

§190-75. Performance Standards

A. Purpose

This section is intended to protect the health and property of Mansfield residents from harmful or undesirable impacts associated with the construction and operation of land use activities. It applies to all land uses, including those that do not require specific approval from the Planning and Zoning Commission. In many cases, compliance with performance standards cannot be fully evaluated during the permitting process or prior to operation. Therefore, recipients of zoning and building permits should understand that these standards are ongoing obligations. All land uses in the Town must operate in accordance with these standards. Existing uses that do not comply shall not be altered in a manner that increases the degree of noncompliance.

B. Procedures

Notwithstanding the foregoing, the Commission may, in the reasonable exercise of its discretion, determine that an alleged violation of this Subsection will be adequately addressed by another government agency with appropriate enforcement authority, or that the complaint pertains to a private nuisance that does not significantly impact the health, safety, or welfare of the Town of Mansfield. In such cases, the Commission is not obligated to receive or act upon the alleged violation or complaint.

C. Measurement Criteria

Compliance with the established performance standards shall be determined using the criteria contained in, or referenced by, each applicable regulatory section.

D. Certification of Performance Standards

To determine compliance with the established performance standards, the Planning and Zoning Commission may require the property owner or developer to submit written certification from a licensed engineer, architect, or other qualified professional confirming that all applicable standards have been met. Such certifications may be required during the permit review process, prior to the issuance of a Certificate of Zoning Compliance or occupancy permit, or after the use has commenced.

E. Performance Standards

1. Odor. Except for permitted agricultural uses, no land use shall create odors that are readily and consistently discernible beyond the property boundaries. The Commission may require detailed plans from the property owner or developer to prevent odor migration across property lines.

2. Site Development Requirements. For activities not subject to a Planning and Zoning application, this section establishes requirements to reduce soil erosion and sedimentation. Earth-moving, grading, and other land-disturbing activities—including all cut and fill operations—shall comply with the following standards, as applicable to the specific site and development:

- a. Activities shall be suited to the site's topography and soils to minimize erosion. Extensive cut and fill operations should be avoided where feasible.
- b. Slope lengths should be minimized wherever feasible. Cut and fill slopes shall not exceed a 3:1 ratio unless stabilized and approved the Town Engineer or their designee.
- c. Fill material must be placed and compacted so as to prevent sliding or erosion.
- d. Temporary or permanent site stabilization measures—such as vegetation, mulching, staked straw bale, straw wattles, silt fencing, check dams, or jute netting—shall be installed promptly as needed, and in some cases prior to land disturbance.
- e. Vegetation shall not be stripped from prospective building sites prior to issuance of a zoning permit. Only the smallest practical area shall be exposed at one time, and for the shortest feasible duration.
- f. Natural terrain and vegetation shall be preserved wherever feasible, and significant tree stands retained. Wherever feasible, buffers of undisturbed natural vegetation of 50 feet or more shall be retained along all watercourses and wetlands.

- g. Drainage provisions shall be designed to manage increased runoff resulting from disturbed soil and surface conditions. Runoff shall be minimized and retained on-site where possible. Drainage easements shall be obtained as needed. Required runoff computations must follow the *Connecticut Guidelines for Soil Erosion and Sediment Control (2024)*, as amended, unless an alternative is approved by the Town Engineer or their designee.
- h. Permanent or temporary drainage control measures—such as diversions, swales, retention basins, or sediment traps—shall be installed before grading begins and maintained until stabilization is complete. Temporary seeding of these features may be required.
- i. Disturbed areas shall be properly graded and shaped as soon as feasible. Final grading must include removal of stumps and debris and establishment of permanent vegetative cover.
- j. Topsoil from developed areas shall be redistributed on-site to support seeding and planting. Additional topsoil shall be imported as necessary. Topsoil shall not be permanently removed from a site without Commission approval. All applicable sand and gravel regulations, per §190-58, shall apply.
- k. Dust control measures shall be implemented during grading operations.
- l. Construction and grading materials may not be stored in areas that could damage the root systems of trees noted on approved site plans to be retained or beyond the limits of disturbance.
- m. All erosion and sediment control measures shall be regularly monitored and maintained in effective condition until full stabilization is achieved.

3. Stormwater Management

Any development that meets one or more thresholds set forth in §190-73.10.1 requiring a zoning permit but not Site Plan or Subdivision approval shall manage stormwater through the implementation of one or more Low Impact Development (LID) measures. Compliance shall be determined during the Zoning Permit review process. Acceptable LID strategies include, but are not limited to:

- a. Reducing hydraulic connectivity of impervious surfaces:
 - [1] Disconnecting roof drains and directing flows to vegetated areas or infiltration structures (swales, trenches, or drywells);
 - [2] Directing flows from paved areas such as driveways to stabilized vegetated areas;
 - [3] Breaking up flow directions from large paved surfaces;
 - [4] Encouraging sheet flow through vegetated areas;
 - [5] Locating impervious areas so they drain to natural systems, vegetated buffers, natural resource areas, on-lot bioretention areas, or permeable soils.
- b. Modifying/increasing runoff travel time:
 - [a] Maximizing overland sheet flow;
 - [b] Increasing and lengthening drainage flow paths;
 - [c] Increasing Ground water Recharge;
 - [d] Use of Vegetated Swales, Buffers, and Filter Strips;
 - [e] Use of Bioretention/Rain Gardens;
 - [f] Use of Dry Wells/Leaching Trenches;
 - [g] Implementation of Rainwater Harvesting;
 - [h] Implementation of Vegetated Roof Covers (Green Roofs)

More detailed guidance for implementing these measures can be found in the *2024 Connecticut Stormwater Quality Manual*, as amended.