

TOWN OF VERNON
Inland Wetlands Commission (IWC)
Meeting Notice & Agenda
Tuesday, January 26, 2021, 7:00 PM
VIA Teleconference

Join Zoom Meeting by link:

<https://us02web.zoom.us/j/81909095397?pwd=RXU0bzlFM1QreHVnVnZPdXM2aW5KUT09>

Meeting ID: 819 0909 5397

Passcode: 0b9zGB

or

Dial by your location

(646) 876 9923 US

Meeting ID: 819 0909 5397

Passcode: 919924

AGENDA

1. Call to Order & Roll Call
2. Administrative Actions
 - 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #9 "Other Business" requires Commission vote
 - 2.2 Election of Officers
 - 2.3 Approval of the Minutes from the December 22, 2020 regular meeting
 - 2.4 Communications received NOT related to Agenda items, if any
 - 2.5 Call for filing(s) of Intervener petition(s) and determination of status
3. New Applications for Receipt and Determination of Significance
4. Public Hearing and Action on New Application(s)
 - 4.1 **IWC-2020-08** Application of Krause Realty Trust, for a Wetlands Permit to create additional parking for inventory storage (new cars), to include installation of pavement, security fencing, lighting, grading and drainage improvements at 6 Hartford Turnpike (Assessor ID: Map 1, Block 0159, Parcel 0001B), 34 Acorn Road (Assessor ID: Map 01, Block 159A, Parcel 00002) and 42 Acorn Road (Assessor ID: Map 01, Block 0159A, Parcel 00001).
5. Status of Cease & Correct Orders, if any
6. Wetlands Enforcement Officer Report, if any
7. Inland Wetlands Agent Approvals, if any
8. Other Business
 - 8.1 Land Use Seminar
9. Adjournment

Rachel Stansel, Chairperson
Inland Wetlands Commission (IWC)

Minutes

Town of Vernon
Inland Wetlands Commission (IWC)
Tuesday, December 22, 2020, 7:00 p.m.
Teleconference Meeting

DRAFT MINUTES

1. Call to Order and Roll Call

Vice-Chairman Frank Galat called the meeting to order at 7:08 p.m. Also in attendance were Commission Members Don Schubert, and Kathy Minor. Staff members present were Craig Perry, Wetlands Agent, David Smith, Town Engineer, and George McGregor, Town Planner.

2. Administrative Actions

2.1 Amendment/Adoption of Agenda – Additional business to be considered under agenda item #9 “Other Business” requires Commission vote
None

2.2 Approval of Minutes from the November 24, 2020 regular meeting
Kathy Minor made a motion to approve the minutes of November 24, 2020. Motion carried unanimously.

2.3 Communications received NOT related to Agenda items, if any
None

2.4 Call for filing(s) of Intervener petition(s) and determination of status.
None

3. New Applications for Receipt and Determination of Significance

3.1 **[IWC-2020-08]** Application of Krause Realty Trust, for a Wetlands Permit to create additional parking for inventory storage (new cars), to include installation of pavement, security fencing, lighting, grading, and drainage improvements at 6 Hartford Turnpike (Assessor ID: Map 1, Block 0159, Parcel 0001B), 34 Acorn (Assessor ID: Map 01, Block 159A, Parcel 00002) and 42 Acorn (Assessor ID: Map 01, Block 0159A, Parcel 00001).

George McGregor explained the application and discussion took place.
Frank Galat made a motion seconded by Kathy Minor that Application [IWC-2020-08] represents significant activity with potential impacts on wetlands, and places it on the regular IWC for January 26, 2021 for Public Hearing and Action. Motion carried unanimously.

4. Public Hearing and Action on New Application(s)
None
5. Status of Cease & Correct Orders, if any
None
6. Wetlands Enforcement Officer Report, if any
IWC Project Status Report dated December 2020 was included in Commission packet. Craig Perry discussed the report.
7. Inland Wetlands Agent Approvals, if any
 - 7.1 **WA-2020-06** 74 Reservoir Road for the work associated with the installation of an additional drive-thru lane.
Wetland Agent Craig Perry's certified letter dated December 2, 2020, included in Commission packet. Wetlands Approval was given.
8. Other Business
None
9. Adjournment
Don Schubert made a Motion seconded by Kathy Minor to adjourn at 7:30pm. Motion carried unanimously.

Respectfully Submitted

Susan Hewett
Recording Secretary

APPLICATION 1

December 16, 2020

Via Hand Delivery

Vernon Inland Wetlands Commission
c/o George McGregor, Town Planner
55 West Main Street
Vernon, CT 06066

Re: Wetlands Permit – Subaru Parking Expansion

Dear George:

Enclosed herewith please find an application for a Wetlands Permit to conduct regulated activities upon properties at 6 Hartford Turnpike, 34 Acorn Road and 42 Acorn Road, Vernon (collectively, the "Property"). The Property is owned by the Krause Realty Trust (the "Applicant").

Also enclosed are the following:

- (1) Copies of the legal descriptions of the Property;
- (2) DEEP Reporting Form;
- (3) List of abutting property owners of the Property, including mailing labels (if necessary);
- (4) Addendum/brief narrative of the application;
- (5) Wetlands Assessment prepared by REMA Ecological Services, LLC;
- (6) Three full size copies of the Site Plan;
- (7) LID Checklist; and
- (8) A check in the amount of \$185.00 representing the application fee (\$125 plus \$60 state fee).

An electronic copy of this full application package will be emailed to you as well.

As there are no direct impacts to the wetlands proposed, and in light of REMA's conclusion that the proposed activity will have a minimal risk of indirect impacts to the wetlands, it is the Applicant's expectation that the Commission will find the proposal to constitute a Non-Significant Activity. As such, we checked that box on the application form. If, however, the Commission determines otherwise, please let me know and we will promptly submit the additional filing fee.

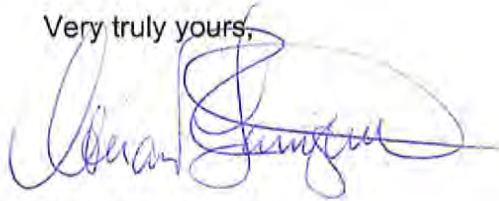
Please review this application and the enclosed information and should you have any questions or need additional information, please advise. It is my understanding that the Commission will receive this application at its next regularly scheduled meeting on December 22, 2020 and schedule it to be reviewed at their meeting on January 26, 2021. The Applicant, its consultants and I will be in attendance at January meeting to make a full presentation at that time. If you think my attendance at the December meeting for receipt of the application is desirable, please let me know and I will plan to attend at that time as well.

Vernon Inland Wetlands Commission
c/o George McGregor, Town Planner
December 16, 2020
Page 2 of 2

Finally, please note that the Property is within 500 feet of the Town of Manchester. As such, please be sure to provide the necessary notice to the Manchester Town Clerk per CGS §8-7d.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dorian R. Famiglietti', with a large, stylized flourish extending to the right.

Dorian R. Famiglietti

Enclosures

cc: Peter Krause (w/enclosures)
Dave Simler (w/enclosures)
George Logan (w/enclosures)



TOWN OF VERNON

INLAND WETLANDS COMMISSION (IWC)

APPLICATION

This form is to be used to apply to the Vernon Inland Wetlands Commission (IWC) for approval for a redesignation of a wetlands area, a change to the Inland Wetlands and Watercourses Regulations, and/or a permit to conduct a regulated activity in a wetland, watercourse, or upland review area (URA), which are defined as areas within one hundred (100) feet from the boundary of a wetland, watercourse, or intermittent watercourse and areas within two hundred (200) feet from the boundary of Gage's Brook, Hockanum River, Ogden Brook, Railroad Brook, Tankerhoosen River, Valley Falls Pond, Walker Reservoir East, Walker Reservoir West. Any activity that the Commission determines is likely to impact or affect wetlands or watercourses may be considered a regulated activity. **Provide all the information requested.**

The Applicant must be the property owner, the property owner's agent, the Town of Vernon, or someone with a direct financial interest in the subject property. Said interest shall be explained. If the applicant is not the property owner, written permission for this Application must be obtained from the property owner and submitted by letter signed by the property owner authorizing submission of the Application.

The Applicant understands that the Application is complete only when all information and documents required by IWC have been submitted and that any approval by the IWC relies upon complete and accurate information being provided by the Applicant. Incorrect information provided by the Applicant may make the approval invalid. The IWC may require additional information to be provided by the Applicant.

I. APPLICANT (S)

Name: The Krause Realty Trust

Title: _____

Company: _____

Address: 24 Hartford Turnpike, Vernon, CT 06066

Telephone: 860-649-6550 Fax: _____

E-mail: pkrause@krausecars.com

II. PROPERTY OWNERS

Name: Same as applicant

Title: _____

Company: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

III. PROPERTY

Address: 6 Hartford Turnpike; 34 Acorn Road; 42 Acorn Road

Assessor ID Code: Map # * Block # * Lot/Parcel # *

*See attached
Addendum to Application

Land Record Reference to Deed Description: Volume: * Page *

USGA Location:

Circle the Map Quadrangle Name: Manchester # 38 Rockville #39

Circle the Sub regional Drainage Basin #: 3108 4500 4502 4503

Zoning District: *

IV. PROJECT

Project Name: Subaru Parking Expansion

Project Contact Person:

Name: Dorian R. Famiglietti

Title: Attorney for Applicant/Owner

Company: Kahan, Kerensky & Capossela, LLP

Address: 45 Hartford Turnpike

Vernon, CT 06066

Telephone: 860-646-1974 Fax: 860-647-8302

E-mail: dfamiglietti@kkc-law.com

V. PROJECT SUMMARY

Describe the project briefly in regard to the purpose of the project and the activities that will occur. Attach to this application a complete and detailed description with maps and documentation as required by the "The Town of Vernon Inland Wetlands and Watercourses Regulations".

Purpose: Creation of additional parking for inventory storage (new cars)

General Activities: See attached Addendum to Application

Regulated Activities:

Watercourse disturbance (linear feet): -0-

Wetlands disturbance (acres or sq. ft.): -0-

Upland Review Area (URA) disturbance: 21,670 SF (see attached Addendum to Application)

Nonregulated activities & activities outside URA: installation of pavement, security fencing, lighting, grading and drainage improvements.

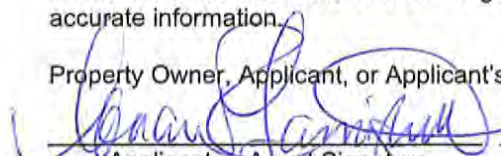
VI. APPLICATION

- ☐ Redesignation of Wetlands
- ☐ Amendment of Inland Wetlands and Watercourses Regulations
- ☐ Modification of a Wetlands Redesignation
- ☒ Wetlands Permit
- ☒ Non-significant activity
- ☐ Significant activity with less than ½ acre site disturbance
- ☐ Significant activity with site disturbance from ½ acre to and including 2 acres
- ☐ Significant activity with site disturbance greater than 2 acres
- ☐ Commission modification of a wetland permit in effect
- ☐ Modification of a wetland permit by the Wetlands Agent
- ☐ Approval of a license by the Wetlands Agent for activities in an upland
- ☐ Appeal of a decision by the Wetlands Agent
- ☐ Subdivision review per CGS Section 8-26
- ☐ Jurisdictional ruling regarding permitted and nonregulated uses
- ☐ Waiver, reduction, or delayed payment of fees (attach statement of justification)
- ☐ Waiver
- ☐ Reduction to \$ _____
- ☐ Delay of payment to _____

VII. CERTIFICATION AND SIGNATURE

I, the undersigned Applicant or applicant's Agent, hereby certify that I have reviewed the "Town of Vernon Inland Wetlands and Watercourses Regulations" and have prepared this Application with complete and accurate information.

Property Owner, Applicant, or Applicant's Agent:

	<u>Brian K. Famiglietti</u>	<u>12/16/2020</u>
Applicant or Agent Signature	Printed Name	Date
<i>attorney for owner/applicant</i>		
_____	_____	_____
Owner's Signature, if different	Printed Name	Date

TO BE FILLED IN BY THE PLANNING DEPARTMENT

DATE APPLICATION SUBMITTED _____

DATE APPLICATION RECEIVED BY COMMISSION _____

IWC FILE: _____

Return to:
Krause Realty Trust
24 Hartford Turnpike
Vernon, CT 06066

STATUTORY FORM WARRANTY DEED

IT, **ANTHOS ACORN 32-34, LLC**, a Connecticut limited liability company, having a place of business in the Town of Nanuet, and State of New York (the "Grantor"),

for the consideration of SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$65,000.00) paid grants to **KRAUSE REALTY TRUST**, having a place of business in the Town of Vernon, County of Tolland and State of Connecticut (the "Grantee")

with WARRANTY COVENANTS:

A certain piece or parcel of land, situated in the Town of Vernon, County of Tolland and State of Connecticut, known as 34 Acorn Road (Parcel No. 01159A00002) and 42 Acorn Road (Parcel No. 01159A00001), and more fully described in Schedule A attached hereto and made a part hereof.

Said premises are subject to any and all provisions of any ordinance, municipal regulation, or public or private law.

