



# Town of Griswold



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GRISWOLD INLAND WETLANDS & WATERCOURSES  
CONSERVATION COMMISSION &  
AQUIFER PROTECTION AGENCY

**Unapproved Minutes  
FOR DISCUSSION ONLY**

**PUBLIC HEARING & REGULAR MEETING  
MINUTES**

**JANUARY 15, 2015**

**GRISWOLD TOWN HALL**

**I. Public Hearing (7:00 P.M.)**

**1. Call to Order**

Chairman Courtland Kinnie called this public hearing of the Griswold Inland Wetlands & Watercourses Conservation Commission to order on January 15, 2015 at 7:08 p.m.

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

**Present:** Courtland Kinnie, Robert Parrette, Stacie Stadnicki, Lawrence Laidley, Lauren Churchill, Clarence (Pete) Merrill, Town Planner Mario Tristany,

**Also present:** Peter Parents, CME, Town Attorneys Mark Branse, Eliza Heinz representing the Town of Griswold

**Absent:** Edward (Jay) Waitte, Glen Norman, Gary Serdechny, WEO Peter Zvingilas, Recording Secretary Donna Szall

C. Kinnie appointed L. Churchill to sit for G. Norman and P. Merrill to sit for J. Waite. There was a quorum for this public hearing. L. Laidley arrived at 7:10pm.

**3. Matter Presented for Public Comment**

- I. CC 05-15 AMERICAN INDUSTRIES, 630 PLAINFIELD ROAD, GRISWOLD, CT** Requesting approval for memorializing existing uses on the property located at 630 Plainfield Road, Griswold, CT for both industrial and residential uses, establishing a base line for activities which exist and/or are ongoing in regulated wetlands or watercourses and/or upland review areas adjacent to wetlands and watercourses; and to grant permits for those regulated activities which are deemed to have been instituted subsequent to the adoption of inland wetlands and watercourses regulations in the Town of Griswold and to institute erosion and sediment control measures in locations deemed warranted by the project engineer in order to prevent erosion and sedimentation into wetland and watercourses located on and adjacent to the property. Property is zoned C-2

C. Kinnie set the ground rules for this public hearing; the applicant will present his application; there will be time for the town representatives; and time for the public to make comments. He reminded the audience to keep their comments to wetlands issues since it is a wetlands issue and not a planning and zoning issue. C. Kinnie asked if there was someone to represent the applicant.

Attorney Harry Heller, 736 Route 32, Uncasville, CT representing American Industries with members from Boundaries, LLC: Demian Sorrentino, Wetlands Scientist, Mark McKay, Professional Engineer and John Faulise, Principle of Boundaries. Also present was American Industries President Pasquale Camputaro. H. Heller explained that the application was to seek permits to reinstall a portion of the berm on the northern periphery of the property in order to fill in the gaps in the sound barrier that was breached for utility work by C L & P.

H. Heller stated that after discussions with the town attorney regarding complaints from the residential neighbor hood north of the site. He stated that the application is to delineate all of the activities on this property to create a baseline of activity so the municipality can measure future activities on the property and come to this Commission so that activities that require permits can receive permits to continue those activities.

H. Heller explained that the Wetlands Enforcement Officer ordered that the breach in the berm be repaired because of complaints by the residents; this berm was repaired within 24 hours and seeking memorization of this activity. H. Heller explained that an acoustical study was done to measure the sound impact of the noise from this operation to the residential area to the north; it was recommended that the berm be heightened another 10 feet. He stated that revised plans will be submitted to this commission for a permit to increase the height of this berm from 16 feet to 26 feet in height and will not require additional fill on the exterior of the berm closer to wetlands; fill will be added to the interior to the site.

He stated that a meeting was held at the site with Mr. Sorrentino and Mr. McKay and your consultants from CME and REMA Ecological Services where parameters were established for work that your consultants and ours agreed were important. H. Heller stated that the additional activities located on this property have been delineated in the supplement to the application that was submitted to you this evening. He stated that we have provided an overall snapshot of the property where these activities are ongoing and their relationships to the wetlands and watercourse resources and industrial activities on the property. H. Heller explained the wetlands boundary delineation enveloping the property from Plainfield Road around the periphery of Aspinook Pond / Quinebaug River showing fingers of wetlands jutting in further than the water body accommodating wetlands soil area and small water bodies.

H. Heller explained the demonstration sheet showing the three activities: Area 1) the proposed berm restoration and increased height of the berm; Area 2) the second area is the location of the dry well of the intake of the water supply for the earth product processing and washing operation and the access road leading down to the pump area and the embankment slope along the top of the excavation area where there is some erosion and sedimentation that has infiltrated the wetland boundary along that edge; a remediation plan will be presented for this area and the transient fill in that location; Area 3) the residential activity behind the two houses located on the property where the waterslide to the Aspinook Pond, the lavatory and the holding tank and a paved access road to this area and up along the slide. He stated that this was reviewed by you consultants; and based on the consultants consensus, this information will be presented to restore part of this area and to provide remediation by storm water runoff diversion to mitigate the erosion in those area.

H. Heller explained the criteria to be evaluated by the commission in Section 10.2 of the Griswold Inland Wetlands Regulations regarding evaluation of the impacts to wetlands and watercourses that are occurring or can occur as a result of the activities being conducted. He stated that no authority is being requested in wetlands or watercourses other than the remediation in those areas where silt has infiltrated into the wetland; and the installation to project the water quality of the Aspinook Pond/Quinebaug River that was suggested by your consultants for the operation of this site.

H. Heller stated that the commission will determine the environmental impact of these activities will have on wetlands and watercourses; and the berm area to the north, those activities are proposed in upland review areas; fill has been placed erosion and sedimentation controls are in place and maintained. He stated revised plans will be presented in February to increase the berm by 10 feet interior to the site for a more effective sound barrier to the residential areas; when stabilization is affected according the stabilization plan for the slope will have no impact to the environmental quality of the wetland to the north.

H. Heller stated that the Remediation area in the middle of the site, the dry well provides a water source to the washing and crushing processing plant to a base constructed adjacent to the plant that uses recycled water from the pond adjacent to the processing plant; the excess water is pumped from the processing plant to a settling basin toward the south of the property. This wash water requires time for the fines to settle out of the excess wash water; then this water is piped back to the feed pump to be reused. Due to evaporation, additional water is pumped into the supply pond to provide sufficient water for this operation. He stated that this operation has been ongoing prior to the establishment of wetland regulations adopted in the State of Connecticut and the Town of Griswold and we feel does not require a permit but we are bringing it to your attention because it is an activity occurring in wetlands and watercourses.

H. Heller explained the central remediation area where there is some instability along the top of the embankment and there has been erosion in the wetland at the toe of the slope. He stated that soil scientists feel remediation is required to in that area stabilize that slope to halt any further erosion. We are requesting permits from this commission to affect this remediation to protect environmental quality of the adjacent wetland and watercourse.

H. Heller explained that in the recreational area in the western portion of the site, a beach area has been constructed and there is erosion in this area; your consultants felt that a portion of that area be removed and the natural vegetation in that area be restored; and for measures to divert the storm water which causes erosion in that area and how it will be diverted to enhance the environmental quality of that area.

H. Heller explained the second criteria for decision regarding feasible and prudent alternatives to the activities proposed that would cause no environmental impact to wetlands or watercourses; adverse impact to a wetlands or watercourse

would have to be established by an activity. He explained that the berm area construction is not having an impact on wetlands or watercourses with the only risk would be during construction; the berm stabilization will not be maintained vegetative cover but will be a natural vegetative cover of brush and woodland.

H. Heller explained the remediation area in the middle of the site has been identified by both consultants as an area that is unstable and requires remediation. He explained that the integrity of the resource would be affected by a plan of stabilization and remediation in that area that your consultants will endorse. The residential recreation area along the Aspinook Pond, the plan to be presented is feasible and prudent to remove a portion of the beach area and to return that area to its natural state before the activity occurred in that location.

H. Heller explained the short term and long term relationships of the impacts of the proposed regulated activities on wetlands and watercourses. He stated that this is a different application from what you normally consider since it is an after the fact application for activities that have occurred on this property about the methodology to deal with those to effect stabilization where necessary, implement remediation where necessary and to insure that measures are implemented that have no short term impacts during the construction phases and to insure long term stabilization and protection of those resources.

H. Heller explained the irreversible and irretrievable losses of wetlands and watercourses resources caused by the proposed regulated activity. The proposed plan will demonstrate the formulation of a plan of operation for this project to allow the project to continue operation on a commercially reasonable basis with the incorporation of remediation and stabilization measures to protect the resources and insure no loss of wetland or watercourse function along the periphery of the operating site.

H. Heller explained the next criteria regarding character or degree of injury to or interference with safety, health or the reasonable use of property that is caused or threatened by the proposed regulated activity. He explained that the use of proper controls to mitigate and restore areas where impact has occurred and incorporation of good erosion and sedimentation controls, the installation of the berm; incorporation of some remediation in the residential activity area to restore some of the degraded wetland function; the environmental quality of the area will be enhanced.

H. Heller explained the next criteria regarding the impacts of the proposed regulated activity on wetlands or watercourse outside the area with the activity is proposed. He stated that the activities that are ongoing and the work proposed are located along the periphery of the property which is defined in large part by the Aspinook Pond and Quinebaug River and the associated wetlands and tributaries associated with that watercourse. He stated that the remediation plan incorporated measures that will protect these areas and are a small part located on the American Industries site. H. Heller explained that the interior of the site elevation is lower than the elevation that the exterior periphery of the site that insures any erosion will be contained within the operating site itself so it will have no adverse impact to wetlands and watercourses.

Demian Sorrentino, Soil Scientist, Boundaries, LLC presented plans for remediation work to activities that have occurred on the American Industries site in the past. He stated that the berm will be raised from 126 to increase the sound deadening of the berm; this plan will be revised showing the expansions of the berm to increase the height. He stated that at the consultants site walk on Tuesday, it was discussed that the existing vegetation will remain at the bottom of the berm for stabilization; the berm's peak elevation will be 136 which is a 1 to 1.5 slope and that grade will be maintained and establish a vegetative cover with a New England erosion and site stabilization mix on the outside of the berm; a different vegetative cover will be different on the inside of the berm. He stated that this plan will change based on requests by the planning and zoning commission and complaints by the. Atty. M. Branse asked about the discussions of the planning and zoning commission. D. Sorrentino stated that it was also based on concerns raised by abutters.

D. Sorrentino submitted revised plans to the commission that was completed today and incorporates recommendations from your consultants on Tuesday's site walk. D. Sorrentino explained that the area has had earth products stock piled and removed over many years and materials have migrated via storm water to the inland wetlands shown hatched in dark grey. He explained the steep topography of existing stock piles of bank run gravel before processing on the site. He stated at wetlands flag 120-115 wetland flag shows the area of sedimentation; the DT refers to depth tests of the sedimentation on top of the wetlands soil of a depth of 1 foot to 1/2 foot. This plan calls for removing the sedimentation from the wetland and to remove and regard the stock piles into a more manageable slope adjacent to the wetland. He explained the remediation sequence of 12 steps incorporation recommendations from your environmental and engineering consultants on Tuesday that Step 1 included installing silt fence outside to establish a line of the existing sedimentation line until the work is permitted and work can begin. American Industries has installed this silt fence.

D. Sorrentino explained Step 2 is to obtain local approvals; Step 3 to remove the sedimentation from this area from a rubber-tracked machine with a toothless bucket leaving native soil within the wetland and within 10 feet of the wetland

and to establish a new line of sediment fence with staked hay bales 10 feet from the wetland for future grading. Step 4 is to apply quality straw mulch will be used in the wetland where wetland plants are coming up though the sedimentation which will remain for about a year; a conservation mix will be used 10 feet from the wetlands and covered with straw mulch; a 2:1 slope will be maintained to a height of 120 to match existing grade. He stated that surface rocks will be removed and 4 inch top soil will be added and covered with erosion control fabric to stabilize the slope. He stated that the top of the embankment will be pulled back away from the wetland on the up gradient side of the silt fence and this portion of the site will be graded to drain back into the site except for the narrow strip area that contributes surface water flow to the wetland; the hole will be filled and once the 2:1 grade comes out to the high point, the grade will be increased to a 3:1 slope going back into the site which it is about 50 feet from the delineated wetland. There will be signage identifying it as a wetland buffer area.

D. Sorrentino explained Step 12 that George Logan of REMA suggested sampling indigenous vegetation and shrub level investigation by Army Corp. is a 15 X 15 foot square plot will be evaluated along with their density; the remediation area will then be evaluated a year later. D. Sorrentino explained DT 1 and 0 that machines will not be used to take out the sedimentation in that area so it will be left alone. D. Sorrentino stated that wood fiber mulch will be used to in the crossed out areas 4 inches of wood fiber mulch will be added to those limits and to establish some organic material on this mineral soil that is eroding into the wetland suggested by CME engineers.

D. Sorrentino explained that the access drive will be re-graded from a 30 percent grade to a milder grade to a 15 by 20 landing area that will be paved with a permanent stone check dam and sediment staked hay bales and to establish a stone shoulder for water to enter the wetland.

C. Kinnie asked that you provide a curtain silt boom for the pump area, during the site walk it was observed during the site walk it was disturbed and that there was a lot of turbidity in the pump area; was a determination made where the silt was coming from, was it from the suction of the pump or was it due to the back flow? Where was that silt coming from? D. Sorrentino stated that we determined that it is coming from the pump whether it was from back flow or from priming; the water has been turbid for a long time. There is zero flow there so the fine material stays suspended there for a long time. He stated they are fairly certain that it was the source of the turbidity. George Logan recommended the silt boom and there is a detail on the second sheet.

S. Stadnicki asked about the rusty tank. D. Sorrentino stated that it was just for water. She asked about the broken pipe. D. Sorrentino stated that it is a section of old pipe and it can be removed. S. Stadnicki stated that there are wires and other items. D. Sorrentino stated that those items will be cleaned up and removed. S. Stadnicki stated that some of the silt fence is missing from the remediation area. D. Sorrentino stated we are proposing to put the silt fence will be put back; it can be sooner than later. S. Stadnicki asked about the silt fence installed above grade. L. Laidley stated that the silt fence looked like it was just on top of the slope. D. Sorrentino stated that he will have that re-inspected sooner than later and will be re-installed; he stated that the majority of the silt fence was trenched in this location. S. Stadnicki stated that she noticed discharge at mid range of the berm. D. Sorrentino stated that they think they have found the other end and that it was trickling out clear water. He stated that when we redo the berm plan they will incorporate an overlap to the pump areas so that the entirety of the perimeter of the site is shown. He stated that the under-drain is accepting water at some point and discharging it into the wetlands.

M. Tristany asked if the entire berm will be elevated to the 136; he stated that there are power-lines that follow the berm in that section of the plan. D. Sorrentino stated that the berm will not be added to at the wetlands side of the berm. He stated from the 128 the berm will get higher interior to the site. He stated that the owner will put the power lines underground. M. Tristany asked what would happen to the pole where the void was that was filled in, will it be removed. D. Sorrentino stated that he would imagine. He stated that it all will be underground. M. Tristany stated that H. Heller referenced 16 to 26 and you said 26 to 36. H. Heller stated that he was talking about height; D. Sorrentino is referring to elevation. D. Sorrentino stated that this plan will protect future activity from occurring in this vicinity and will establish the new access area for grading and stock piling materials; it is 50 feet and not the 150 regulated area. D. Sorrentino stated that sheet two has the construction details for the check dam, construction sequence as well as other notes.

D. Sorrentino stated that he will not present a remediation plan for the beach area tonight. He stated that work has not started on the recommendations by your consultants for the new plan for the beach area. He stated that a large portion of the sand from the beach area; there will be a sampling of native vegetation in the area and will propose re-vegetation of similar native species in that area. D. Sorrentino stated that we will investigate ways to deal with the storm water coming down the bituminous drive on to an erosive sand beach. He explained that we will look at ways to get the storm water off the drive into the wooded areas; one of the consulting in engineer suggested introducing some non-erodible surface in this low area; remediation plan will be designed for this beach area to be presented next month. S. Stadnicki asked if you

planned on keeping the floating docks in that area. D. Sorrentino stated that they are up on the beach now; he stated that we will proceed with permitting the floating docks. S. Stadnicki asked about the waterslide, that the top of the slide was lower and asked if it can be raised so that water from impervious surfaces will not run down the slide to the pond. D. Sorrentino stated that a berm can be placed around the top to stop water from running into it.

M. Tristany asked about the impact of the water from the slide running into the pond. D. Sorrentino stated that they can look at it in the spring; he stated that it is slightly deeper at the slide. S. Stadnicki asked if they were thinking of keeping the slide. H. Heller stated we are asking for a permit. L. Churchill stated that when the water slide is in operation, the water is pumped to the top and it flows down so people slide down the slide to the water; where does the water come from. D. Sorrentino stated there is a 6 inch pipe that takes water from the pond to the top of the slide and it goes back into the pond. L. Laidley stated that you should show the location of the pump. D. Sorrentino stated that the pump is not there. The pipe is there, it is disconnected and it is laying there and it is assembled to pump the water. Pat Camputaro, owner of record, stated that they only run the slide one day a year. D. Sorrentino explained how the portable pump is installed to operate the waterslide.

P. Merrill asked about how tanks have eroded into the wetland area and what equipment would be used. D. Sorrentino stated that the stock pile will be removed to another location on the site; the rubber-tracked equipment with a non-toothed bucket will be used and it will be built back up. P. Merrill asked if the material can be reached out without putting the equipment on wetland soil. D. Sorrentino stated that the equipment will be on the sedimentation working from the interior of the wetland to the edge and beyond for approximately 1700 sq. ft.

D. Sorrentino stated that we will have the revised berm plan and the remediation for selected components of the residential area for next month.

C. Kinnie asked if H. Heller had any other comments. H. Heller stated that their presentation was concluded for this evening. He stated that we will be asking for a continuation of the public hearing after public comments have been received since we have more information to develop. C. Kinnie asked for questions and comments from commission members and from staff.

S. Stadnicki stated that at the top of the slide, there are storage boxes within the regulated area, on the right side of the road and a cliff dropped off right past the storage boxes; and asked do the boxes have to stay there or can they be moved. L. Laidley stated that there are motors stored in front of the boxes as well. P. Camputaro stated that all of that stuff will be gone from the area. D. Sorrentino stated the intention is that much of that will be removed completely from the site and anything remaining will be moved to the left side of the road away from the embankment.

C. Kinnie stated that when you return with the plan for the modified berm, will there be an estimate of the volume of fill that will be required. D. Sorrentino stated yes. C. Kinnie asked if the buried electrical lines will be buried directly under where they are located now and they should be depicted on the plan; those lines fall outside the berm. P. Camputaro stated not on the back side of it. D. Sorrentino stated that they run along the access road and to leave much of the vegetative berm intact. C. Kinnie asked for a detail of the location of the electrical lines.

R. Parrette asked how much further the berm will come into the property; will it go to the edge of the wetlands and the upland review area. He stated that the berm will get rid of the road area. H. Heller stated that he will lose the road between the crusher and the berm. L. Laidley stated that the crusher in the upland review areas should be added to the application. He stated that he wanted everything that was in the upland review area to be added to the plan. D. Sorrentino stated that it now shows the area before they were stock piled there. R. Parrette asked what kind of material will be used to build up the berm. D. Sorrentino stated that it will be the fine material that is being settled out of the wash water; it is very stable once it dries. L. Laidley asked if that is what is around the existing pond. D. Sorrentino stated yes and the berm was constructed of the same material and it is very stable; and does support vegetation and it will have a top dressing, photo degradable erosion control fabric, on the outside it will have a conservation seed mix and on the inside it will have stabilization seeding.

C. Kinnie asked for other questions from the staff or consultants. George Logan, REMA, stated that he was concerned for a sump with a pipe and but that it goes to the pump depicted on the other sheet; there was clean water, to the eye, coming in; we will be doing limited monitoring of the seepage areas along the berm for water quality parameters. He asked that if there is a tremendous storm, it is concave, so if there is any overflow from an area that is affected, it would go directly to the wetland and I would have a concern about that. He stated that if it must remain there, there may be silted water going to the wetland, he suggested some kind of permanent mitigation best management practices be included to filter out the fines before it gets to the wetlands. He stated that they might have to touch it and if the berm has to come into the site, it is going right over the pump area. G. Logan stated that he would like some discussion about this particular pipe and if it is a

connection to the wetlands. S. Stadnicki asked where on the map where the pipe comes out. D. Sorrentino showed the location on the map. He stated that there was discussion in his office about putting a permanent structure with sedimentation catchment or to truncate it. G. Logan stated that you can put something that is large enough to trap water and you have an outlet control structure and add flocculates if the water is very silty to drop out the silt to maintain. He stated that flocculate logs which is in solid form that remains there that will drop out the silt. G. Logan explained that it is a polymer used to coagulate fines so that it will not go into the wetlands; flocculate logs are a solid mass that water runs over, releases the flocculants to do the same thing.

C. Kinnie asked for other comments from staff, consultants, or commission members. C. Kinnie asked for comments from the public.

Beth Cholewa asked when Inland Wetlands was established since it was mentioned that they were there before Inland Wetlands was established. S. Stadnicki stated that it was November 19, 1973. C. Kinnie stated that was what Mr. Heller presented. She stated that there was no asphalt plant there then. She asked if Arpin owned it then. P. Camputaro stated 1971. B. Cholewa stated that there was no plant there so why are they able to go back. M. Tristany stated that the applicant must show proof that that it was there through aerial photographs and existing records from 1960. B. Cholewa stated that there was no asphalt plant there in 1994 from aerial photos from UConn Maps. H. Heller stated that to make it clear for the record that he was speaking about, for the jurisdiction of this commission was that the dry well and pumping structure for the process water used for the crusher. He stated that there is not any question that the crusher was there before 1973. B. Cholewa stated she agreed that the crusher was there.

Steve Lepka asked how the 10 foot high berm at 4 a.m. how does it quiet things down when the crusher starts up. C. Kinnie stated that this is not a wetland issued and we are dealing with erosion and sedimentation. Attorney M. Branse explained that the applicant is making the berm 10 feet higher; it will not be a 10 foot high berm. So it will be higher than what is there now. H. Heller stated that the berm will be a 26 foot high berm.

Jeff Ryan, 72 Johnson Cove Road, stated that he can read the license plates on the trucks; there is no perm. He stated that the berm is being used to control wetlands but you are also saying that it will fix the noise problem. He stated that the rock crusher was not operating during that. He stated that the work on the berm will not be valid and it will be over the decibel rating and the wetlands will be disturbed to fix it again. C. Kinnie stated that they have presented on the plan tonight raising the berm will not have any more encroachment on the wetlands; all the materials to raise the berm will be on the inside the outside face of the existing berm. J. Ryan stated that there will be a toothless machine in the wetlands to remove stuff. C. Kinnie stated that it will be in the middle of the site of the remediation area. D. Sorrentino showed the location on the plan. J. Ryan stated that there is no mention of Clayville Pond; on New Year's Day, there were 40 mph winds, blowing sands across to Clayville pond; you can see sand on the ice right now. He asked about dust control and where the water is coming from, do they have permits to pump from Aspinoak or Ashland. He asked Mr. Camputaro. C. Kinnie stated that all your questions must be addressed to the commission. He asked where the water goes after a heavy rain from the dump trucks that become filled with water. He asked if there was an enclosed structure to wash trucks. S. Stadnicki stated that the question of truck washing should be brought up at the Aquifer Protection Agency at the end of this meeting.

Dave Vieaux, 59 Leha Avenue, asked how long the 1 1/2 feet of sediment choking out the native fauna in the wetlands; how long the berm was left unrepaired that was removed by the utility company; the residents complaining about oil film and black soot on their houses and windows; this must be feeding the flora and fauna of our wetlands. He asked if any soil or water sampling has been taken.

Catherine Londe stated that she lives directly across from them and she watches from her porch and she watched them tear down the whole hill that helped with the noise and pollution and watched them little by little chop it down. She watched the truck dump the sludge into our water causing a lot of this pollution. Are they going to continue to erode this land or are they going to build it up with a few little trees, what are they going to do to fix that. C. Kinnie asked what part of the property that you are talking about. She stated that she lives 66 Johnson Cove Road, and that there was a barrier that was going across, I live directly across from that location. She showed where she lived on the photograph. I have photographs of what it looked like before. C. Kinnie asked D. Sorrentino to show her location on the site plan. D. Sorrentino stated that it is the stockpile area that we are proposing remediation. M. Branse asked to show the location without standing in front of the plan. D. Sorrentino stated that the stockpile area has washed down into the wetland. M. Branse asked if the berm will be extended to that area. D. Sorrentino stated no. He stated that there is a section in this area where it is not feasible to construct a berm near the outlet of the pipe that Mr. Logan pointed out. D. Sorrentino stated that in the plan for next month, there will be something there to block noise whether it is a timber structure or a chain link fence with sound proof matting; but something will be added to the plan. M. Branse asked if there will be a visual barrier in that location. D. Sorrentino stated that the area will be 10 feet high with a 2:1 slope and 3:1 to elevation 110. M. Branse

that area the berm will be 10 feet above the grade of the operating area. L. Laidley asked if there will be signs to keep activity out of the area. D. Sorrentino stated yes. He stated the conservation mix will be on the outside of the berm, if you want some woody vegetation to the outside of the berm we can do that.

Fabiola Proulx 23 Fairview Avenue asked if the berm will go along the east side of the property. D. Sorrentino stated that the berm will extend from the large knoll at the intersection of Johnson Cove Road and Route 12 and tie it in to bring it over to the location that he pointed to on the map. She asked how high the berm will be. D. Sorrentino stated 26 feet and leave the bottom section about 14 ft. high above the road has established vegetation and will be added to it into the property and not be any closer to Johnson Cove Road. F. Proulx asked if they owned the dirt road. C. Kinnie asked the application to answer. P. Camputaro answered yes.

M. Tristany asked if we have a plan that shows the property limits of the American Industries property. John Faulise, Boundaries, LLC, stated that all the work proposed so far has been interior to the property. He stated that some property line delineation has been done on the north side but they are in the process of creating a survey map. M. Branse requested that the survey map be shown on the aerial photograph since it is the best way to see what is happening.

Bev. Cholewa 16 Fairview Avenue, can they take water out of any waterway that they want since they were seen taking water from Lily Pond [sic] Clayville Pond. C. Kinnie explained that there are guidelines and state regulations about how much water can be pumped out of State waters. P. Camputaro stated that he never took water out of Lily Pond and suggested that another company may have done so. S. Stadnicki asked if American Industries owns property across the street at Clayville Pond. H. Heller stated that American Industries does not own property across Route 12 at Clayville Pond.

John Connelly, 46 Carely Avenue, he stated that he has not heard a time from to complete this project. C. Kinnie stated that there are time frames once the application has started. He would like to know the completion of the project. C. Kinnie stated that this board cannot answer that question.

David Vieaux, 59 Leha, asked that operations began in 1969 and Inland wetlands became effective in 1973, was their operations in 1969 and prior to 1973 where the same quantity and type as what they are doing now where they are disturbing the environment now. M. Branse stated that they are applying for a permit; so they are not claiming grandfathering. They are talking about the pump but other than that, they are applying for the permit; if all of this earth work was there in 1969, they would not be applying. They are applying for the permit so what are saying is that they acknowledge the commission's jurisdiction over the activity and how they propose to do it.

R. Parrette asked for a clarification of the question about time frames asked by John Connelly. H. Heller stated that he was talking about the "sunset", the closing down of the operation; not the activities involved in this application. C. Kinnie asked Mr. Connelly to clarify his question. J. Connelly stated that once this particular project is initiated when do you anticipate a date of completion? R. Parrette asked regarding this permit. J. Connelly stated this project. D. Sorrentino stated that there are established time frames. M. Branse stated that the permits are good for five years. D. Sorrentino stated that there are established schedules for these plans, and he explained that the narrative explains the dates for each of the proposed projects.

R. Parrette asked the estimated start date. D. Sorrentino stated early spring. H. Heller stated that it would be spring and before commercial operations. R. Parrette stated that the work would be done this year.

Judy Webster, 136 Cook Hill Road, asked if this application is approved, and the process follows through, who checks to determine if all of the these things have been followed and they have been done and done how they said they would be done, who would be responsible and how would it be followed up. C. Kinnie stated that it would be followed up by the consultants: the professional engineers, the soil scientists, and the wetlands enforcement officer, Peter Zvingilas.

Fabiola Proulx, 23 Fairview Avenue, he wetlands, and all things that the wetlands was to do before, are they in compliance from the state; and compliances for the wetland. C. Kinnie stated that they will be getting further reports from DEEP that all of those items are brought into compliance as well.

C. Kinnie asked for other questions from the public. He asked for comments and questions from staff. M. Tristany stated that he has questions to review with Mark and they will be sent to the applicant. S. Stadnicki asked about adjoining property owners. Do they have to be notified the abutters. H. Heller stated that your regulations do not require notification. D. Sorrentino stated that all of the abutters can be added to the demonstration plans. All of the design plans are internal to the property and shown at an adequate scale. S. Stadnicki asked him to add the abutters. D. Sorrentino stated that they will be added.

C. Kinnie stated that we will be waiting for additional information and modified plans to accommodate the discussion tonight.

L. Laidley asked if anyone has delineated the 150 foot regulated area wetland upland review area from Clayville Pond to the front part of American Industries property. D. Sorrentino stated that we have not right to access someone else's property to do a wetland delineation. He stated that he can approximate the edge of the pond and put a line on that.

C. Kinnie stated that if there are no other questions or comments from members or staff.

**MOTION:** R. Parrette moved to continue this public hearing to next regularly scheduled meeting night of February 19, 2015 at 7 p.m. in the Town Hall meeting room. S. Stadnicki seconded the motion. All were in favor. The motion was carried.

## **II. 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 January 15, 2015 at 9:03 p.m.

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

**Present:** Courtland Kinnie, Robert Parrette, Stacie Stadnicki, Lawrence Laidley, Lauren Churchill, Clarence (Pete) Merrill, Town Planner Mario Tristany,

**Also present:** Peter Parents, CME, Town Attorneys Mark Branse, Eliza Heinz representing the Town of Griswold

**Absent:** Edward (Jay) Waitte, Glen Norman, Gary Serdechny, WEO Peter Zvingilas, Recording Secretary Donna Szall

C. Kinnie appointed L. Churchill to sit for G. Norman and P. Merrill to sit for J. Waite. There was a quorum for this public hearing.

### **3. Written Complaints**

There were no written complaints.

### **4. Applications**

- A. CC 05-15 AMERICAN INDUSTRIES, 630 PLAINFIELD ROAD, GRISWOLD, CT** Requesting approval for memorializing existing uses on the property located at 630 Plainfield Road, Griswold, CT for both industrial and residential uses, establishing a base line for activities which exist and/or are ongoing in regulated wetlands or watercourses and/or upland review areas adjacent to wetlands and watercourses; and to grant permits for those regulated activities which are deemed to have been instituted subsequent to the adoption of inland wetlands and watercourses regulations in the Town of Griswold and to institute erosion and sediment control measures in locations deemed warranted by the project engineer in order to prevent erosion and sedimentation into wetland and watercourses located on and adjacent to the property. Property is zoned C-2

C. Kinnie stated that this is the subject at the previous public hearing and that public hearing is continued to February 19, 2015 at 7 pm in this meeting room. He stated that there is no discussion outside of the public hearing; and he asked for a motion to table this application.

**MOTION:** R. Parrette moved to continue CC 05-15. L. Laidley seconded the motion. All were in favor. The motion was carried.

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

There were no new applications.

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

No report was given due to the illness of the enforcement officer.

### **7. Old Business**

- A. Discussion and possible action regarding inland wetlands violations on conservation easement property at Quiet Cove Lane.**

C. Kinnie asked Attorney Branse if the language was forwarded to him. M. Branse stated yes he received the document. And does not alter the town's conservation easement so that the changes they are proposing and it is quite clearly drafted,

that it will not affect the conservation easement provisions. C. Kinnie asked if the language for the open space is acceptable. M. Branse stated yes. C. Kinnie stated that it is up to this commission at some point when the association to come forward to this commission to make the determination. M. Tristany stated yes, correct. This was a condition given to the association when they were hear last. H. Heller stated that he has not been engaged to represent the association other than to draft the document that was sent to Attorney Branse. There was discussion of this matter including that the association must come in with a complete map showing the boundaries of the easement area and the open space area.

#### **8. New Business**

There was no new business.

#### **9. Approval of Minutes**

**A.** Approval of Minutes of the Regular Meeting of December 18, 2014.

C. Kinnie asked for a motion to approve the minutes of December 18, 2014. L. Churchill had a correction on page 2 under B. Should read L. Churchill asked where the rock is now. She stated that J Sanford stated 35. R. Parrette stated feet. L. Churchill stated that it should read Japanese knot weed.

**MOTION:** L. Laidley moved to accept the minutes of December 18, 2014 as amended. R. Parrette seconded the motion. All were in favor. The motion was carried.

#### **10. Communications**

**A.** Connecticut Wildlife Magazine, November/December 2014, CT DEEP Bureau of Natural Resources, Division of Wildlife, Inland & Marine Fisheries, and Forestry.

#### **11. Reports from Members**

There were no reports from members.

#### **12. Conservation Commission Matters**

L. Laidley asked if we should talk about Earth Day planning for the February meeting. C. Kinnie asked for other conservation matters.

#### **13. Adjournment**

C. Kinnie asked for a motion to adjourn.

**MOTION:** L. Laidley moved to adjourn. R. Parrette seconded the motion. All were in favor. The meeting adjourned at 9:11pm.

### **III. Aquifer Protection Agency**

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

Chair Courtland Kinney called this regular meeting of the Aquifer Protection Agency to order on January 15, 2015 at 9:11 p.m.

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

**Present:** Courtland Kinnie, Robert Parrette, Stacie Stadnicki, Lawrence Laidley, Lauren Churchill, Clarence (Pete) Merrill, Town Planner Mario Tristany

**Also present:** Peter Parents, CME, Town Attorneys Mark Branse and Eliza Heinz representing the Town of Griswold

**Absent:** Edward (Jay) Waitte, Glen Norman, Gary Serdechny, WEO Peter Zvingilas, Recording Secretary Donna Szall

C. Kinnie appointed L. Churchill to sit for G. Norman and P. Merrill to sit for J. Waite. There was a quorum for this public hearing.

#### **3. Matters Presented for Discussion**

**A.** Discussion of and updates from DEEP regarding one outstanding registrant including complaints from neighbors received by DEEP Aquifer Protection Agency Program (APA Program) and any updates from Town attorney and/or registrant's attorney.

C. Kinnie asked for updates from DEEP. M. Tristany stated that there have been no updated reports from DEEP. He stated that he left a message with Kim at the Aquifer Protection Agency for anything new; he has not heard back from her. He will follow up next week.

C. Kinnie asked if there were any updates from the registrant. Harry Heller, representing American Industries, that at your last meeting, we told you that we would file a complete registration at this meeting. He submitted what he thinks is a complete registration: there are 3 registration applications, two copies of the Spill Prevention Control and Countermeasures Plan which is the materials handling plan required by your regulations and The Storm Water Registration. H. Heller stated that in conducting his research, the Aquifer Protection Regulations are not in effect and they were never filed by the Griswold Town Clerk. H. Heller stated that we are filing the registration application so that when the regulations are filed with the town clerk, we are within the 180 day registration period.

C. Kinnie asked staff regarding this statement. M. Tristany stated that learned about that issued when speaking with M. Branse. He was not the planner when those regulations were adopted. He stated that those regulations have been filed with the town clerk today. M. Branse stated that if they were filed, there is no harm in filing them again. He stated that when things are filed on the land records they are filed there forever. He stated that with things like minutes and regulations, the clerk only stamps them in but they don't get a volume and page unless there is a memo to the clerk requesting that the item be filed. He stated that this is a common problem. He suggested that there be a stamped copy in the land use files. He stated that none of the towns have been able to enforce the 180 day registration time period.

M. Tristany stated that he will contact Carl Fontneau if he recalls filing the regulations. L. Laidley suggested calling the former town clerk, Ellen Dupont. He stated that the zoning regulations are stored in a vertical file. There was discussion of this matter.

C. Kinnie asked that since it has been filed, he asked if the clock can start the date of receipt tonight or next month. H. Heller stated that the clock can start tonight.

C. Kinnie read through the items that are check in Part IV: Facility Information- Regulated Activities of American Industries registration application for the record: Item A Underground storage or transmission of oil or petroleum, B Oil or petroleum dispensing for the purpose of retail, wholesale or fleet use, D Repair or maintenance of vehicles or internal combustion engines of vehicles, E Salvage operations of metal or vehicle parts, F Wastewater discharges to ground water other than domestic sewage and stormwater, G Car or truck washing (unsewered), H Production or refining of chemicals, (CC), Manufacture of Bituminous concrete (DD) Processing of Earth Products, (EE) Processing of Recycled Asphalt Product. He asked H. Heller if those were the activities that are covered on that site. H. Heller stated yes and that in DEEP's review, they characterize bituminous operation as the production or refining of chemicals and this was added specifically to make that clear that was what was going on. S. Stadnicki asked if there were any other chemicals being manufactured. H. Heller stated that the only manufacturing occurring on the property is the production of bituminous concrete and the processing or recycled asphalt products which are the millings coming up of the highway when they repave.

#### **4. Adjournment**

C. Kinnie asked for a motion to adjourn.

**MOTION:** L. Laidley moved to adjourn. S. Stadnicki seconded the motion. All were in favor. The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Donna M. Szall  
Recording Secretary