

From: Carrie Vibert August 7, 2012 9:51:16 AM  
Subject: Conservation Commission Minutes 04/03/2012 ADOPTED  
To: SimsburyCT\_ConserveMin  
Cc:

CONSERVATION COMMISSION/INLAND WETLANDS &  
WATERCOURSES AGENCY MINUTES  
APRIL 3, 2012  
REGULAR MEETING

I. CALL TO ORDER

Margery Winters, Acting Chairman, called the Regular Meeting of the Conservation Commission to order at 7:31 p.m. in the Main Meeting Room at the Town Offices. Other members and alternates in attendance were Patrick Kottas, Ryan Mihalic, and Donald Rieger. Also present were Lynn Charest, Zoning Enforcement Officer, Janis Prifti, Commission Clerk, and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Winters appointed Commissioner Rieger to serve for Commissioner Zackeo and Commissioner Kottas to serve for Commissioner Cunningham.

III. PUBLIC HEARING(S)

a. Application #12-06 of The Ethel Walker School, Owner, for an Inland Wetlands Permit for renovating and expanding two existing natural grass fields, a softball field, and synthetic field along with associated erosion controls and drainage improvements within 100 feet of the upland review area on property located at 230 Bushy Hill Road (Map D15, Block 115, Lot 006), 101 and 103 Sand Hill Road (Map E14, Block 115, Lot 006), and Bushy Hill Road (Map E15, Block 115, Lot 006).

Commissioner Mihalic read the official notice into the record.

Tom Daley, P.E. from Milone & MacBroom presented the Application for The Ethel Walker School for a project to renovate existing athletic fields. He provided the Commissioners with an orientation of the area with Sand Hill Road on the northern border, Bushy Hill on the western border, a wooded area to the south, and community gardens on the eastern border. He said currently there are 3 fields and a portion of the softball field overlapping one of the soccer fields, a cluster of homes that are part of

the campus, and an existing gym shown in brown. He stated the campus has 2 plateaus with the academic buildings on the upper plateau, a long slope, and then the area where the athletic fields are at a flat elevation of 300-350 feet.

Mr. Daly said they are making this Application because they are within the 100-foot area of the upland review but have no regulated activity within 100 feet of the primary wetlands - the blue represents Town wetland mapping and green what they mapped - they are fairly consistent. He said they primarily wish to discuss a little seep that comes out of the wooded area and enters a catch basin which pipes around the existing field and picks up other catch basin drainage off the hillside and discharges to a location with a berm and pipe connecting 2 wetlands. He said they mapped a larger area than the Town wetland map showing a water course going into the pipe. He said, except for the drainage system at the toe of the slope, there are no other drainage systems; the Town has a drainage system at the low point on Sand Hill Road connected to dry wells.

Mr. Daly stated this proposal is to reconstruct the fields which have seen better days and have a lot of undulation with reduced playability, especially the poor quality softball field. He said as part of the school's centennial they are embarking on campus enhancements, including athletic field renovation. He stated the 2 better-quality existing grass fields will be renovated with the top soil peeled off, reshaped for better pitch, re-sodded, and expanded to meet current scholastic standards for soccer. He said they will reconstruct a new softball field in the same general location with high quality grass, fenced in, proper safety, and track. He said they are looking at a synthetic turf field in the same location as the soccer field which will allow them to have either 2 LaCrosse or Field Hockey games in one orientation and in the opposite orientation, the ability to play soccer. He said they will circle the site with a sidewalk system which the students and community may be able to use as a walking path.

Mr. Daly said the gravel parking area off Sand Hill will be reconfigured and not paved. He stated there will be a small building with restrooms and an awning area with lightning protection to shelter students; storage for line painting equipment and possibly LaCrosse goals with main storage remaining on the other side of campus. He stated the fields will not be lighted but there will be an area with 3 small lights for safety. He said there will be a 15-foot construction fence at the community gardens for safety.

