



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187
www.ellington-ct.gov

TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FAX (860) 870-3122

INLAND WETLANDS AGENCY SPECIAL MEETING AGENDA MONDAY, JANUARY 30, 2023, 7:00 P.M.

IN-PERSON ATTENDANCE: TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT
REMOTE ATTENDANCE: VIA ZOOM MEETING, INSTRUCTIONS PROVIDED BELOW

I. CALL TO ORDER

II. PUBLIC COMMENTS (on non-agenda items):

III. PUBLIC HEARING(S): None

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. IW202209 – Oakridge Dairy, LLC, owner/applicant, request to accept permitted uses as of right to construct a driveway and parking area for Modern Milkman business operations at 80 Meadow Brook Road, APN 090-017-0000.
2. IW202301 – Lee Luginbuhl and James Spielman, owner/applicant, request to accept permitted uses as of right to dredge and maintain the waterways and re-create water capacity for irrigation purposes at 105 Pinney Street, APN 026-012-0000 and Pinney Street, APN 035-013-0000.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the November 14, 2022, Regular Meeting Minutes.
2. Election of Officers.
3. Correspondence/Discussion:

VII. ADJOURNMENT:

Next Regular Meeting is scheduled for February 13, 2023

Instructions to attend remotely via Zoom Meeting listed below. The agenda is posted on the Town of Ellington webpage (www.ellington-ct.gov) under Agenda & Minutes, Inland Wetlands Agency.

Join Zoom Meeting via link:

<https://us06web.zoom.us/j/87063632797>

Meeting ID: 870 6363 2797

Passcode: 641589

Join Zoom Meeting by phone:

+1 646 558 8656 US (New York)

Meeting ID: 870 6363 2797

Passcode: 641589

\$7500

Town of Ellington Inland Wetlands and Watercourses Agency Application

Application # FW202209
Date Submitted 12-8-2022

Notices associated with this application will be sent to the applicant unless otherwise requested.

Notices associated with this application will be sent to the applicant unless otherwise requested.

Owner's Information

Name: Oakridge Dairy LLC (Seth Bahler)
Mailing Address: 76 Jobs Hill RD
Ellington CT 06029
Email: Seth.Oakridgedairy.com

Applicant's Information (if different than owner)

Name: _____
Mailing Address: _____
Email: _____
Same as owner

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? Yes No

WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? Yes No

Primary Contact Phone #: (860) 466-9302

Primary Contact Phone #: _____

Secondary Contact Phone #: _____

Secondary Contact Phone #: _____

Owner's Signature: [Signature] Date: 12/8/2022

Applicant's Signature: _____ Date: _____

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Agency have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Agency or its staff.

By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Agency have been submitted.

RECEIVED
DEC - 8 2022

Street Address: 80 Meadow Brook RD Ellington CT 06029

TOWN OF ELLINGTON
PLANNING DEPARTMENT

Assessor's Parcel Number (APN): 090 - 017 - 0000

Proposed upland review area affected in square feet: 26,000 SF +/-

Proposed wetlands/watercourses affected in square feet and linear feet (as applicable): 0

Total area of wetlands/watercourses on parcel in square feet or acres: NA

Public Water: Yes No Public Sewer: Yes No *If not served by public water and sewer, applicant shall make application to North Central District Health Department (Enfield Office) if required.*

Is the project in a public water supply watershed area? Yes No
If YES, applicant is required to notify the Connecticut Water Company and Commissioner of Public Health by certified mail, return receipt within 7 days of this application (Conn. Gen Stat. Sec 22a-42f). Copy of application, plans, and supporting documents must accompany notice. Applicant can email the Commissioner of Public Health using their approved form. Proof of notice (return receipt and sent email) must be provided to the Planning Department.

Describe the nature of proposed regulated activity, request for acceptance of a permitted use as of right or a nonregulated use, map or regulation amendment, or other activity requiring review by the Agency or its Agent:
See attached Application Checklist and Appendix D for guidance when preparing application

We will be installing a driveway (gravel) around the back of the barn on 80 Meadow Brook RD (See map) to expand our Modern Milkman operations.



