

**AGENDA**  
Inland Wetland Agency  
Regular Meeting  
Monday, December 7, 2009  
Council Chambers, Audrey Beck Building

Call to Order: 7:00 PM

Review of Minutes of Previous Meetings and Action Thereon:  
11.02.2009 - Regular Meeting

Communications:

Conservation Commission re:  
There were no referrals from the 11/02/09 meeting  
GM monthly business memorandum

Old Business:  
none.

New Business:

Renewal Request:

W1442 (W1296) - King - Wormwood Hill Rd  
W1443 (W1291) - Abbott - Mulberry Rd

Modification Request:

W1444 (W1237) - Hillel House - sidewalk and parking alternations  
W1445 (W1419) - Chernushek - add'l gravel removal and constr. haul road

New Applications:

W1446 - Kielbania - Mansfield City R - SF house in buffer

Reports of Officers and Committees:

Regulation Review Committee: W1447 - IWA Regulation Revisions

Other Communications and Bills:

UConn/DEP Memorandum of Agreement re: drainage and water quality.

Adjournment:



**DRAFT MINUTES**  
MANSFIELD INLAND WETLANDS AGENCY  
Regular Meeting  
Monday, November 2, 2009  
Council Chambers, Audrey P. Beck Municipal Building

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

Chairman Favretti called the meeting to order at 7:00 p.m. Alternate Beal was appointed to act in Plante's absence.

**Minutes:**

10-5-09 - Hall MOVED, Gardner seconded, to approve the 10-5-09 minutes as written. MOTION PASSED with all in favor except Pociask who disqualified himself.

10-15-09 Field Trip - Holt MOVED, Ryan seconded, to approve the 10-15-09 field trip meeting minutes as written. MOTION PASSED with Ryan, Holt, and Favretti in favor and all others disqualified.

10-19-09 Special Meeting- Gardner MOVED, Hall seconded, to approve the 10-19-09 Special Meeting minutes as written. MOTION PASSED UNANIMOUSLY.

**Communications:**

The 10-21-09 Conservation Commission Draft Minutes and 10-28-09 Wetlands Agent's Monthly Business report were noted.

**Old Business:**

**W1439 - Kovarovics - Daleville Rd - driveway relocation**

Mike Kovarovics was present and stated that he had no objections to the suggestions of the Conservation Commission regarding the driveway surface. Holt MOVED, Beal seconded, to grant an Inland Wetlands License modification under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael and Kim Kovarovics (file # W1439) for driveway construction in a new location on property owned by the applicants, located at Daleville Road, as shown on a map dated 9/14/09, 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. The driveway surface shall be of a permeable material, such as small stones or pervious pavers, and shall be approved in writing by the Wetlands Agent. This condition is to prevent driveway run-off from entering the nearby wetland as that would have the potential for negative impact to the wetland.

This approval is valid for a period of five years (until 11/2/2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

W1440 - Chew - Thornbush Rd - house addition and shed in buffer

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 Michael Chew (file # W1440) for construction of a 15' x 15' addition to an existing house and a 15'x 20' shed on property owned by the applicant, located at 16 Thornbush Road, as shown on a map dated 6/22/06 and revised through 9/28/09, 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 fence shall be placed downhill of the new work for the house and the new shed;
3. All outside storage of materials, vehicles, etc, shall be kept at least 25 feet from the pond to prevent pollution to the pond.

This approval is valid for a period of five years (until 11/2/2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

W1441 - Kleinfelder - 7 Storrs Rd - soil sampling in buffer

Holt MOVED, Hall seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to John Liddon of Kleinfelder (file # W1441) for investigation of wetland surface water and sediment sampling, on property owned by Eugene S. Mittelman, located at 7 Storrs Road, as shown on a map dated 9/18/09 and a letter dated 9/24/09, 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;

This approval is valid for a period of five years (until 11/2/2014), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this agency for further review and comment. MOTION PASSED with all in favor except Pociask who disqualified himself.

New Business: None.

Field Trip: None.

Reports of Officers and Committees: None noted.

Other Communications and Bills: Noted.

Adjournment: The meeting was adjourned at 7:18 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary

Memorandum:

November 30, 2009

To: Inland Wetland Agency  
From: Grant Meitzler, Inland Wetland Agent  
Re: Monthly Business

**W1419 - Chernushek - hearing on Order**

- 3.10.09: The hearing on the Order remains open and should continue until the permit application under consideration is acted upon.  
(The Order was dropped on approval of the application required in the Order.)
- 4.30.09: Former rye grass seeding is beginning to show green. I spoke with Mr. Chernushek this afternoon who indicated health problems that delayed his starting but indicated he will be working this weekend. I will update on this Monday evening.
- 5.26.09: A light cover of grass growth has come in. Mr. Chernushek indicates health problems and two related deaths have delayed his start of work since the permit approval was granted. It appears that some light work has started. He has further indicated that he will start a vacation on June 22, 2009 to finish the work.
- 6.13.09: Work is underway.
- 6.21.09: Bulldozer work has been completed - finish work remains. The additional silt fencing has been placed along the northerly wetlands crossing, and the additional pipe under the southerly crossing has been installed. Remaining work includes finish grading along edges, spreading stockpiled topsoil, and establishing grass growth.
- 7.01.09: I spoke with Mr. Chernushek who indicated he expects work to be completed by September 1, 2009. (Site photo attached).
- 9.03.09: Mr. Chernushek has been working on levelling and grading. The formerly seeded areas have become fairly thick growth surrounding the central wet areas. He has further indicated that with the combination of weather and the slower moving of earth with the payloader compared to the earlier rented bulldozer has led him to contact contractors for earth moving estimates which have not yet been received. The site is not yet finished but has remained quite stable.
- 9.12.09: I met with Mr. Chernushek today and discussed again what his plans are for stabilizing this work site.
- 10.01.09: Mr. Chernushek indicated he has not heard back from the contractor he had spoken with about removing material, and is in progress of contacting others. In discussion is removal of material from the site either within the 100 cubic yard limit or obtaining a permit for such removal.
- 10.28.09: Mr. Chernushek has indicated he has made arrangements with DeSiato Sand & Gravel to remove 750 cubic yards of material. Staff is in the process of clarifying permit requirements.
- 11.30.09: Packet of information representing submissions by Mr. Chernushek, Mr. DeSiato and myself is in this agenda packet as Mr. Chernusheks's request for modification.

**Bell - Bassetts Bridge Rd - Garden Center**

- 11.18.08: No change - site appears closed for the winter.  
12.08.08: Light snow cover. No site work in progress.

- 1.08.09: Snow cover frozen. Site inactive.
- 2.17.09: No change.
- 4.01.09: Selective logging operation in progress in wooded areas away from the nursery operation. A few loads of wood chips are being spread along edges of ponded area.
- 4.14.09: As previous, preparations for opening plant sale areas are in progress.
- 5.08.09: They are open for the season and the site is in good shape.
- 6.10.09: Site remains in good shape.
- 7.16.09: Site remains in good shape.
- 8.12.09: Site remains in good condition.
- 9.14.09: Site is in excellent condition.
- 10.27.09: Site is in excellent condition.

This Garden Center site has been consistently in good shape. I request the Agency give consideration to dropping the monthly inspection requirement.

**Mansfield Auto Parts - Route 32**

- 12.08.08: Inspection - no vehicles are within 25' of wetlands.
- 1.16.09: Inspection - no vehicles are within 25' of wetlands.
- 2.24.09: Inspection - no vehicles are within 25' of wetlands.
- 3.06.09: Inspection - no vehicles are within 25' of wetlands.
- 4.14.09: Inspection - no vehicles are within 25' of wetlands.
- 5.11.09: Inspection - no vehicles are within 25' of wetlands.
- 6.10.09: Inspection - no vehicles are within 25' of wetlands.
- 7.16.09: Inspection - no vehicles are within 25' of wetlands.
- 8.12.09: Inspection - no vehicles are within 25' of wetlands.
- 9.14.09: Inspection - no vehicles are within 25' of wetlands.
- 10.27.09: Inspection - no vehicles are within 25' of wetlands.
- 11.30.09: Inspection - no vehicles are within 25' of wetlands.

