

THE INLAND WETLANDS COMMISSION OF THE TOWN OF AVON HELD A
REGULAR MEETING ON TUESDAY, JUNE 3, 2014 AT THE AVON TOWN HALL.

Present were Cliff Thier, Chairman, Michael Beauchamp, Dean Applefield, Jed Usich, Bob Breckinridge and John E. McCahill, Planning & Community Development Specialist.

Bryan Short and Martha Dean were absent.

Chairman Thier called the meeting to order at 7:04 p.m.

NEW APPLICATIONS:

APPL. # 738 – Geoffrey C. & Kelly J. Nevins, owners/applicants: Requests within the 100' upland review area: 1) Minor clearing, grading and temporary disturbance related to the construction of a single family dwelling and septic system (proposed Lot #2 parcel 2640054). Location: 408 Deercliff Road, parcel 2090408.

Present were David F. Whitney, Consulting Engineers, LLC, Thomas W. Pietras, Pietra Environmental Group, LLC and Geoffrey C. Nevins.

Mr. Whitney stated that the subject property is located on the eastern side of Deercliff Road, slightly north of Piggot Lane, and it is adjacent to the northerly end of the cul-de-sac located on Henderson Drive. The northern cul-de-sac on Henderson Drive abuts the subject property on the south side.

Mr. Whitney stated that the lines depicted in orange on the proposed plans represent various types of fences that exist on the subject property. He continued by stating that there is a stone wall located approximately in the center of the subject property that runs north/south. The existing tree line is shown on the proposed plans to the west of the stone wall, with some of the trees hanging over to the east of the stone wall.

Mr. Whitney stated that the subject property slopes in an easterly direction at a five (5) to seven (7) percent slope towards the wetlands. The wetlands were delineated by Thomas Pietras, Pietras Environmental Group, LLC and located by Neriani Surveying. He continued by stating that the active, vibrant and important wetlands are part of a larger wetlands system that runs parallel to Deercliff Road on the east side. The area between the stone wall and the wetlands slopes at a gentle two (2) to four (4) percent slope. The area from the eastern edge of the wetlands slopes at a two (2) to four (4) percent slope until it reaches the toe of a steep upward slope located on the most eastern portion of the subject property.

Mr. Whitney stated that the proposal is to subdivide the subject property and create one (1) new residential lot in a two (2) acre zone. He continued by stating that the property at 408 Deercliff Road would be modified to consist of three and one half (3½) acres and the proposed new lot would consist of six point eight (6.8) acres. The new lot, Lot # 2, will have a driveway that enters from Henderson Drive and it will have a Henderson Drive address.

Mr. Whitney stated that as shown on the "Feasibility Plan" (dated May 15, 2015 and revised through May 20, 2014), the forty (40) foot by ninety (90) foot "box" shown for the proposed

house will be located in the open field and it will not require a single tree to be removed. The northeast corner of the proposed house will abut the upland review area.

Referring to Sheet #4, the "Erosion & Sediment Control Plan" (dated May 15, 2014 and revised through May 20, 2014), Mr. Whitney indicated that the area of disturbance and construction for the proposed activities will occur on approximately one (1) acre, and that approximately six thousand five hundred fifty (6,550) square feet of this activity will be, within the upland review area.

Mr. Whitney stated that there are two (2) one hundred (100) foot upland review areas located on either side of the wetlands. The total area of wetlands is one point three (1.3) acres and the total area of the two (2) upland review areas is two point four (2.4) acres. Mr. Whitney continued by stating that the proposed septic system, although located outside of the upland review area, will require a lot of fill and grading as a result of the topography. The area of disturbance for the septic system, proposed at the upper edge of the upland review area, is point one five (.15) acre; or six (6) percent of the total upland review area on the subject property.

Mr. Whitney stated that, as recommended by John McCahill and with concurrence from the applicant, the conservation restriction area originally proposed to extend twenty (20) feet from the wetlands will be extended westerly to the extent of the stone wall. The conservation restriction area will consist of four point zero six (4.06) acres; or forty three (43) percent of the total site. The stone wall will act as a natural barrier between the proposed activities and the wetlands. There is approximately two point three (2.3) acres of non-wetland/ non-encumbered that can be developed in this residential two (2) acre zone. The proposed development will not incur any disturbance to the wetlands, and it will incur only a minimal disturbance in the upland review area.

Referring to Mr. McCahill's memo dated May 27, 2014, Mr. Whitney had the following responses:

1. The proposed septic system is subject to review and approval by the Farmington Valley Health District. Any information regarding a general/preliminary review by the Farmington Valley Health District should be provided to the Commission.

Response: Mr. Whitney stated that approval from the Farmington Valley Health District has not yet been received. He continued by stating that once received, he will forward a copy to the Planning & Zoning Department to be included in the record. It is his opinion, that a suitable septic system can be installed that will be in compliance with the Farmington Valley Health District code and he does not anticipate any issues.

2. The plans should include the parcel identification number (future address number) for proposed Lot #2, as recently assigned by the Assessor's Office. The parcel identification number should read "2640054" (not 2640048). This should be referenced on Sheets 2 and 3.

Response: The proposed plans include the parcel identification number (future address) for proposed Lot #2.

3. The “Environmental Assessment Report” (dated May 23, 2014) recommends that the single row of silt fence be backed up with staked hay bales in order to provide a stronger sediment control barrier. This should be noted on the plans, and a detail for staked hay bales should be added to the plans.

Response: It has been noted on the revised plans that the single row of silt fence will be backed up with staked hay bales in order to provide a stronger sediment control barrier.

4. With consideration to the primary wetland functions, as noted in the “Environmental Assessment Report” (dated May 23, 2014), the applicant should increase the proposed conservation restriction to the extent of the existing stone wall. This should be discussed with the Inland Wetlands Commission. The proposed conservation restriction shall be subject to Appendix E of the Inland Wetlands and Watercourses Regulations, as noted on the plans.

Response: The plans have been revised to increase the proposed conservation restriction to the extent of the stone wall. A note has been added to the revised plans stating that the proposed conservation restriction shall be subject to Appendix E of the Inland Wetlands and Watercourses Regulations.

Mr. Whitney stated that stakes #1 through #6 were placed on the subject property on June 2, 2014.

In response to Mr. Thier’s request, Mr. Pietras stated that he will answer any questions from the Commission.

There were no questions from Mr. Breckinridge, Mr. Beauchamp and Mr. Thier.

In response to Mr. Usich’s question, Mr. Whitney stated that he does not anticipate any issues regarding the location and design of the septic system and he anticipates an approval from the Farmington Valley Health District. He stated that it is a difficult site as a result of the shallow depth of the ledge so the septic system will require a significant amount of fill. Fortunately the slope of the site is a benefit and the soil is moderately well drained, in the ten (10) to twenty (20) minute range. If the septic system is properly installed, he does not anticipate any issues with receiving final approval from the Farmington Valley Health District.

Mr. Usich stated that the preparation of the application “looks great”.

Mr. Applefield stated that he echoes Mr. Usich with regard to compliments on the preparation of the application.

Mr. Thier stated that he had no questions and that the preparation was “wonderfully straight forward”.

In response to Mr. Applefield’s question, Mr. Pietras stated that he does not anticipate any adverse impacts to the wetlands from the development of the property as proposed. He continued by stating that the subject property is not a large development area and the flow of storm water will not be concentrated. The storm water will flow over a grassy area, encounter the existing stone wall where it will be further dispersed and eventually it will flow into the upland forest area prior to reaching the wetland. He continued by stating that there is sufficient percolation into the soil. It is not likely there will be a lot of sheet flow directly towards the wetlands.

Mr. McCahill stated that revised plans dated May 30, 2014 were submitted to the Planning & Zoning Department and the revised plans have addressed any issues that were outstanding.

Mr. Usich made the motion to approve application #738 with standard conditions and the revisions shown on the proposed plans dated May 30, 2014.

Mr. Breckinridge seconded the motion.

Mr. Usich, Mr. Applefield, Mr. Thier, Mr. Beauchamp, and Mr. Breckinridge voted unanimously to approve the application.

OUTSTANDING APPLICATIONS:

APPL. # 737 – Gladys M. Walker, owner; Oak Land Developers, LLC, applicant: Requests within the 100’ upland review area: 1) Construction of a driveway and a portion of the proposed house, installation of utilities, and related site grading (proposed Lot #1 parcel 2810348); 2) Construction of a driveway, installation of utilities, and related site grading (proposed Lot #2 parcel 2810354). Location: 354 & 362 Huckleberry Hill Road, existing parcels 2810354 and 2810362.

Present were David F. Whitney, Consulting Engineers, LLC, Eric Kucharczyk, Oak Land Developers, LLC, Thomas W. Pietras, Pietras, Environmental Group, LLC, Rick Walker and Anita J. Rodgers, Powers of Attorney.

Mr. Whitney stated that this application has been continued from the May 6, 2014 Inland Wetlands Commission meeting. He continued by stating that the proposed plans represent a four (4) lot subdivision, containing three (3) front lots and one (1) rear lot. At the previous meeting, concern regarding the proximity of the proposed driveway on Lot #1 to the wetlands located in the northwest corner of 354 Huckleberry Hill Road was discussed. Also discussed at the May 6th meeting was the area proposed for the conservation restriction, the activities proposed in the upland review area, the location of a portion for the proposed driveway for Lot #1 and the associated grading. Mr. Whitney continued by stating that the original proposed plan was developed to ensure compliance with the minimum lot size required for three (3) front lots and one (1) rear lot in an R-30 zone and to avoid locating the proposed driveway for Lot #1 in an easement.

Mr. Whitney stated that an application was also on the Planning & Zoning Commission Agenda for its May 13, 2014 meeting. As a result of the lengthy agenda for that meeting, the

Planning & Zoning Commission decided to continue the presentation of this application to their next regularly scheduled meeting on June 10, 2014. There was no opportunity to discuss the application with the Planning & Zoning Commission on May 13, 2014. Mr. Whitney continued by stating that as a result of discussions with Town Staff and the applicant, it was determined that the revised plan prepared by Mr. Whitney is worthy of going forward with it.

The applicant is here this evening to request approval of the plan revised as of May 23, 2014. Mr. Whitney stated that revisions made to plan for Lot # 1 include moving the proposed house in an easterly/upward direction and outside of the upland review area; modifying the house design to include a front load garage and changes to the driveway configuration; and, while still complying with the minimum lot size, relocating the property line therefore allowing the proposed driveway to be moved southerly and farther from the wetlands. He continued by stating that the proposed conservation restriction area was also increased to include an area thirty (30) feet beyond from the wetlands, in the vicinity of the proposed driveway for Lot #1. The conservation restriction was also increased by ten (10) feet on the northeasterly side of the conservation restriction area. The boulders that were originally proposed to be located at the edge of the conservation restriction area have now been proposed to be located inside of the conservation restriction area and it has been noted that they are to remain there permanently. The revised planting plan, identifying the species for the thirty (30) plants proposed, has also been added to the May 23, 2014 revised plans.

Referring to Mr. McCahill's memo dated May 25, 2014 which identified fourteen (14) items to be addressed, Mr. Whitney stated that all of these items were discussed at the May 6, 2014 meeting and they have been addressed on the plans as modified May 23, 2014. Mr. Whitney stated that there are some trees (flagged and shown on the revised plans) located on the property line and/or in the town right of way on Huckleberry Hill Road that will be removed pending permission from the Bruce Williams, Director of Public Works. He continued by stating that the stumps adjacent to the wetlands will remain in place.

Mr. Whitney stated that a note has been added to the plans stating that the proposed conservation restriction will be subject to Appendix E of the Inland Wetlands and Watercourses Regulations. He continued by stating that this statement will be modified to state that the proposed boulders are to remain in place.

Mr. Whitney stated that the proposed lots will be serviced by public sewer and public water. Mr. Whitney stated that, in his opinion, the modifications made to the plans as revised May 23, 2014 should address the concerns of the Commission with regard to the proposed activities in proximity to the wetlands.

Mr. Pietras stated that substantial improvements have been made to the proposed plans. He continued by stating that the driveway on Lot #1 is more than double the distance from the wetlands at its closest point and this isolated wetland will be protected by the proposed conservation restriction area.

In response to Mr. Breckinridge's question, Mr. Whitney stated that the location for the proposed driveway for Lot #2 has been designed as a result of the grading and the slope of the land. In order to develop the site as a balanced site, the driveway was located as currently proposed on the revised plans. He continued by stating that a certain amount of length for the driveway would be necessary to keep the steepness of the driveway appealing to a

perspective buyer. This was the only way to construct the proposed house and proposed driveway on this particularly tight lot.

Mr. Beauchamp did not have any questions at this time.

Mr. Thier inquired what is the maximum steepness allowed for the construction of a driveway.

Mr. McCahill responded by stating that, he believes, the Planning & Zoning Regulations state a maximum between twelve (12) or fourteen (14) percent.

In response to Mr. Thier's question, Mr. Whitney responded by stating that the proposed driveway on Lot #1 is ten (10) percent. He continued by stating that steep driveways are not appealing to a broad spectrum of prospective buyers. As a result of this, he preferred to keep the slope of proposed driveway to no more than ten (10) percent.

Mr. Usich had no questions at this time.

Mr. Applefield requested clarification with regard to the explanation for the location of the proposed house and driveway on Lot #2.

Mr. Whitney responded by stating that the existing contour for the location of the proposed house is at an elevation of three hundred eighty (380) feet. The proposed plan is trying to match the existing grade. Where the driveway enters the property from Huckleberry Hill Road, the elevation of the site is at three hundred sixty (366) feet. The Town's regulations for proposed driveways state that the beginning of the driveway cannot exceed two (2) percent. Mr. Whitney prefers to not have the approach to a garage be any more than three (3) to four (4) percent. He continued by stating that the elevations of the site were considered when determining the length of the driveway.

Mr. Whitney stated that with regard to the flow of storm drainage on proposed Lot #2, approximately three quarters ($\frac{3}{4}$) of the storm drainage flows toward a catch basin on Huckleberry Hill Road and discharges to a brook located behind the Fire Station located on the southerly side of Huckleberry Hill Road. He continued by stating that only a small amount of storm drainage actually flows towards the wetlands. The storm drainage from the proposed driveway on Lot #1 will also flow towards the catch basin on Huckleberry Hill Road.

In response to Mr. Thier, Mr. McCahill stated that the original request for activities within the one hundred (100) foot area would have to be modified to delete the language that states "and a portion of the proposed house". Approval from the Inland Wetlands Commission for item #1 would include the request to be amended as follows: 1) Construction of a driveway, installation of utilities, and related site grading (proposed Lot #1 parcel 2810348). He continued by stating that as a condition of approval, the conservation restriction would be amended to include language that would state that the boulders/plantings shall remain as they were required by the Inland Wetlands Commission.

Mr. Applefield stated that he wanted to express appreciation for the modifications made in response to the issues that were discussed at the May 6, 2014 meeting.

Mr. Applefield made the motion to approve application #737 with standard conditions and the revisions Mr. McCahill outlined above.

Mr. Beauchamp seconded the motion.

Mr. Applefield, Mr. Usich, Mr. Thier, Mr. Beauchamp and Mr. Breckinridge voted unanimously to approve the application.

COMMUNICATIONS FROM THE PUBLIC:

There were no communications from the public at this time.

OTHER BUSINESS:

Mr. McCahill stated that he researched the issue with regard to the grass planted in the area adjacent to the wetland located at the corner of Waterville Road and Avonwood Road, and in the vicinity of the CREC school, in response to a concern that was raised at the May 6, 2014 Inland Wetlands Commission meeting.

He continued by stating that he contacted the contractor in charge of the project who stated that there is documentation that the area was seeded with the required wetland seed mix. As a result of the seed being planted late in the season, grass seed was also planted to ensure the area was established. As a follow up, a significant area adjacent to the intermittent watercourse was roped off to allow the wetland seed mix to become established. The area will not be mowed nor will it be treated with any fertilizers.

STAFF COMMENTS:

There were no staff comments at this time.

Authorized Agent Approvals:

Mr. McCahill stated that he approved activities for a residential property located at 120 Nod Way that requested, within the one hundred (100) foot upland review area, approval to install a small septic system to accommodate the addition of a small bathroom and wet bar to the existing out-building located on the property. The Agent Approval was issued on May 16, 2014 and the legal notice was posted in the Hartford Courant on May 22, 2014. The septic system will be located approximately sixty (60) feet away from an intermittent watercourse located adjacent to the property. Mr. McCahill stated that he was on site with Mr. Whitney, Consulting Engineers, LLC and Diane Harding from the Farmington Valley Health District at the time that the perc tests and test pits were being conducted. There were no issues identified as a result of the perc tests and test pits. Unless, there are any other questions, Mr. McCahill stated that the application is very straightforward.

APPROVAL OF MINUTES: May 6, 2014

Chairman Thier asked if there were any corrections to the minutes. There being no corrections to the minutes, Mr. Beauchamp made the motion to approve the minutes. The motion was seconded by Mr. Applefield. The minutes were approved by Mr. Applefield, Mr. Thier, Mr. Beauchamp, Mr. Usich and Mr. Breckinridge.

NEXT MEETING: July 1, 2014

In light of the 4th of July holiday week, Mr. McCahill requested that if anyone is aware that they may have a conflict with attending the July 1st meeting to please let us know as soon as possible.

There being no further business, the meeting was adjourned at 7:50 p.m..

Respectfully submitted,

Judy Schwartz