



# MINUTES

## MANSFIELD INLAND WETLANDS AGENCY

AUDREY P. BECK MUNICIPAL BUILDING ■ 4 SOUTH EAGLEVILLE ROAD ■ COUNCIL CHAMBER

TUESDAY, OCTOBER 6, 2016 ■ REGULAR MEETING

**MEMBERS PRESENT:** J. Goodwin, C. Ausburger, B. Chandy, R. Hall, G. Lewis (arrived at 6:41pm), K. Rawn, B. Ryan, S. Westa (arrived at 7:16pm)  
**MEMBERS ABSENT:** V. Ward  
**ALTERNATES PRESENT:** P. Aho, K. Fratoni  
**ALTERNATES ABSENT:** T. Berthelot  
**STAFF PRESENT:** Jennifer Kaufman, Inland Wetlands Agent

Chairman Goodwin called the meeting to order at 6:31 p.m. and appointed Aho and Fratoni to act and Chandy was appointed as Acting Secretary in Ward's absence.

### APPROVAL OF MINUTES:

A. SEPTEMBER 6, 2016 – REGULAR MEETING

Ryan MOVED, Rawn seconded, to approve the 09-06-2016 minutes as presented. MOTION PASSED UNANIMOUSLY. Hall and Fratoni noted for the record that they listened to the recording.

B. SEPTEMBER 14, 2016- FIELD TRIP NOTES

Noted.

### COMMUNICATIONS:

The Conservation Commission draft minutes were noted.

### OLD BUSINESS:

A. W1574- 122-124 THORNBUSH ROAD LLC, 122-124 THORNBUSH ROAD, SITE WORK

Item tabled.

B. W1575- WILLARD J. STEARNS & SONS, INC., BROWNS & COVENTRY ROAD, 9 LOT SUBDIVISION

Item tabled Pending a11/2/16 Public Hearing.

C. W1576- C. & J. RUSSEY-MILNE., 494 WORMWOOD HILL ROAD, 24' X 24' ADDITION

Rawn recused himself. Ryan MOVED, Hall seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to C. and J. Russey-Milne (File W1576) for a garage and rear addition on property owned by the applicants and located at 494 Wormwood Hill Road as shown on plans dated 8/30/2016, revised through 9/29/2016 and as described in application submissions.

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

1. Appropriate erosion and sedimentation controls as shown of the plans shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized; and
2. The site will be seeded and mulched after construction and monitored until the site is completely stabilized.

This approval is valid for five years (until October 6, 2021) 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 with all in favor except Rawn who recused himself.

D. W1577-M. BENZIE, 1029 STORRS ROAD, SEPTIC SYSTEM AND LEECH FIELD

Goodwin recused herself. Vice Chair Ryan was seated at Chair. Rawn MOVED, Chandy seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to M. Benzie (File W1577) for installation of an onsite sewage treatment system on property owned by the M. MacDonald and located at 1029 Storrs Road as shown on plans dated 7/19/2016, revised through 8/31/2016 and as described in application submissions.

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

1. Prior to commencing installation the applicant shall demonstrate that the area of activity currently located on the abutting property has been deeded to the owners of 1029 Storrs Road;
2. Appropriate erosion and sedimentation controls shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
3. All soil shall be stockpiled at least 50 feet from the edge of wetlands and surrounded with silt fence; and
4. Upon completion of activity, all soil shall be removed from the site or distributed at least 50 feet from the edge of wetlands.

This approval is valid for five years (until October 6, 2021) 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 with all in favor except Goodwin who recused herself.

**NEW BUSINESS:**

A. W1569- T. AINSWORTH, WOODLAND ROAD, MODIFICATION REQUEST

Rawn MOVED, Hall seconded, to grant a modification of the Inland Wetlands License (File W1569) granted on July 20, 2016 pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to T. Ainsworth for construction of a single family home on property owned by Alan Ainsworth and located on Woodland Rd (Parcel ID 18.67.3) as shown on plans dated 4/28/2016, revised through 9/12/2016 and as described in application submissions.

