

MINUTES

- Members Present:** S. Accorsi, B. Chandy, L. Cooley, J. DeVivo (6:04 p.m.), K. Fratoni, L. Ross, G. Tomecko, C. Wutsch
- Members Absent:** P. Aho
- Alternates Present:** D. Blanchard, V. Ward
- Alternates Absent:**
- Staff Present:** J. Kaufman Director of Planning and Development;
J. Woodmansee, Planner II/CZEO;
M. Stankov, Environmental Planner
Sandra Forand, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

Chandy called the meeting to order at 6:01 p.m. Members present are Accorsi, Chandy, Cooley, Fratoni, Ross, Tomecko, Wutsch and Alternates Blanchard and Ward. Alternates and Blanchard Ward were seated for absent members Aho and DeVivo.

2. APPROVAL OF MINUTES

- 2.1. Ward MOVED, Fratoni seconded, the Approval of the February 6, 2023 minutes as presented with the correction to page 4 to move Motion PASSED unanimously below close of Public Hearing. Cooley abstained.

Motion PASSED unanimously.

DeVivo arrived at 6:04 p.m. Ward no longer seated.

3. COMMUNICATIONS

- 3.1. Conservation Commission
- 3.2. Inland Wetlands Agent Monthly Report
- 3.3. Letter of Introduction from Michael Stankov, new Environmental Planner
Chandy welcomed Michael to the Town.

4. PUBLIC HEARINGS

4.1. **W1630 Application of the Town of Mansfield for Replacement of the Culvert Conveying Eagleville Brook at Hunting Lodge Road and installation of a 10-foot wide multi-use trail along Hunting Lodge Road from North Eagleville Road to Separatist Road (Assessor's Parcel Ids #15.32.5, 15.32.4 and the Town Right of Way)**

Woodmansee provided an overview of the public hearing process and guidelines and information on how to participate in the hearing at the request of Chandy.

Chandy opened the Public Hearing at 6:09 p.m. Members present were Accorsi, Chandy, Cooley, DeVivo, Fratoni, Ross, Tomecko, Wutsch and Alternates Blanchard and Ward. Alternate Blanchard was seated for absent member Aho.

Kaufman read the legal notice of the public hearing that was published in The Chronicle on February 22, 2023 and March 2, 2023 into the record.

Kaufman noted Conservation Commission communication for the record.

D. Dilaj presented a detailed overview of the project for the Applicant.

Commission members asked questions in regard to: Conservation Commission notes have been addressed, pathway and plantings along roadway.

Resident Yao Xudong, asked questions in regard to wash off, tree roots, church, downstream, water flow, banks, pathways.

D. Dilaj answered the residents' concerns.

Cooley MOVED, DeVivo seconded, to close the Public Hearing at 6:43 p.m.

Motion PASSED unanimously.

5. OLD BUSINESS

5.1. **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, 8.14.14-3, 8.14.14-4 and 8.14.18)**

Kaufman gave details of the project to the Commission.

Commission Member Tomecko asked questions in regard to the Peer Reviewer reviews.

DeVivo MOVED, Accorsi seconded, to grant an inland wetlands license pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to CMC Storrs SPV, LLC Applicant/Owner and BPOZ 17 Cedar Swamp Road (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, 8.14.14-3, 8.14.14-4 and 8.14.18) as described in application submissions and site development plans dated November 14, 2022 and revised to January 12, 2023, and as heard at a public hearing on February 6, 2023.

In approving this application, the Inland Wetlands Agency considered all Public Hearing testimony and communications. This action is based on a finding of no anticipated significant impact on the wetlands and watercourses and is conditioned on the following provisions being met:

- 1) Appropriate erosion and sedimentation controls (as shown on the plan) shall be properly installed prior to construction, maintained during construction and removed when disturbed areas are permanently stabilized. An onsite preconstruction meeting with the applicant/owner and contractor and the Mansfield Inland Wetlands Agent shall occur after the erosion and sedimentation controls are in place but **prior** to site disturbance.
- 2) The applicant or owner shall pay the cost of a qualified erosion and sediment control professional to inspect the site during the construction on a weekly basis and after each measurable precipitation event of 1.0-inch or greater in a 24-hour basis to ensure that appropriate erosion and sedimentation controls are maintained and properly working during construction until the site is permanently stabilized. This professional shall be approved by and report to the Mansfield Inland Wetlands Agent or their designee. Inspection reports shall be submitted to the Inland Wetlands Agent weekly.
- 3) The applicant shall pay the cost of an Environmental Monitor to provide weekly inspection reports to the Inland Wetlands Agent during the construction and revegetation of all steep slopes on the property. The monitoring should continue until the slopes are permanently stabilized. The applicant can adjust the frequency of the long term portion of this monitoring based on progress and season after written approval from the Town Inland Wetlands Agent.

- 4) Prior to the issuance of a zoning permit and/or commencement of any site work, a construction phasing and sequencing plan shall be submitted to and approved by the Mansfield Inland Wetlands Agent. Site disturbance shall be limited to no more than 5 acres per phase. The plan shall include a detailed narrative description of each construction phase and an estimated duration as well as details of the erosion and sedimentation controls.
- 5) Prior to the issuance of a Certificate of Zoning Compliance the applicant shall submit field-measured infiltration rates of the engineered soil media certified by a professional engineer to ensure a maximum field-measured infiltration rate of 5.0 inches per hour is achieved. Should this infiltration rate not be achieved, the applicant shall submit an alternative plan to the Town Engineer and Inland Wetland Agent addressing a design or modifications to meet the required infiltration rates. If a significant modification to the design is warranted, additional approvals from the Inland Wetlands Agency may be required.
- 6) Three years from the issuance of a Certificate of Zoning Compliance, the applicant or owner shall have a registered landscape architect or professional wetland scientist certify that wetland buffer plantings and plantings within the infiltration basin have achieved the required Ecological Performance Standards which is 80% survival rate of planted material and less than 5% colonization of invasive vegetation. If these criteria are not met, the owner must repair it immediately and submit a report of compliance certified by a landscape architect to the Inland Wetlands Agent.
- 7) The applicant shall update sheet CS002 to indicate that the bat netting has been removed.
- 8) The Stormwater Management/BMP Facilities Maintenance Agreement required by Article 6, Section B.4.t of the Mansfield Zoning Regulations shall include the following provision: At the expense of the owner, for the first three years after the issuance of a Certificate of Zoning Compliance, no less than twice per year, a licensed professional shall inspect and certify that the level spreaders are functioning and being maintained as designed. This certification shall be submitted to the Mansfield Inland Wetlands Agent on or about April 30 and September 15. Should level spreaders need to be repaired, the owner must repair them immediately and submit a report of compliance, certified by a licensed professional, to the Inland Wetlands Agent.

- 9) No pesticides shall be applied within 50 feet of the edge of wetlands except in cases of a threat to public health or property and with permission from the Town's Inland Wetlands Agent. Placards indicating the pesticide-free zone shall be installed prior to the issuance of a Certificate of Zoning Compliance for the project. Content and location shall be approved by the Inland Wetlands Agent prior to installation.
- 10) Prior to the issuance of a Certificate of Zoning Compliance, placards shall be placed along the edge of the wetlands acknowledging the wetland resource and indicating that no dumping of any type is allowed, including brush, leaves or any other debris. Placard content and locations shall be approved by the Town Inland Wetlands Agent prior to installation.
- 11) The applicant or owner shall file a financial guarantee in an amount and form approved by the Inland Wetlands Agent in consultation with the Assistant Town Engineer and Town Attorney prior to the commencement of any site work. The financial guarantee shall cover the cost of installation, maintenance and repairs of all erosion and sedimentation control measures during construction and until the site is stabilized, as well as the costs of any wetland restoration efforts should the erosion and sedimentation controls fail. The financial guarantee shall comply with the requirements of Article 6, Section C of the Mansfield Zoning Regulations and shall include an agreement between the Town and the owner/developer. The agreement shall be approved by the Town Attorney prior to execution by the IWA Chair and Town Finance Director. A surety bond shall not be accepted as a financial guarantee without the explicit authorization of the IWA.
- 12) The applicant shall submit a Slope Stability Analysis of the design of the southern steep slope prior to the issuance of a zoning permit. The analysis shall be performed and certified by a Geotechnical engineer licensed in the State of Connecticut.
- 13) A stormwater maintenance agreement must be developed by the Applicant and submitted to the Town Engineer and Inland Wetlands Agent for review and approval.

This approval is valid for five years (until March 6, 2028) or pursuant to time frames dictated by the Connecticut General Statutes 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.

5.2. **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)**

Accorsi MOVED, Wutsch seconded, to grant an inland wetlands license pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to 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, File W1629) as described in application submissions and site development plans dated November 7, 2022, and revised to January 24, 2023, and as heard at a public hearing on February 6, 2023.

In approving this application, the Inland Wetlands Agency considered all public hearing testimony and communications. This action is based on a finding of no anticipated significant impact on the wetlands and watercourses and is conditioned on the following provisions being met:

- 1) Appropriate erosion and sedimentation controls (as shown on the plan) shall be properly installed prior to construction, maintained during construction, and removed when disturbed areas are permanently stabilized. An onsite preconstruction meeting with the applicant/owner, contractor, and the Mansfield Inland Wetlands Agent shall occur after the erosion and sedimentation controls are in place but **prior** to site disturbance.
- 2) The applicant or owner shall pay the cost of a qualified erosion and sediment control professional to inspect the site during the construction on a weekly basis and after each measurable precipitation event of 1.0-inch or greater in a 24-hour basis to ensure that appropriate erosion and sedimentation controls are maintained and properly working during construction until the site is permanently stabilized. This professional shall be approved by and report to the Mansfield Inland Wetlands Agent

or their designee. Inspection reports shall be submitted to the Inland Wetlands Agent weekly.

- 3) Prior to the issuance of a zoning permit and/or commencement of any site work, a construction phasing and sequencing plan shall be submitted to and approved by the Mansfield Inland Wetlands Agent. The plan shall include a detailed description of each construction phase and an estimated duration as well as details of the erosion and sedimentation controls.
- 4) Three years from the issuance of a Certificate of Zoning Compliance, the applicant or owner shall have a registered landscape architect or professional wetland scientist certify that wetland buffer plantings and plantings within the rain garden have achieved the required Ecological Performance Standards which is 80% survival rate of planted material and less than 5% colonization of invasive vegetation. If these criteria's are not met, the owner must repair immediately and submit a report of compliance certified by a landscape architect to the Inland Wetlands Agent.
- 5) The Stormwater Management/BMP Facilities Maintenance Agreement required by Article 6, Section B.4.t of the Mansfield Zoning Regulations shall include the following provision: At the expense of the owner, for the first three years after the issuance of a Certificate of Zoning Compliance, no less than twice per year, a licensed professional shall inspect and certify that the sand filters are functioning and being maintained as designed. This certification shall be submitted to the Mansfield Inland Wetlands Agent on or about April 30 and September 15. Should sand filters need to be repaired, the owner must repair them immediately and submit a report of compliance, certified by a licensed professional, to the Inland Wetlands Agent.
- 6) No pesticide, herbicides, or fertilizer shall be applied within 50 feet of the edge of wetlands except in cases of a threat to public health or property and with permission from the Town's Inland Wetlands Agent. Placards indicating the pesticide-free zone shall be installed prior to the issuance of a Certificate of Zoning Compliance for the project. Content and location shall be approved by the Inland Wetlands Agent prior to installation.
- 7) The applicant or owner shall file a financial guarantee in an amount and form approved by the Inland Wetlands Agent in consultation with the Assistant Town Engineer and Town Attorney prior to the commencement of any site work. The financial guarantee shall cover the

cost of installation, maintenance and repairs of all erosion and sedimentation control measures during construction and until the site is stabilized, as well as the costs of any wetland restoration efforts should the erosion and sedimentation controls fail. The financial guarantee shall comply with the requirements of Article 6, Section C of the Mansfield Zoning Regulations and shall include an agreement between the Town and the owner/developer. The agreement shall be approved by the Town Attorney prior to execution by the IWA Chair and Town Finance Director. A surety bond shall not be accepted as a financial guarantee without the explicit authorization of the IWA.

