

TOWN OF FARMINGTON  
INLAND WETLANDS COMMISSION  
MEETING MINUTES

November 2, 2022

Present for the online web conference was Chair Hannon, Commissioners Berlandy, Fox, Isner, Kelsey, Simpson, Statchen and Alternate Commissioner Bryk (out at 8:59pm). Sr. Assistant Town Planner Cyr and Clerk Michaud were also present. The meeting was called to order at 7:02 p.m.

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

**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. Continued from October 19, 2022. Attorney Tim Hollister stated for the record the applicant has responded to all staff comments and that no substantive changes have been made to the proposal. Jeff Bord, PE, Bohler Engineering, presented details of the responses to comments regarding the wetland features, removal of retaining wall to the rear of Building A and replacing patios with decks, and storm water management revisions which included modifications to the proposed stormwater collection system along the south side of South Road and relocating the proposed outlet locations. The plan also reflects the Commission's request to armor the bank at the outlet of the (2) 36in RC Pipes with additional rip rap where erosion had occurred. Plans also reflect improvements to the landscaping plan. The CTDEEP approved ice melt product information/safety data sheet was provided for the record file. The Commission commented a public hearing was held as a precautionary measure and no concerns were voiced regarding this project as proposed.

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

The public hearing was closed at 7:15 p.m.

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

VOTED: To make the determination 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 is a non-significant regulated activity.

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

VOTED: To approve 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 as presented and on file in the Planning Office with the condition the applicant address Planning & Engineering comments to the satisfaction of Town Staff.

## 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.* Bryan Panico, Harry Cole & Son, summarized his previous presentation of the proposed four-lot subdivision on a private drive cul-de-sac, specifically the stormwater management report, detention basin details, and the additional notes indicating the Developer will clean the existing 18in CMP under the State of CT right of way. The soil erosion & sedimentation control plan was updated to add straw wattle or silt soc backed by silt fence. The Commissioners asked some general clarifying questions regarding stormwater, grading and maintenance of the detention basin, and requested the addition of catch basin hoods.

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

VOTED: To approve the Carrier Holdings LLC application for regulated activity within upland review area associated with four-lot resubdivision of 114 Red Oak Hill Road as presented and on file in the Planning Office with the following conditions:

1. The applicant shall address Planning & Engineering Comments to the satisfaction of Town Staff; and
2. Installation of catch basin hood in CB #2; and
3. Erosion control shall consist of silt fence and straw wattle along the easterly portion of proposed lots 3 & 4.

### Kent Seely & Lynn Czernicki – 26 Taine Mountain Road

Regulated activity within upland review area associated with installation of a septic system. Tom Grimaldi represented the property owner. The existing septic system is failing, and Mr. Grimaldi stated he has worked with the State Department of Health and the Farmington Valley Health District on the location/design of a new system. The existing septic tank will be pumped, crushed, and buried on site. The new system includes installation of a new watertight tank and pump chamber, and a force main to a split system on the west side of the property. The existence of ledge on site made limited site availability to locate the new system. Due to the variance from the location to the well, the State Department of Health and Farmington Valley Health District are requiring they test the well one-year after completion of construction. It was also noted the new system will be located further from the wetlands and watercourse than the existing system. There was general discussion and questions for clarification regarding distances to the wetlands. It was acknowledged this is necessary work due to the failing existing system.

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

VOTED: To accept the Kent Seely & Lynn Czernicki application for regulated activity within upland review area associated with installation of septic system at 26 Taine Mountain Road.

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

VOTED: To make the determination the Kent Seely & Lynn Czernicki application for regulated activity within upland review area associated with installation of septic system at 26 Taine Mountain Road is a non-significant regulated activity and does not require a public hearing.

### Ashley & Andrew Kidd – Lot 8745 River Road

Regulated activity within upland review area associated with the construction of a new house. Todd Clark, Blue Moon Design, presented the request to construct a single-family house on the vacant parcel. Grading, stockpile location and storm water flow were presented. Plan proposed to install provide a roof leader infiltration system. No work is proposed east of the property between the existing driveway and the Farmington River. Commissioners asked clarifying questions and stated erosion control will be important to protect the river. Mr. Clark also commented the home is proposed on the low point of the property. Commissioners also discussed the location of the 100-yr and 500-yr FEMA Flood elevations, and whether there could be any impacts to the property. It was noted this plan will also require approval of a Zone Change from C1 to R20.

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

VOTED: To accept the Ashely & Andrew Kidd application for regulated activity within upland review area associated with the construction of a new house on Lot 8745 River Road.

After a brief discussion the Commissioners agreed to conduct a site walk. Sr. Assistant Town Planner will coordinate.

### New England Constructs – 93 Lido Road

Regulated activity within upland review area for addition with foundation at rear of house. Matthew Crouse presented the proposed addition off the rear of the home, covered porch and patio area. Commissioners asked clarifying questions confirming the enclosed addition will be in the place of an existing deck. A crawl space foundation is proposed. The closest point of the expansion of the home is approximately 110 feet to the lake. The grade of the rear yard slopes gradually toward the lake. The contractor stated they would use a silt soc around the excavation area to protect the lake. After a brief discussion the Commissioners agreed the proposal was an incidental use of a residence.

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

VOTED: To make the determination the New England Constructs proposed addition with foundation at the rear of the house located at 93 Lido Road is Permitted As of Right under Section 4A.4 of the Inland Wetland Regulations.

The contractor and property owner shall work closely with Town Staff regarding appropriate erosion and soil control installation and site stabilization.

### Cease & Desist – 9 Apple Tree Lane

For conduct of regulated activity without a permit. Sr. Assistant Town Planner Cyr reviewed the property owner obtained Commission approval for an addition to the rear of the house and a covered inground pool on July 20, 2022. Building permits were issued for the pool and addition on September 15<sup>th</sup> and October 3<sup>rd</sup> respectively. An inspection was conducted on October 19, 2022 and revealed a large amount of clearing and grading had occurred at 9 Apple Tree Lane and 11 Apple Tree Lane. Staff made contact with the property owner on October 19<sup>th</sup> to cease and desist all activities and to install erosion control. Photographs of the property showing the extent

of the clearing and grading were provided for discussion. Town Staff has requested an updated survey of both properties and depicting the limits of clearing. The property owner has contracted with George Logan. Mr. Logan met with William Jackson at the site to investigate. The surveyor had re-staked the flags removed when the lot was cleared. Mr. Logan commented the swale bottom was excavated and graded. He needs more time to investigate the site further due to the extent and removal of vegetation, to determine the exact limits of wetlands to adequately develop a restoration plan. Due to the late time of year, it was discussed the restoration plan could not be implemented until Spring 2023. The Commission discussed their immediate concern for stabilization of the site before winter. Hay bale check dams and straw 25 to 30 feet from the swale was initially suggested. Mr. Logan suggested hand throwing rye grass seed and then hydroseed with tackifier. The property owner was directed to start implementing erosion control and site stabilization methods as discussed, under the review of both Mr. Logan and Town Staff.

### Adopt 2023 Meeting Schedule

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

VOTED: To adopt the 2023 CIWC meeting schedule as presented.

### **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 19, 2022 Inland Wetlands meeting minutes.

The meeting adjourned at 9:37 p.m.

*SJM*