

1 **MINUTES**

2 **CONSERVATION COMMISSION/INLAND WETLANDS AND WATERCOURSES AGENCY**

3 **Tuesday, March 19, 2024 at 7:00 P.M.**

4 **Board of Education Room, Second Floor, Simsbury Town Hall**

5 **933 Hopmeadow Street, Simsbury, CT 06070**

6  
7 **I. CALL TO ORDER & ROLL CALL**

8  
9 Chairman Winters called the meeting to order at 7:00 P.M.

10  
11 **Present:** Jason Berman, Joseph Campolieta, Donald Eaton, Charles Haldeman, Jason Levy,  
12 Margery Winters; Assistant Town Planner, Brittany MacGilpin

13  
14 **Absent:** Andrew Bade

15  
16 **II. APPROVAL OF MINUTES**

17  
18 February 20, 2024 regular meeting

19 March 5, 2024 regular meeting

- 20 • March 5, 2024 minutes were updated to remove the alternate members

21  
22 **MOTION:** Mr. Levy moved to approve the February 20, 2024 and March 5, 2024 minutes for  
23 the regular meeting of the Conservation Commission/Inland Wetlands and Watercourses  
24 Committee. Mr. Haldeman seconded the motion.

25  
26 All in favor, no opposed, no abstentions. (6-0-0)

27  
28 **III. NEW APPLICATIONS FOR RECEIPT AND DETERMINATION OF SIGNIFICANCE**

29  
30 **Application CC #24-10** of 34 Hopmeadow St. Realty Co, LLC, for a wetland permit to grade  
31 and remove material to create a detention basin, install a fence for play area, and install storm  
32 drainage and underground utilities in the soils in the upland review area in association with a  
33 daycare center being proposed at 34 Hopmeadow Street (Assessor's Map E19, Block 117, Lot  
34 001-1C) Simsbury, CT 06070, Zone PAD.

- 35  
36 • Ms. MacGilpin summarized the project, noting previous approvals were provided for the  
37 access road and the storm water management on-site. Soil studies were completed at that  
38 time, noting that there were man-made isolated wetland soils.
- 39 • Brian Denno, Denno Land Surveying, addressed the Commission and summarized the  
40 project for a childcare center, on a property that includes 268 sq. ft. of man-made wetlands  
41 on the south-east side. A larger detention pond will be built to catch and treat run-off that  
42 will leech into the ground or be captured in the lower part of the detention pond.
- 43 • Ms. Winters suggested that the Applicant remove white pines from the landscaping plan to  
44 ensure visibility of the surrounding ridge and Heublein Tower. She also recommended  
45 removing forsythia plants from the plan, as they are not native species. Mr. Denno noted

46 more detailed landscaping and maintenance plans will be provided at a later date with the  
47 noted changes.  
48

49 **MOTION:** Mr. Levy moved to find that **Application CC #24-10** of 34 Hopmeadow St. Realty  
50 Co, LLC, for a wetland permit to grade and remove material to create a detention basin, install a  
51 fence for play area, and install storm drainage and underground utilities in the soils in the upland  
52 review area in association with a daycare center being proposed at 34 Hopmeadow Street  
53 (Assessor’s Map E19, Block 117, Lot 001-1C) Simsbury, CT 06070, Zone PAD is significant  
54 because it directly impacts the wetlands. Mr. Haldeman seconded the motion.  
55

56 All in favor, no opposed, no abstentions. (6-0-0)  
57

- 58 • Ms. MacGilpin noted that a public hearing will be scheduled for April 2, 2024.  
59

60 **IV. PUBLIC HEARING AND/OR ACTION ON APPLICATIONS**

61  
62 **V. OLD COMMISSION BUSINESS**

- 63  
64 • The following two votes were completed during the last meeting of the Commission;  
65 however, the Town Clerk did not receive the agenda on time, so the same motions need to be  
66 voted on again at this meeting.  
67

68 **Application CC #24-08** of Town of Simsbury/Engineering Department, applicant, and Town of  
69 Simsbury, owner, for a wetland permit to construct a culvert extension within the right-of-way  
70 by installing a storm manhole, pipe, and new headwall within wetland soils at 1503 Hopmeadow  
71 Street (Assessor’s Map I04, Block 403, Lot 015) Simsbury, CT 06070, zone I1.  
72

73 **MOTION:** Mr. Campolieta moved to approve Application CC #24-08 of Town of  
74 Simsbury/Engineering Department, applicant and Town of Simsbury, owner, for a wetland  
75 permit to construct a culvert extension within the right-of-way by installing a storm manhole,  
76 pipe, and new headwall within wetland soils at 1503 Hopmeadow Street (Assessor’s Map I04,  
77 Block 403, Lot 015) Simsbury, CT 06070, zone, based upon the following findings:  
78

- 79 • Short-term impacts from the proposed development will be controlled by installation and  
80 maintenance of erosion and sediment controls.
- 81 • The applicant stated in the application that prudent and feasible alternatives were  
82 considered that would reduce the impact to the wetlands and watercourse; however, those  
83 options were cost prohibitive.
- 84 • The environmental impact of the proposed regulated activity on wetlands or watercourses  
85 will be minimal and sediment runoff conditions into the watercourse are expected to  
86 improve.  
87

88 And subject to the following conditions:  
89

- 90 • The project shall be developed in substantial conformance to the site plan titled,  
91 “Drainage Extension Plan,” dated January 18, 2024, prepared by Tectonic.

- 92 • Invasive species in the project area will be removed to the greatest extent possible within
- 93 the project limits.
- 94 • Once the slope is constructed, a conservation seed mix will be applied.
- 95 • At all times during site work and until soil areas are stabilized, the applicant shall install
- 96 and maintain erosion and sediment control measures depicted in the plot plan (see
- 97 condition #1) such as fabric filter fence or other measures deemed necessary by the
- 98 Commission’s agent to prevent erosion and sedimentation impacts to wetlands and
- 99 watercourses.
- 100 • All erosion control and soil stabilization measures shall comply with the approved plans
- 101 and guidelines as established in the Connecticut Guidelines for Soil Erosion and
- 102 Sediment Control, 2002, CTDEP Bulletin 34.
- 103 • Upon direction of the Commission’s agent, erosion and sediment control measures shall
- 104 be removed by the applicant following stabilization of the site.
- 105 • The Inland Wetlands Agent shall be notified at least 48 hours prior to the commencement
- 106 of activities.

107  
108 Mr. Levy seconded the motion.

109  
110 All in favor, no opposed, no abstentions. (6-0-0)

111  
112 **Application CC #24-04** of the Town of Simsbury Inland Wetland and Watercourses Agency,  
113 Applicant, for a text amendment to the Simsbury Inland Wetland and Watercourses Regulations  
114 pursuant to Section 7.5 regarding the use of native plantings in wetland and watercourse areas  
115 and the restriction of invasive plant species in these areas.

116  
117 **MOTION:** Mr. Campolieta moved to approve Application CC #24-04 of the Town of Simsbury  
118 Inland Wetland and Watercourses Agency, Applicant, for a text amendment to the Simsbury  
119 Inland Wetland and Watercourses Regulations pursuant to Section 7.5 regarding the use of native  
120 plantings in wetland and watercourse areas and the restriction of invasive plant species in these  
121 areas, as amended. Mr. Berman seconded the motion.

122  
123 All in favor, no opposed, no abstentions. (6-0-0)

124  
125 **VI. AGENT ACTIONS**

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127 **Application CC #24-09** of James Kahnweiler, applicant/owner, for a wetland permit to allow  
128 construction of a 12’ x 14’ building addition in the upland review area at 12 Edgewood Court  
129 (Assessor’s Map E11, Block 150, Lot 001B) Simsbury, CT 06092, zone RD.

130  
131 **VII. CONSERVATION BUSINESS**

- 132
- 133 • Receipt of Permit Applications for the Use of Pesticides in State Waters-Old Stone Crossing
- 134 Pond and Lake Basile
  - 135 ○ Ms. MacGilpin updated the Commission, noting that both Old Stone Crossing Pond and
  - 136 Lake Basile are owned by the Town, which was confirmed by the State and Applicants.

- 137 ○ Discussion ensued around whether an HOA can fund a project, which is on Town land.  
138 Town Staff will investigate.  
139 ○ Mr. Berman inquired what purpose the pesticide is for. Ms. MacGilpin responded that the  
140 pesticide is to treat algae and mosquitoes.  
141 ○ Ms. MacGilpin noted that the process is on hold, pending authorization of the Town  
142 Director of Parks and Recreation.  
143 ○ The Commission agreed that a letter should be sent to the Town Director of Parks and  
144 Recreation, stating the Commission’s concern with applying pesticide to Old Stone Crossing  
145 Pond and Lake Basile and recommending that future activities impacting the Town  
146 watercourses come before the Commission for advisement.  
147 ○ The Commission also agreed that a letter should be sent to DEEP, notifying the agency that  
148 a permit was issued improperly, as the HOA is not the landowner.  
149  
150 ● POCD Implementation Action Items for Conservation Commission – Overview  
151 ○ Ms. MacGilpin informed the Commission that the Planning Commission is working on  
152 forming an Implementation Committee with representatives from the various Town  
153 Commissions to address the priorities and action items from the POCD process. She  
154 reviewed the policies and action items for the Conservation Commission/Inland Wetlands  
155 and Watercourses Agency with discussion around the prioritization of the items.  
156 ○ Ms. Winters noted that there are several programs underway that address these policies and  
157 action items including:  
158     ▪ Commission is co-sponsoring educational programs with Pollinator Pathways on  
159     invasive plants, the Dark Skies initiative, etc.  
160     ▪ Educational booklet on invasive species (pending budget approval)  
161     ▪ Sustainability Fair at the Library on May 4, 2024  
162 ○ The Commission discussed the annual report requirement that is included in the  
163 Commission’s by-laws. Town Staff will investigate.  
164 ○ Ms. Winters posed the idea of having town volunteers visit town land and remove invasive  
165 species and that information be provided to homeowners on best practices in terms of lawn  
166 care, septic system maintenance, the utilization of fertilizers, etc.  
167

168 **VIII. ADJOURNMENT**

169  
170 **MOTION:** Mr. Haldeman moved to adjourn. Mr. Campolietta seconded the motion.  
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172 All in favor, no opposed, no abstentions. (6-0-0)  
173

174 The meeting adjourned at 7:56 P.M.  
175

176 Respectfully Submitted,  
177

178 Cara Blackaby

179 Commission Clerk