



Town of Griswold



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GRISWOLD INLAND WETLANDS & WATERCOURSES CONSERVATION COMMISSION & AQUIFER PROTECTION AGENCY

REGULAR MEETING MINUTES

APRIL 17, 2014

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 April 17, 2014 at 7:36 p.m.

2. Roll Call & Determination of a Quorum

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

Absent: Robert Parrette, Stacie Stadnicki, Edward (Jay) Waitte, Dean Rubino, Glen Norman

C. Kinnie appointed G. Serdechny to sit for R. Parrette, L. Churchill to sit for S. Stadnicki and 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 09-14 LINDQUIST, KENNETH Property at 131 Dutka Drive, Griswold, CT.** Request approval for residential activity within a wetlands or watercourse in order to reconstruct an existing 24 ft. stone wall using concrete with steps to gain access to the lake from a raised area of land. Property is zoned R-60.

C. Kinnie stated that this was before the commission last month. Kenneth Lindquist stated that his son Erik Lindquist will be speaking in his place tonight. He stated that he submitted a letter from the owner authorizing him to represent her. D. Szall stated that the authorization letter is in the file.

L. Laidley arrived at 7: 37 p.m.

E. Lindquist stated that the letter was submitted to the file. C. Kinnie read for the record the letter from Norah Gadomsky authorizing K. Lindquist to represent her. E. Lindquist submitted the revised site plan showing the high water mark is at 161 ft above sea level of the proposed work from the USGS at the UConn site. He submitted the contour map for the record showing that the contours for the property feet above sea level and showing the grade of the property which he got from the UConn site. C. Kinnie asked if that map would be submitted for the records. E. Lindquist stated yes. C. Kinnie appointed L. Laidley as secretary pro tem.

E. Lindquist stated that the abutting property owners were added to the site plan as requested from the last meeting. He stated that the distances to the adjacent properties are to scale. He asked the commission for any questions.

C. Kinnie asked if the applicant had heard back from the DEEP. E. Lindquist stated that he has spoken to Al Schwenk and that their meeting has not been scheduled but should be before the end of the month; and he asked Mr. Schwenk if the plans submitted were adequate; he was told yes they were adequate to make a decision. C. Kinnie asked if the members had any questions for Mr. Lindquist.

L. Laidley asked if the abutters had to be noticed before the work was to be done. L. Laidley asked if the dock was pre-existing. K. Lindquist that that it was not part of the scope of the project. L. Laidley stated that the dock should be removed from this plan. E. Lindquist stated that it was included as a reference point. L. Churchill asked if the stairs went up from the beach right up to the house. E. Lindquist state that there were two segments, the wall and the stairs that went from the beach landing up to the patio driveway area of the house. There was discussion of this matter.

E. Lindquist submitted photographs of the area for the record showing the rough endings of the wall and where the steps to the top of the wall on the property line. C. Kinnie asked when it was taken. E. Lindquist stated that the photo was taken early March. C. Kinnie asked if it was also the high water mark. E. Lindquist stated yes. There was discussion of this matter including that Mrs. Gadomsky was 81 years old and she needed the steps.

K. Lindquist stated that he wanted to do the steps in the regulated area so Mrs. Gadomsky can get to the shoreline. P. Zvingilas stated that you will get the steps done this spring. He asked if there would be a drawdown for this fall. There was discussion of this matter.

C. Kinnie asked for comments from staff. M. Tristany stated that he has not seen the plan and Mr. Lindquist had called for help with the contour information. There was discussion of this matter that site plans are reviewed by Staff.

C. Kinnie asked what the elevation that DEEP goes by. P. Zvingilas stated that it was 159.5 for their base flood elevation that is the same as the dam height and lower which the DEEP regulates. C. Kinnie stated that the problem with retaining walls is the water that goes behind the wall. M. Tristany stated that the one-year base flood is 159 elevation. C. Kinnie stated that the shoreline here is depicted at 162 elevation. E. Lindquist stated that it is three feet above the base flood elevation. P. Merrill asked if he is pouring a cement wall. C. Kinnie stated yes and that the base of the wall is below the water level and that the work will be done when the pond is drawn down. P. Merrill asked if the silt will be removed and the stones will be used to back upon the wall. He asked where the material will be stored so it will not wash back into the pond. K. Lindquist stated that the material will be negligent; it is a sandy bottom and he will removed about six inches to install the wall; the existing stone will be part of the wall. G. Serdechny asked the width of the wall. E. Lindquist stated that it will be three feet at the base and two feet at the top. He asked if heavy machines will be use. K. Lindquist stated that the material will be removed by shovel.

