

TOWN OF SOMERS
CONSERVATION COMMISSION

P.O. BOX 308

SOMERS, CT 06071

CONSERVATION MINUTES

REGULAR MEETING

WEDNESDAY, March 5, 2008

TOWN HALL – 7:00 P.M.

I. CALL TO ORDER

Chairman Joan Formeister called the regular meeting to order at 7:03 p.m. Members Candace Aleks, Henry Broer, Joan Formeister, Dan Fraro, Karl Walton, Todd Whitford and Lise Wood were present and constituted a quorum. Erosion Control/Wetland Agent, David Askew was also present.

II. OLD BUSINESS

- a. OTHER – There was none.

III. NEW BUSINESS

- a. WETLANDS APPLICATION #586: FILL & EXCAVATION FOR EXPANSION OF OUTDOOR GROWING AREA WITHIN WETLAND & POND EXCAVATION WITHIN UPLAND REVIEW AREA, 164 HAMPDEN ROAD, GROWER DIRECT FARMS

Mr. Askew recommended that the Commission determine whether the expansion of the growing area meets the requirements of a permitted use of right as an agricultural activity. An excerpt of the relevant state statute was distributed. Mr. Askew highlighted the section of the statute stating that “filling and reclamation of wetland” is not an exempt activity and that at least some of the area was subject to filling and reclamation. In addition, he recommended that the Commission should come to a general consensus as to whether the project should be defined as a significant activity. Some aspects of the project have already been done, and are subject to a notice of violation letter in May 2007. The proposed growing area has been cleared, grubbed, and bulldozed. A berm has been constructed along Thrasher Brook. By consensus, the Commission decided to hear Mr. Mocko’s presentation before determining significance.

Mr. Mocko, the applicant’s consultant, stated that Grower Direct was not requesting an agricultural exemption, but was seeking a permit at this time to fill and excavate to

expand the outside growing area. Tied to this application is the construction of a pond (29,600 sf) located in a non-wetland area which would be offered as mitigation for previous wetlands alteration, which was approved in December 2006. The Commission and land owner are in agreement that 24,000 square feet of mitigation are required.

Mr. Mocko explained that a berm filling 16,000 square feet of wetland would be constructed along Thrasher Brook to prevent flooding of the proposed growing area during common flood events (generally including floods up to the 10 year frequency). Mr. Mocko proposes to compensate for the filling by removing 22,400 sf of fill that currently makes up the road and embankment along the growing area. The existing berm will be excavated to the approximate elevation of the growing area. Mr. Mocko then explained flood dynamics of area, indicating that the entire 100-year flood could be stored on the owner's property after development of the growing area. The growing area will flood during the 100-year storm event. Mr. Askew asked if the wetland area would be effectively drained by construction of the berm, since lower flow flooding events would not flow through the area. Mr. Mocko explained that because of the gravelly nature of the soils, he thought hydrology in the wetland was supported by groundwater.

Mr. Mocko explained that the area affected by the proposed growing area was excavated during the 1970's for gravel and that gravel was removed to the elevation of the water table. Over many years, the area naturally revegetated, primarily with red maple. Mr. Mocko estimated that approximately ½ of the area was wooded and ½ was grass/shrub from active grazing. Mr. Askew requested that Mr. Mocko prepare a report for the next meeting with the following information: an estimate of the type and area of wetland vegetated, a description of proposed impacts, a functional assessment of the pre-existing wetland and a description of wetland functions altered by construction of the berm and growing area.

b. WETLANDS APPLICATION #587: INGROUND POOL WITHIN UPLAND REVIEW AREA, 175 SCULLY ROAD, PELLISSIER

The landowner addressed the Commission and explained that the location of the proposed pool was selected because of the topography of the land and the location of the septic system. The pool is approximately 34 feet from an intermittent stream. The area of disturbance will be approximately 18 feet from the stream. The stream originates at the outlet of a culvert under Scully Road and Mr. Askew reported that there is no defined stream channel on the opposite side of the road. The application was accepted by the Commission. No other issues were identified.

c. WETLANDS APPLICATION #588: CULVERT & BARN IN UPLAND REVIEW AREA, 20 PINNEY ROAD, LINDY FARMS

At the February Conservation meeting, Mr. Palmberg presented a preliminary plan to the Commission. Lindy Farms proposed to install a culvert within an existing farm ditch, construct an access road, barn, and septic system. An excavated ditch runs through the center of a flagged wetland. The entire field, including the wetland, has been cultivated for tobacco for many years. The proposed use is for pasture. At the previous meeting,

Mr. Askew recommended that the applicant explore alternatives to placing structures, including the road, within the wetland.

Lindy Farms revisited their initial plans and made alterations. All structures have been located outside of the wetland. The only direct alteration involves culverting and filling the ditch. According to John Belskie, the Farm Manager, the existing ditch is too steep to accommodate horse crossing. The filled area will serve as pasture. Portions of the barn, road, and septic will be within the upland review area.

In order to compensate for any lost flood storage area within the ditch, the applicant is proposing to construct three shallow basins to hold and collect stormwater. One basin will be west of the barn; the others will be to the east, along Pinney Road. Mr. Palmberg and Mr. Belskie have monitored the area during recent rain events, which exceeded the monthly average for February, and located the basins in areas that currently pond water. Within the depressed areas, stone check dams about 20 feet from the outlet will allow for the retention and filtering of solids within the water. Basin outlets will consist of culverts, which will tie-into the new culvert in the ditch. The manhole cover currently shown adjacent to Pinney Road will be replaced by a grate to ensure no surface ponding. Supporting drainage calculation will be submitted. Runoff is expected to decrease due to the change from cultivated field to pasture.

A functional assessment has been prepared. The wetland performs some flood storage and sediment/nutrient retention functions. No impacts to these functions are expected to result from the project. No other issues were identified.

The Commission accepted the application for future discussion.

d. **WETLANDS APPLICATION #589: NEW HOUSE & DRIVEWAY IN UPLAND REVIEW AREA, 132 STAFFORD ROAD, DANIELE**

Mr. Mocko, representing Mr. Richard Daniele, presented plans to the Commission for a single family residence, driveway, and septic. No activity is proposed within 30 feet of the wetland. Mr. Askew requested that “limits of disturbance” be noted on the plans and informed the landowner that a typical condition of approval for residential construction adjacent to wetlands requires installation of permanent markers along the wetland boundary.

The Commission accepted the application for future discussion.

e. **OTHER – There was none.**

IV. AUDIENCE PARTICIPATION – There was none.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPEMENT

a. **REVIEW ACTION STEPS IN POCD**

Karl Walton led the discussion and distributed the POCD Implementation Schedule. The Commission began its review on Page 7-5. Each item was reviewed and many items

were being worked on or had been completed. A copy of the checklist will be given to the town planner and the status of action items will be discussed at the next Planning Commission meeting.

The Commission marked the following items as completed:

Preserve More Meaningful Open Space: Items 3, 4, 6, 9, and 10.

Protect Water Quality: Items 3, 5, and 7.

Protect Important Natural Resources: Items 2 and 4.

The Commission marked the following items as on-going:

Preserve Scenic Resources: Items 1 and 3.

VI. STAFF/COMMISSION REPORT

Mr. Askew presented his report for February. Rainfall in February was over double the average monthly rainfall. Several contractors with ongoing residential subdivisions made improvements to existing erosion controls. No major erosion problems were observed.

A motion was made by Mr. Walton; seconded by Ms. Wood and unanimously voted to accept the Erosion Control Officer's report for March 2008.

VII. CORRESPONDENCE AND BILLS

A motion was made by Mr. Whitford; seconded by Mr. Fraro and unanimously voted to approve the Journal Inquirer bills for \$55.09 and \$47.22.

VIII. MINUTES APPROVAL: February 6, 2008

A motion was made by Mr. Fraro; seconded by Ms. Wood and unanimously voted to accept the meeting minutes of February 6, 2008 as presented.

IX. ADJOURNMENT

A motion was made by Mr. Fraro; seconded by Ms. Wood and unanimously voted to adjourn the March 5, 2008 Conservation Commission meeting at 9:23 p.m.

Respectfully submitted,

Jennifer D. Boudreau

Candace Aleks

Recording Secretary

Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT
MEETING