



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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INLAND WETLANDS AGENCY REGULAR MEETING MINUTES MONDAY, JULY 8, 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, Ron Brown, Steve Hoffman, Hocine Baouche (via Zoom), Landon Barlow, and Alternate Jon Kaczmarek

ABSENT: Alternate Ryan Orszulak

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. 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.

Time: 7:01 pm

Seated: Burns, Heminway, Braga, Brown, Hoffman, Barlow and Kaczmarek

Eric Peterson, Gardner & Peterson Associates, LLC, 178 Hartford Turnpike, Tolland, CT and Bruce Gottier, 14 Private Grounds 1 were present to represent the application.

Eric Peterson gave an overview of the application. Eric explained the owner would like a permit to construct a patio off the rear of the house and a new lake wall to create a beach area adjacent to Crystal Lake. On October 16, 2023, the Inland Wetland Commission approved application IW202315 to demolish and reconstruct a house on the existing foundation, adding an attached garage. 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 cast-in-place concrete wall with a concrete step leading 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 creating approximately 560 square feet of beach area adjacent to the lake. Eric described that the existing wall will be plucked out of the water with an excavator thumb.

Eric Peterson explained that to create the new wall, the area will initially be excavated with the existing lake wall left in place. Once the site is at rough grade, the new wall will be installed and backfilled. The existing wall will be removed after the new beach area is filled with sand. 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 finally graded and stabilized with lawn.

Commissioner Hoffman noted if the sand migrates into the lake that it is the owner's responsibility to maintain the area, and stated this request is for a small area compared to the Town beach. Commissioner Hoffman suggested the applicant take the same precautions as the Town does for maintenance of their beach area.

Bruce Gottier explained the reason for the beach area is for the children to have a safe place to play and not worry about getting hurt on the existing wall.

Chairman Burns noted the lake is not raised or lowered by the dam and many individuals add bubblers to the lake to minimize frost damage to their walls or docks.

Commissioner Barlow stated he has concerns regarding the gradation of the fill material and that it is free of environmental contaminants, the dewatering plan for excavating the footing for the wall, slope stability, and runoff from the patio. Commissioner Barlow suggested some feasible and prudent alternatives such as building a new wall, vegetation, and installing a cellular geogrid within the beach sand area to alleviate sand runoff into the lake.

Bruce Gottier would prefer to lessen the slope and doesn't necessarily need the 16-foot length of the beach as shown on the plan and that 10 to 12 feet would be sufficient. Bruce said the geogrid would be difficult for individuals to walk on and would prefer not to install a cellular geogrid or vegetated berm.

BY CONSENSUS, THE AGENCY TOOK A RECESS AT THE REQUEST OF THE APPLICANT TO CONVERSE PRIVATELY AT 7:58 PM AND RETURNED TO THE MEETING AT 8:01 PM.

Commissioner Barlow stated that based on the record there are feasible and prudent alternatives to the current design. Commissioner Hoffman stated the sand should be the same sand as used by the Town for Sandy Beach and recommended the patio water not to drain to the beach area.

John Colonese reviewed the suggestions from the Agency that could be incorporated as conditions of approval, such as providing a dewatering plan, providing testing of the sand material for approval or using the sand the Town uses for Sandy Beach, revising the plan to direct patio runoff away from the beach as suggested by the Town Engineer, revising the plan to make the beach area less steep, and maintenance of the beach area by removing sand from the lake as needed.

Bruce Gottier agreed with incorporating a French drain to direct patio runoff away from the beach and to reduce the slope of the beach to the lake. Bruce agreed to maintaining the beach area as needed.

MOVED (HOFFMAN) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING 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.

MOVED (HOFFMAN) SECONDED (BRAGA) AND PASSED (BARLOW - ABSTAINED) TO APPROVE WITH CONDITIONS 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. **Finding there is no feasible and prudent alternative to the proposed sand beach and lake wall removal. Lake impacts will be lessened based on the Improvement Location Survey by Gardner & Peterson Assoc. Revised 7/2/24 and the conditions below.**

Conditions:

1. Provide dewatering plan including pumping settling basin location and size.
 2. Sand for the beach shall be the same as used by the Town of Ellington for Sandy Beach or provide gradation and environmental testing to be approved by the Wetlands Agency.
 3. The plan shall be revised to direct patio storm water runoff away from the sand beach.
 4. The plan shall be revised to make the sand beach less steep.
 5. Remove sediment in the lake as needed due to the placement of the sand on the beach.
2. IW202412 – John & Carrie Doherty, owner/applicant request for a permit to conduct regulated activity to reconstruct and enlarge an existing patio and pavilion at 20 East Shore Road, APN 149-100-0000.

Time: 8:16 pm

Seated: Burns, Heminway, Braga, Brown, Hoffman, Barlow and Kaczmarek

Mike Lemelin, 199 West State Street, Granby, MA was present to represent the application.

Mike Lemelin noted the owners are proposing to reconstruct and enlarge by 189 square feet a new pavilion on a concrete patio. Mike stated the existing patio was in such disrepair that it completely collapsed since application was made to the Inland Wetland Agency last month. The piers from the pavilion will be hand dug and the material from the piers will be used to level the area before pouring the concrete slab. An eighty foot by eight-inch erosion control wattle will be set towards the lake, as noted on the site plan provided with the application. Commissioner Baouche asked what type of roof the pavilion will have, Mike stated it will be metal. Commissioner Hoffman asked if any pressure treated wood would be used for the project, Mike responded that no pressure treated wood will be used.

MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW202412 – John & Carrie Doherty, owner/applicant request for a permit to conduct regulated activity to reconstruct and enlarge an existing patio and pavilion at 20 East Shore Road, APN 149-100-0000.

MOVED (BRAGA) SECONDED (HEMINWAY) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION(S) IW202412 – John & Carrie Doherty, owner/applicant request for a permit to conduct regulated activity to reconstruct and enlarge an existing patio and pavilion at 20 East Shore Road, APN 149-100-0000.

Condition(s):

1. 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. IW202413 – Stephen D. Williams, owner/applicant request for a permit to conduct regulated activity to construct a single-family home and associated improvements at 37 Wendell Road, APN 168-019-0000.

BY CONSENSUS, THE AGENCY RECEIVED AND SCHEDULED A PUBLIC HEARING FOR AUGUST 12, 2024, 7PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, AND ZOOM VIDEO CONFERENCING FOR IW202413 – Stephen D. Williams, owner/applicant request for a permit to conduct regulated activity to construct a single-family home and associated improvements at 37 Wendell Road, APN 168-019-0000.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the June 10, 2024, Regular Meeting Minutes.

MOVED (BRAGA) SECONDED (BROWN), (HOFFMAN - ABSTAINED) AND PASSED TO APPROVE THE JUNE 10, 2024, REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion:

- a. 15 Francis Avenue and 20 Lyons Street.

John Colonese reported the owners of 15 Francis Avenue & 20 Lyons Street would like to maintain/re-establish a swale along the edge of their properties to improve drainage and protect 20 Lyons Street from washouts. The swale will be stabilized with stone or grass.

VII. ADJOURNMENT:

MOVED (HEMINWAY) SECONDED (BRAGA) AND PASSED UNANIMOUSLY TO ADJOURN THE JUNE 10, 2024, REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 8:27 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk