted approval for a Special Permit modification in regard to his gravel operation on Karen Green's property. A copy of the PZC-approval with modified site plan dated January 4, 2016 is included with this memo. The renewal request states that about 1,500 cubic yards have been removed in the past year. The renewal application indicates that the volume of material remaining is estimated at about 3,500 cubic yards. Mr. DeSiato estimates that another year will be required to complete the removal. Activity on the site is done at a frequency when Mr. DeSiato is not especially active on other jobs. The removal is confined to a protected area within the Green farm property and there are no erosion concerns because of this containment. The equipment that he has been using will remain the same during this renewal period. The special permit includes the following conditions:

- Revegetation of disturbed areas with a minimum of 4" of topsoil. No topsoil shall be removed from the site.
- Adherence to the designated haul route as indicated on the plan dated 5/28/2012.
- Erosion and sedimentation controls as determined by the Inland Wetland Agent and the Town Engineer.
- Setback from watercourses/wetlands.

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

This gravel operation, which includes excavating and grading, will continue much like it has for the past several years. The amount remaining to be excavated is 600-1,000 cubic yards, which is well within the maximum of 8,000 cubic yards. The active work remains confined to the area indicated on the map as Phase I. The PZC maintains a cash bond in the amount of \$8,300 for site stabilization and restoration. The special permit (PZC #910-2) includes the following conditions:

- This permit renewal shall apply only to the Phase 1 area of the site that is on the attached map.
- Excavation activity shall take place only in accordance with plans dated 5/22/92, as revised to 5/22/2013.

- Up to 500 cubic yards of clean top soil may be brought onto the premises. Prior to depositing any topsoil/fill, the applicant shall contact the Assistant Town Engineer and identify the source of the topsoil material. A minimum of 4" of topsoil shall be spread and stabilized over areas where excavation has been completed.
- All work shall be performed by Ed Hall or his employees.
- No more than 8,000 cubic yards of sand gravel shall be removed per year.
- The wide buffer area located north of the cart path on the applicant's property shall be maintained in its existing wooded state with no disturbance of any kind. The buffer acts as a shield, providing an important separation between active excavation work and neighboring residential uses, and is deemed necessary to address neighborhood impact requirements.
- Erosion and sedimentation controls and site restoration provisions shall be strictly adhered to.
- There shall be no stockpiles of any materials other than topsoil located outside the excavation area.
- Approval of this permit does not imply approval of any future phase.
- The existing cash bond (in the amount of \$8,300) plus accumulated interest shall remain in place until the activity has ceased and the area has been stabilized and restored to the satisfaction of the PZC.
- Hauling operations and use of site excavation shall be limited to the hours of 8:00 am to 5:30 pm Monday thru Friday and 8:00 am to 1:00 pm on Saturday with no hours of operation on Sunday.

ATTACHMENTS

1. Communication from Robert and Christine McCarthy of 89 Mansfield Hollow Road addressing their concerns with Ed Hall's gravel operation. These concerns include:
 - Removal of material from the Julia Hall Irrevocable Trust Property; restoration and stabilization of that area.
 - The request that an engineer perform a survey that confirms the elevation contours.
 - Work being performed within the 50' setback buffer area.
 - Work being performed on the weekends and evenings.
2. Photos (8) from Phil DeSiato as submitted on 16/16/2014 to illustrate existing conditions.

ANALYSIS

Based on my review of past renewals and observation of current conditions, my recommendations are as follows for each application.

1. Banis, Pleasant Valley Road, PZC # 1164

Based on my review of the PZC file and given the limited frequency of the blasting, I recommend this renewal's approval subject to the same conditions. The previous areas of activity have been re-vegetated and brought back to agricultural use. I have not heard any feedback from the neighbors regarding this property.

2. Green, Stafford Road, PZC # 1258

Based on the recent modification to the special permit approval, I am familiar with the site and have observed the gravel removal activity during a recent field trip. I drive by the site regularly and have observed that the disturbed areas are being re-planted. No changes have been made to the gravel operation since my March 15, 2016 memo addressing the Commission. Approval subject to the same conditions would be appropriate.

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

Based on my review of the PZC File #910-2 and my observations from a site visit on 6/16/2016, the area of active excavation remains limited to a relatively small area. The areas no longer being used for extraction should be stabilized and re-planted.

The abutting property owners at 89 Mansfield Hollow Road submitted a letter with several concerns regarding the ongoing operation. With regard to activity on the Julia Hall Irrevocable Special Needs Trust Property, it should be noted that property is no longer a part of this gravel permit and hasn't been since 2013. The restoration of that site was the subject of a separate permit and bonding agreement, which according to the previous Zoning Agent was completed in 2014. There is no current special permit for removal of material on this property. If excavation activity is occurring on this property in excess of the limited amounts authorized by Article 10, Section H, a special permit is required. I will be reviewing activity on this site with the previous Zoning Agent to determine if conditions have changed since he determined that the required stabilization had occurred.

Additionally, the buffer of 50 feet was removed as a condition of permit renewal in 2013. Based on field trip observations from that time, it was deemed that current excavation takes place below grade and at enough of a distance to not affect adjacent land.

I do recommend that the applicant adhere to the hours of operation detailed in his Special Permit approval. Failure to do so shall be grounds for issuance of a violation notice as well as citations.

SUMMARY/RECOMMENDATION

If deemed appropriate, the following motion has been prepared for the Commission's consideration:

MOVE, to approve the renewal requests of the gravel operation of Banis of Pleasant Valley Road, Green at Stafford Road, and Hall at Bassett's Bridge Road subject to their specific conditions of approval which generally include strict adherence to the cubic yard limitations, the hours of operation, and the condition that the areas of disturbance will be re-planted. The work should also be confined to the area of activity as indicated on submitted plans and described in the renewal requests and as presented at the Public Hearing on June 20, 2016. This approval is granted because the applications as hereby approved is considered to be in compliance with Article Ten, Section H, and Article Five, Section B of the Zoning Regulations. The renewals will expire on July 1, 2017.

June 13, 2016

89 Mansfield Hollow Road

Mansfield Center, Ct

To the Mansfield Planning and Zoning Commission,

We are sending this email in reference to the permit renewal (PZc#910-2). Specifically we are concerned with the on-going excavation and removal of material from the Julia Hall Irrevocable Trust property. We are owners of 89 Mansfield Hollow Road (Stadler) property.

Our concern is pertinent to the Edward hall permit extension because he appears to working this property along our property line. We requested on 6/1/2013 that property be restored and stabilized and planted. A bond provided by Edward Hall was to insure this work in 2004. It appears he is violation of several requirements:

1. The 50 foot property line setback is less than 50 feet and appears to be about 37 feet from the highest iron pipe on the Stadler/McCarthy property to the top of the hill.

2. The hill appears to have been lowered several feet according to a contour map which we believe was prepared by Towne Engineering. On 6/1/2013 Edward Hall said he would have an engineer confirm the elevation contours. We request that this be done at this time.

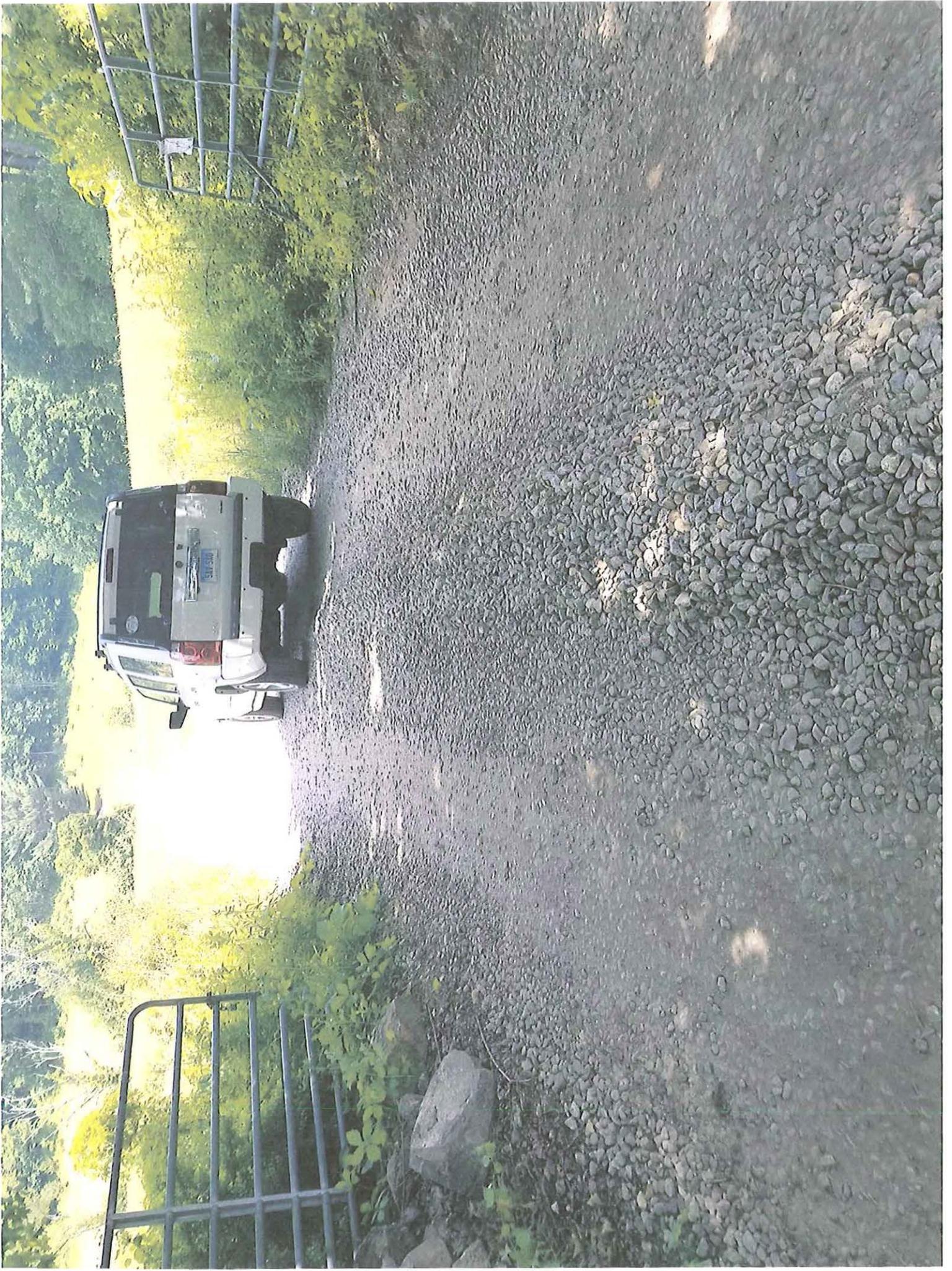
3. Material is being removed on weekends and evenings. We do not know of any planned time table and future removals and restoration activity nor do we know the amount of material that has been removed or yet to be removed. We assume Edward Hall is working the site because he posted a bond. Is there permit and a time table? Is the bond sufficient to cover the continuing and expanded work?

