

AGENDA

PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE

1:15 p.m., Wednesday, October 13, 2010

Conference Room B

- I. Call to Order
- II. Minutes: September 29, 2010
- III. Consideration of potential revisions
 - a. Identified Zoning Regulation Issues Under Active Consideration
 - 1. Agricultural Regulations
 - 2. Historic Preservation Criteria
 - 3. Lighting Requirements
 - 4. Loading/Waste Disposal Area Requirements
 - 5. Design Standards for Major Projects
 - 6. Stormwater Management/Erosion and Sedimentation Control Standards
 - 7. Notification Provisions
 - 8. Setbacks for Patios, Tennis Courts, etc.
 - 9. Directional Signs (“For-Sale”, etc)
 - 10. Student Housing and Definition of Family
 - b. Identified Subdivision Regulation Issues Under Active Consideration
(10/7/10 Draft referred to Town Attorney)
 - 1. Application Submission, Review/Referral/Revisions/Post-Approval Requirements
 - 2. Refine Specimen Tree Inventory/Preservation Requirements
 - 3. Common Driveway Regulations
 - 4. Stone Walls/Historic Features
 - 5. Road and Drainage Standards
 - 6. Walkway, bikeway/trail, existing street improvement requirements
 - 7. Subdivision Requirements for Digital Mapping
 - c. Zoning Map Issues Under Active Consideration
 - 1. Refine Institutional Zone (including deletion of RDLI Zone)
 - 2. King Hill Road Area Zoning
 - 3. Village District Zoning
 - 4. RAR-90 to R-20 Zone Change: area south of Puddin Lane, west of Clearview Dr.
 - 5. Other
- IV. Future Meetings- Next meeting is tentatively scheduled for 10/27/10 at 1:15pm in Room B.
- V. Adjournment

DRAFT MINUTES
PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE
Wednesday, September 29, 2010
Conference Room B, Audrey P. Beck Municipal Building

Members present: M. Beal, R. Favretti, K. Holt (arrived at 1:22 p.m.)
Others present: G. Padick, Director of Planning

I. Call to Order

Chairman Beal called the meeting to order at 1:15 p.m.

II. Minutes

9-15-10- Favretti MOVED, Holt seconded, that the 9-15-10 minutes be approved as distributed. MOTION PASSED UNANIMOUSLY. (This action was taken after Holt arrived)

III. Consideration of potential revisions to the Subdivision Zoning Regulations/Zoning Map:

Padick discussed with Committee members various revisions to the 9/16/10 draft subdivision regulations that were reviewed and tentatively agreed to at the last meeting. Favretti suggested a re-wording of item 3 Section 5.2 (opening sentences and Section a). After discussion, these suggested revisions were agreed upon. A few minor wording changes to the 9/16/10 draft also were incorporated. After discussing potential public hearing schedules, Favretti MOVED, Holt seconded, that the draft subdivision regulation revisions be referred to the Town Attorney. MOTION PASSED UNANIMOUSLY.

The remainder of the meeting was spent reviewing 9/29/10 draft revisions to Articles V and VIII of the Zoning Regulations. The revisions were drafted to incorporate more specific reference to Article X, Section R (Architectural and Design Standards); more specific site plan and special permit application provisions regarding refuse areas, sidewalks, bikeways, paths and trails, historic features, lighting and recreational improvements; more specific site plan and special permit approval standards for sidewalks, bikeways, trails and other improvements designed to encourage pedestrian and bicycle use and lighting. Other draft revisions addressed notification requirements contained in the State Statutes and setback provisions for various recreational improvements. Members agreed to further review these draft revisions.

Padick noted that the zoning for an area in southern Mansfield has been incorrectly depicted on the Zoning Map since 1996. Based on the Town Attorney's advice, it was agreed to add this area to those where a change to the Zoning map will be proposed.

IV. Future Meetings

It was confirmed that the next meeting would be Wednesday, October 13th at 1:15 pm in Conference Room B.

V. Adjournment

The meeting was adjourned at 2:42 p.m.

Respectfully submitted,

Katherine Holt, Secretary

October 7, 2010 DRAFT

Proposed Revisions to the Subdivision Regulations

(New provisions are underlined or otherwise indicated)

(Deletions are bracketed or otherwise indicated)

(Explanatory Notes are provided to assist with an understanding of the proposed revisions. These notes are not part of the proposed zoning revisions.)

1) In Section 3, Definitions, incorporate the following revisions:

a. **3.9 Natural and Manmade Features**

Significant trees, [specimens or groupings;] standing singly or in groves; agricultural lands including open fields and pastures; water, including ponds, lakes, brooks, streams, rivers, and cascades; ledges, and large rock outcroppings or formations, large hills or ridges, or expanses of valley floors; visible historic sites or features, such as stone walls, individual buildings or groupings of buildings, cemeteries, cellar holes, foundations, or similar features.

b. **3.10 Plan, [Preliminary] Conceptual Layout**

[The preliminary drawing(s) and any supporting data indicating the proposed manner and layout of the subdivision (see Section 5.0 for requirements)]

A plan prepared after analyzing off-site influences and site and neighborhood features and indicating potential streets, lots, open space areas and other site alterations. Conceptual plans, which are required for subdivisions with potential streets and/or four (4) or more lots, are reviewed by the planning staff pursuant to Section 5.

c. **3.18 [Trees (specimen and groups of trees)]**

Specimen: a fully developed tree, standing singly or in a group, exceeding 9" (nine inches) d.b.h. (diameter breast height) on a proposed lot or 6" (six inches) d.b.h. within an existing or proposed street right-of-way. Groups of trees, ranging from 6" to 12" (six to twelve inches) d.b.h., of hardwoods or evergreens, especially as they stand along roadsides or boundaries or properties or lots, so as to serve as privacy screens or buffers, or to enhance a public road or way. Groups or masses of trees may be indicated on a plan as a mass, and each tree need not be delineated.]

Trees, Significant

A healthy, well formed, individual tree nine (9) inches or greater d.b.h. (diameter breast height) on a proposed lot or within an existing or proposed street right-of-way, and/or a grove of trees of any size, especially as they stand along streets or boundaries of existing or proposed lots, that add scenic character or serve as privacy screens or buffers.

d. **3.20 View**

[A sight or prospect of some landscape or extended scene; an extent or area covered by the eye from one vantage point, whether on or off a subdivision site.]

Scenery that exceeds one-hundred and eighty (180) degrees in width as observed from a vantage point.

e. **3.21 Vista**

[A view seen through a long or restricted passage, such as between rows or groups of trees or buildings.]

Scenery that is less than one-hundred and eighty (180) degrees in width as observed from a vantage point and is framed by trees, landforms, buildings or other vertical features.

f. **3.23 Yield Plan**

A map or maps containing a lot and site improvement layout and additional information, as required by these regulations (see Section 6.10.a.6), that demonstrates: compliance with the zoning Schedule of Dimensional Requirements provisions for standard lot size, lot frontage and building setbacks; compliance with all other zoning requirements, including minimum lot area requirements for new lots; and compliance with all subdivision requirements, including the Design Objectives of Section 5.1, the [Design Criteria of Section 7] lot size and configuration provisions of Section 7.4 and the Open Space requirements of Section 13.

A yield plan must be submitted whenever a subdivider seeks a reduction or waiver of minimum lot frontage (see Section 7.6) or in the R-90 and RAR-90 zones, a lot size of less than 90,000 square feet.

Explanatory Note: The revised definitions are associated with new design process provisions in Section 5 and revised provisions in Sections 6.5 and 7.8 regarding the identification and preservation of significant trees, views and vistas.

2) In Section 4, General Provisions, incorporate the following revisions and renumber Sections 4.7 through 4.9 to 4.5 through 4.7.

a. **4.2 Zoning Regulations**

No subdivision plan shall be approved unless it conforms to the Zoning Regulations of the Town, as adopted, as may be amended hereafter (copy on file in the Office of the Commission). [Pursuant to Article III, Section A of the Zoning Regulations, Mansfield has adopted a Temporary and Limited Moratorium on receiving and acting upon certain subdivision and resubdivision applications. See Article III, Section A of Mansfield's Zoning Regulations for specific details.]

b. Relocate, without revision, Section 4.5 (Subdivisions in Flood Hazard Areas) to a new Section 7.1.

c. Relocate, without revisions, Section 4.6 (Solar Access-Energy Efficient Design) to a new Section 7.2.

d. Relocate, without revision, Section 6.17 (Submission to Regional Planning Commission) and Section 6.18 (Notification to Adjoining Towns) to new Sections 4.8 and 4.9.

- e. Relocate, with the following revisions, existing Section 6.19 to a new Section 4.10

**4.10 [6.19] Windham Water Works/Connecticut Department of Public Health
Notification**

When an applicant files with the Planning and Zoning Commission an application concerning a subdivision that is within an aquifer protection area delineated pursuant to Section 22a-354c of the State Statutes or which is within the watershed of the Willimantic Water Works or other water company as defined in Section 25-32a of the General Statutes, the applicant shall provide written notice of the application to the water company and the Commissioner of Public Health in a format prescribed by the Commissioner (provided such water company or said Commissioner has filed a map showing the boundaries of the watershed on the Mansfield Land Records and with the Mansfield Planning and Zoning Commission or the aquifer protection area has been delineated in accordance with Section 22a-354c, as the case may be). Such notice shall be made by Certified Mail, Return Receipt Requested, and shall be mailed within seven days [of] after the date of the application. The Willimantic Water Works or other such water company and the Commissioner of Health may, through a representative, appear and be heard at any hearing on any such application.

- f. Relocate, with the following revisions, existing Section 6.20 to a new Section 4.11

4.11 [6.20] Notification of Abutting Property Owners

The applicant shall be responsible for notifying all property owners abutting the site of a proposed subdivision, including property owners across the street from a subject subdivision (as measured at right angles to straight street lines and radial to curved street lines). Said notification, which shall be sent by Certified Mail, [Return Receipt Requested,] within seven (7) days of the Commission's receipt of the application, shall include mapping that depicts the proposed subdivision. The notice also shall reference the fact that the complete application is available for review in the Mansfield Planning Office. Notification forms (available in the Mansfield Planning Office) shall be utilized for notifying abutting property owners.

Explanatory Note: The revisions to Section 4 eliminate an expired moratorium reference and incorporate statutory requirements regarding notification to the CT. Department of Public Health and to abutting property owners.

- 3) Delete Existing Section 5 in its entirety and add new Sections 5 as follows:

Section 5.0 Subdivision Design Objectives/Design Process

5.1 Design Objectives

Subdivisions shall be designed in a manner that protects the public's health and safety, promotes goals, policies and recommendations contained in Mansfield's Plan of Conservation and Development, addresses the provisions of Section 1 of these Regulations (Purpose and Authority) and complies with all specific requirements contained or referenced

in these regulations. To address these objectives, primary consideration in designing streets, walkways/bikeways and other public improvements, lot layouts, proposed locations for houses, driveways, sanitary systems and other site work and identifying appropriate open space preservation areas shall be:

- a. The protection and enhancement of vehicular and pedestrian safety through the appropriate siting of streets, driveways, walkways, bikeways and trails;
- b. The protection and enhancement of existing and potential public water supply wells and ground water and surface water quality through appropriate design and installation of sanitary systems, roadways, drainage facilities, house sites and other site improvements;
- c. The protection and enhancement of natural and manmade features, including wetlands, watercourses, aquifer areas, agricultural lands, hilltops or ridges, historic sites and features, expanses of valley floors and scenic views and vistas on and adjacent to the subdivision site through, wherever appropriate, a clustering of streets and house sites and the identification and preservation of significant open space areas including agricultural lands, interior forests and other land without physical limitations.
- d. The utilization of a site's natural terrain, avoiding unnecessary re-grading, filling and removal activities.
- e. The promotion of energy efficient patterns of development and land use, energy conservation and the use of solar and renewable forms of energy through the appropriate siting of streets, driveways and house sites and, whenever appropriate, , bikeway and walkway/trail connections to neighboring streets and neighborhoods; existing and planned commercial areas; schools parks, and other public facilities and town designated walkway or bicycle routes.

5.2 Design Process

All prospective subdividers are encouraged to meet with the Director of Planning or other Planning Office Staff to review zoning and subdivision approval criteria and application submission requirements.

To help achieve the design objectives of Section 5.1, to expedite application reviews, to help reduce application submission costs and to help ensure compliance with all applicable provisions of Mansfield's Zoning and Subdivision Regulations, the following subdivision design process shall be followed.

a. Preliminary Review/Inventory of Off-Site Influences

Regional, town-wide and neighborhood characteristics and influences shall be inventoried and considered with respect to the subject subdivision site. State and regional land use plans, Mansfield's Plan of Conservation and Development, local knowledge and other sources of information should be considered in conducting this inventory of off-site influences. This inventory shall be presented in the form of a plan which may be a small, reduced scale map displayed as a cover sheet for the set of project plans.

While all prospective applicants are encouraged to submit and review with the Planning Staff an inventory of off-site influences, whenever a subdivision proposal includes new streets or four (4) or more lots, this inventory is mandatory and shall be submitted by a Connecticut Licensed Landscape Architect in association with the Site Analysis Plan requirements of

Section 5.2.b. Where required, a map shall be submitted showing the location of the project site, area factors such as roads and transportation networks, noteworthy topographical and natural resource features, proximate commercial, recreational, educational and cultural land uses and any other external site features that could influence development on the project site.

b. Site Analysis Plan

The second step in designing a Mansfield subdivision shall be an inventory of natural and man-made features on or adjacent to a potential subdivision site. While all prospective applicants are encouraged to submit and review with Planning Staff a Site Analysis Plan (as described below), whenever a subdivision proposal includes new streets or four (4) or more lots, the submittal of a Site Analysis Plan is mandatory. Where required, a Connecticut Licensed Landscape Architect shall prepare and submit to the Director of Planning five (5) copies of a Site Analysis Plan containing the information listed below as applicable to the subject site. This plan shall be submitted in association with an Inventory of Off-Site Influences Plan as per Section 5.2.a.

The submitted plans shall be reviewed by Mansfield staff members and, as deemed appropriate by the Director of Planning, the plans shall be referred to the Conservation Commission, the Open Space Preservation Committee and other advisory committees for review and comment. The Director of Planning shall within forty-five (45) days of receipt provide review comments on the submitted plans. No final subdivision plan involving new streets or four (4) or more lots shall be considered complete and approvable by the Commission unless this Site Analysis Plan and off-site inventory requirement has been met.

The following information shall be included, as applicable to the subject site, on all required Site Analysis Plans:

1. North arrow, scale and date. The scale selected should be one best suited to the site and one that is clear to the reader of the plans.
2. Name of subdivider and subdivision and the name and seal of the Landscape Architect who prepared the plan.
3. Boundaries of tract to be subdivided.
4. Existing contours at two (2) foot intervals. All slopes over 20 percent and watershed divides should be indicated.
5. Existing streets, easements, fences, walkways, bikeways, trails, structures both onsite and immediately adjacent to the site.
6. Wetlands and watercourses including intermittent streams both onsite and immediately adjacent to the site.
7. One Hundred (100) year flood plains, including base flood information on any portion of the land being subdivided which is within flood hazard areas as shown on the Zoning Map and in greater detail in the flood insurance study dated July 1980, and the most current Federal Emergency Management "Floodway" and Flood Insurance Rate Maps.
8. Aquifer areas and public drinking water wells on or within 500 feet of a site.
9. Soil type classifications as per the current U.S.D.A. Natural Resource Conservation Service Soil Survey for Tolland County, CT.

10. On-site and adjacent historic features including: all structures, wells and other utility features, walls and fences regardless of their condition, existing or former walks, paths, drives, trails, etc., curbs and pavement, man-made elements inserted into the ground such as hitching posts, garden or enclosed areas, significant vegetation, remains of old foundations, rip-rapping, arbors, trellises, etc., and any other historic features observed.
11. On-site and adjacent agricultural land with existing uses identified.
12. Areas with potential State and Federally-listed endangered, threatened or special concern species as per the current State and Federal Listed Species and Natural Communities Map published by the Connecticut Geological and Natural History Survey of the Connecticut Department of Environmental Protection; and significant natural flora and fauna communities as per Mansfield's Plan of Conservation and Development mapping.
13. Other natural and man-made features, including rock ledges and rock outcropping, significant trees, tree or shrub groves or masses of groundcover and obvious wildlife habitats.
14. Desirable scenic views and vistas into or out of the site, desirable internal vistas and views and any undesirable views and vistas both off and on-site.
15. On-site and adjacent open space and recreational land with existing uses identified.
16. Off-site nuisances to be screened.
17. Negative site conditions such as dangerous and dilapidated buildings, dead and falling trees, diseased plants, infestation of invasive species, areas of stripped top soil, deposits or junk and refuse.
18. Objectionable noises or odors and their sources both on and off site.
19. Particular micro-climatic conditions that may affect development.
20. Directions of prevailing winter winds and summer breezes.
21. Horizontal angles of the sun (azimuth) on December 21 and June 21.
22. Primary directions of off-site traffic flow and relative volumes; points of connection of site with sidewalks, bikeways and trails, if any.
23. Logical points of ingress and egress to the site; sight lines of possible driveway to road; locations of all trees over 9 inches in diameter (d.b.h.) within sight lines.
24. Tentative notations of possible preservation and conservation areas (areas where development should be discouraged).
25. Tentative identification of areas that are better suited for development.

