

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
SPECIAL MEETING OF THURSDAY, JANUARY 21, 2021**

By: Woolf

Time: 7:04 p.m.

Place: Virtual

1. ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Martin Briggs	X	
	Suzanne Choate	X	
	Patricia Laramee	X	
	Lori Mathieu, Chairperson		X
	Thomas Woolf, Vice Chairman	X	
ALTERNATE MEMBERS:	Barbara Pare		X
	Mike Powers	X	
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Mindy Gosselin, Wetlands Agent Assistant	X	

2. OLD BUSINESS – PUBLIC HEARING:

A. 20-47W – Zeya Drive – Applicant: Debbieann Durkin; Owner: Shah K. Satari; Agent: None – Zeya Drive 2-lot re-subdivision of two single family homes with detached garages and associated activities.

Penney read the public hearing notice into the record. Penney reminded those present that the IWA, at the December meeting, deemed this project to have a significant impact with the filling of wetlands thereby requiring a public hearing.

Present were Debbieann Durkin, owner; Andrew Bushnell, Bushnell Associates; George Logan, REMA Associates.

Debbieann Durkin, 6 Windsor Court, Farmington, CT gave an overview of the project. This property is proposed to have two oversized lots with access off Zeya Drive. This access and the wetlands here are man-made and of poor quality. There is a drainage pipe from Zeya Drive that outlets into the wetlands. The property has had a lot of previous impact from logging. Access to the large upland review area will be from Zeya Drive with the need to cross the poorly functioning wetland. There are few upland areas that can be developed on the property. Grading, swales, and anti-tracking will be used to minimize impact from this development. The alternative access from Bread & Milk Street is deemed not feasible. The

alternative driveway shown on the plans would have much impact on the higher functioning wetlands. This alternative would create 16,523 sq. feet of disturbance versus 4,484 sq. feet with access from Zeya Drive. Mitigation is not typical for disturbed or poor quality wetlands but this project calls for fixing the drainage from Zeya Drive, adding a swale, and removal of a large spoils pile to be replaced with the creation of a vernal pool. This creates 2,170 sq. feet of wetlands. A conservation easement is proposed for each lot. Durkin said the plans for enhancements should make this a better functioning wetlands.

Andrew Bushnell continued the presentation. The less impactful driveway access will be a common driveway that is 20' wide. The regulations require the common driveway portion be paved, 12' wide and have 4' wide shoulders. The driveway will be constructed on the west side of the driveway with underground utilities with the removal of the least possible of trees. The drainage from Zeya Drive was installed haphazardly. The discharge from the 24" pipe has created scour. The plan calls for removal of more than half the pipe length to just north of the driveway turnout, install piping under the driveway with rip rap outflow, the creation of a swale, and a couple of 6" high check dams. The dams will have plants to provide nutrient uptake and allow sediment to settle out. The storm water from the entire portion of the paved driveway will receive some treatment. Acceptable septic system soils were located for each of the two house sites allowing for four bedroom houses. Each will have its own well. The footing drain outlets have been located. Some grading will be needed to build up the septic system sites. The plans shown are pretty well locked in for what is going to be built in regards to location, house size, and outbuildings. This upfront work was done so modifications are not needed in the future. Most subdivision plans are conceptual in those details. Typical erosion controls will be used including tracking pads during construction and stockpiles protection. The conservation easement on lot 1 will abut the Town owned open space resulting from the Apollo Gardens subdivision. Bushnell said there would be quite a bit more disturbance to bring the driveway in from Bread & Milk Street; it would traverse a lot more wetlands and the more important wetlands on this property.

George Logan said he walked the site three times to create his report about the wetlands locations, uplands locations, and the functioning of those. A significant portion of the property is wetlands with scattered uplands. The property has been forested since 1934 with recent logging activity in 2004. The equipment used for this has scarred the wetlands with some being more than 2' in depth. The wetlands that will be traversed with the project was a result of something created through excavation or compaction. Overall, the site slopes from right to left. The slope wetlands are seasonally discharged. There are 48 acres of forested contiguous wetlands that continue for another 36 acres off site. The saddle on one of the conservation easements sheds water away from Bread & Milk Street; this is very poorly drained soils. The understory is diverse with shrubs with a good amount of biodiversity. There are invasives in some spots that the logging equipment may have brought in or opened it up enough for certain species to develop. Habitat is important, too. Indirect impacts include changes in the hydrology and water quality. The detailed plan for erosion and sediment controls proposed for this project comply with the 200 DEEP guidelines. There will be moderate during construction with erosible soils but slopes are not having to be dealt with as the land is almost flat in certain areas. What is being left from the clearing limits is enough in his opinion. There are sufficient undistributed upland areas that will act to protect the wetlands. The impervious surface of the driveway will be pitched to the bio-swale to clean the water, the plans call for measures to clean the water from Zeya Drive, and there are mitigation measures. The vernal pool will be in a conservation easement and adjacent to

Town's open space parcel. Mr. Logan's plan has specified doing three years of monitoring to make sure the vernal pool is developing with some additional years of monitoring pro bono. Mitigation plantings are shown for the bio-swale and the wetland restoration. The alternative access from Bread & Milk Street would wetlands that, for the most part, are undisturbed. The access off Zeya Drive is the feasible and prudent alternative.

Penney had this plan peer reviewed by the Northcentral Conservation District as is typical for applications requiring a public hearing. Their comments have been addressed. Penney indicated his final review memo, dated January 21, 2021, is in the packet. All of his concerns have been met. Bushnell will provide Penney with an analysis that the storm water flowing through the existing drainage can be handled with the proposed changes. The important part of the memo describes the considerations of a decision by the IWA in three bullet points. Namely:

- Has the Applicant sufficiently proved the application activities are the most feasible and prudent under the Agency's consideration?
- Has the Applicant provided proposed measures that comparably equate to the permanent loss of wetlands?
- Will the proposed activities affect the long-term functionality of the on-site wetland complexes?

Public comment:

No one was present to speak.

Choate asked if the vernal pool location is below the outlet from Zeya Drive such that it may be disturbed by storm water flow? Mr. Logan replied that the pool will not be fed from Zeya Drive; his second report indicates the outlet ditch goes by the pool and fans out. A minor bump is proposed at the edge of the pool to make sure storm water from Zeya Drive does not enter the vernal pool. The pool will be watered from seasonal waterflow and precipitations. Choate said she would like to see that noted on the plans. Choate said she believes there is a Connecticut regulation that there be no development within 300' of a vernal pool. Logan said that is a guideline, not a rule. The septic reserve area would not have an impact on the vernal pool. If the primary septic system fails the secondary or reserve area would be used and the drainage from that area does not go to the vernal pool area. The pool area will be well protected.

Briggs said the plan has been well thought through and described in the reports. This is the prudent and feasible alternative. There is a lot to take in including the large wetlands offsite, the vernal pool design, the wetlands being filled in is not a natural one, and the area is fairly well disturbed. The mitigation measures have been thought out.

A consensus poll was taken by the IWA to close the public hearing.

Powers was seated for Mathieu.

Motion: I move the Coventry Inland Wetlands Agency close the public hearing for application 20-47W – Zeya Drive – 2-lot re-subdivision of two single family homes with detached garages and associated activities.

By: Choate

Seconded: Woolf

Voting:

For: Woolf, Choate, Laramée, Briggs, Powers

Against: None

Abstain: None

Penney said his review memo of January 21, 2021 proposes some conditions of a decision. And the IWA should reflect on the major considerations listed in that memo.

Choate said the plans illustrate the access and disturbance to be the most prudent and feasible, the applicant has proposed measures to improve the wetlands, and the proposed activities will have a positive effect on the wetlands.

Motion: I move the Coventry Inland Wetlands Agency approve application 20-47W – Zeya Drive – 2-lot re-subdivision of two single-family homes with detached garages and associated activities.

Basis of approval:

- The applicant proved the proposed activities are the most feasible and prudent alternative for site access based on the development of the property.
- The applicant has proposed appropriate mitigation measures that comparably equate to the permanent loss of wetlands.
- The proposed activities will not have a negative effect on the long-term functionality of the on-site wetland complexes. The proposed measures will have a positive effect on the wetlands.

With the following conditions:

- Stormwater Report on the existing drainage system and how the proposed infrastructure will convey the existing flow.
- Hold a preconstruction meeting with the Applicant and its Site Contractor prior to the initiation of any tree clearing and/or construction activities. The preconstruction meeting shall include a site walk to review the limits of clearing delineated by the Professional Land Surveyor.
- Erosion Control measures to be inspected prior to the site disturbance activities.
- Wetland habitat restoration, vernal pool construction and bio-swale shall be completed under the direct supervision of Mr. George Logan (and/or a REMA associate).
- Incorporate bullet 5 (page 7) of REMA’s January 11, 2021 Supplemental Wetland Analysis on the monitoring of the restored wetland habitat, vernal pool and bio-swale:
REMA recommends that monitoring and brief reporting on the restored wetland habitat and created vernal pool, as well as the bio-swale, be undertaken for two full growing seasons past initial implementation season (i.e., Years 2 & 3), which would include eradication of invasive plants within a 25 to 30 foot zone around the restoration area, and within and adjacent to the created wetland (i.e., bio-swale). Moreover, REMA commits to monitoring this pool for an additional 4 years (i.e., Years 4 to 7), pro bono, with annual reports to the Commission. This is based on our personal experience that it could take more than 3 years for a vernal pool to become consistently active, and is based on the average 3 year life cycle of wood frogs, which do not reach sexual maturity for at least half their average life span.
Said monitoring shall use the Town’s newly established “Stormwater Feature Inspection Report”. The owner shall be responsible to execute inspections post

REMA monitoring.

- Proposed conservation easements shall be filed in the Coventry Land Records prior to the issuance of the associated lot's Certificate of Occupancy.
- Cash Bonding shall be required for the value of the recommended wetland plantings for the restored wetlands, vernal pool and bio-swale not fully established prior to the issuance of the first Certificate of Occupancy.
- The following must be noted on the plans: The grading around the vernal pool must be such that discharge flowing from Zeya Drive does not enter the pool.

By: Choate

Seconded: Woolf

Voting:

For: Woolf, Choate, Laramée, Briggs, Powers

Against: None

Abstain: None

Staff noted the public hearing signs were posted and the applicant will submit an affidavit to that effect.

3. **ADJOURNMENT:**

Penney adjourned the meeting at 8:25 p.m.

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, IWA Clerk

PLEASE NOTE: The minutes are not official until approved by the Inland Wetland Agency at the next Agency meeting. Please see the next Agency meeting minutes for approval or changes to these minutes.