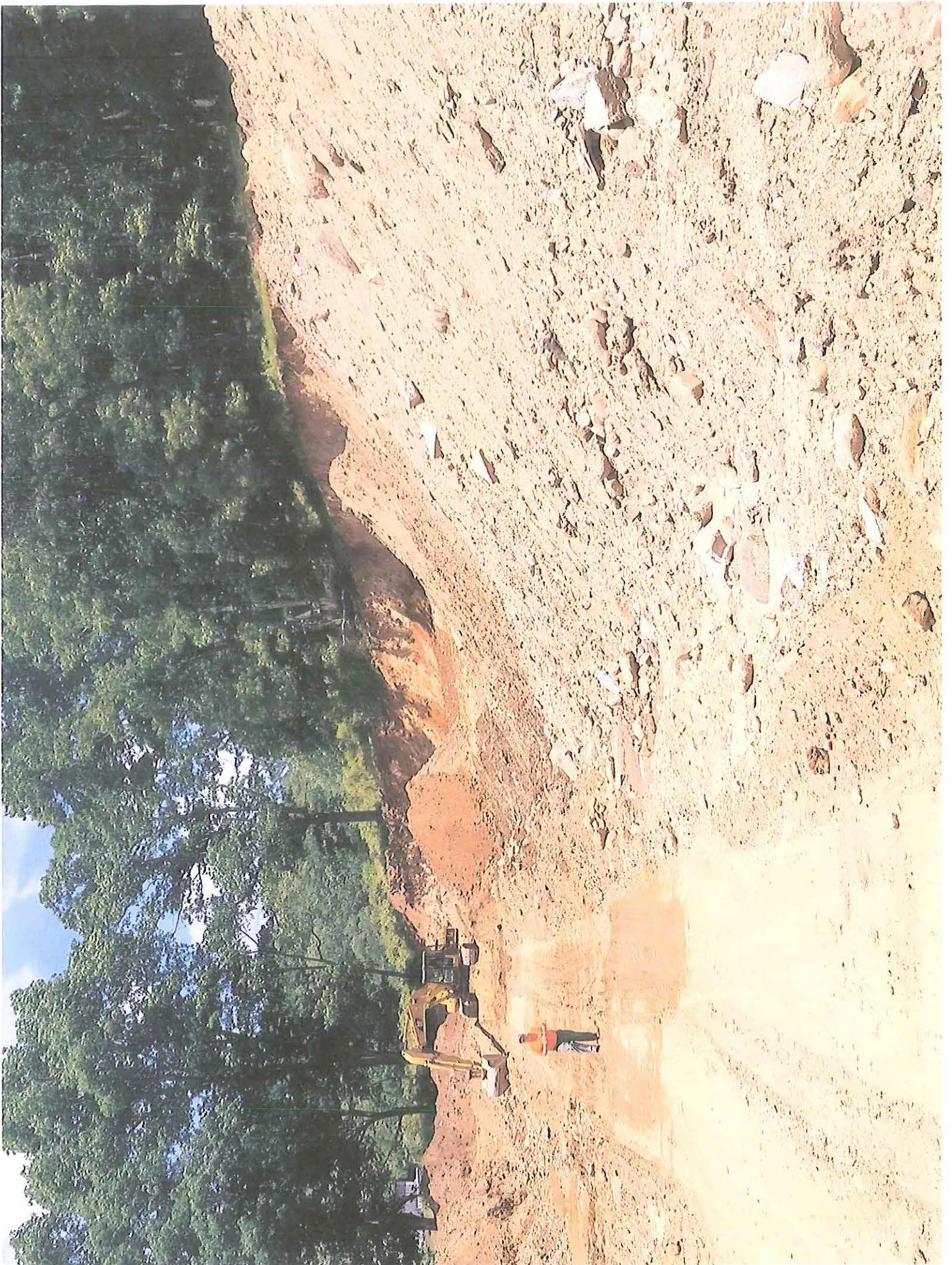
We make this request because the original request (May 22, 1992) for the Eleanor Hall property now the Julia Hall trust property included a bond to ensure site work would include restoration and planting. What we are seeing in 2016 is the 50 foot setback is being violated and material and large trees have been removed.

Sincerely,

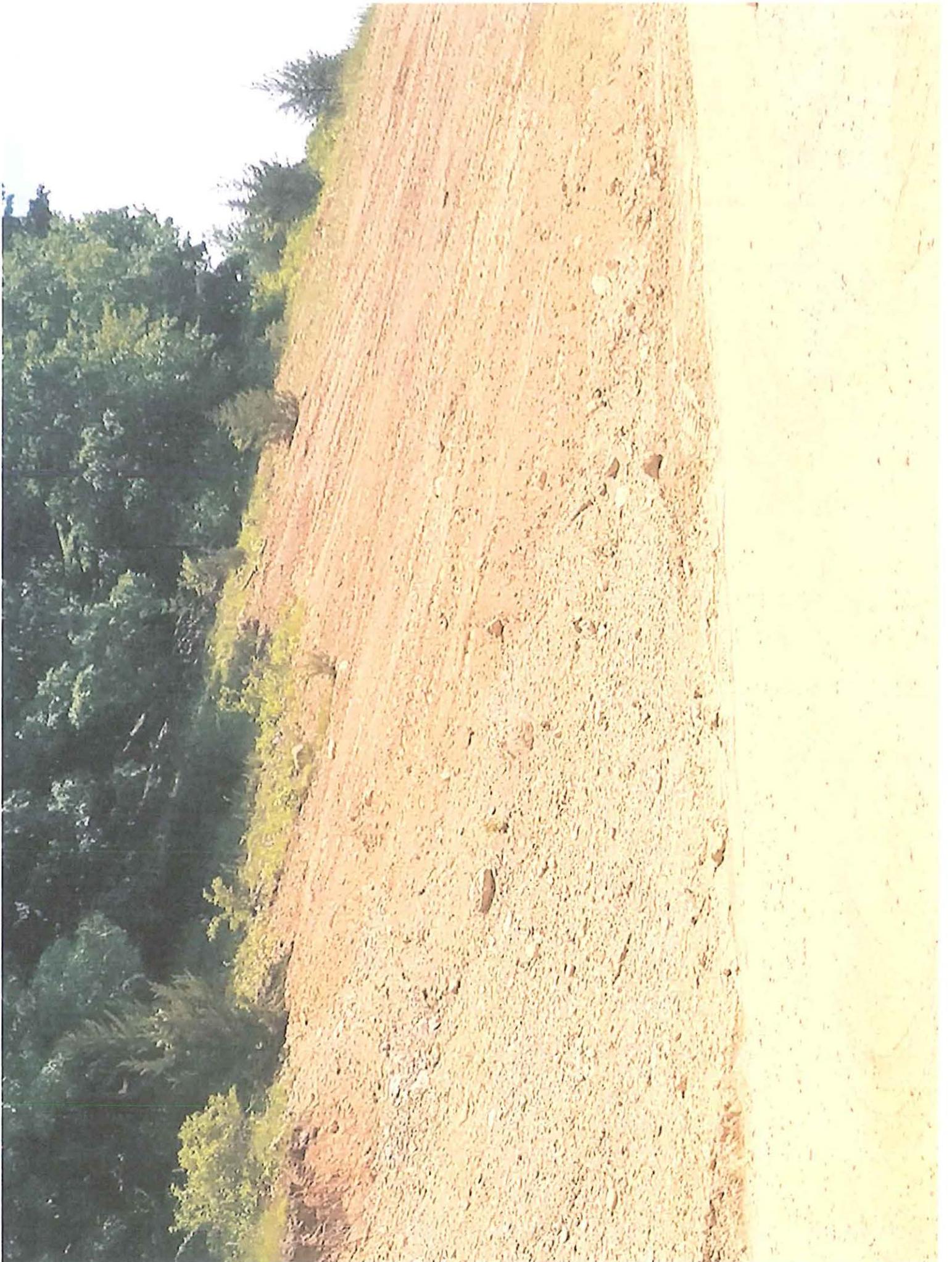
Robert and Christine McCarthy
89 Mansfield Hollow Rd.
Mansfield Center, CT

