

**INLAND WETLANDS & WATERCOURSES COMMISSION**  
January 19, 2010

The Town of Bloomfield Inland Wetlands & Watercourses Commission held a meeting on January 19, 2010 scheduled for 7:30 p.m. at the Town Hall in Bloomfield, Connecticut with the following members present:

Present:

Nick Panke, Chairman  
Howard Hunter, Vice Chairman  
Barry Berson  
Alan Budkofsky  
Donald Evans  
Laurianetta Huguley, Secretary  
David Mann

Also Present: David Peter Castaldi, Wetlands Agent  
Maureen Sullivan, Recording Clerk

Absent: Daniel Mara

Mr. Panke called the meeting to order at 7:30 p.m.

**1. Executive Session – Pending Litigation:  
F.S. Realty vs. Town of Bloomfield**

Attorney Marc Needelman, Town Attorney, was not available at the time the meeting began. The Executive Session was held later in the meeting.

**2. Application of Town of Bloomfield Board of Education  
Wetlands permit for building additions, parking lot  
Reconstruction and storm drainage improvements,  
Metacomet School, 185 School Street, continued from  
December 21, 2009.**

Mr. Budkofsky made a motion to remove the item from the table. Mr. Mann seconded the motion and it was approved unanimously.

The applicant did not have anything to add to last month's presentation.

Mr. Needelman joined the meeting.

**1. Executive Session – Pending Litigation:  
F.S. Realty vs. Town of Bloomfield**

Mr. Mann made a motion to adjourn to the Executive Session for the purpose of discussing the pending litigation of F.S. Realty versus Town of Bloomfield. The participants of the Executive Session were members of the Inland Wetlands & Watercourses Commission, Mr. Castaldi, and Mr. Needelman. Mr. Berson seconded the motion and it was approved unanimously.

The Executive Session was held from 7:32 p.m. to 8:10 p.m.

**2. Application of Town of Bloomfield Board of Education  
Wetlands permit for building additions, parking lot  
Reconstruction and storm drainage improvements,  
Metacomet School, 185 School Street, continued from  
December 21, 2009.**

Mr. Clint Brown of DiCesare Bentley Engineers, Inc., 100 Fort Hill Road, Groton spoke on behalf of the Bloomfield Board of Education and stated they have no other information to provide to the Commission. The applicant was in agreement with the recommended conditions of approval.

Mr. Hunter and Mr. Mann were not at last month's meeting but reviewed the material and believed they could sit on the applications this evening.

Comments from the Commission:

Mr. Mann commented about the retaining wall into the wetlands and stated it was such a minor impact the Commissioner felt the rest of the plan was worth doing. Mr. Panke was also in agreement with Mr. Mann.

Mr. Berson made a motion to approve the application of Town of Bloomfield Board of Education for a wetlands permit for building additions, parking lot reconstruction and storm drainage improvements, Metacomet School, 185 School Street, continued from December 21, 2009, with all staff comments included in the approval. Mr. Mann seconded the motion and it was approved unanimously.

**3. Application of Town of Bloomfield Board of Education  
Wetlands permit for building additions, parking lot  
Reconstruction and storm drainage improvements,  
Laurel School, 1 Filley Street,  
Continued from December 21, 2009.**

Mr. Berson made a motion to approve the application of Town of Bloomfield Board of Education for a wetlands permit for building additions, parking lot reconstruction and storm drainage improvements, Laurel School, 1 Filley Street, including all staff comments, the matter also continued from the December 21, 2009 meeting. Mr. Mann seconded the motion and it was approved unanimously.

Mr. Mann asked about the paper road on the south side of the property. Mr. Castaldi stated there is a pedestrian walkway that goes up to Cadwell Road and Longview Drive. There is also an established right of way.

**4. Application of Mr. Eric Lawhorn, for  
a wetlands permit for 2 commercial  
buildings, pavement, storm drainage  
improvements and salt storage,  
23 Peters Road, Lot 3001, continued from  
December 21, 2009.**

Mr. Hunter made a motion to remove the application from the table. Mr. Budkofsky seconded the motion and it was approved unanimously.

Attorney David Markowitz represented the applicant, Mr. Eric Lawhorn, and discussed some of the recommended conditions of approval in Mr. Castaldi's memorandum of January 11, 2010. The salt storage building was discussed and Attorney Markowitz stated the applicant was unsure if he would be able to construct both buildings at the same time due to monetary issues. The applicant requested the salt storage building be built and used before the vehicle maintenance building provided the rest of the site improvements were completed. Attorney Markowitz also discussed the alternatives.

Mr. Guy Hesketh, PE of F.A. Hesketh in East Granby discussed the revised plans which addressed all of staff's comments. Mr. Hesketh discussed Mr. Castaldi's request for a 15 foot vegetated buffer maintained for the entire site. The site and proposed water quality basin were discussed. The area where the applicant will supplement with plantings was also discussed. The building size was discussed and the applicant would like to have a truck that approaches 70 feet. There will be no activities along the edge of the wetlands. The grading was discussed. The applicant would like the Commission's approval to do the clearing after the bird season, middle of June.

Questions from the Commission:

Mr. Mann asked about the salt building's structure. Mr. Hesketh replied it will be a monolithic, reinforced concrete wall that would extend from the frost depth to four feet above grade.

Mr. Mann discussed the site and asked why the applicant was looking for a 50 foot by 80 foot building, and discussed separation from the wetlands. Mr. Hesketh replied a prime objective was to provide a storage area for the applicant's trucks. The size of the trucks was discussed. The applicant will be requesting a few parking space deferrals from TP&Z. Mr. Mann asked about the stream and flooding and was concerned with the salt leaching into the wetlands. Mr. Castaldi replied the proposal is a foot or more above the 100 foot flood elevation. Best Management Practices were added to the plans.

Mr. Castaldi discussed some of the conditions of approval. One of the recommended conditions of approval was the buildings shall be constructed concurrently or the vehicle building constructed first and then the salt shed. Mr. Castaldi also discussed the vegetated buffer and recommended retaining at least 15 feet of existing vegetation. There is not 15 feet behind the westerly building. Outside storage was discussed.

Mr. Hesketh stated the intention was not to have overnight storage parking of the vehicle. The equipment will be stored in the building.

Mr. Castaldi discussed cutting trees in the late summer when the birds are not nesting.

Mr. Budkofsky asked where the loader and sweeper will be stored if the applicant wants to build the salt building only. Attorney Markowitz replied the truck would remain where it is currently and would have his sweeper and loader at the site when salt is delivered. The applicant understands there is no outside storage. The applicant is also in agreement with the Best Management Practices.

Mr. Evans asked if in the future salt is no longer used would the applicant need to come before the Commission for a different type of permit. Mr. Panke replied the applicant would need to work with staff in such a case.

Comments from the Commission:

There was some discussion concerning the Wetland Commission's authority to condition an approval with when the two building can be built. The Commission concluded that this was not appropriate for a condition of approval and would be appropriately addressed at the TP&Z meeting.

Mr. Berson commented if an applicant does not follow the terms of a permit then it is an enforcement issue.

Mr. Budkofsky commented at last month's meeting he discussed the possibility of raising the building and the Commissioner reviewed the site and concluded he was wrong. Raising the building would not work.

Mr. Panke commented at last month's meeting he had questions about the salt storage and the closeness of the building to the wetlands. He visited the site and believed the applicant was squeezing a lot into a small area that is surrounded by wetlands. The Commissioner commented he could not support this application.

Mr. Berson made a motion to approve the application of Mr. Eric Lawhorn, for a wetlands permit for two commercial buildings, pavement, storm drainage improvements and salt storage, 23 Peters Road, lot 3001, including all staff comments and amendments made by the Wetlands Commission, also continued from December 21, 2009. Mr. Castaldi commented about amending the motion to modify condition of approval #3 as discussed. Mr. Berson accepted the amendment to the motion. Mr. Budkofsky seconded the motion and it was approved 4:2:1 (Mr. Panke and Mr. Evans voted against the application; Mr. Mann abstained from voting as he was not at the last meeting).

Mr. Mann also believed there was a lot going on the site next to the wetlands. Best Management Practices were discussed.

Mr. Berson stated the coverage does not exceed the zoning requirements. The Commissioner questioned the two comments about too much going on at the site and did not agree with the comments.

**5. Presentation of Lower Farmington  
River/Salmon Brook Management Plan  
and Wild and Scenic Designation.**

Ms. Paula Jones introduced herself and Mr. Kevin Gough, of 5 Bear Ridge Drive, who were the Bloomfield representatives on the Lower Farmington and Salmon Brook Wild and Scenic Study Committee.

Ms. Jones provided a brief overview of Wild and Scenic. Ms. Jones and Mr. Gough have been the appointed representatives to the study committee for three years. The presentation updated the Commission on the study and what it meant for the Town of Bloomfield. The Committee would like the Commission's formal endorsement of Wild and Scenic Designation. A slide show was presented to the Commission.

Mr. Mann commented he believed this was a win/win situation for the community.

Ms. Jones stated a formal endorsement was requested. Mr. Castaldi will add this to the February agenda.

**4. Approval of minutes of December 21, 2009.**

Mr. Budkofsky made a motion to approve the minutes of December 21, 2009. Ms. Huguley seconded the motion and it was approved unanimously.

**5. New applications received.**

Mr. Castaldi has not received any new applications for next month.

**6. Status of ongoing projects.**

There were no questions about ongoing projects.

Mr. Budkofsky made a motion for the meeting to adjourn. Mr. Berson seconded the motion and it was approved unanimously.

The meeting adjourned at 9:25 p.m.

Respectfully submitted,

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Maureen Sullivan, Recording Clerk

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Laurianetta Huguley, Secretary