C. Kinnie stated that whatever this commission decides and acts on, it is still contingent upon what you get from DEEP. L. Laidley asked the stairs will be on the slope. K. Lindquist stated that it will be grass on the top and beach at the bottom. L. Laidley stated that the dock should be hash marked out. G. Serdechny stated that note that the dock is reference only. E. Lindquist added the note that the dock is for reference only.

C. Kinnie asked for other questions; hearing none, he asked for a motion. L. Laidley stated that this seems straightforward.

MOTION: L. Laidley moved to approve CC 09-14 with the proper erosion and sedimentation controls as depicted on the plan submitted on 4/17/14. G. Serdechny seconded the motion. All were in favor the motion was carried.

5. Additional Business (New Applications)

A. CC 10-14 HANSEN, JOHN M. III & ERICA M. Property at 55 and 63 Dawley Road. Request approval for residential activity to construct a 1054 sq. ft. agricultural building with foundation and associated grading within a regulated area for housing of existing animals on a 9.4± acre parcel of land. Property zoned R-60.

C. Kinnie asked if there was someone to represent the applicant. John Faulise, Boundaries, LLC was there to represent the applicant. He submitted a revised site plan and explained that this log cabin set back on Dawley Road. J. Faulise submitted a letter from the sanitarian, which was for a garage that was part of a ZBA application. He stated that he will have an updated letter for this meeting. He stated that an agricultural building will be constructed; he stated that there is the principle parcel of 55 Dawley Road and the triangular property was acquired by Mr. Hansen and the barn is located in the triangularly parcel, 63 Dawley Road that makes up the 9 plus acres. He stated that these two parcels are being merged by deed. He stated that it will become one lot. P. Zvingilas asked for a copy of the merger for next month.

J. Faulise stated that the location is within the regulated area which was delineated by D. Sorrentino, soil scientist. He stated that the grade is fairly flat; the proposed barn will be slab on grade with minimal grading other than the frost walls and the slab for the barn.

He stated that the silt fence will wrap on the north east and south sides of the barn. The area in front of the barn is the only space for the pasture area for the animals. He stated that most of the triangular property is wetlands. He stated that the stockpile will be southwest the barn outside of the regulated area. He stated that the house was built in 2002 which the commission approved an application at that time. He stated that the flood elevation is on the current FEMA maps and there is no base flood elevation and a map amendment by FEMA of 211.1 contours on the west side of the house. He stated that the floor of the barn is at 218.5 elevations well above the flood zone. C. Kinnie asked the level of the flood zone. J. Faulise stated that the flood zone is high on one side than the other. C. Kinnie asked about associated grading. J. Faulise stated that it is to strip the top soil and clean the area out to pour the frost walls and slab.

C. Kinnie asked if the barn is going over the structure that is in the photograph. J. Faulise stated that there is no other structure on that site. M. Tristany stated that GIS will outline structures and it picked this up. There was discussion of this matter including that the field stakes were just put there.

L. Laidley asked how close it is to the delineated wetlands. J. Faulise stated that it is 36 feet from the delineated wetlands. He stated that his wife has all kinds of animals. L. Laidley asked if it would be a steel building. J. Faulise stated no, it will be an architectural building to go with the log cabin. J. Faulise stated that if you want to walk the site individually, you can call the owner to look at. C. Kinnie stated that it looks lightly wooded. J. Faulise stated that some of the trees have been removed before he realized that the proposed barn would be so close to the wetlands. L. Churchill asked if the filter fence would remain their permanently. J. Faulise state that it would be there only until it is stabilized.

C. Kinnie asked M. Tristany if he has reviewed the plan. M. Tristany stated that he reviewed the plan, corrected some housekeeping issues and it is straightforward. P. Zvingilas stated that he wanted to see the merging. J. Faulise stated that he will submit it at next month's meeting. J. Faulise stated that he will submit a new letter from the sanitarian for the proposed barn.

MOTION: L. Laidley moved to accept and table CC 10-14 to the next regularly scheduled meeting. P. Merrill seconded the motion. All were in favor. The motion was carried.

6. Reports from the Enforcement Officer

C. Kinnie asked for reports for the WEO. P. Zvingilas stated that he requested that the commission appoint M. Tristany to fill in as the wetlands enforcement officer since he will be gone most of the month of May.

MOTION: L. Laidley moved to appoint M. Tristany as the temporary wetlands enforcement officer during P. Zvingilas absence. G. Serdechny the motion. All were in favor. The motion as carried.

P. Zvingilas stated that there was a problem with the wall that was installed by G. Cyr at the shore of the Pachaug pond. C. Kinnie stated that this was the Versa Lok block wall that was installed before the pond came back up. M. Tristany stated that Versa Lok has two sections for reinforced shoreline walls and clearly, the detail for the wall was not followed. L. Churchill asked when this was approved. C. Kinnie stated that it would be sometime in November. C. Kinnie stated that based on the picture, the rest of the wall will fail. L. Laidley asked how this would be corrected. M. Tristany stated that they must follow the details that he submitted showing riprap and anchors and a special impervious fill around the anchors with geo-fabric. There was discussion of this matter including that the wall did not look to be terraced back based on the details by Versa Lok.

P. Zvingilas stated that there is another problem that the wall is built out on to the state property. L. Laidley asked how to have them fix this. M. Tristany stated that a plan should be submitted showing the restoration and remediation plan. M. Tristany stated that a wall should be designed by a professional engineer. G. Serdechny stated that they made a point that it was Versa Lok. C. Kinnie stated that if the base of the old wall was good, he would use it as a base for the block. There was discussion of this matter.

C. Kinnie asked if he spoke to the land owner. P. Zvingilas stated no, he wanted to bring it before the commission. C. Kinnie stated to have G. Cyr to come back before the commission with application showing a proper remediation plan to repair the wall and erosion and sedimentation controls measures. P. Zvingilas stated that this should be done by an engineer. L. Laidley stated that this should require an engineer review. P. Zvingilas stated that we will send a notice out to him. There

was discussion of this matter including gabions baskets and that in Orlando, treated burlap that gets staked in the water and is backfilled with twigs towards the land as a dam.

P. Zvingilas stated that there was someone who rented a dumpster, didn't pay for it so the dumpster driver emptied the dumpster on the man's property; the police would not arrest them near Russell Street. There was discussion of this matter.

He stated that the silt fence is up at Pleasant view, but they were underwater during the storm. M. Tristany stated that they did a good job. P. Zvingilas stated that the cross culvert across the road appears to be blocks. L. Laidley stated that it had collapsed awhile ago. M. Tristany stated that the Pleasant view project site plan shows that it will replace the stone box culvert. There was discussion of this matter.

P. Zvingilas stated that out on Bow Lane there was a sink hole. He stated that those were just stump dumps that were buried.

P. Zvingilas stated that the school is looking for a location for a storage building 50 x 100 feet for their trucks and other equipment. He stated that they looked at the area by the entrance to the highway behind Malek's, but there is the pristine brook. He stated that they looked at an area near the road to where the pond was graded; there is a section large enough where it backs up toward the parking lot on the right hand side of the road. There is drainage that can be corrected with a 3 ft. pipe that the trucks and ride over; and there can be 3 concrete walls and a roof to be built into the hillside and it would be easier to connect to electrical utilities for a 100 am service which is about 150 feet away across the road. He stated that they are looking for funding through the budget under capital improvements in the town budget. There was discussion of this matter that the school could purchase that the Spence property is on the market, the property at the corner of Slater Avenue and Preston Road and the Lussier property on Slater Avenue.

7. Old Business

There was no old business.

8. New Business

- A.** Discussion and action on the Revised Inland Wetlands Permit Application that references DEEP reviews, elevations, wall detail for activity in watercourse, Item 17 referencing the penalty, third party reviews and attorney fees.

C. Kinnie stated that the application has been revised and you should have it in your packets. L. Laidley stated that we should not accept any applications that have not been reviewed by staff. G. Serdechny asked if there was a regulation of when the application is due. There was discussion of this matter including that the application should review Section 7 of the Inland Wetland Regulations.

9. Approval of Minutes

- A.** Approval of Minutes of the Regular Meeting of March 20, 2014

C. Kinnie asked for a motion to approve the minutes of March 20, 2014.

MOTION: L. Laidley moved to approve the minutes of March 20, 2014. G. Serdechny seconded the motion. All were in favor. The motion was carried.

- B.** Approval of Minutes of the Special Meeting of March 27, 2014.

C. Kinnie asked for a motion to approve the minutes of March 20, 2014. C. Kinnie addressed one issue under roll call that was his error; but that it did not change any of the decisions or votes made that evening.

MOTION: L. Laidley moved to approve the minutes of the special Meeting of March 27, 2014. L. Churchill seconded the motion. All were in favor. The motion was carried.

10. Communications

- A.** Letter dated March 20, 2014 from Rivers Alliance of Connecticut thanking the commission for their contribution.

There was discussion of this matter including that members can contact River's Alliance about pesticide spraying.

- B. Announcement of New England Lakes Conference, June 13-14, 2014 "Green Ideas for Blue Lakes" at University of Connecticut, Storrs, CT.

There was discussion of this matter.

- C. Notice dated March 27, 2014 from Connecticut Department of Energy and Environmental Protection regarding tentative decision **Intent to Issue A State Permit and National Pollutant Discharge Elimination System Permit for Discharges into Waters of the State of Connecticut** for application from Tilcon Connecticut, Inc.; the Commissioner shall consider written comments received within 30 days of March 27, 2014 to Bureau of Materials management and Compliance Assurance, DEEP, 79 Elm Street, Hartford, CT 06107-5127.

There was discussion of this matter including that DEEP renewal of this application for discharge of wash material through weirs in the detention basins for overland flow through wetlands with Tilcon Connecticut, who has been operating at Rixtown Road for many years.

- D. Notice dated April 2, 2014 from Connecticut Department of Energy and Environmental Protection regarding Notice of Tentative Determination to Approve NPDES Permit Renewal of Borough of Jewett City, Department of Public Utilities, Application No. #200900792

There was discussion of this matter for a renewal of a permit for the Borough of Jewett City waste treatment facility.

11. Reports from Members

There were no reports from members.

12. Conservation Commission Matters

C. Kinnie stated that for Earth Day, the school had a campus beautification. P. Zvingilas stated that the debris was swept into the planting areas. P. Zvingilas spoke to the superintendent about removing the sand that was swept into the planting beds. C. Kinnie stated that he wanted to speak to the coordinator of that project and have Inland Wetlands do something with them together such as a cemetery cleanup. C. Kinnie asked for other ideas. L. Laidley stated that there can be something done at Lester Fountain at Bethel and Voluntown Roads. C. Kinnie asked for other ideas for next year.

There were no other conservation matters. P. Zvingilas stated that in the past months, the planner and the secretary have been producing a lot of work out of the office and that it is a cooperative and productive relationship between the two. He stated that the planner has been put in the budget for full time.

13. Adjournment

C. Kinnie asked for a motion to adjourn.

MOTION: L. Laidley moved to adjourn. G. Serdechny seconded the motion. All were in favor. The meeting adjourned at 9:23 p.m.

III. Aquifer Protection Agency

1. Call to Order

Vice Chair Courtland Kinnie called this regular meeting of the Aquifer Protection Agency to order on April 17, 2014 at 9:23 p.m.

2. Roll Call & Determination of Quorum

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

Absent: Robert Parrette, Stacie Stadnicki, Edward (Jay) Waitte, Lawrence Laidley, Glen Norman,

C. Kinnie appointed G. Serdechny to sit for R. Parrette, L. Churchill to sit for S. Stadnicki, and P. Merrill to sit for J. Waitte. There was a quorum for this regular meeting.

3. Matters Presented for Discussion

C. Kinnie stated that we have had some discussion at the last meeting about communications with DEEP. M. Tristany explained that he spoke to K. Czaplak and DEEP is gearing up to have a site inspection there during the week of April 21, with five divisions of DEEP from air quality, wetlands, aquifer protection and a few others. He stated that he will let the members know when this site visit will occur.

M. Tristany stated that a resident behind this site had come to voice a complaint for this same entity regarding illegal expansion of the site; and that they are in violation several items including excavation of the site of a Court Stipulated Judgment issued in 1996. He stated that they will submit a formal complaint.

C. Kinnie asked if DEEP is requiring if Commission members to attend. M. Tristany asked if members could accompany DEEP, and was told yes, by all means. C. Kinnie would like to see DEEP report sent to the Planner and then it can be presented to the commission. Report rather than have Commission member attend the site walk and that other members can attend if they would like to.

M. Tristany stated that the most recent application was submitted to DEEP and that the activities they do were not check and activities that they do not do were checked. C. Kinnie asked if there was another application submitted. M. Tristany stated no. There was discussion of this matter including the denial by Planning and Zoning of the thermal silos to be installed and according to the resident, those silos are up.

4. Adjournment

C. Kinnie asked for a motion to adjourn.

MOTION: made a motion to adjourn. D. Rubino seconded the motion. All were in favor. The meeting adjourned at 9:35 pm.

Respectfully submitted,

Donna M. Szall
Recording Secretary