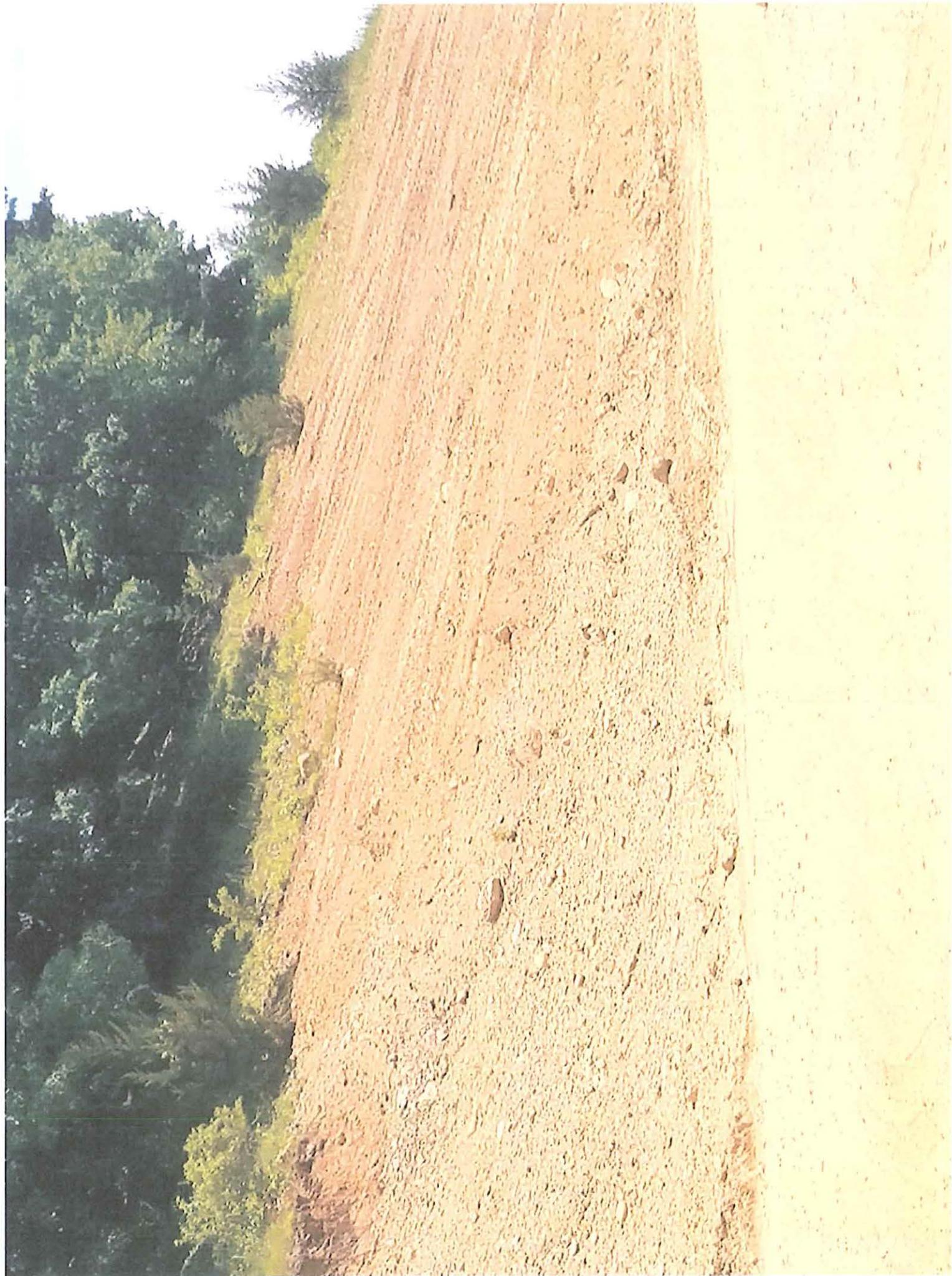


















TOWN OF MANSFIELD

DEPARTMENT OF PLANNING AND DEVELOPMENT

Date: June 16, 2016

To: Planning and Zoning Commission

From: Janell M. Mullen, Assistant Planner/ZEO

Subject: Proposed Revisions to Zoning Regulations for Business (B) Zone
PZC File 1341

OVERVIEW OF ZONING AMENDMENT PROCESS

The following review comments are based on application submissions, consideration of existing Zoning Regulations, Mansfield's Plan of Conservation and Development, State and Regional land use plans and professional conclusions regarding the merits of the proposed regulation revisions. These comments must be reviewed with respect to testimony and information presented at the June 20, 2016 Public Hearing and any subsequent continuations and the Commission's collective knowledge of the Town's needs and desires. No new information should be received from the applicant or the public after the close of the Public Hearing process. It is important to note that unless extensions are authorized, the public hearing must be closed by July 25, 2016. The Commission must make a decision on these applications within 65 days of the close of the Public Hearing. Collective reasons for the Commission's decisions should be clearly documented.

As with any proposed regulation amendment, the PZC must weigh anticipated public and private benefits versus anticipated public and private costs. All zoning regulations should be designed to serve a community need while protecting the "public's health, safety, convenience and property values". The Commission has the legislative discretion to determine what is best for the community as a whole, and the Zoning Regulations and Map can and should be modified to meet changing circumstances, Plan of Conservation and Development goals, objectives and recommendations or to address a recognized public need. Section 8-2 of the Connecticut General Statutes and Articles I and XIII of the Zoning Regulations provide information on the legislative framework within which PZC decisions must be made. Section 8-3a of the Connecticut General Statutes requires that the Commission making a finding regarding consistency with the Plan of Conservation and Development.

DESCRIPTION OF PROPOSED AMENDMENTS

The applicant is requesting to amend the Zoning Regulations to allow one and two-family dwellings in a Business (B) Zone. This request to change the zoning text is intended to specifically address the property located at 17 Flaherty Road; however, the change would also apply to the other two properties located in the Business Zone: 11 Flaherty Road and 1132 Storrs Road (site of Liberty Bank). Of the three properties in the zone, two of the parcels (11 and 17 Flaherty Road) have structures of a residential style and nature. While 17 Flaherty Road has been used for non-residential uses in the past, the existing building is small in scale and compatible with the residential character of Flaherty Road.

The applicant, Samuel Schragger on behalf of Makuch and Company, provided two alternative text changes as outlined in the application. One option would require site plan approval for new residential uses and the other would require special permit approval. If a use is permitted with site plan approval, no public hearing is required and the Commission does not have significant latitude to deny a site plan application if the proposed project meets all of the regulations. Special permit applications require a public hearing and provide the Commission with more discretion to consider potential impacts on surrounding properties. The proposed revisions are outlined below (new language is underlined):

ALTERNATIVE 1 ■ SITE PLAN APPROVAL

Amend Article 7, Section Q.2, Categories of permitted uses in the Business Zone requiring site plan approval as per the provisions of Article V, Section A to add a new Section F:

f. Category F

One single or one two-family dwelling per 8,000 square foot lot

Uses that are currently permitted in the B Zone with site plan approval include: retail uses (maximum of 4); professional offices; personal services; repair services; schools; libraries; day care centers; commercial printing or production accessory to an on-site retail business; and commercial parking lots.

ALTERNATIVE 2 ■ SPECIAL PERMIT APPROVAL

Amend Article 7, Section Q.3, Categories of permitted uses in the Business Zone requiring special permit approval as per the provisions of Article V, Section B to add a new Section J:

j. Category J

One single or one two-family dwelling per 8,000 square foot lot

Uses that are currently permitted in the B Zone with special permit approval include: retail uses (5 or more); commercial recreation facilities; arcades; automotive sales and service; restaurants; dry cleaning; hotels; live music; and mobile home park expansion.

APPROVAL CRITERIA

Pursuant to Article XIII, Section D, the Commission must determine that the applicant's proposal will promote the public's health, safety, property values, and general welfare. The Commission is also required to make the following findings:

1. THE PROPOSAL IS COMPLETE AND CONTAINS ALL REQUIRED INFORMATION.

Pursuant to Article XIII, Section B, the applicant submitted an application form with an accompanying Statement of Justification and two options of amended text. This application included the fee.

2. THE PROPOSAL IS CONSISTENT WITH THE GOALS, POLICIES, AND RECOMMENDATIONS CONTAINED WITHIN THE MANSFIELD PLAN OF CONSERVATION AND DEVELOPMENT. THIS FINDING SHALL BE STATED ON THE RECORD, PURSUANT TO SECTION 8-3A OF THE STATE STATUTES.

On a small scale, this amendment to zoning text will help in achieving transitions to adjacent residential areas. One and two-family uses would be compatible with the surrounding environment, particularly for those properties with buildings accessed from Flaherty Road. As discussed in the application's Statement of Justification:

"The current business uses are not likely to be employed for the two parcels fronting on Flaherty Road as they present traffic and access concerns as commercial properties."

The POCD prioritizes connections between the public and private realm. Given the recently constructed sidewalks along Storrs Road and the distance from this neighborhood to Storrs Center and the University of Connecticut, this text amendment would promote pedestrian activity and walkability from a residential neighborhood to sites of commercial activity.

3. THE PROPOSAL IS CONSISTENT WITH THE EXPRESSION OF REGULATORY INTENT AND PURPOSE CONTAINED IN THE PROVISIONS OF ARTICLE I OF THESE REGULATIONS AND SECTION 8-2 OF THE CONNECTICUT GENERAL STATUTES, AS AMENDED.

As described in Article I of the Regulations, the zoning regulations have been designed to meet the Town's statutory responsibilities as outlined in the Connecticut General Statutes, as well as several purpose statements, including protecting the community's health, safety and welfare, providing vehicular and pedestrian circulation, encouraging a variety of housing and economic development opportunities and encouraging appropriate and compatible use of land within the various districts and throughout the town.

Development on the two properties addressed off of Flaherty Road is limited due to parcel size, changes in topography and lack of access to public utilities. Given the limitation on the scale of development that would be appropriate for these lots, the proposed change is consistent with the purpose of the Zoning Regulations and with Section 8-2 of the Connecticut General Statutes, as amended.

Under either alternative (site plan or special permit approval), applicants for residential uses would need to demonstrate compliance with applicable regulations, including adequacy of wastewater disposal systems.

4. ANY PROPOSAL TO AMEND THE ZONING REGULATIONS IS: APPROPRIATELY WORDED AND LEGALLY SOUND AND COMPREHENSIVE AND CONSISTENT WITH RESPECT TO OTHER REGULATORY PROVISIONS;

The text proposal is consistent with the current format and language of the Town of Mansfield Zoning Regulations.

OTHER CONSIDERATIONS

The property at 11 Flaherty Road is developed with a single-family house and detached garage. The owner of this property has previously sought approval for an accessory apartment in the detached garage; however, zoning approval was not granted due to the lack of evidence that such unit legally existed prior to current regulations. While the proposed amendment specifies two-family dwellings, that term is not defined in the regulations. The Commission should consider whether the language should be clarified to specifically permit or prohibit a second dwelling in a detached structure.

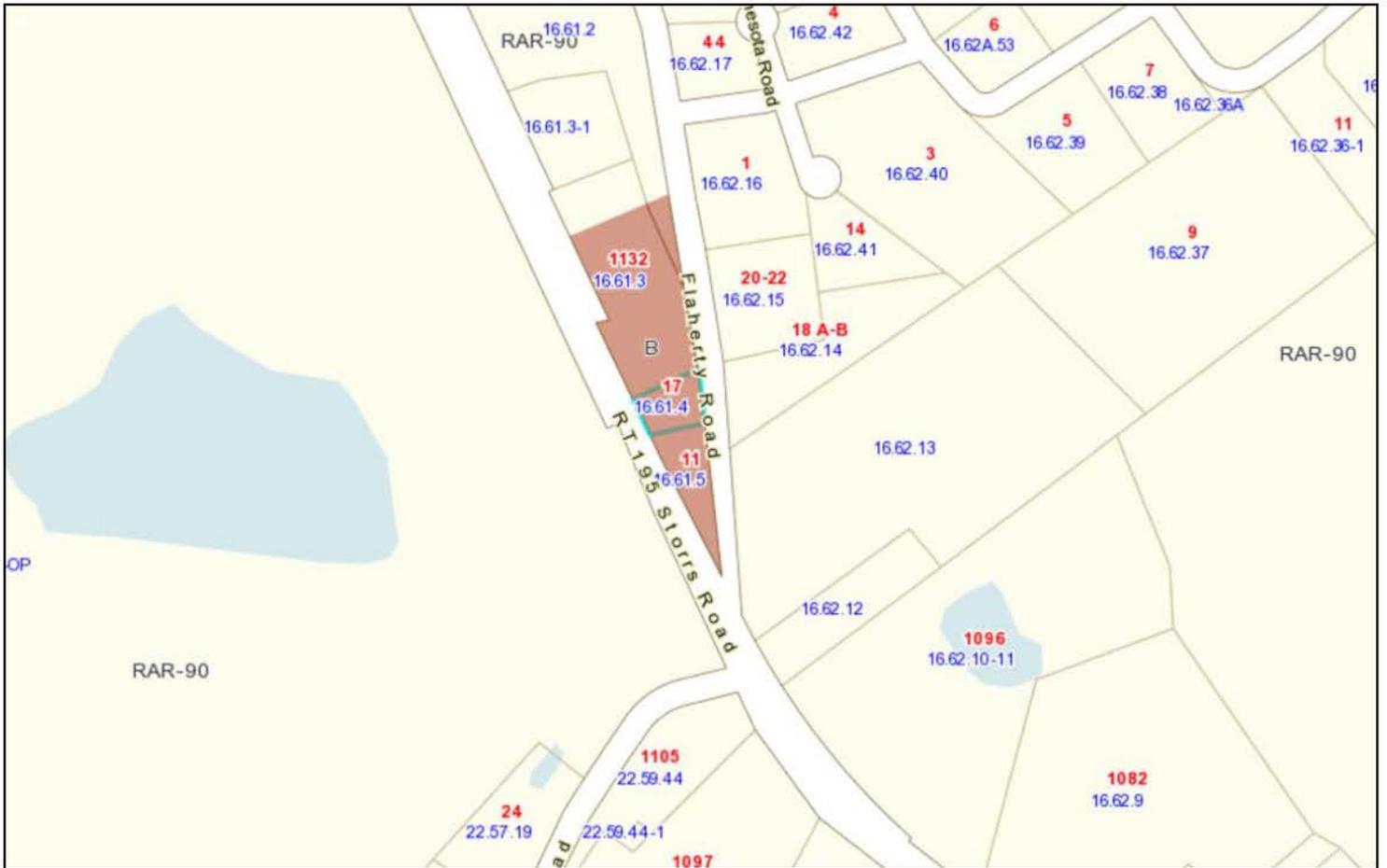
SUMMARY

The proposed Zoning Regulation amendments present a policy issues for the Commission's legislative discretion. Subject to any Public Hearing comments, my review indicates that the proposed regulation revisions are acceptably worded and can be adopted without conflict with other regulatory provisions.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application to amend the Zoning Regulations submitted by Samuel Schragger on April 25, 2016 and received by the Commission on May 2, 2016 including proposed text of changes to regulations, Statement of Justification and application fee.

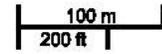
- Observations from a field trip conducted on May 11, 2016
- The following correspondence regarding the proposed amendments has been received:
 - June 14, 2016 letter from Karla Fox, 1 Storrs Heights Road and Alexander Fox, 3 Storrs Heights Road
 - June 16, 2016 letter from Gregory C and Patricia G. Frantz, 14 Minnesota Road
 - June 16, 2016 email from Beverly J. Nass, 44 Flaherty Road
- The application indicates that notices would be mailed to property owners within 500 feet of the B-Zone **Copies of the notice and certified mail receipts should be provided to the Planning Office prior to the close of the public hearing.**
- The Public Hearing on this item will be opened on June 20, 2016 and must be closed by July 25, 2016 unless a written extension is granted by the applicants.
- Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicants grant a written extension.



Town of Mansfield, Connecticut

Selected Parcel: 17 FLAHERTY RD ID: 16.61.4

Printed on 6/16/2016 from <http://www.mainstreetmaps2.com/ct/mansfield/public.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The Town of Mansfield, Connecticut and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

June 14, 2016

RE.: Application for Business Zone Change for 17 Flaherty Road, Storrs

Dear Members of the Mansfield Planning and Zoning Commission

As close neighbors of 17 Flaherty Road in Storrs, we are not formally objecting to changes in the PZC Regulations to allow a residential use in the Business Zone bounded by Flaherty Road on the east and Storrs Road on the west. The primary use of almost all the properties accessed by Flaherty Road are presently residential, so allowing a residential use at 17 Flaherty Road will not significantly change the character of the neighborhood.

We wish to make clear that our comments in this letter are confined to the "Business Zone" consisting of the three parcels (11 Flaherty Road, 17 Flaherty Road, and "Lot B") shown on the map attached as an exhibit to the Application to Amend the Zoning Regulations. Our position is based on the understanding that there is no present intention to build new commercial or residential uses on the three lots. We are not advocating new building within the Business Zone or generally permitting residential uses in presently designated Planned Commercial Zones throughout town.

For the sake of clarity, we would have preferred that this Application be in the form of a request for a Special Permit for 17 Flaherty Road only, or an application for a Variance to the Zoning Board of Appeals. However, upon careful reflection, we have decided not to object to this proposed change so long as it is carefully restricted to the three lots mentioned, and clearly understood that no new building is planned.

Thank you

Karla Fox
1 Storrs Heights Road, Storrs-Mansfield, CT

Alexander Fox
3 Storrs Heights Road, Storrs-Mansfield, CT

14 Minnesota Road
Storrs, CT 06268
860-429-3576
June 16, 2016

To: Planning and Zoning Department, Town of Mansfield

Re: Application to Amend Zoning Regulations, Art. VII.Q. Uses Permitted in the Business Zone, as submitted by Samuel L. Schrager, Esq., April 25, 2016.

Dear Planning and Zoning Commission Members:

As we understand the application of Mr. Schrager, the proposed zoning change for the Business Zone is to add a Permitted Use to include "One single or one two-family dwelling per 8,000 square foot lot" for the three properties of the Business Zone. Mr. Schrager is representing the owners of 17 Flaherty Road which is one of the three properties in the Business Zone.

