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MINUTES
CONSERVATION COMMISSION/INLAND WETLANDS AND WATERCOURSES
AGENCY – REGULAR MEETING
TUESDAY, January 16, 2024 at 7:00 P.M.
Web-Based via Zoom Link

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I. CALL TO ORDER & ROLL CALL

Chairman Winters called the meeting to order at 7:00 P.M.

Present: Assistant Town Planner, Brittany MacGilpin, Andrew Bade, Donald Eaton, Charles Haldeman, Jason Levy, Margery Winters, Kyle Testerman (Alternate)

Absent: Jason Berman, Joseph Campolieta, Cailyn Welsh (Alternate)

II. APPROVAL OF MINUTES

December 5, 2023 regular meeting

Motion: Mr. Levy moved to approve the December 5, 2023 minutes for the regular meeting of the Conservation Commission/Inland Wetlands and Watercourses Committee. Mr. Haldeman seconded the motion.

All in favor, no opposed, no abstentions. (5-0-0)

III. NEW APPLICATIONS FOR RECEIPT AND DETERMINATION OF SIGNIFICANCE

Application CC #24-01 of Dan Castle and Jesús Cobo, applicant and owner, for a wetland permit to construct an approximately 51' x 32' addition to the front of an existing barn within the upland review area at 298 Hopmeadow Street (Assessor's Map G15, Block 153, Lot 015) Simsbury, CT 06089, Zone R-40.

- Mr. Haldeman inquired if all construction is planned to be within the driveway. Mr. Castle, applicant and owner, confirmed, noting the project will be completed on previously disturbed area.
- Ms. Winters inquired if there are landscaping plans. Mr. Castle noted there are existing river birch trees and ground cover; and therefore, there are no plans for additional plantings.
- Mr. Haldeman inquired how area will be disturbed through digging. Mr. Castle noted that the contractor will dig 3 feet for the footings. Mr. Haldeman inquired if it was a full footing, and Mr. Castle confirmed.
- Ms. Winters inquired if any material would need to be taken offsite. Mr. Castle responded that there will be back-filling and the intention is to keep all material onsite.
- Ms. Winters noted existing mulch in the area. Mr. Castle responded that the pictures presented are over a year old and there is more vegetation currently. He noted that it

47 is his desire to minimize mulching and increase the ground cover. He requested a list
48 of recommended plantings. Ms. Winters mentioned creeping fox and barren
49 strawberry as recommended ground cover and confirmed that a list would be
50 provided to Mr. Castle.

51 • Ms. MacGilpin noted that she has requested that the stockpile location and proposed
52 silt fencing around that area be identified on the presentation materials for the next
53 meeting.

54 • Ms. Winters inquired about the timeline for this project. Mr. Castle would like this
55 completed as soon as possible, noting that it is dependent on this Commission's
56 approval and finalization of details with the contractor.

57 • Mr. Haldeman inquired if the applicant plans on beginning this during the winter.
58 Mr. Castle noted that it would be dependent on the weather and if the contractor
59 would be able to dig.

60 • Mr. Haldeman noted that while this is located within the upland review area, he did
61 not note any stream nearby. Mr. Castle confirmed that this area is not very wet or
62 active and that the location of the project is very flat, minimizing the risk of run-off.
63 Ms. Winters noted that if the ground is frozen during this project, this can encourage
64 run-off movement, but that the silt fencing would help minimize that.

65 • Ms. Winters inquired how long the project is expected to take. Mr. Castle will
66 follow-up with the contractor.
67

68 **Motion:** Mr. Haldeman moved to find that Application CC #24-01 of Dan Castle and Jesús
69 Cobo, applicant and owner, for a wetland permit to construct an approximately 51' x 32'
70 addition to the front of an existing barn within the upland review area at 298 Hopmeadow Street
71 (Assessor's Map G15, Block 153, Lot 015) Simsbury, CT 06089, Zone R-40 is a regulated, non-
72 significant activity and scheduled it for action at the next regular meeting of the Commission.
73 Dr. Bade seconded the motion.

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75 All in favor, no opposed, no abstentions. (5-0-0)
76

77 **Application CC #24-03** of Rodrigo Clement (Hopmeadow Country Club), owner and
78 applicant, for a wetland permit for the replacement of paddle tennis courts and associated
79 improvements at 85 Firetown Road (Assessor's Map E08, Block 148, Lot 001) Simsbury,
80 CT 06089, Zone R-40.

81 • Terri Hahn, Principal from LADA Land Planners, addressed the Commission and
82 noted that there are two existing paddle courts and a warming hut. They are looking
83 to repair and replace the existing courts and expand the warming hut slightly. The
84 courts are elevated and therefore are not considered impervious surface. Currently
85 the courts are not ADA compliant, which will be addressed during the project. Court
86 1 will remain in its same position and court 2 will be relocated approximately 8 feet
87 south of this current position. Approximately 1,000 sq. ft. of impervious surface will
88 be removed, as the cart path will be tightened.

89 • Ms. Winters noted that the stream corridor appeared to be mowed and recommended
90 that the country club plant native plantings to maintain a healthy stream corridor. Ms.
91 Hahn confirmed that she is open to this idea.

- 92 • Ms. Winters inquired about the kelvin level of the existing lights. Ms. Hahn will
93 follow-up, noting that the current plan to utilize the existing lights, which are LED,
94 shielded downlights. Ms. Winters suggested the lighting be 3,000 kelvin or less,
95 which is better for wildlife. Ms. Hahn will follow-up on this; however, she noted that
96 there could be concern that a reduction in kelvins could impact visibility of the ball.
97 • Ms. Winters inquired if there are lights that are kept on at night at the country club.
98 Ms. Hahn responded that some lights are on for security purposes. Ms. Winters
99 suggested utilizing motion detector lights, which are better for wildlife and security.
100 • Mr. Eaton inquired if the courts are used in the summer. Ms. Hahn responded that the
101 courts are used from October through March and are not used in the summer.
102

103 Mr. Testerman is seated as a full member of the Commission at this point of the meeting.
104

105 **Motion:** Dr. Bade moved to find that Application CC #24-03 of Rodrigo Clement (Hopmeadow
106 Country Club), owner and applicant, for a wetland permit for the replacement of paddle tennis
107 courts and associated improvements at 85 Firetown Road (Assessor’s Map E08, Block 148, Lot
108 001) Simsbury, CT 06089, Zone R-4 is a regulated, non-significant activity and scheduled it for
109 action at the next regular meeting of the Commission. Mr. Levy seconded the motion.
110

111 All in favor, no opposed, no abstentions. (6-0-0)
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114 **IV. ACTION/PUBLIC HEARINGS ON APPLICATIONS**

115
116 **No public hearings.**
117

118 **V. GENERAL COMMISSION BUSINESS**

- 119
120 • Discussion on Invasive Species Plant Draft Ordinance Language for Town’s Wetland
121 Regulations
122 ○ Ms. MacGilpin presented the proposed language amendment to Section 7.5 of the
123 Town’s Wetland regulations.
124 ○ Mr. Haldeman suggested that the proposed wording which indicates an applicant
125 could “only” utilize CT native species was too specific. The Commission
126 discussed and revised the wording to indicate that only CT native species should
127 be utilized unless approval is provided by the Wetland Commission.
128

129 **Motion:** Mr. Levy motioned to schedule a public hearing to review this change to the Town’s
130 Wetland Regulations at the Commission’s scheduled meeting on March 5, 2024. Mr. Haldeman
131 seconded.
132

133 All in favor, no opposed, no abstentions. (6-0-0)
134

- 135 • Correspondence from Atlas Company providing a summary report of an underground
136 storage tank facility at Cumberland Farms at 151 Hopmeadow Street.

- 137 ○ Dr. Bade inquired if Town Staff had any background information on this annual
138 reporting requirement, as the Commission would like to understand when similar
139 reporting requirements and/or conditions should be considered as part of the
140 Commission’s reviews. Ms. MacGilpin noted that she found the original
141 application and that this was a condition listed in the application. She will send
142 the original documentation that she has to the Commissioners.
143 ○ Ms. Winters asked if there was a time limit on this reporting requirement in the
144 original application and approval. Ms. MacGilpin noted that there was no time
145 limit specified that she is aware of.
146 ○ Mr. Eaton inquired about where the report is stored. Ms. MacGilpin noted that
147 these annuals reports are saved to the Commission’s shared files. She has a hard
148 copy at her desk.

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150 **VI. AGENT ACTIONS**

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152 **Application CC #23-44** of L&A Masonry Home Improvement, LLC, applicant and
153 owner, for a wetland permit to allow installation of two decks, approximately 8’ x 20’
154 and approximately 6’ x 20’ within the upland review area at 42 Canal Street (Assessor’s
155 Map F15, Block 116, Lot 001) Simsbury, CT 06092, Zone R-40.

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157 **VII. CONSERVATION BUSINESS**

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159 • As part of the Open Space Work Group, Ms. Winters submitted a budget request for the
160 publication of an invasive plant booklet to go out to homeowners.
161 • Ms. Levy inquired when the Hartford South Property will come to the Commission with
162 an application. Ms. MacGilpin did not have a date at this time.
163 • Ms. Winters inquired when the last Commission elections were made. Town Staff will
164 investigate this.

165
166 **VIII. ADJOURMENT**

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168 **Motion:** Mr. Levy moved to adjourn. Mr. Haldeman seconded the motion.

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170 All in favor, no opposed, no abstentions. (6-0-0)

171
172 The meeting adjourned at 7:59 P.M.

173
174 Respectfully Submitted,

175
176 Cara Blackaby
177 Commission Clerk