



SPECIAL MEETING

MEETING NOTICE AND AGENDA

TOWN OF MANSFIELD

FOUR CORNERS WATER AND SEWER ADVISORY COMMITTEE

Tuesday, March 29, 2016 ■ 6:30 PM

**Audrey P. Beck Municipal Building ■ 4 South Eagleville Road
Council Chambers**

- 1. Call to Order**
- 2. Approval of Minutes:**
 - a. February 17, 2016 Special Meeting Minutes**
- 3. Public Comment**
- 4. Old Business**
 - a. Water Project Update**
 - b. Four Corners Sewer Project Update**
 - CEPA**
 - UConn Sanitary Sewer Agreement**
 - c. Sewer Ordinance Review**
- 5. New Business**
- 6. Correspondence and Meeting Reports**
- 7. Future Meetings**
 - a. May 2, 2016**
- 8. Adjourn**

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Special Meeting Minutes – February 17, 2016

TOWN OF MANSFIELD ■ FOUR CORNERS WATER AND SEWER ADVISORY COMMITTEE
DRAFT - Special Meeting Minutes ■ February 17, 2016
Town Council Chambers

Members Present: K. Rawn (chair), J. Coite, M. Hart, V. Raymond, M. Reich, W. Ryan,
P. Ferrigno

Staff Present: Carrington, Dilaj, Painter

The meeting was called to order at 6:30 p.m. by Rawn.

Approval of Minutes

Approval of the minutes occurred after the item Draft Amendments to Zoning Regulations. January 5, 2016 Meeting Minutes – Ryan MOVED, Hart seconded to approve the minutes. Motion passed unanimously.

Public Comment

None provided.

Old Business

Reich made a motion, Raymond seconded, To move agenda item (4)(d) Draft Amendments to Zoning Regulations to the front of the agenda. Motion passed unanimously.

d. **Draft Amendments to Zoning Regulations.** Painter summarized the proposed changes to the zoning regulations. The committee provided the following comments:

- In Article (X)(V)(4)(b) “as a right” should be defined or struck.
- In Article (VI)(B)(4)(t)(1)(a) “...designed to maintain or replication the predevelopment...” should read “...designed to maintain or *replicate* the predevelopment...”
- In Article (VI)(B)(4)(t)(3) “...any new development and modifications to existing...” should read “...any new development *and/or* modifications to existing...”
- In Article (VI)(B)(4)(t)(4)(b) “Rainfall data for the design storms as identified by the NOAA Atlas 14” should read “Rainfall data for the design storms as identified by the NOAA Atlas 14, as amended”

a. **Water Project Update.** Coite provided an update on the water project. The project is approximately 60% complete, has gone into winter shutdown with periodic work being conducted off-road as weather conditions allow, and is expected to be complete by their contract date. Coite discussed the UConn work for the interconnection and water transmission main work from the Willimantic Wellfield to the Storrs Campus. This work has begun with periodic deliveries being made.

b. **Four Corners Sewer Project Update (CEPA).** Carrington provided an update concerning the wastewater project indicating the Town provided CTDEEP with the additional information

requested and the Environmental Impact Evaluation has been published in the Environmental Monitor and CTDEEP's website. A link is available on the Town's webpage. A public hearing is scheduled for March 8, 2016 at 7:00 PM in the Council Chamber.

Four Corners Sewer Project Update (Agreement). Hart provided an update concerning the successor wastewater agreement with the University. Staff continues to negotiate with UConn with the testing issues as the main outstanding issue. The intent is for the agreement to be presented to the Town Council (acting as the WPCA) in March. Dilaj presented an action plan detailing next steps and critical milestones.

- c. **Sewer Ordinance Review.** The Health District recommended additional language indicating septic systems installed prior to August 16, 1982 could be required to be connected and replacement of distribution boxes to be a major repair. The committee discussed the possible changes.

New Business

Correspondence and Meeting Reports

No updates.

Future Meetings

The committee cancelled the March 3, 2016 and April 5, 2016 meetings by consensus. A meeting for March 29, 2016 at 6:30 PM is currently proposed. Staff will circulate a meeting invite for dates.

