

## STAFF REPORT

## REQUESTED DISCUSSION: AGENDA ITEM II AUGUST 17, 2023 MEETING

To: **Conservation Commission**/Inland Wetlands and Watercourses Agency

Date: August 8, 2023

Re: **Requested Discussion: 240 Woodland St  
Single Family House and Septic System**

### **Review Documents:**

**Plan Set, Dated August 4, 2023**

**Letter from Ground Water, Inc, Dated September 30, 1991**

### **CC/IWWA Permit History**

In 1991 the IWWA approved a permit for development within the upland review area. A watercourse is located along Woodland Street.

This permit expired in 1996 and is therefore not eligible for renewal.

### **Regulations Adopted After 1991 Affecting New Applications**

#### **IWWA Regulations**

In 1991 the IWWA was responsible for issuing wetland and upland review area permits. Since 1991 the IWWA regulations were revised to include *Section 12: Action by Duly Authorized Agent* making the issuance of upland review area permits a staff responsibility. The concept plan is not eligible for an administrative upland review area permit due to lack of details of the proposed site disturbance including clearing, grading, fill and septic system location.

#### **TPZ Regulations**

In 1995 the health director worked with the Aquifer Protection Committee (TPZ) to develop the groundwater protection standards. Review of documents from these proceedings revealed that the health department had previously established groundwater protection standards and the groundwater protection regulations were a way to codify these standards and also share the responsibility for review and stewardship between the health department and the Town Plan and Zoning Commission. In 1995 the Town Plan and Zoning Commission and the town council adopted the groundwater protection regulations, effective as of January 1, 1996, and still remain in effect and are enforced by the TPZ.

The groundwater protection regulations identify the Glastonbury health department as the reviewing agency to provide recommendation to the TPZ, the Conservation Commission is not listed as a reviewing agency and therefore does not have recommendation responsibilities for this section of the TPZ regulations. The applicant's representative was made aware that the Conservation Commission does not have review responsibilities for an application for groundwater protection regulation waiver. The applicant's representative requested a discussion

with the Conservation Commission to seek support for their pending TPZ application for waiver of the groundwater protection regulations.

### **Proposal**

The applicant seeks input on the concept plan for a single family house and septic system at 240 Woodland Street.

The applicant is aware that staff administers permits for activity within the 100-foot upland review area and that Agency approval is not required. The applicant is also aware that the TPZ groundwater protection regulations do not specify that waiver proposals be reviewed by the Conservation Commission for comment and recommendation. The applicant has not submitted the waiver application to the TPZ.

### **Proposal Reviewed by Town Departments**

The current development proposal was administratively reviewed by town departments at an April 19, 2023 town department meeting. The applicant's representative was advised that the current proposal does not meet the 1996 adopted TPZ groundwater protection regulations (Section 20.8.3) with less than the required 5 feet of natural cover over bedrock for the installation of a septic system in a groundwater protection zone.

The feasibility of applying for a waiver from the groundwater protection regulations is to be explored through TPZ staff, town records do not identify a precedent for applying for and receiving a waiver of this section of the groundwater protection regulations.

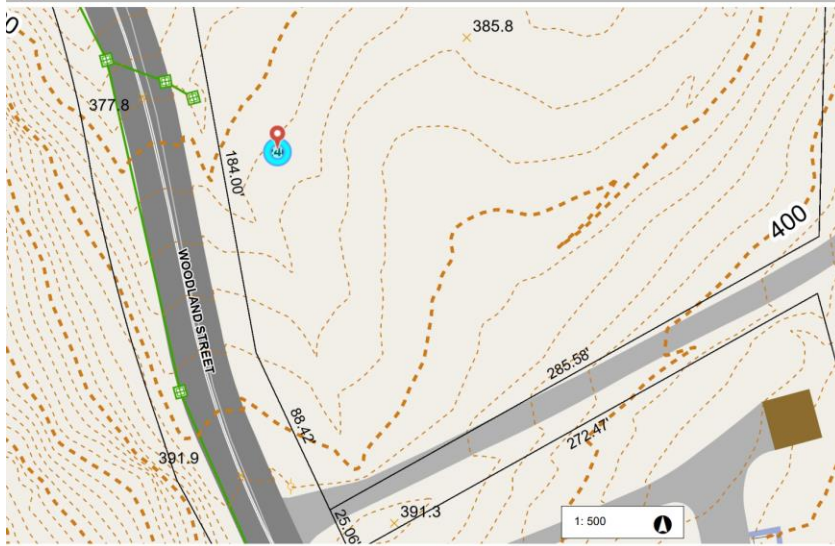
### **Review**

#### **Site Description**

The property is approximately 2.4 acres within the Rural Residence Zone and Groundwater Protection Zone #2. The property is not encumbered by a conservation easement. The concept plan locates a watercourse along the west boundary with Woodland Street. The driveway is proposed within the 100-foot upland review area. The septic system testing reveals less than 5 feet of natural cover over bedrock, which does not meet the minimum standards of the TPZ groundwater protection regulations.

The town GIS map (below) does not locate wetland soils or watercourses on this property, however the topography and the presence of two curbless catch basins and driveway culvert to the south indicates that water channels in this area with enough consistency to warrant drainage infrastructure at the terminus. The watercourse on the submitted concept plan is not labeled as field identified or sourced from a map.

The septic system test pit data provided is dated 1979 and 1990, and the depth to bedrock does not fulfill the TPZ regulation standards.



Staff met with the town sanitarian and was informed that a submission for development will require additional soil testing, and not rely on 30 year old data for the proposed septic system location.

### State-Listed Species

The property is not identified as an area of interest in the June 2023 edition of the Natural Diversity Database. No further action is required.

### Soils and Erosion Control

The plan locates sediment barrier to run the length of Woodland Street during development. The plan does not identify the type of sediment barrier to be used, the measures to be used should be appropriate for the site conditions. The plan labels the limit of clearing to roughly follow the sediment barrier installation.

### Water Quality and Drainage

At the April 2023 town department review of this concept plan the engineering department identified that the retention of water quality volume needs to be addressed. The applicant has not submitted a revised plan to the engineering department for their review.

### Conclusion

Staff recommends that the Conservation Commission only enter into discussion and provide recommendation regarding this property and the groundwater protection regulations when requested by the TPZ to do so.

The concept plan is not eligible for the issuance of a staff upland review area permit as the scope of site disturbance is not finalized.