Memorandum:

December 2, 2009

To: Inland Wetland Agency  
From: Grant Meitzler, Inland Wetland Agent  
Re: New Business for the December 7, 2009 meeting

**Renewal Request:**

In our regulations, Section 7.9 B:

Re: permit renewals:

"Any such permit shall be renewed upon request of the permit holder unless the Agency finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided no permit may be valid for more than ten years."

Permit renewals may be acted on at the meeting when the request is received.

W1442(W1296) - King - Wormwood Hill Rd

	yes	no
	-----	-----
fee paid .....	x	
certified receipts .....		n.a.
map dated .....	3.02.2005	

This is a request for renewal of permit W1296 issued 4.04.2005. A copy of the original approval is in this packet. No change to the plan is planned at this time. This is a first cut lot from the Dorwart subdivisions. The lot is the most southerly piece of Dorwart's on the west side of Wormwood Hill Rd.

W1443(W1291) - Abbott - Mulberry Rd

	yes	no
	-----	-----
fee paid .....	x	
certified receipts .....		n.a.
map dated .....	2.01.2005	

This is a request for renewal of permit W1291 issued 3.07.2005. A copy of the original approval is in this packet. No change to the plan is planned at this time. This is a first cut lot from the Dorwart subdivisions. The lot is at the southeast corner of the Mulberry Rd and Wormwood Hill Rd intersection (east side of Wormwood Hill Rd).

**Modification Request:**

W1444(W1437) - Hillel House - sidewalk and parking alternations

	yes	no
	-----	-----
fee paid .....	x	
certified receipts .....		n.a.
map dated .....	11.13.2009	



**Committee Report:**

W1447 - IWA Regulation Revisions

Draft Regulations & time line requirements

See information in this packet.

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W1296

Mansfield Inland Wetland Agency  
Mr. Rudolf Favretti, Chairperson  
4 So. Eagleville Rd.  
Storrs, Ct. 06268

Date 11/11/09

Dear Mr. Favretti :

I am requesting that the wetlands license (W1296) be extended for a period of another five years. The current license expires on 4/4/10. The lot in question is being sold at this time and the new buyer has not determined when they will begin construction of their new home.

Thank you for your consideration in this matter.

Sincerely,



DONALD W. KING  
171 SECKAR RD  
ASHFORD, CT 06278  
860-487-0797

RECEIVED

NOV 16 2009

TOWN OF MANSFIELD  
PLANNING DEPARTMENT



TOWN OF MANSFIELD  
INLAND WETLAND AGENCY

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILLE ROAD  
STORRS, CONNECTICUT 06268  
(203) 429-3334 6504

April 7, 2005

Mr. Michael Moran  
71 Browns Road  
Mansfield, CT 06250

Re: Mansfield Wetlands License (W1296) for single-family dwelling on property of Dorwart Family Trust on Wormwood Hill Rd.

Dear Mr. Moran:

At a regular meeting held on April 4, 2005, the Mansfield Inland Wetland Agency adopted the following motion:

"to grant an Inland Wetland License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael Moran (file W1296) for construction of a single-family house on property owned by the Reinhold A. and Juanita M. Dorwart Family Trust located at Wormwood Hill Road, as shown on a map dated 3/2/05 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:

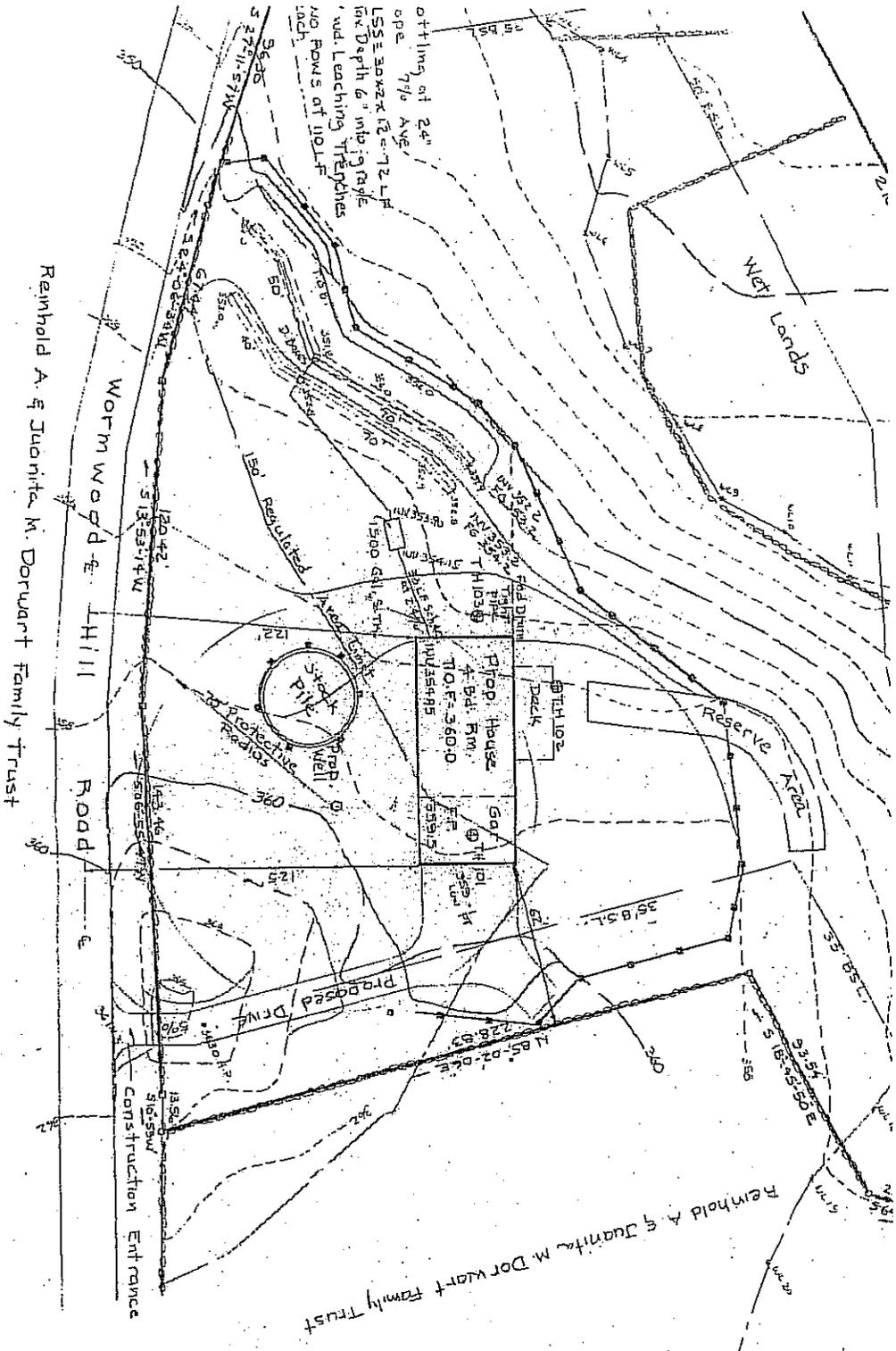
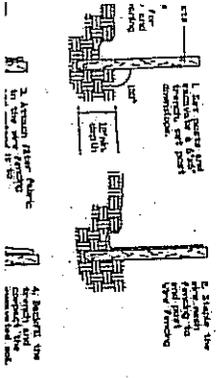
1. Appropriate erosion and sedimentation controls, as shown on the plans, shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;
2. This approval is valid for a period of five years (until 4/4/10), unless additional time is requested by the applicant and granted by the Inland Wetland 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."

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

Very truly yours,

Katherine K. Holt, Secretary  
Mansfield Inland Wetland Agency

cc: D. Dorwart, for Dorwart Family Trust



Site Plan

Map. Ref see map entitled "Bound  
 pared for The Dorwart Family  
 Hill Road Mansfield, CT Shee  
 506 + 2004-072, File #D004072  
 Land surveying 32 Main St  
 860-228-9853 Oct 27, 200

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W1443

Mansfield Inland Wetland agency  
Mr. Rudolf Favretti, Chairperson  
4. So. Eagleville Rd.  
Storrs, Ct. 06268

Date 11/14/09

Dear Mr Favretti;

We are requesting that the wetlands license (W1291) be extended for a period of five years.  
The current license expires on 3/07/10.

We have not been able to obtain approval to build from the developer until recently, and now we must wait until the economy is more suitable for us.

Thank you for your consideration in this matter.

Sincerely,

*Pamela C Abbott*  
*Steve Abbott*

Pam and Steve Abbott.

16 Miller Farms  
Willington, Ct 06279



TOWN OF MANSFIELD  
INLAND WETLAND AGENCY

6641

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

March 18, 2005

Mr. Michael Moran  
71 Browns Rd.  
Mansfield, CT 06250

Re: Mansfield Wetlands License (W1291) for single-family house at Mulberry and Wormwood Hill Rds.,  
property of Dorwart Family Trust

Dear Mr. Moran:

At a regular meeting held on March 7, 2005, the Mansfield Inland Wetland Agency adopted the following motion:

"to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Michael Moran (file W1291) for a single-family house site on property owned by the Reinhold A. and Juanita M. Dorwart Family Trust, located at Mulberry and Wormwood Hill Roads, as shown on a map revised through 2/2/05 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, maintained during construction and removed when disturbed areas are completely stabilized;
2. This approval is valid for a period of five years (until 3/7/10), unless additional time is requested by the applicant and granted by the Inland Wetland 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."

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

Very truly yours,

Katherine K. Holt, Secretary  
Mansfield Inland Wetland Agency

cc: D. Dorwart



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

FOR OFFICE USE ONLY  
 File # W 1444/1437  
 Fee Paid   
 Official Date of Receipt 12/07/09

Request for Modification

Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.

Please print or type or use similar format for computer, attach additional pages as necessary.

Henry M ZAKHS - HWOZ Contracting LLC

Part A - Applicant

Name BNAI BRITH Hille Foundation of Conn

Mailing Address 40 WOODLAND ST

Hartford CT Zip 06105

Telephone-Home <sup>Cell</sup> 860 3062787 Telephone-Business 860 727-5702

Title and Brief Description of Project

AMENO PDR SIDEWALK AND PARKING GRADE S, TR - REMOVE TREES IN WETLANDS

Location of Project 54 North Eagleville Rd

Intended Start Date AFTER APPROVAL

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

Name BNAI BRITH Hille Foundation of Conn

Mailing Address 40 WOODLAND ST

Hartford CT Zip 06105

Telephone-Home 3062787 Telephone-Business 727370

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

Signature  date 11/19/09

Applicant's interest in the land: (if other than owner) Contractor AND BOARD MEMBERS

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

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

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

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

~~SIDEWALK - ADDITION~~  
~~FENCE RELOCATION/REMOVAL~~  
~~MODIFY EXISTING PARKING~~  
~~TREE REMOVAL IN WETLAND~~  
~~GRADING WETLAND AREA~~      ~~ADD~~  
~~AS SHOWN ON DATA~~  
~~OUTLET AS REVISED NOV. 15TH~~

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

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

APPROXIMATELY 170 FT X 50 = TOTAL  
 8500 SQ. FT. TOTAL  
 ACTUAL WETLANDS - 725 SQ. FT.  
IN

3) Describe the type of materials you are using for the project: GRAVEL BASE FOR PARKING + SIDEWALK - EXISTING - REPAIR. SIDEWALK BASE + PARKING BASE TO BE ADDED

- a) include **type** of material used as fill or to be excavated GRAVEL
- b) include **volume** of material to be filled or excavated 152 FT X 50 = 1500 SQ. FT.

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

SILT FENCE AS NEEDED -

Part D - Site Description

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

FLAT - WELL DRAINED - SMALL WETLAND

Part E - Alternatives

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

NO -

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Part F - Map/Site Plan (all applications)

1) Attach to the application a map or site plan showing existing conditions and the proposed project in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See guidelines at end of application - page 6.)

2) Applicant's map date and date of last revision 10/16/11

3) Zone Classification \_\_\_\_\_

4) Is your property in a flood zone?  Yes  No  Don't Know

Part G - Major Applications Requiring Full Review and a Public Hearing  
See Section 6 of the Mansfield Regulations for additional requirements.

Part H - Notice to Abutting Property Owners

1) List the names and addresses of abutting property owners

Name	Address
W COWN	REAR LOT + PARKING DRIVEWAY
ST THOMAS CHURCH	NORTH EASTVILLE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2) **Written Notice to Abutters**. You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress; and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. Postal receipts of your notice to abutters must accompany your application. (This is not needed for exemptions).

Part I - Additional Notices, if necessary

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

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

**Part J - Other Impacts To Adjoining Towns, if applicable**

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

**Part K - Additional Information from the Applicant**

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

ATTACHED  
DATA

**Part L - Filing Fee**

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

\_\_\_ \$385. \_\_\_ \$110. \_\_\_ \$60. \_\_\_ \$25.

750, PAID BY HUNT

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

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

Applicant's Signature

Date

11/19/09



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Memorandum:

December 3, 2009

To: Inland Wetland Agency  
From: Grant Meitzler, Inland Wetland Agent  
Re: W1445/W1419 - Chernushek - Modification request

reference:

W1419 previous approval  
Chernushek letter - 10.19.2009  
DeSiato sketch map  
GM sketch map

This is a request to remove 750 cubic yards of gravel from the site. The removal will lower the present elevation of the 50'x 150' training area approximately 2 feet, and will include grading slopes around the edges of the area. This work will require a construction access roadway for which approval has been given by the adjacent property owner. (See attached GM sketch map).

I have walked the site with Mr. DeSiato who has explained the work involved:

He will lower the 50'x 150' training area approximately 2 feet and slope the surrounding edges at 2:1 slope.

Access to the site for his trucks will be from the adjacent Brodin property parking lot. The roadway will be 12 feet wide.

I have spoken with Mr. Brodin and verified that he has given permission for this access.

This work is consistent with the previous approval except for the truck access roadway.

This change to have gravel removed from the site comes about from the depth to the sandy layer that was found once the area was graded. The stony gravel found is not suitable for horses hooves. The sandy layer two feet deeper is suitable.

This request offers professional finishing of the site by Mr. DeSiato, with the construction of an access roadway being the significant change to the previous approval.

The timing of this work is unfortunate due to the season. The choice is between doing this work now or waiting until Spring. I favor waiting until Spring.

It seems to me that we have to weigh the risk of 4 months delay against the risk of fresh work being stopped by winter weather and being more vulnerable during the winter. The present site surfaces have been stable and the central pond area has contained what material has moved. This impoundment acts as a sediment trap. Previous seeding has matured in most areas along the wetlands so that major disturbance seems undesirable at this late date. If fresh work is started and then stopped due to weather, conditions may be worse through the rest of the winter.

Considerations:

Starting this work now

- fresh soil surfaces will be exposed to winter weather without the stabilization provided by grass growth
- work may be stopped by frost making finish work difficult

Waiting until Spring

- seasonal cold weather issues will not be of concern
- stabilizing grass on fresh soil surfaces can grow in quickly
- means four months delay

Mr. Chernushek's 10.19.2009 letter adds some discussion to the original approval. This letter was received 10.19.2009; it reads as if it is at the time of the original approval. The following specific items are mentioned:

1. **stump disposal** - the original approval indicated moving the stumps from the present locations to a specific location shown on the approved plan. This is appropriate. I don't recommend leaving them where they are. The specific area was #14 on the approved plan.
2. **gravel surfaces:**
  - A. area #6 is the 50'x 150' riding area. The request we have now will lower this area 2 feet and that is the location of the 750 cubic yards of gravel removal.
  - B. brook crossing #4 is the rear brook crossing. This should remain at its present height with the stone protection mentioned.
3. **grass area** was approved at 25' wide rather than 10 feet wide.
4. **garden area** no change indicated. This is area #8 on the approved plan.
5. the winter rye planting mentioned was done and has come in fairly well in areas near wetlands.
6. this letter mentions **possible removal of 6 to 12 trees** in area #15 on the approved plan. Mr. DeSiato indicated he expected to be able to make his truck entrance without any large tree cutting, and that he is intending to finish the present banks without any tree clearing. The two feet of gravel are to be removed from the present 50'x 150' riding area (area #6 on the approved plan).
7. brook crossing #5 is the front brook crossing and I measured the two pipes under it. One is 4" the other 6". The 6" pipe was installed. It was approved in the original approval.

Recommendations:

1. The original approval should remain in effect and be revised to include the removal of 750 cubic yards of gravel from the 50'x 150' riding area, and the new 12' wide truck access from the rear Brodin parking lot to the 50'x 150' riding area.
2. This work should not be started until April 1, 2010 and should be finished by July 1, 2010.
3. Silt fencing is to be placed along the downhill side of the

access road from the Brodin parking area to the edge of the 50'x 150' area.

4. Silt fencing now in place along the northwesterly wetlands crossing is to be reset so water won't pass under it.
5. the rear brook crossing (#4) should remain at its present height to provide an effective pond for continued sediment protection.

PAGE  
BREAK

**TOWN OF MANSFIELD  
INLAND WETLAND AGENCY**

AUDREY P. BECK BUILDING  
FOUR SOUTH EAGLEVILL ROAD  
STORRS, CT 06268  
(860) 429-3330

FILE

April 8, 2009

Henry Chernushek  
473 Middle Turnpike  
Storrs, CT 06268

Re: Mansfield's IWA approval  
IWA file #1419

Dear Mr. Chernushek,

At a meeting held on 4/6/09, the Mansfield Inland Wetlands Agency adopted the following motion:

"to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to **Henry M. Chernushek** (file no. W1419), for clear cutting in wetlands and regulated areas within 150 feet of wetlands, as shown on plans dated January 2, 2009 and received at the January 5, 2009 meeting of the Wetlands Agency, and as described in other application submissions including a 2/25/09 Attachment #1 and 2/26/09 Attachment #2, both drawn by Grant Meitzler, Wetlands Agent. This action is based on the application submissions, consideration of applicable regulations, information observed on field trips to the site on December 10, 2008 and January 12, 2009, and information presented in public hearing sessions held on February 2, 2009 and March 2, 2009.

Based on the above considerations, the Agency hereby finds this project will not cause significant impact, provided the following conditions are met:

1. Work is to be done according to the applicant's plan, submitted to staff on January 2, 2009 and received at the January 5, 2009 meeting, with the following modifications, which shall be attached to and made a part of the plan:
  - A. A second row of silt fence shall be installed along the downstream edge of "crossing #4", as shown on the 1/02/2009 plan.
  - B. The indicated 10-foot wide grassed separation area (#9 on the 1/02/09 plan) between the riding area (#6 on the 1/02/09 plan) and the sediment pond (#7) and the garden (#8) shall be increased to 25 feet. This increase will allow the flat riding area to be raised about two feet and lessen the volume of excavation.
  - C. Disturbed areas downstream of "crossing #4" and upstream of "crossing #5" shall be finish-graded and seeded by April 30, 2009. The 25 foot wide grassed areas between the sediment pond (#7) and garden (#8) shall be finish-graded and seeded by April 30, 2009. These are areas directly adjacent to wetlands and most in need of stabilization. Adequacy of seeding is to be assessed by the Chairman and the Wetlands Agent. The applicant is directed to local seed suppliers and/or the Natural Resources Conservation Service who can provide specific manufacturers recommendations for type of seed and recommended planting instructions.
  - D. Stumps shall be moved to the area marked #14 on the January 2, 2009 plan.
  - E. A 6-inch diameter pipe shall be added under "crossing #5" on the January 2, 2009 plan.
  - F. Minor changes are recommended to the rectangular shape of the riding area (#6) to reduce disturbance due to excavation. Any such change is to be approved by the Wetlands Agent prior to that change being made.

2. It is understood that areas that were clear cut are not intended for general pasture use. Unless a change in use is specifically authorized by the Inland Wetlands Agency, the applicant shall restrict animal use to the approved riding area (#6).
3. Work is to start and continue on or before April 15, 2009 and is to be completed by July 1, 2009. The Wetlands Agent is to make regular inspections of this site and to regularly report to the Wetlands Agency until the July 1, 2009 completion date.
4. The applicant is to be provided with a report entitled "A Guide to Composting Horse Manure" and strongly encouraged to follow those guidelines to minimize wetlands impact.
5. All erosion and sedimentation controls shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized. Particular care should be taken to control erosion on the steep slope between the house/barn area and the garden/wetlands area below.

This approval is valid for a period of five years (until April 6, 2014), 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."

This letter constitutes your license.

If you have any questions regarding this action, please call the Planning Office at 429-3330.

Very truly yours,



Katherine K. Holt, Secretary  
Mansfield Inland Wetlands Agency

Curt Hirsch – Zoning Agent  
Town of Mansfield

We have an ongoing project through the Inland-Wetland Agency Ref.# 91-7108-2133-3934-5228-4412  
File# W1418

To complete this project we need to have 700 to 750 cubic yards of sand and gravel removed. This would be needed to level the pasture/riding area for our horses.

The work will be done by DeSiato Sand and Gravel Corp. of Mansfield. The work will be done between the hours of 7am and 5pm..Equipment used would be an excavator and dump trucks.

Bernie of Villa Hills Golf Course has agreed to let the trucks go out through the clubhouse parking lot and out of the driveway across from Birch Rd. on Rte. 44.

Our neighbors were notified by certified mail in Dec. 2008 of our project and the possibility of having the sand and gravel removed to complete our project. De Siato will only be removing the sand and gravel. The white sand/clay material will be left and leveled for the riding area. The riding area is for personal use only. The work should only take about one week, weather permitting. As soon as we get a permit he can do the work within a few weeks.

I'd like to get this project completed as soon as possible so I can plant grass seed in the meadow before winter.

Thank you for your help.

Mike Chernushek  
473 Middle Tpke.  
Mansfield  
487-4328  
cell: 208-2915

Received by ZEO  
10-19-09

SWEET Charity Farm  
Jo Ann and Mike Chernushék  
373 Middle TURNPIKE  
Mansfield, CT 06268  
860-487-4328

Inland Wetland Agency  
Ref# 91-7108-2133-3934-5228-4412 File# W1418

This is an addition to our original application to answer some of your questions.

Stump disposal - the stumps on the work site are going to be cut up for firewood after they season for one year. My friend in Tolland has an outdoor woodburning boiler and needs the wood. If they need to be moved I can move them to higher ground behind the proposed riding areas past rear corner.