An example of a site analysis plan is contained in Appendix A of these regulations.

c. Conceptual Yield Plan and Conceptual Layout Plan

Following the analysis and review of off-site influences and site and neighborhood features, the third step in designing a Mansfield Subdivision shall be the preparation of a Conceptual Yield Plan and a Conceptual Layout Plan. These plans shall take into account all comments received in association with step two, the Site Analysis Plan review.

All applicants are encouraged to submit to the Planning Office a conceptual Yield Plan and Conceptual Layout Plan for review prior to the submittal of final plans. However, whenever a subdivision proposal includes new streets or four (4) or more lots, a Connecticut Licensed Landscape Architect shall prepare and submit to the Director of Planning five (5) copies of a Conceptual Yield Plan and a Conceptual Layout Plan. The submitted plans shall be reviewed by Mansfield staff members and, as deemed appropriate by the Director of Planning, the plans shall be referred to the Conservation Commission, the Open Space Preservation Committee and other advisory committees for review and comment. Several concept plans may be submitted concurrently. The Director of Planning shall within forty-five (45) days of receipt provide review comments on the submitted plans. No final subdivision plan involving new streets or four (4) or more lots shall be considered complete and approvable by the Commission unless these conceptual plan requirements have been met. All review comments on conceptual plans shall not be considered as a commitment to approve final plans which are subject to independent review and approval by the Commission.

The Conceptual Yield Plan, which shall be drawn to a scale best suited to the site and allows appropriate review, shall identify potential streets (where applicable), potential lots and potential open space areas that could be developed with standard frontages and lot sizes pursuant to all applicable zoning and subdivision approval criteria. Mansfield's Subdivision Regulations require a yield plan to determine the maximum number of lots that could be developed on a subject site.

The Conceptual Layout Plan, which shall be drawn to a scale best suited to the site and allows appropriate review, shall identify potential streets (where applicable), potential lots and potential open space areas that could be developed pursuant to all applicable zoning and subdivision approval criteria, including Mansfield's "Cluster Development" provisions. Section 7.4 of the Subdivision Regulations authorizes the Commission to require new subdivisions to be clustered with reduced lot sizes and larger areas of preserved open space. Section 7.6 includes provisions to reduce or waive lot frontage and setback requirements. A submitted Conceptual Layout Plan should reflect an applicant's intended final plan submission subject to soil testing and obtaining more specific site information.

d. Testing/Preparation of Final Subdivision Plans

Following the receipt of review comments on all submitted conceptual plans, applicants shall conduct all required testing pursuant to State Health Code requirements and permits issued by Eastern Highlands Health District. Following on-site testing and further analysis, applicants can elect to resubmit conceptual plans pursuant to Section 5.2.c. or prepare final plans pursuant to Section 6. The final plan shall take into account all information obtained through Mansfield's Site Analysis Plan, Conceptual Yield Plan and Conceptual Layout Plan process.

Final Subdivision plans shall depict proposed streets, lot lines, building and development area envelopes, house locations, well and septic system locations, open space areas, natural and manmade resources and other details required by Section 6 and other provisions of these Regulations. The final subdivision plan shall address the minimum lot size provisions of the Zoning Regulations, and the number of proposed lots shall be no greater than the number depicted on a finalized yield plan prepared pursuant to Section 6.10.a.6.

Explanatory Note: The revisions to Section 5 include the relocation and expansion of subdivision design objectives and the establishment of a new pre-application process designed to promote compliance with the design objectives and all applicable subdivision submission and approval standards. For subdivisions involving four (4) or more lots or new streets, the proposed regulations require applicants to submit to the Director of Planning, and as deemed appropriate, other staff members and advisory committees, an inventory of regional, town-wide and neighborhood characteristics and influences and a site analysis plan before preceding to the preparation of conceptual yield and layout plans which also must be submitted for review and comments. Any subdivision application submitted to the Planning and Zoning Commission pursuant to Section 6, that involves four (4) or more lots or new streets, would be incomplete if the new pre-application requirements have not been met. The new pre-application process is expected to expedite Planning and Zoning Application reviews and help reduce application revisions and associated processing costs.

4) In Section 6, Final Plans, incorporate the following revisions:

a. **6.1 Plan Required**

[Except as provided for in Section 4.9,] In order for land to be subdivided, all procedures and requirements of this Section (6.0) and other applicable sections of these regulations, including the subdivision design process of Section 5 [design criteria of Section 7,] must be complied with. Only final plans approved by the Commission may be filed in the office of the Town Clerk.

b. **6.2 Complete Application**

The subdivision application shall be considered complete by the Commission when it determines the subdivider has complied with the design process provisions of Section 5 and all submission provisions of Section 6 [all the plan requirements]. If an application involves activities within regulated areas as defined by the Mansfield Inland Wetland Agency (IWA), the application shall not be received unless a license application for said activities has been received by the IWA and is currently under IWA review; or unless a license for said activities has been approved by the IWA; or unless the proposed activities have been ruled by the IWA to be exempt from licensing requirements. The date of the meeting at which the Commission determines the application is complete shall be designated the official date of submission.