76 Jobs Hill Road Ellington CT 06029

RECEIVED
DEC - 8 2022
TOWN OF ELLINGTON
PLANNING DEPARTMENT

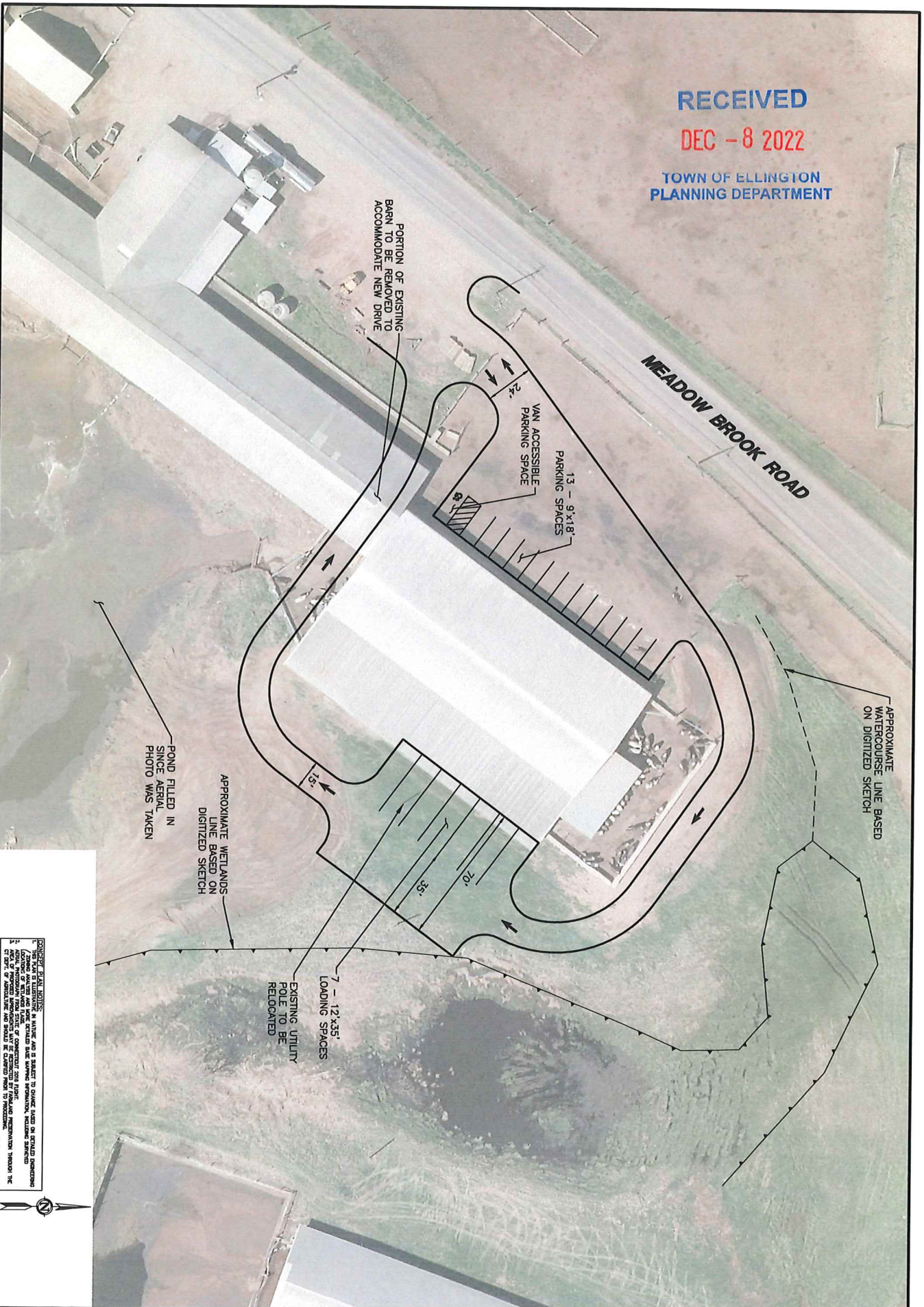
Town of Ellington Planning Department

Oakridge Dairy and The Modern Milkman will be expanding operations at 80 Meadow Brook Road Ellington CT 06029. We will be installing a driveway around the back of the building (See Map). We will stay out of the wetlands but will install driveway up to the wetlands. With this being farmland, this project will be as of right. We will be using bulldozer, trucks, and excavators to do this project. This Project will start sometime early spring.

