

TOWN OF SOMERS
Conservation Commission
600 Main Street
P.O. Box 308

REGULAR MEETING
September 6, 2017
7:00 PM TOWN HALL

MINUTES

I. CALL TO ORDER--- Meeting called to order by Joan Formeister, Chairman at 7:00 P.M. Commissioners in attendance were Henry Broer, Daniel Fraro, Candace Aleks and Lise Wood, sitting in for Greg Genlot. Joanna Shapiro, Wetlands Agent was also present.

II. OLD BUSINESS –

1. **Discussion/Possible Decision: Application #712:** 22 Bridle Path Drive. Septic system and grading in the upland review area, associated with construction of a new house. Richard McCullough.

At the last meeting, Mike Mocko from Mocko Environmental presented plans for a new buyer of the property. This was an application for construction of a house in a subdivision with an expired wetland permit. The updated plan showed the lot has remained the same and the limit of clearing has remained the same, resulting with no loss of wetlands. Wetland Agent Joanna Shapiro mentioned that Steve Jacobs had approved the septic system plans. She also pointed out that an original condition of approval from the subdivision was to permanently delineate the wetland boundary, which presumably has not been done yet. The developer should comply with the installation of the required wetland markers during development of this lot.

Dan Fraro made the motion to approve the application with the condition that the wetland boundary be permanently delineated.

Lise Wood seconded. All were in favor. Motion was approved.

2. **Discussion/Possible Decision: Application #713:** 164 Hampden Road. Construction of a greenhouse within a delineated wetland and in the upland review area. Sam Smith and Adam Van Wingerden.

Commissioner Broer recused himself from any discussion or actions by the Commission regarding application #713, and did not participate.

Mike Mocko from Mocko Environmental appeared before the Commission to discuss a proposal of a new greenhouse within a delineated wetland. This area was originally approved for and is presently an outside growing area. Cement walkways are currently used to navigate and service the growing area. Mr. Mocko and the owners wanted to continue a dialogue with the Commission to determine how to move forward with the appropriate requirements of building an enclosed greenhouse partially within a wetland. (Refer to **The Inland Wetlands and Watercourses Act Connecticut General Statutes Section 22a-40: Permitted Operations and Uses Subsection (a)(1): Farming**)

With the new proposal, a greenhouse would be erected leaving a primarily soil base floor area with the original sidewalks removed and new sidewalks reconfigured. Approximately one quarter of the proposed greenhouse is within the delineated wetland, originally created by a prior gravel excavation operation by previous owners. At the previous meeting, Commissioners posed questions about removal of the pre-existing walkways vs. newly reconfigured walkways, using wooden or metal pallet walkways that would not affect the wetland soil base. Agent Shapiro had explained that the existing walkways constitute fill in a wetland and seemed to go beyond the original permit granted in the 2008 for an outdoor growing area. At the previous meeting, Mr. Mocko and Mr. Smith discussed exploring the use of pervious concrete walkways and possibly positioning them outside of the wetland area. Ms. Shapiro recommended that the redesign show a stormwater run-off discharge plan as well.

At this meeting, a new sketch of the proposed greenhouse and interior sidewalk layout was presented, depicting a 24' wide walkway along the perimeter of the proposed greenhouse. Mr. Mocko and Mr. Smith explained that they had looked for ways to position the sidewalks outside of the wetlands or to use pervious concrete, but they were unable to accomplish this. Chairman Formeister questioned why such wide walkways were necessary, and that it appeared to be more concrete in the wetland than what exists currently. The applicant explained that the walkways are for the carts and automated machinery to navigate around the growing space, and the minimum width required is 24' along the perimeter of the greenhouse. Mr. Mocko, Mr. Smith and Mr. Van Wingerden all agreed that there simply was no other viable solution.

Wetland Agent Shapiro confirmed that this configuration constitutes more concrete within the wetland than what is there today. Mr. Mocko described an option to drill 1.25" diameter holes in strips, 2 feet on center, in the concrete walkways and pitch the walkways to allow water to drain into the wetland portion of the greenhouse floor. Wetland Agent Shapiro asked what quantity of water would reach the interior of the greenhouse and whether roof drainage would be routed into the greenhouse to drain into the wetland. Mr. Mocko explained that only excessive irrigation water would reach the floor of the greenhouse, and that the roof drainage would be handled separately. Mr. Mocko described a conceptual plan to direct roof downspouts toward a long shallow vegetated swale to be created along the west side of the greenhouse. Crushed stone check dams would be included within the swale to allow the runoff water to flood and infiltrate into the soil. At the end of the swale, a level spreader would be used to discharge runoff into the wetland without concentrating the flow and creating an eroded channel into the wetland.

The discussion continued surrounding the statutory jurisdictional exemption for agricultural buildings that do not involve fill within a wetland versus the current application to incorporate concrete walkways and piers within the wetland. Mr. Mocko stated that from a practical environmental perspective, the placement of concrete sidewalks within the wetland would not specifically be detrimental to the wetland, considering that the wetland would be covered by an impervious greenhouse anyway.

Discussion now centered on the extensive previous mitigation of the pond in 2008 when the outdoor growing area was put in and a berm was constructed within a wetland to protect the growing area from flooding. Mr. Mocko and Mr. Smith agreed that they could do an additional mitigation project that would appropriately compensate for the placement of concrete walkways in the wetland portion of the new greenhouse. Wetland Agent Shapiro calculated that approximately 6,000 square feet of wetland area would be covered by the proposed walkways.

Lise Wood made a motion to approve the application #713 with three conditions: that a 3,000-6,000 square foot wetland mitigation area meeting the approval of Wetland Agent Shapiro be included on the plan and constructed prior to completion of the greenhouse; an appropriate stormwater discharge plan be designed, incorporated into the plan, and constructed, including an infiltration swale, to manage roof runoff from the new structure; and that 1.25" holes be drilled into the concrete walkways within the wetland area to allow water to drain to the wetland.

Dan Fraro seconded. All in Favor. The motion carried.

Commissioner Broer rejoined the meeting at this time, after discussion on application #713 concluded.

III. NEW BUSINESS –

1. **Application #714:** 212 Four Bridges Road. In-ground pool in the upland review area. Juliano's Pools.

Agent Shapiro presented photos of the lot showing the off-site wetland area and watercourse. The new in-ground pool will replace the existing above-ground pool, yet a wetland permit is necessary due to it being approximately 80 feet from the wetlands, and an administrative agent permit is not allowed for an in-ground pool per the town's wetland regulations. Agent Shapiro explained that since speaking with the applicant, silt fence and a temporary soil stockpile location were both added to the plan to minimize potential disturbance of the wetlands.

Jamie Herrick from Juliano's Pools presented the revised plan for the installation of an in-ground pool, showing erosion and sedimentation control measures. Mr. Herrick explained their typical construction and maintenance procedures, and stated that water drained from the pool would not be discharged to the stream. Commissioners inquired about exterior fencing and patios, and Mr. Herrick explained that a patio would surround the pool, and that fencing was still being determined.

2. **Initial Discussion:** Permanent wetland delineation standards.

Wetlands Agent Shapiro presented the new metal wetland tags that will be placed on all future wetlands markers in Somers. Discussion involved various types of materials deemed appropriate for lasting wetlands markers. Further discussion and analysis by the Commission was deemed necessary.

IV. AUDIENCE PARTICIPATION - None

V. STAFF REPORT

Wetland Agent Shapiro distributed and discussed the Wetland's Agent Report. *Henry Broer made the motion to accept the Wetland's Agent Report. Dan Fraro seconded. All in Favor. Motion passed.*

VI. CORRESPONDENCE AND BILLS.

The CT Association of Conservation and Inland Wetlands Commissions, Inc. renewal was presented. The renewal fee for membership will now be \$65.00.

The Commission also received a notification letter from ECOS ENERGY regarding a proposed solar array to be built on land off of Bilton Rd.

Lise Wood made a motion to approve payment of the bill. Candace Aleks seconded. All in Favor. Motion passed.

VII. MINUTES APPROVAL for August 2, 2017.

Lise Wood made the motion to accept the minutes as written of August 2, 2017. Henry Broer seconded. All in Favor. Motion passed.

VIII. ADJOURNMENT -

Lise Wood made the motion to Adjourn. Dan Fraro seconded. All in Favor. Meeting was adjourned at 8:55 P.M.

Respectfully Submitted,

Commissioner Candace Aleks, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING