

SOUTHINGTON INLAND WETLANDS AGENCY
 Regular Meeting
 Thursday, April 2, 2009
 7:00 pm - Town Hall Council Chambers
 75 Main Street, Southington, Connecticut

MINUTES

The Southington Inland Wetlands Agency held a regular meeting on Thursday, April 2, 2009. Chairperson Theresa Pereyo called the meeting to order at 7:00 o'clock, p.m.

The following Councilpersons were present, viz:

James Sullivan, William Camp, Ted Cabata, Kevin Conroy, John DeMello and William Barry

Alternates:

Christopher Borowy

Ex-officio members present were as follows, viz:

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

Absent: Valarie DePaolo, Alternate

A quorum was determined.

THERESA PEREYO, Chair, presiding:

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

Mr. Barry made a motion to approve. Mr. Sullivan seconded. Motion passed unanimously on a voice vote.

- Special On-Site Meeting: February 14, 2009

Mr. Borowy made a motion to approve as presented. Mr. Barry seconded. Motion passed on a majority voice vote with Mr. DeMello abstaining.

- Regular Meeting: March 5, 2009

Mr. Conroy made a motion to approve. Mr. Camp seconded. Motion passed on a majority voice vote. Chair Pereyo and Mr. Barry abstained.

- Special On-Site Meeting: March 14, 2009

Mr. Conroy made a motion to approve as presented. Mr. Sullivan seconded. Motion passed unanimously on a voice vote.

Treasurer's Report

Mr. Barry gave the Treasurer's Report to date. Mr. DeMello made a motion to approve the Treasurer's Report as read. Mr. Camp seconded. Motion passed unanimously on a voice vote.

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

(No response)

Inland Wetland/Floodplain Filling Applications:

A. Information/Action - 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, with Harry Cole & Son, representing the applicant presented. This is an application for a one lot subdivision. It's a 13 acre parcel located on Hamlin Brook Pass.

It also is an application for a rear lot determination. We have a 40' ROW that leads to the property and we're proposing a driveway to a proposed house location. The driveway does have two wetland crossings. (Indicated on the map.)

We're proposing clear span bridges with concrete abutments across both wetland crossings. We're proposing steel girders under the bridges. We are not proposing impact to the wetland areas below the bridge. We do estimate there will be some disturbance during construction. We will not lose any wetland post-construction.

We did receive a checklist from the Environmental Planner. We did go through that checklist and respond in writing. I don't

believe there were any issues we weren't able to resolve or address.

Discussion.

We did calculations on the bridge design to determine that the bridge will not propose any additional ponding or flooding on the abutting properties. We are able to pass the 100 year storm through this structure without any adverse impacts.

We did propose water bars across the driveway as requested by the Ass't Town Planner.

We proposed silt bags instead of dewatering holes.

We did contact the state natural diversity database. We received a letter back that they received the application and they would investigate and contact us further.

We put notes on the plan regarding the limit of clearing to be staked and inspected by Mr. Lavallee prior to start of construction. The seasonal restriction was included on the plan, as well. And, the requirement for spill kits was included on the plan.

The applicant is proposing one house for his own personal residence. He's in the construction business and has worked with wetlands and watercourses in the past and has a great deal of respect for the environmental issues associated with this application.

With the plans and his knowledge of construction, we have a pretty good application here.

I'll be happy to answer questions.

Mr.Lavallee noted one of the detail sheets shows plastic sheeting against the sand bags for the crossing. That's a really good method. But it's missing in one of the other details. I want that brought to the attention of the developer and the engineer.

The driveway is going to be paved from Hamlin Brook to where we get outside of the review area (indicated on the map). It is a 12' driveway.

Discussion about the natural diversity database response.

Mr. Conroy made a motion to approve. With the condition that any recommendation that the natural diversity database through the state makes that would alter the construction plans approved by this commission would have to come back to us for

review. Mr. Sullivan seconded. Motion passed 6 to 0 to 1 on a roll call vote with Mr. Barry abstaining.

B. Information - IW #1155, application of Donald Sirois seeking to develop a site for a restaurant and associated parking within the upland review area of wetlands, property located at 1033 Meriden Waterbury Road.

The applicant, Donald Sirois, asked the commission if they had any questions at this point.

Mr. Lavallee reviewed his checklist and the applicant's responses which is on file in the Planning Office.

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

Site walk set for April 16, 2009.

C. Information - IW #1156, application of Philip Doyle seeking to perform earthwork for storm water discharge in an upland review area, property located on Spring Street.

Philip Doyle presented the application along with David Lord, soil scientist and Kevin Clark, civil engineer.

Mr. Doyle reported he has two applications. The Environmental Planner requested we file for a wetland boundary adjustment and we have. We also expect you'd do a site walk.

We'll make sure the Environmental Planner's comments are addressed prior to the public hearing.

Tonight to familiarize you with the application, it is a 20-acre site. The property owned by Calco and under the name of Twinco. It has been approved in the past for commercial purposes.

One of the prior applications approved in 2001 was filed with the wetland boundary adjustment.

The area approved for development in the past is mostly coincident with the area that we're showing for development here. We're proposing to take access from Spring Street and the wetlands have been identified to the rear of the property (indicating on the map).

The proposal that we have is for a commercial development for BJ's. We would have a parking lot in the front of the site

towards Route 10. The building would be situated in the middle of the site with a fire lane service drive that would be around the building and our storm water detention water quality basins would be to the rear of the site.

We are proposing no disturbance of inland wetlands identified and the only disturbance we would have at this point of the upland review areas would be the discharge points for the storm water basins. We'd be creating some very flat line swale to take the water down to the wetland edge.

Kevin Clarke, Clarke Engineering, Granby, CT. Described the storm water management system as a treatment train.

Sanitary sewer connection will be from Spring Street, also water service.

TSS treatment should be 80 to above 90. Discussion.

The CL&P easement relocation was discussed.

David Lord, project soil scientist, did the onsite investigation and the delineation of wetlands which is shown on the site plan drawings. He pointed out and explained the wetlands on the map. He noted the slow is generally southerly and goes off site to a drainage ditch.

All of the area that is proposed to be part of the development area are in a highly disturbed character at the present time. There's no native natural soil conditions within any of the areas proposed for development.

The existing tree lines was pointed out on the map and noted it is to the east and north of the wetlands. Where the northern most detention basin is located is also in a highly disturbed condition, no natural soil conditions.

He pointed out the native upland soils on the map.

A report was submitted as part of the application and is dated March 24, 2009. It is the wetland delineation which was completed on March 19th of this year.

Discussion.

Also submitted, dated March 24th, 2009 is the planting plan that coincides with the creation of the two storm water wetland type detention basins. Explained.

Hearing no further comment or questions, Mr. Barry made a motion to table. Mr. Sullivan seconded. Motion passed unanimously on a voice vote.

Site walk set for April 16, 2009.

D. Information/Action, IW #1157, application of A & S Developers seeking to grade within the upland review area, property located at 113 Wedgewood Road.

Mr. Lavallee reported this application typically wouldn't be before you because it was based on the extension of an older permit but the time had run out. They had the five years but the applicant wasn't aware because he purchased from the person who got the originally approve and wasn't aware he could get a five year extension. I just had him come and file.

There are erosion controls out there. The site's been worked on. The only difference would be a 50' upland review area instead of the 40' but it doesn't really affect what is out there.

The house shown on the plan isn't likely to be the one that's going to be out there. It's going to be smaller.

It's up to you if you want to do a site walk, but there's nothing getting by the silt fence at this point.

Discussion on the property locale and when they were at the site last.

The only area of disturbance is to tie into the sewer line but that was under the original approval.

Mr. Cabata made a motion to approve IW #1157. Mr. Sullivan and Mr. Camp seconded. Motion passed 7 to 0 on a roll call vote.

Communications

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

(No response.)

Conservation Issues/Unfinished Business/Miscellaneous

A. Request of Ridgeview Estates, 1985 West Street, for an extension of their IW Permit #939.

Mr. Lavallee recalled the commission granted a 90-day extension because the pond work had started but now it's in the

process of being completed. They're doing a good job out there. The erosion controls are up around the pond. They just need to do the deep sumps that filled up with water. They have to dewater it to use the filter bags. So they're working on that.

They requested a 100 day extension which gives time to review it. There is some work up above that will tie in the drainage to the pond. I don't have a time line on that. Maybe the next couple of months.

They'll be working on the recreation trail around the top of the pond soon. That was rough graded.

Jim Sakonchick said the work referred to is on the east side. It's his understanding they are supposed to have that done in this construction season.

Mr. Conroy made a motion to grant a 120 day extension on IW 939. Mr. Camp seconded. Motion passed unanimously on a voice vote.

Silver Oak Circle: Mr. Lavallee noted there is a fence in the upland review area. Typically, he'd do an administrative approval. But since it came up the day before our meeting, I figured I'd just tell you about it.

Corner of East Street & Berlin Street: There is a violation. Somebody had gone in and cleared the brush in the hopes that it would help the soil scientist flag the wetlands. I told the owner to restore it. He did. He went out with a silt fence and seeded it with a conservation mix and mulched it.
Discussion.

Mr. Barry said the property right across the street from there should be checked, too. The house across the street. I noticed their backyard is all the way into the neighbors and I believe it was all wetlands. Mr. Lavallee will check.

Arbor Day: Mr. Lavallee will pick up the seedlings April 23rd or 24th. We will observe Arbor Day in May. The date is to be determined.

The Plan of Conservation Development advises we should do a natural resources inventory. Mr. Lavallee would look into the funding the RFP requirement. Discussion.

Site walks set for April 16, 2009.

Mr. Barry made a motion to go into executive session to discuss pending litigation including the Ass't Town Attorney, the

Ass't Town Planner and excluding the press public and ex-officio members.

Mr. DeMello seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned to executive session at 7:55 o'clock, p.m.)

EXECUTIVE SESSION

The Southington Conservation Commission entered executive session immediately following their meeting with the following in attendance in order to discuss pending litigation.

The following persons were present, viz:

James Sullivan, William Camp, Ted Cabata, John DeMello.
William Barry and Theresa Pereyo, Chair.

Alternates:

Christopher Borowy

Excused: Kevin Conroy

Ex-officio members present were as follows, viz:

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

No motions were made or votes taken during executive session.

Mr. DeMello made a motion to adjourn from executive session. Mr. Sullivan seconded. Motion passed unanimously.

(Executive session was adjourned at 8:04 o'clock, p.m.)

REGULAR SESSION

Mr. Cabata made a motion to adjourn the Town Council meeting which was seconded by Mr. Camp. Motion passed unanimously.

(Meeting was adjourned at 8:05 o'clock, p.m.)

David J. Lavalley
Acting Secretary