

**NOTICE OF CERTAIN PLANNING AND ZONING MATTERS IN
NEIGHBORING MUNICIPALITIES**

July 21, 2025

RECEIVED

JUL 28 2025

Office of the Town Clerk
Coventry, CT

- To:** Ashford Town Clerk Tolland Town Clerk
 Chaplin Town Clerk Willington Town Clerk
 Coventry Town Clerk Windham Town Clerk
- From:** Planning and Zoning Commission Inland Wetlands Agency
 Zoning Board of Appeals

Pursuant to P.A. 87-307, zoning, planning and inland wetland commissions and zoning boards of appeals are required to notify the clerk of any adjoining municipality of the pendency of any application, petition, request or plan concerning any project on any site in which:

1. Any portion of the property affected by a decision of such board is within five hundred feet of the boundary of the adjoining municipality;
2. A significant portion of the traffic to the completed projects on the site will use streets within the adjoining municipality to enter or exit the site;
3. A significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
4. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

Notice is to be made by registered mail and mailed within seven days of the date of receipt of the application, petition, request or plan.

No hearing may be conducted unless the adjoining municipality has received notice required by P.A. 87-307. A representative may appear and be heard at any such hearing.

This letter is to inform you of the pendency of such a project described as follows:

Description of Application and Location

Public Hearing Information

**P907-67 PZC Initiated Amendments to Article 11 §190-73 of the Zoning Regulations
related to Site Plan Requirements**

- Date:** September 2, 2025 **Time:** 6:05 pm
Place: Hybrid Meeting or Mansfield Town Hall, 4 S. Eagleville Rd, Mansfield

For more information, please contact the Department of Planning and Development at 860-333-3330 or planzonedept@mansfieldct.org.

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*§ 190-73 Site plan requirements.***A. Purpose**

- (1) As required in other sections of these Regulations, the approval of a site plan is necessary for new construction, including expansion; site modifications; new uses and changes in use unless other requirements are specified herein.
- (2) For all projects involving new construction, unless otherwise noted, the Architectural and Design Standards contained in § 190-77 shall be utilized as determinants to organize a site layout and to develop the composition and character of new buildings and site improvements.

B. Procedure

- (1) All potential site plan applicants are encouraged to arrange with the Director of Planning and Development a pre-application conference to discuss application requirements and procedures. Such a meeting will help identify potential problem areas and expedite the application review process.
- (2) Applications should be filed in the Mansfield Planning and Development Office at least seven days prior to a regular meeting for analysis and placement on the agenda.
- (3) Any application which involves regulated activities within regulated areas, as defined by the Mansfield Inland Wetland Agency (IWA), shall not be received unless an application has been submitted to the IWA; or said activities have been approved by the IWA; or the proposed activities have been ruled by the IWA, to be exempt from licensing requirements.
- (4) Once an application has been received, the Planning and Zoning Commission shall conduct its review and, within statutory time limitations, approve, approve subject to modification, or deny the site plan application. The Commission may refer the plan to staff members, including, but not limited to, the Health and Public Works Departments, the Commission's appointed Design Review Panel, and other local, State, or Federal agencies.
- (5) As deemed appropriate, the Commission may conduct a Public Hearing on the application. No new information shall be received from the applicant or the public after the close of the Public Hearing.

C. Application requirements. Unless waived in accordance with the provisions of § 190-73D, the following information shall be required for site plan applications:

- (1) A completed Application Form including fee payment. Said application must be signed by the owner of the subject property or by an individual with a legally binding contract to purchase the subject property.
- (2) Statement of use. A written statement describing the proposed use in sufficient detail to determine compliance with the permitted use provisions of these regulations. Said

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statement shall also address Mansfield Inland Wetland Agency (IWA) requirements by stating whether proposed activities are under the jurisdiction of the IWA and by relating the current status of any IWA license application.

