

47 b. Short-term impacts from the proposed development will be controlled by installation and
48 maintenance of erosion and sediment controls and construction run-off controls.
49

50 And subject to the following conditions:
51

- 52 1. The project shall be developed in substantial conformance to the site plan on page 2 of the
53 Staff Report dated March 21, 2023.
- 54 2. Final stabilization of disturbed soil areas shall be stabilized with the application of loam,
55 seed, required plantings and appropriate erosion control measures.
- 56 3. At all times during site work and until soil areas are stabilized, the applicant shall install and
57 maintain erosion and sediment control measures depicted on the plan shown in the Staff
58 Report, including fabric filter fence or other measures deemed necessary by the
59 Commission's agent to prevent erosion and sedimentation impacts to wetlands and
60 watercourses.
- 61 4. All erosion control and soil stabilization measures shall comply with the approved plans and
62 guidelines as established in the Connecticut Guidelines For Soil Erosion and Sediment
63 Control, 2002, CTDEP Bulletin 34.
- 64 5. Upon direction of the Commission's agent, erosion and sediment control measures shall be
65 removed by the applicant following stabilization of the site.
- 66 6. The Inland Wetlands Agent shall be notified at least 48 hours prior to commencement of
67 activities.
68

69 Mr. Levy seconds.
70

71 All in favor, no opposed, no abstentions. (7-0-0)
72

73 **Application CC #23-09** of BDC Home Improvement Services, LLC, Owner, for a wetland
74 permit to allow grading, paving, and construction of a +/- 2,742 sq. ft. of the site in the upland
75 review area, associated with construction of a +/- 2,607 sq. ft. house, at 54 Great Pond Road.
76 (Assessor's Map F08, Block 110, Lot 127) Simsbury, CT 06070. Zone R-40OS.

- 77 • Terri Hahn, Principle and Landscape Architect representing the Applicant, provides an
78 overview of the project, noting the lot is part of a 1970s open space subdivision with
79 three lots for sale with wetlands and an associated stream corridor towards the back of the
80 property.
- 81 • Ms. Winters inquires if there are invasive species on site. Mr. Hahn notes invasive
82 species, including bittersweet, have been noted, but there are no plans to address these as
83 part of the current project. Ms. Winters recommends removal of the invasive species as
84 part of the project.
- 85 • Mr. Eaton inquires about the plans for site grading. Ms. Hahn notes that the grading will
86 make the property relatively flat and the applicant will remove excess material from the
87 area. There is a 5% slope backwards to the woods.
88

89 **Motion:** Mr. Haldeman moves that the Conservation Committee approves Application CC#23-
90 09 of BDC Home Improvement Services, LLC, Owner, for a wetland permit to allow grading,
91 paving, and construction of a +/- 2,742 sq. ft. of the site in the upland review area, associated

92 with construction of a +/- 2,607 sq. ft. house, at 54 Great Pond Road. (Assessor's Map F08,
93 Block 110, Lot 127), based upon the following findings:

- 94
95 a. The project will not adversely impact the wetlands.
96 b. Short-term impacts from the proposed development will be controlled by installation and
97 maintenance of erosion and sediment controls and construction run-off controls.
98

99 And subject to the following conditions:

- 100
101 1. The project shall be developed in substantial conformance to the site plan dated 3-1-2023,
102 prepared by LADA, P.C.
103 2. Final stabilization of disturbed soil areas shall be stabilized with the application of loam,
104 seed, required plantings and appropriate erosion control measures.
105 3. At all times during site work and until soil areas are stabilized, the applicant shall install and
106 maintain erosion and sediment control measures depicted in the plot plan (see condition #1)
107 such as fabric filter fence or other measures deemed necessary by the Commission's agent to
108 prevent erosion and sedimentation impacts to wetlands and watercourses.
109 4. All erosion control and soil stabilization measures shall comply with the approved plans and
110 guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment
111 Control, 2002, CTDEP Bulletin 34.
112 5. Upon direction of the Commission's agent, erosion and sediment control measures shall be
113 removed by the applicant following stabilization of the site.
114 6. The Inland Wetlands Agent shall be notified at least 48 hours prior to commencement of
115 activities.
116 7. Commission recommends that invasive species on the property are removed.
117

118 Mr. Campolieta seconds.

119
120 All in favor, no opposed, no abstentions. (7-0-0)
121

122 **Application CC #22-29** of Vessel RE Holdings, LLC, Applicant, EAY Properties, LLC, Owner,
123 for a wetland permit to allow grading and construction of site improvements, including parking
124 lot, landscaping, retaining wall, and guard rail in the upland review area, associated with an 80-
125 unit multi-family development, at 446 Hopmeadow Street. (Assessor's Map G13, Block 142,
126 Lot 003C) Simsbury, CT 06070. Zone R-15.

