



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

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## **INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MONDAY, MARCH 14, 2022, 7:00 P.M.**

**IN PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT  
REMOTE ATTENDANCE: ZOOM MEETING  
(ATTENDEES BELOW WERE IN PERSON UNLESS OTHERWISE NOTED)**

**PRESENT:** Chairman Ken Braga, Vice Chairman Ron Brown (remote, left 7:25pm), Regular members Art Aube (remote), Jean Burns (remote), Hocine Baouche (arrived 7:03pm), and Steve Hoffman

**ABSENT:** Regular member Katherine Heminway

### **STAFF**

**PRESENT:** John Colonese, Assistant Town Planner/Wetland 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. IW202201 – Minor LLC, owner/applicant, request for a wetlands map amendment at 50 East Shore Road, APN 169-045-0000.

**Time:** 7:02 pm

**Seated:** Braga, Brown, Aube, Burns, Baouche and Hoffman

Chairman Braga noted the notice requirements have been met and the property received acceptance for a Timber Harvest last year on March 8, 2021 from the Wetlands Agency. They are currently proposing to build a single family home and associated site improvements however the existing town wetlands map does not correspond with the onsite delineation by Joseph Theroux, Certified Soil Scientist.

Andrew LaRoche, 80 Chaffee Road, Stafford Springs, CT was present to represent the application.

Mr. LaRoche said he is looking to file the correct wetlands delineation map. He asked how the town got the wetlands limits. Mr. Colonese stated the wetlands limits are from a soil survey created in the 1960's. Commissioner Hoffman asked if the property survey was recent. Mr. LaRoche explained the property survey was taken from a subdivision back in 1985, and the wetlands delineation letter from Joseph Theroux is dated March 23, 2021.

Commissioner Hoffman asked about the soil test pit data and North Central District Health Department approval. Mr. LaRoche stated the health department approved the septic system. Commissioner Hoffman noted the health department would not have approved a system if it was in the wetlands.

Walter Moody, 32 East Shore Road, inquired about a potential intermittent watercourse on the property as noted in Joseph Theroux's report. Mr. Colonese read a portion of Joseph Theroux's report, "It should be noted that a potential intermittent watercourse was investigated adjacent to the northern property line, originating from the trench and storm water drainage system associated with Minor Road, extending down slope. A defined flow channel has formed from this storm water runoff. This is due to the impermeable subsoil horizons and/or compact till layers preventing infiltration of these storm water surface flows. Referencing the definition of "watercourses" in Sec.22a-38 of the Inland Wetlands and Watercourses Act, where the surface flows occur, there is evidence of a defined channel and bank, and evidence of scour/deposits of recent alluvium or detritus. However, there was no standing or flowing water present for a duration longer than a particular storm incident, nor was any evidence of hydrophytic vegetation found in the flow channel."

Ronald Campbell, 26 East Shore Road, asked if there would be any activity in the swale area, he is concerned about runoff from the property. It was noted that Joseph Theroux does not consider the swale an intermittent watercourse. Mr. LaRoche stated there is no proposed activity in that specific area at this time.

**MOVED (BURNS) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW202201.**

**MOVED (HOFFMAN) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO APPROVE IW202201 – Minor LLC, owner/applicant, a wetlands map amendment at 50 East Shore Road, APN 169-045-0000. Map Amendment Effective: March 16, 2022**

**Approval based on:**

- 1) Improvement Location Survey Land of Minor, LLC Ellington, Connecticut Gardner & Peterson Associates, LLC Date 11-01-2021 Revisions 01/20/2022 Town Wetlands, Map No. 10949-1.**
- 2) Letter from Joseph Theroux, Soil Scientist dated 03/23/2021 RE: Wetlands Delineation, 50 East Shore Road, Ellington, CT.**

#### **IV. OLD BUSINESS: None**

#### **V. NEW BUSINESS:**

1. IW202202 – Glenn & Erika Bahler, owner/applicant, request to accept notification for construction of a barn and reconstruction of a farm pond dam as of right at 48 Meadow Brook Road, APN 091-002-0000.

Chairman Braga noted the property received a wetlands permit on September 15, 2008 for a 4-lot subdivision at which time a conservation easement was set over the area including the pond and proposed reconstruction of the dam. No lots in the subdivision have been developed.

Rachel Dearborn, Landmark Surveys, 62 Lower Butcher Road, was present to represent the request on behalf of Glenn and Erika Bahler.

Ms. Dearborn confirmed the land is part of a subdivision from years ago and nothing has been constructed. She explained the Bahler's are looking to take down an old barn foundation and construct a new barn, which will be further away from the wetlands. She then pointed out the location of the pond and brook and noted there is a natural spring which feeds them. She also reviewed where the conservation easement area is located. She said they would like to reconstruct the dam within the brook in order to bring up the water level of the farm pond.

Mr. Colonese asked Glenn Bahler if he is planning on doing any tree clearing down the stream. Mr. Bahler stated he does not plan to do so at this time.

**MOVED (BURNS) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ACCEPT IW202202** – Glenn & Erika Bahler, owner/applicant, for construction of a barn and reconstruction of a farm pond dam as of right at 48 Meadow Brook Road, APN 091-002-0000.

2. Strawberry Road Bridge/Culvert Replacement

**BY CONSENSUS, THE AGENCY ADDED TO THE AGENDA, RECEIVED, AND SET A PUBLIC HEARING FOR THE APRIL 11, 2022 REGULAR MEETING** – Town of Ellington, owner/applicant, request for a permit to conduct regulated activity for the replacement of the Strawberry Road bridge/culvert over Abbey Brook near the intersection with Blueberry Circle.

3. Juliano's Pools – 100 Windermere Avenue

**MOVED (BAOUCHE) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADD TO THE AGENDA, RECEIVE, AND SET A PUBLIC HEARING FOR THE APRIL 11, 2022 REGULAR MEETING** – Juliano Family One LLC, owner/Brian Juliano, applicant, request for modification to Wetlands Permit IW202110 to construct a detention basin and storage area at 100 Windermere Ave., APN 018-021-0000.

## **VI. ADMINISTRATIVE BUSINESS:**

1. Approval of the February 14, 2022 Special Meeting Minutes.

**MOVED (BURNS) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 14, 2022 SPECIAL MEETING MINUTES AS WRITTEN.**

2. Election of Officers

Chairman Braga asked the agency members to consider tabling the election of officers to next month. He stated he will be stepping down as chairman but will continue to be a regular member.

**BY CONSENSUS, THE AGENCY TABLED ELECTION OF OFFICERS TO THE APRIL 11, 2022 REGULAR MEETING.**

3. Correspondence/Discussion:

Letter from R. Richard Snarski, Registered Professional Soil Scientist, offering wetland consulting services to the Agency.

Mr. Colonese stated he received a letter from Mr. Snarski, New England Environmental Services, offering his professional services, such as soil scientist, wetland scientist and botanist consulting services, should the agency need additional professional consulting.

## **VI. ADJOURNMENT:**

**MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO ADJOURN THE MARCH 14, 2022 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:32 PM.**

Respectfully submitted,

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Barbra Galovich, Recording Clerk