- (3) Notification of abutting property owners. The applicant shall be responsible for notifying all property owners abutting the site of a proposed use or activity requiring a public hearing for a site plan approval, including property owners across the street from a subject site (as measured at right angles to straight street lines and radial to curved street lines). Said notification, which shall be sent by Certificate of Mailing, within seven days of the Commission's receipt of the application, shall include the applicant's Statement of Use and mapping that depicts areas of proposed activity. The notice also shall reference the fact that the complete application is available for review in the Mansfield Planning and Development Department. Notification forms available in the Mansfield Planning and Development Department shall be utilized for notifying abutting property owners.
- (4) As appropriate, neighboring municipalities shall be notified as per the provisions of the State Statutes.
- (5) Site plan. One* full size copy and 1 (one) 11x17 along with an electronic copy of a site plan drawn to a scale of not less than one inch equals 20 feet or more than one inch equals 40 feet, appropriately signed and sealed by a professional engineer and/or land surveyor and/or landscape architect licensed in the State of Connecticut, and shall include the following information, unless waived pursuant to Subsection **D** of this section (*additional copies may be required):
 - (a) A title block showing the property owner, the applicant, the scale, and the drawing date, including all revision dates;
 - (b) The original signature and seal of the professional engineer and/or land surveyor responsible for the submissions. Unless waived by the Commission, all survey data shall be to an A-2 standard. Waivers shall not be granted for applications involving new principal buildings or major additions or for applications where A-2 survey data is required to verify compliance with these Regulations.
 - (c) Plans shall be signed and sealed by a landscape architect licensed by the State of Connecticut whenever:
 - [1] The application involves the construction of multi-family residential, commercial, industrial or other non-residential structures exceeding a size of 5,000 square feet of gross floor area; or
 - [2] The Commission determines that a landscape architect's participation in preparing the plans is necessary to address the application requirements and approval criteria of these regulations.
 - (d) A location map at a scale of one inch equals 1,000 feet showing surrounding properties within 500 feet of the subject site; identifying adjacent property in the

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same ownership or in control of the applicant; and including roads, watercourses, zoning district boundaries and any other physical features within 3,000 feet of the subject site which relate to the proposed site development. (Dependent on the nature of the proposal, a separate map at a more detailed scale may be required.)

- (e) The property lines and square footage of the subject lot(s); appropriate yard or setback requirements, north arrow and zone classification(s).
- (f) Both sides of adjacent streets; existing utility poles and/or underground lines; stone walls, and fences
- (g) Names and addresses of all abutting property owners, including those across any street, as determined from the current Assessor's records.
- (h) Location and size of existing and proposed buildings, structures, and signs ~~and~~ including floor elevations of buildings. As possible, buildings on adjacent land that might be affected by the proposal should be shown.
- (i) Existing and proposed contours with intervals adequate to indicate drainage and grades, and including topographic benchmarks and the source of topographic information. Contour intervals shall not exceed five feet and, dependent on the nature of the proposal, spot elevations and two-foot contour intervals obtained from on-site survey may be required, particularly in areas to be regraded. An estimate of the amount of fill or the amount of material to be removed shall be noted on the plan.
- (j) Regulated wetlands and watercourses, flood hazard areas, state-designated channel encroachment lines and any adopted aquifer protection zone (s) on the site or within 500 feet of the site. For more information on flood hazard areas see Article 10 and § 190-13 (definition of flood hazard area
- (k) Exposed ledge and areas shallow to bedrock. Depending on the nature of the proposal, an on-site soil survey by a registered soil scientist may be required.
- (l) Sanitary Sewer and Drinking water supply facilities, including the locations and findings of all test pits, borings, and percolation tests, and the location of public drinking water wells within 500 feet of the site.
- (m) Existing and proposed drainage ways, storm drainage facilities, roadways, bridges, sidewalks, bikeways, paths and trails, utility features including existing and proposed underground utility lines.
- (n) Construction details, existing and proposed easements, rights to drain, and proposed sediment and erosion control measures shall be shown on the site plan.
- (o) Existing and proposed off-street parking and loading areas, fire access lanes, outside storage and refuse areas, and underground and aboveground fuel and chemical storage tanks. All required parking spaces, loading areas, fire lanes, etc.

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shall be clearly delineated with pavement markings or other suitable measures. All refuse areas shall be adequately sized for both refuse and materials to be recycled and shall be screened to minimize visual impact.

- (p) Existing and proposed fencing, walls, screening, buffer and landscaped areas, including the location, size and type of significant existing vegetation and unique or special landscape elements; historic features including but not limited to old foundations, dams, sluiceways, mill races, rip-rapping, wells and other utility features, walks, paths, hitching posts, and former gardens, arbors, or enclosed areas; and the location, size and type of proposed trees and/or shrubs. Invasive and potentially invasive plant as determined by the Connecticut Invasive Plants Council in accordance with Connecticut General Statutes [§22a-381a](#) through [§22a-381d](#) shall not be used. Native species should be considered.
 - (q) Areas to remain as natural or undisturbed and areas to be protected through the use of conservation easements.
 - (r) Existing and proposed outdoor illumination, including method and intensity of proposed lighting and manufacturer's installation charts. Comprehensive lighting plans with foot-candle details can be required as determined by the Commission. All light fixtures shall be full-cutoff lighting.
 - (s) Location of existing and proposed recreational facilities, including appropriate construction details for trails, ball fields, playgrounds, swimming pools, tennis, pickleball, volleyball or basketball courts, or other recreational improvements.
 - (t) Architectural plans of all proposed buildings, structures and signs, including exterior elevations, floor plans, perspective drawings, and information on the nature and color of building materials (see architectural and design standards of [§ 190-77](#)).
- (6) **Recycling and refuse management.** All refuse created in conjunction with any land use activity shall be detailed and shall be properly stored in a screened area and expediently removed to prevent health or safety hazards, visual nuisances, or conditions conducive to the attraction of insects, rodents or other pests. Recycling shall be as convenient as refuse collection and methods of recycling shall be the same as for refuse collection (i.e., if an interior refuse chute is provided, recycling chutes shall be provided adjacent to the refuse chutes). When centralized refuse/recycling storage is proposed, it shall be properly screened. Chain-link fencing with vinyl slats is not an acceptable screening type.
- (7) **Road and Drainage Standards.** All road improvements, including private roads, driveways and parking and loading areas must be designed and constructed to promote vehicular and pedestrian safety. Appropriate separation of pedestrian and vehicular traffic and adequate sightlines for all intersections, including those within a private parking or loading areas, must be incorporated into development plans. It is

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recommended that applicants contact the Towns Department of Public Works to ensure compliance with Town's Road Permit Engineering Standards and Specifications (Chapter A195 of the Mansfield Code of Ordinances).

(8) Sanitation report. The application shall submit a written sanitation report, with information on site characteristics and the proposed sanitary systems, including water supply and waste disposal. As necessary, the said report shall be prepared by the applicant's registered professional engineer or registered sanitarian.

~~(7)~~ (9) Erosion and sediment control plans for land development.

(a) Definitions. For the purpose of this section see Definitions Section XXXX

(b) Activities requiring an approved erosion and sediment control plan as part of the site plan approval. A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half (0.5) acre.

(c) Exemption. A single-family dwelling that is not a part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations but must comply with the site development principles of § ~~190-73C(6)~~.xxx

(d) The erosion and sediment control plan shall contain the following:

[1] Proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water run-off on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (March 30, 2024) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission or, in the case of property in an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent.

