

Published on May 25, 2021

NOTICE TO TOWN CLERK OF PROPOSED AMENDMENTS TO ZONING REGULATIONS AND/OR ZONING MAP

Pursuant to Section 8-3, C.G.S., the Planning and Zoning Commission is required to file proposed amendments to the Zoning Regulations and Zoning Map with the Town Clerk at least 10 days prior to the public hearing on such amendments. In accordance with this requirement, a copy of the following proposal to amend the Mansfield Zoning Regulations is attached.

- **File Number P-1373:** Application of CMC Storrs SPV, LLC to Amend Article 4, Section B and Article 10, Section B.10.a.1 of the Mansfield Zoning Regulations related to maximum building height for townhouse units in the RAR-90, ARH, DMR and PVRA Zones. The public hearing on the proposed amendment is scheduled for Monday, June 21, 2021 at 6:45 P.M.

For more information on the proposed amendment and public hearing, please email planzonedept@mansfieldct.org.

Paul Aho, Chair
Binu Chandy, Secretary

Pursuant to Governor Lamont's Executive Order 71, enacted March 21, 2020, all public notices, including but not limited to public hearing notices, notices of decision, and notices of proposed changes to adopted regulations and maps for the following entities will now be posted on the Town Website in the Legal Notices section (<http://www.mansfieldct.gov/1713/Legal-Notices>). Until the public health emergency is over, the on-line posting of these notices shall replace publication of such notices in The Chronicle newspaper and posting of such notices in the Town Clerk's office.

Application to Amend the Zoning Regulations

04/29/2021 3:36 PM (EDT)



Your place to grow

Application to Amend the Zoning Regulations

- Before starting this application, please be sure you have the required information and documents ready.
- Make sure that required documents are saved in pdf form and appropriately named. For example: "Statement of Justification," "Traffic Analysis," etc.
- Please call the Department of Planning and Development at 860.429.3330 with any questions on how to complete the form.

General Information

Who is completing this application form?

Agent for Applicant

Project Name: 497 Middle Turnpike

Applicant Information

Name CMC Storrs SPV, LLC (c/o Chok Lei and Joseph P. Williams, Esq.)

Street Address 450 Lexington Ave 3900D

City/Town New York

State NY

Zip Code 10017

Telephone 212-204-8588 x 101

Email

chok@clearmountaincap.com

Applicant Status Pursuant to Article 13, Section A of the Zoning Regulations (Check all that apply):

- Property Owner

Agent Information

Have any agents/representatives been authorized to act on behalf of the Applicant with regard to this application? Yes

Please provide contact information for each person that may be directly contacted regarding the application.

Agent Contact Information

i. **Name**

Joseph P. Williams, Esq., Shipman & Goodwin LLP

Street Address

One Constitution Plaza

City/Town

Hartford

State

CT

Zip Code

06103-1919

Telephone

860-251-5127

Email

jwilliams@goodwin.com

What is this agent's role on the project team?

Attorney

Proposed Amendments

Please upload the exact wording of the proposed amendments, preferably in a strike-through and underline format that includes the context of the overall section in which changes are proposed.

File(s) attached:



Proposed Zoning Regulation Amendment.pdf

Statement of Justification

Provide a Statement of Justification that:

1. Addresses the approval considerations of Article 13, Section C;
2. Substantiates the proposal's compatibility with Mansfield's Plan of Development;
3. Identifies the reasons for the proposed amendment (including any circumstances or changed conditions that justify the proposal and how the amendment would clarify or improve the Zoning Regulations); and
4. Describes the effect the change would have on the health, safety, welfare and property values of Mansfield residents.

Please upload a dated Statement of Justification

File(s) attached:



Statement of Justification.pdf

Submission Requirements

In addition to completion of this form and payment of the application fee, the following items are required for an application to be considered complete. Please contact the Department of Planning and Development at planzonedept@mansfieldct.gov.

In addition to digital (pdf) copies of all required documents, original signed and sealed copies shall be provided of all submissions. Additional copies may be required for certain documents as specified.

Please date all documents, including revision dates.

Reports or Other Information Supporting the Proposed Amendment(s)

Application Fee

A non-refundable application fee in the amount of **\$560** is required pursuant to [Section 122-2 of the Mansfield Code of Ordinances](#). The fee includes a \$60 land use fee required by the State of Connecticut.

Payment of Application Fee

As Town Hall is currently closed to slow the spread of the COVID-19 virus, payment of application fees is limited to the following options. Please be advised that your application will not be complete until full payment of the application fee is received.

- **Check.** A check payable to the Town of Mansfield can be left in the drop box at the eastern entrance to Town Hall in an envelope addressed to the Department of Planning and Development or mailed to: Department of Planning and Development, 4 South Eagleville Road, Mansfield, CT 06268-2599
- **Credit Card.** Credit card payments are accepted over the telephone at 860.429.3330 during regular business hours.

Agent Certification Statement

In signing and submitting this application, I hereby certify the following:

In completing and submitting this application, I certify that:

- I have been authorized by the Applicant identified in this application to act on their behalf.
- I understand that the subject application will not be considered complete until the Applicant completes and submits the Applicant Certification Statement, available at <https://mansfield-planningdevelopment-mansfield-ct.app.transform.civicplus.com/forms/13772>.

Signature

A handwritten signature in black ink, appearing to be the initials 'JAW'.

Date

04/29/2021

PROPOSED ZONING REGULATION AMENDMENT

CMC Storrs SPV, LLC
April 29, 2021

Proposed additions are underlined and deletions are ~~stricken out~~:

Article 4, Section B - Definitions

Townhouse. A multi-story house in a row of usually similar design with common side or back walls.

