

**DRAFT Minutes**  
Mansfield Inland Wetlands Agency  
Regular Meeting  
Monday, June 6, 2016  
Council Chambers, Audrey P. Beck Municipal Building

Members present: J. Goodwin, C. Ausburger, B. Chandy, R. Hall, G. Lewis, K. Rawn, B. Ryan, V. Ward,  
Members absent: S. Westa  
Alternates present: K. Fratoni  
Alternates absent: P. Aho, T. Berthelot  
Staff present: J. Kaufman, Wetlands Agent  
L. Painter, Director of Planning and Development

Chairman Goodwin called the meeting to order at 6:36 p.m. and appointed alternate Fratoni to act.

**APPROVAL OF MINUTES:**

**a. MAY 2, 2016 – REGULAR MEETING**

Ward MOVED and Chandy seconded to approve the 5/2/2016 minutes as presented. MOTION PASSED UNANIMOUSLY.

**b. MAY 11, 2016 – FIELD TRIP NOTES**

The notes from the 5/11/2016 field trip were noted.

**c. MAY 16, 2016 – SPECIAL MEETING**

Ryan MOVED and Hall seconded to approve the 5/16/2016 minutes as presented. MOTION PASSED UNANIMOUSLY.

**COMMUNICATIONS:**

The Conservation Commission meeting minutes and Kaufman's monthly business memo were noted. Kaufman called attention to the two violation notices that will be coming to the Agency for approval and requested that the Agency start thinking about how to address "after the fact" permits.

**OLD BUSINESS:**

**A. W1561 – H. RAPHAELSON, DOG LANE, LOT SPLIT**

Rawn MOVED, Hall seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to Howard Raphaelson (File W1561) for a lot split on property owned by the applicant and located at Dog Lane (Assessor's Parcel ID 14.41.23) as shown on plans dated January 12, 2016, revised through March 16, 2016, and as described in application submissions.

In granting this license, the Agency has considered the relevant facts and circumstances as presented at public hearing and in light of the requirements and criteria set out in Section 10.2 and 10.3 of Mansfield's Inland Wetlands and Watercourses Regulations, makes a specific finding that the proposed activities will have no anticipated significant adverse impact on the wetlands or watercourses.

This action 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. The following revisions shall be made to the plans dated February 10, 2016, revised through March 16, 2016, and submitted to the Inland Wetlands Agent. The Plans shall be signed and sealed by both the Surveyor and Soil Scientist and recorded on the land records as part of the lot split:

- a. Note 3 on the Boundary Plan shall be removed.
- b. Site Development Plan:
  - i. To sustain the long-term functions and values of the wetland system, restrict future development close to the edge of the wetlands, application of fertilizers and pesticides, and the cutting of vegetation, a natural buffer of at least 40 feet from the edge of wetlands shall be maintained. There is a footing drain proposed to be located 10 feet from the edge of wetlands on lot 2. The buffer shall permit only construction and maintenance of this footing drain.
  - ii. A construction sequence, approved by the Mansfield Assistant Town Engineer, shall be added.
  - iii. House Site Development:
    1. Note 1 shall read "Land disturbance shall be kept to a minimum and shall not exceed the Limit of Disturbance indicated on the plan."
    2. The plan shall be revised so that the limit of disturbance is inside the edge of silt fence.
    3. Note 2 shall read "Driveway shoulders shall be stabilized immediately upon completion of rough grading. Shoulder seed bed preparation shall be used to entrap any sediment generated from exposed soil surfaces. Driveway roadbeds shall be stabilized with compacted road aggregates as soon as possible."
    4. Note 3 shall read: "Topsoil and excavated subsoil shall be stockpiled at least 50 feet from the edge of wetlands and within the limit of disturbance indicated on this plan if not used immediately for regrading. Each stockpile shall be ringed with sediment control measures such as hay bales and/or silt fence."
    5. Note 4 shall read "Any additional stockpiling of lumber and building materials shall be confined to the area of disturbance. Vehicular movement shall be directed to established parking areas."
    6. Note 5 shall read: "Once the proposed structure is enclosed, all site improvements, such as well, footing drain, septic system, driveway, etc. shall be completed expeditiously and all exposed soil areas shall be fine graded and mulched."
    7. Add an additional note that states "Development of the of sewage disposal leaching areas shall be staged to follow house site preparation. Only the primary leaching system shall be cleared of existing vegetation. The septic system reserve area shall remain undisturbed if site conditions permit."
  - iv. General Notes
    1. Should "stilling basins" be required to manage the dewatering of excavated areas, the design shall be submitted to the Inland Wetlands Agent for review and approval by the Assistant Town Engineer. Construction of such stilling basins shall not begin until written authorization from the Inland Wetlands Agent is received by the property owner.
    2. Note C.-Change should in the second to last line to shall.
  - v. Plan implementation
    1. First paragraph shall read "During construction it shall be the responsibility of Howard Raphaelson (860-429-1340) or the current owner of record..."
    2. Add the following note: Prior to the start of construction, there shall be a pre-construction meeting with the Mansfield Inland Wetlands Agent, Zoning Enforcement

Officer, the site contractor to review the construction plan and develop inspection procedures and reporting requirements.

vi. Notes:

1. Revise note 5 to read “no brush or stumps shall be buried on the site.”
2. Revise note 8 to read “Any regulated activity within the upland review area of this site that are not specified on the plans approved by the Inland Wetlands Agency shall be reviewed with the Mansfield Inland Wetlands Agent to determine if it is necessary to go before the Inland Wetlands Agency.”
3. Remove Note 12
4. Note 15 remove “pursuant to section 6.5.j.3 of the Mansfield Subdivision Regulations.”

This approval is valid for five years (until June 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 Chandy, Hall, Rawn, Ryan in favor and Ausburger, Goodwin, Ward opposed. Fratoni disqualified herself and Lewis abstained.

**B. W1562 – MEADOWBROOK GARDENS, 91 & 93 MEADOWBROOK LANE, 36 UNITS**

Ryan MOVED, Rawn seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to Uniglobe Investments, LLC (File W1562) for construction of 36 dwelling units on property owned by the applicants and located at 91 & 93 Meadowbrook Lane as shown on plans dated January 8, 2016, revised through May 16, 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 shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized; and
2. Under special requirements section on page 6 of 11 of the plans, the applicants shall change the note to “Construction activities between April 1<sup>st</sup> and September 30<sup>th</sup> shall follow the recommended strategies to protect wood turtles.”

This approval is valid for five years (until June 6, 2021) unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Inland 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 Fratoni disqualifying herself.

**C. W1564 – STORRS LODGES, 218 UNITS, HUNTING LODGE ROAD (PARCEL ID 15.21.3)**

Tabled Pending Special Meeting on 6/20/16 Public Hearing.

**D. W1566 – GROUNDWATER & ENVIRONMENTAL SERVICES, 7 STORRS ROAD, REMEDIAL SOIL EXCAVATION**

Chandy MOVED, Ryan seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to Groundwater and Environmental Services, Inc. (File W1566) for removal of petroleum impacted soil on property owned by the Magic Holdings, LLC. and located at 7 Storrs Road as shown on plans dated 4/18/2016 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 provision 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.

This approval is valid for five years (until June 6, 2021) unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Inland 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 Fratoni disqualifying herself.

**E. W1567 – R. HENNING, 166 MOULTON ROAD, WATER WHEEL**

Ryan MOVED, Hall seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to R. Henning (File W1567) for the installation of a water wheel on property owned by the applicant and located at 166 Moulton Road as shown on plans dated 1/15/2015 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 provision 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;

This approval is valid for five years (until June 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 Fratoni disqualifying herself.

**NEW BUSINESS:**

**A. W1568 – R. SUSCA, 131 GURLEYVILLE ROAD, 10'X16' SHED**

Ward MOVED, Ryan to receive the application submitted by R. Susca (IWA File 1568) under the Wetlands and Watercourses Regulations of the Town of Mansfield for the construction of a 10 by 16 foot shed on property located at 131 Gurleyville Road as shown on a map dated 4/21/2016 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comments. MOTION PASSED UNANIMOUSLY.

**B. W1569 – T. AINSWORTH, WOODLAND ROAD (PARCEL ID 18.67.3), SINGLE FAMILY HOME**

Chandy MOVED, Ryan seconded, to receive the application submitted by T. Ainsworth (IWA File 1569) under the Wetlands and Watercourses Regulations of the Town of Mansfield for construction of a single family home on property located on the west side of Woodland Road (parcel Id 18.67.3) as shown on a map dated 4/28/2016 and as described in application submissions, and to refer said application to staff and the Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

**PUBLIC HEARING:**

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

The Public Hearing was not opened due to a failure on the part of The Chronicle to properly publish notice as requested; an error discovered just prior to the commencement of the meeting. Chairman Goodwin informed those present that no testimony would be taken this evening. The Agency set a Special Meeting for June 20<sup>th</sup> to commence the Public Hearing.

**Reports from Officers and Committees:**

A Field Trip was scheduled for 6/15/16 at 3:00 p.m.

**Other Communications:**

Noted.

**Adjournment:**

The Chairman declared the meeting adjourned at 7:07 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

**DRAFT MINUTES**  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday, June 6, 2016  
Council Chamber, Audrey P. Beck Municipal Building

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

Chairman Goodwin called the meeting to order at 7:10 p.m. and appointed Fratoni to act.

**APPROVAL OF MINUTES:**

**A. May 16, 2016- Regular Meeting:**

Ryan MOVED, Chandy seconded, to approve the 05-16-2016 minutes as presented. MOTION PASSED with all in favor except Fratoni who disqualified herself. Lewis noted that he listened to the recording.

**ZONING AGENT'S REPORT:**

No report presented.

**OLD BUSINESS:**

**A. ZONING AMENDMENT APPLICATION, 91 & 93 MEADOWBROOK LANE (PZC FILE 1338)**

Hall volunteered to work with staff on a motion for the next meeting.

**B. SPECIAL PERMIT APPLICATION, MEADOWBROOK GARDENS, 91 & 93 MEADOWBROOK LANE (PZC FILE 1284-3)**

Hall volunteered to work with staff on a motion for the next meeting.

**C. AMENDMENT TO ZONING REGULATIONS RELATED TO THE BUSINESS ZONE, S. SCHRAGER (PZC FILE 1341)**

Tabled pending a 6/20/16 Public Hearing.

**D. AMENDMENTS TO ZONING REGULATIONS RELATED TO STORMWATER MANAGEMENT, WATER SERVICE CONNECTIONS, ALCOHOL, AND LIVE MUSIC; AND AMENDMENTS TO ZONING REGULATIONS AND MAP TO CREATE A WATER PIPELINE OVERLAY DISTRICT**

Tabled pending a 6/20/16 Public Hearing.

**E. REQUEST FOR PRE-APPLICATION REVIEW: THE LODGES AT STORRS, HUNTING LODGE ROAD/ NORTHWOODS ROAD**

Anthony Giorgio and Jeffrey Resetco presented an overview of the proposed multi-family project. They stated that the design anticipated that the regulation defining "family" would be revised to allow four unrelated individuals to reside in a unit in a project of this type. Members commented regarding the following issues: parking and traffic generation; proposed density/project size; potential impact on natural resources; compatibility of developments along Hunting Lodge Road; placement of buildings, scale of buildings, sustainable design; light pollution; long-term property management and due to the fact that the project as presently designed cannot be built under the current regulations, whether the wetlands application was premature.

**NEW BUSINESS:**

**A. GRAVEL PERMIT RENEWAL REQUESTS**

Hall MOVED, Rawn seconded, to set a public hearing for June 20, 2016, to hear gravel renewal requests and to refer to relevant staff for review. MOTION PASSED UNANIMOUSLY.

**B. REQUEST FOR MODIFICATION TO EFFICIENCY UNIT PERMIT, S. & C. SORRELS (PZC FILE 1332)**

Rawn MOVED, Ausburger seconded, to deny the modification request and require the applicant to submit a new Special Permit Application for the requested change. MOTION PASSED with all in favor except Hall who was opposed.

**C. ZONING REGULATION REVISIONS-MULTI-FAMILY**

Painter reviewed the proposed approach to Multi-Family Housing Regulations with the Commission. Members generally concurring with the approach, and identifying the need for appropriate transitions between established single-family neighborhoods and new multi-family developments. Staff will refer the draft approach to various committees for review and comment.

**REPORTS FROM OFFICERS AND COMMITTEES:**

Painter reviewed her report and called attention to UConn's determination that no Environmental Impact Evaluation will be required for the new student recreation center.

**COMMUNICATIONS AND BILLS:**

Noted.

**ADJOURNMENT:**

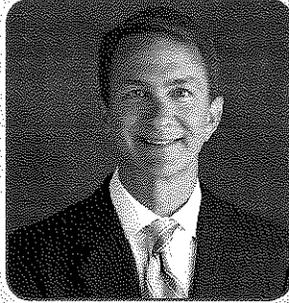
The Chair declared the meeting adjourned at 8:34 p.m.

Respectfully submitted,

Vera S. Ward, Secretary

## Budgets and Taxes

Balancing state and community budgets continues to be a struggle in the current economy. Connecticut Water is doing its part to support local, state, and federal government and taxpayers while continuing our efforts to hold water rates stable.



In 2015, Connecticut Water paid \$8.5 million in taxes and more than 80% went to the local communities we serve through taxes on pipe, hydrants, pumping equipment and treatment facilities. Further, this year we have more than \$50 million allocated in capital investment that will ultimately increase the value of our taxable infrastructure.

We are also very intentional about managing our costs. Our adoption of the IRS's repair tax regulations for replacement of tangible property, which pertains primarily to our investment in water main replacement through the Water Infrastructure and Conservation Adjustment (WICA), has allowed us to lower our federal income tax liability by deducting the entire investment when projects are completed rather than over the lifespan of the asset. While there is no longer a one-time credit on customers' bills to reflect a refund of prior taxes paid, the benefits of the reduced tax payments continue to lower annual costs for the Company and reduce pressure on rates.

In addition, we continue to look for opportunities to lower costs by refinancing debt at historically low interest rates and by careful review of our own operations. Over the past five years, a team of senior managers has been tasked with reviewing our business processes to take costs out of the business without negatively impacting water quality, customer service, and employee satisfaction. Their work has led to more than \$4 million in ongoing expense reductions.

The cost control measures and expense reductions allow us to absorb other cost increases and will help minimize the size of future rate increases.

If you have any thoughts on how we can better serve you and your community, please let us know. You can contact a member of our local management team, or call me at 1-800-286-5700 or send an e-mail to [info@ctwater.com](mailto:info@ctwater.com).

Regards,

Eric W. Thornburg  
President and CEO

## Heritage Village Water and Wastewater to Join Connecticut Water

Heritage Village Water Company (HVWC) and Connecticut Water Company (CWC) recently announced that they had reached an agreement for HVWC to join CWC. The merger will not impact the current rates or service for customers of CWC or HVWC, and the transaction should be virtually seamless to the customers and communities served by both companies. Connecticut Water's contract services arm has been the contract operator of HVWC water and wastewater systems for more than a decade.

HVWC serves 4,700 water and 3,000 wastewater customers in the communities of Middlebury, Oxford, and Southbury.

There are many benefits of bringing the two companies together. As a larger, regional company, CWC has a size and presence that provides for operational efficiencies, greater purchasing power and other economies of scale. Customers benefit when such savings can be realized.

In addition, customers will have the full support of CWC's leadership, finance, water quality, and engineering teams and will benefit from their demonstrated commitment to customer service. CWC will work with local leaders to support the goals of their communities and the protection of water resources in the Pomperaug Watershed.

HVWC and CWC anticipate securing all of the necessary approvals, including that of the Public Utilities Regulatory Authority, by the end of 2016.

## CWC Partners to Restore Aquifer Area

Connecticut Water partnered with the Town of Farmington, The North Central Conservation District, and the Farmington River Watershed Association to complete an aquifer restoration planting on May 3rd.

The plantings were done on town-owned land located along the Farmington River that lies within the aquifer protection area of one of our groundwater sources.



The location had been home to Japanese Knotweed and Multiflora Rose, which are invasive species that crowded out native plants and could have had a negative impact on other vegetation and wildlife.

Connecticut Water provided the funding to purchase the native shrubs, grasses and about a dozen employees volunteered to plant them in their new home.

Maintaining and protecting aquifer and watershed areas is the first step in having high quality water sources.

## Customer Protection Program Recognized Nationally

Connecticut Water is pleased to announce that its ground-breaking customer protection program, Be Sure Before You Open the Door, has been recognized with a Gold Award at the tenth annual Stevie Awards for Sales & Customer Service.

While it is gratifying to get recognition and awards for the program, it is even more important to our employees to see how it benefits and protects our customers. We continue to see news stories of imposters posing as utility workers and are pleased that our customers have added information to protect them from such schemes.

With Connecticut Water's program a photo of the employee scheduled to perform work at a customer's home is emailed to that customer before the employee knocks on the door. The customer can then compare the emailed photo to the person standing at the door and be certain they are a Connecticut Water Employee.



Stevie Awards are a national award competition with past winners including Apple, Ford Motor Company, Samsung, and Procter & Gamble. The Stevie Award judges commented that we were "Going above and beyond... for customer's safety", and that it was a "great use of technology".

## Controlling Costs and Holding Rates Stable

As state and local budgets are being squeezed going into the 2016/17 fiscal year, we want you to know that Connecticut Water is working to control costs and hold base water rates stable. Over the past 5 years our senior manager team has been focused on finding efficiencies and lowering our operating expenses. The team's work has reduced operating expenses by \$4 million during that time.

Equally important is that when efficiencies and savings are identified by the team, they are not implemented if they would adversely affect water quality, customer service, or commitments made to our employees. Further, the savings are sustainable, structural savings so they are not temporary one or two-year savings.

Some examples:

- A 'Procurement Initiative' that allows us to leverage our buying power and economies of scale to get better pricing on the goods and services that we purchase.
- A reorganization of our Service Delivery Team and implementation of travel route optimization software to better deploy our workforce over the 56 communities we serve while also decreasing miles driven and corresponding decreasing fuel consumption.
- Elimination of several vacant positions following a thorough review of each position and the ability of others in the Company to assume those duties.
- The adoption of IRS Repair Tax provisions has allowed us to lower our federal income tax liability. You may recall that Connecticut Water provided a temporary two-year 8.51% Repair Tax credit on customer bills as a result of the federal income tax refund when we first adopted the Repair Tax provision. The credit on the customer bill for the initial refund ended in April this year, but customers and communities still benefit from our reduced tax liability and expense each year.



We also continue to take advantage of historic low interest rates by refinancing debt when it is advantageous to do so.

All of these efforts help us to absorb increasing costs elsewhere in the business such as in health care, wages, insurance and energy without requiring a rate increase from our customers. Further, these savings will lower the amount of our next rate request.

## Free Municipal Conservation Retrofit Program Continues

The free municipal water conservation pilot launched last year is being continued in 2016!

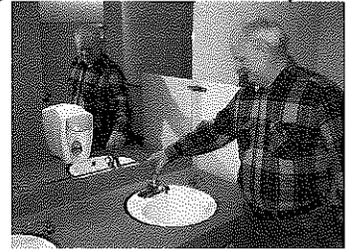
The program is open to municipal facilities such as the town hall, library, public works garage, senior center, community center, fire station, or police department. Schools and Public Housing Authorities are not eligible at this time but may be considered in a future program.

Connecticut Water will inventory the plumbing fixtures and replace eligible toilets and faucet aerators with water conserving models at no cost to the towns.

So far, fixture retrofits have been completed in the towns of Ashford, Essex, Old Saybrook and Thomaston.

Promoting water conservation protects the valuable water resources we use to supply our customers, and is part of Connecticut Water's commitment to being good stewards of the lands and water resources that we own and operate.

Municipalities interested in participating in the program should contact Cindy Gaudino at 860.664.6053 or via e-mail at [cgaudino@ctwater.com](mailto:cgaudino@ctwater.com).



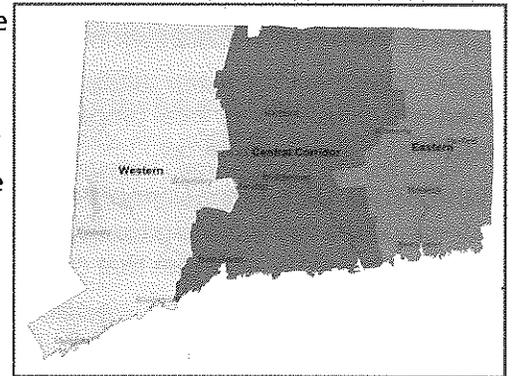
## State Water Supply Planning - WUCC News

The CT Department of Public Health announced they will be convening the three Water Utility Coordinating Committees (WUCCs) in June as part of a re-vamped coordinated water system planning process. The WUCC process seeks to coordinate public water service within each of three delineated management area across the state by assessing current conditions, identifying ongoing and future public water needs, and developing a comprehensive and coordinated plan to best address those needs. Once convened, a WUCC management area has two years to prepare the area-wide plan.

Connecticut Water will maintain our level of service in the 56 communities we serve and we are ready to work with local leaders to meet future public water supply needs in their communities.

WUCC members include representatives of all public water systems and councils of government. Towns should plan on engaging in the WUCC planning process to the extent that it aligns with your municipal interests and needs. Connecticut Water will be heavily involved in all three WUCCs and is happy to meet with any town or address questions as the process unfolds.

For more information on WUCCs and the convening of the WUCCs in June, visit DPH's WUCC website. [www.ct.gov/dph/wucc](http://www.ct.gov/dph/wucc)



## Easy Access to Water Quality Information

The lead crisis in Flint, Michigan has raised the public's awareness about the quality of drinking water. At Connecticut Water our employees take great pride in the quality of the water and service provided to the families and communities we are privileged to serve.

We want customers to know about their drinking water: how we protect, treat, and monitor it from the source to the tap. To that end, we are making water quality information easier to find on our website. There is a new tab for 'Water Quality' on the home page, which is also directly accessible at [www.ctwater.com/WaterQuality](http://www.ctwater.com/WaterQuality). It links to a new page which features general information about lead in drinking water and a link to our most recent lead test results for each of our water systems.

The new page also links to the Annual Water Quality reports that we produce each year. Water Quality Reports that summarize all the data from last year will be available on our website by the end of June.

If you receive calls from Connecticut Water customers with water quality questions, please feel free to direct them to us at 1-800-286-5700.



## Service Delivery Changes

Connecticut Water is committed to efficiently providing consistent world-class customer service, and we are continually assessing how we can do better. This year we have initiated a realignment of our Service Delivery Team that will make the best use of people and resources.

In the past, our superintendents were responsible for all aspects of operations within a specific geographic region. Going forward, each superintendent will have a functional area of expertise that will be extended across our operations statewide. For example, Paul Lowry, who was the Superintendent of our Northern Connecticut Region is now the Superintendent of Field Customer Service and will be responsible for field customer service around the state. This allows for consistent policies and practices across the Company.

Further, the leaders and our supporting teams from engineering, water quality and construction will be located in a mid-state operations center. This will facilitate collaboration, the sharing of resources (such as construction equipment and crews) across geographic areas and improve service to families and communities.

Our superintendents will still be reaching out to local officials as they have done in the past. If you have an issue that needs immediate attention, feel free to contact the superintendent you know best – or any of our superintendents. They are ready to serve you.

### Connecticut Water Company Contacts

<b>Paul Lowry</b> Superintendent, Field Customer Svc	plowry@ctwater.com 860-292-2809
<b>Bob Ross</b> Superintendent, Construction	rross@ctwater.com 860-664-6120
<b>Jeff Racicot</b> Superintendent, Water Quality	jraticot@ctwater.com 860-292-2856
<b>Reed Reynolds</b> Superintendent, Facilities	rreynolds@ctwater.com 860-664-6241
<b>Dan Lesnieski</b> Infrastructure Rehabilitation Manager	dlesnieski@ctwater.com 860-292-2834
<b>Art O'Neill</b> Director of Customer Service	aoneill@ctwater.com 860-664-6029
<b>Don Schumacher</b> Lead Superintendent, Fire Services	dschumacher@ctwater.com 860-664-6067

**Customer Service & 24-hour Emergencies 1-800-286-5700**

## CWC Pays \$6.9 Million in Local Property Taxes

We were surprised to learn in our most recent Public Opinion Leader Survey that only about two-thirds of those who participated were aware that Connecticut Water pays taxes.

As an investor-owned water utility, regulated by the Public Utilities Regulated Authority (PURA), Connecticut Water pays local property taxes on real and personal property, state sales tax, and federal and state income tax.

In the 2015/16 fiscal year, Connecticut Water paid \$6.9 million to local communities through property taxes and is among the top 10 taxpayers in many of the communities we serve. We are a stable source of tax revenues that communities can rely on to fund local services.

Overall, in calendar year 2015, we paid a total of \$8.5 million in federal, state, and local taxes.



[www.ctwater.com](http://www.ctwater.com)



YouTube



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Director of Planning and Development  
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## Farm buildings ready For Open House Day

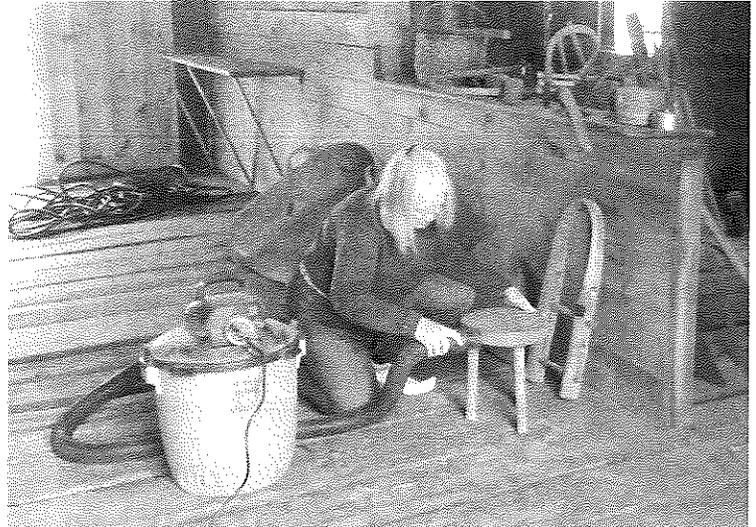
It has been dirty work, but Trust volunteers have prepared a number of fun exhibits at the historic Atwood Farm in time for Connecticut Open House Day on June 11.

With dust masks in place and shop vacs humming – sometimes as many as three at a time – workers have cleaned and organized the farm's outbuildings, including its blacksmith shop, weaver's cottage, ice house, hen house and massive 19<sup>th</sup> century barn.

All of them, along with the Trust's headquarters house, will be open for public inspection from noon to 4 p.m. on Open House Day, a statewide event featuring 170 local attractions, historic sites and museums all over Connecticut.

The 67-acre Atwood Farm at Wormwood Hill and Mount Hope roads in Mansfield recently became the headquarters for Joshua's Trust following its donation by the late Isabelle Atwood.

Built in 1883, the farm's beautifully preserved barn has two levels plus a hay mow with a hayfork and carrier at the top. The sliding front doors open to create a very wide and



**It was dirty, dusty work, but volunteer workers have vacuumed, swept, and organized the Atwood Farm's outbuildings to prepare them for visitors June 11.**

tall opening to accommodate wagons. The lower level, opening out to the barn yard and lane, used to house cattle.

Bruce Clouette, a local historian, is working on obtaining

*Continued on Page Five*

## Our 50th anniversary celebration kicks off with book signing ceremony

The Joshua's Trust 50th Anniversary celebration is officially underway, kicked off earlier this spring with the release of author Rudy Favretti's new book about the organization: "50 Years of Trust."



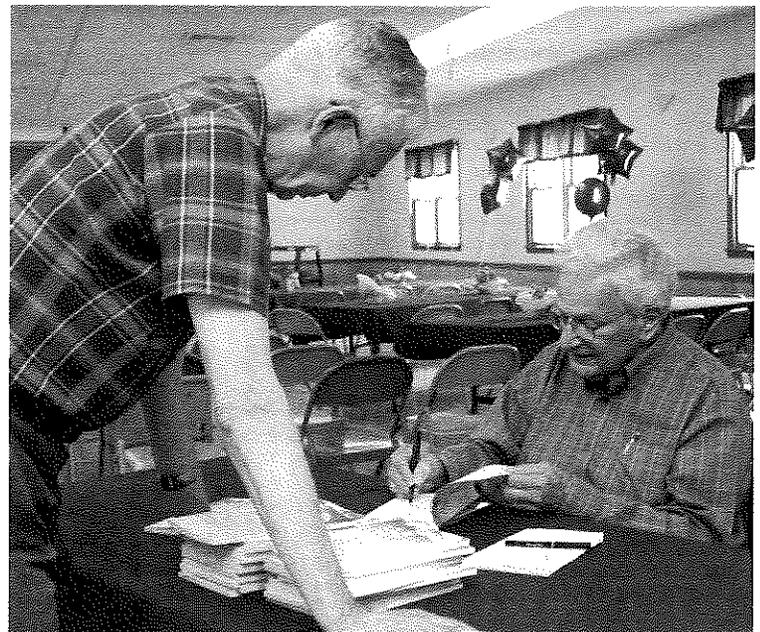
The Story of Joshua's Tract  
Conservation and Historic Trust

Rudy was on hand at the South Eastville firehouse April 23 to sign copies of his work and speak about it with guests. The Juniper Hill Jumpers jazz band was also there to entertain.

The Trust was incorporated in 1966 as a joint initiative of the Mansfield Historical Society and Mansfield Conservation Commission.

Rudy's book will be available for purchase at the Trust office at the Atwood Farm on Wormwood Hill Road

in Mansfield and at any special events such as the open house day at the Atwood Farm on June 11, and at the annual Gala on Oct. 15.



**Author Rudy Favretti autographs his book for Gene Harris, of Glastonbury, whose wife, Charlotte, in 2006 donated a conservation easement to protect 89 acres in Columbia.**

## Joshua's Trust

### Mailing address:

P.O. BOX 4  
Mansfield Center, CT 06250

### Email:

administration@joshuastrust.org  
www.joshuastrust.org

### Visit us at:

The Atwood Farm,  
624 Wormwood Hill Rd., Mansfield.  
Office hours: Tues. Thurs. noon- 5 p.m.  
Phone: 860-429-9023

### OFFICERS:

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Visit the Trust's Facebook page for news updates.



The accreditation seal recognizes land conservation organizations that meet national standards for excellence, uphold the public trust and ensure that conservation efforts are permanent.

# The season of renewal!

Dear Members,

Warmer days and earlier daybreaks mark the start of an important time for Joshua's Trust: It's our annual Membership Drive!

