

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:

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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:**

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- g. Farm Wineries

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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.~~

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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.~~

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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.

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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.~~

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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:

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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.~~

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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~~

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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;~~

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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.~~

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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.~~

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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;~~

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AMENDMENTS TO ARTICLE TEN

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

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

I. Live and/or Amplified Music

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

2. Applicability.

a. Live and/or amplified music shall be permitted with Zoning Permit approval as an accessory use to the following uses pursuant to the requirements of this Section:

- Restaurant
- Hotel
- Place of Assembly-Banquet Hall
- Commercial recreation facility
- Brewpub/Restaurant, Brewpub, and Brewery

b. The Zoning Permit requirements and restrictions on outdoor music contained in this section shall not apply to public property and properties in the SC-SDD.

3. Outdoor Music. Outdoor music will be allowed 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

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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:

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- 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.

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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)

