



# Town of Griswold



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## GRISWOLD INLAND WETLANDS & WATERCOURSES CONSERVATION COMMISSION

### SHOW CAUSE HEARING & REGULAR MEETING MINUTES

JULY 16, 2009

GRISWOLD TOWN HALL

#### I. Show Cause Hearing (7:00 P.M.)

##### 1. Call to Order

Vice Chairman Robert Parrette called this continuation of the show cause hearing to order at 7:02 p.m.

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

**Present:** Vice Chair Robert Parrette, Secretary Stacie Stadnicki, Member Edward (Jay) Waitte, Glen Norman, Lawrence Laidley, Alternate Gary Serdechny, Attorney Brendan Schain, Town Planner Carl Fontneau, WEO, Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Chair Courtland Kinnie, Dean Rubino,

##### 3. Matter Presented for Consideration – Continued from February

- A. Notice to Cease and Desist from all regulated activities within 75 ft. of the Griswold Inland Wetlands and Watercourses and Conservation Commission Regulations and Section 22a-44 (a) of the Connecticut General Statutes sent to:

George Johanson, P.O. Box 353, Voluntown, CT 06384. Property location: 61 Myrtle Road, Griswold, CT; Map 77, Block 119, Lot 239, Volume 90, Page 904;

Allan and Valerie Johanson, 70 Morewood Oaks, Port Washington, NY 11050. Property Location: 54 Myrtle Road, Griswold, CT; Map 77, Block 119, Lot 234, Volume 87, Page 544;

Norman W. Johanson, P.O. Box 353 Voluntown, CT 06384. Property location: 53 Myrtle Road Griswold, CT; Map 77, Block 119, Lot 240, Volume 225, Page 507;

Norman Johanson, P.O. Box 353, Voluntown, CT 06384. Property location 62 Myrtle Road, Griswold, CT; Map 77, Block 119, Lot 235, volume 87, Page 541;

Glemacy Builders, LLC, P.O. Box 425, Griswold, CT 06351. Property location: 67 Jennifer Lane, Griswold, CT; Map 77, Block 119, Lot 253.21, Volume 275, Page 736

Glen Reil, P.O. Box 425, Griswold, CT 06351. Property location: 67 Jennifer Lane, Griswold, CT; Map 77, Block 119, Lot 253.21, Volume 275, Page 736

R. Parrette asked if there was anyone to represent the Johansons. He stated to let the record show that G. Norman arrived at 7:03 pm.

Atty. Jim Mulholland was here to represent Norman Johanson. Atty. William McCoy was present to represent Glemacy Builders. R. Parrette asked the soil scientists to come up with a plan to rectify this problem. Atty. W. McCoy explained that they were not soil scientists but engineers to exchange information. Norman Thibeault explained that they have exchanged information.

Norman Thibeault, professional engineer and project manager with Killingly Engineering Associates presented his findings to the commission to find a solution for the drainage problems on the Johanson property.

R. Parrette stated that Peter Zvingilas arrived at 7:05 p.m.

N. Thibeault stated that there were additional surveys done on the Johanson property that located the wetland flags and the limits of an existing swale and proposed conveyance system to allow the water to the easement and to the drainage system on Myrtle Avenue. He did additional calculations which he sent the Town Planner and to DiCesare Bentley who had a disagreement with them. N. Thibeault stated that he redid the calculation and submitted a copy to DiCesare Bentley engineer Paul Biscutti. He explained that he received GIS map of the area from C. Fontneau that showed the drainage area. He explained the findings that agreed with P. Biscutti's findings. He explained that the entire water shed is 2.23 acres gets into the drainage system. He did calculations for a 25 year showed 15.2 c.f.s. which is similar to P. Biscutti findings.

N. Thibeault explained his observations on July 2, when 6 inches of rainfall in a 24 hr. period, he went to the site to see the effect and how the existing swale handled the water. He explained that the water from the swale dissipated down hill about 75 feet from the swale which didn't appear to have an effect on the Johanson property. N. Thibeault stated that the swale is 6 inches deep and the capacity does not to cause an overland flow. He stated that there was no water on Myrtle Road on this date from the storm event and no overflow from the catch basins.

N. Thibeault explained his findings for the pipe capacity of the 15 inch pipe which is 225 ft with a 4 % slope from catch basin 4 to the pond which has a capacity of 13.05 c.f.s. theoretically. He explained his drainage calculations stated that the pipe is adequate to convey the flow to Pachaug Pond. N. Thibeault explained where the back up occurs at the 15 inch inlet pipe across the road crating a backwater effect and the conditions to be analyzed. He stated in a 25 year storm there will be back up at the inlet pipe.

N. Thibeault explained that the swales are capable to contain the flows that come off the property and from adjoining properties and the slope and they will repave the driveway and cross slope it an repair some problems where there is a stone berm where there is a lot of sedimentation. He stated that the swale capacity is 50 c.f.s. where the swale is 6 percent and where the swale is 4 percent the water is 42 c.f.s. to keep the water out of the road. N. Thibeault talked about the erosion and sedimentation controls explained where the silt fence was located and locations of trees and those will be addressed during the permit process and will be reviewed by the town's engineer. He stated that they had located the wetlands by survey.

J. Mulholland questioned the presentation that 6 inches of rain fell on July 2. He stated that he has a neighbor who can testify that the heavy rain fell on July 1<sup>st</sup> and that there was only 1.75 inches of rain. He asked N. Thibeault where he got the 6 inches of rain figure. B. Schain asked J.

Mulholland to address his question to the chair. N. Thibeault stated that Attorney Heller research the number for that rain event.

J. Mulholland asked if the neighbor could for the record attest to the amount of rain that fell. W. McCoy stated that it didn't have anything to do with this proceeding and stated that N. Thibeault has done the 25 year calculations for this site and whether or not there is resolution of the problem and get beyond the cease and desist and to get to the permitting process.

J. Mulholland stated that the relevance is that there was no further flooding on the south side of his client's property but that there was significant water and settled on the road and whether the proposed solution will take care of this flooding on the south side.

B. Schain asked N. Thibeault whether the 1.75 inches or 6 inches of rainfall colored his analysis of the 25 year storm event. N. Thibeault stated no, that he observed that it was the amount of water coming off the swale and that was the first time he had seen water flowing from the swale and that 75 feet from the swale there was no water. He stated that there was flow on the south side of the Johanson property line but that that it was coming from the overflow from the swale in the right of way within the drainage easement by his observations.

B. Schain asked R. Parrette if he wanted to hear other testimony at this time. R. Parrette stated that not at this time. R. Parrette asked Paul Biscutti to make his presentation.

Paul Biscutti, professional engineer with DiCesare Bentley stated that he reviewed N. Thibeault's calculations and that Mr. Thibeault responded and addressed his concerns. He had three areas of concern of which two are related. He explained that the third area of concern that was not addressed was the water that comes down from the new driveway curb cut from Jennifer Lane to the Johanson properties. He stated that that problem was one addressed by him in his original report on the drainage problems. He explained the other two concerns that involve addressing the peak discharge used to size the conveying system analyze the pipes and the impacts of this swale. P. Biscutti stated that the original drainage report based on observation that there was no water from the swale from the westerly boundary discharging on the southerly boundary but that it infiltrates into the ground support the subtraction of the 2.23 acres of drainage area to compute the peak discharge figures at the pipe at Myrtle Lane.

P. Biscutti stated that N. Thibeault's new numbers are more in line with P. Biscutti's original report. He explained what he would do for a drainage design for this situation that included digging test pits, characteristics and permeability of the soils, infiltration analysis and determination of peak discharge. P. Biscutti stated the water running down the south side has not been adequately addressed especially to the pipe on Myrtle Road. He talked about a guard drain with a pipe to the swale. P. Biscutti concurred with N. Thibeault that there will be a problem when the water tries to get into the 15 inch inlet pipe. He stated that the water will overflow the inlet pipe and overflow the road into Pachaug pond and the pipes in Myrtle Road are not adequate.

P. Biscutti state that the survey plan that there are a number of trees in this vicinity and around the wetland and did not know if the proposed work would include removal of those trees and that he did not know where the actual position of drainage easement is located and if the swale falls within the drainage easement, And if the runoff would reach the drainage easement. P. Biscutti stated that there needs to be water control while working on the swale, a possible sump pit and bypass the pump flow and proper erosion and sedimentation measures and those are lacking in N. Thibeault's plan.

W. McCoy representing Glemacy stated that the commission did a field walk there in May and that there was no evidence of scouring and that there was substantial growth and the question was

whether the water was coming across the drive. He stated that the solutions and pitching the driveway toward the swale and bringing the water to the swale and down. He stated that the problems are exacerbated by the cease and desist since this plan cannot be implemented. He stated that the permitting process the plan will work and asked that the cease and desist be removed to do the work to alleviate the problem. He asked whether this plan addresses the wetlands issues that exist on this property.

N. Thibeault stated that the easement was found with Class C survey locating property pins and is very accurate and the swale and the work proposed is within the easement. L. Laidley asked him to state the changes to the current situation. N. Thibeault stated that they will slope driveway, pick up water to level spreader then discharge to the wetlands and to the existing twin 15 inch pipes and to another swale which will be more defined with a 3 ft bottom width, 2/1 side slopes and one foot deep so the capacity will be much greater than what exists now. L. Laidley asked if there would be work in the catch basin. N. Thibeault stated that there is no work proposed for the catch basin at this time.

L. Laidley asked P. Biscutti what he proposed to do with the swale and the catch basin. P. Biscutti stated that L. Laidley was referring to an open pipe inlet. P. Biscutti stated that he agreed with N. Thibeault that the swale was adequate for a 25 year storm event on the numbers. He stated that he was not asked to analyze that pipe system in Myrtle road at the inlet or to the Pachaug Pond, He stated that in reviewing this plan, he estimated the of the pipe inlet capacity based on inlet control. He stated that will probably control the flow in that pipe; but that the water will flow over the pipe and into the road.

L. Laidley asked N. Thibeault if he agreed that the water will overflow the pipe into the road. N. Thibeault agreed and stated that their work is within the right of way and some things can be done at the pipe inlet to make it capable of accepting more water for most storm events but will not do work in Myrtle Road. There was discussion of this matter including yard drains in the swale. L. Laidley asked N. Thibeault to add a yard drain into his proposal. N. Thibeault agreed.

S. Stadnicki asked N. Thibeault to explain what the pipe inlet is. N. Thibeault stated that it is an open pipe inlet that runs under the road into a catch basin on the opposite side of the road and explained that it was in poor condition with debris in it and a fallen tree across it. It is a steep pipe that is 15 inches.

R. Parrette asked where the yard drain would be located. N. Thibeault explained that it would be located at the end of the existing eastern swale on the eastern side of Glemacy driveway with a pipe to the start within the proposed swale to be discharged into the wetland. R. Parrette asked if everyone agreed that this was a good plan for the yard drain to get the water to the wetlands. P. Biscutti stated yes as long as the pipe is sized properly and the grade is sized properly and N. Thibeault agreed with that.

S. Stadnicki asked B. Schain whose responsibility it was when the water crosses the road. B. Schain stated that it is not up to the commission to determine who was responsible or who pays for the work, just that the work must address the conditions as they are. He explained the options that the commission has to 1) require one or both property owners to apply for a permit to address the situation, 2) modify the order to include addressing that situation. S. Stadnicki wasn't sure if we had to make a determination or not and if we were satisfied or not. There was discussion of this matter including which lots were the Johanson properties.

N. Johansen stated that the existing pipe in on Al Johanson's property and the easement contains the pipe that goes to the lake and the catch basins drain into the pipe. He stated that the inlet pipe has worked properly for 30 years but that it doesn't work now. He stated that the last 3 years the

properties have been flooded due to the clear cutting of the Glemacy property and the development there and the direction of the two 15 inch pipes which he stated are 18 inch pipes in the Glemacy driveway. He stated that the easement from Glemacy completely is on his property down to Myrtle Road then goes to Al Johanson's property.

J. Mulholland asked if the 18 inch pipes would affect the calculations. N. Thibeault stated that the 18 would not make that much difference there won't be restrictions of flows that we are talking about. B. Schain asked P. Biscutti would agree that that statement. P. Biscutti stated that he agreed. J. Mulholland asked if there would be any considerations regarding the runoff from Jennifer land from the driveway. N. Thibeault stated that for the driveway, itself, it was not accounted for and that he had not observed water running from Jennifer Lane. He stated that the driveway will be raised and graded and water will be conveyed to the two existing pipes. He stated that the water is sheet flowing from other properties. P. Biscutti stated that he has observed flow coming from the driveway and Jennifer, and if it is not stopped it will burden Jennifer land. He suggested a small asphalt berm at the curb jut on the driveway. N. Thibeault agreed with that suggestion to take the driveway out of the equation.

L. Laidley stated that both engineers agree that the inlet pipe will be a problem and should be worked on. W. McCoy stated the proposed work is within the commission's jurisdiction and that they have no control over the properties and existing pipe systems we only have control over the easement areas. He stated that the flows through this pipe are not wetlands issues but the quality of the water is a wetlands issue. He state that the properties are owned by the Johanson and they must address those issues.

R. Parrette asked B. Schain where the c & d line get drawn. B. Schain stated that the c \* there are photographs showing dirty water going in to the pond and that is the commission's jurisdiction over the 15 inch pipe discharging into the pond and can address drainage going through this pipe and that sediment going through the pipe and the commission is satisfied that the water is free of sediment, but not certain that then you can modified the order to require a permit for that pipe.

W. McCoy agreed with that suggested that once the water gets to the pipe is clean water and that Glemacy does not have control over what happens after it reaches that pipe and that that can be addressed in another application.

J. Mulholland stated that the issue is the source of the sediment getting to the pond and the route cause was what happed on the lot on tope and that they are suggesting that there will be clear water getting into the pipe; but that if there is overflow from the pipe and that gets into the pond, then it is still their concern since the water comes from their property. He stated that the responsibility should not be shifted to his client, the Johansons. B. Schain asked J. Mulholland if he did dispute the fact that the outlet of the pipe is in the wetlands or the upland review area. J. Mulholland stated that he did not. B. Schain asked J. Mulholland if he disputed that it is tied to storm drains and that there are other sources of sedimentation to that pipe. J. Mulholland stated of course not. P. Biscutti stated that the record shows that the sediments came from the eroded channels on the Johanson property into Pachaug Pond because of the development of the property. He stated that there is no question of where the sediment came from. He stated that the commission must address the issues of the pipe in Myrtle Road that flood flow does not create another erosion problem to convey sediment to the pond.

R. Parrette stated that this did not apply to the cease and desist. R. Parrette asked where the cease and desist stops. B. Schain explained if the commission is satisfied that if the proposed work addressed that the water is clear then it stops there; but if you feel there will still be sediment to the pond then you still have jurisdiction over that. There was discussion of this matter including that the over flooding of the inlet pipe would be a separate occasion and that it should be addressed now.

B. Schain stated that the commission can modify the order and suggested that there can be a condition of lifting the order based on the granting of a permit and meeting the conditions of that permit and when those conditions are met, the order can be lifted.

The commission discussed that which they were in agreement; and they discussed how to address the inlet pipe will handle the water and go through the channel into the pond properly. They discussed the easements on the Johanson properties for both sides of Myrtle Road and the easements were read for the record to determine if there is a back up at the inlet and overflow across Myrtle Road then there are still sediment issues.

W. McCoy voiced their concern to leave cease & desist in place and that is a problem for them because it is not regulated work that will help the situation and remove the c & d and require us to apply for regulated activities to solve the problem and some of the work is not regulated. B. Schain stated that if it is not regulated activity it does not fall under the cease & desist. J. Mulholland agreed with the town attorney to keep the c & D in place until the plan has been effectuated and the problem remedied. W. McCoy stated for the record that if this is an perceived drainage issue between neighbors that is not within the commission's jurisdiction and that he wanted to be clear what you can do with a cease and desist and what you cant and that there currently is no sedimentation into the pond. B. Schain stated that much of the work on the Glemacy property does occur within the regulated area and requires a permit.

P. Biscutti stated that this was only one solution and that there may be other solutions to remedy this problem would have not impact the inlet pipe. R. Parrette asked if there are any other solutions. P. Biscutti stated that he had submitted a conceptual mitigation plan that called for a detention basin and to use the wetland as detention storage to meter the flow to eliminate the potential issue on Myrtle Road.

B. Schain outlined the commissions options: 1) you can find cause for the order and leave the order in place; 2) you can find no cause for the order and you can vacate the order 3) or you can modify the order as you see fit and you may condition leaving the order in place and you may condition the modified order as you see fit and to require to obtain a permit, granting the permit and complying with the permit before the order is vacated.

S. Stadnicki asked if grant the permits and everything is done and everything is great; then later there is a problem with the inlet pipe and water overflows on to Myrtle Road going on the Johanson property and then sediment into the pond, then what. B. Schain stated then another cease and desist would be issued and the wetlands officer would determine who and what was the cause of the sedimentation. S. Stadnicki asked if the commission can take care of this now so that we're not back here in a year. B. Schain stated yes it is within the commission's jurisdiction. W. McCoy asked if there is a record to support a finding that you know all of the sources of the sedimentation. He stated that this has to be done in stages to help isolate the sources of the sedimentation and that the Glemacy solution solves the Glemacy problem.

S. Stadnicki asked P. Zvingilas if he had any comments. P. Zvingilas stated that the discharge of dirty water into the pond is the reason for issuance of the cease and desist and the cause was the run off of the Glemacy property onto the road and onto the Johanson property which occurred when the ground was frozen. He stated that he could speculate that another source would be a defect in the pipe to the catch basin to the pond so that needs to be examined. He stated that there should be proper rip rap and pools at the end of the pipe so it doesn't cause erosion in the bed of the pond and something needs to be there. He suggested that the cease and desist be modified it to permit them to do their corrections up stream and well take a look at it. He stated that there was talk about

the saturation of the ground; he stated that there were 26 days of rain in June and that the ground is fully saturated.

R. Parrette stated that the expert agreed that there will be overflow from the inlet on to Myrtle road and that with all the runoff from Glemacy into the wetlands and so there will be more volume in the wetlands to run to the inlet, can this be detained. P. Biscutti stated that the overflow has to do with volume but with peak flow. There was discussion of this matter including that there is water still being discharged into the pond.

N. Thibeault stated that creating detention in the wetlands and it is not looked on as a good thing since it changes the characteristics in the wetlands. He stated that it will exceed 5,000 s.f. which then becomes an Army Corp of Engineer issue. He stated that he can look at the elevations adjacent to the wetlands and what might be feasible somewhat close to the wetlands. P. Biscutti stated that there could be a chamber under ground to contain the water.

S. Stadnicki stated that the intake pipe is still an issue and asked for suggestions to stop the overflow over Myrtle Road to create more problems. W. McCoy stated that this may be getting beyond what this hearing is about and there is no record of all of the sources all of the flows and that we have given reasonable solutions to flows from the Glemacy property and we cannot cure all the problems of that area don't control all of the drainage going on and all the property. He stated that the cease & desist relates to whether or not my client's activities have led to sedimentation being introduced into Pachaug pond. There was lengthy discussion of this matter including that this plan will address the unrestricted water flow from the Glemacy property, whether all the up gradient properties are responsible for the sedimentation in Pachaug Pond.

B. Schain stated that the commission must decide if plan before you satisfies your order and suggested that the permit require that it address the inlet pipe and that both parties be involved in the permit process and the order can be modified to address this issue if the commission finds it is regulated activity.

S. Stadnicki read the item 2 of the cease and desist order for the record regarding submission of a restoration plan to prevent further discharge of sediment into Pachaug Pond. There was discussion of this matter. R. Parrette stated that the two engineers both agree that the proposed plan addresses the runoff from the Glemacy property eliminates this problem that started the sedimentation into the pond. He stated that if the water runs over this also includes runoff from the street and down from the other streets when it rains running into the catch basins and through the pipe into the pond. There was further discussion of this matter including that all the sources of runoff and sedimentation is not known.

N. Johanson stated that Chairman Kinnie stated that the original wetlands permit was not followed to the letter for the limited clearing of the Glemacy property that helped to create the runoff problem that exists. C. Fontneau addressed a question to B. Schain that should a wetland permit be ordered for the pipe that was not reviewed based on past records, should it be done by the now property owners. B. Schain stated that they would have to be a party to that application for the same reason they are party to the cease and desist order. R. Parrette asked who has claim to the easement of the pond side of Myrtle Road. C. Fontneau stated that it was lot 15 and 16. P. Zvingilas stated that there must be a tile search to make that determination. There was discussion of this matter.

B. Schain stated that the commission can determine whether the order has not been complied and leave it in place, if there is a plan for the portion of the site, can be addressed by modifying the order to require wetlands permits and compliance with the permits for the portion o the site that is planned, or to continue the show cause hearing for a plan for the portion that does not have a

complete plan and the order can remain in place until a permit is granted and is complied with. There was discussion of this matter.

W. McCoy stated that they have presented a plan to deal with this problem. L. Laidley stated that the plan creates another possible, future problem. W. McCoy stated that when you say another possible, future problem, he is uneasy that there must be a finding of substantial evidence that there will be more sedimentation into the pond. B. Schain stated that he shared his unease because there must be a finding of evidence that contributes to the present problem. There is discussion of this matter that included the commission's options again and the fact that the time to work on the proposed plan in order to replant before the fall.

J. Mulholland suggest that we go forward with the plan submitted and have it implemented to see if there are any future runoff problems. G. Norman asked what the benefits were of keeping part of the order in place. B. Schain stated there is engineering testimony that the water is clean to the inlet pipe and we don't know what happens from there and by leaving the order in place you can determine what happens from there. There was discussion of this matter.

R. Parrette asked the commission for a motion. J. Waitte made a motion to remove the cease and desist entirely and to condition on the application of, granting of and the compliance of Glemacy with a wetland permit. G. Norman seconded the motion. G. Rooke-Norman made a motion to amend the motion to include that the inlet be designed to contain the all water that is coming down. J. Waitte stated he did not accept the amendment to the motion. L. Laidley seconded the amendment. There was discussion of the amendment that the overflow of the inlet pipe was an issue to help to contain the water from overflowing the inlet pipe.

G. Norman restated his amendment that the action allow the inlet to be take the water coming down as part of their wetlands permit to contain the water to handle the water coming down and that both parties apply for wetland permits. B. Schain stated that they can file a joint application or file separate applications. B. Schain asked for the amendment to be restated clearly. G. Norman stated that both parties file an application and must come up with a plan to controlling the water at the inlet structure of the pipe. R. Parrette asked for a vote on those in favor of the amendment. There were 3 aye votes and one nay vote. Motion carries on the amendment.

R. Parrette stated that the motion as amended is to lift the cease and desist order conditioned upon both parties seeking a wetland permit, jointly or separately; granting the permit and compliance with that permit with both parties must come up with a plan to controlling the water at the inlet structure of the pipe. There was discussion of this matter.

G. Norman made a motion to remove the cease and desist order on the condition that Glemacy get a permit for the work on their land, on the drainage easement and the Johanson's file a co-application for the inlet pipe on the westerly side of Myrtle Road.

S. Stadnicki asked for a five minute recess to write a motion for discussion. L. Laidley seconded the motion. All were in favor. The meeting recessed.

R. Parrette reconvened the meeting at 9:32 p.m.

R. Parrette stated council has written the motion as amended.

G. Norman made the motion cease and desist order will be lifted condition on Glemacy Builders apply for a wetlands permit, the granting of that permit and compliance with that permit for activities proposed on their property and their drainage easement and all parties applying for a permit for

control of water at the inlet to the 15 inch pipe and the granting of that permit and compliance with that permit.

J. Mulholland stated for the record that his client takes exception to part of the order for his client to make any kind of a wetland permit. R. Parrette asked if there was any discussion on the motion. The recording secretary asked if the motion receive a second so that for the record it is clearly seconded. Atty. B. Schain advised that the motion be seconded again. There was no second on the motion. There was discussion of this matter.

R. Parrette asked for a new motion. J. Waite made a motion to that the cease and desist order be lifted conditioned on Glemacy Builders applying for a wetlands permit, the granting of that permit and compliance with that permit for all the work according to the plan submitted and for the drainage easement. L. Laidley seconded the motion. All were in favor. The motion was carried.

## **II. Regular Meeting (7:30 P.M.)**

### **1. Call to Order**

Vice Chair R. Parrette called this regular meeting of the Griswold Inland Wetlands & Watercourses Conservation Commission to order at 9:38 p.m.

The Commission thanked B. Schain for his services. He left the meeting

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

**Present:** Vice Chair Robert Parrette, Secretary Stacie Stadnicki, Member Edward (Jay) Waitte, Glen Norman, Dean Rubino, Lawrence Laidley, Alternate Gary Serdechny, WEO, Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Chair Courtland Kinnie

R. Parrette appointed G. Serdechny to sit for C. Kinnie. It was determined that a quorum was present for this meeting.

### **3. Applications**

There were no pending applications.

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

- A. CC 01–10 Szorc, Dorothy, 44 West End Avenue, Apt. 3D, New York, NY 10024. Property location: 33 Sunset View, Griswold.** Applicant is requesting approval of residential activity with in a regulated area in order to develop the subject lot for a proposed 2–bedroom raised ranch, slab on grade, with associated well and septic system, driveway and associated clearing, grading and drainage improvement per the site plan; and is requesting approval of wetland/watercourse activity for proposed filling or altering 4,322± s.f. of inland wetlands consisting of 2,020± s.f. natural hydric soils, and 2302± s.f. of excavation of man–made wetland soil. The property is in the R–40 zone.

C. Fontneau stated that the applicant's representative is requesting that the application be accepted and tabled to the August 20, 2009 regular meeting. J. Waitte made a motion to accept CC 01-10 and to table it to the regular meeting of August 20, 2009. L. Laidley seconded the motion. All were in favor. The motion was carried.

C. Fontneau stated that CC 02-10 Haz-Pros Inc. is a new application that needed to be put on the agenda. L. Laidley made a motion to put CC 02-10 on the agenda as Item B. S. Stadnicki seconded the motion. All were in favor. The motion was carried.

**B. CC 02-10 Haz Pros Inc., 125 A Brook Street, West Hartford, CT 06110. Property location: 235 East Main Street, Griswold.** Applicant is requesting approval of commercial/industrial activity with in a regulated area in order to demolish all buildings on site down to slab on grade, leaving all slabs, footings and foundations in place, removal and disposal of all asbestos materials, 5,500 cubic yards of construction debris, and 2,000 tons of steel and iron. All masonry will remain on site in a designated area for future use. The property is zoned Industrial.

Henry Castaldi, Haz Pros Environmental and Demolition explained what he would be doing in the removal of the Triangle PWC. He explained he will be taking down the building and be using hay bales along the water and silt fence and silt fabric will be over the catch basins. He stated that he will remain 160 ft. from the water until the wetlands permit is granted.

P. Zvingilas stated that the tower in front will be removed and is far from the river and staying 160 from the wetlands until the wetland permit is granted. C. Fontneau stated that he advised the applicant to revise his site plan before the next meeting to show the erosion and sedimentation controls for the project.

R. Parrette asked if the abutters had been notified. H. Castaldi stated that the list of abutters is attached he stated that the building is 160 feet to scale and the footing to scale is 75 to 100 feet to scale.

S. Stadnicki made a motion to accept and table this application to the next regular meeting on August 20, 2009 and suggested that a detailed map with adjoining property owners listed on the map and e & s controls and a proper site plan. L. Laidley seconded the motion. G. Norman asked if there was a letter from the property owners for Haz Pros to represent them. The D. Szall stated that there is a letter in the file. All were in favor. The motion was carried.

R. Parrette asked what the future use was. H. Castaldi stated that he did not know the future use of the property.

**5. Reports from the Enforcement Officer**

P. Zvingilas had no report other than there was a lot of rain this June.

**6. Old Business**

**There was no old business.**

**7. New Business**

**There was no new business.**

**8. Approval of Minutes**

**A. Approval of Minutes of the Regular Meeting of June 18, 2009**

L. Laidley made a motion to accept the minutes. S. Stadnicki seconded the motion. All were in favor. The motion was carried.

C. Fontneau stated there is a paragraph in the minutes by the Chairman of the need for a wetlands permit for the pipe in Pachaug pond. There was discussion of this matter.

**9. Communications**

- A. Connecticut Farm Energy Workshop, July 23, 2009 at 10 am at the USDA office located at Yantic River Plaza, 238 West Town Street, Norwich, applying for USDA Rural Development REAP Grants.
- B. The Habitat Newsletter, Spring 2009, Volume 21, Number 2, Connecticut Association of Conservation and Inland Wetlands Commissions, Inc.
- C. Connecticut Wildlife Magazine, May/June 2009 ,Connecticut Department of Environmental Protection, Bureau of Natural Resources, Wildlife Division.

**10. Reports from Members**

G. Serdechny stated that he Old Saybrook to listen to the workshop on the ethics. He stated that it was interesting going over situations.

S. Stadnicki stated that she will not be attending the September meeting.

**11. Conservation Commission Matters**

No conservation matters.

**12. Adjournment**

R. Parrette asked for a motion to adjourn. S. Stadnicki made a motion to adjourn. L. Laidley seconded the motion. All were in favor. The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Donna M. Szall  
Recording Secretary