

February 28, 2022

Mr. Thomas Hazel
 Assistant Town Planner
 Town of Simsbury
 933 Hopmeadow Street
 Simsbury, CT 06070

Re: Barber Cove Residential Development
32-36 Iron Horse Boulevard
Simsbury, Connecticut
SLR #17126.00001.150

Dear Mr. Hazel,

As discussed, the developer of the above referenced project is seeking town approval of some minor site plan amendments required by the Connecticut Department of Energy & Environmental Protection (CTDEEP). They include the elimination of the stone dust path near the wetlands and the paved perimeter walkway. The intent is for the grading and other plan elements to remain unchanged. Figure 1 identifies the pathways to be eliminated in red.

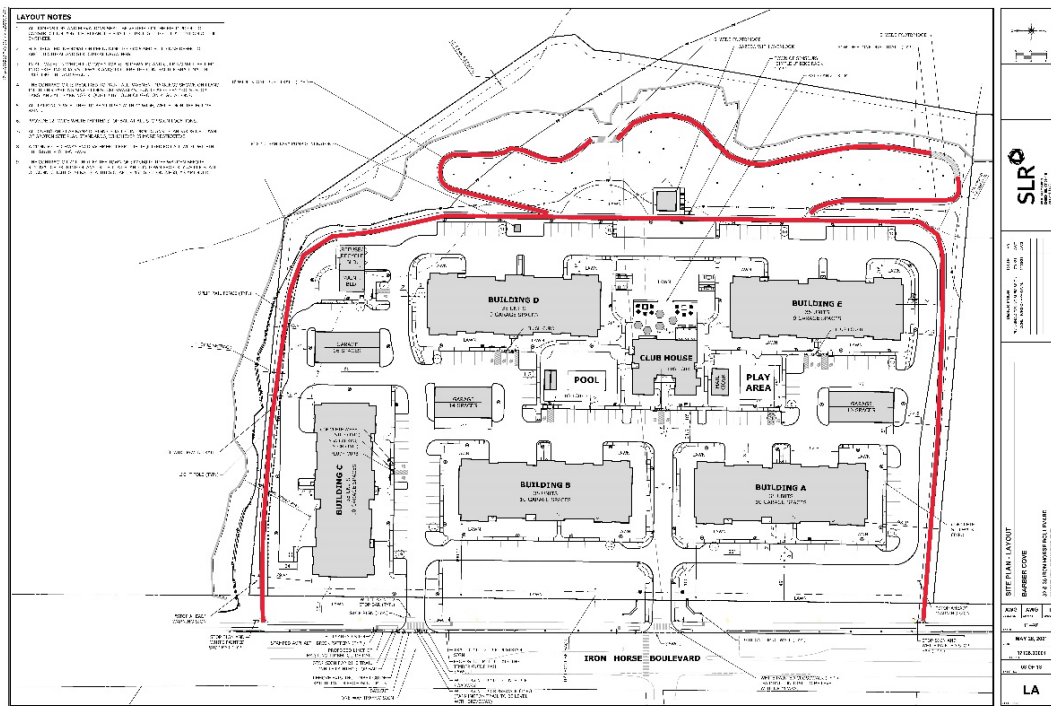


Figure 1

These revisions to the plans are required by the CTDEEP as part of the Natural Diversity Data Base (NDDB) determination process needed for the project to register with the CTDEEP under the Stormwater General Permit for Construction Activities. The CTDEEP is requiring that these trails and pathways (impervious areas) be eliminated when they are within 100 feet of the wetlands. With the elimination of a portion of the paved pathway, there is no reason to keep the remaining portion as it could not loop back onto the Iron Horse Boulevard walkway. A copy of the CTDEEP letter dated February 10, 2022, is attached.

The developer is looking to start construction soon and is requesting that the town administratively approve these plan changes.

If you have any questions or require any additional information, please do not hesitate to contact me at (203) 271-1773.

