

SPECIAL MEETING MINUTES

Members Present: S. Accorsi, P. Aho, B. Chandy, L. Cooley, C. Cotton, R. Hall (7:05 p.m.), D. Plante, K. Rawn, V. Ward

Alternates Present: J. Devivo, K. Fratoni

Staff Present: J. Kaufman, Senior Planner/Inland Wetlands Agent; J. Woodmansee, Planner I; L. Painter, Director of Planning and Development; K. Deneen, Town Attorney

CALL TO ORDER AND ROLL CALL

Aho called the meeting to order at 6:31 p.m. Members present are Accorsi, Aho, Chandy, Cooley, Cotton, Plante, Rawn and Ward and alternates Devivo and Fratoni. Alternate Fratoni is seated for absent member Hall.

APPROVAL OF MINUTES

Chandy MOVED, Ward seconded approval of the October 5, 2020 Regular Meeting minutes as presented. Cooley noted for the record that she watched the recording.

Motion PASSED (8-0-1), Fratoni was disqualified.

PUBLIC HEARINGS

W1614-Application of Haven Campus Communities for the construction of a mixed-use development consisting of seven new buildings with a five-story parking deck, paved parking areas and associated amenities. The parcels are located at 1753, 1733 and 1717 Storrs Road (Assessor's Parcel IDs 8.15.8, 8.15.9, and 8.15.10)

Painter provided an overview of the public hearing process and information on how to participate in the virtual meeting.

Aho opened the public hearing at 6:36 p.m. Members present are Accorsi, Aho, Chandy, Cooley, Cotton, Plante, Rawn and Ward and alternates Devivo and Fratoni. Alternate Fratoni is seated for absent member Hall.

Applicant Presentation

Amy Souchuns, Esq., Hurwitz Sagarin Slossberg & Knuff, LLC; Chase Powell, Haven Campus Communities; Eric Davison, Davison Environmental; and Jeff Bord, Bohler Engineering; behalf of Haven Campus Communities.

Key points included:

- Application does not involve any direct impact to wetlands other than modification to a channel (intermittent stream) for the purpose of stormwater improvements.

- The existing development currently has no stormwater management controls, resulting in stormwater runoff directly into wetlands, including stormwater from Route 195. While more intensive than what is existing, the redevelopment will improve water quality through the introduction of stormwater management controls.
- A vernal pool survey was completed. While one vernal pool indicator species was found in a few scattered locations, given the high density of fish and other species that prey on vernal pool amphibians, it was determined that there were no true vernal pools present.
- Existing pond and dam have been in existence since at least 1934.
- There are two inflows to the wetland system—a first order perennial stream located in the northeast corner of the property and a channel entering from the southeast portion of the property, which is fed by the wetlands system on the east side of Route 44 which was the subject of the Capstone Collegiate Communities application.
- Eversource transmission line bisects the site, running over the existing dam.
- The wetland system is high functioning with significant biodiversity, and also provides flood control and stormwater treatment functions. The wetland also discharges to Cedar Swamp Brook.
- There are some areas where new development will encroach closer to the wetland system; however, only one is an older forest that does not show evidence of prior disturbance.
- Proposed stormwater management system will reduce peak flows as well as overall stormwater volumes.
- Acknowledgement that there are some outstanding items from the Agency’s peer review consultant that still need to be addressed;
- They will be preparing a comprehensive response to Intervenor’s comments and presentation.

Ward questioned the location and design of the parking structure related to the wetland boundary and the impact of that location on the wetland system. Bord noted that in addition to the stormwater improvements, the applicant will also be implementing an invasive species management plan to remove existing invasive species along the wetland boundary.

Intervenor Presentation

Richard Roberts, Halloran and Sage; Scott Harley, CDM Smith; and Magdalena Lofstedt, CDM Smith presented on behalf of the University of Connecticut, Intervenor.

Key points included:

- Proposed development meets six of seven criteria for consideration as a significant activity. As a significant activity, an alternatives analysis would be required and has yet to be provided as requested by the Agency’s consultant.
- Conservation Commission expressed concern with extent of development within Upland Review Area; need for additional testing in the stormwater quality basins to determine groundwater levels; steep slopes on some of the swales and the ability to maintain those slopes; and need for a more significant vegetative buffer.

- There are several deficiencies in the stormwater management system that need to be addressed, including:
 - Use of gravel runoff rates and volumes for areas of deteriorated pavement as opposed to pavement, which would be the more conservative approach given the condition of existing pavement on the property.
 - Low infiltration rates seem counter to the proposed basin drainage within 72 hours.
 - Reduction in post-development runoff volumes may not be achieved if infiltration is not viable on this site.
 - Design point 3 will result in a net increase in runoff rate and volume; no downstream analysis performed which may result in negative impacts to adjacent property owner.
 - Need for the applicant to obtain CTDEEP General Permit, which requires retention of one half of the water quality volume to be retained on-site.
 - No soils testing done to determine presence of contaminated soils, which is possible given existing auto repair use.
 - An infiltration basin is proposed within the area of the auto repair use; this is not recommended by the Stormwater Quality Manual due to potential for contaminated soil.
 - Significant portion of the site is within the mapped 100-year floodplain; for which no base flood elevation has been determined by FEMA. Applicant should be required to determine BFE and conduct a hydrologic/hydraulic analysis that proposed development would not adversely impact downstream properties.
 - Sanitary Sewer Project Environmental Impact Evaluation determined that proposed development must not result in more intensive uses of the floodplain than currently exist to comply with state policy.
- The site contains a high quality wetland that forms the headwaters of Cedar Swamp Brook.
- Much of the proposed development will occur on undeveloped land within close proximity to the wetlands.
- The application fails to accurately depict offsite wetlands and associated upland review area in the northwest portion of the site.
- Potential to impact public water supply wells within close proximity to the site.
- There are several deficiencies in the applicant's response to the Agency's peer review consultant comments as detailed in CDM Smith's technical memorandum.
- Additional information is needed regarding potential vernal pool impacts both on-site and off-site.

IWA Technical Consultant (LandTech) Comments

Christopher P. Allan, Professional Wetland Scientist and Certified Soil Scientist; Robert Pryor, P.E., L.S., of LandTech, the Agency's Peer Review Consultant provided an overview of their review of the subject application, including recommendations related to: additional testing and analysis to be conducted by the applicant; removal of invasive species and other buffer enhancements; and submission of an alternatives analysis.

Members questioned Pryor and Allan regarding several of the Intervenor's comments related to the floodplain impacts, soil contamination, and impervious cover calculations(Chandy). Pryor and Allan indicated that they are waiting to review the applicant's response to before preparing their own comments. Bord noted that they are working on a Letter of Map Amendment related to the floodplain boundary and a Phase 2 environmental assessment. A comprehensive response to the Intervenor's comments will be provided.

Ward questioned whether the applicant planned to do an alternatives analysis. Powell responded that they will provide a response to the question at a later date but emphasized that the proposed development will result in improved conditions. Souchuns noted that the applicant will be providing a comprehensive response to the intervenor's comments that were received the day before the hearing and emphasized that they disagree with the Intervenor's assertion that the development represents a significant activity. Rawn noted that he concurred with Ward's request for an alternatives analysis, noting that he believed it constituted a significant activity.

Aho noted that Ros Hall joined the meeting at 7:05 p.m.; as of that time Fratoni was no longer seated.

Communications

Kaufman noted receipt of the following communications regarding the application:

