



# Town of Griswold



28 Main Street  
Griswold, CT 06351  
Phone (860) 376-7060, Fax (860) 376-7070

## GRISWOLD INLAND WETLANDS & WATERCOURSES CONSERVATION COMMISSION & AQUIFER PROTECTION AGENCY

### REGULAR MEETING MINUTES

FEBRUARY 21, 2013

GRISWOLD TOWN HALL

#### I. REGULAR MEETING (7:30 P.M.)

##### 1. Call to Order

Chairman C. Kinnie called this regular meeting of the Griswold Inland Wetlands & Watercourses Conservation Commission to order on February 21, 2012 at 7:35 p.m.

##### 2. Roll Call & Determination of a Quorum

**Present:** Courtland Kinnie, Robert Parrette, Stacie Stadnicki, Alternates Gary Serdechny, Clarence (Pete) Merrill, WEO Peter Zvingilas, Town Planner Mario Tristany, Recording Secretary Donna Szall

**Absent:** Edward (Jay) Waitte, Dean Rubino, Lawrence Laidley, Glen Norman, Alternate Lauren Churchill

C. Kinnie appointed G. Serdechny to sit for G. Norman, P. Merrill to sit for J. Waitte. There was a quorum for this regular meeting.

##### 3. Written Complaints

There were no written complaints.

##### 4. Applications

- A. CC 11-13 Pachaug Marina & Campground, 262 Shetucket Turnpike, Griswold, CT. Property location: 280 Shetucket Turnpike, Griswold.** Requesting approval of commercial activity within a wetlands or watercourse in order to re-grade boat ramp (4970 s. f) clean granular fill, repair and replace existing bulkhead (240 l. f.) concrete block and remove existing fill peninsulas from pond (2,230 s. f. and 1035 s. f.) clean granular fill.

C. Kinnie asked if there was someone to represent this application. Bob Russo and Brian Long of CLA Engineering were present as well as Steve Frechette of Pachaug Marina Campground Association. B. Russo explained that at the last meeting, the information was presented for replacement and repair of the wall, the replacement of the boat ramp and the peninsulas and there was a question of the volumes of material to be removed. B. Long explained that the westerly peninsula was 390 cu. yd. to be removed and the easterly peninsula was 175 cu. yd to be removed. B. Russo stated that we met with M. Tristany and went over those figures and the plan.

C. Kinnie asked if the pond level was still down. Steve Frechette of Pachaug Pond Marina & Campground stated that the pond has been the same for the past two weeks. C. Kinnie stated that the wall was an important issue to correct and repair. B. Russo stated that they hope to have it repaired before the water rises. B. Long stated that DEP would start the end of April or beginning of May to raise the water in the pond.

C. Kinnie asked for questions concerning this application. P. Zvingilas asked if there was a description of removing the retaining wall and replacing it new material; there are trailers along the edge; is it going out into the pond area and coming back. B. Long explained that they will do as much work from the shore and then if needed to come along the wall to remove any remaining pieces. There is a five foot divergence between the two walls and the upper wall will remain in

place while removing the lower wall. P. Zvingilas asked if the machine will be on the pond bottom and asked if it is good material put a machine on. B. Long stated yes. B. Russo stated that the soils are mapped as sand and gravel; there is only muck at the boat launch. There was discussion of this matter.

M. Tristany explained that we went through the plan in detail and there were no issues and that there should be erosion and sedimentation controls and suggested that it be extended to have the design engineer on site during the key components of the project such as removal of the wall and the peninsulas and construction of the boat ramp. HE stated that there should be an as-built plan required. C. Kinnie stated that that was reasonable.

P. Zvingilas asked where the material removed will go. B. Long stated that it will be used in building the boat ramp area rather than below the boat ramp itself; the rest will be removed off site. R. Parrette asked if they were in contact the DEEP. B. Russo stated yes and that it is the same situation; DEEP may in the future take over jurisdiction where they own the dams; but currently you must go through the local commission; we spoke with Doug Hoskins and Jeff Caiola who have been there for a while.

M. Tristany stated that there was a notice for the Army Corp. B. Russo stated that the army corps redoes their permits every five years and about a year ago army corps finalized the Connecticut permit that goes to 2016 which requires a form documenting the activity even for activities less than 5000 SF of disturbance in the resource. M. Tristany asked for a copy of their completed form.

**MOTION:** R. Parrette moved to approve CC 11-13 with the proper erosion and sedimentation controls and to have the design engineer to be on site along for tear down of the existing wall and during construction of the new wall and construction of the boat ramp to maintain the design grade along with an as-built to be presented at completion of the project and a copy of the report to be sent to Army Corps. P. Merrill seconded the motion. All were in favor. The motion was carried.

## **5. Additional Business (New Applications)**

A. There were no new applications.

## **6. Reports from the Enforcement Officer**

P. Zvingilas stated that we have people in attendances who are working with the town for a drainage problem on Brewster road that goes on the landowner's property and involves work in a regulated area. Attorney Maria Ackley was present with Pearl Brenek, property owner and Phil Eccelston, contractor explained that the town had contracted for a plan to address this issue as a result of a law suit and the purpose tonight is to submit this plan as a result of the settlement we are presenting this plan and to determine if additional engineering is required. She stated that the solution would follow the Boundaries plan that shows piping going from a catch basin on Town of Griswold land and into Mrs. Brenek's property. She stated that instead of piping which is more expensive, there will be a swale above ground to go back into what will ultimately be wetlands. She showed the plan to the commission for review.

C. Kinnie stated that this is not a new plan from 2009. M. Ackley stated that this is the original plan that Boundaries engineered. She stated that as part of the settlement we are using the Boundaries plan and will use a swale lined in stone or grass for the water to go through rather than piping that runs underground. C. Kinnie asked if there will be a new site plan showing the modification. She stated that this is the purpose of tonight to determine what the commission will require since this will be a joint application with the town. She stated that we would like to avoid the engineering expense of having the plan redone since it is essentially the same thing.

C. Kinnie stated the plan shows that the shed will be relocated and asked if the shed is in the same area and would have to be relocated. M. Ackley stated that the swale could go behind the shed so that it will not have to be relocated. C. Kinnie stated that the swale will run close to the tree line so it will have to be cleared and encroaches on the approximate property line. M. Tristany asked if the pipe was a direct shot into the wetland. C. Kinnie stated yes and at the end there is a detention basin and a check dam. M. Tristany asked the size of the pipe. R. Parrette stated that according to the site plan it

is 15 inch pipe. M. Tristany asked if there were drainage calculations. M. Ackley stated that she did not have the drainage calculations but that the town should have them since they contracted for this plan.

S. Stadnicki stated that the plan did not show any inland wetlands. She read the narrative for the record that there are no wetlands within 75 feet of the drainage improvement area. R. Parrette asked when the plan was signed. S. Stadnicki stated that there are no signatures on this page numbered 2 of 2. S. Stadnicki stated that D. Sorrentino is the soil scientist. C. Kinnie stated that there should be a soil scientist report with this plan.

C. Kinnie stated that if the work is not in the regulated area, we don't have any jurisdiction. P. Zvingilas asked if it was 75 feet or 150 feet, drainage off the road is not a residential use. He asked if there are wetlands in the commercial zone, because drainage off the road is not a residential activity. There was discussion of this matter.

C. Kinnie stated that we cannot decide anything or if it is even our jurisdiction with this site plan. G. Serdechny stated that based on this plan, we don't know where the wetlands are if it 150 feet. P. Zvingilas stated that there is a swamp back there but didn't know how far back and eventually the water gets back there. P. Zvingilas asked if it going to a retention pool. M. Ackley stated that it will drop from the catch basin into a plunge pool go to the swale and into another pool at the other end. R. Parrette asked if there is an alternative plan. M. Ackley stated that the plan has two catch basin, one on Mrs. Brenek's side of the road and one on the other side of the road; and part of the settlement, there will only be one catch basin and Mrs. Brenek will receive all of the water from the one catch basin. P. Zvingilas stated that the piping will be going into an existing swale down there. M. Ackley stated M. Tristany asked if it accepted the water that was flowing before this design. M. Ackley stated yes and that there is a ditch. P. Eccleston, contractor, stated that he looked at the property. There was discussion of this matter including removing the 10 ft. by 8 ft. shed.

M. Ackley stated that she will have boundaries meet with P. Zvingilas; P. Zvingilas stated that there are no wetlands shown on the plan. C. Kinnie stated that we need to see a new site plan showing the proposed swale, the location of the wetlands. P. Zvingilas stated that we have to check whether it is 75 feet residential regulated area in which case you don't have to come back; or if it is 150 ft commercial regulated area, the wetlands need to be shown. R. Parrette stated that the proposed swale needs to be shown so the contractor can build it. M. Tristany stated that if the shed remains in the swale, they would need to show how the swale would work with the shed in the middle of it.

C. Kinnie stated that M. Ackley talk to Boundaries to get more information and to determine jurisdiction. M. Ackley stated that there is jurisdiction, there would be a drawing showing the swale. C. Kinnie stated that there needs to be distances and wetland delineation. M. Tristany stated the new plan should show the rip rap, and pipe coming out of the catch basin.

M. Tristany stated that he will call Boundaries and we will be in touch with you.

P. Zvingilas stated that L. Laidley had a question of the demolition of the Log Cabin and whether hay bales were set up. P. Zvingilas stated that the hay bales were laid out but could not be seen from the road.

## **7. Old Business**

- A.** Discussion and Action on Hazard Mitigation Plan Update Annex for the Town of Griswold to forward to the BOS for approval at town meeting.

C. Kinnie asked if the members looked at this. He stated that there were typos that should be fixed before accepting this document from SECOG. He stated that it was on Page 10 should read Town of Griswold not Town of Franklin. M. Tristany stated on 2-10 waste water treatment plan for emergency power supply shows no. He stated that there was to be a huge generator at the power plan. He stated on page 2-11 Griswold Volunteer Fire Department regarding EMS tertiary shelter at the Elementary school currently under construction. He stated that this should be changed to that the construction was completed and should have passed inspection. He stated on 3-7 regarding flood wall around the waste water treatment plan, that a design included a flood but that there was a wall built but should be higher. He stated that 4-1 regarding Coastal Flooding and Storm Surge and 4-2, Existing programs and Mitigation measures Griswold does not have any plans; he stated it should be changed to read Griswold does not require flood hazard zoning because Griswold is not In coastal

floodway. He stated in 5-2 Griswold is at 110 mph wind loads, he stated that this is changed. P. Zvingilas stated that it will be reduced to 100 except to within 1 mile of the shore. There was discussion of this matter.

C. Kinnie asked for a motion to send this to the Board of Selectmen.

**MOTION:** S. Stadnicki moved to sent this to the BOS with the corrections and suggestions noted by members and staff.

R. Parrette seconded the motion. All were in favor. The motion was carried.

## 8. New Business

- A. Letter from Hurwitz, Sagarin, Slossberg, & Knuff, LLC requesting an extension of the wetlands permit of BBC Griswold, LLC, the permit expiration date of March 20, 2013 and based on PA 11-5 the permit shall expire March 20, 2017, and a request for an extension to March 20, 2022 as permitted by PA 11-5.

C. Kinnie read a letter from Sagarin, Slossberg & Knuff, LLC for the record. He stated that they have the right to request this extension. There was discussion of this matter including that unless something changes dramatically from the approved plan, they would have to come before the commission with a new application and a new plan. C. Kinnie asked for a motion.

**MOTION:** R. Parrette moved to approve the extension of the permit to March 20, 2022 for CC 12-08. S. Stadnicki seconded the motion. All were in favor. The motion was carried.

### B. Election of Officers

There was discussion of this matter.

**MOTION:** P. Merrill moved to re-nominate the existing slate of officers. G. Serdechny seconded the motion. All were in favor. The motion was carried.

S. Stadnicki left the meeting at 8:35 p.m.

## 9. Approval of Minutes

- A. Approval of Minutes of the Regular Meeting of January 17, 2013

C. Kinnie asked for a motion to approve the minutes of January 17, 2013

**MOTION:** R. Parrette moved to approve the minutes of January 17, 2013. P. Merrill seconded the motion. All were in favor. The motion was carried.

## 10. Communications

- A. Avalonia Trails Newsletter Winter 2012-2013  
B. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Winter 2013, Volume XVII, Issue 1  
C. 2013 Connecticut Land Conservation Conference, at Wesleyan University, Middletown, CT, March 23, 2013.

C. Kinnie read a letter from Hull Forest Products regarding the Notification of Timer Harvest form on a portion of land owned by Harvey Polinsky south of Bishop Crossing Road consisting of the first unit consisting 88,000 board feet for the record. There was discussion of this matter including stabilizing the roadway. C. Kinnie read the Timber Harvest form for the record of what will be done on this site including the sedimentation controls. C. Kinnie asked that P. Zvingilas and P. Merrill to look at this site to verify using the aerial map that shows the skid trails and temporary bridges and whether there are any violations.

There was discussion of the Public Act 12-51 extending the permit dates issued by an Inlands Wetlands Commission. M. Tristany suggested asking the Town Attorney if they have a simpler version of the act. C. Kinnie stated it should be clearer before we set a public hearing to add it to our regulations.

## 11. Reports from Members

There were no reports from members.

## 12. Conservation Commission Matters

- A. Discussion of plans for April 2013 Earth Day Celebration within the community.

C. Kinnie asked members for any suggestions for Earth Day. R. Parrette suggested cleaning the river between the dam and the dam. C. Kinnie suggested doing a clean up on the shore line at Pachaug Pond this year and he would speak with J. Waitte for his availability to utilize his boat. There was discussion of this matter.

**13. Adjournment**

C. Kinnie asked for a motion to adjourn. R. Parrette motioned to adjourn. G. Serdechny seconded the motion. All were in favor. The meeting adjourned at 8:55 p.m.

**III. Aquifer Protection Agency**

**1. Call to Order**

Chairman Courtland Kinnie called this regular meeting of the Aquifer Protection Agency to order on February 21, 2013 at 8:55 p.m.

**2. Roll Call & Determination of Quorum**

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

**Absent:** Edward (Jay) Waitte, Dean Rubino, Lawrence Laidley, Glen Norman, Stacie Stadnicki, Alternate Lauren Churchill

C. Kinnie appointed G. Serdechny to sit for G. Norman, P. Merrill to sit for J. Waitte. There was a quorum for this regular meeting.

**3. Matters Presented for Discussion**

**A. Discussion and action on APA 02-13 630 Plainfield Road – Stilly's Garage Registration No. 2013 APA 02**

C. Kinnie stated that we discussed this registration in January. He stated at that time we wanted to speak to a representative. D. Szall stated that she sent a letter to Mr. Computaro to send a representative for this item. Mr. Computaro was not present. C. Kinnie stated that for Stilly's Garage, it was a straight forward registration because they modified their site based on the best management practices required by the APA. We discussed their regulated activities and he read these for the record. C. Kinnie stated as the property owner be made aware that he had to come in for the rest of the property since there are two different uses on two different sites.

M. Tristany asked when the registration period expires. C. Kinnie stated that the registration period has expired but we will continue to accept registrations until the State steps in. We will forward registrations to the State. M. Tristany stated that if it is ignored. C. Kinnie stated that if it is ignored the state will step in and if the property is not registered, the activity is not grandfather. There was discussion of this matter.

C. Kinnie asked for a motion.

R. Parrette moved to approve this Registration No. 2013APA02 as presented for Stilly's Garage, 522 Plainfield Road, Griswold. G. Serdechny seconded the motion. All were in favor. The Motion was carried.

**4. Adjournment**

C. Kinnie asked for a motion to adjourn. R. Parrette moved to adjourn. P. Merrill seconded the motion. All were in favor. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Donna M. Szall  
Recording Secretary