

**AGENDA**  
Mansfield Conservation Commission  
Regular Meeting  
Wednesday, June 19, 2013  
Audrey P. Beck Building  
CONFERENCE ROOM B  
7:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Opportunity for Public Comment**
4. **Minutes**
  - a. May 15, 2013
5. **New Business**
  - a. IWA Referral:  
W1521 –Newcity – Lot 17, Davis Manor, Monticello Lane-New Single Family Home
  - b. Other
6. **Continuing Business**
  - a. Mansfield Tomorrow | Our Plan ▶ Our Future
  - b. Water Source Study for the Four Corners Area/Environmental Impact Evaluation (EIE)
  - c. Swan Lake Discharge Mirror Lake Dredging and other UConn Drainage Issues
  - d. UConn Agronomy Farm Irrigation Project
  - e. Eagleville Brook Impervious Surface TMDL Project
  - f. UConn Hazardous Waste Transfer Station
  - g. Ponde Place Student Housing Project
  - h. CL&P "Interstate Reliability Project"
  - i. Protecting Dark Skies in the Last Green Valley
  - j. Other
7. **Communications**
  - a. Minutes
    - Open Space (5/22/13)
    - PZC (5/20/13 & 6/3/13)
    - IWA (6/3/13)
  - b. Inland Wetlands Agent Monthly Business Report
  - c. Spring 2013 "The Habitat"
  - d. DEEP Notice of Public Hearing Re: Cedar Swamp Brook
  - e. DEEP Memorandum of Agreement Re: Alternative Campus Drainage Plan
  - f. Copy of Public Notice of Title V Air Permit Application, UConn
  - g. Other
8. **Other**
9. **Future Agendas**
10. **Adjournment**



Town of Mansfield  
**CONSERVATION COMMISSION**  
Meeting of 15 May 2013  
Conference B, Audrey P. Beck Building  
(draft) MINUTES

*Members present:* Robert Dahn, Peter Drzewiecki, Neil Facchinetti, Quentin Kessel, John Silander. *Members absent:* Aline Booth (Alt.), Joan Buck (Alt.), Scott Lehmann, Michael Soares. *Others present:* Grant Meitzler (Wetlands Agent).

1. The meeting was called to order at 7:31p by Chair Quentin Kessel.
2. The draft minutes of the 17 April 2013 meeting were amended and approved.
3. **IWA referrals**
  - a. **W1517 (111 Costigliola, Dunham Pond Road.)** The application is for construction of a garage in a regulated area. The Commission unanimously agreed (**motion:** Silander, Dahn) that no significant wetlands impact is to be expected from this project, assuming that standard erosion and sedimentation controls are in place during construction and removed after the site has stabilized.
  - b. **W1518 (Lapis, 107 Candide La.)** The application is for construction of a garage in a regulated area. The Commission unanimously agreed (**motion:** Silander, Facchinetti) that no significant wetlands impact is to be expected from this project, assuming that standard erosion and sedimentation controls are in place during construction and removed after the site has stabilized.
  - c. **W151 9(Town of Mansfield, Route 195 Streetscape)** The application is for new trail/bikepath construction that will run along Route 195 to the Liberty Bank and one that will go along Flaherty Road to Storrs Heights Road. This project will include the filling of portions of wetlands and direct road runoff directly into wetland areas. It was asked why the 195 path is to be located on the west side of 195. On the east side there would be a lesser effect on the wetland, and a pedestrian crossing in front of the Liberty Bank could be eliminated. Silander moved, and Drzewiecki seconded, that this project may have a significant impact on the wetlands in the area. The motion passed with four votes in favor and an abstention from a member living in Storrs heights.
  - d. **W1520 (OMS Development, LLC, Public Petroleum modifications at Four Corners)** Dahn recused himself and left the room, stating that his company had worked on this project. Silander moved, and Kessel seconded, that the construction would have minimal impact on an already disrupted wetland and recommended that standard erosion and sedimentation controls should be in place during construction and removed after the site has stabilized. The motion passed unanimously. Dahn returned to the meeting room following the vote.
4. **Mansfield Tomorrow.** Facchinetti reported on his meeting with the housing focus group and Kessel reported on the economic development focus meeting he and Lehmann attended. Kessel also distributed a sheet, "Fiscal Benefits: Farm and Forest Lands Help Maintain Lower Property Taxes," with a table of the cost of community services per dollar of revenue raised from taxes on Commercial and Industrial property, working and open space lands, and residential property for various towns in Connecticut. The first two categories are very profitable to the towns, costing them only 27 and 31 cents, respectively, for each dollar of tax being charged. Residential real estate, on the other hand, cost the towns 5 to 33 cents more than each dollar of tax paid. He also pointed out the strong support for maintaining the

village structure and what is left of Mansfield's rural nature, shown by the Mansfield Tomorrow's polls. It was agreed that the cost of education was the driving force behind the higher cost to the Town for residential property. Kessel suggested, and Facchinetti objected to his suggestion, that it would be of economic benefit to the Town to discourage additional residential units. Silander noted that many university towns are advertising themselves as retirement communities, and that more retirees, without children, might be helpful.

**5. CL&P "Interstate Reliability Project."** Kessel attempted to discuss a useless copy of a DEEP approval letter of CL&P's regulated activities that was left on the table for the meeting. It covers eleven towns in NE Connecticut and had ten references to maps that were not available to the CC. It was not possible to properly review or comment on this document.

**6. Main Accumulation Area/Hazardous Waste Transfer Station.** The Town Council responded positively to the Commission's suggestion that the Town write a letter supporting the EIE's recommendation that the MMA be removed from its current location in a public water supply watershed. Kessel circulated the letter from Mayor Paterson to UConn's Jason Coite dated May 13, 2013.

**7.** There will be a joint meeting of the Mansfield Conservation Commission and the Open Space Preservation Committee Wednesday May 22, 2013 to review and update those portions of Mansfield's POCD that are important to both groups.

**8. Adjourned at 8:42p.** Next regular meeting: 7:30p, Wednesday, 19 June 2013.

Quentin Kessel, acting secretary

Memorandum:

May 29, 2013

To: Inland Wetland Agency  
From: Grant Meitzler, Inland Wetland Agent  
Re: New Business for June 3, 2013 meeting

**New Applications:**

W1521 - James Newcity - Lot 17, Davis Manor- Monticello Lane

New house in buffer area.

	yes	no
	-----	-----
fee paid .....	x	
notice to neighbors .....	x	
map dated revised .....	April 25, 2013	

This application is for new house on Lot 17, Davis Manor. No work is proposed in wetlands but much of the work is within the 150 regulated area adjacent to wetlands.

Receipt and referral to the Conservation Commission are appropriate.



APPLICATION FOR PERMIT  
MANSFIELD INLAND WETLANDS AGENCY  
4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268  
TEL: 860-429-3334 OR 860-429-3330  
FAX: 860-429-6863

FOR OFFICE USE ONLY  
File # \_\_\_\_\_  
Fee Paid \_\_\_\_\_  
Date Received \_\_\_\_\_

*Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.*

Please print or type or use similar format for computer; attach additional pages as necessary.

**Part A - Applicant**

Name James Newcity

Mailing Address 20 Concord Street

Chicopee, MA Zip 01020

Telephone-Home \_\_\_\_\_ Telephone-Business 860-919-5619

**Title and Brief Description of Project**

Davis Manor - Lot #17

Permit plan for construction of single family house

Location of Project Corner of Monticello Lane and Davis Road

Intended Start Date Summer 2013

**Part B - Property Owner (if applicant is the owner, just write "same")**

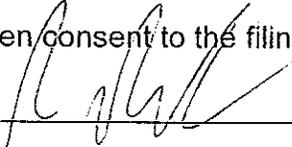
Name Same

Mailing Address \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Telephone-Home \_\_\_\_\_ Telephone-Business \_\_\_\_\_

Owner's written consent to the filing of this application, if owner is not the applicant:

Signature  date 5/22/13

Applicant's interest in the land: (if other than owner) \_\_\_\_\_

**Part E - Alternatives**

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

No wetland disturbance proposed  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Part F - Map/Site Plan (all applications)**

1) Attach to the application a map or site plan showing existing conditions and the proposed project in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See guidelines at end of application – page 6.)

2) Applicant's map date and date of last revision 4/25/13

3) Zone Classification R 90/RAR 90

4) Is your property in a flood zone?      Yes   x   No      Don't Know

**Part G - Major Applications Requiring Full Review and a Public Hearing**

See Section 6 of the Mansfield Regulations for additional requirements.

**Part H - Notice to Abutting Property Owners**

1) List the names and addresses of abutting property owners

Name	Address
Kurt and Anne Lessenger	218 Route 87 Columbia 06237
Paul M. Shapiro	140 Davis Road Storrs 06268
Feng Liu	141 Davis Road Storrs 06268
Daniel & Xinnian Mulkey	147 Davis Road Storrs 06268
Lisa M. Corriveau	153 Davis Road Storrs 06268
Ellen Zaht	158 Davis Road Storrs 06268
Town of Mansfield	4 South Eagleville Road Storrs 06268

2) **Written Notice to Abutters.** You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress, and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. Postal receipts of your notice to abutters must accompany your application. (This is not needed for exemptions).

**Mansfield Open Space Preservation Committee**  
DRAFT Minutes of May 22, 2013 special meeting  
(rescheduled from May 21)

Members present: Jim Morrow (chair), Vicky Wetherell, Ken Feathers, Quentin Kessel, Michael Soares, Jennifer Kaufman (staff), Conservation Commission member Joan Buck.

1. Meeting was called to order at 7:35.
2. Vicky was appointed acting secretary.
3. Minutes of the April 16, 2013 special meeting were approved.

**Old Business**

4. *Mansfield Tomorrow* Those present reviewed material from the 2006 Plan of Conservation and Development with the goal of making recommendations for changes and additions to the 2006 Plan. The review focused on Policy Goal # 2, c. Objective on page 45 (related to protection and retention of agricultural and forestry resources). Recommendations for changes and additions will be forwarded to Town staff. Notes about previous recommendations for the new Plan (from February, March and April meetings) were also reviewed and will be included with the POCD recommendations.
5. *Executive Session* The committee voted to go into executive session at 9:10 (Joan Buck left at this time), and voted to come out of executive session at 9:20. Recommendations will be forwarded to the Town Manager.
6. Meeting adjourned at 9:00.

