



Town of Griswold



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**GRISWOLD INLAND WETLANDS & WATERCOURSES
CONSERVATION COMMISSION & AQUIFER PROTECTION AGENCY
REGULAR MEETING
GRISWOLD TOWN HALL**

**APPROVED MINUTES
DECEMBER 15, 2016**

I. Regular Meeting (7:30 P.M.)

1. Call to Order

Chairman Courtland Kinnie called this regular meeting of the Griswold Inland Wetlands & Watercourses Conservation Commission to order at 7:52 p.m.

2. Roll Call & Determination of Quorum

Present: Courtland Kinnie, Robert Parrette, Lawrence Laidley, Clarence (Pete) Merrill, Gary Serdechny, Alternates Lauren Churchill, Town Planner Mario Tristany, WEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Glen Norman, Edward (Jay) Waitte, Alternates Kevin Franklin, Alex Grzelak,

There was a quorum for this regular meeting.

3. Written Comments

There were no written comments.

4. Approval of the Minutes

A. Approval of Minutes for the November 17, 2016 meeting.

C. Kinnie asked for approval of the minutes of November 17, 2016.

MOTION: R. Parrette moved to approve the minutes of the regular meeting of November 17, 2016. L. Laidley seconded the motion. There were 4 aye votes and 1 abstention. The motion was carried.

L. Laidley arrived at 7:34 p.m.

5. Applications

There were no applications discussed under this item.

6. Additional Business (New Applications)

A. CC 04-17 ROXBEE, KEVIN & EILEEN ROXBEE, 18 MYRTLE ROAD, GRISWOLD. Requesting approval for residential activity within a regulated area and wetland/watercourse in order to re-establish the base of a wall a minimum of 8 inches below lake bed leaving weep holes in wall for drainage. Restoration of retaining wall reinforced with mortar and rebar for strength and integrity. Installation of a blue stone patio with 4 inches of crushed stone and 2 inches of stone dust with joints of polymeric sand. Steps will have 6 inch risers. Property is zoned R-60.

C. Kinnie stated that this application was before the commission last month and that the outstanding issue was that they contact DEEP; he asked the applicants to make their presentation. Kevin and Eileen Roxbee stated that they received an approval from the DEEP to work within Pachaug Pond She stated that they are not going into the lake bed to rebuild the wall. C. Kinnie asked that they amend their application that they are not going into that depth into the bond. E. Roxbee amended the application.

C. Kinnie asked members for additional questions of the applicant. P. Merrill asked why they chose not to go down into the pond. E. Roxbee explained that the builder checked out the existing footing which was in good shape, so he can start from the existing base. E. Roxbee explained that DEEP was impressed and appreciative with this board in sending this back to them; and they appreciated that we came to them. There was discussion of this matter.

C. Kinnie asked for further questions from this board.

R. Parrette asked when they would start doing the work. K. Roxbee stated that whenever there is good weather, he will be there to do the work, and the lake is drawn down. C. Kinnie asked if the lake has stayed down. E. Roxbee stated that it is still down.

C. Kinnie asked for other questions. He thanked them for getting in touch with DEEP and that they had that kind of response. K. Roxbee stated that they spoke to Jamie L Sydoriak, DEEP, 860-424-3143.

C. Kinnie stated that L. Churchill arrived at 7:45 p.m. C. Kinnie appointed L. Churchill to sit for J. Waitte.

MOTION: L. Laidley moved to approve CC 04-17 with the proper erosion and sedimentation measures in place. R. Parrette seconded the motion. R. Parrette asked the applicants if they understood the E & S controls. C. Kinnie stated that was for silt fence and hay bales. L. Laidley told them to make sure that they stay in place. E. Roxbee explained that those were already in place. C. Kinnie asked for the vote. There were 4 aye votes and one abstention. The motion was carried.

There was a short discussion regarding the use of polymeric sand.

- B. CC 05-17 HART, EDWARD, 5 DANIKA WAY, GRISWOLD, CT.** Requesting approval for residential activity within a wetlands/watercourse in order to restore the wetlands for work that was mistakenly done including removal of sand material used as a base, to establish erosion and sedimentation control measures and to spread a wetland seed mix. Property is zoned R-60.

C. Kinnie asked the applicant to state his name for the record. Edward Hart gave an update on the work to restore the wetlands that were mistakenly disturbed. He explained that the stumps are gone; there is a small brush pile left. When it is gone he will cover it with hay and seed it in the spring.. He stated that the Connex box is on the high side; it will be gone when the work is done, He stated that he spread the hay bales and the area will be seeded in the spring with a wetlands soil mix. He stated that he will be getting a permit from P. Zvingilas for the tree house that is located on the lot.

C. Kinnie stated that Mr. Hart was here last month under the WEO's report; he is correcting some issues that were mistakenly done and will be relocating a proposed building.

C. Kinnie asked for questions from commission members. L. Laidley stated he had no problems as long as he uses the wetland mix when he reseeds. E. Hart stated that he will ask for a wetland mix from his landscaping supplier. He stated that this area is wet now.

MOTION: R. Parrette moved to approve CC 05-17. L. Laidley seconded the motion. L. Laidley stated that the applicant is to add that the wetlands seed mix in the spring. M. Tristany stated E. Hart to let him and P. Zvingilas know when he does the seeding. All were in favor. The motion was carried.

7. Reports from the Enforcement Officer

P. Zvingilas stated that he does not have any reports. He stated that the applicant's foundation footing forms blew out at the corner. He stated that concrete was \$125/yard. There was a brief discussion of this matter.

8. Old Business

There was no old business.

9. New Business

- A.** Discussion and action to set a public hearing for the State of Connecticut DEEP Division of Forestry to present their proposed 10 Year Forest Management Plan for portions of Pachaug State Forest in Griswold and Voluntown which total over 14,300 acres.

C. Kinnie stated that you all should have gotten the email from Daniel Evans; he read this for the record. He asked for discussion of setting a public hearing for this item. After discussion, there was consensus of the commission to hold an informational meeting with public input for the next regular meeting.

MOTION: R. Parrette moved to set an informational meeting for the DEEP Forestry presentation on January 19, 2017 at 6:30 p.m. L. Laidley seconded the motion. There was discussion of further meeting dates and times. All were in favor. The motion was carried.

- B. Discussion and action to appoint a member of the Inland Wetlands Commission to the BOS Ad Hoc Committee to study the impact of transportation and receiving of fracking waste into Griswold.

M. Tristany read the letter from the BOS into the record regarding an Ad Hoc Committee to be established and Inland Wetlands be part of this committee.

Tom Gaudreau explained that he raised this issue with the BOS and they recommended that he come before the Inland Wetland Commission. He explained the fracking process as well as the types of waste; i.e. aggregate for asphalt, surface tarring and that can run off to surface water to affect the wetlands. He asked the Inland Wetlands Commission if one or two of the members could sit down with him and go over the information and literature so the Inland Wetlands Commission can make a recommendation for his group to give an informational meeting to the towns' people. He explained that this can be brought to referendum as an ordinance for transportation and storage of fracking waste and in town. He stated that 5 towns have created ordinances regarding fracking transportation and fracking waste. He stated that fracking waste is not characterized when it comes up out of the ground that included radioactive materials from Marcellus shale have 3 times the concentration of Iridium 226 and Iridium 228 with a half-life of 1600 years causing long term damage to our surface water, rivers and streams, and well water. T. Gaudreau stated that Governor Malloy is leaning toward accepting waste and has identified 3 waste water processing facilities in Connecticut: Meriden, Bridgeport, and Bristol to receive fracking waste that includes arsenic, lead, Iridium 226 and 228, and heavy salt concentrations. C. Kinnie asked if this committee has been formed and have already met. T. Gaudreau stated no, we are following the recommendation of the selectmen rather than obtaining the 20 signatures. He suggested that the Borough of Jewett City be involved as well in this matter. T. Gaudreau asked for any interested commission members who would like to be on this committee. There was discussion of this matter. C. Kinnie asked if there was anyone who would like to be on the Ad Hoc committee. L. Laidley, L. Churchill and were interested depending on when the Ad Hoc Committee meets. M. Tristany stated that you have to form the committee first. T. Gaudreau will give them an agenda. L. Laidley stated that T. Gaudreau should contact the Borough burgesses. C. Kinnie thanked Mr. Gaudreau for the information and when it is up and running, you can give a presentation here.

M. Tristany asked to put CC 06-17 Green Earth Capital on the agenda with Item C to follow that presentation.

MOTION: L. Laidley moved to replace CC 06-17 on the agenda and moving Item C after the presentation. R. Parrette seconded the motion. All were in favor. The motion was carried

M. Tristany stated that this application was received and involves the cleanup of the main Triangle PWC site at 235 East Main Street. Al Kovalik, Managing Member of Green Earth Capital is here to give a presentation.

A. Kovalik, licensed environmental professional, stated that Working Reality has owned the site. His group does Brownfield redevelopment and there is an opportunity for mixed use development. He stated that there are environmental issues and concerns. They are proposing to reposition the material on site and proposing a cap solution on the site with lifts and structural lifts that will be sufficient to redevelop the site. He stated that Wetland approvals are needed to do the remediation. He explained that they will be making the site as level as possible so as to make it attractive to market the property because of Ashland Pond and the views of Ashland Pond and access to the water. He stated that the next step will be to reposition it and redevelop it.

R. Parrette asked his function in this. A. Kovalik stated he is an owner / partner of Green Earth Capital and they have an option to purchase the property from Working Realty; the site will be monitored environmentally to deal with the soil issues and also that ground water monitoring must be done. R. Parrette asked if the slab will be demolished and removed. A. Kovalik stated that they will take out what they need to take out down to native soil and they will crush and reuse the concrete that is there now and cover it with the capping material which can be built upon. He stated that debris from the floor drains and the tanks will be moved and the substructures will be buried on the site. He stated that along with the cap solution, there will be green energy solutions and geothermal loops will be installed to be piped to the surface. He stated that they are proposing to develop small homes between 800 sq. ft. to 1000 sq. ft. homes to fit with the community.

R. Parrette asked the function of the permit was being asked before the commission tonight. A. Kovalik stated that we need to put the cap in and fill brought in to level the property; the work will be done on the elevated plateau but we are within the 150 foot setback; there is a drawing for erosion and sedimentation measures, and there will be rerouted drainage.

P. Zvingilas asked what kind of chemicals were there. A. Kovalik stated that there are heavy metals, PAH's. P. Zvingilas asked what was done with those. A. Kavalik stated that it will be capped; the State has two remediation criteria, one is direct exposition which the cap will contain and the other is leaching of oils. He stated that they have done leaching tests. He explained that Tighe & Bond has done data there and the data gaps are the depth of what is there; the whole property will be taken up and the soils will be managed and the site will be recapped. R. Parrette asked if he knew the location of the utilities. A. Kovalik stated that they know historically where the utilities are located; the drainage will be relocated and there is where they do not know where the drainage that is there goes. There was discussion of this matter.

A. Kovalik stated that he has worked with M. Tristany and the First Selectman for a Brownfield grant of \$200,000 to deal with the utilities and one location called Panama Canal. He stated that they are preparing to cap the site and have land use restrictions for the commercial areas. He does not have all of the data at this time; they are working with DEEP on this project. C. Kinnie asked if test bores were done for the depth to the original soil and what classification the original soil is on the site. A. Kovalik stated that the depth varies on the site and the contamination is shallow on the site. L. Laidley asked if the wetlands have been delineated on the site and if the setback for the wetlands; he did not see it on the plan. There was discussion of this matter.

R. Parrette asked if there was a current geo tech report on the site. A. Kovalik stated that they are working on it. He stated that the geo tech work will be done when they reach the native soil and then they will know whether it is buildable. R. Parrette stated that the commission would want to see the test bores. He asked if the remediation will be completed within 24 months. A. Kovalik stated yes.

M. Tristany stated that this application will need a public hearing and the professional engineer will be here and the reports will be here to answer their questions. C. Kinnie asked the commission if this application warrants a public hearing based on public interest and or significant impact. C. Kinnie stated that was consensus that a public hearing be set. C. Kinnie stated asked for a motion to set a public hearing based on public interest and significant impacted based on the location of the wetlands and Ashland Pond. . There was discussion of this matter including that the application asked for a public hearing for January. C. Kinnie recommended that a public hearing be set for 7:15 p.m.in January and asked for a motion.

MOTION: R. Parrette moved to set a public hearing CC 06-17 for January 19, 2016 at 7:15 p.m. in the Town Hall Meeting Room for the purpose of public interest and significant impact. L. Laidley seconded the motion. C. Kinnie asked A. Kovalik to have the necessary information to the Commission by the public meeting date. A. Kovalik stated that the information will be presented by next week. C. Kinnie stated that you will be making a presentation to the board and to the public in this meeting room. R. Parrette suggested bringing easels and pointers and anything else that he needed at that time. All were in favor. The motion was carried.

R. Parrette moved to accept and table CC 06-17 to the next regular meeting on January 19, 2016 at 7:30 in this room. L. Laidley seconded the motion. All were in favor. The motion was carried.

C. Discussion of the Plan of Conservation and Development update for Wetlands, Water Resources, Watersheds and Cultural and Historic Resources.

C. Kinnie reminded everyone that we are also the conservation commission. M. Tristany stated that everyone should read through it and make notes. C. Kinnie stated that all the recommendations, additions and deletions to speak about at the next meet, and to give them to Donna who will compile the recommendations into one document and that everyone received the information

10. Communications

A. Connecticut Wildlife Magazine, September/October 2016

There was discussion of this matter.

B. Rivers Alliance of Connecticut request for donation

There was discussion of this matter including having Rivers Alliance visit the commission on Earth Day.

MOTION: R. Parrette moved to give Rivers Alliance of Connecticut a donation in an amount \$25.00 if it is in the budget to do so. G. Serdechny seconded the motion. All were in favor. The motion was carried.

R. Parrette stated that Donna can write them a letter to give a presentation to the commission. C. Kinnie stated that we can have discussion in under Earth Day in the spring.

C. Kinnie stated that there was an informational meeting at the Senior Center by the State to replace Norman Road bridge will be on piles to bedrock and includes raising the road bed and the total area will be 800 feet in length; and on Sheldon Road, the new bridge will be on piles into bedrock, the road will not be raised but the clear span will be raise; the stone bridge will be removed.

C. Connecticut State of the Birds Magazine and the Audubon Society letter to give memberships for the holiday season.

There was discussion of this matter.

There is a Christmas card from Branse and Willis which C. Kinnie read for the record.

11. Reports from Members

L. Laidley stated that the water company has been working on Pleasant View and the e and s measures have not been done and the work on the road abuts the wetland. There was discussion of this matter including that the sidewalks have not been replaced 18 months later with no curbing or cement. M. Tristany stated that the water main was broken by the contractor of Pleasant View who has replaced it. P. Zvingilas stated that he will issue a cease and desist order and we should set a hearing date for the cease and desist. M. Tristany stated that they will look at the location before a cease and desist order will be sent. C. Kinnie suggested that they take care of the issues then if not, issue a cease and desist.

There were no other reports from members. C.K asked members to organize their thoughts for the PoCD for next meeting and we will be having busy meetings with large projects ahead

12. Conservation Commission Matters

There were no conservation matters.

R. Parrette stated that Election of Officers should be on the agenda for next month.

13. Adjournment

C. Kinnie asked for a motion to adjourn.

MOTION: R. Parrette moved to adjourn. L. Laidley seconded the motion. All were in favor. The meeting adjourned at 9:18 p.m.

III. Aquifer Protection Agency

This Meeting was cancelled due to lack of applications.

Respectfully submitted,

Donna M. Szall
Recording Secretary