c. **6.3 Final Plan Requirements**

- a. The final plans shall consist of the subdivision map, construction and public improvement plan (if needed), pursuant to Section 6.7 and supportive documentation (Section 6.10 and 6.11) either required herein or as may be required by the Commission.
- b. All required plans shall be prepared by and shall bear the name, signature and seal of a land surveyor and professional engineer licensed by the State of Connecticut.
- c. Final plans shall include the name, signature and seal of a landscape architect licensed by the State of Connecticut whenever a subdivision proposal includes new streets or four or more lots, or the Commission determines that a landscape architect is needed to address application requirements and approval criteria including potential impacts on natural and manmade features and scenic views and vistas.
- d. Final plans shall include the name and signature of a certified soil scientist whenever wetlands or watercourses exist within one hundred fifty feet of proposed building

envelopes or the Commission determines that a soil scientist is needed to address application requirements and approval criteria.

- e. All full sized plans shall be drawn at a scale of one (1) inch equals forty (40) feet (1"=40') or less. The Commission may permit different scales for large parcels.
- f. All plans shall be submitted on sheets at least 24 inches wide and 36 inches long (24" x 36"). The subdivider shall submit at least 6 copies of all full size maps, [two of which shall be on Mylar or similar reproducible medium.] The Commission may require additional copies. In addition, the subdivider shall submit fifteen (15) copies of the final plans reduced, wherever possible, to fit paper eleven (11) inches wide and seventeen (17) inches long. The reduced sized maps shall be at a measurable scale, which shall be noted on the reduced size map. [Upon approval by the Commission, final plans also shall be submitted in digital form AutoCAD R-14 or compatible form acceptable to the Town (unless specifically waived by the Commission for smaller subdivisions where a digital form is not available).]

d. 6.5.j.3 Final Subdivision Maps/Other Natural and Manmade Features on the Site

- 3. Open fields and meadows, woodlands, tree lines, significant trees. The subdivision map shall identify all significant trees (see definition) that are within a proposed development area envelope or an existing or proposed street right of way. In addition, all [over six (6) inches d.b.h. (diameter breast height) within an existing or proposed street right-of-way or nine (9) inches d.b.h. on a proposed lot that are to be removed in association with road, drainage, driveway, house, septic or underground utility construction. All] trees over fifteen (15) inches d.b.h. (diameter breast height) situated on the subdivision site shall be identified, either individually or as part of a [group of trees] grove. [Specimen] Significant trees [and groups or masses of trees (see definition)] that are to be preserved shall be specifically [shown and] labeled on final plans.

e. 6.5 Final Subdivision Maps

- n. Proposed street layout (where applicable) with pavement type and typical street cross-section, right-of-way widths, street names, location of existing and proposed street signs and street lights, with design details and street trees, with standard plant specifications;[signs and sidewalks, if any;]
- f. 6.5 Final Subdivision Plans-Add a new Section o to read as follows and re-letter existing Section o through t to p though v.
 - o. Sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance safe bicycle and pedestrian use (see Section 9). Where required, cross-sections and related construction details shall be provided.
- g. 6.10, Required Documentation, incorporate the following revisions: 6.10.a.5, change Section 4.6 to Section 7.2; 6.10.a.6, delete "design" in line 6; 6.10.b.1, delete "Sewer Authority" in line 1
- h. 6.13 a and b, Revisions, replace "Town Planner" with "Director of Planning" (3 locations)

i. **6.14 Submittal of Approved Plans/ Endorsement**

Upon approval, the subdivider shall submit, in accordance with the schedule contained in Section 6.15, two (2) sets of reproducible subdivision plans acceptable to the Town Clerk based on the provisions of Section 7-31 of the State Statutes; [and] three (3) sets of full sized paper prints of the approved plans[shall be submitted to] and three (3) sets of reduced size maps as per the submission provisions of Section 6.3.f In addition, the subdivider shall submit the final plans in digital form AutoCAD R-14 or a compatible form acceptable to the Town. Alternatively, Town staff may accept other forms of digital data (property lines, wetland boundaries and other data contained on a final subdivision plan) provided the data can be readily incorporated into the Town's current digital mapping system. This digital data is needed to appropriately update Town records.

The Chairman of the Commission who, after determining that [they] the submittals comply with the Commission's action and that all other regulatory requirements have been met, shall sign the plans. When the Chairman is absent, or otherwise unable to act, the Vice-Chairman or Secretary of the Commission shall sign said maps. No plan shall be recorded with the Town Clerk until approval has been endorsed thereon and recording of the plan without such endorsement shall make said plan void. A plan revised without a proper endorsement shall also be void. The endorsement of approval shall state the date on which the subdivision approval period expires (see Section 6.16). [The applicant also shall file with the Town the final plans in digital form (see Section 6.3.g.)]

- j. Renumber Section 6.21 and 6.17 (existing Sections 6.17 through 6.20 are being relocated to Section 4).

Explanatory Note: The revisions to Section 6, clarify and update final subdivision plan application submission and post approval requirements. The revisions reference the new pre-application provisions of Section 5, clarify significant tree inventory provisions and provide alternatives for submitting final plans digitally.

- 5) In Section 7 to be relabeled "Additional Subdivision Criteria" incorporate the following revisions.

- a. Delete existing Sections 7.1 and 7.2 and replace them with existing provisions contained in Sections 4.5 and 4.6.

b. **7.7 Stone Walls/Historic Features**

[Subdivisions shall be designed to preserve, where] To the extent possible (subject to any safety issues) [after consideration of other regulatory provisions,] all existing stone walls, remains of old foundations and any other historic features on the subject site shall, regardless of condition, be preserved and maintained. Furthermore, wherever possible, existing stonewalls shall be used to delineate property lines. The Commission may require stone walls and other historic features to be included within conservation easements to help ensure long term protection.