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**DRAFT MINUTES**  
**MANSFIELD PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**Monday, May 20, 2013**  
**Council Chamber, Audrey P. Beck Municipal Building**

Members present: J. Goodwin (Chairman), B. Chandy, R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, K. Rawn, B. Ryan  
Alternates present: A. Marcellino, V. Ward, S. Westa  
Staff Present: Linda Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 7:00 p.m.

**Minutes:**

**5-6-13 Meeting Minutes-** Hall MOVED, Plante seconded, to approve the 5/6/13 Meeting Minutes as presented. MOTION PASSED UNANIMOUSLY. Goodwin noted for the record that she listened to the recording.

**5-15-13 Field Trip Minutes** – Ryan MOVED, Holt seconded, to approve the 5/15/2013 Field Trip Minutes as presented. MOTION PASSED UNANIMOUSLY by Ryan, Holt, Goodwin and Hall; all others disqualified.

**Zoning Agent's Report:** Goodwin requested information on weed/overgrown areas near Cumberland Farms and information on work by entrance of Eastbrook Mall. Pociask requested information on the timing of the first approval for Padeia (the church, not the amphitheater).

**Old Business:**

- a. **Special Permit Application, Efficiency Unit, 92 Cedar Swamp Road, T. & C. Jeffers, Owner & Applicant (File # 1318)**  
Tabled pending June 3, 2013, Public Hearing.
- b. **Approval Request: Revised Plans for Paideia Greek Theater Project Exhibit Building, 28 Dog Lane (File #1049-7)**  
Tabled pending staff review.
- c. **Gravel Permit Renewals**
  - **Banis property on Pleasant Valley Road (File #1164)**
  - **Hall property on Old Mansfield Hollow Road (File #910-2)**
  - **Green Property, 1090 Stafford Road (File #1258)**
  - **Mason Brook LLC/Kueffner Property, 3 Merrow Road (File #1309)**Tabled pending June 3, 2013, Public Hearing.

**New Business:**

- a. **Application to Amend the Zoning Regulations, Storrs Center Alliance, LLC, applicant, (File #1246-13)**  
Holt MOVED, Ryan seconded, to receive the application submitted by Storrs Center Alliance, LLC to create a new Article X, Section S.4.a (xxvii) of the Mansfield Zoning Regulations, File #1246-13 as submitted to the Commission, and to instruct the applicant to work with the Director of Planning and Development on final wording prior to advertising, and to refer said application to WINCOG and the Town Attorney for review and comment and to set a Public Hearing for June 17, 2013. MOTION PASSED UNANIMOUSLY.

**Mansfield Tomorrow | Our Plan ▶ Our Future:**

Painter distributed a schedule of upcoming meetings. Members identified issues of concern from the Commission's perspective, including: need for zoning regulation revisions to address problematic issues that have come to the Commission's attention during the review of previous projects; need to ensure that we maintain a sense of place, particularly in our historic and rural neighborhoods; looking at traffic impacts in a holistic way that addresses not only increases in vehicular traffic but impacts on bicycle and pedestrian networks as well; exploring alternatives to standard sidewalks that will provide needed pedestrian connectivity in a more economical way; need to review best practices in other communities; and how the Town can have more influence on UConn's growth, given the potential impacts of its growth on the community.

Members agreed to form two subcommittees based on their individual strengths and areas of expertise, one which will focus on the plan update and one which will focus on zoning regulation revisions. Goodwin requested that an agenda item on zoning regulation issues be placed on the June 3<sup>rd</sup> agenda, separate from the Mansfield Tomorrow Update to discuss regulatory concerns related to past projects. Pociask suggested reviewing prior appeals of Commission actions as a starting point.

**Reports from Officers and Committees:** Holt noted that the Regional Planning Commission director has resigned, but the RPC will continue to meet without her. Marcellino reported on the activities of the Subcommittee on Infrastructure. Goodwin requested that a subcommittee report be made a standing item on the agenda. A full presentation from the committee will be scheduled for a future meeting once it has completed its work.

**Communications and Bills:** None noted.

**Adjournment:** The Chairman declared the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Katherine Holt, Secretary

**DRAFT MINUTES**  
**MANSFIELD PLANNING AND ZONING COMMISSION**  
Regular Meeting  
Monday, June 3, 2013  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), B. Chandy, R. Hall, K. Holt, G. Lewis, B. Pociask, K. Rawn, B. Ryan  
Members absent: P. Plante  
Alternates present: A. Marcellino, V. Ward, S. Westa  
Staff Present: Linda Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 7:24 p.m. and appointed Ward to act in Plante's absence.

Holt MOVED, Rawn seconded, to add to the agenda the Hussey Appeal after communications and bills.  
MOTION PASSED UNANIMOUSLY.

**Minutes:**

5-20-13 Meeting Minutes- Chandy MOVED, Ward seconded, to approve the 5/20/13 Meeting Minutes as presented. MOTION PASSED UNANIMOUSLY.

**Zoning Agent's Report:** Noted.

**Public Hearings:**

**a. Special Permit Application, Efficiency Unit, 92 Cedar Swamp Road, T. & C. Jeffers, Owner & Applicant (File # 1318)**

Chairman Goodwin opened the Public Hearing at 7:26 p.m. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Pociask, Rawn, Ryan and alternates Marcellino, Ward, and Westa. Ward was seated. Linda Painter, Director of Planning and Development read the Legal Notice as it appeared in The Chronicle on 5/21/13 and 5/29/13 and noted the following communications received and distributed to the Commission: a 5/15/13 memo from G. Havens, EHHD; and a 5/30/13 memo from L. Painter, Director of Planning and Development.

Gordon Hyde, Architect, and Christine Jeffers, the applicant and property owner, were present. Hyde reviewed the proposed layout of the efficiency unit.

Erika Kares, 1820 Storrs Road, questioned the layout of the efficiency unit and the permitting requirements.

Rita Carter, mother of the applicant and proposed occupant of the efficiency unit, thanked the Commission for allowing efficiency units in Mansfield and for considering their application.

Chairman Goodwin noted there were no further comments from the Commission or the public. Rawn MOVED, Pociask seconded, to close the Public Hearing at 7:35 p.m. MOTION PASSED UNANIMOUSLY.

**b. Gravel Permit Renewals**

- Banis property on Pleasant Valley Road (File #1164)
- Hall property on Old Mansfield Hollow Road (File #910-2)
- Green Property, 1090 Stafford Road (File #1258)
- Mason Brook LLC/Kueffner Property, 3 Merrow Road (File #1309)

Chairman Goodwin opened the Public Hearing at 7:36 p.m. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Pociask, Rawn, Ryan and alternates Marcellino, Ward, and Westa. Ward was seated.

Linda Painter, Director of Planning and Development, read the Legal Notice as it appeared in The Chronicle on 5/21/13 and 5/29/13 and noted the following communications received and distributed to the Commission: a 5/20/13 memo from Curt Hirsch, Zoning Agent; and a 5/30/13 memo from Grant Meitzler, Assistant Town Engineer.

**Banis property on Pleasant Valley Road (File #1164)**

Steven Banis was present. He stated he had no new information to present as the project remains the same.

Pamela Friedman, 20 Woods Road, expressed her concern that the gravel operation and blasting has caused silt and sediment in her well water. This began in 2008, some twelve years after she purchased the house in 1995. She asked that the Commission deny the request to renew this permit.

Curt Hirsch, Zoning Agent stated that blasting at the site has occurred twice each year since the permit was issued thirteen years ago and during this time he has received only three complaints.

**Hall property on Old Mansfield Hollow Road (File #910-2)**

Edward Hall was present and stated that the only change in his permit he is requesting is the deletion of the buffer requirement along the property line of the Julia Hall trust property and that he be allowed to cut brush in the buffer along his property line. He reviewed in detail the current status of his project and the reasons for his request that the buffer requirements on both properties be deleted.

Robert McCarthy, submitted a letter and map dated 6/1/13 expressing the reasons he is opposed to the granting of this renewal and particularly the deletion of the buffer requirements. He asserted that the 50-foot buffer along his property line that abuts the Julia Hall Trust property has been eroded to 37 feet.

Edward Hall stated that the grading was done in compliance with the engineered plans, and the elevations are within 6" of what was shown on the plans. He would ask the engineer to certify as such if requested.

Hirsch confirmed that the buffer is less than 50 feet, but stated that no requests for the release of the two bonds held by the Town as security for this site has been made.

Eric Hall, requests that the buffer on the Julia Hall Trust be released because this property has nothing to do with the Ed Hall Gravel Permit.

**Green Property, 1090 Stafford Road (File #1258)**

Philip Desiato, Desiato Sand and Gravel, was present to represent the Green Property. He noted no changes, as very little work has been done there. There were no comments or questions from the public or Commission.

**Mason Brook LLC/Kueffner Property, 3 Merrow Road (File #1309)**

Philip Desiato, Desiato Sand and Gravel, was present to represent the Mason Brook LLC Property. He stated that recently very little work has been done at this site, he but anticipates starting in the next few weeks. There were no comments or questions from the public or Commission.

Hall MOVED, Ward seconded, to close the Public Hearing at 8:31 p.m. MOTION PASSED UNANIMOUSLY.

### Old Business:

- a. **Special Permit Application, Efficiency Unit, 92 Cedar Swamp Road, T. & C. Jeffers, Owner & Applicant (File # 1318)**

Hall volunteered to work with staff on a draft motion for the next meeting.

- b. **Gravel Permit Renewals**

- **Banis property on Pleasant Valley Road (File #1164)**
- **Hall property on Old Mansfield Hollow Road (File #910-2)**
- **Green Property, 1090 Stafford Road (File #1258)**
- **Mason Brook LLC/Kueffner Property, 3 Merrow Road (File #1309)**

Banis: The general consensus of the Commission after discussion was there was no proof of a nexus or connection between the problems with sediment on the Friedman property and the gravel removal work at the Banis property.

Hall: After extensive discussion it was the consensus of the Commission that the condition requiring a buffer along the Julia Hall Trust property be deleted as this property is not subject to the gravel permit, but that the restrictions (no tree or brush cutting, no disturbance) in the buffer along the Ed Hall property should be maintained.

Green and Mason Brook: Consensus of the Commission is that no revisions were necessary for these permits.

Holt volunteered to work with staff on draft motions for the next meeting.

- c. **Approval Request: Revised Plans for Paideia Greek Theater Project Exhibit Building, 28 Dog Lane (File #1049-7)**

Tabled until June 17<sup>th</sup> meeting.

- d. **Application to Amend the Zoning Regulations, Storrs Center Alliance, LLC, applicant, (File #1246-13)**

Tabled pending June 17, 2013, Public Hearing.