Thanks

Seth Bahler

RECEIVED
DEC - 8 2022
TOWN OF ELLINGTON
PLANNING DEPARTMENT



CONCEPTUAL SITE PLAN
 1. (OWNER) HAS REVIEWED AND APPROVED THIS CONCEPTUAL SITE PLAN FOR THE PROPOSED PROJECT. THE OWNER'S REVIEW IS LIMITED TO THE INFORMATION PROVIDED AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED. THE OWNER'S REVIEW IS LIMITED TO THE INFORMATION PROVIDED AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.



NO.	DATE	REVISIONS	BY
1			

OAKRIDGE DAIRY
 80 MEADOW BROOK ROAD

PROJECT NO. 4471
 DATE 5/25/22
 DRAWN BY
 CHECKED BY
 PREPARED FOR
 Oakridge Dairy
 76 Jobs Hill Road
 Ellington, CT 06029

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 20 BETHELY DRIVE
 P.O. BOX 107
 SOUTH BRIDGE CT 06074
 860-291-8750 - F
 860-291-8752 - P
 www.designprofessionals.com

Design Professionals

Town of Ellington Inland Wetlands and Watercourses Agency Application

Application # IW 202301
Date Submitted 1-18-2023

<p>Notices associated with this application will be sent to the applicant unless otherwise requested.</p> <p>Owner's Information</p> <p>Name: <u>Lee Luginbuhl</u></p> <p>Mailing Address: <u>112 Pinney St</u> <u>Ellington CT 06029</u></p> <p>Email: <u>lluginbuhl@leesauto ranch.com</u></p> <p>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Primary Contact Phone #: <u>860-490-0853</u></p> <p>Secondary Contact Phone #: _____</p> <p>Owner's Signature: <u>[Signature]</u> Date: <u>01/18/23</u></p> <p><small>By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Agency have been submitted. Moreover, by signing above I/we expressly provide written consent to the filing of the application and access to the site by the Agency or its staff.</small></p>	<p>Notices associated with this application will be sent to the applicant unless otherwise requested.</p> <p>Applicant's Information (if different than owner)</p> <p>Name: <u>James Spielman</u></p> <p>Mailing Address: <u>234 Somers Rd</u> <u>Ellington CT 06029</u></p> <p>Email: _____</p> <p>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Primary Contact Phone #: <u>860 905 2997</u></p> <p>Secondary Contact Phone #: _____</p> <p>Applicant's Signature: <u>[Signature]</u> Date: <u>01/18/23</u></p> <p><small>By signing below I certify that all information submitted with this application is true and accurate to the best of my knowledge, that I am aware of and understand the application requirements and regulations, and acknowledge that the application is to be considered complete only when all information and documents required by the Agency have been submitted.</small></p>
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Street Address: 105 Pinney St. and Pinney St. APN: 035-013-0000

Assessor's Parcel Number (APN): 026 - 012 - 0000

Proposed upland review area affected in square feet: 0

Proposed wetlands/watercourses affected in square feet and linear feet (as applicable): 3.5 acres +/-

Total area of wetlands/watercourses on parcel in square feet or acres: 34 acres +/- 2500 linear ft +/-

Public Water: Yes No Public Sewer: Yes No *If not served by public water and sewer, applicant shall make application to North Central District Health Department (Enfield Office) if required.*

Is the project in a public water supply watershed area? Yes No
If YES, applicant is required to notify the Connecticut Water Company and Commissioner of Public Health by certified mail, return receipt within 7 days of this application (Conn. Gen Stat. Sec 22a-42f). Copy of application, plans, and supporting documents must accompany notice. Applicant can email the Commissioner of Public Health using their approved form. Proof of notice (return receipt and sent email) must be provided to the Planning Department.