Regarding regulated activities, he rendered the activities within the 100-foot upland review stating the water course as it enters the catch basin

today will continue to do so at the end of the project. He said they will have a small portion of the grass field and slope at the southern end will in the upland review; they have a curtain drain because the fields are pitching against themselves and they designed the discharge point at the same location.

Mr. Daly said the lawn and meadow area will be retained; the remaining work is outside upland review. He stated the sandy soils are very suitable for infiltration and they have designed a system for drainage that will be dry wells with high level overflows that will discharge to a gully discharge feature. He said the synthetic turf field will have an under-drainage system that connects to the dry well system. He said they are not doing a lot of earth work but are finessing the topography to meet the new field, everything is flat and perqs well and they do not anticipate a lot of runoff; they will use a silt fence and row of hay bales for protection; any excess material will be left onsite and built into a land form for stadium seating.

Mr. Daly introduced Bill Root, Soil Scientist, to provide background on their investigation. Mr. Root said he flagged the wetlands on the property in 1/26/12 and the soils are glacial alluvial water sorted sandy gravel based materials of several drainage classes; the larger most valuable are well south of the site at the toe of the slope and wrap around the subdivision. He said in the vicinity of the playing fields there is a fairly steep slope with surface and sub-surface drainage with a natural alcove with a little seep in the winter gathering into a small trickle into a curtain drain no wider than 1-2 feet flagged so the engineering people could pick it up and deal with the water to not impact the fields. He said more drainage is gathered into the toe of the slope system which outlets; the pipe under the dirt road is elevated several feet above where the water pools into basically a bare mud puddle. He said once you cross the dirt road to the forested setting the wetland proper starts with intermittent water course and is well away from the proposed construction. He agreed with Mr. Daly that the likelihood of any impact is very small and the existing fields are already cleared so there is no significant wetland impacts with the areas to the south well protected.

Regarding the synthetic field, Mr. Daly said it is their belief synthetic turf doesn't materially change; it has a very detailed system of stone underneath and a sand layer. He said they use small flat waffle drains in a herring bone system; the synthetic turf field doesn't generate additional runoff in the scope of the overall watershed. He said the turf material is a sand and rubber infill mix and cannot get through the fabric underneath

and the maintenance will meet federal and state standards; the field will be irrigated to minimize use of chemicals. He clarified all equipment will have access only through the Sand Hill construction entrance.

He stated the walking path will be about 6-feet wide and made of bituminous concrete. He said the pitch of the fields will have one field crowned and one pitched to the center; while a crown is typical, they are at the base of a steep slope and have created a hybrid for the joint fields here. With the pitching of the fields and the volume into the pipe and out at the wetland area, he does not see change as the water goes down through the fabric, through the gravel, and into a flat level pipe at 1/2% pitch. Regarding stockpiling material, he said they will leave it on site, shape it, seed it, and turn it into a mound that could be a seating area.

He said the start time is projected to be 5/20/12 and completion for the first home game in September; depending on the weather sod may go down later in the year, with the soil pre-graded. He said a single contractor will do the work in a single project; the only secondary phase could be the building which will be done separately - they are looking at Westminster's contractor. He said they will do some minor clearing in the softball field area to get the drainage out with a grass swale, but the area is within the existing lawn area. Regarding blankets on slopes, he said they have one location adjacent to the wetlands with a moderate slope - everything else is flat.

Public comment was provided by Joe Treggor of 215 Bushy Hill Road, a former Chair of the Farmington Conservation Commission and the Newington Inland Wetland Commission, who said he reviewed the plan and it is well done and a benign activity in terms of the wetlands and recommended approval.

Following public comment, Commissioner Mihalic made a motion to close the Public Hearing. Commissioner Kottas seconded the motion, and it was passed unanimously.

Commissioner Mihalic made a motion that this is a regulated activity because it involves construction of a ball field in an upland review area adjacent to a wetland. Commissioner Rieger seconded the motion, and it was passed unanimously.

