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Cc:

ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURS AGENCY
MINUTES – REGULAR MEETING
March 16, 2010

I. CALL TO ORDER

Chairman Miller called the Conservation meeting to order at 7:44 p.m. in the Main Meeting Room of the Simsbury Town Offices. Commissioner members present were: Margaret Sexton, Margery Winters, 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 – March 2, 2010

Commissioner Winters made a motion to approve the March 2, 2010 minutes as written. Commissioner Rieger seconded the motion, which was unanimously approved.

Commissioner Winters read the call.

IV. PUBLIC HEARING(s), DISCUSSION AND POSSIBLE VOTE

a. Application of McLean Affiliates, Inc., Owner, David J. Bordonaro, Applicant, for a Map Amendment on property located at the McLean facility, 75 Great Pond Road. (Map E-08, Block 147, Parcel A) (opened at 3/2/2010 meeting)

Attorney Donohue stated that, at the last meeting Mr. Root, Soil Scientist, gave his presentation to this Commission. The nature of this amendment is the changes of lines on the map.

Mr. Root stated that the wetland flagging that was done last year on this site was an update of previous flagging. They walked the entire site in order to map all of the wetlands on the site. They then laid their mapping over the existing Town mapping in order to see the differences. Some of the existing wetlands were larger, although some were smaller than what they had mapped. He stated that the wetlands were in the same general areas of the site; they were also the same general shape and size. Mr. Root stated that this is a refinement of the Town's existing mapping of the site. He stated that their flagging continued down to Hop Brook, which was not previously flagged.

Chairman Miller asked if there were any questions from the public relating to the map amendment. There were none.

Commissioner Sexton made a motion to approve the application of McLean Affiliates, Inc., Owner, David J. Bordonaro, Applicant, for a Map Amendment on property located at the McLean facility, 75 Great Pond Road based upon the updated information through the on-site soil testing. Commissioner Winters seconded the motion, which was unanimously approved.

b. Application of McLean Affiliates, Inc., Owner, David J. Bordonaro, Applicant, for an Inland Wetlands Permit for construction of sixteen independent living cottages within the 100-foot upland review area to a wetland on property located at the McLean facility, 75 Great Pond Road. (Map E-08, Block 147, Parcel A)

Mr. Daly, Professional Engineer with Milone & MacBroom, stated that the area that they are discussing tonight is between two existing wetlands. There is a wetland to the north, which runs under Great Pond Road and then behind the property. The wetland is higher than what is being developed, although there is a subtle ridgeline. He stated that the other wetland is a hillside wetland along the eastern border of McLean. He stated that there is an emergency access road already existing on the site. It is between 20'-30' wide; it is currently gravel. There is a sanitary sewer line along Great Pond Road, which goes down that emergency access road. There is also drainage associated with this road. There are three discharges; one detention basin which go to a level spreader; two detention basins which go to a level spreader in the middle of the project; and another two detention basins in another area. Mr. Daly stated that there is an open meadow area also on the site that is preexisting.

Mr. Daly stated that the application tonight is for 16 residential units and the removal of the existing maintenance building. The area for this project is approximately 4 acres of the site. There will be a 24' wide curbless road throughout this development. There will also be additional

infiltration in the grass shoulders. The 16 units will be slab on grade; there are 3 duplex units and the rest are single units.

Mr. Daly showed the Commission members the orientation of the development. He stated that equal buffers from the wetlands are maintained on both sides of the development. They will also be maintaining the ridgeline. As part of this project they are proposing to expand the detention basin. The bottom of these basins will be designed to provide water quality storage in order to meet the DEP water quality standards. There is also a small storm water basin at the northern portion of the site.

Mr. Daly stated that they have provided a detailed landscape plan. They have chosen native species along the limits of grading associated with the meadow. He stated that they have also looked at the storm water management system. The existing sanitary sewer cuts through the units; they will be relocating this sewer system. The storm drainage system is broken into two systems. They will discharge the storm water to the existing detention basin, which will be expanded. They are proposing a sediment chamber to catch the sand. He stated that they are also redesigning the sediment forebay. A rip rap berm will provide some sediment containment there also. It is their intent to use the existing level spreader.