We do not support the proposed changes for the following reasons:

1. Rather than making changes to the zoning regulations, it seems it would be more appropriate for the property owners to request variances to the zoning requirements to accommodate their particular uses.
2. The Business Zone does not have access to municipal drinking water or sewage disposal systems. An 8,000 square foot lot seems to be small for a single family dwelling and even more so for a two-family dwelling, especially if the properties require individual well and septic systems.
3. Changing the Business Zone regulation to allow one single or one two-family dwelling per 8,000 square foot lot would seem to set a precedent for allowing 8,000 square foot building lots even in areas requiring individual wells and septic systems.

Thank you for considering our concerns.

Gregory C. and Patricia G. Frantz

Linda M. Painter

From: bnass0884@charter.net
Sent: Thursday, June 16, 2016 3:55 AM
To: PlanZoneDept
Subject: Application for Business Zone Change for 17 Flaherty Road, Storrs

Dear Members of the Mansfield Planning and Zoning Commission:

I agree in principle with the statements by Karla Fox regarding the request for the change in the PZC Regulations allowing residential use in the Business Zone for 17 Flaherty Road and the two other named adjacent parcels.

Thank you.

Beverly J. Nass
44 Flaherty Road, Storrs-Mansfield. CT



TOWN OF MANSFIELD

DEPARTMENT OF PLANNING AND DEVELOPMENT

Date: June 16, 2016

To: Planning and Zoning Commission

From: Linda M. Painter, AICP, Director

Subject: PZC Proposed Revisions to Zoning Regulations and Zoning Map (PZC File 907-41) Stormwater (Article 6); Water Service Connections (Article 6); Creation of a Water Pipeline Overlay District (Articles 2, 6, 10 and Zoning Map); Alcohol (Articles 4, 7, 10 and 11); Live and Amplified Music (Articles 7, 10 and 11)

OVERVIEW OF ZONING AMENDMENT PROCESS

The Planning and Zoning Commission has proposed to revise regulations related to the following topics:

- o Alcohol Sales and Manufacturing
- o Live and Amplified Music
- o Stormwater Management
- o Water Service Connections
- o Creation of a Water Pipeline Overlay District (include change to Zoning Map)

I will make a brief presentation of the proposed changes to the Zoning Regulations and Map at the beginning of the public hearing on June 20th. Once the hearing is closed, only technical assistance from staff may be received by the Commission. Current state statutes authorize the PZC to modify the proposed revisions prior to adoption, but to minimize any potential procedural issues, a new hearing should be considered for any significant alterations.

A summary of the proposed amendments as well as the specific changes to the language and map (dated April 28, 2016) were provided to the Commission prior to the scheduling of the June 20th public hearing. A copy of this document has been included in the June 20th digital meeting packet for reference. A copy of the proposed amendments were filed with the Town Clerk; posted on the Town's website and communicated to all individuals who have signed up for the Town's Registry, which was established pursuant to state statutes. The proposed amendments were also referred to the Capitol Region Council of Government; Southeastern Connecticut Council of Governments; Northeast Connecticut Council of Governments; surrounding communities; Town Council and various Town advisory committees for review and comment. All communications received prior to 6:00 p.m. on Monday, June 20th will be copied and distributed to PZC members.

As with any proposed regulation amendment, the PZC must weigh anticipated public and private benefits versus anticipated public and private costs. All zoning regulations should be designed to serve a community need while protecting the “public’s health, safety, convenience and property values”. The Commission has the legislative discretion to determine what is best for the community as a whole, and the Zoning Regulations and Map can and should be modified to meet changing circumstances, Plan of Conservation and Development goals, objectives and recommendations or to address a recognized public need. Section 8-2 of the Connecticut General Statutes and Articles I and XIII of the Zoning Regulations provide information on the legislative framework within which PZC decisions must be made. Section 8-3a of the Connecticut General Statutes requires that the Commission making a finding regarding consistency with the Plan of Conservation and Development.

ANALYSIS

Article XIII, Section D requires the Commission to determine that the proposed changes will promote the public’s health, safety, property values and general welfare and make several findings as described below when considering petitions to amend the Zoning Regulations or Map. As the proposed changes are the initiative of the Commission and not by petition from property owners or residents, the approval criteria listed in Section D technically do not apply. However, they do provide guidance to the Commission as it considers the proposed changes and therefore have been used as a framework for discussion.

1. THE PROPOSAL IS CONSISTENT WITH THE GOALS, POLICIES, AND RECOMMENDATIONS CONTAINED WITHIN THE MANSFIELD PLAN OF CONSERVATION AND DEVELOPMENT. THIS FINDING SHALL BE STATED ON THE RECORD, PURSUANT TO SECTION 8-3A OF THE STATE STATUTES.

The proposed amendments will assist in implementing several goals and associated strategies/actions identified in the Mansfield Tomorrow POCD, including:

- Goal 2.6: Mansfield’s land use regulations promote the protection and enhancement of natural systems.
- Goal 4.2: Mansfield’s land use regulations maintain rural character in the majority of town, protect historic resources and accommodate future growth in smart growth, compact patterns in designated Mixed Use Centers and Compact Residential Areas.
- Goal 6.5: Mansfield’s land use regulations are farm-friendly and support business retention and expansion efforts while protecting community character.
- Goal 8.1: Mansfield has maintained the low-density, rural character of the majority of town while accommodating growth in walkable Mixed-Use Centers, Compact Residential and Institutional areas.

- Goal 9.2: Water and wastewater infrastructure improvements conserve natural resources and support smart growth patterns to help preserve rural character.

2. THE PROPOSAL IS CONSISTENT WITH THE EXPRESSION OF REGULATORY INTENT AND PURPOSE CONTAINED IN THE PROVISIONS OF ARTICLE I OF THESE REGULATIONS AND SECTION 8-2 OF THE CONNECTICUT GENERAL STATUTES, AS AMENDED.

As described in Article I of the Regulations, the zoning regulations have been designed to meet the Town’s statutory responsibilities as outlined in the Connecticut General Statutes, as well as several purpose statements, including protecting the community’s health, safety and welfare, providing for the protection of the physical environment, encouraging a variety of housing and economic development opportunities and encouraging appropriate and compatible use of land within the various districts and throughout the town.

The proposed amendments:

- Establish minimum stormwater requirements for projects of all sizes;
- Provide specific guidance with regard to design of stormwater management systems for large projects;
- Promote the use of Low Impact Development practices;
- Promote smart growth and protect rural character by limiting water service connections in areas designated as rural character conservation areas in the POCD;
- Expand regulations to address amplified music in addition to live music;
- Establish specific standards for outdoor music associated with businesses; and
- Eliminate special permit requirements for alcohol sales and live music accessory to specific uses.

3. ANY PROPOSAL TO AMEND THE ZONING REGULATIONS IS: APPROPRIATELY WORDED AND LEGALLY SOUND AND COMPREHENSIVE AND CONSISTENT WITH RESPECT TO OTHER REGULATORY PROVISIONS;

The proposed amendments are consistent with the current format and language of the Town of Mansfield Zoning Regulations. The following change is recommended to Article 10, Section V, Water Pipeline Overlay Zone to clarify the language pertaining to use of easements/rights-of-way:

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 permitted only in those instances where there is not a source of potable water otherwise available to service that parcel or the parcel located outside the Overlay Zone is designated as

[Compact Residential, Mixed Use Center or Institutional on the POCD Future Land Use Map.](#)

4. ANY PROPOSAL TO REVISE THE ZONING MAP HAS COMPREHENSIVELY CONSIDERED: THE SIZE AND PHYSICAL CHARACTERISTICS OF THE SUBJECT AREA; THE CHARACTER AND SUPPLY OF LAND CURRENTLY ZONED IN THE SUBJECT CLASSIFICATION; AND THE EFFECT OF THE PROPOSAL ON EXISTING LAND USES IN THE SURROUNDING AREA.

The proposed overlay zone is intended to protect the rural character of areas that are largely undeveloped where public water service is currently available or may become available in the future.

SUMMARY

The proposed Zoning Regulation amendments present a policy issues for the Commission's legislative discretion. Subject to any Public Hearing comments, my review indicates that the proposed regulation revisions are acceptably worded and can be adopted without conflict with other regulatory provisions.

NOTES

- o The following correspondence regarding the proposed amendments has been received:
 - May 20, 2016 Letter from the Capitol Region Council of Governments
 - May 26, 2016 Letter from the Southeastern Connecticut Council of Governments
 - May 26, 2016 Economic Development Commission minutes
 - May 31, 2016 Email from Alison Hilding
 - June 7, 2016 Four Corners Sewer and Water Advisory Committee minutes
- o The Public Hearing on this item will be opened on June 20, 2016.
- o Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony.

May 20, 2016

TO: MANSFIELD PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2016-55: Proposed zoning regulation amendments to various sections of the regulations. Proposed amendments address alcohol and live music, temporary liquor permits, stormwater management, and water service connections.

COMMISSIONERS: Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

COMMENT: The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. For brew pubs, breweries and farm wineries located on a municipal border, we recommend that the town take into consideration the uses across municipal boundaries and that any more limiting/restrictive setback requirements, screening or restrictions on intensity of uses, particularly for sites bordering residential uses in neighboring towns, be applied so as to mitigate impacts across municipal borders. Regarding the proposed stormwater management regulations, we commend the town for its consideration of requirements to use of low impact development (LID) practices on applicable sites and we encourage the town to also promote the use of LID on sites with smaller disturbances. Regarding the amendments pertaining to water service connections, we commend the town for proactively regulating land uses within the water service corridor.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 6/20/2016.

