Town Clerk

Town of Vernon
Inland Wetlands Commission (IWC)
Special Meeting

Tuesday, August 5, 2014
7:00 PM
Council Chambers, Third Floor
Vernon Memorial Building
14 Park Place
Rockville / Vernon, CT

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DRAFT MINUTES

1. Call to Order & Roll Call
Meeting was called to order at 7:06 P.M. by Chairperson Jeff Pescosolido.
Those in attendance were Lynda Morhardt and Frank Galat.
Staff members present were Shaun Gately, Acting Town Planner, Craig Perry Town Wetlands Agent and Hal Cummings, Town Attorney.

2. Administrative Actions

2.1 Communications received not related to Agenda items.
There was no communication relating to Agenda items.

2.2 Call for filing(s) of Intervener petition(s) and determination of status.
No one was present for filing of intervener(s)

3. Public Hearing

3.1 Continued Hearing for Application **(IWC-2014-04)** of Eric A. Santini and Kevin W. Santini for the Redesignation of Wetlands and Wetlands permit to conduct a Significant activity within a regulated area at the properties known as #1108, 1116 Hartford Turnpike and other adjoining parcel (Assessor's ID: Map #38, Block #0068, Lot/Parcel #0020B, # 0021, #0021A).

Attorney Jacobs had opening comments and then introduced Ed Pawlak from Ecosystems, LLC who addressed the commission concerning the direct impact on the wetlands of this project and referred the commission to his letter dated July 29, 2014 sent to the Interim Town Planner, Shaun Gately.

Mr. Pawlak stated in his presentation that he feels that the project will not directly impact any wetlands or watercourses. He discussed the functions and

values of UVB's (Undisturbed Vegetated Buffers) of which were taken from excerpts from a document prepared by REMA Ecological Services, LLC. He stated that UVB's protect wetlands/watercourses from indirect adverse impacts, provide habitat for wildlife, maximize groundwater recharge, modulate wetland/watercourse water temperature, protect the wetland/watercourse water quality, protect sensitive wetlands, plant species and structures and complement structural erosion and sedimentation controls. He stated that "the width of wetland/watercourse buffer zones need to prevent significant adverse impacts to the wetland and/or watercourse relating to the intrinsic properties of the buffer zone, the intensity of the development and the sensitivity of the receiving wetland and watercourses. " He also reported that there can be indirect wetland impacts that would include pollution caused by the export of sediments, nutrients pesticides, heavy metals and other waterborne pollutants, increased temperature levels, the introduction of invasive flora and the increased light and noise levels. He had asked for clarification from the project engineer on the issue of sediment traps and the runoff discharge. In his professional opinion, he stated that the sediments will cover wetland plants which would lead to plant mortality; the sediment that enters the wetland will result in adverse impacts to the macroinvertebrates that occur in the onsite wetland. Because only a narrow UVB (10 -15 feet) will be preserved around the onsite wetland, phosphorus will enter the low-nutrient onsite wetland which will promote the growth of algal blooms. He reported that the surface water around the onsite wetland could significantly alter the hydrology. There could be adverse impacts to the vernal pool-breeding amphibians and an adverse impact to risk assessment. In his professional opinion, it would be prudent to preserve a 100 foot wide UVB around the majority of the onsite wetland. He recommended that the preservation and restoration of a 50 foot wide UVB in the northeast corner. He suggested that REMA Wetlands address the issue of the width of the UVB. He reported on the adverse impacts to off-site Fen wetland and in his professional opinion, it is an imprudent design and provides no margin of error in the event of a failure of the silt fence/hay bale line. He suggested that the project be split into three sub phases of construction. He offered the following alternatives to be considered for the project, increased UVB width, a shift development away from the offsite fen wetland, relocate the detention basin, adhere more closely to the Town of Vernon's Low Impact Development (LID) Stormwater Quality Manual, minimize site disturbance, disconnect the impervious surfaces, using rain gardens in lieu of the storm drainage system. He respectfully requested that the Town Engineer/Project Engineer address the following concerns which included the risk that fine sediment would be trapped in the filter fabric below the soil media in the rain gardens, establish a minimum acceptable infiltration rate before construction, the type of mulch used on the surface of the rain garden and the underdrain at the bottom of the rain gardens. He stated that special measures must be taken to prevent rill erosion.

Commission members addressed concerns regarding the rain gardens, the 100 foot UVB, the hydrology balance and the lining of slopes with double bales of hay.

The commission took a 10 minute recess at 8:00 PM and reconvened at 8:23 PM.

Attorney Jacobs addressed the commission stating that the Santini's and the project engineer had incorporated changes to the plans. Attorney Jacobs introduced Eric Peterson from Gardner & Peterson Associates, LLC who would review the recommendations made by Mr. Pawlak.

The commission received a new set of plans with a revision date of 8/4/2014. Mr. Peterson reported on the rain gardens which were designed in accordance to LID, the subservice gravel for the wetlands, enhancements were made to the sediment barriers including silt socks and doubling up on the barriers. A third party engineer will inspect the storm water discharge system prior to any significant rain event. Any slope in the project will be treated with an erosion control blanket. Storm water basins to the east of the project were made smaller and were shifted away from the wetlands. Mr. Peterson stated that Mr. Logan would address the issue of ground water and the sediment and silt infiltration.

Commission members inquired about a list of onsite materials and the need to monitor them and the subservice gravel wetlands.

Mr. George Logan, from REMA Ecological Services, LLC, presented his report in reference to the findings of Mr. Pawlak. He discussed the water quality, the level of infiltration and the removal of sediments and that there would be no physical impact to the wetlands. He distributed and reviewed a Media Pollutants Removal Efficient chart from the UNHSC with the commission. A short term impact on construction resulted in four sediment traps (silt socks) placed strategically throughout the project. He addressed the fen wetlands based on Best Management practices, the vernal pools characteristics and the UVB buffers.

Commission members commented on the three phases of construction, the 3rd party control of the storm water drains and they wanted to insure that airborne partials would not become an issue through construction. They also commented on the potential leakage of phosphorus through the silt socks and its export in the wetlands. They also commented that the functions and values of the ecological community remain high after development.

Mr. Craig Perry, Town of Vernon Wetlands Agent addressed the commission regarding concerns in the plans. Concerns were the vegetative buffer zone, the affect on the vernal pools and the drainage area around the five buildings. He stated in his professional opinion, he agreed with Mr. Pawlak that the feasible and prudent alternatives made as some minor modifications does not constitute substantial changes that would minimize the risk of actual impact to onsite and offsite wetlands.

Mr. Eric Santini requested to address the commission; he stated that this was a credible application and he felt that the wetlands would function better after the construction than they are currently.

Attorney Jacobs addressed the commission in conclusion stating that the applicants listened to comments made and improved the plans using exceptional engineering and environmental standards which would not have an adverse impact on the wetlands.

Chairperson Pescosolido stated that he thanked the parties involved and for addressing the concerns of the commission relating to the wetlands.

The Public Hearing was declared closed.

A motion was made by Jeff Pescosolido and seconded by Frank Galat for the redesignation of Wetlands at the properties known as #1108, 1116 Hartford Turnpike and other adjoining parcel (Assessor's ID: Map #38, Block #0068, Lot/Parcel #0020B, # 0021, #0021A). Motion passed unanimously.

A motion was made by Jeff Pescosolido and seconded by Lynda Morhardt to accept the application of the Wetlands permit to conduct a Significant activity within a regulated area at the properties known as known a #1108, 1116 Hartford Turnpike and other adjoining parcel (Assessor's ID: Map #38, Block #0068, Lot/Parcel #0020B, # 0021, #0021A) following the criteria that there are no additional items that have prudent and feasible alternatives and that stipulations will include maintenance of the wetlands during the construction phase, the maintenance and construction schedule are adhered to and the town staff will be allowed to review and assist during the project. Motion passed unanimously.

4. Adjournment.
A motion to adjourn was made by Jeff Pescosolido and seconded by Lynda Morhardt at 10:38 P.M. Motion passed unanimously.

Respectfully submitted,
Peggy Jackle
Recording Secretary