Adjournment

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Derek M Dilaj, PE
Assistant Town Engineer

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Documents for Discussion

March 17, 2016

Carlos Esguerra

Carlos.esguerra@ct.gov

Department of Energy and Environmental Protection

Bureau of Water Protection and Land Review

79 Elm Street

Hartford, CT 06106-5127

Subject: Environmental Impact Evaluation (EIE) for the Mansfield Four Corners Sewer Project, dated January 2016.

The comments below respond to the analysis contained in the January 2016 EIE using the sequence of issues raised by Richard Sherman and Alison Hilding in their comments letter to Carlos Esguerra dated April 6, 2015.

Need for the Project: The draft EIE indicates that the purpose of the proposed project is to allow for higher density development in the four corners area consistent with the local plan of development. Furthermore its states such development has not been possible due to soil constraints, high groundwater and other environmental constraints (i.e. groundwater contamination and failing septic systems). The EIE identifies specific septic system failures that contribute to the need for sewer services in the area. A total of 28 repairs or replacements of septic tanks occurred over the 25 year period from 1990 to 2014. The draft EIE does not indicate if this level of repairs or replacements is typical for a rural area that relies on septic systems for wastewater discharge. A well designed septic system leaching field should last 20 to 30 years and in some cases much longer than that. With this in mind, the number of septic system repairs and replacements identified in the draft EIS (see page 6) would appear to reflect normal maintenance and replacement cycles – not a crisis situation calling for the immediate elimination of all of these systems. The draft EIE needs to be revised to clarify that these normal repairs and replacements do not by themselves, support the case for a systematic removal of all of septic systems in the four corners area.

Secondly, the draft EIE makes the presumption that the mere existence of town policies supporting the growth of higher density commercial and residential development in the four corners area, ipso facto justifies the extension of sewers to this area. Where are the marketing studies that support the need for more commerce and higher density residential units? The University of Connecticut Technology Park has been used as an ongoing justification for more housing and commercial development reflecting the belief that the Tech Park will generate employment which will in turn generate the need for additional ancillary services. Yet, after years of pie in the sky predictions of employment growth, the Tech Park has still not generated any employment. How can the town of Mansfield be in such a hurry to provide more commercial development if UCONN's Tech Park has yet to materialize? If there is no immediate need for commercial services or increased residential development, then what is the need for the project?

The draft EIE makes no mention of the University of Connecticut's ongoing tacit support for off campus student housing in lieu of building additional student dormitories funded by the state of Connecticut. Could this sewer project reflect a tacit agreement between the UCONN and the town of Mansfield to expand off campus housing once the sewer line is extended? The draft EIE must be revised to address this issue – either to explain why it is not true or why the proposed commercial and residential development generated by this project will not be primarily for the benefit of the student population. Without such an analysis, the draft EIE must be viewed as a collaborative effort by the town of Mansfield and UCONN to expand off campus student housing without adversely impacting the tax payers of the state of Connecticut (i.e. this avoids the need for on campus UCONN housing). This project's size is too large in geographic scope and might benefit real estate developers interested in multi-family housing and expanded commercial development but is not consistent with the rural character that most Mansfield residents desire. In short, the project is much too large given the limited sewer needs which are primarily associated with Jensen's trailer park.

Thirdly, the draft EIE does not indicate if the proposed sewer project is supported by the residents of Mansfield in general or by the specific residential landowners impacted by this project. We understand that this project was approved by the narrowest of margins only after UCONN students were allowed to vote on this project. The draft EIE does not explain why sewers should be extended to the Rural Agricultural 90 zoning district. Such an action would be inconsistent with the purpose and intent of the RA-90 district. Without an explanation of why sewers are needed to serve 22 parcels currently zoned for RA-90 (i.e. 19 parcels with residential development and 3 parcels with commercial development in the RA-90 zone), the draft EIE smacks of an effort to destroy the rural character of Mansfield without legitimate environmental, public health or safety reasons to support such a reckless endeavor. Where is the evidence that all of these parcels have failed septic systems? Based on information in the draft EIE only six (6) of the twenty two (22) RA-90 properties had septic system repairs or replacements in the last 25 years and of these six properties one is a non-conforming development that re-existed the town's modern zoning regulations (i.e. Jensen's rolling hills community). Perhaps, more importantly, based on the draft EIE none of the five (5) residential properties that repaired or replaced their septic systems in the last twenty five years is currently dealing with a failed septic system leaching field. Based on this evidence, how can the town of Mansfield extend sewer service into the RA-90 zone without a legitimate public health and safety reason for such action? Granted, the Jensen's mobile homes have perennially faced failing septic systems due to the high density of development associated with this non-conforming use. However, the Jensen case does not provide a reason to extend sewers to twenty one other RA-90 parcels that are operating with adequate septic systems. Extending sewers to rural areas leads to sprawl development patterns. More importantly, the draft EIE makes no case for why RA-90 parcels should be included within the proposed project – with the notable exception of Jensen's rolling hills community.

Evaluation of Alternatives: The draft EIE does evaluate a range of alternatives including the alternative recommended by Richard Sherman and Alison Hilding. Unfortunately, the analysis dismissed the costs and benefits of engineered septic systems without providing data on the cost to install such systems nor information on the availability of reserve capacity within the affected study area parcels to accommodate such systems. As a result, the draft EIE peremptorily discards this approach as not

feasible for the entire project area. The draft EIE should identify the potential to apply engineered systems at least on lots in the RA-90 district. With 22 parcels currently falling within the RA-90 rural agricultural zone, these properties should be a high priority for a sewer avoidance strategy. For arguments sake, let's assume that all 22 parcels need engineered systems – even though there is no evidence presented in the draft EIE that any of these parcels have currently failing septic systems. If each of these 22 parcels required, on average, a \$20,000 investment in a new engineered septic system, the total cost would be \$440,000. The town of Mansfield is proposing to spend \$9 million or forty times as much money as would be needed to pay for engineered systems for the extension of sewer services to as many as 63 parcels. Surely, the Town of Mansfield, needs to make a detailed costs comparison based on sound engineering economics that account for the feasibility of using engineered systems to provide at least a partial solution to the wastewater needs of the property owners in the RA-90 district. Without such an analysis, the draft EIE is fatally flawed.

Wetland Avoidance Assessment: The draft EIE indicates that less than 5,000 square feet of wetlands will be impacted but does not provide a wetland delineation nor a wetland delineation methodology that presents how such numbers were calculated. Moreover, the wetland analysis does not indicate the unique natural resources directly or indirectly impacted by the proposed sewer lines. What are the ecological characteristics of the wetlands to be impacted? How critical are these resources and how will they be protected from the adverse effects of the sewer line? It is important to note that a sewer line that traverses a wetland can have significant adverse impacts on areas far beyond the immediate wetland crossing. Specifically trenching as deep as 5 feet through a wetland creates water diversion channels that can alter the hydrology of large areas of nearby wetlands. The draft EIE makes no mention of this indirect wetland impact. Without such an analysis, it is impossible to understand the true wetland impacts of the proposed project and the much larger zone of impact created by the trench work through various wetland resource areas in the study area. The project could easily drain anywhere from 20,000 to 100,000 square feet of wetlands simply by altering the hydraulic conductivity along the trench line. Without an analysis of this issue, the draft EIE inadequately addresses the impacts of the proposed project.

The draft EIE makes no mention of the need to obtain a U.S. Army Corps of Engineer Nationwide Permit Number 12 (i.e., Utility Lines) to construct a sewer line through wetland areas. Any project that exceeds ½ acre would need an individual permit rather than the USACOE nationwide permit. For this reason, the draft EIE must address the true extent of the wetland impacts as mentioned above. It is important to note that on April 5, 2015 Ms. Hilding and Mr. Sherman specifically requested whether the USACOE regulations are applicable to the proposed project and whether groundwater flows would be adversely affected by constructing the proposed sewer lines. None of these concerns have been addressed in the draft EIE.

