

1 **MINUTES**

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

3 **Tuesday, March 5, 2024 at 7:00 P.M.**

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

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

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

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

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11 **Present:** Assistant Town Planner, Brittany MacGilpin, Andrew Bade, Jason Berman, Joseph  
12 Campolieta, Donald Eaton, Jason Levy, Margery Winters

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14 **Absent:** Charles Haldeman, Kyle Testerman (Alternate), Cailyn Welsh (Alternate)

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16 **II. APPROVAL OF MINUTES**

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18 February 20, 2024 regular meeting

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

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

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26 **III. NEW APPLICATIONS FOR RECEIPT AND DETERMINATION OF SIGNIFICANCE**

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

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- 33 • Adam Kessler, Deputy Town Engineer, provided the Agency with a summary of the  
34 proposal which is part of the larger Hopmeadow Continuity Project. The work would  
35 include the removal of the existing headwall, placement of a manhole, and the installation  
36 of ~14 feet of concrete pipe following the stream bed and a new concrete headwall.  
37 Other options were considered including the installation of a retaining wall, but it was  
38 determined that this would create issues with the existing pipe and relocating the existing  
39 pipe was cost prohibitive.
  - 40 • Ms. Winters inquired about leak-off into the stream. Mr. Kessler noted that, as part of the  
41 project, a catch basin will be installed to address this issue.
  - 42 • Ms. Winters inquired about timeline of construction. Mr. Kessler responded that work  
43 will likely begin in April or May but will be dependent on weather patterns. He  
44 estimated that the work will be completed before June.
  - 45 • Mr. Eaton inquired if the sidewalk would be located on top of the fill. Mr. Kessler  
46 confirmed that it would be located along the road on the other side of the guiderail, which  
will be relocated.

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- Mr. Eaton inquired whether the Town or a Contractor will be responsible for putting in the sidewalk. Mr. Kessler responded that the same contractor utilized in the prior year will put in the sidewalk.
  - Ms. Winters opened the public hearing. No comments from the public were made.

52 **MOTION:** Mr. Levy moved to close the public hearing. Dr. Bade seconded the motion.

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

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56 **MOTION:** Mr. Campolieta moved to approve Application CC #24-08 of Town of

57 Simsbury/Engineering Department, applicant and Town of Simsbury, owner, for a wetland

58 permit to construct a culvert extension within the right-of-way by installing a storm manhole,

59 pipe, and new headwall within wetland soils at 1503 Hopmeadow Street (Assessor's Map I04,

60 Block 403, Lot 015) Simsbury, CT 06070, zone, based upon the following findings:

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

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71 And subject to the following conditions:

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- The project shall be developed in substantial conformance to the site plan titled, "Drainage Extension Plan," dated January 18, 2024, prepared by Tectonic.
  - Invasive species in the project area will be removed to the greatest extent possible within the project limits.
  - Once the slope is constructed, a conservation seed mix will be applied.
  - At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures depicted in the plot plan (see condition #1) such as fabric filter fence or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.
  - All erosion control and soil stabilization measures shall comply with the approved plans and guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002, CTDEP Bulletin 34.
  - Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.
  - The Inland Wetlands Agent shall be notified at least 48 hours prior to the commencement of activities.

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91 Dr. Bade seconded the motion.

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93 All in favor, no opposed, no abstentions. (6-0-0)  
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95 **Application CC #24-04** of the Town of Simsbury Inland Wetland and Watercourses Agency,  
96 Applicant, for a text amendment to the Simsbury Inland Wetland and Watercourses Regulations  
97 pursuant to Section 7.5 regarding the use of native plantings in wetland and watercourse areas  
98 and the restriction of invasive plant species in these areas.

- 99 • Mr. Berman inquired whether this language is a guideline or a regulation. Ms.  
100 MacGilpin responded that this language will be included within the regulations.
- 101 • Ms. Winters inquired if this amendment would apply to projects in the upland review  
102 area. Ms. MacGilpin responded that this amendment is only applicable to projects  
103 adjacent and within the wetland soils.
- 104 • Dr. Bade suggested including specific links and/or websites within the language. Ms.  
105 MacGilpin will update the proposed language to replace “State of Connecticut” with the  
106 “Connecticut Invasive Plan Working Group”.
- 107 • Ms. Winters opened the public hearing. No comments from the public were made.  
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109 **MOTION:** Mr. Levy moved to close the public hearing. Mr. Campolieta seconded the motion.  
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111 All in favor, no opposed, no abstentions. (6-0-0)  
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113 **MOTION:** Mr. Campolieta moved to approve Application CC #24-04 of the Town of Simsbury  
114 Inland Wetland and Watercourses Agency, Applicant, for a text amendment to the Simsbury  
115 Inland Wetland and Watercourses Regulations pursuant to Section 7.5 regarding the use of native  
116 plantings in wetland and watercourse areas and the restriction of invasive plant species in these  
117 areas, as amended. Dr. Bade seconded the motion.  
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119 All in favor, no opposed, no abstentions. (6-0-0)  
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#### 121 **IV. GENERAL COMMISSION BUSINESS**

- 122 • Receipt of Permit Applications for the Use of Pesticides in State Waters-Old Stone  
123 Crossing Pond and Sidel Pond
  - 124 ○ Ms. Winters noted that barley straw could be an alternative that is effective for  
125 algae control.
  - 126 ○ The Agency discussed who owns the Old Stone Crossing Pond. Mr. Eaton and  
127 Mr. Levy believe the Pond is owned by the Town and not the State. Ms.  
128 MacGilpin will look into this.  
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#### 130 **V. AGENT ACTIONS**

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132 **Application CC #24-05** of Thomas Tyburski, Recreation Director of the Culture, Parks, and  
133 Recreation Department, applicant, Town of Simsbury, owner, for a wetland permit to allow  
134 placement of three nesting boxes at Town Forest Park (West Mountain Road, Town Forest Park)  
135 one at Meadow Pond Park (55 Hedgehog Lane), one at Tariffville Park (Main Street Extension),  
136 and one at Simsbury High School (34 Farms Village Road) in regulated areas. (Assessor’s Map  
137 B13, Block 406, Lot 010) Simsbury, CT 06092, zone R-40.

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- Ms. Winters noted that future projects like this Application, which impact the wetlands, should come before the Agency and a permit should be requested in advance. Ms. MacGilpin will look into the approval process around educational signs on town land.

**VI. CONSERVATION BUSINESS**

- Ms. Winters noted that the exercise trail and surrounding soils are being eroded as a result of recent storms. Additionally, one of the existing culverts has been washed out and is undersized. She also noted that the water bars were not correctly installed. These issues are negatively impacting the wetlands. Ms. MacGilpin will look into this.
- Ms. MacGilpin noted that Mr. McGregor, Town Planning Director, will attend the next meeting of the Agency to discuss the POCD.

**VII. ADJOURMENT**

**MOTION:** Mr. Levy moved to adjourn. Mr. Campolieta seconded the motion.

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

The meeting adjourned at 7:43 P.M.

Respectfully Submitted,

Cara Blackaby  
Commission Clerk