

Town of Mansfield
CONSERVATION COMMISSION
Meeting of 20 January 2016
Conference B, Audrey P. Beck Building
MINUTES

Members present: Neil Facchinetti, Quentin Kessel, Scott Lehmann, Grant Meitzler, John Silander, Michael Soares. *Members absent:* Aline Booth (Alt.), Joan Buck (Alt.), Robert Dahn. *Others present:* George Logan (REMA Ecological Services, LLC), Dave Ziaks (F. A. Hesketh & Associates, Inc.), Jennifer Kaufman (Wetlands Agent).

1. The meeting was **called to order** at 7:30p by Chair Quentin Kessel. The agenda was reordered to accommodate visitors, and discussion of Kessel's letter regarding constitutional protection of state lands (item 5 below) was added to it.

2. W1559 (Storrs Lodges, LLC, Hunting Lodge Rd parcel 15.21.3). The applicant requests that the Town's wetland and watercourses map be amended to reflect recent soil studies on its 45-acre parcel off Hunting Lodge Rd. George Logan of REMA Ecological Services and Dave Ziakas of F.A. Hesketh & Associates displayed maps showing the proposed wetland boundaries and explained how they were delineated.

The Town's coarse-grained wetlands map shows 15.29 acres of wetlands on this parcel. Wetland boundaries determined by Mr. Logan during field studies of the parcel in October 2015 reduce wetland area to just 6.68 acres. The wetlands map he proposes makes small adjustments to the map submitted with the application for the Ponde Place development in 2007 (W1380).

The Town hired Thomas Pietras of Pietras Environmental Group to review Logan's work. Based on a visit to the parcel on 16 December, Mr. Pietras judged that (1) that wetlands were, in three places, slightly more extensive than shown on Logan's map and that (2) two additional 'transitional' areas, with signs of poorly drained soils, needed a closer look. The two soil scientists jointly visited the parcel on 04 January 2016. They agreed that the three places noted in (1) should be classified as wetlands, but found that the two 'transitional' areas noted in (2) contained only small, isolated patches of wetland soils and should not be so classified.

In discussion, Mr. Logan explained that Connecticut law is somewhat peculiar in making wetlands determinations depend wholly upon soil type. In practice, determinations of soil type are made on the basis of what's found in the top half-meter of soil. An area of wetland soils covered by 20 inches of fill or sediment may therefore not be classed as wetland, despite being poorly drained and supporting wetland vegetation.

Mr. Logan & Mr. Ziaks were thanked for their presentation and left the meeting.

3. The **draft minutes** of the 16 December 2015 meeting were approved as written.

4. Project Greenspace. Connecticut Audubon is promoting legislation in Hartford that would permit towns to set up local conservation funds, financed by a conveyance fee on the sale of residential property. The fee, paid by the buyer, could be no more than 1% of the amount by which the sale exceeds \$150K (so that the fee paid for sales no greater than \$150K would be \$0). Does the Commission wish to recommend that the Town support such legislation?

Facchinetti thought that there were fairer methods of raising money for land conservation; someone who bought residential property under this system would be paying a tax he or she had no say on. Lehmann pointed out that this does not distinguish the proposed system from the present one: anyone who buys into the town buys into taxes & fees about which he or she had nothing to say. Silander worried that a conveyance fee in Mansfield might displace bonding for open space purchases – a poor exchange if the fee didn't bring in a lot of money. However, the

proposed legislation would not require any town to adopt such a fee, and Soares thought it important to give other towns a means of funding conservation that Mansfield might not need.

5. Constitutional Amendment to Protect State Lands. State land, even that in state parks or state forests, is vulnerable to giveaways by the state legislature. State Senator Kevin Witkos (Canton) has proposed a constitutional amendment to make divestment of state land which the public perceives to be protected more difficult. After brief discussion, the Commission (**motion:** Lehmann, Facchinetti) unanimously endorsed Kessel's letter (attached) asking the Mansfield Town Council to review this proposal and to consider asking our legislators to support it.

6. Ravine Rd. The unpaved portion of Ravine Rd, damaged in a trucking mishap, is now closed to traffic. It's been proposed that this closure be made permanent and that the Town's right of way on the unpaved portion be relinquished (in which case the unpaved section would be absorbed by the Green family farm). Neighbors on the paved portion recently met and decided to support maintaining the road, which affords them easy access to UConn. Kessel, Silander, & Lehmann were dismayed that giving up the right of way was under consideration, as the road is scenic and could be a fine recreational trail if closed to traffic. The Commission unanimously agreed (**motion:** Kessel, Silander) to add this item to the agenda. It then unanimously agreed (**motion:** Kessel, Silander) to communicate to the Town Council the Commission's view that:

The Town should not discontinue Ravine Road, because doing so would limit access to a most scenic area of Mansfield.

7. Conservation Easement monitoring. Part of the Elise Rd. easement has been walked by Kessel, Meitzler, & Facchinetti; the remainder will be done at the same time that Soares monitors the easement on the Favretti property, as they share a boundary. Silander & Lehmann will look at the Silver Falls Development easement sometime in the next three weeks.

6. Adjourned at 9:01p. Next meeting: 7:30p, Wednesday, 17 February 2016.

Scott Lehmann, Secretary, 21 January 2016; approved 17 February 2016.

Attachment

TO: Mansfield Town Council
FROM: Mansfield Conservation Commission
SUBJECT: Constitutional Amendment to Protect State Lands
DATE: January 20, 2016

The Mansfield Conservation Commission is supportive of Kevin Witkos's (Canton State Senator) effort to amend the State Constitution to make it more difficult for legislators to sell, trade, or give away land in State parks, forests, or other land that most citizens consider to be protected. The infamous "Haddam Land Swap" is an example of such an attempted giveaway. In that case legislation almost swapped 17 acres along the Connecticut River (across from the Goodspeed Opera House) for forest-land of lesser value.

The Mansfield Conservation Commission asks the Mansfield Town Council to review this amendment and, if it sees fit, to express support of this effort to our legislators, Mae Flexer, Gregory Haddad and Linda Orange.

Thank you for your consideration of this matter.

Quentin Kessel, of behalf of the Commission

CC: Mae Flexer, Gregory Haddad, Linda Orange