Gravel surfaces - The area shown as #6 is going to be levelled off 2 feet higher than our original plan so no material

will be removed from the property. The brook crossing marked #4 will be raised 1 to 2 feet and stones will be placed on the back side to prevent runoff from the sediment pond during heavy rains.

There will be a grass area, min of 10 feet, planted all around the brooks and sediment pond.

Garden area - This area is approximately 40 feet by 100 feet between the house driveway and the brook. It needs to be levelled and stones removed. There will be no material taken out or brought in for this project. I planted 50 pounds of winter rye seed on this area and around the brook and sediment pond.

Tree removal - the only possible tree removal will be on the east side of the riding area, if needed, to slope the hill to meet safety requirements of 2 to 1 by the zoning regulations. This would only be 6 to 12 trees at most.

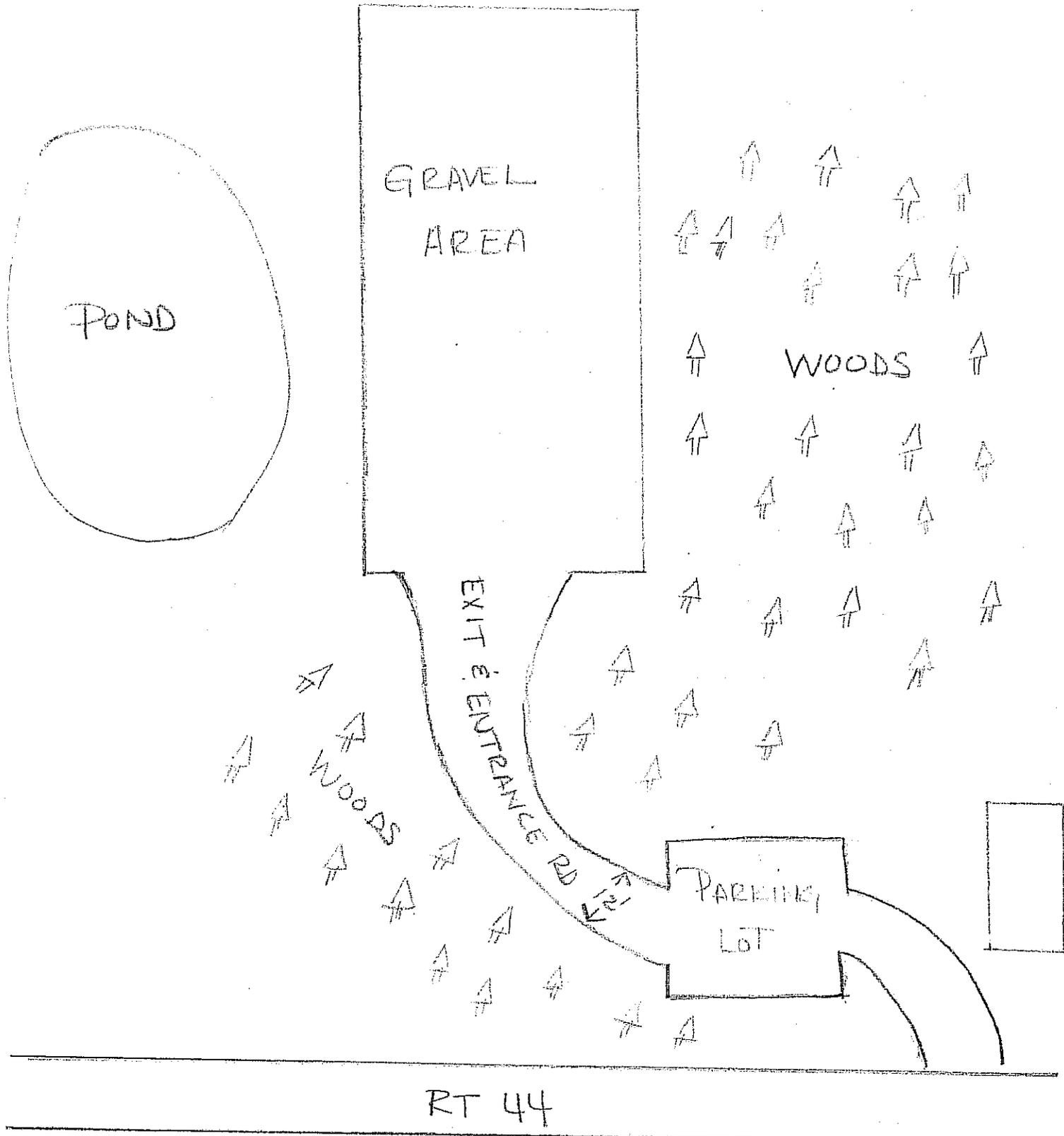
Construction - as of now we do not have any plans to build a barn or any other structures on the work site. I will be doing all the work myself. The only equipment will be my payloader to move material around and a bulldozer to level the riding area. The only brook work needed is on brook crossing #5. I'd like to place a 6 inch pipe next to the 4 inch pipe already there.





