

MINUTES  
MANSFIELD INLAND WETLANDS AGENCY  
Monday, July 7, 2008  
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante,  
B. Pociask (7:04), B. Ryan  
Members absent: P. Kochenburger  
Alternates present: M. Beal  
Alternates absent: G. Lewis, L. Lombard  
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:01 p.m. Alternate Beal was appointed to act.

**Minutes:**

6/2/08-Hall MOVED, Gardner seconded, to approve the minutes as written. MOTION PASSED with all in favor except Plante and Ryan who disqualified themselves.

6/11/08-Ryan MOVED, Holt seconded, to approve the field trip minutes as written. MOTION PASSED with, Favretti, Beal, Goodwin, Holt and Ryan in favor and all others disqualified.

6/16/08-Gardner MOVED, Ryan seconded, to approve the minutes as written. MOTION PASSED UNANIMOUSLY.

**Communications:**

The Wetlands Agent's Monthly Business report was noted.

**Public Hearing:**

W1395 - Green - Knowlton/Wormwood Hill Rds - 11 Lot Subdivision

Chairman Favretti opened the continued Public Hearing at 7:05 p.m. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante, B. Pociask, B. Ryan and alternate M. Beal who was appointed to act. Wetlands Agent Meitzler noted the following supplemental communications received and distributed to members of the agency: a 6-11-08 revised map and a 6-26-08 memo from Grant Meitzler, Wetlands Agent.

Rob Hellstrom, Land Surveyor, reviewed the revisions made to the 6-11-08 plans as per comments received in the Wetlands Agent's memo. He submitted a 7-7-08 revised plan of lot #3 depicting proposed changes.

Favretti noted no further questions or comments from the public or the Agency. Holt MOVED, Hall seconded, to close the public hearing at 7:15 p.m. MOTION PASSED UNANIMOUSLY.

**Old Business:**

W1397 - R.F.Crossen - Windwood Acres Subdivision - 6 lots

After extensive discussion, Holt MOVED, Gardner seconded, to deny an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to **KMC LLC** (file no. W1397), for a 6-lot subdivision on property owned by the applicant, located on the north side of Storrs Road, as shown on plans dated 3/31/2008 revised through 5/06/2008, and as described in other application submissions. This action is based on the application submissions, all evidence and testimony presented in a public hearing held on May 5, 2008 and continued on June 2, 2008, observations made on a field trip to the site on April 16, 2008, and consideration of applicable regulations.

The Wetlands Agency carefully considered testimony on the environmental impact of this proposal given by the applicant's experts: Gardner & Peterson Associates, LLC; and John Ianni, Professional Soils Scientist.

The Agency has determined that the applicant has not satisfactorily addressed issues raised at the Public Hearing, concerning the potential for detrimental impact to the long term productivity of and irretrievable impact on the extensive wetlands areas located on the property, and to the Nelson's Brook wetland system both on this site and continuing downstream from the site. Detrimental impact is expected due to the filling necessary for the two proposed wetland crossings and associated drainage from the common driveway areas.

The Agency finds there are feasible and prudent alternatives to the proposed development. At least two alternatives are:

1. The alternative of not crossing any wetlands, as submitted as part of the applicant's "Yield Plan" dated 3/01/2008, showing 3 building lots fronting directly on Storrs Road (Route 195);
2. The use of bridge crossings at the same locations already proposed, each spanning approximately eight feet (8'), to avoid the possibility of disrupting the stream flow characteristics.

Consistent with Sections 4.5 and 4.6 of the Wetlands and Watercourses Regulations, this denial helps promote the long term productivity of these wetlands and will avoid irreversible and irretrievable loss of these resources. The Agency finds this proposed subdivision to be unsuitable for this site due to potentially significant and unacceptable impacts to the site's wetlands and the important Nelson Brook wetland system.

MOTION PASSED with all in favor except Plante and Pociask who were opposed.

W1399 - Sandall - Crane Hill R - addition in buffer

Hall disqualified himself. Richard Sherman, architect, of Chaplin and Keith

Sandall, owner and applicant, discussed the 7-3-08 revised plans that were submitted, noting revisions were made based on comments made by Agency members and staff. After discussion, Holt MOVED, Gardner seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Keith Sandall (file W 1399) for construction of an addition to an existing house that is to be cantilevered without footings or posts, on property owned by the applicant, located at 84 Crane Hill Road, as shown on a map dated 4/30/2008, revised through 7/03/08, and as described in other application submissions.

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

- 1) Appropriate erosion and sedimentation controls shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
- 2) There shall be no digging or disturbance of the soil for any reason, not for footings for the addition nor for a deck, as the house is already positioned too close to the wetland. The house was built before wetlands regulations were in place, and the addition and deck would be even closer to the wetland.
- 3) If there is to be any relocation of soil, it shall be placed on the street-side of the house or hauled off-site.