Sincerely,

SLR International Corporation



Thomas J. Daly, PE
US Manager of Civil & Structural Engineering

Enclosures

cc: Chris Nelson and Greg Ugalde – 32-36 Iron Horse, LLC

17126.00001.150.f2822.ltr.docx



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

February 10, 2022

Megan B. Raymond
SLR International Corporation
99 Realty Drive
Cheshire, CT 06410
mraymond@slrconsulting.com

Project: Residential Development Barber Cove Located at 32 & 36 Iron Horse Boulevard in Simsbury, Connecticut
NDDB Determination No.: 202007009 Revised February 10, 2022

Dear Megan,

In response to information provided and reviewed after issuance of the original NDDB Determination letter for the above-reference project, the following describes modifications to the terms of that Determination.

Freshwater mussels and Northern leopard frog – Eastern boundary:

On August 13, 2021, Research group Biodiversity conducted a habitat assessment and submitted a report with the following findings:

“Nearly all of the remnant oxbow is uninhabitable for freshwater mussels because a combination of very shallow water that dries out completely during most dry seasons, poor substrate conditions including excessive organic detritus and silt, and poor water quality in these types of aquatic habitats, especially seasonal hypoxia or anoxia. It is possible that the one small area of the oxbow that retains standing water in most years could support the most tolerant mussel species, likely only eastern floater (Pyganodon cataracta), but the oxbow does not provide habitat for any of Connecticut’s state-listed mussels. A 100-ft setback from the oxbow is not necessary to protect state-listed mussels, since the oxbow does not provide habitat for these species.”

Based on these findings, we have removed the pre-construction mussel protection measure requirement to recreate/create a 100-foot native vegetative buffer from the referenced oxbow.

However, as noted in follow-up discussion, the eastern edge of this property is of importance to listed species other than freshwater mussels, including northern leopard frog. NDDB recognizes that there are no structures proposed within the 100’ buffer area on this eastern edge. The following measures must be implemented along the eastern edge of the property:

- The proposed stone dust path must be removed from the design plan.
- The planting plan shall include species appropriate to alluvial swamp. Project proponents must consult with a qualified herpetologist to prepare a planting plan species list. NDDB must be provided the name of the herpetologist prior to preparing this list, and the proposed planting list must be submitted to NDDB.
- An invasive species management plan must be prepared and implemented.

Northern leopard frog – Northern boundary:

Alluvial swamp habitat, a type of habitat utilized by northern leopard frog, is known to occur within 100’ of this property and project boundary. Typically, in order to protect this habitat a 100’ no-impact buffer is a standard requirement for projects such as this. On this site, the 100’ buffer area occurs both within and beyond the property line. The project design includes four proposed structures where a portion of each is located in the buffer area, as well as a paved trail within the buffer area. Pursuant to lengthy discussions of on-site conditions, NDDB understands that portion of this buffer for which additional disturbance is proposed is at a higher elevation (plateau) and is already severely disturbed and denuded of vegetation. Because of the existing disturbance and elevation, combined with stormwater management that will direct runoff to the east, it is unlikely that the proposed structures will cause additional deterioration to the adjacent northern alluvial swamp habitat. For these reasons, the structures proposed within 100’ of alluvial swamp may be allowed. The proposed paved pathway must be removed from the design. Disturbance to this buffer area, while permitted as noted, must be minimized.

Additional protections for northern leopard frog, as outlined in the original determination and repeated below, are still applicable to this project.

Recommended Protection Measures for State Special Concern Northern Leopard Frog:

Most work should occur during the frog's active period (between March and October). Additional protection strategies that protect and enhance wetland habitat should be implemented in all areas where floodplain and alluvial marsh and wet meadow habitat will be impacted. No gravel or hard surface should be placed in any floodplain or alluvial marsh habitat. Construction personnel should also be notified of the presence of this species and provide information to assist in the identification of leopard frogs. During disturbance, geotextile silt fence is required be installed along the perimeter of the project disturbance limits and will serve as a barrier for the northern leopard frog to access the work area. Any sightings of these frogs should be reported to the Natural Diversity Data Base (deep.nddbrequest@ct.gov) using a special animal form along with photographs to ensure proper identification of this species. The link to this form can be found here:

https://www.ct.gov/deep/lib/deep/endangered_species/general_information/Vertebrateform.pdf

If work must be conducted during the dormant season (November through February), then use of temporary matting will help avoid negative impacts to this species. Matting should be removed promptly, once the project is complete.

Blueback Herring

There are records for State Special Concern blueback herring in the vicinity of this project. Please be advised that a DEEP Fisheries Biologist will review the permit applications you may submit to DEEP regulatory programs to determine if your project could adversely affect blueback herring. DEEP Fisheries Biologists are routinely involved in pre-application consultations with regulatory staff and applicants in order to identify potential fisheries issues and work with applicants to mitigate negative effects, including to endangered species. If you have not already talked with a Fisheries Biologist about your project, you may contact the Permit Analyst assigned to process your application for further information, including the contact information for the Fisheries Biologist assigned to review your application.

This determination is good for two years. Please re-submit an NDDB Request for Review if the scope of work changes or if work has not begun on this project by June 28, 2023.

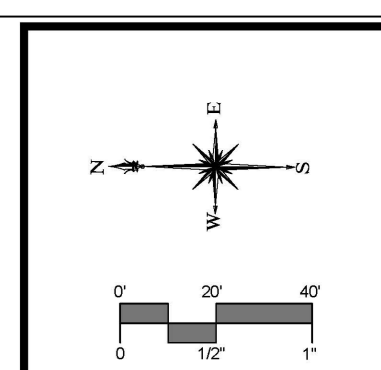
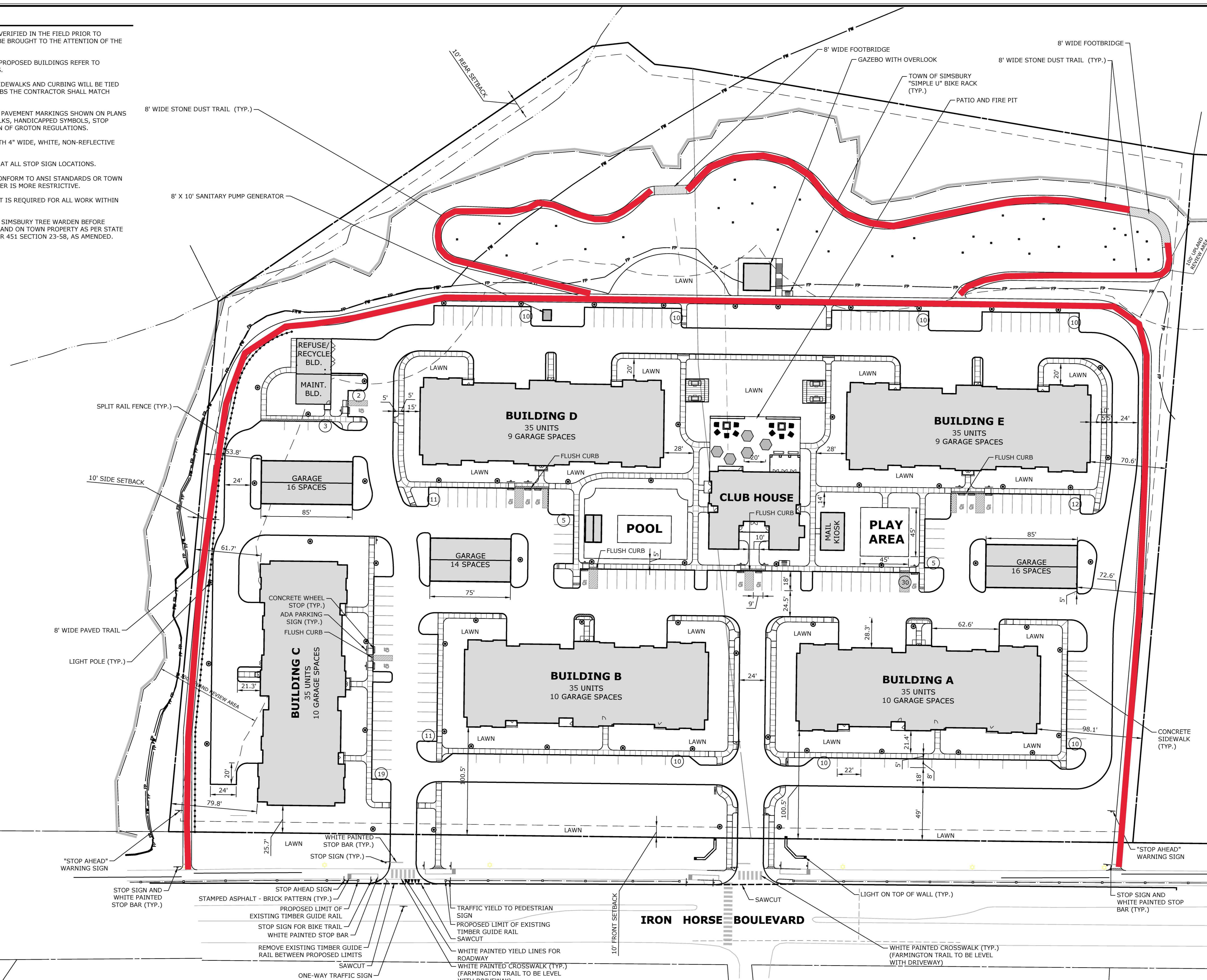
Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as enhance existing data. Such new information is incorporated into the Data Base as it becomes available. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Please contact me if you have further questions at (860) 424-3592, or robin.blum@ct.gov. Thank you for consulting the Natural Diversity Data Base.

Sincerely,
Robin Blum
Wildlife Biologist

LAYOUT NOTES

1. ALL DIMENSIONS AND ELEVATIONS SHALL BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER.
2. FOR DETAILED INFORMATION PERTAINING TO PROPOSED BUILDINGS REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS.
3. IN ALL CASES IN WHICH PROPOSED ROADS, SIDEWALKS AND CURBING WILL BE TIED INTO EXISTING ROAD/SIDEWALK AND/OR CURBS THE CONTRACTOR SHALL MATCH EXISTING LINE AND GRADE.
4. THE CONTRACTOR IS REQUIRED TO PAINT ALL PAVEMENT MARKINGS SHOWN ON PLANS INCLUDING PARKING SPACE LINES, CROSSWALKS, HANDICAPPED SYMBOLS, STOP BARS, AND ALL MARKINGS REQUIRED BY TOWN OF GROTON REGULATIONS.
5. ALL PARKING SPACE LINES TO BE STRIPED WITH 4" WIDE, WHITE, NON-REFLECTIVE PAINT.
6. PROVIDE 12" WIDE WHITE PAINTED STOP BAR AT ALL STOP SIGN LOCATIONS.
7. ALL CURB/HANDICAP RAMP DESIGNS SHALL CONFORM TO ANSI STANDARDS OR TOWN OF GROTON SITE PLAN STANDARDS, WHICHEVER IS MORE RESTRICTIVE.
8. A CONNDOT HIGHWAY ENCROACHMENT PERMIT IS REQUIRED FOR ALL WORK WITHIN THE STATE RIGHT-OF-WAY.
9. THE CONTRACTOR WILL NOTIFY THE TOWN OF SIMSBURY TREE WARDEN BEFORE REMOVAL OR PRUNING OF ANY TREES THAT STAND ON TOWN PROPERTY AS PER STATE OF CONNECTICUT GENERAL STATUTES CHAPTER 451 SECTION 23-58, AS AMENDED.



DESCRIPTION	DATE	BY
PLANNING & ZONING SUBMISSION	7/20/21	AWG
CONDITIONS OF APPROVAL	11/23/21	AWG

SITE PLAN - LAYOUT
BARBER COVE
 32 & 36 IRON HORSE BOULEVARD
 SIMSBURY, CONNECTICUT

AWG	AWG	TD
DESIGNED	DRAWN	CHECKED

SCALE: 1"=40'

DATE: MAY 28, 2021

PROJECT NO.: 17126.00001

SHEET NO.: 03 OF 13

LA