

MINUTES

Members Present: P. Aho, B. Chandy, L. Cooley, J. DeVivo (6:05 p.m.), K. Fratoni (6:03 p.m.), L. Ross, G. Tomecko, C. Wutsch

Members Absent: S. Accorsi

Alternates Present:

Alternates Absent: V. Ward, D. Blanchard

Staff Present: J. Kaufman Director of Planning and Development;
J. Woodmansee, Planner II/CZEO;
M. Stankov, Environmental Planner/Inland Wetlands Agent
S. Forand, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

Aho called the meeting to order at 6:02 p.m. Members present are Aho, Chandy, Cooley, DeVivo, Fratoni, Ross, Tomecko, and Wutsch.

2. APPROVAL OF MINUTES

A. Chandy MOVED, Wutsch seconded approval of the August 7, 2023 minutes as presented.

Motion PASSED unanimously.

3. COMMUNICATIONS

A. Inland Wetlands Agent Monthly Report

4. OLD BUSINESS

A. **W1629-1 Application of Wilhusky Housing, LLC for 22, 28-32 King Hill Road and 125/134 North Eagleville Road, for the construction of two mixed use multifamily/commercial buildings.**

Stankov presented a brief overview of the project for the applicant.

Tomecko asked a question in regard to #5 in the motion and Stankov answered his question.

Chandy 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 Housing, LLC for the Construction of two mixed-use Multi-Family/Commercial Buildings located at 22, 28-32 King Hill Road and 125/134 North Eagleville Road (Assessor's Parcel IDs 15.33.4, 15.33.3, 15.33.5 and 9.23.26), as

described in application submissions and site development plans dated May 26, 2023, and revised to July 24, 2023, and as heard at a public hearing on August 7, 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. Based on the results of the three-year monitoring period the applicant or owner shall prepare a monitoring and maintenance plan for the native planting areas to address the health of the native plantings, any native recruits, and control of invasive plants. This plan will be submitted to the Inland Wetlands Agent for review and approval.
- 5) The Stormwater Management/BMP Facilities Maintenance Agreement required by § 190-75 (20) 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 all measures 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 any element of the stormwater system 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 § 190-76 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) Prior to the issuance of a zoning permit, the applicant or owner must submit all documents associated with the design, layout, and certification of the stormwater treatment system of Site A, and the cleanout of the French drain on Site A, to the Town Engineer and Inland Wetlands Agent, or their designated agents, for review and approval.
- 10) 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.
- 11) 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 August 7, 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. NEW BUSINESS

- A. Inland Wetland Regulation Revisions
M. Stankov gave a brief overview of the project.

Wutsch MOVED DeVivo seconded to

- 1) Receive the proposed amendments to the Inland Wetlands Regulations including reorganization to improve functionality, necessary amendments pursuant to CT Public Act 21-29, changes to state statutes, identified case law, and to enhance consistency between terms.
- 2) Refer draft regulations shall be referred to the Town Attorney, Town Council, Conservation Commission, CT DEEP Wetlands Division, and adjoining municipalities for review and comment.
- 3) Schedule a public hearing for Monday, October 16, 2023 at a Special meeting of the Inland Wetlands Agency, to hear comments on said regulations.

Motion PASSED unanimously.

6. OTHER COMMUNICATIONS AND BILLS

7. REPORTS FROM OFFICERS AND COMMITTEES

8. ADJOURNMENT

Aho adjourned the meeting at 6:18 p.m.

Respectfully submitted,



Sandy Forand
Administrative Assistant