[2] A narrative describing the items listed below. Wherever possible, construction details, stages and sequence of development and maintenance program details also shall be shown on related construction plans, and:

[a] The schedule for grading and construction activities, including:

[A] Start and completion dates;

[B] Sequence of grading and construction activities;

[C] Sequence for installation and/or application of soil erosion and sediment control measures;

[D] Sequence for final stabilization of the project site;

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- [b] The design criteria for proposed soil erosion and sediment control measures and storm water management facilities;
- [c] The construction details for proposed soil erosion and sediment control measures and stormwater management facilities;
- [d] The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;
- [e] The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;
- [f] Contingency plans that would be followed if unforeseen erosion and sediment problems arise. Said contingency plans should emphasize the developer's responsibility and capacity to effectively anticipate and respond to unforeseen erosion and sediment problems;
- [g] Identification of the specific individual (name and phone number) who shall be responsible for understanding the details of an approved erosion and sediment control plan and for implementing the plan as specifically approved. The plan shall provide for maintenance inspections based on the nature of the project, site characteristics, weather factors, and schedule of activities. The maintenance inspection schedule shall be approved by the Commission or, in the case of property within an SC-SDD zone district, by the Director of Planning and Development and the Zoning Agent, and daily inspections may be required.
- [h] In addition, the Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, may require the submission of written monitoring reports on a bi-weekly basis or as otherwise deemed appropriate. The Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, shall have the right to designate the format for written monitoring reports.
 - (1) A site plan map at a sufficient scale to showing the required erosion and sedimentation control measures on the overall site plan. The following information is required if not otherwise shown on the site plan application:
 - (2) The proposed area alterations including cleared, excavated, filled or graded areas and proposed

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structures, utilities, roads and, if applicable, new property lines;

- (3) The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - (4) The sequence of grading and construction activities;
 - (5) The sequence for installation and/or application of soil erosion and sediment control measures;
 - (6) The sequence for final stabilization of the development site.
 - (7) Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.
- (i) Minimum acceptable standards for the erosion control plans.
- (1) Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in these regulations and Chapters 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (March 30, 2024) , as may be amended.
 - (2) The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (2024), as amended. The Commission or, in the case of property within an SC-SDD zone district, the Director of Planning and Development and the Zoning Agent, may grant exceptions when requested by the applicant if technically sound reasons are presented.
- (j) The Erosion and Sedimentation Control Plan shall be incorporated as part of the overall Site Plan Approval.
- (k) Conditions relating to soil erosion and sediment control.
- (1) An erosion and sedimentation control bond is required for all developments with a disturbance of over .5 acres.
 - (2) No site development can begin until the limits of clearing are staked in the field and verified by the Zoning Agent. Once approved, the erosion and sedimentation control measures may be installed per the approved plan and inspected by the Zoning Agent.

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- (3) Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the approved plan.
- (4) All control measures and facilities shall be maintained in an effective condition to ensure compliance with the approved plan.
- (l) Inspection. Inspections shall be made by the Commission's designated agent during development to ensure compliance with the approved plan and that control measures and facilities are properly performed or installed, and maintained. The Commission or, in the case of property within an SC-SDD zone district, the Zoning Agent or their designee, may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the approved plan and are being operated and maintained.
- ~~(10)~~8) Other information. Depending on the nature of the proposal, the Commission shall have the right to require additional detailed information if it finds the information is necessary to review the application and determine compliance with applicable regulations and performance standards. Such information may include but shall not be limited to: traffic impact analysis, including specific information on how construction traffic will be regulated, routed and monitored; documentation of necessary drainage rights or easements; ; information on homeowner or property-owner associations; maintenance provisions; estimates of site improvements costs, any known blasting activities that will be needed for construction, and bonding agreements.
- ~~(11)~~9) Landscaping and buffering.
- (a) Applicability
Landscaping and buffering are required for all site plan and special permit applications for all land use activities to protect property values and enhance visual appeal; provide privacy and screen light, noise, and dust; prevent erosion and support stormwater infiltration; and promote pedestrian and vehicular safety.(b) Requirements. Landscaping and buffering plans shall:
- [1] Be scaled to the size and intensity of the proposed development;
 - [2] Include landscaping around buildings and within parking areas, per §190-78R;
 - [3] Identify all proposed and plantings to be retained by type, size, height, and location;
 - [4] Preserve mature vegetation where feasible;
 - [5] Use a diverse mix of plant species and avoid monocultures;
 - [6] Exclude invasive or potentially invasive species as identified by the Connecticut Invasive Plants Council (CGS §§22a-381a-d) and DEEP;

