

MEETING NOTICE AND AGENDA
MANSFIELD INLAND WETLANDS AGENCY
Monday, October 5, 2015 ■ 7:00 PM

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

- 1. Call to Order**
- 2. Roll Call**
- 3. Review of Minutes**
 - a. 9-08-15 – Meeting Minutes
 - b. 9-16-15 – Field Trip Minutes
 - c. 9-21-15 – Special Meeting
- 4. Communications**
 - a. Conservation Commission Minutes
 - b. Monthly Business Memorandum
- 5. Old Business**
 - a. **W1557 – C. L. Niarhakos, 101 East Road, 3 lot re- subdivision**
Memo from the applicant. Discussion tabled pending 11/2/15 Public Hearing
- 6. New Business**
 - a. **W1556- R. Manning, 37 Higgins Highway, Site Work**
Memo from Inland Wetlands Agent
 - b. **W1558- K. Mehrens, 214 Wormwood Hill Road, 12' x 16' Shed**
Memo from Inland Wetlands Agent
 - c. **Permit Extension Request-Chatham Hill Section II Subdivision**
Memo from Inland Wetlands Agent
 - d. **Other**
- 7. Reports from Officers and Committees**
- 8. Other Communications and Bills**
 - a. The Habitat-CACIWC-Summer 2015
- 9. Adjournment**

DRAFT MINUTES
MANSFIELD INLAND WETLANDS AGENCY
Regular Meeting
Tuesday September 8, 2015
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin, B. Chandy, R. Hall, K. Rawn, B. Ryan, V. Ward
Members absent: G. Lewis, B. Pociask
Alternates present: K. Holt, S. Westa
Alternates absent: P. Aho
Staff present: Jennifer Kaufman, Inland Wetlands Agent

Chairman Goodwin called the meeting to order at 7:03 p.m. and appointed Holt and Westa to act in the absence of members.

Chairman Goodwin spoke of how much Commission Member Peter Plante will be missed. In honor of Plante, who often brought this for the Commission, Wetlands Agent passed out 'Smart Food Popcorn'. A card was distributed and members will collect a donation from the IWA/PZC and present it to the Mansfield Lion's Club in Peter's name.

Minutes:

08-03-15 – Meeting Minutes- Hall MOVED, Holt seconded, to approve the 08-03-15 meeting minutes as written. MOTION PASSED with all in favor except Westa who disqualified herself.

08-12-15 – Field Trip Minutes- Holt MOVED, Rawn seconded, to approve the 08-12-15 field trip minutes as written. MOTION PASSED with Holt and Rawn in favor and all others disqualified.

Communications:

The Conservation Commission cancelled their August meeting, so no draft minutes were available. The Wetlands Agent Monthly Business report was noted.

Old Business:

a. W1555 – J. and K. Hawes, 241 Mulberry Rd, Above Ground Pool, Deck and Shed

Holt MOVED, Ward seconded, to grant an Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to J. and K. Hawes (File #W1555) for installation of an above-ground pool on property owned by the applicants and located at 241 Mulberry Road as shown on plans dated 7/27/2015 and as described in an application dated 7/26/2015.

This action is based on a finding of no anticipated significant adverse impact on the wetlands, and is conditioned on the following provisions being met:

1. Appropriate erosion and sedimentation controls shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. To ensure that the slope created down gradient of the house along conservation markers shall be seeded and mulched so that it is adequately stabilized;
3. The area to be filled on the east side of the garage shall be stabilized with seed and mulch if the slope percentage allows for that. If not, then an erosion control blanket or excavated stone from the rear yard and/or rip-rap shall be installed for long term stabilization;
4. Silt fence will be installed prior to any construction in the location indicated on the plan submitted with the application;

5. All stock piles shall be located at least 50 feet from the edge of wetlands. Excess material shall be removed from the site or distributed at least 50 feet from the wetlands; and
6. Before a certificate of compliance is issued from the Zoning Agent, all works shall be inspected by the Inland Wetlands Agent.

This approval is valid for five years (until September 8, 2020) 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.

New Business:

- a. **W1556 – T. Wassenberg, Intersection of Woodland Road and Wildwood Road, 2 lot subdivision**
Goodwin noted that she will recuse herself when this application is considered by the Agency. Westa MOVED, Holt seconded, to receive the application submitted by T. Wassenberg (IWA File #1556) under the Wetlands and Watercourses Regulations of the Town of Mansfield for a 2 lot subdivision on property located at Woodland Road on parcel 18.66.1-A and parcel 18.66.1-B, as shown on a map dated 2/28/2007 and revised through 10/5/2007 and as described in an application submitted on 8/10/2015, and to refer said application to staff and the Conservation Commission for review and comments. MOTION PASSED UNANIMOUSLY.
- b. **W1557 – C. L. Niarhakos, 101 East Road, 3 lot re- subdivision**
Holt disqualified herself.
Ryan MOVED, Ward seconded, to receive the application submitted by Christopher and Lindsey Niarhakos (IWA File #1548) under the Inland Wetlands and Watercourses Regulations of the Town of Mansfield for a 3-lot subdivision on property located at 101 East Road as shown on a map dated 3/30/2015 and revised through 6/21/2015 and as described in an application submitted on 8/30/2015, refer said application to staff and the Conservation Commission for review and comments, schedule a Public Hearing for November 2, 2015, and authorize staff to solicit proposals from independent consultants so that the Agency may hire one per section 8.6 of the Mansfield Inland Wetlands and Watercourses Regulations. MOTION PASSED UNANIMOUSLY.

Reports from Officers and Committees:

No reports were offered.

Other Communications and Bills:

Noted.

Adjournment:

Chairman Goodwin set a Field Trip for 9/16/15 at 2:00 p.m. and declared the meeting adjourned at 7:15 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
SPECIAL MEETING – FIELD TRIP
September 16, 2015

Members present: JoAnn Goodwin (Item 1), Paul Aho, Katherine Holt, Bonnie Ryan
Conservation: Grant Meitzler (Item 2)
Staff present: Jennifer Kaufman (Item 2), Linda Painter (item 1)

The field trip began at approximately 2:00 p.m.

P1335 & P1336 – A. Gioscia, 1708 Stafford Road – Map Amendment and Special Permit
Members were met on site by property owner Anthony Gioscia. Members observed current conditions, and site characteristics. No decisions were made.

W1556 – T. Wassenberg, Woodland Road and Wildwood Road, 2 lot subdivision
Members observed current conditions, and site characteristics. No decisions were made.

W1557 – C. L. Niarhakos, 101 East Road, 3 lot re- subdivision
This site visit was cancelled, all parties were notified earlier in the day. No site visit took place.

The field trip ended at approximately 3:10 p.m.

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DRAFT MINUTES
MANSFIELD INLAND WETLANDS AGENCY
Special Meeting
Monday September 21, 2015
Council Chamber, Audrey P. Beck Municipal Building

Members present: B. Chandy, G. Lewis, K. Rawn, B. Ryan, V. Ward
Members absent: J. Goodwin, R. Hall, B. Pociask
Alternates present: P. Aho, S. Westa
Alternates absent: K. Holt
Staff present: Jennifer Kaufman, Inland Wetlands Agent
Linda Painter, Director of Planning and Development

Vice Chairman Ryan called the meeting to order at 7:00 p.m. and appointed Alternates Aho and Westa to act.

W1557-Niarhakos, 101 East Road, 3-Lot Re-Subdivision

Kaufman noted that Attorney Caleb F. Hamel, Esq., representing the neighboring property owners, Mary and Ross Harpers, has filed a Verified Notice of Intervention.

Aho MOVED, Rawn seconded, to authorize staff to engage the services of CME, Inc. to review and analyze the information presented as part of the application for an Inland Wetlands License submitted by C. and L. Niarhakos. (File #W1557) for 3 Lot Subdivision on property owned by the applicants and located at 101 East Road as shown on plans dated 3/30/2015 and revised through June 21, 2015, and as described in application submissions. Pursuant to Section 8.6 of Mansfield's Inland Wetlands and Watercourses Regulations, fees incurred for this review will be the responsibility of the applicants. A deposit in the amount of the estimated cost shall be provided prior to issuance of a notice to proceed. MOTION PASSED UNANIMOUSLY.

Adjournment:

Vice Chairman Ryan declared the meeting adjourned at 7:05 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

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Town of Mansfield
CONSERVATION COMMISSION
Meeting of 16 September 2015
Conference B, Audrey P. Beck Building
(draft) MINUTES

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

1. The meeting was called to order at 7:30p by Chair Quentin Kessel.

2. The draft minutes of the 15 July 2015 meeting were approved as written.

3. IWA referrals.

a. **W1556 (Wassenberg, corner of Woodland & Wildwood Rds).** This is a renewal application for a 2-lot subdivision, which was granted a wetlands permit in 2007. Meitzler visited the site on the 16 September 2015 IWA Field Trip, prior to this meeting. After some discussion, the Commission agreed unanimously (**motion:** Dahn, Silander) to support the original IWA decision of 02 July 2007 approving the application.

b. **W1557 (Niarhakos, 101 East Rd).** Removed from the agenda prior to the meeting, this item will be considered at a subsequent meeting, after the Commission has an opportunity to read hydrology reports submitted by the applicants and interveners. Hard copies and a link to electronic copies will be made available. These reports are sufficiently technical that the IWA will hire a consultant to analyze them, according to Kaufman. Kessel requested that the consultant's analysis be shared with the Commission. An IWA Field Trip will visit the property yet again on 14 October; a public hearing on the application is scheduled for 02 November and will probably be continued.

4. Election of FY2015-16 Officers. Kessel and Lehmann (resp.) agreed to serve as Chair and Secretary (resp.) for another year. After Kessel observed that the average age of Commission members is 70+ and rising, Soares agreed to serve as Vice Chair. The slate was unanimously approved (**motion:** Silander, Facchinetti).

5. Annual Report. The annual report to the Town Manager for FY2014-15, written by Kaufman and included in the packet, was approved unanimously, with thanks to Kaufman (**motion:** Kessel, Silander).

6. Continuing Business.

a. **Monitoring Town conservation easements.** Soares has developed a monitoring form, which he would like to look over again before bringing it to the Commission for approval.

b. **Mansfield Tomorrow.** The new Plan of Conservation and Development, reflecting comments on the draft plan from individual citizens and town committees, was adopted on 08 September and will go into effect 31 days later.

c. **Fanwort Control.** According to the Town's consultant, this summer's herbicide treatment was successful in eliminating fanwort from much of Eagleville Lake, though the invasive plant is still present in some areas. Follow-up treatment, perhaps supplemented by mechanical removal, will be required next year; some state funding may be available for this. Silander suggested that the Town post information about the control program at lake/river

access points to educate the public.

d. **UConn Agronomy Farm.** Facchinetti reported that a bill requiring integrated pest management on state land was introduced in the legislature. How much support it has and how rigorously DEEP would implement it, if it became law, is unclear.

7. Kessel reported that the **Windham County Conservation Consortium** will host a panel discussion with Eastern Connecticut land trusts at 7:30p on Tuesday, 29 September 2015 at the Windham County Cooperative Extension Center in Brooklyn.

8. **Adjourned** at 8:25p. Next meeting: 7:30p, Wednesday, 21 October 2015.

Scott Lehmann, Secretary, 20 September 2015.



Town of Mansfield

Inland Wetlands Agency

Date: September 30, 2015
To: Mansfield Inland Wetlands Agency
From: Jennifer Kaufman, Inland Wetlands Agent
Subject: Monthly Business Report

Mansfield Auto Parts - Route 32

On September 30, 2015, I monitored the site and there were no cars or automobile parts that may contain oil or other fluids located within 25 feet of the wetlands.

Agent Approvals

File # A-4-491 Wormwood Hill Road- Screened in Porch 110 feet from the edge of wetlands

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Christopher Niarhakos
Lindsey Niarhakos
68 Brookside Lane
Mansfield Center, CT 06250

September 30, 2015

Inland Wetland Agency
Audrey Beck Municipal Building
4 South Eagleville Road
Storrs, CT 06268

Attn: Ms. Jo Ann Goodwin, Chairman

**Re: 3 Lot Re-subdivision
101 East Road Storrs, CT**

Dear Commissioners,

The purpose of this letter is to clarify some of the concerns listed in a letter submitted to the commission by Mary Harper on September 21, 2015.

I am the owner and applicant of the proposed re-subdivision at 101 East Rd. My last application was denied for inconclusive information regarding the Uconn property watershed. The denial letter stated, "Specifically, the applicant needs to verify the extent of the upgradient, northerly watershed to demonstrate that the storm water management basins and swales on the revised plan dated 6/21/2015 are adequately sized to manage the runoff so as not to adversely impact wetlands." Gerry Hardisty from CES has submitted a report with calculations including this water run-off in the design of the recharge ponds in our plans. The plans have not changed because the recharge ponds were originally drastically oversized.

There was also some confusion over the soil type designation that was used in Mr. Hardisty's calculations. Mr. Hardisty can explain this issue at the public hearing. The engineering calculations for drainage used common engineering practices. The point is that the difference in the soil classification has no impact on the drainage calculations.

We submitted the original wetlands application along with a subdivision application which requires an approval from the health department. We reached the final stages of the review process with EHHD which included revisions to our plans. During the second application process we submitted only a wetlands application which does not require a health department approval. We will pursue final EHHD approval with the submission of our subdivision application.

Prior to my purchase of the property at 101 East Rd. Don Aubrey prepared a report for the Harpers dated 4/25/2014. In this report Don states that "Clearly the adjoining site is developable in various areas based on the soil testing results we have reviewed..."

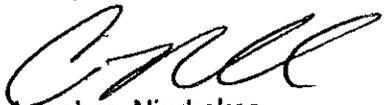
Mary Harper stated in a letter she submitted to the town that the water problems on her property started after my property was logged in 1998. Before 1998 she didn't experience any problems. This shows that the issue isn't the volume of water flowing through my property but how the water is controlled. Our plans propose a very conservative and effective design that will drastically improve the situation on the Harper's property.

Mary Harper has described in letters to the town that the site improvements she has had performed were due to water run-off. The facts are that the Harpers house was initially dug too deep. There has been poor workmanship used in the site "improvements" performed and work done without proper approval. The bank in the back of the house has been cut exposing the water table and causing a bleed out. The original septic system was repaired without a health department permit being issued. I think it would be valuable to review her site and the site work performed to determine if it was done correctly or if in fact she has exacerbated her own problems.

Before we drew the plans for the first application Ed Pelletier tried to have a conversation with Towne Engineering about the Harpers concerns. Ed was told that the Harpers instructed Towne not to discuss the issue with us. I have tried to contact the Harpers myself to do the same and have had no response. It is clear to me that the Harpers are against any development of my property regardless of what is in the design. The design in our application does not have any significant impact on wetlands. I plan to pursue this application for as long as it takes to get an approval.

I expect that the agency will approve our application based on our clarifications of the issues raised during the previous application process. I look forward to our site walk and our public hearing scheduled for November 2, 2015.

Sincerely,



Christopher Niarhakos



Lindsey Niarhakos



Department of Planning and Development

Date: September 30, 2015
To: Mansfield Inland Wetlands Agency
From: Jennifer Kaufman, Inland Wetlands Agent
Subject: Receipt of New Application for Wetlands License
37 Higgins Highway (IWA File #1556)
Roger Manning
Description of work: site improvements

Project Description

The applicant is proposing to dig a 2 foot by 200 foot trench to install corrugated storm drain pipe to redirect storm water from Higgins Highway underground. Currently, runoff from Higgins Highway is draining on to the subject property. This reportedly is causing significant erosion and contamination of the downgradient neighbor's well. The activity will take place in the upland review area. The applicant is working with CT Department of Transportation to obtain the necessary state permits.

- The project includes work in wetlands.
- The project includes work in the 150 foot upland review area.
- The project is located in a Public Water Supply Watershed.

Application Fees and Notifications

- The applicant has paid the required application fee
- The applicant has submitted copies of the notice mailed to neighbors and a list of abutters to be notified. Certified mail receipts must be submitted prior to action on the application.
- The applicant has submitted copies of notices provided to the Connecticut DPH and Windham Water Works. Certified mail receipts must be submitted prior to action on the application.
- Natural Diversity Database has been checked and state and/or federal listed species or significant natural communities have been identified on the property.

Receipt Motion

_____ MOVES, _____ seconds to receive the application submitted by Roger Manning (IWA File #1556) under the Wetlands and Watercourses Regulations of the Town of Mansfield for site improvements on property located at 37 Higgins Highway as shown on a map dated 9/29/2015 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comments.

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APPLICATION FOR PERMIT
MANSFIELD INLAND WETLANDS AGENCY
4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
860-429-3015x6204 (DIRECT) TEL: 860-429-3330 OR
FAX: 860-429-6863

FOR OFFICE USE ONLY

File # 1556
W _____
Fee Paid \$185-
Official Date of Receipt 9-29-15

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact the 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 Roger Manning
Mailing Address 31 Higgins Hwy
Mansfield Ct Zip 06250
Phone 860 428 0866 Email Roger221980@aol.com

Title and Brief Description of Project

Instal @ 200' of 15" corrugated drain
pipe from state road drain

Location of Project 37 Higgins Highway Mansfield Ctr. CT 06250
Intended Start Date ASAP

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

Name Doreen W. Palmer, et al
Mailing Address 376 Wildwood Dr.
Columbia CT Zip 06237
Phone 860-928-0771 Email dgpalm@charter.net

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

Signature [Signature] date 9/28/15

Applicant's interest in the land: (if other than owner) Prevent future well contamination

Part C - Project Description (attach extra pages, if necessary)

1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
- b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

Attach @ 200' of 15" corrugated storm drain pipe to a @ 4'x5' catch basin with metal grate constructed on existing concrete drain structure to pipe runoff down hill vs water flowing over grade causing erosion and contaminating neighboring properties well.

2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
- b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

200' of 2' wide trench to bury pipe

3) Describe the type of materials you are using for the project: 15" corrugated plastic tubing, concrete, cinder block, Precast catch basin

- a) include type of material used as fill or to be excavated Top Soil
- b) include volume of material to be filled or excavated @ 44 yards

4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

Silt fence at bottom of hill

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

Hill with grass

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.

Its the same water going to the
same place without flowing over land. Same
impact except without well contamination

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)

- 2) Applicant's map date and date of last revision 9-29-2015
3) Zone Classification RAR-90
4) Is your property in a flood zone? Yes 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) Attach list of abutters, name, and address
- 2) **Proof of Written Notice to Abutters.** You must notify abutting (neighboring) property owners (any property immediately contiguous with the subject property, including those across the street) 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. To generate an abutters list go to <http://www.mainstreetmaps.com/CT/Mansfield/>

Part I - Additional Notices, if necessary

Notice to Windham Water Works and CT Department of Public Health is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW and the Department of Public Health of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.

The Statewide Reporting Form shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes No ___ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes No ___ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes No ___ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. (Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)

Part L - Filing Fee

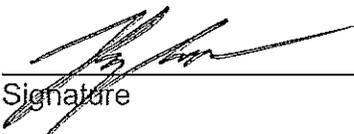
Application fees shall be in accordance with the current Mansfield Code of Ordinance fee Schedule, pursuant to Section 8-1c of the Connecticut General Statutes. The fee schedule includes provisions for applicant-funded consultant studies and reports. The current fee schedule is available in the Planning and Zoning office.

Note: The Agency may require additional information about the upland review area or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

Certification

I hereby certify that:

- I am familiar with the information contained in this form and that such information is true and correct to the best of my knowledge.
- I understand the penalties for obtaining a permit through deception or through inaccurate or misleading information.



Signature

9/29/15

Date

Authorization to Enter Property

The undersigned hereby consent to necessary and proper inspections of the above-mentioned property by members and agents of the Inland Wetlands Agency at reasonable times, both before and after the permit in question has been issued by the Agency.