DISTRIBUTION: Planner: Ashford, Chaplin, Willington, Coventry, Tolland, Windham, Northeastern COG, Southeastern COG

Respectfully submitted,
Sandra Bobowski, Chairman
Regional Planning Commission

Karl Robert Profe, Vice Chairman
Regional Planning Commission



Lynne Pike DiSanto, AICP
Principal Planner and Policy Analyst

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

5 Connecticut Avenue, Norwich, Connecticut 06360
(860) 889-2324/Fax: (860) 889-1222/Email: office@seccog.org

May 26, 2016

Linda Painter, Director of Planning and Development
Town of Mansfield
4 South Eagleville Road
Mansfield, CT 06268

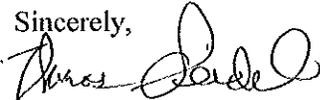
Dear Ms. Painter:

I am writing in response to the proposed text amendments to the Mansfield Zoning Regulations concerning alcohol, live music, stormwater management regulations, and water service connection regulations and Water Pipeline Overlay Zone as referenced in your correspondence dated May 9, 2016. The proposed amendments were referred to this agency under the provisions of Section 8-3b. of the Connecticut General Statutes and received on May 10, 2016 (via e-mail).

Based on a review of the information submitted, it was determined that the proposed text amendments and overlay zone would not have any adverse inter-municipal impact.

If you have any questions, please contact me at 889-2324.

Sincerely,



Thomas H. Seidel
Senior Planner

Member Municipalities:

Bozrah * Colchester * East Lyme * Franklin * Griswold * City of Groton * Town of Groton * Lebanon * Ledyard
* Lisbon * Montville * New London * North Stonington * Norwich * Preston * Salem * Sprague * Stonington *
Stonington Borough * Waterford * Windham

DRAFT Minutes
MANSFIELD ECONOMIC DEVELOPMENT COMMISSION
Regular Meeting – Thursday, May 26, 2016
Council Chambers, Audrey P. Beck Municipal Building

Members Present: J. McGuire, R. Beebe, G. Thompson, C. Chukwuogor, M. Hirschorn (6:20 p.m.), A. Marcellino (ex officio)

Staff Present: Linda Painter, Director of Planning and Development

J. McGuire called the meeting to order at 5:30 p.m.

Public Comment: No public comment was received.

Old Business:

1. *Update on Project Green Space.* Painter noted that the initiative had died and therefore no Council action was taken.
2. *Economic Development Website Update/Criteria for Choosing Featured Businesses.* Members would like to feature a business each quarter and will submit ideas on criteria for selection to Painter via email. By consensus, members concurred with the write-up for the Adventure Park at Storrs and suggested that the next business be the Mansfield Drive-In based on its recent recognition as Mansfield Business of the Year by the Windham Chamber.

New Business

1. *Agriculture Committee Collaboration Update.* McGuire updated the Commission on recent discussions with the Agriculture Committee regarding potential joint projects, including joint visitations to agricultural businesses and the proposed Farm to Table Dinner.
2. *Mansfield/UConn Sewer Agreement.* Painter updated the Commission on the status of the draft sewer service agreement, which was recently provided to the Council for their consideration. Members discussed the proposed percentage of capacity and inquired as to what percentage Mansfield is currently using.
3. *Four Corners Water and Sewer Project; Four Corners Development.* Painter updated the Commission on the status of the water project, which is expected to be completed this summer, and the sewer project, which is in the final stages of environmental review. This item will become a standing old-business item for the Commission to begin discussing a vision for future redevelopment.
4. *PZC Referral: Proposed Zoning Regulations.* Members discussed the proposed revisions to the Zoning Regulations. With regard to alcohol, members were concerned that no progress had been made with regard to the corresponding changes that would be needed to the Code of Ordinances to allow brew pubs. McGuire requested that Painter research whether the Commission could initiate the petition drive to change alcohol regulations and what would be involved in such an effort. Painter will provide the information to the Commission via email.

McGuire MOVED, Thompson seconded to endorse the proposed changes to Zoning Regulations related to alcohol and live/amplified music. The motion passed unanimously.

Reports:

- o McGuire noted that UConn had recently received a grant to create the Quiet Corner Innovation Cluster (QCIC) and suggested that UConn and CT Innovations be invited to make a presentation. Painter noted that Hart had already reached out to UConn to learn more about the grant.
- o Painter inquired as to whether the Commission would be interested in changing to a bi-monthly meeting schedule due to the difficulties in achieving a quorum. Members wanted to continue to meet monthly; however, it was suggested that the membership be polled regarding availability in the summer months.

Approval of Minutes: McGuire MOVED and Thompson seconded to approve the March 24, 2016 regular meeting minutes as presented. MOTION APPROVED UNANIMOUSLY.

Adjournment: McGuire adjourned the meeting at 7:20 p.m.

TOWN OF MANSFIELD ■ FOUR CORNERS WATER AND SEWER ADVISORY COMMITTEE
DRAFT - Meeting Minutes ■ June 7, 2016
Town Council Chambers

Members Present: K. Rawn (chair), J. Coite, P. Ferrigno, V. Raymond, M. Reich, W. Ryan

Staff Present: Carrington, Dilaj

The meeting was called to order at 6:30 p.m. by Rawn.

Approval of Minutes

March 29, 2016 Special Meeting Minutes – Coite MOVED, Ryan seconded to approve the minutes. Motion passed unanimously.

Public Comment

None provided.

Old Business

- a. **Water Project Update.** Coite provided an update on the water project. The project is approximately 90% complete and ahead of schedule with an estimated completion date of mid-August. Currently the hangers for installing the water main on the railroad and Willimantic River bridges have been installed. Pressure regulating devices have been installed and control work is underway. The University is completing its work from the Delivery Point to the distribution system.

- b. **Four Corners Sewer Project Update (CEPA).** Carrington provided an update concerning the wastewater project indicating the Town received comments from CTDEEP on the Draft Record of Decision (ROD) document. Staff met with CTDEEP on April 6, 2016 concerning the ROD. The Town's consultant prepared the ROD and submitted it to CTDEEP on April 14, 2016. The Town received comments from CTDEEP on May 31st and has been working with Milone and MacBroom to incorporate the comments into the ROD. Raymond indicated she obtained a copy of the Draft ROD from CTDEEP. Staff expects to send the updated ROD back to CTDEEP by June 10th. The 3 million dollar funding from CTDEEP will have conditions that need to be met prior to disbursement including adoption of low impact development stormwater regulations and acceptance of the UConn/Mansfield Wastewater Agreement.

Four Corners Sewer Project Update (Agreement). It was noted that the agreement was included in the May 23, 2016 Town Council Supplemental Materials available on the Town's website. A tentative date of June 21, 2016 has been scheduled for a Town Council workshop on the subject. The committee discussed the initial term of 5 years and whether the wastewater treatment facility is a community facility.

New Business

- a. **Planning & Zoning Referral.** The committee discussed the proposed zoning regulation modifications and were in general agreement that the regulations met the spirit and intent of the Mansfield Tomorrow Plan and Connecticut Water Company Diversion Permit Conditions. A recommendation was made by the committee to illustrate the major roadways in Town of the Water Overlay Map and to confirm extents of water main in the Beech Mountain neighborhood.

Correspondence and Meeting Reports

No updates.

Future Meetings

The next committee meeting is scheduled for July 12, 2016 at 6:30 PM in the Council Chamber.

Adjournment

The meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Derek M Dilaj, PE
Assistant Town Engineer

Linda M. Painter

From: Linda M. Painter
Sent: Tuesday, May 31, 2016 9:30 AM
To: 'Alison Hilding'
Cc: Jennifer S. Kaufman; Derek M. Dilaj
Subject: RE: Zoning Focus Group
Attachments: Brew Pub Memo-FINAL.pdf; Policy Approach-Mult-Family Regulations.pdf

Hi Alison-

I hope you had a great weekend as well. The meeting I referred to at the Ad Hoc Committee was for the PZC's Regulatory Review Committee. They met on Friday morning to review the proposed approach for updating multi-family housing regulations. Based on their discussion, we are going to put the draft approach on the June 6th agenda for PZC discussion. After they discuss it and identify any changes, it will be referred to various advisory committees for review and comment, including the Zoning Focus Group. I have attached a copy of the draft approach for your information.

Brew Pubs. I have attached a copy of research memo that was prepared for the EDC with regard to brew pubs; I think it may have some useful information for you. The language on limited bottled beer for brewpub/restaurants has to do with taking it off-site for consumption. For example, I know the brew pubs in Providence keep a small refrigerator/cooler near the hostess stand so that you can purchase a "growler" without having to eat dinner. It is not intended to be a wholesale operation.

While breweries could be a wholesale operation, they would require special permit approval. This would allow for the Commission to review a variety of potential impacts such as traffic.

Vineyards. Most of the RAR-90 areas are served only by well water. The PVR/A and PVC/A zones are currently served by well water but could be served by WWW in the future. Other areas with potential access to public water include the Route 44/Route 32 area due to its proximity to the UConn wellfield/existing water mains; and areas along Route 195 zoned RAR 90 which could potentially access the new water line.

