

From: Carrie Vibert April 10, 2012 9:36:28 AM
Subject: Conservation Commission Minutes 01/03/2012 ADOPTED
To: SimsburyCT_ConserveMin
Cc:

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

I. CALL TO ORDER

Ryan Mihalic, Acting Chairman, called the Regular Meeting of the Conservation Commission to order at 7:33 p.m. in the Main Meeting Room at the Town Offices. Other members and alternates in attendance were Patrick Kottas, Darren Cunningham and Donald Rieger. Also present were Howard Beach, Conservation Officer, Janis Prifti, Commission Clerk, and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Mihalic appointed Commissioner Rieger to serve for Commissioner Miller and Commissioner Kottas to serve for Commissioner Winters.

III. APPROVAL OF MINUTES of December 20, 2011

A quorum was not present, and Chairman Mihalic made a motion to table approval of the December 20, 2011, minutes. Commissioner Rieger seconded the motion, and it was passed unanimously.

IV. RECEIPT OF NEW APPLICATION(S)

Chairman Mihalic read the Legal Notices into the record.

a. Application 11-32 of Dyno Nobel, Inc., Applicant, for an Inland Wetlands Map Amendment on properties located at 69 Woodland Street (Map F-12, Block 103, Lot 005), 660 Hopmeadow Street (Map G-11, Block 132, Lot 052), and Floodplain Property located east of the old railroad track that runs through the facility, adjacent to the Farmington River (Map G-12, Block 144, Lot 005).

Ashley Hildt of AECOM and Scott Higgin, Soils Scientist, of AECOM presented the Application requesting a map amendment. Ms. Hildt stated one lot

location is on the west side of Hopmeadow Street in the Powder Forest area and the other two lots are on the east side of the street. She stated all wetland lines are based on both field inspections and desktop analysis done in July and August 2011. She said on the west lot location, there is a Dyno Nobel access road where there have been landfill closures and they delineated wetland lines past the original town mapping lines somewhat; the dark green line on the map showed existing Town mapping and the lighter green line shows their soil survey lines. She said the entire west area is wet and they looked to see how it connected to the landfill and road reviewing only that part of the parcel and updating lines that might impact potential future work areas. Mr. Higgin added the wetlands extend up the slope further than original Town mapping, but for their purposes, they did not map the total extent of the wetland. Ms. Hildt said they updated and delineated the area mapped based on proximity to the road. Mr. Beach said the basis for the original mapping was the SCS map with little field delineation, but negligible differences in the mapping.

Ms. Hildt stated that on the east side of the street, the first lot with light green line has soils coming out in a finger-shaped reorientation of the map; there is stream and wetland steep slope and the site is historically disturbed with lots of fill. Mr. Beach said the area used to have a lot of firebreaks. Mr. Higgin stated this area drops off quickly into muck and a small organic layer on top of low chroma subsoil; he pointed out the areas of gain and loss are pretty much a wash. Ms. Hildt identified discrete areas on other site parcels including: the main facility, one property on the railroad side of the tracks, and the floodplain property location with mapping similar to the Town's. She said there is an additional area of wetland with pavement and fill matching the Town's map, and another area they reviewed has an upland portion.

Ms. Hildt said all blue lines on the map are Town streams which did not change. She pointed out a wetland area where they added and expanded a stream connected by a culvert under the road which drains into the floodplain. Regarding intermittent streams, Mr. Higgin stated the ditches contained some water during the time they mapped, and pointed out a heavily disturbed meadow area with a variety of soils. Mr. Beach said this was a disturbed area where a reclamation project was done some years ago and water flows through via many different branches and disappears.

Ms. Hildt said there are many invasives onsite in distinct areas, except for maintained areas with alluvial soils. Mr. Higgin said there are alluvial moderately well-drained soils in the wetland also. Ms. Hildt said there are no projects planned at this point and they re-mapped in order to be prepared for the future. Mr. Beach commented on how close the SCS maps done 40 years ago are to these current maps, except for added delineation;

this is an industrial I2 zoned area.

Chairman Mihalic invited questions and comments from the Commissioners and public, as this was a public hearing. There were no questions or comments.

Commissioner Cunningham made a motion to close the public hearing. Commissioner Kottas seconded the motion, and it was passed unanimously.

Commissioner Rieger moved that the Commission approve the proposed map amendment. Commissioner Cunningham seconded the motion, and it was passed unanimously.

b. Application 11-33 of Jeff and Jessica Palazzo, Owners, for an Inland Wetlands Permit for clearing, grading, and house construction on property located at Lot 2 Firetown Road (Map F-6, Block 107, Lot2), R-15 Zone.

John Palazzo provided an engineering drawing stating they are before the Commission for approval of site placement of the house. Mr. Beach said the lot was plotted in the 1950's, but never built. Mr. Palazzo said the house falls within 100-feet of the upland review area; there will be fill in the front and side of the property for the walkout basement in the back and should not affect the area wetlands. He said experts have recommended removing all large pines on the property, many were damaged in the recent storms and are within striking distance of the house. Chairman Mihalic stated cutting down trees is a right of use and the only concern would be to not deposit tree materials in the wetland soil. Mr. Palazzo showed a view of the wetlands and some of the damage. He stated the property has all large pines because other trees have been removed for firewood by neighbors.