Signature

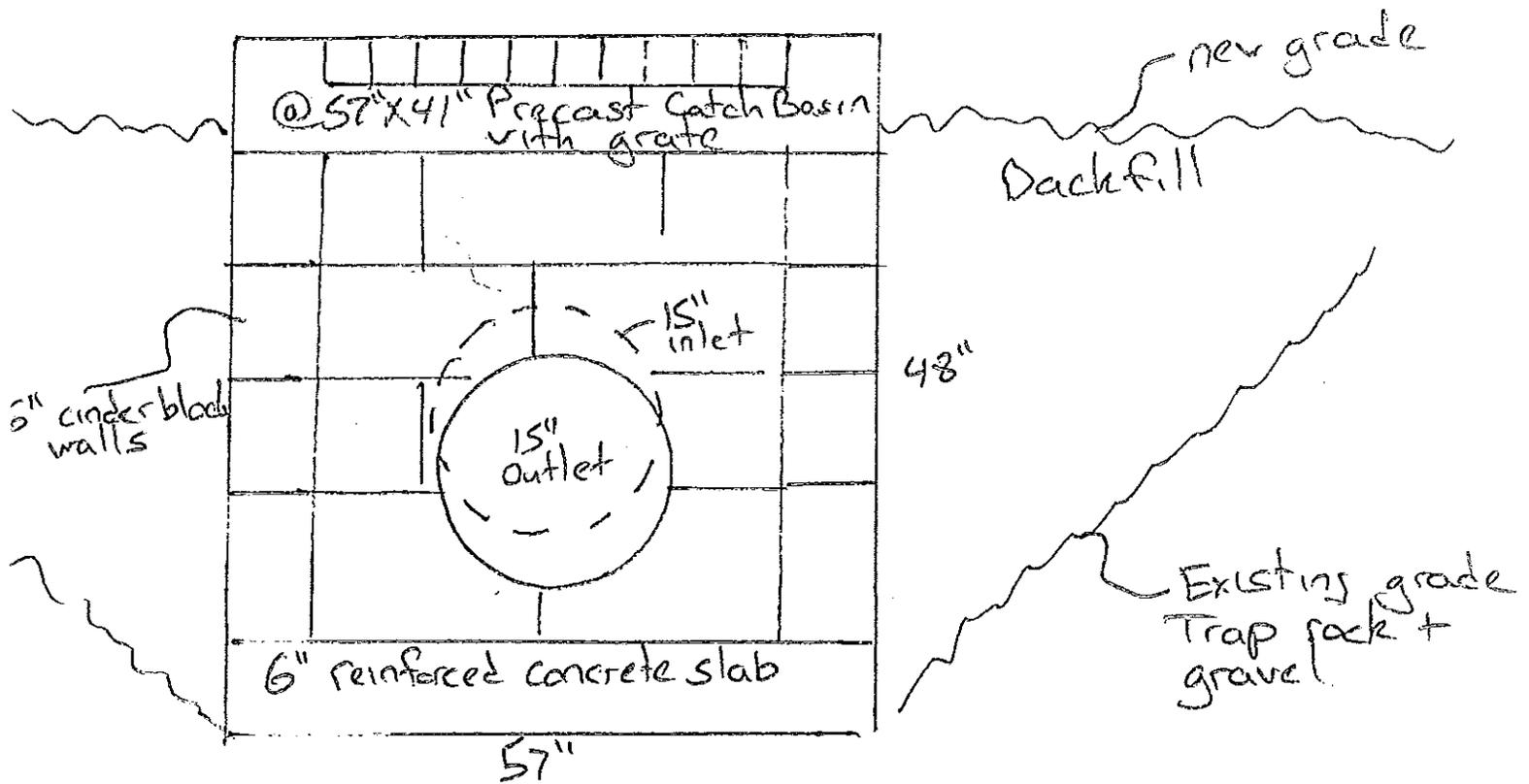
9-28-15

Date

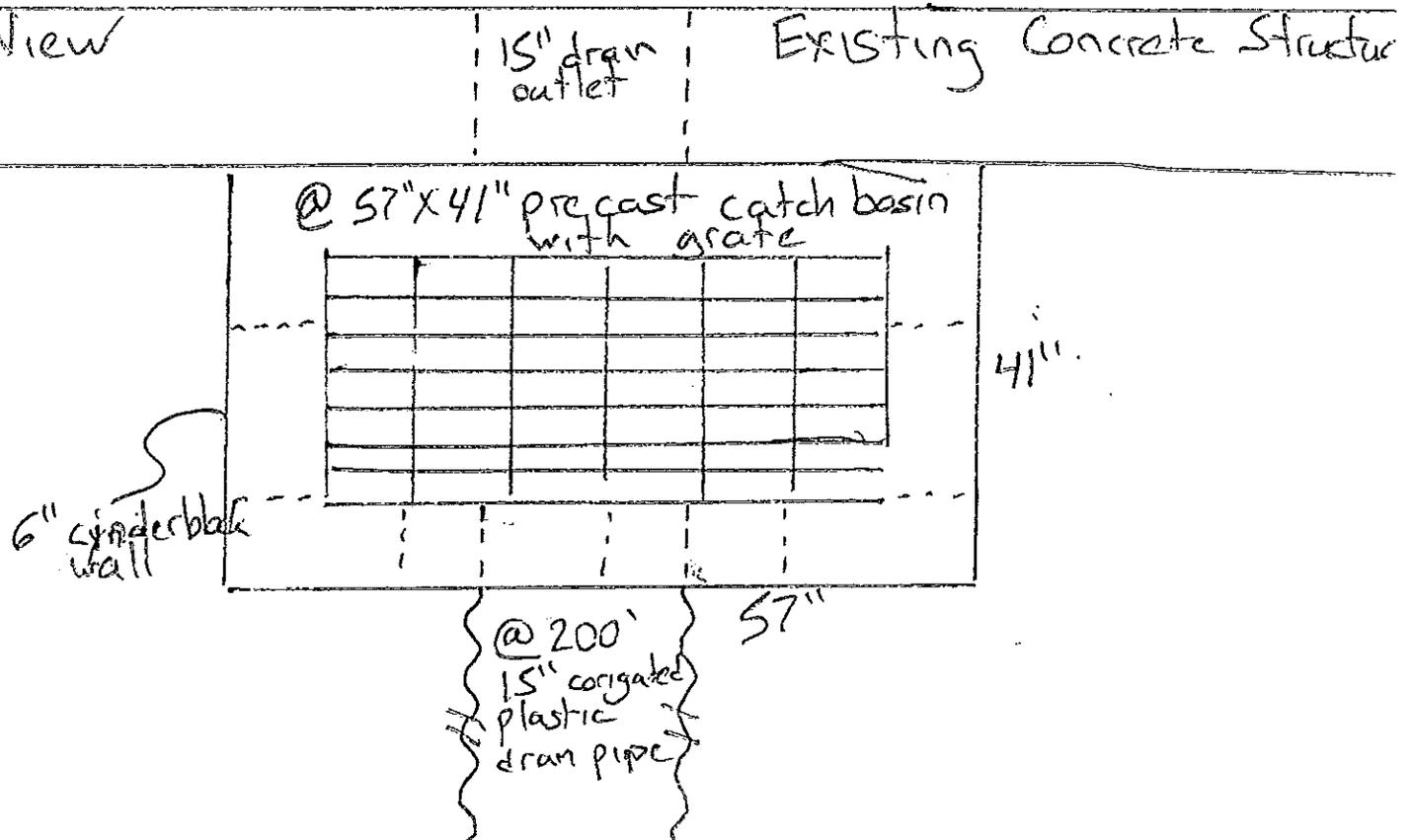
Front View (Proposed Storm drain extension)

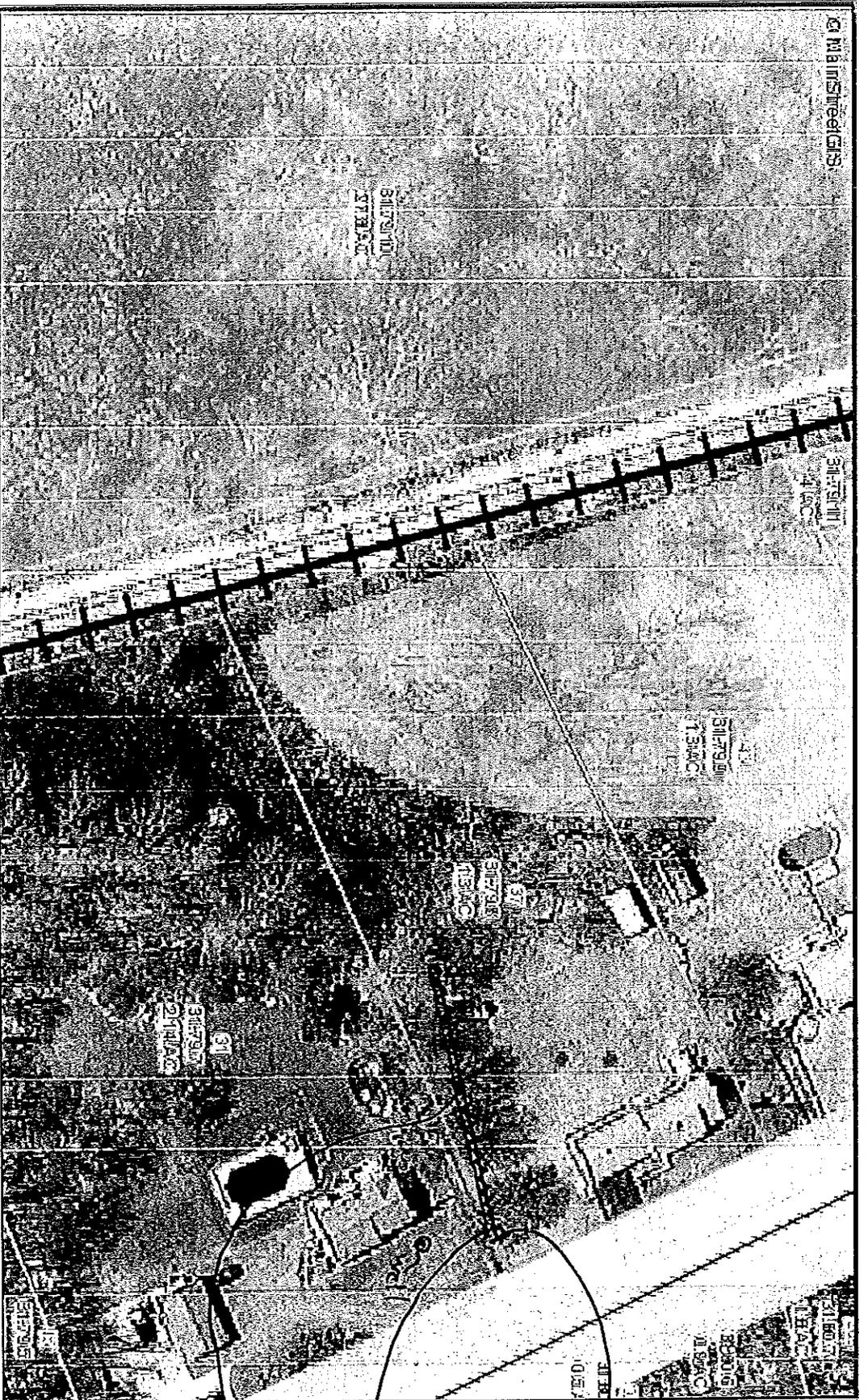
Existing Concrete Structure

37 Higgins Hwy
Mansfield Ct



Top View





1 in = 79.68 ft

Printed on 9/29/2015
 Last update: Property Information: 3/20/2015; GIS: parcel lines: 12/31/2014

This map is for informational purposes only. It is not for appraisal or description of conveyance of land. The Town of Mansfield, Connecticut and Main Street GIS assume no legal responsibility for the information contained herein.



Main Street GIS, LLC
 www.mainstreetgis.com

Proposed to install drain pipe to prevent future contamination of adjacent properties well

Existing Concrete drain with trap rock culvert
 Proposed 4x6' catch basin
 @ 200'
 15' corrugated drain tube plastic



Department of Planning and Development

Date: September 30, 2015
To: Mansfield Inland Wetlands Agency
From: Jennifer Kaufman, Inland Wetlands Agent
Subject: Receipt of New Application for Wetlands License
214 Wormwood Hill Road (IWA File #1558)
K. Mehrens
Description of work: installation of a shed

Project Description

The applicant proposes to install a 12 foot by 16 foot shed on a gravel base approximately 40 feet from the edge of wetlands.

- The project includes work in wetlands.
- The project includes work in the 150 foot upland review area.
- The project is located in a Public Water Supply Watershed.

Application Fees and Notifications

- The applicant has paid the required application fee
- The applicant has submitted copies of the notice mailed to neighbors and a list of abutters to be notified. Certified mail receipts must be submitted prior to action on the application.
- The applicant has submitted copies of notices provided to the Connecticut DPH and Windham Water Works. Certified mail receipts must be submitted prior to action on the application.
- Natural Diversity Database has been checked and state and/or federal listed species or significant natural communities have not been identified on the property.

Receipt Motion

_____ MOVES, _____ seconds to receive the application submitted by K. Mehrens (IWA File #1558) under the Wetlands and Watercourses Regulations of the Town of Mansfield for the installation of a shed on property located at 214 Wormwood Hill Road as shown on a map dated 9/29/2015 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comments.

APPLICATION FOR PERMIT
MANSFIELD INLAND WETLANDS AGENCY
4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
860-429-3015x6204 (DIRECT) TEL: 860-429-3330 OR
FAX: 860-429-6863

FOR OFFICE USE ONLY

File # W 1558
Fee Paid \$185-
Official Date of Receipt 9-29-15

Applicants are referred to the Mansfield
Inland Wetlands and Watercourses

Regulations for complete requirements, and are obligated to follow them. For assistance, please contact
the 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 KIM MEHRENS

Mailing Address 75 WILLIAM BROOK RD

STORRS Zip 06268

Phone 2036413850 Email KIMMEHRENS@GMAIL.COM

Title and Brief Description of Project FREE STANDING 12x16 SHED

Location of Project 214 WORMWOOD HILL RD, MANSFIELD

Intended Start Date NOV 1

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

Name SAME

Mailing Address _____

Zip _____

Phone _____ Email _____

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

Signature [Signature] date 9/29/2015

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

Part C - Project Description (attach extra pages, if necessary)

1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
- b) in the area **adjacent** to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is **off** your property

FREE STANDING SHED ~~ROOF~~ 12x16
WOOD CONSTRUCTION

2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
- b) in the area **adjacent** to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is **off** your property

NONE

3) Describe the type of materials you are using for the project: WOOD, ROOFING SHINGLE

- a) include **type** of material used as fill or to be excavated NONE
- b) include **volume** of material to be filled or excavated NONE

4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

BUILDING OVER GRADIENT LAWN - FLAT

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.

N/A

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)

- 2) Applicant's map date and date of last revision JUNE 23 2011
- 3) Zone Classification RAR 90
- 4) Is your property in a flood zone? Yes 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) Attach list of abutters, name, and address

%L2) **Proof of Written Notice to Abutters.** You must notify abutting (neighboring) property owners (any property immediately contiguous with the subject property, including those across the street) 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. To generate an abutters list go to <http://www.mainstreetmaps.com/CT/Mansfield/>

Part I - Additional Notices, if necessary

Notice to Windham Water Works and CT Department of Public Health is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW and the Department of Public Health of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.

The Statewide Reporting Form shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes ___ No ___ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes ___ No ___ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes ___ No ___ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. *(Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)*

Part L - Filing Fee

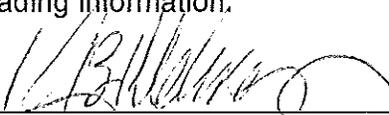
Application fees shall be in accordance with the current Mansfield Code of Ordinance fee Schedule, pursuant to Section 8-1c of the Connecticut General Statutes. The fee schedule includes provisions for applicant-funded consultant studies and reports. The current fee schedule is available in the Planning and Zoning office.

Note: The Agency may require additional information about the upland review area or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

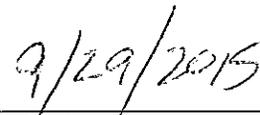
Certification

I hereby certify that:

- I am familiar with the information contained in this form and that such information is true and correct to the best of my knowledge.
- I understand the penalties for obtaining a permit through deception or through inaccurate or misleading information.



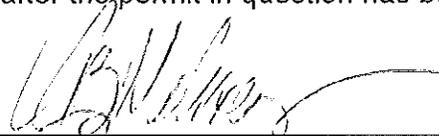
Signature



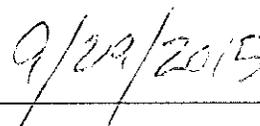
Date

Authorization to Enter Property

The undersigned hereby consent to necessary and proper inspections of the above-mentioned property by members and agents of the Inland Wetlands Agency at reasonable times, both before and after the permit in question has been issued by the Agency.



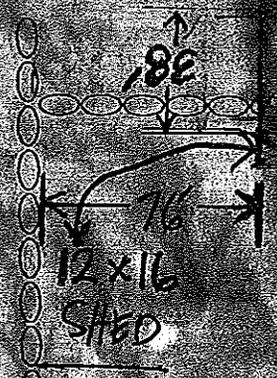
Signature



Date

1/2 = 60

WETLANDS



REMOVING
SPRUCE





Town of Mansfield

Department of Planning and Development

Date: September 30, 2015
To: Mansfield Inland Wetlands Agency
From: Jennifer Kaufman, Inland Wetlands Agent
Subject: Mansfield Inland Wetlands License File #W-1255, Chatham Hill, Sec. 2

The applicants for the above referenced wetland license have requested an extension of their permit until October 5, 2020. No changes to the original plans are proposed. While the approval the license was valid for a period of valid for a period of five years (until June 7, 2009), work has been ongoing on this subdivision since 2004. A house was constructed in 2013 under this same Wetlands License.

Your motion of June 7, 2004 states:

“... This approval is valid for a period of five years (until June 7, 2009), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. Any extension of the activity period shall come before this agency for further review and comment.”

If you agree that an extension of time for this wetlands license is warranted, the following motion is in order

_____ MOVES, _____ seconds to extend the Inland Wetlands License pursuant to the Wetlands and Watercourses Regulations of the Town of Mansfield to Chatham Hill, LLC (File #W1255) for a 14-lot subdivision on property owned by the applicant located on the east side of Fern Road, as shown on map dated 5/21/2004 and as described in other application submissions.

VIA E-MAIL

September 28, 2015

Jennifer Kaufman, Inland Wetland Agent / Natural Resources and
Sustainability Coordinator
Town of Mansfield
4 South Eagleville Road
Mansfield, CT 06268

**Re: Chatham Hill Section II Subdivision – Inland Wetland Approval Extension
Request**

Dear Ms. Kaufman:

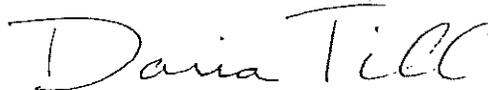
The Mansfield Inland Wetlands and Planning and Zoning Commissions approved the Chatham Hill Section II Subdivision with conditions which require an extension beyond a certain timeframe.

On behalf of the developer Chatham Hill, LLC, we hereby request an extension of the inland wetlands approval for a period of five years from October 5, 2015.

Sincerely,



Christopher Till, Agent
Chatham Hill, LLC



Daria Till, Managing Member
Chatham Hill, LLC



TOWN OF MANSFIELD
INLAND WETLAND AGENCY

1141
AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
STORRS, CONNECTICUT 06268
(203) 429-3334

June 15, 2004

Mr. Michael Dilaj, for Chatham Hill, LLC
132 Conantville Rd.
Mansfield, CT 06250

Re: Mansfield Wetlands License (W1255) for Chatham Hill, Sec. 2 subdivision, Fern Rd., Mansfield

Dear Mr. Dilaj:

At a regular meeting held on June 7, 2004, the Mansfield Inland Wetland Agency adopted the following motion:

"to grant a Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Chatham Hill, LLC (file W1255) for a 14-lot subdivision on property owned by the applicant located on the east side of Fern Road, as shown on a map dated 5/21/04 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. Erosion and sedimentation controls shown on the plans shall be in place prior to construction and maintained during construction, and silt fencing shall be removed when disturbed areas are completely stabilized;
2. Notice of the intended starting date of work shall be given to the Wetlands Agent at 429-3334 at least one business day in advance of the start of construction.
3. This approval is valid for a period of five years (until June 7, 2009), unless additional time is requested by the applicant and granted by the Inland Wetland Agency. Any extension of the activity period shall come before this agency for further review and comment."

If you have any questions regarding this action, you may contact Wetlands Agent Grant Meitzler at 860-429-3334. This letter constitutes your License.

Very truly yours,

Katherine K. Holt, Secretary
Mansfield Inland Wetland Agency

APPLICATION FOR PERMIT
 MANSFIELD INLAND WETLANDS AGENCY
 4 SOUTH EAGLEVILLE ROAD, STORRS, CT 06268
 TEL: 860-429-3334 OR 429-3331
 FAX: 860-429-6863

FOR OFFICE USE ONLY

File # W.....
 Fee Paid.....
 Official Date of Receipt.....

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 Chatham Hill, LLC

Mailing Address 132 Conantville Road

Mansfield Center, CT Zip 06250

Telephone-Home 860-456-8805 Telephone-Business 860-456-1357

Title and Brief Description of Project

14 - lot residential subdivision

Location of Project Fern Road, Mansfield

Intended Start Date _____

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

Name same as applicant

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 _____

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

Part C - Project Description (attach extra pages, if necessary)

1) Describe in detail the proposed activity here or on an attached page. (See guidelines at end of application – page 6.)