Our membership year starts July 1, but renewals in April, May or June keep you in good standing through June of 2017.

Membership dues are our biggest source of funding for JT's operat-

## TRUST NOTES

By Doug Hughes  
*Joshua's Trust President*

ing expenses throughout the year. Please take a minute to fill out and mail the form on the back page of this newsletter, or go

to [joshuastrust.org/members](http://joshuastrust.org/members) to securely renew online.

Many thanks to those of you who've renewed already. Won't you please spread the word?

See you on the trail!

—Doug

## Maintaining the Trust's trails is hard work

There are a lot of Joshua's Trust volunteers who don't mind getting a little sweaty in the interest of preserving our properties.

Below, Elizabeth Couch Preserve in Coventry got a facelift with the clearing of vegetation, laying of wood chips, trail re-blazing and re-routing. At right, a work party at Whetten Woods in Storrs to remove trees and stones in preparation for a new parking area off Hanks Hill Rd.



## Thank you 50th Anniversary Sponsors

**Diamond:** Peter Anderson, Gail Bruhn, Allison Burchell-Robinson, Warren Church, Ann Dunnack, Rudy Favretti, Brent Gottier, Gwen Haaland, Angelika Hansen  
**50th Anniversary**  
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Doug Hughes, Bill Ingalls, Carl Lindquist, Scott Matthies, Greg Padick, Dave Parry, Jim Russel, Nancy Silander and Karen Zimmer

**Gold:** Carl and Judy Lindquist, Savings Institute Bank and Trust

**Silver:** James Ryan **Bronze:** Alliant Insurance Services, Inc.; McCaughtry & Associates

# Plenty of time to earn a backpack as Trust's Passport Program for hikers gets into full swing

*In this year's Passport Program, collect 18 stickers from walk leaders and receive a string backpack with a Joshua's Trust 50<sup>th</sup> Anniversary logo.*

*Get your passport book from any walk leader or at the Trust office. There will be over 25 Passport walks between April and November, so plenty of opportunities to get a sticker! For directions to the properties and to view trail maps, visit our [list of properties](http://www.joshuastrust.org/property-list) at [www.joshuastrust.org/property-list](http://www.joshuastrust.org/property-list).*

## June 4, Saturday

### Whetten Woods, Storrs, 11 a.m.

Led by Sue Beach, letter boxing takes place on this 24-acre property on Dog Lane on the far edge of the Lutheran Church parking lot. You will cross a good size wooden bridge, view a prominent rock ledge, cross a stream and stone walls.

Directions: park in the church's parking lot. For update information, call Sue Beach at 860-477-0471



holes formed by the glaciers.

## July 9, Saturday

### Hubbard Sanctuary, Chaplin, 10 a.m.

Join Deb Russell for a mid-summer Wildflower Walk. The walk leads through woodlands and Agnes' pasture with abundant wildflowers.

Directions: property is located behind Chaplin Town Hall, 498 Phoenixville Rd (Rt. 198). Parking is near the fence. For information and updates, please call Deb at 860-423-1230 or email [james\\_r\\_russel@yahoo.com](mailto:james_r_russel@yahoo.com)

## June 5, Sunday

### Couch Preserve, Coventry, 10 a.m.

Join Eric Thomas for a "Woodland Wonders" walk. This 18-acre preserve has a forest and early succession habitats, offering an increasingly rare habitat for shrub loving species.

Directions: from junction of Rts 31 and 275, go north on Main St (Rt. 31) 0.3 miles to Root Rd. Turn right on Root go one mile to sharp turn, road is now Cooper Lane. Go 800 ft. and park on right shoulder by JT sign. For information-update email Eric at [waterthames@yahoo.com](mailto:waterthames@yahoo.com).

## July 16, Saturday,

### Skungamaug Meadows, Tolland, 10 a.m.

Eric Thomas will lead a walk at a 27 acre preserve with varied habitats. Looking for "Birds, Bugs and Butterflies."

Directions: Rt. 195 to Goose Lane. Follow for 1 mile, right turn onto Lemek Lane, park in cul de sac. For information and updates email Eric Thomas at [waterthames@yahoo.com](mailto:waterthames@yahoo.com).

## June 8, Wednesday

### Hubbard Sanctuary, Chaplin, 8 a.m.

Steve Morytko, well known birding expert, as he leads a bird walk. Novice and experienced birders are welcome. Bring binoculars, a few extras may be available. The walk is expected to be 2 - 3 hours but leave when you want to. **Note: this is a change from the originally scheduled date.**

Directions: property is located behind Chaplin Town Hall on Rt. 198, just north of North Bear Hill and Chaplin St. Parking is straight ahead near the fence. For information and updates, please call Steve at 860-680-5728



## June 18, Saturday

### Bradley—Buchanan Woods, Mansfield, 12 p.m.

Led by Christine Hare: A Walk on the Trust's First Acquisition. A short, hilly 0.5 miles will take us past acres of mountain laurel, marsh areas, and wet and dry kettle

## Aug. 13, Saturday

### Tinkerville Brook Preserve, Ashford, 10 a.m.

Meet Craig Smith and Anna Marie Stark for a fairly easy 1.8 mile walk exploring "Land Use Over the Centuries."

Directions: from Rts.44 and 89, go north on Rt. 89 for 5.2 miles to Turnpike Rd. After 0.6 miles, turn right on Armitage Rd for 0.7 miles to small dirt road on the left - park near entrance gate. For more information email Craig at [craig.f.smith@gmail.com](mailto:craig.f.smith@gmail.com)

# Gurleyville Grist Mill opens its season

The Gurleyville Grist Mill is now officially open for the season following opening day events on a gorgeous May weekend.

More than 20 people attended the Sunday May 15 event at the ancient mill along the Fenton River. The place was busy all afternoon.

Visitors were very glad to see us open, including some passing hikers who stopped for a tour. Others found the event online and through the Last Green Valley promotions or newspaper calendar listings.

Trust Vice President Nancy Silander and her husband John brought the appropriate celebratory spirit in the form of cupcakes topped with the number 50 — to remind the guests of the Trust's 50th anniversary this year.

The showing of the 1981 film "Guest of the Nation" at the Atwood Farm, the Trust's headquarters, went well, also. People were very amused to see the mill used in the film in the guise of an Irish cottage. They also got to see some of the Wormwood Hill landscape as it was 36 years ago.

The mill and museum are open from 1 to 5 pm on Sundays through second Sunday in October. Groups may be hosted any day by appointment. Call Joshua's Trust at



Opening day at the Gurleyville Grist Mill, in background. These folks are standing on the lawn of the miller's house

(860) 429-9023. There is no admission fee, but donations are welcomed.

Directions: The mill is about 2 1/2 miles east of the University of Connecticut in Storrs on Stone Mill Road off Chaffeeville Road in Mansfield. It is NOT on a numbered route.



At left, Grist Mill docents get a briefing from historian Bruce Clouette as they prepare for the touring season. At right, guests poke around inside the historic grist mill on opening day. The small structure in the photo is a scale model of the building. (Photos by Fran Funk.)

## Passport Walks continued from previous page

**Sept. 25, Sunday**

**Pigeon Swamp, Lebanon 1 p.m.**

Find out from Dennis Latchum about this area where "Pigeons Once Flocked."

Directions: from intersection of Rt. 32 and 203, take Main St, cross Babcock Hill Rd, go up the hill, take first left just beyond blue firehouse. This is Pigeon Swamp Rd, follow this road to end of pavement. For more information email Dennis at [dlatchum@gmail.com](mailto:dlatchum@gmail.com).

**Sept. 30, Friday**

**Knowlton Hill Preserve, Ashford 6:30 p.m.**

Join John G. Morey at the for a hilltop tour of the autumn night to see stars, constellations and planets. If cloudy, back up date is Saturday, Oct. 1. Bring folding chairs, binoculars, and telescopes. If bringing a flashlight, red colored lights are strongly recommended.

Directions: Preserve entrance is near 74 Knowlton Hill Rd. For more information email John at [jgmorey@yahoo.com](mailto:jgmorey@yahoo.com).

## ***Trust's Atwood Farm ready to receive visitors June 11 as part of Connecticut Open House Day***

*Continued from Page One*

recognition for the structure on the Connecticut State Register of Historic Places. Visitors on Open House Day will see areas for tools of planting and harvesting, processing, animals and soil preparation.

"Since our open house last June when the weaver's cottage was our only exhibit, the Atwood Committee has worked very hard to clean out the buildings and arrange and label tools and implements for new exhibits," said Mona Anderson, committee leader. "Several intense work parties have made this possible."

Rudy Favretti, who also wrote the Trust's history in a newly released book, has been working for months on the blacksmith shop. It has an enormous number of tools for blacksmithing and carpentry and he has organized and displayed them. A grain bin and chest in the shop were packed full of games and toys and other small items -- some in a state of decay, others small treasures, Anderson said. Nancy Silander and Nan Cooper took on the sorting and salvaging operation in April.

Elsewhere around the property, volunteers leveled the floor of the open carriage shed so they could move a sled



**The Trust's headquarters at the Atwood Farm.**

from the blacksmith shop to join the wagon that was there. Nest boxes and feeders were added to the hen house, and the split-rail fence in the barn yard was restored.

There were a lot of volunteers putting elbow grease into the project, including Carol Enright, Jeannie and Stoddard Slayton, Peggy and Warren Church, Char and John Meyer, Paul Aho and, with his invaluable tractor, Greg Anderson.

Parking at the farm is accessible from Wormwood Hill Road.



**Trust volunteers gather outside the Atwood Farm's massive barn by a wagon that will be among the exhibits on Connecticut Open House Day June 11. A number of the farm's outbuildings have been cleaned and organized for the event.**

# Please renew your membership

The Trust's continued success at protecting Connecticut open space depends on its members. Letters went out in April reminding you to renew your membership for 2016. Please renew your membership now. And if you already have, thank you!

Name \_\_\_\_\_

Address \_\_\_\_\_

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# The Habitat

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

Spring 2016 volume 28 number 2



**Editor's Note:** CT Department of Energy and Environmental Protection (DEEP) is seeking comments on the draft 2016-2020 Green Plan from members of Connecticut's conservation and inland wetlands commissions. DEEP asked that this request be published in this issue of The Habitat. Please respond to their request for comments on the Draft Green Plan by June 1, 2016.