- 127
- 128 • Ms. Winters opens the floor for public comment.
 - 129 • Pat Weisbrich, of 3 Lenora Drive, objects to the placement of this project on a single-
130 family lot. She is concerned there will be a negative impact to the wetlands and that the
131 landscaping plans will not be successful as a result of the site development. She believes
132 the snow removal plan is not adequate and the pre-storm ice melt, engine oil, and other
133 contaminants will drain into and pollute the wetlands. She is also concerned about the
134 impact the lighting and noise will have on the ecosystem.
 - 135 • Kathryn Godiksen, of 7 Nutmeg Court, is concerned about the pollution this project will
136 create and notes that the building will be made of synthetic material that contains
137 chemicals. As the property will be clear-cut and topsoil will be removed, the life under
the soil will be destroyed. She is concerned with the electrical levels radiating off of the

138 building, the light and noise pollution that will be created, and the vehicular exhaust that
139 will pollute the water.

- 140 • Jonah Lipar, of 6 Joshua Drive, would like to understand how light and noise pollution
141 will be handled and comments that he believes the light and run-off from thermal
142 pollution will damage the habitat.
- 143 • Ann McDonald, of 3 Tamarack Lane, calls into question the numbers utilized in the
144 technical management report, voicing concern that the riverfront lot separated by a state-
145 owned railway bed should not be included in the square footage, as this is a separate lot.
146 As a result, she also calls into question other measurements including the size of the
147 parking lot, the roof, and the size of the storm water management system. She is
148 concerned with the backflow at Second Brook as a result of this project, noting that
149 standing water will have a negative impact on the surrounding ecological area.
- 150 • Ms. Winters requests that Ms. McDonald submit her calculations to the Commission for
151 review.
- 152 • Kelly Rothfuss, of 14 Nutmeg court, is concerned with the snow removal plan,
153 referencing the Zoning Committee meeting from the prior night. She believes that the
154 snow piles will be more than 44 inches high and is concerned that one of the snow piles
155 will be on the corner of the wetland. She is concerned with the pollution this project will
156 create. She notes that the area has experienced 3 years of La Nina, which is
157 unprecedented and has concern that the measurements of the wetland and surrounding
158 areas are not up to date. She is concerned that the soil will not be able to absorb the
159 excess water and run-off created by this project.
- 160 • Susan Masino, of 41 Madison Lane, has concerns around the health effects of the light
161 and noise pollution. She comments that this public policy does not consider public health
162 and the destruction of the wetlands.
- 163 • Susan Vankleef, of 6 Mallard Circle, encourages the Commissioners to visit the site,
164 noting affordable housing is needed, but there is a better way to implement affordable
165 housing.
- 166 • Ellen Gilbert, of 126 Hopmeadow Street, notes that there are alternative locations where
167 the project would be better suited, including the site where the Hartford Insurance
168 Company was located, the town center or on Iron Horse Boulevard. She asks about the
169 safety of the calcium chloride to be utilized as part of the snow treatment plan. She
170 references the Minnesota Storm Water Manual, which indicates that calcium chloride
171 when mixed with water creates heat, which can have an impact on the wildlife and
172 surrounding water.
- 173 • Josh Weiss, of 4 Oakwood Road, notes that the site has a flood plan nearby and wanted to
174 ensure this is going through the state permitting process. He believes there are muscles in
175 the water, which would be killed by the storm water. He comments that a retaining wall
176 is good but it eliminates the terrestrial habitat and inquires if there are vernal pools. As
177 the soil is poorly drained, this development raises a red flag that warrants a second look.
- 178 • Andrew Sylvaine, of 6 Riverview Circle, notes that one of his main concerns is the view
179 from his neighbors' backyards. He is also concerned about the exhaust that will settle
180 and pool down in the area, which the immediate neighbors will smell and have a negative
181 impact on health. He is concerned with the light pollution and the trash that will collect
182 in the wetlands. He invites the Commissioners to visit the site.

- 183 • David Pariseault, of 1 Riverview Circle, questions if anything that is disturbed needs to
184 be re-established.
- 185 • Peter Alter, Attorney from Alter and Pearson, provides responses to public questions and
186 first requests Mr. Moran, Civil Engineer from H+H Associates, to respond to Ms.
187 McDonald's analysis.
- 188 • Mr. Moran presented the storm water management analysis, noting the acreage utilized
189 is larger than the lot site because the contributing drainage area coming from uphill needs
190 to be included; however, the parcel of land on the opposite side of the trail has not been
191 included in the calculations.
- 192 • Mr. Alter reiterates there are no wetlands on the site and they are requesting a wetlands
193 permit because a portion of the wetland review area is located in the area that is being
194 proposed for the development of parking spaces, an area for the dumpster location, and
195 the storm water discharge point.
- 196 • Mr. Alter notes that in response to the questions around lighting, and as suggested by Ms.
197 Winters, there is no objection to including the installation of lighting of no more than 3
198 kelvin as a condition of approval.
- 199 • Mr. Alter notes that in response to the request to manage the parking lot lighting from 10
200 p.m. until dawn, he has spoken with a lighting expert and the lights are able to be dimmed
201 to 40% (possibly 20%), and he has no objection to including this as a condition of
202 approval.
- 203 • Mr. Alter notes that a new site plan has been provided. The primary changes relate to the
204 storm water management system. One of the changes is the elimination of the detention
205 basin on east side and in its place creating a lawn area for passive recreation for the
206 tenants. The detention basin on the westerly side of the building is now a rain garden.
207 Additionally, there have been updates to the plant listing, noting that any species that are
208 not native have been removed from the plan. A hard copy of the new plan has been
209 submitted to Town Staff.
- 210 • Mr. Alter notes in response to concerns over bears accessing the trash, he has consulted
211 with Paine's Recycling and Rubbish and they will install a bear resistant dumpster.
212 Paine's has indicated that the dumpsters are appropriately sized for the development.
- 213 • Mr. Alter recommends the use of calcium chloride brine as a pre-treatment for snow as it
214 results in a reduction of ~20% of what would be utilized if pre-treatment was not
215 completed. However, if the Commission is not comfortable with this approach, they will
216 not pre-treat for snow.
- 217 • Mr. Alter references the University of New Hampshire Storm Water Center to address
218 concern over thermal impact as a result of the collection of storm water that would
219 ultimately discharge. UNH article concludes that the utilization of infiltration is the
220 optimal solution, as it will reduce elevated summer run-off temperatures through
221 underground chambers as the ground water is at a lower temperature than surface water.
- 222 • Mr. Alter notes that the Commission seemed concerned with discharge and potential
223 impacts on the wetland. He references an article from the UNH Storm Water Center,
224 nothing that low impact designs (LID) have removal efficiencies of 80-100%, and the
225 system proposed is well within the standard. He concludes that a dynamic separator
226 followed by a large subsurface infiltration system of perforated pipes is the highest water
227 quality treatment that storm water could receive.

- 228 • Mr. Alter does not believe a further study of the wetland would provide any additional
229 information.
- 230 • Mr. Alter responds that the building is made of material that is easy to clean without
231 chemicals so that will not be an issue.
- 232 • Mr. Sipperly, Certified Soil Scientist and CT Wetland Scientist, responds to the question
233 of whether it is appropriate to insist on further study of the wetland area with respect
234 to species. He notes that this is a high-quality wetland with functions and values that will
235 continue to operate and function and the project will not impact any species found in the
236 wetlands. Mr. Sipperly also notes that there are three pipes underneath the bike path that
237 do not appear to be maintained and recommends that those be reviewed to ensure Second
238 Brook continues to function.
- 239 • Mr. Moran notes that in the previous meeting he indicated that the storm water filtration
240 removed 50% of petroleum hydrocarbons; however, the number is much higher as the
241 treatment train from the catch basins provides 9% removal and the subsurface infiltration
242 system provides over 80% removal.
- 243 • Mr. Moran notes that the site super will be responsible for maintenance of the system and
244 the log will be sent to the town.
- 245 • Mr. Moran notes there are two separate discharge points and the discharge rates are not
246 significant. There will be no direct discharge to the wetland from the snow storage areas.
- 247 • Mr. Alter indicates that new plans have been submitted to Town Staff, which have
248 incorporated a number of changes including: the elimination of the eastern detention
249 area, the addition of a 36 inch high fence along the entire stretch of the area to minimize
250 light pollution to the north, a bear-resistant dumper, a cape-cod curb, an emergency
251 egress from the bike trail through the property, the placement of HVAC units to the
252 southeast corner far from the upland review area and changes in the utility plan to
253 respond to changes in storm water management plan.
- 254 • Ms. Winters inquires if the end wall of the building could be solid as opposed to
255 transparent to minimize light pollution. Mr. Alter notes that it must be transparent
256 because it is open to the air, but he does not have a picture to provide the Commission.
- 257 • Ms. Winters asks who will do the pre-treatment of the driveway and clearing of the
258 sidewalks. Mr. Alter responds that the same contractor that is hired to manage the snow
259 will perform those tasks.
- 260 • Mr. Campolieta asks about the parking spaces that will be cleared for snow removal and
261 how will this be accomplished if cars are parked in those spots. Mr. Alter and Mr. Moran
262 note that when a storm is anticipated, there will be restrictive cones placed to prevent cars
263 from parking in those spots. If this is not able to be done, the tenants will provide their
264 contact information and will be asked to move their vehicles.
- 265 • Ms. Winters inquires whether a prudent alternative of a smaller building with fewer
266 parking spots was considered from a wetland's perspective. Mr. Alter notes that he
267 advised his client to request permission for full capacity; however, if the Commission felt
268 a certain reduction of units would be satisfactory for approval, then the developer would
269 consider this.
- 270 • Mr. Levy inquires if the dumpster could be relocated out of the upland review area. Mr.
271 Alter responds that they are open to relocating the dumpsters.

