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MINUTES
CONSERVATION COMMISSION/INLAND WETLANDS AND WATERCOURSES
AGENCY – REGULAR MEETING
TUESDAY, October 17, 2023 at 7:30 P.M.
Simsbury Town Hall – Board of Education Conference Room
933 Hopmeadow Street, Simsbury, CT 06070

8 **I. CALL TO ORDER & ROLL CALL**

10 Chairman Winters called the meeting to order at 7:30 P.M.

12 **Present:** Assistant Director of Planning and Development, Brittany MacGilpin, Jason Berman,
13 Donald Eaton, Charles Haldeman, Jason Levy, Margery Winters, Kyle Testerman (Alternate),
14 Cailyn Welsh (Alternate)

16 **Absent:** Andrew Bade, Joseph Campolieta

18 Kyle Testerman and Cailyn Welsh are seated as full members in Dr. Bade’s and Mr.
19 Campolieta’s absences.

21 **II. APPROVAL OF MINUTES**

23 October 3, 2023 regular meeting

25 **Motion:** Mr. Haldeman moved to approve the October 3, 2023 minutes for the regular meeting
26 of the Conservation Commission/Inland Wetlands and Watercourses Committee. Mr. Levy
27 seconded the motion.

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

31 **III. NEW APPLICATIONS FOR RECEIPT AND DETERMINATION OF**
32 **SIGNIFICANCE**

- 34 • No new applications

36 **IV. ACTION/PUBLIC HEARINGS ON APPLICATIONS**

38 **Application CC #23-33** of Hop Meadow Country Club, Applicant/Owner, for a wetland
39 permit to allow for the removal of accumulated sediment and soils from the pond located
40 at 85 Firetown Road (Assessor’s Map E08, Block 148, Lot 001) Simsbury, CT 06070,
41 Zone R-40. (*Determined to be potentially significant and public hearing scheduled for*
42 *10/17/2023*)

- 44 • Rob Good, Hydrogeologist from Weston & Sampson Engineers, presented an
45 overview of the project, noting they are proposing to deepen and remove
46 accumulated sediments from the irrigation pond. The work will be within the pond

47 limits except for a temporary roadway. The irrigation pond is located along Grimes
48 Brook. The stockpile area is well outside any regulated wetland area. The pond is an
49 off-channel pond, with no surface water flow into the pond from Grimes Brook.
50 There is a diversion pipe coming into the pond at the northeast corner, permitted
51 through the DEEP water diversion policy act for irrigation. There is a high-water
52 outlet pipe on south end of the pond that flows back to Grimes Brook. Both valves
53 can be shut off to isolate the pond which mitigates the impact to Grimes Brook.

- 54 • Mr. Good presented the dewater discharge analysis, noting that once the project is
55 over there will be no change to flood water storage or conveyance. Based on his
56 evaluation, the increase in water flow based on a 100-year event is insignificant and
57 a detailed analysis of this was included in the package.
- 58 • A wetland impact assessment was completed. Painted turtles were identified on-site
59 and will be relocated during the project.
- 60 • Sediment quality samples were analyzed, and semi-volatile organic compounds were
61 identified associated with roadway run-off, near the outlet pipe from Grimes Brook.
62 As the material will be re-used, this requires a notification to DEEP. The
63 notification package is included with the application.
- 64 • Mr. Good provided an overview of the sequencing of the project, noting that the
65 project will take 3-4 weeks and the dewatering phase will be approximately 2 weeks
66 in the middle of the timeline.
- 67 • Mr. Good discussed the management practices and measures to mitigate impacts to
68 the wetlands including: the short project schedule, the utilization of an experienced
69 contractor, the fact that the area is located within a maintained golf course, the
70 sequenced dewatering, the fact that the pond is an off-channel pond, the utilization
71 of long-reach excavators, the maintenance of the pond edge and on-site reuse, which
72 will mitigate traffic impacts.
- 73 • Mr. Haldeman inquired about the flood storage analysis and summarized the
74 analysis, noting that based on the data provided, 613 gallons per minute is the
75 estimated maximum discharge rate for a 100-year event, which represents an
76 insignificant percentage of the current flow. Mr. Good confirmed, also noting that
77 logistically if there was a flood event, water would likely not be pumped.
- 78 • Chairman Winters opened the meeting for public comment. No comments from the
79 public were made.
- 80 • Ms. Winters inquired when the last time the pond was dredged. Applicants
81 responded that the pond had likely never been dredged.
- 82 • Ms. Winters asked if the sediment is coming in through Grimes Brook. Mr. Good
83 confirmed that was the case.
- 84 • Ms. Winters recommended increasing the width of the buffer to slow down and
85 prevent run-off and recommended utilizing native plants to do this.
- 86 • Mr. Testerman agreed that the buffer between the pond and Grimes Brook could be
87 widened and encouraged utilizing native herbaceous plants in that buffer.