Other Regulated or Critical Natural Resources: The draft EIE did not address the impact of the proposed project on potential CO hot spots in the study area nor ground and surface water classifications in the study area. More importantly, the draft EIE did not address the capacity constraints of UCONN's sewage treatment plant. It only addresses the anticipated growth from the town of Mansfield WITHOUT determining how the anticipated growth planned by UCONN will alter the overall treatment plant's capacity. According the Mansfield Plan of Conservation and Development, issued in October 2015, UCONN anticipates adding an additional 5,000 students and constructing 2.8 million square feet of new development (see page 8.6 of the 2015 Plan of Conservation & Development). While

UCONN's capacity issues may appear to be of no consequence to the town of Mansfield, in reality this is far from the case. If UCONN needs to expand its sewage treatment plant over the next 20 years, the town of Mansfield may be required to pay for a portion of the upgrade. This issue is NOT addressed in the draft EIE and needs to be resolved so that Mansfield residents understand the potential financial consequences that may be at stake if the treatment plan requires expansion in the 20 year time horizon.

In addition, the draft EIE fails to provide a current on-site inventory of threatened and endangered species found on the state and federal endangered species lists. Given the size of this project (i.e. over 500 acres are impacted) and the importance of the wetland resources affected, such an inventory is critical.

Stormwater Runoff: The draft EIE does not address stormwater runoff issues directly attributable to the proposed project. More importantly, the draft EIE does not conduct an environmental review of stormwater impacts of any of the competing alternatives. Indeed, the draft EIE peremptorily dismisses all of the other alternatives to the proposed project without conducting an environmental impact analysis of the competing alternatives. This is the most fatal flaw of the entire draft EIE and is not merely limited to its failure to analyze stormwater impacts – the draft EIE fails to evaluate ALL environmental impacts associated with the competing alternatives. The reasons are obvious: 1) the other competing alternatives have less environmental impacts, less fiscal impacts and are more likely to be accepted by those living in the RA-90 residential zone. However, CEPA regulations do not condone the dismissal of viable alternatives. If an alternative is viable, it must undergo a complete environmental review. This draft EIE ramrods one solution and assumes that no meaningful discussion of the other alternatives is needed – even when there are better solutions to the town's sewer development strategy. In a fit of exuberant self-indulgence, the town has dismissed all options other than the one the town of Mansfield and UCONN desire to implement. That might satisfy their desires but it does not comply with the standards of completing an acceptable and legally defensible EIE document. These comments provide additional support for why the section titled "Evaluation of Alternatives" is not a CEPA defensible assessment of environmental impacts.

Cumulative Impacts of the Proposed Action and its Alternatives: The draft EIE fails miserably to address cumulative environmental and transportation impacts from the expansion of sewers services to the Four Corners area. Wherever a quantitative analysis was feasible, it was avoided – especially in the case of traffic impacts. The Institute of Transportation Engineers have developed trip generation factors for a wide range of land uses and land use densities that enable transportation planners to make calculations of the traffic impacts of various types of developments enabled by expanded sewer services. Instead of using this approach, as recommended by Ms. Hilding and Mr. Sherman, based on the expert input they received from transportation planners, the Town of Mansfield has chosen to dismiss the need for a quantified traffic impact analysis for Route 44 and Route 1945 corridors. At the very minimum, the draft EIE must identify current traffic Levels of Service along Route 44 and 195 and explain how the proposed project will affect long term traffic patterns and traffic Levels of Service (LOS). It is important to note that a March 1, 2016 letter from town mayor Paul Shapiro to UCONN's Mr. Paul Ferri indicates that a campus master traffic study has been conducted by UCONN which is likely to have a significant bearing on this proposed sewer project and the related traffic impacts associated with the

build out conditions. The draft Four Corners EIE should include this information and also needs to have its own valid traffic analysis given the scope of this proposed sewer service area.

The draft EIE states “The exact amount of growth cannot be predicted at this time as specific projects are not available for consideration.” (See page 84) This misses the whole point of a long term plan for traffic controls in Mansfield. Just as the draft EIE does a semi-credible job of estimating 20 year wastewater flows, including reserve capacities, the draft EIE needs to make estimates of potential traffic impacts based on reasonable development scenarios that could occur within and abutting the Four Corners study area. It is proper and accepted long range planning practice to adopt a low, medium and high development scenarios for the affected properties in the study area to determine the potential consequences sewer service could have on traffic conditions in the area. The draft EIE addresses direct and indirect traffic impacts of the immediate construction project but NOT the most important and consequential LONG TERM impacts attributable to increased density of development enabled by sewers.

Avoidance of Segment Planning: The draft EIE created a segmented planning process – not all issues pertinent to the proposed sewer project are addressed. Specifically, the lack of discussion concerning UCONN’s long term development plans for sewers, its long term plan for expanding the student population and the ongoing inadequate fiscal reimbursements UCONN and the State of Connecticut provide for their impacts on the town of Mansfield. These issues are not peripheral to this project. They are central concerns that appear to show a pattern of unilateral transfer of fiscal and environmental impacts from the state to the town of Mansfield. The draft EIE as a public document must reflect the input of its citizens both those living on campus and those most directly affected by this project. The draft EIE must also explain why the state of Connecticut is not supporting the expansion of student housing on campus as opposed to making student housing a municipal responsibility and unwanted burden. While the town’s Plan of Conservation and Development suggests that UCONN provides more on campus housing than many rural universities, this invidious comparison shopping does NOT relieve the state nor UCONN from assuming FULL responsibility for the housing crisis it has created for the taxpayers of Mansfield.

Another aspect of this segmented planning process is the lack of analysis of the long term changes to impervious surface areas that might be expected to be created by the expansion of sewer services which makes increased residential development feasible. The construction of sewers WILL lead to higher taxes, for the abutters. It will also lead to near term changes in the zoning for much of the Four Corners study area which in turn will lead to more traffic and increased impervious surface area within the study area. The draft EIE does not quantify the potential consequences of increased impervious surface areas caused by sewer services yet it is clear that the Plan of Conservation and Development plans on changing the zoning in the Four Corners area to increase density. The draft EIE must address reasonable estimates of how increased impervious surface areas will affect flooding, nearby wetland habitats, groundwater hydrology and the water quality of the Cedar Swamp and Cedar Swamp brook. Any impairment of this brook would be inconsistent with the town’s goals (i.e. page 2.31, Chapter2, Goal 2.2 of the Town Plan of Conservation & Development) to avoid impairing water bodies in Mansfield. Constructing sewers may appear to be a small project with a limited duration but in reality it has lasting long term impacts on Four Corners that will irreparably destroy vast areas of undeveloped residentially zoned property.

Impacts on Other Community Services: The draft EIE does not quantify the potential increases in community services (e.g., police, fire, public works and EMS services) associated with expanding sewer services to areas that will soon be zoned for high density residential and for more intensive commercial development. The town of Mansfield has had a long history of dealing with the fiscal and environmental impacts of expanded off campus student housing and it is imperative that the draft EIE address this issue with reasonable long term estimates of the number of additional police, fire and EMS staff and budgets that will be needed to handle these land use changes.

Density Analysis: While the draft EIE does provide an estimate of anticipated housing that will emerge from the proposed sewer project, it does not estimate potential traffic or employment growth from the increased commercial development in the Four Corners Study Area. More importantly, the draft EIE fails to address the student population trends at UCONN over the last 15 years. The UCONN's student population is separate from the reported U.S. Census population for the town of Mansfield. These student population trends and projections need to be included in the draft EIE – especially because an increasing number of UCONN students are living immediately off campus and will likely be the target market for the higher density developments enabled in the Four Corners study area. Show us the student population statistics so that the draft EIE addresses the complete demographic profile of the impacted communities surrounding the Four Corners study area.

In addition, the draft EIE should show the density assumptions that have been used to determine sewer line pipe sizes for each sewer line proposed to be constructed in the Four Corners study area. Currently, the analysis focuses on the capacity of each sewer line as measured in MGD. That is certainly an important criteria for sizing sewer lines but behind each MGD calculation is an assumption of about density of development per acre. The draft EIE needs to provide these internal calculations so that the town of Mansfield residents understand the density consequences of the proposed action.

Consistency Determinations: Overall the draft EIE does a fairly good job of making consistency determinations for the proposed project. The only exception to this generally reasonable analysis is the lack of a consistency determination with USACOE regulations, Connecticut Water Diversion policies and the University of Connecticut Development plans.

Phased Development: The draft EIE does not address the issue of phased development except in passing reference to the need to serve Jensen's Rolling Hills Community as a first priority. With that exception, the draft EIE seems to imply that the entire project needs to be completed in one fell swoop and not in a phased pattern of development reflecting just in time commercial and residential development needs. This is an example of where funding puts the cart before the horse. The town's philosophy appears to be "government funds are available so let's spend them while they are still available." This is a short sighted and fiscally irresponsible approach to land use planning. What if market forces and demographic trends belie the anticipated plans laid out in the draft EIE's preferred development scenario? Shouldn't sewers be provided based on a realistic estimate of market demand for services? The 2015 Town Plan of Conservation and Development clearly takes issue with the strength of public demand for commercial development within Mansfield based on the highly seasonal student population which de-stabilizes commercial investment in the town. The draft EIE makes no mention of these countervailing concerns with the viability of commercial development in Mansfield in general and Four Corners in particular.

Based on the uncertainties in the market place, why should the town and the state government spend for sewers services that may never be needed? A phased approach **MUST** be considered as one of the viable alternatives. Without such an approach, the draft EIE is taking a fiscally dangerous commitment of funds without the certainty that such services will ever be needed.

Cost benefit Analysis: The draft EIE does NOT include a cost benefit analysis of the various competing alternatives to the proposed action. It simply peremptorily dismisses all of the other alternatives as not viable. Again, this is placing the cart (results) before the horse (analysis). The analysis of alternatives, when completed thoroughly to address fiscal, environmental, social and economic issues, and when costs and benefits are compared on a level playing field, leads to an acceptable EIE document that can make it clear to Mansfield residents which alternatives make the most sense. The town of Mansfield can't dismiss alternatives to its preferred option without credible evidence based on the best science, engineering, land planning and environmental analysis principles available.

Maturity of the Review Process: Because the town of Mansfield has not yet to establish stormwater management regulations or adopt an overlay zone for the four corners area, the draft EIE cannot proceed until these regulatory issues are resolved and the public has been given an opportunity to review and comment on these critical zoning changes. For this reason, the town of Mansfield should postpone any further action on the draft EIE and extend the comment period until such time as these two critical land uses have been resolved.

We would also recommend that the draft EIE be revised to reflect the recent downward projections of student enrollment trends over the next ten years. To the extent that the Tech Park is not materializing as anticipated, as well as the lack of operating funds to enable an increase in student enrollment, suggests that employment trends and housing needs may not be as presented in the draft EIE.

For these reasons, the draft EIE needs to be updated to reflect student enrollment and UCONN employment trends. In addition, the draft EIE should be reissued once the appropriate zoning regulations have been adopted, the EIE analysis updated to reflect these regulatory changes as well as all of the comments mentioned within this letter.

Should you have any questions on these recommendations, please contact me via email at aahilding@gmail.com

Sincerely,

Alison Hilding
17 Southwood Road
Storrs, CT 06268

Richard Sherman
9 Bates Road
Chaplin, CT 06235

Alison Hilding is a member of the Connecticut Council on Environmental Quality and a commissioner for the Connecticut Commission on Children. She is writing this as a private citizen and does not represent either above organization in this communication.

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

Drinking Water Section

March 18, 2016

Carlos Esguerra
Department of Energy and Environmental Protection
Bureau of Water Protection and Land Reuse
79 Elm Street
Hartford, CT 06106-5127

Re: Notice of Environmental Impact Evaluation for Mansfield Four Corners Sewer Extension
DWS Project Number: 2015-0138

Dear Mr. Esguerra:

The Source Assessment and Protection Unit of the Drinking Water Section (DWS) of the Department of Public Health (DPH) has reviewed the Notice of Environmental Impact Evaluation (EIE) for Mansfield Four Corners Sewer Extension. The eastern portion of the proposed sewer service area is within the public drinking water supply watershed of Mansfield Hollow Reservoir, a source of public drinking water for the customers of Windham Water Works (PWSID# CT1630011) and the proposed sewer route passes numerous public water system sources of supply. The DWS provided comments on the Notice of Scoping for this project in conjunction with the DPH's Private Well Program in correspondence dated April 16, 2015 from Ellen Blaschinski, Branch Chief of the DPH Regulatory Services Branch. This review was conducted by the DWS to determine whether the comments regarding public drinking water source protection were addressed in the EIE.