- 8) A stormwater maintenance agreement must be developed by the Applicant and submitted to the Town Engineer and Inland Wetlands Agent for review and approval.
- 9) Calculations for stormwater infrastructure buoyancy must be completed and certified by a professional engineer licensed in the State of Connecticut for submission and concurrence by the Town Engineer prior to construction.
- 10) A final construction plan must be submitted to the IWA after the applicant has received approvals from other permitting agencies.

This approval is valid for five years (until March 6, 2028) or pursuant to statutory time frames dictated by the Connecticut General Statutes 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.

5.3. **W1630 Application of the Town of Mansfield for Replacement of the Culvert Conveying Eagleville Brook at Hunting Lodge Road and a 10-foot wide multi-use trail along Hunting Lodge Road from N. Eagleville Rd to Separatist Roads located (Assessor's Parcel Ids #15.32.5, 15.32.4 and the Town Right of Way)**

Cooley MOVED, DeVivo seconded, to grant an Inland Wetlands License pursuant to the Inland Wetlands and Watercourses Regulations of the Town of Mansfield to the Town of Mansfield's Department of Public Works for the replacement of the culvert conveying Eagleville Brook at Hunting Lodge Road and to install a 10-foot wide multi-use trail along Hunting Lodge Road from North Eagleville Road to Separatist Road (Assessor's Parcel IDs

#15.32.5, 15.32.4 and the Town Right of Way) on property owned by the University of Connecticut, the Storrs Meeting House and within the Town Right of Way as shown on a plan dated January 24, 2023 and as described in application materials.

In approving this application, the Inland Wetlands Agency considered all public hearing testimony and communications. This action is based on a finding of no anticipated significant impact on the wetlands and watercourses and is conditioned on the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plan) shall be properly installed prior to construction, maintained during construction, and removed when disturbed areas are permanently stabilized.
2. Prior to commencing construction, the applicant or their representative must schedule an inspection with the inland wetlands agent to confirm that the limits of disturbance have been clearly demarcated and erosion and sedimentation controls installed.
3. No fertilizer shall be used in the disturbed areas.
4. The applicant shall prepare a planting plan to be approved by the wetlands agent before installation.
5. The applicant shall coordinate with the Inland Wetlands Agent to develop a monitoring and maintenance schedule for the revegetated areas until the plantings are well established. Bare soil shall be revegetated as needed.
6. All excess material shall be removed from the site or distributed at least 75 feet from the edge of wetlands.

This approval is valid for five years (until March 6, 2028) or pursuant to time frames dictated by the Connecticut General Statutes 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.

6. NEW BUSINESS

6.1. **Appointment of Inland Wetlands Agent**

Cooley MOVED, DeVivo seconded, to appoint Michael Stankov as a duly authorized Inland Wetlands Agent effective March 7, 2023.

Motion PASSED unanimously.

6.2. **W1631 Application of Benchmark Cascade, LLC for a permit to conduct regulated activities associated with a proposed multi-family housing project located at 541 Middle Turnpike.**

Fratoni MOVED, DeVivo seconded to:

- 1) Receive the application of Benchmark Cascade, LLC for a permit to conduct regulated activities associated with a proposed multi-family housing project at 541 Middle Turnpike;
- 2) Refer the application to staff and the Conservation Commission;
- 3) Request that staff schedule a public hearing on May 1, 2023.

Motion PASSED unanimously.

W1632 Application of Benchmark Cascade, LLC for a permit to conduct regulated activities associated with a proposed mixed-use building located at 555 Middle Turnpike

Wutsch MOVED, DeVivo seconded to:

- 1) Receive the application of Benchmark Cascade, LLC for a permit to conduct regulated activities associated with a proposed mixed-use development at 555 Middle Turnpike;
- 2) Refer the application to staff and the Conservation Commission;
- 3) Request that staff schedule a public hearing on May 1, 2023.

Motion PASSED unanimously.

7. **OTHER COMMUNICATIONS AND BILLS**
8. **REPORTS FROM OFFICERS AND COMMITTEES**
9. **ADJOURNMENT**

Chandy adjourned the meeting at 7:25 p.m.

Respectfully submitted,



Sandy Forand
Administrative Assistant