88
89 **Motion:** Mr. Levy moved to close the public hearing. Mr. Haldeman seconded the motion.

90
91 All in favor, no opposed, no abstentions. (7-0-0)

92

93 **Motion:** Mr. Levy moved to approve **Application CC #23-33** of Hop Meadow Country Club,
94 Applicant/Owner, for a wetland permit to allow for the removal of accumulated sediment and
95 soils from the pond located at 85 Firetown Road (Assessor’s Map E08, Block 148, Lot 001)
96 Simsbury, CT 06070, Zone R-40, based on the following findings:
97

- 98 A. Short-term impacts from the proposed development will be controlled by installation and
99 maintenance of erosion and sediment controls and construction run-off controls.
- 100 B. Feasible and prudent alternatives were considered, and a “no-action” alternative was not
101 recommended as the purpose of the project is to enhance the functions and aesthetics of
102 the Irrigation Pond by removal of accumulated sediments and deepening portions of the
103 pond. Alternatives were considered for the material removal and disposal processes and
104 the proposed plan was considered the least impactful to the surrounding wetland soils.
- 105 C. The Applicant provided a mitigation plan to avoid impacts to aquatic wildlife.
106

107 And subject to the following conditions:
108

- 109 1. The project shall be implemented in substantial conformance with the submitted
110 application, reports, and plans as presented by Weston & Sampson, dated September 12,
111 2023.
- 112 2. The project shall conform to the recommendations regarding wildlife relocation as
113 outlined in the report by Davison Environmental titled, “Wetland Impact Assessment
114 Proposed Pond Restoration Hop Meadow Country Club.” Dated September 9, 2023.
- 115 3. At all times during site work and until soil areas are stabilized, the applicant shall install
116 and maintain erosion and sediment control measures depicted in the application or other
117 measures deemed necessary by the Commission’s agent to prevent erosion and
118 sedimentation impacts to the watercourse.
- 119 4. All erosion control and soil stabilization measures shall comply with the approved plans
120 and the guidelines as established in the Connecticut Guidelines for Soil Erosion and
121 Sediment Control, 2002, CTDEP Bulletin 34.
- 122 5. Upon direction of the Commission’s agent, erosion and sediment control measures shall
123 be removed by the applicant following stabilization of the site.
- 124 6. The Inland Wetlands Agent shall be notified at least 48 hours prior to commencement of
125 the activities.
- 126 7. The Commission encourages expanding the width of the buffer and utilizing native
127 plants.
128

129 Mr. Haldeman seconded the motion.
130

131 All in favor, no opposed, no abstentions. (7-0-0)
132

133 **Application CC #23-34** of Manu Singh-Looney, Owner/Applicant, for a wetland permit
134 to allow for the construction of an addition to the home within a regulated area at 10
135 Cedar Glen (Assessor’s Map E10, Block 147, Lot 207) West Simsbury, CT 06092, Zone
136 R-40.
137

138 • Ms. MacGilpin presented an overview of the project, noting the current home is
139 67 feet from the wetland soils and Hop Brook, and, with the addition, it will be 37
140 feet from the wetland soils and Hop Brook.

141
142 **Motion:** Mr. Haldeman moved to approve **Application CC #23-34** of Manu Singh-Looney,
143 Owner/Applicant, for a wetland permit to allow for the construction of an addition to the home
144 within a regulated area at 10 Cedar Glen (Assessor’s Map E10, Block 147, Lot 207) West
145 Simsbury, CT 06092, Zone R-40, based on the following findings:

146
147 A. The project will not adversely impact the wetland soils.

148
149 And subject to the following conditions:

- 150
151 1. The project shall be implemented in substantial conformance with the site plan titled,
152 “Proposed Addition, 10 Cedar Glen” from Clark Land Surveying, LLC, dated 09/15/23.
153 2. Native plantings will be replanted, and invasive species removed on the property to the
154 greatest extent possible.
155 3. At all times during site work and until soil areas are stabilized, the applicant shall install
156 and maintain erosion and sediment control measures depicted in the application or other
157 measures deemed necessary by the Commission’s agent to prevent erosion and
158 sedimentation impacts to the watercourse.
159 4. All erosion control and soil stabilization measures shall comply with the approved plans
160 and the guidelines as established in the Connecticut Guidelines for Soil Erosion and
161 Sediment Control, 2002, CTDEP Bulletin 34.
162 5. Upon direction of the Commission’s agent, erosion and sediment control measures shall
163 be removed by the applicant following stabilization of the site.
164 6. The Inland Wetlands Agent shall be notified at least 48 hours prior to commencement of
165 the activities.

166
167 Mr. Levy seconded the motion.

168
169 All in favor, no opposed, no abstentions. (7-0-0)

170
171 **Application CC #23-35** of Lee Erdmann, Town of Simsbury, Owner, and Adam Kessler,
172 P.E., Deputy Town Engineer, Town of Simsbury, Applicant, for a wetland permit to
173 allow for the rehabilitation of the Flower Bridge at 1 Old Barge Road (Assessor’s Map
174 H11, Block 144, Lot 007), Simsbury, CT 06070, Zone R-15

- 175
176 • Adam Kessler, Town Engineer, presented the project explaining that the coating
177 system has reached its service life. It has been determined that the appropriate
178 approach is to perform a major rehab that will extend the life of the bridge another
179 25-30 years.
180 • Other alternatives were considered, including a “do-nothing” approach, which
181 would lead to further deterioration of the bridge. Another alternative to perform
182 spot repairs was considered, but this would lead to aesthetic issues with paint

- 183 matching and would still require a full containment system, which is costly. It
184 was determined that the full rehab project was the most advantageous approach.
- 185 • The whole bridge will be blast cleaned and recoated. All work will be conducted
186 within a containment system.
 - 187 • The Park and immediate area will be closed to the public to allow for work zone
188 and public safety. The contractor will be limited to the paved area. They will have
189 access to certain specific surrounding parking lots if needed.
 - 190 • Mr. Eaton inquired about when this project is expected to begin. Mr. Kessler
191 noted the Town must go through the bid process, and that the park is slated to be
192 closed from November 2023 through July 2024. Some work may occur in the
193 fall/winter timeframe, but the majority is anticipated to occur in the spring.
 - 194 • Mr. Haldeman inquired if there are any regulations associated with the out-
195 gassing of the coating system.
 - 196 • James Silva, Silver Engineering, responded that he would need to investigate any
197 regulations around VOCs, but he believes the materials are all regulated and
198 specified to have low VOCs.
 - 199 • Ms. Winters opened the floor for public comment.
 - 200 • Jan Lintner, Chairman of Old Drake Hill Flower Bridge, noted that the rust that
201 has built up on the bridge is visible and particles are falling into the river. This is
202 an opportunity to give the bridge another 25-30 years where the river is being
203 protected. She believes this will have many positive impacts for the bridge and
204 for the town.
 - 205 • Ms. MacGilpin noted that Town Staff also received a letter of support that was
206 included in the drop box.

207
208 **Motion:** Mr. Levy moved to close the public hearing. Mr. Haldeman seconded the motion.

209
210 All in favor, no opposed, no abstentions. (7-0-0)

211
212 **Motion:** Mr. Levy moved to approve **Application CC #23-35** of Lee Erdmann, Town of
213 Simsbury, Owner, and Adam Kessler, P.E., Deputy Town Engineer, Town of Simsbury,
214 Applicant, for a wetland permit to allow for the rehabilitation of the Flower Bridge at 1 Old
215 Barge Road (Assessor's Map H11, Block 144, Lot 007), Simsbury, CT 06070, Zone R-15, based
216 on the following findings:

- 217
218 A. Short-term impacts from the proposed development will be controlled by installation and
219 maintenance of erosion and sediment controls and construction run-off controls.
- 220 B. Feasible and prudent alternatives in this example would be a "no-action" alternative,
221 which is not recommended. The Flower Bridge is a heavily used, iconic fixture in the
222 community and ensuring its preservation and safety is important.

223
224 And subject to the following conditions:

- 225
226 1. The project shall be implemented in conformance with the site plan from Silva
227 Engineering, LLC, titled, "Town of Simsbury, CT, Rehabilitation of Bridge No. 03984
228 (Flower Bridge), dated September 2023.

- 229 2. At all times during site work and until soil areas are stabilized, the applicant shall install
230 and maintain erosion and sediment control measures depicted in the application or other
231 measures deemed necessary by the Commission’s agent to prevent erosion and
232 sedimentation impacts to the watercourse.
- 233 3. All erosion control and soil stabilization measures shall comply with the approved plans
234 and the guidelines as established in the Connecticut Guidelines for Soil Erosion and
235 Sediment Control, 2002, CTDEP Bulletin 34.
- 236 4. Upon direction of the Commission’s agent, erosion and sediment control measures shall
237 be removed by the applicant following stabilization of the site.
- 238 5. The Inland Wetlands Agent shall be notified at least 48 hours prior to commencement of
239 the activities.

240
241 Mr. Haldeman seconded the motion.

242
243 All in favor, no opposed, no abstentions. (7-0-0)

244
245 **II. GENERAL COMMISSION BUSINESS/CONSERVATION COMMISSION**
246 **BUSINESS**

- 247
248 • Ms. Winters requested that Town Staff assist in coordinating a joint meeting with the
249 Design Review Board, potentially in January 2024, to discuss the Dark Sky initiative as
250 well as native plants.

251
252 **III. AGENT ACTIONS**

253
254 **Application CC #23-37** of Tom Roy, Town of Simsbury Public Works Department,
255 Applicant, for a wetland permit to all minor grading and fill (approximately 10 cubic
256 yards) in an upland review area on Owens Brook Boulevard at Somerset Lane
257 (Assessor’s Map G07, Block 103, Lot 000) Simsbury, CT 06092, Zone R-40 OS.

- 258 • There is minor grading and filling be performed at Somerset Lane as there was a
259 drainage issue running-off onto the bike path.
- 260 • Ms. Winters inquired what is being used to complete the filling. Ms. MacGilpin
261 responded that they are filling with soils.

262
263 **IV. ADJOURMENT**

264
265 **Motion:** Mr. Haldeman moved to adjourn. Mr. Levy seconded the motion.

266
267 All in favor, no opposed, no abstentions. (7-0-0)

268
269 The meeting adjourned at 8:22 P.M.

270
271 Respectfully Submitted,

272
273 Cara Blackaby
274 Commission Clerk

275
276
277