



## Inland Wetlands and Watercourses Agency

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### REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, April 25<sup>th</sup>, 2024 at 7:00 PM

This meeting was held remotely, via ZOOM.

**CALL TO ORDER:** Meeting was called to order at 7:00 pm by Chairman P. Bassermann

**ROLL CALL:** Chairman P. Bassermann, Commissioners D. Goclowksi, M. Papantones, C. Begemann, and S. Botta. Also present was IW Staff J. Frederick and K. Blanchette

#### 1) MINUTES FOR APPROVAL:

- a) March 28<sup>th</sup>, 2024 Regular Meeting Minutes-Commissioner Begemann made a motion to approve the minutes. Commissioner Papantones seconded. Motion carried (5-0-0)
- b) April 11<sup>th</sup>, 2024 Special Meeting Site Walk Minutes-Commissioner Begemann made a motion to approve the minutes. Commissioner D. Goclowski seconded. Motion carried (4-0-1)(Botta abstained)
- c) April 11<sup>th</sup>, 2024 Regular Meeting Minutes-Commissioner Begemann made a motion to approve the minutes with the understanding that the date in the first paragraph is changed from March 25<sup>th</sup> meeting to April 25<sup>th</sup> meeting. Commissioner Papantones seconded. Motion carried unanimously (5-0-0)

#### 2) PUBLIC HEARINGS:

- a) IW#24.01.02 | 38 Howard Ave | pervious patio and landscape retaining walls and shed
  - i) Continued to April 25<sup>th</sup>, 2024 meeting-IW Agent J. Frederick indicated that it appeared as though all previous concerns from commission have been responded to with the new information submitted by the applicants. Commissioner Botta mentioned she had to leave the last hearing early and has not had a chance to review the missed section of the meeting yet. If the Commission votes on the matter this evening she will not participate in the vote. Commissioner Begemann indicated that although she had commented the previous meeting that she felt that the commission was at a place of no solution, and was not prepared to make a decision that night, she is open and eager to receive more information in order to make an informed decision on the matter. The Commission heard testimony from Joe Perugini, Engineer regarding his review of the drainage and reviewed the revised site plans. Attorney Marjorie Shansky, attorney for the applicant, made her closing remarks and highlighted the following items; multiple experts stating there were no impacts to the wetlands, no loss of wetlands, and they met the standards for approval of the application. She also highlighted documents that were submitted including plans and details from Engineers J. Pretti, Mike Ott, and Charles Brown, as well Soil Scientists George Logan and Matt Davison. Commissioner Papantones stated that her questions from previous meetings have been addressed and she is also open to hearing additional testimony.

Raffael Aschettino, structural engineer for the intervenors, indicated that none of the aforementioned engineers have made any statements that the wall and patio meet the state of Connecticut loading requirements for the structure. Robert Sonnichsen, engineer for the intervenors, stated that having a 4' pvc pipe behind the wall and joint seal details were not indicated on the latest revision of the plans, and if it is not going to be placed it will be uncontrolled storm drainage. Soil Scientist Robert Russo mentioned that the erosion control plan proposed should be revised as the wattles that are located on the plan are probably not going to be able to be staked in place in the location where they are proposed due to the ledge present. He also expressed that he was unable to review the test pit information as it was submitted the same day as the meeting. Wetland Scientist Matt Davison again reiterated that there was No impact to the wetlands on the property and again maintained that no long or short term effects would be occurring to this section of the watercourse. Commissioner S. Botta made a motion to close the public hearing. Commissioner M. Papantones seconds. Motion carried 4-0-1 (Botta Abstained)  
Commissioner S. Botta made a motion to continue deliberations to the May 9<sup>th</sup> meeting. Commissioner D. Gocłowski Seconded. Motion carried unanimously 5-0-0.

### 3) ENFORCEMENT:

- a) Notice of Violation | 38 Howard Ave | retaining wall & associated activities-
- b) Consider whether to issue cease and correct orders relative to Regulated Activity conducted without a permit at 34 Howard Ave and 38 Howard Ave (activity subject to notice of violation sent on April 24<sup>th</sup>, 2023)
  - i) Commissioner S. Botta made a motion to continue items 3a and 3b to May 9<sup>th</sup> meeting. Chairman P. Bassermann seconded. Motion carried unanimously (5-0-0)
- c) CC#22.12.01 | 21 Brainerd Road | Construction without permits-
- d) CC#23.09.01 | 21 Brainerd Road | Construction without permits
  - i) Continuance of just cause hearing- IW Agent J. Frederick stated that there is no update from the court nor has gotten a response from the property owner. There is no change in known circumstances on site. J. Frederick and W. Aniskovich (Town Council) recommend tabling until June 27<sup>th</sup> meeting, when hopefully there will be more information. Agent will bring back sooner if there is any known change of circumstances.

### 4) APPLICATIONS FOR REVIEW:

- a) IW#24.02.02 | 1-17 Beacon Hill Road and Beacon Hill Road (formerly part of property known as 83 Rose Hill Rd) | New Active Adult Residential Community
  - i) Tabled – Peer review selection scheduled for May 9<sup>th</sup> meeting
- b) IW#24.04.01 | 200-206 North Main St | New Service Building for Premier Kia-Mike Ott, PE-Engineer for the applicant informed the commission that the area is currently processed stone and bituminous pavement. There was formerly a building on site that was used for car sales/maintenance. Application is for a 1 story building to be used by Premier Kia. All surface areas are collected into hydrodynamic separators then into a

subsurface infiltration system which have been sized for the 2023 stormwater requirements of meeting the required retention volume. Chairman Bassermann questioned why there was no surface detention, and Mr. Ott clarified that there was not enough room on site to do a surface system; if they put in a surface system, there would not be enough room left to utilize the site the way the owner wants to. Site has been historically filled with unknown material. There appears to be 8ft plus of fill that would have to be dug out to have the surface water disposal system. Commission determined that a site walk would be beneficial. Site walk set for Tuesday, May 7 at 5 pm at the site. Continued application review to the May 9<sup>th</sup> meeting.

(Commissioner Botta left the meeting at 10:31 pm)

- c) IW#24.03.03 | 22 Howard Avenue | replacement of crumbling retaining wall
  - i) Owner authorization outstanding -TABLED

**5) OTHER BUSINESS:**

- a) Regulation revision to address 2023 changes to the Connecticut Stormwater Quality Manual and Connecticut Guidelines for Soil Erosion & Sediment Control – discuss timing and process -tabled until May 23

**6) APPLICATIONS FOR RECEIPT:**

- a) IW#24.04.03 | 4 Liesl Lane | site improvements due to change in use-Application was received and there was no discussion
- b) IW#24.04.04 | 33 Flax Mill Rd | paving existing gravel surface for school bus parking, drainage improvements and lighting-Application was received and there was no discussion

**7) AGENT REVIEWS:**

- a) IW#24.03.01 | 72 Parish Farm Road & 10 High Meadow Road | Grading and New Barn
  - i) Possible agent review per March 14<sup>th</sup> meeting pending revised plans -No Discussion
- b) IW#24.04.02 | 91 Stannard Ave | raised garden bed
  - i) Approved by Agent, permit issued April 15, 2024-No Discussion

**8) CORRESPONDENCE AND ANNOUNCEMENTS: NONE**

**9) ADJOURNMENT:** Meeting was adjourned at 10:34 pm by Chairman Bassermann.

Respectfully Submitted,

Katy Blanchette