

RECEIVED

TOWN OF HEBRON
CONSERVATION COMMISSION
REGULAR MEETING
OCTOBER 9, 2008
TOWN OFFICE BUILDING

2008 OCT 17 P 12:05
Ann C. Hughes Asst
HEBRON TOWN CLERK

Members Present: J. Mullaney, T. Loto, R. Warner, L. Maynard

Members Absent: T. Nofer

Staff Present: J. Soderberg, Wetlands Agent

J. Mullaney called this regular meeting to order at 7:30 p.m.

Recognition of Guests: None.

Approval of Minutes- Regular Meeting, August 14, 2008:

R. Warner made a motion to approve these minutes as submitted. T. Gauthier seconded the motion. The motion passed unanimously.

New Applications:

Petition 08-14. Application of McCarthy Developers, LLP, 59 McGuire Road, South Windsor, CT- for construction of a 22' wide road and associated storm water management facilities, and for construction of a residential driveway within the 100' regulated area. Property is located at 190 West Main Street on 52.53 acres approximately 1 mile west of intersection with Route 85, and on the north side of West Main Street
(Received 10-09-08, 65 days: 12-12-08):

J. Soderberg started off the discussion by noting that several years ago the Commission had an application for this property. This is in essence the same application just with the development now going forward. He added that they are proposing to cross the dam with a private driveway.

Tom Balskus, Professional Engineer, presented on behalf of the applicant. He noted that this property is located in a R1 zone. What they are proposing to do is construct a four lot subdivision. He noted where the house sites were on the map.

Then T. Balskus explained that these lots will be accessible across a gravel road that comes out onto Route 66. This acreage is located along Route 66, between Burrows Hill Road and Route 85.

He continued by noting that most of the property is wooded. He noted on the map where it had been cleared. Some of this area was steep and some of it was level.

Minutes Approved on 11/3/08
With Corrections
Clerk Initial AB Date 11/9/08

There is currently an earth dam over the on site pond (Holman Pond). The private drive to Route 66 crosses this dam.

A Soil Scientist, David Lord, delineated the wetlands on the site. T. Balskus noted where the wetlands are located on the map. He added that the larger body of water near the house sites is filled seasonally. It is not a vernal pool.

The four lots vary in size from 6.5-8.1 acres. They are proposing to dedicate 22 acres to open space.

Their proposed private driveway will follow the existing gravel road. The town is requesting that they make the road 22 feet wide and construct it according to the town's road standards. Despite the fact that it will be constructed to town road standards, the road will be a private road.

All four houses will be served by underground utilities, wells and septics.

The discussion then turned to how they plan to manage storm water. The road will be curbless. There are currently a lot of natural swales along one side of the road (west side) which will direct the run off to a water quality basin which will then convey the water back into the pond. The water quality basin has been designed based on volume. The post development flow rates will be at or below what they currently are now. They will be keeping the existing run off pattern.

In regards to controlling the water from the pond to the stream, they are planning on constructing a new run off structure because the current structure is not sufficient.

The discussion then turned to direct wetland disturbances. T. Balskus noted that they will have to slightly widen the dam to be able to construct a 22' wide road. To do this they will have to directly fill in 2,000 square feet of wetlands. They will also have some upland review activities which he reviewed on the map along with square footage of disturbances.

J. Mullaney asked that the Commission be given a copy of the soil scientists report. The applicant, Ben McCarthy, stated that he would get a copy to the Commission.

B. McCarthy then spoke. He stated that he is the builder for these four houses. He plans on doing everything as green as possible because he wants to keep the area in its natural state. For example, he plan on cutting down as few trees as possible.

It was noted that the swales along the west side of the road currently have a lot of exposed ledge. B. McCarthy is planning on not touching this area and having the road follow this natural path. J. Mullaney asked if he would have to do any blasting to be able to get the

road to the town's requested 22' width. B. McCarthy responded that he did not think they would have to blast. He thought there was enough room now.

The discussion then turned to Mike O'Leary's October 6, 2008 memo to the Conservation Commission requesting input on the proposed open space for this application. M. O'Leary requested this this Commission's input on whether the proposed open space should be public or private.

It was noted that with each new subdivision the applicant must dedicate 20% of the overall land area as open space. Typically this open space is public open space and is dedicated to the town.

The applicant is proposing to keep the open space as private open space. Meaning that the land will be preserved in its natural state but no public use or access would be permitted. The Planning & Zoning Commission is requesting that the Conservation Commission provide input on this proposal.

This Commission noted that the open space proposed for this subdivision is immediately adjacent to the public open space approved with two adjacent subdivisions. It was noted how these are all connected on the map. It was noted that Planning & Zoning typically tries to connect and expand the public open space corridor.

It was also noted that approximately 1/4 of Holman Pond is currently privately owned. Although it is not stocked, there is currently a lot of wildlife using it.

B. McCarthy explained his proposal to keep the open space as private is his attempt to try to protect and preserve the area. He is does not want the public on and around the pond. He is taking all of these precautions and he would hate for something to happen. He would propose to protect these 22 acres through a private homeowner's association.

J. Mullaney asked if the open space calculation was done different for private versus public open space. J. Soderberg did not know.

It was then noted that Planning & Zoning has scheduled a site walk of this parcel for Saturday, November 8th. The Conservation Commission members have been invited to join them. The Commission decided not to take a position on the open space classification issue until after this site walk. This item will be put on next month's agenda.

The discussion then turned to whether these proposals constituted a significant impact activity under the inland wetlands and watercourses regulations.

T. Loto made the following motion:

- Petition #08-14 constitutes a significant impact activity under the Inland Wetlands and Watercourse Regulations thereby requiring a public hearing.

R. Warner seconded the motion. The motion passed with L. Maynard abstaining.

It was noted that the Commission still has to receive comments on this application from the Town Engineer and the Chatham Health District.

The discussion then turned to the town's proposal to require the private driveway to be 22 feet wide. The Commission would prefer that this road be narrower because it would have less of an impact with less run off.

B. McCarthy stated that he too would prefer to not have to make the road 22 feet wide. The Commission asked if he would be developing a private road maintenance plan post construction. Both B. McCarthy and his engineer stated that they would develop one.

A public hearing for this application was scheduled for November 13, 2008. The applicant was instructed to notify all abutting property owners.

Petition 08-15, Application of Lawrence and June Burleigh, 72 Attawanhood Trail, for construction of a 600 square foot shed within a regulated area (**Received 10-09-08, 65 days: 12-12-08**):

J. Soderberg explained that the proposed location for this shed is 45-60 feet from wetlands. He added that the wetlands on this property are pretty well defined and that this proposed location is the only place where they could place a shed. This is a difficult lot to work with because it is a corner lot with wetlands and anywhere else would be too close to the house or the septic.

This site is a wooded area so some trees would have to be cut.

Both Lawrence and June Burleigh were present. They explained that they plan on using this shed for typical household "stuff."

The discussion turned to how they would be able to get to the shed site. The concern was that they would have to drive over the septic. J. Soderberg thought they could get there without having to drive over the septic.

T. Gauthier asked what type of platform they planned on using. The applicants explained that they plan on placing the shed on pressure treated peers with concrete. They will have to do some earthwork to level the site. This will require both excavation and fill.

T. Loto asked if they had any erosion control plans. He proposed that they install a silt fence on the downside to the earthwork. J. Soderberg requested that the excavation contractor get a hold of him prior to excavation and maintain contact with him during excavation.

T. Loto made the following motion:

- The Commission approve petition #08-15 with the following stipulations:
 - The contractor meet with J. Soderberg prior to and during site excavation.
 - An erosion control barrier (silt fence) be installed on the downside prior to excavation and kept in place until the area has stabilized.

R. Warner seconded the motion. The motion passed unanimously.

Violations: None.

Pre-Applications: None.

Other Pertinent Business:

The Commission then discussed the Church Street diversion permit (Nuteck Well) request made by Connecticut Water Company.

Some Commission members would like to see the Connecticut Water Company's contamination reports. They are not convinced that the water company has proven that this site is not contaminated and that the contaminants would not be detected because the water company is proposing to mix water from several wells.

J. Soderberg expressed concern that during the public information session the Connecticut Water Company stated that they did not know that this site was previously used for recycling cars and did not look into whether any contaminants from this process were still present. He noted that Connecticut Water Company focused their attention on the ash pits.

The Commission members who attended the public information session were glad to have been given this opportunity.

Correspondence: The following correspondence was received at the meeting:

- Court Ruling- Timber Harvesting
- D.E.P. Municipal Inland Wetlands Commissioners Training Program
- CACIWC 31st Annual Meeting & Environmental Conference, November 8, 2008
- Minutes from the Amston Lake District, Board of Directors Meeting Minutes of

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- The Habitat- Summer 2008 edition
- Article on Rain Gardening
- Memo from Planning & Zoning Commission regarding recommendations on open space for proposed subdivision at 190 West Main Street
- Conservation Commission Member contact list
- August 18, 2008 Notice of Decision of Conservation Commission for Petition 08-12
- August 18, 2008 Notice of Decision of Conservation Commission for Petition 08-11
- August 18, 2008 Notice of Decision of Conservation Commission for Petition 08-08
- October 2, 2008 Notice of Public Hearing (11/3/08) from the Connecticut Department of Environmental Protection RE: Water Diversion Permit for the Connecticut Water Company for the Firehouse Well, the Island Beach Well and the Nuteck Well.

Adjournment:

The meeting adjourned at 8:45 p.m. The next regular meeting is scheduled for November 13, 2008.

Respectfully submitted,



Linda Bulkovitch
Board Clerk