Describe the nature of proposed regulated activity, request for acceptance of a permitted use as of right or a nonregulated use, map or regulation amendment, or other activity requiring review by the Agency or its Agent:
See attached Application Checklist and Appendix D for guidance when preparing application

Removing silted in areas and maintain waterways
Means of removal - excavator and dump truck
See attached map of areas included
Re-create water capacity for irrigation purposes
Jan 1, 2023 - until completion of permitted use of right

Applicant shall provide certification in accordance with Wetlands Regulation, Section 7.4e, Application Requirements:

Whether or not any portion of the property on which the regulated activity is proposed is located within 500 feet of an adjoining town. Yes No

Whether or not a significant portion of the traffic to the completed project will use streets within an adjoining town to exit or enter the site. Yes No

Whether or not a significant portion of the sewer or water drainage from the project will flow through and significantly impact the sewer or water drainage system of an adjoining town. Yes No

Whether water run-off from the improved site will impact streets or other municipal/private property within an adjoining town. Yes No

FOR OFFICE USE ONLY

If **YES** to any of the above, the Agency shall, in accordance with CGS 8-7d(f) notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site. Notice of the pendency of such application shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application, petition, appeal, request or plan. (See Agency requirements Section 8.4)

Type of Project: (check one)

Commercial/Industrial Residential Mixed Use Timber Agricultural
 Other, explain: _____

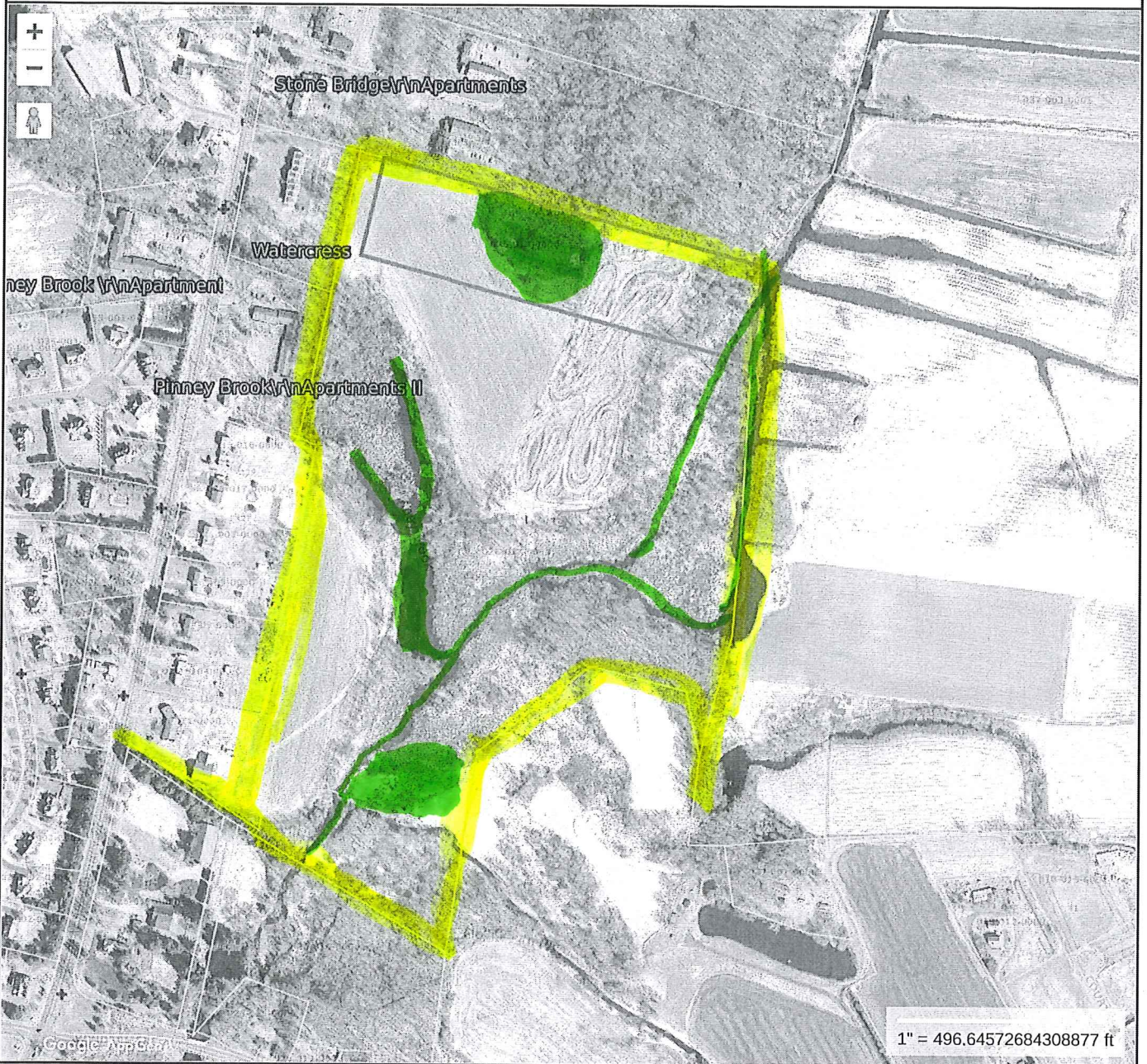
Type of Application: (check one)

- Notification for Non-Regulated Use (Section 4.2)
- Notification of Permitted Use as of Right (Section 4.1)
- Administrative Permit (Section 6.4)
- Agency Permit (**TWELVE COPIES REQUIRED**)
- Permit Modification
- Permit Extension
- Regulation Amendment
- Map Amendment
- Appeal of Administrative Permit

Application Submittals:

- Completed Application Form (Section 7.4a)
- Application Fee (Section 7.4b)
- Abutters List (Section 7.4c)
- Certification as to Adjacent Towns (See above)
- Certification as to Connecticut Water Company & Commissioner of Public Health (See above)
- Notification Narrative and Supporting Documentation (If applicable, Appendix D)
- Project Narrative and Supporting Documentation (Section 7.4g, 1-11 inclusive, as deemed applicable)
- Project Site Plan - circle one: Administrative (Section 7.4h1) / Agency (Section 7.4h2)
- Supplemental Information (Section 7.5a-j, inclusive, as deemed applicable)

pinney



Property Information

Property ID 035 013 0000
 Location PINNEY ST
 Owner SPIELMAN JAMES + TRENCH DAVID +

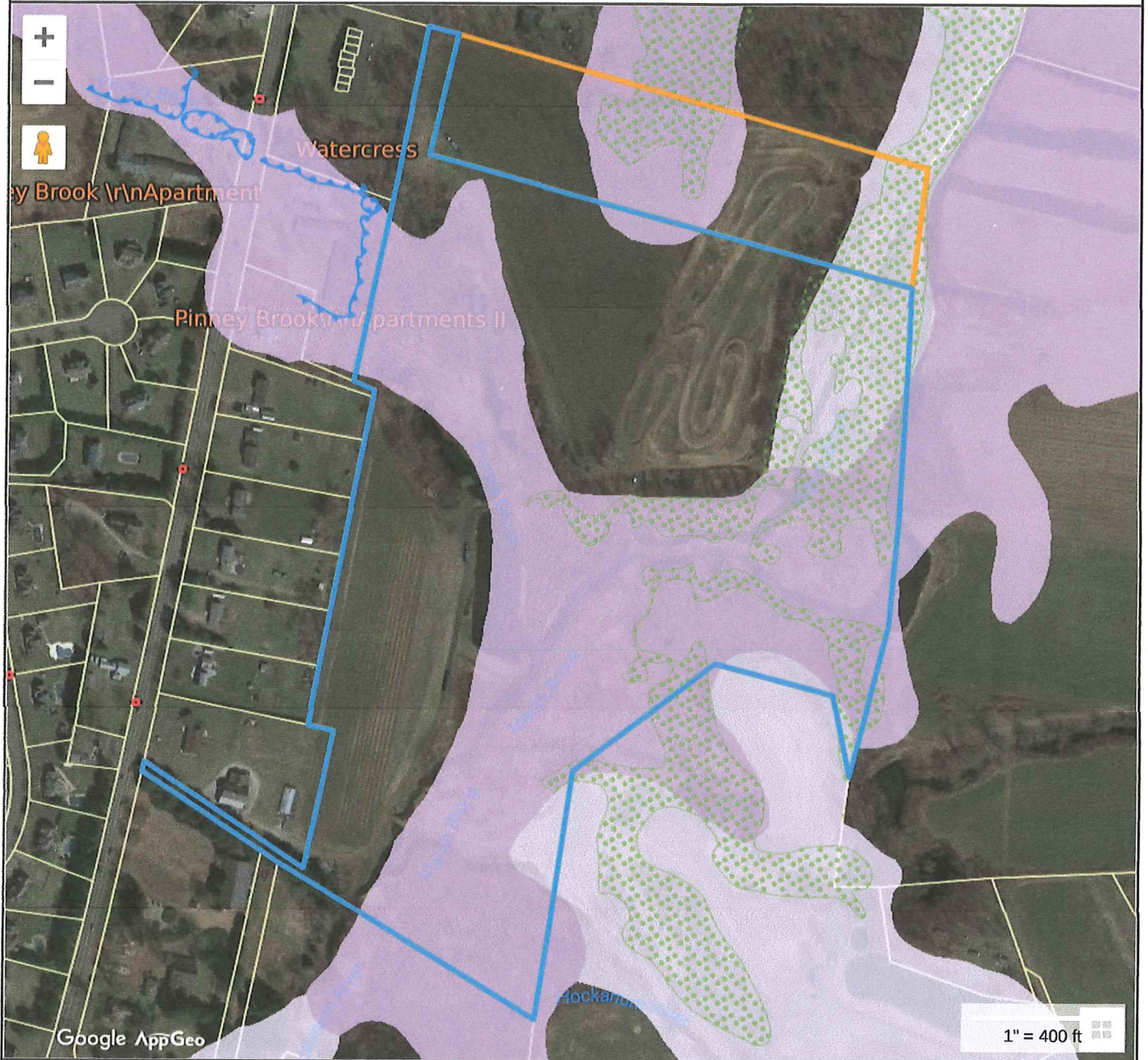


MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

Town of Ellington, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/11/2021
 Data updated daily

Print map scale is approximate.
 Critical layout or measurement activities should not be done using this resource.



Property Information

Property ID 026 012 0000
Location 105 PINNEY ST
Owner SPIELMAN JAMES A 1/3 +TRENCH DAVID A 1/3

