

**New Hartford Inland Wetlands Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, April 7, 2021 at 7:00 PM
Via Online Platform ZOOM**

PRESENT: Chairman James Hall, Anne Hall, Karl Hermonat, Nancy Schroeder Perez, Wayne Ryznar, Gerald Tabaka, Steve Unger, and Wetlands Agent Mike Lucas.

ABSENT: None.

Chairman James Hall called the meeting to order at 7:00PM. The meeting was recorded digitally, and copies are available through Town Hall.

1. PUBLIC HEARINGS:

A. Michael Sanders & Michelle Sheehan-Sanders – Map 09A – Block 110- Lot 019 – 67 Marstan Trails – Septic System Repair.

Mr. Lucas read aloud the legal ad for the public hearing, noting it as having ran the requisite two times on March 26, 2021 and April 2, 2021, in a local newspaper. Mr. Lucas also reported receipt of the Certificate(s) of Mail from the applicant after notice of the public hearing was mailed to the abutting property owners.

Jarrold Carroll, accompanied by Michelle Sheehan-Sanders, appeared before the Commission regarding this application. The Commission reviewed the engineered plans prepared by Professional Engineer Ron Wolfe, depicting the septic system repair design. Mr. Carroll noted a single-trench system will be installed, explaining that the current system had three trenches that run out much closer to the lake. Mr. Unger questioned how much further back the new trench will be located. Mr. Carroll indicated the leaching trenches are about 22' back from where the existing trenches are. Ms. Hall questioned whether the old leaching fields would be abandoned or excavated and removed. Mr. Carroll confirmed that they need to be excavated and removed off site. Ms. Hall questioned the content of the fill. Mr. Carroll noted that C33 Select Fill, or a very coarse sand, will be utilized. Mr. Ryznar questioned the length of the single trench. Mr. Carroll indicated that it would be 43'.

The hearing was open to the public.

Jay Kearns of 73 Marstan Trail questioned whether the side yard was too narrow for the excavating equipment. Mr. Carroll noted that the sheds and generator will have to be temporarily removed in the 18' span of the parcel with temporary mats installed to provide construction access. Mr. Kearns questioned the duration of the project. Mr. Carroll indicated that it would likely take ten to twelve days depending on weather conditions. Mr. Kearns questioned what measures would be undertaken for lake protection. Mr. Carroll referred to the erosion controls included on the plan, including silt fence. Mr. Lucas reported that the berms he has observed with this contractor have been good quality while undertaking work around the lake.

First Selectman Dan Jerram spoke in favor of the application.

MOTION: Mr. Unger second, Ms. Schroder Perez second to close the public hearing; unanimously approved.

B. Town of New Hartford – Map 014 – Lot(s) – Several – Bridge # 05077 – Cedar Lane over Bakerville Brook – Rehabilitation of an Existing Bridge.

Mr. Lucas read aloud the legal ad for the public hearing, noting it as having ran the requisite two times on March 26, 2021 and April 2, 2021, in a local newspaper. Mr. Lucas also reported receipt of the

Certificate(s) of Mail from the applicant after notice of the public hearing was mailed to the abutting property owners.

First Selectman Dan Jerram, accompanied by Professional Engineer Dave Battista of Lenard Engineering, appeared before the Commission regarding this application. Mr. Battista reviewed the design plans of the bridge in Bakerville, noting that it was located 200' from the intersection of Cedar Lane and Route 202. He reviewed the existing conditions, noting that the bridge deck has fine cracks that require repair. Mr. Battista explained that the old pavement will be torn off and the old waterproof membrane will be replaced with new membrane and new panels. He reviewed how the water flow has eroded material away from the abutment exposing it. Mr. Battista noted that a piece of guard rail will be removed so that the contractors can gain access to the work site through a temporary ramp off the road. A mini excavator will install the riprap at the abutment. Mr. Battista reported that input was received from the State of Connecticut Department of Energy and Environmental Protection Fisheries Division who had suggested two alternatives for the installation of the riprap. Three ridges of riprap will be added approximately 30° offset from the bridge to deflect the stream currents towards the middle of the bridge, according to Mr. Battista. He noted a sandbag coffer dam will be built to isolate the work area. If necessary, a turbidity curtain will be installed next to the coffer dam as additional protection, according to Mr. Battista. He explained that after the coffer dam is constructed, a small excavator will get in there to install the rip rap. Mr. Battista noted that the area will be started at the furthest point with the excavator working their way out followed by the re-seeding and replacement of guide rail in the disturbed area.