Please include a description of all activity or construction or disturbance:

- a) in the wetland/watercourse
- b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

a) road construction thru wetland/watercourse

b) Lot 20-construct house, septic system, well and driveway

Lot 21-construct house and driveway

Lot 22-construct house and driveway

Lot 23-construct house, septic system, well and driveway

Lot 24-construct driveway

Lot 26-construct septic system

Lot 27-construct house and driveway

Lot 28-construct septic system

Lot 29-construct septic system

Lot 31-construct septic system

2) Describe the amount or area of disturbance (in square feet or cubic yards or acres):

- a) in the wetland/watercourse
- b) in the area adjacent to (within 150 feet from the edge of) the wetland/watercourse, even if wetland/watercourse is off your property

a) 2,830 SF (square feet)

b) Lot 20, 18,200 SF; Lot 21, 11,900 SF; Lot 22, 9,900 SF; Lot 23, 17,250 SF;

Lot 24, 12,600 SF; Lot 26, 4,200 SF; Lot 27, 40,300 SF; Lot 28, 19,200 SF;

Lot 29, 11,400 SF; Lot 31, 11,020 SF

3) Describe the type of materials you are using for the project: Gravel, crushed stone and drainage pipe for road construction. Regrading of on-site earthen material for around houses and gravel and crushed stone for driveways and septic systems.

- a) include type of material used as fill or to be excavated Gravel and on-site materials.
- b) include volume of material to be filled or excavated 180 cu. yds. for road crossing.

4) Describe measures to be taken to minimize or avoid any adverse impacts on the wetlands and regulated areas (silt fence, staked hay bales or other Erosion and Sedimentation control measures).

A detail sediment & erosion control plan has been prepared that requires the installation of silt fencing, sediment sumps and riprap drainage outfalls.

Part D - Site Description

Describe the general character of the land. (Hilly? Flat? Wooded? Well drained? etc.)

Entire property is wooded. Northerly portions of the property contain flat to moderate slopes. The Southerly portions of the property contain moderate to steeper slopes.

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.

The proposed road into the property was located to cross the wetlands at their narrowest point. Proposed improvements on lots within the upland review areas were located to minimize potential impacts on associated inland wetlands.

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 Map date: March 8, 2004

3) Zone Classification RAR-40

4) Is your property in a flood zone? Yes 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
See Attached Sheet	

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).

Part I - Additional Notices, if necessary

1) Notice to Windham Water Works is attached. If this application is in the public watershed for the Windham Water Works (WWW), you must notify the WWW of your project within 7 days of sending the application to Mansfield--sending it by certified mail, return receipt requested. Contact the Mansfield Inland Wetlands Agent to find out if you are in this watershed.

- 2) Notice to Adjoining Town. If your property is within 500 feet of an adjoining town, you must also send a copy of the application, on the same day you sent one to Mansfield, to the Inland Wetlands Agency of the adjoining town, by certified mail, return receipt requested.
- 3) The Statewide Reporting Form (attached) shall be part of the application and specified parts must be completed and returned with this application.

Part J - Other Impacts To Adjoining Towns, if applicable

- 1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? ___ Yes X No ___ Don't Know
- 2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? ___ Yes X No ___ Don't Know
- 3) Will water run-off from the improved site impact streets or other municipal or private property within the adjoining municipality? ___ Yes X No ___ Don't Know

Part K - Additional Information from the Applicant

Set forth (or attach) any other information which would assist the Agency in evaluating your application. *(Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)*

Part L - Filing Fee

Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)

___ \$385. X ~~\$1100~~ ___ \$60. ___ \$25.
\$120.

Note: The Agency may require you to provide additional information about the regulated area which is the subject of the application, or about wetlands or watercourses affected by the regulated activity. If the Agency, upon review of your application, finds the activity proposed may involve a "significant activity" as defined in the Regulations, additional information and/or a public hearing may be required.

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by members and agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agency.


 Applicant's Signature

03-30-04
 Date

MANAGING MEMBER
 CHATHAM HILL, LLC

The Habitat

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

Summer 2015 volume 27 number 3



Journey to The Legal Horizon

by Attorney Janet Brooks

Motions to Approve or Deny Wetlands Application: What to Include and Why

The editor of *The Habitat*, Tom ODell, has passed on a question from a reader for guidance on what wetlands and watercourses agencies should include in their motions to approve or deny applications. As members of wetlands agencies, you want to create strong decisions that will survive attack on appeal. Strong decisions result from proper procedure and robust deliberations. The motion is one step in the process.

I. State the reason(s) for your decision

You might think this is the obvious thing to do. The statute, in fact, directs you to do it: “In granting, denying or limiting any permit for a regulated activity the inland wetlands agency, or its agent¹, shall consider the factors set forth in section 22a-41, and such agency, or its agent¹, shall state upon the record the reason for its decision.” Conn. General Statutes § 22a-42a (d) (1).

There are some municipal attorneys who disagree. There is case law that on appeal a judge may search the record of the agency proceedings to find evidence which supports the agency’s action, denial, approval or imposition of conditions. The case law furthers limits the judge to

considering the reasons stated by the agency.² I have heard some of these attorneys claim that they would rather have no stated reasons, so the judge is free to search in every nook and cranny of the transcripts of the public hearing and the deliberations to scrounge up evidence to support the agency’s decision.

I don’t want to stand between you and your municipal attorney, who is, after all, your only representative in court defending your action, but when you fail to state your reasons, you ignore the plain meaning of the statute to “state upon the record the reason for [your] decision.” For example, if after a spirited evening of questions and answers about the effectiveness of the proposed sedimentation and erosion controls by the applicant and concerns raised by experts for the neighbors, the agency entertains a motion to approve the application as proposed (no reasons disclosed.) Let’s suppose there is no or very limited discussion. The agency votes to grant the application. The applicant leaves confident it was the strength of its application and supporting materials. The public is bewildered. Which was it – the strength of the applicant’s expert or the weakness of the neighbor’s

legal, continued on page 4

Save the Date: CACIWC Announces the Preliminary Agenda for Our 38th Annual Meeting & Environmental Conference — Saturday, November 14, 2015

CACIWC is pleased to recruit Dr. Michael Klemens as the keynote speaker of our 38th Annual Meeting & Environmental Conference. Educated in the United States and Europe, Dr. Klemens is a well-known conservation biologist and land-use planner who seeks to achieve a balance between ecosystem requirements and human needs. He plans to support our continued efforts to educate members on the impact of climate change on local environments

by reviewing new Connecticut-specific species population and habitat data. He will also promote better use of scientific data and discuss ways for commissions and their staff to increase collection of local information, while improving the resiliency of their communities to climate change.

conference, continued on page 13

Inside	CACIWC News	2
	2015 Environmental Legislative Review	3
	Conservation Districts and Soil Health	6
	24th Annual CT Envirothon Winner	9
	Excerpts from DEEP	15

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Darcy Winther DEEP Liaison



The Habitat is the newsletter of the Connecticut Association of Conservation and Inland Wetlands Commissions (CACIWC). Materials from *The Habitat* may be reprinted with credit given. The content of *The Habitat* is solely the responsibility of CACIWC and is not influenced by sponsors or advertisers.

Editor: Tom ODell

Associate Editor: Ann Letendre

Correspondence to the editor, manuscripts, inquiries, etc. should be addressed to *The Habitat*, c/o Tom ODell, 9 Cherry St., Westbrook, CT 06498. Phone & fax 860.399.1807 or email todell@snet.net.

www.caciwc.org

CACIWC News

“With great power comes great responsibility,” variously attributed to Oevres de Voltaire, Thomas C. Hansard (and, of course, Spider-Man), may appropriately summarize the challenge that world leaders now face in steering an appropriate course to protect our environment from the adverse effects of global warming and climate change.

In 2014, CACIWC accepted the challenge of helping to develop a more climate-resistant New England, as highlighted in the U.S. Environmental Protection Agency New England Regional Office (EPA Region 1) published summary of their New England “Climate Leaders Summit” held November 2013 in Providence, Rhode Island. During our 2014 Annual Meeting and Environmental Summit, we introduced a new track with several workshops on climate change issues to educate our member commissions.

During his November 15, 2014 keynote address to those in attendance at our conference, Connecticut Department of Energy & Environmental Protection (DEEP) Commissioner Robert Klee reviewed the commitment of his agency to work with our members in support of local efforts. Commissioner Klee further emphasized his agency’s recognition of the urgency of these issues in his December 10, 2014 address to the Connecticut League of Conservation voters, “Make no mistake about it, climate change is already here. We see it in the warming waters and changing fish species of Long Island Sound. We see it in the new insects and invasive plant and animal species on our land and lakes. And we saw it in the destructive force of recent storms that we will all long remember. We have a moral imperative to act for the sake of our planet and future generations.”

Fortunately, Commissioner Klee is not alone in challenging us to act on behalf of our planet. Increasing numbers of leaders from presidents to the Pope have stepped forward to acknowledge the danger of climate change and the need to protect our environment. This moral imperative to act does not rest solely with international, national, and state leaders alone. As community leaders, Connecticut conservation and inland wetlands commissioners and their staff have the power to protect critical habitats along with educating local residents.

A few commissioners have confided in me that they have grown tired from lack of local progress and despair that their efforts to conserve town habitats and encourage local leadership may be in vain. All Connecticut conservationists, regardless of their faith background, may take inspiration from His Holiness, Pope Francis in his encyclical on the environment, “Yet all is not lost. Human beings, while capable of the worst, are also capable of rising above themselves, choosing again what is good, and making a new start.”

CACIWC news, continued on page 14

Editor's Note: It was a long, difficult budget session. My thanks go out to the day-to-day stalwarts who prowled the hallways delivering our conservation messages, provided me regular updates including final results, and provided much of the content for this review: CT Land Conservation Council, CT Forest & Park Association, Rivers Alliance, CT Audubon and CT Fund for the Environment — collectively THANK YOU!

2015 Environmental Legislation Review

You Answered the Call for Action — THANK YOU!

Your calls, emails, and personal contacts with your State Legislators was key to successfully protecting programs noted below from further budget cuts, restoration of those that had been eliminated completely, and helping to pass a number of pro-conservation and environment bills during a particularly difficult legislative session.

NOW PLEASE thank your State Legislators and Governor Malloy for their support of these programs and initiatives — all of which truly make a difference for the economic well-being and overall quality of life in our communities.