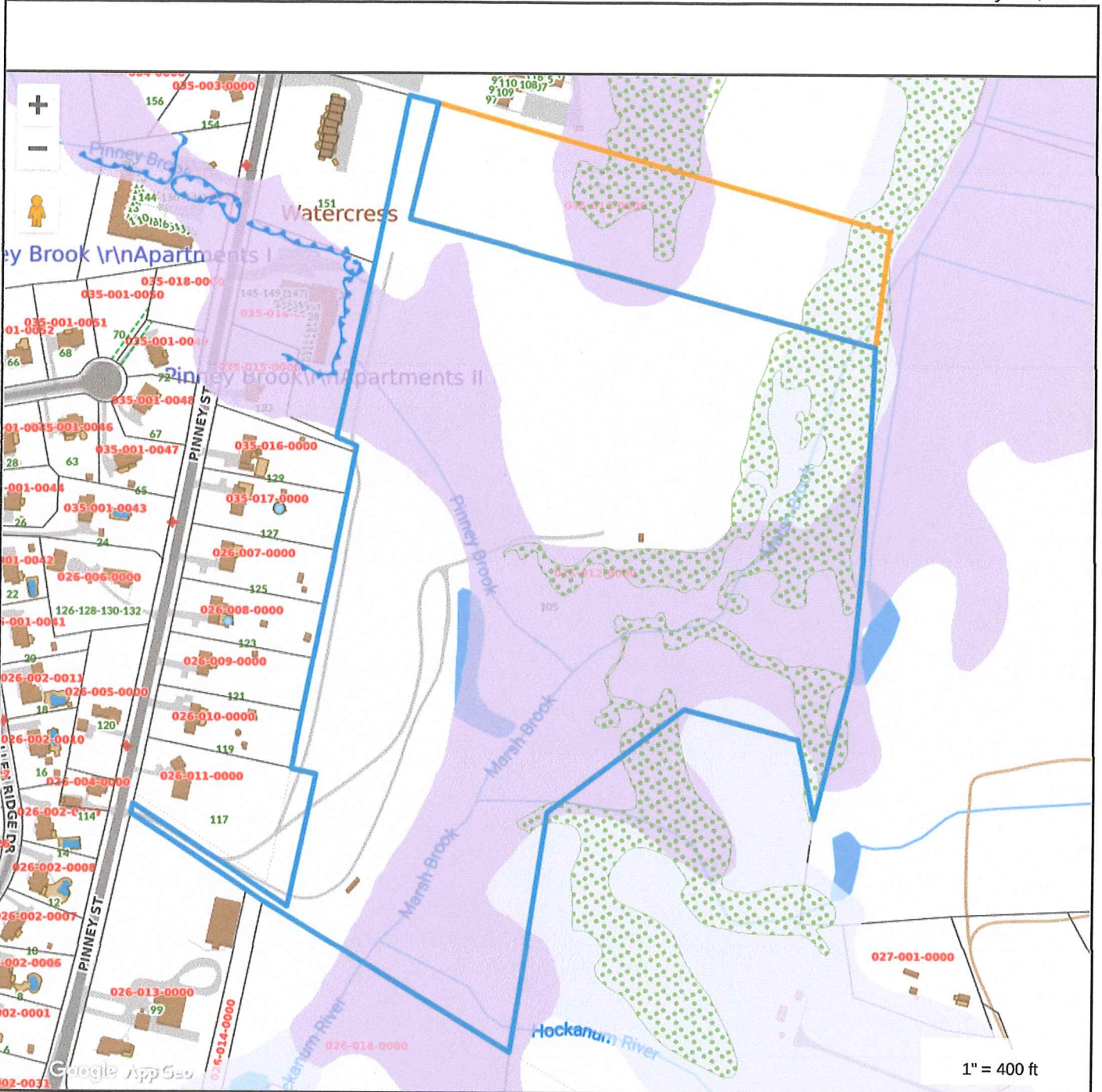


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Property Information

Property ID 026 012 0000
Location 105 PINNEY ST
Owner SPIELMAN JAMES A 1/3 +TRENCH DAVID A 1/3



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Map Theme Legends

Wetlands

-  Site Certified Wetlands/Watercourse
-  Swamp Areas
-  Poorly Drained and Very Poorly Drained Soils
Alluvial and Floodplain Soils

CT DEEP









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INCORPORATED 1786

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TEL. (860) 870-3120 TOWN PLANNER'S OFFICE FAX (860) 870-3122

INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MONDAY, NOVEMBER 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 Jean Burns, Vice Chairman Katherine Heminway, Regular members Ken Braga, Ron Brown and Hocine Baouche (arrived at 7:21 pm)

ABSENT: Regular members Art Aube, Steve Hoffman and Alternate Jon Kaczmarek

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 7:04 pm.

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

III. PUBLIC HEARINGS: None

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. IW202208 – Oakridge Dairy, LLC, Owner/ Brandon Gudeman, applicant, request to accept permitted uses as of right to dredge and maintain the ditches and brooks throughout the farm at 11 Jobs Hill Road, APN 072-002-0000; 16 Jobs Hill Road, APN 072-001-0002; 18 Jobs Hill Road, APN 072-001-0000; 33 Jobs Hill Road, APN 081-003-0000; 34 Jobs Hill Road, APN 081-001-0000; 76 Jobs Hill Road, APN 081-002-0000; 63 Maple Street, APN 073-002-0000, Meadow Brook Road, APN 091-003-0000 and 80 Meadow Brook Road, APN 090-017-0000.

Brandon Gudeman, 124A Windermere Avenue, was present to represent the application. Mr. Gudeman explained Oakridge Dairy is looking to dredge out the silt within the ditches and brooks, which is impeding their crop production.

They intend on cleaning out the silt and spreading the spoils onto the crop fields where permitted through the National Resources Conservation Service (NRCS). They completed this activity in 2005 and are looking to extend the project to additional areas on the farm to help with water drainage from the fields.