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

1. Appropriate erosion and sedimentation controls, as noted on the plans, shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. To filter runoff and prevent erosion, ground cover shall be planted as indicated on the plan in areas with a 3 to 1 and 2 to 1 slope and establishment of such plantings shall be a condition of the certificate of zoning permit compliance.
3. The site plan shall be revised to include a notation stating that the area down gradient of the silt fence shall be kept in a natural state, except for the management of invasive species. A notice of this condition shall be filed on the land records.

This approval is valid for five years (until October 6, 2021) 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.

B. W1579- J.C. BEALL & K. HIGGINS, WOODLAND ROAD, WETLANDS CROSSING

Ryan MOVED, Ausburger seconded, to receive the application submitted by JC Beall and Katrina Higgins (IWA File 1579) under the Inland Wetlands and Watercourses Regulations of the Town of Mansfield for installation of a stream crossing on property located on the west side of Woodland Road (Assessor's Parcel ID 11.49.19) as shown on a map dated 9/25/2016 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comments. MOTION PASSED UNANIMOUSLY.

C. W1580- E. HALL, 513 WORMWOOD HILL ROAD, 42' X 52' FARM BUILDING

Ryan MOVED, Rawn seconded, to receive the application submitted by Ed Hall/Tom Wells (IWA File 1580) under the Inland Wetlands and Watercourses Regulations of the Town of Mansfield for construction of a 42 by 52 foot farm maintenance building on property located at 513 Wormwood Hill Road as shown on a map dated 9/26/2016 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comments. MOTION PASSED UNANIMOUSLY.

D. W1581-EVERGREEN ENERGY, LLC., 205 PLEASANT VALLEY ROAD, GROUND MOUNTED SOLAR PANELS

Ryan MOVED, Chandy seconded, to receive the application submitted by Evergreen Energy, LLC (IWA File 1581) under the Inland Wetlands and Watercourses Regulations of the Town of Mansfield for installation of a solar array and geothermal wells on property located at 205 Pleasant Valley as shown on a map dated 9/28/2016 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comments. MOTION PASSED UNANIMOUSLY.

#### REPORTS FROM OFFICERS AND COMMITTEES:

A 2:30pm Field Trip was set for 10/12/16.

#### COMMUNICATIONS AND BILLS:

Noted.

#### PUBLIC HEARINGS:

W1564-2 – STORRS LODGES, 218 UNITS, HUNTING LODGE ROAD (PARCEL ID 15.21.3)

Chairman Goodwin opened the continued Public Hearing at 6:50 p.m. Members present were Goodwin, Ausburger, Chandy, Hall, Lewis, Rawn, Ryan, and alternates Aho and Fratoni. Aho (until 7:16 pm) and Fratoni were appointed to act. Westa was seated upon arrival at 7:16 p.m. Jennifer Kaufman, Inland Wetlands Agent noted her 9/29/16 memo that listed all of the communications received and distributed to members of the Agency thus far. In addition to those listed in the memo, distributed this evening were: a 10-5-16 email from Charles Vidich; an email with an attached letter dated 9-6-16 from Brian Usher which was read into the record at the September 6th meeting; and resumes of the IWA hired independent consultants: Kimberly Bradley and John McGrane of GEI Consultants.

Attorney David Sherwood, representing the applicant, explained the applicant's position regarding the meaning and application of the statutory requirements concerning feasible and prudent alternatives, and distributed additional handouts to the Agency that included a:

- A 10-6-16 "C.G.S. §22a-41 Factors for consideration of Commissioner. Finding of no feasible and prudent alternative. Wetlands or Watercourses. Habitats. Jurisdiction of municipal inland wetland agencies"
- A 10-6-16 "C.G.S. §22a-38 Definitions"
- A 10-6-16 "Applicant's Additional Submittals Relating to Feasible and Prudent Alternatives Analysis"
- A 10-6-16 "University of Connecticut Student Housing Statistics-Storrs Campus"
- A 10-6-16 "Newspaper Articles and Reports on the Need for Student Housing"
- A 10-4-16 Letter from Robert Stewart, Stewart Appraisal Services
- A 9-6-16 Letter from Jeffrey Resetco, Vice President, EdR
- A set of marked up undated plans depicting alternatives

David Ziaks, F. A. Hesketh and Associates, reviewed the applicant's site alternatives analysis with the Agency.