This approval is valid for a period of five years (until July 7, 2013), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY, with Hall disqualified.

W1401 - Jankhe - Daleville R - addition to deck in buffer

Holt MOVED, Ryan seconded, to grant an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Margery Jahnke (File W1401) for an 8 foot deck for a hot tub to abut an existing deck behind the house, on property owned by the applicant, located at 12 Daleville Road, as shown on a map dated and revised through May 13, 2008, and as described in other application submissions.

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

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. The fireplace shall not be rebuilt any closer to wetlands than it is now;

3. The wooden barrier between the deck addition and the wetlands shall be installed before earthwork is started, in order to serve as erosion and sediment protection for the wetlands.

This approval is valid for a period of five years (until 7/7/2013), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1402 – Marcus – Homestead – addition in buffer

Holt MOVED, Beal seconded, to grant an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Alan Marcus (File W1402) for a 400 square-foot one-story addition to an existing house plus a 200 square-foot deck attached to the addition, on property owned by the applicant, located at 16 Homestead Drive, as shown on a map dated and revised through May 28, 2008, and as described in other application submissions.

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

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.

This approval is valid for a period of five years (until 7/7/2013), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1403 – Mansfield Auto Parts – permit renewal request

Item was tabled pending more information from the applicant.

W1404 – Webster – Fern Rd – addition in buffer

Holt MOVED, Hall seconded, to grant an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Geoffrey and Toula Webster (File W1404) for two single-story additions to an existing house, on property owned by the applicant, located at 54 Fern Road, as shown on a map dated June 2, 2008, and as described in other application submissions.

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

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.
2. Silt fencing shall be installed downhill of the addition to the front of the house;
3. The excavated material shall be stockpiled as far away from wetlands as possible, at least 75 feet from the wetlands.

This approval is valid for a period of five years (until 7/7/2013), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1406 – Block – Hanks Hill Rd – mobile home park improvements

Holt MOVED, Hall seconded, to grant an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael Block (File W1406) for improvements to a mobile home park, on property owned by the applicant, located at 8-22 Hanks Hill Road, as shown on a map dated June 18, 2008, and as described in other application submissions.

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

1. Appropriate erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.
2. A rip-rap pad shall be placed below the outlet of the new drainage swale, to break the energy of water-flow before it hits the nearby wetlands;
3. Either a gravel tie-down pad or a full concrete pad is acceptable to the Agency, as there is little difference in potential impact between the two.

This approval is valid for a period of five years (until 7/7/2013), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

**Continued hearing for Order to Correct Violation:**

W1400 - Glode - Stafford R near Mansfield City Rd

Meitzler stated that he had consulted with the Town Attorney. At this time he

recommended tabling this item pending further information and consultation with the property owner. Goodwin felt that a time-limit is needed.

**New Business:**

**W1407 - Lewis - Warrenville Rd - SF house in buffer**

Goodwin MOVED, Holt seconded, to receive the application submitted by Walter Lewis (IWA File W1407) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the construction of a single family residence and onsite septic and well, at 541B Warrenville Road, on property owned by the applicant as shown on a map dated 6/2/08, and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

**W1409 - Unistar Properties LLC - Browns/Stafford Rds - 3 lot subdivision**

Goodwin MOVED, Holt seconded, to receive the application submitted by Unistar Properties LLC., (IWA File W1409) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for a 3-lot residential subdivision and driveways, wells and onsite septic, at Stafford and Browns Roads, on property owned by the applicant as shown on a map dated 6/30/08, and as described in other application submissions, and to refer said application to the staff and Conservation Commission for review and comment and to set a Public Hearing date for 8/4/08. MOTION PASSED UNANIMOUSLY.

**W1408 - Harris/Buetel - Ellise Rd - change bridge design**

Holt MOVED, Hall seconded, to grant a modification to an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Lisa Harris and Timothy Beutel (File W1408) for the modification of a previously approved application (W1370) for a 1-lot subdivision with a wood bridge crossing a stream, on property owned by the applicant, located on Ellise Road, as shown on a map dated January 2, 2007, and as described in other application submissions.

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

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized;
2. Maps shall not be signed until all DEP permit requirements have been addressed;
3. All conditions of the previous applications (W1370) shall remain in effect. The only change is to the bridge itself, from pre-cast concrete to a laminated wooden bridge of the same dimensions and at the same location;
4. Work in the watercourse shall be done during the dry part of the year.

This approval is valid for a period of five years (until 7/7/2013), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency.

The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED UNANIMOUSLY.

**Field Trip Date:**

July 16, 2008 at 1 P.M.

**Reports of Officers and Committees:**

Noted.

**Other Communications and Bills:**

Noted.

**Adjournment:**

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary