

TOWN OF FARMINGTON
INLAND WETLANDS COMMISSION

March 18, 2020

Present in the Council Chambers were Acting Chairman Statchen, Commissioners present via online web conference Fox, Isner, Simpson, Tulin, Wolf and Alternate Commissioner Berlandy and Bryk. Assistant Town Planner and Clerk were also present in the Council Chambers. The meeting was called to order at 7:00 p.m.

Acting Chair Statchen read the legal notice into the record for the public hearing matter.

PUBLIC HEARING

Earthlight – 70 Batterson Park Road

Regulated activity within wetland and upland review area to install solar array at 70 Batterson Park Road. Eric Virkler, P.E., Earthlight, present via the online web conference, reviewed the site plan showing the location of the ground mounted solar array with fencing surrounding the area. The wetland limit is delineated on the site plan. George Logan, PWS, Rema Ecological Services, LLC, present via the online web conference, provided a review of the site features and details of the study area which are part of his wetland report. Solar array occupies approximately 3 acres of lawn area, a portion of which is delineated wetland (1.6 acres). The construction of the solar arrays will result in 580 square feet of permanent direct wetland impact for the foundations for the panels. There will be approximately 1,250 square feet of temporary direct wetland impact for the placement of utility trenches. Erosion and sedimentation control measures included silt fence with silt sock around the perimeter of the project area. Mr. Logan stated they are not removing vegetation and he is proposing to create a wet meadow by planting a seed mix with a combination of fast and late growing seeds under and around the solar panels. The solar array area is currently a mowed lawn. Monitoring of the plantings will be important, and he recommends submitting reports to staff by January 31st each year about the establishment of the plantings. They will meet with staff on site before the construction process begins. When asked if the applicant was aware of another shady wet meadow that had been successfully implemented, Mr. Logan said there is one in Goshen but it is relatively new, but to date is doing well. To address prior concern with the drip edge of the panel he proposes to install a layer of woodchips so the seed mix can establish. The applicant confirmed there were no objection to staff comments.

There was no public comment in favor or in opposition to this application.

The public hearing closed at 7:40 p.m.

Upon a motion made and seconded (Isner/Tulin) it was unanimously

VOTED: To approve the Earthlight Technologies application for regulated activity within wetland and upland review area to install solar array at 70 Batterson Park Road, as presented and on file in the Planning Office, with the following conditions:

- a. Install silt sock along entire western edge of disturbance and wrap silt sock along northern and southern edges to prevent siltation of adjacent wetland areas. Silt sock shall be a minimum of 8-inches in diameter.
- b. Applicant / Contractor to coordinate a pre-construction meeting with town staff once the limit of work is established and erosion control is installed.

- c. Construction staging area and vehicle tracking pad shall be identified on plan.
- d. Applicant / contractor shall provide weekly photos of the site and erosion control measures to town staff throughout the duration of construction.
- e. The proposed chain link fence on the site plan shall reflect the limit of work; no earth disturbance, construction activity or equipment shall be permitted beyond these limits.
- f. At the end of the useful life of the solar panels all equipment shall be removed and disposed of in accordance with local, state and federal regulations at that time and the land shall be returned to a natural meadow wetland.
- g. Installation detail, trench detail and silt sock detail shall be added to the plan.
- h. Fertilizers and pesticides shall not be used within limit of work.
- i. All of the above conditions shall be added to the plan.
- j. Plant/wet meadow monitoring reports shall be submitted annually for the first three growing seasons.

NEW BUSINESS

Abe Properties LLC – Lot 7 Peggy Lane

Regulated activity within upland review area to construct new house at Lot 7 Peggy Lane. Todd Clark, Clark Land Surveying, LLC, present in the Council Chambers, restated the property owner would like to construct a single-family house. George Logan was hired to investigate the site for wetlands; offsite wetlands were found on the adjacent property and the soil on Lot 7 were partially classified as urban filled. The wetland flags are shown on the survey/site plan approximately thirty feet into the adjacent site and fifty-nine feet from the closest corner of the proposed house. Mr. Clark reviewed the site plan in detail and stated no direct impact to the adjacent wetland is proposed as a result of this project. They have obtained a waiver of the requirement to extend public water to the site. Regarding the request for them to obtain a right to drain easement on the adjacent parcel, Abe Properties has since purchased that property and there will be no issue putting an easement in place. Mr. Clark reviewed storm water management proposed.

Upon a motion made and seconded (Wolf/Simpson) it was unanimously

VOTED: To make the determination that the Abe Properties LLC application for regulated activity within upland review area to construct new house at Lot 7 Peggy Lane is non-significant in nature and does not require a public hearing.

Upon a motion made and seconded (Simpson/Bryk) it was unanimously

VOTED: To approve the Abe Properties LLC application for regulated activity within upland review area to construct new house at Lot 7 Peggy Lane as presented and on file in the Planning Office with the following conditions:

- a. Implement an Integrated Pest Management Plan for lawn and landscaping maintenance.
- b. Final building footprint shall not encroach closer to the wetland than that shown on the plan.
- c. Town of Farmington staff to be present during the test pits for the infiltration units.
- d. The curb between the proposed driveway and the relocated neighboring driveway shall be completely replaced.

- e. Swale and right to drain on the neighboring property shall be recorded on the land records prior to the issuance of a building permit.

Show Cause Hearing – 69 Forest Hills Drive

Cease and Desist order for conduct of regulated activity without a permit for property located at 69 Forest Hills Drive. The property owner has requested a continuance. They have been very responsive and cooperative and are having the site surveyed and have hired Davison Environmental to investigate potential wetlands adjacent to a pond and the potential for the pond to be a vernal pool. The matter will be heard at the next meeting.

Westwoods Country Club – 14 Westwoods Drive

Regulated activity within upland review area to expand deck. Mark Zommer, 258 Talcott Notch, present in the Council Chambers, presented the request to replace and expand the existing deck on the back of Westwoods Country Club. The deck will be expanded approximately thirty-one feet. Soil collected as a result of digging piers will be removed from the site. Mr. Zommer proposed using azek decking material. There was a brief discussion for clarification. The Commission was asked to consider this a use permitted by right in accordance with Section 4.A.4 of the Inland Wetlands Regulations because it is an expansion of an existing feature.

Upon a motion made and seconded (Wolf/Simpson) it was unanimously

VOTED: TO accept the Town of Farmington/Westwoods Country Club application for regulated activity within upland review area to expand the deck at 14 Westwoods Drive.

The Commissioners agreed a site visit is not necessary.

Upon a motion made and seconded (Wolf/Bryk) it was unanimously

VOTED: To make the determination that the Town of Farmington/Westwoods Country application for regulated activity within upland review area to expand the deck at 14 Westwoods Drive was non-significant in nature and does not require a public hearing.

Julianos Pools – 20 Elizabeth Road

Regulated activity within upland review area to install inground pool. Tim Goodale, Julianos Pools, present via the online web conference, reviewed an aerial map, base map of the site, location of the pool and sanitary sewer line/easement. The proposed 18' x 36' inground pool with patio will have a four-foot security fence around it. Mr. Goodale described the installation process. The Commission asked if pool water would be flushed/removed toward the wetland area on the adjacent property. Mr. Goodale replied water would be pumped into a truck if there was a need to remove water from the pool. The applicant was asked about winterizing the pool and lowering the water level. Mr. Goodale responded the same would apply; typically, the water is lowered for the winter and in this case the water would have to be pumped to a truck.

Upon a motion made and seconded (Wolf/Berlandy) it was unanimously

VOTED: To make the determination that the Julianos Pools regulated activity within upland review area to install an inground pool at 20 Elizabeth Road is permitted by right in accordance with Section 4.A.4 of the Inland Wetlands Regulations as a use incidental to a residence.

PLANNER'S REPORT

30 Hatters Lane

Assistant Town Planner Rutherford is working with the property owner regarding retaining wall failure and repair. She explained the extent of the repair project for clarification.

24 Dorset Lane

Assistant Town Planner Rutherford is also working with this property owner on a maintenance project to stabilize the bank of the watercourse that runs through his property.

MINUTES

Meeting Minutes

03-04-20

Upon a motion made and seconded (Simpson/Wolf) it was unanimously

VOTED: To approve the March 4, 2020 Inland Wetlands meeting minutes.

The meeting adjourned at 8:39 p.m.

SJM

The April 1, 2020 meeting has been cancelled, the next meeting will be held on April 15, 2020.