



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MONDAY, MARCH 11, 2024, 7:00 P.M.

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

PRESENT: Chairman Jean Burns, Vice Chairman Katherine Heminway, Regular members Ken Braga, Hocine Baouche, Landon Barlow (arrived at 7:02 pm), and Alternate Ryan Orszulak

ABSENT: Regular Members Ron Brown and 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 7:00 pm.

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

III. PUBLIC HEARINGS:

1. IW202404 – Fifty (50) West Road LLC, owner/applicant request for permit to conduct regulated activity to construct water quality basins and associated improvements to serve adjacent industrial and commercial development at 50 West Road, APN 019-005-0000.

Time: 7:01 pm

Seated: Burns, Heminway, Braga, Baouche, Barlow and Orszulak

Guy Hesketh, FA Hesketh & Associates, LLC, 6 Creamery Brook, East Granby, CT and George Logan, REMA Ecological Services, LLC, 43 Blue Ridge Drive, Vernon, CT were present to represent the application.

Guy Hesketh explained the property is located on West Road, just south of Country Pure Foods and to the north of Sullivan Tire. Guy showed an overall plan of the proposal as the developed condition of the site of 25.91 acres. Most of the property is currently used agriculturally, and some of the activities that are planned will be within the upland review area and wetlands. Guy noted they designed the storm water management system for the entire development proposed in the commercial and industrial zone. There will be two water quality basins. The smaller one is located on the eastern side. There is a woodland line that's located approximately 50 feet from the southern edge of the water quality basins. The proposal is to restore that area to a natural state. Guy reviewed the wetland delineations on the plan.

George Logan noted the wetland delineations took place in February and March of 2023. The western most portion of the property starts in the field and the delineation matches the one he did for the property to the north. George showed where the most disturbed areas were on the site. George noted the delineations follow the woodland line approximately, and then the delineation ends up on the property to the east.

Guy Hesketh stated the runoff will flow into basin one, flow over to the second basin, then overflow to the river. The basins were also designed to handle drainage from the Moser property to the north. There will be 94,000 sf of disturbance within the upland review area, and 3,200 sf of direct disturbance of wetlands. George Logan noted the areas that will be seeded to provide a natural habitat and asked to work with the Wetland's Agent regarding the types of seed mixture that would best suit the area.

Alternate Orszulak asked if the new racquet facility parcel would be part of the proposed drainage activity. Guy Hesketh noted there won't be a drainage connection to the racquet facility currently under construction as that area flows to the east.

Matthew Skypek, 11 Ryan Drive, asked for clarification of what is going to be built first on the site. Guy Hesketh noted the concept plan went before the Planning and Zoning Commission last spring for a zone change. The water quality basins and the industrial portion of the parcel will be developed first. The development of the commercial portion of the property will be in the future.

Commissioner Barlow inquired about the outlet elevation of the water quality basin. Guy Hesketh reviewed the elevation and explained the stormwater management report was based on a 50-year storm. Commissioner Barlow asked if any fill will be imported onto the site. Guy stated they will keep all clean soil on the site and intend on importing approximately 11,000 cubic yards of fill. Commissioner Barlow asked about trees that will be cut near the Hockanum River for the water quality basin outlet. Guy reviewed the outlet area showing photos and noting the larger trees that will be removed for the project.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW202404.

MOVED (BRAGA) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW202404 – Fifty (50) West Road LLC, owner/applicant request for permit to conduct regulated activity to construct water quality basins and associated improvements to serve adjacent industrial and commercial development at 50 West Road, APN 019-005-0000.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) FOR IW202404 – Fifty (50) West Road LLC, owner/applicant request for permit to conduct regulated activity to construct water quality basins and associated improvements to serve adjacent industrial and commercial development at 50 West Road, APN 019-005-0000. **FINDING THAT THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE PROPOSED WETLANDS IMPACT AS THIS IS THE BEST LOCATION FOR THE WATER QUALITY BASIN AND OUTLET PIPE.**

Condition(s):

1. Shall comply with Town Engineer comments dated March 8, 2024.
2. Shall work with the Ellington Trails Committee to relocate the trail per the Town Engineer's comment number 1.

3. Erosion control measures shall be installed then inspected by the wetlands agent prior to activity and remain operational until the site is stabilized.
 4. A soil scientist shall work with the wetlands agent to determine the best seed mix to be used on former agricultural field areas between the basins' gravel access drive and the tree line.
2. IW202405 – MCC Lake Properties Trust, owner/applicant, request for permit to conduct regulated activity to demolish and rebuild the existing home, garage, patio, parking, and associated improvements at 28 East Shore Road, APN 169-035-0000.

Time: 7:50 pm

Seated: Burns, Heminway, Braga, Baouche, Barlow and Orszulak

Mark Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT and Matthew Couzens, MCC Lake Properties Trust, 1 Pinnacle Road, were present to represent the application.

