



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MAY 13, 2019 7:00 PM

TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT

PRESENT: Chairman Ken Braga, Steve Hoffman, Jean Burns and Art Aube

ABSENT: Vice Chairman Ron Brown, Hocine Baouche and Mike Swanson

STAFF

PRESENT: John Colonese, Assistant Town Planner/Wetlands Enforcement Officer and Barbra Galovich, Recording Clerk

I. CALL TO ORDER:

Chairman Ken Braga called the May 13, 2019 regular meeting of the Ellington Inland Wetlands Agency to order at 7:00 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): None

IV. NEW BUSINESS:

1. IW201903 – JSJ Properties, LLC, owner/applicant, request for a permit to conduct regulated activity for the construction of two single family homes and site improvements associated with a 2-lot subdivision located at 180 Mountain Street, APN 048-001-0001.

Rachel Dearborn, Landmark Surveys, LLC, 62 Lower Butcher Road, Ellington, CT was present to represent the application.

Ms. Dearborn stated the parcel is currently 3.7 acres and the applicant would like to split the lot for two single family homes. She explained each lot will be serviced by public sewer, a well, and its own detention basin. The detention basins are a foot or two from the flagged wetlands. All the activity is proposed within the upland review area. Chairman Braga asked for more information on the detention basins. Ms. Dearborn stated the detention basins are rainwater renovation areas for the homes that can be mowed and will be constructed for for the roof leader and foundation drain runoff. There will be a small rip-rap area at the end of each pipe.

Commissioner Hoffman asked if the calculations were completed by a Professional Engineer. Ms. Dearborn stated the Stormwater Report was completed by Civil Solutions, LLC.

MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW201903.

Commissioner Burns inquired about the Town Engineer's comments that were received. Ms. Dearborn stated the comments can be addressed. She reviewed each comment stating (1) there will be a 1 foot depression in the renovation area; (2) the stormwater areas are sized appropriately; (3) the detention basins will be grass and stone and the shaded area on the plan depicts stone; (4) the tree line is behind the wetlands line. Commissioner Hoffman asked when the wetlands were flagged. Ms. Dearborn said they were delineated last fall by John Ianni, Highland Soils.

MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS IW201903 – JSJ Properties, LLC, owner/applicant, request for a permit to conduct regulated activity for the construction of two single family homes and site improvements associated with a 2-lot subdivision located at 180 Mountain Street, APN 048-001-0001.

Conditions:

1. Owner shall comply with Town Engineer comments in email dated May 9, 2019.
2. IW201904 – Chauncey Real Estate, LLC, owner/applicant, request for a permit to conduct regulated activity for a building addition, gravel parking, storage bins, drainage basin, associated site improvements, and modification to wetland permit IW201106, located at 11 Courtney Drive, APN 018-015-0000, 21 Courtney Drive, APN 018-015-0002, and 31 Courtney Drive, APN 018-015-0003.

Rachel Dearborn, Landmark Surveys, LLC, 62 Lower Butcher Road, Ellington, CT was present to represent the application.

Ms. Dearborn said the land was previously subdivided into four lots and three of the four lots will be combined in conjunction with the proposed project. The properties received approval in 2011 from the Inland Wetland Agency for the subdivision. She reviewed the drainage approved with the 2011 subdivision. She also reviewed the existing development on Lot 2. Ms. Dearborn noted that the owner purchased Lot 1 and Lot 3 and thereafter constructed the storage bins, basketball court, and gravel parking area on Lot 3. She reviewed the proposed drainage for all three lots combined as a whole for the proposed building addition and added parking. She showed the Agency where the existing basin is to be removed and where the proposed basins will be created.

Ms. Dearborn explained how the ditch behind the existing building is not wetlands due to John Ianni's report from 2017. She specified the farm ditch was incorrectly labeled throughout the 2011 approval process. Chairman Braga asked if any activity is being proposed in the wetlands. Ms. Dearborn stated activity is not proposed in the wetlands and added that they will be 10 to 20 feet away from the wetlands. Ms. Dearborn noted the Drainage Report provided by Joe Ward, P.E.

MOVED (BURNS) SECONDED (HOFFMAN) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW201904.

John Colonese, Assistant Town Planner, asked the Wetlands Agency if they had any concerns regarding the Town Engineer's comments. Chairman Braga noted many of them do not pertain to wetlands. Mr. Colonese asked about the items shown as within the floodplain. Ms. Dearborn stated that it is not a regulated floodway and they provided a floodplain line based on elevation and it will change based on the elevation of the development.

Mr. Colonese asked about the possibility of adding a swale to capture runoff from a portion of the gravel parking area and convey it to the basin prior to entering the wetlands. Ms. Dearborn stated they chose not to provide this type of design in order to make the property more usable while still maintaining an effective drainage plan. Commissioner Hoffman asked about the impervious gravel parking areas. Ms. Dearborn stated that there is 15 to 20 feet of a grassed area before runoff makes it from the gravel parking area to the brook.

Ms. Dearborn reviewed with the Agency some of the Town Engineer's comments in email dated May 9, 2019 as not all of them appear to relate to wetlands. Ms. Dearborn will address items numbered 10, 14, 17 and 21 and the Agency agreed with her review.

MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS IW201904 – Chauncey Real Estate, LLC, owner/applicant, request for a permit to conduct regulated activity for a building addition, gravel parking, storage bins, drainage basin, associated site improvements, and modification to wetland permit IW201106, located at 11 Courtney Drive, APN 018-015-0000, 21 Courtney Drive, APN 018-015-0002, and 31 Courtney Drive, APN 018-015-0003.

Conditions:

1. Owner shall comply with Town Engineer comments numbered 10, 14, 17, and 21 in email dated May 9, 2019.

IV. OLD BUSINESS:

1. IW201709 – Richard W. Lee Estate, 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.

Joseph Willis, Jr., 38 Crystal Lake Road, Ellington, CT was present and reviewed with the Agency the activity that has been occurring regarding the gravel material located at the corner of Crystal Lake Road and Burbank Road. He admitting to selling small amounts to small landscaping companies a couple of times, which was not more than 50 yards each time. Mr. Willis stated he is currently waiting for better rock material from the MDC project in Hartford and has been in contact with Kim Ewalt, Charter Oak Environmental Services, Inc. He said he is looking to start spreading the material for the greenhouse when he can utilize a machine provided by one of the MDC contractors to complete the work as soon as possible. Chairman Braga stated to Mr. Willis that the selling of material from the site is not included within the original Wetlands Agency acceptance of the project and therefore the material cannot be sold from the site. Mr. Willis noted that he has used some of the material to patch the farm road at 38 Crystal Lake Road. The Agency did not find an issue with the use of the material at 38 Crystal Lake Road for the farm.

Mr. Colonese read Section 7.5.3 of the Ellington Zoning Regulations in reference to earth excavation. A discussion ensued regarding an earth excavation use versus agricultural uses. The Agency noted that the acceptance of the project is up in September.

V. ADMINISTRATIVE BUSINESS:

1. Approval of the March 11, 2019 Regular Meeting Minutes.

BY CONSENSUS, THE AGENCY AGREED TO TABLE THE APPROVAL OF THE MARCH 11, 2019 REGULAR MEETING MINUTES TO MONDAY, JUNE 10, 2019.

2. Correspondence/Discussion:

Mr. Colonese spoke with the Agency about 144 Windermere Avenue. The owners are looking to create a 3 foot retaining wall and garden on the left side of the property, being closest to the river. The Agency agreed to have Mr. Colonese proceed with the Administrative Agent Permit process should he determine there is minimal impact to the wetlands or watercourse.

VI. ADJOURNMENT:

MOVED (AUBE) SECONDED (BURNS) TO ADJOURN THE MAY 13, 2019 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:45 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk