

TOWN OF FARMINGTON
INLAND WETLANDS COMMISSION
MEETING MINUTES

July 20, 2022

Present for the online web conference was Chair Hannon, Commissioners Berlandy, Fox, Isner, Kelsey, Simpson, Statchen (in at 7:05pm) and Alternate Commissioner Canto (out at 9:15pm). Sr. Assistant Town Planner Cyr and Clerk Michaud were also present. The meeting was called to order at 7:00 p.m.

Present in the Development Conference Room were Sr. Assistant Town Planner Cyr and Clerk Michaud. All others were present online.

PUBLIC HEARING

Bulwark, LLC – Lots 8120 & 8122 Colt Highway

Regulated activity within wetlands and upland review area to construct self-storage facility. Attorney Robin Pearson, Alter & Pearson, represented the applicant. She reviewed the applicant's process with the Commission to date; presented to the Commission June 15, 2022 at which time the application was accepted and a determination of significant impacts was made and a site walk was scheduled. The applicant has received Engineering Comments and the Agenda Review. They will present in detail and respond to questions and comments. Attorney Pearson stated for the record, the next meeting is September 7, 2022 and the applicant consents to an extension of time to continue this hearing if needed. Dave Ziaks, PE, F.A. Hesketh, stated for the record the notice requirements were met, notices mailed, and sign posted. The site is approximately 4.99 acres (both parcels), mostly wooded and undeveloped. The original plans were revised to July 8, 2022 and the landscaping plan (LA.1 colored rendering), zoning data provided, wetlands are delineated in the middle of the site and along the northern portion of the site with approximately 1.02 acres of flagged wetlands. Mr. Ziaks added most of the site is within the upland review area. The proposed self-storage use of the site presented is a layout typical for this type of use, site driveway and exist curb cut, three one-story buildings west side of the site and one three-story building east side of the site. A connection driveway between the east and west building layout. Four parking spaces are proposed in front of the three-story building, retaining walls, excavation of pads sites and coverage (39.1%) were reviewed. Next, Mr. Ziaks reviewed the site stormwater drainage design, water quality treatment, and the change to an open bottom box culvert. Approximately 2,350 sq. ft. of permanent disturbance is associated with this development plan. He believes they qualify for a General Permit with the Army Corps. Of Engineers regarding the proposed box culvert driveway crossing. Responding to questions regarding providing mitigation, two mitigation areas east and west of the wetland crossing were proposed, adjacent to Route 6 and approximately 2,601 sq. ft. Excavation and rock removal; it is anticipated approximately 20,000-25,000 c.y. of excavation and rock material will be removed by both excavation and blasting if needed and the rock will be processed and used on site for building foundations, parking lots, and driveways. Very little will be removed from the site. Topsoil will be stripped and removed from the site; however, they will leave what is necessary for construction. Mr. Ziaks' response to feasibly and prudent alternatives was they did not feel two driveway cuts onto colt Highway to access the westerly and easterly portions of the property instead of a single driveway access was prudent or safe. The distance from the face of the retaining walls is proposed to be offset from the edge of wetlands on the west side of the parcel approximately 25 feet and on the east side 22-25 feet, except at pinch points where it is approximately 10-15 feet. He has looked at staff comments and has no significant issues with

addressing comments. Anthony Zemba, Sr. Environmental Analyst, LandTech, conducted a wetland and natural resource evaluation of the site. He investigated a potential vernal pool and concluded although it may contain water for approximately two months during the growing season during wet years due to the limited protection from the tree canopy, and it was dry by later spring due to its shallow basin. The basin does not provide important vernal pool habitat. No obligate vernal pool species were noted within the basin during his visits. Also discussed was the water flow and low flow streams through the property. Water originates from the west and some flows through the site and under Colt Highway as depicted on the plans and another low flow stream breakouts and flow through the subject property easterly and under Colt Highway at another location east of the site. Mr. Zemba presented details of his Wetland Evaluation and Impact Report stating direct impacts to wetlands have been limited to the extent practicable via the building configurations and site layout including drainage and subsurface utility appurtenances. Indirect impact has been addressed via management of stormwater via infiltration, interception/separation, and energy dissipation as described herein and depicted on the respective plan sheets. The impact to wildlife via the loss of forest habitat cover type has been mitigated to some extent by the incorporation of a native planting plan that includes highly beneficial species to avifauna, native pollinators, and other wildlife species. The applicant represents no significant adverse impacts will occur with this project.

