



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](http://www.ellington-ct.gov)

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

## **INLAND WETLANDS AGENCY REGULAR MEETING AGENDA MONDAY, JUNE 10, 2024, 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):**

1. IW202411 – Beth Gottier, owner/applicant request for a permit to conduct regulated activity to construct a patio and new wall along the lake edge at 14 Private Grounds 1, APN 148-062-0000.

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

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

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

1. Approval of the May 13, 2024, Regular Meeting Minutes.
2. Correspondence/Discussion:

### **VII. ADJOURNMENT:**

Next Regular Meeting is scheduled for July 8, 2024

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

#### **Join Zoom Meeting via link:**

Link: <https://us06web.zoom.us/j/84643921024>

Meeting ID: 846 4392 1024

Passcode: 725920

#### **Join Zoom Meeting by phone:**

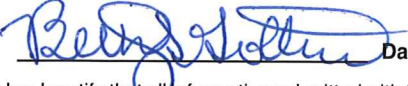

+1 646 558 8656 US (New York)

Meeting ID: 846 4392 1024

Passcode: 725920

# Town of Ellington Inland Wetlands and Watercourses Agency Application

Application # IW202411  
Date Submitted 5/2/2024

<p>Notices associated with this application will be sent to the applicant unless otherwise requested.</p> <p><b>Owner's Information</b></p> <p>Name: <u>Beth Gottier</u></p> <p>Mailing Address: <u>14 Private Grounds No 1</u> <u>Ellington, CT 06029</u></p> <p>Email: <u>bethgottier@yahoo.com</u></p> <p><b>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Primary Contact Phone #: <u>860-882-4498</u></p> <p>Secondary Contact Phone #: _____</p> <p>Owner's Signature: <u></u> Date: <u>4/26/24</u></p> <p>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.</p>	<p>Notices associated with this application will be sent to the applicant unless otherwise requested.</p> <p><b>Applicant's Information</b> (if different than owner)</p> <p>Name: <u>Eric Peterson</u></p> <p>Mailing Address: <u>Gardner &amp; Peterson Assoc. LLC</u> <u>178 Hartford Turnpike</u> <u>Tolland, CT 06084</u></p> <p>Email: <u>epeterson@gardnerpeterson.com</u></p> <p><b>WHEN NOT REQUIRED BY LAW TO MAIL NOTICE BY USPS, MAY NOTICES BE EMAILED TO YOU?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Primary Contact Phone #: <u>860-871-0808</u></p> <p>Secondary Contact Phone #: _____</p> <p>Applicant's Signature: <u></u> Date: <u>4/26/24</u></p> <p>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.</p>
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RECEIVED

MAY - 2 2024

TOWN OF ELLINGTON  
PLANNING DEPARTMENT

Street Address: 14 Private Grounds 1

Assessor's Parcel Number (APN): 148 - 062 - 0000

Proposed upland review area affected in square feet: 3,000

Proposed wetlands/watercourses affected in square feet and linear feet (as applicable): None

Total area of wetlands/watercourses on parcel in square feet or acres: None

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*

See attached narrative

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**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)



# GARDNER & PETERSON ASSOCIATES, LLC

PROFESSIONAL ENGINEERS • LAND SURVEYORS

178 HARTFORD TURNPIKE

TOLLAND, CONNECTICUT 06084

RECEIVED

MAY - 2 2024

TOWN OF ELLINGTON  
PLANNING DEPARTMENT

KENNETH R. PETERSON, L.S.

ERIC R. PETERSON, P.E., L.S.

MARK A. PETERSON, P.E.

TELEPHONE: (860) 871-0808

info@GardnerPeterson.com

www.GardnerPeterson.com

## Inland Wetland Agency Permit Application Narrative

Beth Gottier  
14 Private Grounds 1  
Ellington, Connecticut

The owner, Beth Gottier, is in the process of renovating the existing house at 14 Private Grounds 1 and would like to permit the construction of a patio off the rear of the house, and a new lake wall to create a "beach" area adjacent to Crystal Lake. This parcel is bounded by other residential properties to the north and south and abuts Crystal Lake to the east.

