

Town of Mansfield  
**CONSERVATION COMMISSION**  
Meeting of 17 December 2008  
Conference B, Beck Building  
**MINUTES**

*Members present:* Robert Dahn, Peter Drzewiecki, Quentin Kessel, Scott Lehmann, John Silander, Joan Stevenson. *Members absent:* Frank Trainor. *Others present:* Grant Meitzler (Wetlands Agent).

1. The meeting was **called to order** at 7:33p by Chair Quentin Kessel.

2. The draft **minutes of the 19 November 08 meeting** were approved as written.

**3. Planning Director's update.** The Commission was pleased to find that its packet for this meeting contained a memo ("Update on miscellaneous issues", dated 12/10/08) from Director of Planning Greg Padick that nicely summarized the status of various matters of interest. It hopes that Greg will be able to provide similar updates for the Commission on a regular basis.

**4. IWA business.**

a. Lehmann participated in the **IWA field trip** on 12/10; his report is attached.

b. **W1420 (White Oak Condo Assn., White Oak & Mansfield City Rds.)** The proposal is summarized in Lehmann's report. After some discussion, the Commission agreed unanimously on the following **motion** (Lehmann, Drzewiecki), which is the last sentence of that report: "With standard erosion controls during installation, impact on wetlands during construction should be minimal, and the completed project as a whole should protect downslope wetlands by eliminating a source of nutrients from the condominiums' failing septic systems."

The Commission also revisited the sanitary easement in Dunhamtown Forest for the project's leaching field and unanimously agreed to the following **motion** (Silander, Drzewiecki): "The Commission urges the PZC to require that clearing of forestland for the project's leaching field and associated access roads be minimized, so as to conserve, to the greatest extent possible, the integrity of the forest."

c. **W1419 (Chernusek, Middle Tpk.)** Mr. Chernusek has been clearing part of his property to accommodate 2 horses, though he does not have a wetlands permit to do so. Meitzler indicated that the now-cleared area is approximately one acre, 3/4 of which is wetland. The Commission deferred comment until such time as the IWA asks for it.

**5. Cellco cellphone tower off Rt.32.** Cellco is applying to the Connecticut Siting Council for permission to build a cellphone tower in one of two locations in SW Mansfield on Rt. 32: Mansfield Drive-In or the Highland Ridge Golf Range. The Town has no jurisdiction, but may comment to the Siting Council; a public hearing in the Town is required. The Commission would like an opportunity to comment, preferably after

seeing the NEPA Checklist (to assess environmental impacts) that the applicant is preparing.

**6. CL&P Interstate Reliability Project.** The Town's letter to the Connecticut Siting Council on CL&P's proposal to clear more of its right-of-way through Mansfield to accommodate another set of transmission lines incorporated some of the Commission's comments. In addition, letters were sent by many individual citizens whose properties would be impacted by the project.

**7.** The meeting was **adjourned at 8:40p.** Next meeting: Wednesday, 21 Jan 09, 7:30p.

Scott Lehmann, Secretary  
29 December 08; approved 21 January 09

Attachment: Report on the 12/10/08 IWA field trip.

W1419 (Chernusek, Middle Tpk). Mr. Chuernusek had been deforesting and re-grading part of his property to create a pasture for his 2 horses when he received a cease and desist order from the Town: the work was in and around wetlands, and Mr. Chernusek did not have a wetlands permit (he has taken refuge in ignorance, claiming he did not know one was required). The affected area contains a watercourse that drops from Rt. 44 to wetlands to the north. Trees have been cleared and stumps removed along several hundred feet of this watercourse and up the sides of its valley, and some fill has been brought in. It was definitely not a pretty sight when we saw it in the rain on Wednesday. Water was flowing in the stream bed (or what is now the stream bed) and the bare slopes down to it were too muddy most field-trip participants to negotiate. Some siltation was evident in the stream at the lower end of the cleared area. A silt barrier had been placed below (as required by the cease and desist order), but it was too wet to get down to it to see whether any prior siltation had occurred. I would not be surprised if the barrier failed in Thursday night's deluge.

This incomplete project is now having a significant impact on wetlands. Were Mr. Chernusek's pasture to be completed, there would probably be a continuing impact on the wetland to the north from overgrazing and horse manure, though it is hard for me to judge in advance how significant it would be.

Section 3.3(A) of the Town wetlands regulations is a "farm exemption" that permits "grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essential to the farming operation" in or near wetlands. However, 2 horses do not constitute a farm, and even so Sec. 3.3(A)(4) specifically excludes "clear cutting of timber except for expansion of agricultural cropland." Section 3.3(D) permits uses "incidental to the enjoyment and maintenance of residential property ... but shall not include removal or depositing of significant amounts of material from or into a wetland or watercourse, or diversion or alteration of a watercourse."

W1420 (White Oak Condos, White Oak Rd). This is the portion of the White Oak septic

project that falls under wetland regulations. Sewage from the three rows of condominium units will flow by gravity to two pump stations to the west, from where it will be pumped up to a line buried under White Oak Rd and thence to the leaching field the Town has generously allowed the Condo Assn. to construct on Town land in Dunhamtown Forest. The lines from the units to the pumping stations and back up to White Oak Rd will be located as far as possible from wetlands; two pump stations are specified to avoid the wetlands crossing that would be required if only one station were used. The line along White Oak Rd will cross a narrow neck of wetland crossed by the road. With standard erosion controls during installation, impact on wetlands during construction should be minimal, and the completed project as a whole should protect down-slope wetlands by eliminating a source of nutrients from the condominiums' failing septic systems.

Scott Lehmann, 12/15/08