Commissioner Mihalic made a motion that it is not a significant activity based upon the presentation provided by the Applicant, the negligible impervious surface created, and that the proposed infiltration measures should alleviate any concerns about increase in peak flows. Commissioner Rieger seconded the motion, and it was approved unanimously.

Commissioner Mihalic made a motion to approve the permit subject to any

conditions that Town Staff deem appropriate. Commissioner Rieger seconded the motion, and it was passed unanimously.

#### IV. PRESENTATION(S), DISCUSSION AND POSSIBLE VOTE

- a. Review by the Conservation Commission of the soil and erosion control plan for 16 Sand Hill Road (Map F15, Block 114, Lot 013 & 013A).

Glenn Kieran, Jr. representing Sand Hill Simsbury, LLC, stated they are requesting review under Chapter 128 of the Town Code the excavation plan for the property at 16 Sand Hill Road, the former Bourgeois & Shaw construction yard formerly zoned I3 as a sand and gravel quarry. He said they appeared before this Commission on 2/15/11 with a plan to work on the slopes at the southern and western end of the property which was approved. In the meantime, there have been considerable changes in the proposed use of the property; approximately 2 weeks ago the Zoning Commission approved changing zoning of this property to R15. He said they will go before the Planning Commission 4/10/12 with an application for a 12-lot subdivision on the property. He said as part of the subdivision application, they are here for the excavation and erosion control plan for the entire property in addition to the previously-approved slopes. He introduced Michael Girard of Sand Hill Simsbury, LLC, and Kevin Clark, Engineer for the project.

Mr. Clark, of Clark Engineering in Granby, stated they are applying to the Planning Commission for a 12-lot residential subdivision for this property. He provided an orientation of the property and stated it will be a standard subdivision with a road, cul de sac, 12 lots, proposed public water and sewer, possibly gas, a storm water management system with catch basin collection and infiltration system - they are working with Engineering to refine the details.

He showed the plan approved in 2011 with CR3 Landscape Architects in Simsbury specifying plant materials with the whole area regraded and planted in one operation. He said they have now incorporated that exact landscaping and slope regarding into the subdivision plan with no change. He said they have split the sedimentation and erosion control into 2 phases; the initial phase would establish and plant the slopes prior to beginning construction. He stated they would leave a low area at the toe of the slopes to trap any potential slope runoff. He said the plan calls for perimeter sedimentation and erosion control measures; currently, a bituminous driveway enters the site and they propose using it as a

construction entrance, and if things begin to get tracked on the driveway, they have to put in a construction entrance. He said they have areas to stockpile excess soil materials; they note the erosion and sedimentation control measures and where they apply on the plan. Regarding seeding the slopes, he clarified it would be done as originally approved in 2011; within the site is where they will modify and grade.

Mr. Clark said Phase 2 house construction calls for sedimentation and erosion controls around the storm drainage inlets, silt saps, construction entrances at each of the driveways which is where most sediment comes from during construction, temporary seeding if needed, permanent seeding and topsoiling throughout the yards, and perimeter sedimentation and erosion control. He said there is a construction narrative and approximate construction schedule, general sedimentation and erosion control notes with the requirement the contractor implement any required additional measures; there is a construction sequence for Phases 1 and 2 and typical house construction sedimentation and erosion controls.

Mr. Clark said the whole plan is based on the Planning Commission granting approval for the subdivision; if it is not approved, they will go back to the original 2/15/11 approved plan. He said the last page details the methods for the sedimentation and erosion control plan; Ms. Charest confirmed this plan meets Town regulations.

