

Town of Andover Connecticut  
Inland Wetlands & Watercourses Commission  
August 31, 2020 7:00 P.M.  
VIRTUAL MEETING VIA ZOOM WEBSITE PLATFORM

Special Meeting Minutes

Members Present: Chair Meghan Lally, Vice Chairman George Elliott, Jed Larson, Ed Smith, Jim Hallisey

Others Present: Wetlands Agent Joseph Wagner, Recording Secretary Linda McDonald, William Phillips, Donna Phillips, Megan Phillips, Herpetologist Hank Gruner, Kevin Arnesen, Gerry Hardisty P.E., L.S. of Civil Engineering Services, Andrew Bushnell P.E. from Bushnell Associates, Gabrielle Anderson, and William Munroe

1. CALL TO ORDER: M. Lally called the regular meeting to order at 7:01 p.m.

2. ROLL CALL/SEATING OF ALTERNATES:

3. APPROVAL OF MINUTES:

- a. August 3, 2020 Regular Meeting Minutes: The following amendments were made to the August 3, 2020 minutes:

Page 2: "G. Hardisty responded said he wanted to leave the house in the current location as he thinks this is the best location for the house so that the back-property line is not ~~crowed~~ **crowded** and getting nearer to the neighbors."

Page 4: "Agent Wagner said per conversations with R. Puerto, she is working with her engineer to ~~re-~~ submit a new permit."

Page 6: "~~J. Hallisey~~ **E. Smith** MOVED to schedule a special meeting for August 31, 2020 at 7:00 pm."

J. Larson MOVED to approve the August 3, 2020 regular meeting minutes as amended. G. Elliott SECONDED. By roll call vote, MOTION CARRIED 4:0:1 with M. Lally abstaining.

4. PERMIT APPLICATIONS

- a. **IWWC20-21**: Manuel Correia & Gerry Hardisty, 12 Webster Lane (Bolton, CT), subdivision and new residential construction in an upland review area:

Agent Wagner presented new materials from Yantic River Consultants Engineer Brandon Handfield dated 8/31/2020, Herpetologist Hank Gruner dated 8/31/2020 and a revised site plan dated 8/10/2020 that shows the house rotated 90 degrees.

G. Hardisty stated he did not receive copies of the letters from the B. Handfield or H. Gruner. He clarified that the revised site plan is not the one the applicants are applying for. He said the site plan on the website is to demonstrate an alternative. This plan will be presented to the Planning and

Zoning Commission (PZC) because it meets the subdivision regulations. He said this scenario, if approved by the IWWC, would not work for his clients.

M. Lally said this was not made clear to the Commission.

M. Lally noted the original site plan does not address any subsequent comments from B. Handfield and H. Gruner.

J. Larson asked why this plan is preferable to the one that puts the septic system outside the 100-foot upland review area.

G. Hardisty responded it is because of the slope of the land, which gets steeper and steeper as it approaches the wetlands from the new property line. He said the Connecticut health code requires there be a minimum leaching system spread which is calculated on the depth of decent soil and the slope of the land. He said the driveway would be on the upwards side of the septic system as well in the original plan. He commented the original plan puts the septic system 50 feet from the wetlands and believes this could be done without an impact to the wetlands.

J. Larson noted the second plan was consistent with the recommendations from B. Handfield and H. Gruner.

H. Gruner said, from his perspective, it does not really change much regarding his recommendations associated with the driveway and the re-vegetation along the edge of the fence line in the wetland. His concern is the condition after construction when there is more impervious surface with the driveway and more lawn. He spoke to the recommendations in his letter dated 8/31/2020 addressing mitigation measures.

In response to a question from J. Larson, G. Hardisty did not have an answer if his clients would still consider building if the septic system was moved outside the 100-foot upland review area.

G. Elliott MOVED to approve application IWWC20-21: Manuel Correia & Gerry Hardisty, 12 Webster Lane (Bolton, CT), for a subdivision and new residential construction in an upland review area with standard conditions applying, to include the following three special conditions from H. Gruner in his letter dated 8/31/2020, and clarifying this is a two-year permit and applies to the initial site plan submitted and labeled "preliminary". E. Smith SECONDED.

Special Conditions:

1. Eliminate the "bump-out" that extends to the east at the top of the driveway, and maintain a gravel (or other pervious material) rather than paved driveway, to increase water infiltration and reduce the transport of sediment and chemicals from impervious surface run-off.
2. Maintain a 25-foot strip of un-mown or annually mown land that extends out from the existing tree/fence line adjacent to the wetland/watercourse. Re-vegetation within this area will enhance buffering capacity.
3. Although it has been noted that it is highly improbable that runoff would be directed to the small wetland depressions located on the west side of the parcel, out of an abundance of caution these should also be protected with sediment and erosion control fencing.

Discussion followed on moving the driveway bump out to the west side of the driveway. If the plan is changed when the application goes before the Planning and Zoning Commission (PZC), the applicants would have to come back to the IWWC for an approval for a modification.

By roll call vote, MOTION CARRIED 5:0:0.

- b. **IWWC20-23:** William R. & Donna J. Phillips, 57 Hendee Road, new residential construction in an upland review area, modification of a floodplain:

Agent Wagner submitted new materials including a letter of review from B. Handfield dated 8/24/2020, an opinion letter from B. Handfield dated 8/31/2020, and a site plan revised 8/12/2020.

Herpetologist Hank Gruner said there is nothing that has changed on the recommendations from his original report and he does not see any direct ecological impacts to the system that would affect the ecology of it with the construction of the house and the site preparation work. His review letter to the Commission included recommendations for best management practices for uses of the floodplain.

J. Hallisey MOVED to approve application IWWC20-23: William R. & Donna J. Phillips, 57 Hendee Road, for new residential construction in an upland review area and modification of a floodplain with standard conditions applying and referencing the most current site plan dated 5/1/2020 revised through 8/12/2020. E. Smith SECONDED.

M. Lally MOVED to amend the prior motion to include the following four special conditions from recommendations by H. Gruner in his review letter dated 7/14/2020 and that the permit has a two-year duration.

Special Conditions:

1. Exclusion fencing (sediment and erosion control fencing) should be established around the northern and western perimeter of the already cleared area proposed for fill excavation (western section of parcel 2). The post-excavation re-seeding plan for this area should be carefully reviewed to ensure that only a native seed mix is utilized.
2. Prior to site preparation or construction activities for the proposed residential structure to be located on the eastern section of the site, exclusion fencing should be installed at the extent of clearing along the northern (river-facing) perimeter of the area. Standard sediment and erosion control fencing and installation design can be used to serve this purpose. If timing of the project results in the site preparation and construction work occurring in this area during the spring months (March-June), exclusion fencing should be extended along the western extent of clearing along the existing pathway to prevent turtles from attempting to nest in recently cleared areas.
3. The unimproved path/roadway that extends into the floodplain following along the embankments of the Skunkamaug and Hop rivers should be allowed to naturally revegetate. If it is necessary to maintain this path/roadway, it should remain in an unimproved state (no paving or gravel). Any vehicular access in this area should be restricted to the dormant season (November 1-March 1).

4. Allow the floodplain habitats to remain in a natural state with minimal disturbance. Any mowing for pathways, or agricultural activities within the herbaceous floodplain should be restricted to the dormant season (November 1-March 1) and not located within 30 feet of the river. If mowing is determined to be necessary during the active season, it is recommended that the following best management practices be employed: a) delay mowing until after June, b) mow in a pattern that progresses from the interior towards the river, c) maintain a 30-foot buffer along the riverbank, d) utilize a sickle-bar style mower rather than a rotary blade mower which has been shown to reduce mortality, and d) set the blade height to greater than seven inches.

G. Elliott SECONDED. By roll call vote, the MOTION to amend the prior motion CARRIED 5:0:0.

By roll call vote, the AMENDED MOTION CARRIED 5:0:0.

5. NEXT MEETING: Tuesday, September 15, 2020 at 7:00 p.m.

6. ADJOURNMENT:

G. Elliott MOVED to adjourn the special meeting at 8:18 p.m. J. Hallisey SECONDED. MOTION CARRIED 5:0:0.

Respectfully submitted by Linda H. McDonald

*Linda H. McDonald*

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