

From: Lois Laczko March 4, 2010 2:20:42 PM
Subject: Conservation Commission Minutes 02/02/2010 ADOPTED
To: SimsburyCT_ConserveMin
Cc:

ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURCES AGENCY
MINUTES – REGULAR MEETING
February 2, 2010

I. CALL TO ORDER

Chairman Miller called the Conservation meeting to order at 7:30 p.m. in the Main Meeting Room of the Simsbury Town Offices. Commissioner members present were: Margaret Sexton, Margery Winters, Darren Cunningham, Patrick Kottas and Donald Rieger, Jr.

II. APPOINTMENT OF ALTERNATES

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

III. APPROVAL OF MINUTES – January 5, 2010

Several edits were made to the minutes.

Commissioner Winters made a motion to approve the January 5, 2010 minutes as amended. Commissioner Kottas seconded the motion, which was unanimously approved.

IV. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of the Simsbury Land Trust, Owner, Stephen Banulski, Applicant, for an Inland Wetlands Permit for construction of a boardwalk type walkway within the 100-foot regulated area to a wetland on property located on Simsbury Land Trust Property, Saddle Ridge Road, West Simsbury. (Map C-7 Block 217).

Commissioner Rieger recused himself during this discussion.

Stephen Banulski stated that he is a member of Troop 175. He is requesting

approval to build on wetlands. His project is to build a boardwalk at ground level. He stated that the area is dry during low water conditions, although in the spring time the water rises through the area. During the spring, hikers need to go around in order to access the trails, but will be able to go through this wet area from this boardwalk.

Stephen Banulski stated that the boardwalk will be constructed out of pressure treated wood; it contains no arsenic. All of the cutting and drilling will be done off site, although the assembly of the boardwalk will be done by hand on the property. He passed around a material list and photographs to the Commission members.

Chairman Miller questioned if the footings would also be treated wood. Stephen Banulski stated that the footings and main part of the boardwalk will both be constructed from the pressure treated wood.

Commissioner Kottas questioned if there were a lot of trails in this area. Stephen Banulski stated that there are many trails. He showed the Commission photographs of the site where the board walk will be built and the surrounding area.

Commissioner Winters questioned when the boardwalk would be built. Stephen Banulski stated he would like to start building in the spring.

Commissioner Kottas questioned how the lumber would be brought into the site. Stephen Banulski stated that they will be carrying it in by hand. The wood will be transported in trucks, which will only go as far as the roadside. They will be wading all of the materials into the woods. Chairman Miller questioned how the hiking path is currently accessed. Stephen Banulski stated that there is a marker, although the trail is not labeled. Ms. Rieger from the Simsbury Land Trust stated that there are markers, although there are no signs in that location identifying the trails.

Stephen Banulski stated that the boardwalk will be approximately 56 feet long; the sections are 8 feet each. He showed the Commission a sketch of a section and how each section will be connected to other sections.

Commissioner Sexton questioned if the boardwalk would lie on the ground or have post. Stephen Banulski stated that he will be putting in rebar to make sure the boardwalk does not move. Chairman Miller questioned how far the footings would be sunk in. Mr. Beach stated that the sections are laid on the ground; the rebar will help to give it some stability.

Commissioner Sexton questioned if this area needed to be cleared of any brush. Stephen Banulski stated that there are currently paths there; this

area is already cleared. If any clearing needs to be done, it will be minimal.

Chairman Miller questioned if the boardwalk would be a barrier to any amphibians that may be migrating through this area. Mr. Beach stated that this would not be an issue; the decking will be approximately 5 inches off of the ground.

Stephen Banulski stated that after this boardwalk is built, he suggested that a sign be put up in order to identify the trails.

Commissioner Winters made a motion that this is a regulated activity because work will be done in the wetlands. Commissioner Cunningham seconded the motion, which was unanimously approved.

Commissioner Winters made a motion that this is not a significant activity because there will be no soil movement involved in this project. Commissioner Cunningham seconded the motion, which was unanimously approved.

Commissioner Winters made a motion to approve the application in accordance with the conditions specified in the staff report. Commissioner Cunningham seconded the motion, which was unanimously approved.

Commissioner Rieger returned to the Commission.

V. PRESENTATION by Sally Rieger, Farmington River Watershed Association, on the Lower Farmington River / Salmon Brook Wild and Scenic Study.

Ms. Rieger stated that Commissioner Winters made a presentation on behalf of the Lower Farmington River Salmon Brook Wild and Scenic Study to this Commission several months ago. She stated that the Wild and Scenic Act was passed in 1968. This Act was passed in order to keep certain exceptional rivers free flowing and to protect their outstanding resource values. In order for a river to be designated, the river needs at least one outstanding resource. She stated that the Lower Farmington River has five outstanding resources. Ms. Rieger stated that there also has to be community support for the designation. She stated that the benefits of having this designation include some amount of annual funding from the National Park Service.

Ms. Rieger stated that this designation does not prevent needed projects in communities; it cannot deprive property owners from their rights; and it cannot prevent recreational use.

Chairman Miller questioned what strength this designation has. Ms. Rieger stated that if a Town is doing a river related project that would affect the flow of the river or that would affect an outstanding resource, and if that project requires a Federal permit or Federal approval, the National Park Service has a right to review the project. She stated that typically, if the Town's project will impact the flow of the river or an outstanding resource, the National Park Service will work out an agreement with that Town to protect the river.

Commissioner Sexton questioned that if the Lower Farmington River was designated, would it continue to be the upper and lower segments or would it all become one. Ms. Rieger stated that the nature of the two segments is different; they would like to keep them separate.

Ms. Rieger stated that the Management Plan can be considered the goals and priorities; this part of the Plan is not being changed. If the Commission endorses the Management Plan, these goals and priorities are what they will be endorsing. She stated that the Management Plan is an advisory document that was developed by the Study Committee and National Park Service Study Coordinator. It is guidance for protecting and enhancing the outstanding resource values.

Chairman Miller stated that he feels this Commission should support this effort. A draft letter from the Conservation Commission to the Board of Selectmen was distributed to the Commission for their review. Commissioner Cunningham read the letter into the record.

Commissioner Winters made a motion that the Conservation Commission send the endorsement letter to the Board of Selectmen as written. Commissioner Kottas seconded the motion, which was unanimously approved.

The Commission members thanked Ms. Rieger for all of her hard work as she goes through all ten Towns to receive endorsement.

VI RECEIPT OF NEW APPLICATION(s)

Mr. Beach stated that an application will be coming in for a map amendment at the McLean home. This application will be a public hearing, hopefully in March.

VII. STAFF REPORTS

There were none.

VIII. DISCUSSION

There was none.

IX. CORRESPONDENCE/ANNOUNCEMENTS

Commissioner Rieger stated that the Tolland Storm Water Low Impact Development Regulation is on that Town's website. He encourage the Commission members to look at this in order to have a discuss at an upcoming meeting

Commissioner Winters stated that she will be giving a talk on native plants at the Apple Barn on Thursday, February 4th at 7p.m.

X. ADJOURNMENT

Commissioner Cunningham made a motion to adjourn the meeting at 8:26 p.m. Commissioner Kottas seconded the motion, which was unanimously approved.

Respectfully Submitted,

Commissioner Ryan Mihalic, Secretary