

AGENDA

Mansfield Conservation Commission

Wednesday, November 18, 2009

Audrey P. Beck Building

CONFERENCE ROOM B

(to be relocated to Community Center meeting room if audience space is needed)

7:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Opportunity for Public Comment**
4. **Minutes**
 - a. October 21, 2009
5. **New Business**
 - a. Meeting with UConn officials to discuss drainage plans for the Storrs Campus
 - b. IWA Referrals: None
 - c. Other
6. **Continuing Business**
 - a. Water Supply Issues
(Willimantic Wellfield Study Technical Advisory Committee meeting to be held 12-2-09)
 - b. Invasive Plantings (PZC has agreed to revise Zoning Regulations)
 - c. Protecting Mansfield's Aquifers (no new information)
 - d. CL&P "Interstate Reliability Project" (no new information)
 - e. Proposed UConn Composting Facility (site work has started)
 - f. Ponde Place Student Housing Project (well drilling has started)
 - g. Natchaug River Basin project (no new information)
 - h. Eagleville Brook Impervious Surface TMDL Project (no new information)
 - i. Other
7. **Communications**
 - a. Minutes
 - Open Space (10/20/09)
 - PZC (10/19/09; 11/2/09)
 - IWA (10/19/09; 11/2/09)
 - b. Town of Mansfield Freedom of Information Guidelines
 - c. 10/28/09- Quarterly Progress Report: UConn Landfill Remediation Project
 - d. Other Correspondence
8. **Other**
9. **Future Agendas**
10. **Adjournment**

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Town of Mansfield
CONSERVATION COMMISSION
Meeting of 21 October 2009
Conference Room B, Beck Building
(DRAFT) MINUTES

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

1. The meeting was **called to order** at 7:35p by Chair Quentin Kessel

2. The draft **minutes of the 16 September 09 meeting**, were unanimously approved, as written by Lehmann and edited earlier by Silander, on a motion made by Stevenson and seconded by Silander.

3. IWA referrals

W1439 (Kovarovics, Daleville Road, driveway relocation). This is a marginal lot for which the applicants have already gone to the ZBA for permission to move the house closer to the road (further away from the wetlands). The only change being requested now is to relocate the driveway from the north end of the house to the south end, in order to have a safer driveway entrance. The new location will place portions of a paved driveway approximately 26 feet from a wetland, as opposed to the previous distance of 68 feet. This may result in additional runoff entering the wetland and therefore result in some negative impact. The CC suggests that a permeable surface be considered for this driveway to mitigate the impact of sheet runoff into the nearby wetlands. The siltation and erosion controls shown on the map should be in place during construction and removed after the site is stabilized. The motion made by Silander, and seconded by Trainor, passed unanimously.

W1440 (Chew, Thornbush Road, house addition and shed in buffer). Silander moved, and Trainor seconded, that there should be no significant negative impact on the wetlands if siltation and erosion controls (not shown on the map) are utilized where necessary. The motion passed unanimously.

W1439 (Kleinfelder/Mittleman, 7 Storrs Road, site investigation). The CC is pleased to see responsible action being taken on the closing of this gas station. The CC would like to be copied on the results of this investigation. Trainor moved, and Stevenson seconded, that there should be no significant negative impact from this testing. The motion passed unanimously.

4. Election of Officers. The slate of Quentin Kessel for chair, Scott Lehmann for secretary, and John Silander for vice chair, was moved by Trainor, seconded by Stevenson, and passed unanimously.

5. Pond Place Student Housing Project. It was reported that the owners of 2 or 3 residential wells in the area, as well as the Carriage House Apartments, had been contacted with regard to having their wells monitored, implying that the drilling and testing for a source of water for this project is moving forward.

6. UConn/DEP drainage agreement. The Commission reviewed the "MEMORANDUM OF AGREEMENT BETWEEN THE [THE] DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE UNIVERSITY OF CONNECTICUT," distributed with the CC packet. Of special concern is the portion of the plan to divert storm water runoff from 55 acres

from the Eagleville Brook and the Willimantic River watershed (not a public water supply watershed) into the Fenton River Watershed (a public water supply watershed). The purpose of this diversion is to lower the TMDL level of a complex array of pollutants in a portion of Eagleville Brook. It was noted that this would be at the expense of the water quality in the public water supply watershed and seemed contrary to the good practices the University has implemented over the years and also contrary to common sense. The Commission reviewed the rough draft of a letter by Kessel to the DEP on this matter (below) and agreed to the University's Rich Miller's offer to meet with us to explain their rationale.

Adjourned at 8:45 P.M.

Quentin Kessel, Secretary *pro tem*, 22 October 09

VERY ROUGH DRAFT! NOT FOR CIRCULATION!
(for consideration at the 9/21/09 CC meeting)

Mansfield Conservation Commission
Storrs, CT 06268
October XX, 2009

Commissioner Amey Marrella
State of Connecticut
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106

Dear Commissioner Marrella:

The Mansfield Conservation Commission would like to make the following comments regarding the "MEMORANDUM OF AGREEMENT BETWEEN THE [THE] DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE UNIVERSITY OF CONNECTICUT" signed by University of Connecticut Vice President Barry Feldman (9/4/09) and Betsey Wingfield, DEP Bureau Chief for Water Protection and Land Reuse (9/24/09).

