

Town of Mansfield
CONSERVATION COMMISSION
Meeting of 16 March 2016
Council Chambers, Audrey P. Beck Building
MINUTES

Members present: Aline Booth (Alt.), Neil Facchinetti, Quentin Kessel, Scott Lehmann, Grant Meitzler, John Silander, Michael Soares. *Members absent:* Joan Buck (Alt.), Robert Dahn. *Others present:* Howard Raphaelson, Jim Wohl, Mark Kohan (W1561); Ed Pelletier (Datum Engineering, W1561 & W1562); Gerald Hardisty, Robert Magi, Edward Paul, Michael Yenke (W1562); Jennifer Kaufman (Wetlands Agent). {The “Others present” list is not complete, since some who attended regarding W1562 did not affix their names to the sign-in sheet.}

1. The meeting was **called to order** at 7:35p by Chair Quentin Kessel. Booth was designated a voting member for this meeting.

2. The **draft minutes** of the 17 February 2016 meeting were approved as written.

3. IWA referrals. {To accommodate visitors, the Commission deferred action on these referrals until all three applications had been presented and public comments regarding them heard. These minutes do not follow temporal order in this respect, but conclude each section with a record of the Commission’s action, if any.}

a. W1561 (Raphaelson, Dog La). Ed Pelletier reviewed the application, which proposes to split a 14.85 acre parcel on the east side of Dog Lane into two lots: a roughly rectangular Lot 1 (2.36 ac, 250 ft of continuous frontage) and an irregularly shaped Lot 2, which wraps around Lot 1 (13.49 ac, continuous frontage of 56 ft to the south, and 415 ft to the north, of Lot 1). The 200 ft of continuous frontage required by the Town need not be in front of the house on Lot 2.

{The application was revised, after publication of the Agenda for this meeting, so that it no longer proposes to “subdivide” the 14.85-acre parcel. Instead, Lot 1 qualifies as a “first cut” with no subdivision of Lot 2 proposed at this time. The conservation easement on Lot 2 shown in the original application is absent from the revision.}

The parcel as a whole is mostly (perhaps 70%) wetland. The houses on Lots 1 and 2 (resp.) would be sited fairly close together on a low, forested knoll close to Dog Lane, 108 ft and 63 ft (resp.) from wetlands at their closest points. Their engineered septic systems, which have DPH approval, would be 58 ft and 50 ft (resp.) from wetlands, on a fairly gentle slope above them. A foundation drain for Lot 2 would discharge 8 ft from wetlands.

In a letter circulated by Kaufman, Kathryn Ratcliff (60 Bundy La) indicated that she and other abutters had not received up-to-date plans for the proposed development and expressed concern about the potential for nutrient loading of wetlands from septic leaching or system failure. Jim Wohl (128 Dog La), speaking at the meeting, also said that abutters have not seen the revised plans. He is not opposed to having one house on the knoll, but objected to squeezing two houses into this space; a second house increases the risk of a significant negative impact on wetlands, a risk which should be carefully assessed. Mark Kohan (127 Dog La) reiterated these concerns, noting that the parcel is extremely wet at some times of year.

In response, Mr. Pelletier said that the revised plans differ only slightly from the original proposal and not in respects relevant to the development’s potential impact on wetlands. In his judgment, putting Lot 2’s house in the proposed location was better for wetlands than locating it on an upland farther east, as that would necessitate a wetlands crossing. To questions from Lehmann, he replied that the alternative of placing just one house on the entire parcel had not been considered, but that an engineered septic system would be required even if just one house were sited on the knoll. Discharge from a failed septic system could end up in wetlands, but the

probability of such a failure is, in his view, quite small. The proposed foundation drains should not threaten wetlands, since the volume of ground-water discharged would be modest and not require treatment.

Kaufman noted that George Logan is preparing a wetlands report, which it is not yet ready. She observed that, while no conservation easement is required, the Commission could recommend such an easement to enhance protection of extensive wetlands on the parcel. Kessel pointed out that Lot 2 abuts Joshua's Trust land and wondered if the parcel's owner, Howard Raphaelson, could be interested in granting a trail easement on Lot 2 providing access to Whetten Woods from Dog Lane; such an easement could permit linking Storrs Center to the Nipmuck Trail via the Torrey Preserve. Mr. Raphaelson appeared willing to consider this.

After some discussion, the Commission agreed (**motion:** Silander, Kessel):

(1) to request that the April 4 hearing be kept open to May 2, so that the Commission could review the wetlands report at its April meeting; but

(2) to comment to the IWA that:

- At this time, the Commission is concerned about the potential for nutrient loading of down-slope wetlands from the engineered septic systems, and suggests moving these systems farther from wetlands or reducing the number of houses from two to one.
- The Commission suggests that the parcel's owner consider conservation easements to enhance wetlands protection and a trail easement across Lot 2 to provide for a future connection to Whetten Woods and Storrs Center from the Nipmuck Trail.

All were in favor, save Soares, who abstained as an interested Dog Lane resident. {Facchinetti, Kessel, Lehmann, & Soares viewed the site on the 16 March IWA/PZC Field Trip.}

b. W1562 & PZC1284-3 (Meadowbrook Gardens Multi-Family Development). This proposal, again introduced by Mr. Pelletier, would construct 36 1- and 2-bedroom residential units on a 4.6-acre site adjacent to the associated Whispering Glen development, now under construction to the east. The parcel is essentially flat from Meadowbrook Lane south to where it drops steeply to Conantville Brook; at its western edge is a more gradual slope to a watercourse on adjacent property. All development would occur on the level portion of the property. Four multi-unit buildings would be arrayed around a central open area, with parking around the outside. Slopes on the south and west would be undisturbed.

The nature of wetlands associated with Conantville Brook to the south and the watercourse to the west was reviewed by soil scientist Ed Paul. The application does not propose a conservation easement for these areas. However, Mr. Pelletier noted that the steep slope and wetlands below it at the south end of the Whispering Glen property are protected by a conservation easement, which could be extended to this new development.

The area is served by water and sewer lines, so the main potential impact on wetlands would be from runoff. Gerald Haristry reviewed the proposed storm-water management system. Very porous sandy & gravelly soils should permit runoff from impervious surfaces – roofs, parking areas, sidewalks, roads – to be absorbed on site, save in extreme weather events. The system is designed to hold water from a once-in-50-years event. Roofs would drain to catch basins and dry wells in the central open area, parking areas to holding ponds and underground concrete galleries around the perimeter. In extreme events, overflow would be directed into the watercourse to the west via a drainage armored with rip-rap. Responding to a query from Silander about whether other approaches – rain gardens, green roofs, pervious pavement – had been considered, Mr. Haristry said that concerns about the longevity and maintenance requirements of such systems dictated a more traditional approach.

The Whispering Glen project includes construction of a sidewalk on the south side of Meadowbrook Lane west to Sunny Acres. Soares suggested adding a walkway to give residents of Meadowbrook Gardens access to this sidewalk; Mr. Pelletier said this could be done.

Mr. Pelletier and his associates left the meeting at 8:55p. When the Commission returned to consideration of W1562, Kaufman reported that the density of this project had led the Town to hire a consultant to review the storm-water management system proposed for it. She suggested that the Commission consider the consultant's report at its April meeting. After some discussion, the Commission agreed unanimously (**motion:** Kessel, Silander) to pass along the following suggestions and comments to the IWA & PZC:

- The Commission urges that the conservation easement on the Whispering Glen parcel be extended to include the steep slope and wetlands at the southern end, and the undeveloped strip along the western side, of the Meadowbrook Gardens parcel.
- The Commission suggests additional plantings (a) along Meadowbrook Lane to screen the development and (b) at the rim of the steep slope above Conantville Brook to discourage dumping, driving over the edge, etc.
- The Commission suggests that more creative storm-water management measures (such as rain gardens) be utilized. It would appreciate the opportunity to comment further after it has seen the Town consultant's report on the proposed storm-water management system.
- The Commission is pleased to learn that the sidewalk from Whispering Glen to Sunny Acres will stay on the south side of Meadowbrook Lane. It suggests that the Meadowbrook Gardens project include a walkway to this sidewalk.
- Should regulations be changed to allow more unrelated people to occupy units in this development, additional parking space will be needed.

c. W1563 (Bicentennial Pond, Aquatic Weed Removal & Management). The Parks and Recreation Department proposes to remove aquatic weeds that have been encroaching on the 2.6-acre swimming area at Bicentennial Pond and to treat the Pond with herbicides to control growth of various nuisance plants. Weeds (and silt that has accumulated over the years from their decay) would be mechanically removed from the swimming area by what is essentially a large vacuum cleaner, and pumped into fabric tubes on shore to dewater. Once dry, this material would be hauled away for use as soil enrichment. Mechanical removal would be followed by treating the pond with herbicides to check the growth of a number of nuisance species, including water chestnut, which has recently been found at the inlet to the Pond. Its sharp spines would be a hazard for waders and swimmers, should it spread to the swimming area.

On the 3/16 IWA Field Trip, Facchinetti & Lehmann had been told that the herbicide treatments would be done in the spring, well before Bicentennial Pond was opened for swimming. However, Facchinetti noted that the 11/13/15 proposal from All Habitat Services, Inc. included in the packet mentions follow-up treatments of certain herbicides. For example, treatment with Flumioxazin to control Western Waterweed and Water Starwort is supposed to occur "at the beginning of the season and should be followed by additional applications 5-10 weeks apart." Kaufman agreed that the Town would need to negotiate and monitor the timing of treatments so as to avoid exposing swimmers to active herbicides.

4. Town conservation easements. The Town Attorney has not yet looked into whether a visit by Commission members to a Town-held conservation easement would constitute a "meeting" of the Commission (requiring public notice, opportunity for members of the public to attend, etc.), as a member of the Connecticut Freedom of Information Commission apparently believes. Meanwhile, Kaufman wants to upgrade the Town's "Model Conservation Agreement" (MCA). She distributed a copies of it, along with similar instruments used by Joshua's Trust and East Haddam, and encouraged Commission members to suggest desirable changes in the Town's

MCA.

5. Biking on Town trails. Kaufman distributed copies of a 14 March letter from the Connecticut Forest and Park Association (CFPA), which oversees blue-blazed trails in Connecticut, objecting to (1) permitting mountain biking on the Nipmuck Trail on Town land in Mansfield (e.g., Schoolhouse Brook Park and Fifty Foot) or (2) encouraging bikers to use the Trail as a connector between Town lands where they might be permitted on other trails. Given CFPA's position, proposals to open additional trails on Town land to biking seem ill-advised.

6. Zoning regulations. Booth reported that the Zoning Focus Group has begun meeting to review draft zoning regulations implementing the most recent Plan of Conservation and Development. Kaufman explained that the process of writing and reviewing these regulations will now proceed with the active involvement of the Focus Group.

7. Adjourned at 9:50p. Next meeting: 7:30p, Wednesday, 20 April 2016.

Scott Lehmann, Secretary, 20 March 2016; approved 20 April 2016.