

From: Lois Laczko May 7, 2010 11:51:57 AM
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Cc:

ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURS AGENCY
MINUTES – REGULAR MEETING
April 6, 2010

I. CALL TO ORDER

Chairman Miller called the Conservation meeting to order at 7:30 p.m. in the Main Meeting Room of the Simsbury Town Offices. Commissioner members present were: Margaret Sexton, Ryan Mihalic, Margery Winters, Patrick Kottas, Darren Cunningham, and Donald Rieger, Jr.

II. APPOINTMENT OF ALTERNATES

Chairman Miller appointed Commissioner Rieger to serve in the absence of Commissioner Bucknam and Commissioner Kottas to serve in the absence of Commissioner Zackeo.

III. APPROVAL OF MINUTES – March 16, 2010

Commissioner Sexton made a motion to approve the March 16, 2010 minutes as written. Commissioner Winters seconded the motion, which was unanimously approved.

IV. PUBLIC HEARING(s), DISCUSSION AND POSSIBLE VOTE

a. Application of McLean Affiliates, Inc., Owner, David J. Bordonaro, Applicant, for an Inland Wetlands Permit for construction of sixteen independent living cottages within the 100-foot upland review area to a wetland on property located at the McLean facility, 75 Great Pond Road. (Map E-08, Block 147, Parcel A) (continued from meeting held on 3/16/2010)

Attorney Donohue stated that since the last meeting, the applicant has had discussions with Mr. and Mrs. Morehouse. They submitted an application yesterday to do some drainage on the Morehouse property. This Commission will be hearing that application at their next meeting in order for the two

applications to be concurrent. Attorney Donohue stated that an agreement is already in hand as to what they will do to model the flow of water so it does not impact the homeowner.

Chairman Miller asked if there were any comments or questions from the public. There were none.

Commissioner Cunningham made a motion to continue the application of McLean Affiliates, Inc., Owner, David J. Bordonaro, Applicant, for an Inland Wetlands Permit for construction of sixteen independent living cottages within the 100-foot upland review area to a wetland on property located at the McLean facility, 75 Great Pond Road to the next regularly scheduled meeting. Commissioner Mihalic seconded the motion, which was unanimously approved.

V. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of Laurie A. Kelley, Owner, Richard Hetzler, East Coast Pools, Applicant, for an Inland Wetlands Permit for construction of an in-ground pool within the 100-foot regulated area to a wetland on property located at 12 John Peel Road, West Simsbury. (Map B-12, Block 406, Lot 12-19)

Mr. Hetzler stated that the homeowner would like to build a 20' x 40' pool behind the existing house. He stated that they have already staked out the area for the pool. The pool will be up higher than the nearby pond. It will be 50' higher than any water that is adjacent to the property.

Mr. Beach stated that this property is at the end of John Peel Road, which abuts Case Pond. There was an application by this homeowner last year, although it was withdrawn. They are now coming back to put a pool in that same location. He stated that an addition was put on this house in the past and trees were taken down to make lawn area at that time. He stated that the pool will be placed in this lawn area.

Mr. Beach stated that the applicant will be taking material out where they will be digging for the pool. They will be placing this fill in the low area near the driveway on this property. Commissioner Winters questioned exactly where this fill area would be. Mr. Beach stated that the area is approximately 100 feet away from the wetland.

Commissioner Rieger questioned where the pool waste water discharge would go. Mr. Hetzler stated that they will be using a filter so there will be no backwash to it. There will not be any water running down the driveway.

Commissioner Sexton questioned if this pool would be chlorinated or if it

would be salt water. Mr. Hetzler stated that the pool would be chlorinated. Mr. Beach stated that the Commission has asked, in past applications, that the water be pumped away from the wetland. Commissioner Rieger stated that there should be a plan for this waste water.

Mr. Beach stated that the area around the pool will be turfed. The area where the fill is going will be seeded. Mr. Hetzler stated that there would also be silt fence around that filled area.

Commissioner Mihalic questioned how the hole would be dug for the pool. Mr. Hetzler stated that they will be bringing in a backhoe, which will come through the driveway. Mr. Beach stated that they would like to excavate from the bank backward. Commissioner Mihalic question if a tracking pad would be needed on the driveway. Mr. Beach stated they will not be trucking any material off site. He did not feel that a tracking pad would be needed.

Commissioner Rieger questioned where the drinking water well is located on the property. Mr. Beach stated that the well is not shown on the plans. Commissioner Mihalic stated that a water line is shown on the plans. He questioned if this waterline exists. Mr. Hetzler stated that the well is on the other side of the garage.

Commissioner Kottas questioned how far the applicant would be digging down for the pool. Mr. Hetzler stated that they would be digging down 9 feet from the top of the pool.

Commissioner Rieger stated that he has a copy of the DEP rules on pool waste water discharge. The Commission may want to consider incorporating some of these rules in their approval. Commissioner Mihalic stated his concern regarding incorporating this now because they have not looked at it, although the Commission may want to consider these rules going forward after they have had a chance to review them.

Commissioner Mihalic made a motion that this is a regulated activity because it involves construction and removal of material in an upland review area. Commissioner Winters seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion that this is not a significant activity based on the testimony from the applicant and the discussion that was had, and as proposed, the resulting removal of material and depositing of fill will not impact the wetlands. Commissioner Winters seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion to approve the permit consistent with

the restrictions on the drawdown of the pool that were discussed, including but not limited to allowing the chlorine to dissipate from the water before it is drawn down and that the water is drawn down and directed to an area away from the wetlands and away from existing storm drains and that the homeowners are encouraged to use best efforts going forward to ensure that future draw downs are not deposited into the wetlands. Commissioner Winters seconded the motion, which was unanimously approved.

The Commission discussed having a placard placed near all pools going forward that would state that the homeowner needs to draw down the pool in a way to minimize direct discharge to the wetlands. Mr. Beach suggested that the Commission members draft language, 25 words or less, to be used for placards going forward. He stated that the building department could give them out when giving out their standard handouts for pools. Mr. Beach stated that this placard would be something that future owners would take notice of.

Commissioner Winters suggested that a small mailing to residents with pools or something written on the Town website be drafted to instruct homeowners regarding pool draw downs. Mr. Beach stated that a regular meeting could be set aside for this discussion. Commissioner Mihalic stated that this meeting could be held as a public hearing in order to hear from residents.

Chairman Miller stated that he will look for an intern to help put educational articles and instructions on the Town website, including pool draw downs, etc. Mr. Beach suggested that the Commission first have a meeting to try and define what they would like to do so the intern would have plenty of work to do. He will also talk with Mr. Peck regarding planning work that the intern might do as well.

VI. RECEIPT OF NEW APPLICATION(s)

Mr. Beach stated that an applicant came in for a screw auger foundation for an addition to a house. There will be no disturbance to soils. This homeowner would like to know if this could be done as an administrative approval. Mr. Beach stated that the foundation will be 40 feet away from the wetlands. He stated that an administrative approval for another application last year was done that was similar to this. If the Commission does not agree, this will come in as a new application next month.

Mr. Beach stated that a homeowner on Hopmeadow Street would like to put in a barn on sonotubes. There will not be a foundation. The homeowner is willing to come before the Commission, although they would like this to be done administratively if possible.

Commissioner Mihalic stated that this Commission puts conditions on garages

and because the homeowner will be storing vehicles in this barn, this application should come before the Commission. The Commission members agreed.

Regarding Field Number Two at Memorial Field, Mr. Beach stated that Mr. Toner is requesting that the holes in the parking area be filled in with gravel. This parking area is 50 feet away from an existing pond.

Mr. Beach stated that the Morehouse application will also be heard at the next meeting.

VII. STAFF REPORTS

There were none.

VIII. DISCUSSION

There was none.

IX. CORRESPONDENCE/ANNOUNCEMENTS

There were none.

X. ADJOURNMENT

Commissioner Mihalic made a motion to adjourn the meeting at 8:28 p.m. Commissioner Winters seconded the motion, which was unanimously approved.

Respectfully Submitted,

Commissioner Ryan Mihalic, Secretary