1. We note that the Mansfield Conservation Commission is constituted in accordance with enabling legislation by the State of Connecticut (Sections 7-131a through 7-131e of the General Statutes) for the purpose of "The development, conservation, supervision and regulation of natural resources, including water resources, within municipal limits. We further note that the University of Connecticut's main campus falls within Mansfield's municipal limits and the statutes encourage the exchange of information between local conservation commissions and the Commissioner of the DEP.
2. Question: Why was the CC not included in the discussions that led to this MOA, or at least kept better informed about the ongoing discussions that led to this MOA? Furthermore, it is our understanding that the Town of Mansfield, while aware that various projects were being contemplated, were not included in the planning process.
3. The CC has particular concerns regarding the plans to divert stormwater runoff from 55 acres of the Eagleville Brook and Willimantic River watershed (not a public water supply watershed) into the Fenton River Watershed (a public water supply watershed). The stated purpose of this

diversion is to lower the TMDL level of a complex array of pollutants in a portion of Eagleville Brook. It appears to the CC that any improvement made to the water quality in the Eagleville Brook by this diversion will be to the detriment of the water quality in the Fenton River. Again, we do not understand the diversion of this "complex array of pollutants" from the Willimantic River watershed (not a public water supply watershed) to the Fenton River Watershed (a public water supply watershed).

4. This decision is contrary to the good decisions made by the University over the past 100 years to protect the water quality of the Fenton River watershed. In the early 1900s, the decision was made to move the school's septic effluent discharge from the Fenton River Watershed to the Willimantic River watershed in order to better protect the quality of the water entering the Willimantic reservoir. Through zoning, the Town has also sacrificed and worked hard to protect the water quality of the watershed. The University established wells along the Willimantic River to avoid pumping the Fenton River dry on an annual basis. More recently, in collaboration with the DEP, the University did an extensive investigation of the Fenton River, resulting in guidelines to limit the pumping from this river during low-flow periods.

These efforts have moved a portion of the Fenton River from the DEP's impaired river category, to a B/A rating; however, the DEP's and the University's goal was, at one time, to work toward an A rating. This diversion, entering the Fenton upstream of one of the University's drinking water supply pumps would seem to be a move in the downgrading direction.

5. With regard to the outflow from Swan Lake (earlier known as Duck Pond!): For years, its outflow to the Eagleville Brook was controlled by a dam, and in the 1950s or 1960's an overflow outlet was placed at its eastern end to divert storm surges into the Fenton River watershed. It is not clear to the CC if this dam is still operable, or if the only outlet to this lake is now into the Fenton River watershed. In more recent years, the University's growing surface runoff problems have not only caused erosion problems for Eagleville Brook, but flooding and erosion problems for the Valentine Meadow area and Roberts Brook below there, as well. The proposed diversion will exacerbate these Fenton River watershed problems.

The Mansfield Conservation Commission looks forward to better communications with the DEP in the future. If this MOA is not rewritten after securing additional local input, at the very minimum, we expect to be given timely notification of hearings. The Commission requests these hearings be held in Storrs to facilitate local input.

Sincerely yours,

Quentin Kessel, Chair
Mansfield Conservation Commission

(Please address communications to me at 97 Codfish Falls Road, Storrs, CT 06269.)

CC: Betsey Wingfield, DEP
Barry Feldman, UConn
Mansfield Inland Wetland Agency
Mansfield Town Council
Willimantic Water Works
WINCOG

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UConn Drainage Master Plan Project Schedule

Calendar Year	2009	2010	2011	2012	2013	2014	2015	2016	2017
Valentine Meadow: Design/Permit Apps Permit Review Construction Valerich Well at Mirror Lake	■ ■ ■ ■	■							
Design/Permit Apps Permit Approval	■	■							
Water Quality Improvements									
Mirror Lake Design/Permit Apps Permit Review Construction	■ ■ ■	■ ■							
Swan Lake Design/Permit Apps Permit Approval			■	■					
W-Lot Construction Design/Permit Apps Permit Review			■ ■	■ ■	■ ■				
Construction									
SS-Acres Diversion to Swan Design/Permit Apps Permit Review Construction			■ ■	■ ■	■ ■				
Gabion Removal at 43 Hunting Lodge Design/Permit Apps Permit Approval Construction					■ ■	■ ■	■ ■	■ ■	■ ■

■ COMPLETED
 ■ PLANNED

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Town of Mansfield
Open Space Preservation Committee
Minutes of the October 20, 2009 meeting

Members present: Steve Lowery (acting chair), Ken Feathers, Quentin Kessel, Vicky Wetherell, Michael Allison, Jennifer Kaufman, Warren Church, Allison Burchell-Robinson.

1. Meeting called to order at 7:40
2. Minutes of September meeting: no quorum.
3. Opportunity for Public Comment: none present.
4. **Presentation by Warren Church, President, Joshua's Trust.**

Warren brought the committee up-to-date on the Trust's activities and introduced his successor in the spring, Allison Burchell-Robinson.

5. **Old Business: Bond referendum.**

The committee discussed the proposed bond for open acquisition and additional purposes.

6. **New Business**

Annual Report

The committee updated the committee's activity list for the town's annual report 08-09.

New Member

Michael Allison has joined the committee.