Regarding runoff from roofs, he said it will most likely go on the lawns; the runoff from the roads will likely go into the infiltration system. He said there will be a series of catch basins piped to an infiltration system with a series of 4x4 concrete galleys so the Town has direct access for maintenance. Regarding a grassy swale and plant remediation, he said they can discuss that with the Town which decides what they can maintain. Chairman Winters encouraged remediation before it gets into groundwater. He said there is no place upstream to do a swale and they will look into pitching off the driveways onto the lawn. He said there is currently a paved circle in the middle; the application was just accepted and they need to sit down with Town Staff.

From a procedural standpoint if Planning amends the plan, Ms. Charest said it is likely they would return to the Commission with any substantive changes. Mr. Girard said the proposed amount of time for Phase 1 is about a month to establish the slopes; if he receives approval next week, he would want to complete planting by mid-June.

A public question was asked by Kathy ? as to whether the storm drains will continue to be classified as industrial. Mr. Girard said currently the site is registered with the state for industrial activity, but when it

becomes a residential subdivision that activity ceases and will be registered under the construction standard permit and then falls under MS4 Town standards. Mr. Knierim clarified the current use as a construction yard is nonconforming and they applied to change I3 to R15 reserving any rights they have in the nonconforming use because without approval for the new use, the property would lose all value; but the Applicants intent, if approval is obtained, is to abandon the nonconforming use. Commissioner Mihalic clarified to Kathy that the Town follows the MS4 standard and the road and drainage will be Town property.

Commissioner Mihalic made a motion to approve the plan as submitted subject to any conditions or concerns that Town Staff has upon review and implementation, and with the recommendation Applicant consider methods to mitigate any post-construction activities to delay and remediate any runoff to the infiltration galleys. Commissioner Kottas seconded the motion, and it was passed unanimously.

#### V. RECEIPT OF NEW APPLICATION(s)

Chairman Winters read into the record 2 Applications received:

Landscaping and Leveling at 15 Mountain Road, Tarriffville, CT 06081 from Gary C. Muth.

Proposed Addition at 444 Firetown Road from Godofredo B. and Villaverde Bautista.

#### VI. STAFF REPORTS

Regarding 12 Pilfershire Lane, Ms. Charest said the trees have been cleared and contacted the homeowners today about soil erosion control and will go to the site tomorrow morning. She said they will present some ideas for planting in the pond area and will look for some advice.

Ms. Charest stated Bill Selig's Application has been officially withdrawn.

Ms. Charest stated that Commissioner Buchnam has resigned.

#### VII. DISCUSSION

Regarding a resident with a permit for shed construction outside the wetlands, upon inspection the shed was closer into the buffer with no approval. She said the shed was removed from the regulated area and it was signed off, but today they learned there has been construction of a deck with may be in the wetland area. She asked for guidance as to whether a

cease and restore should be done; significant time was spent working with the resident. The Commissioners recommended if it is in the regulated area, they come in for a permit as there could be a fine. She said the cease and restore would have to be issued by the coming Monday to be in line with the meeting in 10 days. She said there are building code issues that also have to be addressed.

Commissioner Rieger said that Mr. Treggor believed a silt fence was lacking at the Gristmill site and there is a lot of soil present.

Commissioner Rieger stated that the State has acquired the Eno Place property as open space for a couple of hundred thousand dollars. He was informed the Nature Conservancy will plant disease-resistant Elm trees on the property.

Regarding information on native plants for Applicants, Commissioner Rieger provided the most recent Invasive Plant List, Pete Picone's Native Plants for Seasonal Food and Cover for Wildlife, and the Connecticut Native Tree and Shrub Availability List. Chairman Winters added the native plants feed the native insects which feed the native birds resulting in more bird diversity; non-native plants don't feed insects resulting in lower bird diversity and populations.

VIII. CORRESPONDENCE/ANNOUNCEMENTS

IX. APPROVAL OF MINUTES of January 3, 2012, March 20, 2012

XI. ADJOURNMENT

Commissioner Mihalic made a motion to adjourn the meeting at 8:50 p.m. Commissioner Kottas seconded the motion, and it was passed unanimously.

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Ryan Mihalic, Secretary