## The Green Plan:

### The State's 2016-2020 Comprehensive Open Space Acquisition Strategy

by Jamie Sydoriak, Property Agent, Land Acquisition and Management Unit, CT DEEP

Connecticut's natural environments provide a seemingly endless list of ecosystem services to people, adding immeasurably to the quality of life of its residents. For example, large blocks of shady forest provide not only critical habitat for species like the wood thrush and brook trout, but also places for people to hike, bird watch, or otherwise explore. Intact coastal and inland wetlands are some of the most biodiverse habitats, while also trapping sediments and filtering surface runoff pollutants from entering nearby waterways and drinking water sources.

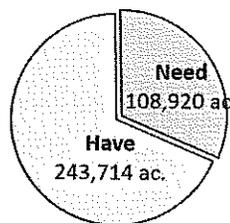
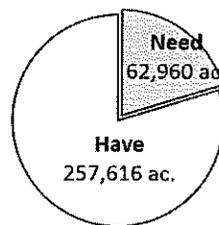
However, not all undeveloped land is protected open space; some of it may eventually be developed. A study by the Center for Land Use Education and Research found that from 1985 to 2010, the state lost over 115,000 acres of forested land and nearly 40,000 acres of agricultural fields to development and related land covers associated with commercial, industrial, and residential uses. Within only 25 years, the state forever lost lands that once contributed to environmental quality and invaluable services for residents.

There is an urgent need to develop a state-wide plan to assist all of Connecticut's conservation partners on protecting high-value conservation lands. Moreover, climate change continues to threaten the integrity of many natural resources. Key lands and waters must be protected now if we wish to leave our future generations with the diverse habitats, clean air and water, and outdoor recreation opportunities we benefit from today.

The Connecticut Comprehensive Open Space Acquisition Strategy (Green Plan) is a planning document that intends to

be a guide for land acquisition that will meet the state's open space protection goal. State Statute sets a goal of conserving 21%, or 673,210 acres, of Connecticut's land base as open space by year 2023. Ten percent of this open space is to be held by the State, while the remaining 11% is to be held by the State's conservation Partners: municipalities, land trusts, and water companies.

Estimated Open Space Ownership by DEEP



Estimated Open Space Ownership by Partners

The Department of Energy and Environmental Protection (DEEP) is updating the Green Plan and prioritizing actions for DEEP and its Partners through 2020 to best achieve the State's open space acquisition goals. Among other plan components, an action strategy with priorities and targeted acreages is proposed for acquiring specific lands identified as capable of providing certain services, for example safe and clean waters, buffers to climate change, and recreational trails.

In order to develop a planning document that will be the highest value for the State of Connecticut, municipalities, land conservation organizations and planning com-

missions, and the public, DEEP needs to hear from all stakeholders. DEEP is seeking comments on the draft 2016-2020 Green Plan from members of Connecticut's conservation and inland wetlands commissions.

Help DEEP improve your open space plan. The complete draft Green Plan, a summary brochure, and additional information can be found at DEEP's open space webpage: [www.ct.gov/deep/openspace](http://www.ct.gov/deep/openspace).

A public comment period is currently open until June 1, 2016. Questions/comments can be sent to Jamie Sydoriak, DEEP Property Agent, at [jamie.sydoriak@ct.gov](mailto:jamie.sydoriak@ct.gov) or (860)424-3143.

#### Statewide Land Acquisition Priorities

- Natural Waters and Drinking Water Resources
- Areas Significant to the Coast
- Natural Heritage Resources
- Natural Resource-based Outdoor Recreation

Draft Green Plan Land Acquisition Priorities for Open Space

# CACIWC

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[www.caciwc.org](http://www.caciwc.org)

## CACIWC News

Previous columns and articles in *The Habitat* have discussed the value of using indicator species in the assessment of the ecological health of important habitats. As emphasized by Dr. Michael W. Klemens in his keynote address to our 2015 Annual Meeting and Environmental Conference, amphibians and reptiles can be useful indicators of habitat degradation due to their dependency on a narrow range of environmental conditions through critical phases of their lives. As our members are aware, most amphibians, and a large percentage of reptiles, are associated with wetlands and watercourse habitats for at least part of their lifecycles. Thus, these species are often uniquely suited to serve as sentinel populations to help us assess subtle changes in these important habitats.

In his well-received address, entitled "Herpetology in Connecticut: A 25-Year Retrospective," Dr. Klemens shared some of his data which documented the significant changes among some reptile and amphibian populations, which have occurred in Connecticut during the last several decades. During his presentation and in subsequent discussions, Dr. Klemens also promoted better use of scientific data and discussed ways for commissions and their staff to increase collection of local information, while improving the resiliency of their communities to climate change.

During 2016, CACIWC will assist our member commissions and staff in gathering scientific indicator species data on amphibian and reptile populations within their communities. We are organizing several conference workshops and planning a series of articles in *The Habitat*, which will describe projects that will help you assess your own habitats, while contributing to important statewide databases.

Information on several statewide projects are being promoted by CACIWC as part of this initiative. The first, known as FrogWatch USA, was described in the Winter 2016 issue of *The Habitat*. This is a citizen science project of the Association of Zoos and Aquariums (AZA). CACIWC will be working with the local Peabody-Beardsley Chapter of FrogWatch USA, organized by the Yale University Peabody Museum of Natural History and Connecticut's Beardsley Zoo in Bridgeport. The Connecticut project has already begun to work with volunteer commission members, staff and residents in the

*CACIWC news, continued on page 13*

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## Journey to the Legal Horizon

by Attorney Janet Brooks

### The Official Municipal Inland Wetlands and Watercourses Map: Excellent Resource If Kept Updated

I am grateful for the focus that DEEP brought this past winter to the official wetlands and watercourses maps maintained by municipal wetlands commissions – even if it did so by proposing legislation that sought to gut the essential provisions of mapkeeping. Fortunately, DEEP withdrew Raised Bill 141 from the Environment Committee. We needn't take up the issues raised in the now-defunct bill.<sup>1</sup> Instead we can examine the legal requirements for maps and current municipal practices, to determine what still remains to be done.

The wetlands statute requires commissions to adopt regulations for “the manner in which boundaries of inland wetland and watercourse areas in their respective municipalities shall be established and amended or changed,” General Statutes § 22a-42a (a) (1), in addition to the statutory requirements of a public hearing, public inspection of the notice and proposed boundary amendment prior to such hearing and the agency's stating of the reasons for the change(s). General Statutes § 22a-42a (b). So, a map and the process for amending it must be established.

DEEP fleshed out the skeletal statutory requirements for maintaining maps in Section 3 of the Fourth Edition of the *Inland Wetlands and Watercourses Model Municipal Regulations* (May 1, 2006), entitled “Inventory of Inland Wetlands and Watercourses.” The official municipal wetlands and watercourses map “delineates the general location and boundaries” of those resources, Model Regulations, 4<sup>th</sup> Ed., § 3.1, and further clarifies that the “precise location...shall be determined by the actual character of the land, the distribution of wetland soil types and location of watercourses.” The model regulations acknowledge anyone can petition for a change to the map, while noting the person requesting the change bears the burden in proving the need for the change and listing the kinds of information that can be considered.

In some towns the map amendment process works hand in glove with the official map being improved and upgraded with every application for a permit. This is the ideal: use current, on-the-ground specific soil mapping by a soil scientist to refine and improve the accuracy of the municipal wetlands map. However, I've heard from some town agents who don't follow that process because, they say, it is cumbersome to hold a hearing on the map change and expensive for the town

to produce the large scale maps. Those towns just receive accurate updated soil maps in the process of an application for regulated activities. Maybe that informal process works for a while, but then it breaks down.

Real world example: neighbors observe a clearcutting project underway on adjacent property and call me for assistance. They have a copy of the official wetlands maps for the property in question. The map designates the area being clear cut as wetlands. I talk to the town wetlands agency staff who points me to a soils map prepared in the 1980s for the property in question. The map was submitted in conjunction with a residential subdivision that was ultimately denied. The official wetlands map was never amended and despite the denial of the subdivision, the soils map lived on. But it doesn't stop there. Decades later, in the months leading up to the more recent clearcutting, the next property owner has a new soil scientist walk the property with the town agent, also a certified soil scientist. The two of them agree that an area designated as wetland soil in the 1980s (never adopted) map isn't a wetlands soil. The town agent asks the hired soil scientist to write a letter to him confirming their agreement made out in the field. Are you following along? The “map” for this property is a letter revising a map filed in the 1980s that was never officially adopted. And this letter confirming the meeting of the minds of these two soil scientists is never brought before the wetlands commission for review. Is this the transparency that the legislature envisioned when it required towns to adopt regulations providing for the manner in which wetlands boundaries would be amended? Hardly.

To those who deem a hearing on the map amendment cumbersome – why not process the map amendment at the same time as the permit application? Even if the application is not being scheduled for a public hearing, it can't be acted upon the first evening. Thus, the application and the public hearing can both go forward the month after receipt of the application.

The second complaint – the cost of producing the amended maps – seems a dated issue. Can't we find a way to maintain these maps digitally at town hall? It would drastically reduce the cost, if not eliminate it, while affording easier

*legal, continued on page 14*

*Editor's Note: In the article below Atty. Heins provides references to enabling regulations in General Statutes of Connecticut. To review the regulations google CT General Statutes and click on Title 14; scroll down to Chapter 255. Also see Westbrook CT's ordinance, "Motorized Vehicle Regulations for Open Space and Conservation Restrictions", page 10.*

## Regulating ATVs, Snowmobiles, and Dirt-Bikes on Conserved Lands

by Elizabeth L. Heins, Esq., Branse & Willis, LLC

The General Statutes allow towns, by ordinance, to regulate the use of ATVs, snowmobiles, and dirt-bikes. The regulation of dirt-bikes is different than that for ATVs and snowmobiles, and will be addressed at the end of this article. The majority of the article will deal with regulations surrounding ATVs and snowmobiles. The General Statutes define an ATV—all-terrain vehicle—as a self-propelled vehicle designed to travel over unimproved terrain that has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways and is not eligible for registration with the Department of Motor Vehicles.<sup>1</sup> A snowmobile is any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail.<sup>2</sup>

Before we talk about drafting municipal ordinances regulating the hours and zones of operation for ATVs and snowmobiles, let's look at what is allowed and prohibited by the General Statutes themselves. The General Statutes prohibit operating a snowmobile or ATV:

- At an unreasonable or imprudent rate of speed for existing conditions<sup>3</sup>;
- In a negligent manner so as to endanger any person or property<sup>4</sup>;
- While under the influence of intoxicating liquor or any drug<sup>5</sup>.

The General Statutes also regulate the selling and renting of ATVs and snowmobiles.<sup>6</sup> All these regulations may be enforced by any law enforcement officer of the Department of Energy and Environmental Protection, motor vehicle inspector, state police officer, uniformed municipal police officer, constable, state park policeman, state forest policeman or forest ranger.<sup>7</sup>

The operator of a snowmobile or ATV must stop if requested to do so by the owner or agent of the owner of the property upon which the snowmobile or ATV is being operated.<sup>8</sup> Additionally, the owner of any land that where trees, shrubs, crops, fences or other property are damaged by ATVs or snowmobiles may bring a private civil suit against the owner or operator of the ATV or snowmobile under the General Statutes.<sup>9</sup>

In addition to these statutory prohibitions, enforcement, and penalties, the General Statutes empower municipalities to adopt ordinances further regulating the use of ATVs and snowmobiles. Particularly, municipalities may regulate the hours and zones of use for snowmobiles and ATVs. In this case, "zone" does not mean zoning district as defined by the town's zoning regulations, but rather the more general meaning of areas. For example, the ordinance could specify certain parks, or all trails, or all open space owned by the town in fee simple or all conservation easements in favor of the town are subject to the restrictions in the ordinance. Additionally, the ability to regulate the hours does allow the ordinance to limit the use of ATVs and snowmobiles entirely: effectively no allowed hours of operation.

---

*"... municipalities may regulate the hours and zones of use for snowmobiles and ATVs."*

---

The municipal ordinance must designate the municipal officer or employees who may enforce the ordinance by issuing citations.<sup>10</sup> Unlike other ordinances under this section of the General Statutes, a written warning is not required to enforce the ATV or snowmobile violations; a citation may be issued as a first step.

The amount of the citation is limited by the General Statutes. For the first violation the penalty may be no more than \$1000.<sup>11</sup> For the second, it may be no more than \$1500.<sup>12</sup> For the third or subsequent violation, the penalty may be no more than \$2000.<sup>13</sup> Again, these citations should be issued by the municipal officer or employee designated

*ATVs, continued on page 5*



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ATVs, continued from page 4

by the ordinance. Additionally, recall that police officers, state forest rangers, and the like may enforce all of the ATV and snowmobile laws, including municipal ordinances adopted under this section.<sup>14</sup>

Finally, a reminder that this entire conversation has been about *ordinances*, not regulations. The ordinance must be adopted by the legislative body of the municipality, and the Board of Selectmen would be the operative body to amend the rules or bring suit against a violator, in addition to any penalties that may be issued by the designated officer or employee.

Wetlands and Conservation Commissions could certainly draft proposed language on a municipal ordinance for open space land owned by the town in fee simple, or land subject to conservation easements in favor of the town. The ordinance itself must be adopted by the legislative body of the municipality. Wetlands and Conservation Commissions may also be the owner or the agent of the owner of open space property, and may request that ATV and snowmobile operators cease operating on said property, under the General Statutes themselves, as discussed above.<sup>15</sup>



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As promised, a word on dirt-bikes. Dirt-bikes are defined as a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway.<sup>16</sup> Dirt-bikes expressly exclude ATVs. Dirt-bikes are not subject to the myriad statutes described above for ATVs. However, municipalities are empowered to enact ordinances regarding the operation and use of dirt-bikes on *public property*.<sup>17</sup> The fee schedule is the same: \$1000, \$1500, \$2500; the requirement that the ordinance

designate the municipal employee or officer to enforce the ordinance is the same. An ordinance concerning dirt-bikes should be careful to define the public property that is being regulated.

In conclusion, there are protections for property owners, including land owned by the town in fee simple or land in a conservation easement in favor of the town, both in the General

Statutes themselves, and in the ability for a town to adopt a municipal ordinance regulating the hours and areas of operation for ATVs and snowmobiles. A land owner or agent of a land owner may request that ATV and snowmobile operators stop operating on the land, and the operators must do so. Police officers and forest rangers, et al. can enforce both the General Statutes and ordinances regarding ATVs and snowmobiles. There are also explicit causes of action to be brought by property owners for damage to property done by ATVs and snowmobiles under the General Statutes. An ordinance that is adopted by the town must designate a municipal employee or officer to enforce the ordinance; a fee schedule of a maximum of \$1000 for the first violation, \$1500 for the second violation, and \$2500 for a third or subsequent violation is set by the General Statutes. For dirt-bikes, there is a similar ability for towns to enact a municipal ordinance regulating their use on public property.

*(Endnotes)*

- <sup>1</sup> General Statutes § 14-379(4).
- <sup>2</sup> General Statutes § 14-379(2).
- <sup>3</sup> General Statutes § 14-368a(1).
- <sup>4</sup> General Statutes § 14-368a(2).
- <sup>5</sup> General Statutes § 14-368a(3).
- <sup>6</sup> General Statutes §§ 14-380, 14-385.
- <sup>7</sup> General Statutes § 14-386.
- <sup>8</sup> General Statutes § 14-386(b).
- <sup>9</sup> General Statutes § 14-386a.
- <sup>10</sup> General Statutes § 7-148(c)(10)(A)
- <sup>11</sup> General Statutes § 14-390.
- <sup>12</sup> Id.
- <sup>13</sup> Id.
- <sup>14</sup> General Statutes § 14-386.
- <sup>15</sup> General Statutes § 14-386(b).
- <sup>16</sup> General Statutes § 14-390m.
- <sup>17</sup> General Statutes § 14-390m. ♣

## What Does This Mean?

# A Written Warning Is No Longer Required For A First Offense By An ATV Or Dirt Bike That Violated A Municipal Ordinance

by Tom ODell, Chairman, Westbrook Conservation Commission

**Editor's Note:** A Commissioner, referring to Public Act 15-100 and the significance of the legislation noted in *The Habitat* (Summer 2015; *Environmental Legislation Review*, page 11), asked in an email, "So what does that mean?" Followed by, "I'm sure many of your (*The Habitat*) readers, like us, are dealing with illegal ATV or dirt bike use on our trails. Can you clarify the steps that need to be taken? What should the land owner (the Town in our case) be doing? How do you get police involved? What happens when they do get involved?"

The experience of the Westbrook Conservation Commission in establishing and implementing the ordinance, "Motorized Vehicle Regulations for Open Space and Conservation Restrictions" can provide some help in answering these questions. (see Ordinance page 10).

### Background

The Westbrook Conservation Commission (Commission) has the responsibility for managing over 500 acres of primarily forest land acquired in seven transactions by the

town over the last 15 years to protect surface and ground water resources, wildlife habitat and to provide opportunities for passive outdoor recreation. We knew that unapproved use of ATVs was already occurring on several of these formally private lands and that the town had no legal basis for regulating ATVs or dirt bike activity on town land. It took three years of research and development to establish a comprehensive, legally based ordinance, to protect designated Open Space and Conservation Restrictions.

### The Questions

*So what does that mean?*

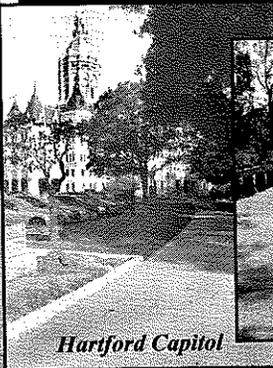
Prior to Public Act 15-100, *An Act Concerning the Penalty for Violation of a Municipal Ordinance Regulating the Operation or Use of a Dirt Bike or All-terrain Vehicle*, a written warning had to be issued for a first offense by an ATV or dirt bike that violated a municipal ordinance: A warning lets the violator get away till next time, if there is one. With the passage of Public Act 15-100, a written warning is no longer

*motorized, continued on page 7*

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required for a first offense, a citation may be issued for the first offense which can mean penalties allowed by the ordinance. Potentially it has greater deterrent value.

*Can you clarify the steps that need to be taken? What should the land owner (the Town in our case) be doing?*

This is what we did: Acting for the town as land-owner, the Commission took the following steps and actions to regulate ATVs and other motorized vehicles on town owned land designated as Open Space or a Conservation Restriction. State statutes allows ordinances regulating ATVs to be site specific.

- Determined who has the responsibility for maintaining or managing the land we wanted to protect. In Westbrook land designated as Open Space or a Conservation Restriction in favor of the town are the responsibility of the Commission. If another commission like Parks & Recreation has the responsibility see if they would be like to partner with you on an ordinance.
- Determined if the Town has a legal basis for regulating ATVs and dirt bikes (motorized vehicles) on municipal land. In most cases that would be in the form of a town ordinance. If there are no regulations research State Statutes and seek guidance from your local police force for developing an ordinance; Atty. Heins' article Atty. (see page 4) is a good start, but read the articles referenced statutes.
- Determine your town's protocol for establishing a municipal ordinance. In Westbrook, the Board of Selectmen must approve an ordinance before it goes to a Town Meeting for a final vote.
- Determine if there is support for the ordinance. The Commission discussed establishing an ordinance for regulating use of Motorized Vehicles on town owned conservation land with Selectmen, receiving their encouragement and recommendations.
- Develop a DRAFT Ordinance that you feel will assist in protecting the land; use the Westbrook ordinance or others as models.
- Identify and engage legal assistance for developing ordinance language; identify source of funding for attorney fees. Westbrook's Town Attorney outsourced the draft ordinance to a land use attorney, who worked directly with the Commission.
- The final ordinance was approved by the Board of Selectmen and the Town Meeting, respectively.

*How do you get police involved? What happens when they do get involved?"*

- The ordinance should provide Police with the legal protocols (see Westbrook Ordinance Sec. 9-210. Violations, enforcement and penalties, page 11). Westbrook Police recommended land subject to this ordinance be posted with "No Trespass of Motorized Vehicles" to: 1) dissuade trespassers, and 2) provide enforcement officers with assurance they are on the right land. The Commission has put up signs at entrances and other strategic locations.
- Local law enforcement is difficult because ATVs and most motorized dirt bikes are not registered and do not have identifying plates. In addition, motorized trespassers that plague open space lands are frequently children/adolescents acting without parental supervision; police will often be reluctant to chase them primarily for safety reasons.
- Ask Town Police what they need to assist you in protecting land covered by the ordinance. In Westbrook the Police need an ATV, a Constable trained to operate it, and the time to chase offenders. Since ATV trespass calls on town or public property are superseded by most other infraction and emergency calls it is unlikely they will be able to assist. The exception is when there is significant damage requiring Civil Enforcement.
- DOCUMENT, DOCUMENT! For effective Civil Enforcement of property damage you will need: 1) photographs of damage; 2) if possible date and time of violation; 3) a map showing location; 4) a description including environmental impact; 5) obtaining an approximate cost of repair will also be required. These documents should be submitted to the town CEO for action. In Westbrook that would be the Board of Selectman. (Westbrook Ordinance Sec. 9-210d Civil Enforcement)

#### Next Steps

In 2013 the State legislature increased the penalties municipalities may prescribe for violation of an ordinance regulating use of ATVs, dirt bikes and snow mobiles to an amount not to exceed \$1,000 for first violation, \$1,500 for second violation and \$2,000 for third or subsequent violations. The Commission is updating the town ordinance with these penalties to discourage trespass in the first place and impact either the rider or the parent of an unsupervised adolescent. Once new penalties have been approved by the Board of Selectmen and Town Meeting they will be widely "advertised" and posted at the entrance to Town Open Space and Conservation Restriction Lands as a warning and deterrent.

For more information contact Tom ODell at [todell@snet.net](mailto:todell@snet.net).

# Citizen Scientists Needed to Track Turtles throughout Connecticut

by Tim Walsh, Manager of Natural History Collections and Citizen Science  
The Bruce Museum in Greenwich

The Bruce Museum in Greenwich, Connecticut is looking for Citizen Scientists to help track turtles throughout the State. Approximately 58% of all turtles worldwide are threatened with extinction. A long list of diverse threats impact both common and highly endangered tortoise and freshwater turtle species on several continents. Perhaps the greatest are habitat loss; collection for the food, pet, and medicinal trade; road mortality; and predation. Working in negative synergy, these threats are creating a perfect storm for this most endangered vertebrate group in the world. Certainly, these threats present broad and immediate conservation challenges. Despite the urgency of the situation, opportunities for conservation are abundant and the charismatic attraction of turtles makes them an excellent group for education and outreach efforts to enhance ecological, conservation, and environmental awareness.

Twelve species are native to Connecticut; some, such as the wood, bog, spotted, and box turtles are in decline. With this Bruce Museum Citizen Science initiative, the

Connecticut Turtle Atlas invites the public to assist in conserving the State's rich turtle diversity. Last year, 32 participants recorded 136 observations of nine species

throughout the State. Citizen Scientists will collect data on specific locations and abundance of all turtle species found throughout the State. These volunteers will record data via website or smartphone app using the iNaturalist.org platform. The information gathered will be used to map distributions, identify important habitats, locate areas of nesting

abundance, and detect roadways with high traffic-related mortality. The data will be shared with other interested researchers and governmental entities. This is a great project for families to participate in while enjoying the outdoors. There may also be opportunities to assist with various aspects of turtle research and participate in fieldtrips.

For more information on how to join the project, please contact Tim Walsh, Manager of Natural History Collections and Citizen Science, at [twalsh@brucemuseum.org](mailto:twalsh@brucemuseum.org) or call (203) 413-6767.



Eastern Box Turtle, photo credit: Bruce Museum

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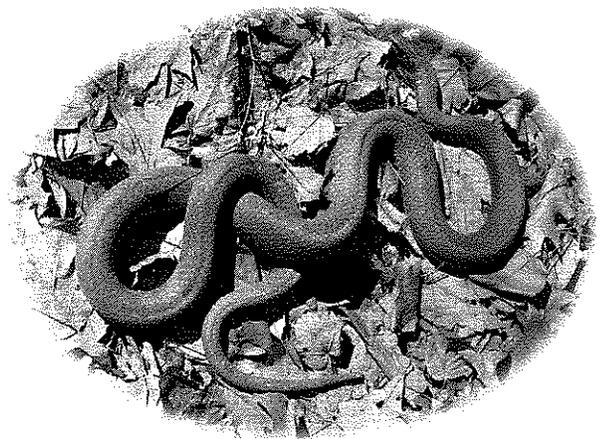
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*Registered Soil Scientist*

*Certified Professional Wetland Scientist*

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# A Westbrook, CT Ordinance

## Article XII Motorized Vehicle Regulations for Open Space and Conservation Restrictions

**Sec. 9-204. Restrictions on Open Space and Conservation Restrictions; Definitions.** The following restrictions apply to all Open Spaces and Conservation Restriction Lands owned in fee simple by the Town of Westbrook, except where such restrictions are limited by the express terms of the subject conservation restriction, per Section 9-208 of this Article XII. For purposes of this Article XII, the term "Open Spaces" shall be defined as all land owned or hereafter acquired in fee simple by the Town of Westbrook which is maintained essentially in its natural, undisturbed condition, and which has been designated as "open space" by the Board of Selectmen, upon the recommendation of the Conservation Commission. For the purposes of this Article XII, the term "Conservation Restriction lands" shall be defined as all easements, declarations, or other property interests or restrictions, either existing or which may hereafter be acquired, which run in favor of the Town of Westbrook which provide for the preservation of land not owned in fee simple by the Town of Westbrook, and which provide for public access in some form, including, but not limited to, trails, scenic, overlooks, bridal paths, bikeways, and similar routes of passage for recreation, nature study, contemplation, or other similar uses. For the purposes of this Article XII, the term "Motor Vehicle" shall include, but not be limited to, automobiles, trucks, farm or agricultural vehicles, motorcycles, motor-bikes, motor scooters, go-carts, snowmobiles, motorized bicycles, mopeds or all-terrain vehicles.

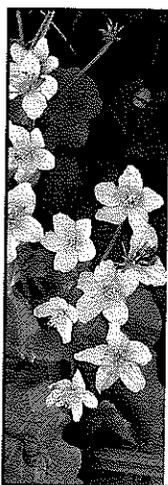
**Sec. 9-205. Motorized Vehicles Restricted.** On Town Open Space and Conservation Restriction Lands, Motorized Vehicles are restricted to parking areas, vehicular access driveways and other areas specifically posted for Motor Vehicle use by the public. No Motorized Vehicles

will be allowed on any Town Open Space or Conservation Restriction Lands at anytime. The following Motor Vehicles and uses are exempted from this prohibition:

- (a) Town maintenance vehicles, ambulance, law enforcement, fire or other emergency vehicles will be allowed to enter onto Town Open Space and Conservation Restriction Lands in the course of carrying out their normal duties.
- (b) Snowmobiles may be allowed onto Town Open Space and Conservation Restriction Lands with prior permission of the Board of Selectmen to set cross-country ski tracks or to otherwise install or maintain Nordic trails.
- (c) Construction or maintenance vehicles owned and operated by private contractors may enter onto Town Open Space and Conservation Restriction Lands subject to specific written permission from the First Selectman.
- (d) Agricultural, farm or personal vehicles belonging to specific owners, their employees or assigns, may enter onto Conservation Restriction Lands subject to the terms of the conservation restrictions or agreements between the Town and the individual landowners for the subject property.

**Sec. 9-206. Allowed Uses.** Anything in this Article to the contrary notwithstanding, wheelchairs or similar non-motorized vehicles necessary for access by those suffering physical handicaps shall be permitted onto Town Open Space and Conservation Restriction Lands. Similarly, bicycles, pedestrians, skates, skateboards, non-motorized scooters, and baby strollers are allowed on all Town Open Space and Conservation Restriction Lands, but such vehicles shall be at all times restricted to designated trails unless such vehicles are specifically prohibited from such trails and is so posted. All trail users will travel at safe speeds at all times.

*ordinance, continued on page 11*



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ordinance, continued from page 10

**Sec. 9-207. Right of Way.** In areas of mixed non-vehicular use, i.e., horses, bicycles and pedestrians, equestrians shall have the right of way in all circumstances. Bicycle or other wheeled traffic shall yield to pedestrians.

**Sec. 9-208. Easements and agreements.** To the extent of any conflict between this Article and the terms of any particular conservation restrictions for a specific area of Conservation Restriction Land, the terms of such restrictions will control.

**Sec. 9-209. Amendment of rules and regulations.**

The Board of Selectmen may promulgate rules and regulations to implement the provisions of this Article. Such rules and regulations may be amended from time to time by the Board of Selectmen.

**Sec. 9-210. Violations, enforcement and penalties.**

(a) **Unlawful Activity.** It is unlawful to engage in any activity that is in violation of this Article.

(b) **Penalty.** Violation of this chapter is punishable by a fine of one hundred dollars (\$100.00) for each offense.

(c) **Criminal Enforcement.** Any law enforcement officer authorized by law to enforce ordinances of the Town of Westbrook may enforce the provisions of this Article in the manner prescribed by law.

(d) **Civil Enforcement.** In the event of any activity in violation of this Article the Board of Selectmen, in addition to other remedies provided by law or specified herein, may institute an action for injunction or other appropriate action or proceeding to prevent, enjoin or abate any unlawful activity, or to remove any improvements on construction resulting from such unlawful activity. In the event that such unlawful activity has damaged any Town property, the violator shall be liable for any damage to Town property resulting from any such unlawful activity, including, but not limited to, compensation for staff time and for use of Town equipment to repair such damage. Any civil action or proceeding can include a claim to recover all such money damages.

**Sec. 9-211. Posting.**

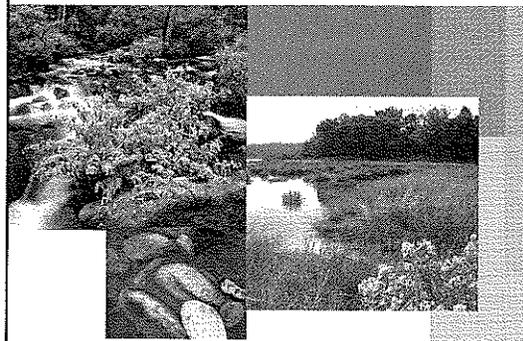
This Article, or a summary thereof, may be posted at visible locations on Town Open Space and Conservation Restriction Lands, as deemed necessary and proper by the First Selectman. The full text of this Article shall be available for public inspection at the offices of the Town Clerk, and such other locations as the First Selectman may designate.