6. Meeting adjourned at 9:15.

Respectfully submitted,

Vicky Wetherell, acting secretary

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MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, October 19, 2009 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, B. Pociask, B. Ryan
Members absent: P. Plante
Alternates present: M. Beal, G. Lewis, L. Lombard
Staff Present: Gregory Padick, Director of Planning

Chairman Favretti called the meeting to order at 7:39 p.m. Alternate Lewis was appointed to act in Plante's absence.

Minutes:

10/5/09-Hall MOVED, Gardner seconded, to approve the 10/5/09 minutes as written. MOTION PASSED with all in favor except Pociask who disqualified himself.

10/15/09 Field Trip- Holt MOVED, Ryan seconded, to approve the 10/15/09 field trip minutes as written. MOTION PASSED with Favretti, Holt and Ryan in favor and all others disqualified.

Public Hearing:

Special Permit Application, Proposed Retail Package Store, 153 N. Eagleville Rd, Pesaro's LLC, o/a. File #585-3

Chairman Favretti opened the Public Hearing at 7:41 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Pociask, Ryan, and alternates Beal, Lombard and Lewis. Lewis was appointed to act. Gregory Padick, Director of Planning, read the legal notice as it appeared in the Chronicle on 10-6-09 and 10-14-09. Padick referenced the following communications received and distributed to Commission members: a 10-15-09 report from G. Padick, Director of Planning; a 10-15-09 report from G. Meitzler, Assistant Town Engineer; a 10-6-09 report from E.H.H.D.; and an undated letter from Charles DeFazio, CCO, LLC, handed out this evening.

Mary Hirsch, owner of Pesaro's LLC, and Bryan Burney, the potential occupant, were both present. Hirsch indicated that in response to question raised in Padick's report, she has written to the D.O.T. requesting a crosswalk, but asked that approval of this Special Permit not be contingent upon a response from them in the interest of time.

Pociask questioned if there is sufficient lighting on the site to accommodate the increase in pedestrian traffic that will occur at night.

Gardner questioned if a caution sign would be appropriate for cars pulling out onto King Hill Road.

Beal was concerned about the amount and timing of traffic that potentially could be generated by the new use as compared to traffic generated by the existing tenants, noting that the highest volume of traffic to the proposed business probably would be after the existing tenants' hours.

Padick indicated the issue of a safe pedestrian walkway into the store would have to be addressed, so that patrons would not have to walk between parked cars. He suggested that the addition of a handicap parking space at the front of the building would also provide a safe walkway for patrons. Designating the parking space closest to King Hill Road for employee parking was also recommended for safety reasons. During the discussion following, it was determined that the site has adequate parking spaces even if an additional handicap parking space is added.

Alison Hilding, 17 Southwood Road, expressed concern for pedestrian and vehicular impact if this proposal is approved. She cited the lack of good lighting at the intersection of King Hill and N. Eagleville Roads and the existing problem with traffic and pedestrians on both sides of N. Eagleville Road. She suggested that added lighting be directed downward so as not to increase U-Conn's existing light pollution problem.

Arsalan Altaf, of CCO Brothers LLC, asked if his letter had been entered into the record. Padick said that the letter,

passed out this evening, had been sent to the town attorney. He anticipates that the letter will have no relevance to this application but feels the Public Hearing should be kept open.

Alison Hilding, 17 Southwood Road, questioned if UConn was contacted regarding this proposal. She also expressed concern for an increase in truck traffic that will occur in order to serve the package store.

Hall MOVED, Gardner seconded, to keep the Public Hearing open until 11/2/09. MOTION PASSED with Goodwin opposed.

Public Hearing:

Special Permit renewal request for the use of live music in conjunction with the following restaurants: Huskies, King Hill Rd; Stonewall Tavern, Rt. 32; Ted's Restaurant, King Hill Rd., and Zenny's, Rt. 44.

Chairman Favretti opened the Public Hearing at 8:10 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Pociask, Ryan, and alternates Beal, Lombard and Lewis. Lewis was appointed to act. Gregory Padick, Director of Planning read the legal notice as it appeared in the Chronicle on 10-6-09 and 10-14-09. Padick referenced a 10-7-09 report from the Zoning Agent which was received and distributed to Commissioners.

Hirsch noted that there have been no complaints received on any of the establishments up for renewal and there have been no other communications.

Chairman Favretti noted no comments from the public or Commission. Goodwin MOVED, Kochenburger seconded, to close the Public Hearing. MOTION PASSED UNANIMOUSLY. Hearing closed at 8:15 p.m.

Goodwin MOVED, Holt seconded, that the Commission approve the Live Music Permit renewals through November 1, 2010 for the following restaurants: Huskies Restaurant, file # 780-2; The Stonewall Tavern, file # 595; Ted's Restaurant, file # 1107; and Zenny's Restaurant, file # 984. These renewals are conditioned upon compliance with the current mandated conditions for each, which shall be attached to this motion. MOTION PASSED UNANIMOUSLY.

Public Hearing:

Special Permit Application, Proposed Conversion from one to two family, 1620 Storrs Road, Y. Ghiaei o/a, File #1276-2

Pociask disqualified himself. Chairman Favretti opened the continued Public Hearing at 8:17 p.m. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Ryan, and alternates Beal, Lombard and Lewis. Lewis and Lombard were appointed to act. Padick noted no new communications or staff reports.