Funding Municipal Land Conservation

Incentivizing Land Conservation

Signed into law June 4, 2015, **Public Act No. 15-23** “An Act Concerning the Percentage of State And Federal Funds That May Be Used To Purchase Open Space” under the Open Space and Watershed Land Acquisition Program removed a huge burden on land trusts and municipalities to come up with 30% match for the purchase price (on top of all their incidental costs). Known as the “70% rule” — a rule that capped the total state and federal funding on a land conservation project at 70% of the fair market value based on the land appraisals submitted with the grant application. Public Act 15-23 raises the cap to 90% for total federal and state funds on a conservation project and also allows the Commissioner of DEEP to waive the cap entirely if any one of a number of conditions are met. Reducing the required “match” for DEEP’s Open Space and Watershed Land Grant Program (OSWA) to 10% of the fair market value should be a significant incentive for Conservation Commissions to pursue the open space goals of the town’s Plan of Conservation and Development, particularly for municipalities and land trusts in areas of the state where municipal and private funds are difficult to raise due to the lack of wealth within a community or ability of a town to include funding in its capital budget or through bonding.

Similar legislation, Senate Bill 346, signed by the Governor on June 4th makes improvements to the

Department’s Farmland Restoration Program, which provides matching grants to restore agricultural land back into production. This bill increases the cost-share to up to 90% of the project’s cost for the restoration of state and municipal agricultural lands, if there is a lease of 5 years or more. The bill also expands the items reimbursable to farmers under the program.

Since enacted in 2005 **Community Investment Act (CIA)** has provided reliable funding for state land use programs for open space conservation, farmland preservation/dairy production, historic properties preservation and affordable housing development. Funded by a surcharge on local recording fees, CIA is the only **consistent source** of funding for the state’s Open Space and Watershed Land Acquisition Grant Program (OSWA) — the state’s matching grant program for towns, land trusts, and water companies seeking to conserve open space. CIA Open Space account funds three staff positions and is responsible for the administration, function and viability of the OSWA program.

After the Governor’s initial budget swept all collected CIA funds beginning in January 2016 through June 30, 2017 into the general fund, a coalition of environmental groups, including CACIWC, went to work and with your help convinced the legislature to restore 50% of the CIA account, meaning that 50% of the CIA funds collected from January 1, 2016 through June 30, 2017 will be diverted to the general fund (instead of 100% as was originally proposed). Effectively, this means a 25% cut for the first fiscal year and a 50% cut for the second fiscal year, since the cut begins in the second half of FY16. Despite the significant cut to CIA in the 2 year budget, the overall structure of CIA is intact and will still provide Open Space funds for a 2016 and 2017 OSWA grant round. Call To Action: Start Your Engines; Use It or Lose It.

Open Space Bond Funds for DEEP’s Open Space and Watershed Land Grant Program received \$8 million in bond authorizations in both FY16 and FY17. Bond authorization for open space acquisition requires the Governor-
legislative, continued on page 10

legal, continued from page 1

expert or both? An appeal is taken and the judge, having searched the record, manages to find enough to support the agency action. A D- grade is still a passing grade, but should you strive so low? With each application you have the opportunity to increase the confidence applicants and the public alike have in your efforts. You do this with transparency – by stating your reasons on the record. Consider the statement of your reasons a summary of your action.

II. Start with the relevant factors for consideration

A boilerplate list of the factors for consideration in your regulations or the state statute is not called for. Not every application will call into question the environmental impact on a watercourse *plus* alternatives *plus* irreversible loss of the watercourse *plus* mitigation *plus* interference with safety or health *plus* future activities made inevitable by the application. There is no need to repeat verbatim lengthy factors for consideration where your conclusion is: “That is not presented by this application.” Focus on the factors which agency members or members of the public questioned. In fact, if your agency relies on a factor which was not voiced by anyone during the proceeding, you may have deprived the applicant of fundamental fairness – the opportunity to know the basis of your decision and a timely opportunity to respond.

It’s my impression that agencies do not consider alternatives enough, that is, chew them over, articulate them and ask the applicants of the process they engaged in before settling on the design presented in the application. Often I hear from agency members that alternatives are not part of their analysis because a public hearing wasn’t held or the reason for holding a public hearing was that it was in the “public interest.” Let’s clarify the law on alternatives. Succinctly put, alternatives are to be considered in each application. Why? It is the second stated factor for consideration³, right after the environmental impact of the proposed activity on wetlands and/or watercourses. Consideration of impacts and alternatives should be among your most frequently undertaken considerations, common to all applications.

Members are correct that there are additional findings that must be made if a public hearing was held based on a finding that the proposed activity may have a significant impact on wetlands or watercourses.⁴ In that event, a permit may not be issued unless the agency finds that a feasible and prudent alternative does not exist.

III. State which expert(s) you found credible

On appeal a judge will defer to your decisions on who was credible. The law is a bit tricky on experts. When there are multiple experts, the agency is free to believe one and disbelieve another. On the other hand, if there is only *one* expert, a lay agency (with no expert members) acts without substantial evidence, i.e. illegally, in disregarding the sole expert evidence before it. Are you required to state which experts you found credible? No. It will be inferred from your action. But you can guide the quality of future experts by signaling the importance you placed on (fill in the blank): the expert’s years of experience designing similar systems, the expert’s lack of specific knowledge of on-site conditions, the expert’s evasiveness/thoroughness when answering questions, the expert’s reliance on generalized concerns and not specific ones etc.

IV. Specific findings in specific situations

Feasible and prudent alternative: As mentioned in Section II above, your agency is required to make a specific finding that there is no feasible or prudent alternative *if* you conducted a public hearing because you voted that the activities may have a significant impact. Conversely, if your agency is voting to deny an application because a feasible and prudent alternative *may* exist – which is a proper basis for denial – you “shall propose on the record in writing the types of alternatives which the applicant may investigate.”⁵

Environmental intervenor(s): if an environmental intervenor participated in the proceeding, whether a public hearing was held or not, the agency has one or two additional findings to make. Step 1: The initial finding is to determine whether the intervenor has established that the proposed activity is reasonably

legal, continued on page 5



The advertisement is a rectangular graphic with a white background. On the left side, there is a black and white photograph of a bee on a cluster of small white flowers. In the top left corner of the ad, there is a circular logo with a bee and the text 'POLLINATOR APPROVED'. Below the photograph, the text 'ernstseed.com' is written in a bold, sans-serif font, followed by 'sales@ernstseed.com' and '800-873-3321' in a smaller font. To the right of the photograph, there are social media icons for Facebook, LinkedIn, and Twitter. On the right side of the ad, the text 'Restoring the native habitat' is written in a serif font. Below this text is a logo for 'ERNST SEEDS' which features a stylized plant with a seed pod inside a rounded rectangular frame with horizontal lines at the bottom. The word 'SEEDS' is written in a bold, sans-serif font below the frame.

legal, continued from page 4

likely to unreasonably pollute, impair or destroy wetlands or watercourses. If the answer is no, the agency's job under the Connecticut Environmental Protection Act (CEPA) is done. If the answer is yes, proceed to Step 2: If there is "a feasible and prudent alternative consistent with the reasonable requirements of the public health, safety and welfare"⁶ the permit must be denied. It is not necessary to have a separate motion to make the CEPA findings, but there's nothing wrong with that procedure. However, the state Supreme Court has ruled that if an agency is denying a permit based on CEPA considerations and findings, those findings *must* be referred to in the general motion which denied the permit and not solely in a motion about CEPA findings.⁷

Denial of activity in upland review area based on impact to plants or animals: In response to the state Supreme Court's 2003 ruling holding wildlife not within the jurisdiction of wetlands agencies, the legislature amended the wetlands act to allow denial or conditions for impact to plants or animal for activities conducted in upland review areas. In § 22a-41 (d) an agency is not authorized to deny or condition a permit for such impact "unless such activity will likely impact or affect the physical characteristics of such wetlands or watercourses." Strictly speaking, this needn't be a formal "finding." However, putting it on your list of findings to be incorporated in a motion will encourage you to discuss this on the record and question all experts about this, which, in turn, increases the likelihood of a judge finding there is substantial evidence to support your decision.

Denial of permit based on actual adverse impact: There have been numerous permit denials that have been overturned by the Appellate Court and the Supreme Court. Is the problem that agencies are failing to make the finding in their motions to disapprove in an otherwise strong record which supports their decision? No. The record is inadequate to support the finding. The word "actual" is not my invention. It comes from a Supreme Court decision: The wetlands agency "made no specific finding of any actual adverse impact to any wetlands or watercourses."⁸ By putting this finding on your to-do list for denials, including the word "actual," it will prompt your agency to engage in the questioning of experts and applicants to support your deliberations and denials.

Having a list of topics for findings to be inserted in your motions will assist you in framing the questions, the

discussions and your deliberations. At the same time everyone, the applicant, the public and all agency members, will have a clear picture of how your agency acted.

Janet P. Brooks practices law in East Berlin. You can read her blog at: www.ctwetlandslaw.com and access prior training materials and articles at: www.attorneyjanetbrooks.com.

Endnotes

¹ The "agent" refers to those activities approved by an agent when the activity does not occur in a wetland or watercourse and would result in no greater than a minimal impact on any wetland or watercourse as set out in C.G.S. § 22a-42a (c) (2).

² *Gibbons v. Historic District Commission*, 285 Conn. 755, 767 -72 (2008)

³ C.G.S. § 22a-41 (a) (2)

⁴ C.G.S. § 22a-41 (b)

⁵ C.G.S. § 22a-41 (b) (2)

⁶ C.G.S. § 22a-19 (b)

⁷ *River Bend Associates, Inc. v. Conservation & Inland Wetlands Commission*, 269 Conn. 57, 83-85 (2004)

⁸ *River Bend Associates, Inc. v. Conservation & Inland Wetlands Commission*, 269 Conn. 57, 77 (2004) ↴

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Connecticut's Conservation Districts:

From the Dust Bowl to a Celebration of Soil Health

by Jane Brawerman, Executive Director, CT River Coastal Conservation District and Tom ODell, Chairman, Board of Directors, CT River Coastal Conservation District

Soil is fundamental to sustaining life. It supports healthy ecosystems and a nutritious and abundant food supply. 2015 has been declared International Year of Soils by the United Nation's General Assembly, so it seems an appropriate time to not only celebrate soils, but take you back to the Conservation Districts' roots — the reason they were formed — and discuss why they are still relevant today.