### New Business:

- a. **Special Permit Application, Retail and Retail Sale of Automotive Fuels, 1659 Storrs Road/625 Middle Turnpike; OMS Development LLC, Owner and Applicant (File #1319)**

Ryan MOVED, Holt seconded, to receive the Special Permit application (Field #1319) submitted by OMS Development, LLC, for retail use and retail sale of automotive fuels, on property located at 1659 Storrs Road, owned by the applicant, as shown on plans dated 5/28/13 & 5/29/13, and as described in other application submissions, and to refer said application to the staff, Design Review Panel, Committee on the Needs of Persons with Disabilities, for review and comments, and to set a Public Hearing for July 1, 2013. MOTION PASSED UNANIMOUSLY.

- b. **Discussion of Zoning Regulations**

Goodwin and Painter discussed the need to compile a list of items that members feel should be addressed during the process of updating the Regulations and the Plan of Conservation and Development (P.O.C.D.). They suggested dividing the Commission into two groups, one to work on issues for the P.O.C.D. and the other to work on the Zoning Regulations. At this time, any issues that members think worthy of concern should be emailed to the Planning Office so a master list can be compiled.

### Mansfield Tomorrow | Our Plan ▶ Our Future:

Linda noted an Open House on 6/18/13 at the Buchanan Center.

**Reports from Officers and Committees:**

Linda noted a 6/12/13 Open House at the Mansfield Community Center regarding the Interstate Reliability Development Management Plan. Copies are available at the Town Hall for review and comment.

Rawn requested that a new alternate to the WINCOG Board be appointed to represent the PZC.

**Communications and Bills:** None noted.

**\*\*Item was added to the Agenda\*\***

**Hussey vs. Town of Mansfield PZC: Pleasant Valley Regulation Appeal Discussion:**

Holt MOVED, Ryan seconded, to enter into Executive Session at 9:17 p.m. MOTION PASSED UNANIMOUSLY. Members present were Goodwin, Chandy, Hall, Holt, Lewis, Pociask, Rawn, Ryan and alternates Marcellino, Ward, and Westa, and staff Linda Painter, Director of Planning and Development.

Lewis MOVED, Ryan seconded, to exit Executive Session at 9:50 p.m. MOTION PASSED UNANIMOUSLY.

**Adjournment:** The Chairman declared the meeting adjourned at 9:51 p.m.

Respectfully submitted,

Katherine Holt, Secretary

**DRAFT MINUTES**  
**MANSFIELD INLAND WETLANDS AGENCY**  
Regular Meeting  
Monday, June 3, 2013  
Council Chambers, Audrey P. Beck Municipal Building

Members present: Chairman J. Goodwin, B. Chandy, R. Hall, K. Holt, G. Lewis, B. Pociask, K. Rawn, B. Ryan,  
Members absent: P. Plante  
Alternates present: A. Marcellino, V. Ward, S. Westa  
Staff present: Grant Meitzler, Wetlands Agent

Chairman Goodwin called the meeting to order at 7:00 p.m. Ward was seated in Plante's absence.

**Minutes:**

05-06-13 - Regular Meeting- Ward MOVED, Hall seconded, to approve the 05-06-13 minutes as written. MOTION PASSED UNANIMOUSLY. Goodwin stated she listened to the recording.

05-15-13 – Special Meeting, Field Trip – Holt MOVED, Ryan seconded, to approve the 05-15-13 Field Trip minutes as written. MOTION PASSED with Goodwin, Holt, Hall, Ryan and Ward in favor and all others disqualified.

**Communications:**

The Draft 5-15-13 Conservation Commission Minutes and the 5-29-13 Wetlands Agent's Monthly Business report were noted.

**Old Business:**

W1517 – Costigliola – 111 Dunham Pond – Garage.

Holt MOVED, Ryan seconded, to grant an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Frank Costigliola (File #W 1517) for construction of a 24-foot by 30-foot garage, on property owned by the applicants and located at 111 Dunham Pond Road, as shown on plans with a date revised to 4/22/13, 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;
2. Silt fence is to keep sediments from excavations from moving into adjacent maintained areas.

This approval is valid for five years (until June 3, 2018), 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 UNANIMOUSLY

W1518 – Lapsis – 107 Candide Lane – Garage

Holt MOVED, Ryan seconded, to grant an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Christopher and Amy Lapsis (File #W 1518) for construction of a 24-foot by 36-foot garage attached by a breezeway to an existing house, on property owned by the applicants and located at 107 Candide Lane, as shown on plans with a date revised to 4/25/13, 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;
2. Silt fence shall be placed along the downhill side of the work area.

This approval is valid for five years (until June 3, 2018), 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 UNANIMOUSLY

W1519 – Town of Mansfield – Route 195 Streetscape

Item was tabled to the 7/1/13 meeting.

W1520 – OMS Development, LLC – Driveway Revisions, building addition

Item was tabled to the 7/1/13 meeting.

**Pending:**

W1502 - Wetlands Violation Ordinance

Item was tabled– no new information.

**New Business:**

W1521 – James Newcity – Lot 17, Davis Manor, Monticello Lane-New Single Family Home

Ryan MOVED, Holt seconded, to receive the application submitted by James Newcity, (File W1521) under the Wetlands and Watercourses Regulations of the Town of Mansfield for a single family residence, on property located at lot #17, Davis Manor and Monticello Lane, as shown on a map with a date of 04-25-13, and as described in application submissions, and to refer said application to staff and Conservation Committee for review and comments. MOTION PASSED UNANIMOUSLY.

**Other Communications and Bills:**

Noted.

**Adjournment:**

The Chairman set a Field Trip on the new business items for 6/12/13 at 3:30 p.m. and declared the meeting adjourned at 7:20 p.m.

Respectfully submitted,

Katherine Holt, Secretary

Memorandum:

May 29, 2013

To: Inland Wetland Agency  
From: Grant Meitzler, Inland Wetland Agent  
Re: Monthly Business

**W1419 - Chernushek - hearing on Order**

3.10.09: The hearing on the Order remains open and should continue until the permit application under consideration is acted upon.

(The Order was dropped on approval of the application required in the Order.)

4.30.09: Former rye grass seeding is beginning to show green. I spoke with Mr. Chernushek this afternoon who indicated health problems that delayed his starting but indicated he will be working this weekend. I will update on this Monday evening.

5.26.09: A light cover of grass growth has come in. Mr. Chernushek indicates health problems and two related deaths have delayed his start of work since the permit approval was granted. It appears that some light work has started. He has further indicated that he will start a vacation on June 22, 2009 to finish the work.

6.13.09: Work is underway.

6.21.09: Bulldozer work has been completed - finish work remains. The additional silt fencing has been placed along the northerly wetlands crossing, and the additional pipe under the southerly crossing has been installed. Remaining work includes finish grading along edges, spreading stockpiled topsoil, and establishing grass growth.

7.01.09: I spoke with Mr. Chernushek who indicated he expects work to be completed by September 1, 2009. (Site photo attached).

9.03.09: Mr. Chernushek has been working on levelling and grading. The formerly seeded areas have become fairly thick growth surrounding the central wet areas. He has further indicated that with the combination of weather and the slower moving of earth with the payloader compared to the earlier rented bulldozer has led him to contact contractors for earth moving estimates which have not yet been received. The site is not yet finished but has remained quite stable.

9.12.09: I met with Mr. Chernushek today and discussed again what his plans are for stabilizing this work site.

10.01.09: Mr. Chernushek indicated he has not heard back from the contractor he had spoken with about removing material, and is in progress of contacting others. In discussion is removal of material from the site either within the 100 cubic yard limit or obtaining a permit for such removal.

10.28.09: Mr. Chernushek has indicated he has made arrangements with DeSiato Sand & Gravel to remove 750 cubic yards of material. Staff is in the process of clarifying permit requirements.

**W1445 - Chernushek - application for gravel removal from site**

11.30.09: Packet of information representing submissions by Mr. Chernushek, Mr. DeSiato and myself is in this agenda packet as Mr. Chernushek's request for modification.

12.29.09: Preparation of required information for PZC special permit application is in progress. Tabling any action until the February 1, 2010 meeting is recommended.

1.12.10: 65 day extension of time received.

2.18.10: No new information has been received.

- 2.25.10: This application has been **withdrawn**.
- 6.30.10: As viewed from the adjacent property, the upstream and downstream areas have grown to a decent protected surface. I did not see indication of sediment movement.
- 10.26.10: A sale of the East portion of the Chernushek property has been in negotiation.
- 12.27.10: The property exchange has been completed. The owner is now the neighboring property owner Bernie Brodin. He has indicated his intention to stabilize the area as weather permits.
- 4.25.11: Mr. Brodin indicates he is starting with grading and spreading hay and seed to stabilize disturbed areas.

**Mansfield Auto Parts - Route 32**

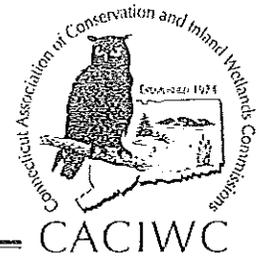
- 5.01.12: Payloader remains in the same location with a bad motor.
- 5.17.12: Payloader and the one vehicle have been moved. There are no vehicles within 25' of wetlands.
- 6.22.12: Inspection - no vehicles are within 25' of wetlands.
- 7.10.12: Inspection - no vehicles are within 25' of wetlands.
- 8.16.12: Inspection - no vehicles are within 25' of wetlands.
- 9.19.12: Inspection - no vehicles are within 25' of wetlands.
- 10.05.12: Inspection - no vehicles are within 25' of wetlands.
- 11.01.12: Inspection - no vehicles are within 25' of wetlands.
- 11.20.12: Inspection - no vehicles are within 25' of wetlands.
- 12.13.12: Inspection - no vehicles are within 25' of wetlands.
- 1.14.13: Inspection - no vehicles are within 25' of wetlands.
- 2.25.13: Inspection - car storage areas are snowed in, not accessible.
- 3.12.13: Inspection - no vehicles are within 25' of wetlands.
- 4.25.13: Inspection - no vehicles are within 25' of wetlands.
- 5.17.13: Inspection - no vehicles are within 25' of wetlands.

# THE HABITAT

A newsletter of the Connecticut Association of Conservation  
and Inland Wetlands Commissions, Inc.

Spring 2013

volume 25 number 1



## Subsurface Horizontal Flow Gravel Wetland and LID: A Case Study and Regulatory Recommendations

by Sean Hayden, Northwest Conservation District

Does development always have to mean environmental degradation? I don't think so. Adding a Subsurface Horizontal Flow Gravel Wetland (Gravel Wetland) to a development project may be one of the most efficient ways to protect surrounding wetlands and water quality. Used for centuries in Europe for waste water treatment, gravel wetlands have a proven track record of being extremely efficient at removing most pollutants from stormwater runoff.

