INLAND WETLANDS WATERCOURSES CONSERVATION COMMISSION & AQUIFER PROTECTION AGENCY
REGULAR MEETING MINUTES
OCTOBER 18, 2018

1. REGULAR MEETING (7:30 P.M.)

1. Call to Order

Vice Chairman Robert Parrette called the regular meeting of the Griswold Inland Wetlands Watercourses Conservation Commission (IWWCC) to order at 7:30 P.M.

2. Roll Call

Present: Vice Chairman Robert Parrette, Lauren Churchill, Pete Merrill, Gary Sardechny, Larry Laidley (7:36) Town Planner Mario Tristany, Jr., and Recording Secretary Kate Lacasse
9 People of Interest
Absent: Chairman Courtland Kinnie, Glen Norman, Martin McKinney

3. Determination of Quorum

Vice Chairman Robert Parrette determined the quorum of the commission was seated.

4. Approval of Minutes

A. Approval of Minutes of the September, 2018 regular Meeting.

- Vice Chairman Parrette asked for any corrections or omissions.
- Vice Chairman R. Parrette stated on page (4), bullet (2) the last name Ferry was misspelled, page (3) second to last motion for application CC 07-19 was missing the vote, the motion passed unanimously.
- L. Churchill noted she did not receive page (4) of the minutes.
• **MOTION**: G. Serdechney made a motion, which was seconded by P. Merrill, to approve the meeting minutes of the September 20, 2018 regular Meeting as amended. The motion passed unanimously.

5. **Written Complaints** – None

6. **Communications**

   A. **Ecos Energy Email between Mario, Ecos Energy and The Connecticut Siting Council**
      
      • Discussed under application CC 05-19 and CC 06-15.

   B. **Cease and Desist Sam Romanella, 9 Quiet Cove Road**
      
      • Discussed under Reports from Wetland Enforcement Officer.

7. **Applications**

   A. **Application CC 05-19 Ecos Energy for Property at 1240 Voluntown Road** - Proposed clearing and site work within the 150 ft. Upland Review Area.

      • Town Planner M. Tristany read a chain email between himself, Steve Boyer (Ecos Energy project engineer) and Melanie Bachman (Connecticut Siting Council), in regards to applications CC 05-19 and application CC 06-19. The letter stated that Town Planner M. Tristany reached out to S. Boyer after last month’s meeting Inland Wetlands meeting to inquire where your representation for the application no one was present. S. Boyer stated that due to the fact that project is now being overseen by the Connecticut Siting Council it will no longer need Inland Wetland review.

      • Town Planner M. Tristany stated that no further action is required.

   B. **Application CC 06-19 Ecos Energy for Property at 1219 Voluntown Road** - Proposed clearing and site work within the 150 ft. Upland Review Area.

      • Discussed under application CC 05-19.

   C. **Application CC 07-19 Michael and Diane Howley 202 Kenwood** – Proposed installation of a 49 ft. X 49 ft. aluminum dock with an 18-ft. entrance ramp within the 75 ft. Upland Review Area.

      • Vice Chairman R. Parrette read a letter into the record that was submitted by the applicant Michael Howley. M. Howley stated that due to health reasons he would be unable to attend the meeting, M. Howley respectfully requested the committee review and amend his application.

      • Town Planner M. Tristany stated that M. Howley has added the missing information on his application.
• **MOTION**: L. Laidley made a motion, which was seconded by L. Churchill to approve application CC 07-19 as presented and with proper erosion and sedimentation control as necessary. The motion passed unanimously.

D. **Application CC 08-19 Robert Klimasewiski 38 Myrtle Road** – Proposed installation of a 6 ft. fence along the property line within the 75 ft. Upland Review Area.

• Vice Chairman R. Parrett asked if there was anyone present to represent the application.

• Applicant R. Klimasewiski stated he was present to represent his application. Applicant stated he wishes to install a 6-ft. buff teck, center T, vinyl fence along his property line. R. Klimasewiski stated he contracted Boundaries, LLC to draw up a plot plan. No heavy equipment will be used in order to install the fence.

• R. Klimasewiski read a letter from Arrow Fence for the record. The letter stated they have been contracted by R. Klimasewiski to install a 6-ft. Bufftech, center T, maintenance free vinyl fence at 38 Myrtle drive.

• Town Planner M. Tristany referenced Section 4.1 sub section d. of the Wetland Regulations which allows landscaping as a permitted use of right and non-regulated use. M. Tristany stated he would like to submit from the research he’s done that fencing is part of the landscaping; it’s a well-constructed fence from what I saw on the inspection I have done. From a professional standpoint I would recommend approving the application.

• **MOTION**: L. Laidley made a motion, which was seconded by P. Merrill to approve application CC 08-19 as amended with proper erosion and sedimentation control measures in place. The motion passed unanimously.

E. **Application CC 10-19 Quinebaug River Church Inc. for Property at 32 School Street** – Proposed smoothing of the ground surface in preparation for permanent stabilization and maintenance, and installation of a wood chip berm adjacent to the river as sedimentation control within the 150 ft. Upland Review Area.

• Vice Chairman R. Parrett asked if there was anyone present to represent the application.

• Joshua George the Pastor of Quinabaug River Church stated he was present to represent the application. J. George stated the church acquired the property just over a year ago. We have plans to build a new facility in the next year or two. My hope and objective by appearing before you tonight is to ascertain our ability to prepare and smooth the soil so that we can seed it with rye, mow and plow. Right now, the surface is in a post construction phase, there are weeds, rocks and sticks which make it difficult to maintain. We are hoping to bring in some machinery like plows and a lawn mower on the property to keep it clean until we’re ready to build. Specifically, I would like to bring in a York rake to simply remove the debris and some of the dirt. If there is a need to bring in heavier machinery that would be done within the permit.
• J. George stated he would like to plant the rye by November 15<sup>th</sup>.

• General discussion ensued.

• **MOTION:** L. Laidley made a motion, which was seconded by P. Merrill to accept and table application CC 10-19 to the November 15, 2018 regular meeting. The motion passed unanimously.

F. Application CC 11-19 John Miguel for property at 1833 Glasgo Road – Proposed clearing and re-stabilization with grass seed, construction of a 30’ wide sand and beach area, installation of a 30’ long by 4’ wide floating dock and 4” seed grass swale to divert runoff.

• Vice Chairman R. Parrette asked if there was anyone present to represent the application.

• Jake Faulise of Boundaries, LLC stated he was present to represent the application. J. Faulise stated his applicant plans to develop the last lot, in the previously approved (3) lot subdivision. Currently the lot is vacant, the applicant wishes to construct a (5) bedroom house with detached garage. J. Faulise stated that within the wetlands his applicant wishes to construct a 30 ft. X 20 ft. beach area, a 30-ft. dock, patio and gazebo. Total area of wetland disturbance is 3,500 sq. ft. At most 11 yards of fill would need to be brought in for the beach area; grass will be planted in order to prevent erosion.

• Town Planner M. Tristany stated there isn’t a total maximum regulated beach size.

• Vice Chairman R. Parrette asked if the patio and gazebo are future projects.

• J. Faulise stated yes, the patio and gazebo are future projects.

• **MOTION:** L. Laidley made a motion, which was seconded by L. Churchill to table and accept application CC 11-19 to the November 15, 2018 regular meeting. The motion passed unanimously.

8. **Reports from the Enforcement Officer**

A. Cease and Desist Sam Romanella, 9 Quiet Cove Road

• Wetlands Enforcement Officer M. Tristany stated that he issued a Cease and Desist Order for 9 Quiet Cove land after the commission members did a site walk on October 4, 2018. Present members for the site walk were Chairman Courtland Kinnie, Vice Chairman Robert Parrette, Lauren Churchill, Pete Merrill, applicants engineer Norman. Thibeault, myself and secretary Kate Lacasse. Detailed minutes were prepared from the walk as well as photos.

• Vice Chairman R. Parrette asked if there were any current pictures of the property.
• M. Tristany stated no.

• M. Tristany stated photo number (1) is an area that is partially disturbed because of the pool. Photo (2) was taken in front of the easterly side of the pool, you the path that was constructed down to the pond currently has a stone type surface. The yellow highlighted area in the picture shows tree debris. The debris was probably placed there when the home was constructed. Photo (3) is the same area with highlighting to show the area were trees have been deposited there. Photo (5) is the applicants beach area. Photo (8) is a close up of the beach area. M. Tristany stated that he would guess that in the near future the applicant would be submitting an application for beach improvements. The current beach area isn’t currently esthetically pleasing.

• M. Tristany handed out aerial photo of a 2016 flight. The photo shows not much vegetation, the red highlighted rectangle shows downed tree that were existing before the house construction. You can see in the yellow highlighted area shows existing downed trees within the conservation easement that was established when the subdivision was developed. The next picture is a 2017 Google Earth image, the yellow area shows the same trees that are in the as the 2016 picture. M. Tristany stated he can only conclude that the trees were removed when the house was constructed.

• R. Parrette stated there were trees dumped in the conservation area as well as in the brook which is a concern.

• M. Tristany stated he feels the commissions biggest concern was the existing trees deposited in the conservation area. M Tristany stated he wasn’t able to locate any of the Atlantic Cedar the members had expressed concern about at the previous month’s meeting.

• L. Laidley stated when the commission did a site walk for the neighboring dock they had noted species of Atlantic Cedar.

• P. Merrill stated there was a stump of an Atlantic Cedar just outside of the path. It was unclear how the tree had been removed.

• M. Tristany stated he reviewed the meeting minutes of the original subdivision application and he didn’t find any mention of the Atlantic Cedar. M. Tristany stated he checked the land use records and found in volume 277 page 961 declaration of the grant of conservation easement, it has the meets and bounds, the do’s and don’ts. M. Tristany stated if there were a particular type of tree species I couldn’t find any reference to it.

• M. Tristany stated that during the site walk he had a discussion with P. Merrill on what the best course of action would be, leave the tree debris or remove it. P. Merrill expressed concern that more damage would be done if the trees were to be removed.

• L. Laidley noted that one of the pictures show a small path near the wood chip berm.

• M. Tristany stated he feels as though the small path was created when the tree debris was deposited there.
• P. Merrill stated he spoke to C. Kinnie. C. Kinnie felt as though the trees were brought back there using a track vehicle, pushed over the stone wall into the neighboring property and into the brook. P. Merrill stated he feels as though any material pushed over the wall should be brought back and the stone wall should be repaired. I don't recommend moving the trees any more then you need to, just enough to repair the wall.

• P. Merrill stated photo number (8) really bothered him. It shows a rut in the water as if something had been removed.

• R. Parrette stated that the 2016 state flight image shows a tree lying in the water. My feeling is that the tree was removed from the water without a permit.

• P. Merrill stated that the damage is done and if the commission had been asked ahead of time it could have been avoided.

• L. Laidley asked if the pile of brush that was pushed into the brook would cause any harm to the brook.

• M. Tristany stated that as P. Merrill had suggested, the best course of action might be to remove the brush from the brook, so that it doesn't cause more damage or impede water flow.

• R. Parrette stated the commission needs more pictures of the brook area in order to make the best decision of course of action.

• L. Laidley stated that going forward there will be new growth within the conservation area and it needs to be understood that the new growth may not be removed.

• M. Tristany stated that when he spoke to the applicant it was never the applicants intention to do any work within the conservation area. The applicant only wanted to make a path to better access the pond.

• L. Laidley stated that he understands the path, but the conservation easement had strict conditions to not disturb. It's very clear that those conditions were not adhered to.

• R. Parrette stated that it looks as though the area was cleared for a view of the water. The applicant needs to understand that when the vegetation grows back in, it is not to be removed.

• M. Tristany asked the commission if they feel as though there were trees in that area.

• The commission stated yes they do feel as though trees were removed from that area. The commission referenced the photos to that show the difference from 2016 to present.

• L. Churchill stated that we the commission need pictures of the stone wall and brook area before we go any further.

• R. Parrette stated that the stone wall and brook are part of the neighboring property.
• M. Tristaniy stated that he could work with engineer N. Thibeault to better document the area.

• **MOTION:** L. Laidley made a motion, which was seconded by P. Merrill to continue the Cease and Desist Order and have Wetland Enforcement Officer M. Tristaniy photograph the existing conditions of the stockpile and brief the commission at the November 15, 2018 regular meeting. The motion passed unanimously.

9. **Old Business** - None

10. **New Business**

   A. **2019 Schedule of Meetings**

   • **MOTION:** L. Laidley made a motion, which was seconded G. Serdechny to approve the 2019 Schedule of Meetings. The motion passed unanimously.

   B. **Commission discussion regarding pre-submission process for applications, or acceptance procedure for staff to follow when receiving new applications, to ensure they are complete prior to going before the commission.**

   • The Commission stated that the applications must be complete before being submitted. If the application is not complete it will be denied without prejudice.

11. **Reports from Commission Members** - None

12. **Conservation Commission Matters**

13. **Adjournment**

   • **MOTION:** R. Parrette made a motion, which was seconded by L. Laidley, to adjourn. The meeting adjourned at 9:18 P.M. The motion passed unanimously.

14. **Aquifer Protection Agency – Meeting Cancelled Due To Lack of Applications**

Respectfully Submitted,
Kate Lacasse
Recording Secretary