



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

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## INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MONDAY, JUNE 13, 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 Jean Burns, Vice Chairman Katherine Heminway, Regular members Ken Braga, Ron Brown, Art Aube and Hocine Baouche

**ABSENT:** Regular member Steve Hoffman

### STAFF

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

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

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

### III. PUBLIC HEARINGS:

1. IW202110 - Juliano Family One LLC, owner/ Brian Juliano, applicant, request for modification to Wetlands Permit IW202110 to construct a detention basin and outside storage area at 100 Windermere Ave., APN 018-021-0000.

**Time:** 7:01 pm

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

Christopher Juliano (via Zoom), Juliano Associates, LLC, 405 Main Street, Wallingford, CT and Brian Juliano (arrived via Zoom at 7:07 pm), Juliano Pools, 321 Talcottville Road, Vernon, CT were present to represent the application.

Christopher Juliano said his office has been reacting to what Brian Juliano has been doing onsite. He requested the commission continue the public hearing to the next month since George Logan, Soil Scientist, was not able to attend tonight's meeting and it would allow them time to submit outstanding items required for the commission to make a decision. He noted he was in receipt of Dana Steele, Town Engineer, email comments dated June 10, 2022 and added that he made the previously requested changes to the plans. He noted this is a frustrating situation for him as well as the Agency as things onsite keep on changing.

Christopher Juliano said the applicant should be present at the meeting to explain his actions and George Logan is the individual that should also be in attendance to explain to the Agency how the applicant should be remediating and restoring the disturbed wetlands on the site.

Mr. Colonese asked the Agency to review the Town Engineer's comments and recommendations received in an email dated June 10, 2022. He noted he conducted inspections of the property on June 6th & 8th and found piles of material, concrete blocks, gravel storage areas, and storage items within the area delineated as inland wetlands according to the site plan. Wetland flagging was not visible and he does not recommend approval of a permit at this time. He recommends the Agency continue the public hearing to the July 18, 2022 meeting to allow the applicant time to comply with the Town Engineer's comments and recommendations noted in the June 10, 2022 email. Mr. Colonese also said a functional and qualitative analysis, describing the ecological communities and functions of the wetlands, watercourses and upland review areas affected by the proposed regulated activity and the effects of the proposed regulated activities on these communities and wetland functions, is outstanding along with restoration and planting recommendations as noted on the plans.

**MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW202110-REQUEST FOR MODIFICATION.**

Commissioner Brown ask if they can ensure no additional activity on the site. Mr. Colonese said there should be activity to restore the site. Commissioner Baouche asked the engineer and applicant to have better communications about steps moving forward to meet all outstanding requirements and to reach out to the Wetlands Agent for assistance.

Brian Juliano stated he has received the Town Engineer's June 10, 2022 comments and noted he is willing to address the comments.

Vice Chairman Heminway inquired about the horses and a cow on the property and asked if they will be there permanently. Brian Juliano said they are not permanent. Mr. Colonese reiterated that activity has extended into the wetlands based on the plans provided.

Brian Juliano stated he met with George Logan onsite and Mr. Logan explained to him step by step how to pull the materials away from the wetlands. He said after he is done, Mr. Logan will inspect the site and re-flag the wetlands.

There were no comments from the public.

**MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE JULY 18, 2022 REGULAR MEETING FOR IW202110 - Juliano Family One LLC, owner/Brian Juliano, applicant, request for modification to Wetlands Permit IW202110 to construct a detention basin and outside storage area at 100 Windermere Ave., APN 018-021-0000.**

**TO ALLOW THE APPLICANT TIME TO COMPLY WITH THE FOLLOWING:**

- Town Engineer's comments and recommendations in the June 10, 2022 email.
- Submit a functional and qualitative analysis, describing the ecological communities and functions of the wetlands, watercourses and upland review areas affected by the

proposed regulated activity and the effects of the proposed regulated activities on these communities and wetland functions.

- Submit restoration and planting recommendations as noted on the plans.

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

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

1. IW202205 - Ellington McIntire, LLC, owner/applicant, request for a permit to conduct regulated activity to construct a single family home and site improvements associated with a 2-lot subdivision at 153 Webster Road, APN 185-001-0000.

Commissioner Aube recused himself from the application.

Mark Peterson, Gardner & Peterson Associates, LLC, 287 Hartford Turnpike, Tolland, CT was present to represent the application.

Mr. Peterson explained the parcel is on the east side of Webster Road, the owner is looking to cut two parcels on the northwest side of the property for two new single family lots. Mr. Peterson reviewed the plan showing the two single family lots to be subdivided from the larger parcel. Lot 1 will consist of 3.54 acres and Lot 2 will consist of 3.05 acres. The owner has received approval from the North Central District Health Department for the two lots. Mr. Peterson stated they can address the Town Engineer's comments from June 10, 2022.

Mr. Colonese recommended possible conditions of approval. First, approval to be granted for activity associated with Lots 1 and 2 only. Second, approval shall comply with the Town Engineer's Wetlands Agency comments dated June 10, 2022. Third, the erosion control measures shall be installed then inspected by the wetlands agent prior to activity, and remain fully operational until the site is stabilized.

**MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW202205.**

**MOVED (BAOUCHE) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS IW202205** - Ellington McIntire, LLC, owner/applicant, request for a permit to conduct regulated activity to construct a single family home and site improvements associated with a three lot subdivision (two new lots) at 153 Webster Road, APN 185-001-0000.

#### **CONDITIONS:**

- 1) Approval granted for activity associated with Lots 1 and 2 only.
- 2) Approval shall comply with the Town Engineer's Wetlands Agency comments dated June 10, 2022.
- 3) Erosion control measures shall be installed then inspected by the wetlands agent prior to activity, and remain fully operational until the site is stabilized.

#### **VI. ADMINISTRATIVE BUSINESS:**

1. Approval of the May 9, 2022 Regular Meeting Minutes.

**MOVED (HEMINWAY) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE MAY 9, 2022 REGULAR MEETING MINUTES AS WRITTEN.**

2. Correspondence/Discussion:

a. 18 Meadow Brook Road – Roaring Brook Farm Waste Management Project

Mr. Colonese explained the location of Roaring Brook Farm at 18 Meadow Brook Road. He said the North Central Conservation District has been working with the Aborns, DEEP, and NRCS on a project at Roaring Brook Farm, using 319 Clean Water Act funds, federal EQIP funds, and the farm's funds to build a barn to house and contain the cows, keeping them from accessing the brook. They will also be building a waste facility so the farm can store manure and use it when appropriate. Mr. Colonese showed the commission a site plan. The proposed project will be out of the wetlands and upland review area as the delineated by the NRCS.

**VII. ADJOURNMENT:**

**MOVED (HEMINWAY) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADJOURN THE JUNE 13, 2022 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:26 PM.**

Respectfully submitted,

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Barbra Galovich, Recording Clerk