Y. Ghiaei, owner and applicant, was present and gave his view of the misinformation circulated following the fire. He indicated that since the fire he has decided to create a two-family residence with his son and his family living in Unit A, which has 4 bedrooms, and himself living in Unit B with 1 bedroom. The septic has been approved for 5 bedrooms. He reviewed his proposed parking layout to accommodate these two units. The regulations indicate that eight parking spaces are required, but Padick suggested that the applicant can willingly limit the number of parking spaces if those living there will number less than eight people. Padick also noted that the setback from Storrs Road is less than the regulations require.

Favretti noted no further questions or comments from the public or the Commission. Gardner MOVED, Holt seconded, to close the Public Hearing. MOTION PASSED with all in favor except Pociask who was disqualified. Hearing closed at 8:32 p.m.

Zoning Agent's Report:

Hirsch had no new updates to provide. Ryan questioned if there are size restrictions on political signs. Holt questioned the truck bodies on the Hall site.

Old Business:

1. Review of Proposed Signage and Landscaping for 454 Storrs Rd, File #1279

Padick referenced his 10-15-09 memo that was distributed to all members of the Commission. After a brief discussion the consensus of the Commission was that they would like to review a complete landscape plan that includes the proposed ramp and the area along Bassetts Bridge Road. Holt asked why the building's plans had

not been sent to the Design Review Panel. Padick responded that this application was for a modification, and modifications are not normally sent to the Panel.

2. **Site Modification Request, Chuck's Margarita Grill, Proposed Deck, 1498 Stafford Rd, File #303**

Mike Gallager, of Chuck's Margarita Grill, reviewed the revised plans submitted this evening. He indicated that they are planning a deck on two levels and would like background music to be piped outside if allowed. There are no plans for live music. Patrons would be served by the inside kitchen and bar with no bar on deck. The deck would remain open roughly one hour after the kitchen is closed. On Sunday-Thursday food is served until 10pm, and Friday and Saturday food is served until 11pm. They request the deck be open on Friday and Saturday until 12:30am, and the rest of the week until 11pm.

The applicant stated that there will be low-voltage down-lighting on the deck, and fans will be used to eliminate mosquito problems. The Commission suggested a fence to break sound, in addition to the pine trees, on the north side of the deck nearest the neighbors. No cooking will be allowed in the proposed fire pit.

Extensive discussion was held regarding the handicap access that is proposed through the inside bar area and if it would offer safe egress during an emergency. Also discussed was the possibility of paving the deck.

Padick suggested discussion be continued to the next meeting and said that the Commission members should decide what the neighborhood impact may be. He also requested that the applicant notify neighbors for the next meeting.

Steve Browning, patron and area resident, commented that summer months in this community are economically hard for businesses, and he hopes that the application will be approved.

Noting no further questions or comments, the Commission agreed to continue discussion at the 11/2/09 meeting.

3. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.**

Lombard disqualified himself. Padick discussed the proposed changes in the 10-15-09 draft revisions. The consensus of the Commission was that Padick should send a copy of these draft revisions to the Husseys, who are the major owners of the tract.

New Business:

1. **Request for bond releases:**

a. **Baxter Road Estates, PZC File #1229**

Kochenburger MOVED, Holt seconded, that the PZC authorizes the Director of Planning to take appropriate actions to release a \$7,500 cash bond, plus accumulated interest, that was posted with the Town to ensure completion of required subdivision work in the Baxter Road Estates Subdivision. MOTION PASSED UNANIMOUSLY.

b. **Windwood Acres, PZC File #1229-2**

Kochenburger MOVED, Holt seconded, that the PZC authorizes the Director of Planning to take appropriate actions to release a \$10,000 cash bond, plus accumulated interest, that was posted with the Town to ensure completion of required monumentation in the Windwood Acres Subdivision. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

None noted.

Communications and Bills:

Noted.

Adjournment:

Favretti declared the meeting adjourned at 9:39 p.m.

Respectfully submitted,
Katherine K. Holt, Secretary

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DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting, Monday, November 2, 2009
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante (7:36 p.m.), B. Pociask, B. Ryan
Alternates present: M. Beal, L. Lombard (7:36 p.m.)
Alternates absent: G. Lewis
Staff Present: Gregory Padick, Director of Planning

Chairman Favretti called the meeting to order at 7:19 p.m. Alternate Beal was appointed to act until Plante's arrival.

Holt MOVED, Hall seconded, to add to the agenda under New Business: a bond release request from Paideia. MOTION PASSED UNANIMOUSLY.

Minutes:

10/19/09-Hall MOVED, Pociask seconded, to approve the 10/19/09 minutes as written. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report:

The Zoning Agent's report was noted. Hirsch related that he has issued Edward Hall a Violation Notice upon investigating and confirming the claim of additional trailers on the Hall site.

Old Business:

1. Review of Proposed Signage and Landscaping for 454 Storrs Rd, File #1279

Goodwin disqualified herself. Padick referenced his 10/29/09 memo and summarized the proposed ramp, landing and signage improvements. Ranjit Balajjen, property owner; John Ivan, Paragon Builders; and Michael McDonald, Stix n' Stones were present.

Gardner questioned the location of the sign and possible interference with sightlines. Hirsch responded that the sign is the appropriate distance away from the road and would not interfere with sightlines.

Holt expressed concern that the ramp design and all railings lacked design consistency. She proposed that the plans be sent to the Design Review Panel for review.

Pociask expressed concern that the pressure treated wood proposed for ramp construction would warp over time and become hazardous. Ivan and McDonald related that composite deck materials are available and are an option. Samples will be submitted to the Planning Office for approval.

McDonald discussed the immediate need to construct the wall now to prevent erosion on Bassetts Bridge Road side of the building and noted the ramp can not be built until the wall is constructed as per the Building Code. He also stated that he plans to install all plantings now, rather than in the spring, and he will mulch for winter protection, agreeing to replace any losses due to winter damage.

Hall said that the ramp location and construction is based on the building code and that the Commission could appropriately address design aspects without referral to the Design Review Panel. Noting no comments from the public or further comments from the staff or the Commission, Kochenburger MOVED, Plante seconded, that the PZC Chairman with staff assistance be authorized to approve final plans for signage, landscaping and associated site work at 454 Storrs Road. The final plans shall be based on the applicant's most recent submissions as supplemented, revised or otherwise discussed at the PZC's 11/2/09 meeting. MOTION PASSED with all in favor except Holt who was opposed and Goodwin who disqualified herself.

Public Hearing:

Special Permit Application, Proposed Retail Package Store, 153 N. Eagleville Rd, Pesaro's LLC, o/a.

File #585-3

Chairman Favretti opened the continued Public Hearing at 7:50pm. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Plante, Pociask, Ryan, and alternates Beal and Lombard. Padick noted a 10-29-09 memo from the Director of Planning, a 10-29-09 letter from the Town Attorney, a 10-28-09 revised Statement of Use from the applicant and 10-26-09 revised plan, a 10-27-09 memo from Bryan Burney, owner of Ted's Spirit Shop and potential new occupant, and a 10-26-09 letter from the Department of Transportation.

Mary Hirsch, owner, referred to Padick's memo and stated that she has agreed to create a crossed-hatched area in front of the door for patrons to safely enter and exit the store, but she requested that the Commission not require a handicapped space in this area as this will eliminate a parking space near this door.

Members discussed with Hirsch pedestrian access to the site. It was noted that students often take the shortest path despite crosswalks and designated pedestrian areas. Burney stated that the same pattern occurs at the site he currently occupies despite attempts to correct it.

Chairman Favretti noted no further questions or comments from the public or Commission. Hall MOVED, Gardner seconded, to close the Public Hearing at 8:05 p.m. MOTION PASSED UNANIMOUSLY. Hall volunteered to work with staff to draft a motion.

Request for Permitted Use Determination: Property in a Planned Business-5 Zone.

Padick summarized the request for determination submitted by IMCORP President and COO Bruce Broussard, who was present to address any questions. Mr. Broussard provided an overview of the planned use and related that all deliveries would be made by UPS/Fed-Ex vans. He related that many of IMCORP's employees are on job sites. All employees are not present at the office site at one time.

Holt asked about the use of solvents for cleaning and was told all regulations for hazardous materials would be followed.

Ryan questioned the parking of test vehicles ("mobile units") at the site and what that would entail. Broussard indicated that 3 or 4 mobile units at the most would be parked there in the winter which is their slow time. He stated that due to the sensitivity of the equipment they contain, they would be parked inside. Employee parking would number no more than 15 cars at any one time.

Kochenburger asked what the loudest activity would be at the site, noting that this site abuts a residential zone. Broussard responded that all of the work is done inside and is not loud, but noted running their diesel truck for a maximum of 30 minutes would be the extent of outside noise.

Padick noted that the Commission has been asked is to determine if this use is a permitted use in a Planned Business 5 Zone. After discussion, Goodwin MOVED, Holt seconded, that the proposed IMCORP use, as described in an October 21, 2009 letter from Mr. Bruce Broussard, is considered a professional office use and, subject to compliance with all special permit submission requirements and approval criteria, is considered a permitted use in the Planned Business-5 Zone. MOTION PASSED UNANIMOUSLY.

Old Business, Continued:

2. Site Modification Request, Chuck's Margarita Grill, Proposed Deck, 1498 Stafford Rd, File #303

Mike Gallagher, Chuck's Margarita Grill, submitted verification of neighborhood notification. He reviewed items of neighbor concern, stating that he agrees to install an evergreen border and fence, that music on the patio is not a serious consideration, and there will not be a sit down bar on the patio. The deck will have low-voltage downward-directed lighting, and there will be no increase in seating as per the DEP requirements.

Chairman Favretti noted that no final plans have been submitted to the Fire Marshal, and that a letter has not yet been received from the D.E.P. regarding the septic situation.

Barry Cyr, Condo Association, spoke against the plan expressing concern for the noise, hours of operations, after

hour employee noise, and the increase in incidents following sports events.

Lisa Toulounjian spoke against the plan noting the problems that currently occur and stated that adding the deck will only increase the noise.

Cliff Gottmann expressed concern for the amount of money the condo association has spent as part of their contract to improve the water system that includes the restaurant only to have the supply be inadequate due to the increase in restaurant seating. He also stated that the noise seems to roll up the hill and create a natural amphitheatre.

Taiping Ye concurred that the deck noise will be magnified by being at the bottom of a "bowl". He presently hears noise from his home at Forest Road.

Sharon Bowen expressed concern that this will cause a decrease in property values due to the noise pollution, parking problems and speeding on Route 32.

Aaron Paterson spoke against the plan because of the extreme problems with noise from the restaurant after hours, the increase noise that will result from the addition of the deck, potential for light pollution, and increased problem with parking. He fears economic loss and possible problems selling their properties in the future.

Rebecca Boncodd stated that she moved to this location because of its tranquility and now it is too loud late at night. She fears it will be worse with this proposal.

Peter Millman, of Covenant Realty Group, expressed that in his professional opinion this proposal will be disastrous for condo owners who may be unable to sell their condo in the future.

Hall questioned when Chuck's was established (1972) and when the condominiums were built (1989).

Pociask requested a map that shows the proximity of the closest condos to the proposed deck.

Kathleen Paterson spoke against the proposal stating that they purchased in Mansfield because they were committed to this town, and noted that they anticipated a certain level of noise coming from Chuck's. She stated that she did not purchase knowing there would be a deck put outside their windows. She fears the noise will force them to either move and take a loss on their property or stay and have their quality of life suffer. She suggested the Commission visit the site in the evening and take into consideration their concerns.

Karen Gottmann emphasized the after hours parties in the parking lot and the lack of management to control it, noting it there will be an increase in partying by employees on a deck.

Noting no further questions or comments from the public, applicant or Commission, the consensus of the Commission was to table this item and be prepared to discuss it at the next meeting. Favretti asked that Padick provide a plan that shows the site and the locations of the condominiums. Padick noted that if the Commission determines that this proposal is a significant land use change, the PZC can request the applicant file a Special Permit application instead of a modification.

3. **Special Permit Application, Proposed Conversion from one to two family, 1620 Storrs Road, Y. Ghiaei o/a, File #1276-2 M.A.D. 12/23/09**

Pociask disqualified himself. Padick reviewed the provisions and determinations that the PZC must make. Holt volunteered to work with staff to draft a motion.

4. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.**

Tabled -awaiting potential comments from primary property owner.

New Business:

1. **Request to Terminate Hiking (public access rights on lot 23 of the Maplewoods Subdivision) Files #974-2 and #974-3**

Goodwin MOVED, Hall seconded, that the Planning and Zoning Commission deny the request of Attorney Samuel Schrager on behalf of Robert and Lucinda Weiss of Lot 23 Maxfelix Drive, to eliminate the hiking trail. MOTION PASSED UNANIMOUSLY.

2. **2010 Meeting Schedule:**

Goodwin MOVED, Hall seconded, that the Planning & Zoning Commission approve the 2010 meeting schedules for the Planning and Zoning Commission and Inland Wetlands Agency. MOTION PASSED UNANIMOUSLY.

3. Request of Paideia for release of bonds:

Tabled-referred to staff.

Reports of Officers and Committees:

Chairman Favretti expressed thanks on behalf of the entire Planning and Zoning Commission and Inland Wetlands Agency to Betty Gardner, Peter Kochenburger and Larry Lombard for their contributions and volunteering their time and wished them all well.

Kay Holt reported that UConn officials requested that the Depot Campus be included in the WINCOG Development Area but were denied by WINCOG's Regional Planning Commission.

Communications and Bills:

Special attention was called to the next Conservation Commission Meeting on 11-18-09 where UConn representatives will be present to discuss the drainage issues re. Eagleville Brook as stated in "The Memorandum of Understanding Between the Department of Environmental Protection and the University of Connecticut" (dated 9/24/09). The meeting will be held in Conference Room B, at 7:30 p.m.

Adjournment:

Favretti declared the meeting adjourned at 9:25 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

MINUTES
MANSFIELD INLAND WETLANDS AGENCY
Special Meeting
Monday, October 19, 2009
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, B. Pociask, B. Ryan
Members absent: P. Plante
Alternates present: M. Beal, G. Lewis, L. Lombard
Staff present: G. Meitzler (Wetlands Agent), G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:02 p.m. Alternate Lewis was appointed to act in Plante's absence.

Public Hearing Continuation:

W1438- Beall & Higgins- Wormwood Hill Road-Single Family House in Buffer

Chairman Favretti opened the Public Hearing at 7:03 p.m. Pociask disqualified himself. Members present were Favretti, Gardner, Goodwin, Hall, Holt, Kochenburger, Ryan, and alternates Beal, Lombard and Lewis. Lombard and Lewis were appointed to act. Grant Meitzler, Wetlands Agent, referenced the following communications that have been received and distributed to the Agency: a 10-14-09 memo from G. Meitzler, Wetlands Agent; a 10-6-09 set of revised plans; a 10-6-09 letter from D. Baxter; a 10-08-09 letter from G. Dunne; a 10-12-09 letter from S. Lehman; and a 10-19-09 from J. Nevers.

Greg Glaude, L.S., of Killingly Engineering, reviewed the 10-19-09 set of revised plans he distributed tonight and indicated that these plans include revisions based on concerns expressed by the neighbors at the 10/5/09 start of the Public Hearing. Glaude read into the record a letter from Norm Thibeault, Killingly Engineering, dated 10-19-09, and he submitted a copy for the file.

Representing the abutter was Attorney Matthew Willis, of Branse, Willis and Knapp Law Firm, and Donald Aubrey, of Towne Engineering. Aubrey reviewed the extra protections his client would like to see in place on the down-gradient side of the project site.

Lisa Paine, Brookside Lane, spoke in favor of the applicants' proposal, noting that the applicants are both conscientious of the environment and wish to leave a "lesser carbon footprint."

J. C. Beall, applicant, stated that they have no intention of clearing the lot anymore than is necessary to build the house, and noted that they have done all they can within reason to preserve the property.

Gardner asked about removal of the stone walls and was told that they are to remain in place.

Attorney Antoinette Webster, representing the applicants, stated that in the spirit of cooperation the applicants have gone above and beyond the requirements, and revised the plans to address extra concerns raised by the neighbors.

Chairman Favretti noted no further comments or questions from the audience or the Agency. Beal MOVED, Holt seconded, to close the Public Hearing. MOTION PASSED with all in favor except Pociask who was disqualified. The hearing was closed at 7:30 p.m.

Holt MOVED, Hall seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to J. C. Beall and Katrina Higgins (File W1438), for a single-family residence with on-site well and septic system, on property owned by the applicant, located on

Wormwood Hill Road, as shown on a map dated May 26, 2009, revised through October 19, 2009, and as described in other application submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provision being met:

1. Erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.
2. The final plan shall show a non-erodible driveway surface to be approved by the Inland Wetlands Agent.
3. It is recommended that a rain garden be considered for the treatment of water from roof drains if such installation is practical in the area between the house and the road. This shall be determined by the Wetlands Agent at the time the yard area is being finished. A copy of the UConn Cooperative Extension System publication on rain gardens is available in the planning office.

This approval is valid for a period of five years (until October 19, 2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

Adjournment:

The meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

DRAFT MINUTES
MANSFIELD INLAND WETLANDS AGENCY
Regular Meeting
Monday, November 2, 2009
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt,
P. Kochenburger, B. Pociask, B. Ryan
Members absent: P. Plante
Alternates present: M. Beal
Alternates absent: G. Lewis, L. Lombard
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:00 p.m. Alternate Beal was appointed to act in Plante's absence.

Minutes:

10-5-09 - Hall MOVED, Gardner seconded, to approve the 10-5-09 minutes as written. MOTION PASSED with all in favor except Pociask who disqualified himself.

10-15-09 Field Trip - Holt MOVED, Ryan seconded, to approve the 10-15-09 field trip meeting minutes as written. MOTION PASSED with Ryan, Holt, and Favretti in favor and all others disqualified.

10-19-09 Special Meeting- Gardner MOVED, Hall seconded, to approve the 10-19-09 Special Meeting minutes as written. MOTION PASSED UNANIMOUSLY.

Communications:

The 10-21-09 Conservation Commission Draft Minutes and 10-28-09 Wetlands Agent's Monthly Business report were noted.

Old Business:

W1439 - Kovarovics - Daleville Rd - driveway relocation

Mike Kovarovics was present and stated that he had no objections to the suggestions of the Conservation Commission regarding the driveway surface. Holt MOVED, Beal seconded, to grant an Inland Wetlands License modification under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael and Kim Kovarovics (file # W1439) for driveway construction in a new location on property owned by the applicants, located at Daleville Road, as shown on a map dated 9/14/09, and as described in other application submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. The driveway surface shall be of a permeable material, such as small stones or pervious pavers, and shall be approved in writing by the Wetlands Agent. This condition is to prevent driveway run-off from entering the nearby wetland as that would have the potential for negative impact to the wetland.

This approval is valid for a period of five years (until 11/2/2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

W1440 - Chew - Thornbush Rd - house addition and shed in buffer

Holt MOVED, Gardner seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael Chew (file # W1440) for construction of a 15' x 15' addition to an existing house and a 15'x 20' shed on property owned by the applicant, located at 16 Thornbush Road, as shown on a map dated 6/22/06 and revised through 9/28/09, and as described in other application submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. Silt fence shall be placed downhill of the new work for the house and the new shed;
3. All outside storage of materials, vehicles, etc, shall be kept at least 25 feet from the pond to prevent pollution to the pond.

This approval is valid for a period of five years (until 11/2/2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

W1441 - Kleinfelder - 7 Storrs Rd - soil sampling in buffer

Holt MOVED, Hall seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to John Liddon of Kleinfelder (file # W1441) for investigation of wetland surface water and sediment sampling, on property owned by Eugene S. Mittelman, located at 7 Storrs Road, as shown on a map dated 9/18/09 and a letter dated 9/24/09, and as described in other application submissions.

This action is based on a finding of no anticipated significant impact on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;

This approval is valid for a period of five years (until 11/2/2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

New Business: None.

Field Trip: None.

Reports of Officers and Committees: None noted.

Other Communications and Bills: Noted.