Article 10, Section B - Special Provisions for Multi-Family and Group Dwelling Development

10. Building Design

a. Standards.

1. **RAR-90, ARH, DMR and PVRA Zones.** Maximum building height shall be three (3) stories up to 40 feet; provided the Commission may approve a maximum height of up to 45 feet as part of the special permit for the development provided all of the following criteria are met:

- Four stories shall be permitted in townhouses having a garage on the first floor, provided the maximum height shall not exceed 45 feet per townhouse as measured from the average finished grade of each townhouse to the top of the roof of that townhouse.
- In all other building types, ~~t~~The enclosed space of the proposed structure above 35 feet shall be limited for use as non-tenant storage and/or areas for accommodating equipment used to operate such proposed structures' utilities,
- The proposed structure aesthetically conforms with the character of neighboring properties,
and
- The proposed structure will not adversely affect the character of neighboring properties or adversely affect the general health, welfare or safety of the Town.

Statement of Justification

CMC Storrs SPV, LLC April 29, 2021

CMC Storrs SPV, LLC (“CMC Storrs”), an affiliate of Clear Mountain Capital, is the owner of the property located at 497 Middle Turnpike in Storrs. CMC Storrs is currently preparing a proposal to redevelop the property for multi-family residential use pursuant to its current RAR-90 zoning, with a unit mix consisting of townhouses and garden-style apartment units.

After a helpful pre-application discussion with the Planning and Zoning Commission, CMC Storrs is proposing a minor amendment to Section 10.B.10.a.1 of the Mansfield Zoning Regulations to allow, in townhouses with first-floor garages, residential use of the space above the third story. We believe this option would provide our residents with more desirable accommodations, particularly relating to private outdoor space as defined in the Commission’s Design Guidelines.

In our preferred design, the fourth story of a townhouse would accommodate a third bedroom and an outdoor terrace. You will recall that we showed the Commission sample townhouse elevations and floor plans so you could see what we would like to do. We explained that having a fourth story allows us to bring parking into the structure while still making full residential use of the townhouse. As it stands now, Section 10.B.10.a.1 requires that the space above 35 feet be used only for non-tenant storage or utility equipment.

Our proposed amendment will permit, in only the specified zones, four stories in townhouses having a garage on the first floor. Note that under our proposed amendment, a fourth story will *not* change the overall height of the townhouse building. Rather, our amendment specifies that “the maximum height shall not exceed 45 feet per townhouse.” This height is already allowed by special permit under the existing regulation.

As such, our amendment will not adversely affect the existing land uses surrounding a townhouse development. The amendment also maintains the current criteria requiring that the proposed structure aesthetically conform with the character of neighboring properties and not adversely affect the general health, welfare or safety of the Town.

For purposes of clarity, we have also proposed a commonly-understood definition of “townhouse” to be added to Article 4.

Approving the proposed amendment will achieve several of the goals and objectives articulated by the Commission in the Zoning Regulations and in your Plan of Conservation and Development (“POCD”):

- “Ensure that new multi-family residential development provides housing options that meet the needs of all residents” (Regs. Section 10.B.1) by promoting the inclusion of townhouses in such developments;
- Offer a “middle housing” option that will expand the diversity of housing alternatives in Mansfield;
- Enable a comfortable townhouse layout providing three-bedroom units with a dedicated entrance on the exterior of the building, at least 50 square feet of outdoor space, and satisfying the design standards for multi-family dwelling units (Regs. Sections 10.B.6, 10.B.10.b.3 and 10.B.11);
- Design surface parking areas to be secondary to buildings and open spaces and break up large parking areas with buildings and open space (Regs. Section 10.B.8.b.5) by moving parking out of paved surface lots to underneath the townhouse buildings;
- Encourage higher-density residential uses in areas with existing or potential sewer, public water and public transportation services (POCD, p. 36);
- Promote construction of additional affordable housing by refining land use regulations and considering other actions (POCD, p. 48); and
- Promote developments and neighborhoods with a diversity of housing types that address the needs of all income groups and all age groups (POCD, p. 49).



Applicant Certification Statement for Applications to Amend the Zoning Regulations

Project Information

Project Name	497 Middle Turnpike
Name of Authorized Agent	Joseph P. Williams, Esq.

Applicant Information

Applicant Name	CMC Storrs SPV, LLC (c/o Chok Lei and Joseph P. Williams, Esq.)
Applicant Address	450 Lexington Ave. 3900D New York, NY 10017
Applicant Telephone	212-204-8588 x 101
Applicant Email	chok@clearmountaincap.com

Applicant Certification Statement

In authorizing the submission of this application, I hereby certify the following:

- I am familiar with the information contained in the application submissions and that such information is complete, true and correct to the best of my knowledge.
- I understand that the subject application must comply with all applicable requirements of the Mansfield Zoning Regulations.
- The agent identified herein is authorized to act on my behalf regarding this application.
- I acknowledge that should the PZC determine that professional and/or technical assistance is needed for review of the application, the cost of such services shall be my responsibility pursuant to [Chapter 122, Article V of the Mansfield Code of Ordinances](#). Furthermore, I understand that the consultants retained shall be selected by and report directly to the Planning and Zoning Commission and that no application review shall commence until the required deposit for such services has been provided. I further acknowledge that failure to pay the estimated cost of the review within five (5) days of notice from the Town may be used as justification to deny the application as incomplete.

Signature



Date

04/29/2021
