

From: Lois Laczko September 27, 2011 10:14:39 AM
Subject: Conservation Commission Minutes 09/06/2011 ADOPTED
To: SimsburyCT_ConserveMin
Cc:

CONSERVATION COMMISSION/INLAND WETLANDS &
WATERCOURSES AGENCY MINUTES
SEPTEMBER 6, 2011
REGULAR MEETING

I. CALL TO ORDER

Margery Winters, Acting Chairman, called the Regular Meeting of the Conservation Commission to order at 7:35 p.m. in the Main Meeting Room at the Town Offices. Other members and alternates in attendance were Patrick Kottas, Dominick Zackeo, Darren Cunningham, Ryan Mihalic, Margaret Sexton and Donald Rieger. Also present were Howard Beach, Conservation Officer, Janis Prifti, Commission Clerk, and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Winters appointed Commissioner Kottas to serve for Commissioner Richard Miller and Commissioner Rieger to serve for Commissioner Andrew Bucknam.

III. APPROVAL OF MINUTES of March 15, 2011, June 7, 2011, June 21, 2011, and July 19, 2011

Commissioner Kottas moved to approve the Minutes of March 15, 2011, as presented. The motion was seconded by Commissioner Mihalic and passed unanimously.

Commissioner Rieger moved to approve the June 7, 2011, as presented. The motion was seconded by Commissioner Zackeo and passed unanimously.

A quorum was not present at the June 21, 2011, meeting and approval was deferred.

A quorum was not present at the July 19, 2011, meeting and unofficial discussion took place and the meeting record will be filed in draft form.

IV. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of Jim Rose, Owner, for an Inland Wetlands Permit for activities associated with the construction of a garage within the 100-foot regulated area to a wetland on property located at 276 Bushy Hill Road. (Map D-15, Block 403, Lot 79)

Mr. Rose came to the Commission in 2010 for approval to swap property with a neighbor, but could not do so due to issues of his neighbor's bank. He then went to the Zoning Board for a lot line adjustment because he is within 25-foot guidance. He said the garage would have been located on property the Conservation Commission had approved - sloping at the end of his driveway, nonintrusive, 100-feet in the back with woods - however, it was denied. His new Application is to build in the back of his garage, but he now has to take out tiered walls with blocks weighing 86 pounds each. He would extend his current garage 16-feet; the Commission had granted him permission to go 40-feet, and he now needs to go 26-feet less. Commissioner Zackeo clarified it would now be less disturbing to the wetlands than previously approved. Mr. Rose provided a drawing of the layout and explained it to the Commissioners. Commissioner Mihalic asked about conditions for the previous approval. Mr. Rose responded he was not to bring in or out any extra material and what he dug out he would get rid of if it was not suitable for back fill. He will now use what he digs out leaving a basement at the bottom and putting tiered walls back the same way so the property slope will not change. He has a walkout in the back and will leave some part of it as storage space. He plans to finish this by year-end and believes it is nonintrusive. Commissioner Sexton asked if they had recommended silt walls in the back. He said his family owns a construction company and affirmed his plan to put a 100-foot role around everything in the back. He confirmed he will be using the same construction method and equipment as previously proposed and approved. Mr. Beach clarified that previously a deeper excavation was planned. Mr. Rose said this will be an eight-foot wall and the excavation will not be as deep with less frost wall required. He will take the walls out and put as much as he can back and the slope will not change.

Commissioner Mihalic made a motion this Application involves a regulated activity involving construction and disturbance of soils within the 100-foot upland review area. Commissioner Rieger seconded the motion and it passed unanimously.

Commissioner Mihalic made a motion it is not a significant activity because it involves construction that can be controlled and impacts to the wetland and upland review areas can be controlled by silt fence and other measures, as already discussed with the Applicant, and as advised consistent with the permit granted this property a year ago today and the Application before us today, would appear to create less of a disturbance and less likelihood of

an impact on the upland review area. Commissioner Rieger seconded the motion and it passed unanimously.

Commissioner Mihalic made a motion to approve the permit consistent with the discussion at this meeting and subject to any conditions the Town staff may impose. The motion was seconded by Commissioner Rieger and it passed unanimously.

V. RECEIPT OF NEW APPLICATION(s)

a. Application of the Town of Simsbury, Owner, Nicholas Carabillo, Applicant, for an Inland Wetlands Permit for activities associated with the construction of a shed for the Simsbury Crew Team (as his Eagle Scout project) within the 100-foot regulated area to a wetland on property located at the Paine Boathouse, 36 Drake Hill Road. (Map H-11, Block 226, Lot 1)

Mr. Beach stated Mr. Carabillo was in attendance to present the Application which will be on the agenda for discussion at the next Commission meeting on 9/20/11; tonight the Application is being received as they like to have scouts go through the whole process. He said Mr. Carabillo must get approval from most of the Town boards and will become an expert on municipal function.