All existing stone walls that need to be removed due to street, driveway, house, septic system or other site construction shall be [rebuilt elsewhere on the property, or the stones shall be] used to enhance adjacent segments of walls or other existing walls on the property,

particularly along new property lines. [Information] Specific plans regarding any stone wall removal and proposed stone wall rebuilding or improvements shall be included on the subdivision plans and the Commission shall have the right to require stone wall work to be the responsibility of the subdivider.

c. **7.8 Trees**

- a. Unless specifically authorized by the Commission, no roadside tree over [six (6)] nine (9) inches d.b.h. (diameter breast height) shall be removed unless the removal is necessary to provide suitable sightlines, to establish suitable driveway or roadside drainage, or to provide suitable underground utility service (see underground utility provisions of section 11.1);
- b. Subdivisions shall be designed to preserve, where possible after consideration of other regulatory provisions, [specimen] significant trees [and groups of trees] that contribute to Mansfield's scenery and/or help enhance significant man-made and natural features (see definitions of scenery, significant trees and natural and man-made features).

d. **7.10 Common Driveways**

- a. The use of a common driveway may be authorized or required by the Commission where wetlands, steep slopes or other physical constraints would require extensive grading, filling or tree removal for individual driveways, where common driveways will protect natural and manmade features and scenic views and vistas, or where common driveways will promote other design objectives of these regulations. [Any approved common driveway shall serve no more than three (3) residential lots.] Where common driveways are approved, a driveway easement that establishes maintenance and liability responsibilities shall be depicted on the plans, shall be incorporated onto the deeds of the subject lots and shall be filed on the Land Records.

- b. Except where specifically authorized by the Commission pursuant to this section, any approved common driveway shall serve no more than three (3) residential lots.

By a three-quarters (3/4) vote of the entire Commission (seven (7) votes), the maximum number of residential lots served by a common driveway may be increased to four (4) or five (5) lots. The following factors shall be considered by the Commission in evaluating a potential common driveway serving four (4) or five (5) lots.

1. Whether the proposed common driveway will significantly reduce environmental impacts.
 2. Whether the proposed common driveway will significantly promote vehicular and/or pedestrian safety.
 3. Whether the proposed common driveway will significantly promote subdivision design objectives contained or referenced in Section 5 of these regulations.
- c. [b.] All sections of a common driveway that include areas that have a slope of ten (10) percent or greater shall be surfaced with an appropriate thickness of bituminous concrete or an equivalent surface approved by the Commission;
 - d. [c.] Common driveways servicing two (2) or three (3) lots shall have a minimum travel width of twelve (12) feet and minimum load-bearing shoulder widths of two (2) feet. Common driveways servicing four (4) or five (5) lots shall have a minimum travel width of twenty (20) feet. All curves along a common driveway shall have a minimum inside radius of twenty-five (25) feet.

- e. All common driveways shall be designed and constructed to safely accommodate fire department apparatus, pursuant to Mansfield's Fire Lane Ordinance (Chapter 125 of the Mansfield Code). Subdivision plans shall include a common driveway cross-section that demonstrates compliance with this requirement.
- f. At all intersections of a common driveway and a street, common driveways shall have a minimum travel width of twenty (20) feet for a minimum length of forty (40) feet. This width is necessary to safely provide for entering and exiting traffic.
- g. [d.] Common driveways shall meet the slope, sightlines and drainage standards of Section 7.9 and the driveway length standards of Section 7.11.
- h. Common driveway improvements shall include the following street number signage:
 - 1. Signage listing the approved street numbers of all dwellings served by a common driveway shall be erected at the intersection of a common driveway and a street. Signage details, including the location and nature of support posts, shall be included on subdivision plans. The subject sign shall not exceed two (2) square feet in size.
 - 2. Signage listing the approved street number of an individual dwelling shall be erected at the intersection of a common driveway and individual driveway. Signage details, including the location and nature of support posts, shall be included on subdivision plans.
- i. Common driveways shall not be used for parking, storage or other uses that could act as an access impediment.
- j. [e.] Common driveways and all associated improvements, including signage, shall be considered the responsibility of a subdivider and shall be completed or bonded pursuant to Mansfield's regulatory requirements, prior to the filing of a subdivision on the Land Records.

e. **7.11 Driveway Length Standards**

To help ensure safe and appropriate access to a house site for all vehicles, including emergency vehicles, the following provisions shall apply for all driveways exceeding a length of three hundred (300) feet:

- a. The driveway shall have a minimum travel width of twelve (12) feet and minimum load-bearing shoulder widths of two (2) feet, except for certain common driveway improvements that require a twenty (20) foot minimum travel width. All driveway curves shall have a minimum inside radius of twenty-five (25) feet;
- b. Pull-off areas adjacent to the driveway shall be provided at average intervals of every three hundred (300) feet or as deemed necessary by the Commission due to slope, sightline or other site characteristics. Pull-offs shall have a minimum load-bearing length of forty (40) feet and minimum width of ten (10) feet;
- c. An adequately-sized, located and surfaced turnaround area that will accommodate a fire truck shall be provided. Unless the following distance requirements are waived by the Commission due to specific site characteristics, the turnaround area shall be no closer than seventy-five (75) feet from a house site and no further than two hundred (200) feet from a house site and the turnaround shall be at least thirty (30) feet in length with two (2) foot wide, load-bearing shoulders.

Explanatory Note: *The revisions to Sections 7.8 and 7.9 expand provisions designed to protect stone walls and any other historic feature on a subdivision site and clarify provisions designed to protect*

significant trees. The new provisions reference the potential use of conservation easements to protect historic features.

The revisions to Sections 7.10 and 7.11 would allow, subject to specific criteria and a ¾ vote waiver, common driveways to serve four (4) or five (5) residential lots. This change is proposed to provide more flexibility in situations where environmental impacts will be significantly reduced, where traffic safety will be significantly enhanced and/or where increasing the number of homes served by a common driveway would promote subdivision design objectives as documented in the regulations. The revisions also incorporate additional width provisions, street number signage requirements and other requirements designed to enhance safety and help ensure safe emergency vehicle access.

6) In Section 8.7, incorporate the following revisions:

a. **Existing Street Improvements**

Whenever any subdivision is proposed for land fronting on or accessible only by a street or streets that do not meet the Town's current "Engineering Standards and Specifications" requirements as administered by the Mansfield Department of Public Works, and the Commission determines that approval of the subdivision plan would be contrary to the public safety unless such street or streets were altered or improved along the frontage of the proposed subdivision or beyond the limits of the proposed subdivision, the Commission [may disapprove] shall consider denial of such plan or [may condition] shall consider conditioning its approval upon completion of the improvements or alteration of such street or streets by and at the expense of the subdivider, or [may disapprove] shall consider the denial such plan until the Town Council has authorized expenditures for such improvements.

In [making the above determination] considering alternative actions, the Commission shall take into account the width and degree of improvement of the street and its ability to handle the increased volumes of traffic which will be generated by the proposed subdivision, the ability of school buses and emergency vehicles to travel the street safely, the drainage conditions of the street, pedestrian and bicycle safety and, [generally] the ability of any vehicle or person to use the street safely. Before taking action, the Commission shall consult with the Town Attorney or other qualified legal consultant with respect to statutory authority and case law pertaining to this issue.

Explanatory Note: The revisions to Section 8.7 are designed to provide more flexibility in considering potential off-site improvements and to help ensure compliance with applicable statutory authority, as refined through Connecticut Case Law.

7) In Section 9, incorporate the following revisions:

9.0 **Sidewalks/Bikeways/Trails**

[Sidewalks may be required by the Commission] Sidewalks, bikeways, trails and/or other improvements designed to encourage and enhance safe pedestrian and bicycle use shall be required, unless specifically waived by a three-quarter (3/4) vote of the entire Commission (7 votes), in all subdivisions within or proximate to Plan of Conservation and Development designated "Planned Development Areas" [commercial areas; in locations] proximate to schools, playgrounds, parks and other public facilities; [and in areas along] or proximate to existing or planned [Town-designated] walkway [or], bicycle or trail [priority] routes. In evaluating any waiver request, [determining the need for sidewalks,] the Commission shall

consider the size and [review] the location of the proposed subdivision [and] its relationship to [commercial areas,] existing or planned development, school sites, playground areas and other public areas and the location and nature of existing or planned sidewalk, bikeway or trail improvements.

Explanatory Notes: The revisions to Section 9 are designed to clarify and expand existing provisions regarding requirements for sidewalks, bikeways, trails and other improvements designed to encourage pedestrian and bicycle use. The proposed provisions require pedestrian oriented improvements, unless waived by a ¾ vote of the Planning and Zoning Commission, when a subdivision is within or proximate to planned development areas, schools, parks or other public facilities or existing or planned walkways, bikeways or trails.

8) Revise Section 13.8, incorporate the following revisions:

13.8 Site Improvements

- a. In addition to the access requirements of Section 13.7, the Commission shall have the right to require a subdivider to include, as part of subdivider responsible improvements, park and/or hiking trail improvements, including, as appropriate, clearing, grading, drainage, base preparation, surfacing and re-stabilization of all disturbed areas. [make site improvements such as clearing, grading, drainage, seeding and parking areas where active park, playground or hiking trail uses are deemed appropriate.] [The] All referral reports shall be considered in determining whether site improvements are appropriate. The degree of site improvement required shall be directly associated with the number of proposed lots within the subject subdivision. For example, a graded and seeded multi-purpose playground field may be a suitable requirement for a larger subdivision of twenty (20) or more lots and/or trail improvements may be required to link a subdivision site to adjacent parks and trail systems or to otherwise enhance access to existing or proposed open space areas. In situations where site improvements are required, the site work shall be depicted and fully documented on final subdivision plans and the site work shall be completed or fully bonded to the Commission's satisfaction before final maps are signed and filed on the Land Records.

In situations where trail improvements are deemed appropriate, the degree and nature of clearing, base preparation, drainage and surface improvements shall be determined taking into account the size and location of the subdivision and site and neighborhood characteristics. Where required, trails shall have a minimum width of five (5) feet and shall have an appropriate base, surface and drainage to allow year round use. Stone dust surfacing may be required and all wetland or watercourse crossings shall utilize cedar or pressure treated wood or other materials acceptable to the Commission. Trail marking and access signage also can be required.

- b. With the exception of site work that may be required by the provisions of Sections 13.7 and 13.8a or agricultural activities approved by the Commission, all land dedicated as open space or park land shall be left in its natural state by the subdivider and shall not be graded, cleared or used as a repository for stumps, rocks, brush, soil, building materials or debris.

Explanatory Note: This proposed revision clarifies and expands existing provisions regarding the Planning and Zoning Commission's authority to require site improvements in association with

subdivision open space dedications. In particular, the new provisions focus on trail improvements and associated construction requirements.

9) In Section 14, incorporate the following revisions:

a. Revise the Title of this Section from “Bonding” to “Completion of Improvements/Bonding/As Built-Plans”

b. **[14.1 Completion**

The Commission may, with the advice of the Department of Public Works, prescribe the extent to which and the manner in which the streets shall be graded and improved and public improvements and utilities and services provided in connection with any subdivision plan, and may require that all or a specified portion of such work and installations be completed prior to the final approval of the plan. As provided in other provisions of these regulations, the Commission also may require driveway, drainage and other site work to be completed by the subdivider or bonded prior to the filing of the subdivision on the Land Records.]

14.1 Completion of Improvements

Pursuant to other provisions of these regulations, subdividers shall be responsible for completing and bonding subdivision improvements, including approved streets, common driveways, sidewalks, trails and parking improvements, drainage and site work improvements. These subdivision improvements shall be completed and/or bonded prior to the filing of the subdivision plans on the Land Records. The Commission, with the advice of the Town’s Planning and Engineering staff, may prescribe the extent to which and the manner in which subdivision improvements are completed and associated utilities are provided.

For all subdivision lots that are dependent on new streets for access, the following specific completion provisions shall be met:

- a. No Zoning Permit shall be issued for new dwellings until the roadway binder course and all associated drainage and grading have been completed to the satisfaction of the Town Engineer, or his designated agent, and the Fire Marshal and until the new subdivision road has been fully bonded for completion pursuant to Mansfield’s regulatory provisions.
- b. Unless specifically authorized by the Commission, no Zoning Certificate of Compliance shall be issued for new dwellings unless the roadway and all associated drainage, signage, site stabilization and lot monumentation has been completed and accepted by the Town.

Explanatory Note: The proposed revisions to Section 14, clarify existing provisions regarding the completion of subdivision improvements. For subdivision lots dependent on new streets for access, the revisions incorporates new provisions that link Zoning Permits for new houses to the completion of a roadway binder course and associated site work and Certificates of Compliance for completed houses to the completion of roadway drainage, signage, monumentation and site stabilization work.

**Best Practices:
Sample Livestock Regulations for Connecticut Municipalities**

Concept:

This project seeks to address a frequent and problematic issue for many Connecticut municipalities—how to address livestock ownership using zoning regulations. With reliance on a strong Working Group of municipal planning experts and agriculture advisors to guide the project, we will gather and interpret examples of livestock-related zoning regulations which the Working Group feels exemplify a supportive yet reasonable regulatory approach to livestock ownership. This project will build on the success of *Planning for Agriculture: A Guide for Connecticut Municipalities* which broadly addresses zoning regulations, including livestock-related regulation, but does not offer specific models or recommendations.

Activities:

1. Form 11-member “Livestock Regs Working Group” (“Working Group”) consisting of the Eastern CT RC&D Agriculture Sub-Committee—Phil Chester (Town of Lebanon), John Guskowski (CME Associates), Jiff Martin (American Farmland Trust), Joyce Purcell (CT NRCS) and Elizabeth Rogers (Eastern CT RC&D) and other important advisors including Joan Nichols (CT Farm Bureau), Ron Olsen (CT Dept of Agriculture), Tim McGuire (CT Dept of Agriculture), Kip Kolesinskas (CT NRCS), Joyce Meader (UConn Extension), and Jenifer Nadeau (UConn Extension, Equine Specialist).
2. Project Coordinator will meet with Working Group to establish focus areas and minimum lot size categories (e.g. less than 1 acre, 1-2 acre, 2-5 acres and 5 or more acres) for review of municipal regulations. The establishment of minimum lot size categories will account for the diversity of Connecticut municipalities and thus provide appropriate information for a range of communities. Possible focus areas include: definitions, shelter, fencing, manure management, minimum acreage requirements/animal units per acre, accessory uses (i.e. riding arenas or petting zoos).
3. Based upon input from the Working Group and outreach to Planners (including through the Planner’s List Serve), Project Coordinator will gather examples of successful municipal livestock regulations in Connecticut—at least 2 examples will be gathered for each minimum lot size category. In addition to focus areas, the Working Group is interested in providing guidance and collecting examples which address equine uses and food production in urban areas.
4. Project Coordinator will hold series of 2 meetings with Working Group to review gathered examples. In these meetings the Working Group will choose the best example(s) for each lot size category and offer a critique of all examples—

specifically which parts of the regulations seem to work well and which sections need improvement.

5. Under the guidance of the Working Group, Project Coordinator will draft 12 page outreach document highlighting key issues for municipalities to consider when reviewing or drafting livestock regulations and describing best practices as exemplified in gathered example regulations. The outreach document will incorporate the Working Group's critique of sample regulations into the text of the sample regulations (i.e. "track changes" or similar format).
6. Project Coordinator will send draft text to Working Group for review and hold a meeting to finalize the outreach document and critiqued sample regulations.
7. Project Coordinator will make final changes and format documents.
8. Print 750-1,000 copies of outreach document; post document and all critiqued sample regulations on Eastern CT RC&D website and the CT Planning for Agriculture website. Create links to this page from various partner websites including the CT Planning for Agriculture site.

Timeline:

August	Meeting 1: establish focus areas and minimum lot size categories
September	Meeting 2: review gathered examples
October	Meeting 3: review gathered examples
November	Meeting 4: review outreach document and critiqued sample regulations
December	Meeting 5: finalize outreach materials, online posting and promotion of materials

Gregory J. Padick

From: Arnold Jr, Chester [chester.arnold_jr@uconn.edu]
Sent: Thursday, October 07, 2010 3:12 PM
To: Gregory J. Padick; Lon R. Hultgren
Cc: Dietz, Michael; Hyde, Bruce
Subject: Mansfield Regulations

Greg and Lon,

I just wanted to let you know that after a hiatus for the national conference we were all involved in running, we're turning our attention to your performance and road standards and will be coming up with recommendations for changes for you to consider.

We intend to get you something by the end of the month at the latest, at which point perhaps we should come up and discuss our recommendations with you. We will also no doubt have questions to ask.

Is this time frame ok for you?

Thanks,

Chet

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