

Town of Andover
INLAND WETLANDS & WATERCOURSES COMMISSION
Monday, February 1st, 2021 - 7:00 P.M.
Virtual Meeting via Zoom Website Platform

REGULAR MEETING MINUTES

Members present: Chair Meghan Lally, Vice Chair George Elliott, Jed Larson Jim Hallisey, William Munroe (alternate)

Member absent: Ed Smith

Others present: Joseph Wagner – Wetland Agent, Mindy Gosselin – Board Clerk, Brandon Handfield, Scott Person, Erik Loteczka, George Correia, Hank Gruner, Patricia Klayman, Andrew Bushnell

1. CALL TO ORDER: Chair M. Lally called the regular meeting to order at 7:00 p.m.
2. ROLL CALL/SEATING OF ALTERNATES: W. Munroe was seated for E. Smith.
3. ADDITIONS/CHANGES IN ORDER TO AGENDA:

Table Item 4a. January Special Meeting Minutes, due to the minutes not being posted within 24 hours of the meeting.

Add a new Section 6: NEW BUSINESS and add Item 6a. IWWC 20-37M: Brandon Handfield, **344 Lake Road** (Andover, CT), Proposed modification to previously approved permit (IWWC-1415-04) for an addition to a house within the 200' Andover Lake Upland Review Area.

Add Item 10b. Training Opportunities

M. Lally MOVED to change the agenda as indicated above. G. Elliott SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

M. Lally MOVED to add Item 10a. Conservation Commission Update of Vernal Pool Project. J. Hallisey SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

4. APPROVAL OF MINUTES
 - a. January 26th, 2021 Special Meeting Minutes

This Item was tabled until the next meeting.

5. PUBLIC COMMENT:

S. Person, town resident, commented on application IWWC 20-36. He referenced Section 22a-36 of the Inland Wetlands Watercourse Regulations from the State of Connecticut. He expressed concern regarding the fill of wetlands and the affect it would have on the environment. S. person stated that it is a permanent fill through riparian habitat.

M. Lally explained the referenced regulation in regards to Andover's permit requirements.

6. NEW BUSINESS

- a. IWWC 20-37M: Brandon Handfield, **344 Lake Rd** (Andover, CT), Proposed modification to previously approved permit (IWWC-1415-04), for an addition to a house within the 200' Andover Lake Upland Review Area

Brandon Handfield was present.

Agent Wagner stated that the application, permit fee, abutter's list, and modified plans were submitted on January 28th, 2021. The plan proposes a 24x36' addition to the east side of the house, which is smaller than the proposed addition approved on April 17, 2018.

B. Handfield stated that there are no changes to the plan – it is the same one that was presented the last two months. He noted that there was information added from the original approval. The original conditions of approval (IWWC-1415-04) are on the bottom left hand corner of the plan. All of the conditions are incorporated with the exception of two that are no longer applicable – one pertains to septic compliance and the other pertains to no longer removing the drainage pipe. B. Handfield explained that there are supplemental materials explaining why the drainage pipe is no longer being removed.

J. Larson asked if the leach field was at least 18 inches above the max high-water table level. B. Handfield said yes, it is a complete code compliance system. It provides separating distances to ledge, seasonally high ground water, the pipe that goes through the site, and leaching system spread.

J. Hallisey made a comment about the labelling of the 100 ft buffer and the 200 ft buffer.

J. Larson asked about the separating distance to the well because it appears to be within 75 feet. He also stated that he did not see the reserve leach field on the plan. B. Handfield stated that an exception was issued by the Department of Public Health to the 75 ft. well radius, the exception was 53 ft. which was an improvement from

the original septic system. Reserves are not required for repairs, so they aren't shown. However, when this application goes through the building permit process it would need a B 100 A compliance plan that should a code compliant area.

J. Hallisey asked about lot coverage. B. Handfield stated that the lot coverage would be 6.6%, which is below the 12% maximum.

J. Hallisey MOVED to hold further comments until the next regularly scheduled meeting. J. Larson SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

7. OLD BUSINESS- PERMIT APPLICATIONS

- a. IWWC 20-30: Patricia Klayman, 25 Cider Mill Road (Andover, CT), application to construct a bridge across Staddle Brook and install a French drain within the URA.

The applicants were present.

Agent Wagner assisted the applicants with revising their application. The application includes all of the recommendations discussed at previous meetings. The curtain drain installation remains the same, there was an addition of gravel for erosion control. The originally proposed permanent bridge is now a proposed temporary crossing. The crossing is made of 6x6 posts placed parallel to stream flow – it will be installed during a period of low flow and the wetland agent must be notified before and after installation. The posts will be secured with a cable and everything will be removed when the project is complete.

Agent Wagner explained the sediment and erosion control plan.

M. Lally asked where the bridge would be stored after use. Would the bridge be re-used multiple times, or is it a single use? The applicants stated that the bridge would be removed from the site and stored for future use if applicable. Nothing would be remaining on the site.

There was discussion on whether this would be a permit for one-time use of the temporary crossing or multiple uses. J. Larson stated that one-time use would be consistent with the logging applications. M. Lally agreed.

G. Elliott MOVED to approve application IWWC 20-30, 25 Cider Mill Road, for a permit duration of 2 years with standard conditions. J. Hallisey SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

J. Hallisey MOVED to amend the original motion to restrict the use of the temporary crossing to the summer low flow period. W. Munroe SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

- b. IWWC 20-36: Eric Loteczka and George Correia, 26 Old Farms Rd (Andover, CT), application to application to construct a wetland crossing for a proposed driveway and new house construction.

Eric Loteczka, George Correia, and Andrew Bushnell (the applicant's engineer) were present.

M. Lally recused herself from the discussion.

Agent Wagner stated that he has not received any new materials.

G. Correia stated that he has a hydraulic report and revised utility plans to submit. He reached out to Army Corps of Engineers (ACOE), but did not get a response yet.

B. Handfield explained the comments in his review dated 1.25.2021. His first comments recommended that the applicants create a report with hydraulic and watershed mapping information. The second comment addresses ACOE standards for crossings and a self-verification report.

B. Handfield discussed the potential of wildlife/fish on this site. He visited the site 2-3 years ago, at that time there was minimal water flowing. He did not notice any fish, however, if the ACOE standards are met it will pass fish without impact. B. Handfield also recommended a detailed construction plan.

G. Correia stated that the comments that B. Handfield provided are do-able. E. Loteczka stated that there have been discussions with the engineer about burying pipes.

H. Gruner stated that the best management practices of ACOE state that spans are preferred over culverts because they minimize disruption and maintain natural substrate. E. Loteczka stated that it would multiply costs and would still have a lot of disturbance with excavation. A. Bushnell stated that there would most likely need to be mid-span supports due to the length. H. Gruner stated that both of these constraints show the extent of the wetland system and ecological issues on the site.

J. Larson asked how this filling of wetlands compares to other applications that have been approved or disapproved in the past. Agent Wagner stated that he is unsure of previous applications that required fill.

J. Larson stated that due to the detrimental effect on wetlands that this application requires, there should be thought to how this effect can be mitigated – potentially by enhancing other wetlands on site.

G. Elliott commented that this crossing in length isn't that much greater than what was permitted on Towson road (with the exception of the elevation/build up on this application).

G. Correia commented on the dryness of the site from April to November. The photos from G. Logan are the wettest he has seen it. B. Handfield stated that it may be dry certain times a year. He estimated that is a 50-acre watershed. There should be consideration of ACOE standards. A. Bushnell stated he would rerun the calculations to gauge the pressure situation.

This application was continued to the next meeting.

8. ENFORCEMENT ACTIONS

- a. Kurt Boehm, 33 Route 87, construction in an upland review area and deposition of material into a wetland without a permit. Order to Remediate issued 2/24/2020; Show Cause Hearing held 3/2/2020.

Agent Wagner submitted a review memo to the commission dated 01.18.21. The memo addresses the violations of inland wetlands and watercourses regulations on 41 Route 87. He has concluded that some remediation at 41 Route 87 has been completed.

However, neither of the two remediation orders can be removed because the deposition of material and shed have not been moved or removed.

9. AGENT REPORT

Agent Wagner received an application for a 12x24' garage (to replace an 8x8' shed), on 33 Gilead road in the Upland Review Area.

There are two potential violations reported. Agent Wagner received a report of a temporary garage and unregistered vehicle in the Upland Review Area of 41 Route 87. He has not been to the property yet. There is also a potential permit violation at 27 Hendee road. There has been report of unprotected dirt piles by a steep slope with erosion and heavy equipment in the flood plain. Agent Wagner will look into whether the sediment and erosion control plans are being adhered to.

10. OTHER BUSINESS

- a. Conservation Commission Update of Vernal Pool Project

H. Gruner stated that two students and one faculty member were interested in the proposed project. The project is now ongoing. The first step, to be completed in April, includes the mapping of potential vernal pools and the calculation of upland areas. There will be a presentation in the future.

b. Take Receipt of Revised IWWC Bylaws

G. Elliott edited the bylaws starting with Agent Wagner's comments pertaining to changing the word shall to will/must and grammatical errors. M. Lally's edits and previously discussed changes were also incorporated (order of agenda, provision for remote meetings, etc.). This document was sent to commission members for review.

c. Training Opportunities

i. Connecticut Conference on Natural Resources

The 14th Annual Connecticut Conference on Natural Resources (CCNR) and Connecticut Outdoor & Environmental Education Association (COEEA) Joint Annual Conference will be virtual this year and held on Monday March 15th from 9a-3:30p. Registration is \$30.

M. Lally will email out more information to the commission.

ii. In's and Out's of Wetland Agency Workshop

The Connecticut River Coastal Conservation District and Attorney Janet Brook are hosting a two-part virtual workshop series, which will cover topics such as the functions and values of wetlands; the CT Inland Wetlands and Watercourses Act; elements of a site plan review; and what to look for on a site walk.

M. Lally will email out more information to the commission.

10. NEXT REGULAR MEETING: Monday, March 1, 2021 @ 7:00 p.m.

11. ADJOURNMENT

J. Hallisey MOVED to adjourn the regular meeting at 8:27 p.m. J. Larson SECONDED.
By roll call vote, MOTION CARRIED 5:0:0.

Respectfully submitted by Mindy Gosselin,

Mindy Gosselin

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.