Said premises are subject to Taxes due the Town of Vernon on the List of October 1, 2019, which taxes the Grantee herein assumes and agrees to pay as part consideration for this conveyance.

Said premises are subject to the following:

As to both 34 Acorn Road 42 Acorn Road:

- (a) A utility easement in favor of The Connecticut Light and Power Company dated June 4, 1956 and recorded June 21, 1956 in Volume 107 at Page 30 of the Vernon Land Records.
- (b) Caveat dated June 15, 1978 and recorded June 21, 1978 in Volume 336 at Page 10 of the Vernon Land Records.
- (c) Notice dated August 15, 1980 and recorded August 18, 1980 in Volume 388 at Page 163 of the Vernon Land Records.
- (d) Certificate of Taking dated October 22, 1980 and recorded October 22, 1980 in Volume 394 at Page 264 of the Vernon Land Records.
- (e) Certificate of Notice of Assessments and Deferral of Payments recorded April 3, 1991 in Volume 828 at page 246 of the Vernon Land Records.

CONVEYANCE TAX RECEIVED
STATE \$ 487.50
LOCAL \$ 162.50
KAREN C. DAIGLE
TOWN CLERK OF VERNON

(f) Affidavit dated December 27, 2008 and recorded December 28, 2007 in Volume 1971 at page 239 of the Vernon Land Records.

(g) Building lines, notes, sanitary easements and 20' conservation easement to be deeded to the Town of Vernon as shown on map.

As to 42 Acorn Road only:

(h) Certificate of Notice of Installment Payment of Assessment of Benefits recorded March 23, 1983 in Volume 451 at page 129 of the Vernon Land Records.

As to 34 Acorn Road only:

(i) Certificate of Notice of Installment Payment of Assessment of Benefits recorded March 23, 1983 in Volume 451 at page 127 of the Vernon Land Records.

(j) Certificate of Notice of Installment Payment of Assessment Benefits recorded March 23, 1983 in Volume 451 at page 128 of the Vernon Land Records.

(signature page to follow)

Signed this 16 day of June, 2020.

Signed, sealed and delivered
in the presence of:

Cheryl Adler

ANTHOS ACORN 32-34, LLC

By [Signature]
Haralambos Kostopoulos
Its Member, duly authorized

STATE OF NEW YORK)

) ss.

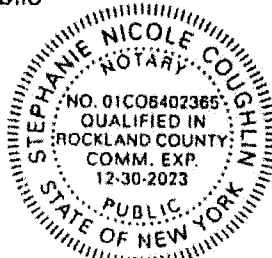
June 16 2020

COUNTY OF Rockland

On this 16 day of June, 2020, before me, Stephanie Coughlin, the undersigned officer, personally appeared Haralambos Kostopoulos who acknowledged himself to be the Member of ANTHOS ACORN 32-34, LLC, and that he as such Member, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Member, duly authorized.

[Signature]
Notary Public

Grantee's Address:
24 Hartford Turnpike
Vernon, CT 06066



SCHEDULE A

LEGAL DESCRIPTION

A certain piece or parcel of land situated in the Town of Vernon, County of Tolland and State of Connecticut, shown as "LOT 1" on a map entitled "ACORN ROAD VERNON, CONNECTICUT REAR LOT APPLICATION 2.68 ACRES, ALL LOTS - ZONE R-27 PREPARED FOR HOMEOWNERSHIP ASSISTANCE 548 BURNSIDE AVE EAST HARTFORD, CT JOB NO: 04-P34 DRAWN BY: T.I. DESIGNED BY: T.I. CHECKED BY: T.I. DATE: 3/1/06 SCALE: 1" = 40' DRAWING NO: C1 ENGINEERS: INGA CONSULTING ENGINEERS ANDREW T. INGA 139 WHITNEY STREET HARTFORD, CONNECTICUT REG. 14894 PHONE 860-233-4991 SURVEYOR: OSWALD BUNT REGISTERED LAND SURVEYOR WINDSOR, CONNECTICUT REG. 12048 REVISIONS 0 3/1/06 1 6/7/06 Conservation easement, driveway turn around 2 7/21/06 Relocate Road and Detention Basin" said map has been filed as map #5036 in the land records of the Town of Vernon where a more particular description may be had.

A certain piece or parcel of land situated in the Town of Vernon, County of Tolland and State of Connecticut, shown as "LOT 2" on a map entitled "ACORN ROAD VERNON, CONNECTICUT REAR LOT APPLICATION 2.68 ACRES, ALL LOTS - ZONE R-27 PREPARED FOR HOMEOWNERSHIP ASSISTANCE 549 BURNSIDE AVE EAST HARTFORD, CT JOB NO: 04-P34 DRAWN BY: T.I. DESIGNED BY: T.I. CHECKED BY: T.I. DATE: 3/1/06 SCALE: 1" = 40' DRAWING NO: C1 ENGINEERS: INGA CONSULTING ENGINEERS ANDREW T. INGA 139 WHITNEY STREET HARTFORD, CONNECTICUT REG. 14894 PHONE 860-233-4991 SURVEYOR: OSWALD BUNT REGISTERED LAND SURVEYOR WINDSOR, CONNECTICUT REG. 12048 REVISIONS 0 3/1/06 1 6/7/06 Conservation easement, driveway turn around 2 7/21/06 Relocate Road and Detention Basin" said map has been filed as map #5036 in the land records of the Town of Vernon where a more particular description may be had.

RECORDED IN
VERNON LAND RECORDS
KAREN C. DAIGLE
VERNON TOWN CLERK
ON JUN 22, 2020 AT 03:01 PM

STATUTORY FORM WARRANTY DEED

HRK ASSOCIATES, LLC, a Connecticut limited liability company having an office in Coral Gables, Florida, formerly known as HRK Associates, for consideration paid, grants to **PETER B. KRAUSE and JAMES F. MARTIN, AS TRUSTEES OF THE KRAUSE REALTY TRUST DATED OCTOBER 30, 2007**, having an address of 24 Hartford Turnpike, Vernon, CT 06066, with **WARRANTY COVENANTS**, those certain pieces or parcels of land, situated in the Towns of Vernon and Manchester, County of Tolland and State of Connecticut, known as 6 Hartford Road, Vernon, and being more particularly bounded and described on **Exhibit A** attached hereto and made a part hereof.

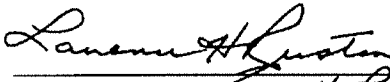
BALANCE OF PAGE INTENTIONALLY LEFT BLANK

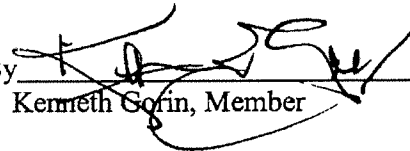
CONVEYANCE TAX RECEIVED
STATE \$ 10070.63
TOWN \$ 2517.66
Bernice K. Dixon
TOWN CLERK OF VERNON

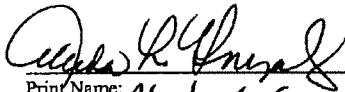
Signed this 30 day of October, 2007.

Witnessed by:

HRK ASSOCIATES, LLC


Print Name: Lawrence H. Rustin

By 
Kenneth Gorin, Member

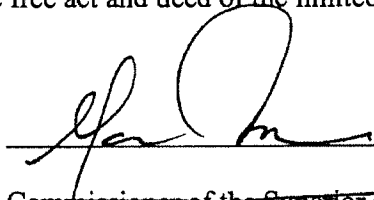

Print Name: Aleida L. Gonzalez

ACKNOWLEDGMENT ON FOLLOWING PAGE

STATE OF FLORIDA)
) ss.
COUNTY OF DADP)

October 30, 2007

Personally appeared, Kenneth Gorin, Member of HRK Associates, LLC a Connecticut limited liability company, signer of the foregoing instrument and acknowledged the same to be his free act and deed as such member and the free act and deed of the limited liability company, before me.



Commissioner of the Superior Court
Notary Public
My Commission Expires: _____



Grantee's Mailing Address:

24 Hartford Turnpike
Vernon, CT 06066

EXHIBIT A

First Piece

That certain piece or parcel of land located on Route 83 in the Town of Vernon, County of Tolland and State of Connecticut, bounded and described as follows:

- NORTHERLY: by Route #83, Two Hundred (200) feet;
- EASTERLY: by land now or formerly of Ted Trudon, Inc., Two Hundred Twenty-Eight and Thirty-Four One-Hundredths (228.34) feet;
- SOUTHERLY: by land now or formerly of L. P. Fitzgerald, Inc. designated as Lots No. 22, 23 and 24, in part by each in all, Two Hundred (200) feet, as shown on a certain map entitled, "Map of The Country Square Property of Franklin G. Welles Welles Road, Vernon, Conn. Scale 1" = 50' Nov. 8, 1955 Hayden L. Griswold, C.E."; and
- WESTERLY: by land now or formerly of Shawmut Equipment Co., Inc., Two Hundred Twenty-Eight and Thirty-Four One-Hundredths (228.34) feet.

The Northwest corner of the premises herein is at a point situated Seven Hundred Eighty-One and Seventy-Five One-Hundredths (781.75) feet westerly of the intersection of the westerly line of Welles Road with the Southerly line of Route #83, as measured along said Southerly line of Route #83.

Second Piece

That certain or piece or parcel of land situated in the Towns of Manchester and Vernon, in the State of Connecticut, more particularly bounded and described as follows:

Beginning at a Connecticut Highway Department monument on the Southerly street line of Tolland Turnpike, said monument being on the Manchester-Vernon Town Line, thence N 55°44'32" E 12.00' along the Southerly street line of Tolland Turnpike to a point, which point is the Northwest corner of property of Hyman R. and Roslyn M. Goralnick, thence S 5°20'28" E 228.34' along the Westerly property line of Hyman R. and Roslyn M. Goralnick to a point, then N 15°43'21" E 210.62' to a point on the Southerly street line of Tolland Turnpike, the last course running through property of the Shawmut Equipment Company, Inc., thence N 55°44'32" E 32.00' to the point of beginning. Said parcel contains 0.101 acres.

Being a certain piece or parcel of land known as Parcel A as shown on a map or plan entitled: Subdivision Plan for Shawmut Equipment Company, Inc., 20 Tolland Turnpike, Manchester, CT., dated 2-20-86, revised 4-11-86, Fuss & O'Neill, Inc. Consulting Engineers, and recorded in the Manchester Land Records; and as shown on a map entitled: Property Mapped for Shawmut Equipment Company, Inc., 20 Tolland Turnpike, Manchester, CT., dated 2-20-86, Fuss & O'Neill, Inc. Consulting Engineers, and recorded in the Vernon Land Records.

Being the same premises conveyed to HRK Associates by Statutory Form Quit Claim Deed from Hyman R. Goralnick and Roslyn M. Goralnick dated June 9, 1986 and recorded in Volume 580 at Page 315 of the Vernon Land Records and in Volume 1046 at Page 18 of the Manchester Land Records

Third Piece

those three certain pieces or parcels of land, with the buildings and improvements thereon, situated in the Town of Vernon, County of Hartford and State of Connecticut, being Lots 22, 23 and 24 as shown on a survey entitled: "Property Mapped for L.P. Fitzgerald Ford Inc. Rockville, CT 06066 Acorn Road Vernon, Conn. Scale 1" = 50' Job No. 76-323-D Aug. 1976 Sheet No. 1 of 1 Griswold & Fuss, Inc. Consulting Engineers and Surveyors Manchester, Connecticut", which map is on file in the Vernon Town Clerk's Office to which reference may be made and being more particularly bounded and described as follows:

BEGINNING at a point, which point is the northwesterly corner of the premises herein described and is the southwesterly corner of land now or formerly of Austin A. Chambers Co. and which property is also along the easterly boundary of land now or formerly of Garrity Brothers;

THENCE from said point and place of beginning in a general easterly boundary of Lot No. 21 on said map, in a general southerly direction, 150 feet, to a point along the northerly side of a proposed road known as Acorn Road;

THENCE in a general westerly direction along the northerly boundary of the proposed road known as Acorn Road, a distance of 395 feet, to a point on the general easterly boundary of land now or formerly of Garrity Brothers;

THENCE in a general northerly direction along the easterly boundary of land now or formerly of Garrity Brothers, 171.25 feet, to the point and place of beginning.

Said premises are conveyed subject to:

AS TO FIRST PIECE

1. Second half real estate taxes to the Town of Vernon on the List of October 1, 2006 and real estate taxes to the Town of Vernon on the List of October 1, 2007, not yet due and payable, which taxes the Grantees assume and agree to pay as part consideration for this deed.
2. Restrictions set forth in a deed from Franklin G. Welles and Dorothy M. Welles to The Austin A. Chambers Company dated September 8, 1958 and recorded in Volume 105 at Page 246 of the Vernon Land Records.
3. Sewer Easement from Hyman R. Goralnick and Rosalyn M. Goralnick to the Town of Vernon dated October 7, 1980 and recorded in Volume 402 at Page 350 of the Vernon Land Records.
4. Caveat by The Water Pollution Control Authority of the Town of Vernon dated March 22, 1982 and recorded in Volume 429 at Page 257 of the Vernon Land Records.
5. Certificate of Notice of Installment Payments of Assessments Of Benefits recorded on March 15, 1983 in Volume 450, Page 5 of the Vernon Land Records.
6. Developers Permit Agreement between Hyman R. Goralnick and Water Pollution Control Authority dated December 12, 1985 and recorded in Volume 547 at Page 126.

