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Cc:

ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURSES AGENCY
MINUTES – REGULAR MEETING
May 19, 2009

I. CALL TO ORDER

Chairman Miller called the Regular Meeting of the Conservation Commission/ Inland Wetlands and Watercourses Agency to order at 8:10 PM in the Main Meeting Room of the Simsbury Town Offices. The following members were present: Commissioners Patrick Kottas, Margaret Sexton and Andrew Bucknam. Also in attendance was Howard Beach, Conservation Officer.

II. APPOINTMENT OF ALTERNATES

Chairman Miller appointed Commissioner Kottas to serve in the absence of Commissioner Winters.

III. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of John Zaczyk, Carolyn Pools, Inc., Applicant, for an Inland Wetlands Permit for the construction of an in-ground pool within the 100-foot regulated area of a wetland on property owned by Keith E. and Angela M. Penney and located at 15 Vining Drive.

Mr. Zaczyk stated that there are wetlands on this property that are existing lawn area. The pool will have a cartridge filter so no water will discharge on site. At the end of the year when the pool is emptied, there will be a water tanker to take the water off site.

Commissioner Sexton questioned if this was a chlorinated pool. Mr. Zaczyk stated that this is a salt-water pool.

Commissioner Bucknam questioned if all construction would take place on the existing lawn and anything that is excavated would be taken off site. Mr. Zaczyk stated that all excavated material would be taken off site; they will be putting up a silt fence for extra precaution. Also, this lawn area is flat.

Commissioner Bucknam questioned how close the construction that is closest to the wetland would be. Mr. Zaczyk stated that it is approximately 50 feet from the closest wetland.

Mr. Beach stated that although there is a slight pitch to the backyard, it is parallel to the wetland at its closest point, not toward it.

Commissioner Bucknam made a motion that this is a regulated activity because of excavation and some depositing of material within the 100 foot regulated area of a wetland. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Bucknam made a motion that this is not a significant activity because the work will take place on existing lawn with a 50 foot buffer to the wetland and there will be no real opportunity for downstream sedimentation or any material to travel because of the flat pitch of the lawn. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Bucknam made a motion to grant this permit for the activity consistent with the Staff recommendations. Commissioner Sexton seconded the motion, which was unanimously approved.

IV. INFORMAL PRESENTATION by Phil Doyle, LADA, to discuss renovation plans on property located at the Drake Hill Mall, 710 - 716 Hopmeadow Street in the SCZA Zone.

Mr. Doyle stated that they would like to change the entrance to the site. The DOT is in the process of changing some of the turning lanes on Hopmeadow Street. The driveway currently comes in from Drake Hill Road. He stated that there is a stream that runs underneath the property that is piped under Route 10 and also Iron Horse Boulevard. Mr. Doyle stated that there is currently a lot of confusion and congestion in the parking lot.

Mr. Doyle stated that they have already given an informal presentation to the Zoning Commission and Design Review Board. Originally, they were proposing a larger building on the corner of the site, although DRB had asked that they consider doing a public amenity. They are considering a plaza and green space. In order to do this, there is a section of the brook that may need to be piped. In terms of storm drainage, there are lines that flow down to the brook. They will be putting in a system to renovate the storm water quality both for Mall Way and for the site. Mr. Doyle stated that Henry Moeller has done a preliminary functional evaluation; he has found no wetlands associated with this. This is a water conveyance system that conveys storm water. Mr. Doyle stated that a part of the parking lot is old and collapsing into the culvert; there is debris throughout the area clogging the culvert. There is also a tremendous amount of sediment in the brook. The banks have also eroded further down the stream.

Mr. Doyle stated that the new owners of this location would like to start renovating the site to bring it up to a modern standard. He stated that they are looking at doing some type of mitigation in compensation for piping the brook.

Commissioner Bucknam questioned if this brook existed in a natural state prior to the area being built up around it or if this was a man made culvert. Mr. Doyle stated that he believes that the brook always existed

in some fashion. All of the area around the brook has been filled with approximately 12 feet of fill over time. Commissioner Bucknam questioned if sediment was getting into the brook through piping or if it sheet flowed in. Mr. Doyle stated that both were happening. There are leak offs that come from the various parking lots and there is also sediment that comes in from the State drainage.

Mr. Clark stated that there is approximately a 200 acre watershed that is draining into this area. There is a 48 inch culvert under Hopmeadow Street; the culverts under Iron Horse Boulevard were upsized to the current standards. He stated that there was a drainage study that was done throughout the Town in the 1970's. At that time, it was recommended that the culvert underneath Hopmeadow Street be replaced with a 60 inch culvert. Mr. Clark stated that they will need to work with the DOT because they have jurisdiction within 200 feet of the right-of-way; they will use whatever size the DOT requires in order to meet their standards.

Commissioner Bucknam questioned what piping this section of the brook would do to the velocity of the water flow. Mr. Clark stated that the velocity goes up through the culvert at Hopmeadow Street. It then goes into an open channel, which is quite steep. It then goes back into a culvert underneath Iron Horse Boulevard. The velocity problem comes back at this point. He stated that the velocity would be higher to some extent. This would need to be part of the culvert design.

Regarding the renovation of the parking lots, Mr. Doyle stated that they would be proposing to add more catch basins and put in a Vortech unit. They would be making improvements to the site that would tie together the State system and the parking lots. Commissioner Kottas stated that there are some porous surfaces that may help reduce the runoff. Mr. Doyle agreed. He stated that this site has perfect sandy soils to do this. Mr. Doyle stated that they will also be considering the outcome of the Charrette process regarding their project. They do have some ideas of doing things on Mall Way. Initially, they would like to make improvements to the parking area and possibly some in the back of the site; they will be looking toward to Charrette outcome regarding these things.

Regarding the mitigation area, Mr. Doyle stated that this would be off site. They will need the Board of Selectmen's approval because this is Town property.

Chairman Miller questioned if it was decided not to have porous pavement, would there be a net increase of impervious cover. Mr. Doyle stated that there would be a net increase. He stated that the Simsbury Center Zone does not have a limit on impervious surface. He stated that one of the reasons that they are looking at using the porous pavement is because there is an area on the site that is open. By using the porous pavement, they will be reproducing this condition.

Mr. Doyle stated that the Fitzgerald's does not want to lose any of their parking spaces in front of the building. They have designed the parking area to allow 8 foot islands throughout the parking lot. They have also

discussed this with the DRB and Zoning Commission regarding cutting patches out of the pavement and putting in trees; this will allow more green on the site and will also cool the pavement. Regarding the service vehicles, Mr. Doyle stated that they will be putting a service drive connection onto Drake Hill Road. This will take all of the service vehicles out of the front parking lot and will let this be for customers only. This will also help change the traffic patterns.

There was some discussion regarding green roofs. Other Towns have used green roofs in some of their projects. Mr. Doyle stated that the owners of this site would like to renovate this shopping center over the next 10-15 years; this upcoming application is the first step. He stated that changes like the green roof may be things that could happen in the future.

Commissioner Sexton questioned if a site walk would be needed for this application or if a public hearing would need to be held. She stated that this may impact the timing for an application. Mr. Beach stated that the report indicated that there was no wetlands on the site; this is a water conveyance system with low biological value. He stated that unless the Commission deems that the application is for a significant activity, it would not need a public hearing. Chairman Miller stated that he believes the porous asphalt would be an improvement to the site; there would not be as much runoff coming off of the site.

Mr. Doyle stated that he will be working with Mr. Beach to address the wetland issues prior to coming back with a formal application. They will also be working simultaneously with the Zoning Commission and DRB in order to move forward.

V. APPROVAL OF MINUTES – March 10, 2009 Special Joint Commission Workshop, April 7, 2009 regular meeting and May 5, 2009 regular meeting. Chairman Miller tabled the approval of minutes until the next meeting.

VI. RECEIPT OF NEW APPLICATION(S)

There were none.

VII. STAFF REPORTS

There were none.

VIII. DISCUSSION

Continuation of discussion on LID standards

Chairman Miller stated that they would discuss this at the next meeting.

IX. CORRESPONDENCE/ANNOUNCEMENTS

There were none.

X. ADJOURNMENT

Commissioner Bucknam motioned to adjourn the meeting at 9:15 PM.

Commissioner Kottas seconded the motion, which was unanimously approved.

Respectfully Submitted,

Commissioner Ryan Mihalic, Secretary