Brewing Process. It is my understanding that the wastewater from a brewing use would be reviewed by the treatment plant to determine what if any measures need to be taken to address any fermentation by-products.

Bars. After researching the state statutes, the only limitations that exist are related to the number of package stores allowed in a community; that is based on population. According to the state's website (<http://www.ct.gov/dcp/cwp/view.asp?q=395806>), a maximum of 10 package stores are allowed in Mansfield. There are no separation distance requirements in statutes for any other type of alcohol related business.

Separation Distances. To clarify, even the existing regulations do not require separation distances between residences and the sale of alcohol. The types of uses that require separation are things such as churches, schools, libraries, childcare facilities, nursing homes etc. There are also separation distance requirements between package stores.

It's also important to note that with regard to brewpubs, breweries and vineyards, the changes the PZC has proposed will be moot unless the ordinance identifying the types of allowed liquor permits is also amended. Changing that ordinance will require a petition signed by 10% of registered voters to place the question on the ballot for a public referendum.

Please let me know if you would like me to provide your email to the PZC for inclusion in the public hearing record.

Linda

From: Alison Hilding [mailto:aahilding@gmail.com]
Sent: Tuesday, May 31, 2016 7:25 AM
To: Linda M. Painter <PainterLM@mansfieldct.org>
Subject: Zoning Focus Group

Good morning Linda,

I hope that you enjoyed a pleasant holiday weekend and that you are thrilled to be back at work. :)

Last week you mentioned that there might be a meeting of the Zoning Focus Group this week. I have not received notice of a meeting and therefore I am checking in with you.

I have a concern about the opportunity for a brew pub to sell "limited" bottled beer off site. "Limited" is very unclear, non-specific language. I imagine that you are aware of the concern regarding the Niagara Bottling Company in Bloomfield. It seems prudent to limit the number of gallons of water an particular business can use for bottling purposes of whatever sort. There were a few bills in the legislature about bottling this past session and I confess that I did not follow them closely. I will check today on what happened.

Also, how much water does a pub use in the brewing process --in addition to that which goes in the bottle? I am not aware of any current calculation regarding anticipated water use in the town during this planning/zoning process overall. This is not just a CT Water responsibility but one that should be part of the planning process and surely is part of any practice of sustainability in a community. Vineyards? How much water do they use? Are all of the areas designated for potential vineyard use on well water or public water? I have not looked carefully at the map with this thought in mind. Could the location of a vineyard well affect a neighbor's water supply?

Do fermentation by-products have an effect on a sewer system? If so, at what quantity does this affect occur?

What sort of traffic frequency would a company that is exporting bottled beverages create?

What was the final word on the number of establishments that are primarily alcohol serving (bars basically) that could potentially be allowed in Mansfield? I know that we discussed this, and that Janell referred to state statute on this, but I don't recall what the upshot was other than a certain percent of the population.

I am still not comfortable with dropping all distance requirements -- particularly next to a residence be it an apartment or a single family home.

Alison

DRAFT ALCOHOL AND LIVE MUSIC REGULATIONS

MANSFIELD DEPARTMENT OF PLANNING AND DEVELOPMENT ■ APRIL 28, 2016

OVERVIEW

ALCOHOLIC LIQUOR REGULATIONS

The proposed changes:

- Change 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 permits is attached at the end of the document for reference purposes.)
- 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 meet the standards identified in the regulations.
- Zoning permit required; permit may be revoked if there are two or more noise/nuisance violations within a 12-month period.
- Allow outdoor music 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 alcoholic liquor 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 ~~site plan approval is obtained in accordance with Article V, Section A and the following requirements of Article X, Section I.5~~ 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 1 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
- ~~any retail store selling alcoholic liquors shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I~~

* * * * *

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)
- ~~any retail store selling alcoholic liquors shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

* * * * *

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. ~~Any commercial recreation facility selling alcoholic liquor shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

g. **Category G**

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

1. ~~there is no sale or consumption of alcoholic beverages on the arcade premises;~~

Renumber subsequent provisions accordingly

* * * * *

h. **Category H**

Reserved.

~~The use of live music associated with any hotel, motel, commercial recreation facility or restaurant, provided no outside speakers shall be used in conjunction with the use of such music and provided no music associated with the use is objectionable at the site's property lines. Any special permit issued pursuant to this subsection shall expire on November 1 of each year and, upon application and Public Hearing, may be renewed. As an exception to this requirement for Special Permit approval, limited live music uses may be authorized with Zoning Permit approval provided the following standards are met:~~

1. ~~The subject live music shall be limited to singing or the playing of musical instruments that, in the opinion of the Zoning Agent, are accessory to an authorized use (such as background music to enhance a dining experience) and not a primary use, (such as a separate concert event).~~
2. ~~The subject live music shall be unamplified or amplified at volume levels that, in the opinion of the Zoning Agent, would have low potential for causing noise issues for neighboring property owners. If neighborhood noise problems occur, the subject live music authorization may be altered or revoked.~~

~~3. No live music use authorized under this Zoning Permit provision shall take place after 10 pm on weekdays and 11pm on weekends.~~

~~4. Zoning Permits issued for live music under this provision shall be valid for an initial period ending on November 1 of an even numbered year and may, upon application of the holder of such permit, be renewed for additional periods of two (2) years each provided the requirement of this section are continually met. Such permit shall not be transferable.~~

~~Any questions regarding the appropriate permit process for authorizing live music uses, shall be resolved by the Planning and Zoning Commission.~~

i. Category I

~~The sale of alcoholic liquor subject to the provisions of Article X, Section 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.
- ~~c. Any restaurant selling alcoholic liquor shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

* * * * *

m. Category M

~~Hotels, motels, tourist homes. Any associated restaurant selling alcoholic liquors shall comply with the provisions of Article VII, Section L.2.i and Article X, Section I.~~

* * * * *

AMEND SECTION M-USSES 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. ~~Any commercial recreation facility selling alcoholic liquor shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

* * * * *

j. **Category J**

Hotels, motels, tourist homes. ~~Any associated restaurant selling alcoholic liquors shall comply with the provisions of Article VII, Section L.2.1 and Article X, Section I.~~

* * * * *

k. **Category K**

Reserved.

~~The use of live music associated with any restaurant or commercial recreation facility subject to the standards and requirements cited in Article VII, Section L.2.h~~

l. **Category L**

~~The sale of alcoholic liquor subject to the provisions of Article X, Section I~~
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. ~~Any commercial recreation facility selling alcoholic liquor shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

* * * * *

i. **Category I**

Reserved.

~~The use of live music associated with any hotel, motel, restaurant or commercial recreation facility subject to the standards and requirements cited in Article VII, Section L.2.h~~

j. Category J

~~The sale of alcoholic liquor subject to the provisions of Article X, Section 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. 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.
- d. ~~Any restaurant selling alcoholic liquor shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

l. Category L

~~Hotels, motels, tourist homes. Any associated restaurant selling alcoholic liquors shall comply with the provisions of Article VII, Section L.2.1 and Article X, Section I.~~

* * * * *

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.

~~The use of live music associated with any restaurant or commercial recreation facility subject to the standards and requirements cited in Article VII, Section L.2.h;~~

m. Category M

~~The sale of alcoholic liquor subject to the provisions of Article X, Section I; 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. ~~Any commercial recreation facility selling alcoholic liquor shall comply with the provisions of Article VII, Section L.2.i. and Article X, Section I.~~

* * * * *

h. Category H

Reserved.

~~The use of live music associated with any commercial recreation facility or restaurant, provided no outside speakers shall be used in conjunction with the use of such music and provided no noise associated with the use is objectionable at the site's property lines. Any special permit issued pursuant to this subsection shall expire on November 1 of each year and, upon application and Public Hearing, may be renewed.~~

i. Category I

~~The sale of alcoholic liquor subject to the provisions of Article X, Section~~

* * * * *

m. Category M

Reserved.

~~The use of live music associated with any restaurant or commercial recreation facility subject to the standards and requirements cited in Article VII, Section L.2.h;~~

n. **Category N**

Reserved.

~~The sale of alcoholic liquor subject to the provisions of Article X, Section I;~~

* * * * *

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:

~~1. There is no sale or consumption of alcoholic beverages on the arcade premises;~~

Renumber subsequent provisions accordingly

* * * * *

h. **Category H**

Reserved.

~~The use of live music within the building confines of any hotel, motel, and restaurant, provided no outside speakers shall be used in conjunction with the use of such music and provided no music associated with the use is objectionable at the site's property lines. Any special permit issued pursuant to this subsection, shall expire on November 1, of each year and, upon application and Public Hearing, may be renewed.~~

* * * * *

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;
- ~~c. Any retail use selling alcoholic liquors shall comply with the provisions of Article VII, Section Q.2.g and Article X, Section I;~~

* * * * *

g. Category G

Reserved.

~~The sale of alcoholic liquor, subject to the provisions of Article X, Section I~~

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.
- ~~3. Any restaurant selling alcoholic liquor shall comply with the provisions of Article VII, Section Q.2.g and Article X, Section I.~~

~~**i. Category I**~~

~~The use of live music within the building confines of any restaurant, provided no outside speakers shall be used in conjunction with the use of such music and provided no noise associated with the use is objectionable at the site's property lines. Any special permit issued pursuant to this subsection shall expire on November 1 of each year and may be renewed upon application and Public Hearing.~~

* * * * *

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.