AS TO SECOND PIECE

7. Second half real estate taxes to the Town of Vernon on the List of October 1, 2006 and real estate taxes to the Town of Vernon on the List of October 1, 2007, not yet due and payable, which taxes the Grantees assume and agree to pay as part consideration for this deed.
8. Second half real estate taxes to the Town of Manchester on the List of October 1, 2006 and real estate taxes to the Town of Manchester on the List of October 1, 2007, not yet due and payable, which taxes the Grantees assume and agree to pay as part consideration for this deed.
9. Restrictions set forth in a deed from Charles Lazak and Ethel G. Lazak to Harold W. Garrity and Thomas E. Garrity dated January 2, 1947 and recorded in Volume 183 at Page 427 of the Manchester Land Records.

AS TO THIRD PIECE

10. Second half real estate taxes to the Town of Vernon on the List of October 1, 2006 and real estate taxes to the Town of Vernon on the List of October 1, 2007, not yet due and payable, which taxes the Grantees assume and agree to pay as part consideration for this deed.

RECORDED IN
VERNON LAND RECORDS
Bernice K. Dixon
VERNON TOWN CLERK
ON Nov 01, 2007 AT 11:53A



Inland Water Resources Division
Department of Environmental Protection
79 Elm Street, 3rd Floor
Hartford, CT 06106-5127
www.ct.gov/dep

GIS CODE #: _____
For DEP Use Only

Statewide Inland Wetlands & Watercourses Activity Reporting Form

Complete, print, **sign**, and mail this form in accordance with the instructions on pages 2 and 3.

PART I: To Be Completed By The Municipal Inland Wetlands Agency Only

1. DATE ACTION WAS TAKEN (use drop-down box): Year Month
2. ACTION TAKEN (use drop-down box):
3. WAS A PUBLIC HEARING HELD? (select one only) ☐ Yes ☐ No
4. NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:

(print):

(signature) _____

PART II: To Be Completed By The Municipal Inland Wetlands Agency Or The Applicant

5. TOWN IN WHICH THE ACTION IS OCCURRING: Vernon

Does this project cross municipal boundaries? (select one only) ☐ Yes ☒ No

If Yes, list the other town(s) in which the action is occurring:
6. LOCATION: USGS Quad Map Name (see hyperlink): Manchester
Quad Number (see hyperlink): 38
Subregional Drainage Basin Number (see hyperlink): 4500
7. NAME OF APPLICANT, VIOLATOR OR PETITIONER: The Krause Realty Trust
8. NAME & ADDRESS/LOCATION OF PROJECT SITE: 6 Hartford Turnpike, 34 Acorn Road & 42 Acorn Road

Briefly describe the action/project/activity: ☐ Temporary ☒ Permanent
Expansion of parking area into the upland review area for storage of inventory (new cars); will include installation of pavement, security fencing, lighting, grading and drainage features.
9. ACTIVITY PURPOSE CODE (Use drop-down box): D
10. ACTIVITY TYPE CODE(S) (Use drop-down box) 12 & 14
11. WETLAND / WATERCOURSE AREA ALTERED [must be provided in acres or linear feet as indicated]:
Wetlands: 0 acres Open Water Body: 0 acres Stream: 0 linear feet
12. UPLAND REVIEW AREA ALTERED [must be provided in acres]: 0.497 acres
13. AREA OF WETLANDS AND / OR WATERCOURSES RESTORED, ENHANCED OR CREATED: 0 acres
[must be provided in acres]

PART III: To Be Completed By The DEP

DATE RECEIVED:

DATE RETURNED TO DEP:

FORM COMPLETED: ☐ YES ☐ NO

FORM CORRECTED / COMPLETED: ☐ YES ☐ NO

ADDENDUM TO WETLANDS APPLICATION

Applicant: Krause Realty Trust
Property: 6 Hartford Turnpike
34 Acorn Road
42 Acorn Road
Date: December 16, 2020

Properties involved:
6 Hartford Turnpike Zone: Commercial
Assessor's Parcel: 01-0159-0001B
Vernon Land Records: Volume 1962, Page 1

34 Acorn Road Zone: R-27
Assessor's Parcel: 01-159A-00002
Vernon Land Records: Volume 2662, Page 61

42 Acorn Road Zone: R-27
Assessor's Parcel: 01-159A-00001
Vernon Land Records: Volume 2662, Page 61

The Krause Realty Trust (the "Applicant") is the owner of the three (3) above referenced properties. Applicant presently owns and operates a Subaru car dealership on the property at 6 Hartford Turnpike (as well as on properties at 14 and 24 Hartford Turnpike, however these latter 2 properties are not part of this application). Applicant acquired the properties at 34 and 42 Acorn Road in June, 2020 in order to provide additional parking area for the car dealership.

Applicant proposes to expand the parking area behind the building at 6 Hartford Turnpike onto a portion of the land at 34 and 42 Acorn Road. Portions of the new parking area are within the Upland Review Area. Consequently, Applicant seeks a permit to conduct all regulated activities associated with the creation of the expanded parking area, as shown on the attached site plans.

No activities are proposed within the wetlands or watercourses. The only improvements will be within the Upland Review Area. Those improvements consist of the installation of pavement (21,923 SF of impervious pavement and 12,405 SF of permeable pavement), security fencing, lighting and drainage facilities. Details of these improvements are shown on the attached site plans, as well as details regarding the proposed erosion controls.

Also included with this application is the report of REMA Ecological, which analyzes the impacts of the upland review area activities and concludes that the same will not have an adverse impact on the wetlands.

Applicant and its consultants will make a full presentation of the application and report at the public hearing on this application.

ADDENDUM TO WETLANDS APPLICATION

Applicant: Krause Realty Trust
Property: 6 Hartford Turnpike
34 Acorn Road
42 Acorn Road
Date: December 16, 2020; **Revised January 15, 2021**

Properties involved:	
6 Hartford Turnpike	Zone: Commercial
Assessor's Parcel:	01-0159-0001B
Vernon Land Records:	Volume 1962, Page 1
34 Acorn Road	Zone: R-27
Assessor's Parcel:	01-159A-00002
Vernon Land Records:	Volume 2662, Page 61
42 Acorn Road	Zone: R-27
Assessor's Parcel:	01-159A-00001
Vernon Land Records:	Volume 2662, Page 61

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Applicant proposes to expand the parking area behind the building at 6 Hartford Turnpike onto a portion of the land at 34 and 42 Acorn Road. Portions of the new parking area are within the Upland Review Area (the "URA"). Consequently, Applicant seeks a permit to conduct all regulated activities associated with the creation of the expanded parking area, as shown on the attached site plans.

No activities are proposed within the wetlands or watercourses. The only improvements will be within the URA. Those improvements consist of the installation of pavement (33,689 SF of permeable/porous pavement), security fencing, lighting and drainage facilities. Details of these improvements are shown on the attached site plans, as well as details regarding the proposed erosion controls.

The total disturbance within the URA is 23,617 SF and includes some areas for which wetlands mitigation has been proposed.

Also included with this application is the report of REMA Ecological, which analyzes the impacts of the upland review area activities and concludes that the same will not have an adverse impact on the wetlands. The supplemental report of REMA also addresses the wetlands mitigation measures being proposed.

Applicant and its consultants will make a full presentation of the application and report at the public hearing on this application.



- Ecology
- Soil & Wetland Studies
- Water Quality Monitoring • GPS
- Environmental Planning & Management
- Ecological Restoration & Habitat Mitigation
- Aquatic, Wildlife and Listed Species Surveys
- Application Reviews • Permitting & Compliance

VIA EMAIL & HAND-DELIVERY

January 15, 2021

Town of Vernon
Inland Wetlands Commission
Memorial Building, 14 Park Place
Vernon, CT 06066

RE: *WETLANDS ASSESSMENT & IMPACTS ANALYSIS: SUPPLEMENTAL*

Proposed Parking Lot Expansion, 34 & 42 Acorn Road, Vernon, CT

REMA Job # 20-2329-VER52

Dear Chairperson Stansel and Commissioners:

On behalf of the applicant, the Krause Realty Trust, REMA ECOLOGICAL SERVICES, LLC (REMA) has prepared this brief *Wetlands Assessment & Impacts Analysis: Supplemental* report, to address comments found in a January 4th, 2021 memorandum to Mr. George McGregor, Town Planner, from Mr. David Smith, Town Engineer and Mr. Craig Perry, Inland Wetland Officer. This report addresses those comments that pertain to wetlands and watercourses. Other non-wetland related comments, such property line matters, are addressed elsewhere. The memorandum contains six (6) main paragraphs, and our responses are keyed to each one of them, in the same sequence.

1. Revised plans (3 sheets) have been submitted separately, which now include an existing conditions plan (Sheet 1).
2. The parking lot has been reconfigured, now giving much wider setbacks to both Wetland 1A (northwesterly) and Wetland 1B (westerly). For Wetland 1A, the setback distance is now a minimum of 23.6 feet, while for Wetland 1B it is 80.4 feet (see Plan Sheet 2).



3. A double erosion and sedimentation control barrier, consisting of silt fence and haybales is now included on the revised plans, where construction related grading is within 25-feet of a wetland boundary.
4. The revised plans (Sheet 2) show three separate areas where wetland-related mitigative measures are proposed:
 - a. **MM1:** In this roughly 6,875 square foot area, which includes both wetlands (i.e., Wetland 1A) and uplands, invasive shrub species will be tagged by a wetlands professional, and be eradicated using the protocols promulgated by the Connecticut Invasive Plant Working Group (CIPWG) for the specific invasive plant (e.g., multiflora rose, Morrow's honeysuckle, Japanese barberry, etc.). Typical techniques included mechanical removal, and the "cut-paint" basal treatment technique using a triclopyr herbicide (e.g., Brush-B-Gone). In the areas where significant gaps are left after invasives removal, and where existing native species are not likely to quickly spread into, supplemental shrub planting will take place (see Table 1, attached).
 - b. **MM2:** This is a roughly 1,700 square foot area, where native shrub clusters will be planted to enhance the permanent buffer to the wetland. These Plantings are specified in Table 1 (attached). This mitigation area will also be seeded with the New England Conservation/Wildlife Mix available at New England Wetland Plants, Inc., of Amherst, Massachusetts, and will be left to naturalize. We should note that a 5 to 6 foot wide mowed grassy strip will be maintained adjacent to the paved surface of the proposed parking lot.
 - c. **MM3:** This is a roughly 2,560 square foot area, which will initially be used, as needed, for the stockpiling of excess topsoil and subsoil during parking lot construction. Once the parking lot is in place this area will be graded to its pre-existing topography, ensuring that at least 6 inches of topsoil are in place. Roughly 1,760 square feet of this area will be seeded with the same Conservation/Wildlife Mix as specified for MM2, while the balance will become a portion of MM2. This created moist meadow will be allowed to naturalize, but will also be mowed, no closer than 4 inches to the ground surface, every other year, either in the late spring or late fall of "even" years (e.g., 2022, 2024, etc.). This will provide a small oasis for pollinator species



including lepidopterans (i.e., butterflies, moths), and will also attract avians that prefer forest edge-meadow ecotones.

5. In reconfiguring the parking lot to address staff comments and suggestions (i.e., ¶ 2), the northwest aisle was reduced to a width of 15 feet. Formulation of the vehicle that would set aside the remainder of the land is being further discussed, and will be presented to the Commission during the hearing for this application.
6. The applicant has heeded the advice of staff, of not blending two different approaches for paving (i.e., pervious and impervious), and is proposing to go forward with porous pavement for the entire parking lot. Also, in recognizing that additional detail was necessary regarding the materials that would be used for each of the layers shown on the “pervious pavement cross section” on Sheet 2, we have provided Table 2 on plan Sheet 2, which is a direct excerpt from the University of New Hampshire Stormwater Center document from which came the “cross section” on the plan. Table 2 provides standard engineering specification (e.g., AASHTO¹). As mentioned above, a stockpile area for excess topsoil and subsoil materials is now shown on plan Sheet 2.

Recognizing that the long-term success of the porous pavement parking lot depends on proper monitoring and maintenance, we researched Connecticut sources in putting together specific monitoring and maintenance procedures. The 2004 CT DEEP Stormwater Quality Manual (SWQM) in Chapter 11 (page II-56-4) only states the following: “*permeable pavement should be regularly cleaned of tracked mud or sediment and leaves.*” The 2012 Low Impact Development Appendix to the SWQM, in Section 4.3.5 states: “*regular maintenance is performed (sweeping, vacuum cleaning).*”

A more recent publication (2018), entitled: “*Development of a Specification for Porous Asphalt Pavements*”² provides the following relevant maintenance considerations:

1. Signs intended primarily for maintenance personnel should be posted at porous pavement locations to indicate the following:

¹ American Association of State Highway and Transportation Officials.