Adjournment: The meeting was adjourned at 7:18 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary



University of Connecticut
*Office of the Vice President and
Chief Operating Officer*

Office of Environmental Policy

October 28, 2009

Mark R. Lewis
State of Connecticut, Department of Environmental Protection
Bureau of Water Protection and Land Reuse-Remediation Division
79 Elm Street
Hartford, CT 06106-5127

RE: CONSENT ORDER #SRD 101
STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION (CTDEP)
QUARTERLY PROGRESS REPORT – JULY, AUGUST, SEPTEMBER 2009
REMEDIAL WORK PLAN IMPLEMENTATION - UCONN PROJECT BI-900748
UNIVERSITY OF CONNECTICUT LANDFILL, STORRS, CT

Dear Mr. Lewis:

The University of Connecticut (UConn) issues this Quarterly Progress Report to the Connecticut Department of Environmental Protection (CTDEP) in accordance with paragraph B.8. of Consent Order SRD-101. As noted, progress reports must continue “until all actions required by this consent order have been completed as approved and to the satisfaction of the Commissioner, Respondent shall submit a progress report to the Commissioner describing the actions which Respondent has taken to comply with this consent order to date.”

Special note: Since all design and construction activities related to the landfill closure are complete, on October 5, 2009, UConn issued a request to CTDEP to discontinue these reports and instead, report any pertinent updates in the Long Term Monitoring plan reports. Confirmation from the CTDEP is pending.

Progress reported during July, August and September is discussed in the following sections:

- Construction and Closeout Activities
- Permitting and Monitoring Activities - Post Construction Remediation System Inspections
- Photographs
- Long-Term Monitoring Plan (LTMP)
- Contact and project document information
- Project Website
- Certification

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Construction and Close-out Activities

<u>Construction or Consultant Task</u>	<u>Estimated Start Date</u>	<u>Estimated Completion Date</u>
Submit as-built plans to Commissioner within ninety (90) days of completion of the landfill closure – Construction Closure Report (CCR) as per CTDEP Approval dated November 22, 2004	August 26, 2008	Completed - delivered September 2009
Operations and Maintenance Manual (OMM) – Haley & Aldrich (H&A) deliverable	September 2008	Completed - delivered September 2009
Environmental Land Use Restriction (ELUR)	In process	February 2010

Permitting and Monitoring Activities including Post Construction Remediation System Inspections

July 2009

- Vernal Pool Monitoring - By July 20, every pool had dried up with the exception of Vernal Pool B, which showed a significantly reduced water level. Overall, water levels in the vernal pools were lower this month compared to last.
- Wetland hydrology - July precipitation total was 8.38 inches, more than double the historical average for July of 3.72 inches. Despite the abundance of rainfall, staff gauges showed water levels in mid-July that were at or below the readings taken in June.
- Invasive Species Control - Cattail (*Typha latifolia*) was pulled in Creation Area C3.
- Wetland mitigation sites continued to demonstrate successful wildlife breeding activity including macroinvertebrates, amphibians, songbirds, and rodents.
- A bird survey was conducted July 16, 2009 at all wetland mitigation sites.
- Wetland Mitigation Remedial Measures - Methods designed to protect woody plantings from animal browse were initiated such as series of Tubex™ enclosures and BioBark™ assemblages (Photo 1)
- Haley & Aldrich conducted the monthly Remediation System Inspection on July 17, 2009
 - Average rate in North Trench = 46,995 gpd and average rate in South Trench = 3,292 gpd

August 2009

- On August 26, 2009, Samantha M. Gwozdzik of the U.S. Army Corps of Engineers in Concord Massachusetts met with UConn and Chris Mason to walk the site and review compliance with the ACOE wetlands permit. No findings were reported. (Photo 2, 3)
- Haley & Aldrich conducted the monthly Remediation System Inspection on August 20, 2009
 - Average rate in North Trench = 48,903 gpd and average rate in South Trench = 26 gpd

September 2009

- On September 29, a meeting and site visit with DEP remediation division, Ray Frigon, Mark Lewis and David McKeegan was held to review and turnover post construction landfill closure activity compliance from Ray Frigon to Mark Lewis, effective September 30, 2009.
- Haley & Aldrich conducted the monthly Remediation System Inspection on September 29, 2009
 - Average rate in North Trench = 43,334 gpd and average rate in South Trench = 23 gpd

Photographs



Photo 1 – July 2009 – Garlic stick deer repellent on Yellow Birch



Photo 2 – August 26, 2009 – Wetland A, Chris Mason during inspection by Samantha Gwozdzik of Army Corps of Engineers, a tree protector tube is seen in the foreground

Photographs (continued)



Photo 3 - August 2009 - Green frog observed in wetlands area

Long-Term Monitoring Plan (LTMP)

UConn and Haley & Aldrich submitted LTMP Report for Round #10 (April and May 2009 sampling) in July 2009. Samples for Round #11 were collected in October 2009. In general, results of the analysis have been consistent with previous rounds of sampling. We anticipate proposing a change in sampling frequency in the near future.

Listing of Project Contacts and Project Documents

No change to previous reports.

UConn Project Web Site

The site's Internet address is <http://landfillproject.uconn.edu/>

Certification:

As part of this submission, I am providing the following certification:

"I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."

For questions, please contact James Pietrzak at (860) 486-5836 or Stephanie Marks at (860) 486-1031.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Miller". The signature is written in dark ink and is positioned above the printed name.

Richard A. Miller
Director, Office of Environmental Policy