- 272 • Mr. Eaton inquires about the potential for another building to be developed on the
273 property across the street, which would result in additional run-off. Mr. Moran responds
274 that there is sufficient capacity in the storm water management system to account for this.
- 275 • Mr. Haldeman asks how many 100-year storm events have occurred in the past 10 to 20
276 years. Mr. Moran responds that he is not certain on the number.
- 277 • Mr. Eaton asks about the main discharge from the underground system and asks how big
278 the riprap is. Mr. Moran says the sizing is based on the flow and velocity of the and the
279 stone that is there is longer and wider than the calculation. The velocity for the 25-year
280 storm event is 3.4 feet/second and 1.32 cubic feet/second.
- 281 • Mr. Eaton inquires about the northeast corner (FES1) and at what point this surface basis
282 would this discharge. Mr. Moran responds that the discharge is .52 cfs for a 25-year
283 storm event.
- 284 • Ms. Winters requests copies of the planting plan and the revised storm water
285 management plan. Mr. McGregor responds that Town Staff will get those to the
286 Commissioners tomorrow.
- 287 • Mr. Alter requests that the public hearing remain open, as the Commissioners need to
288 review the revised plans.

289
290 **Motion:** Mr. Campolieta makes a motion that Inland Wetlands and Watercourses Agency
291 continue the public hearing on application CC#22-29 of Vessel RE Holdings, LLC, Applicant,
292 for a wetlands permit at 466 Hopmeadow Street at its next regular meeting on April 4, 2023 at
293 the Town of Simsbury Library at 725 Hopmeadow Street in Simsbury at 7:30 p.m. Mr. Levy
294 seconds.

295
296 All in favor, no opposed, no abstentions. (7-0-0)

297 298 **IV. GENERAL COMMISSION BUSINESS**

299
300 Minutes: February 21, 2023
301 March 7, 2023

302
303 **Motion:** Mr. Levy motions to table the review of the Minutes to next Regular Meeting of the
304 Commission on April 4, 2023. Mr. Campolieta seconds.

305
306 All in favor, no opposed, no abstentions. (7-0-0)

307 308 **V. AGENT ACTIONS**

309
310 **Application 23-07** of David McIntyre, Owner, for a wetland permit for the construction of 288
311 sq. ft. 2nd story addition over an existing deck in the uplands 9 Grimes Brook Place. (Assessor's
312 Map F07, Block 107, Lot 019) Simsbury, CT 06070. Zone R-15.

313
314 **Application 23-08** of Lawrence Fazzolari, Stateline Propone, Applicant, for a wetland permit to
315 install a 1000-gallon, above ground propane tank and associated trenching in the upland review
316 area at 22 Meadow Crossing. (Assessor's Map C04, Block 203, Lot 017) Simsbury, CT 06070.
317 Zone R-80OS.

318
319 **Application 23-10** of Northeast Pinstripes, LLC, Owner, for a wetland permit to allow clearing
320 and excavating of a +/- 1,307 sq. ft. of the site associated with the attachment of a sewer lateral
321 in the upland review area at 54 Church Street. (Assessor's Map K04, Block 204 Lot 020). Zone
322 R-15.

- 323 • Staff added additional erosion and sedimentation control measures.

324
325 **VI. CONSERVATION BUSINESS**

- 326 • Mr. McGregor notes that the Dark Sky letter has been provided to Zoning Commission
327 last evening. No action was taken.
- 328 • As part of POCD update, action items will be discussed before the document is adopted.
- 329 • Town Staff will include discussion of the irrigation pond at Simsbury Farms as a future
330 agenda item for the Commission.

331
332
333 **VII. ADJOURNMENT**

334
335 **Motion:** Mr. Campolieta motions to adjourn. Mr. Levy seconds.

336
337 All in favor, no opposed, no abstentions. (7-0-0)

338
339 The meeting adjourned at 9:57 P.M.

340 Respectfully Submitted,

341
342
343 Cara Blackaby
344 Commission Clerk

345
346
347