The Northwest Conservation District (NCD) assisted with the installation of the first Gravel Wetland in Connecticut. Harvest Moon Timber Frame Barn wanted to build a pre-cut post-and-beam barn manufacturing facility adjacent to a drinking water supply stream in Morris, CT. The project created approximately one acre of impervious surface that required a primary stormwater treatment practice. Primary stormwater treatment practices are stormwater runoff management strategies that have proven to be the most efficient and capable at providing high levels of water quality treatment as stand-alone devices. Chapter 6 of the 2004 Connecticut Stormwater Quality Manual CT DEEP (Stormwater Manual) contains design requirements for primary treatment practices.

NCD worked in collaboration with the Morris Inland Wetland Commission and the project design engineer to create an effective stormwater treatment system. Given the slope, soil conditions, and the proximity

of the proposed development to a drinking water resource, it was decided that a Gravel Wetland would be the most effective measure for wetland and water quality protection.

Gravel Wetlands function as a biological filter. Bioretention structures are also a type of biological filter, however, instead of moving polluted stormwater vertically through one or two feet of soil media, a Gravel Wetland filters water horizontally through roots, soil and gravel for 30 or more feet. An anaerobic environment combined with a very long filter path, makes Gravel Wetlands extremely efficient at pollutant removal. The Gravel Wetland pictured on page 5 was installed at the post-and-beam project referenced above about one year ago, and it is functioning flawlessly. Regular inspections have occurred during all four seasons, and even in February (colder than normal this year) this Gravel Wetland continues to function under the ice and snow.

Gravel Wetlands are one of many stormwater treatment measures considered for use in Low Impact Development (LID) projects. One of the principle goals of LID is to use structures that mimic natural systems to treat polluted stormwater where it is generated. Gravel Wetlands have a unique ability to strip out a broad spectrum of pollutants entrained in runoff in a relatively compact structure, making them an ideal primary treatment measure for both new development and retrofitting into developed areas. While the Stormwater Manual does not contain design specification for a Gravel Wetland, comprehensive documentation of Gravel Wetlands can be found at the University of New Hampshire Stormwater Center's website [www.unh.edu/unhsc](http://www.unh.edu/unhsc). They have designed, built, and tested Gravel Wetlands for many years, and they have published both the pollutant removal efficiencies and the design specifications on their website.

*gravel, continued on page 5*

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# CACIWC News Briefings

The CACIWC Board of Directors has been busy during the first few months of 2013 working to evaluate our 2012 annual meeting, tracking state legislative activity and budget negotiations, while continuing efforts to develop our new strategic plan. As part of the strategic planning process, we will be conducting a membership-wide survey to assess your educational needs and ensure that CACIWC is aware of any new challenges to your efforts in protecting Connecticut wetlands and other important habitats.

1. The Board of Directors has reviewed the many comments and suggestions submitted on the survey distributed at our 2012 annual meeting. If you did not have an opportunity to complete the 2012 meeting survey you can still contact us with your comments and suggestions at [AnnualMtg@caciwc.org](mailto:AnnualMtg@caciwc.org). We also very much welcome suggestions for workshop topics and speakers that you would like us to recruit for our 36th Annual Meeting and Environmental Conference, scheduled for Saturday, November 16, 2013...*save the date!* Please send your ideas to us at [AnnualMtg@caciwc.org](mailto:AnnualMtg@caciwc.org) along with any other suggestions. Watch for additional conference news in upcoming issues of *The Habitat* and on our [www.caciwc.org](http://www.caciwc.org) website.

2. Although we recruited a few new directors in 2012, many CACIWC board positions remain unfilled. (Please see the list in this issue of *The Habitat* and on [www.caciwc.org](http://www.caciwc.org).) We were pleased to receive approval for our bylaws amendments during our November 17, 2012 meeting (see our website for the amended bylaws: [www.caciwc.org](http://www.caciwc.org)). These amendments included the creation of several *alternate at large* positions that are not restricted to a specific county. This amendment will allow us to recruit well qualified directors from areas whose county and alternate county representatives are already filled. Please submit your name to us at [board@caciwc.org](mailto:board@caciwc.org) if you are interested in serving

*CACIWC news, continued on page 13*

## CACIWC Membership Dues Are Due

Go to [caciwc.org](http://caciwc.org) to download the membership form. Click on About CACIWC.



# Appellate Court Decision “Stays the Course” on Substantial Evidence Overturning Wetlands Agency Grant of Permit and Addresses Guidance Documents

in

*Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, cert. denied 307 Conn. 921 (2012)*

At the end of my last column I mentioned in passing that the Appellate Court ruled on the legal effect of guidance documents. Although this topic was covered in both of the sessions I offered at the 2012 CACIWC annual meeting, the Estate of Casimir Machowski case is deserving of an entire column.

quoted extensively from the River Bend case in which the Supreme Court referred to “actual adverse impact” for the first time: “The sine qua non of review of inland wetlands applications is a determination whether the proposed activity will cause an adverse impact to a wetland or watercourse.”<sup>3</sup>

In Machowski the applicant proposed to construct, 18 units in 9 duplex buildings on a 16 acre parcel containing 1.8 acres of wetlands/watercourses. The project, on steep slopes in the upland review area, would require 30,000 cubic yards of fill, with 2/3 of the fill being trucked to the site. The trial court characterized the neighborhood opposition as “vehement.”<sup>1</sup> Both the applicant and the commission presented experts. The agency denied the application citing the following reasons: 1) there was a feasible and prudent alternative to the placing the detention basin in fill on an extreme slope; 2) the proposed location of the basin is inconsistent with the DEP 2002 Soil and Erosion and Sedimentation Guidelines; 3) the extensive fill creates an erosion hazard upgradient of wetlands. The trial court acknowledged that no activity was proposed in the wetlands with substantial work proposed in the upland review area. The trial court dismissed the applicant’s appeal, upholding the agency denial. The Appellate Court reversed and overturned the denial of the permit.

The Appellate Court reviewed the expert reports. It concluded there was no evidence that the proposed activity would have an adverse effect on the wetlands or that the amount of fill would probably erode into the

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*“Guidance documents do not constitute standards that have the force and effect of law, nor do they constitute expert opinion requiring a specific outcome. Experts may refer to guidance documents, but better be prepared to substantiate their opinions based on conditions at the site.”*

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wetlands. The agency’s expert referred to “potential damage to wetlands” if the detention basin fails. “Evidence regarding potential impacts to wetlands in the event of a failure of the detention basin does not in itself amount to substantial evidence.”

<sup>4</sup> There was no expert opinion that 1) an adverse impact on the wetland was likely or 2) a failure of the detention basin was reasonably likely to occur.

Additionally the agency’s expert stated that the location of the detention basin was not consistent with the 2002 Guidelines for Soil Erosion and Sediment Control due to the steep slope. He acknowledged that the detention basin could work but that he “would feel much more comfortable” if the project kept away from the steep slopes.<sup>5</sup> The expert did not cite any statute, standard or regulation that the proposal violated. The Appellate Court: “although they [the guidelines] may contain a set of beneficial recommendations, non-adherence does not in itself imply a likelihood of adverse impact on wetlands. The requirements of River Bend Associates, Inc. still must

The Appellate Court found there wasn’t substantial evidence to support the agency’s denial. Specifically it found that the trial court failed to require “that there be specific evidence in the record showing that the [applicant’s] activities would adversely impact wetlands or watercourses.”<sup>2</sup> The Appellate Court

legal, continued on page 4

legal, continued from page 3

be met to justify a denial in these circumstances.”<sup>6</sup> Guidance documents do not constitute standards that have the force and effect of law, nor do they constitute expert opinion requiring a specific outcome. Experts may refer to guidance documents, but better be prepared to substantiate their opinions based on conditions at the site.

The neighbors testified about their past experiences with flooding in the area. The Appellate Court concluded: None of that testimony addressed “what specific impact the proposed regulated activity would have on the wetlands.”<sup>7</sup>

The Appellate Court concluded that all of the evidence that the agency relied on was speculative in nature. Speculative evidence doesn’t constitute substantial evidence. In the end, agencies and intervenors may wonder if the “deck is stacked against” them. Not all expert opinion is of equal value. If the expert does not believe that the data allow him/her to express an opinion that the outcome will likely occur, his/her opinion that it “might” occur is of limited value. It may assist the agency to focus on what to seek from an applicant or another expert. An expert’s “concern” is an appropriate place for departure. A “concern” is not a legitimate endpoint for an agency to rely on.

*Janet P. Brooks practices law in East Berlin. You can read her blog at: [www.ctwetlandslaw.com](http://www.ctwetlandslaw.com) and access prior training materials and articles at: [www.attorneyjanetbrooks.com](http://www.attorneyjanetbrooks.com).*

*(Endnotes)*

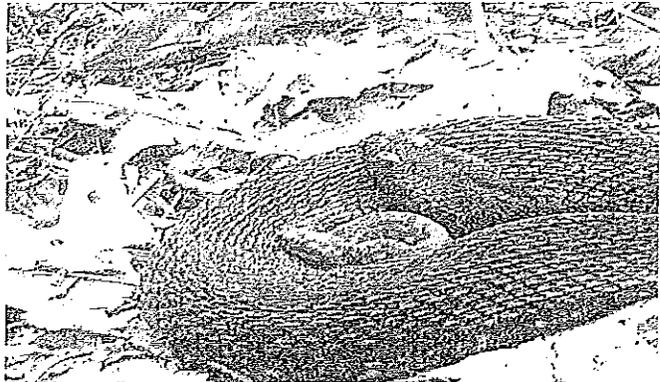
- <sup>1</sup> Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 833 (2012).
- <sup>2</sup> Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 835 (2012).
- <sup>3</sup> Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 838 (2012), citing River Bend Associates, Inc. v. Conservation & Inland Wetlands Commission, 269 57, 74 (2004).
- <sup>4</sup> (Emphasis in original.) Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 840 (2012).
- <sup>5</sup> Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 841 (2012).
- <sup>6</sup> Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 841 (2012).
- <sup>7</sup> Estate of Casimir Machowski v. Inland Wetlands Commission, 137 Conn. App. 830, 841 (2012).