# DeSiato

SAND & GRAVEL  
CORPORATION

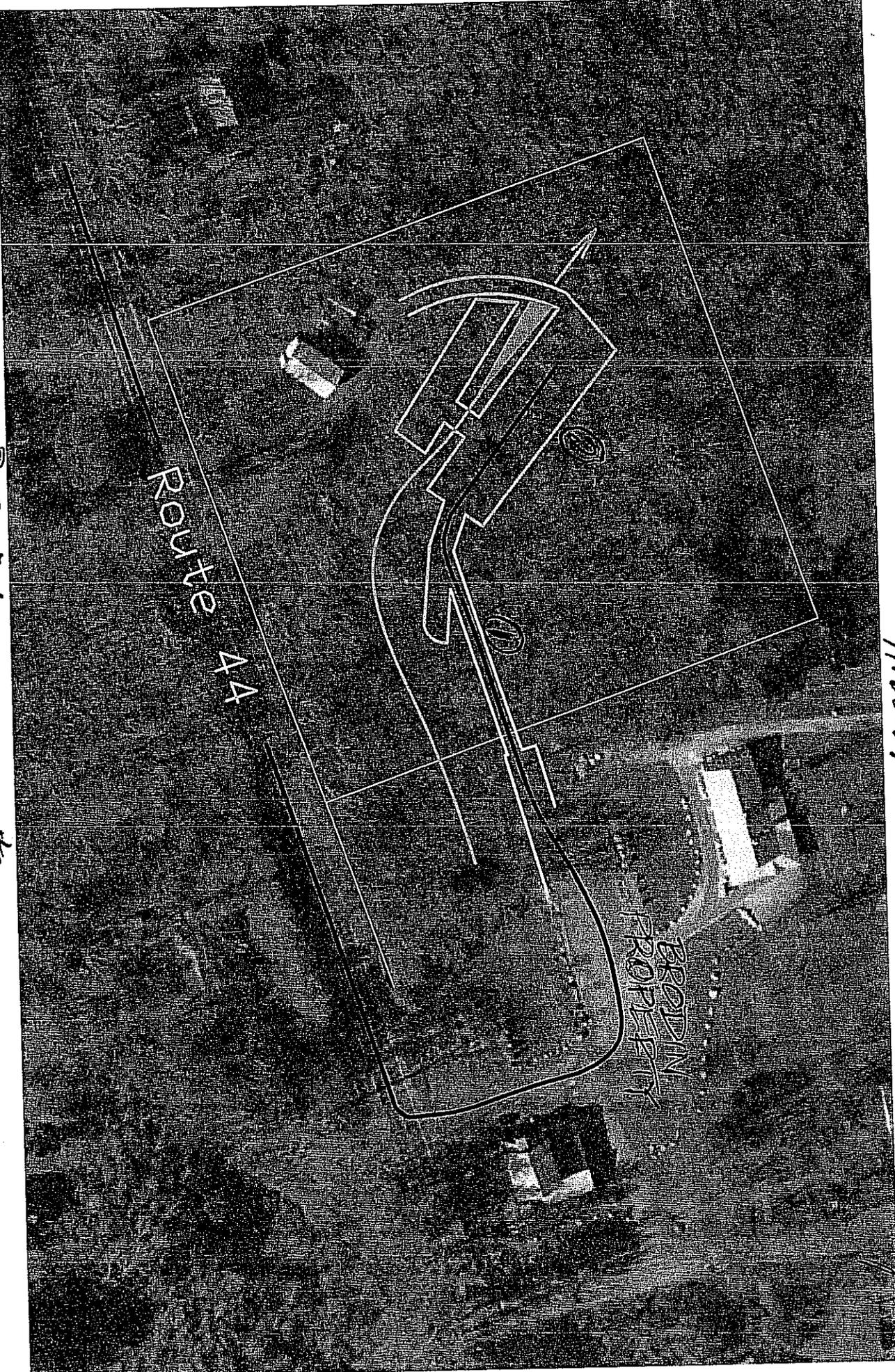


DECORATIVE STONE • CRUSHED STONE • SAND • SCREENED LOAM  
EXCAVATING • TRUCKING • BULLDOZING

999 STAFFORD RD. • STORRS, CT 06268 • TEL: 860 429 6479 • FAX: 860 429 5426

11.30.09

Bredin -  
Modification Request



can sketch map  
not to scale

- ① Designate access route
- ② existing area - gravel removal

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

FOR OFFICE USE ONLY  
 File # W 1446  
 Fee Paid \$ 135 -  
 Official Date of Receipt \_\_\_\_\_

*Applicants are referred to the Mansfield Inland Wetlands and Watercourses Regulations for complete requirements, and are obligated to follow them. For assistance, please contact Grant Meitzler, Inland Wetlands Agent at the telephone numbers above.*

Please print or type or use similar format for computer; attach additional pages as necessary.

**Part A - Applicant**

Name Bryan F. and Margaret O. Kielbania

Mailing Address 408 Browns Road

Storrs, CT Zip 06268

Telephone-Home \_\_\_\_\_ Telephone-<sup>Cell</sup>Business (860) 428-7119

Title and Brief Description of Project  
Septic Design & Plot Plan for Bryan F & Margaret  
O. Kielbania - 3 Bedroom Home and related improvements

Location of Project 619 Mansfield City Road

Intended Start Date February, 2010

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

Name Same

Mailing Address \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Telephone-Home \_\_\_\_\_ Telephone-Business \_\_\_\_\_

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

Signature \_\_\_\_\_ date \_\_\_\_\_

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

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

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

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

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

a) No Wetland disturbance.

b) See plans. Disturbance of about 0.364 Ac. The area drains to the on site wetlands. The activities include excavation, filling, construction of new 3 bedroom house, driveway, septic system and footing drains. The disturbed area is to be silt fenced.

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

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

Disturbed area within 150' of the edge ≈ 0.364 Ac.

3) Describe the type of materials you are using for the project: See plans, concrete, wood, gravel, pipe, etc.

- a) include type of material used as fill or to be excavated sandy gravel, till, topsoil <sup>with some</sup>
- b) include volume of material to be filled or excavated 300 yds +/- for <sup>stones</sup>  
foundation hole.

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

See plans. Use of silt fence, timely construction and daily monitoring.

Part D - Site Description

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

Sloped homestead area, lawn with trees and driveway and some boulders.

**Part E - Alternatives**

Have you considered any alternatives to your proposal that would meet your needs and might have less impact on the wetland/watercourse? Please list these alternatives.

No more suitable area for house construction exists on the site. Reconstruction of the dilapidated non zoning building compliant house was impractical. It was removed for safety concerns.

**Part F - Map/Site Plan (all applications)**

1) Attach to the application a map or site plan showing **existing conditions** and the **proposed project** in relation to wetland/ watercourses. Scale of map or site plan should be 1" = 40'; if this is not possible, please indicate the scale that you are using. A sketch map may be sufficient for small, minor projects. (See **guidelines at end of application – page 6.**)

2) Applicant's map date and date of last revision 11/23/09

3) Zone Classification RAR 90

4) Is your property in a flood zone?  Yes  No  Don't Know

**Part G - Major Applications Requiring Full Review and a Public Hearing**

See Section 6 of the Mansfield Regulations for additional requirements.

**Part H - Notice to Abutting Property Owners**

1) List the names and addresses of abutting property owners

Name	Address
<u>See attached list (7 abutters)</u>	

2) **Written Notice to Abutters** . You must notify abutting property owners by certified mail, return receipt requested, stating that a wetland application is in progress, and that abutters may contact the Mansfield Inland Wetlands Agent for more information. Include a brief description of your project. **Postal receipts of your notice to abutters must accompany your application.** (This is not needed for exemptions).

**Part I - Additional Notices, if necessary**

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

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

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

**Part J - Other Impacts To Adjoining Towns, if applicable** N/A

1) Will a significant portion of the traffic to the completed project on the site use streets within the adjoining municipality to enter or exit the site? \_\_\_ Yes \_\_\_ No \_\_\_ Don't Know

2) Will sewer or water drainage from the project site flow through and impact the sewage or drainage system within the adjoining municipality? \_\_\_ Yes \_\_\_ No \_\_\_ Don't Know

~~3) Will water run off from the improved site impact streets or other municipal or private property within the adjoining municipality? \_\_\_ Yes \_\_\_ No \_\_\_ Don't Know~~

**Part K - Additional Information from the Applicant**

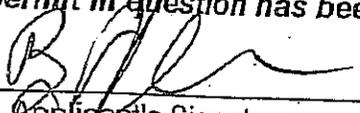
Set forth (or attach) any other information which would assist the Agency in evaluating your application. *(Please provide extra copies of any lengthy documents or reports, and extra copies of maps larger than 8.5" x 11", which are not easily copied.)*

**Part L - Filing Fee**

Submit the appropriate filing fee. (Consult Wetlands Agent for the fee schedule available in the Mansfield Inland Wetlands and Watercourses Regulations.)  
\_\_\_ \$385. \_\_\_ \$110. \_\_\_ \$60. \_\_\_ \$25.

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

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

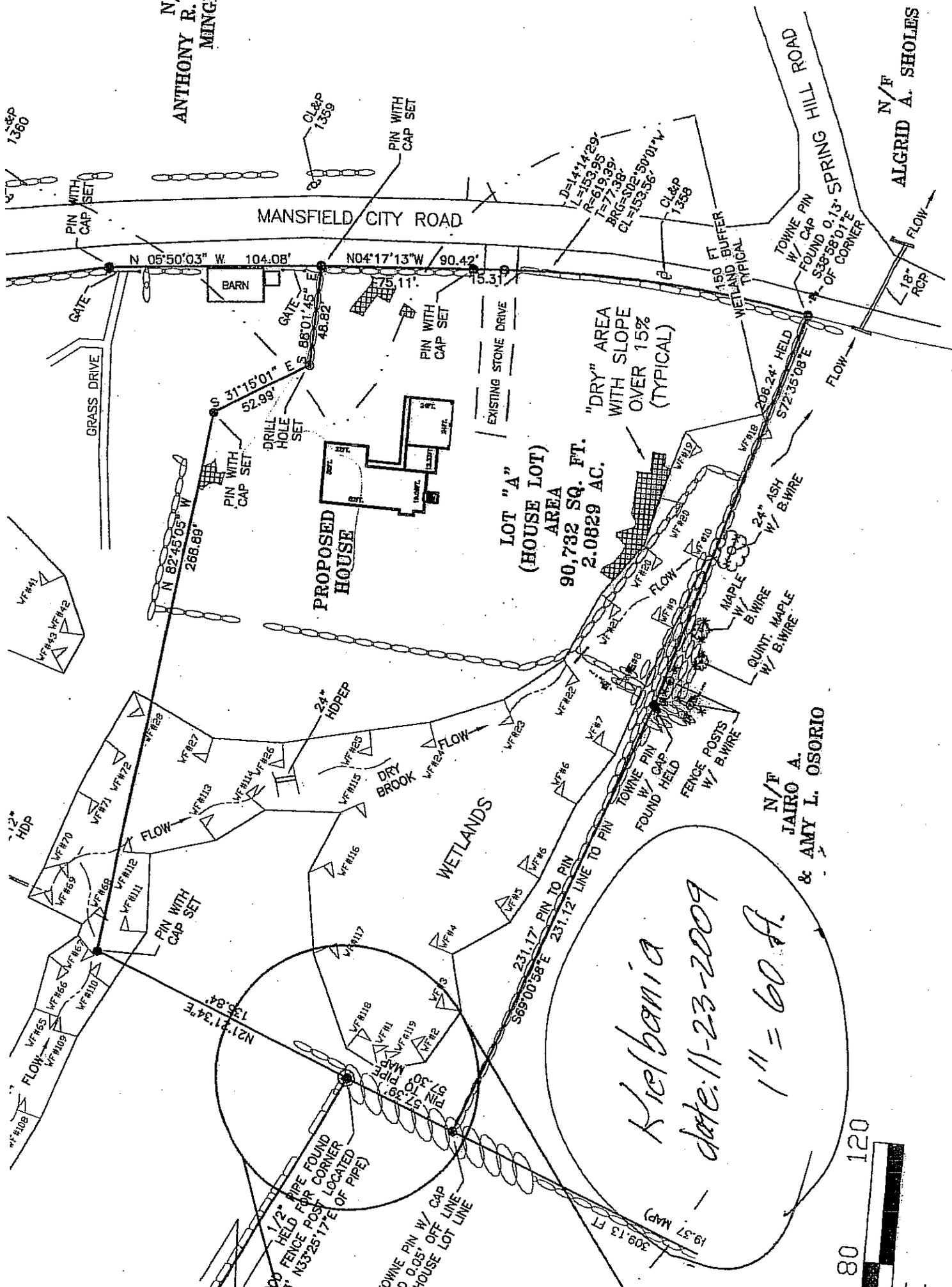
  
Applicant's Signature

11-30-09  
Date

N/  
ANTHONY R. MINGER

N/  
ALGRID A. SHOLES

N/  
JAIRO A. OSORIO  
& AMY L. OSORIO



LOT "A"  
(HOUSE LOT)  
90,732 SQ. FT.  
2.0829 AC.

PROPOSED HOUSE

"DRY" AREA  
WITH SLOPE  
OVER 15%  
(TYPICAL)

WETLANDS

DRY BROOK

Kielbania  
date: 11-23-2009  
1" = 60 ft.



1360

1359

1388

136.84

136.84

136.84

136.84

136.84

136.84

12"

HDP

VF#41

VF#43

VF#42

VF#70

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VF#110

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VF#133

GRASS DRIVE

EXISTING STONE DRIVE

MANSFIELD CITY ROAD

SPRING HILL ROAD

PROPOSED HOUSE

WETLANDS

DRY BROOK

LOT "A"

PROPOSED HOUSE

PROPOSED HOUSE

BARN

GATE

GATE

DRILL HOLE SET

PIN WITH CAP SET

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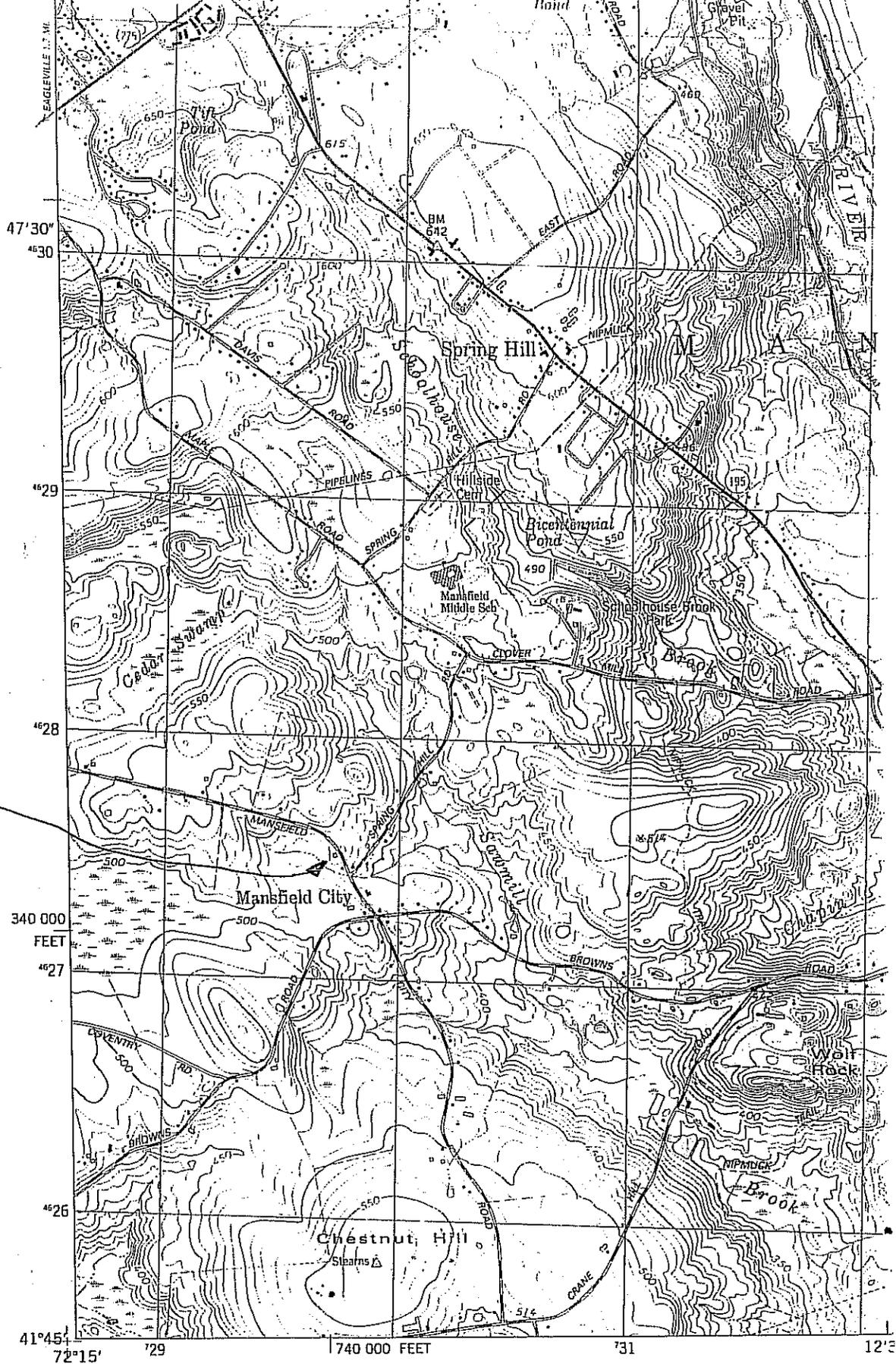
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Site

SPRING HILL  
CONN.