Commissioner Brown asked if they clear the proposed areas, would the activity help with the flow of water within the brooks on the property. Mr. Gudeman responded yes.

Vice Chairman Heminway noted that if someone is maintaining good farmland they have to work to preserve it, and is in favor of the proposed activity. Commissioner Braga asked if the materials would stay on their properties. Mr. Gudeman intends to spread the spoil materials close to where they are dredged and in accordance with the map provided as part of the application.

Chairman Burns asked if they make changes to the plan to spread the spoils would they contact the town. Mr. Gudeman said they would contact Mr. Colonese if the plan changes. Chairman Burns asked if they had any preventive measures in place for any oil leaks, etc. from the use of the proposed equipment. Mr. Gudeman reassured the Agency they will take action to minimize any pollutant runoff and prevent equipment leakage as they would with any of their farm equipment. Chairman Burns asked how deep they intend on digging within the ditches and brooks. Mr. Gudeman explained they will only be removing the silt and material that has accumulated on the surface.

Commissioner Braga inquired when Oakridge Dairy plans on doing the activity. Mr. Gudeman stated they plan on doing it during the winter months. He noted it may take a couple of winters to complete.

Mr. Colonese requested the applicant contact the Connecticut Department of Energy and Environment Protection (DEEP) as they may require a non-consumptive water diversion permit for this type of activity, which was required in 2005. Mr. Colonese noted he forwarded Mr. Gudeman Connecticut DEEP contact information last week. Mr. Colonese also requested Mr. Gudeman contact the Army Corps of Engineers (ACOE) as the farm notified the ACOE in 2005. Mr. Gudeman said he has contacted both agencies and is waiting for their response.

Commissioner Brown asked about the equipment to be used and how it will impact the watercourses. Mr. Gudeman stated they will be using larger equipment and that they prefer to do it during the winter because the ground is frozen. They will be using an excavator and rock trucks. They will create piles and then sort the material out for spreading on the fields.

Mr. Colonese asked about the wooded areas around the brooks and how they plan on accessing those areas. Mr. Gudeman stated there is no intention to clear trees at this time, but brush will be cleared as needed to gain access.

MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO ACCEPT IW202208 – Oakridge Dairy, LLC, Owner/ Brandon Gudeman, applicant, request to accept permitted uses as of right to dredge and maintain the ditches and brooks throughout the farm at 11 Jobs Hill Road, APN 072-002-0000; 16 Jobs Hill Road, APN 072-001-0002; 18 Jobs Hill Road, APN 072-001-0000; 33 Jobs Hill Road, APN 081-003-0000; 34 Jobs Hill Road, APN 081-001-0000; 76 Jobs Hill Road, APN 081-002-0000; 63 Maple Street, APN 073-002-0000, Meadow Brook Road, APN 091-003-0000 and 80 Meadow Brook Road, APN 090-017-0000.

VI. ADMINISTRATIVE BUSINESS:

By Consensus, the Agency went out of agenda order to Correspondence/Discussion.

Seth Bahler, Oakridge Dairy, 76 Jobs Hill Road, approached the Agency about making some site changes to their parcel located at 80 Meadow Brook Road. The Modern Milkman has been growing and they are planning to convert the existing barn to be used for the farm business including adding some cooler space within the building and creating a driveway around the building with additional parking. He noted the proposed activity will not be within the wetlands. Mr. Bahler asked if the proposed activity can be as of right since it is a farm use. After a brief discussion, Mr. Bahler was asked to submit an application to request the proposed project be permitted as of right.

The Agency went back to Agenda order.

1. Approval of the October 17, 2022 Regular Meeting Minutes.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE THE OCTOBER 17, 2022 REGULAR MEETING MINUTES AS WRITTEN.

2. Approval of the 2023 Meeting Schedule.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE THE 2023 MEETING SCHEDULE AS DRAFTED.

3. Correspondence/Discussion:
 - a. Capital Improvement Requests Memo FY 2023-2024

VII. ADJOURNMENT:

MOVED (HEMINWAY) SECONDED (BAUCHE) AND PASSED UNANIMOUSLY TO ADJOURN THE NOVEMBER 14, 2022 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:24 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk