



INLAND WETLANDS AND WATERCOURSES COMMISSION

Minutes of Meeting Wednesday, May 9, 2018

1. Administrative

- A. Quorum was recognized and Arnie DePascale, Chair opened the meeting at 7:00pm. In attendance were Arnie DePascale, Rob Wilson, Dick Alden, Rolf Dietrichson, Jonathan Schwartz and Richard Miller sat for Domenic Lucenti. Absent was Linda Kobylarz, and Barbara Dahle
Abby Conroy, ZEO
Lisa Ozaki, Recording Secretary
- B. **MOTION** Schwartz, seconded Miller to approve the minutes from April 26, 2018 special meeting as submitted; unanimously approved.
- C. **Review General Communications:**
 - A. None
- D. **Agent Reposts:**
 - A. None

2. New Business

- A. **Application #2018-008** – **Connwood Foresters, Inc.** – Timber Harvest – Scoville Rd./Milford St.
David Beers of Connwood Forester, Inc working for the City of New Britain Water Department, addressed the commission. Beers just finished up last timber harvest on Johnnycake Mountain Road 2 months ago. Beers submits locator map to commission. Timber Harvest is located at corner of Rt. 69 and Scoville Rd. 110 acre harvest area. The north side of property abuts the last harvest from 2015. Using the same landing from that harvest for this harvest. Another landing where trucks load the wood on Scoville/Johnnycake Mtn Rd. and other side of Scoville Rd. There are streams and wetlands in the 110 acres. 5 stream crossings in all, 3 of which have temporary bridges and 2 with corduroy crossings. They are all flagged with pink flags. No work may be done where pink flagging is. All the trees for cutting are currently marks with blue dots (lumber trees) or blue slashes (firewood trees). Edges of harvest are marked with double diagonal orange slashes.
Miller ask if saplings grow or do you replant. Beers states we never replant. Miller asks what is primarily species being harvested. Beers states roughly a 3rd of trees are oak and a large number are red maple and hickory. Miller asks if Beers will be harvesting when it's dryer out. Beers states it takes at least a month to get this harvest out to bid. Once ready the bidder has 18 months to complete it. Typically, don't let them harvest when it is really wet.
Schwartz asks if bridges are temporary. Beers states yes all are 6' x 6' cants that are 10' wide and we just drop and take away once done.
Wilson states there are 3 to 4 small wetlands marked, are you cutting anything in there. Beers states no cutting will happen in those areas. Will cut right up to the wetlands.



DePascale asks how wide the stream widths are. Beers states that they no more than a foot across.

Dietrichson asks the landing on Milford, was it preexisting. Beers states it's preexisting and we used it in 2015 harvest.

Schwartz asks if forestry is as right are crossings also. Conroy states yes, and they are temporary.

Motion Schwartz, seconded Miller to approve Application 2018-008 – Connwood Foresters, Inc. – Timber Harvest – Scoville Rd./Milford St finding as of right activity. IN FAVOR, DePascale, Wilson, Dietrichson, Schwartz, Alden, and Miller.

OPPOSED, None.

ABSTAINED, none.

Permit Granted.

3. **Old Business**

A. **Application #2018-004 – Rock Builders, LLC** - Subdivision – East Chippen Hill Rd. Map #4-02-17 (Submitted May 4, 2018)

Atty. William Tracy for the applicant is present and addresses the commission. Tracy submits notice that was given to City of Bristol into record. Letter dated May 9, 2018 from WMC submitted into record. Impact has been determined insignificant. Rock builders feels comments from WMC can easily be dealt with. Conroy states additional testing has been done and will be added to plans. Conroy goes through comments with applicant.

DePascale asks if detention basin has the design for a 100-year storm. Terry Rock states basin has zero runoff. Conroy explains "rebar cage trash rack" would not have a huge impact on the wetlands. Tracy states calculations have to be cleared up with our engineer to satisfy WMC. Brian Cunningham states the WMC comments are just housekeeping. Cunningham will adjust his drafts to reflect the changes. Conroy reviews the last paragraph from WMC letter.

Alden ask this has been revised May 2, 2018. Cunningham states yes and our engineer has seen this. Tracy states we can address all these items.

Conroy has question on drainage area for lot #5. Drainage area goes through driveway and yard, is there a way to change water to come through swale and not through driveway. Cunningham states it depends on if the house moves. Conroy states she will check the building plan when they come in for this lot. Tracy states a note can be added to subdivision plans that it will have to be dealt with. Rock shows Conroy on plans and will do whatever it takes to make sure design is right and adjusted.

Schwartz states he would like to see what will be approved in black and white on paper before approving anything. Rock states we can make the changes within a week so Chairman can sign off to plans. Schwartz states he is uncomfortable with this.

Wilson asks if plan comments have been satisfied. Tracy states yes and the new comments could have been found at previous review of plans.

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Miller asks if there is an easement to represent the town to maintain it. Conroy states planning and zoning will address this, not wetlands. Miller would like smart growth, low impact development incorporated in that. Tracy states the Town of Harwinton has come up with a book for that and has a committee on it.

DePascale states if uncomfortable with making a decision tonight, maybe there could be a special meeting scheduled. Asks who is available in several weeks. Schwartz, Alden, Wilson and Dietrichson are uncomfortable. Rock states will get the plans done and personally drop them off for review.

Conroy asks what comments on the letter has a direct impact to the wetlands.

Cunningham states there is nothing that does. Rock states there is zero runoff and there are minor things to change on plans. No changes will affect the wetlands. Cunningham states the area WMC is concerned about, is less than 1000 sq. ft. and there is not a lot of material. Cunningham will run it into the system again and recheck the numbers.

Miller asks if letter from WMC can be made conditional approval. DePascale states yes, we would do that or do special meeting. Ozaki retrieves the meeting schedule calendar for the month of May. Ozaki states there is no room available to have special meeting. Schwartz states only small things need to be changed, so the maps will have included all the changes. Conroy states yes and Schwartz is fine with conditional approval now.

Motion Miller, seconded Alden to approve Application #2018-004 – Rock Builders, LLC - Subdivision – East Chippen Hill Rd. Map #4-02-17 with the conditions from WMC letter dated May 9, 2018.

IN FAVOR, DePascale, Wilson, Alden, and Miller.

OPPOSED, None.

ABSTAINED, none.

Permit Granted.

4. **Public Hearing(s)**

- A. **Application #2018-003 – B & R Corporation** – Driveway – George Washington Tpke. Lot #3 according to Property map survey showing revision to lot lines land owned by B & R Corporation dated 3/16/17. (Submitted February 9, 2018) (Public hearing May 9, 2018)

Motion Miller, seconded Dietrichson to open Public Hearing at 7:52pm; unanimously approved.

Atty. William Tracy for the applicant is present and addresses the commission.

Submitted into record is the sign affidavit and the notice of mailings. Tracy also submits Connor's comments into record regarding maintenance easement. Tracy reviews the application with the commission. This is not a site plan just a driveway to 3 lots. There are 3 wetland areas on hill side. Tom Pietras, the soil scientist has updated the report. There is an existing crossing that used to be a woods road. Tracy states driveway uses 1 crossing rather than 3 individual crossings of wetlands. House locations are within the upland review area. No work to be done in the wetlands. There is a stone tracking pad in place and driveway will be paved. The uphill side of the proposed driveway run off is

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diverted into swale where there is a pipe underneath. Will redirect some of this water to the upstream side of existing culvert. Plunge areas off of East West Driveway head downhill towards the brook and follow the natural flow. Water is absorbed in the slope disappearing before meeting the stream.

Pietras states his investigation was done from October 28, 2016 to November 3, 2016. A report dated November 5, 2016 shows 2 types of wetlands. Brook continues to Wildcat Brook and continues to flow east. Seasonal ground water seepage with intermittent streams support the forest wetlands. There are 3 eroded channels, 2 north of the east west drive drop down to the brook and disappeared. Another channel goes westerly toward north/south driveway and is less defined. Water gradually seeps into ground. Pietras states he investigated again on Monday May 7, 2018.

DePascale states on Friday before, DePascale, Conroy and McDonnell were out there and saw a lot of wetness. You may want to take another look at it. Conroy states observed flowing water on every site visit since February. Another soil scientist looked at it but there is no formal report. Soil scientist works with applicant engineer but based on observations thinks someone else should look at this. Conroy had a meeting with Braddock on site on Monday, May 7, 2018. What if we assume they were intermittent waterways. Tracy states he was out there today and water disappears in slope. If they are intermittent waterways, how would we handle it? Follow the natural flow or add to detention basins.

Pietras shows basic area where the drainage would promote infiltration into. Recent design has detention basin, not large in size to slow down flow along east/west drive. Detention basin design is preferred instead of 3 culverts. Basins provide detention and infiltration for water quality and controlled rate of speed of discharge.

Tracy states it's a low impact design. Steeper slope along east side of swale with stone riprap to hold water back.

DePascale states water was flowing everywhere. Tracy states in light of that concern take pipe diagonal to west side of driveway, upstream of culvert to decrease amount of water. Conroy states WMC agrees would rather have water directed under north/south driveway rather than current configuration.

Dietrichson asks if the amount of water is normal flow since coming out of drought.

Pietras states these are perched watersheds on ledge. Had a very wet spring. Doesn't take a lot of water to saturate these soils. Wetlands are hard to find by soil type. So color is better, vegetation and do a zigzag pattern throughout the wetlands.

Tracy states they completed drainage calculation of watershed and WMC did not disagree.

Dietrichson asks if any concern about pipe under driveway. Cunningham states the watercourse that flows down and runs along north/south driveway would be relieved. There is ditch work still to be done and redirection so there will be a lot less water in it. A plunge pool will be at the outlet of the new pipe under north/south drive. The area is flat. Hay bales with silt fence installed. The layout is best means to control runoff from whole site.

Miller asks did you examine the wetlands before the driveway was put in or after.

Petros states the old driveway was there. Work done prior to approval. Redirected

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water on southern side of east/west drive. East/west driveway put in without approval.

Cunningham states same flow and don't see increase.

Alden asks where WMC stands with this application. Conroy WMC has seen proposal in field, but hasn't received a revised plan. Soil scientist, where do we stand. Conroy states it's up to the commission. DePascale states it was very wet and sinking in 6". The construction material might have had oil in it. Machine may be leaking oil. Ponding is showing oil sheen. Tracy states material is from recycling facility in West Hartford from the Town of West Hartford.

DePascale is looking for 2nd opinion after last opinion of soil scientist. Conroy states we need soil scientist to determine impact.

Tracy states there are time issues. A public hearing starts a new clock.

Schwartz states declaring how significant impact and there are certain rules we have to follow. Have walked the area for a previous application which was denied. Have seen intermittent watercourses. Proposing to divert them makes it worst. David Lord as a potential soil scientist. Would definitely like it double checked. Old application was 20 years ago to make a road. Poor presentation at time and a lot of water. Would like that verified.

Miller states he walked the area yesterday and significant impact with seasonal and intermittent waterways.

Conroy reads the definition of intermittent watercourse.

Tracy states there is no question that water goes there.

Schwartz states eroded channel indicts watercourse.

DePascale states commission is not qualified to make a decision.

Wilson states been out there a couple of times. Both times a lot of water. Want soil scientist.

Public Comment:

Casey Byrne, 359 George Washington Turnpike. I have lived next to this for 19 years. I have hunted up there and can clarify your questions. Water in area. There was always a stream. Road has always been there and upper road. The oil sheen is very common in that area. Glad they are changing the design. Wildcat Brook goes through my property. Additional water will make brook healthier and keeps water moving. Current drainage on East side of north/south driveway with eroded trees was a concern. Braddock took care of trees. There is a lot of iron in well.

Krzysztof Chmielewski, 379 George Washington Turnpike. The corner of the property is my lawn. I have drainage all around and it does not dry out until July. It's always wet., always soaked. Once we reroute water, what will the impact of water be to me? Conroy states there should be zero impact but town engineer will look at.

Motion Schwartz, seconded Alden to have new soil scientist to review.

IN FAVOR, DePascale, Wilson, Alden, Schwartz and Dietrichson.

OPPOSED, Miller

ABSTAINED, none.



Miller states it's obvious it will cost the town too much for soil scientist. Who is going to pay for this? Would rather see applicant pay for engineer than town to pay for soil scientist. Conroy states there is no ordinance. DePascale states to Miller it has to be done.

Motion Alden, seconded to continue public hearing to June 13, 2018 meeting; unanimously approved.

Motion Wilson, seconded Schwartz to open regular meeting at 8:51pm; unanimously approved.

5. **Citizen Comment**

A. None

6. **Other**

A. None

7. **Staff & Commission Comments**

A. Conroy states resident wants to put a farm stand on property and where can I put it. He is also having issues with water on property. Neighbor gave permission to do the work. Should there be wetlands flagged or is it maintenance of his property. DePascale states Conroy can look at and decide. Conroy states he sounds like he would just do the work. Address was 180 West Chippen Hill Road. Bomik had a subdivision there and never did anything with it. Resident doesn't like what I told him. Bomik only flagged wetlands to property line no data on resident's property. I believe he should have that mapped. If you see any activity up there, let me know since no permits. Reserve septic area is on other side of a stream.

B. DePascale asks about Jerome Avenue subdivision. Are there any problem? Conroy went out just before last meeting and catch basins are 30' deep. Checked the silt fence. They are done blasting and haven't heard any complaints.

8. **Adjourn**

MOTION Miller seconded Alden to adjourn the meeting at 9:00pm; unanimously approved.

Meeting adjourned.

Respectfully Submitted for the Commission,
Lisa Ozaki, Secretary, IWWC