

TOWN OF FARMINGTON  
INLAND WETLANDS COMMISSION  
MEETING MINUTES

October 19, 2022

Present for the online web conference was Chair Hannon, Commissioners Fox, Isner, Kelsey, Simpson, Statchen and Alternate Commissioner Canto. 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.

Alternate Commissioner Canto was appointed to vote on behalf of absent Commissioner Berlandy.

**PUBLIC HEARING**

**80 South Road LLC and Sager Development LLC – 62 South Rd and Lots 8864, 8880 South Rd**

Regulated activity within upland review area to construct 65 multifamily units in two (2) buildings. Attorney Tim Hollister represented the applicants and stated for the record all notice requirements had been met as required. A site walk was conducted September 25, 2022. The applicant has received staff comments and they are working through them, and he would expect to continue this hearing to the next meeting to allow more time to address them. Megan Raymond, SLR Consulting, using an aerial map of the site, presented there are two wetland features: a forested wetland and a drainage corridor. Topography of the site is relatively flat. 62 South Road does not contain wetlands. A watercourse located on the western portion of 8880 South Road drains north to south through the study area. A forested wetland was delineated on the eastern portion of 8864 South Road that drains into the watercourse via a rill. A vernal pool study was completed in spring 2021 and no vernal pool habitat was identified on any of the three parcels. Ms. Raymond stated the development will not cause any adverse impacts to the wetland system. Jeff Bord, PE, Bohler Engineering, presented the site plan details. Two multifamily buildings, one on either side of the wetland features, with their own paved parking areas, landscaping, retaining walls, storm water management components and associated utilities. Sidewalk is proposed along the frontage to provide connectivity to the Town's sidewalk system. The applicant is proposing curbing along the entire South Road frontage with three (3) catch basins on the south side of South Road to collect runoff from a portion of the road. Building A roof runoff will drain to an above ground basin, while the parking lot and surrounding landscape runoff will be captured by pervious pavement and a collector pipe connected to an underground detention system, and will then eventually discharge to the south side of the property into the adjacent swale on ConnDOT Property. The roof runoff from Building B and the entire parking lot are proposed to drain to an underground basin. The parking area will drain across the parking area and a section of pervious pavement, to a collector pipe, and then to the underground detention system. Mr. Bord confirmed he has received staff comments and is confident they can address all comments. Commissioners asked for maintenance and drainage clarification regarding pervious pavement. Mr. Bord provided additional details about the pervious pavement and underdrain design. Commissioners asked about proximity of the construction to the wetland feature and about snow removal and ice/snow treatment. Sr. Assistant Town Planner Cyr used the site plan to answer the distance to wetlands question and Mr. Bord explained how the design provides snow shelf areas along the perimeter of the parking area adding larger snow events may require removal of snow from the site. Geoff Sager, Sager Development LLC, responded they

use a CTDEEP approved ice melt, not sand or salt and they can provide the name of the product for the next meeting. The applicant was asked to confirm they will be able to install silt fence and silt sock as requested. Mr. Bord responded yes.

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

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

VOTED: To continue the 80 South Road LLC and Sager Development LLC application for regulated activity within upland review area to construct 65 multifamily units in two (2) buildings at 62 South Rd and Lots 8864, 8880 South Rd to the November 2, 2022 meeting.

## **NEW BUSINESS**

### **Carrier Holdings LLC – 114 Red Oak Hill Road**

Regulated activity within upland review area associated with four-lot resubdivision of 114 Red Oak Hill Road. *Accepted and determination of non-significance made October 5, 2022.* This agenda item was tabled until the November 2, 2022 meeting.

## **OLD BUSINESS**

### **Bulwark, LLC – Lots 8120 & 8122 Colt Highway**

Regulated activity within wetlands and upland review area to construct self-storage facility. The public hearing closed September 21, 2022. Chair Hannon polled the Commission for readiness to consider one of the draft resolutions to either approve or deny this application. Commissioners discussed although revisions had been made to the original submission, the development as proposed had too much impervious area and is too intense for this site. The Commission felt feasible and prudent alternatives existed regarding crossing the wetlands as well as other options to reduce impervious areas and avoid impacts to the wetlands.

Commissioner Statchen moved and Commissioner Canto seconded the following resolution:

**Whereas**, the Farmington Inland Wetlands and Watercourse Commission (Commission) received an application to permit regulated activities within a regulated wetland and within the 150 foot upland review area (tree removal, rock removal, excavation, grading, utilities, driveway, wetland culvert crossing, storm water detention systems, retaining walls, and structures) at Lots 8120 & 8122 Colt Highway as displayed on plans entitled “*Proposed Bulwark Self Storage, 8120 & 8122 Colt Highway (Route 6)*” dated June 3, 2022 and revised through August 19, 2022 prepared by F.A. Hesketh & Associates, Inc., sheets GR-1 and LA-1 revised through August 15, 2022; letter from David S. Ziaks P.E. dated September 16, 2022 summarizing the latest revisions to the plans; Wetland and Natural Resource Evaluation dated June 3, 2022 prepared by Landtech Consultants; Potential Vernal Pool Assessment Report dated June 11, 2022 prepared by Landtech Consultants; Natural Diversity Data Base (NDDDB) letter from Karen Zyko, Environmental Analyst, of the Connecticut Department of Energy & Environmental Protection, to David S. Ziaks dated May 9, 2022; Storm Water Management Report dated June 3, 2022 and revised through August 19, 2022 prepared by F.A. Hesketh & Associates, Inc.; Alternative Analysis dated August 19, 2022 prepared by F.A. Hesketh & Associates, Inc., and all other technical reports and documents submitted by the applicant in support of the application submitted throughout the hearing (collectively referred to herein after as Application); and

**Whereas**, the Commission accepted the application at its June 15, 2022 meeting, conducted a site visit on July 9, 2022, determined that the project was a significant impact to warrant a public hearing at its June 15, 2022 meeting and scheduled a public hearing for July 20, 2022; and

**Whereas**, the Commission conducted a properly noticed public hearing on the request in accordance with the state and local regulations on July 20, 2022, September 7, 2022, and September 21, 2022, where all interested parties were heard, Bulwark LLC had provided appropriate time extensions, and closed the hearing on the Application at the September 21, 2022 meeting; and

**Whereas**, the Commission evaluated the Application in accordance with its regulations, specifically Sections 7 and 8, of the Farmington Regulation for Inland Wetlands.

**Now therefore be it resolved that the Commission** finds that the proposed activities, described within the Application and in particular displayed on the engineered drawings entitled "*Proposed Bulwark Self Storage, 8120 & 8122 Colt Highway (Route 6)*" dated June 3, 2022 and revised through August 19, 2022 prepared by F.A. Hesketh & Associates, Inc., sheets GR-1 and LA-1 revised through August 15, 2022 and other technical reports and documents submitted throughout the hearing are in conformance with the requirements found in Section 6 of the Inland Wetlands Regulations; and

**Be it further resolved that** the Commission having found that the project, as described in the Application, is a significant activity, finds the applicant has provided insufficient feasible and prudent alternatives; and

**Therefore be it finally resolved** that the Commission denies said Application for regulated activity within the wetlands/watercourse and within the upland review area for the construction of a three-story 59,400sf building and (3) one-story buildings of (3,700sf, 5,300sf, and 5,600sf), and associated improvements since such activities will result in adverse and substantial impacts on said wetlands/watercourse, and the applicant has failed to provide satisfactory alternatives as required in Section 6.E.9 of the Farmington Inland Wetland Regulations, which would cause less or no environmental impact to wetlands.

The applicant may investigate all or anyone of the following types of alternatives:

1. Eliminating the (3) one-story buildings and associated improvements on the west side of the property; thus, eliminating the need to cross the wetlands.
2. Increasing the three-story building to a four-story building and eliminating the (3) one-story buildings on the west side of the property; thus, eliminating the need to cross the wetlands.
3. Replacing the culvert with a bridge structure to eliminate any disturbance of the associated wetlands.
4. Increasing the separation distance between the wetlands and the proposed clearing limits and retaining wall; in consideration of the natural diversity of the area.
5. Providing for larger more diverse wetland mitigation areas.

The motion to deny passed unanimously.

**PLANNER'S REPORT**

No Planner's Report.

**MINUTES**

Meeting Minutes

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

VOTED: To approve the October 5, 2022 Inland Wetlands meeting minutes.

The meeting adjourned at 8:14 p.m.

*SJM*