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*Editor's Note: As we go to press CEQ has been swept from the State's Budget. Contact your legislators; ask for their help in restoring CEQ's funds.*

## CEQ'S Annual Report on Connecticut's Environment Shows Strong Patterns: Regulation Works; Public Investment Lags

The Council on Environmental Quality's (CEQ) 2015 Annual Report, *Environmental Quality in Connecticut*, explores the condition of Connecticut's environment through 2015.

The four summary pages present an overview of recent trends and important conclusions. The 20 pages of environmental indicators display a comprehensive set of environmental data for the 10 years ending in 2015. For complete CEQ report go to [www.ct.gov/ceq/site/default.asp](http://www.ct.gov/ceq/site/default.asp) and click on report.

Three factors can explain the many positive trends in Connecticut as well as the notable deficiencies:

**1. Decades of successful regulation** have reduced levels of many toxic substances in the environment, stimulated public and private investment in pollution control (see #2), prevented catastrophes and protected some types of habitat. The results include:

- Booming populations of Bald Eagles, Ospreys and other birds of prey.
- Generally improving levels of air pollution, though not in 2015 (see #3).
- The superior quality of Connecticut's public drinking water.

**2. Levels of public and private investment** in conservation and pollution control, which have yielded:

- Improving levels of oxygen in Long Island Sound, a product of steady and substantial investment in sewage treatment and pollution control.
- Failure to get on track toward the state's own land conservation goals, the result of underinvestment.
- Declines in numerous species of wildlife that depend on specific habitats, especially unbroken forests, as investment in habitat conservation did not respond adequately to sprawling patterns of development.
- The long-term improvement in air quality, the result of many technological innovations and investments that were driven by regulation (#1, above).

**3. Global trends**, especially climate change and greater intercontinental trade and travel, which make Connecticut's job of protecting the environment more challenging:

- The decline in air quality in 2015 can be attributed to a very hot summer.

- A global fungal disease, apparently imported from Europe, has destroyed Connecticut's cave-dwelling bats.
- Rising seas are squeezing wildlife that inhabit Connecticut's coastal marshes.
- Lobsters seem to be gone; whatever the cause, warmer waters are not helping.
- Invasive species are on the verge of altering Connecticut's forests and waterways forever. Comprehensive data are not available and are not found in this report; nonetheless, the changes underway are titanic. Connecticut does little to address these changes.

These three factors govern the condition of Connecticut's air, water, land and wildlife, and knowledge of their effects should guide the state's environmental policies of the future. 🍁

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collection and reporting of frog and toad vocalization data during evenings from February through August. Additional promotion of these projects through local media outlets will have the added benefit of helping to emphasize the value of our important wetlands habitats to the residents of your towns.

The second project focuses on Reptilia order Testudines (turtles and tortoises), the world's most endangered group of vertebrate animals. The project, known as the Connecticut Turtle Atlas, is a citizen science project of the Bruce Museum in Greenwich, Connecticut. CACIWC will work with Bruce Museum staff to promote this project, which also utilizes volunteer observers to collect turtle observation data from around the state. The resulting data will contribute to distribution maps, help identify important habitats and nesting areas, as well as high traffic-mortality roadways. We are hopeful that many of our commission members and staff will participate in these and other reptile and amphibian study projects during 2016, which will be described in *The Habitat* and on our [www.caciwc.org](http://www.caciwc.org) website.

In other news:

1. The Board of Directors is reviewing the many valuable comments and suggestions submitted on our 2015 annual meeting survey. If you did not have an opportunity to complete the 2015 meeting survey you can still contact us with your comments at [AnnualMtg@caciwc.org](mailto:AnnualMtg@caciwc.org). We welcome any suggestions for workshop topics and speakers that you would like us to recruit for our upcoming 39th Annual Meeting and Environmental Conference, scheduled for Saturday, November 12, 2016; please save the date! Watch for additional conference news in upcoming issues of *The Habitat* and on our [www.caciwc.org](http://www.caciwc.org) website.

2. One new goal of our revised strategic plan is improved membership communication, including ex-

panding ways to quickly send you important messages on emerging topics of interest, including grant and funding, legislative issues, and education and training opportunities. These improved communications will include an expanded listserv and website-based systems. Our Membership Coordinator & Database Manager Janice Fournier extends her thanks to all of you who provided us with your email address during our annual meeting to expand our existing ListServ. Janice will be in touch with others to confirm contact information.

3. Another important goal of our strategic plan is the development and promotion of our next generation of Connecticut conservationists. To help CACIWC achieve this goal, the CACIWC Board of Directors has returned for a fourth year to assess environmental and conservation projects entered in the Connecticut Science & Engineering Fair (CSEF) by middle and high school students throughout Connecticut. As I write this column, CACIWC Board Treasurer Charles Dimmick and I have begun a week-long service as coordinating judges for the environmental science awards in this year's CSEF. The CACIWC Board will continue to pursue efforts to increase interest in careers and volunteer activities that support conservation and wetlands protection among Connecticut students. Watch this column and our website for more information on these activities.

We always welcome comments and suggests on ways to improve our education and outreach efforts. Please do not hesitate to contact us via email at [board@caciwc.org](mailto: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. We thank you for your ongoing efforts to protect wetlands and other important natural resources within your town!

Alan J. Siniscalchi, President

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legal, continued from page 3

public access to the maps. Imagine walking out of town hall with the wetlands map for your town on a flash drive.

DEEP's proposed bill curtailed the open process and procedure in map amendments, by eliminating the public hearing and right to public inspection. In response to questions from the General Assembly's Environment Committee, a DEEP representative said the definition of "regulated activity" drove what activities require a permit and thus the map wasn't necessary. From a state agency's perspective, it may not be necessary. DEEP processes wetlands application for all state agency activities. The legislature intentionally left up to DEEP how inventory or index wetlands and watercourses "in such form, including pictorial representations, as the commissioner deems best suited to effectuate" the wetlands act. State agencies have professional staff who prepare wetlands applications.

In contrast, the people and entities who own land and wish to conduct activities run the gamut from individual landowners, homeowners, farmers, small businesses, large out-of-state businesses, family trusts, land trusts, just to name a few. The wetlands map in town hall has the salutary effect of putting everyone on the same page, literally and figuratively. Imperfect as it might be, it is notice to both a pro-

spective and a current owner of property of what is generally considered to be the geographical extent of the resources. It is simply unreasonable to think that all of those folks and entities should manage without the collective benefit of an official map. Think of the map as a border collie herding sheep. Think of individuals reviewing the definition of "regulated activity" as a means of herding cats.

I open this topic up for general dialogue. I would like to know if any towns have received petitions to amend wetlands or watercourse boundaries from anyone other than the property owner. I am also curious to hear of the pros and cons that you perceive in maintaining the official wetlands map in digital format. I invite your response on my blog or in an email to [habitat@caciwc.org](mailto:habitat@caciwc.org) and/or directly to me at: [jb@attorneyjanetbrooks.com](mailto:jb@attorneyjanetbrooks.com).

*Janet P. Brooks practices law in East Berlin. You can read her blog at: [www.ctwetlandslaw.com](http://www.ctwetlandslaw.com) and access prior training materials and articles at: [www.attorneyjanetbrooks.com](http://www.attorneyjanetbrooks.com).*

*(Endnotes)*

*<sup>1</sup>I wrote post 5 blog entries and presented oral and written testimony in opposition to the DEEP bill, SB 141, at the Environment Committee public hearing, which can be accessed online at [https://www.cga.ct.gov/asp/menu/CommDocTmyBillAllComm.asp?bill=SB-00141&doc\\_year=2016](https://www.cga.ct.gov/asp/menu/CommDocTmyBillAllComm.asp?bill=SB-00141&doc_year=2016).*

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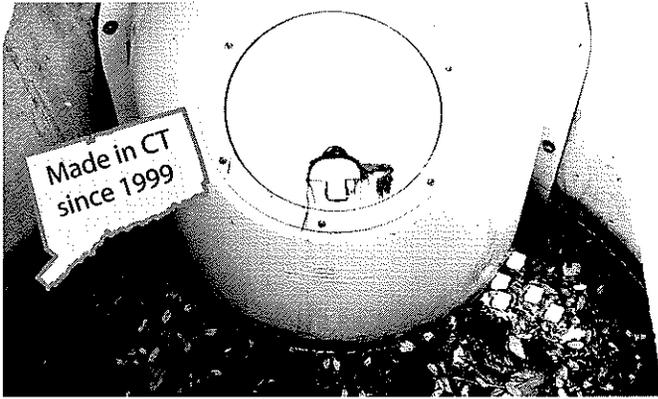


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### CALL TO ACTION! - FOR LAND CONSERVATION

**Protect Your Public Lands!** Call or email your legislator today - tell them you strongly support SJ 36 and ask them to sign on to SJ 36 as a co-sponsor; SJ 36 supports a Constitutional Amendment that protects State lands with conservation, recreation, and agricultural values from being sold, traded, or given away by the Legislature without appropriate public process and compensation. The legislation has been unanimously passed by Government Administration and Elections Committee and now moves to the full legislature. Join with a coalition of supporting Environmental organizations, led by the CT Forests and Parks Association, ask your legislators to sign on as a Cosponsor of SJ 36.

The goal is to have this Constitutional Amendment on the ballot this November for everyone to vote on. For this to happen each chamber of the General Assembly, House and Senate, must pass the bill with greater than three-quarters vote in favor.

For more information go to [ctwoodlands.org](http://ctwoodlands.org) and search for CFPA 2016 Conservation Agenda. Another good source, "Preserved But Maybe Not: The Impermanence of State Conservation Lands". Go to, [ct.gov/ceq/lib/ceq/Preserved But Maybe Not.pdf](http://ct.gov/ceq/lib/ceq/Preserved%20But%20Maybe%20Not.pdf). To contact your legislator Google, "Find Your Legislator" to link to your legislator's contact info. Use Contact button to submit email. Thank You!

**Save the Community Investment Act!** Call or email your legislator today - tell them you strongly support the Community Investment Act (CIA) and that you **do not** want ALL CIA funds swept into the general fund. Our State's budget problems threaten CIA's viability over the next five years. The General Assembly recently approved a deficit mitigation plan to address the \$220 million for the current fiscal year; CIA funds were cut by 6M+. Deficits for the next three years are predicted to be much higher. The fear is that deficit mitigation will sweep all CIA funds into the General Fund. Tell your legislators that CIA funds are needed to sustain the CIA and municipal partnership for preserving CT's forests, farmland and historic properties. Do not let it be swallowed up by the General Fund. 🌿