



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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**INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
MONDAY, JULY 19, 2021, 7:00 P.M.
TOWN HALL ANNEX MEETING ROOM, 57 MAIN ST, ELLINGTON, CT**

REMOTE MEETING ATTENDANCE PROVIDED WITH ZOOM MEETING

PRESENT: Chairman Ken Braga, Vice Chairman Ron Brown, Art Aube and Katherine Heminway; via Zoom: Hocine Baouche

ABSENT: Steve Hoffman, Jean Burns and Alternate Francis Hann

STAFF

PRESENT: John Colonese, Assistant Town Planner/Zoning Enforcement Officer and Barbra Galovich, Land Use Assistant/Recording Clerk

I. CALL TO ORDER: Chairman Ken Braga called the Ellington Inland Wetlands Agency meeting to order at 7:00 pm.

II. PUBLIC COMMENTS (on non-agenda items): **None**

III. PUBLIC HEARING(S):

1. IW201904 – Chauncey Real Estate, LLC, owner/applicant, request to modify a permit to conduct regulated activity for a watercourse crossing and maintenance of the watercourse at 21 Courtney Drive, APN 018-015-0002.

Time: 7:02 pm

Seated: Braga, Brown, Aube, Heminway and Baouche

Rachel Dearborn, Landmark Surveyors, LLC, 62 Lower Butcher Road, Ellington was present to represent the application.

Ms. Dearborn stated the application is for the construction of a watercourse crossing to access a rear portion of the property because an existing crossing was partially on property that the owner previously didn't own. The owner created the new crossing by installing two 24 inch pipes. She added the owner would also like to clean out and maintain the brook by removing sediment, debris and brush.

Vice Chairman Brown asked what the significance of the activity is. Ms. Dearborn said the owner is requesting to remove debris and the overgrowth around the brook.

No one from the public commented on the application.

MOVED (AUBE) SECONDED (BROWN) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW201904.

MOVED (AUBE) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW201904.

MOVED (AUBE) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO APPROVE IW201904 – Chauncey Real Estate, LLC, owner/applicant, request to modify a permit to conduct regulated activity for a watercourse crossing and maintenance of the watercourse at 21 Courtney Drive, APN 018-015-0002.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. IW202108 – Daniel Houlihan, owner/applicant, request for a permit to conduct regulated activity to construct a driveway and utilities within the upland review area at 42 Crane Road, APN 068-002-0000.

Attorney David Markowitz, Hassett & George, P.C., 945 Hopmeadow Street #1, Simsbury, CT was present to represent the application.

Attorney Markowitz said the property is located at 42 Crane Road and is 23.78 acres. There will be no wetlands disturbance but there will be approximately 7,000 sf of activity within the upland review area. The owner is proposing to construct a driveway and install utilities. The plan submitted to the agency prepared by Gardner & Peterson Associates also shows the existing gravel apron to be removed and restored with loam and grass.

Vice Chairman Brown asked how the wetlands area would be protected. Attorney Markowitz explained they will install erosion and sediment control measures downhill from the two areas of disturbance as shown on the plan.

Mr. Colonese noted the Planning Department received comments from Tim Webb, Director of Public Works, which states that a driveway permit will be required and based upon the current topography a pipe under the apron may also be required. A follow-up email received today from Mark Peterson states he reviewed the plan and doesn't feel a culvert is necessary under the proposed driveway as the surface runoff north of the proposed driveway sheds to the west and the water at the toe of the slope south of the driveway drains to the south. Mr. Colonese said Mr. Peterson's comments were forwarded to Tim Webb and should be addressed with the Department of Public Works.

MOVED (BROWN) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW202108.

MOVED (HEMINWAY) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE IW202108 – Daniel Houlihan, owner/applicant, request for a permit to conduct regulated activity to construct a driveway and utilities within the upland review area at 42 Crane Road, APN 068-002-0000.

2. IW201811 – Colleen DiFiore, owner/applicant, request for extension of acceptance for construction of a barn as a permitted use as of right on property located at 120 Crystal Lake Road, APN 096-006-0000.

Chairman Braga stated he doesn't see an issue with granting an extension for the barn. Mr. Colonese clarified with the Agency that this will be a two year extension from today.

MOVED (AUBE) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO ACCEPT IW201811 – Colleen DiFiore, owner/applicant, request for extension of acceptance for construction of a barn as a permitted use as of right on property located at 120 Crystal Lake Road, APN 096-006-0000.

3. IW202109 – 420 Somers Rd LLC, owner / LuAnn's Bakery, applicant request for a permit to conduct regulated activity for the installation of a sanitary sewer line at 420 Somers Road, APN 121-031-0000.

BY CONSENSUS, THE AGENCY ADDED TO THE AGENDA, RECEIVED, AND SCHEDULED A PUBLIC HEARING FOR THE NEXT REGULAR MEETING AUGUST 9, 2021 FOR IW202109 – 420 Somers Rd LLC, owner / LuAnn's Bakery, applicant request for a permit to conduct regulated activity for the installation of a sanitary sewer line at 420 Somers Road, APN 121-031-0000.

4. IW202110 – Juliano Family One LLC, owner / Brian Juliano, applicant request for a permit to conduct regulated activity to expand the pavement for a parking area at 100 Windermere Avenue, APN 018-021-0000.

BY CONSENSUS, THE AGENCY ADDED TO THE AGENDA, RECEIVED, AND SCHEDULED A PUBLIC HEARING FOR THE NEXT REGULAR MEETING FOR IW202110 – Juliano Family One LLC, owner / Brian Juliano, applicant request for a permit to conduct regulated activity to expand the pavement for a parking area at 100 Windermere Avenue, APN 018-021-0000.

IV. ADMINISTRATIVE BUSINESS:

1. Approval of the June 14, 2021 Regular Meeting Minutes.

MOVED (AUBE) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE THE JUNE 14, 2021 MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

Mr. Colonese shared with the Agency a letter he received from Cynthia Richey, 18 West Shore Road, dated June 26, 2021. The letter states that she intended to address the Agency tonight under public comments regarding storm water from the town's culvert draining onto her property and into the wetlands. Mr. Colonese explained that Ms. Richey had litigation against the town on this matter which was dismissed by the court. The Agency agreed to listen to her concerns during public comments if she attends a meeting in the future.

VII. ADJOURNMENT:

**MOVED (AUBE) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO
ADJOURN THE JULY 19, 2021 REGULAR MEETING OF THE INLAND WETLANDS
AGENCY AT 7:22 PM.**

Respectfully submitted,

Barbra Galovich, Recording Clerk