



## Inland Wetlands and Watercourses Agency

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### REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, December 14, 2023 at 7:00 PM

This meeting was held remotely, via ZOOM.

**CALL TO ORDER:** Meeting was called to order at 6:59 pm

**ROLL CALL:** Commissioners C. Begemann, M. Ormrod, D. Gocłowski, J. Meinsen, M. Papanones (joined at 7:55 pm), Acting Chairperson S. Botta. Also present was IW Staff J. Frederick and K. Blanchette

#### 1) **MINUTES FOR APPROVAL:**

- a) October 12, 2023 Regular Meeting Minutes-Commissioner C. Begemann made a motion to approve the revised meeting minutes from October 12, 2023. Commissioner D. Gocłowski seconded. Motion carried unanimously.
- b) November 9<sup>th</sup>, 2023 Regular Meeting Minutes-Commissioner C. Begemann made a motion to approve the minutes of November 9, 2023. Commissioner D. Gocłowski seconded. Motion carried unanimously.

#### 2) **PUBLIC HEARINGS:**

- a) IW#23.07.02 | 38 Howard Ave | Retaining wall construction and associated activities
  - i) Includes activities proposed on 34 Howard Ave-Application was WITHDRAWN. There was no discussion.

#### 3) **ENFORCEMENT:**

- a) Notice of Violation | 38 Howard Ave | retaining wall & associated activities-due to a scheduling conflict with one of the parties, this item was requested to be moved to later in the meeting. Will now be discussed under item 6.

#### 4) **APPLICATIONS FOR RECEIPT:**

- a) IW#23.12.01 | 25-29 and 31-33 Business Park Drive | removal of debris in drainage swale/watercourse-IW Agent J. Frederick gave an overview of the project. The drainage channel/watercourse has some blockages that are affecting the drainage flows in the area and backing up on to private property. The state had already gone in and cleared the area of the drainage located within their ROW for I95. This application is a continuance of that maintenance from the property owner to clear up the debris blocking the channel. Applicant is requesting a fee reduction as this project is aimed at improving the watercourse and maintaining the flows. Commission discussed the benefits of the project, however also feels the cost of processing and monitoring the activities should not fall on the taxpayers of the town. Commission requested that IW Agent J. Frederick calculate how much time would be required to process the application and monitor the activities to calculate a possible fee.

5) **APPLICATIONS FOR REVIEW:**

- a) IW#23.09.01 | 329 East Main Street (aka 325 East Main St) | mixed use residential development –John Schmitz, PE was present for the applicant-at the last meeting, the commission members asked for a close up view of the retaining wall and that information has been submitted as part of the file. There was also a small change to the restaurant pad in that the second occupant will now be an urgent care type facility, and the drive thru lane of the restaurant has been reconfigured, adding an additional 1,000 sq foot of green space. They are currently working with the WPCA and Town Engineer on pump station access at the rear of the old theater building. How they access that area may change, however there will be no change to the amount of impervious cover or drainage. Asking for approval of the project on the condition that issue be resolved with the IW Agent. Applicant answered questions regarding storm water conveyance and roof drainage from the commission. Commissioner Begemann made a motion to approve the application with the proposed conditions in the staff report dated 12/11/2023, with the revised language that item 8 be changed to “declaration of easement will be provided to agency prior to site work” along with standard conditions and provisions. Commissioner Ormrod Seconded. Roll Call:  
J. Meinsen-aye  
M. Ormrod-aye  
D. Gocłowski-aye  
M. Papantones-abstains due to late arrival  
C. Begemann-aye  
S. Botta-aye  
Motion carries 5-0-1
- b) IW#23.10.02 | 35 Beechwood Rd | patio, hot tub, outdoor grill island, fireplace and replacement shed – IW Agent J. Frederick gave a recap on the proposed project. At last meeting, the commission requested that a new wetland delineation be done and the flags located on the plan. Wetland was flagged by Steven Danzer and delineation marked on site plan. Some aspects of original plan have been changed. There is no longer a proposed artificial turf area, that area will be all lawn. They are also now proposing buffer plantings between the arborvitae and the fence. Commissioner Begemann made a motion to approve with the proposed conditions in staff report dated 12/11/2023 with the following revisions: in item 4b, include monitoring can be completed by a landscape architect with 5 years of monitoring with a possible reduction to 3 years. Item #6 storage shed should be placed on crushed stone which extends the standard distance past the drip line to address dissipation and long term stabilization of soil. Item #7 Wetland signs will be placed along planting area no greater than 50 ft apart. Commissioner Papantones seconds. Roll Call:  
M. Ormrod-aye  
D. Gocłowski-aye  
J. Meinsen-aye  
C. Begemann-aye  
M. Papantones-aye  
S. Botta-aye  
Motion carries Unanimously.
- c) IW23.10.03 | 275 Northford Rd | deck replacement with two smaller decks (mostly within same footprint) - **WITHDRAWN**
- d) IW#23.10.04 | 37 Brainerd Rd | new home construction-3 family dwelling-IW Agent J. Frederick indicated that revised plans were received however there are still items

that need to be addressed by their engineer. Frederick gave an overview of the plan and the items that we were still awaiting. Continued to January 11, 2024

**ENFORCEMENT:**

- a) Notice of Violation | 38 Howard Ave | retaining wall & associated activities- Attorney for 34 Howard Avenue wanted to remind the commission that there was still the unanswered question regarding the fill material that was used. Marjorie Shansky, attorney for 38 Howard Avenue, requested that that the matter be continued to January 11, 2024 so that she may become better acquainted with the case.
- b) Notice of Violation & CC#22.06.01 | 20 Huntington Drive | regulated activities without a permit
  - i) Site status update-conservation signs were reinstalled on posts. Plantings were installed. Still awaiting a survey with wetland delineation. Commission will revisit February 8th.
- c) Notice of Violation | 72 Parish Farm | regulated activity without a permit
  - i) Status update-Property owner has hired an engineer. Engineer has not been able to do the survey yet. Hoping by February Meeting. Site is currently stable. Commission to revisit February 22 when site plan is completed.
- d) CC#22.12.01 | 21 Brainerd Road | Construction without permits-tabled to February 8<sup>th</sup> meeting.
- e) CC#23.09.01 | 21 Brainerd Road | Construction without permits
  - i) Continuance of just cause hearing-tabled to February 8<sup>th</sup> meeting.

**2) OTHER BUSINESS:**

- a) 1151 West Main Street | IW#19.11.01 | bank, grocery store & associated site improvements
  - i) mitigation status-Engineer John Schmitz from BL companies was there for the property owner. Trying to develop a new plan to correct what wasn't properly accomplished before. They are currently looking into a redesign to make it work better or a restoration or enhancement of current wetland areas.
- b) Draft meeting procedures for review and consideration-IW Agent J. Frederick indicated that she compiled some procedures for consideration once the commission moves to a 2 meeting/month schedule. Will email the document to commissioners for review and comments. Will discuss at January 11 meeting.

**8-9) AGENT APPROVALS/ CORRESPONDENCE AND ANNOUNCEMENTS:** none

**10) ADJOURNMENT:** Commissioner Begemann made a motion to adjourn at 10:07 pm. Commissioner Papantones seconded. Motion carried unanimously.

Respectfully Submitted,

Katy Blanchette