

Town of Mansfield  
**CONSERVATION COMMISSION**  
Special Meeting of 18 June 2014  
Conference B, Audrey P. Beck Building  
**(draft) MINUTES**

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

1. The meeting was **called to order** at 7:30p by Chair Quentin Kessel. Alternate Buck was designated a voting member for this meeting.

2. The draft **minutes** of the 21 May 2014 meeting were approved as written.

3. **IWA referral, W1530 (Rodriguez, 353 Warrenville Rd).** The applicant proposes a 20x34 ft addition and 18x24 ft patio, allegedly 55 ft and 65 ft from wetlands at their closest points. (These are items 1) and 4) under “Part C – Project Description” on “Application amendments,” dated 28 May 2014.) The map provided does not delineate wetlands, so the Commission could not verify these distances. If it is to scale, the SW corners of the proposed addition and patio (resp.) would be about 50 ft and 59 ft (resp.) from the “swale.”

The Commission was more concerned about project items 2), 3) and 4) of the amended application. Items 2) and 3) (resp.) ask for retroactive approval of work done in 2009 and 2010 (resp.) for which IWA approval was required but not sought. The 2009 project involved channelizing and filling wetlands to speed run-off from north to south across the property. A short section of concrete pipe was also placed in the channel, presumably to permit easier access to lawn area beyond. The 2010 project was construction of a shed within 50 ft of wetlands. Item 4) requests permission to extend the piped section of the channel south to the property line, covering the pipe with fill, and seeding this area with grass to enlarge the lawn area. After some discussion, the Commission unanimously agreed (**motion:** Lehmann, Buck) to make the following points in commenting to the IWA:

- a. The drawing provided by the applicant is incomplete and potentially misleading. Wetlands boundaries are not delineated. The fact that “Revised through May 20, 2014” appears below the seal of Szeszowicki, a registered land surveyor, may suggest that he did the drawing, which is unlikely.
- b. Project description items 1) & 2) of the application, as amended on 24 May 2014: Assuming that standard erosion controls are employed during construction, the proposed addition and patio of the amended application) appear not to involve a significant impact on wetlands.
- c. Project description item 3): The shed constructed in 2009 would probably have been permitted by the IWA, and the Commission recommends retroactive approval of its location.
- d. Project description items 2) and 4): The applicant does not appear to understand the value and function of wetlands in slowing run-off and increasing infiltration in place: he characterizes the alterations he made in 2009, which have the opposite effect, as “improvements.” Converting more of the wetland into an impervious drain-pipe, as the applicant now proposes, would further impair its functionality. The Commission is also concerned that approving items 2) and 4) could make the applicant and the Town liable for any negative downstream effects.

The applicant could be required to restore the wetland – and fined up to \$1K per day until the job is complete. Instead, the Commission recommends that he be required to mitigate the damage he has caused to wetlands by establishing rain gardens to either side of the existing

section of concrete pipe, the lower one serving as overflow for the upper one. Environmental engineers or specialists at the University of Connecticut may be consulted about constructing rain gardens.

**4. Proposed zoning change, PZC 1326.** The proposed changes are designed to permit the PZC to reaffirm its decision on the proposed expansion of Michael's at East Brook Mall in light of a state court decision in case involving the Town of Monroe (which, in effect, removed the legal basis for the discretion the PZC used in the Michael's decision). No Commission action appears to be necessary.

**5. Representation on Mansfield/CWC Water Planning/Advisory Council.** The Commission has been asked to name a representative to this group, which will provide input and transparency for the water importation project. Buck agreed to do this, with Soares as Alternate.

**6. Committee membership.** The individuals Soares approached about replacing Drzewiecki on the Commission have decided they are too busy now. Kessel was encouraged to ask others he mentioned.

**7. Adjourned** at 8:23p. Next meeting: 7:30p, Wednesday, 16 July.

Scott Lehmann, Secretary, 19 June 2014.