Mr. Battista noted that the soil erosion plans and traffic control plans were included. He explained that the area will be closed for a month during construction. Mr. Ryznar questioned the projected life of the concrete panels for the decking. Mr. Battista indicated that if the bridge performs the way it ought to be performing and the salt does not reach the panels because of the membrane, then the bridge should last 75 years from when it was constructed. If there is a problem with the panels and they move up and down differently, a concept referred to as differential deflection, then the membrane rips which may cause leakage between the deck panels. Mr. Battista indicated that when the membrane is removed as part of this project, a better determination will be made. He noted that there has already been some evidence of leakage as reflected in the DEEP report. Mr. Battista explained that this project is proactive in terms of resealing the deck panels.

The hearing was open to the public.

Mr. Jerram remarked on the funding of this project being already approved by the Board of Selectmen, Board of Finance, and the town, reporting that section of Cedar Lane planned for repaving, too.

A letter from the Metropolitan District Commission, dated April 3, 2021 and emailed to Ms. Hall on April 6, 2021, was read into the record. The letter included recommendations to the Commission for approval of this project.

Stephen Muckle of 2 Cedar Lane questioned the location of the abutment in the brook noting the depths it has risen to over the course of the past ten years. He shared requests for the work following the construction, include curbing in front of his home and the restoration for the construction access. Mr. Jerram confirmed that his office will provide certification that the Town will restore the property to its preconstruction condition, assuring Mr. Muckle that the driveway apron will be satisfactory. Mr. Muckle questioned the stone structure along the brook. Mr. Hall explained that it would be something to be discussed later but would not be included as part of this project.

Agreeing that July and August are typically when the streams are at their lowest, Ms. Hall questioned what the plans are if there should be bad weather in the middle of the project. Mr. Battista explained the project was designed with the expectation that weather could be forecasted at least a week ahead and that any type of expected tropical storm or hurricane ahead of the riprap work would prevent it from being

started. Ms. Hall questioned whether Mr. Battista had any concerns with the recommendations made by the MDC. As this meeting was his first time learning of their suggestions, Mr. Battista reported that upon initial review, it did not appear to include any unusual recommendations but requested a copy of it so that the requests could be incorporated into the plans.

MOTION: Ms. Schroeder Perez, Mr. Ryznar second, to close the public hearing for Town of New Hartford – Map 014 – Lot(s) – Several – Bridge # 05077 – Cedar Lane over Bakerville Brook – Rehabilitation of an Existing Bridge; unanimously approved.

2. PENDING APPLICATIONS:

A. Michael Sanders & Michelle Sheehan-Sanders – Map 09A – Block 110- Lot 019 – 67 Marstan Trails – Septic System Repair.

MOTION: Ms. Schroeder Perez, Mr. Tabaka second, to approve the application in the matter of Michael Sanders & Michelle Sheehan-Sanders – Map 09A – Block 110- Lot 019 – 67 Marstan Trails – Septic System Repair, subject to the standard conditions; unanimously approved.

B. Theresa Klim – Map 031 – Block 031 – Lot 015 – 85 Steele Road – Pond Maintenance.

Jarrold Carroll, accompanied by his clients Marcus and Julie Klim, appeared before the Commission regarding this application. Mr. Carroll reminded the commission that they had requested additional photographs of the site. Mr. Lucas had joined him as photographs were taken and the locations of the stockpile areas were reviewed with him, according to Mr. Carroll. Mr. Lucas reviewed a marked-up map, noting the access and stockpile areas.

Mr. Klim reminded the Commission that this type of pond work has been done previously. Ms. Klim recalled it being last done in 1996 and before that in the 1980s. Ms. Hall questioned how the materials dredged would be stabilized, asking whether there would be any silt fence installed around it. Mr. Carroll explained that as the material is dug out, there would be little chance of it eroding back in as the grade slopes away toward the woods but confirmed silt fence could be installed to contain the pile. Seed and hay would be layered on top until it was vegetated. Ms. Hall questioned whether there was a year-round watercourse flowing through the pond. Ms. Klim reported that the brook dries up almost to a trickle, noting that it was completely bone dry during the past August. Mr. Klim noted that the work would be completed during such a dry time. Mr. Carroll noted that there was a valve at the dam that could also be closed during the time the work is being undertaken.

MOTION: Ms. Schroeder Perez, Mr. Ryznar second, to approve the application in the matter of Theresa Klim – Map 031 – Block 031 – Lot 015 – 85 Steele Road – Pond Maintenance, subject to the standard conditions and the following additional condition:

1. Work is undertaken when there is no outflow and the appropriate measures are taken to ensure that during the work, there is no outflow;

unanimously approved.

C. Town of New Hartford – Map 014 – Lot(s) – Several – Bridge # 05077 – Cedar Lane over Bakerville Brook – Rehabilitation of an Existing Bridge.

Mr. Hall suggested that Mr. Battista review the communication from the MDC and incorporate their recommendations into the plans wherever possible. Mr. Hermonat concurred.

MOTION: Mr. Ryznar, Ms. Schroder Perez second, to approve the application in the matter of Town of New Hartford – Map 014 – Lot(s) – Several – Bridge # 05077 – Cedar Lane over Bakerville Brook – Rehabilitation of an Existing Bridge, subject to the standard conditions and the following additional conditions:

1. The Inland Wetlands Enforcement Officer will be constantly monitoring of this project and that Mr. Battista will be monitoring any adverse weather conditions to make sure that the project is not

threatened by any type of storm surge, tropical storm, or heavy water incursion; *unanimously approved.*

3. NEW APPLICATIONS:

A. Norbrook Farm Brewery, LLC/Applicant – Randolph L Auclair & Joan M. Auclair, Trustees/Owner – Map 007 – Block 003 – Lot 020 – Construction of a Farm Brewery.

Professional Engineer Ken Hrica appeared before the Commission regarding this application. Mr. Lucas reported the applicant will be applying to the Planning and Zoning Commission for this proposal under the use, *Major Farm Stand*, for this property.

Mr. Hrica reviewed the site plans, noting the subject parcel is located on Litchfield Turnpike (Route 202) between Ramstein Road and Cotton Hill Road, directly across from Kinsey Road. He noted that there was a 5½ acre open area that will be utilized although there would be some tree cutting to the west of the highway. A small parking area and raingarden would be located there, according to Mr. Hrica. The parcel is bound by two farm ponds on the westerly side, bound by the highway on the northerly side, and a wetlands system on the easterly and northerly sides. Mr. Hrica noted the wetlands system includes portions of the Bakerville Brook. He noted the brook is approximately 100' from the edge of the tree line as depicted, explaining the wetlands are contiguous with the tree line.

Mr. Hrica indicated the proposal includes a 4000-square-foot building which will house the beer-making operation as well as a tasting room. The site plan includes three main parking areas around that building, with two being parallel to Route 202 and the main one being directly in front of the building. This main parking lot can accommodate twenty-five vehicles and will include the handicapped parking. The second parking lot to the east of the main lot can accommodate an additional twenty cars, with the third parking lot proposed to hold seventeen cars to the east of the building. Additionally, an overflow parking lot is being proposed to the west over the septic system. This additional overflow parking lot can handle an additional 72 cars if needed, according to Mr. Hrica.

Mr. Hrica noted that there is activity proposed in the regulated area of the wetlands but will include zero wetlands impact. He explained that the easterly parking lot and some associated grading with that will fall in the regulated area, 92' from the wetland boundary. Additionally, there will be grading to the south that falls within the regulated area, according to Mr. Hrica. He noted that outlets from the rain gardens will be pushed closer to the wetlands. He indicated the water flowing from those would be treated. Mr. Hrica explained that a second raingarden will treat some of the water coming from roof leaders from the building and the parking lot in that area. The footing drains will have a splash pad at the end of them so that erosion is avoided in that area, according to Mr. Hrica. An additional splash pad will handle water from the overflow parking area.

Mr. Hrica reported the proposed rain gardens as quintessential rain gardens in that rain flows into them and include a stone wall barrier behind them with an encapsulated stone filter behind that. He explained that 4" pipes behind that allow water to drain out of them slowly. Mr. Hrica reviewed the design detail for these.

A landscape architect out of Woodbury, Lisa Touroczi, has been retained for the project, according to Mr. Hrica. He indicated that she will be including native plants as well as buffer plantings and wetlands plantings to enhance the two farm ponds that are near them. Mr. Hrica reported the plan to remove any invasives that have grown in the ponds and replace them with the appropriate plantings. He noted the same will be done along the tree line and wetlands, in terms of replacing invasive plantings with native plantings.

Ms. Schroeder Perez questioned the size of the building. Mr. Hrica noted the footprint to be 4000 square feet with several levels to the building. Ms. Hall questioned the overall amount of impervious surface as part of the proposal. Mr. Hrica indicated that he did not have that figure available. He reported the

development site is approximately two acres which includes all of the grading around the site but does not include the water basins which account for another ¼ to ½ acres. The site will include paved parking so that mud is not tracked into the building.

Ms. Hall opined that input ought to be received from the Department of Energy and Environmental Protection and possibly MDC, noting the work being included as part of the public watershed. She also suggested that input be sought from the Farmington Valley Health District. She also suggested that pervious systems be considered.

MOTION: Mr. Ryznar, Ms. Schroeder Perez second, to accept the application in the matter of Norbrook Farm Brewery, LLC/Applicant – Randolph L Auclair & Joan M. Auclair, Trustees/Owner – Map 007 – Block 003 – Lot 020 – Construction of a Farm Brewery and in the public interest, to schedule a public hearing and to also have DEEP, MDC, and Farmington Valley Health District take a look at the implications of this construction site; unanimously approved.

4. OTHER BUSINESS:

None.

5. MEETING MINUTES – March 3, 2021:

MOTION: Ms. Hall, Mr. Tabaka second, to approve the March 3, 2021 minutes; unanimously approved.

6. INLAND WETLANDS OFFICER’S ENFORCEMENT REPORT:

Mr. Lucas reported several changes having been made to the site plan on a pending Planning and Zoning Commission application for a proposed Dollar General on Main Street. He explained that the building will be shifted on the lot and reported that he will be seeking an opinion from the town’s engineer, Todd Parsons, that the changes proposed would not be required to be reviewed by this Commission.

He reported several agent determinations including one for Scott Goff at 265 Maple Hollow Road for a new shelter for his cows, located approximately 70’ from the watercourse. Mr. Lucas noted that he had approved this proposal.

Mr. Lucas noted the decking on a dock being replaced at 128 Camp Workcoeman Road.

Mr. Lucas shared photographs of a sawmill at 29 Cottage Street. He noted that material was being stored on the bank of the Farmington River. Mr. Hall suggested that a Cease and Correct be issued by Mr. Lucas.

MOTION: Ms. Schroeder Perez, Mr. Hermonat second, to direct Wetlands Agent Mike Lucas to issue a Cease and Correct on 29 Cottage Street; unanimously approved.

7. CORRESPONDENCE:

Mr. Hall reported the resignation of Ms. Schroeder Perez. Mr. Hall cautioned commissioners from commenting, or even considering, social media with respect to business to become before this board.

MOTION: Ms. Hall, Ms. Schroeder Perez second, to adjourn at 8:47PM; unanimously approved.

**Respectfully submitted,
Pamela A. Colombie
Recording Clerk**