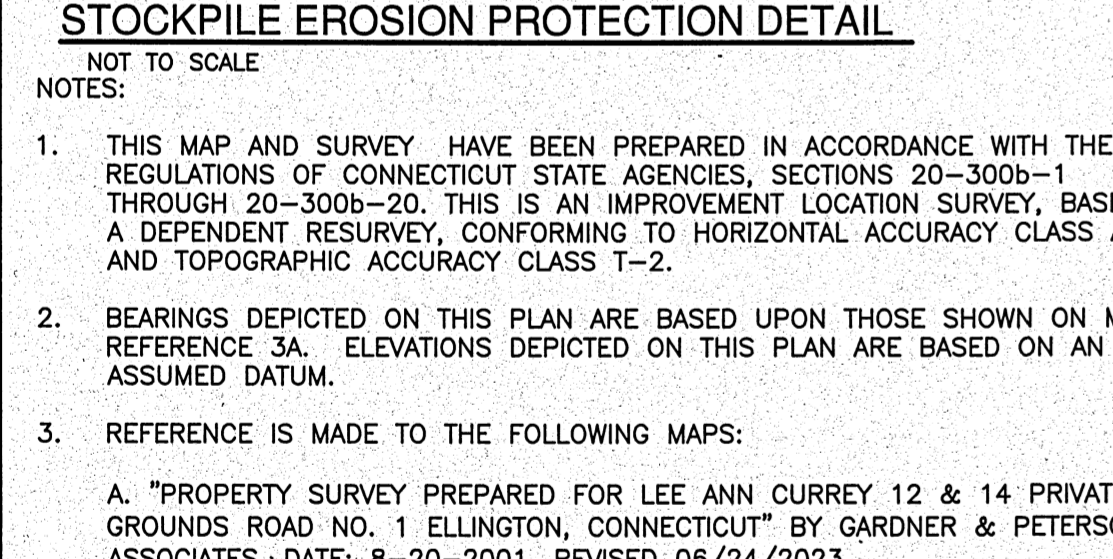
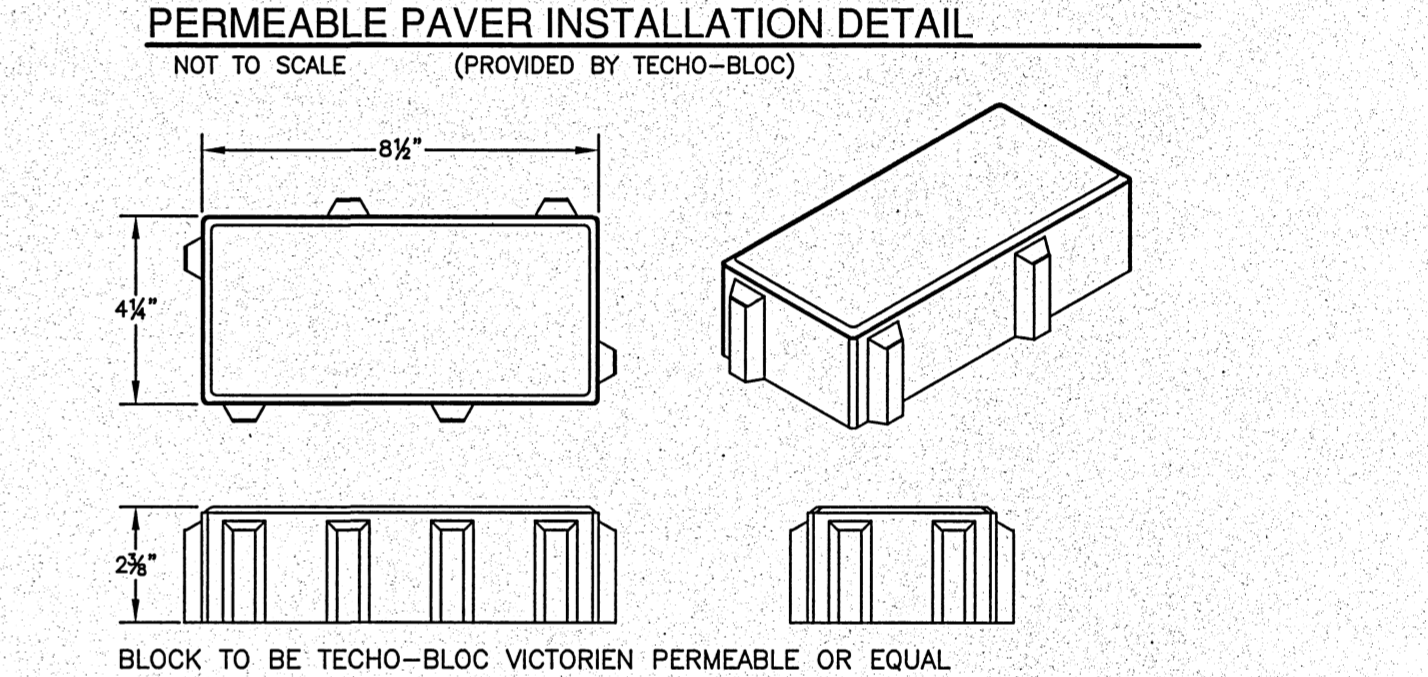
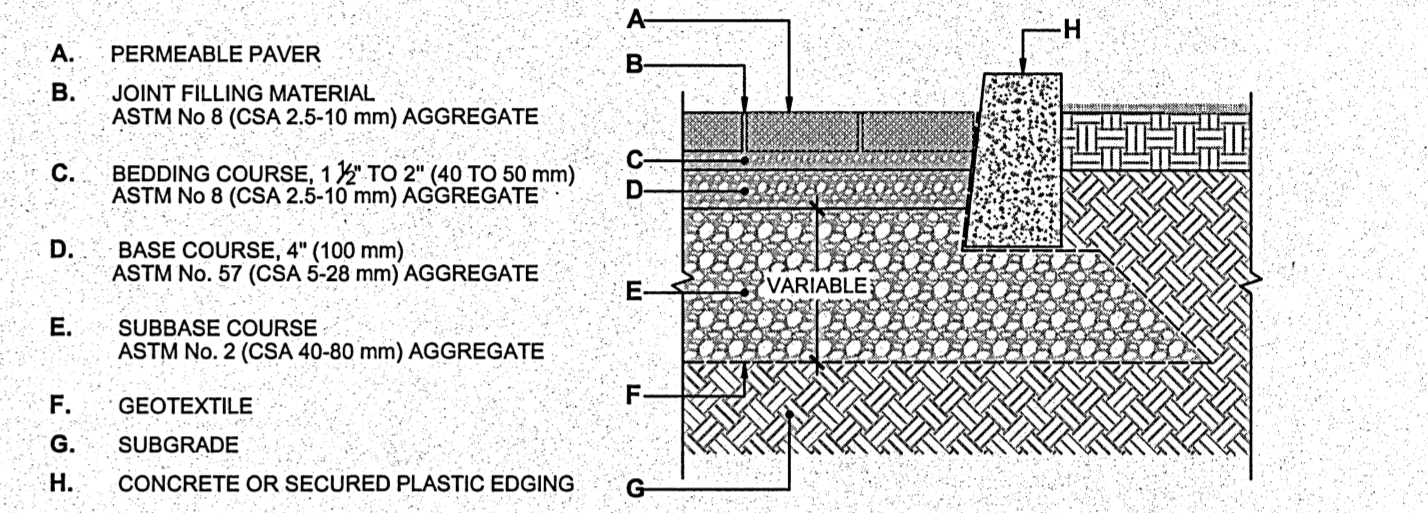
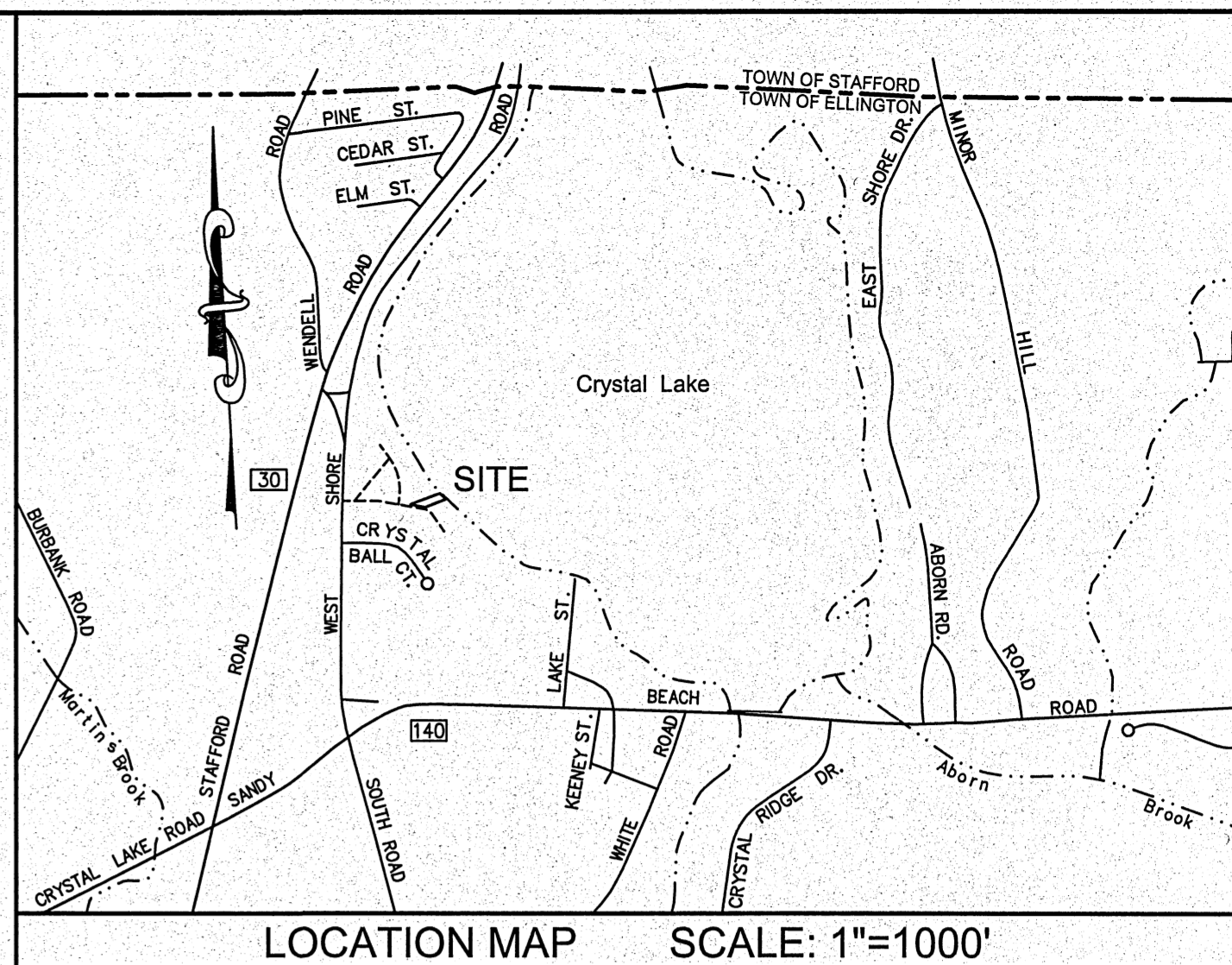
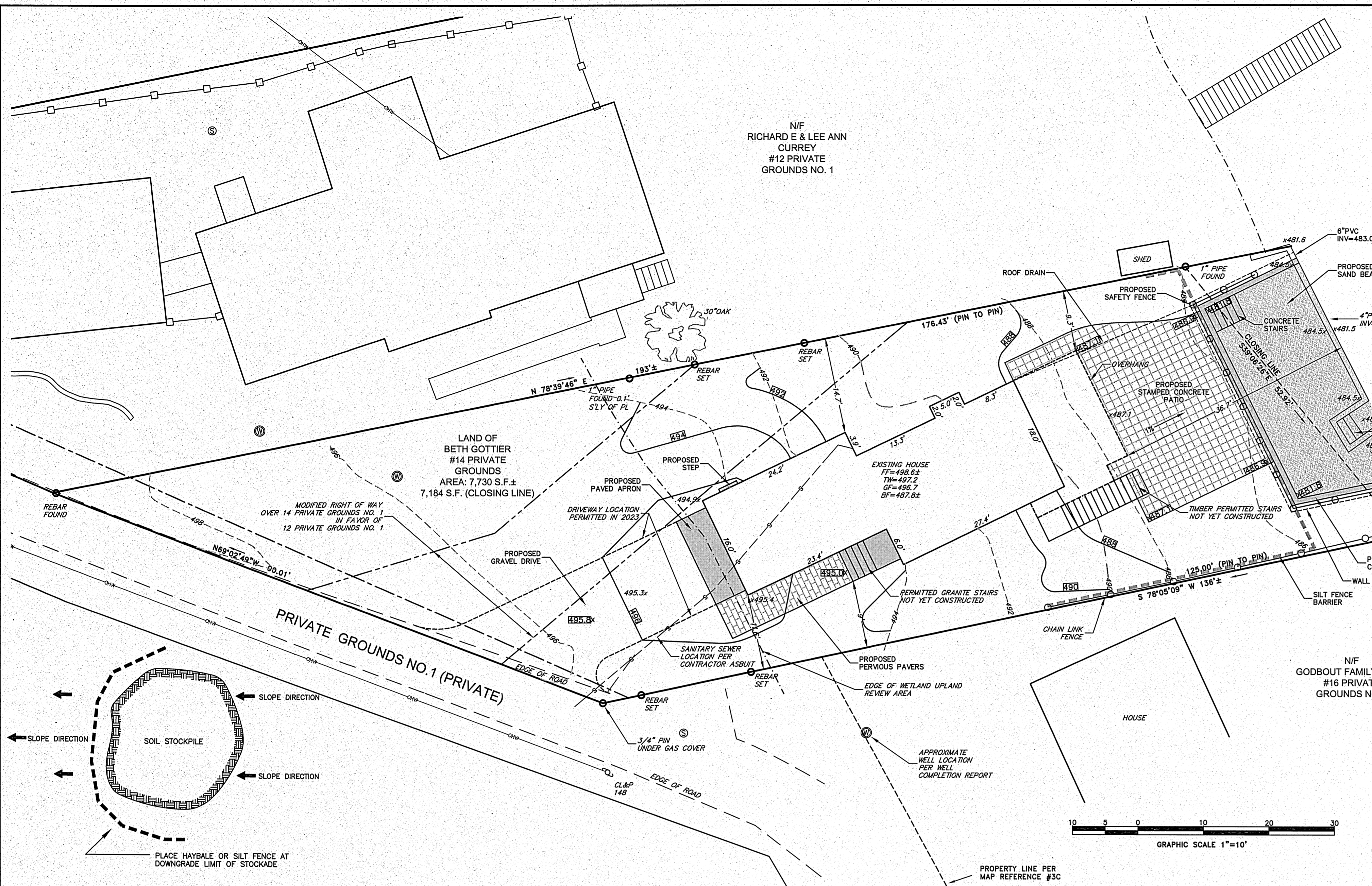
The existing house and the new improvements are all located within 100-feet of Crystal Lake. The patio is to be constructed of stamped concrete set on a prepared stone bed and the lake wall is to be a gravity wall constructed of large concrete blocks with a precast concrete staircase leading from the patio to the beach area. An existing concrete retaining wall located at the edge of Crystal Lake will be removed once the new wall is constructed thereby creating approximately 560 square feet of beach area adjacent to the lake.

To create the new wall, the area will initially be excavated with the existing wall in place. The spoils of the excavation will be loaded onto a truck and hauled off-site. Once the site is at rough grade, the new wall will be installed and backfilled with material transferred from a haul truck in the front of the house by either a skid-steer with bucket or a mini-excavator. The existing wall will be removed as the new beach area is filled. Silt fence will be installed downhill of other construction activities to prevent the passage of sediment to Crystal Lake and will remain in place until the site is final graded and stabilized with lawn.

This application proposes 2,700 square feet or 0.06 acres of disturbance within the upland review area, and it is expected that construction of the lake wall and patio will begin in the summer of 2024 and will be completed during the fall lawn growing season.

On October 16, 2023 the Inland Wetland Commission approved application IW202315 to conduct a regulated activity to demolish and reconstruct a house on the existing foundation, adding an attached garage.

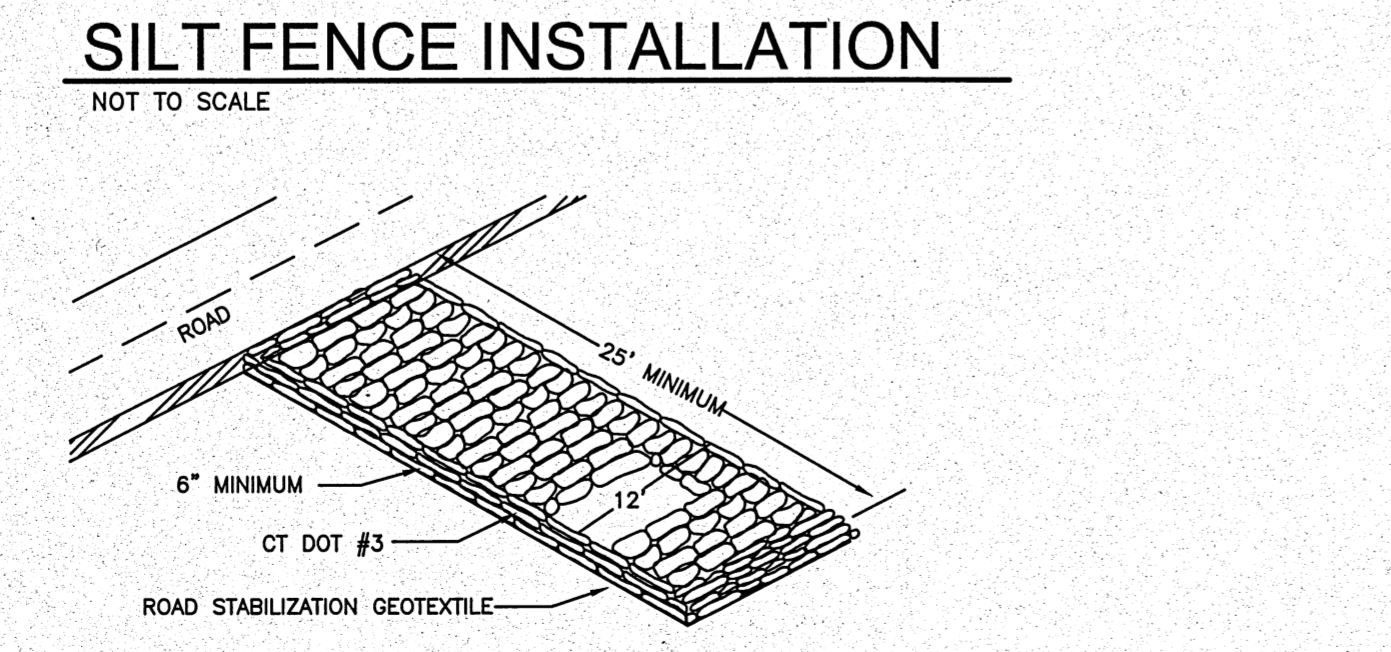
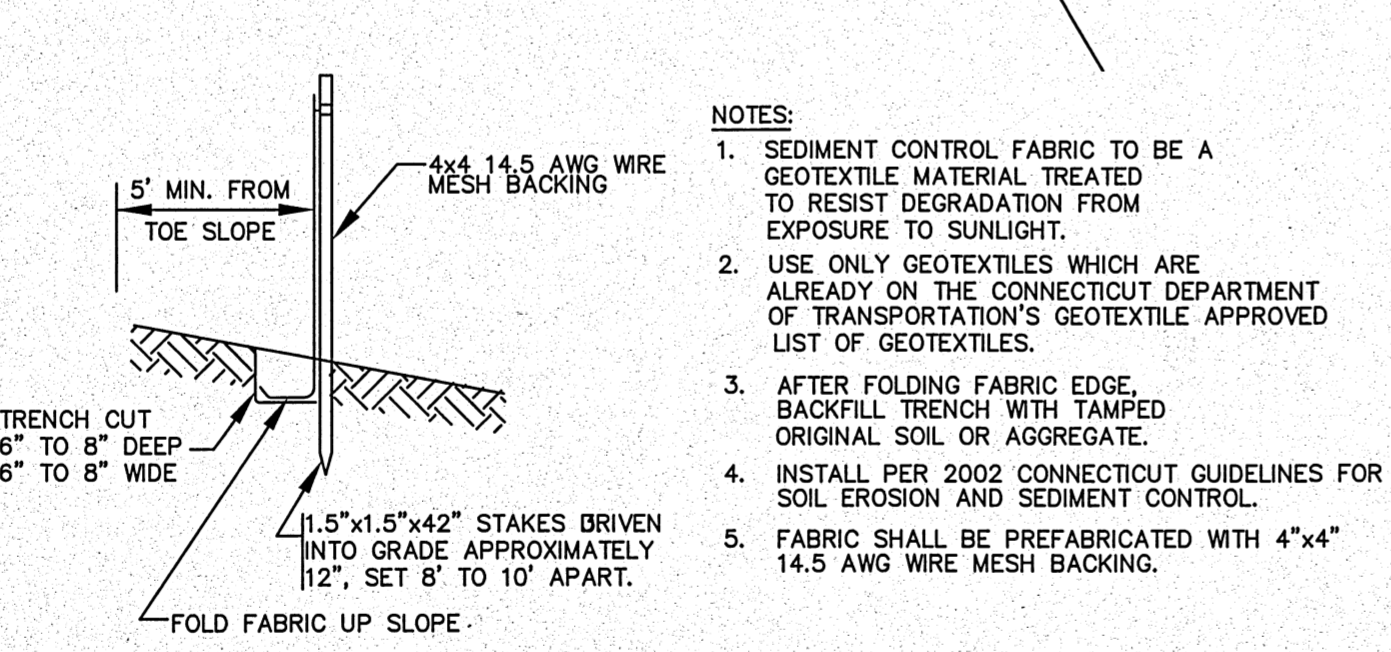




**STOCKPILE EROSION PROTECTION DETAIL**  
NOT TO SCALE

NOTES:

- THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300b-1 THROUGH 20-300b-20. THIS IS AN IMPROVEMENT LOCATION SURVEY, BASED ON A DEPENDENT RESURVEY, CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-2.
- BEARINGS DEPICTED ON THIS PLAN ARE BASED UPON THOSE SHOWN ON MAP REFERENCE 3A. ELEVATIONS DEPICTED ON THIS PLAN ARE BASED ON AN ASSUMED DATUM.
- REFERENCE IS MADE TO THE FOLLOWING MAPS:
  - A. "PROPERTY SURVEY PREPARED FOR LEE ANN CURREY 12 & 14 PRIVATE GROUNDS ROAD NO. 1 ELLINGTON, CONNECTICUT" BY GARDNER & PETERSON ASSOCIATES. DATE: 8-20-2001. REVISED 06/24/2023.
  - B. "PERMIT PLAN PREPARED FOR WAYNE W. KUHNLY 12 PRIVATE GROUNDS ROAD ELLINGTON, CONNECTICUT" DATED: 5-20-92 SCALE: 1"=20' BY: GARDNER & PETERSON ASSOCIATES.
  - C. "PROPERTY OF DONALD P. FLYNN #40 PRIVATE GROUNDS ROAD - ELLINGTON, CONN." DATED: 6-20-75 SCALE: 1"=20' BY: ALFORD ASSOCIATES.
  - D. "MAP NO. ES 205 SANITARY SEWER EASEMENT CRYSTAL LAKE SEWER PROJECT PRIVATE GROUNDS #1 ELLINGTON, CONNECTICUT" SCALE: 1"=40' REV. THROUGH 10-23-87 BY: KIELTYKA WOODS & PIKE
  - E. "LANDS AT CRYSTAL LAKE SURVEYED AUG. 26, 1932 SCALE: 20FT. = 1 INCH C. H. BANCROFT, SURVEYOR." MAP #1-832.
  - F. "LANDS AT CRYSTAL LAKE ELLINGTON, CONN. SCALE: 30FT. = 1 INCH C.H. BANCROFT, SURVEYOR." MAP #1-439
- DEEDS FOR 14 PRIVATE GROUNDS AND THE PARCEL TO THE SOUTH CALL FOR THE NORTHERLY SIDE OF AN OAK TREE AS THE PROPERTY LINE. THE TREE HAS RECENTLY BEEN CUT DOWN. PRESENTLY THERE EXISTS A 36" STUMP. DEEDS FOR THIS PARCEL DATING BACK TO 5-15-1923 CALL FOR THE OAK TREE. GIVEN THAT THE TREE HAD 77 PLUS YEARS TO GROW TO ITS PRESENT SIZE, AND UNABLE TO ESTABLISH THE SIZE OF THE TREE IN 1923, THIS POINT WAS ESTABLISHED BY HOLDING A DISTANCE ALONG THE LAKE OF 50' (PER DEED). THIS PUT THE POINT 0.5' INTO THE TREE STUMP.
- ON OCTOBER 2, 2023 A VARIANCE OF SECTION 3.2.3 (MINIMUM YARD SETBACK) WAS GRANTED BY THE ZONING BOARD OF APPEALS AT 14 PRIVATE GROUNDS (VOL.545 PG.643).



- GENERAL EROSION AND SEDIMENT CONTROL NOTES**
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE "GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL" BY THE CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION.
  - ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED SEDIMENT CONTROL PLAN.
  - TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN THE AMOUNT NECESSARY TO COMPLETE THE FINISHED GRADING OF ALL EXPOSED AREAS.
  - AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL.
  - ALL FILLS SHALL BE COMPACTED AS REQUIRED TO MINIMIZE EROSION, SLIPPAGE, AND SETTLEMENT. FILL INTENDED TO SUPPORT STRUCTURES, DRAINAGE, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH THE APPROPRIATE STATE AND/OR LOCAL SPECIFICATIONS.
  - FILL MATERIAL SHALL BE FREE OF BRUSH, RUBBISH, LARGE ROCKS, LOGS, STUMPS, BUILDING MATERIAL, COMPRESSIBLE MATERIAL, AND OTHER MATERIALS WHICH MAY INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
  - FROZEN MATERIAL OR SOFT MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED INTO FILLS.
  - FILL SHALL NOT BE PLACED ON A FROZEN FOUNDATION.
  - ALL BENCHES SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT.
  - SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH SOUND CONSTRUCTION PRACTICE.
  - ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISH GRADING. IF FINISH GRADING IS TO BE DELAYED FOR MORE THAN 30 DAYS AFTER DISTURBANCE IS COMPLETE, TEMPORARY SOIL STABILIZATION MEASURES SHALL BE APPLIED. AREAS LEFT OVER 30 DAYS SHALL BE CONSIDERED "LONG TERM" AND SHALL RECEIVE TEMPORARY SEEDING WITHIN THE FIRST 15 DAYS.
  - SITE IS TO BE GRADED TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCHING, AND MAINTENANCE UNLESS OTHERWISE SPECIFIED IN THE PLANS.
  - CUT AND FILL SLOPES SHALL NOT BE STEEPER THAN 2:1. TOPSOIL SHALL BE SPREAD TO A MINIMUM DEPTH OF 4". ADDITIONAL TOPSOIL MAY BE REQUIRED TO MEET MINIMUM DEPTHS. NO TOPSOIL SHALL BE REMOVED FROM THIS SITE.
  - APPLY SEED UNIFORMLY BY HAND, CYCLONE SEEDER, DRILL CULTRIPACKER TYPE SEEDER, OR HYDROSEEDER (SLURRY INCLUDING SEED AND FERTILIZER). NORMAL SEEDING DEPTH IS FROM 1/4" TO 1/2" INCH. HYDROSEEDING WHICH IS MULCHED MAY BE LEFT ON THE SOIL SURFACE.
  - WHERE FEASIBLE, EXCEPT WHERE EITHER A CULTRIPACKER TYPE SEEDER OR HYDROSEEDER IS USED, THE SEEDBED SHOULD BE FIRMED FOLLOWING SEEDING WITH A ROLLER OR LIGHT DRAG.
  - FERTILIZER AND LIME ARE TO BE WORKED INTO THE SOIL AS NEARLY AS PRACTICAL TO A DEPTH OF 4 INCHES WITH A DISC, SPRING TOOTH HARROW OR OTHER SUITABLE EQUIPMENT. THE FINAL HARROWING OR DISC OPERATION SHOULD BE ALONG THE CONTOUR.
  - REMOVE FROM THE SURFACE ALL STONES TWO INCHES OR LARGER. REMOVE ALL OTHER DEBRIS SUCH AS WIRE, TREE ROOTS, PIECES OF CONCRETE, OR OTHER UNSUITABLE MATERIALS.
  - INSPECT SEEDBED BEFORE SEEDING. IF TRAFFIC HAS LEFT THE SOIL COMPACTED, THE AREA MUST BE RETILLED BEFORE SEEDING, THEN FIRMED AS DESCRIBED ABOVE.
  - WHERE GRASSES PREDOMINATE, FERTILIZE ACCORDING TO SOIL ANALYSIS, OR SPREAD 500 POUNDS OF 10-10-10 OR EQUIVALENT PER ACRE (7.5 POUNDS PER 1000 S.F.).
  - CALCIUM CHLORIDE WILL BE AVAILABLE FOR DUST CONTROL ON GRAVEL TRAVEL SURFACES.

**CONSTRUCTION SCHEDULE & EROSION & SEDIMENT CONTROL CHECKLIST**

PROJECT NAME: BETH GOTTIER - HOME IMPROVEMENTS  
 LOCATION: 14 PRIVATE GROUNDS NO.1 ELLINGTON, CT  
 PROJECT DESCRIPTION: SINGLE FAMILY HOUSE, LAKE WALL & PATIO CONSTRUCTION  
 PARCEL AREA: 7,730 SQ. FT.  
 RESPONSIBLE PERSONNEL: BRUCE GOTTIER (880) 882-4497

WORK DESCRIPTION	EROSION & SEDIMENT CONTROL MEASURES	DATE INSTALLED	INITIALS
ROUGH GRADE AROUND HOUSE, WALL AND PATIO	INSTALL CONSTRUCTION ENTRANCE		
INSTALL LAKE WALL AND BACKFILL	INSTALL SILTFENCE AS SHOWN		
REMOVE EXISTING LAKE WALL	INSPECT E&S MEASURES BEFORE ANTICIPATED STORMS AND AFTER-MAINTAIN E&S MEASURES AS NECESSARY		
FINE GRADE AND INSTALL PATIO	EXCESS EXCAVATED MATERIAL TO BE HAULED OFF-SITE		
PLACE BEACH SAND AND REMOVE EXISTING WALL			
TOPSOIL AND SEED DISTURBED AREA	REMOVE EROSION CONTROLS WHEN SITE IS STABILIZED		

PROJECT DATES:  
 DATE OF CONSTRUCTION START: SPRING/SUMMER 2024  
 DATE OF CONSTRUCTION COMPLETION: END OF 2024

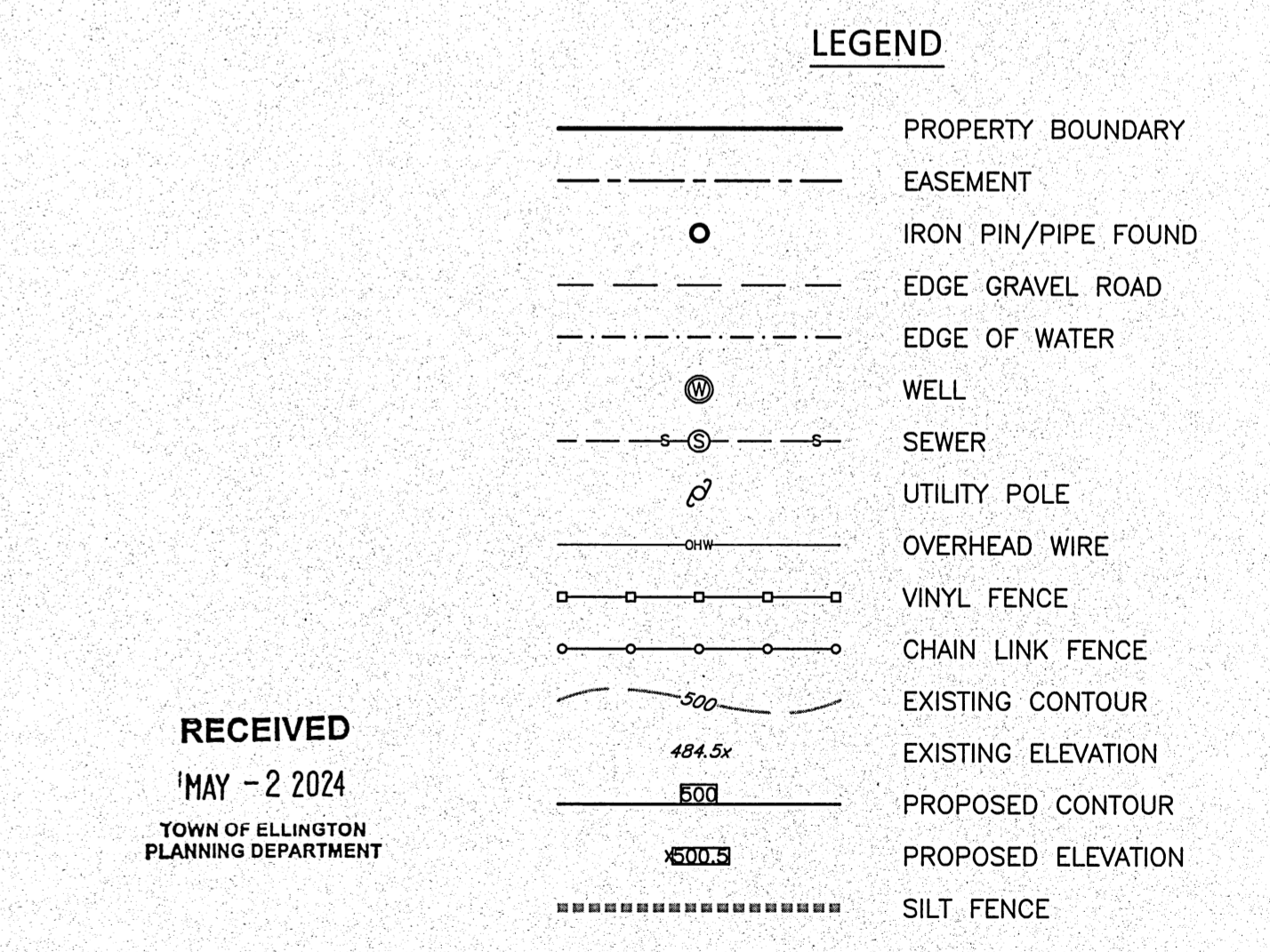
EROSION AND SEDIMENT CONTROL PROCEDURES SHALL ESSENTIALLY BE IN ACCORDANCE WITH THESE PLANS, AS REQUIRED BY TOWN REGULATIONS, AND THE MANUAL "GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL FOR CONNECTICUT, BY THE COUNCIL ON SOIL AND WATER CONSERVATION, 1985, REVISED TO 2002.

TEMPORARY SEEDING SCHEDULE:			
SPECIES	LBS/ACRE	LBS/1000SF	SEEDING DATES
ANNUAL RYEGRASS	40	0.9	3/1-8/15, 8/1-10/1
WINTER RYE	40	0.9	4/15-6/15, 8/15-10/1
SUDANGRASS	11	0.25	5/15-8/15

TEMPORARY SEEDING IS NOT LIMITED TO THE SPECIES SHOWN. OTHER SPECIES RECOMMENDED BY THE SCS OR AS LIMITED BY SITE CONDITIONS MAY BE USED.

STRAW MULCH IS TO BE APPLIED TO SEEDBED AT THE RATE OF 1-1/2 TO 2 TONS PER ACRE, 70 TO 90 LBS. PER 1000 SQ. FT.

FINAL SEEDING SCHEDULE:			
SPECIES	LBS/ACRE	LBS/1000SF	SEEDING DATES
KENTUCKY BLUEGRASS	40	0.90	4/15-8/15, 8/15-9/15
CREeping RED FESCUE	120	2.75	
PERENNIAL RYEGRASS	40	0.90	



**RECEIVED**  
MAY - 2 2024  
TOWN OF ELLINGTON PLANNING DEPARTMENT

**IMPROVEMENT LOCATION SURVEY**

PREPARED FOR  
**BETH GOTTIER**  
14 PRIVATE GROUNDS NO.1  
ELLINGTON, CONNECTICUT

GARDNER & PETERSON ASSOCIATES, LLC  
178 HARTFORD TURNPIKE  
TOLLAND, CONNECTICUT

PROFESSIONAL ENGINEERS LAND SURVEYORS

REVISIONS

NO.	DATE	DESCRIPTION
10/02/2023		
11/22/2023		
02/23/2024		
04/21/2024		

BY	SCALE	DATE	SHEET NO.	MAP NO.
E.R.P.	1"=10'	09-12-2023	1 OF 1	9738P

HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

*Eric R. Peterson*  
ERIC R. PETERSON  
L.S. 23430  
REGISTRATION NO.





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](http://www.ellington-ct.gov)

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

## INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MONDAY, MAY 13, 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:** Vice Chairman Katherine Heminway, Regular members Ken Braga, Landon Barlow, Alternates Jon Kaczmarek and Ryan Orszulak

**ABSENT:** Chairman Jean Burns, Regular Members Ron Brown, Steve Hoffman and Hocine Baouche

### STAFF

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

**I. CALL TO ORDER:** Vice Chairman Katherine Heminway 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. IW202409 – 133 West LLC, owner/ Krause Excavating LLC, applicant, request for permit to conduct regulated activity to remove sediment and build up banks for maintenance of stream at 133 West Road, APN 037-006-0000 and 135 West Road, APN 037-005-0086.

Time: 7:01 pm

Seated: Heminway, Braga, Barlow, Orszulak and Kaczmarek

Alex Krause, 72 Mountain Spring Road, Tolland, CT was present to represent the application.

Vice Chairman Heminway noted there was an emergency repair completed on a portion of the stream which took place in early October of last year by Krause Excavating. Water was flowing out of the stream at times onto 133 West Road and ending up on Route 83. The Connecticut Department of Transportation (CT DOT) contacted the owners to fix the problem prior to the upcoming winter. This repair was completed. The Connecticut Department of Transportation has a drainage easement on 135 West Road, encompassing a pipe, head wall and rip rap stone swale by the road. CT DOT will conduct any required maintenance in this area.

Alex Krause stated the worst portion of the stream was restructured between the two properties to prevent the water from overflowing. Alex explained the new owner of 133 West Road would like to continue the work downstream and upstream. A couple trees and some brush will be removed, continuing the same type of work, making it easier for annual maintenance.

Commissioner Braga asked if a driveway was being constructed in the back towards 135 West Road. John Colonese stated if any additional activity is to be performed, the owners would need to contact the Planning Department.

John Colonese asked the applicant to contact the wetlands agent prior to the scheduled start of work and noted the erosion control measures shall remain operational until the site stabilized.

**MOVED (BRAGA) SECONDED (BARLOW) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW202409.**

**MOVED (BRAGA) SECONDED (KACZMAREK) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW202409** – 133 West LLC, owner/ Krause Excavating LLC, applicant, request for permit to conduct regulated activity to remove sediment and build up banks for maintenance of stream at 133 West Road, APN 037-006-0000 and 135 West Road, APN 037-005-0086.

**MOVED (BRAGA) SECONDED (ORSZULAK) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) IW202409** – 133 West LLC, owner/ Krause Excavating LLC, applicant, request for permit to conduct regulated activity to remove sediment and build up banks for maintenance of stream at 133 West Road, APN 037-006-0000 and 135 West Road, APN 037-005-0086.

**Condition(s):**

1. Contact the wetlands agent prior to the scheduled start of work.
  2. Erosion control measures shall remain operational until the site is stabilized.
2. IW202410 – James & Susan Pedersen, owner/applicant, request for a permit to conduct regulated activity to replace a concrete block retaining wall along the lake edge, restore grading to the lake, replace foundation for addition, construct decks, and associated improvements at 129 West Shore Road, APN 168-117-0000.

Time: 7:06 pm

Seated: Heminway, Braga, Barlow, Orszulak and Kaczmarek

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

Andrew LaRoche stated the steps to the project as removing the failing concrete blocks along the lake edge to replace them with new blocks, replacing the existing deck and building a new deck, removing concrete blocks by the lake and restoring this portion of the lakeside yard to the grade of the lake, and removing and replacing a portion of the foundation for an addition. Mr. LaRoche stated that eventually the owners will want to rebuild the garage across the street.

Mr. LaRoche explained they are trying to keep the elevation the same at the point of the water level to the wall. The wall is about a foot to 16 inches below the water level. They plan to get the footing in and stabilized and want to maintain the roughly same water level on the retaining wall. The wall is out of the water about two feet now, and it will be about the same height when finished.

Mr. LaRoche noted he spoke with the Town Engineer, Dana Steele, and about his comments. Mr. LaRoche explained the construction will be to first rebuild the retaining wall. In doing so, a dewatering pit will be installed, where the existing retaining wall will be removed so that any water will be detoured into the pit, filtered, with clean water returning into the lake. Then they will remove the remainder of the existing lake wall permanently, regrading and seeding the area with a silt fence in front of the lake until there is permanent growth.

John Colonese reviewed potential conditions of approval. Mr. LaRoche said the deck is going to be about 2 ½ to 3 feet above grade with pervious fabric and stone placed under the deck.

**MOVED (BRAGA) SECONDED (BARLOW) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A SIGNIFICANT ACTIVITY FOR IW202410.**

**MOVED (BRAGA) SECONDED (KACZMAREK) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW202410** – James & Susan Pedersen, owner/applicant, request for a permit to conduct regulated activity to replace a concrete block retaining wall along the lake edge, restore grading to the lake, replace foundation for addition, construct decks, and associated improvements at 129 West Shore Road, APN 168-117-0000.

**MOVED (BRAGA) SECONDED (ORSZULAK) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) FOR IW202410** – James & Susan Pedersen, owner/applicant, request for a permit to conduct regulated activity to replace a concrete block retaining wall along the lake edge, restore grading to the lake, replace foundation for addition, construct decks, and associated improvements at 129 West Shore Road, APN 168-117-0000.

**Condition(s):**

1. Shall comply with Town Engineer comments dated April 26, 2024:
  - After the wall is removed, install sediment barriers at the shoreline to limit soil erosion into lake until slope is stabilized with vegetation.
  - A turbidity curtain may also be required within the lake if soils behind the wall are left exposed overnight. This determination can be made in the field by Town Staff based on observed site conditions.
  - Specify the slope of the regraded area where the wall is being removed. I recommend maximum 3:1 slope (roughly 6' to about the closure line). Provide minimum 4" of topsoil, seed and mulch to establish vegetation on the new slope.
2. Contact the wetlands agent prior to the scheduled start of removal of the existing lake wall.
3. 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. IW202411 – Beth Gottier, owner/applicant request for a permit to conduct regulated activity to construct a patio and new wall along the lake edge at 14 Private Grounds 1, APN 148-062-0000.

**BY CONSENSUS, THE AGENCY RECEIVED AND SCHEDULED A PUBLIC HEARING ON JUNE 10, 2024, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR IW202411** – Beth Gottier, owner/applicant request for a permit to conduct regulated activity to construct a patio and new wall along the lake edge at 14 Private Grounds 1, APN 148-062-0000.



## VI. ADMINISTRATIVE BUSINESS:

1. Approval of the April 8, 2024, Regular Meeting Minutes.

**MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE APRIL 8, 2024, REGULAR MEETING MINUTES WITH ONE CORRECTION: PAGE 3 OF 4, PARAGRAPH 8, OMIT LAST SENTENCE.**

2. Correspondence/Discussion:

- a. 88-100 West Road, Maintenance of Drainage Ditch.

John Colonese stated that water from the ditch is currently flowing out onto the abutting farmer's cropland. Mr. Colonese reviewed the description and map provided by the contractor with the Agency and it was determined this activity can be reviewed administratively.

- b. Arbor Park on Main Street, Maintenance of Stream.

John Colonese stated that the Public Works Department would like to clean out vegetation from the stream that has filled in over the years. They will not be creating any new courses for the water. Material will be removed from the site. After a brief discussion with the Agency, it was determined this activity can be reviewed administratively.

## VII. ADJOURNMENT:

**MOVED (BRAGA) SECONDED (BARLOW) TO ADJOURN THE MAY 13, 2024, REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 7:19 PM.**

Respectfully submitted,

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Barbra Galovich, Recording Clerk