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TOWN OF FARMINGTON  
INLAND WETLANDS COMMISSION

September 5, 2018

Present were Chairman Hinze, Commissioners Amato, Hannon, Isner, Simpson, Statchen, Wolf and Assistant Town Planner and Clerk. The meeting was called to order at 7:01 p.m. by Chairman Hinze.

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

VOTED: To add 92 Woodpond Road to the agenda under New Business.

**PUBLIC HEARING**

Michael Hamlin- 1593 Farmington Avenue

Regulated activity within wetlands and watercourse and upland review area for clearing, minor grading, vegetation removal, paving and other site improvements at 1593 Farmington Avenue. Phil Barlow, To Design LLC, presented existing site conditions and proposed improvements. Mr. Barlow stated the Commission had strongly suggested they relocate the proposed gazebo, outdoor dining area and retaining wall out of the floodway and they have done so. Other site improvements included reconfiguration of the parking area. Bryan Panico, Assoc. AIA, Harry E. Cole & Son, reviewed the existing site storm water treatment and proposed water quality improvements. The Commission appreciated that the applicant heard and addressed concerns expressed by the Commission adding that implementation is critical to this area of the river. There was some discussion for clarification regarding drainage, sanitary sewer connection to the outdoor bar and the proposed layout of the retaining wall.

Marisa Spinetti, 5 Riverwood, asked for clarification regarding parking for the restaurant commenting that in the past people would park on Highwood Road.

The public hearing closed at 7:26 p.m. (Statchen opposed closing the hearing)

Commissioner Amato moved and Commissioner Hannon seconded the following resolution:

**Whereas** the Farmington Inland Wetlands and Watercourse Commission (Commission) received an application to permit regulated activities for building improvements, parking lot expansion, grading, vegetation clearing and other site improvements within the wetlands and 150 foot upland review area at 1593 Farmington Avenue as shown on plans entitled "*Wood-N-Tap bar & Grill, 1593 & 8230 Farmington Ave.*" dated July 9, 2018"; and revised through August 24, 2018; and

**Whereas** the Commission conducted a site walk on July 18, 2018, accepted the application at its July 11, 2018 meeting and found the application to be complete, and made a determination that the 2 of 5 activity is significant at its July 25, 2018 meeting and scheduled a public hearing for September 5, 2018; and

**Whereas**, the Commission conducted a properly noticed public hearing on the request in accordance with state and local regulations on August 24, 2018 and August 31, 2018, where all interested parties were heard; and

**Whereas** the Commission evaluated the proposal in accordance with its regulations, specifically Section 7 of the Farmington Regulation for Inland Wetlands.

**Now therefore be it resolved that the Commission** finds that the proposed activities, displayed on the engineered drawings entitled “*Wood-N-Tap bar & Grill, 1593 & 8230 Farmington Ave.*” dated July 9, 2018”; and revised through August 24, 2018 are in conformance with the requirements found in Section 8 of the Inland Wetlands Regulations; and

**Be it further resolved** that the Commission finds that there are no feasible and prudent alternatives to the proposed regulated activity, within the wetland and upland review area, to construct building improvements, parking lot improvements and other site improvements; and

**Therefore be it finally resolved** the Commission approves, with a vote of 6 in favor to 1 opposed (Statchen), said activities within the wetland and 150 foot upland review area, with the following conditions:

- a. Snow removal pushed toward Farmington Avenue not toward the river.
- b. Receptacles for garbage and recycling shall be provided at the patio.
- c. Dumpster area shall include a recycling dumpster.
- d. Address Engineering Comments to the satisfaction of Town staff.
- e. Implement an Integrated Pest Management Plan for all lawn and landscaping care.
- f. Tree removal shall be consistent with the demolition plan. Additional tree removal shall be coordinated with Town staff.
- g. Long Term Maintenance Plan shall be required for the storm sewer system. Maintenance reports shall be submitted to the Town Planning Department annually by January 31st of each year confirming maintenance activities completed.

## **NEW BUSINESS**

### **230 Farmington Avenue LLC – 220 and 230 Farmington Avenue**

Regulated Activity within the upland review area for redevelopment of existing commercial property into a mixed-use development. Tom Daly, P.E., Milone & MacBroom, presented the modified site plan showing the new location of detached Garage #4 south of the wetlands. The garage was moved further south of the wetland and is now proposed to be located 53 feet away. Mr. Daly stated for the record that an Integrated Pest Management Plan has been prepared and submitted to staff. Commissioners asked for confirmation that the wetland was not a vernal pool, and that they have no issue satisfying engineering comments. Mr. Daly responded the wetland was investigated and is not a vernal pool, is currently in need of having trash removed from it. All wetland related engineering comments have been addressed/satisfied.

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

VOTED: To approve the 230 Farmington Avenue LLC application for regulated activity within upland review area for redevelopment of existing commercial property into a mixed-use development at 220 and 230 Farmington Avenue, as submitted and on file in the Planning Office, with the following conditions:

1. Snow will be removed from the property as needed.

2. All dumpster areas should include recycling dumpsters.
3. Address Engineering Comments to the satisfaction of Town staff.
4. Long Term Maintenance Plan shall be required for the storm sewer system. Maintenance reports shall be submitted to the Town Planning Department annually by January 31st of each year confirming maintenance activities completed.
5. Clear debris and trash from the wetland.
6. Implement an Integrated Pest Management plan for all lawn and landscaping care.

Connecticut Spring and Stamping Corp. – 48 Spring Lane

David Rusczyk, P.E., GZA Geoenvironmental, Inc., presented regulated activities associated related to a Consent Order between the Connecticut Department of Energy and Environmental Protection and CTS&S (owner of the site). The proposed activities include clearing, grubbing and earthwork (trenching) to construct a groundwater containment system to mitigate the migration of a groundwater plume of chlorinated solvents. The groundwater containment system will consist of twelve overburden and two bedrock extraction wells that will be installed in the eastern portion of the site. Mr. Rusczyk further explained groundwater will be extracted from each well, transferred to a treatment system trailer via underground piping, treated within the trailer and discharged to Scott Swamp Brook under a CTDEEP General Permit for the Discharge of Groundwater Remediation Wastewater. Prior to trenching, silt fencing will be installed to mitigate potential run-off from the work area. Routine inspection of the fencing will be conducted during the work. All excavated material will be covered with polyethylene sheeting during all non-working hours and reused to backfill the trenches while excess soils will be disposed off-site at a permitted facility. The Commission asked some clarifying questions and suggested straw wattles in addition/in place of silt fence alone. The Commission asked that down gradient wells be added to the site plan for the next meeting.

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

VOTED: To accept the Connecticut Spring and Stamping Corp. application for regulated activity in the upland review area for clearing and trenching to install subsurface piping at 48 Spring Lane.

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

VOTED: To make the determination that the Connecticut Spring and Stamping Corp. application for regulated activity in the upland review area for clearing and trenching to install subsurface piping at 48 Spring Lane was non-significant and does not require a public hearing.

Show-Cause Hearing – 41 Woodruff Road

The homeowners have cleared a large portion of their back yard without the benefit of a wetland permit. The Cease & Desist Order sent to the homeowners was provided to the Commission. The GIS map, As-built survey and photos of work conducted in the wetland, watercourse and upland review area were provided to the Commission as well. Boris Seinyan, owner, 41 Woodruff Road, stated Bruce Cyr stopped by and told him to stop work and to install silt fence and remove stone that was piled on the sidewalk. Mr. Seinyan stated he only removed some scrub bushes and was smoothing out some bumps in his yard and that he did not touch the watercourse. Assistant Town Planner Rutherford reviewed materials provided to the Commission including the watercourse, wetland boundary and conservation easement behind the

house. The conservation easement is deeded to the Town and any proposed work would also need to be reviewed by the Conservation Commission.

After further discussion the Commission determined a site visit is necessary and is scheduled for September 12, 2018 at 6 p.m.

Boris Seinyan – 41 Woodruff Road

Since the issuance of the Cease & Desist Order the homeowner submitted an incomplete application to construct a deck. The Commission confirmed the application cannot be received/accepted due to its incomplete nature.

Show-Cause Hearing – 18 Red Coat Lane

The homeowners have cleared a large portion of their back yard without the benefit of a wetland permit. A copy of the Cease & Desist Order, GIS map of the property was provided to the Commission. Assistant Town Planner Rutherford described the area, subdivision from the late 60's early 70's and drainage/wetlands noting the subdivision mapping does not show wetlands on the site. Charla Carpentier, owner, 18 Red Coat Lane, explained they checked mapping and did not see wetlands on their property so they thought it was ok to clear some fallen, uprooted trees and brush in the rear yard. They purchased the house in June and were cleaning up the rear yard and hope to add fencing to contain their dog. Assistant Town Planner Rutherford commented she does not believe the homeowners were aware they were violating the wetland regulations. The Commission asked some clarifying questions and commented they will likely find the use incidental to residential use.

The Commission will conduct a site walk September 12, 2018.

C. Nancy Culos – 92 Woodpond Road

Regulated activity within upland review area to construct an accessory apartment addition at 92 Woodpond Road. David Whitney, P.E., presented the site plan noting the site had recently been surveyed. The proposed addition is to the south of the existing house. The eastern portion of the site is bounded by the pond. The home's existing septic system is to the west of the house between the house and Woodpond Road. Mr. Whitney stated they have been working with the Farmington Valley Health District regarding the addition of a bedroom and although testing has determined the existing system does not need to be expanded; they are required to provide a "code compliant" area. This area is shown on the site plan created for the Health District. Mr. Whitney provided details of grading to be done around the addition. There was some discussion regarding the existing septic system in response to Mr. Whitney noting the system seems to be underutilized. The site plan will be updated to include erosion and soil control details and the approval letter from the Health District shall be submitted for the record.

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

VOTED: To accept the C. Nancy Culos application for regulated activity within the upland review area to construct an accessory apartment addition at 92 Woodpond Road.

The Commission determined a site visit is not necessary.

## **PLANNER'S REPORT**

### Safari Energy – 500 South Road

Assistant Town Planner Rutherford provided an update stating Safari Energy, Inc. has filed a Petition (No. 1348) with the CT Siting Council regarding their proposal at West Farms Mall. There are a couple more days to submit comments.

### Commission Term Expirations/Vacancies

Assistant Town Planner Rutherford reviewed terms that are expiring the end of the month and that there is still a vacancy. Commissioners were asked to contact their party representatives to forward requests for renewal / recommendation to the Town Council for appointment.

## **MINUTES**

### Meeting Minutes

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

VOTED: 6 in favor, 1 abstention (Wolf) to approve the minutes of the July 25, 2018 meeting.

The meeting adjourned at 9:21 p.m.

*SJM*