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ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURSES AGENCY
MINUTES – REGULAR MEETING
January 5, 2010

I. CALL TO ORDER

Chairman Miller called the Regular Meeting of the Conservation Commission/ Inland Wetlands and Watercourses Agency to order at 7:30 PM in the Main Meeting Room of the Simsbury Town Offices. The following members were present: Commissioners Ryan Mihalic, Margery Winters, Nick Zackeo, Patrick Kottas and Donald Rieger, Jr.

II. APPOINTMENT OF ALTERNATES

Chairman Miller appointed Commissioner Rieger to serve in the absence of Commissioner Bucknam and Commissioner Kottas to serve in the absence of Commissioner Cunningham.

III. APPROVAL OF MINUTES – October 6, 2009 and December 15, 2009

Commissioner Winters made a motion to approve the October 6, 2009 minutes as written. Commissioner Kottas seconded the motion, which was unanimously approved.

Several edits were made to the December 15, 2009 minutes.

Commissioner Rieger made a motion to approve the December 15, 2009 minutes as amended. Commissioner Winters seconded the motion, which was unanimously approved.

IV. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of Ned Kendall, Simsbury Fish and Game, Applicant, for an Inland Wetlands Permit for activities associated with the draining of a pond located at Onion Mt. Park, on property located on West Mountain Road,

West Simsbury (Map B-11, Block 404, Lot 8).

Mr. Beach distributed photographs of the site to the Commission members.

Mr. Kendall stated that Simsbury Fish and Game was established in 1938; they have been on Stoddard Reservoir for over 50 years. He stated that this is Town owned property that they lease; they continue to renew their four year lease with the Town.

Mr. Kendall stated that Simsbury Fish and Game continues to clean up this property several times per year. He stated that they have been draining the pond for approximately 25 years. The last time they drained the pond was three years ago. This past year they have drained the pond again because they have had a problem with a lot of algae in the pond.

Mr. Kendall distributed a letter to the Commission members from an expert who stated that the pond needed to be drained in order to address the algae issue. He stated that he did not realize that they needed a permit in order to drain the pond. He stated that he is here before the Commission because he did not know, in his ignorance, that a permit was needed. Mr. Kendall stated that several trees need to be cut down in order to get to the pond; this would be the only way to access the pond.

Commissioner Rieger questioned if any chemicals are needed to treat the algae. Mr. Kendall stated that they do not use any chemicals. He stated that it takes approximately 3 weeks to drain off the pond; within three days, the pond will be back at normal levels. He stated that they stock the pond with fish on a yearly basis. Last year they stocked the pond with 1,000 fish; this year they hope to have 1,300 fish. He stated that they do all of the maintenance around the pond. By the time they drained the pond, there were no more fish in the pond.

Chairman Miller questioned how the pond was drained. Mr. Kendall stated that there is a shutoff valve with an outlet on the bottom. The water flows straight through the open outlet. Commissioner Mihalic questioned how long it would be drained for. Mr. Kendall stated that the pond was drained about 3 weeks ago; it will hopefully be closed off in March. Commissioner Mihalic stated that in addition to killing the algae, this is also for pond maintenance. Mr. Kendall stated that there has been a great deal of trash that is taken from the bottom of the pond in the past when the pond was drained.

Mr. Beach stated that he has contacted DEP regarding this property; this is a DEP regulated dam. The DEP considers this exempt from their permitting; it is exempt from regulation unless it is drained for a long period of time, which this pond will not be.

Commissioner Winters stated that it would be interesting to know how frequently this pond will need to be drained because of the algae problem. Mr. Kendall stated that the expert recommended draining the pond every three years.

Commissioner Mihalic made a motion that this is a regulated activity because it involves draining water from a wetland and watercourse. Commissioner Winters seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion that this is not a significant activity based upon the explanation of the applicant as to what occurs; the reasons why it occurs; the impact to the natural habitat and wetlands; and information provided to the Commission by Mr. Beach regarding DEP's view of the process is not something requiring a permit above and beyond the use that is contemplated by the application. Commissioner Winters seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion to approve the permit as submitted. Commissioner Winters seconded the motion, which was unanimously approved.

Commissioner Mihalic reminded the applicant that this permit is good for five years. After that, the applicant will have to come back before this Commission.

V. RECEIPT OF NEW APPLICATION(S)

There were none.

VI. DISCUSSION

Mr. Beach stated that the application for Mr. Foley should be coming back to the Commission. They would now like to enlarge the manmade pond that already exists. The applicant will be back in before this Commission when they look to get the permit.

Mr. Beach stated that the Director of Public Works has come to the Commission tonight in order to discuss the new way the roads are being treated during storms.

Mr. Roy distributed a handout regarding the new product that is being used to treat the roads in Town. Mr. Roy also brought a sample of the material for the Commission. He stated that they used to use sand and salt. The Town never limited how much salt and sand the drivers put down on the roads during storms; they were to use their own discretion. Mr. Roy stated that, using the old product, it would take approximately 2-3 months to clean up

the sand and salt off of the roads in the spring.

Mr. Roy stated that this new product is a little more expensive than what they used to use because it is common rock salt with the treatment chemical in it. The chemical that is in this product is magnesium chloride. He stated that the purpose of the treatment is so that it will work at lower temperatures; it will stick to the roadways and not scatter into the gutters. There are also rust inhibitors in this new product, although the chemicals still need to be cleaned off of the Town's equipment on a regular basis.

Mr. Roy stated that the drivers will now be limited to what they put down on the roads. He stated that they will be using 300 pounds of treated salt for one double lane mile, although this ratio will be cut back next year. By using this new product, the clean-up of sand will be eliminated. It is more cost effective and more environmentally friendly.

Commissioner Kottas questioned if the Town recycled the sand in past years after the roads were cleaned up. Mr. Roy stated that the sand is considered a regulated waste. Once it is down on the roads for a while, it breaks down into silt and dust.

Commissioner Winters stated that she received an e-mail from a concerned resident wondering why the Town was switching to this new treatment. She stated that there is a slight difference between the calcium chloride and the magnesium chloride. She questioned if this was evaluated. Mr. Roy stated that the State is using calcium chloride. They are seeing more problems with corrosion of the catch basins and some deterioration of the concrete. Mr. Roy feels that the product they are now using in Simsbury is a tried and true method; he feels that this is better environmentally than putting the sand on the roads.

Mr. Roy stated that he has gotten many good responses from residents, although some are not as good. He stated that the Town has an open mind regarding this new product. They will be sweeping the roads this year because of the Storm water requirements, although they will not need to be swept using as many trucks.

Commissioner Mihalic questioned if new trucks were purchased in order to put down this new road treatment. Mr. Roy stated that no new equipment was needed to be purchased.

The Commission thanked Mr. Roy for his presentation.

VII. CORRESPONDENCE/ANNOUNCEMENTS

Mr. Beach stated that the Wild and Scenic group should be at the next meeting. They are looking for this Commission to give them an approval for their program so they can move forward.

Mr. Beach stated that CL&P will be digging 2 foot by 2 foot test patches to see if they can find any archeological findings. Because of the weather, this project will not move forward until the spring.

VIII. ADJOURNMENT

Commissioner Mihalic made a motion to adjourn the meeting at 8:12 p.m. Commissioner Winters seconded the motion, which was unanimously approved.

Respectfully Submitted,

Commissioner Ryan Mihalic, Secretary