

SOUTHINGTON INLAND WETLANDS AGENCY
 Regular Meeting
 Thursday, July 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, July 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, Ted Cabata, Kevin Conroy and John DeMello

Alternates:

Anne Hulick
 William Camp

Ex-officio members present were as follows, viz:

David Lavallee, Assistant Town Planner

Absent: Chris Borowy
 William Barry

Joseph DePaolo, Assistant Town Attorney

The Chair seated William Camp for Chris Borowy and Anne Hulick for William Barry. A quorum was determined.

THERESA PEREYO, Chair, presiding:

4. Approval of Minutes - Regular Meeting: June 4th, 2009

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

- Special On-site Meeting: June 18, 2009

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

5. Treasurer's Report

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

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

No response.

7. Inland Wetland/Floodplain Filling Applications:

A. Information/Action - IW#1160, application of Eric Thomas seeking to fill 3,845 sf of wetlands for grading around a new home, property located at 745 Berlin Street.

Eric Thomas, 179 Liberty Street, applicant, presented the application. I am seeking to fill in a portion of wetlands or grading around a new home on the property at 745 Berlin Street.

With me is David Lord, Soil Scientist and Joseph DellaPorta, the previous owner to help me answer any questions.

I originally appeared before you on June 4th requesting to fill in 3,845 sf of wetlands. After review of the two checklists received from David Lavallee, and the June 18th on site meeting, I am presenting an alternative site plan that will have less impact to the wetlands. A copy was submitted to Dave Lavallee on Tuesday, June 30th.

The revised plan shows the disturbed wetlands have been reduced to 800 sf versus the original request of 3,845 sf. This was accomplished by moving the house westward away from the wetlands as shown on the map.

We are proposing mitigation of 1,200 sf, a 1.5:1 ratio due to the wetland disturbance. David Lord will discuss this further in detail.

Thank you for your time. I kindly request you consider my alternative site plan for approval tonight.

David Lord will discuss now the wetland impact and mitigation.

David Lord, soil scientist, Soil Resource Consultants, Meriden, CT, representing the applicant. He explained the previous site plan for illustrative purposes.

After discussions at the site walk, we came up with some alternative planning to move and reorient the house on the

property. The house has been moved forward closer to Berlin Street. Explained.

We have reoriented the house slightly and we now have a separation distance in the southeast corner, 8' off of the existing wetland line.

We have 800 sf of wetland impact. The proposed mitigation compensation area is 1250 sf. That area would be excavated to bring it down to grade slightly below the existing adjacent wetland area to provide the 1.5:1 compensation for the proposed wetland impact.

We are also proposing to put in a line of boulders, average 3' in diameter, along the outside edge of the fill slope beginning between the impact area and the wetland mitigation area running along the outside edge of the proposed fill and up to the existing wetland flag at this location (indicating) to provide a physical means of identifying the proposed wetland boundary. There will also be signage according to your regulations. Wetland markers will be placed along that boulder barrier to demarcate the fill limits, the edge of the exiting wetlands, after the project is completed.

Fill within this area (indicating) would be approximately 2' in height at the maximum elevation. It would have a short slope, the toe of which would terminate at the farthest point of the proposed impact area, meaning all grading and filling would occur from the southeastern edge of the proposed impact area and be graded back towards the house. There would be no activity beyond the proposed silt fence barrier which would be constructed along the outside edge of the proposed development activities.

Passed around a brief narrative highlighting the information he just gave to the commission.

I also submit the details of the wetland mitigation plan for the record. They incorporate the standard sequence of construction, description of what we are going to be doing there, excavation elevations and the placement of wetland topsoil within the newly created wetland area. Explained.

A plant material schedule is in the plan. Explained.

There is a post completion monitoring program that you would receive an annual report along with photos documenting the establishment of the wetland plant communities that we are proposing to do with the application.

We've attempted to balance the development of the site for a single family residence along with minimizing and reducing the wetland impact as much as possible providing a physical more or less permanent barrier to at least help in preventing future

creep of the wetland fill, the boulders being that, in addition to the wetland signage.

I'll answer any questions.

The Chair asked if a retaining wall had been considered to avoid wetland impact. Mr. Lord responded it was not. Discussion followed.

Trees and shrubs are planned for the mitigation plan.

There are no variances required with this application.

Mr. Lavallee added a concern about the outlet of the storm water. I think generally we try to keep it away from the wetlands. I think possibly if that mitigation were to go forward, in this rare situation, it might be better to discharge it to that newly created wetland as opposed to a virgin wetland. Discussion.

Mr. Lord said they could direct it to the same type of riprap lined energy dissipater structure which would overflow and spill into the newly created wetland. We wouldn't discharge directly into the new wetland. We'd have the same similar type plunge pool structure, just outside of the northern end of the mitigation creation area and then that water could discharge into the new wetland.

Mr. Conroy asked for follow up on comments 5 and 6. Mr. Lavallee said notification had been made to each but we have nothing back. They would send directly to the applicant, the wild life diversity.

The public health, they did submit that, and that's the end of the trail for us.

Mr. Lavallee added that any plan that we see or is to be signed, should have the boulders specifically on it with the plantings in between them and the signage. Mr. Lord agreed to the stipulations: the boulders, signage and relocation of the storm drainage outlet off of Berlin Street details would be provided on a site plan.

Mr. Lavallee wanted 4' to 5' boulders, at a minimum. Mr. Lord agreed. That should be a note on the plan, as well, added the Chair.

Mr. DeMello made a motion for approval of IW 1160 with the stipulated as noted above by the Ass't Town Planner. Mr. Camp seconded. Motion passed 5 to 2 on a roll call vote with Mr. Conroy and Mr. Cabata opposed.

B. Information - IW #1161, application of Phil Doyle seeking to perform grading within the upland review area for the preparation of a commercial site use. Property located on Spring Street.

Attorney Anthony Denorfia, 133 Main Street, Southington, CT., representing the applicant.

With me tonight is Phil Doyle, Planner, with LADA Associates, David Lord, Soil Resource Consultants, soil scientist and Kevin Clarke, Professional Engineer.

This is for the construction of BJ's Wholesale Club on Spring Street. You are very familiar with this site. It's been before you the last several months. I'll give a general overview of the changes to the project and then we have everybody here and you can ask questions.

Since the last application, we did receive three approvals from the PZC:

1. Some filling with the stipulation that we couldn't go within 200' of the wetlands until this board acts on the application. The proposal we gave, Phase I, was well over 400' away.

2. Approval in concept of a site plan with over 4 acres, per the new regulation.

3. Approval in concept for two buildings on the site, one of which is the wholesale club and the second one is the gas station.

They cannot act on the site plan until this board acts. That is in abeyance until we meet all of your concerns.

The plan before you calls for no wetlands disturbance. There are two areas of disturbance of the buffer areas. One is 3900 sf of buffer area disturbance and that's of the 50' buffer area around the wetlands. And, the other is 9000 sf of buffer area within the 200' setback of the vernal pools. All of these areas are disturbed areas as they presently exist. Explained on the plan noting all the construction is within the disturbed areas on the site.

The major change in this plan is the reconfiguration of the drainage system and the detention ponds. Explained the old plan noting that the one from the south has been totally removed and that has been relocated to the front of the site in upland soils which was the former area to be reserved for the restaurant pad.

The other detention area was made smaller and was reconfigured and removed totally from the upland review area.

The flow of the storm water drainage system was explained.

The roof drains and drainage around the building will be placed into the other storm water detention. That basin will be getting most of the very clean water.

The remaining disturbance, the only disturbance as far as the 50' upland area is the discharge point off of the storm water basin on the northern side. It is the construction of a very long, very flat grassed area to slow the water down and spread it out and dissipate it when it arrives to the wetlands.

The area within the 200' vernal pool area to be disturbed is basically the grading along the rear of the building. All of that is within disturbed area. And, 160' will be the closest grading to the vernal pools.

A report dated June 24th which is A Wetlands and Value Assessment by David Lord describes it will not have an adverse impact on the wetlands and watercourses, noted Attorney Denorfia.

There is also a revised Storm water Detention Basin and Planting Plan that was submitted. Explained.

We will answer questions. This is a substantial revision to the plans and the developer has tried his best to get this approved.

The Chair appreciated the applicant coming forward with the revised plan taking into consideration alternatives.

The IW 1156 application record was incorporated into this record, noted Mr. Lavallee.

Extensive discussion about the CL&P utility easement. Attorney Denorfia pointed out that is a property right his client does not control. We are not proposing any activity in that area.

Mr. Conroy said his concern is that would become an encumbrance on the resource. I would think that we would want to show that as part of the site plan. We are considering that as an area of mitigation. Extensive discussion.

David Lord explained his planting plan for the utility easement area as far as mitigation.

As long as they have a means of access, they do not have to clear cut through the area. They will have access from the area to the rear of the development pad. They can go in, pole location, they'll have access. The vegetation proposed is not going to interfere with any lines in the event in the future that is done.

The means of the access to the right of way for potential pole locations along this side is readily accessible off the pavement to the rear of the buildings. Discussion.

Attorney Denorfia said you can stipulate as part of the approval that in the event CL&P needs access, through the parking lot, they have access. Secondly, in the event they exercise their rights under that, you can require the developer to come back to you with revised plans. If you want to add those two stipulations, I think the applicant would go along with that. I know BJs would go along with it and they have the access to the site.

The Chair asked for discussion about the water quality issues and how storm water is being managed.

Kevin Clark, engineer, discussed and described the reworked storm water management system.

The water quality treatment system was described and discussed.

(End of Tape #1, Side A)
(Beginning of Tape #1, Side B)

David Lord further discussed the water quality basin benefit and functions.

Planting schedules were discussed.

Maintenance schedules were discussed.

Attorney Denorfia asked for any further questions.

Another proposed stipulation:

- The swale storm water wetland pond should be shaped, seeded and matted prior to the construction.

Mr. Sullivan made a motion to put IW 1161 up for action. Mr. DeMello seconded. Motion passed 7 to 0 on a roll call vote.

Proposed Stipulations for approval:

- Access from BJs parking lot shall be provided to tower locations for maintenance purposes.

- Removal of vegetation within the 200' upland review area to vernal pools.

- Maintenance for CL& P easement shall come before us for review.

- The swale and the ponds be seeded prior to construction.

The Chair said it was important to consider the applicant has made a good cause in coming forward with an alternative plan. The commission respects that and appreciates that.

Mr. Conroy made a motion to approve IW 1161 as stipulated by the Town Planner. Mr. Camp seconded. Motion passed 7 to 0 on a roll call vote.

8. Communications

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

No response.

9. Conservation Issues/ Unfinished Business/Miscellaneous

Mr. Sullivan brought up a project regarding Tilcon and Crescent Lake and potential open space (75 Acres) which may be deeded to the Town. He urged everyone to go on line and read about it.

Mr. Lavallee noted the recent Habitat Communication has useful articles for review.

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

(Whereupon, the meeting was adjourned at 8:08 o'clock, p.m.)