Mr. Daly stated that there was some discussion at the last meeting regarding the watershed. They did go out into the field to investigate to make sure their plans were solid. He stated that the drainage from the Burkholder Building goes to the detention basin, which then goes to the rear of the McLean property. There is a small basin that runs to a level spreader on the golf course. Mr. Daly stated that they are confident that there is no water going from the Burkholder Building that is impacting the houses on Washburn Drive. He stated that there is a watercourse that was probably constructed when Washburn Drive was built. Any excess water goes through this watercourse and interconnects with the overall drainage system. He stated that ground water is also coming out of the slope near the houses on Washburn Drive.

Chairman Miller questioned if there is another watercourse behind the houses on Washburn Drive. Mr. Daly stated that the ground water bleeds out and goes under their deck; there is then a cross culvert that goes into another watercourse. He feels that this is more of a groundwater issue. Mr. Root stated that he has the old soil survey that was done prior to the construction of Washburn Drive. It shows that the development on Washburn Drive was between two watercourses; these watercourses still exist today.

Mr. Daly stated that they have been working with Mr. Morehouse and his Engineer. They went out into the field and saw real time issues with the drainage. They found that the drainage pattern for the existing level

spreader turns 90 degrees toward the Morehouse property. They have catch basins and a berm on their property, which are working well, although there is a middle area that is not being caught by anything, which is a problem. This water is ponding. Mr. Daly stated that they are proposing to work with the Mr. Morehouse in order to make minor drainage modifications on their site; they are proposing to put a small catch basin at their side yard with some underdrainage and connecting it to the other catch basin. He believes this work would fall within the upland review area. Instead of the level spreader turning 90 degrees, Mr. Daly stated that they are proposing to turn the level spreader to flow directly into the central wetlands, which discharges to two existing catch basins and the berm. He feels that the berm can be put in with no removal of vegetation; they would also reseed the area with a native wetland seed mix. He stated that this would involve 450 s.f. of wetlands impact.

Mr. Daly stated that the storm water basins will be seeded with two different seed mixes. Also, the large basin will be planted with herbaceous plants.

Mr. Daly stated that they are proposing a detailed erosion control plan. Mass earth work was done when the emergency access road was put in. He stated that because the majority of the units are almost at grade, he sees this as a balanced site. The erosion controls are straight forward. They will use silt fence and hay bales and temporary sediment basins. There will be a sediment erosion control blanket on the slope near the Morehouse property.

Regarding the storm water, Chairman Miller questioned if there was only one sediment chamber. Mr. Daly stated that they have one sediment chamber for each forebay. He stated that the sediment chambers are standard.

Chairman Miller questioned if low impact development techniques were considered for this project. Mr. Daly stated that they are proposing a curbsless road and grass swales. They will also be putting in yard drains and grass swales in back of the units to slow down the runoff. Chairman Miller questioned if permeable asphalt was considered. Mr. Daly stated that they did not look at permeable pavement because they would have to underlie the entire parking lot with underdrainage.

Commissioner Sexton questioned if the percentage of impermeable surface on the site was calculated. Mr. Daly stated that regarding impervious coverage, there are .75 acres of roof and .34 acres of paved surfaces for this development. The overall site is approximately 75 acres, which is virtually undeveloped.

Commissioner Sexton questioned if the applicant has a maintenance schedule

for the existing storm drains. Mr. Daly stated that this area will be maintained by McLean. They have other detention basins in the back of the property that they currently maintain. Mr. Bordonaro stated that the storm drains are maintained on a regular basis. Mr. Daly stated that there is an Operation and Maintenance Plan on the plans that have been submitted.

Attorney Donohue stated that the applicant has been in discussions with Mr. Morehouse. They have submitted mitigations to this Commission. Attorney Donohue asked that the public hearing not be closed tonight in order for Mr. Morehouse to review this new information.

Commissioner Rieger questioned if a new application was needed for the activities proposed on the Morehouse property. Mr. Beach stated that if the activities involve major excavation, the permit may need to be redefined. There is an existing system in the ground. It may be considered maintenance and an application may not be needed. Mr. Beach stated that he would review this with the Town Attorney.

