



# Town of Griswold



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

**APPROVED MINUTES  
JUNE 18, 2015**

**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 June 18, 2015 in the Griswold Town Hall Meeting Room at 7:37 p.m.

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

**Present:** Courtland Kinnie, Robert Parrette, Stacie Stadnicki, Lawrence Laidley, Gary Serdechny, Alternate Kevin Franklin, Town Planner Mario Tristany, WEO Peter Zvingilas, Recording Secretary Donna Szall

**Also Present:** Eliza Heins, Town Counsel

**Absent:** Edward (Jay) Waitte, Glen Norman, Alternate Lauren Churchill, Clarence (Pete) Merrill,

C. Kinnie appointed K. Franklin to sit for J. Waitte. There was a quorum for this regular meeting.

**3. Written Complaints**

There were no written complaints.

**4. Approval of Minutes**

**A. Approval of Minutes of the Regular Meeting of May 21, 2015**

C. Kinnie asked for any corrections or omission. K. Franklin stated that on page 8, third paragraph, there was missing wording "C. Kinnie stated that Mario that this work" has missing language. D. Szall will listen to the recording for language. R. Parrette stated that on page 2, fifth paragraph. It read "C. Kinnie stated not". D. Szall will listen to the recording for the correct language.

**MOTION:** L. Laidley moved to approve the minutes as amended. R. Parrette seconded the motion. All were in favor. The motion was carried.

**5. Applications**

**A. CC 10-15 QUIET COVE HOMEOWNERS ASSOCIATION INC. 11 QUIET COVE LANE OPEN SPACE, GRISWOLD, CT.** Requesting approval for residential activity within a wetlands/watercourse and regulated area in order to install a floating dock 60 feet in length with a proposed 40' extension. 3 feet wide constructed of pressure treated wood with plastic floating barrels with 1.5 inch metal conduit 10 feet in length to anchor the dock. Property is zoned R-60.

C. Kinnie asked if there was anyone here who would like to speak for this application. He stated that a site walk was conducted for this application and asked for the minutes of the site walk. C. Kinnie read the Quiet Cove site walk of May 26, 2015 minutes for the record. S. Stadnicki stated that there are photographs of the site walk in the file. C. Kinnie reviewed the photographs.

C. Kinnie asked if someone from the Homeowners Association to address the commission. Leon Laroux, 10 Quiet Cove was representing the Quiet Cove Homeowners Association.

C. Kinnie explained that in the town regulations there is a 30 ft. maximum length for a dock or 30 inches of water depth, whichever came first. He stated that the dock is over length and that the existing gravel area in the conservation easement must be removed. He stated that the gravel can be used to for the pathway. He stated that there are Atlantic cedars adjacent to the pathway and should have been delineated on the original subdivision plan by Boundaries and the conservation easement plaques should have been added to the site.

C. Kinnie has concerns that when the gravel is placed in the pathway, to not suffocate the roots of the trees next to the pathway. L. Laroux stated that the association had no plans to put anything else down there. C. Kinnie stated that there is a limit of a width of 30 feet of beach area allowed in the regulations

Gary Serdechny arrived at 7:50 p.m.

L. Laroux asked how deep to remove the gravel. C. Kinnie explained that when you remove it, you will see the existing dark soil. C. Kinnie stated that the pathway should be moved in a southerly direction where there is an Atlantic cedar. L. Laroux stated that the existing pathway is adequate and there is plenty of access there.

C. Kinnie asked for comments from the commission. R. Parrette asked who would put up the signage to identify the conservation area. P. Zvingilas stated that it should be done by the original surveyor. R. Parrette asked that a letter be sent to Boundaries to finish that work. There was discussion of this matter including that the developer is Mr. Wisniewski. P. Zvingilas stated that he will find both of them to be in violation.

L. Laidley asked about restoring the wetland area after the gravel is removed. He mentioned to L. Laroux that the path becomes 3 to 4 feet wide. L. Laroux stated that what is left will be a walking path. S. Stadnicki asked about the tire tracks. L. Laroux stated that it was the tractor to remove the wood pile from the conservation easement. R. Parrette stated that the White Cedars should be flagged to note that they are protected. C. Kinnie stated that if the path is to be moved over, that the scrub maple could be removed to make the path wider.

C. Kinnie stated that some sort of wetland seed mix should be planted to help restore the wetland. There was discussion of this matter. L. Laidley stated that there is a special mix that can be used to replant that area.

S. Stadnicki stated that she made a comparison of the photographs of the September, 2014 site walk and the May 2015 site walk, that shows that it does look like it is growing. C. Kinnie stated that it has started growing back.

C. Kinnie stated that the WEO needs to contact the original owner regarding the conservation easement signage. C. Kinnie asked for other comments from the members. L. Laidley stated that the dock needs to be shortened 27 feet so that it will be the required 30 feet length. C. Kinnie stated that the State of Connecticut had those regulations so that docks do not extend into navigable waters.

L. Laroux stated that we will shorten the dock, take out the gravel, and replant the area with a wetland seed mix. L. Laidley stated that someone will mark the conservation easement. C. Kinnie stated that the Wetlands Enforcement Officer will send a letter to the subdivision developer to put up the signage. P. Zvingilas stated that the only problem would be that he could say that it was put up and has since been removed. L. Laidley asked that L. Laroux contact P. Zvingilas when he is ready to plant the wetland seed mix. C. Kinnie stated that there is something called a conservation mix. There was discussion of this matter.

L. Laidley asked if the sign be removed from the site. L. Laroux stated no. K. Franklin stated that having seen the site where the pins had been put in flush to the ground by the surveyor and no signs, he felt that the people had acted in good faith and were told that there was access to the water by the realtor. There was discussion of this matter including that the HOA document had to be revised.

**MOTION:** L. Laidley moved to approve CC 13-15 Quiet Cove Homeowners' Association permit for a dock with the stipulations to shorten the dock to 30 feet, to remove the gravel from the conservation easement which will

be planted with the proper wetland seed mix after removing the gravel; to remove the Quiet Cove Homeowners Association sign from the conservation easement site, to have someone to clearly mark all three conservation easements; and notification to developer and Boundaries, LLC by the Wetlands Enforcement Officer to add conservation easement signage. R. Parrette seconded the motion.

James Pendergast, Lot 6 Quiet Cove, a member of the Homeowners Association had questions regarding the time frame for the work to be done; and should the remaining gravel be tapered or sloped at the property line and if this work required an inspection; and if this work should be done with machinery or should rakes, shovels, and wheel barrels be used. C. Kinnie stated that no machinery should be used. He stated that there should be a taper to the gravel at the property line so that no one can trip. He stated that there is a fifteen day appeal period and should someone appeal this decision, you would have to go backward. He stated that at the end of summer and before the ground freezes, the work should be inspected by P. Zvingilas. L. Laidley added to let P. Zvingilas know when the seed mix is planted. C. Kinnie asked for other discussion; All were in favor. The motion was carried.

**B. 13-15 CECCARELLI, DALE, PROPERTY AT 206 COLONEL BROWN ROAD, GRISWOLD, CT.** Requesting approval for residential activity within a wetland/watercourse and regulated area in order to install a gravel driveway with a 24" diameter HDPE countersunk culvert with riprap at the culvert outlet to cross a watercourse; and to install underground utilities to serve a single family dwelling. Direct wetland impact is approximately 2,200 sq. ft. Silt fence and/or staked hay bale erosion controls will be used during construction. The property is zoned R-60

C. Kinnie asked if there was someone to represent the applicant. David Held, Provost and Rovero, was representing the applicant. He submitted a revised site plan based addressing the comments of the town engineer. C. Kinnie stated that a site walk was done on May 26, 2015 at 6:30 p.m. which he read for the record. Photographs of the site walk were added to the file from S. Stadnicki.

C. Kinnie asked D. Held to explain the revised plan. D. Held asked if there was an approval letter from Uncas Health. He submitted a letter from Schuch Engineering for record. C. Kinnie stated both letters are in the file.

D. Held explained the revisions to the comments made by Schuch Engineering. He stated that the drainage along the drive way Schuch engineering recommended stone check dams to both sides of the driveway to the wetland crossing. D. Held stated that there was a comment about removing a stump of a large tree that was to be removed. He stated 150 cubic yards of bank run and processed gravel for the wetland crossing. He stated that the soil scientist has signed the plans.

P. Zvingilas asked what kind of survey the plan was. D. Held stated that it was a Class C general location survey based on the previous property survey. M. Tristany stated that there is an A-2 Survey on record. D. Held stated that it was done in 2011. M. Tristany stated that B. Schuch has signed off on the drainage calculations in the June 2' 2015 letter.

C. Kinnie stated that you spoke of an alternative plan for a bridge as not feasible and prudent. C. Kinnie asked if there was possibility of relocating the driveway to avoid the Maple tree. D. Held stated that it is a red maple and is about 100 years old. D. Held stated that the driveway could be shifted to the north but that it was located there because it was the narrowest point. C. Kinnie stated that when the tree is removed, that area will become significantly wider. D. Held stated that the proposed location still has the least impact to the area. There was discussion of this matter. He stated that he would move the driveway if required to.

K. Franklin stated that there were a number of nice trees; he stated that the proposed location has the least impact to the wetlands. C. Kinnie stated that red maples do reach an age and then do die off. He explained that red maple trees usually do not live past 75 years; and that they usually become hollow because of an infestation of carpenter ants. S. Stadnicki stated that she did not want to disturb more of the wetlands for the tree. She

stated that she was good with the proposed plan. L. Laidley stated that we should go with the proposed plan. C. Kinnie asked the commission if they were agreeable with the revised plans of stone check dams.

C. Kinnie asked for a motion.

**MOTION:** S. Stadnicki moved to approve CC 13-15, Dave Ceccarelli, property at 206 Colonel Brown Road with the amended plans of June 1, 2015 with the proper erosion and sedimentation control measures. L. Laidley seconded the motion. All were in favor. The motion was carried.

**6. Additional Business (New Applications)**

**7. Reports from the Enforcement Officer**

P. Zvingilas had no report having just returned from vacation.

**8. Old Business**

There was no old business.

**9. New Business**

**MOTION:** R. Parrette moved to put CC14-15 Michael Robinson on the agenda, L. Laidley seconded the motion. All were in favor. The motion was carried

- A. CC 14-15 ROBINSON, MICHAEL A., PROPERTY AT 57 BITGOOD ROAD, GRISWOLD, CT.** Requesting approval for residential activity within a wetland/watercourse and regulated area in order to install approximately 5 yards of crushed stone to a 12 ft. wide by 25 ft. long area at an existing small boat launch to firm up the soil at Pachaug Pond. The property is zoned R-80.

C. Kinnie asked if there was someone to represent the application. Michael Robinson stated that he and his wife just purchased the property at 57 Bitgood Road. He stated that it came with an existing dock that extends 7 feet into the Pachaug River and there is a boat launch area to one side of it. He stated that there are photographs in the file of the area. He stated that were the grass runs into the water, the ground is soggy. We want to add crushed stone to that area where there is a private road as well.

P. Zvingilas stated that this property is on the right hand side of the road where the bridge was fixed on Bitgood Road towards Hopeville, He stated that this access area has been there for a number of years. C. Kinnie stated that the crushed stone will be used on the land side. M. Robinson stated that the river is down right now and he would like the stone as close to the water as possible to launch a boat in there. C. Kinnie stated that you are using approximately 5 yards. M. Robinson stated yes; and explained that he wants to use the same crushed stone that was used when the bridge was repaired.

S. Stadnicki asked what was above the road. M. Robinson stated that that drainage culvert was installed when the bridge was repaired. R. Parrette asked if he will be excavating anything. M. Robinson stated no, he was just going to dump the stone on the soil. G. Serdechny asked if the dock was on the right of the area to be filled. M. Robinson stated yes. R. Parrette asked if there was a certain width. M. Robinson stated that he would just dump it and spread it using the least amount of materials as possible.

**MOTION:** L. Laidley moved to accept and table CC 14—15 to the next regularly scheduled meeting on July 16, 2015 at 7:30 pm. S. Stadnicki seconded the motion. L. Laidley explained that it was procedure to accept and table an application. All were in favor. The motion was carried.

**10. Communications**

- A.** Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Spring 2015, Volume XIX, Issue 2
- B.** Streamlines, Rivers Alliance of Connecticut, Spring 2015 Newsletter

C. Connecticut Wildlife Magazine, March/April 2015

D. Rivers Alliance of Connecticut letter requesting a donation.

The noted communications were briefly reviewed. C. Kinnie asked what the donation was for from Rivers Alliance. D. Szall stated that it was for migratory fish.

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

L. Laidley stated that the Pleasant View property put in new telephone poles, and the one on the roadway has silted in the wetlands. P. Zvingilas stated that he was meeting with the developers next Wednesday. L. Laidley suggested that they use hay bales around the base of the pole. There was discussion of this matter.

R. Parrette stated that on East Main Street near Lake Road, it looked liked there was an oil slick; but was glare from the sun. He stated that there is a hollow tree next to the lake that he wants to remove. M. Tristany stated that it was maintenance. C. Kinnie stated that he does not need a permit because it is maintenance. R. Parrette stated that he will tell the owner that they can remove the tree.

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

C. Kinnie stated that he received a letter from Lauren Churchill and because of her injury she could not work with the group to install the community garden; and this is one of the properties that the selectmen want to sell. He stated she told him that some people have done small areas. C. Kinnie stated that the community garden is put off.

#### **13. Adjournment**

C. Kinnie asked for a motion to adjourn. G. Serdechny had a question of what meets and bounds was the CT Federation of Planning Zoning Agencies. H. Heller explained that meets was a distance and bounds some physical evidence of a boundary.

**MOTION:** R. Parrette moved to adjourn. L. Laidley seconded the motion. All were in favor. The meeting adjourned at 8:45 p.m.

Town Planner Mario Tristany left the meeting room.

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

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

Chairman C. Kinnie called this regular meeting of the Aquifer Protection Agency to order on June 18, 2015 at 8:53 p.m.

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

**Present:** Courtland Kinnie, Robert Parrette, Stacie Stadnicki, Lawrence Laidley, Gary Serdechny, Alternate Kevin Franklin, WEO Peter Zvingilas, Recording Secretary Donna Szall

**Also Present:** Eliza Heins, Town Counsel

**Absent:** Edward (Jay) Waitte, Glen Norman, Alternate Lauren Churchill, Clarence (Pete) Merrill,

C. Kinnie appointed K. Franklin to sit for J. Waitte. There was a quorum for this regular meeting of the Aquifer Protection Agency.

#### **3. Approval of Minutes**

C. Kinnie asked for approval of the minutes of May 21, 2015. K. Franklin stated that he was present at the May meeting but was marked as absent. S. Stadnicki stated that on the last page it reads too lake and should read too late.

**MOTION:** L. Laidley moved to approve the minutes of May 21, 2015 as amended. G. Serdechny seconded the motion. All were in favor. The motion was carried.

#### **4. Matters Presented for Discussion**

##### **A. APA 01-15 Pasquale Camputaro/American Industries, Inc., 630 Plainfield Road, Griswold Municipal Registration for Regulated Activities in Aquifer Protection Areas.**

C. Kinnie stated that this application was reviewed last month and the different categories of the registration and what was seen on the site walk. He stated that we were awaiting various reports from DEEP from outstanding issues and the Spill Prevention Plan still needed DEEP's approval. He asked if there was any information on that. H. Heller stated no. C. Kinnie asked D. Szall if any communications were received from DEEP. D. Szall stated no.

R. Parrette asked if E. Heins had talked to Kim Czapla at DEEP. Attorney Eliza Heins stated that she spoke to Kim Czapla at DEEP since they don't qualify for state aquifer protection so she was not reviewing it; and I was referred to the air people at DEEP who told her that they are dealing with them. She stated that not everything has been entirely resolved and that the applicant is working with DEEP.

Attorney Harry Heller, representing American Industries stated that they met with DEEP and a lot of the alleged violations were not physical violations on the site but were alleged noted failure to file; and that for many of the alleged violations, the proper paperwork had been filed but had been misplaced by DEEP which we reviewed then. He stated that they are waiting for paperwork from American Industries for percentage of recycles asphalt that goes through the plant rather than raw materials that we are compiling. He stated that the SPCCP or the Spill Prevention Analysis will be tweaked; but he believed that they would be minor.

He stated that as you saw on the site walk, that everything in the SPCCP has been implemented on the site and there is a vast difference from the site walk done in December.

C. Kinnie stated that there are reporting requirements at the back of the plans; and that he and the commission would like to have copies of those monthly reports for the town, electronically. There was consensus from the commission that the town should have copies of the reporting forms so that all reporting that is done, the town will be constantly in the loop.

S. Stadnicki asked that the registration expires five years from the date of receipt of the regulations. E. Heins stated yes. H. Heller stated yes. R. Parrette asked if they renew every five years. C. Kinnie stated that it would be five years in 2020. He asked if it was administrative. H. Heller stated that you have the discretion to have them come to the commission. There was discussion of this matter.

C. Kinnie asked for concerns about the registered uses on the registration form; are there questions about what was seen and noted on the site walk; was there anything further to ask. S. Stadnicki stated that the regulations for this commission and about production and refining or chemicals, can they refine any chemical they want and they can decide to make something else. E. Heins stated that if there is a new activity, then a new registration is required. G. Serdechny stated that they can get a new registration when it changes.

**MOTION:** L. Laidley moved to approve Registration APA 01-15 American Industries, 630 Plainfield Road, Griswold on June 18, 2015 to register the following activities. The following motion was read into the record as follows:

**MOTION TO ACCEPT THE AQUIFER PROTECTION REGISTRATION APA 01-15 FOR AMERICAN INDUSTRIES, 630 PLAINFIELD ROAD, GRISWOLD CT JUNE 18, 2015**

The Griswold Aquifer Protection Agency ["Agency"] received the above-captioned application for registration ["Application"] on **January 14, 2015**, scheduled the same for a site walk on **May 2, 2015** which site walk was completed but did not constitute a meeting of the Agency as there was no quorum, held ongoing discussions with the registrant at Agency meetings of **February 19, 2015, March 19, 2015, April 16, 2015, and May 21, 2015**. Deliberations were held **June 18, 2015**. All voting Agency members have reviewed the written materials submitted and feel qualified to vote on the pending application.

Having reviewed the application materials received, and according to such documentation the weight and credibility that the Agency determines to be reasonable under the circumstances, the Agency makes the following findings:

1. The Application was to register the following activities at 630 Plainfield Road, Griswold CT:
  - a. Underground storage or transmission of oil or petroleum;
  - b. Oil or petroleum dispensing for the purpose of retail, wholesale, or fleet use;
  - c. Repair or maintenance of vehicles or internal combustion engines of vehicles;
  - d. Wastewater discharges to ground water other than domestic sewage and stormwater;
  - e. Car or truck washing (unsewered);
  - f. Production or refining of chemicals;
2. The Agency finds that the Application is complete and eligible, and contains sufficient information for the Agency to make a fair and informed determination of the issues;
3. The Agency has relied in whole or in part on information provided by the registrant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the registration may be modified, suspended or revoked;
4. All registrations issued by the Agency are subject to and do not derogate any present or future rights or powers of the Commissioner of Connecticut Department of Energy and Environmental Protection, or the municipality, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the subject land or activity;
5. A complete registration shall expire five (5) years from the date of receipt of such registration by the Agency;
6. The registrant shall apply to the Agency to renew the registration on a form prescribed by the agency for a facility prior to the expiration of such registration;
7. If a registered regulated activity is out of business or inactive when registration renewal is required, a five (5) year allowance shall be in effect from the date the registration expires. If the registrant has not applied to renew the registration within five years of the date the registration expires, the facility is no longer eligible for registration.

Therefore, the Agency accepts and approves the Aquifer Protection registration application **APA 01-15**, dated January 14, 2015.

*Dated at Griswold, Connecticut, this 18th day of June, 2015*

R. Parrette seconded the motion. C. Kinnie asked for further discussion. C. Kinnie stated that he wanted to remind the applicant that this is an intense use over stratified drift on top of the aquifer area, and that it behooves the applicant is to follow all the best management practices to maintain the water quality; and of which water quality is of the utmost concern; and should there be any major modification from DEEP concerning

the spill prevention plan, that this committee shall be notified and should it require a modification to the registration to look at it again; and the reporting forms as part of the requirement, the town will be notified and the town shall receive a copy. All were in favor.

H. Heller stated that he wanted to bring the commission up to date for what is going on at American Industries. He stated that the berm permit was approved last month. American Industries has retained REMA to supervise the building of the berm and the remediation on the site. Sigrun will delineate the areas for the removal of the Japanese Knot weed that must be done and is starting now. REMA will contact the town when berm construction begins.

- B. 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 stated that Item B has been discussed. Atty. E. Heins stated that she would like to have on the agenda discussion of updating the Aquifer Protection Regulations to allow the requirement of a baseline test of the aquifer for registrants. She will look into it for the agency. There was discussion of this matter including that there is not a lot of case law for aquifer protection and the regulations can be updated.

## 5. **Adjournment**

C. Kinnie 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 9:14 p.m.

Respectfully submitted,

Donna M. Szall  
Recording Secretary