

From: Lois Laczko September 23, 2010 4:14:40 PM
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Cc:

ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURS AGENCY
MINUTES – SPECIAL MEETING
August 3, 2010

I. CALL TO ORDER

Commissioner Winters called the Conservation meeting to order at 7:30 p.m. in the Main Meeting Room of the Simsbury Town Offices. Commission members present were: Margaret Sexton, Ryan Mihalic, Darren Cunningham, and Donald Rieger, Jr. Also present was Howard Beach, Environmental Compliance Officer.

II. APPOINTMENT OF ALTERNATES

Commissioner Winters appointed Commissioner Rieger to serve in the absence of Commissioner Zackeo.

III. APPROVAL OF MINUTES – July 20, 2010

Commissioner Mihalic made a motion to table the minutes of July 20, 2010 until the next regularly scheduled meeting due to a lack of a quorum. Commissioner Cunningham seconded the motion, which was unanimously approved.

IV. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of Carol S. Stoeke, Owner, for an Inland Wetlands Permit for activities associated with dredging a pond within the 100-foot regulated area to a wetland on property located at 10 Pasture Lane. (Maps A-9 & B-9, Block 440, Lot 10)

Ms. Stoeke stated that the main dredging will be done in the forebay. The pond has been dredged in the past. The dredged material will be placed on the property, approximately 20' from the pond.

Mr. Beach stated that this area is all grassed lawn. He suggested putting hay bales down for erosion control instead of silt fences.

Commissioner Sexton questioned where Ms. Stoeke has put the dredged material in the past. Ms. Stoeke stated that in the past, the Land Trust has taken the material off site. They will no longer do this.

Commissioner Winters suggested having Simscroft take the material off site. She stated her concerns that the material will only be 20' away from the pond. Ms. Stoeke stated that the cost may be an issue, although she will talk to Simscroft regarding pricing.

Commissioner Mihalic questioned when the dredging would be done. Ms. Stoeke stated she would like to start as soon as possible.

Commissioner Mihalic made a motion that this is a regulated activity because it involves removal of material from a water body and position of sediment material within 100 feet of a wetland. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion that this is not a significant activity because it is dredging of a pond. It is an activity that has been previously approved by this Commission and it will be done in such a manner to minimize any impact to the wetland and water body. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion to grant the permit subject to the following conditions: that best efforts will be made to have the contractor remove the dredged material from the site and dispose of it in an approved area. If this cannot be obtained, Town staff will work with the applicant to find a reasonable location on the property to deposit the material taking into consideration best efforts to minimize any damage to the wetland and upland review area. If Town staff believes that this is not possible, the applicant will come back before this Commission. Commissioner Cunningham seconded the motion, which was unanimously approved.

b. Application of Thomas R. Evans, Owner, Scott Fanning, Great American Donut, Agent, for an Inland Wetlands Permit for work associated with construction of a Dunkin Donuts within the 100-foot upland review area to a wetland on property located at 138 Hopmeadow Street. (Map F-18, Block 154, Lots 7A & 8A)

Mr. Quirk stated that this site is adjacent to a wetland area, although the wetlands are off site. He stated that the upland review area comes across the eastern portion of this site. The existing yellow house on the site

will remain; it will be used for retail. The other building will be demolished and reconstructed.

Mr. Quirk stated that they will be reducing the impervious area from 53% to 48% on the site. There will also be 24 parking spaces, which will be reduced from the current 40 spaces.

Mr. Quirk stated that the landscaping and grading plans have been changed since the last meeting. Regarding landscaping, they have changed all of the landscaping; they have looked at non-invasive native species. They also tried to incorporate smaller landscaping along the site and they have created landscaped areas along the building as well. He stated that they have also made revisions to the rain gardens. He stated that no pesticides will be used and organic is preferred. Mowing limits will be approximately 10' from the pavement.

Commissioner Mihalic questioned if the applicant has considered the sidewalks to be permeable. Mr. Quirk stated that they have not yet considered this. The majority of the sidewalks are for the retail building. He stated that although the applicant would be willing, this would need to be discussed with the tenant at that time.

Commissioner Mihalic questioned if the 24 parking spaces takes into consideration the retail space as well as the Dunkin Donuts. Mr. Quirk stated that the parking was calculated for both buildings.

Mr. Quirk stated that they have submitted a demolition plan. The existing building will be removed. The pavement on the site currently will be used as base material for the new parking. They do have standard erosion control measures as well.

Regarding the planting plan, Commissioner Winters stated her concerns regarding a good buffer from the Talcott Acres Condominiums. Mr. Beach stated that deciduous trees need to be planted in order to have a better buffer because there are mostly conifers there currently. Commissioner Rieger suggested refraining from mowing the seed mix for the first year or two.

Mr. Quirk stated that they would like to start demolition/construction this fall for completion by next summer.

Commissioner Mihalic made a motion that this is a regulated activity because it involves construction and construction activities in the upland review area. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion that this is not a significant activity because of the representations made by the applicant with regard to the construction activities to be conducted and the other improvements to be made to the site to reduce impervious surface and to otherwise reduce the potential impact in the upland review area and surrounding wetlands. Commissioner Rieger seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion to grant the permit subject to the following: the applicant follow any Town staff directives regarding erosion controls; the applicant will discuss the plantings with a landscape architect; and the applicant will consider using a pervious surface for the construction of the sidewalk to the adjacent structure on the south side of the property. Commissioner Cunningham seconded the motion, which was unanimously approved.

c. Application of Ensign-Bickford Realty, Owner, Landworks Development, LLC, Agent, for consideration of Preliminary Development Plan Review of property on Grist Mill Road shown as Parcel 21 consisting of 7.23 acres; Parcel 19 consisting of 8.512 acres; and parcel 24 consisting of 2.29 acres, submitted for Preliminary Development Plan Review under Article Ten, Section L. Simsbury Planned Area Development Zone Regulation. Application consists of renovation of existing Grist Mill building and construction of 98 residential units, and related site improvements.

Mr. Janeczko stated that this process started over one year ago. There are three properties within this development: Parcel 21, the old Mill Building; Parcel 19, which is 8.5 acres; and Parcel 24, which is 2.3 acres. He stated that they would like to keep a restaurant and office in the Mill Building with residential on the other parcels. The Mill Building will also have a community room for the residents. People living and working in this community can walk to the Town Center.

Mr. Janeczko stated that they will work with the existing grades on the site regarding the townhomes. There is currently a roadway behind the townhomes. They felt that they should return this area to a natural state. They have created a linear park behind these townhomes. This will be an area for pedestrians to walk, which will lead to a tunnel through the Mill Building.

Mr. Janeczko stated that Grist Mill Lane will have sidewalks on both sides, with parallel parking. Street trees will also line the street.

Mr. Janeczko stated that they will also be developing higher end units. These units will have individual entries and garages. There will be two flats on the main floor for handicapped accessibility and ten townhomes above those flats. Access is on three sides of the building. They will

also have Tower units between the bigger buildings in order to mask the parking between the larger buildings.

Regarding the two ponds on the property, Mr. Janeczko stated that one of the ponds is manmade. There is also plenty of sewer allocations and water for this site.

Mr. Schwendy, Engineer, gave the Commission an overview of Low Impact Developments. He stated that this development has focused on impervious surfaces. They have worked the natural features into the design of this development. Mr. Schwendy stated that they have also applied the DEP storm quality guidelines to this development. They have developed a storm water master plan; they have met most of their criteria. This site is a pre-developed site; the roads were put in when these criteria were not considered. The applicant would now like to improve what is already on this site.

Mr. Schwendy stated that they will be using a combination of infiltration and pervious pavement. They will also be using landscaping that is both functional and beautiful.

Commissioner Winters questioned if the parking for the Mill Building already exists. Mr. Schwendy stated that the parking exists, although they will be reducing that parking.

Mr. Janeczko showed the Commission a cross section of the townhomes as well as photographs of the site. He stated that there is a great deal of existing vegetation currently on the site.

Mr. Janeczko stated that there is existing storm water that is coming off the hill sides and parking areas. He stated that they are committed to improving their existing situations. They will have storm water treatments for their development as well as for the offsite sedimentation coming onto their property.

Mr. Janeczko stated that they will be using architecture from the Mill Building. They will be using complementing colors to accent the new development, as well as reds. They will also be using earth tones to keep the development understated.

Commissioner Rieger questioned if there would be a sidewalk on the south side of West Street. Mr. Janeczko stated that walkability from this development to the downtown is fine. The issue is the State right of ways along West Street in the opposite direction. Mr. Schwendy stated that they will be working with the State DOT regarding making changes for walkability where possible.

Commissioner Mihalic questioned if construction for this development would be done in phases. Mr. Janeczko stated that they will be phasing this development, although one phase will blend in with the next. There will be a sequence regarding how things are done. He is hopeful that this time next year, construction will have started.

Mr. Janeczko stated that they are scheduled for a public hearing with the Zoning Commission on September 21st. He believes that they will be back before this Commission after that, which will probably be the beginning of next year.

Commissioner Mihalic made a motion that the Conservation Commission/Inland Wetlands & Watercourses Agency refer this to Zoning because the project, as presented, seemed to reflect the values that this Commission embodies when it is reviewing site plans in connection with wetland permits under both our Town and State regulations. Commissioner Sexton seconded the motion, which was unanimously approved.

V. RECEIPT OF NEW APPLICATION(s)

Mr. Beach stated that there will be an application before this Commission at the next meeting for the installation of a geothermal system on Madison Lane. Activity will be in done in the regulated area.

VI. STAFF REPORTS

a. Administrative issuance of an Inland Wetlands Permit on the application of Edward and Lisa Wahlberg, Owners, for placement of a shed within the 100-foot upland review area to a wetland on property located at 123 Great Pond Road. (Map E-07, Block 147, Lot 003).

VII. DISCUSSION

There was none.

VIII. CORRESPONDENCE/ANNOUNCEMENTS

There was none.

IX. ADJOURNMENT

Commissioner Mihalic made a motion to adjourn the meeting at 9:30 p.m. Commissioner Rieger seconded the motion, which was unanimously approved.

Respectfully Submitted,

Commissioner Ryan Mihalic, Secretary