

MINUTES

Members Present:	M. Davis, E. King, M. Harper, C. Rittenhouse, M. Soares, and W. Ouimet
Members Absent:	J. Silander
Alternates Present:	J. Knighton
Alternates Absent:	
Staff Present:	J. Kaufman

1. CALL TO ORDER AND ROLL CALL

Soares called the meeting to order at 7:01 p.m. Members present are M. Davis, M. Harper, E. King, C. Rittenhouse, M. Soares, and W. Ouimet, and Alternate J. Knighton. M. Harper arrived at 7:14 pm.

2. APPROVAL OF MINUTES

Rittenhouse MOVED, Ouimet seconded approval of the 16 November 2022 minutes as presented.

Motion PASSED 5-0-0. (Knighton joined just after the vote)

3. OPPORTUNITY FOR PUBLIC COMMENT

A. No members of the public present

4. OLD BUSINESS

A. Conservation Easement Monitoring

5. NEW BUSINESS

A. **W1613-2 Application of CMC Storrs SPV, LLC Applicant/Owner and BPOZ 17 Cedar Swamp, LLC (Owner) for a permit to conduct regulated activities associated with a proposed multi-family residential community at 497 Middle Turnpike (Assessor's Parcel ID 8.14.19) and four parcels fronting on Cedar Swamp Road (Assessor's Parcel IDs 8.14.14-2, 8.14**

Joe Williams, attorney for the Applicant. Introduced the project and team.

Tim O'Neill, Langan Engineering, on behalf of the Applicant. Introduced project location, context, and project details via a presentation.

Direct wetland impact due to re-working the outlet control for the man-made pond on site.

Proposed zone change from RAR-90 to Multi-family.

Storm-water management plan

Jim McManus, Soil and Wetland Scientist, on behalf of the Applicant. Wetlands.

A wetland on the west border. B wetland is man-made pond post-1965. C wetland is east of B and flows towards B. Northern waterway is perennial. Southern is intermittent.

1-C wetland is located east of the cell tower and extends into the town-owned land of the cell tower.

Wetland function and values for the southern wetland begins on page 7 of the report. A series wetland has 6 functions. Numbered series wetlands has some functions. B and C have no principle functions. Lack of functions due to previous land use and land cover, e.g., agriculture, residential, and golf-course activities.

Planting plan for the project intended to buffer and enhance wetlands in the southern portion of the site.

Andy Soumelidis, LandTech, preparing a peer-review for the Town. Soil testing in progress to address a few issues raised during review.

Tom Ryder, LandTech, wetlands. Direct impact is to a man-made pond with intent to reduce erosion. Identified steep slope on the south side of the property that will be disturbed. Mid-slope waddles recommended. Monitoring recommended.

CC: has LandTech reviewed the planting plan? Any issues?

Ryder: Planting plan and plants selected are appropriate for the site.

CC: Is monitoring for the whole site or portions thereof?

Ryder: A few select sites.

CC: Farthest west basin, infiltration basin C2-A?

O'Neill: C2-A will have a level spreader instead of a single-point discharge to the wetland. Intent is to reduce potential for scouring or erosion.

CC: What is the clearance to ensure infiltration?

O'Neill: monitoring well in the basin, elevation, indicate they have clearance.

CC: Norway spruce proposed in planting plan might be re-considered, also the dogwood.

Rittenhouse MOVED and Davis seconded that based on the Applicant's revised plan, which reduces the footprint and direct and indirect impacts to wetlands over the previous plan, and pending resolution of items raised by LandTech, the proposed improvements will have direct impact to wetland B, the man-made pond on site, via re-working the outlet and installing rip-rap, and the project will have impacts to the upland review area via cutting and filling, with a net ~9,200 C.Y. fill and 6 acres of added impervious area to existing condition. Other impacts may be reduced provided appropriate erosion and sedimentation controls are installed prior to construction, maintained during construction, and removed when the site is completely stabilized.

The Conservation Commission recommends the following for consideration by the Inland Wetland Agency:

- To encourage the use of native species and discourage the use of hybrids, varieties, and non-native species, and finding substitutes for Norway spruce, okame cherry, crabapples, honey locust, and the non-native dogwoods.
- Clarify buffering of slopes, as raised by LandTech, and buffering is applied across the whole site, not just those of a certain slope.
- Conduct monitoring as recommended by LandTech, including of slopes, level spreaders and other stormwater features, and invasive vegetation.

Motion PASSED unanimously.

B. W1629 Application of Wilhusky Student House, LLC for a permit to conduct regulated activities associated with a proposed multi-family residential community at 22 and 28-32 King Hill Road (Assessor's Parcel IDs 15.33.3 and 15.33.4)

Tom Cody, Attorney for the Applicant. Introduced the project team and project.

There are no wetlands or watercourses on the project property. Eagleville Brook is on the adjacent property to the north, on state-owned land under custody and control of the University of Connecticut. A portion of this project area is in the Upland Review Area.

The project will require access to No. Eagleville road and crossing the brook will be necessary. The crossing will be on state land and falls under the jurisdiction of DEEP. The Applicant will file for work conducted on state property. The extent of the work on state property is included in this application.

Tim O'Neill, Langan Engineering. Presentation. Existing conditions include a restaurant, house and garage, and parking lot. Stormwater discharge is directly to Eagleville Brook, an impaired waterway with regulated TMDL. 0.86 acres increase in impervious surface over existing condition.

Dean Gustafson, Wetland Scientist on behalf of the Applicant. Eagleville Brook is heavily incised and armored. This section of the stream has diminished function and value. Direct impacts to Eagleville Brook are off property.

Upland Review Area Enhancement Plan calls for removing invasive plants and replacing with native plants, and adding an interpretive sign.

Sedimentation and Erosion Control Plan.

Eagleville Brook Protection Plan includes pre-construction meeting, ecological sensitivity, stormwater and erosion control measures, periodic inspections for duration of construction, signage, and periodic reporting.

Chuck Eaton, PE for CHA. Peer review comments and responses. Rain garden has limited watershed. Refine the by-passes of the sand filters to match the flow of water. The ledge and high groundwater reduce infiltration capability on the site, as does the building footprint.

Rick Canavan, Wetland Scientist from Tighe and Bond. Extending the culvert is an impact. Why is 'avoid' not possible? How will headwall be constructed to avoid impacts to Eagleville Brook? The design is not complete, including depth and how stream flow will be managed while working in the channel? Open cut areas should not get flows. Upland Review Area Enhancement Plan needs more detail to address increase in grading, changing light regime, and plantings.

CC: how tall will this building be?

O'Neill: 8 stories residential above grade and 3 stories parking below grade.

CC: Concern for Eagleville Brook that will be receiving all of the discharge from this project. Eagleville Brook is the first in the state to receive TMDL for impervious surface. How can we treat and slow stormwater to the greatest extent possible? What level of treatment is being achieved with this design?

O'Neill: Target reduction of 21%. Their modeling indicates achieving 23% reduction equivalent by improved stormwater management.

Eaton: There is not enough separation between stormwater management structures and groundwater to provide infiltration.

CC: Were other designs considered to use ground surface for additional treatment and attenuation?

O'Neill: Yes, tried working with an abutter. Considered a courtyard within the footprint. But other designs did not achieve separation and allow infiltration.

CC: Does the high groundwater reduce the effectiveness of the sand filter?

Eaton: reverse flow (tailwaters) will be limited by installing a check-valve

CC: What does the sand filter treat?

O'Neill: they function like an infiltration system. Remove nutrients, including phosphorous, and floatables, TSS, pollutants.

CC: how are these maintained?

O'Neill: section in stormwater maintenance that adheres to state guidelines.

CC: address 4 ft versus 2 ft comment from reviewer?

O'Neill: will address this.

Eaton: building configuration is such that there is no exposed parking. Only pollutants will be from roof runoff. Vehicular pollutants will be limited.

CC: soil erosion and sedimentation control – one of the features touches the 100-year floodplain?

O'Neill: yes, a three-phased approach to assist with constructing the headwall with multiple sedimentation control measures in place.

CC: Infiltration devices on east and west sides of the buildings. Is it possible to add some to the south side of the building?

O'Neill: trying not to introduce the potential for clogging that would come with adding conveyance pipes.

Eric Wright and Joe Aveni also attended.

Rittenhouse MOVED and Harper seconded that based on the Applicant's plan, the project will likely have impacts to Eagleville Brook by the proposed culverting, road connection, discharge, size of building footprint, and increase in impervious surface, and impacts to the upland review area. Eagleville Brook is already an impaired watercourse.

The Conservation Commission recommends the following for consideration by the Inland Wetland Agency:

- Avoid, or further minimize or mitigate impacts to Eagleville Brook
- Remove road connection to North Eagleville Rd
- Consider replacing road connection with additional stormwater management
- Reduce the building footprint to provide additional area for stormwater management
- Reduce the impervious surface
- Update the Eagleville Brook Embankment Plan to address invasive species removal, revegetation with native species, and monitoring (acknowledging this is off-property)

Motion PASSED unanimously.

C. Membership

Soares MOVED and Rittenhouse seconded nomination of King as Vice-Chair.

Motion PASSED unanimously.

Soares will attend the Water Committee.

Davis will serve as liaison with Parks and Natural Resources Committee.

6. REPORTS FROM COMMISSION MEMBERS

A.

7. COMMUNICATIONS

A. Communications from Residents – Agbotics Greenhouses, Browns Road

B. IWA Report

C. Staff Update

Check out the [Mansfield Planning Department webpage](#) for information on development activity in Mansfield


8. FUTURE MEETINGS

The meeting adjourned at 10:11 pm.

The next meeting of the Conservation Commission is scheduled for February 15, 2023.

9. ADJOURNMENT

Respectfully Submitted:

A rectangular box containing a handwritten signature in black ink. The signature appears to be "Chadwick Rittenhouse" written in a cursive style.

Chadwick Rittenhouse
Secretary