² Zinke, S. and J. Mahoney. Development of a Specification for Porous Pavements. Final Report: CT-2300-F-18-3. Connecticut Advanced Pavement Laboratory, Connecticut Transportation Institute, School of Engineering, University of Connecticut. Prepared for: Connecticut DOT, Bureau of Policy and Planning, Research and Implementation Unit.



- Abrasives such as sand shall not be used for winter maintenance.
 - Pavement surface shall not be seal coated.
 - Deposits of mulch or soil and debris on the porous surface should be reported to the appropriate maintenance personnel.
 - Ponded water on the porous pavement surface should be reported to the appropriate maintenance personnel.
2. Vacuuming of the parking lot surface should take place annually, and whenever clogging or potential clogging is suspected.

To the above we would add the following:

- 3. De-icing compounds may be used as needed.
- 4. Quarterly inspections for the first year, during and immediately after significant precipitation events (i.e., > 0.5 inch).
- 5. Annual inspections after the first year in early to mid-fall.

In conclusion, it is our professional opinion that with the latest revisions to the plans, the on-site and off-site wetlands and watercourses will be further protected both during the construction phase, and in the long-term.

Please feel free to contact our office with any questions on the above.

Respectfully submitted,

REMA ECOLOGICAL SERVICES, LLC

George T. Logan, MS, PWS, CSE
Registered Soil Scientist/Professional Wetland Scientist
Certified Senior Ecologist

Attachments: Table 1: Planting Materials

Table 1. Mitigation Plantings						
<u>Scientific Name</u>	<u>Common Name</u>	<u>Size</u>	<u>Shade tolerant?</u>	<u>Form</u>	<u>MM1</u>	<u>MM2</u>
SMALL TREES/LARGE SHRUBS						
<i>Hamamelis virginiana</i>	Witch hazel	3'-4'	Y	nursery pot	4	5
<i>Amelanchier canadensis</i>	Shadblow	3'-4'	Y/N	nursery pot		5
MEDIUM TO LOW SHRUBS						
<i>Vaccinium corymbosum</i>	Highbush blueberry	3'-4'	Y	nursery pot	6	6
<i>Viburnum dentatum</i>	Arrowwood viburnum	3'-4'	Y	nursery pot	8	4
<i>Ilex verticillata</i>	Winterberry holly	3'-4'	Y	nursery pot	8	6
<i>Corylus americana</i>	American hazelnut	3'-4'	Y	nursery pot	6	6
<i>Clethra alnifolia</i>	Sweet pepperbush	3'-4'	Y	nursery pot	12	6
<i>Swida racemosa</i>	Gray dogwood	3'-4'	Y	nursery pot	12	6
<i>Viburnum lentago</i>	Nannyberry	3'-4'	Y	nursery pot	8	6
Total:					64	50

NOTE: 1. Plant numbers for MM1 are estimated and will depend on the gaps left by invasives removal



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VIA EMAIL & HAND-DELIVERY

December 15, 2020

Town of Vernon
Inland Wetlands Commission
Memorial Building, 14 Park Place
Vernon, CT 06066

RE: *WETLANDS ASSESSMENT & IMPACTS ANALYSIS: SUMMARY OF FINDINGS*

Proposed Parking Lot Expansion, 34 & 42 Acorn Road, Vernon, CT

REMA Job # 20-2329-VER52

Dear Chairperson Stansel and Commissioners:

On behalf of the applicant, the Krause Realty Trust, REMA ECOLOGICAL SERVICES, LLC (REMA) has prepared this brief *Wetlands Assessment & Impacts Analysis* report, to be submitted with an application to conduct regulated activities at the above-referenced property. This is pursuant to the provisions of the Inland Wetlands and Watercourses Act, Connecticut General Statutes Section 22a-28 through 22a-45d, inclusive, and the Inland Wetlands and Watercourses Regulations of the Town of Vernon (adopted September 22, 2009, effective October 8, 2009, and amended through April 4, 2013).

The primary objective of this report is to provide the Commission with a brief description and characterization of the regulated wetlands associated with the subject site, an assessment of their ability to provide various functions and values, and to analyze potential short-term and long-term impacts to these resources from the proposed development. The plans reviewed for this report were prepared by Messier Survey, LLC, of Vernon, CT, and are dated August 2020, and revised through October 18th, 2020 (2 sheets).

1.0 INTRODUCTION & OVERVIEW

The overall property that is the subject of the application (i.e., “site,” “study area”) can be accessed from Acorn Road to the east (see Figures 1 and 2, attached). To the north the site



abuts an existing commercial establishment (i.e., Suburban Subaru) also owned by the applicant. The site encompasses roughly 2.386 acres of land, the majority of which is in second growth deciduous woodlands. A sanitary sewer easement runs along the northern and western portions of the site. The regulated wetlands associated with the site include Wetland 1A, located in part at the northwestern section of the site, as well as Wetland 1B, located off-site to the west (see Figure 2, attached).

The proposed regulated activity is for the construction of a parking lot with 116 spaces, to serve primarily for vehicle inventory for Suburban Subaru to the north of the site, with which it will connect. The parking area will occupy approximately 1.108 acres, with the remaining land (i.e., +/- 1.277 acres) to be permanently restricted from development.

Wetland delineations were conducted by Certified Soil Scientist, John Ianni, in December 2011 and March 2012. These wetland delineations, which appear on the submitted plans, were accepted by the Town of Vernon, through its wetland map amendment process (a.k.a., wetland redesignation) in 2012. REMA has reviewed these delineations in the field and has verified that they are substantially correct, and have not changed in the intervening years. For this application, REMA soil and wetland scientists conducted baseline natural resource inventories at the site on November 4th, 2020. However, it should be noted that REMA had previously inventoried the site on March 11th, and August 22nd, 2006, as part of a two-lot residential subdivision that created the subject parcels (see attached Photos 1 through 7).

We should note that we have evaluated the proposal for consistency with the Connecticut Inland Wetlands and Watercourses Act (Section 22a-36 through 22a-45 of the Connecticut General Statutes), and the Town's Inland Wetland & Watercourses Regulations.

Appended to this report are several figures (i.e., Figures 1 through 4), including a recent aerial photograph (e.g., 2019), as well as annotated photographs of the site's regulated areas (i.e., Photos 1 through 7, and A through F, attached).

2.0 SUMMARY OF EXISTING CONDITIONS

Introduction

- ◆ The subject site occupies roughly 2.386 acres of level to moderately steep terrain to the west and southwest of Acorn Road and to the north of Taylor Street in Vernon, CT. It is located within a small block of undeveloped, but previously disturbed land surrounded by



residential and commercial uses to the north, east, and south. A sanitary easement traverses the site both along its western and northern property boundaries. The Town of Manchester municipal boundary is about 50 to 75 feet to the west of the site.

Past Land Use

- Review of archived aerials and topographic maps (i.e., 1934, 1965, 1970, 1986, 1990, 1995, and 2004) show that the site was once mostly open field, with the exception of a wooded swath, south of the sewer easement at the northern edge of the property (see Figure 4, attached).

Surficial Geology & Soils

- Soils within the uplands are derived from glaciofluvial deposits (i.e., outwash, stratified sands and gravel) and are classified primarily as the moderately well drained Ninigret and Tisbury (21) soils series complex and the well-drained Manchester (37) soil series. Disturbed upland soils are mapped predominately as Udorthents (306), and encompass roughly one quarter of the site, especially along and near the sewer easement. The wetland-type soils are predominately mapped as Aquents (308w), that is, disturbed wetlands soils, which are associated with Wetland 1A, and the very poorly drained Saco (108) soil series, associated with Wetland 1B, which occurs off-site to the west. The Saco soil series are derived from alluvial deposits (i.e., stratified sand and silt). Also see the State of Connecticut Soil Survey (attached).

Uplands

- Maturing second-growth, oak-maple upland forest can be found in the southeastern portion of the site. Dominant vegetation includes red, white, and black oak, red maple, sugar maple, slippery elm, black cherry, white ash, cottonwood, multiflora rose (invasive), Morrow's honeysuckle (invasive), firebush (invasive), shadblow, blackberries, wood and Christmas ferns, Canada mayflower, grasses, partridgeberry, poison ivy, Asiatic bittersweet, and Virginia creeper.
- A few large diameter trees occur on the site. These appear to be along an old hedgerow between two fields as seen on the 1934 aerial photograph. One of these is an over four-foot diameter white oak, a "wolf tree," typically used to provide shade for livestock.
- A large portion of the site, particularly its northernmost and western sections (where the parking expansion is proposed), have much less mature vegetation and are characterized



by tangles and thickets a more open woody overstory and invasive plant species such as Asiatic bittersweet, firebush, Japanese barberry, multiflora rose, and Morrow's honeysuckle.

Wetlands/Watercourse

- The site's regulated resources are located within one watershed (i.e., local basin #4500-00-3-R5). The site's ditched intermittent watercourse flows westerly to join an unnamed perennial watercourse, tributary to the Hockanum River.
- The surface water quality classification of the site's waters, namely of unnamed perennial watercourse to which the site's ditched watercourse flows, is a Class A surface water, according to Connecticut Environmental Conditions Online (CTECO). However, it is likely that surface waters are somewhat impaired since much of this watercourse's watershed is developed, and it receives direct runoff from several commercial establishments, built in the 1950s and 1960s.
- **Wetland 1A**, includes the easterly section of the off-site ditched watercourse, with both poorly and very poorly drained soils. Its hydrologic regimes includes *seasonally flooded*, *seasonally saturated*, and *temporarily flooded*. The wetlands' hydrogeomorphic classification (HGM)¹ is predominately *surface water depression* and *groundwater depression* (see attached wetland classification definitions).
- This wetland encompasses approximately 0.28 acres, occurring off-site and to the north of the site (see Figure 2, attached). Only +/- 320 square feet of Wetland 1A extends onto the subject site. Based on review of archival aerial photographs, as well as our site investigation, this wetland was excavated in the past, likely to act as a detention basin. It's "outlet," which consists of the ditched intermittent watercourse, is the restriction that keeps surface waters within Wetland 1A, which is somewhat depressional and will retain up to two feet of water, particularly after storm events. A roughly 2' x 3' arch pipe discharges runoff directly in Wetland 1A, at the eastern end of the ditched intermittent watercourse.
- **Wetland 1A** is much less diverse, vegetatively, than Wetland 1B. Dominant or common overstory trees include red maple, cottonwood, and American elm. Its woody understory includes such species as multiflora rose (invasive), Morrow's honeysuckle

¹ Brinson, M.M. 1993. A hydrogeomorphic classification for wetlands, Technical Report WRP-DE-4, U.S. Army Corps of Engineers Engineer Waterways Experiment Station, Vicksburg, MS



(invasive), glossy buckthorn (invasive), and spicebush. Herbaceous species observed include skunk cabbage, smartweeds, and jewelweed.

- **Wetland 1B**, occurring entirely off-site to the west, is a predominately *very poorly drained, seasonally flooded to saturated, palustrine, broad-leaved deciduous forested wetland* (PFO1F), per the National Wetland Inventory (NWI) classification. The wetlands' hydrogeomorphic classification (HGM)² is predominately *groundwater slope*.
- **Wetland 1B** is roughly 2.3 acres in size, and drains to the unnamed perennial tributary of the Hockanum River at its far western extent, behind the Sherman-Williams paint store (see Figure 4).
- **Wetland 1B** is characterized by a somewhat more open overstory (canopy closure: +/- 65 - 70%). Its woody overstory is dominated by red maple, but also includes green ash, American and slippery elm, black cherry, and sycamore. Its woody understory is relatively open, but diverse, and includes such species as multiflora rose, Japanese barberry (invasive), Morrow's honeysuckle (invasive), glossy buckthorn (invasive), gray dogwood, nannyberry, northern arrowwood, elderberry, highbush blueberry, maleberry, shadblow, meadowsweet, and winterberry. Herbaceous species are moderately diverse and dense. Those observed during the off-season included skunk cabbage, sedges, including tussock, fringed, and bladder, white avens, ferns (i.e., sensitive, crested, royal, cinnamon, New York, marsh, wood), goldenrods including rough-stemmed and swamp, jewelweed, smartweeds, water horehound, mad-dog skullcap, bittercress, New York aster, soft rush, violets, and false nettle.

Wetland Functions & Values

The evaluation units for the *Functions and Values Assessment* were Wetlands 1A and 1B. We have used best professional judgment in this assessment, while relying on the rationales found in the US Army Corps of Engineers' (USACE) *Descriptive Approach* (1995), the assessment methodology most commonly used in our region. Results are summarized below in Table 1.

Overall, **Wetland 1B** confers several principal functions predominately due to its size, relative undisturbed nature, which has been somewhat preserved by the fact that the ditched watercourse, which runs along its northern boundary, bypasses the bulk of the wetland,

² Brinson, M.M. 1993. A hydrogeomorphic classification for wetlands, Technical Report WRP-DE-4, U.S. Army Corps of Engineers Engineer Waterways Experiment Station, Vicksburg, MS



general lack of invasive species, likely due to its very poorly drained soils that are at least saturated year round, and also its good floristic diversity and habitat structure, including microtopography. **Wetland 1A**, however, is quite disturbed, directly receiving stormwater, has low vegetative diversity and structure, is replete with invasive species, and is small compared to Wetland 1B. It provides two principal functions due to the fact that it acts to polish stormwater.

Table 1: Summary of Wetland Function-Value Assessment

Function/Value	Wetland 1A	Wetland 1B
1. Groundwater Recharge/ Discharge	Y	P
2. Floodflow Alteration	Y	P
3. Fish and Shellfish Habitat	N/A	N/A
4. Sediment/Toxicant/ Pathogen Retention	P	P
5. Nutrient Removal	P	P
6. Production Export	N	Y
7. Sediment/Shoreline Stabilization	N	Y
8. Wildlife Habitat	Y	P
9. Recreation (Passive, Active)	N	Y
10. Educational/Scientific Value	N	Y
11. Uniqueness/Heritage	N	N
12 Visual Quality/Aesthetics	N	Y
13. Endangered Species Habitat ³	N	N
14. Fish & Shellfish habitat (Marine)	N/A	N/A

Notes: P = Principal function; Y = function present; N = function not appreciably present

3.0 SUMMARY OF PROPOSED CONDITIONS

3.1 DIRECT WETLAND IMPACTS & URA ENCROACHMENT

Direct permanent wetland or watercourse impacts are not proposed. Encroachment within the site's 100-foot upland review area (URA), from wetland boundaries, consists of 21,670 square feet (i.e., 0.497 acres), as measured to the perimeter silt fence shown on the submitted plans.

3.2 POTENTIAL INDIRECT WETLAND IMPACTS

Indirect or secondary impacts to a wetland or watercourse can occur as a result of activities outside of wetlands or watercourses. Such impacts can be *short-term* or *long-term*, and are



typically associated with erosion and sedimentation, mostly during the construction period, the removal or disturbance of vegetation in upland areas but adjacent to wetlands or watercourses, the alteration of wetland hydrology or the flow regime of a watercourse, and the discharge of degraded surface water or groundwater, which may adversely impact the water quality of the regulated resources.

The potential for any of these indirect impacts to occur at the site as a result of the proposal depends on the regulated resources themselves, their ecological sensitivity, and their ecological and physical characteristics. These potential impacts are discussed below.

3.2.1 Erosion and Sedimentation

The potential for soil erosion and subsequent deposition in wetlands or watercourses exists at every construction site that involves soil disturbance. At this site the overall risk or the potential for adverse impacts from erosion and sedimentation is considered to be *moderate*. The primary reasons for this assessment are as follows: (1) a detailed erosion and sedimentation control plan has been prepared, which complies with the CT DEEP's 2002 *Connecticut Guidelines for Erosion and Sediment Control*; (2) the dominant soils in the areas to be graded and/or exposed, have *low* to *low-moderate* erodibility; and (3) for the most part slopes are nearly flat to gentle in the areas proposed for development. We note that the moderately steep slope in the southeasterly section of the site has been avoided and will be permanently restricted from development.

3.2.2 Removal of Native Vegetation and Habitat Loss

Habitat loss associated with land clearing is an unavoidable consequence of land development, which has the potential of impacting wetlands and watercourses. At the subject site, however, all of the on-site upland areas adjacent to wetlands are already encumbered by a sanitary sewer easement, have been cleared in the past, and contain invasive species and only young pole-size trees. Therefore, they do not contribute much as complimentary habitat to the wetlands. Wetland 1A is already up against development, while Wetland 1B, which is off-site, will still have a sufficient upland buffer to complement and protect its functions and values post-construction. Therefore, the potential of adverse impacts from land clearing to the regulated areas is minimal.

³ Review of CT DEEP's Natural Diversity Database did not reveal any estimated habitats for listed species (i.e.,



3.2.3 Potential Impacts to Wetland Hydrology and Stream Flow

To the extent that the hydrologic and flow regimes of the wetlands and watercourse depend on the site, this will be mitigated by providing a permeable pavement surface within the parking lot's western section. This will allow for infiltration to the underlying sandy soils, recharging the groundwater table associated with these wetlands, specifically Wetland 1B, off-site. Furthermore, more than half of the site will remain undeveloped and will continue to recharge the groundwater regime that governs wetland hydrology. Therefore, the potential for adverse impacts to the hydrologic and flow regimes of the regulated resources is negligible.

3.2.4 Potential Water Quality Impacts

Stormwater runoff from impervious surfaces of commercial sites has the potential of degrading the water quality (i.e., surface and groundwater) of regulated resources. Generation of potential pollutants on impervious surfaces typically results from vehicular traffic over them. The more the "axle-miles" or the movements of vehicles over impervious surfaces, the higher is the loading of runoff constituents, including sediment, nutrients, heavy metals, and the like.

The proposed parking lot is not considered a significant generator of runoff constituents, as for example would be a parking lot of a commercial establishment, such as a grocery store or other retailer. The parking lot will be used predominately for inventory of vehicles, most of them new, to be sold at the dealership. The primary best management practice (BMP) for water quality control is the proposed permeable pavement to be constructed at the western section of the parking lot. Runoff generated at the eastern section will sheet flow to the permeable pavement where it will be infiltrated and treated before interacting with the subsurface soil strata and the local water table associated with the regulated wetlands.

Permeable pavement (or porous asphalt) is largely recognized as a low impact development (LID) practice able to provide excellent water quantity and water quality control/treatment. The University of New Hampshire Stormwater Center has developed specifications based on multi-year testing showing the benefits of the stormwater treatment practice (see attached fact sheet and submitted plans). This BMP is suitable for cold-climate applications and also allows for reduced sand and salt usage. It can be introduced and function efficiently in areas where the permeability of the underlying soils is above 0.5 inch per hour. At this site, the

endangered, threatened, special concern) associated with the subject site.



soil parent materials are sandy outwash, capable of permeabilities in the 1.0 to 1.5 inch per hour range. Therefore, the existing water quality of the off-site downgradient wetlands and watercourses will be maintained in the long-term. No significant adverse impacts to the water quality of the regulated resources is expected.

4.0 CONCLUSION

It is our professional opinion that that the proposal will have no direct impacts and minimal indirect impacts to wetlands and watercourses. Following implementation of the proposed mitigation strategies, such as the proposed LID practice of utilizing permeable pavement, and including a carefully maintained erosion and sedimentation control plan, there will be no long-term significant or adverse impacts to regulated wetlands and watercourses that occur off-site and downstream.

Please feel free to contact our office with any questions on the above.

Respectfully submitted,

REMA ECOLOGICAL SERVICES, LLC

George T. Logan, MS, PWS, CSE
Registered Soil Scientist/Professional Wetland Scientist
Certified Senior Ecologist

Attachments: Figures 1 through 4
 Photos 1-7, A-F
 Web Soil Survey of Subject Site
 Wetland Classification/Characterization Definitions
 UNH-SC Permeable Pavement Fact Sheet

Figure 1: Site Locus, Acorn Road, Vernon, CT



FIGURE 2: 34 & 42 Acorn Road, Vernon, CT
as seen on a 2009 aerial with 2016 State topography



Legend

- Parcels for Protected Open Sp
- DEEP Property**
 - State Forest
 - State Park
 - State Park Scenic Reserve
 - State Park Trail
 - Natural Area Preserve
 - Historic Preserve
 - Wildlife Area
 - Wildlife Sanctuary
 - DEP Owned Waterbody
 - Water Access
 - Flood Control
 - Fish Hatchery
 - Other
- Protected Open Space Mapping**
 - Federal
 - Land Trust
 - Municipal
 - Private
 - State
- Light Gray Canvas Base

1: 1,128



0.0 0 0.02 0.0 Miles

Notes

FIGURE 3:

34 & 42 Accorn Road, Vernon, CT
(as seen on February 2020 aerial photograph)

Legend


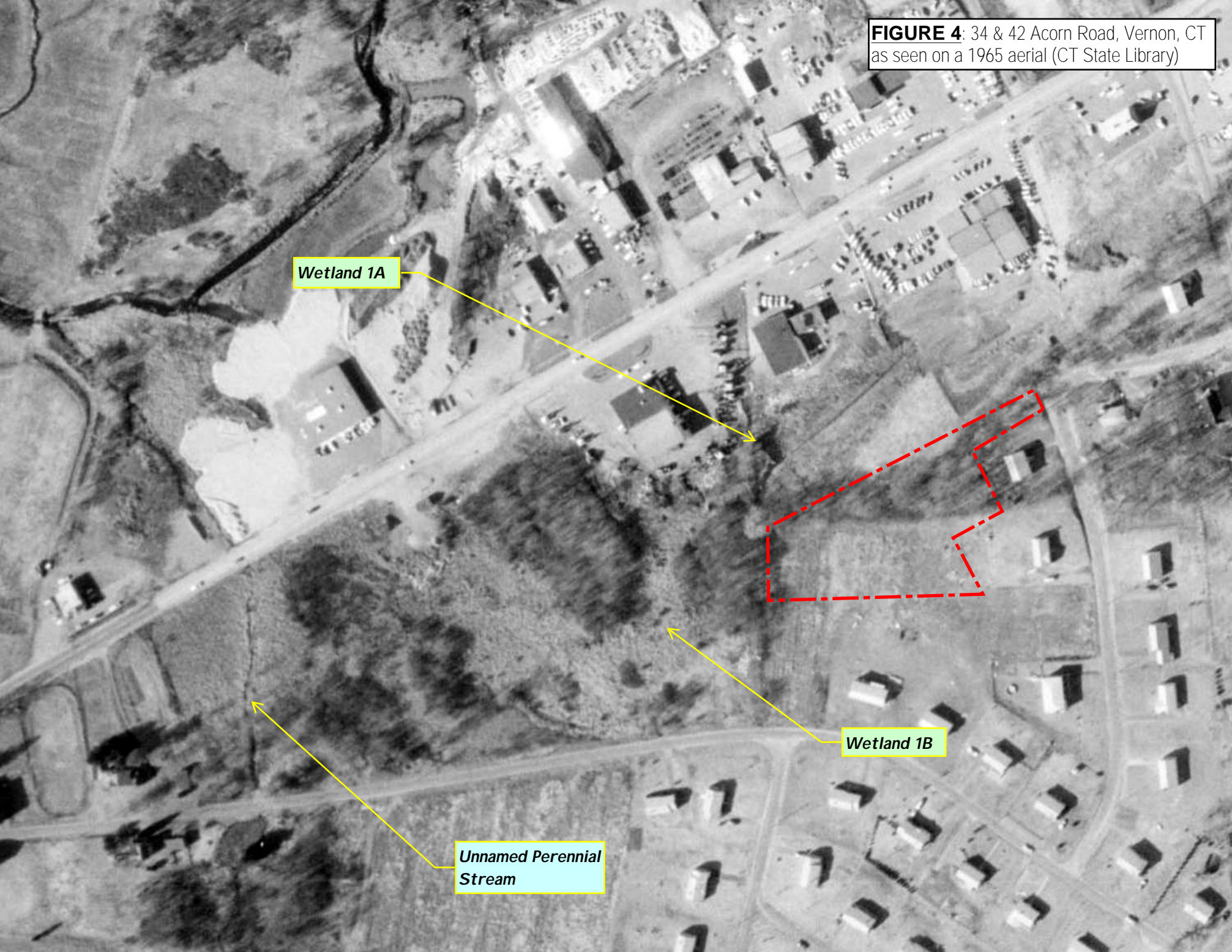
 42 Acorn Rd



FIGURE 4: 34 & 42 Acorn Road, Vernon, CT
as seen on a 1965 aerial (CT State Library)



Wetland 1A

Wetland 1B

**Unnamed Perennial
Stream**



Photo 1: Typical wooded uplands; lower well drained to moderately well drained portion of site; facing northeasterly



Photo 2: Invasive plants along existing sewer line through site; facing northerly



Photo 3: Off-site (mostly) northerly wetland; receives storm drainage from surrounding landuses; facing northwesterly



Photo 4: Off-site (northerly) forested wetland; facing northeasterly



Photo 5: Portion of off-site (mostly) northerly wetland; receives storm drainage from surrounding landuses; facing northwesterly



Photo 6: Off-site (northerly) wetland drains out behind area businesses to the west; facing northeasterly



Photo 7: Off-site (west) young forested swamp; approximately 175 feet from western property boundary; facing westerly



Photo A: Wetland 1A; previously excavated detention basin; facing southerly



Photo B: Drainage ditch (i.e., intermittent watercourse) connecting Wetlands 1A and 1B; facing easterly



Photo C: Drainage ditch (i.e., intermittent watercourse) connecting Wetlands 1A and 1B; facing westerly



Photo D: Wetland 1B (off-site) as viewed from near western property boundary; facing westerly



Photo E: Wetland 1B, roughly 120 feet west of western property boundary; this wetland had a more open habit 30 – 40 years ago; facing westerly



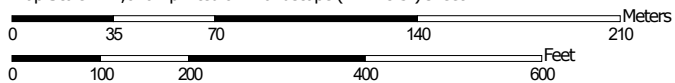
Photo F: Central property uplands; note young pole-sized trees; facing southwesterly

Soil Map—State of Connecticut
(34 & 42 Accorn Road, Vernon, CT)



Soil Map may not be valid at this scale.

Map Scale: 1:2,610 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

12/14/2020
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut

Survey Area Data: Version 20, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 15, 2019—Oct 22, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
33A	Hartford sandy loam, 0 to 3 percent slopes	1.9	6.0%
108	Saco silt loam	9.4	30.2%
237A	Manchester-Urban land complex, 0 to 3 percent slopes	2.0	6.5%
237C	Manchester-Urban land complex, 3 to 15 percent slopes	11.4	36.4%
306	Udorthents-Urban land complex	1.1	3.5%
307	Urban land	5.5	17.6%
Totals for Area of Interest		31.3	100.0%

WETLANDS: *The Physical Environment*

WETLAND HYDROGEOMORPHIC CLASSIFICATION

Surface-Water Depression Wetlands: In these wetlands, precipitation and overland flow (surface runoff) collect in a depression where there is little or no groundwater discharge. Water leaves the wetland principally by evapotranspiration and infiltration (groundwater recharge). The wetland hydrologic system lies above the local or regional groundwater system and is isolated from it by an unsaturated zone; thus, it is said to be “perched.” In the glaciated Northeast, surface-water depression wetlands are most likely to form over bedrock or till deposits in topographically elevated areas of landscape; however, they may develop in lowland kettles or ice-block basins that formed in glaciolacustrine or fine-textured glaciofluvial deposits.

Surface-Water Slope Wetlands: These wetlands are located along the edge of stream or lake or on the sloping surface of a floodplain. They may occur on till or stratified drift but are commonly found on alluvium. While precipitation and overland flow also feed these wetlands, the principal source of water is the overflow of the adjacent water body. The sloping surface of the wetland permits water to drain readily back to the lake or river as its stage falls. As was the case with the previous class, the wetland surface usually lies well above the local water table, so groundwater discharge to the wetland is negligible or nonexistent. Groundwater recharge from the wetland is possible, depending on the permeability of underlying surficial deposits.

Groundwater Depression Wetlands: These wetlands occur where a basin intercepts the local groundwater table, so that groundwater discharge as well as precipitation and overland flow feed the wetland. Classic groundwater depression wetlands have no surface drainage leaving the site; however, occasional streamflow out may occur from basin overflow. Groundwater inflow may be continuous or seasonal, depending upon the depth of the basin and the degree of fluctuation of the local water table. During periods when the wetland water level is higher than the local groundwater table (e.g., after major precipitation events in dry season), groundwater recharge may occur. Groundwater may enter the wetland basin from all directions, or it may discharge in one area and recharge in another. In the glaciated Northeast, groundwater depression wetlands are most likely to occur in stratified drift, particularly in coarse-textured glaciofluvial deposits where relatively rapid movement between groundwater and surface water can occur.

Groundwater Slope Wetlands: These wetlands occur where groundwater discharges as springs or seeps at the land surface and drains away as streamflow. Most commonly, these wetlands occur on hillsides over till deposits or at the base of hills where stratified drift and till come into contact. Headwater wetlands are typically groundwater slope wetlands. The local water table slopes toward the wetland surface. Where groundwater flow is continuous, the soil remains saturated. At many sites, however, groundwater inputs cease during late summer or early fall as evapotranspiration depletes soil moisture in the root zone, in which case the soil is only seasonally saturated. Permanent ponding of water is prevented by the sloping land surface, but water may collect temporarily in isolated depressions. Precipitation and overland flow provide additional water to the wetland on an intermittent basis. Groundwater recharge may occur in the wetland after such events, but amounts are likely to be negligible, especially where wetland soils have formed over dense lodgment till deposits. Where such deposits are present, groundwater slope wetlands may be fed primarily by shallow groundwater systems perched above the regional system.

Reference:

Golet, C.G., A.J.K. Calhoun, W.R. DeRagon, D.J. Lowry, and A.J. Gold. 1993. Ecology of Red Maple Swamps in the Glaciated Northeast: A Community Profile. USFWS. Biological Report No. 12

WETLANDS: *The Physical Environment*

SOIL DRAINAGE CLASSES

Excessively drained: Brightly colored; usually coarse-textured; rapid permeability; very low water-holding capacity; subsoil free of mottles

Somewhat excessively drained: Brightly colored; rather sandy; rapid permeability; low water-holding capacity; subsoil free of mottles

Well drained: Color usually bright yellow, red, or brown; drain excess water readily, but contain sufficient fine material to provide adequate moisture for plant growth; subsoil is free of mottles to a depth of at least 36 inches.

Moderately well drained: Generally any texture, but internal drainage is restricted to some degree; mottles common in the lower part of the subsoil, generally at a depth of 18 to 36 inches; may remain wet and cold later in spring; generally suited for agricultural use.

Somewhat poorly drained: Remain wet for long periods of time due to slow removal of water; generally have a slowly permeable layer within the profile or a high water table; mottles common in the subsoil at a depth of 8 to 18 inches.

Poorly drained: Dark, thick surface horizons commonly; gray colors usually dominate subsoil; water table at or near the surface during a considerable part of the year; mottles frequently found within 8 inches of the soil surface.

Very poorly drained: Generally thick black surface horizons and gray subsoil; saturated by high water table most of the year; usually occur in level or depressed sites and are frequently ponded with water.

Reference:

Wright, W. R., and E. H. Sautter. 1979. Soils of Rhode Island landscapes. R.I. Agric Exp. Station Bull. 429. 42 pp.

WETLANDS: *The Plant Community*

WETLAND CLASSES AND SUBCLASSES IN THE GLACIATED NORTHEAST

WETLAND CLASS	WETLAND SUBCLASS
<i>Open Water</i>	(OW-1) Vegetated (OW-2) Floating-leaved (OW-3) Non-vegetated
<i>Deep Marsh</i>	(DM-1) Dead Woody (DM-2) Shrub (DM-3) Sub-shrub (DM-4) Robust (DM-5) Narrow-leaved (DM-6) Broad-leaved
<i>Shallow Marsh</i>	(SM-1) Robust (SM-2) Narrow-leaved (SM-3) Broad-leaved
<i>Meadow</i>	(M-1) Ungrazed (M-2) Grazed
<i>Shrub Swamp</i>	(SS-1) Sapling (SS-2) Bushy (SS-3) Compact (SS-4) Aquatic
<i>Wooded Swamp</i>	(WS-1) Deciduous (WS-2) Evergreen
<i>Bog</i>	(BG-1A) Compact Shrub (BG-1B) Bushy Shrub (BG-2) Wooded (BG-3) Emergent

Note: Subclass (OW-2) has replaced (SM-4)
Seasonally Flooded Class (SF-1 & SF-2) has been removed

Reference:

Golet, F.C., and J.S. Larson. 1974. Classification of freshwater wetlands in the glaciated Northeast. USFWS Resour. Publ. 116. 56 pp.

WETLANDS: *The Physical Environment*

COMMON WATER REGIMES OF NORTHEASTERN WETLANDS

Seasonally flooded: Surface water is present for extended periods, especially early in the growing season, but is absent by the end of the season in most years. When surface water is absent, the water table is often near the land surface.

Temporarily flooded: Surface water is present for brief periods during the growing season, but the water table usually lies well below the soil surface for most of the season.

Seasonally saturated: The soil is saturated to the surface, especially early in the growing season, but unsaturated conditions prevail by the end of the season in most years. Surface water is absent except for groundwater seepage and overland flow.

Semi-permanently flooded: Surface water persists throughout the growing season in most years. When surface water is absent, the water table is usually at or very near the land surface.

Permanently flooded: Water covers the land surface throughout the year in all years. Vegetation is composed of obligate hydrophytes.

Saturated: The substratum is saturated to the surface for extended periods during the growing season, but surface water is seldom present. This water regime applies to permanently saturated, non-flooded wetlands such as bogs.

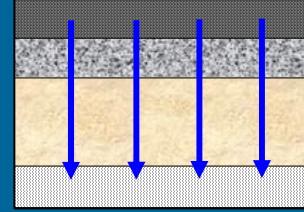
References:

- Golet, F. C., A. J. K. Calhoun, W. R. DeRagon, D. J. Lowry and A. J. Gold. 1993. Ecology of Red Maple Swamps in the Glaciated Northeast: A Community Profile. U. S. Dep. Int. Fish Wild. Serv. Biol. Rep. 12, 152 pp.
- Cowardin, L. M., V. Carter, F. C. Golet, and E. T. LaRoe. 1979. Classification of wetlands and deepwater habitats of the United States. U. S. Fish Wild. Serv. Biol. Serv. Program FWS-OBS 79/31. 103 pp.

Porous Asphalt Pavement for Stormwater Management

The UNH Stormwater Center

Web: www.unh.edu/erg/cstev/



Benefits and Uses

Porous Asphalt can be used in replace of traditional stormwater management measures given the proper conditions. Porous Asphalt's primary advantages are:

1. Quantity and Flood Control
2. Water Quality Treatment
3. Recharges Groundwater to Underlying Aquifers
4. Allows for Reduction of Stormwater Infrastructure (Piping, Catch-Basins, Retention Ponds, Curbing, etc.)
5. Suitable for Cold-Climate Applications, Maintains Recharge Capacity When Frozen
6. Allows for Reduced Salt and Sand Usage Due to Low/No Black Ice Development
7. Maintains Traction While Wet
8. Reduced Spray from Traveling Vehicles, Reduced Roadway Noise
9. Extended Pavement Life Due to Well Drained Base and Reduced Freeze-Thaw

Disadvantages

- Requires Routine (Quarterly) Vacuum Sweeping (Vac-Assisted Dry Sweeper Only)
- Proper Construction Stabilization and Erosion Control are Required to Prevent Clogging
- Quality Control for Material Production and Installation are Essential for Success
- Accidental Seal-Coating or Similar Surface Treatment Will Cause Failure

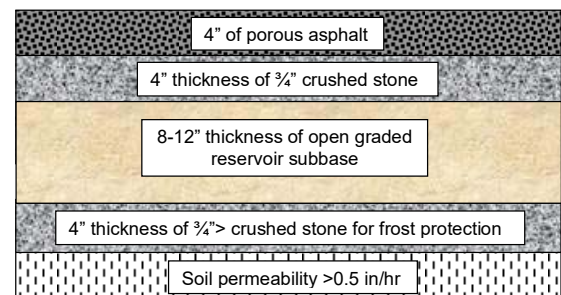
Cost & Maintenance

- Total Project Cost is Comparable for Porous Asphalt with Reduced Stormwater Infrastructure VS. Standard Pavement Applications where Stormwater Infrastructure is Required
- Materials Cost is ~20-25% More Than Traditional Asphalt
- Long-term Maintenance is Required by Routine Quarterly Vacuum Sweeping
- Sweeping Cost May Be Off-set by Reduced Deicing Costs
- Repairs Can be Made with Standard Asphalt Not to Exceed 10% of Surface Area

Design Criteria

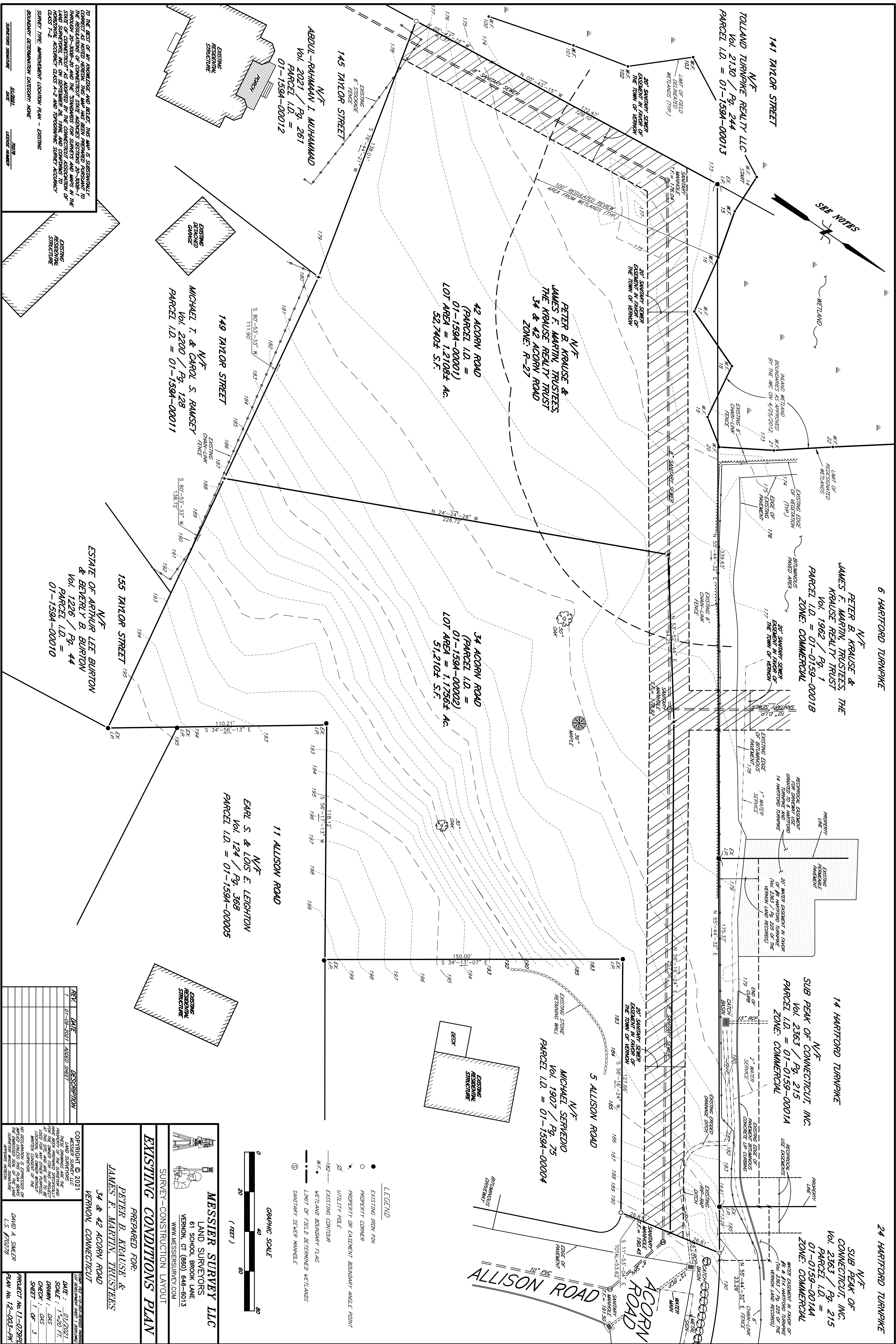
- Soil Permeability is Recommended Between 0.25-3.0 Inches Per Hour
- Recommended Drainage Time of 24-48 Hours
- Sub-Drains Should be Used Where Proper Drainage May be an Issue to Minimize Frost Damage
- Most Appropriate for use with Low-Use Roadways and Parking Lots – Without a Modified Asphalt Binder
- 3-5 Feet of Vertical Separation is Needed from Seasonal High Groundwater