Why the International Year of Soils? According to a recent press release from the CT Natural Resources Conservation Service, "With an increasing global population, a shrinking agricultural land base, climate change and extreme weather events, the nations of the world are focusing their collective attention to the primary resource essential to food production — the soil. The year of awareness aims to increase global understanding of the importance of soil for food security and essential ecosystem functions." Join Connecticut's Conservation Districts — and the rest of the world — in a celebration of life-giving soils!



Black Sunday, Boise City, Oklahoma, April 14, 1935. Credit Associated Press

Try to imagine the time of sky-blackening dust storms sweeping across the country, when our soil was being lost due to drought and unsustainable agricultural practices. Fortunately, we learned a valuable lesson from the Dust Bowl: it was national concerns over worsening agricultural erosion, floods and the Dust Bowl's storms that launched the movement to conserve our soils in the 1930s, and led to the formation of the soil and water conservation districts.

Initially, Congress enacted the Soil Conservation Act of 1935, establishing a national policy to control and prevent soil erosion, and directing the Secretary of Agriculture to establish the Soil Conservation Service (now the Natural Resources Conservation Service). Then, the locally-led Conservation District concept was developed to enlist the cooperation of landowners in carrying out the programs authorized by the act. In 1937, President Roosevelt recommended state-level legislation that would allow local landowners to form soil conservation districts. Given that about 75% of the continental United States was privately owned, Congress realized that only active, voluntary support from landowners would help ensure that local needs were being met and guarantee the success of conservation work on private land. Today, there are over 3,000 conservation districts nationwide, continually adapting to new conservation challenges.

Connecticut's Conservation Districts were formed by state statute in 1946, "...to assist the commissioner of environmental protection in identifying and remedying the problems of soil and water erosion...", initially one in each of the state's eight counties. In 2003 Districts were reorganized into five districts to work locally but within a watershed perspective. The focus of District work has also branched out from the early days to address a variety of natural resource conservation challenges, such as assessing and restoring water quality and aquatic habitat; protecting wetlands; promoting and implementing low impact development practices; preventing erosion and sedimentation; stormwater management; educating the public about "backyard" stewardship; habitat management planning for open space preserves; as well as working with the agricultural community to develop conservation plans and implement sustainable management practices — to protect natural resources and promote soil health.

To learn more about Connecticut's soil health and the 2015 International Celebration of Soils go to CT Natural Resource Conservation Service website; www.NRCS.USDA.gov/wps/portal/nrcs/main/ct/soils/ and The Soil Science Society of America, www.soils.org/IYS.

districts, continued on page 7

Connecticut Conservation Districts: *Providing Natural Resource Management Since 1946*

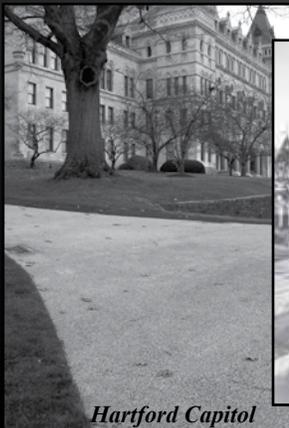
In 2014, Connecticut's five Conservation Districts were able to address the following Conservation priorities, as well as respond quickly to storm related issues:

- ✓ Flooding and erosion problems from storm events
- ✓ Agricultural management practices that enhance farm viability, conserve soil, and protect water quality
- ✓ Stormwater wetland retrofits and pretreatments
- ✓ Soil nutrient testing for the agricultural community
- ✓ Stream bank stabilization projects
- ✓ Soil erosion and sediment control inspections at problem construction sites
- ✓ Municipal Wetland Commission training and wetland delineation services
- ✓ Migratory fish passage projects
- ✓ Water quality assessment and watershed management

For assistance please call: North Central Conservation District: 860-875-3881 ext. 2; South Western Conservation District: 203-287-8038; North Western Conservation District: 860-626-7227; Eastern Connecticut Conservation District: 860-887-4163 ext. 402; CT River Coastal Conservation District: 860-346-3282.

Editor's Note: State budget cuts this year reduced funding for Conservation Districts by 8.9% over 2 years; each of the five Districts will receive \$44,375 in 2015-16 and \$45,000 in 2016-17. State funding for the Conservation Districts helps provide the operating capacity Districts need to carry out their statutory responsibilities, attract federal funding, leverage additional resources, and provide services to the agricultural community, municipalities, land trusts and private land owners. Grant funds cannot be used for operations, or managerial and administrative functions. ♣

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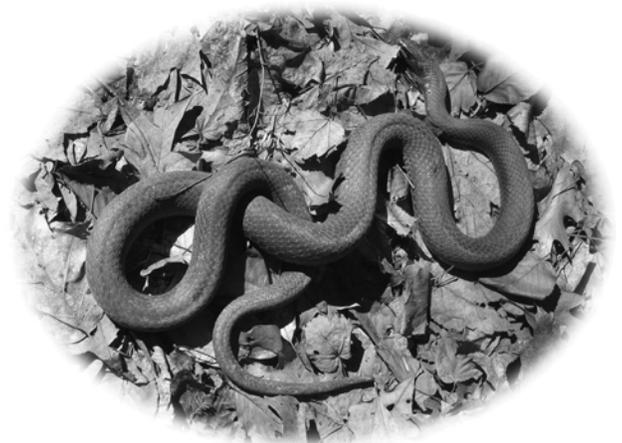


I provide expert testimony at public hearings.



I avoid conflicts of interest by representing only municipalities, not applicants.

Edward M. Pawlak, MS
Registered Soil Scientist
Certified Professional Wetland Scientist
38 Westland Avenue West Hartford 06107
860-561-8598 ecosys88@gmail.com



Editor's Note: Municipal land use commissions are missing out if they do not recruit Envirothon students to serve on the commission as "advisors".

Coginchaug Regional High School Wins 24th Annual CT Envirothon Competition!

On May 21, 2015, forty-two teams of high school students and their advisors from all over Connecticut convened at Connecticut College Arboretum for the all-day 24th Annual CT Envirothon field competition.

Envirothon (www.ctenvirothon.org/) is a North American high school natural resource education program involving teams of high school students competing in five subject areas, forestry, soils, aquatics, wildlife and a current natural resource issue. In 1992 Connecticut Conservation Districts organized the first Connecticut state-wide Envirothon competition.

During the school year, students learn from web-based resources and hands-on work with environmental specialists in a series of workshops covering the five subject areas; in 2015 the natural resource issue was Urban Forestry. The program culminates with a field competition in May when each five member team rotates through the five subject area sites to be tested on their knowledge of natural resources and their teamwork skills.

CT Envirothon is guided and coordinated by a Steering Committee made up of Conservation District staff and board members, and other environmental professionals from state/federal agencies, colleges/universities, and private companies and nonprofit organizations.



The Coginchaug Regional High School Envirothon Team (left to right): Lilian Zhou, Amelia Bianchi, Matthew Sawicki, advisor Susan Michael, Tyler McDonald, and Natalie Charette. Photo Credit: CT Envirothon

“Take the Natural Challenge!”

The mission of CT Envirothon is to promote environmental awareness, knowledge, and active personal stewardship among high school students through educational workshops and team competition. CT Envirothon challenges the students — our next generation of environmental stewards and professionals — to develop critical thinking, cooperative problem-solving and decision-making in a team environment.

CACIWC congratulates the Coginchaug Regional High School (Durham-Middlefield) team and their mentor, Science Department Chair, Susan Michael, for winning the 2015 CT Envirothon. This summer the team will study to compete in the National Envirothon at Missouri State University in late July-August against teams from across the US and Canada.

Congratulations also to the Housatonic Valley High School-Agriscience and Housatonic Valley High School teams and their advisors for their 2nd and 3rd place finish, respectively, in the 2015 CT Envirothon, and to all the students that competed in the event. 🍁

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STEVEN DANZER, PHD
Professional Wetland Scientist (PWS)
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legislative, continued from page 3

nor to put the issue on the Bond Commission's agenda, which meets, generally once a month. It takes time and can be tedious.

Recreational Trails Bond Funds for DEEP's Grant Program received \$10 million over 2 years for construction, maintenance, and improvements to bikeways, pedestrian walkways, greenways, and multi-use trails (this was in addition to \$2 million authorized in SB 1062). This reduces the dependence of the State on federal funding through the Recreational Trails Program for trails which has not been consistent.

Funding State Land Conservation

The State Parks Budget was cut \$200,000/year. However, budget rescissions of \$400,000/year were made earlier in the year, so the overall impact to State Parks in 2016-2017 is equivalent to a cut of \$600,000/year.

DEEP's Recreation and Natural Heritage Trust Program received **Open Space Bond Funds of \$15 million over 2 years** which enables CT DEEP to acquire new State Parks, Forests, and Wildlife Management Areas; State Parks received **Bond Funds of \$25 million** over 2 years for infrastructure alterations and renovations.

Protecting State Conservation Lands

At the "last minute" actions during the Implementer Session Public Lands proposed to be given away or subjected to road development were removed from the Conveyance Act. Without this action 4.7 acres of Silver Sands State Park would have been given away to the City of Milford, and two sand and gravel extraction companies would have been allowed to construct private access roads across sensitive habitats in the Quinebaug Wildlife Management Area in eastern Connecticut.

Support for State and Municipal Agriculture

Senate Bill 346, passed unanimously in both chambers and signed by the Governor on June 4th, makes improvements to the **Department's Farmland Restoration Program**, which provides matching grants to restore agricultural land back into production. This bill increases the cost-share to up to 90% of the project's cost for the restoration of state and municipal agricultural lands, if there is a lease of 5 years or more. The bill also expands the items reimbursable to farmers under the program and makes other technical changes.

legislative, continued on page 11

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US Patent 6126817, 7857966, 7951294 and Canada Patent 2285146

legislative, continued from page 10

The **Farm Reinvestment Program** received \$1 million in authorizations for FY17 and the Agricultural Experiment Station received \$11.7 million in authorizations for renovations to the Valley Lab in Windsor.

The Farmland Preservation Program did not receive any new bond authorizations; available bond funds will provide significant support for our state's farmland protection efforts over the two-year 16-17 budget.

Shellfish grounds were added as eligible for the Department of Agriculture's Farmland Restoration Program and an Aquaculture Advisory Council.

Support for Environmental Quality

In addition these actions were taken by the legislature.

