



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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**INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
JANUARY 14, 2019 7:00 PM
TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

PRESENT: Chairman Ken Braga, Vice Chairman Ron Brown, Art Aube, Hocine Baouche, and Mike Swanson

ABSENT: Steve Hoffman and Jean Burns

STAFF

PRESENT: John Colonese, Assistant Town Planner/Wetlands Enforcement Officer

I. CALL TO ORDER:

Chairman Ken Braga called the January 14, 2019 regular meeting of the Ellington Inland Wetlands Agency to order at 7:01 PM in the Town Hall Annex, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS (ON NON AGENDA ITEMS): None

III. PUBLIC HEARING (READING OF LEGAL NOTICE):

1. IW201817 – Kimberly Sullivan owner/applicant request for a permit to conduct regulated activity for the construction of a single family home, driveway, and site improvements associated with a 2-lot resubdivision application on property located at 78 Hoffman Road, APN 120-026-0001.

TIME: 7:02 PM

SEATED: Braga, Brown, Aube, Baouche, and Swanson

Suzanne Choate, Professional Engineer, Design Professionals, Inc., 21 Jeffrey Drive, South Windsor, CT was present to represent the application. She reviewed the plans for a 2 lot resubdivision. There is an existing house on the property and they are proposing a house on a rear lot. She indicated that the application received a recommendation from the Conservation Commission that a portion of the rear of the property by Bahler's Brook be set aside as open space. Ms. Choate noted they received conceptual approval from the North Central District Health Department for the future lot. She reviewed the wetlands boundary marked by James McManus of JMM Wetland Consulting Services and noted the boundary is represented on the plan correctly according to Mr. McManus. She added that Design Professionals is in receipt of the Town Engineer's comments and she said his concerns can be addressed. She submitted a plan revised through January 14, 2019 to the Agency.

Vice Chairman Brown asked Ms. Choate to review the details of the recently proposed detention basin. Ms. Choate stated there will be three pipes under the driveway entering the basin and the basin will be cut into the ground roughly where there is some ponding of water today. The activity for the basin is proposed along the edge of the wetlands, and there will be no disturbance within the wetlands. She passed out photos of the property she had taken earlier in the day showing the ponding.

Dale Farrar, 84 Hoffman Road, stated he is concerned about the development increasing the amount of water runoff onto his property.

Chairman Braga asked how they plan to address an increase in runoff and determine the correct size and number of the pipes under the driveway. Ms. Choate stated drainage calculations will confirm the size of the basin and the size and number of pipes needed under the driveway.

The Commissioners agreed to wait for the revised drainage report and plans to be reviewed by the Town Engineer.

MOVED (BAOUCHE) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW201817.

MOVED (BAOUCHE) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CONTINUE THE HEARING FOR IW201817 TO THE NEXT REGULAR MEETING ON FEBRUARY 11, 2019, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT.

MOVED (BRAGA) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO GO OUT OF AGENDA ORDER TO ADDRESS NEW BUSINESS BEFORE OLD BUSINESS.

IV. NEW BUSINESS:

1. Fly Boys Ink, LLC, owner/applicant, pursuant to CGS 8-26(e), request for referral to the Planning & Zoning Commission on a 2-lot resubdivision application involving land regulated as an inland wetland or watercourse on property located at 240 Jobs Hill Road, APN 139-002-0000.

Commissioner Swanson recused himself from the Fly Boys Ink, LLC request.

Frank Magnotta, Professional Engineer, 395 Main Street, Portland, CT was present to represent the request. He reviewed the plans for the 2 lot resubdivision. There is an existing house on the property and they intend to create a private road and have the proposed lot front on the private road. Mr. Magnotta passed out a revised plan showing a change in the location of the well as required by the North Central District Health Department. He reviewed the location of the field delineated wetlands and the upland review area and stated they are not proposing any activity within the upland review area and there is a wooded buffer between the activity and wetlands.

MOVED (AUBE) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO MAKE A POSITIVE REFERRAL – Fly Boys Ink, LLC, owner/applicant, pursuant to CGS 8-26(e), request for referral to the Planning & Zoning Commission on a 2-lot resubdivision application involving land regulated as an inland wetland or watercourse on property located at 240 Jobs Hill Road, APN 139-002-0000.

Commissioner Swanson resumed his position with the Agency.

2. Department of Public Works request for permit extension to Strawberry Road Bridge Project IW201407 – Town of Ellington for a permit to conduct regulated activity to remove and replace a collapsing culvert, headwalls and three undersized pipes, related excavation, grading, utility drainage work and paving for the bridge replacement on Strawberry Road.

Tim Webb, Director of Public Works, reviewed the request and noted the project was taking longer than expected as it now requires approval through the State of Connecticut.

MOVED (AUBE) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO EXTEND PERMIT IW201407 FIVE YEARS UNTIL DECEMBER 16, 2023 – Town of Ellington for a permit to conduct regulated activity to remove and replace a collapsing culvert, headwalls and three undersized pipes, related excavation, grading, utility drainage work and paving for the bridge replacement on Strawberry Road.

3. IW201818 – Town of Ellington, owner / Department of Public Works, applicant, notification of permitted and nonregulated uses to clean out accumulated silt and debris, remove brush and trees, and stabilize embankments along bridges on Windermere Avenue, Lower Butcher Road, Broad Brook Road, Jobs Hill Road, Hatheway Road, and Bridge Street in accordance with a Structure Summary Report from the State of Connecticut.

Tom Modzelewski, Public Works Foreman, reviewed the request with the Agency. He noted the Structure Summary Report from the State of Connecticut and indicated he submitted a letter outlining the plans for the maintenance of the bridges. He stated the plan is to remove silt, weeds, and brush within and around the bridges with the exception of the Broad Brook Road Bridge, which requires bank stabilization and some tree removal. Mr. Modzelewski has recently reviewed the bridge projects with a contractor that is familiar with this type of work, and he has confidence the contractor can complete the projects. Mr. Modzelewski said he would like to begin with the Windermere and Lower Butcher Road bridges this winter depending on weather and then complete the remainder in the summer during the dry season.

MOVED (BAOUCHE) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ACCEPT IW201818 – Town of Ellington, owner / Department of Public Works, applicant, notification of permitted and nonregulated uses to clean out accumulated silt and debris, remove brush and trees, and stabilize embankments along bridges on Windermere Avenue, Lower Butcher Road, Broad Brook Road, Jobs Hill Road, Hatheway Road, and Bridge Street in accordance with a Structure Summary Report from the State of Connecticut.

4. **MOVED (BAOUCHE) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA, RECEIVE, AND SET A PUBLIC HEARING FOR IW201901 AT THE NEXT REGULAR MEETING ON FEBRUARY 11, 2019, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT** – Andrew, Gregory & Philip Gale, owner, Holden Brothers, LLC, applicant, request for a permit to conduct regulated activity for an earth excavation project on property located at 90 Green Road, APN 118-001-0000.

V. OLD BUSINESS:

1. **IW201709** – Richard W. Lee, owner / Joseph Willis, Jr., applicant, for the excavation of topsoil, importation of clean fill, construction of a 17,000 SF greenhouse, and associated activity as permitted uses as of right on property located at the corner of Crystal Lake Road & Burbank Road, APN 128-041-0001. **(PROJECT STATUS UPDATE).**

John Colonese, Wetlands Officer, stated he spoke with Joe Willis, Jr. on the phone earlier in the day and Mr. Willis was unable to attend the meeting due to an injury. Chairman Braga asked Mr. Colonese to review the letter from the Army Corps of Engineers (ACOE) and the outcome. Mr. Colonese stated the ACOE sent a letter to Mr. Willis dated October 12, 2018 questioning the activity at the project site. He also noted the follow-up email sent by the ACOE to Mr. Willis on November 1, 2018 stating that due to the site plan and wetlands survey they are pretty sure that an ACOE permit would not be required for the activity.

Mr. Colonese added that Mr. Willis stated on the phone he plans to have the current piles of material at the site leveled off within 2 to 3 weeks, then receive the remaining material to spread, and ultimately provide an as-built plan to the Agency for review when the grading is complete.

NO MOTIONS OR DECISIONS

2. **BY CONSENSUS, THE AGENCY ADDED TO THE AGENDA** – Discussion regarding bringing in fill for a large greenhouse on property located at 38 Crystal Lake Road, APN 110-014-0000.

Mr. Colonese stated Joe Willis, Jr. asked about the Agency requirements for review of an application to bring in fill for a large greenhouse at 38 Crystal Lake Road. The Agency agreed the application should include a detailed plan showing a current wetlands delineation in the area of the proposed greenhouse.

NO MOTIONS OR DECISIONS

BY CONSENSUS, THE AGENCY RETURNED TO THE ORIGINAL AGENDA ORDER.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the October 15, 2018 Regular Meeting Minutes.

MOVED (BROWN) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE OCTOBER 15, 2018 REGULAR MEETING MINUTES AS WRITTEN.

2. Approval of the 2019 Meeting Schedule

MOVED (SWANSON) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO APPROVE THE 2019 MEETING SCHEDULE.

3. Election of Officers

MOVED (AUBE) TO NOMINATE COMMISSIONER BRAGA FOR CHAIRMAN OF THE INLAND WETLANDS AGENCY FOR 2019.

COMMISSIONER BRAGA ACCEPTED THE NOMINATION. HEARING NO FURTHER NOMINATIONS, NOMINATIONS CLOSED.

MOVED (BRAGA) TO NOMINATE COMMISSIONER BROWN FOR VICE CHAIRMAN OF THE INLAND WETLANDS AGENCY FOR 2019.

COMMISSIONER BROWN ACCEPTED THE NOMINATION. HEARING NO FURTHER NOMINATIONS, NOMINATIONS CLOSED.

MOVED (SWANSON) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER BRAGA CHAIRMAN AND COMMISSIONER BROWN VICE CHAIRMAN OF THE INLAND WETLANDS AGENCY FOR 2019.

4. Administrative Approvals Review – Wetlands Agent

Mr. Colonese reviewed the administrative approval granted for 311 Somers Road for a garage, shed and gravel area. He noted the owners are required to install a silt fence as a condition of approval prior to activity, and have it remain fully operational until the site is stabilized to control storm water runoff and soil erosion and sedimentation.

5. Correspondence/Discussion:

- a. The Habitat – Fall 2018
- b. Letter from Connecticut Federation of Lakes – Request for Donation
- c. Northern CT Land Trust seeking support for grant request to DEEP to acquire three contiguous parcels totaling approximately 114 acres known as the Wraight property project.

BY CONSENSUS, THE AGENCY DECIDED TO ENDORSE THE LETTER OF SUPPORT FOR THE NORTHERN CONNECTICUT LAND TRUST SEEKING GRANT FUNDING FOR PRESERVATION OF THREE CONTIGUOUS PARCELS TOTALING APPROXIMATELY 114 ACRES OWNED BY JOHN AND GLORIA WRAIGHT, APN 164-001-0000, 165-002-0000, AND 165-001-0000.

- d. Connecticut Land Use Law for Municipal Land Use Agencies, Boards, and Commissions – Saturday, March 23, 2019, 8:30 a.m. – 4:30 p.m., Wesleyan University.
- e. 158 Mountain Street – Wetlands Agent Review

Mr. Colonese reviewed the status of the inquiry forwarded to him from the CT Water Company regarding the clear cutting of an area of trees next to Lake Shenipsit within a conservation easement. He stated there have been multiple inspections of the property by representatives of the Northern Connecticut Conservation District, Natural Resources Conservation Service and the CT Water Company, attempting to determine the best course of action. Chairman Braga noted he visited the property. Mr. Colonese stated they are currently waiting on recommendations from a licensed forester.

VII. ADJOURNMENT:

MOVED (BROWN) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE JANUARY 14, 2019 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 8:17 PM.

Respectfully submitted,



John Colonese
Acting Recording Clerk