

**MINUTES OF BUSINESS MEETING
HELD BY THE PLANNING AND ZONING COMMISSION
AUGUST 3, 2020**

VIRTUAL MEETING HELD VIA ZOOM

ROLL CALL:

Members Present: Eric Prause, Chairman
Patrick Kennedy, Vice Chairman
Michael Stebe, Secretary
Jessica Scorso
Jessica Poland

Alternate Members: Julian Stoppelman
Bonnie Potocki
Teresa Ike

Also Present: Gary Anderson, Director of Planning
David Laiuppa, Environmental
Planner/Wetlands Agent
Nancy Martel, Recording Secretary

The Chairman opened the Business Meeting at 7:00 P.M.

MICHAEL PECK – To build a 24 x 40 ft. garage and a barn at 630 Bush Hill Road. – Inland Wetlands Permit – Determination of Significance (2020-033); Inland Wetlands Permit (2020-033)

Mr. Michael Peck reported that he and his wife purchased property on which sat a house and a barn. They rented out the house and converted the barn to their home, but it has no garage.

Pointing to the plan, Mr. Peck described the proposed 3-car garage, which will be within the 100 ft. upland review area. In the future, they would like to build a barn in a location that is close to the wetlands, though it may be more to the west.

Mr. Prause clarified that the application includes both the garage and the barn.

Mr. Peck replied that there was a suggestion that they put both on the application so that they would not have to apply twice.

Mr. Prause informed Mr. Peck that the usual procedure gives a timeline for the length of the permit, and the work must be completed within that timeline. He questioned when they plan to build the barn and Mr. Peck assumed it would be next year.

After a question from Mr. Prause about environmental protections, Mr. Peck explained that they are not necessary there. He explained that there is enough grass between the wetlands and the construction area. Additionally, Mr. Peck stated that he has put down multiple layers of pine chips and everything is filtered out on the flat area. He also stated that he has had to drain the area where the barn is proposed into a retention pond.

Mr. Prause noted that the garage will be placed where there is an existing unpaved driveway, and questioned whether part of the driveway will be removed.

Mr. Peck explained that the driveway will be changed a little bit, but the drawing of the existing driveway is inaccurate and he detailed the actual existing area.

Mr. Prause sought confirmation that there will be no change to the driveway, which Mr. Peck confirmed. Mr. Prause also questioned the potential of changing the barn location. Mr. Peck said he showed the barn location as close as he might ever want it to be to the wetlands, but he may want to move it. If he does move it, he said, it would be moved to the west side of the lot, so it might even be outside of the upland review area. An administrative approval may be utilized if there is a change of location for the barn, according to Mr. Prause.

Mr. Stebe stated that he compared the drawing of the driveway to the map and agreed the driveway is much straighter than the drawing depicts. He questioned whether the driveway is crushed stone, which Mr. Peck confirmed. Mr. Stebe asked if the garage will extend over the grass line or if it will stop before the grass line and Mr. Peck reported it will be a little past the grass line. Mr. Stebe asked whether some of the growth will need to be removed and Mr. Peck said they will take a small amount of topsoil out and will add a small amount of crushed stone. Mr. Stebe assumed the garage will be on a cement slab, with which Mr. Peck concurred.

Mr. Laiuppa reported that he went to the site and walked it with Mr. Peck. There is no woody growth that will be impacted by either the garage or the barn. He said that there are some invasive plants growing toward the wetlands area, some of which may need to be removed. Most of the garage is going to be placed on the area that is currently used for parking. Mr. Laiuppa stated that he is not concerned about the garage. The barn is in an area that is basically grass and to the east of the barn, toward the wetlands, is a sloping grassy hill to the tree line. Therefore, there should not be an impact to larger growth other than some grasses, Mr. Laiuppa noted, and there should not be an impact to upland resources and vegetation. He reported that there is a shed that is not shown on this application and is not near the wetlands area. The retention pond mentioned has no impact on the wetland area, stated Mr. Laiuppa.

Mr. Prause questioned what language should be used for the effective date of the permit. Typically, there is a 10-year approval with work being finished after one year of starting the project. He asked whether it is manageable to put a two-year window on this to allow time to complete both projects.

Mr. Peck responded that he would appreciate having as long as possible to finish the work because, while the garage is a certainty, the barn is elective and based on various factors. He added that, if the permit expires, he would have to reapply.

Mr. Laiuppa reported that the reason for wetland permits to not have a long lifespan is because wetlands change due to various factors.

Mr. Kennedy referred to a comment about a 10-year approval, and said he believed it was 5 years as it is listed in the draft motion memo.

Mr. Laiuppa reported that wetlands permits are for 5 years, but can be extended for one additional period of 5 years.

Mr. Kennedy reiterated that the 10 years refers to one renewal.

Mr. Stebe observed that it is a different procedure and process. He was unsure if the Commission is technically allowed to change the timeline for this. The garage will be done and that is required to be completed within one year and then the barn would be done in one year, but the barn could be within the five year timeline.

Mr. Anderson reported that there are benefits to including both the garage and barn in one permit, so perhaps the Commission could try to be creative and describe that in a narrative way. He said he understands the intent to give flexibility on the barn and, if the Commission extends the timeframe, that gives the applicant some flexibility. If both are included in the same permit, it should be kept that way, and that would his preference, Mr. Anderson said.

Inland Wetlands Permit – Determination of Significance (2020-033)

MOTION: Mr. Kennedy moved to find the proposed activity at 630 Bush Hill Road as shown on the inland wetlands permit application 2020-033 will not have a significant impact on the wetlands and, therefore, will not require a public hearing. Mr. Stebe seconded the motion and all members voted in favor.

Inland Wetlands Permit (2020-033)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for regulated activities associated with the construction of a garage and a barn (960 sq. ft. and 864 sq. ft. respectively) at 630 Bush Hill Road. Mr. Stebe seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity does not disturb the existing principal functions or values of the wetland system by significant impact or major effect.

The approval is valid for 5 years. The work in the regulated area must be completed within two years of commencement.

SABRINA POOLS – To install a 16 x 32 ft. in-ground pool 60 ft. from wetlands at 389 Lydall Street. – Inland Wetlands Permit – Determination of Significance (2020-035); Inland Wetlands Permit (2020-035)

Mr. Jonathan Casado, representing Sabrina Pools, introduced himself. Mr. Casado reported that they are installing a 16 ft. x 32 ft. in-ground pool in the rear of the home. The pool will be 60 ft. away from the wetlands and there is a gradual slope down to the river. He explained that, when closing the pool for winter, they do not drain the water anymore. Mr. Casado reported that the filter will be self-contained with no backwashing into the wetland area. The plan was displayed by Mr. Casado and the details of the property and proposed pool were provided.

Mr. Prause asked for more information about the filter that does not require backflushing.

Mr. Casado explained that they will use a cartridge filter system, and when the filter becomes dirty, it is hosed down with a garden hose. The filter is self-contained and the cartridge will be changed every four to five years.

Mr. Laiuppa reported that he visited the site and met with Mr. Casado. The wetland edge is the edge of Lydall Brook and there is a steep slope from the wetlands down to the stream. He explained that there is a 10-15 ft. unmanicured buffer of shrubs and vines between the lawn and the wetlands, which is in addition to the 60 ft. buffer.

Inland Wetlands Permit – Determination of Significance (2020-035)

MOTION: Mr. Kennedy moved to find the proposed activity at 389 Lydall Street as shown on the inland wetlands permit application 2020-035 will not have a significant impact on the wetlands and, therefore, will not require a public hearing. Mr. Stebe seconded the motion and all members voted in favor.

Inland Wetlands Permit (2020-035)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for regulated activities associated with the construction of an in-ground pool (512 sq. ft.) at 389 Lydall Street. Mr. Stebe seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity does not disturb the existing principal functions or values of the wetland system by significant impact or major effect.

The approval is valid for 5 years. The work in the regulated area must be completed within one year of commencement.

FOREST RIDGE CONDOMINIUM ASSOCIATION, INC. (FRCA) – For the repair of existing twin 83” x 57” corrugated metal (steel) pipe-arch culverts within Cliffside Drive near the intersection of Cliffside Drive and Lydall Street at 19 Cliffside Drive. – Inland Wetlands Permit – Determination of Significance (2020-037); Inland Wetlands Permit (2020-037); Flood Plain Permit (2020-045)

Mr. Jeffrey Garfield, President of the Forest Ridge Condominium Association, introduced himself. Mr. Garfield urged the Commission’s support for the two pending applications. He explained that, early last summer, residents noted a sinkhole developing at the entrance to the community, which abuts a brook. After consultation with their attorneys and the Town, they

were forced to close that entrance. Mr. Garfield stated that, after gaining expert input, they learned that the sinkhole was the direct result of the failure of the steel culverts that had been installed by the developer of the community in 1977. They sought out engineering firms for advice on the best alternatives and hired GZA. Mr. Garfield gave the history of the development.

Mr. Steve D'Ambrosio, Civil Engineer with GZA, introduced himself. Mr. D'Ambrosio displayed the proposed plan and pictures of the culvert, and described the poor condition of the pipe in detail. The erosion of the embankment was explained to the Commission. Mr. D'Ambrosio pointed out the revisions to the plan, which were submitted to the Town today. Engineering asked to have the easement for the sanitary sewer and an undescribed utility easement shown on the plans.

The proposal is for a cured in place pipe repair, according to Mr. D'Ambrosio, and he detailed the process. Noting that the pipe is structurally sound, he said that this repair will eliminate the issue at the invert. All features of the repair process were explained in detail. Additionally, they propose vegetation management and bank stabilization, he reported. He stated that they will not fill within the flood plain or the floodway. Mr. D'Ambrosio stated that they are planning to phase the project and explained the specifics of the phases.

Ms. Morgan Nivison, Environmental Scientist with GZA, introduced herself. Ms. Nivison explained that, on inspection, the transition from the stream to the upland area is very tight. An analysis of the soil showed it to be very disturbed, and she noted the erosion downstream. She reported the details on the vegetation in the area.

Mr. Kennedy remarked that this is a repair and restoration of the culvert that created the sinkhole. He asked if there will be any change in the functionality.

Mr. D'Ambrosio explained that the proposal should mimic and better the existing conditions. When the pipe was installed, it had an asphalt liner; the installation of the proposed liner will return the pipe to its original capacity.

Mr. Prause questioned what effects there will be to the system, i.e., turbidity of the watercourse, erosion, or effects on aquatic and plant life.

Mr. D'Ambrosio replied that the intention is to have no effect and he detailed the plans to prevent turbidity.

Mr. Stebe asked about the work to shore up the top layer.

Mr. D'Ambrosio explained that they are prepared to repair the earthen embankment, both upstream and downstream ends. He pointed to the display and explained the specifics to the Commission. He reiterated that repairing the pipe in place with a new liner prevents excavation and subsequent work to the utilities.

Mr. Stebe referred to the comment that, because of the separations and degradation of the bottom level of each of the culverts, some soil had been washed down. He asked how the process will address the effects of the erosion.

Mr. D'Ambrosio reported that they will grout around the entire length of each culvert. High pressure grout will be installed around each of the culverts to fill in the voids. Mr. Stebe asked if the grout is injected only where breaks are found, or if it goes all the way through, end-to-end. Mr. D'Ambrosio said it would be all the way through.

Mr. Laiuppa commented that, regarding the wetlands permit, the wetlands regulations include watercourses and there is work being proposed in the wetlands and the watercourse. In terms of permitted changes to existing conditions, the proposed vegetation management and bank stabilization does include bringing in rip rap that will be replacing invasive species, but it is a change from natural ground and vegetation. He noted that there are a couple of outstanding questions: 1) In the description of work, there was a mention of use of hot water for the application and the outstanding question is whether the water will be treated prior to release back into the stream to prevent heat loading of the stream. 2) Assurance that there would be no contamination or leakage into the resources.

Mr. D'Ambrosio responded that the hot water would not be allowed back in. It would either be treated and cooled before going back to the stream or they could get a permit to discharge to the sanitary system. This could be a condition of approval. Additionally, Mr. D'Ambrosio explained that, according to the contractor, the resin is not mobile. The sleeve is inserted in the pipe and the hot water and steam is introduced, expanding and conforming the resin to the pipe.

Mr. Laiuppa stated that the only outstanding comment on the flood plain permit was because of the language in the regulations, and it must be demonstrated by the engineer that there will be no loss of flood surge capacity by the proposed work. Other outstanding comments were from Engineering and those were addressed in the plans.

Mr. D'Ambrosio assured the Commission that the project needs a water quality certification from Connecticut DEEP, and as part of that application, they will have to provide hydrology and hydraulic calculations showing no alterations to the flood plain and floodway.

Mr. Prause, referring to Mr. D'Ambrosio's comment about flood plain capacity, asked if that statement signifies that there will be no impact during construction and after construction, or are there potential impacts to flood plain capacity during construction.

Mr. D'Ambrosio responded that there will be temporary cofferdams. In the event that a 100-year storm was forecast, hopefully there would be enough warning that the contractor could be mobilized to remove equipment and cofferdams from the work area. With that still in place, there could be some minor issue with the flood water rising. Mr. D'Ambrosio stated that language could be added as a condition of approval; i.e., that the contractor would remove their equipment and temporary work in the event of a storm of that magnitude.

Mr. Prause offered that it appears that the requirement is referring to the end condition and Mr. D'Ambrosio reassured the Commission that the end condition will have little to no change.

Mr. Stebe questioned the timeline for the project.

Mr. D'Ambrosio replied that, ideally, they would begin work as soon as they have all approvals in place. He assumed the longest approval process will be through the State and that is still a few months out. They hope to begin the work on the culvert as soon as possible, he noted, and they hope that will be in late fall through the winter. Mr. D'Ambrosio estimated the culvert repair would take 3 to 4 months. He did not believe the foliage will be a problem.

Inland Wetlands Permit – Determination of Significance (2020-037)

MOTION: Mr. Kennedy moved to find the proposed activity at 19 Cliffside Drive as shown on the inland wetlands permit application 2020-037 will not have a significant impact on the wetlands and, therefore, will not require a public hearing. Mr. Stebe seconded the motion and all members voted in favor.

Inland Wetlands Permit (2020-037)

MOTION: Mr. Kennedy moved to approve the inland wetlands permit for regulated activities associated with the repair of existing twin 83" x 57" corrugated metal (steel) pipe-arch culverts within Cliffside Drive near the intersection of Cliffside Drive and Lydall Street at 19 Cliffside Drive. Mr. Stebe seconded the motion and all members voted in favor.

The reason for the approval is that the proposed activity does not disturb the existing principal functions or values of the wetland system by significant impact or major effect.

The approval is valid for 5 years. The work in the regulated area must be completed within one year of commencement.

Flood Plain Permit (2020-045)

MOTION: Mr. Kennedy moved to approve the flood plain permit for the repair of existing twin 83" x 57" corrugated metal (steel) pipe-arch culverts within Cliffside Drive near the intersection of Cliffside Drive and Lydall Street, together with erosion control measures and streambank armoring at 19 Cliffside Drive. Mr. Stebe seconded the motion and all members voted in favor.

The reason for the approval is that the applicant has shown that the proposed activity will be in compliance with Art. II, Sec. 19 of the Town of Manchester Zoning Regulations and that the project will not result in a net loss of flood storage capacity within the floodplain.

Mr. Anderson thanked the Commission for their cooperation in holding a special meeting to hear the above-referenced applications.

ADMINISTRATIVE REPORTS

Mr. Anderson stated that there were no administrative reports.

RECEIPT OF NEW APPLICATIONS

Forest Ridge Condominium Association, Inc. (FRCA) – Flood Plain Permit (2020-045) – For the repair of existing twin 83” x 57” corrugated metal (steel) pipe-arch culverts within Cliffside Drive near the intersection of Cliffside Drive and Lydall Street at 19 Cliffside Drive.

MOTION: Mr. Kennedy moved to adjourn the Business Meeting. Mr. Stebe seconded the motion and all members voted in favor.

I certify these minutes were adopted on the following date:

August 17, 2020
Date

Eric Prause, Chairman

NOTICE: A DIGITAL RECORDING OF THIS BUSINESS MEETING CAN BE HEARD IN THE PLANNING DEPARTMENT.