Kimberly Bradley, GEI Consultants, on behalf of the Inland Wetlands Agency, was present to answer questions from the agency. She submitted her Curriculum Vitae and that of her colleague John H. McGrane. She answered the questions listed in the Conservation Commission minutes and agreed, at the request of the Agency, to provide written answers prior to the next meeting. She expressed her opinion that more information is necessary before she can confirm that the proposed stormwater plan is adequate.

After Agency questions, Chairman Goodwin noted no further comments from the Agency or the Applicant and opened the floor for public comment.

John Silander, 30 Silver Falls Lane, member of the Conservation Commission (stating that he has recused himself from any discussion of this topic at Commission meetings) spoke as a concerned citizen. He submitted his Curriculum Vitae and correspondence which he summarized for the record setting out his concerns for this proposed project.

Barbara Hurd, 329 North Eagleville Road, expressed concern with the runoff, contaminants from increase automobile traffic, increase pedestrian traffic and trash all within the wetlands area.

Brian Usher, 44 Meadowood Road, expressed concern for the property owners adjacent to the proposed site and the potential for increased water issues, that no consideration was given to downsizing the project, and the need for that much additional housing. He questioned the applicant's statement about this proposal having a lesser effect on the wetlands than a 19 lot subdivision.

Elizabeth Cowles, previously a homeowner on Meadowood Road, expressed concern that this development is all uphill from the homes on Meadowood Road and noted that these homes are already effected by the high water table. She questioned if there will be any impact from the change in water flow to the existing chemical waste pits. She requested that the Agency consider this proposal in light of the area as a whole and not just the impact on this site.

David Freudman, 22 Eastwood Road, requested that this proposal be looked at as a whole, expressing concern for the potential neighborhood impact to wells.

Marilyn Cook, 219 Separatist Road, expressed concern for the amphibious wildlife (especially salamanders and tree frogs) in the area and potential consequences to wells.

Mary Harper, member of the Conservation Commission, speaking as a concerned citizen, questioned Kim Bradley as to what she meant by a “visual observation”.

James Knox, Birch Road, stated that he feels this project is out of scale for this property, stating that at a minimum the buildings closest to the neighborhoods should be removed from the proposal.

Mr. Dahmani, 155 Birch Road, Ph.D. in Petroleum Engineering, spoke at length about the potential significant negative impact the proposed development could have on the groundwater and urged that a study be performed with a chemical analysis.

Linda Hogan, 38 Meadowbrook Road, requested that the Agency look at this project site as a whole and take into consideration the impact it will have on off-site properties. She asked what mitigation measures are in place and what the short and long term effects on wells will be.

Kathy Usher, 44 Meadowbrook Road, expressed concern for the water quality and wanted assurances that this development doesn't further negatively impact the surrounding neighborhoods.

Among other questions, the Agency inquired if Silander had an opinion on the wetlands crossing onto Hunting Lodge Road, the potential impact on wells from the chemical pits as a result of development, the scale of the project, the basis for tying the Agency's analysis to the need for additional student housing not provided by UCONN, that Bradley respond to the Conservation Commission's questions/concerns in writing so that it may be reviewed by all, the impact of oil, gasoline and other runoff on the wetlands and the current status of wells impacted by the chemical pits.

At 9:07 p.m., Hall MOVED, Rawn seconded, to adjourn the public hearing to Wednesday, November 2, 2016. MOTION PASSED UNANIMOUSLY.

#### **ADJOURNMENT:**

The Chair declared the meeting adjourned at 9:08 pm.

Respectfully submitted,

Binu Chandy, Acting Secretary