

SOUTHINGTON INLAND WETLANDS AGENCY
Public Hearing & Regular Meeting
Thursday, March 5, 2009
7:00 pm - Town Hall Council Chambers
75 Main Street, Southington, Connecticut

MINUTES

The Southington Inland Wetlands Agency held a public hearing and regular meeting on Thursday, March 5, 2009. Acting Chairperson James Sullivan called the meeting to order at 7:00 o'clock, p.m.

The following Councilpersons were present, viz:

William Camp, Kevin Conroy and John DeMello, Sr.

Alternates:

Valerie DePaolo

Ex-officio members present were as follows, viz:

David Lavallee, Assistant Town Planner
Joseph DePaolo, Assistant Town Attorney

Absent: Chris Borowy, Alternate
Ted Cataba, Commissioner
William Barry, Commissioner
Theresa Pereyo, Chair

The Acting Chair seated Alternate Commissioner DePaolo for Commissioner Cabata. A quorum was determined.

JAMES SULLIVAN, Acting Chair, presiding:

PUBLIC HEARING

Public Hearing Items:

A. Information - MA #132, application of David and Cynthia Cayer seeking to amend the Inland Wetland Mapping to

reflect the findings of Soil Scientist David Lord, property located at 156 Old Mountain Road.

David Lord, Soil Scientist, reviewed his report which is on file in the Town Planner's Office. He highlighted the eastern most and western most wetlands. The two areas contain both wetland soils which were either identified as disturbed wetlands because of past degrading and alteration activities or as Rumney (sp) soils in the eastern wetland where some natural soil area was found. The remaining portions of the wetlands were basically the disturbed wetland soils.

Bedrock exposure in the area of the structure was pointed out. The old trolley bed which runs through the property where a cut was made through the bedrock and the southern portion of the trolley bed is actually in a fill situation which divides the two wetlands on either side of it.

The area of the north of the wetlands incorporating the grounds surrounding the existing house up to and just beyond the garage structure were again upland disturbed soils. Explained.

I'll be happy to answer any questions you may have.

Mr. Lavalley said when onsite, we wanted to see what was under that rock pile but further discussions with Mr. Lord seem to indicate that it was surface runoff that was actually below the rock but appeared to be underneath because of the rock being on top of it. There wasn't a channel that I noticed coming from that but definitely it was water flowing there. I wouldn't categorize it as a watercourse. I think the surface water feeds the wetland there.

Mr. Lord commented that excavation of the rock has created a shoot. That water moves down through the rock or runs off and collects in that old trolley bed and the trolley bed itself acts as a funnel to run surface water in a southerly direction. Discussion.

A discussion of the trolley bed and how it cuts through the wetland.

Mr. Lavalley asked Mr. Lord if in his opinion it was important to keep the surface flow of water directed towards that wetland as opposed to cutting it off. If they propose to build a house there, they may want to build something in the back yard, a berm or something. Is it a good idea to keep that water flowing in that direction i.e.: to the south from the backyard?

Mr. Lord responded he would have to look closer at the amount of water that gets to it. I'm not sure how much water actually gets down into this wetland system. If this area was to

be regarded or developed at some time in the future you'd want to see what potential that has for altering the hydrologic regime of that area. This area of wetland, historically, crossed under the roadway in a northwesterly direction. You are looking at a wetland system that has already been bifurcated, split down the middle, moved around quite a bit.

(Those speaking in favor of the application)

No response.

(Those speaking in opposition to the application)

No response.

Mr. DeMello made a motion to close the public hearing. Mr. Camp seconded. Motion passed unanimously on a voice vote.

(Whereupon, the public hearing portion of the meeting was adjourned at 7:11 o'clock, p.m.)

REGULAR MEETING

The Acting Chair seated Alternate DePaolo for Commissioner Cabata. A quorum was determined.

4. Approval of Minutes - Regular Meeting, February 5, 2009

(Not included in the package of information.)

Mr. Conroy made a motion to table. Mr. Camp seconded. Motion passed unanimously on a voice vote.

-Special On-site meeting of February 14, 2009

(No included in the packet of information)

Mr. Camp made a motion to table. Ms. DePaolo seconded. Motion passed unanimously on a voice vote.

5. Treasurer's Report

Mr. Conroy made a motion to waive the Treasurer's Report. Mr. Camp seconded. Motion passed unanimously on a voice vote.

6. Reports from Public, Press and Ex-Officio Members regarding items scheduled for action.

(No response)

Added to the Agenda:

A. Information - MA #132, application of David and Cynthia Cayer seeking to amend the Inland Wetland Mapping to reflect the findings of Soil Scientist David Lord, property located at 156 Old Mountain Road.

Mr. Conroy made a motion to add MA#132 to the regular meeting for action prior to Item A. Mr. DeMello seconded. Motion passed unanimously on a voice vote.

Hearing no comments or questions from the commission, Mr. Camp made a motion to approve MA 132. Ms. DePaolo seconded. Motion passed 5 to 0 on a roll call vote.

7. Inland Wetland / Floodplain Filling Applications

A. Information - IW #1152, application of David and Cynthia Cayer seeking to fill and grade a portion of the upland review area to install a new septic system, property located at 156 Old Mountain Road.

The Acting Chair asked for questions/comments. Mr. Lavallee had them revise the planting plan to bring it further up slope to contour #270. That was agreed upon.

The Acting Chair clarified the existing building will be demolished with a new building erected. Mr. Lavallee said that is the plan and they are aware that they have to come back to us for the demolition and reconstruction.

Apparently there was a cesspool and a failed system. They abandoned the cesspool and replaced it with the system. This was done under a repair order from the health department.

Mr. Conroy asked if there was any benefit to reconnecting the two wetland systems. Mr. Lavallee responded he thought the water is still at the surface underneath the trolley bed that's there. Whether it would receive surface water still to create a functioning wetland, I'm not sure. You have to look at the watershed and how it's being disturbed. More than likely they just filled right on top of the wetland that was there.
Discussion.

Mr. Conroy noted since this is already installed, it is a retroactive permit. Is this sized to serve a larger structure or is this sized to serve the existing structure? Mr. Lavallee said he thought they would build the house according to the size of the septic. Discussion.

Mr. Conroy was fine with the structure. His only concern was mitigation at this point. The vegetation planting area was discussed.

Mr. Conroy made a motion to put IW 1152 up for action. Mr. DeMello seconded. Motion passed unanimously on a voice vote.

Mr. DeMello made a motion to approve IW 1152. Mr. Camp seconded. Motion passed 5 to 0 on a roll call vote.

B. Information IW #1153, application of the Town of Southington seeking to disturb upland review area associated with roadway reconstruction, property located on East Street in front of #950.

Mr. Lavallee reported the request here is to lower the high point of the existing road approximately 5' feet to improve the sight distance and improve upon an unsafe condition. It's put forward by the Town of Southington Engineering Department.

All work is confined to the roadway. I have done a checklist and it was responded to, reported Mr. Lavallee. All work is in the buffer area with no wetlands proposed to be filled.

Mr. Conroy made a motion to table. Mr. Camp seconded. Motion passed unanimously on a voice vote.

Site walk set for March 14, 2009.

C. Information IW #1154, application of Wayne Kozlowski seeking to cross watercourses and wetlands for access to a new single family home, property located on Hamlin Brook Pass.

Stephen Giudice, Harry Cole & Son, representing the applicant presented. This is a 12.9 acre piece of property located to the rear and to the west of Hamlin Brook Pass which is a road off of Winding Ridge. The applicant wishes to construct one single family home on the property.

Scott Stevens, soil scientist, flagged the wetlands. We've surveyed the property and located all the wetlands. We've done soil testing. This is a plan, technically a one lot subdivision,

because this was remaining land of, so we will be filing a subdivision application along with a rear lot determination.

We have 2.2 acres of wetland, approximately. Explained the wetland locations.

Where our driveway proposes to cross is one of the narrowest strips of wetland so our impacts are minimal. The applicant asked me to design a bridge type of structure which we'll have concrete abutments with a clear span over the wetlands. So we will have no real wetland impact for our application. There will be some movement across the wetland area, some temporary disturbance, but from beginning to end we'll still have the same square footage of wetland as we currently do.

Our plans have soil erosion and control measures. We have detailed scheduled activities for the site in general and we also have a breakdown of just the crossing itself.

We have staff comments from the Ass't Town Planner. We are working on them.

The applicant is proposing to pave the driveway through the wetland area past the review area and there would be a stone and gravel driveway up through this area (indicated).

We have some minor impacts into the 100 foot review area (indicated three locations). Explained they're trying to keep the cuts and fills to a minimum.

We think this is the highest and best use of the property. I'll answer questions and the applicant is here and we'd be more than happy to answer.

Mr. Conroy said his concerns regarding the crossing are going to relate to the waterway opening and the grading changes. I'd be concerned about water coming down during a storm event being backed up by the driveway through the opening and then spilling onto abutting properties. It looks to be in the middle of a deep ravine here. If you could provide contour information for you mapping. Discussion.

The other concern is during the construction of the two structures, it looks like there will be some channel regarding through there or are you going to be able to stay out of the wetlands for your abutments? Mr. Giudice said the proposal is to sand bag the edge of the wetland areas and keep the footings outside of the wetland area. Discussion.

Mr. Conroy pointed out that this has the potential to cause a flooding problem elsewhere.

Mr. Conroy made a motion to table. Mr. Camp seconded. Motion passed unanimously on a voice vote.

Site walk set for March 14, 2009.

D. Information - FF #215, application of Modern Property Management seeking to install a dumpster and fence within the floodplain, property located at 456 N. Main Street.

Stephen Giudice with Harry Cole representing the applicant. The application here is a little unusual. We have a piece of property at 456 North Main Street. It's an existing mixed use property. A tanning salon in building 1. The rear building was residential. The applicant bought the property and is proposing to change the use of the rear building from residential to retail and professional office. Retail is a florist he'd like to move on to the 1st floor and the second floor would be office space.

We don't propose any site improvements other than a new sign which we're going to put here in the corner. During the review process the issue of a dumpster on site came up. We proposed a dumpster at this location (indicating) between the two buildings on an existing paved area. So we're not proposing any digging. We'd put fence around the dumpster.

The site in its entirety is within the 100 year floor elevation of 154. Putting that pad more or less required us to submit a floodplain filling application even though technically we are not proposing to do that.

Dave made some comments about the fence in the rear. The applicant said he's remove the stockade fence. Explained.

The dumpster will be shared by both businesses. Explained.

Mr. Lavallee said there may be some debris in the channel that needs to be removed; i.e.: concrete blocks.

It was decided a site walk was not necessary.

Mr. Conroy made a motion that FF #215 be added to the Agenda for action. Ms. DePaolo seconded. Motion passed unanimously on a voice vote.

Mr. Conroy made a motion to send a positive recommendation for FF #215 to Planning & Zoning. Mr. Camp seconded. Motion passed 5 to 0 on a roll call vote.

8. Communications

A. Reports from Public, Press and Ex-Officio; members regarding items other than those scheduled for action.

(No response)

9. Conservation Issues/Unfinished Business/Miscellaneous

Mr. Lavallee informed the commissioners he ordered the trees for the seedling give away. (Arbor Day)

The Acting Chair noted the commissioner training that is coming up, if anybody is interested. He'll send around the link. Discussion.

Mr. Camp made a motion to adjourn. Mr. Conroy seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 7:48 o'clock, p.m.)