Mr. Palazzo showed the barn's location and access from two sides, but it is not yet decided which will be used for regular access. He said their plan is to clear the site now and get the foundation in before the frost as the foundation is quite shallow and to avoid any water problems. Mr. Beach said regarding the neighbors concern about hydrolics in the area and runoff, the Palazzo's higher elevation design creates positive flow to the street for the driveway, as well as for the roof system - all water created by impervious surface is being taken up by the existing system. He said the foundation drain around the house and garage will gravity drain in the back picking up groundwater. Mr. Palazzo said both neighbors have foundations 4 feet deeper and have never had water in their basements. Mr. Palazzo said because of the shallow foundation, material will be brought in and none will go out, with structural fill used in the driveway and garage. He said they will use sewer and public water and there will be a silt fence at the back of the clearing. Mr. Beach suggested hay mulch to prevent

erosion at this time of year.

Michael Kline, Biologist and Soil Scientist, appearing on behalf of the Palazzo's presented a letter highlighting some items. He stated there are no direct wetland impacts and the indirect impacts are negligible. He said the letter's third bullet point is not correct and "The limit of vegetation removal and" should be deleted and start at the word "grading" with the closest point to the wetland about 30 feet away and 60-70 feet to the house, but more importantly the slope is 3:1 and 5:1 or shallower with sandy soils and hay mulch should mean no erosion. He said it appears to be a relied wetland with substantially altered hydrology and surrounding environment; he showed an aerial map from the 1960's. He said it is important to have dry access to the barn from either Criswell or Firetown and not impact the wetland. He said the back grade is quite gentle or 1 foot across a 35 feet span and a benign 3%. He stated there are no significant adverse impacts.

Mr. Beach stated there will not be a lot of digging, just frost walls and a slab. Mr. Palazzo said materials can enter the site from either side and there is an existing crushed stone driveway. He pointed out a Town catch basin across the street has negated water running across the property. Mr. Kline pointed out a culvert that is at a higher grade than the land and the drain has handled the water which is why the hydrology has been substantially altered and the resource value limited. Mr. Palazzo said they will work onsite throughout winter and will remove the tree stumps. Mr. Kline stated the silt barrier will be located to protect the wetlands. Mr. Palazzo said no equipment will cross the wetlands and he will be onsite to assure that. He said there is a 10-foot, 24-inch concrete culvert under the road; and he can get the trees out of the site.

Chairman Mihalic invited further questions and comments from the Commissioners and public, as this was a public hearing. There were no questions or comments.

Commissioner Cunningham made a motion to close the Public Hearing. Commissioner Rieger seconded the motion, and it was passed unanimously.

Commissioner Rieger made a motion that this is a regulated activity as it involves construction within the upland review area. Commissioner Cunningham seconded the motion, and it was passed unanimously.

Commissioner Rieger made a motion that it is not a significant activity as it does not involve damage to the adjacent wetland area and involves a number of mitigating factors, such as:

- 1) The elevation adjustment,

- 2) The proper use of a silt fence; and
- 3) The piping of the downspouts to the storm drain, etc.

Commissioner Cunningham seconded the motion, and it was passed unanimously.

Commissioner Rieger made a motion to grant the requested permit with the understanding that the silt fence will be located not as shown on the plan, but more appropriately, to give effect to protecting the wetland from the logging activities and that the erosion mitigating activities, such as hay mulch and the like, is accepted by the Town staff based on conditions that pertain at the time. Commissioner Cunningham seconded the motion, and it was passed unanimously.

V. STAFF REPORTS

Mr. Beach said it is budget time and Mr. Peck requests submittal of any projects that have been delayed that might be eligible for matching funds. He said they had hoped to do some LID training sessions, but LID project funds have been exhausted so a budget request for additional funds could be made. He said the budget deadline is this week for getting information in and to please call him or Hiram this week with any ideas.

A letter was received announcing an upcoming Land Conservation Council Meeting with a financial request.

VI. DISCUSSION

Commissioner Kottas suggested the Commission have a paper handout of invasive plants and that local nurseries should be aware of the Commission's thinking. Mr. Beach said Dave Askew of Tolland wants to do a workshop on this issue with Pete McCone and it may take place at the Simsbury Library.

Commissioner Rieger said the Management Plan for the Farmington River has been published in hardcopy by the Lower Farmington River and Salmon Brook Wild and Scenic Study Committee and is an impressive document. He said it is available online at lowerfarmingtonriverwildandscenicstudy.org; Mr. Beach stated he has a hardcopy for review also.

VII. CORRESPONDENCE ANNOUNCEMENTS

None.

VIII. ADJOURNMENT

Commissioner Cunningham made a motion to adjourn the meeting at 8:35 p.m.
Commissioner Kottas seconded the motion, and it was passed unanimously.

Ryan Mihalic, Secretary