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- [7] Screen parking, loading, and waste areas using buffers, berms, fencing, or similar elements; with consideration for environmental performance and aesthetics;
- [8] Address shadow impacts on solar access, particularly for south-facing walls and rooftops;
- [9] Use full cut-off lighting fixtures to minimize light spill and visibility from adjacent properties; All lighting fixtures shall be shielded and aimed downward unless it can be demonstrated that alternative designs will not result in spill light (undesirable light that falls outside the area of intended illumination).
- [10] Provide adequate areas for snow storage;
- [11] Include safe, textured walking surfaces and gathering spaces, with benches or low walls where appropriate;
- [12] Include protective barriers (e.g., curbs, bollards, or fences) where needed for safety;
- [13] Install all utilities underground where feasible.

All required setbacks, unless otherwise provided (e.g., parking areas), shall be attractively landscaped with lawns, trees, and shrubs, or maintained in a natural, well-kept state. See §190-78S for additional parking lot landscaping standards and §190-77 for architectural and design guidelines.

c. Additional Landscaping and Buffering

The Commission may require a landscaped buffer (up to 75 feet wide) when a site:

- [1] Abuts a more restrictive zone or an existing residential use;
- [2] Borders a historic structure or cemetery;
- [3] Is adjacent to an environmentally sensitive feature.

In determining buffer width, the Commission shall consider site conditions such as topography, flood hazards, and the proposed use. Buffers must be designed to screen views, reduce noise, and protect natural or cultural resources. Treatments may include: landscaped earthen berms; multiple rows of evergreens; selective plantings; fencing or walls; existing vegetation.

Note: Buffer requirements do not apply to properties in the SC-SDD zone (see §190-48).

d. Installation and Maintenance

All required landscaping and buffering must be installed prior to the issuance of a Certificate of Zoning Compliance, unless a performance bond is provided in accordance with §190-76. Property owners are responsible for maintaining all landscape and buffer elements in a healthy, attractive condition. Dead or deteriorated vegetation and damaged fences or buffer features must be replaced promptly. Failure to maintain landscaping and buffering is a zoning violation and will be enforced per Article 12.

(120) Stormwater management.

Definitions. Please see Definition Section:

- (a) Purpose. The purpose of these stormwater management regulations is to:
- [1] Promote the goals and objectives for the conservation of the town's water resources as identified in the Plan of Conservation and Development;
 - [2] 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;
 - [3] 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
 - [4] Promote the use of Low Impact Development (LID) practices in the planning, design, and execution of land development activities.
- (b) Applicability. A Stormwater Management Plan (SWMP) is required for any new development or modification to an existing land use that meet the criteria set forth below:
- [1] Any development resulting in the disturbance of one or more acres of land;
 - [2] Residential development of five or more dwellings;
 - [3] Residential development involving the construction of a new road or common driveway serving more than two dwellings;
 - [4] Any development where stormwater will have a point discharge to a wetland or watercourse;
 - [5] Nonresidential development having greater than 10,000 square feet of impervious surface;
 - [6] Other activities as described in the CTDEEP March 30, 2024, Connecticut Stormwater Manual (the Manual) as may be amended; or
 - [7] Other developments determined by the Commission to have the potential for stormwater management issues.

C. Requirements:

- [1] The SWMP 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 SWMP improvement plan;

supporting computations where appropriate; a description of the construction sequence; and a program for operation, maintenance, and monitoring. A professional engineer shall sign and seal all documents that they prepared.

- [2] The design report shall include:
- [a] Description of existing site and relevant off-site conditions that may be affected by the selection of water quality measures;
 - [b] Rainfall data for the design storms as identified by the NOAA Atlas 14, as amended;
 - [c] An evaluation of existing on-site and off-site hydrology, including estimates of preconstruction and post-construction development from the one-, two-, ten-, twenty-five-, and 100-year, twenty-four-hour storm events;
 - [d] A discussion of the function of the stormwater management system during typical operation and during a possible failure of a component;
 - [e] 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% of total suspended solids; and
 - [f] A description of how the SWMP conforms to the 2024 Connecticut Stormwater Quality Manual, as amended. Where the SWMP does not conform to the Manual the applicant shall articulate the reasons for deviation.
- [3] The improvement plan shall be designed to:
- [a] Maintain the predevelopment site hydrology to the maximum extent feasible;
 - [b] Reduce peak runoff from two-year, twenty-four-hour post development event to 50% of the predevelopment conditions for that storm event or to the equivalent of the one-year, twenty-four-hour storm event unless the Commission determines that such reduction is impractical;
 - [c] Provide zero net increase in peak runoff from the ten-, twenty-five-, and 100-year storm events unless the applicant demonstrates that this would be a detriment to downstream properties;
 - [d] Provide treatment of stormwater runoff in accordance with the Manual;
 - [e] Have conveyance systems meeting the applicable provisions of the CTDOT Drainage Manual; and

- [f] Minimize structural stormwater components and incorporate vegetative measures such as rain gardens and bioretention basins where appropriate.
- [4] 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 D(20)(d)[3] above.
- [5] Prior to issuance of a Zoning Permit, the owner of any property for which a SWMP has been prepared and approved in accordance with the requirements of this Section shall execute a Stormwater Management/BMP Facilities Maintenance Agreement with the Town and record said Agreement on the Land Records. Such Agreement shall at minimum:
 - [a] Be applicable to the property owner as well as any successors and assigns.
 - [b] Assign responsibility for maintenance of stormwater management/BMP facilities constructed in accordance with the SWMP to the property owner.
 - [c] Require regular inspection of the stormwater management/BMP facilities to ensure the safe and proper functioning of such facilities.
 - [d] Require submission of an annual inspection report that identifies inspection activities and results. If deficiencies are identified, the inspection report shall also include a schedule and plan to correct such deficiencies.
 - [e] Authorize agents of the Town to enter the property and inspect stormwater management/BMP facilities whenever the Town deems necessary for compliance with the approved SWM. The Town shall provide the property owner with copies of inspection findings and if necessary, directive to commence with repairs.
 - [f] Authorize the Town to correct identified deficiencies if the property owner fails to maintain the stormwater management/BMP facilities in good working condition as acceptable to the Town and charge the costs of such repairs to the property owner at a rate of 150% of the total costs incurred by the Town.
 - [g] Acknowledge that the Town is not responsible to routinely repair or maintain the stormwater management/BMP facilities.
 - [h] Require the property owner to perform the work necessary to keep the facilities in good working order, including following any maintenance schedule approved as part of the SWMP.

- [i] Require reimbursement of the Town within 30 days of receipt for all costs incurred by the Town pursuant to the Agreement; and
- [j] Hold the Town harmless from any liability should the stormwater management/ BMP facilities fail to operate properly.

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

(13+) Energy considerations.

- [a] Applicants shall demonstrate to the Commission that their pending proposal has considered, to the degree physically and economically possible, the utilization of the physical environment and natural energy sources, such as solar orientation, to help heat, cool or illuminate the proposed use and accordingly minimize a dependence on fossil fuels and mechanical equipment.
 - [b] Potential impacts on neighboring properties shall also be evaluated. Factors to be considered including roadway, lot and building orientation, natural and human-made topographic features, soil and subsoil characteristics, existing and proposed vegetative cover, and shadow patterns on neighboring properties. Wherever feasible:
 - (1) Building orientation and design should maximize south facing walls;
 - (2) An east-west orientation should be considered for streets and private access roads;
 - (3) Building height, bulk and landscaping improvements should minimize shadow patterns on adjacent properties; and walls and accessory structures should be located in areas that will not diminish south wall exposure.
- D. Waiver of application requirement. Dependent on the nature of the proposal, the Planning and Zoning Commission may, by majority vote, waive the submission of all or part of the information required in ~~preceding~~ Subsection C(~~Application Requirements~~)~~Site Plan~~) when the PZC finds that the information is clearly not needed to determine compliance with the regulations. In general, these waiver provisions are most applicable to expansions of existing buildings or uses, or changes in the use of existing buildings.
- E. Approval criteria. In reviewing and approving any proposed site plan application, the Planning and Zoning Commission shall determine that the public's health, safety, and welfare are protected. The Commission shall state the reasons for its decision. Final action shall be based on the application as originally submitted unless the Commission agrees to accept revised information. The Commission must also find that the following criteria have been met:~~In reviewing and approving any proposed site plan application, the Planning and Zoning Commission shall determine that the public's health, welfare, and safety have been~~

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~~protected and that the following criteria have been met:~~

- (1) All required or necessary information has been provided by the applicant so that compliance with applicable regulations can be determined;
- (2) The proposal complies with all applicable sections of the Zoning Regulations.
- (3) For applications involving concurrent Inland Wetland Agency (IWA) license applications, no decision shall be made until the IWA has submitted a report with its final decision;
- (4) The proposal has made safe and suitable provisions for water supply, waste disposal, flood control,
- (5) For all properties within one of the 10 historic village areas identified in § 190-60, the special historic village area review criteria contained in § 190-60B also shall be complied with;
- (6) Sidewalks, bikeways, trails and/or other improvements ~~that 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 (seven votes),~~ for all sites located within or proximate areas designated as "Smart Growth Development Areas" in the to Plan of Conservation and Development; designated "Smart Growth Development Areas"; proximate to schools, playgrounds, parks and other public facilities; or proximate to existing or planned walkway, bikeways, or trails. eyele or trail routes. This requirement may be waived only by a three-quarter (3/4) vote of the entire Commission (sever votes) In evaluating any waiver request, the Commission shall consider the size and the location of the proposed development; ~~its relationship to proximity to~~ existing or planned development, ~~schools sites,~~ playground areas, and other public areas; and the location and nature of existing or planned pedestrian and sidewalks, bicycle keway or trail improvements.
- (7) All design standards in §190-77 Architectural and design standards have been met.
- (8) The proposal has adequately considered construction traffic and potential on-site and off-site vehicular and pedestrian safety problems, potential neighborhood impact problems and potential road and property damage that could occur due to the nature and timing of proposed construction activity;

~~In making its decision, the Commission shall cite reasons for its action. Final action shall be based on the application as originally received unless the Planning and Zoning Commission agrees to accept the revised information.~~

F. Conditions of approval.

- (1) In accordance with the provisions of § 190-76, the posting of a financial guarantee may be required.
- (2) No Zoning Permit shall be issued for a use requiring site plan approval until the

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Chairman of the Planning and Zoning Commission has signed the final plans. Final plans shall not be signed until appropriate conditions of approval have been met. Development in phases may be authorized by the Planning and Zoning Commission;

(3) Certificates of zoning compliance:

(a) Except as noted below, no Certificate of Zoning Compliance shall be issued for a use requiring site plan approval until the approved site improvements have been satisfactorily completed. ~~and, in cases situations~~ where an approved plan was prepared by a professional land surveyor or engineer, until the professional(s) responsible for the plan have certified in writing that the approved plan has been followed.

~~(b) If the public health and safety components of the project, in situations where public health and safety components of the project, or sections thereof, have been satisfactorily completed, the Planning and Zoning Commission, upon the request of the applicant's request, the Planning and Zoning Commission may authorize the issuance of a Certificate of Zoning Compliance provided that a suitable bond with written bond agreement in accordance with § 190-76 has been submitted and approved for the remaining site work, or provided acceptable alternative arrangements are approved by the Commission.~~

(4) Maintenance. All improvements shown or required on the approved site plan, including, but not limited to road and drainage facilities, water supply and waste disposal facilities, parking areas, pedestrian ways, lighting and signs, must be maintained, on a continuing basis, in good order and repair and in proper appearance. All plantings and landscaped areas shall be maintained in a healthy state and the site shall be maintained free of debris, sand, salt, litter, weeds and other unsightly or deleterious matter or vegetation.

(5) Expiration. Except for site plan projects that qualify for longer approval periods pursuant to Section 8-3 of the Connecticut State Statutes, any person, firm or corporation having obtained approval of a site plan application under this section shall complete all work in conjunction with such site plan within five years after the approval of the plan. Unless the Commission authorizes an extension or extensions as per Section 8-3 of the State Statutes. Failure to complete all work (all physical improvements required by the approved plan) shall result in automatic expiration of the site plan approval. The date on which such five-year period expires shall be stated in the certification of approval of such site plan.

G. Violation of approval. Wherever the Zoning Agent and/or the Planning and Zoning Commission determines that the terms, conditions or restrictions upon which a site plan was approved have been violated, or that required site improvements have not been maintained, the Zoning Agent shall issue a violation notice to the subject property owner and any other persons, firms or corporations responsible. If the violation is not corrected.

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within the time limits specified within the violation notice, enforcement shall be pursued through the legal remedies provided by State Statutes.

- H. Revisions. Whereas all site plan approvals are based on the submitted plans and specifications, all proposed revisions to an approved project are required to receive prior approval as per the following provisions. All revisions are subject to the requirements of the Mansfield Inland Wetland Agency (IWA) and revisions shall not be approved unless all necessary IWA licenses or license modifications have been granted. Minor changes of approved plans may, with the concurrence of the Chair of the Planning and Zoning Commission and the Zoning Agent, be made provided such changes do not affect the overall layout, design or nature of existing or proposed buildings or site improvements. All authorized minor changes shall be reported to the Commission.
- I. Commission approval. The Commission, in the reasonable exercise of its discretion, shall have the right to approve a revision without requiring the submission of a new application. However, if the proposed revision is considered a significant alteration of the approved plans, the Commission may require the submission and processing of a new site plan application. Revisions to signs shall not require the submission and processing of a new site plan application. Failure to obtain necessary approval for revisions to approved plans shall be considered a violation and pursued in accordance with the provisions of Article 12 of these Regulations. Commission approval shall be required for:
~~shall be required for:~~
- (1) Any substantial revision of approved site and building plans, including, but not limited to, changes in entrance drive design or location, overall parking layout, traffic patterns, storm drainage or waste disposal systems;
 - (2) Substantive changes in exterior building design, signs, or building materials;
 - (3) Changes in the use of an approved plan prior to initial occupancy;
 - (4) Interior alterations or renovations that alter or intensify a land use, such as, but not limited to, increases in finished floor area for the subject use, alterations affecting the nature of occupancy or number of possible occupants or customers, alterations affecting water supply or waste disposal needs, or alterations to uses involving hazardous materials.

~~The Commission, in the reasonable exercise of its discretion, shall have the right to approve the revision without the submission of a new application; or where the proposed revision is considered a significant alteration of the approved plans, the Commission shall have the right to require the submission and processing of a new site plan application. Revisions to signs shall not require the submission and processing of a new site plan application.~~

~~Failure to obtain necessary approval for revisions to approved plans shall be considered a violation and pursued in accordance with the provisions of Article 12 of these Regulations.~~