

TOWN OF FARMINGTON
INLAND WETLANDS COMMISSION

May 20, 2020

Present for the online web conference was Chair Hannon, Commissioners Fox, Isner, Simpson, Statchen, Tulin, Wolf and Alternate Commissioners Berlandy and Bryk. The Assistant Town Planner and Clerk were also present. The meeting was called to order at 7:00 p.m. Commissioner Simpson was available via phone only for most of the meeting, therefore Commissioners Berlandy / Bryk were appointed to vote on his behalf – alternating.

Present in the Council Chambers were Commissioner Statchen and Assistant Town Planner Rutherford, all others were present online.

NEW BUSINESS

Town of Farmington – Devonwood Drive

Scott Zenke, Highway & Grounds Superintendent, presented proposed drainage improvements on Devonwood Drive. Photos of the existing drainage issues at the entrance of Devonwood Drive near Farmington Avenue were shown. Mr. Zenke is proposing to install two new flat top catch basins with eight-inch PVC pipes; clean and redefine the existing swale; clear an inlet and outlet of existing culvert; and the drywell will be cleaned out. No tree removal is proposed with this project. Mr. Zenke clarified that the swale will be grass. The Commissioners asked clarifying questions about the work proposed. Mr. Zenke will work with staff regarding the work schedule. The catch basins will be in the roadway so that they can be kept clear during winter storm events.

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

VOTED: To make the determination that the Town of Farmington proposed drainage maintenance activity is permitted as of right per Section 4.A. of the Town of Farmington Regulations for Inland Wetlands and Watercourses.

Timothy Corlett – 45 West Avon Road

Demolish existing detached garage and construct new 22' x 24' detached garage at 45 West Avon Road. Mr. Corlett would like to demolish his existing detached garage and construct a larger garage. Initially he had hoped to keep a couple of the existing foundation walls but upon further investigation discovered the footings/foundation were not the proper depth and discovered cracks in the existing foundation. The new foundation will be located a foot further away from the brook. Caution will be used when digging close to the bank edge. Mr. Corlett hired a surveyor to take some spot elevations and that information was shared with the Commission. Assistant Town Planner Rutherford confirmed that the structure is out of the regulated flood area. Mr. Corlett stated he would like to remove some hemlock trees at the top of the bank leaving the stumps in place for stability of the bank. Photos were displayed of the existing garage and yard for clarification. The Commission asked for clarification on the foundation plan. Mr. Corlett stated he will pour over the existing garage floor. The Commission questioned how the roof leaders will discharge to the yard. Mr Corlett indicated he was open to suggestions. Discussions took place regarding infiltrating the roof leaders or discharging to the yard. The Commission expressed concern with removal of the trees because they provide shade for the brook in addition to stabilizing the bank of the brook. They suggested Mr. Corlett have an arborist look at the trees and possibly trim them to keep them healthy. There was some

discussion for clarification on the location of the septic system. It was also suggested the new garage floor be sealed because of the proximity to the brook. Further discussion ensued regarding the removal of existing trees and replanting on some sort of staggered schedule.

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

VOTED: To accept the Timothy Corlett application for regulated activity within upland review area to demolish existing detached garage and construct new 22' x 24' detached garage at 45 West Avon Road.

It was the consensus of the Commission to conduct a site visit. Assistant Town Planner Rutherford will coordinate a site visit with Mr. Corlett. (The site visit has been coordinated for Thursday, May 28th at 5pm.)

Jack Douglas – 114 West District Road

Eagle Scout project to reroute a portion of the existing trail behind West District School, conduct maintenance activities on the remaining portion and maintain sign at the trail head. Mr. Douglas proposed an Eagle Scout project to fix the trail behind West District School. He provided a map showing the existing and proposed trail locations. A portion of the trail would be rerouted to an area of a gentler downhill. Deteriorating timbers are not proposed to be removed but rather the trail will be relocated away from those areas. Photos were included to show the condition of the trail. Mr. Douglas also proposed to maintain the trail sign. The Commission asked some general questions for clarification.

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

VOTED: To make the determination that the Jack Douglas Eagle Scout project to reroute a portion of the existing hiking trail behind West District School, conduct maintenance activities on the remaining portion and maintain sign at the trail head as presented and on file in the Planning Office is permitted as of right per Section 4.B.2. of the Town of Farmington Regulations for Inland Wetlands and Watercourses.

Show-Cause Hearing – 69 Forest Hills Drive

Cease and Desist Order for conduct of regulated activity without a permit for property located at 69 Forest Hills Drive. Attorney Charles Shimkus has asked that this matter be continued to the June 3, 2020 meeting. They need more time to verify the septic system and leaching fields as it relates to their restoration plan.

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

VOTED: To continue this matter to the June 3, 2020 meeting.

Show-Cause Hearing – 1179 Forest Hills Drive

Cease and Desist Order for conduct of regulated activity without a permit for property located at 1179 Farmington Avenue. Assistant Town Planner Rutherford presented documents in the order she emailed them to the Commission. The Town was notified of a considerable amount of activity on the site. Staff investigated and a great deal of excavation of a thirty-foot berm and filling has taken place. As shown on an aerial map it is estimated ten acres of an area left to revegetate has been filled. Mapping was shown of the area delineated as flood plain. Another

map presented showed the wetland layer. The thirty-foot berm has been dropped an estimated ten to twenty feet. Mapping of the Temple off-site wetland information provided in 2012 shows pockets of wetland areas. Google Earth aerials show the site with the pond in its current configuration since 2006. An email exchange between former Town Planner William Warner and Attorney William Galske in 2017 regarding the current owner's prospective purchase of the property was reviewed. The Cease & Desist Order has been issued. The Department of Energy and Environmental Protection has been notified. The Commission commented it would be appropriate to have a survey of the site with the wetland and aquifer protection area delineated.

Attorney William Galske represented the property owner and stated the intent of the project was to clean up the area and hydroseed it. All fill used was from the berm on site. Since the area filled was excavate for years, they do not believe there are any wetlands. They have offered to install erosion control but at this point it was determined it is not needed. His client will install erosion control if needed. Assistant Town Planner Rutherford asked if a survey was done in 2017 when the property ownership transferred. Attorney Galske responded they did some grade surveys, but they don't have one survey of the site. Assistant Town Planner Rutherford commented it would be helpful if 2017 elevations were done otherwise, staff has to use historic aerial data. Attorney Galske commented the berm was used for screening of the operation at the site. Assistant Town Planner Rutherford stated over time the berm has become a flood management berm; acknowledging that it is not an official designation nor is it a dam. Now that it has been disturbed the area is more susceptible to flooding. It will need to be replanted. There was some further discussion on the purpose of the filling and intent of the property owner. Attorney Galske stated the site is high on the Land Acquisition List. After some further discussion the Commission stated more information would be needed from a wetland scientist/soil scientist and a survey. The Commission would also like to visit the site. Assistant Town Planner Rutherford will coordinate a site visit and clarified that there was no direct encroachment with the Farmington River. This matter will be on the agenda until a resolution is reached.

PLANNER'S REPORT

48 Farmington Ridge Drive

Assistant Town Planner Rutherford explained a building permit application has been received for the installation of an above-ground pool at 48 Farmington Ridge Drive. They have made an application for a Wetland Agent Upland Review permit.

MINUTES

Meeting Minutes

05-06-20

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

VOTED: To approve the May 06, 2020 Inland Wetlands meeting minutes.

The meeting adjourned at 9:39 p.m.

SJM