INLAND WETLANDS & WATERCOURSES COMMISSION
REGULAR MEETING
February 16, 2016

The Town of Bloomfield Inlands Wetlands & Watercourses Commission held their regular meeting on Tuesday, February 16, 2016, scheduled for 7:30 P.M. at the Town Hall in Bloomfield, Connecticut with the following Commissioners present:

Nicholas Panke, Chairman
Howard Hunter, Vice Chair
Alan Budkofsky
Joy Chance
David Mann
Barry Berson

Also present: David Peter Castaldi, Wetlands Agent
Laura James, Recording Secretary

Commissioners not present:
Wendell Duncan
Kenneth Bennett

CALL TO ORDER

Chairman Panke called the regular meeting of the Inland Wetlands & Watercourses Commission to order at 7:30 P.M. in Council Chambers at the Bloomfield Town Hall, 800 Bloomfield Avenue.

Chairman Panke reviewed the procedures for Public Hearings and read the first agenda item:

1. **Application of TFC Housing Corp. for a Wetlands Permit at 15 Douglas Street 41-unit elderly apartment building and associated site development, including impacts to wetlands and watercourses. (continued from January 19, 2016)**

A motion was made by Commissioner Budkofsky to re-open the public hearing. The motion was seconded by Commissioner Mann and was approved unanimously.

Attorney Louis George, of Hassett & George P.C, stated after the last hearing they met with the Fire Marshall and had additional meetings and also received Mr. Castaldi's memorandum. The Fire Marshall had concerns with the accessibility to the property and to various sides of the building. The Fire Marshall asked the initial driveway coming in be expanded to 28 feet to allow the Fire Department to be able to get their apparatus in the driveway in case there were parked cars. Attorney George stated the parking lot and driveway was expanded 2 feet to the west and

east. The Fire Marshall asked to widen the service drive to the rear to 24 feet. The Fire Marshall also had concerns about reaching the east side of the building. Attorney George stated there is a gravel emergency access added to the east side of the building.

Guy Hesketh, Professional Engineer, of F. A. Hesketh & Assoc. Granby, CT., stated that a couple changes have been made subsequent to the previous presentation. Mr. Hesketh had a meeting with the Fire Marshall and he asked that the entrance driveway be widened from 24 to 28 foot to make sure their latter apparatus would not damage any vehicles. In order to get the 28 foot for the width of the driveway, Mr. Hesketh stated that they shifted the westerly parking lot 2 feet further to the west and shifted the building 2 feet to the east and picked up the 4 additional feet. The building was also shifted one foot closer to the road which allowed the driveway widened in the back from 20 feet to 24 feet and which will allow some landscaping between the building and the drive. The rear service drive was also made 2 feet wider but the retaining wall was extended slightly to the south. Because of the emergency driveway a little bit of additional wetland impact is now proposed. At the request of staff, the slope in the northern part of the site, originally 3:1 slope from the edge of parking lot down to the wetlands, was reduced to 2:1 which allowed to pull the limit of disturbance in about 8 feet. The generator and transformer pads were also shifted closer to the road to reduce the impacts within the fifty-foot vegetative buffer area. By making these changes there will be slightly less total impact to the upland review area and the fifty-foot vegetative buffer. Some existing erosion problems exist in the perennial brook and concerns about erosion will continue. Mr. Hesketh and Mr. Castaldi agreed to supplement the plan by adding some additional rip rap erosion control on the banks to reduce scouring and take care of a long standing problem and help resolve any potential erosion in the future in the area. A soil staging area was added to the plan. Mr. Hesketh stated that they calculated they would need about 786 cubic yards of top soil for six inches on the landscaped areas of the project and 12 inches in the storm water quality basin. Therefore, this volume is required to remain on site to make sure there is sufficient top soil for final stabilization. Northeast of the access drive was added a water quality swale and its purpose is to take any runoff from the access road in the area adjacent to the building and provide a little cleansing before discharging to the adjacent wetland. This area will be seeded with wetland seed mix and will provide some additional wetlands mitigation.

Mr. Hesketh stated he will review the landscaping with staff and landscape architect following construction as to what type of vegetation and shrubs to plant within the vegetated buffer zones. The landscape plans show several areas of shading between the proposed trees for the planting of additional wetland shrubs. These would be coordinated in the field with the Landscape Architect and the Wetlands Agent after construction.

Mr. Hesketh stated that with these changes the project now includes 0.79 areas of wetland disturbance and 240 linear feet of disturbance which includes the intermittent watercourse, and stabilization of the perennial watercourse at the outfall. Therefore, there is a slight reduction from 2.2 acres of disturbance to 2.02 because of lessoning the impact of the vegetative buffer. Mr. Hesketh stated that Jonathan Thiesse, Town Engineer, wanted them to revise the storm drainage system with no direct connection to the existing catch basin; and they had tweaked the alignment of the 18" pipe to better follow the alignment of the watercourse. The Master Plan will give the Town rights to drain into the on-site storm drainage system and new lot numbers. Mr. Hesketh further stated he believes that taking into account of the Fire Marshal's requirements and Zoning restrictions on this property, in his professional opinion, the proposed development is the most reasonable and prudent alternative.

Mr. Castaldi stated that he thinks the small changes and additions that were recommended make the project better from an overall point of view. Mr. Castaldi stated he spent time looking at alternate locations for the building and agreed with Mr. Hesketh that this is the most prudent and feasible alternative. Mr. Castaldi stated he feels the Commission has enough information now to make an informed decision. Mr. Castaldi further stated he is recommending eleven

conditions of approval. Condition #2 recommending direct impact to the wetlands be no more than 3400 square feet. Direct impact to the intermittent watercourse be no greater than 210 square feet and direct impact to the perennial watercourse no greater than 30 linear feet. Condition #3 mitigation for impact to the wetland and watercourses 6500 square foot shallow storm water wetland. Mr. Hesketh reviewed the function of the shallow stormwater wetlands at the last public hearing but did not mention it specifically tonight. The shallow stormwater wetland is proposed as mitigation for the impacts. The total disturbed area for the project is about 2.5 acres. Mr. Hesketh discussed mitigation for the impacts to the existing vegetated buffer zones within the upland review area. When a fully wooded site is clear cut there is a very abrupt transition where you go right from the forest to the lawn around the developed site. It has been Mr. Castaldi's ongoing recommendation to plant trees and shrubs along the edge of the clearing to soften the abrupt change. There are trees and shrubs proposed around the mitigation area as well as the proposed site and additional wetland habitat shrubs shown as hatched areas on the plans will be spotted in the field. Mr. Castaldi also recommended the posting of a $3000 bond for erosion controls, site stabilization and construction which represents $1000 per acre and there is about 2.5 acres of disturbance. In condition #7 Mr. Castaldi asked for third-party weekly inspection and reports on the soil erosion and sediment control measures and on the on-going construction. He also asked for wetland scientist or biologist monitoring for the wetland mitigation area for three years to make sure it is viable and working correctly. The other recommended conditions include a pre-construction meeting with Mr. Castaldi; any changes to the project from approvals by State for Federal agencies such as the DEEP, Health Dept., Planning and Zoning Commission have to come back and show the Commission what the changes they are; and at the end an as-built site improvement and grading plan. There is a post construction maintenance program on the plans for making sure the stormwater management area and stormwater quality measures are kept up. Annually or twice a year sweeping of pavement and cleaning out the catch basins are recommended.

Mr. Castaldi reminded the Commission that if there is a public hearing on an application that involves regulated activities then the Commission has to make a finding of no prudent and feasible alternatives in their motion to approve.

Mr. Castaldi said he had been out to the site several times and the last time he had been able to get to where the intermittent watercourse intersects the perennial east-west watercourse. He agreed with Mr. Hesketh that the perennial watercourse was severely eroded. This channel may have been re-worked when Cottage Grove Road was realigned in the late 1970's. Since then there has been more erosion of the channel. A fairly large area contributes runoff to the perennial watercourse and its peak flow will occur after the peak flow from the proposed development. Mr. Castaldi reiterated that he had looked at the alternatives and although he was not happy about filling of the wetlands he felt that the applicant had minimized as much as they could.

Chairman Panke asked if there were any questions from the Public – There were none.

Chairman Panke asked if there were any questions from the Commission.

Commissioner Berson asked Mr. Castaldi about where the intermittent watercourse comes into a structure, and is it a Town structure or State structure. Mr. Castaldi replied this watercourse flows south to north and it only conveys runoff from the Douglas Street storm drainage system. There are stormwater culverts from Cottage Grove Road that discharge to the perennial watercourse which runs east and west and some are State and some are Town. Commissioner Berson asked if the project stormwater discharge will be reviewed by the State. Mr. Castaldi replied he did not think so, the drainage calculation indicates a slight reduction in peak flows for all storms. His concern is the stream is in really bad shape it needs some streambank restoration. Commissioner Berson asked Mr. Hesketh about his statement that the grade was decreased from 3:1 to 2:1, but it was actually increased and that it was his understanding that a 3:1 slope is the maximum you can mow. Mr. Hesketh stated the 2:1 slope will not be mowed, they will use a

wetland seed mix in the base itself, and a standard DOT seed mix, and an erosion control blanket will be used in the no mow areas.

Commissioner Berson asked whether the easterly access road could be grass pavers rather than gravel. Mr. Hesketh said they were proposing concrete grass pavers with a gravel base.

Commissioner Mann asked about snow removal and was concerned about it being pushed north into the proposed landscaping strip. Mr. Hesketh stated that snow will be likely be pushed to the west side of main parking lot, where they have some unpaved reserved parking, and away from the wetlands on the east side of the building. Mr. Castaldi stated that the grassed pavers would be the best location and snow storage areas should be shown on the plans. Mr. Hesketh stated that he would entertain that as a condition of approval.

Commissioner Mann asked Mr. Castaldi how he handles the limits of clearing and making sure the construction stays within the limits. Mr. Castaldi stated that the applicant provides information concerning impacts to wetlands and watercourses and upland review areas. These figures are usually rounded up for the conditions of approval. The clearing limits are inspected before trees are cut to see if they are accurate and to save any specimen trees. Silt fence or construction fence is also required at the limits of disturbance.

Vice Chairman Hunter asked where the transformer pad was going to be and how would it be protected. Mr. Hesketh said it would be on the north side of the pavement north of the building. Concrete filled bollards would be provided for safety per requirements of Eversource (the electric company).

Commissioner Budkofsky asked if there was a requirement for a digital copy of the plans in the conditions of approval. Mr. Castaldi said it was included in recommended condition #1.

Commissioner Budkofsky asked if the fuel source for the emergency generator had been identified. Mr. Hesketh stated that it would be natural gas, and no fuels would be stored on site.

Commissioner Budkofsky asked if there was an environmental plan for the project that addressed the use of salt or sand on the pavement and fertilizer on the landscaping. Mr. Hesketh said they had not submitted such a plan but would be happy to incorporate any standard practices the Town has into the plan.

Mr. Castaldi said the Town does not have any standard practices for these items. Some debate exists whether to use sand or salt and there are many different practices when it comes to fertilizers and pesticides. An integrated pest management plan for the site could be added to the recommended conditions.

Chairman Panke asked about the widening of the driveways required by the Fire Marshall and whether they could also be grassed pavers. Mr. Hesketh stated that one of their vehicles has outriggers for stabilization that requires 28 feet clearance. The main drive was widened to 28 feet so no cars would be in the clear zone. On the north and east side drives the 24 foot width is sufficient because there would not be vehicles in the way. Neither the main driveway nor the rear driveway would be good candidates for by grassed pavers.

Chairman Panke stated that there has been flooding and icing problems at the dog-leg in Douglas Street right where the proposed new entrance will be, and asked if this was taken into account. Mr. Hesketh said their grading plan included a 1% gutter slope.

Chairman Panke asked about access for the utility companies within the discontinued right-of-way for Douglas Street. Mr. Hesketh said they would still be able to get to the two poles on the property but access to the poles on the north side of the perennial watercourse would not be

possible without a bridge. Access for utility companies from the north was not affected by the project.

Chairman Panke asked if there were any comments from the Public - None

Chairman Panke asked if there were any comments from the Commission.

Commissioner Mann commented that the landscaping plans include redbud trees "forest pansy" and that in his experience they are especially difficult to grow in this climate.

Chairman Panke commented that he was concerned about the vegetated buffers and that the area from Cottage Grove Road to the southwest was a wildlife corridor.

Chairman Pane asked for a motion to close the public hearing.

Commissioner Budkofsky made a motion to close the public hearing. The motion was seconded by Commissioner Mann and passed unanimously.

Commissioner Mann asked if the finding of no prudent and feasible alternatives was a separate motion. Chairman Panke said it should be part of the motion to approve.

Commissioner Mann made a motion to approve the application of TFC Housing Corp. for a Wetlands Permit at 15 Douglas Street, and made a finding of no prudent and feasible alternatives, for construction of an 41-unit apartment building and associated site development, including impacts to wetlands and watercourses, including the eleven recommended conditions of approval, based on the plans dated December 22, 2015 and revised to February 5, 2016. The motion was seconded by Commissioner Berson.

The motion was made by Commissioner Chance to amend the motion to include an integrated pest and landscape management plan and snow storage locations, for a total of thirteen conditions. The amended motion was accepted by Commissioners Mann and Berson.

The amended motion was unanimously approved.

Chairman Panke read the notice for the second agenda item.

2. Application of Capitol Regional Educational Council (CREC) for a Wetlands Permit and resubdivision at 29 Griffin Road North, for a new high school, athletic Facilities and associated site development, including Significant impacts to wetlands and watercourses.

A motion was made to open the public hearing. The motion was seconded and passed unanimously.

Mr. David Hoopes, Attorney stated CREC wishes to build a magnet high school on a land at 29 Griffin Road North. Property is adjacent to the Windsor town line and near Blue Hills Avenue Extension. They seek a wetlands permit for the proposed construction and a three lot subdivision. The name of the school is Two Rivers High School which currently exist in two temporary locations in Hartford. All of CREC schools have a theme and the theme of this school is Fresh Water Marine Biological and Environmental Engineering. The aquaculture theme drove the selection of the site, because it is close to Farmington River and the Town of Bloomfield Farmington River Park.

The school site itself is 28.8 acres, however as part of the transaction the owner Griffin Land has agreed to donate 14 acres to a CREC affiliate that will be preserved as open space. The 14 acres will be used to create 1.64 acres of new wetlands in order to replace the same amount of wetlands that needs to be filled in order to make the project work. The CREC design team has carefully reviewed various alternative layouts and there is no alternative for the site that does not involve wetlands. This particular site plan is far superior to all the alternatives in terms of wetland impacts and feasibility of the site plan. This plan is a product of many months of work by the design team, and with the consultation of Mr. Castaldi, staff of the Army Corp of Engineers, Connecticut Department of Energy and Environmental Protection.

Mr. Jeff LeBeau, Freeman Companies, Professional Engineer, stated that the first plan sheet shows the three lot subdivision. A few months back they did receive a wetlands map amendment to confirm three intermittent watercourses on the site. Mr. LeBeau stated his primary focus was the storm water management on the overall site and how that was handled. There are two major watersheds on the entire site. Area #1) is 32 acres and Area #2) is 21 acres and also had to incorporate 18 acres south of Griffin Road North because presently everything drains to the north. They had two design firms both at intermittent watercourses in the intersection of the northern most property line and currently the watersheds south of Griffin Road North flow into catch basins and infiltrate into leeching structures and overflow and discharge at two locations. This is something Mr. LeBeau stated they had to account for and manage. The roof run-off of the proposed building which is approximately 110,000 sf of clean roof run-off is piped into a proposed wetland mitigation area.

Mr. Castaldi asked Mr. LeBeau to summarize the overall project for the Commission.

Mr. LeBeau stated that the building shown in brown is in the central part of the project. The site is bisected by the gas easement that runs diagonally from southwest to northeast. Two parking areas are proposed one in the easterly part and one near school building in the west. A football field and running track is proposed in the easterly part of the property, along with the bus loop and drop-off. There are two points of entry off of Griffin Road North. On the western side there are two baseball fields and a soccer field. The 14-acre piece to the rear of the building is proposed for open space. Mr. LeBeau stated they are proposing two wetland replication areas which are in a 1:1 ratio with the proposed impacts.

Mr. LeBeau further stated there are two design points at the intersection of the northerly property line and the intermittent watercourses. For post-development conditions, 34 acres are going to the design point 1 and 38 acres draining to design point 2. The pre-development conditions has slightly more going to design point 1.

Mr. LeBeau reviewed their low impact development strategies including depressed areas or bi-swales within the parking areas, deep sump catch basins with hooded outlets, infiltration galleys, sediment fore-bays and rip rap plunge pools into stormwater treatment basins. The fire road at the rear of the building is proposed to be "fiber soil" which can be driven on.

The current site is approximately 28 acres of farmland the site does have pesticides. As part of the water quality management Mr. LeBeau's team recommends to remove two-foot depth off-site, which will leave a much cleaner site.

Ms. Magdalena Lofstedt, CDM Wetland Scientist, stated that the direct wetland impacts are approximately 1.64 acres and shown in pink on map. The north-central wetland will be impacted and also a portion of the western wetland. The wetlands are deciduous forest with a small area of shallow marsh in the west. The north-central wetland will be filled to create the level area for the building. There are impacts to the 50 foot vegetative buffers. The westerly wetland includes an intermittent watercourse and impacts are for the athletic fields. There is quite significant impacts of approximately 3 acres to the upland review area.

Ms. Lofstedt stated that the Soil Science and Environmental Services report on the functions and values assessment of the wetlands identified groundwater recharge and discharge, sediment and toxicant retention, nutrient removal and wildlife habitat

The goal of the wetland replication is to re-create an area that will have the same function. Two wetland replication areas proposed - one in the westerly part and the second in the northeasterly part of the property. The overall water table is about four feet down from existing grade. Ms. Lofstedt described the westerly replication area and stated they are proposing to re-establish deciduous forested wetland with red maple, green ash and a number of diverse shrubs and also proposing to establish micro-topography which is better for the hydrology. The intermittent watercourse will be reconfigured to flow into the replication area. On the northeasterly replication area, west of the gas pipeline, they have avoided the mature forest and are proposing to construct it within a scrub brush area. The replication areas will be established with ground and surface runoff. The northeasterly replication area includes a low flow channel with 20 feet of seeding on either side.

Ms. Lofstedt stated that they had identified three potential vernal pools in the northcentral wetlands. They are not proposing any direct impacts to the vernal pools. The pools were not verified as functional vernal due to the time of year but they are treating them as vernal pools. Only a small area of the area 100 foot buffer around the vernal pools is being impacted.

Mr. Jeff LeBeau stated their landscape architect is proposing some transitional plantings for the replication areas as well as buffer near the westerly athletic fields and to the rear of the building. Plantings like fruit bearing trees such as black choke cherry, sweet pepper bush, ranging from five to ten feet and will provide wildlife habitat and forage.

Attorney David Hoopes stated that they had concluded their presentation and were ready to take questions with the understanding that staff had requested additional time for review and the application would be tabled to the March meeting.

Mr. Castaldi stated the on-site upland and wetland soils are very sandy, the applicant is proposing quite a bit of infiltration. Mr. Castaldi believes that shade tobacco was grown on the site decades ago and pumpkins were grown approximately two years ago. The groundwater in sandy soils fluctuates a lot and the wetland mitigation areas are designed to intercept the groundwater. They may need to be slightly deeper or shallower depending on the piezometer data. One item that was discussed was the proposed retaining wall around the westerly most softball field and another on the east side of the property to allow them to potentially get close to the property line, the next lot over is Windsor.

Mr. Castaldi stated he had met on site with representatives of DEEP, and Army Corp and the applicant will probably have a review with DEEP and Army Corp and may need a permit for the project. There may also be changes to the plans that will have to come back to the Commission. With more than half an acre of wetland impact you need a state permit. These various entities and the applicant got together to review the site and the result was the proposal before the Commission now. The vernal pools were observed in the field last fall and only the largest one held any water. These are probably functional vernal pools and they will be excellent educational resources for the school's curriculum.

Mr. Castaldi also stated that there is water and gas in Griffin Road North but not sewer, therefore, CREC will need a sanitary sewer pump station. In Mr. Castaldi's preliminary memorandum there was a mention of a draft report about the wetland qualities and functions that was done for the map amendment. The supporting documentation submitted with the permit application included a final report by Soil Science and Environmental Services that includes these and a wildlife inventory. Mr. Castaldi stated he is presently reviewing their storm water management plan.

Post run-off is quite a bit less than the present peak runoffs and may ask applicant to make it less of a reduction. Some of the computer models do not take infiltration into the ground into account as strongly as they should. There will be a lot of storm water infiltration on the site. Mr. Castaldi is recommending the Commission table to the next regular meeting of March 21, 2016.

Chairman Panke asked if there were any questions from the public.

Jonathan Laurey of 356 Tunxis Avenue, asked will there be any type of compliance for pesticides. Mr. Castaldi stated that pesticides are not allowed on athletic fields and Ms. Lofstedt agreed. Mr. Laurey asked about traffic added to the road. Mr. Castaldi stated that this outside of the purview of the Wetlands Commission and would be a question for the Planning & Zoning Commission.

Chairman Panke asked if there were any questions from the Commission.

Commissioner Mann asked if the gas pipeline was the same as presently maintained by Kinder Morgan and proposed to be upgraded. Would this present a problem? Mr. LeBeau stated it was the same gas line and that the architect accounted for future expansion in the overall layout. If the gas line comes in there will be minimum disturbance to the bus loop area and the canopy. Mr. LeBeau stated they have provided a thirty-foot-wide area to put in a second gas line.

Commissioner Mann asked if the Griffin Land property to south gets developed do they still have rights to drain to the new storm system on the school site. Mr. LeBeau stated that these rights would be retained and it is likely that any increase in impervious coverage would require stormwater detention so as not to increase flows.

There was a question concerning the wetlands delineation. Mr. Castaldi stated the Commission approved a wetland map amendment in November, 2015. Commissioner Mann asked if the Commission needs to notify or coordinate with CRCOG for this project close to Windsor line. Mr. Castaldi stated that the Windsor Town Clerk was notified of this public hearing in accordance with the Wetlands Regulations.

There was some question about whether the project would be non-compliant with the present zone of the project. Mr. Castaldi said the property was in the Residential R-40 zone and schools were permitted with a Special Permit from the Plan and Zoning Commission.

Commissioner Budkofsky stated that the proposed mitigation ratio is 1:1, and thought that the regulations required 2:1 ratio for mitigation. Mr. Castaldi stated that mitigation is recommended at 1 to 1½ ratio and include wetland creation, wetland enhancement and wetland restoration are all included. CREC has a lot more wetland enhancements to count and the latest landscaping plans were not submitted until recently. Commissioner Budkofsky asked if the Commission could increase the ratio. Mr. Castaldi stated yes.

Mr. Budkofsky asked if the two ball fields were eliminated the building could be moved out of the wetlands and would this not be less of an impact to the wetlands. Mr. LeBeau stated that they considered this but felt that the ball fields were necessary for the project. Mr. Hoopes stated that with 880 students they need the ball fields.

There was further discussion regarding the recreation facilities and eliminating the ball fields to reduce the impact to the wetlands as a prudent and feasible alternative. Off-site mitigation was also discussed. Mr. Hoopes said off-site mitigation was problematical. Ms. Lofstedt said that expanding the mitigation areas would impact more mature forest.

Mr. Castaldi stated in the application package included a report from CDM Smith that includes alternative analysis. This should be emphasized at the next public hearing. They looked at four options and chose the current one.

Chairman Panke and Commissioner Budkofsky said that the applicant should seriously consider the alternatives. Mr. Hoopes said they would do so and would be prepared to discuss it in detail at the March meeting.

Commissioner Hunter stated that he felt the proposed school and its curriculum emphasis was one of the best uses for a magnet school he had heard about.

Commissioner Berson made a motion to table the application and continue the public hearing to the next scheduled meeting of March 21, 2016. The motion was seconded by Commissioner Budkofsky and unanimously approved.

3. Approval of Minutes, January 19, 2015 Meeting

Commissioner Budkofsky made a motion to approve the minutes as presented. The motion was seconded by Commissioner Berson and passed unanimously.

4. New Applications

Mr. Castaldi stated he had received an application for wetlands agent permit for a new house at 30 Privilege Road.

5. Status of On-Going Projects

The two active projects at this time are the Deringer-Ney site at 353 Woodland Avenue and Brighton Park Condos.

6. Adjournment

Motion was made by Commissioner Budkofsky to adjourn the meeting at 9:00 p.m. The motion was seconded by Commissioner Mann and approved unanimously.

Respectfully submitted,

Laura James

Laura James, Recording Secretary

Nicholas H. Panke

Nicholas Panke, Chairman