The review has concluded that the source protection measures recommended to be implemented to protect the public water supply watershed of Mansfield Hollow Reservoir and the water main design and construction guidelines have been appropriately incorporated into the EIE.

Jensens Rolling Hills Residential public water system is owned and operated by the Connecticut Water Company (CWC). As its residents are already customers of CWC, it is likely that the system would connect to the new water main currently being installed in this area as noted in the EIE. However, connecting to the central water main does not necessarily mean that the system will discontinue using the existing wells. Even if the wells are inactivated, there is a process that must be followed pursuant to Connecticut General Statutes section 25-33k in order for a source of public drinking water to be officially abandoned. Therefore, protection appropriate for the withdrawal rates of these wells must be considered in the design of the sewer collection system, pump station and force main.



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Mr. Esguerra
March 18, 2016
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In the EIE, it appears that a dashboard survey was conducted to identify the locations of public water supply wells. Prior to final design of the system, the locations of wells, including the Jensens Rolling Hills wells, should be field verified. In addition the public water systems should be contacted to establish withdrawal rates of the wells in order to ensure that the sewer construction does not encroach on the sanitary setbacks for the sources of public drinking water supply. The table from the DPH Notice of Scoping Comments has been attached to this letter and includes one additional public water system identified in the EIE.

If you have any questions regarding these comments, please call Pat Bisacky of this office at (860) 509-7333.

Sincerely,



Eric McPhee
Supervising Environmental Analyst
Drinking Water Section

Attachment

Cc: Ellen Blaschinski, Branch Chief, Regulatory Services Branch, DPH
Lori J. Mathieu, Public Health Section Chief, Drinking Water Section, DPH
Ryan Tetreault, Supervising Environmental Analyst, Private Well Program, DPH
Robert Miller, Eastern Highlands Health District
Affected Public Water System Administrative Contacts

Public Water System	PWSID Number	Administrative Contact	Mailing Address	Telephone
Jensens, Inc. Rolling Hills Residential	CT0780141	Jeff Racicot, Superintendent, East Kristian Jensen III	Connecticut Water Company 321 Main Street, Danielson, CT 06239 Jensens, Inc. PO Box 608 246 Redstone St. Southington, CT 06489	860-292-2856 Not available
S&P Properties	CT0780271	Daniel J. Saunders	226 Bear Swamp Road, Andover, CT 06232	860-228-4068
Yukon Jack's	CT0780347	Adam Brodin	591 Middle Tpke, Mansfield, CT 06268	860-429-6421
1768 Storrs Road	CT0787054	Norval Smith	15 Shore Drive Coventry, CT 06238	860-478-7003
Holiday Mall	CT0780034	Robert Moskowitz	117 Stonemill Rd. Storrs, CT 06268	860-429-6109
Cumberland Farms	CT0780164	Mark Souza	CFI/Gulf A Group of Companies, 2643 Hartford Ave. Johnston, RI 02919	401-477-2387
Public America/Mansfield Aquasition	CT0780424	Mark Sanderson	3180 Washington Rd., West Palm Beach, FL 33045	Not available
Mansfield Shopping Center	CT0781202	William A. Krason	731 Farmington Ave., Farmington, CT 06032	860-674-8007
603 Middle Turnpike-Mansfield	CT0780464	David Scranton	68 Barstow Lane, Tolland, CT 06040	860-872-0838
Mansfield Professional Park	CT0780752	Barry E. Smith	PO Box 476 Storrs, CT 06268	860-429-8891



COUNCIL ON ENVIRONMENTAL QUALITY

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Executive Director

March 17, 2016

Mr. Carlos Esguerra
Bureau of Water Protection & Land Reuse
Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Dear Mr. Esguerra,

The Council on Environmental Quality offers the following comments and recommendations regarding the Environmental Impact Evaluation (EIE) for the proposed Four Corners Sewer Extension in Mansfield. The comments are in four categories:

- Potential impacts to wetlands
- Potential impacts to agricultural soils
- Analysis of wildlife resources
- Mitigation

Wetlands

The proposed sewer service area includes an extraordinary area of inland wetlands. Apparently, the boundaries of the service area were drawn to coincide with property boundaries. Is this approach the best? An alternative that would better protect the wetlands would be to draw the service area boundaries along particular contours, soil map boundaries or other lines that will keep the service area out of the wetlands.