1" = 2000'



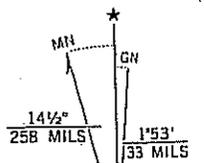
(COLUMBIA)  
669 IN NE

Mapped, edited, and published by the Geological Survey  
in cooperation with Connecticut Department of Environmental Protection  
Control by USGS, NOS/NOAA, and Connecticut Geodetic Survey

Topography by photogrammetric methods from aerial photographs  
taken 1974. Field checked 1976. Revised from aerial photographs  
taken 1980. Limited field check 1983. Map edited 1983  
Supersedes map dated 1953

Projection and 10,000-foot grid ticks: Connecticut coordinate  
system (Lambert conformal conic)

1000 meter Universal Transverse Mercator grid, zone 18



41

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND  
UNIVERSITY OF CONNECTICUT**

This Memorandum of Agreement ("MOA") is made and concluded in Hartford, Connecticut by and between the Connecticut Department of Environmental Protection ("Department"), represented by Betsey Wingfield of the Department's Bureau of Water Protection and Land Reuse, and the University of Connecticut ("University"), represented by Barry Feldman, Vice President. The purpose of this memorandum is to document the agreement between the parties regarding the University's recent proposal to undertake improve, and construct certain flood and water quality enhancement projects at the University's main campus, which is located in Storrs-Mansfield, Connecticut ("site").

Whereas, the University is the State of Connecticut's flagship institution of higher learning with campuses located in different parts of Connecticut.

Whereas, at sometime in 1995, the University initiated certain improvements and expansion programs at the site, which at various times have been designated as UCONN 2000 and UCONN 21<sup>st</sup> Century programs, the University has thus far undertaken significant improvement, expansion and construction activities pursuant to said programs.

Whereas, the significant improvement, expansion, and construction activities conducted by the University have altered the flow and flooding characteristics of Eagleville Brook and Roberts Brook leaving the site.

Whereas, the University is required pursuant to Conn. Gen. Stat. § 25-68d to obtain Flood Management Certification approval prior to undertaking such improvement, expansion, and construction activities described above.

Whereas, on October 27, 2003 the University submitted an application for Flood Management Certification (FMC), and, in response to the April 4, 2006 DEP letter regarding the 2003 FMC application, on April 26, 2006 the University submitted a revised application for Flood Management Certification #FM-2003-216 ("permit application"), in which both submittals were prepared in accordance with the Regulations of Connecticut State Agencies (RCSA) section 25-68h-3.

Whereas, the University in the permit applications proposed to construct certain flood and water quality improvement projects including the following:

1. Construction of outlet and channel protection at the Swan Lake discharge watercourse, from where it daylight upstream of the existing stone wall at the western limits of Valentine Meadow to its confluence with the Mirror Lake discharge watercourse;

2. Modifications to the Mirror Lake Spillway, through the addition of a V-notch weir and related work;
3. Construction of water quality enhancement projects at W-lot and at the storm water outlets into both Swan Lake and Mirror Lake;
4. Modifications to the culvert which conveys Eagleville Brook southerly from the Towers section of campus, which will divert stormwater runoff from 55 acres of the Eagleville Brook watershed to Swan Lake and the Roberts Brook watershed;
5. Removal of the gabions at the inlet of a privately owned culvert on Hunting Lodge Road, downstream of campus on Eagleville Brook; and

Whereas, the University fully comprehends that it would have to seek and obtain proper authorization prior to the initiation of any of the proposed flood and water quality improvement projects including, but not limited to, authorization pursuant to the Inland Wetlands and Watercourses Act, Dam Safety Act, Connecticut Water Diversion Policy Act, and 401 Water Quality Certification.

Whereas, the Department has completed its review of the permit application and has determined that the flood and water quality improvement projects proposed by the University are necessary for improvement of both on-site and off-site flood and water quality conditions and that completion of the projects are necessary for proper certification of the site in accordance with the Flood Management Statutes and the RCSA.

Whereas, the Department's Fisheries Bureau has identified a segment of Eagleville Brook, located within a wetland complex east of the intersection of North Eagleville Road and Hunting Lodge Road, with stream banks that have been severely eroded by flood flows. This severe bank erosion has resulted in the continued discharge of significant volumes of sediment to downstream segments of the Eagleville Brook.

Whereas, two segments of Eagleville Brook (CT 3100-19\_01 and CT 31-0019\_02) situated at the site were included on the *2004 List of Connecticut Waterbodies Not Meeting Water Quality Standards* 1 (*2004 List*) for not meeting aquatic life goals contained within Connecticut's *Water Quality Standards*.

Whereas, the Department issued a document entitled "A Total Maximum Daily Load Analysis for Eagleville Brook, Mansfield, CT," dated February 8, 2007 pursuant to the requirements of Section 303(d) of the Federal Clean Water Act. This document stated the most probable cause of the impairment to the two segments of Eagleville Brook is a complex array of pollutants transported by stormwater. This document established a Total Maximum Daily Load (TMDL) target of 12% impervious cover ("IC") in the Eagleville Brook watershed as a surrogate for a complex array of pollutants transported by stormwater runoff that impacts aquatic life.

Whereas, it has been found that the level of IC in the Eagleville Brook exceeds that which is likely to meet aquatic life standards and 12% IC has been set as a target that can result in acceptable aquatic life.

Whereas, the Department, on the basis of the review and analysis conducted, has determined that completion of the proposed flood and water quality improvement projects would improve the quality and decrease the quantity of stormwater discharged into the impaired segments of Eagleville Brook, and would therefore be in compliance with the TMDL for Eagleville Brook.

Therefore, the University of Connecticut agrees as follows:

1. To undertake and complete all proposed flood and water quality improvement projects including, but not limited to, the 5 projects identified in this MOA herein. Projects 1 through 3 can be completed in any order whereas 4 and 5 must be completed in a sequential order;
2. To submit to the Department and the United States Army Corps of Engineers within two years from the date of this MOA, all relevant permit applications required for authorization of construction activities associated with number 1 of the proposed flood and water quality improvement projects (construction of outlet and channel protection at the Swan Lake discharge watercourse, from where it daylight upstream of the existing stone wall at the western limits of Valentine Meadow to its confluence with the Mirror Lake discharge watercourse) identified in this MOA herein;
3. To submit to the Department, on a two-year interval for a 10-year total period beginning after two years from the date of submission of the first permit applications identified in paragraph 2 above, all required permit applications required for authorization of construction activities with regard to the remaining four proposed flood and water quality improvement projects;
4. All flood and water quality improvement projects proposed in the permit application including, but not limited to, the 5 projects identified in this MOA herein shall be completed within twelve years from the date of this MOA;
5. To submit to the Department an annual report that documents the progress of completion of the proposed flood improvement projects; and
6. Any future and/or proposed improvement, construction and developmental project at the site shall be conducted in accordance with Flood Management Statutes, the RCSA, and the Eagleville Brook TMDL Analysis.

Therefore, the Department of Environmental Protection agrees as follows:

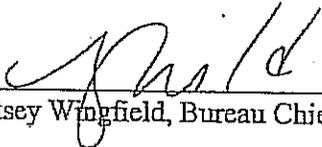
1. To review future permit applications submitted pursuant to Conn. Gen. Stat. § 25-68d, with due weight given to the benefits realized by the

implementation of the proposed flood and water quality improvement projects completed prior to receipt of said permit application; and

2. To use the benefits gained by the completion of the proposed flood and water quality improvement projects to balance the effects of future construction projects at the site.

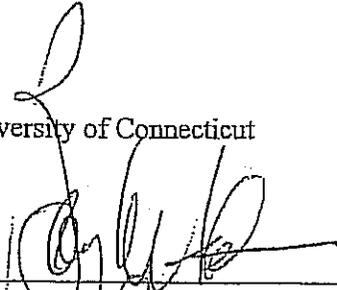
Signed:

Department of Environmental Protection  
Bureau of Water Protection and Land Reuse

By:   
Betsy Wingfield, Bureau Chief

9/24/09  
Date

University of Connecticut

By:   
Barry Feldman, Vice President

4 Sept 09  
Date