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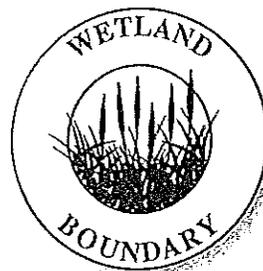


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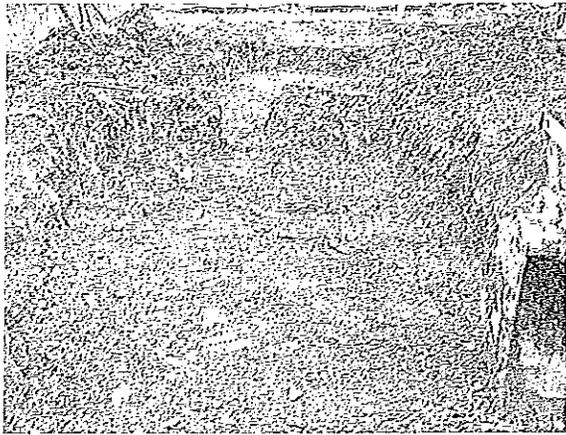
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gravel, continued from page 1

Many streams and rivers in Connecticut are listed on the "Connecticut 303(d) Impaired Water" list. The number one source of water quality degrading pollutants in Connecticut is untreated stormwater runoff from impervious surface. To minimize the growth of, and reduce the list of streams and rivers on the Impaired Water List, the land use management community needs to start requiring primary stormwater treatment, such as a Gravel Wetland, for land use



*Excavated Treatment Cells Before Addition of Gravel*

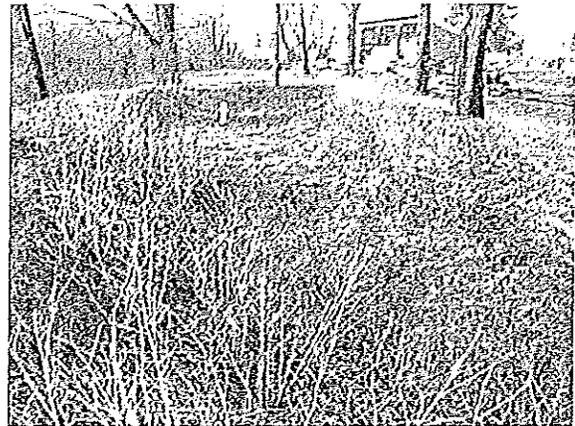
change projects that create polluted stormwater runoff. This is important because most development projects become a permanent source of water quality degrading pollutants. The first step in mitigating this problem would be to incorporate the Stormwater Manual into municipal land use regulations. Then the land use management community can require that all land use change projects (development and redevelopment) be held to the major concepts and rec-



*Excavated Treatment Cells Filled With Gravel*

ommendations detailed in the Manual. In addition, the Stormwater Manual now has an LID Appendix that details the major principles and concepts of LID planning and design.

I don't mean to imply that development can occur everywhere because we now have the practices and principles of LID. All development has impacts on the environment that need to be balanced with a property owner's wishes, and LID is a paradigm that can help the land use management community minimize environmental degradation.



*Complete and Vegetated Gravel Wetland*

Many states have already adopted comprehensive LID design regulations that require projects to be built to a prescribed standard. It has been proven many times over that developing land to the principals and standards of LID is cheaper, more efficient at water quality and wetland protection, and more attractive as compared with conventional development practices. The municipal land use management community should require the implementation of all the principles of LID on all permanent land use change projects. In reality, there is no down side.

*For additional information please contact Sean Hayden, Executive Director, Northwest Conservation District; Phone: Phone 860.626.7222; Email: seanhayden@conservect.org.*

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# WE APPRECIATE YOUR SUPPORT! THANK YOU!

As of March 3, 2013, the following Town commissions have supported CACIWC through membership dues for the 2012-2013 fiscal year (July 1, 2012 – June 30, 2013). If your Commission is not on the list, please encourage your commission to join. For a membership dues form go to [caciwc.org](http://caciwc.org), click on About CACIWC, scroll to Membership and download form; or email [todell@snet.net](mailto:todell@snet.net). If we are in error we apologize and would appreciate knowing. Member Commissions receive a copy of The Habitat for each commissioner if dues have been paid. Please consider joining as a sustaining member (SUS).

CC = Conservation Commission  
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CC+IW = Combined Commission  
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Ansonia	IW	(SUS)	Glastonbury	CC+IW	(SUS)	Plainfield	CC	
Ashford	CC		Goshen	CC		Plainfield	IW	
Ashford	IW		Goshen	IW		Plainville	CC	
Avon	IW		Granby	CC		Plainville	IW	
Avon	CC		Granby	IW		Plymouth	CC+IW	
Barkhamsted	CC		Greenwich	CC	(SUS)	Pomfret	IW	
Barkhamsted	IW		Greenwich	IW	(SUS)	Preston	CC	
Beacon Falls	CC		Griswold	CC+IW	(SUS)	Preston	IW	
Beacon Falls	IW		Groton	CC		Redding	CC+IW	(SUS)
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Bethel	IW		Haddam	CC		Roxbury	IW	
Bethlehem	IW		Haddam	IW		Salem	CC+IW	(SUS)
Bolton	CC		Hamden	IW		Seymour	CC	
Bolton	IW		Hamden	CC		Sharon	IW	(SUS)
Bozrah	CC+IW		Hampton	CC		Shelton	CC	
Branford	CC		Hampton	IW		Sherman	IW	
Branford	IW		Harwinton	IW		South Windsor	CC+IW	
Bristol	CC+IW		Hebron	CC		Southbury	IW	
Brookfield	CC		Kent	CC		Sprague	CC+IW	(SUS)
Brookfield	IW		Killingworth	CC		Sterling	IW	
Brooklyn	CC		Killingworth	IW		Stonington	IW	
Brooklyn	IW		Lebanon	CC		Thomaston	IW	
Canaan	CC+IW		Lebanon	IW		Thompson	CC	
Canterbury	IW		Ledyard	IW		Thompson	IW	
Chaplin	IW		Lisbon	CC		Tolland	CC	
Chaplin	CC		Lyme	CC+IW		Tolland	IW	
Cheshire	IW		Madison	IW		Trumbull	CC	
Cheshire	CC		Manchester	CC		Trumbull	IW	
Clinton	CC+IW		Manchester	Z+IW		Vernon	CC	
Columbia	CC		Mansfield	Z+IW	(SUS)	Vernon	IW	
Columbia	IW		Middlebury	CC		Wallingford	CC	
Coventry	CC		Middlefield	IW		Wallingford	IW	
Coventry	IW		Milford	CC		Warren	CC+IW	(SUS)
Cromwell	CC		Milford	IW		Washington	IW	(SUS)
Cromwell	IW		Monroe	CC+IW		Waterford	CC	(SUS)
Darien	CC+IW	(SUS)	Montville	IW		Watertown	CC+IW	
Deep River	CC+IW		Naugatuck	IW		West Hartford	CC	
Durham	CC		New Canaan	Z+IW		West Hartford	Z+IW	
Durham	IW		New Canaan	CC		Westbrook	CC	
East Haddam	CC		New Fairfield	CC+IW	(SUS)	Westbrook	IW	
East Haddam	IW		New Hartford	CC	(SUS)	Westport	CC+IW	
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East Hampton	IW		New London	CC+IW		Willington	CC	
East Hartford	CC+IW		New Milford	CC		Willington	IW	
East Lyme	CC		New Milford	IW		Wilton	CC	
East Lyme	IW		Newtown	CC		Wilton	IW	
East Windsor	IW		Newtown	IW		Windsor	CC	(SUS)
Eastford	CC		Norfolk	CC		Windsor	IW	(SUS)
Eastford	IW		North Branford	CC+IW		Windsor Locks	CC	
Easton	CC+IW		North Haven	IW		Windsor Locks	IW	
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Ellington	IW		Norwalk	IW	(SUS)	Woodbury	CC	
Enfield	CC		Old Lyme	IW		Woodbury	IW	
Enfield	IW		Old Saybrook	CC		Woodstock	CC	
Fairfield	CC		Old Saybrook	ft		Woodstock	IW	

*Editors Note: Conservation and Inland Wetlands Commissions can provide a very beneficial community service by notifying community leaders and the general public about the impact of phosphorus on water quality and the recent legislation that regulates the use of phosphorus on established lawns. The following article is reprinted with permission.*

## Soil Nutrient Analysis Laboratory

6 Sherman Place, Box U-102, Storrs, CT 06269-5102 • Phone: 860-486-4274, Fax: 860-486-4562

### Your Lawn and The New Phosphorus Law

Last May the Connecticut legislature passed a bill regulating the use of phosphorus on established lawns. The bill went into effect on January 1, 2013. This legislation was enacted because of a little known fact about phosphorus: it is the number one cause of declining water quality in fresh water lakes and ponds in Connecticut.

Anyone who has purchased fertilizer knows that each package comes with a guaranteed analysis or grade consisting of three numbers such as 5-10-5. These numbers stand for the percent, on a dry weight basis, of nitrogen, phosphorus as phosphate and potassium as potash contained in that particular fertilizer. Fertilizers contain these three nutrients because they are often needed by cultivated plants in larger quantities than most native soils can supply for optimal plant growth. Plants need a number of other elements too, but they are usually supplied either by the soil itself or by additions of limestone and organic matter.

Typically nitrogen is associated with green leafy growth and that is why many lawn fertilizers have an analysis like 24-2-8, where the nitrogen content is proportionately high relative to the phosphorus and potassium. Phosphorus is essential for root growth and

flowering, and potassium helps regulate water movement as well as increasing the plant's ability to withstand stresses like disease and winter injury.

When fertilizers, either organic or synthetic, are applied in the correct amounts and at the appropriate times during the growing season, plants will do well and the risk of nutrients entering water bodies will be minimized. Both nitrogen and phosphorus will cause problems when they enter lakes, streams, ponds and other water sources. Because phosphorus especially is low in concentration in native water sources, even the addition of small amounts will stimulate the growth of algae and other water plants and the water body will become eutrophic. As the lush aquatic plant growth dies and decomposes, oxygen levels in the water body become reduced often resulting in fish kills. The bottom line is that phosphorus contamination results in lakes that are undesirable for swimming, fishing and other recreational activities.

The phosphorus that enters water bodies primarily comes from wastewater treatment plants, failing septic systems and fertilizers. Many towns are spending large sums of money to reduce phosphorus from wastewater  
*phosphorus, continued on page 14*



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## Paying For Open Space: Are You Prepared?

**I**s your Commission considering applying for a grant to preserve an important open space? If so it is likely you will need to campaign locally for the 40-50% matching funds required by most grant programs. Outlined below is a campaign strategy the Westbrook Conservation Commission (CC), partnering with The Trust for Public Land (TPL), used successfully for gaining public support for a \$2.2 million open space fund used, in part, for matching state and federal open space grant programs.

### Going Public: Developing Citizen Support for An Open Space Program

#### Establish Credibility and Support Network

- Establish open space preservation as a community project and priority.
- Form Open Space Committee to focus on open space program. Westbrook established a Subcommittee of the Conservation Commission. Subcommittee provided monthly reports to CC.
- Enlist representatives from community groups and public for developing and implementing open space program. Examples are the Land Trust, Garden Club, Board of Recreation.
- Enlist an Advisory Board from Planning and Finance Commissions, UConn Extension Center-NEMO, Regional Planning.
- Make sure all meetings are publicized: establish relationship with local news reporters-keep them informed. E-mail and phone calls work.
- Develop a "Show and Tell" presentation of plan for open space preservation: Goals, objectives, selection criteria, brochures, maps.
- Conduct public meetings to introduce town landscape and natural resources using GIS/parcel map overlays. Use educators and natural resource professional(s) to explain how maps are used.
- Utilize visuals such as GIS and parcel maps to connect "their neighborhood and homes" with roads, watersheds, and natural resources.
- Engage public to assist with developing criteria for prioritizing open space preservation and acquisition. Hold facilitated workshops.

#### Develop Funding Options for Open Space Acquisition

- Develop Community Fiscal Portrait to support capital expenditure for open space acquisition.
- Identify other funding options: State-matching funds, Federal funds, Non-profit funding.
- Establish a separate Fund Raising Committee to receive donations or work with land trust to receive donations.
- Formulate Open Space Acquisition and Funding Recommendations.

#### Gain Support of Town Officials

- Land acquisition proposals must be approved by Planning, Selectmen, Board of Finance, Town Meeting and, likely, Town Referendum (dependent on town charter requirements).
- Keep town officials and land-use staff informed; when appropriate request time on agenda; invite them to public forums.
- Each commission or board usually has monthly meetings; keep time-line for meeting with those you will need for approval and support.
- Provide relationship of open space program to Plan of Conservation and Development. Planning Commissions are required by State Statute to recommend to Selectmen actions to be taken on land acquisition.
- Request town official comments and recommendations, including recommended funding options.
- Be prepared to answer questions.

#### Maintain a Constant Information/Education Campaign

- Ask for someone to coordinate campaign outreach.
- Use a variety of media and other information sources.
- Develop a schedule for news releases, public meetings and announcement.

#### Plan Open Space Funding Campaign

- Establish Campaign Calendar (see page 9).
- Establish a non-profit "Committee to Conserve Open Space" to campaign for public and private funds. (Per State statutes, Conservation Commissions cannot campaign for funds.
- Elect officers for the Committee; Open a non-profit bank account to receive donations.

**Sample Campaign Calendar for Open Space Referendum**  
*Adapted from Trust for Public Land Model*

Activity	Implementation	Who
<b>10 to 14 WEEKS BEFORE VOTING DAY</b>		
Local Support - contact key organizations	Arrange for meetings, prepare presentations; organize committees	CC
Fact Sheet - Q&A	Draft; circulate to CC members for comment	CC
Campaign fund raising	Set up a Political Action Committee (PAC)	CC
News articles Press release	Prepare content (rationale for open space preservation, etc.); obtain comment from CC members; submit to media	TPL / CC
Set up website, facebook, other e-media	Prepare content: maps, photos of parcel, rational for preservation etc.	Website Committee

**6 to 10 WEEKS BEFORE VOTING DAY**

Obtain approval / support from Boards	Arrange meeting dates with Boards for approvals as required by charter and State statute, and as desired.	TPL/CC
Plan walks on parcel	Invite public to walk and see property.	CC / LT
Print Fact Sheet	Distribute to all residences, post around town.	All

**4 to 6 WEEKS BEFORE VOTING DAY**

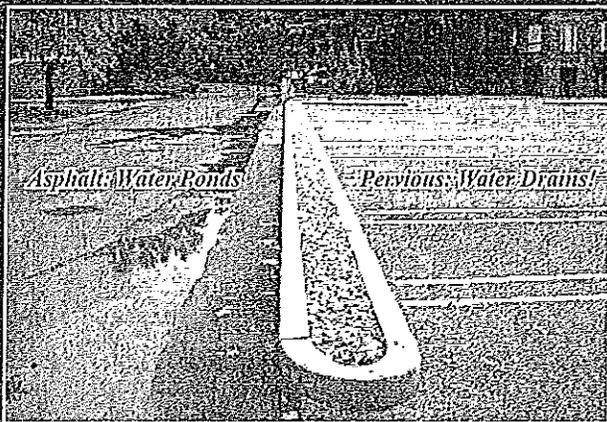
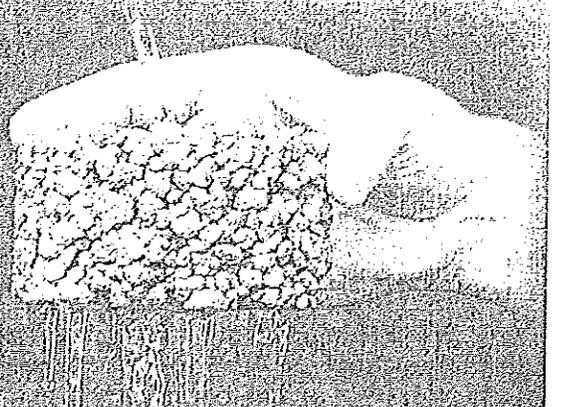
Letters to Editor	Prepare 2 to 3 per week; identify contributors, local leaders.	CC
Calls to residents	Call Land Trust members; residents near open space parcel.	CC / LT
Yard Signs	Prepare lawn signs; put out 4 weeks before vote day.	CC/ TPL

**2 WEEKS BEFORE VOTING DAY**

Public Meeting	Presentation, information materials, maps, literature	CC / TPL/ LT
Letters to Editor	Continue publications.	CC

*TPL = Trust for Public Land; CC = Conservation Commission; LT = Land Trust*

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## Council on Environmental Quality Releases "Environmental Quality In Connecticut" For 2012

The state Council on Environmental Quality reviewed environmental data for 2012 and concluded that the indicators used to measure Connecticut's environmental health did not show many signs of improvement.

The Council delivered its annual report on the condition of the state's environment to Governor Dannel P. Malloy, noting that this document marks the 40th anniversary of the Council's inaugural report.

"Connecticut's environment is resistant to improvement," the report begins, highlighting a consistent trend of recent years. This year, the short-term indicators pointed to more declines than improvements.

The Council's report, *Environmental Quality in Connecticut*, presents long-term and short-term trends for about 30 indicators. Regarding the short-term changes, the report says, "In light of Connecticut's persistent efforts to control pollution and manage its resources, some of the declines of 2012 are particularly frustrating":

- more bad air days (that is, days when the air over some or all of the state does not meet standards set to protect human health),
- more widespread hypoxia (insufficient oxygen) in Long Island Sound,
- land conservation results that fell short of Connecticut's long-term goal.

"The improvements of 2012 were few in number and modest in scale," the report says, noting that:

- Shoreline beaches were closed for fewer days in 2012 than in 2011, but the number of closings in 2012 still was well above the long-term average.
- Public drinking water improved, with 99.8 percent of all water piped to customers (2.8 million people) meeting health standards. That percentage was 99.7 in the previous year. The potential to improve further actually is limited because Connecticut has excelled in protecting public drinking water for many years. The report notes that Connecticut is among the very best states in delivering safe drinking water to customers of public water systems.
- Two "personal impact" indicators -- miles driven and bus trips taken by the average resident -- improved.

*CEQ, continued on page 11*



- \* Low Impact Development Analyses, Designs & Regulations
- \* Design of Stormwater systems for water quality improvement and volumetric reductions
- \* Third-party technical reviews of land development projects
- \* General Civil Engineering services for land development projects, including representation at land use agency meetings
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CEQ, continued from page 10

This year's report also calls attention to changes in Long Island Sound: sea level is rising at a faster rate, the water is warming, and southern species of fish are moving in as colder-water species move out. The Council says that the state needs to pay attention to the gradual changes, as gradual changes can become sudden changes.

The report also notes that many of the persistent problems in Connecticut's environment, including summertime air pollution and low oxygen levels in the Sound, are made worse by a warming climate.

The Council makes recommendations to the Governor and General Assembly separately from this annual status report. Nonetheless, the Council suggests in this report that, "The key ingredients of a cleaner Connecticut are relatively simple and few in number:

- more efficient and technologically-advanced heating and cooling equipment and vehicles;
- investment in the basics of sewage treatment, land conservation, parks and other essential services;
- better patterns of land development and transportation, including a strategy for dealing with the rising Sound and,
- restoration of rivers, wetlands, parks, trails and greenways by state and local governments as well as nonprofit organizations and heroic individuals."

This year's report is designed to be read online and features several innovations including interactive graphs and a summary page, "2012 at a Glance." Some additional data for 2012 are expected in the weeks ahead, and readers are encouraged to sign up through the Council's website to receive notices as the report is updated.

The Council on Environmental Quality submits Connecticut's annual report on the status of the environment to the Governor pursuant to state statutes. Additional responsibilities of the Council include review of construction projects of other state agencies, publication of the twice-monthly Environmental Monitor, and investigation of citizens' complaints and allegations of violations of environmental laws. The Council is a nine-member board that is independent of the Department of Energy and Environmental Protection (except for administrative functions). The chairman and four other members are appointed by the Governor, two members by the President Pro Tempore of the Senate and two by the Speaker of the House.

The annual report, Environmental Quality in Connecticut, is available on the Council's website at [www.ct.gov/ceq/AnnualReport](http://www.ct.gov/ceq/AnnualReport).



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## Community Farms Preservation Program

The newly created Community Farms Preservation (CFP) program is geared toward smaller farms and requires a municipal partner. It has resulted in 24 new municipalities entering into cooperative agreements with the Connecticut Department of Agriculture during the last year alone. These efforts have led to 11 new CFP program applications.

The purpose of this new pilot CFP program is to encourage locally supported farmland preservation on smaller farms that have excellent agricultural soils and contribute to local economic activity, but which may not be eligible for other protection programs.

For municipalities to qualify, they must enter with the Connecticut Department of Agriculture into cooperative agreements that do the following:

- recognize farmland preservation in the municipal plan of conservation and development
- establish an agricultural commission and/or program for farmland preservation
- inventory local farmland resources
- establish local scoring criteria for prioritizing local farms
- designate or have a local funding mechanism
- request identification of locally important farmland soils through the USDA (see page 16).

Acre by acre, the Connecticut Department of Agriculture's Farmland Preservation Program continues working toward its long-time goal of protecting 130,000 acres of farmland, including 85,000 acres of cropland. In the year ahead—as recommended by the Connecticut General Assembly's Legislative Program Review and Investigations Committee in its December 2012 Results Based Analysis—the Farmland Preservation Advisory Board will be conducting research, study, and review of this goal to determine if an adjustment is appropriate.

In total, the program has now preserved farms in 75 of Connecticut's 169 municipalities and in all eight counties. Development rights acquisitions now total 296 farms and 38,546 acres, or 30 percent of the program's goal.

If you are aware of farmers thinking of preserving their farm or farmland, the Connecticut Department of Agriculture welcomes their application. Applications are accepted on a continuous basis. Preserved farms have met minimum eligibility requirements and have successfully competed with other priority farms for farmland preservation funds. Owners of farms ineligible for this program may be referred to other state or federal programs, or to local land trusts. For an application or more information, please call 860-713-2511 or visit [www.ct.gov/doag](http://www.ct.gov/doag). 🐦

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## Agricultural Resources

### Planning for Agriculture Guide - 2nd Edition

"Planning for Agriculture: A Guide for Connecticut Municipalities." is a joint initiative of American Farm Land Trust and the Connecticut Conference of Municipalities. This publication has been a key resource for Agriculture Commissions and is a good guide for Conservation Commissions interested in promoting agriculture as part of their open space program. The 2nd Edition provides updates on resources, grant programs, legislation and case studies that will be very useful to agricultural producers and municipal decision-makers alike. The full document can be downloaded at <http://tinyurl.com/Planning4AG>.

### Farmland Connections Guide

The Farmland Connections guide, produced by UConn Extension and American Farmland Trust, is meant to assist municipalities, land trusts, and other institutions with leasing farmland to keep protected lands in productive agriculture. The guide can be downloaded at [http://www.farmland.org/documents/FINAL\\_AFTFarmlandConnections\\_lo.pdf](http://www.farmland.org/documents/FINAL_AFTFarmlandConnections_lo.pdf).

### Connecticut Department of Agriculture Grant & Loan Programs

Information about the state's Farmland Restoration Program and the Community Farms Program, both in their first year can be found at <http://www.ct.gov/doag/cwp/view.asp?a=1366&q=499192>. 🐦

CACIWC news, continued from page 2

as one of our vacant county representative, alternate county representatives or in one of the new alternate at large representative positions.

3. Are you too busy to join the board at this time but would enjoy working on CACIWC issues? We are forming several additional CACIWC advisory committees to help us with our education and outreach efforts, help us select new goals and objectives for our updated strategic plan, or participate in the review of legislative initiatives. Let us know by sending your name and interest area to us at [board@caciwc.org](mailto:board@caciwc.org).

4. To help promote the next generation of Connecticut conservationists, the CACIWC Board of Directors has accepted a role in the Connecticut Science & Engineering Fair (CSEF) for Connecticut secondary school students. As I write this column, CACIWC Board Treasurer Charles Dimmick and I are preparing to serve as coordinating judges for the environmental science awards in this year's CSEF. The CACIWC Board will be conducting other activities to increase interest in conservation and wetlands protection among Connecticut students this year. Watch this column for more information!

5. **Membership dues** are an essential part of our operating budget. They support various CACIWC programs including our Annual Meeting, educational materials, and *The Habitat*. During the next few months you will be receiving a reminder and renewal form for the 2013-14 membership year, which begins on July 1, 2013. A copy of this form and additional information will be placed on our website: [www.caciwc.org](http://www.caciwc.org). Would you or your company like to provide additional support to CACIWC? The website also provides a description of additional individual and business membership categories. We will very much appreciate any additional contributions to support CACIWC education and outreach efforts!

Please do not hesitate to contact us via email at [board@caciwc.org](mailto:board@caciwc.org) if you have questions or comments on any of the above items or if you have other questions of your board of directors. We thank you for your ongoing efforts to protect wetlands and conserve natural resources in your town!

Alan J. Siniscalchi, President

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*phosphorus, continued from page 7*

discharges, and many are working with homeowners that reside near water bodies to rectify problems with septic systems. The Connecticut legislature decided that the decline in water quality was significant enough to merit restrictions of phosphorus-containing fertilizers on established lawn areas. Golf courses and agricultural land are exempt from this regulation. What will this law mean for those responsible for maintaining a lawn area? If seeding or sodding a new lawn area or overseeding an existing lawn, no changes to your fertilizer regimen is needed. Typically new plantings of any crop benefit from the addition of some phosphorus to aid in root growth establishment so turfgrass starter fertilizers or complete garden fertilizers can be used at rates recommended on the package or by a soil test report.

Established lawns do not have high phosphorus requirements and once optimum amounts are established in the soil you will supply sufficient phosphorus for good growth simply by leaving grass clippings on the lawn. The new legislation prohibits the application of lawn fertilizers containing phosphorus on established lawns unless a soil test, done within the past two years, shows that phosphorus is deficient and phosphorus needs to be applied. A quick glance at some name brand fertilizer websites shows that many of the larger companies have no-phosphorus synthetic fertilizers available, most likely in response to the growing number of states that are passing laws restricting phosphorus fertilizer use.

The biggest challenge is going to be for those wanting to maintain their lawns using natural organic lawn fertilizer products because it is much easier to manufacture chemical fertilizers that do not include phosphorus than it is to remove phosphorus from an organic fertilizer or soil amendment such as fish meal or compost.

Some choices for materials that contain low or no-phosphorus include: Corn gluten (9-0-0) or bloodmeal (12-0-0) can be used to supply nitrogen to lawns, and greensand (0-0-3) and sul-po-mag (0-0-22) may be used to supply potassium. There are a few blended organic fertilizers that are appropriate for lawns and that do not contain phosphorus.

Any fertilizer, soil amendment or compost that contains less than 0.67% phosphorus is exempt from the phosphorus restriction. Composts made from only

leaves typically contain low amounts of phosphorus and could be used to topdress established lawns to improve organic matter levels if necessary. We recommend you test any compost or soil amendment for phosphorus content before application. The University of Maine (<http://anlab.umesci.maine.edu/>) and Penn State University (<http://aasl.psu.edu/>) have laboratories that test compost for nutrient content.

The legislation also restricts the application of phosphorus-containing fertilizers to lawn areas between December 1 and March 15. The University of Connecticut, however, recommends applying fertilizers, to lawns or to any other plants, only between April 15 and October 15 when plants are typically still actively growing.

No fertilizers containing phosphorus can be used on lawn areas that are less than 20 feet away from any body of water unless applied with a drop spreader, rotary spreader with a deflector or targeted liquid spray in which case the application may be within 15 feet of a water body. Phosphorus containing fertilizers are also not to be applied to any impermeable surface. The CT Department of Agriculture is responsible for enforcement of this law.

If you have questions about the phosphorus legislation or soil testing, you can call the Soil Nutrient Analysis Laboratory (860) 486-4274 from 8:30 am to 4:30 pm Monday to Friday.

*by Dawn Pettinelli & Thomas Morris, UCSNAL 3-2013*

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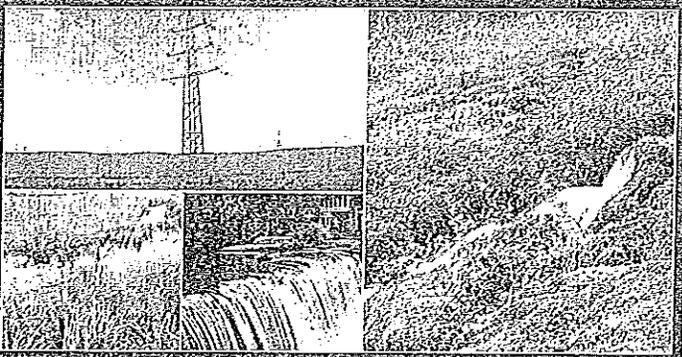
# Invasive Plants Council Annual Report

Connecticut's Invasive Plants Council's 10th annual report is now available online: visit [www.cipwg.uconn.edu/ipc.html](http://www.cipwg.uconn.edu/ipc.html) and select "2012 Annual Report." The report highlights actions undertaken in Connecticut to address problems caused by terrestrial and aquatic invasive plants.

The report highlights:

- Continued coordination of water chestnut control and removal throughout the Connecticut River,
- Ongoing efforts to inform the public about threats from invasive plants and to gather information on new infestations,
- Continuation of efforts by the green industry (led by the Connecticut Nursery and Landscape Association) to phase out 25 of the highest-seed producing varieties of Japanese barberry by 2013,
- Evaluating new species for listing, including some species of running bamboo,
- Adding mugwort (*Artemisia vulgaris*) to the list of potentially invasive plants in Connecticut.

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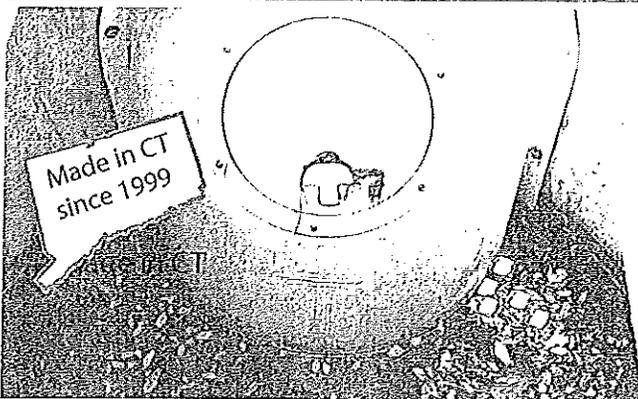
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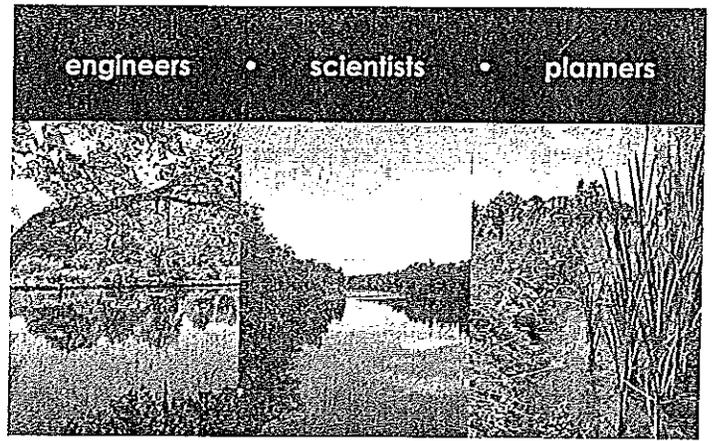
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*Editor's Note: Conservation Commissions could take the lead by asking the highest ranking town official to request CT NRCS for assistance in identifying farmland soils as part of their open space planning.*

## How to Request Locally Important Farmland Soils Designation

*From the Connecticut Natural Resources Conservation Service*

1. The highest ranking elected official for your town requests, in writing, to the CT NRCS State Conservationist, that they would like our assistance in the identification of farmland soils of local importance. Why they want this designation should be included (have areas that are farmed that are not Prime or Statewide Important farmland; to enhance efforts in identifying important lands to protect, etc.). Send to: Lisa Coverdale, State Conservationist, USDA NRCS, 344 Merrow Road, Suite A, Tolland, CT 06084.