- Communications from Christopher P. Allan, Professional Wetland Scientist and Certified Soil Scientist; Robert Pryor, P.E., L.S.; and Thomas Ryder, Certified Ecologist, Wetland Scientist, of LandTech, the Agency's Peer Review Consultant dated September 10, 2020, October 1, 2020, and October 14, 2020.
- Communication from Bohler Engineering dated September 21, 2020
- Communication from Thomas Ryder, Certified Ecologist, Wetland Scientist, of LandTech, the Agency's Peer Review Consultant dated September 14, 2020
- September 22, 2020 Conservation Commission Minutes (draft)
- Communication from Jeff Bord, P.E. of Bohler Engineering dated September 25, 2020
- University of Connecticut Petition for Intervention and cover letter from Richard P. Roberts of Halloran and Sage dated October 1, 2020
- Two memos from Scott Harley, P.E. and Magdalena H. Lofstedt, PWS of CDM Smith dated October 4, 2020 and October 14, 2020 (consultants for University of Connecticut)
- Email from J. Knuff, Esq., Hurwitz Sagarin Slossberg & Knuff, LLC, on behalf of applicant granting an extension by which the public hearing must close dated October 5, 2020
- Resumes of Geoff Fitzgerald and Jeff Bord of Bohler Engineering
- Applicant Response to LandTech Comments dated October 9, 2020

- Site Plans revised through October 9, 2020
- CDM Smith Technical Memo Revised through October 14, 2020
- Letter from T. Friedland dated October 13, 2020
- Email from D. Fontaine dated October 14, 2020

Aho recessed the hearing from 8:08 p.m. to 8:13 p.m.

Public Comment

No public comment was received.

Adjournment of Hearing

Chandy MOVED, Plante seconded to adjourn the public hearing on the wetlands license application of Haven Campus Communities to authorize a mixed-use development at 1753,1733 and 1717 Storrs Road, (File W1614) to November 16, 2020 at 6:30 p.m. The hearing will be held virtually unless the Agency has resumed in-person meetings, in which case the hearing will be held in the Town Council Chambers, 4 South Eagleville Road. Information on how to participate in the virtual hearing will be published on the meeting agenda.

Motion PASSED unanimously.

Aho adjourned the hearing at 8:15 p.m.

OLD BUSINESS

W1614-Application of Haven Campus Communities for the construction of a mixed-use development consisting of seven new buildings with a five-story parking deck, paved parking areas and associated amenities. The parcels are located at 1753, 1733 and 1717 Storrs Road (Assessor's Parcel IDs 8.15.8, 8.15.9, and 8.15.10)

Tabled until associated public hearing has been closed.

W1615-Application of Greg Anderson for Pond Dredging on Property Located at Wormwood Hill Road (Assessor's Parcel ID 5.51.1-6)

Aho recused himself from this item and turned the meeting over to Vice Chair Rawn. Fratoni was appointed to act in place of recused member Aho. Kaufman provided an overview of the proposed application, noting its similarity to a 2014 action and the applicant's response to Conservation Commission comments.

Greg and Mona Anderson, applicants, provided additional background on their request.

Chandy MOVED, Cooley seconded to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield for pond dredging on property owned by Gregory Anderson and located on the southeastern side of Wormwood Hill Road (Assessor's Parcel ID 5.51.1-6) as shown on a map dated 9/8/2020 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:

Appropriate erosion and sedimentation controls shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;

All excavated silt shall be distributed at least 50 feet from the edge of wetlands; and

Areas where pond silt is distributed shall be seeded and mulched.

This approval is valid for five years (until October 15, 2025) unless additional time is requested by the applicant and granted by the Inland Wetlands Agency and is contingent upon all other state and federal permit requirements being met. 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.

Aho rejoined the meeting and Fratoni was no longer seated.

NEW BUSINESS

None.

OTHER COMMUNICATIONS AND BILLS

Communications from the Town of Chaplin regarding a proposed subdivision within 500 feet of the Town boundary; University of Connecticut regarding a permit application for use of pesticides in State waters to control phragmites within the Hillside Environmental Education Park (HEEP) wetlands; and the August 31, 2020 UConn Water Supply Plan were noted.

Fratoni expressed concern with the proposed pesticide and impact on all vegetation.

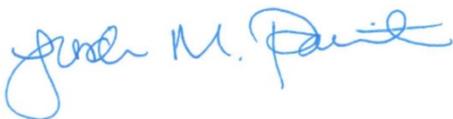
REPORTS FROM OFFICERS AND COMMITTEES

No reports.

ADJOURNMENT

Aho adjourned the meeting at 8:30 p.m.

Respectfully Submitted:



Linda M. Painter, AICP
Director of Planning and Development