Mark Peterson reviewed the proposed plan to demolish the existing dwelling and detached garage. Mark stated the owner is looking to construct a portion of the new house, walkways, lakeside sitting area, and a water treatment collection area within the 100' upland review area, which will disturb 6,400 sf of land. The site disturbance outside of the review area will be the removal of the existing garage, house and walkway. A retaining wall along the lake edge was previously approved by the Wetland Agency on October 16, 2023. Mark reviewed the Town Engineer's comments, noting that a roof leader will be added to the northwest corner of the proposed dwelling, the walkways will be constructed with pervious pavers, and the garage will be built higher than the house. Mark noted the owner is looking to keep as many trees as possible on the property.

Alternate Orszulak asked how many square feet the proposed house will be. Matthew Couzens responded that the new dwelling footprint will be approximately 2,000 sf. Commissioner Barlow asked about the water treatment system. Mark Peterson said a new water treatment system may need to be installed but it depends on the well water test after the new well is drilled. John Colonese stated the lot coverage is shown as under the required 25%.

Linda DeYoung, 30 East Shore Road, asked if all the trees will be removed. Matthew Couzens showed the trees that would be cut down and those that would remain on the property. Linda asked if the new dwelling will be seasonal. Matthew stated the dwelling will be occupied year-round. Linda noted concerns about the electricity to be installed under the road. Mark Peterson explained how the installation would be conducted.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NON-SIGNIFICANT ACTIVITY FOR IW202404.

MOVED (BRAGA) SECONDED (BAOUCHE) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW202405 – MCC Lake Properties Trust, owner/applicant, request for permit to conduct regulated activity to demolish and rebuild the existing home, garage, patio, parking, and associated improvements at 28 East Shore Road, APN 169-035-0000.

MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) FOR IW202405 – MCC Lake Properties Trust, owner/applicant, request for permit to conduct regulated activity to demolish and rebuild the existing home, garage, patio, parking, and associated improvements at 28 East Shore Road, APN 169-035-0000.

Condition(s):

1. Shall comply with Town Engineer comments dated March 7, 2024.
2. Erosion control measures shall be installed then inspected by the wetlands agent prior to activity and remain operational until the site is stabilized.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. IW202406 – David Noble, owner/applicant request for permit to conduct regulated activity to construct a footing drain for a home and request for positive referral to the Planning & Zoning Commission on a 3-lot subdivision (S202403) pursuant to CGS 8-26(e) at 4 Tolland Turnpike, APN 132-004-0000.

BY CONSENSUS, THE AGENCY RECEIVED AND ADDED TO NEW BUSINESS FOR THE APRIL 8, 2024, MEETING IW202406 – David Noble, owner/applicant request for permit to conduct regulated activity to construct a footing drain for a home and request for positive referral to the Planning & Zoning Commission on a 3-lot subdivision (S202403) pursuant to CGS 8-26(e) at 4 Tolland Turnpike, APN 132-004-0000.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the February 12, 2024, Regular Meeting Minutes.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE FEBRUARY 12, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. Ad Hoc Ellington Trails Committee request to use pressure treated wood to anchor the 36-foot bridge on hiking trail off Windermere Avenue accepted as file IW202402.

John Colonese stated there was a discussion among Agency members during the acceptance of file IW202402 at last month's meeting. It was recommended to use steel posts to anchor the foot bridge on the trail off Windermere Ave. The Ellington Trails Committee would like to use pressure treated wood posts to anchor the foot bridge. Based on the information they provided from the Association of State Wetland Managers and Connecticut Forest & Park Association, it seems like the use of pressure treated wood is a standard practice for trail boardwalks through wetlands. The Agency was okay with the Ellington Trails Committee using pressure treated wood to anchor the foot bridge.

- b. CT DEEP Municipal Inland Wetlands Agency Comprehensive Training Program.

John Colonese noted that state statute requires the annual notification of the comprehensive training program available to Wetlands Agency commissioners and staff. John asked them to review the information and contact the Planning Department if anyone has any questions or intends to complete the on-line training. Landon Barlow noted he is in the middle of completing the training.

c. Greenwood Holistic Farm Pond Creation – Webster Road & School House Road

John Colonese explained the owners of the property would like to dig a ½ acre pond for the farm at 73 School House Road and use the removed material on Assessor Parcel 165-008-0000 off Webster Road. The town GIS wetlands map does not show any wetlands on these parcels and the proposed pond may not be within 250 feet of a wetland therefore a formal notification may not be required. John noted farm ponds that are less than three acres and essential to the farming operation are permitted as of right by the wetland regulations. These parcels are currently under an agricultural conservation easement held by the Connecticut Farmland Trust.

VII. ADJOURNMENT:

MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO ADJOURN THE MARCH 11, 2024, REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 8:18 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk