INLAND WETLANDS & WATERCOURSES COMMISSION
REGULAR MEETING
September 21, 2015

The Town of Bloomfield Inlands Wetlands & Watercourses Commission held their regular meeting on Monday, September 21, 2015, scheduled for 7:30 P.M. at the Town Hall in Bloomfield, Connecticut with the following commissioners present:

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

Also present: David Peter Castaldi, Wetlands Agent

Commissioners not present:
Kenneth Bennett
Joy Chance
Wendell Duncan

CALL TO ORDER

Chairman Panke called the regular meeting of the Inland Wetlands & Watercourses Commission to order at 7:35 P.M. in the Council Chambers meeting room at the Bloomfield Town Hall, 800 Bloomfield Avenue.

Chairman Panke reviewed the procedures for Public Hearings and stated that since they had a bare quorum of five Commissioners four affirmatives votes were required to approve any applications. The applicant's had the choice of proceeding with their application at tonight's meeting or delaying it to the next meeting when more than five Commissioners may be present. All applicants agreed to go forward tonight.

Chairman Panke read the notice of the first agenda item and indicated that it had been continued from the July 20th and August 17th meetings.

1. Wetlands Map Amendment
62 West Dudley Town Road
Applicant: Alford Associates, Inc.
Public Hearing

A motion was made by Commissioner Budkofsky to reopen the public hearing. Commissioner Berson seconded the motion and it carried unanimously.

Chris Alford, PE & LS, of Alford Associates, Inc., submitted the affidavits for sign posting and notice letter mailings. He described the location of the property on the north side of West Dudley Town Road, east of Filley Street, and the various wetland and watercourses on the property. The wetlands were flagged by George Logan of REMA Environmental Services, LLC.

George Logan, Soil Scientist and Wetlands Ecologist, of REMA Environmental Services, LLC, referring to his June 15, 2015 Soils Report, stated that the wetlands were flagged in late 2013 and the delay in making the application was due to some difficult soils in the central part of the project and heavy brush that made the surveying difficult. The area of wetlands as flagged (5.55 acres) is much smaller than the wetlands from the Town's Official Map (14.3 acres).

Mr. Logan continued with detailed descriptions of the various wetlands and watercourses. The wetlands are wooded or forested, the northerly watercourse is permanent and the southerly watercourses are intermittent. He stated that the central portion of the property had been mined for sand or gravel some decades ago and he estimated that 6-8 feet of material had been removed. This area is mapped as wetlands on the Official Map but was found to be disturbed uplands in the field. Mr. Logan stated that he had collaborated with Tom Pietras, the soil scientist who mapped the area in the 1990's. A letter from Mr. Pietras, dated December 5, 2013, submitted with the Soils Report, states that he agrees with Mr. Logan that the soils are disturbed uplands. The westerly part of this area was flagged as disturbed wetlands where the removal of sand or gravel brought the surface down to within 20 inches of the ground watertable.

Mr. Castaldi asked Mr. Logan to give a short description of his methods of determining the flagged wetlands.

Mr. Logan stated that uniquely in Connecticut wetlands are determined by soil type only. Poorly drained soils, very poorly drained soils and alluvial soils are classified as wetland soils. Soil cores are dug with a spade and auger to a depth of about 20 – 24 inches and the soil scientist looks for mottling or redoxemorphic features in the soil which indicated a seasonal high water table and therefore wetlands. Flags are placed every 40 - 60 feet along the wetlands line based on the soil cores.

Chairman Panke asked about the vegetation in the wetlands. Mr. Logan stated that when he first was on the site, in 2013, the old farm areas were still mostly open, but now they are overgrown with brush and scrub growth including many invasive species. Some of the wetlands include typical wetland vegetation but the presence of wetlands vegetation is not required for an area to be considered a wetland.

Mr. Castaldi stated that he had visited the site twice, the latest on the 9th of September, and agreed with Mr. Logan's delineation. Mr. Castaldi then reviewed his memorandum to the Commission, dated September 11, 2015, and recommended that the Commission approve the application with two conditions: 1.) Minor technical revisions to be made to the plans and 2.) a digital copy of the plans be submitted for inclusion in the Town's GIS.

Chairman Panke asked for questions from the Public and hearing none asked for questions from the Commission.

Commissioner Mann asked for more information about the significant difference in the flagged wetlands compared to the Official Map.

Mr. Logan stated that the Official Map was done with a broad brush and not on an individual parcel basis. He conjectured that when the Official Map was done the sand or gravel mining was fairly recent and was initially overgrown with wetland plants. Subsequently the wetland plants were overtaken by the upland plants observed in the field in 2013.

Chairman Panke asked if there were any comments from the Public and hearing none asked for comments from the Commission. Hearing none he asked for a motion to close the public hearing.

> *A motion to close the Public Hearing was made by Commissioner Mann. Commissioner Berson seconded the motion and it was approved unanimously.*

There was no additional comment or discussion. Chairman Panke asked for a motion to approve the application.

> *Commissioner Budkofsky made a motion to approve the application of Alford Associates, Inc., for a Wetlands Map Amendment, at 62 West Dudley Town Road, subject to the presentations made and with the recommended conditions of approval from Mr. Castaldi's memorandum. Commissioner Hunter seconded the motion and it was approved unanimously.*

Chairman Panke read the notice for the second agenda item.

2. Wetlands Map Amendment
29 Griffin Road North
Applicant: Capitol Regional
Educational Council
Public Hearing

> *A motion was made by Commissioner Budkofsky to open the public hearing. Commissioner Mann seconded the motion and it carried unanimously.*

Jeff LeBeau PE, of Freeman Companies, LLC, spoke for the applicant and submitted the affidavits for sign posting and mailing of notice letters. Mr. LeBeau described the location of the property, on the north side of Griffin Road North west of the Windsor/Bloomfield town line, and the various wetlands on the property. The area of wetlands flagged by the soil scientist (10.89 acres) is greater than the area of wetlands (8.39 acres) shown on the Official Map.

Mr. Scott Stevens, soil scientist with Soil Science and Environmental Services, Inc., referring to his Soils Report stated that he had flagged the three wetland areas on the site in November of 2014 over a period of three days. The wetlands are mostly wooded, three areas of standing water were observed in the north central wetlands, and an intermittent watercourse, probably an old farm field ditch, was observed between the westerly wetlands and the north central wetlands near the westerly property line.

Mr. Castaldi stated that he had visited the site twice, the first in late April of this year and the latest on the 8th of September, and agreed with Mr. Steven's delineation. The westerly and northeasterly wetland areas as flagged are in general agreement with the Official Map. The north central wetland area was found to be larger than as shown on the Official Map.

Mr. Castaldi then reviewed his memorandum to the Commission, dated September 9, 2015, and recommended that the Commission approve the application with two conditions: 1.) Minor technical revisions to be made to the plans and 2.) a digital copy of the plans be submitted for inclusion in the Town's GIS.

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

Ms. Diane Aniello, of 28 Gabb Road, asked how the present drought conditions affect the location of the wetlands.

Mr. Stevens said that drought conditions can affect the apparent locations of wetlands but the soil indicators are due to conditions over many years and the lack of rainfall does not affect the delineation of the wetlands.

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

Commissioner Mann asked about the monitoring wells shown on the plans. Mr. LeBeau stated that these were for the geotechnical engineer to determine depth to the ground watertable and were not for the wetlands delineation.

Commissioner Hunter asked about the unresolved wetland flags noted in Mr. Castaldi's memorandum. Mr. Castaldi said the wetland flags noted will be resolved, or made to fit in, with the Official Map at or near these flags and the property lines.

Chairman Panke asked about the three standing water areas and whether they would be considered vernal pools. Mr. LeBeau said they had flagged the standing water areas in April and at the September 8th field meeting the largest one was identified as a vernal pool.

Mr. Castaldi stated that the standing water areas flagged in April were dry in September. There was evidence of amphibian egg masses but the obligate species were not observed. All three areas are potential vernal pools but could not be confirmed as actual vernal pools.

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

Mr. George Helinski, of 438 Tunxis Avenue, asked if this was a preliminary step to approval of the CREC School. Chairman Panke stated that this application was for the Map Amendment only. There would be another application and Public Hearing for any development of the property.

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

Commissioner Mann stated that the property was adjacent to the town's Farmington River Park and that he hoped there would be some coordination of the future development of this property with the town park.

Commissioner Budkofsky asked for a point of order concerning when a wildlife habitat study was normally requested. Mr. Castaldi stated that it is normally requested with an application for a Wetlands Permit.

Chairman Panke asked if there were any other questions or comments and hearing none asked for a motion to close the public hearing.

A motion to close the Public Hearing was made by Commissioner Budkofsky. Commissioner Mann seconded the motion and it was approved unanimously.

There was no additional comment or discussion. Chairman Panke asked for a motion to approve the application.

Commissioner Mann made a motion to approve the application of the Capitol Regional Educational Council, for a Wetlands Map Amendment, at 29 Griffin Road North, subject to the presentations made and with the recommended conditions of approval from Mr. Castaldi's memorandum. Commissioner Hunter seconded the motion and it was approved unanimously.

Chairman Panke read the notice for the third agenda item.

3. Wetlands Map Amendment
21 Juniper Road
Applicant: Mr. Alan Goldsher
Public Hearing

A motion was made by Commissioner Budkofsky to open the public hearing. Commissioner Mann seconded the motion and it carried unanimously.

Mr. Alan Goldsher, applicant and property owner, described the property and said he was not a builder or developer but had filed the application as a first step to potentially building a house on the land. Mr. Goldsher submitted the affidavits for sign posting and notice letter mailings.

Mr. Scott Stevens, soil scientist with Soil Science and Environmental Services, Inc., referring to his Soils Report dated April 2015, stated that he found more wetlands in the northerly part of the property than shown on the Official Map. The area of wetlands flagged is 1.09 acres and the area of wetlands from the Official map is 0.73 acres. The wetlands are wooded or forested.

Mr. Goldsher said that property was much wetter during April of this year when the wetlands were flagged than at present.

Mr. Stevens stated that the wetland soils on this property are due to shallow hardpan or ledge found in this area of Bloomfield.

Mr. Castaldi stated that he had been on the site on September 4th and found the soil scientist's flagged wetlands to be accurate. He observed that the soils

were very gravelly and difficult to dig into and that rock is exposed at the surface. It appears that runoff drains to the south, some small channels were observed, to a watercourse near the southerly property line.

Mr. Castaldi reviewed his memorandum to the Commission, dated September 9, 2015, and recommended that the Commission approve the application with two conditions: 1.) Minor technical revisions to be made to the plans and 2.) a digital copy of the plans be submitted for inclusion in the Town's GIS.

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

Mr. Art Brickley, of 17 Juniper Road, said he could not see the small map presented and asked for additional clarification. Mr. Stevens gave Mr. Brickley a copy of the plan and reviewed the locations of the flagged wetlands line and the wetlands line from the Official Map.

Mr. Brickley stated that he was familiar with FEMA flood hazard zones and asked if they would affect this application. Chairman Panke stated that this was irrelevant to the Map Amendment application.

Chairman Panke asked if there were any questions from the Commission and hearing none asked if there were any comments from the Commission or the Public.

Ms. Betsy Mitchell, of 23 Juniper Road, asked whether the lot was buildable considering the additional wetlands found. Chairman Panke said that this question was not pertinent to the Map Amendment application.

Commissioner Mann stated that he felt the Commission could proceed with a vote to approve.

Chairman Panke stated that the applicant should have been more prepared but he was also ready for a vote to approve. He asked for a motion to close the Public Hearing.

> *A motion to close the Public Hearing was made by Commissioner Budkofsky. Commissioner Hunter seconded the motion and it was approved unanimously.*

There was no additional comment or discussion. Chairman Panke asked for a motion to approve the application.

> *Commissioner Berson made a motion to approve the application of Mr. Alan Goldsher, for a Wetlands Map Amendment, at 21 Juniper Road, subject to the presentations made and with the recommended conditions of approval from Mr. Castaldi's memorandum. Commissioner Mann seconded the motion and it was approved unanimously.*

Chairman Panke read the notice for the fourth agenda item.

4. Wetlands Permit Application
Center Apartments Project
692-700 Bloomfield Avenue
23-31 Jerome Avenue
Applicant: Post Road Residential
Public Hearing

A motion was made by Commissioner Budkofsky to open the public hearing but it was not seconded. The Commission discussed whether the Public Hearing should be opened when additional information had been requested but not received. Some Commissioners felt that the application was not complete and therefore the public hearing should not be opened. Other Commissioners felt the Public Hearing should be opened and then immediately tabled to the next meeting.

Mr. Castaldi recommended that the applicant make a presentation of the project, that questions and comments be heard and then the Commission table the application and continue the Public Hearing to the October 19th meeting. In this way the applicant can hear and respond to the concerns of the Commission and additional information can be presented at the October meeting. The applicant can make another presentation if necessary.

Chairman Panke asked the Commissioners to vote on whether to proceed with the opening of the Public Hearing. Three Commissioners voted in favor of opening the public hearing and two voted against. Chairman Panke then asked for a motion to open the Public Hearing.

> *A motion was made by Commissioner Hunter to open the public hearing. Commissioner Budkofsky seconded the motion and it carried unanimously.*

Chris Alford, PE & LS, of Alford Associates, Inc. spoke for the applicant. Mr. Alford said their presentation would include Mr. George Logan of REMA Environmental Services; Mr. Andrew Montelli, of Post Road Residential; Mr. Paul Butler, of 25 Jerome Avenue, LLC the property owner; and Wilson Alford, Jr. PE & LS.

Mr. Chris Alford began by describing the location of the property as between Bloomfield and Jerome Avenue, south of the Town Hall site, and north of Jerome Way. He continued with a description of the existing conditions on the property and referred to sheet C-2 of the submitted plans. Chairman Panke asked Mr. Alford to present the proposed conditions.

Mr. Montelli stated that his company was in the business of constructing this type of development and had done similar, but larger, projects in other parts of the state and usually in urban areas. Mr. Montelli continued by stating that the Town Plan and Zoning Commission had approved the project earlier this year.

Chairman Panke stated that he and Commissioner Berson serve jointly on the Town Plan and Zoning Commission and that a master plan of development was approved along with the zone change. Applications for both Wetlands and TP&Z Commission permits for the development are still required. Chairman Panke requested that the applicant restrict their presentation to the proposed wetland impacts and refrain from discussing other aspects of the project.

Wilson Alford Jr., PE & LS, stated that they were attempting to show the Commission one of the requested alternatives.

Mr. Chris Alford continued with a description of the direct wetlands impacts, 3150 square feet, for the northerly part of the proposed paved parking area. They are proposing several storm drainage systems and stormwater quality measures, to ensure that the runoff from the completed project is not polluted and will have minimal effect on downstream areas. The majority of the site drains to the north and then west to Wash Brook through the Barnard Lane

and Bloomfield Avenue storm drainage systems. Some of the runoff will be stored within 42" and 36" underground culverts. Rain gardens are proposed inside the parking area islands. Stormwater quality basins are proposed within the uplands on either side of the wetland impact just off the north end of the parking lot. The northerly most row of parking will be grassed pavers.

Mr. Alford reviewed the construction phase soil erosion and sediment control plans with reference to sheet C-3 of the submitted plans.) plan in general terms. The proposed post-construction site maintenance will be done by the apartment owners/management reducing the possibility of encroachment into the wetlands.

Mr. Alford stated that they had looked at two other alternatives but they may be better discussed at the next meeting.

Mr. George Logan, of REMA Environmental Services, LLC, spoke next and distributed a copy of his professional resume for the record. He also handed out an outline of his presentation. Mr. Logan described the on-site wetlands, their relationship to the wetlands off-site and the watercourse at the northerly property line. He discussed the functions and qualities of the wetlands and rated them only fair to poor. The wetlands are partially disturbed and portions have been maintained as mowed lawn areas.

He described the stormwater quality measures and proposed mitigation areas. They will be retaining the first flush of runoff and anticipate better than 90% suspended solids removal and the stormwater quality basins will be created wildlife habitat areas. The proposed enhancement and restoration of the disturbed wetland areas will result in a net gain of wetland and watercourse functions on the site. A more detailed report will be submitted early next week for the October meeting.

Mr. Castaldi stated that he had reviewed the application. He is requesting additional information, and that the applicant consider several alternatives to the proposed regulated activities, as noted in the September 11th memorandum, The project will discharge a small percentage of its overall runoff to the east of Jerome Avenue and to the west of Bloomfield Avenue. Mr. Castaldi recommended that the Commission hear questions and comments and then table the application, and extend the public hearing, to the October 19th meeting.

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

Ms. Diana Aniello, of 28 Gabb Road, asked how this project will affect her property, which is downstream on Wash Brook, and the flooding that regularly occurs in her back yard.

Mr. Alford stated that the project stormwater drainage system is designed to have no significant effect on downstream neighbors. The project will not eliminate or reduce the flooding in Wash Brook but it will not make it any worse. Some stormwater will be detained within large culverts under the parking lot and in other areas of the project.

Mr. Castaldi stated that per the Zoning Regulations the new development must provide for no net increase in peak runoff rates to the neighboring properties.

Mr. Derick Morander, of 34 Gabb Road, asked where the snow would be stored on the site. Mr. Alford consulted with the applicant and stated that for smaller

storms it would be stored at the north end of the parking lot but snow from larger storms would be hauled off site.

Commissioner Berson asked about the proximity of the proposed stormwater discharge to the cross culvert under Bloomfield Avenue.

Mr. Alford stated that they would be metering out the runoff from the site by using a two-chamber structure, similar to a sedimentation basin, with a four-inch diameter orifice in the dividing wall. The velocity at the 15" outlet pipe will be minimal.

Commissioner Berson asked what year storms were studied. Mr. Alford stated that this outlet structure was analyzed using the required 2, 5, 10, 25, 50 and 100-year storms.

Commissioner Mann asked how many inches of runoff could be contained within the large underground culverts. Mr. Alford gave an approximate answer and agreed to provide a better estimate for the next meeting.

Commissioner Budkofsky asked whether they had considered combining their proposed stormwater basins with a larger one on the abutting town property. Mr. Alford said they had not considered this due to the additional direct wetland impacts that would be necessary.

Commissioner Budkofsky asked where the runoff would go during a significant rain storm that would overflow the underground culverts.

Mr. Alford replied that the site is designed to drain inward to the rain gardens in the parking lot islands and would not overflow into the wetlands.

Commissioner Mann asked if they had considered a walkway through or around the wetlands.

Mr. Alford stated that they had not but would look into it for the next meeting.

Chairman Panke said he thought that the Commission asked good questions and looked forward to the applicant's responses.

Chairman Panke asked if there were any comments from the Public or the Commission. Hearing none he asked for motion to continue the public hearing.

Commissioner Budkofsky made a motion to continue the Public Hearing to the October 19th regular meeting. Commissioner Hunter seconded the motion and it passed unanimously.

5. APPROVAL OF MINUTES July 20, 2015 MEETING

A motion was made by Commissioner Budkofsky to approve the minutes of the July 20, 2015 meeting with a change to a word in the fifth line on page four - Gillett should be Gillette. The motion was seconded by Commissioner Hunter and it passed unanimously.

6. NEW APPLICATIONS RECEIVED

Mr. Castaldi reported that he had received no new applications for Commission Permits, Agent Permits or Map Amendments for the October meeting.

Mr. Castaldi informed the Commission that he has reviewed and approved a Wetlands Agent permit for the placement of excess fill at the Bloomfield High School football field – 3 Huckleberry Road.

7. STATUS OF ON-GOING PROJECTS

Mr. Castaldi reported on the following:

Deringer-Ney site at 335 Woodland Avenue. Perimeter erosion controls are in place, clearing and grubbing and stripping of topsoil is underway.

CREC Museum Academy at 11 Turkey Hill Road. Perimeter and internal erosion controls are in place and stripping of topsoil has been done. Earthwork cuts and fills are underway.

Brighton Park PLR off Woodland Avenue. Clearing and grubbing is done and earthwork is underway for the phase two apartments.

Phoenix Crossing. All underground utilities are in place. Paving of the new road has begun. Removal of the driveway to the former General Cigar site has also been done.

Filley Park streetscape. Work is scheduled to begin next week. The work is covered under a DEEP permit for the overall project. The streetscape will be sidewalks, ramps and stone walls with a small encroachment into the pond. Dredging of the pond and removal of the dam are in future phases. The European water chestnut will be sprayed rather than removed mechanically.

8. ADJOURNMENT

A motion was made by Commissioner Budkofsky to adjourn the meeting at 10:35 P.M. The motion was seconded by Commissioner Hunter and it passed unanimously.

Respectfully submitted,

David Peter Castaldi, Wetlands Agent

Nicholas Panke, Chairman