2. NRCS receives the letter of request and runs an analysis of the soils and soil map units in the town that have the potential to be farmland of local importance, based on physical and chemical properties and agricultural limitations and potential. NRCS develops a spatial map layer that displays the new designated soils.

3. The list and map are sent to the town for review. If the list and map are accepted by the Town, the highest ranking elected official signs and returns it to NRCS.

4. It is then official and can be used for planning and land protection efforts. Areas that have designated local important farmland soils are placed in Section II of the CT eFOTG at <https://efotg.sc.gov.usda.gov/treemenuFS.aspx> under soils information.

The entire process which is provided at no cost to the town can be completed quite quickly depending on the time it takes to route the paperwork and obtain signatures.

NOTICE OF PUBLIC HEARING  
Diversion of Water Application No. DIV-201205385  
Inland Wetlands and Watercourses Application No. 201205383  
Town: Mansfield  
Waters: Cedar Swamp Brook

The Department of Energy and Environmental Protection ("DEEP") has made a tentative determination to approve an application submitted by the University of Connecticut (the "applicant") under section 22a-368 of the Connecticut General Statutes (CGS) for a permit to divert the waters of the state, and under section 22a-39 CGS for a permit to conduct a regulated activity in an inland wetland or watercourse.

The proposed activities include the following: 1) construction of a 3,400-foot, 2-lane, 32-foot wide road through land adjacent to the University of Connecticut's core campus known as the "North Campus" including three wetland crossings and stormwater treatment structures, 2) widening of Rte. 44 at terminus of North Hillside Rd. for turning lanes, and 3) creation of six conceptual development envelopes on six parcels of future research and technology space. The proposed activity will affect 0.53 acres of inland wetlands and watercourses.

Pursuant to section 22a-371 and 22a-39 CGS, DEEP will hold a public hearing on this application beginning on Thursday, July 25, 2013, 6:00 pm, in Room SU-104 (across from the Blue Cow Dairy Bar) of the University of Connecticut's Student Union located at 2110 Hillside Road, Storrs. The applicant will hold a preliminary informal question and answer session for interested members of the public at 5:00 pm on July 25<sup>th</sup> in Room SU 104 of the University of Connecticut's Student Union. The hearing will be continued in the Russell Room at DEEP Headquarters, 79 Elm Street, 3<sup>rd</sup> Floor, Hartford on Tuesday, July 30 and Wednesday July 31, 2013 (if needed), each day starting at 9:30 am. Written comments will be accepted in person at the evening hearing and if submitted to the Office of Adjudications via e-mail ([deep.adjudications@ct.gov](mailto:deep.adjudications@ct.gov)), fax (860-424-4052), or mail (Office of Adjudications, DEEP Headquarters, 79 Elm Street, 3<sup>rd</sup> Floor, Hartford, 06106) by the close of business on August 5, 2013. Members of the public should check the DEEP Calendar of Events on the DEEP website (<http://www.depdata.ct.gov/calendar/>) for any alterations to this hearing schedule, including additional hearing dates or cancellations.

The Department will hold a site visit on Thursday, July 25, 2013 commencing at 1:00 pm at the north end of Hillside Road Extension on the Storrs campus of the University of Connecticut. This site visit is a public meeting, but is not for the purpose of collecting evidence and therefore will not be conducted on the record.

The application is available for inspection at the DEEP Headquarters, 79 Elm Street, Hartford. Questions may be directed to Doug Hoskins of the Inland Water Resources Division at 860-424-4192.

Date: June 10, 2013



Cheryl A. Chase, Director  
Inland Water Resources Division  
Bureau of Water Protection and Land Reuse

#### ADA PUBLICATION STATEMENT

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May 24, 2013

Richard Miller, Director of Environmental Policy  
UConn, Storrs Campus  
31 Le Doyt Road, Unit 3055  
Storrs, CT 06269-3055

Re: Memorandum of Agreement  
FM-2003-216  
Alternative Campus Drainage Master Plan

Dear Mr. Miller:

This correspondence is in reference to the UConn's request to pursue an alternative to the 2009 Memorandum of Agreement (MOA) by pursuing Low Impact Development in lieu of the flood improvement projects specified in the 2009 MOA. As you may recall, as early as 1995, UConn initiated significant improvement, expansion and construction activities that have altered the flow and flooding characteristics of Eagleville Brook and Roberts Brook without obtaining a Flood Management Certification approval prior to undertaking such activities. The purpose of the 2009 MOA was to agree upon an approach to improve, and construct certain flood and water quality enhancement projects at UConn's main campus to address flooding and water quality concerns.

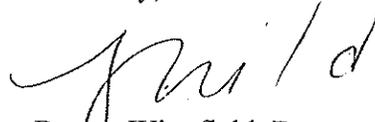
An alternative analysis entitled "Assessment of Low Impact Storm Water Design Features on Flood Characteristics Eagleville Brook Watershed, Storrs, CT" was received by the Department on February 9, 2012 and updated on April 2, 2013. The alternative analysis indicates that stormwater runoff from the Eagleville Brook watershed has been reduced for the 2, 10 and 100 year storm events when comparing pre 1993 conditions to 2011 conditions. The reduction in peak flows can be attributed to a combination of the implementation of Low Impact Development (LID) measures and modifications to UConn's master plan (some projects that were accounted for in the original study have not yet been constructed). The analysis also demonstrates that not all LID measures mitigate peak flows for the 100 year storm event.

Should UConn choose to pursue the LID alternative, UConn should submit a formal request along with a draft modified agreement as per Special Condition number 2 of FM-2003-216. The Department is willing to support the Low Impact Development alternative in lieu of the projects outlined in the 2009 MOA provided that UConn commits to installing the top ten retrofits listed in Appendix 1, Figure 3 (*Figure 3, Eagleville Brook Watershed, "Top Ten" LID Retrofit Projects (DEEP TMDL Study)*) of the report and commits to following a maintenance schedule for all LID measures that are installed at the Storrs campus. If you have any questions

**Memorandum of Agreement / FM-2003-216**  
**Campus Drainage Master Plan**

regarding this matter please feel free to contact Jeffrey Caiola of my Inland Water Resources Division staff at telephone number (860) 424-4162.

Sincerely,



Betsy Wingfield, Bureau Chief  
Bureau of Water Protection & Land Re-Use

cc: ✓ Gregory Padick, Mansfield Director of Planning  
Quentin Kessel, Mansfield Conservation Commission  
Joseph Bushey, UCONN  
Christopher Bellucci, DEEP  
Eric Thomas, DEEP  
Jeffrey Caiola, DEEP  
MaryAnn Nusum Haverstock, DEEP

GZA  
GeoEnvironmental, Inc.

Engineers and  
Scientists

*L. Painter*  
*R. Miller*

Certified Mail # 7012 2210 0001 1032 5188

April 24, 2013  
File No. 05.0043905.05



The Honorable Elizabeth C. Paterson  
Mayor, Town of Mansfield  
Audrey P. Beck Municipal Building  
4 South Eagleville Road  
Mansfield, CT 06268

Re: Transmittal of Copy of Public Notice of Title V Air Permit Application  
University of Connecticut, Storrs, CT

655 Winding Brook Drive  
Suite 402  
Glastonbury  
CT 06033  
860-286-8900  
Fax: 860-652-8590  
www.gza.com

Dear Mayor Paterson:

On behalf of the University of Connecticut and in fulfillment of the requirements of Section 22a-6g of the Connecticut General Statutes (CGS), enclosed please find a copy of the public notice announcing the University of Connecticut's submittal of an application for the renewal of the Title V air permit for their main campus in Storrs, Connecticut. This notice was published in The Chronicle on April 17, 2013. CGS Section 22a-6g requires that a copy of the Notice of Permit Application be provided to the chief elected official of the municipality in which the activity is proposed.

Please contact me at (860) 858-3163 if you have any questions.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

A handwritten signature in black ink that reads "Rick N. Soucy". The signature is written in a cursive style with a large, prominent "R" and "S".

Rick N. Soucy  
Senior Project Manager  
Certified Consulting Meteorologist

RNS/rns

Enclosure

c. S. Marks, UConn

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## LEGAL NOTICES

### Legal Notices

#### Legal Notice **NOTICE OF PERMIT APPLICATION**

**Towns:  
Storrs, CT,  
Mansfield, CT**

Notice is hereby given that the University of Connecticut (the applicant) of Storrs, Connecticut has submitted to the Department of Energy and Environmental Protection an application for a permit for a Title V source under Connecticut General Statutes section 22a-174, and Regulations of Connecticut State Agencies section 22a-174-33 which are regulated un-

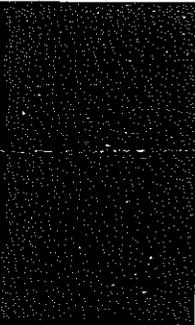
der the Federal Clean Air Act.

Specifically, the applicant proposes to renew their existing Title V permit (Permit No. 098-0029-TV).

The proposed activity will take place at the University of Connecticut's main campus in Storrs, Connecticut. The proposed activity potentially will affect air resources. Interested persons may obtain copies of the application from Rick Soucy, GZA GeoEnvironmental, Inc., 655 Winding Brook Drive, Suite 402, Glastonbury, CT 06033, (860) 858-3163.

The application is available for inspection at the Department of Energy and Environmental Protection, 79 Elm Street, 5th Floor, Hartford, CT

06106-5127, 860-424-4152, from 8:30am to 4:30pm, Monday through Friday.



## EMPLOYMENT

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