~~The sale of alcoholic liquor subject to the provisions of Article X, Section I~~

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

* * * * *

~~i. The use of live music within the building confines of any hotel or restaurant provided no outside speakers shall be used in conjunction with the use of such music and provided no music associated with the use is objectionable at the site's property lines. Any special permit issued pursuant to this subsection shall expire on November 1, of each year and, upon application and Public Hearing, may be renewed.~~

~~j. The sale of alcoholic liquor associated with a permitted restaurant, hotel, or commercial recreation facility subject to the provisions of Article X, Section I;~~

* * * * *

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 during the following days and times.

	<u>Outdoor Music Permitted</u>
<u>Thursday-Saturday</u>	<u>12:00 pm – 10 pm</u>
<u>Sunday</u>	<u>12 pm – 6 pm</u>

Outdoor music on days or times other than those identified in the above table 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 two 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 S.4 – USES PERMITTED IN THE STORRS CENTER SPECIAL DESIGN DISTRICT

Amend Section S.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 ~~construction~~ activities:

* * * * *

~~6. Limited Live Music Uses pursuant to Article VII, Section L.2.h.~~ Temporary Special Outing Liquor Permits pursuant to Article VII, Section D.15.

* * * * *

TEMPORARY LIQUOR PERMIT TYPES

This page is provided for reference only and is not part of the proposed changes to the Zoning Regulations.

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 ■ APRIL 28, 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 28, 2016
AS MODIFIED BY COMMISSION ACTION ON MAY 2, 2016

OVERVIEW

The proposed changes:

- Establish a new water pipeline overlay zoning district to regulate water service connections in that zone
- Extend restrictions of overlay zone to properties that access water service via easements or rights-of-way over properties in the overlay zone.
- 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.
4. 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 prior to reaching areas designated as Smart Growth Development Areas in the POCD. To that end, 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.

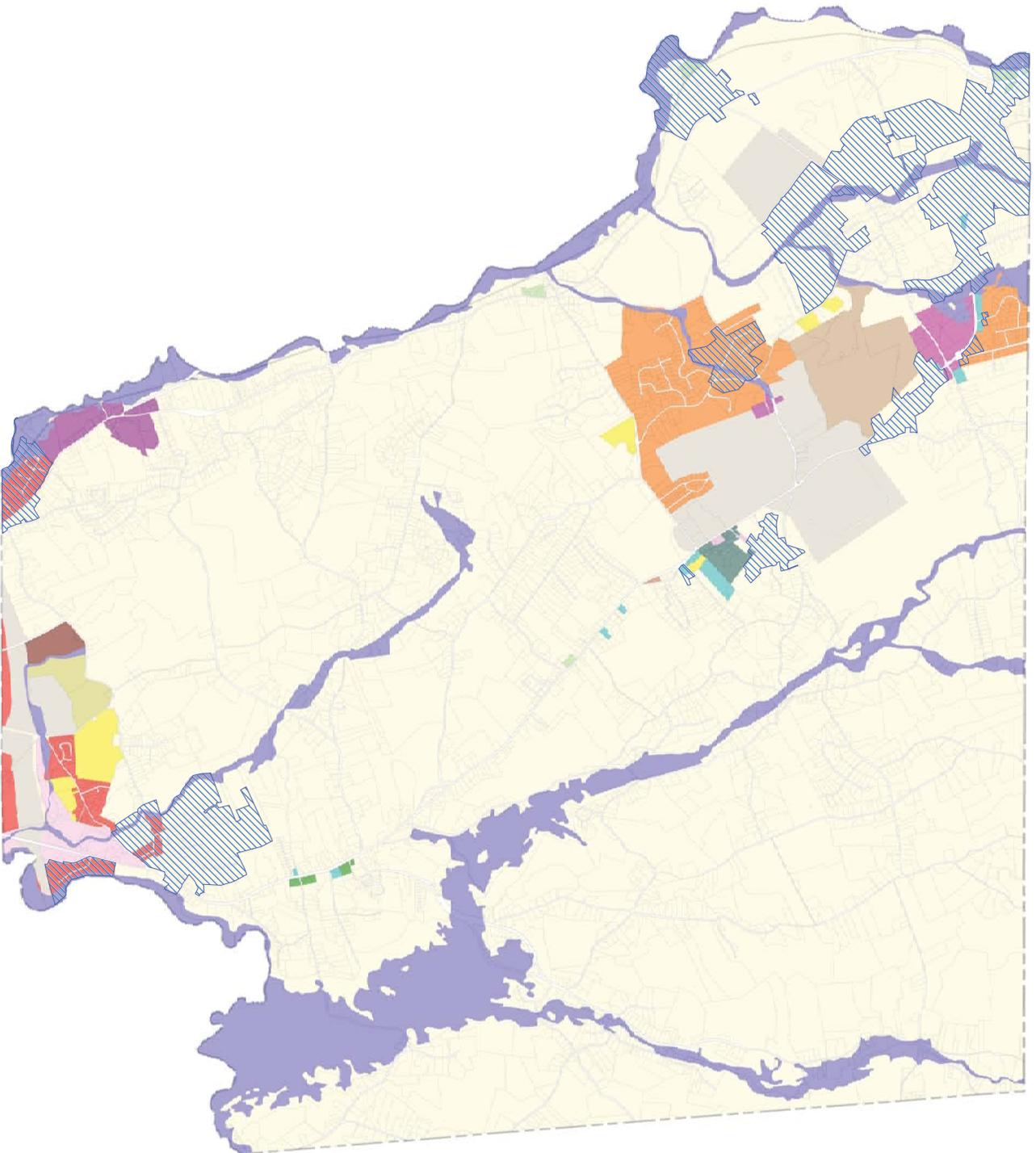
To implement this objective, this section establishes standards for connecting to new water mains in Water Pipeline Overlay Zones and identifies limitations specific to properties that will be served by the interconnection between the Connecticut Water Company and University of Connecticut water systems.

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 permitted only in those instances where there is not a source of potable water.

DRAFT-POTENTIAL WATER PIPELINE
OVERLAY ZONE LOCATIONS
APRIL 28, 2016

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





TOWN OF MANSFIELD

DEPARTMENT OF PLANNING AND DEVELOPMENT

Date: June 16, 2016
To: Planning and Zoning Commission
From: Linda M. Painter, AICP
Subject: Cancellation of July 5, 2016 Meeting

Due to the federal July 4th holiday and limited pending business, staff recommends that the July 5, 2016 meeting of the PZC be cancelled. If the Commission concurs, the following motion would be in order:

MOVE to cancel the July 5, 2016 meeting of the Mansfield Planning and Zoning Commission.



TOWN OF MANSFIELD

DEPARTMENT OF PLANNING AND DEVELOPMENT

Date: June 16, 2016
To: Planning and Zoning Commission
From: Linda M. Painter, AICP
Subject: Director's Report

If there are any other items or questions, I will address them at the June 20th meeting.

HOUSING

Ad Hoc Committee on Rental Regulation and Enforcement. The next meeting is scheduled for Wednesday, June 29th at 5:30 p.m. in the Town Council Chambers.

AWARDS AND GRANT APPLICATIONS

Capitol Region Council of Governments Regional Sustainability Award. Mansfield is one of four communities that received a regional sustainability award from the Capitol Region Council of Governments. The award recognized Mansfield's "exemplary work in support of *Mansfield Tomorrow: Plan of Conservation and Development*, and its leadership in promoting community and regional sustainability." A copy of the award certificate is attached.

Connecticut Main Street Center. Mansfield received a 2016 Award of Excellence for the Storrs Center Town Square.

Responsible Growth and Transit-Oriented Development. The Town applied for a \$2M state grant in January to fund construction of the Four Corners Sanitary Sewer Project. Unfortunately, the project was not selected for funding. This grant application was separate from the \$3M that has already been committed by the legislature.

MISCELLANEOUS

Mansfield/Chaplin Town Boundary. Mansfield and Chaplin hosted a community information meeting on Tuesday, June 14th to present the survey of the town boundary that was completed last year. If the survey is accepted as the formal boundary between the two communities, three houses would be affected. One house that is currently in Chaplin would be in Mansfield; one house that was in Chaplin would be split between the two towns; and a house currently in Mansfield would also be split between the two towns. According to the survey, it also appears that the line would shift slightly to the east from where it has been depicted by the Town's GIS system.

The award certificate is framed by a decorative, ornate border with a repeating crest-like pattern. The crest features a central figure, possibly a bird or a similar symbol, surrounded by intricate scrollwork and floral motifs.

CRCOG

**CAPITOL REGION
COUNCIL OF GOVERNMENTS**

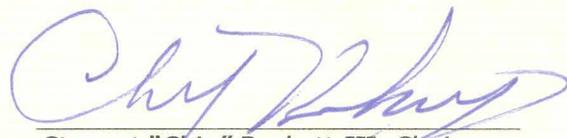
Working together for a better region.

CRCOG Regional Sustainability Award

Presented to

Mansfield

For its exemplary work in support of **Mansfield Tomorrow:
Plan of Conservation and Development**, and its leadership in
promoting community and regional sustainability.

A handwritten signature in blue ink, appearing to read "Chip Beckett".

*Stewart "Chip" Beckett III, Chairman
June 8, 2016*

A handwritten signature in blue ink, appearing to read "Lyle D. Wray".

*Lyle D. Wray, Executive Director
June 8, 2016*