

TOWN OF FARMINGTON
INLAND WETLANDS COMMISSION
MEETING MINUTES

June 15, 2022

Present for the online web conference was Chair Hannon, Commissioners Berlandy, Fox, Simpson, Statchen and Alternate Commissioner Canto. Town Planner Rutherford and Clerk Michaud were also present. The meeting was called to order at 7:00 p.m.

Present in the Development Wing were Town Planner Rutherford and Clerk Michaud. All others were present online.

Alternate Commissioner Canto was appointed to vote in place of absent Commissioner Isner.

NEW BUSINESS

402 Farmington Ave LLC – Lots 40 & 40B1 Farmington Avenue (a.k.a. 8231 & 9249 Farmington Avenue

Regulated activity within upland review area consisting of proposed driveway, parking lot, garage building, associated grading/clearing and stormwater management basins associated with multifamily development. Superior Court Decision in the Appeal known as Zeytoonjian, et al v. Farmington Inland Wetlands and Watercourses Agency, et al., CV-21-6142707: Consideration and Possible Action on the Superior Court Remand of the April 7, 2021 Approval, including possible Modification of the Approval Resolution. Attorney DeCrescenzo commented the Commissioners were provided a copy of the court decision on this matter and he reviewed the court's findings. The Court held for the Commission on all claims and remanded back to the Commission to address feasible and prudent alternatives. Draft revised resolution of approval on remand was provided to the Commissioners for review and consideration at the next meeting.

Farmington West Estates LP – Lot 23 Snowberry Lane

Regulated activity within wetland to perform maintenance of Water Quality Basin at Lot 23 Snowberry Lane. Attorney James Ziogis reviewed his previous presentation and responded to staff comments. An as-built will be done after the work is completed, the maintenance plan will be submitted to the Town. The work will be done during the dry season. Maintenance will be the responsibility of the homeowners' association in the future. There was a brief discussion about providing some latitude regarding when the dry time is, such as any dry period of time July, August or September to be coordinated with staff.

Commission members Berlandy and Canto noted for the record that they had reviewed the record, are familiar with the application and can be eligible to vote on this matter.

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

VOTED: To approve the Farmington West Estates LP application for regulated activity within wetland to perform maintenance of Water Quality Basin at Lot 23 Snowberry Lane as presented and on file in the Planning Office with the following conditions:

1. Submission of As-Built upon completion to verify conformance; and

2. Provide a maintenance and operation plan to the HOA's to educate them on the requirements for inspections and maintenance responsibilities.

CPD Properties – 342 Colt Highway LLC

Regulated activity within upland review area for development of site (fuel station with convenience store, bank and office building). The applicant submitted a request to table this matter to the July 6, 2022 meeting.

Inspired by Opportunity LLC – 331 South Road

Regulated activity within upland review area for site improvements associated with reconfiguration of site. Kimberly Masiuk, PE, BL Companies, reviewed the previous presentation of the proposed site plan including where the town line runs through the property, the limits of the upland review area, scope of the project and confirmed debris will be cleaned up from the existing dumpster location. Ms. Masiuk commented they can address staff comments as a condition of approval. The Commission asked some general clarifying questions.

Commission member Berlandy noted for the record that he had reviewed the record, is familiar with the application and can be eligible to vote on this matter.

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

VOTED: To approve the Inspired by Opportunity LLC application for regulated activity within upland review area for site improvements associated with reconfiguration of site at 331 South Road as presented and on file in the Planning Office, with the following conditions:

1. Address Engineering Comments to the satisfaction of Town Staff;
2. Add straw wattle in addition to the silt fence; and
3. Include Stormwater Management Plan and BMP for site.

Bulwark, LLC – Lots 8120 & 8122 Colt Highway

Regulated activity within wetlands and upland review area to construct self-storage facility. Dave Ziaks, PE, FA Hesketh, presented the site grading plan, colored lines were used to highlight the limit of wetlands, the property boundary, proposed building footprint/locations, proposed driveway and curbcuts. Mr. Ziaks described the site as approximately 4.99 acres, mostly wooded with wetlands in the center of the site. Most of the site development is within the upland review area. Three self-storage buildings area proposed on the western portion of the site and the larger three-story building, with leasing office on the eastern portion of the site. A large watershed flows through an existing 36" culvert under Colt Highway. Storm water sheet flows off the road to the site. Mr. Ziaks provided details of the drainage design and the stormwater plan. The water main will be extended to the site mainly for fire protection. Approximately 2.99 acres will have some disturbance. He commented on the extensive use of retaining walls and the planting plan. They will need to submit for general permit No. 18 with the Army Corps. of Engineers. Anthony Zemba, Landtech, reviewed the details of his Wetlands and Natural Resource Evaluation. Stormwater generated on site will be managed in accordance with state and local regulations and requirements. The details of the stormwater management system(s) will be determined during the design and permitting phases. Following the completion of construction related to the site development, the disturbed ground areas will be revegetated in order to stabilize the soils and slopes, increase precipitation infiltration, and provide other

environmental and aesthetic function to the proposed site development. Direct wetland impacts totaling 2,750 square feet would occur as a result of the access driveway crossing of the 1.02-acre portion of the wetland system delineated on the property. The area of proposed fill was minimized via the use of retaining walls to limit the areal extent of the road crossing. The proposed development would result in approximately 2.99-acres of disturbance to predominantly forested land and forest edge habitats in the upland review area.

The proposed development would result in a maximum lot coverage at the site of 39.1 percent which complies with the maximum coverage of less than or equal to 40 percent. Mr. Zemba also commented suspected vernal pool investigation results were no obligate vernal pool species found. The Commissioners expressed concern with the wetland crossing, disturbance to the wetlands, buffer to the wetlands and asked several clarifying questions regarding storm water discharge points, drainage plan, the proposed culvert, water main extension, septic system and if a mitigation plan had been considered. Mr. Ziaks commented on the mitigation question and suggested the area between the retaining wall and the State right-of-way may be a suitable mitigation area. He said he would look at the crossing design and see if there is something other than a 36" pipe that will work.

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

VOTED: To accept the Bulwark, LLC application for regulated activity within wetlands and upland review area to construct self-storage facility located at Lots 8120 & 8122 Colt Highway.

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

VOTED: To make the determination the Bulwark, LLC application for regulated activity within wetlands and upland review area to construct self-storage facility located at Lots 8120 & 8122 Colt Highway will have significant impact as proposed and requires a public hearing, to be set on July 20, 2022.

The Commission will conduct a site walk to be coordinated before the public hearing.

OLD BUSINESS

Carrier Group Inc. – Lots 8517 & 8518 Morea Road

Regulated activity within upland review area associated with proposed 25-lot cluster subdivision. The public hearing was closed May 18, 2022.

Chair Hannon asked Commissioners Berlandy and Canto if they had reviewed the recording and record for this application and were comfortable voting. Commissioner Berlandy and Canto both confirmed they had reviewed the entire record and were comfortable voting on the application. Town Planner Rutherford stated Attorney Christian Hoheb requested deliberation on this application be tabled until the next meeting because some Commissioners were absent. An extension of time has been granted.

PLANNER'S REPORT

Plant 17 – 1179 Farmington Avenue

George Logan submitted a monitoring report and reviewed the details with the Commissioners. The report includes information from site inspections that took place in April, May & June and included photos. The Commission had no questions. Mr. Logan also commented the temporary road can be removed any time.

MINUTES

Meeting Minutes

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

VOTED: 5 in favor, 1 abstention (Berlandy) to approve the June 1, 2022 Inland Wetlands meeting minutes.

The meeting adjourned at 9:18 p.m.

SJM