b. Application of John P. Lavery, Owner, for an Inland Wetlands Permit for activities associated with the restoration of a pond within the 100-foot regulated area to a wetland on property located at 298 Hopmeadow Street, Weatogue. (Map G-15, Block 153, Lot 15)

Mr. Beach stated Mr. Lavery is applying for a permit to dredge his pond two doors down from the Intersection of Hopmeadow and 185 on the east, river side of the road. He said the pond has filled in with silt over the years and the stream has been cut off from the pond; Mr. Lavery wants to muck that out and restore the pond function.

c. Application of the Town of Simsbury, Owner, J. Eric Conroy, Applicant, for an Inland Wetlands Permit for activities associated with the placement and construction of two (2) wooden benches and an information sign at the dam on Lake Basile (as his Eagle Scout project) on property located at Lake Basile. (Map I-2, Block 402, Open Space C (Rebecca Lane Subdivision))

Mr. Beach said another Eagle Scout wants to construct two handmade wooden benches and an information sign at Lake Basile near the dam public walking path open space.

d. Application of Jeff and Jessica Palazzo, Owners, for a Map Amendment for property located on Firetown Road. (Map F-6, Block 107, Lot 2)

Mr. Beach said there is a parcel of land on Firetown Road that backs up to Chriswell Drive and was never built on. He said they now want to build a home on it and the back half of the property shows as wetlands. He said Michael Kline went out and delineated the soils and found significant differences between the old, old SCS map and what is actually on the site, so they are coming in for a Map Amendment.

VI. STAFF REPORT

Mr. Beach said he received a notice from DEEP that DOT will be dredging the pond on Bushy Hill Road just past the intersection with Wildwood heading south on the right side of the road. He said the large DOT drain that runs into the pond was dredged 15-20 years ago and has filled in again. He stated DOT has agreed it's their problem and hired a contractor who is about to start work. Mr. Beach reminded the contractor they need local approval, as well as a note from DOT confirming DOT will pay for it. If the contractor pays the fee, it will be on the Commission's 9/20/11 Agenda.

VII. DISCUSSION

Commissioner Rieger said there was a stormwater meeting where draft materials to be offered the Zoning Board for consideration were presented; they were very well done and an inclusive wonderful work product. Mr. Beach said the final draft must be in by month end because funding stops then. He said once completed it will be favorably voted on and written into Zoning Regulations and mandated for every site developed in Town. Commissioner Rieger said there will be controversy as it comes out against lawns and in favor of native plants, and other interesting ideas. Mr. Beach said they want something that will apply Town-wide; he said the consultant did a good job in the end. He said they are still waiting for the final numbers for each zone.

Mr. Beach said he has been discussing with Rick Sawitzke, Town Engineer, about subdrain basins because you don't want to take water from one and put it in another. Chairman Winters said they need to know at what level of the sub-basin. Mr. Beach said Mr. Sawitzke developed a computer model program 30 years ahead of FEMA to calculate peak river flows and since the early '80's every subdivision approved if it's in an upper watershed is required to retain/detain water and in a lower watershed to flush it. He said they time it even within the Town to take the peak off of storms and prevent floods. He said FEMA has now developed a similar plan with USGS and major firms involved identifying each watershed and numbering them. He

stated Rick pulled out the old drainage maps containing all the sub-watersheds in Town with every culvert and crossing labeled and identified and they are trying to digitize it to add to the GIS for a very sophisticated start in implementing the plan. Chairman Winters stated there was lot of emphasis on soil classifications in the stormwater discussion and it would be good for the Commission to have access to those soil classification maps to make decisions on applications.

Mr. Rieger noted the September Clear Webinar is on "Permeable Pavements for Stormwater Control" and can be logged onto at clear@uconn.edu on 9/13/11 between 2-3 p.m. Mr. Beach added the Drake Hill parking lot was paved shortly before the hurricane with permeable pavement and lined with plastic sheets hours before the rain to keep the dirt off it and no water came off the new pavement.

Mr. Beach said 99% of the damage in Town was from flooding. He said the water level was the worst from the Farmington River since 1955 and from a design storm standpoint was just less than a 100-year storm. He said while they never had more than four inches of water over Rte. 185 before, it was two-feet deep and the road was closed for two days. He said Tom Evans who was in for stream restoration approval in 2010 for Russell Brook fortunately removed material two weeks earlier, but still lost another 10-15 feet of bank and two test wells are standing in soil completely. He said the neighbor below for the first time had water in the basement. Regarding the cemetery, Mr. Beach said the water was previously piped down the hill with no erosion new outflows, but he has not been up there yet for this storm. His concern has been at the boat ramp which has been under water five times and was in about eight feet of water from this storm; but they didn't lose any stone or plants and there was no erosion. He said a lot of trees are down due to the saturated ground.

VIII. CORRESPONDENCE ANNOUNCEMENTS

None.

IX. ADJOURNMENT

Commissioner Cunningham moved to adjourn the meeting at 8:10 p.m. The motion was seconded by Commissioner Kottas and passed unanimously.

Ryan Mihalic, Secretary

