

TOWN OF FARMINGTON  
INLAND WETLANDS COMMISSION

June 3, 2020

Present for the online web conference was Chair Hannon, Commissioners Fox, Isner, Simpson, Statchen, Tulin, Wolf and Alternate Commissioners Berlandy and Bryk. The Assistant Town Planner and Clerk were also present. The meeting was called to order at 7:00 p.m.

Present in the Council Chambers were Commissioner Statchen and Assistant Town Planner Rutherford, all others were present online.

**NEW BUSINESS**

**Timothy Corlett – 45 West Avon Road**

Demolish existing detached garage and construct new 22' x 24' detached garage at 45 West Avon Road. Mr. Corlett responded to items he was asked to consider at the May 20, 2020 meeting. Moving the garage further east; he is hesitant to move the garage because of the septic system. The health district requires a setback of ten feet and he currently is at twelve feet. In addition, it would be more difficult to maneuver vehicles into/out of the garage. Provide a plan for the discharge of the roof leaders; Mr. Corlett proposes to install a pocket of drainage stone on both eaves ends of the garage up to approximately one foot from the dripline of the garage roof. Provide a schedule for the removal of the hemlock trees and replanting plan for the top of the embankment; four remaining hemlock trees need to be removed. Mr. Corlett plans to remove the trees when the garage is removed and then to replant after the new garage is completed. Epoxy seal the garage floor at the foundation; Mr. Corlett stated he will seal the garage floor when the floor is cured. Discussion ensued for clarification regarding roof runoff, removal of trees, preserving stumps for bank stability.

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

VOTED: To make the determination the Timothy Corlett application for regulated activity within upland review area to demolish existing detached garage and construct new 22' x 24' detached garage at 45 West Avon Road is non-significant in nature and does not require a public hearing.

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

VOTED: To approve the Timothy Corlett application for regulated activity within upland review area to demolish existing detached garage and construct new 22' x 24' detached garage at 45 West Avon Road as presented and on file in the Planning Office with the following conditions:

1. The applicant shall work with staff to address comments throughout the construction process and ensure embankment is protected;
2. Hemlock tree stumps are not to be removed;
3. The existing brook bank slope shall be maintained;
4. Replanting of trees shall take place this year (2020); and
5. The garage floor shall be epoxy sealed.

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. Attorney Charles Shimkus and Matt Davison, Davison Environmental, were present to review the proposed restoration plan. The plan showed the limits of the vernal pool, conservation easement and proposed planting area. Mr. Davison reviewed the general area of the septic system, which will be field located before replanting begins and make adjustments as needed. Attorney Shimkus stated the homeowner has been very cooperative and stopped cutting trees as soon as it was brought to his attention that the wetland/vernal pool were present. Mr. Davison was asked what affect the tree cutting had on the vernal pool. He spoke to his report which stated the cutting was limited to the edge of the existing lawn and did not directly impact the vernal pool. Mike Ancona, property owner, stated he will leave some woody debris on the forest floor as recommended in Mr. Davison's report. Mr. Ancona was asked if he will want to clear more trees. He responded no. He only wanted to remove trees that were a danger to the home. The property owner was instructed that in the future before cutting trees he needs to speak to Town Staff. Assistant Town Planner Rutherford asked for a consensus from the Commission that the property owner is heading in the right direction with the proposed restoration plan.

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

VOTED: 6 in favor and 1 opposed (Wolf) to accept the Restoration Plan of 69 Forest Hills Drive prepared by Davison Environmental submitted June 2, 2020 with the understanding that the septic system be field located and adjustments to planting location may be made upon review with staff. The Conservation Easement area is accepted and will not preclude the future placement of leaching fields.

Attorney Shimkus asked that fines not be imposed given the innocent nature of the violation and the cooperativeness of the property owner. After a brief discussion regarding fines the Commission agreed to withhold determining fines until restoration efforts are completed.

Show-Cause Hearing – 1179 Forest Hills Drive

Cease and Desist Order for conduct of regulated activity without a permit for property located at 1179 Farmington Avenue. The Commission conducted a site visit on May 27, 2020 where they observed the extent of the disturbance as noted in the May 27, 2020 site walk minutes. The Commission commented a significant amount of flood plain has been disturbed and more information is needed. In addition to George Logan investigating the site a biologist should also do a report on impacts of the disturbance; require certification that the file history provided by the property owner has been provided in totality. A surveyor be present when Mr. Logan is on site to investigate depth of fill to record elevations. After further discussion the Commission did not express concern with the use of equipment for investigative purposes by Mr. Logan. The Commission told Attorney Galske Town staff shall be involved throughout the investigation process. Assistant Town Planner Rutherford will need a written scope of work from Mr. Logan including what type of equipment he will use. Attorney Galske stated he anticipates having a proposal from Mr. Logan within a couple weeks. Assistant Town Planner Rutherford responded the hope is to be field investigating by that time.

## **PLANNER'S REPORT**

### 6 Pine Tree Shilling

Assistant Town Planner Rutherford explained she met with the owner of 6 Pine Tree Shilling at their property regarding the proposed installation of an inground pool and tree removal to accommodate grading for the pool. The Town's GIS mapping indicated potential wetlands within the southern third of the property. Additionally, a fence and concrete walkway around the pool are planned. On site observations of the tall pines found them to be in poor health. Test pits were hand dug and there was no obvious wetland vegetation present within the limits of the pool and tree clearing. The Commissioners were asked if they felt an Agent Review Wetland Permit was appropriate for this project. The Commission unanimously agreed this was appropriate.

## **MINUTES**

### Meeting Minutes

05-20-20

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

VOTED: To approve the May 20, 2020 Inland Wetlands meeting minutes with the correction of address at the bottom of Page 2.

May 27, 2020 and May 28, 2020 Site Walk Notes

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

VOTED: To approve the May 27, 2020 and May 28, 2020 Site Walk Notes.

The meeting adjourned at 9:10 p.m.

*SJM*