Page 109 states that *"Future development or redevelopment will be regulated by the local review process, including the 150-foot upland review area adjacent to any wetland. Significant projects in the sewer service area will require the more extensive application process to prevent secondary impacts on wetlands and watercourses."* However, the inland wetlands and watercourse act does not prevent impacts to wetlands; it regulates them through permitting.

On the topic of mitigation (described more fully below), that same page identifies "potential mitigation measures." It does not commit the Department to such measures. The Record of Decision should commit the Department to the best mitigation measures available.

Agricultural Soils

The EIE identifies prime farmland soils on most of the parcels (page 115). CGS Section 22-6 requires the Commissioner of Agriculture to review projects that affect 25 or more such acres:

"Sec. 22-6. Powers and duties of commissioner...The commissioner shall review any proposed capital project which would convert twenty-five or more acres of prime farmland or one acre or more of shellfish grounds to a non-agricultural use and if such project promotes agriculture or the goal of agricultural land preservation or if there is no reasonable alternative site for the project he shall file a statement with the Bond Commission so indicating."

The EIE makes a distinction between areas with prime agricultural soils and active farms. *"Prime farmland soils are located throughout the project area, with significant contiguous coverage of such soils occurring on Parcels 3, 11, 12, 13, 29, 32, 50, 57, and 64 (refer to Section 3.1.6 for a discussion of how the parcels are identified). However, only parcels 3 and 57 appear to have been recently used for agriculture. The proposed sewer project will not impact prime farmland soils that are actively used (or recently used) for agriculture."* However, Section 22-6 makes no such distinction.

The Council recommends that agricultural soils be identified regardless of their current or recent use and the Record of Decision should indicate that a determination by the Commissioner of Agriculture be made that there is no reasonable alternative to the project before funding is made available.

Analysis of Wildlife Resources

The EIE appears inadequate with regard to analysis of the project's potential impact to endangered, threatened, or special-concern species. It mentions field visits but appears to rely on the state's Natural Diversity Database (NDDDB) for determining potential impacts. It delays a site-specific analysis until the future permitting process at the local level. *"Potential impacts related to future development will need to be addressed as part of local permitting efforts."* The NDDDB is intended to be a reference source that will alert investigators to some important habitats; it does not provide the decision-maker with the analysis required to make an informed decision about avoiding and mitigating potential impacts to biological resources. *"Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments."* March 20, 2015 letter from DEEP in Appendix B [emphasis added]) Postponing an analysis until the sewer project is completed could be too late. The Council recommends that site surveys be conducted as part of the EIE.

Mitigation

The Council has four comments and recommendations relating to mitigation:

1. The EIE identifies but does not commit the Department to various mitigation measures. The Record of Decision should identify the mitigation measures that will be adopted, and should include the means by which such implementation will be ensured.
2. The EIE's conclusions rely heavily on anticipated actions that have not yet occurred. For example, it concludes that sprawl and over-development will not be indirect consequences of the sewer expansion because the town will have an "overlay zone" in place to prevent it. However, such a zone is not in place. The Council recommends that funding for the project be contingent upon municipal adoption of such a zone that is acceptable to the Department.
3. The EIE also predicts that erosion and flooding will not be induced by sewer-spurred construction because the town's Stormwater Control Plan will prevent it. However, it is our understanding that Mansfield has not yet adopted such a plan. As with the zoning overlay, it is the Council's recommendation that funding for the project be contingent on adoption of a plan that is acceptable to the Department.
4. Because this project will induce development on land that now is undeveloped or lightly developed, the Department should apply its years of research and expertise on stormwater management and watershed protection. It is established that once impervious surfaces cover 12 percent or so of a watershed, the water will deteriorate in quality. Therefore, the Department should consider a requirement that impervious surfaces shall not exceed 12 percent of any parcel.

Thank you for your consideration of these comments. Please do not hesitate to contact me if you have any questions.

Sincerely,



Karl J. Wagener
Executive Director

CC: Steven K. Reviczky, Commissioner of Agriculture