Commissioner Winters questioned who would be maintaining the lawn area in this development. Mr. Daly stated that it will be maintained by McLean. Regarding fertilization, Mr. Bordonaro stated that they have a contract with area vendors. He does not know the type of chemicals used. Mr. Beach stated that, in his staff report, he has recommended integrated pest management. Commissioner Winters recommended a low fertilization given the proximity to the wetlands.

Commissioner Winters questioned if the applicant had a plant list. She recommended that the plants in the upland areas be more native.

Chairman Miller questioned if McLean has a Master Plan for their build-out. Mr. Bordonaro stated that they do, although it is constantly changing; it is an ongoing process. Chairman Miller stated his concern regarding the density of the property over time.

Mr. Root stated that he has submitted an Existing Conditions Analysis and Wetland Impact Assessment report, dated February 1, 2010. He stated that there are no direct wetland impacts with this development. The goal was to maintain a forested buffer between the development and the wetlands. They have tried to minimize the impact to the wetlands. He stated that mitigation measures include water quality, the planting of the basins and the erosion control measures.

Chairman Miller asked if there were any comments or questions from the public.

Attorney Kerrigan, representing Mr. and Mrs. Morehouse, stated that they

have had ongoing discussions with the applicant's representatives. They have presented some modifications to the plans which appear to address some of the concerns that Mr. Morehouse has, although this new information will need to be reviewed. He stated that there was some discussion regarding things done on the Morehouse property; his client would not have an objection to this being a modification of the current application for McLean.

Mr. Beach stated that, for maintenance purposes, he feels that it would be best to file a separate application. Permits from this Commission only run five years. Any conditions that are put on the approval for maintenance of a system would expire along with the approval within that five year period. He feels that it would be better to separate the two sites and have two different applications.

Ms. Johnson, 12 Washburn Drive, stated that the water from the drain near the Burkholder Building seeps into her property. She does not know if the new development will impact her, although it has always affected her property when work was done in the past. Ms. Johnson stated that her property has erosion issues because of McLean. She stated that McLean should not be allowed to build on wetlands. Anything built in this location will be harmful to her property. She stated that water is also coming up from the ground on her property.

Mr. Burrows, 9 Washburn drive, stated that this Commission would be setting a bad precedent if they approve this application.

Mr. Loether, 11 Washburn Drive, stated that he has been shown the Master Plan for this development. He asked that this Commission see this plan prior to making any decisions. He stated that the density does increase. Mr. Loether questioned where the water goes when it comes out of the detention pond. Mr. Daly stated that the water runs through the trough, through the wetlands and into the channel. Mr. Loether questioned if the applicant had considered an alternative to the larger detention pond. Mr. Daly stated that there are no other options.

Mr. Burrows questioned if the residential units would have gutters. Mr. Daly stated that he has not seen the final architecture, although he anticipates that they will have gutters. They will discharge into the lawn area and be caught into the swale. The plans have been modified to direct some of the roof leaders to the storm water basin at the request of Mr. Morehouse.

Mr. Loether questioned if this system is designed to handle the amount of rain that this area of the Northeast has been getting. Mr. Daly stated that they have designed the basin for the 100-year storm event.

Commissioner Kottas read a letter from Ellen Morris, 19 Great Pond Road, into the record regarding her concerns relating to this project.

Commissioner Winters made a motion to continue this application until the next regularly scheduled meeting. Commissioner Rieger seconded the motion, which was unanimously approved.

V. RECEIPT OF NEW APPLICATION(S)

Mr. Beach stated that there is an application coming in for a pool on John Peel Road. This was an application that was before this Commission several months ago, although the applicant withdrew it before it was heard.

VI. STAFF REPORTS

There were none.

VII. DISCUSSION

Mr. Beach distributed a handout from Connecticut Forests and Parks.

Regarding the CL&P right of way, Mr. Beach stated that this issue has been tabled. They are not actively proceeding with the construction phase. They will come before this Commission with a proposal possibly in the spring.

VIII. CORRESPONDENCE/ANNOUNCEMENTS

There were none.

IX. ADJOURNMENT

Commissioner Winters made a motion to adjourn the meeting at 9:50 p.m. Commissioner Rieger seconded the motion, which was unanimously approved.

Respectfully Submitted,

Commissioner Ryan Mihalic, Secretary

