



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

*Office of Community Planning and Development*

## MINUTES

### CONSERVATION COMMISSION/INLAND WETLANDS AND WATERCOURSES AGENCY

REGULAR MEETING-TUESDAY, May 18, 2021 7:30 PM

CALL TO ORDER: 7:31PM

ROLL CALL: Present – Chairman Winters, Commissioners, Levy, Campolietta. Alternate Haldeman was invited to sit. A quorum was established. Wetlands agent Hazel was also present.

PUBLIC HEARINGS: None

#### NEW BUSINESS:

**Application #21-09** Juliano's Pools Applicant agent, Jill and Gavin Schwarz Owner, 9 Wyngate, Assessors Map C04, Block 203 Lot 053, Zone R-80 OS. Installation of an in-ground pool in wetland soils.

The proposed pool is located in a lawn area that is designated wetlands due to soil type. The agent observed the location and after multiple adjustments to the pool location to move it as far from what can be described as the functioning wetlands, a final plan was submitted. The contractor made all efforts to accommodate the agent's requests. The agent also stated he observed that where the lawn area sloped down into the more wooded area, at the toe of the slope you were able to observe a more functioning wetland with moister soils and hydrophytic vegetation present. The contractor spoke to the proposed silt fence and hay bales to be used and that some dead and dying trees in the area of the pool location would be removed and a few maples in the direct location of the pool would be removed. Any trees in the "functioning area would have the stumps left to minimize any disturbance. The pool filter would be a cartridge style as to not require backwashing and any materials excavated would be removed from the site in trucks designed for wet materials.

**Motion:** Commissioner Haldeman made a motion that this is a regulated activity, commissioner Levy seconded, all voted in favor (4-0-0). Commissioner Haldeman made a motion that this would not be a significant activity, commissioner Levy seconded, all voted in favor (4-0-0). Commissioner Haldeman made a motion to approve the application with standard conditions, commissioner Levy seconded, all voted in favor (4-0-0).

**Application #21-10** Harold Harris owner/applicant, 292 Bushy Hill Road, Assessors Map D15, Block 420, Lot 041, Zone R40. Filling and grading in the upland review

The owner applied for an after the fact approval. The agent was made aware of the activity by a neighbor who was concerned. In speaking with the home owner the agent determined that the homeowner had a tri axel of topsoil brought in and graded out and hydro seeded. The reasoning was that water shedding from the neighbor's house was pooling in his yard rather than moving through an old swale towards the

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wetlands. His intent was to re-establish the swale and stop the puddling. Due to the distance from what the homeowner knew to be wetlands he was unaware for the need of a permit. When explained by the agent, the homeowner applied and was accommodating to the request of the commission to be heard. At the point of the meeting grass had established and all soils were secure from erosion and the homeowner stated that the swale was again working as intended.

**Motion:** Commissioner Levy made a motion that this was a regulated activity, commissioner Haldeman seconded, all voted in favor (4-0-0). Commissioner Levy made the motion that this was not a significant activity, commissioner Haldeman seconded, all voted in favor (4-0-0). Commissioner Levy made the motion to approve the after the fact application, commissioner Haldeman seconded, all voted in favor (4-0-0).

#### OLD BUSINESS:

**Application #21-08** Stardust LLC application, 20 Tariffville Road, Assessors Map I06, Block 439, Lot 016A, Zone B-1. Construction of a self-storage facility with infiltration basin located in the upland review.

Terri-Ann Hahn representing LADA Land Planners and Steven and Lisa Antonio owners were present to represent the application. The proposal is for a storage facility on a parcel containing a large asphalt parking area for an existing restaurant, a residential home and a garage facility with an associated building. The proposal is for an infiltration basin in the upland review to treat the storm water coming from the proposed storage facility. There would also be improvements to the storm water drainage system that serves the restaurant in order to improve water quality prior to discharge. The infiltration system will be designed for a 100 year storm and will meet all MS-4 requirements. There will be 0.6 ac of disturbance in the upland review area and the silt fence proposed will be a three layer system to protect the wetlands and to protect an existing access drive from the proposed activities. The hope is to start the project in the fall and be done by spring. The commission inquired about the planting schedule and asked that nonnatives be avoided in favor of natives and due to the proximity of the Farmington River that no known invasive species be used.

**Motion:** Commissioner Campolieta made a motion that this is a regulated activity, commissioner Haldeman seconded, all voted in favor (4-0-0). Commissioner Campolieta made a motion that this was not a significant activity, commissioner Haldeman seconded, all voted in favor (4-0-0). Commissioner Campolieta made a motion to approve the application with standard conditions, commissioner Haldeman seconded, all voted in favor (4-0-0).

#### AGENT ACTIONS:

**Application #21-07** Arthur House owner, 137 East Weatogue Street, Assessors Map H11, Block 107, Lot 048, Zone R-40. Construction of a shed in the upland review.

The proposed shed was 60 to 80 feet from any mapped wetlands. The shed was being put on a gravel base with minimal need for any grading. The proposed shed is 13 x 20 in size. The agent saw no chance for impacts and saw nothing significant in the proposal.

#### GENERAL BUSINESS:

**Minutes:** Minutes from April 20, 2021 Motion to approve was made by Commissioner Campioleta and seconded by Commissioner Levey. Approved unanimously (4-0-0).

#### CORRESPONDANCE:

None

**CONSERVATION BUSINESS:**

A discussion was had about the addition of information on plantings for birds to the webpage. A document was provided to the agent from the chair and the agent is working on getting that posted.

**ADJOURNMENT:**

Commissioner Levy made a motion to adjourn at 8:33 PM, Commissioner Campioleta Seconded. All voted in Favor. Vote: 4-0-0.