The Commissioners asked clarifying questions about the proposal; did the applicant investigate eliminating the wetland crossing and adding a separate curb cut for access to the west side of the site. Mr. Ziaks responded yes, they did take a look at it. Although they physically can add access it does not make sense to them from an engineering and safety standpoint. Commissioners expressed concern with the development pushing the limit with the development in general and they would like to see all staff comments addressed prior to the next meeting. Commissioners also expressed concern with the wetland mitigation areas, proximity to the roadway and affects due to winter road treatment. Mr. Ziaks responded the intent is to propose tolerant plants. Other concerns with the mitigation area are the DOT cutting of vegetation along the roadway. Commissioners suggested reducing the size of the buildings to increase the wetland buffer. Applicant was confirmed test pits have not been performed at this time, and when asked if blasting will be required, Mr. Ziaks responded yes. The Commission asked for confirmation there are restrictions on the type of materials stored in the units. Mr. Ziaks responded yes and provided a brief list. There was discussion regarding the CTDEEP NDDB letter recommending the need for a biological survey as part of the planning to assess the site, and Mr. Zemba stated this would be very labor intensive and is not warranted as there were no red flags that would support this need. He indicated this is a typical form letter from the CTDEEP. Commission expressed concern with Mr. Zemba's comment to investigate further. Commissioners were concerned with width of the box culvert in relation to the width of the wetland in the crossing area.

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

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

VOTED: To continue the Bulwark, LLC public hearing to September 7, 2022.

NEW BUSINESS

Bill Aston – 100-110 Hyde Road

Regulated activity within upland review area to replace existing sidewalk and install covered walkway. Brian Ladegard, ebm-papst Inc., summarized the previous presentation of the project to replace the walkway with concrete and to install steel columns with a roof deck for a covered walkway. The Commissioners did not have new questions and no concerns were expressed.

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

VOTED: To approve the Bill Aston application for regulated activity within upland review area to replace existing sidewalk and install covered walkway at 100-110 Hyde Road as presented and on file in the Planning Office.

Byron Rodriguez – 9 Apple Tree Lane

Regulated activity within upland review area for addition to home, enclosed inground pool and detached garage. Sr. Assistant Town Planner Cyr told the Commissioners Mr. Rodriguez provided a revised site plan eliminating the detached garage from the scope of his project in response to concerns expressed at the last meeting. The Commissioners commented their concerns were with the garage and driveway extension. It was recommended to the applicant he work with Planning staff regarding timing and erosion and soil control measures.

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

VOTED: To approve the Byron Rodriguez application for regulated activity within upland review area for addition to rear of home and installation of enclosed inground pool at 9 Apple Tree Lane as presented and on file in the Planning Office.

Arun Kumar – 30 Portage Crossing

Regulated activity within upland review area to clear trees along the eastern property line. Arun Kumar stated he met with a solar company and the tree line along the eastern property line is restricting sunlight access to the roof. He then met with Sr. Assistant Town Planner Cyr about wetlands because he would like to remove trees and add dirt to plant grass. Photos were provided for clarification. Commissioners were hesitant about clearing all the trees along the eastern property line. There was discussion about the where the solar panels will be located on the house and then it was recommended the homeowner have the solar company selectively indicate which trees should be removed.

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

VOTED: To accept the Arun Kumar application for regulated activity within upland review area to clear trees along the eastern property line at 30 Portage Crossing.

The applicant is asked to refine the proposal for the September 7, 2022 meeting.

PLANNER'S REPORT

Farmington River Watershed Association

Sr. Assistant Town Planner Cyr said the FRWA reached out and would like to remove bittersweet along the river and their timeframe for completion of the work is the end of September. There will be no extensive spraying and only direct application of herbicide as needed. The Commissioners were in agreement with staff managing the project as described.

Bottle Bill

Commissioner Isner asked staff to look into the disbursement from this Bill that is supposed to take place twice a year for conservation projects.

MINUTES

Meeting Minutes

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

VOTED: 6 in favor, 1 abstention (Simpson) to approve the July 6, 2022 Inland Wetlands meeting minutes and the July 9, 2022 site walk notes.

The meeting adjourned at 9:39 p.m.

SJM