- Thanks to statewide support, the **Council on Environmental Quality** survived threats to its existence, emerging from the budget battle as still the state's independent watch-dog agency that the public relies upon to monitor environmental progress, assess the efficacy of state environmental laws, policies and programs, and investigate alleged violations of environmental laws. Acting through its volunteer council and just two staff, with limited support from DEEP for administrative purposes only, CEQ provides the public with these services efficiently, effectively and at minimal cost (less than \$185,000/year) to the state. There is likely no other independent state agency that does so much for so little.
- State funding for the five **CT Conservation Districts and the Council on Soil and Water Conservation** was cut by 8.9% over 2 years which will require some adjustment in managing natural resources services; each of the five Districts and the Council will receive \$44,375 in FY15-16 and \$45,000 in FY16-17. State funding for the Conservation Districts helps provide the operating capacity Districts need to carry out their statutory responsibilities, attract federal funding, and leverage additional resources. Grant funds **cannot** be used for operations, or managerial and administrative functions.
- **The Blue Plan** creates a bi-state, multi-stakeholder mechanism for assessing Long Island Sound's natural resources and planning for their protection.
- There were several important **Lawn Care Pesticide** bills debated this session. None were passed in the legislature's regular session that ended on June 3rd. However, in the special session, June 29th, the

Implementer Bill included a ban on the use of pesticides on municipal playgrounds and included new notice requirements except in emergency situations.

- The Implementer Bill also **bans microbeads** in cosmetics and personal care products starting in 2018.
- Public Act 15-100 "An Act Concerning the Penalty for Violation of a **Municipal Ordinance Regulating the Operation or Use of a Dirt Bike or All-terrain Vehicle**": a written warning is no longer required for a first offense by an ATV or dirt bike that violated a municipal ordinance.
- The **Clean Water Fund** received \$140 million in grants and \$238 in low cost loans primarily for sewage treatment. In addition \$20 million was added for green infrastructure plus \$20 million for shoreline resiliency.
- Cities and towns received \$20 million to help reduce **pollution from storm water** by developing projects to help absorb and filter runoff before it gets in rivers and Long Island Sound.
- Funds remained in place at the Office of Policy and Management for work on a **Comprehensive State Water Plan**. 🍀

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Educational Wildlife Signs Available

DEEP's Wildlife Division has produced signs that municipalities, businesses, and other groups can use to inform the public about various wildlife species and issues:

- "Do Not Feed the Waterfowl" vinyl signs that measure 20" X 24" can be obtained free-of-charge by sending an email request to deep.ctwildlife@ct.gov. You will be contacted for further information. The printing of these signs was made possible through grants and support from cooperating organizations and agencies.
- A "Be Bear Aware" poster (which can be printed or downloaded) gives advice on preventing conflicts with bears and on what to do if you encounter a bear. Three different sizes are available: small-8 ½"x 11", medium-8 ½"x14", and large-11"x17". The posters can be displayed at town halls, visitor centers, parks, schools, and other public buildings/locations. Go to: www.ct.gov/deep/lib/deep/wildlife/pdf_files/outreach/BearAwarePosterSmall.pdf.
- "Stay Away from Bird Nesting Area" signs can be printed or downloaded to post near osprey nesting platforms. Use your printer menu to scale the sign to whatever size is needed. Signs should be laminated to prevent weather damage. Go to: www.ct.gov/deep/lib/deep/wildlife/pdf_files/nongame/OspreySign.pdf. 🐦



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conference, continued from page 1

In response to your comments from the 2014 meeting survey, CACIWC has worked with our conference facility to revise the layout of our 2015 workshop rooms to provide more space for displays, encourage networking, and increase learning through use of improved sound and audiovisual systems. We look forward to having you join us at:

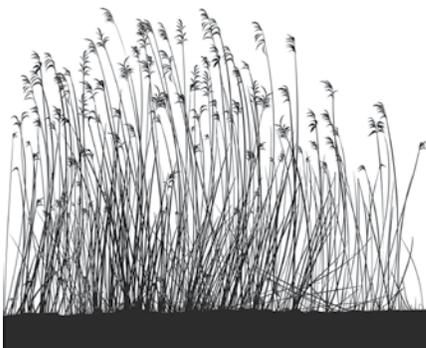
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CACIWC has also organized a great selection of scientific, legal, procedural, and administrative workshops for both new and experienced inland wetlands and conservation commissioners and their agents. These include:

- Developing local resilience to climate change
- News from the Connecticut Invasive Plant Watch List
- 2015 legal updates
- Sensible stormwater & ecological restoration solutions
- Back to basics: wetlands law & regulations
- Low-impact development (LID)
- Understanding new subsurface regulations
- Emerging threats from non-native insects
- Integrated approaches to minimize use of pesticides
- Pond management techniques
- Working with other commissions
- Use of Smartphone to delineate local habitats

Watch for additional details on our website at: www.caciwc.org. Please direct any questions on our annual conference to us at: AnnualMtg@caciwc.org. 🍁



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CACIWC news, continued from page 2

Please be assured that the CACIWC Board of Directors is committed to continue our support of your efforts. You have the power to help protect the habitats in your own town as well as those in our shared global environment!

1. During our 2015 conference, CACIWC plans to continue our efforts to educate and support the efforts of our member commissions to protect local wetland habitats, gather local data, set community priorities, work with cooperative partner agencies, and help strengthen the resiliency of their municipalities to the impact of climate change. Our **38th Annual Meeting and Environmental Conference** is scheduled for **Saturday, November 14, 2015; please save the date!** We are pleased to provide an advanced description of the conference in this issue of *The Habitat*. Watch for additional conference news in upcoming issues and on our www.caciwc.org website.

2. The CACIWC board of directors expresses its thanks to the commissions who have already paid their **2015-16 membership dues** in response to the recently distributed reminder and renewal form. A copy of this form and additional information has also been placed on our website: www.caciwc.org. Our website also provides a description of additional individual and business membership categories you or your company can use to provide additional support to CACIWC. We will very much appreciate any additional contributions that you can provide to support various CACIWC programs including our Annual Meeting, educational materials, and future issues of *The Habitat*.

3. The CACIWC board of directors has continued work on the development of our new **strategic plan**. As part of the strategic planning process, we have been incorporating information obtained from the 2013 and 2014 **membership-wide surveys**. We will be requesting additional information to further 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.

4. Although we have received several inquiries, some **CACIWC board vacancies** remain unfilled (please see the updated list in this issue of *The Habitat* and on www.caciwc.org). Please submit your name to us at board@caciwc.org if you are interested in serving as the New London County representative, one of the vacant alternate county representatives, or as one of the alternate at large representative positions.

5. We also heard from members interested in serving on one of our **CACIWC advisory committees** designed to help us with our education and outreach efforts, contribute to the development of new goals and objectives for our updated strategic plan, and participate in the ongoing review of legislative initiatives. Let us know of your areas of interest by contacting us at board@caciwc.org.

6. Individuals are also working with us on ways to **expand our ability to communicate with member commissions and staff**. These include systems to quickly send you important messages on emerging topics of interest, including grants & funding, legislative issues, and educational opportunities. These improved communications will include an expanded listserv and website-based systems. Please respond to requests for updated email listings from both board members as well as our Membership Coordinator & Database Manager Janice Fournier.

As always, please do not hesitate to contact us via email at 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. All of us benefit from your ongoing efforts to protect wetlands and conserve important habitats within your municipality!

Alan J. Siniscalchi, President 

CT DEEP 2015 Wildlife Action Plan Available for Review

The public is encouraged to review and comment on the Draft 2015 Wildlife Action Plan available on the DEEP website at www.ct.gov/deep/WildlifeActionPlan. The Plan is a vision for the future of fish and wildlife conservation in CT; to keep common species common. Comment will be accepted through August 21.

Excerpts from CT DEEP — Your Environmental Connection

ALERT! Southern Pine Beetle Found in Four Connecticut Counties

The small, destructive Southern pine beetle (*Dendroctonus frontalis*) has been detected at four sites in New Haven, Litchfield and Hartford Counties by the Connecticut Agricultural Experiment Station (CAES) and DEEP and confirmed by the USDA Forest Service. This beetle is native to the Southeastern United States where it infests and kills large stands of pine. Connecticut's native white pine (a "soft" pine) is not at risk, but pitch pine and other "hard" pines are. The potential loss of pitch pine is of concern because it provides habitat for rare and endangered species dependent upon pine-oak sandy barrens. It is unclear how, or when, the beetle arrived in Connecticut. Trapping began in mid-April to determine beetle overwintering success. Visual surveys are underway to determine the extent of the infestation. Pines attempt to push out attacking beetles with a flow of resin. Attacked trees become covered with small popcorn-like blobs of dried resin (see photo above). If the attack is successful, beetles lay eggs under the bark and larvae then feed on the circulatory system of the tree, killing it in one to two years. If you see pines with the popcorn resin, please contact CAES at ctstateentomologist@ct.gov or call 203-974-8474.

Join the 18 Tree City USAs in Connecticut

Tree City USA is an honor earned by cities and towns that meet four standards set by the Arbor Day Foundation and have their application approved by the State Forester. The four standards are having:

- A tree board or department
- A tree care ordinance
- An urban forestry program with an annual budget of at least \$2 per capita
- An Arbor Day observance and proclamation

Connecticut currently has 18 Tree City USAs. The program was initiated by the Arbor Day Foundation in 1976. DEEP's Urban Forestry Program is willing to work with any community interested in exploring whether it qualifies as a Tree City USA and what is needed to earn that designation. Many communities might be surprised at how close they are. Applications for next year's honor are due in December.

For further information go to the following websites:

- www.arborday.org/programs/treeCityUSA/treecities.cfm?chosenstate=Connecticut
- www.ct.gov/deep/cwp/view.asp?a=2697&q=322872&deepNav_GID=1631 

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CT Department of Energy and Environmental Protection On-Line Municipal Inland Wetlands Agency Comprehensive Training Program



The Connecticut Department of Energy and Environmental Protection (DEEP) Municipal Inland Wetlands Agency Comprehensive Training Program is available for registration now through December 1, 2015. This training program, offered pursuant to the General Statutes of Connecticut section 22a-39, consists of an interactive, multi-media, self-paced online course offered through a Central Connecticut State University website platform (www.ccsu.edu/cppsr/deep). The online course is designed for new agency members and staff, and covers a range of legal, administrative and scientific subjects relevant to municipal inland wetlands agency regulation. A DEEP issued certificate of program completion is awarded to participants upon completion of the course. In addition, a voucher allowing one person to register for the comprehensive training program online course at no cost has been mailed to each municipal inland wetlands agency. Course fee for all other participants is \$75.00 per person. The Municipal Inland Wetlands Agency Comprehensive Training Program is available for registration through December 1, 2015. Course participants have until December 15, 2015 to complete the course. 🍁