TYPICAL POROUS ASPHALT CROSS-SECTION



Additional Resources

- The UNH Stormwater Center, Porous Asphalt Specs - General Porous Bituminous Paving and Groundwater Infiltration Beds, <http://www.unh.edu/erg/cstev/>
- Federal Highway Administration (2006) Porous Pavement Fact Sheet <http://www.fhwa.dot.gov/environment/ultraurb/3fs15.htm>
- Ferguson, B. (2005), Porous Pavements, CRC Press.
- Porous Asphalt Pavements (2004) Information Series 131. The National Asphalt Pavement Association, Lanham, MD.

[illegible]

<p>LAND SHIRETOWNS DEPARTMENT OF THE SURVEYOR AND RECORDS THE CHIEF CLERK HAS THIS PROJECT AT THIS SITE AND HERE TO BE EXAMINED FOR THE PURPOSE OF LITIGATION OR OTHERWISE IN THE INTEREST OF JUSTICE.</p>	<p>DAVID A. SMILGER U.S. #102078</p>
<p>DATE: 01/20/2021 SCALE: 1"=500 FT DRAWN: DAS CHECK: DAS SHEET 1 OF 3</p>	<p>PROJECT NO. 11-0-239PL PLAN NO. 12-003-FX</p>

CONFIDENTIAL © 2003

34 & 42 ACORN ROAD
VERNON, CONNECTICUT

*PETER B. KRAUSE &
JAMES F. MARTIN, TRUSTEES*

EXISTING CONDITIONS PLAN

PREPARED FOR:

SURVEY-CONSTRUCTION LAYOUT

MESSIER SURVEY LLC
LAND SURVEYORS
61 SCHOOL BROOK LANE
VERNON, CT (860) 646-6013
WWW.MESSIERSURVEY.COM

(FEET)

Response Type	Stimulus Type	Percentage of correct responses
Correct	20	~95%
	60	~95%
Incorrect	20	~90%
	60	~90%

GRAPHIC SCALE

0 40 80

—●— LIMIT OF FIELD DETERMINED WETLANDS
⑤ SANITARY SEWER MANHOLE

-----182----- EXISTING CONTOUR
W.F. ● WETLAND BOUNDARY FLAG

PROPERTY OR EASEMENT	BOUNDARY ANGLE	PLUMB
Ø	UTILITY POLE	

☐ PROPERTY CORNER

LEGEND

EXISTING IRON PIN

AL

BITUMINOUS
DRIVEWAY

150

10"
ON

Pg. 75
159A-000004

PAVEMENT = PVC A

EDGE OF

ROAD

AD



Sanitary Manhole Detail

Diagram showing a sanitary manhole connection. The manhole is labeled "SANITARY MANHOLE" and "T.F. = 191.50". The connection is labeled "10"AL=53.62".

ACORN

[illegible]

CHAIN-LINK
N 55°-44'-32" E FENCE
23.29'

Figure 1 is a technical diagram showing the layout of a road intersection. It includes a dashed line labeled "EXISTING EDGE OF" and a solid line labeled "6'". The diagram illustrates the proposed alignment and width of the road at the intersection.

RECIPROCAL
USE EASEMENTS

#6 & #14 HARTFORD TURNPIKE
(Vol. 2363 / Pg. 225 OF THE
VERNON LAND RECORDS)

ZONE: COMMERCIAL

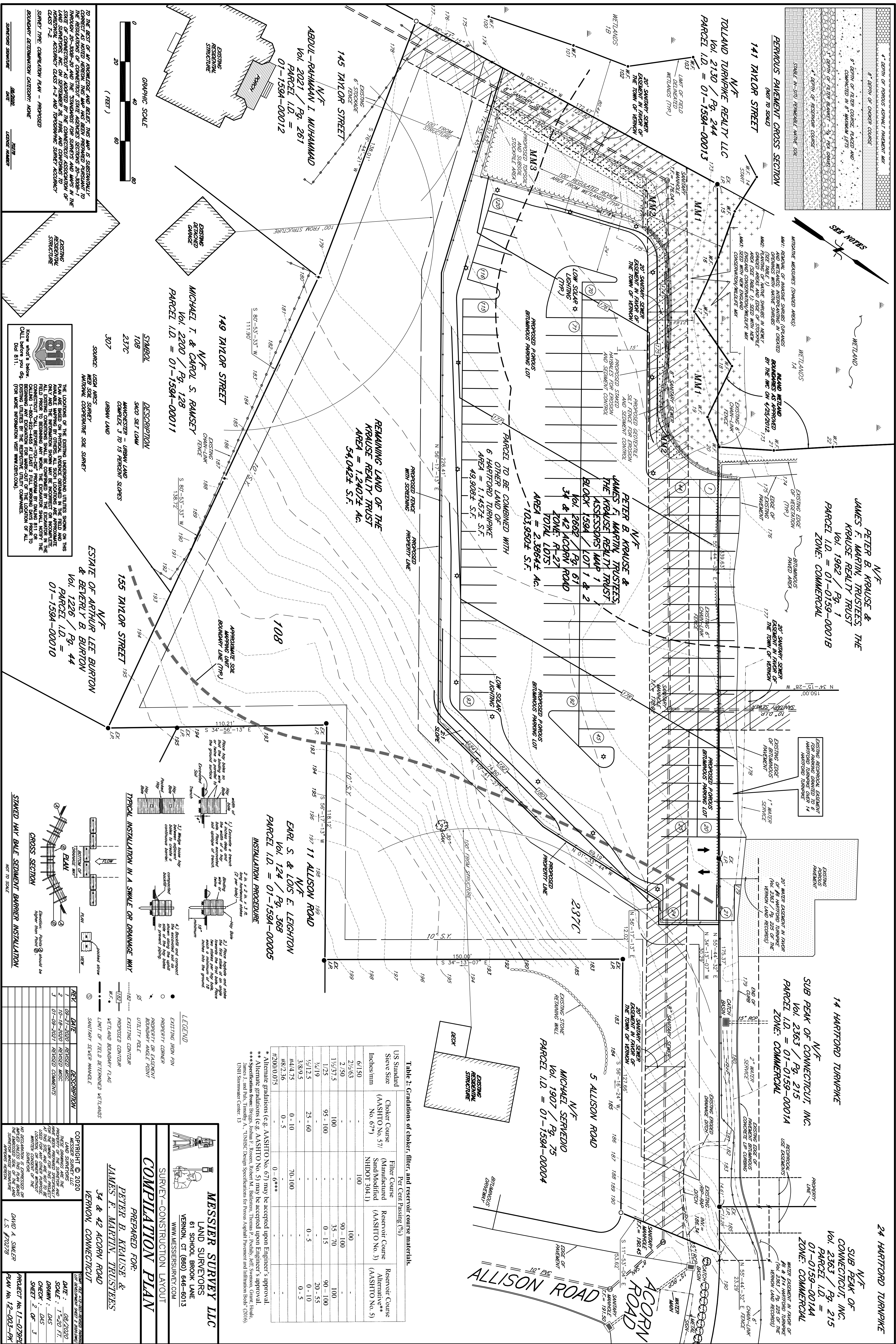
PROPERTY
TIME \

PARCEL I.D. =
01-0159-001A4

CONNECTICUT, INC.
Vol. 2363 / Pg. 215

N/F
SUB PEAK OF

24 HARTFORD TURNPIKE



US Standard Sieve Size Inches/mm	Per Cent Passing (%)			
	Choker Course (AASHTO No. 57/ No. 67*)	Filter Course (Manufactured Sand/Modified NHDOT 504.1)	Reservoir Course (AASHTO No. 3)	Reservoir Course Alternative** (AASHTO No. 5)
6/150	-	100	100	-
2 1/2/63	-	-	90 - 100	-
2 /50	-	-	35 - 70	100
1 1/2/37.5	100	-	0 - 15	90 - 100
1/25	95 - 100	-	-	20 - 55
3/4/19	-	-	0 - 5	0 - 10
1/2/12.5	25 - 60	-	-	0 - 5
3/8/9.5	-	-	-	-
4/4/4.75	0 - 10	70 - 100	-	-
#8/2.36	0 - 5	-	-	-
#200/0.075	-	0 - 6***	-	-



OFFICE OF THE
TOWN PLANNER

TOWN OF VERNON

55 West Main St., VERNON, CT 06066-3291
(860) 870-3640
gmcgregor@vernon-ct.gov

MEMORANDUM

TO: Inland Wetlands Commission

FROM: George K. McGregor, AICP, Town Planner

SUBJECT: IWC 2020-08, Suburban Subaru, 6 Hartford Tpke.

DATE: January 26, 2021

Request

Application of Krause Realty Trust, for a Wetlands Permit to create additional parking for inventory storage (new cars), to include installation of pavement, security fencing, lighting, grading and drainage improvements at 6 Hartford Turnpike (Assessor ID: Map 1, Block 0159, Parcel 0001B), 34 Acorn Rd. (Assessor ID: Map 01, Block 159A, Parcel 00002) and 42 Acorn Rd. (Assessor ID: Map 01, Block 0159A, Parcel 00001).

Suburban Subaru proposes to expand a rear parking area and inventory lot behind the dealership located at 6 Hartford Tpke. The expansion would allow for 116 additional, all-pervious parking spaces for inventory.

The area of expansion is currently zoned R-27; a zoning change and a site plan would proceed for Planning and Zoning Commission review after an IWC decision. A wetlands permit is required as the regulated activities fall within 100 feet of a designated wetland.

Note: Nothing contained herein should be considered an endorsement of any future Zone Change request or Site Plan Application. Once submitted, those reviews will take place separately and independently, based on the merits.

Staff Comments

Town Staff initially generated comments and concerns related to several aspects of the project including but not limited to the proposed use of dual surfaces on the parking lot, separation distances from impacted wetland areas, treatment of invasive species/clearing, and other areas needing stabilization.

The Applicant has responded with a resubmission which addresses these issues with a series of mitigation measures:

- Redesign which moves the proposed improvements further away from any wetland area.
- Removal of invasive species and introduction of supplemental plantings.
- A commitment to utilize a 100% porous surface across the new parking area.
- An annual maintenance plan.

On balance, these mitigation measures significantly reduce the project's impact on the nearby wetland's areas. The proposed plan now effectively addresses its wetland impacts.

Draft Motions

MOVED, that the Vernon Inland Wetlands and Watercourses Commission does hereby APPROVE, the application (**IWC-2020-08**) Krause Realty (Suburban Subaru) for a Wetlands permit by Commission based on the following findings:

1. The project will have no adverse impacts on wetlands or watercourses;
2. The mitigation measures are acceptable;
3. There are no prudent or feasible alternatives.

AND, Subject to the following conditions of approval:

1. The property shall be developed in conformance to plan set (3 pages) dated January 9, 2021, prepared by Messier Survey, LLC.
2. The property shall be developed in conformance with the mitigation measures and maintenance steps contained in a letter (5 pages) prepared by Rema Ecological Services, LLC, and dated January 15, 2021.

Or,

MOVED, an Alternate Motion

GKM



David A. Smith, P.E., L.S.
Town Engineer

Vernon-ct.gov

Memo

TO: George McGregor, Town Planner
FROM: David A. Smith, Town Engineer
Craig Perry, Inland Wetland Officer
DATE: January 4, 2021
Re: IWC Application 2020-8; Krause Realty Trust/Suburban Subaru

We have reviewed the application, plans and environmental report prepared for the subject project and have the following comments:

- It is somewhat difficult to determine what is existing and what is proposed particularly on sheet 2 of 2. Clarification of this would help the commission understand the scope and extent of the proposed changes.
- In the northwest corner of the proposed activities, the proposed grading extends to within a few feet of the designated wetlands. The environmental report indicates that Wetland Area 1A is located in close proximity to the existing pavement and is significantly degraded, while Wetland Area 1B is of a higher quality, due to its separation from urban development. This would seem to be strong evidence that some separation is desirable and a very successful technique in reducing negative impacts on the wetlands.
- There is no need for the proposed 173 contour line, this merely disturbs more area in close proximity to the wetlands. In areas where the limit of construction is within 25' of the wetlands, a double barrier of silt fence or silt fence/haybale should be installed.
- The area between the parking lot and the wetlands will need to have some finished treatment specified. Will it be seeded to grass and mowed, wetland mix grasses and perennials and allowed to naturalize, or some other treatment? Will there be any activities associated with the removal/reduction of invasive species in the upland review area and the wetland areas? Will the security fence extend through this area? What other disturbance is anticipated adjacent to the Wetlands? In the area not part of the sewer easement, can the applicant provide some suitable shade trees?
- The property lines do not agree with those on the Assessor's maps. It appears that the active area of this proposal no longer has frontage on Acorn. Will it be merged with another parcel? Are the parcels being reconfigured to facilitate this proposal? If so, a different version of the southerly line would allow for greater separation from the Wetland Area. If

this cannot be incorporated into the design, perhaps the northwest aisle can be reduced in width to 15 feet. This would reduce the amount of fill and increase the buffer distance. In the application and environmental report, it is proposed that the remainder of the land will be left undeveloped. A note to this effect should be included on the plans. Was this to be a conservation easement? In favor of who?

- The applicant has chosen to utilize porous pavement for a portion of this parking area. The use of porous pavement is desirable, and we encourage its use whenever possible. It does however require some special consideration to make its use successful. The base materials for conventional pavement and the porous pavement are considerably different, namely the type and depth of different base layers. Blending the two approaches may complicate the successful installation. It may make sense to make the entire new lot of porous material. Typically, sheet flow from surrounding areas, be they grass side slopes or conventional pavement is not desirable. The drainage capacity is likely adequate, but the use of sand/salt on traditional pavement will have a negative impact on the porous pavement.
- The detail provided for the porous pavement base is somewhat vague and refers to New Hampshire standards. This will need to be revised to reflect Connecticut terminology. A licensed Professional Engineer should be part of the design team to review this approach and insure that this will be a successful application of this technology.
- Regardless of the final pavement selection, a considerable amount of native material will have to be removed to prepare the base layers. This will require a temporary stockpile area, and a final disposition. Will it be placed elsewhere on site or removed entirely? If it is to be distributed on site, the location needs to be detailed.

From: [Famiglietti, Dory](#)
To: [Smith, David](#)
Cc: [McGregor, George](#); [Perry, Craig](#); [Gately, Shaun](#)
Subject: [EXTERNAL] RE: Vernon IWC 2020-8 - Suburban Subaru
Date: Thursday, January 14, 2021 12:12:41 PM

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dave,

I discussed your email at length with my clients and George Logan this morning. First, I want to assure you that what you saw in no way indicates a dismissive attitude towards environmental safeguards or prior approvals. I wish that you met with Peter or Lane when you were out there because I'm sure they would have assured you, themselves, of that.

With regard to the small porous pavement area to the rear of the building at 14 Hartford Tnpk, in the wintertime, my clients periodically do apply sand to prevent icing and slippery conditions, particularly because the area is in close proximity to the building and the carport and many people walk in the area. However, every spring, they sweep and vacuum that area as required for proper maintenance of porous pavement. I think what you saw was a snapshot in time of worst case temporary winter conditions and not how the area typically is presented. We all discussed the importance of making sure the new parking area functions as designed and George will be preparing a maintenance plan and schedule and my clients are committed to following it. In addition, since the new parking area is limited to inventory storage, there is expected to be less travel in that area, so that will help reduce an anti-icing measures that will be necessary. If you feel that it is necessary to condition a subsequent zoning approval on the applicant engaging an engineer to monitor construction of the parking lot and verify proper installation per the approved plans, then my client has no objection to that. My client is committed to implementing the plans as we've proposed. With regard to the "vegetated area" shown on the plans off the rear of the building at 6 Hartford Tnpk, that was an oversight by Dave Simler and it is, in fact, paved. It was probably a carry over from a much older plan. Per my clients, that area was paved a few years ago when the entire lot was resurfaced by Empire Paving. They did not believe the vegetated area to be a requirement of a prior approval and, per George, it likely didn't provide remedial measures or benefits to the site. If you think that a minor modification of a prior approval might be warranted, please let me know and we can discuss and follow up on that.

With regard to the catchbasins along the old stream channel, my clients explained to me that tires have been placed around the rip rap area to make sure that no cars are parked there. That is the area that they have been plowing snow to. The snow sits on the rock and slowly melts into the drainage system. My clients inspected the area this morning and did not find it to be full of litter; but did note a few items. These were likely picked up with the plowing of the snow. They have staff who routinely inspect the grounds for litter and debris and they will be sure to keep a particular eye on that area and clean it out as needed. In addition, that area is routinely cleaned and mowed in the spring and summer as needed.

I will deliver revised plans and George's supplemental report tomorrow for your review. I'm happy to discuss this further once you have had an opportunity to review those.

Thank you.

Dory

From: Smith, David <dsmith@vernon-ct.gov>

Sent: Wednesday, January 13, 2021 3:04 PM

To: Famiglietti, Dory <DFamiglietti@KKC-law.com>

Cc: McGregor, George <GMcGregor@vernon-ct.gov>; Perry, Craig <cperry@vernon-ct.gov>; Gately, Shaun <sgately@vernon-ct.gov>

Subject: Vernon IWC 2020-8 - Suburban Subaru

Good afternoon Dori –

Craig and I have just returned from a site inspection of the subject property and I am very disappointed.

The area that is shown on sheet 2 of 2 as porous pavement appears to have been sealed over, or perhaps was not actually installed as a porous pavement. What few pores that are visible are full of accumulated sand and when we poured a bottle of water on the surface, it did not penetrate, but rather ran along the surface. This should not be the model for your new surface.

Additionally, an area shown as a vegetated 'island' in the northerly part of the parking lot has been paved over, and now is used as a parking area

Finally, the catchbasin placed along the old stream channel appears to be full of litter and debris.

Clearly, the applicant has very little regard for the various environmental safe guards included in prior approvals, and I am concerned that all our discussion of this proposal yesterday will be treated in a similar dismissive manner.

I agreed that a Professional Engineer was not essential to this wetland application with the understanding that all the new pavement would be functionally porous and we would not have to evaluate changes to runoff characteristics. If this project receives all the required permits, I will recommend to the Planning and Zoning Commission that a licensed PE be engaged to monitor the construction and to certify that the installation has been installed per plan and will function as expected. Additionally, a maintenance plan will need to be prepared by the applicant insuring that this key characteristic of the new parking lot be preserved.

I am looking forward to reviewing the updated plans and REMA report.

Thank you

Dave

Other Business

Planning & Zoning

CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

**Saturday, March 6, 2021
9:00 a.m. – 4:30 p.m.**

Webinar

This is a virtual meeting and will be accessible via Zoom. Zoom is a cloud-based platform for video and audio conferencing. It can be accessed through a browser on any device, or the Zoom app.

To receive your Webinar Link, you must provide your e-mail address when you register.

To receive your printed course material, in a timely manner, please register by February 15th.



Sponsored by the
Connecticut Bar Association
Planning and Zoning Section

CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS, AND COMMISSIONS

The future of Connecticut's communities will be shaped by its land use laws and regulations. Developers, neighbors, and preservationists all intersect before municipal land use boards and commissions, advocating their particular interests and approaches. Each commission member regularly has to make critical decisions, all within the context of complicated statutory and case law.

This introductory level course will focus on topics of immediate concern to all municipal land use agencies, boards, commissions, and their staffs. The topics reflect both timely and practical situations, confronting participants at every level of the municipal land use process. This course will provide a broad review of the municipal land use process, including zoning, planning, zoning board of appeals, and wetlands issues. Members of municipal land use agencies, boards, and commissions, as well as municipal planners, enforcement officers, and engineers will benefit from this full day course.



SEMINAR PROGRAM

9:00 a.m. – 9:10 a.m.

Welcome

Atty. Eric Bernheim, Westport

Atty. Dorian Famiglietti, Vernon

Co-chairs, CBA Planning and Zoning Section

9:10 a.m. – 9:40 a.m.

Planning Commissions

Atty. Amy E. Souchuns, Milford

This session will cover powers of the planning commission, plan of development, statutory notice requirements, subdivisions and resubdivisions, multi-agency approvals, reasons for denial, open space, changes in regulations, bonding requirements,

improvements.

9:40 a.m. – 10:10 a.m.

Zoning Commissions

Atty. David M. Royston, Old Saybrook

This session will cover enabling legislation, powers of zoning commissions and proper purposes and goals of zoning, the comprehensive plan, proper notices of hearings, designating and amending zoning

uniformity requirement, dependence upon other governmental agency action, rendering decisions, and publications of notices of decisions.

10:10 a.m. – 10:20 a.m.

Break

10:20 a.m. – 10:50 a.m.

Non-Conforming Uses

Atty. Christopher J. Smith, Hartford

This session will entail a general discussion of the origin, scope, and problems of non-conforming uses.

10:50 a.m. – 11:20 a.m.

Special Permit and Site Plan Review

Atty. Brian R. Smith, Hartford

This session will cover statutory requirements and the distinction between special permit and site plan review, and appeals from decisions on applications for special permit and site plan approval.

11:20 a.m. – 11:50 a.m.

Zoning Board of Appeals

Atty. Dorian R. Famiglietti, Vernon

This session will cover functions of zoning boards of appeal, variances, legal requisites

and self-created hardships, other statutory duties of the ZBA, and hearing procedures.

12:00 p.m. – 12:30 p.m.

The 2020 ZiPLeR Awards

Atty. Dwight H. Merriam, FAICP, CRE, Weatogue

12:30 p.m. – 1:00 p.m.

Wetlands Law and Procedure

Atty. Michael A. Zizka, Hartford

This session will cover a review of procedures of municipal inland wetlands and watercourse agencies, and how wetlands law impacts the zoning and planning process.

1:00 p.m. – 1:30 p.m.

Conflict of Interest and Predisposition

Atty. Richard P. Roberts, Hartford

This session will cover statutory provisions

predisposition and predetermination, court

applies and does not apply, and procedural

1:30 p.m. – 2:00 p.m.

Procedural Issues in the Municipal Land Use Process

Atty. Peter S. Olson, Bethel

This session will cover a review of statutory provisions and case law concerning administrative process, applications; conducting a public hearing; creating the administrative record, and making appropriate

2:00 p.m. – 2:10 p.m.

Break

2:10 p.m. – 2:40 p.m.

Affordable Housing: The Municipal Perspective

Atty. Ira W. Bloom, Westport

This session will cover a review of an

General Statutes from the Planning & Zoning Commission perspective, including practical advice and a review of the relevant case law.

2:40 p.m. – 3:10 p.m.

Things to Watch out For:

Fair Housing Act, Religious Land Use and Institutionalized Persons Act (RLUIPA)

Atty. Marjorie F. Shansky, New Haven

This session will cover a review of the implications of federal legislation on local zoning, particularly the Fair Housing Act and the Religious Land Use and Institutionalized Persons Act (RLUIPA) as well as state law considerations regarding religious expression and free speech issues.

3:10 p.m. – 3:40 p.m.

Enforcement

Atty. Charles R. Andres, New Haven

This session will cover analysis and discussion of Connecticut law concerning enforcement through the zoning, planning, and wetlands process.

3:40 p.m. – 4:10 p.m.

Environmental Interventions

Atty. Janet P. Brooks, East Berlin

This session will cover interventions under Conn. Gen. Stat. Section 22a-19 for the purpose of raising environmental issues: what they are, what they do, and what you have to do when you get one.

4:10 p.m. - 4:30 p.m.

Questions

Please Note:

This program is available only to members of municipal land use agencies and their support staff.

Refunds of seminar fees will not be granted for cancellations after the course material is mailed out.

To receive your printed course material, in a timely manner, please register by February 15th.

To receive your webinar link, you must provide your e-mail address when you register.

This is a virtual meeting and will be accessible via Zoom. Zoom is a cloud-based platform for video and audio conferencing. It can be accessed through a browser on any device, or the Zoom app.

Registration Form

Connecticut Land Use Law Seminar

Saturday, March 6, 2021

To Register

To receive your printed course material, in a timely manner, please register by February 15th.

To receive your webinar link, you must provide your e-mail address when you register.

- Visit ctbar.org/LandUse2021 to register online
- Mail the completed form to:
Connecticut Bar Association, 30 Bank St, New Britain, CT 06051
- Fax the completed form to (860)223-4488
- Call (860)223-4400

Payment must accompany registration.

(Please use a separate registration form for each registrant)

- ☐ Yes, I will attend the Virtual Connecticut Land Use Law Seminar
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