

**Inland Wetlands Commission
Regular Meeting
Final Minutes
May 4, 2023 – 7:00 p.m.
Stonington Police Station
Meeting Room
173 South Broad Street, Pawcatuck, CT 06379**

Seated for the meeting were Chairman Lee Reichart, William Wright, Dennis Unites, and Michael Finiguerra. Candace Palmer, WEO, was also present.

The meeting was called to order at 7:00 PM at the Stonington Police Department.

Correspondence

a. Alliance for Mystic River Watershed

Call for Public Comment: No public comment was made.

New Business: None

Public Hearing: 8:17 PM

IW #23-01 Ante Ljubicic

Anthony Nenna, P.E., On-Site Engineering Inc., explains the location of the proposed culvert as well as the boulder wall that runs along both sides of the access driveway. The culvert will be submerged beneath the stream bed to promote aquatic life balancing between both sides. The gravel road will remain within the footprint of the existing logging road. They are proposing to begin construction in low flow months, such as July to September. Mr. Nenna clarifies that the height of the retaining wall is 3-4 feet.

Public Comments in Favor: None

Public Comments Against: None

General Comments: None

The Public Hearing was closed at 8:29 PM.

Mr. Finiguerra made a motion to approve the application with one stipulation. The motion was seconded by Mr. Wright. All in favor, 4-0.

Stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements and the condition of the groundwater.

Old Business

IW #23-02 MOD CLA Engineers Inc

John Casey, Robin & Cole LLP - Here tonight to discuss the alterations of the plan

Kyle Haubert, CLA Engineers - Mr. Haubert confirms that the monitoring well location has been updated to the parking lot. Yearly testing of the well will be required with the results given to the town. The rain garden has been expanded to account for the watershed size and the water quality basin has been shifted 6 feet north, away from the wetlands, and the volume increased. The water runoff from rain flow will be captured in the trench drain.

Ian Cole, Soil Scientist, discussed the changes and lack of direct wetland disturbance. The storm water management plan and E&S control plan were discussed. It is in Mr. Cole's opinion that these activities will not significantly or adversely affect the wetlands.

Mr. Unites states that the current monitoring well should not be left open and its closure should be an added stipulation.

Ms. Palmer read comments from the Town Engineer.

John Chase, Attorney, representing Aldin Associates Limited Partnership, on behalf of a Statutory Intervention, discussed that Mr. Battista was not present at the prior meeting when his report was submitted. Atty. Chase recognizes that many issues raised at the last meeting have been subject of further review.

Mr. Battista discussed his concerns about the water quality basin and the hydraulics of the site. Mr. Battista briefly explains the issues that have been identified within his report. He recommends adequate pre-treatment to the site, spill control features, and to determine the adequate pollution load for this setting.

There is a discussion between Atty. Chase, Mr. Battista, and the Commission regarding the concerns presented and the true impact of a 100-year storm. Atty. Casey reiterates that this is a plan that was previously been approved and has only been improved since then. Atty. Chase contends that there are grounds for this application to be reconsidered, as the Commission is responsible for protecting wetlands. There is a discussion about the wetlands outside of the subject property and how runoff will react with those areas.

It is discussed that runoff issues on Route 1 are subject to the Planning and Zoning Commission, not this Commission.

Mr. Finiguerra has secluded himself from the deliberations.

Mr. Wright made a motion to approve the application, with stipulations. Seconded by Mr. Unites, all were in favor, 3-0.

Stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. Existing well to be properly abandoned by a licensed well installer.

IW #23-04 Barbara and James Scott

Sergio Cherenzia, Cherenzia Excavation, 99 Mechanic St - They have employed a licensed surveyor and soil scientist for the plans. A majority of this site has been historically disturbed. The porch will be elevated and without a basement or crawl space. Alternative locations were considered. There will be no digging or excavation. The rain water will flow to the ground and disperse.

Mr. Wright made a move to approve the application one stipulation, seconded by Mr. Finiguerra. All in favor, 4-0.

Stipulation: 1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.

IW #23-05 Town of Stonington

Darren Hayward, CLA Engineers - The purpose of this application is to alleviate historic flooding that occurs on Washington St, Mystic, during heavy rain flow. Mr. Hayward explained the existing watershed system. The drainage flow path is blocked with sediment, is difficult to maintain, and this causes heavy flooding. The proposal is to clear the drainage flow path down to the harbor and realign.

Ms. Palmer mentions this has been an ongoing project / issue.

Mr. Hayward explains that this will help for moderate rain events, but not as much for heavy rain events.

Mr. Finiguerra made a motion to approve the application with one stipulation, seconded by Mr. Wright. All were in favor, 4-0: 1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.

Discussion

IWC #23-01 - 16 Smith Street, Old Mystic, CT 06372

Per Ms. Palmer, Mr. Cole went out to the site to examine the vernal pool which turned out to not be present. In discussion with Mr. Cole and the property owner, they have opted for a 50 foot no-disturbance area around the small watercourse on the property. Ms. Palmer read four suggestions from Mr. Russo, CSS:

1. Do not allow cutting of red maple saplings or small trees whose trunks are within 5 feet of it
2. Allow cutting of diseased trees or trees which pose a safety hazard that are further than 5 feet from the feature. Do not grub the root balls of these trees. In particular, red maples will sprout and new trees will grow rapidly from the existing root mass.

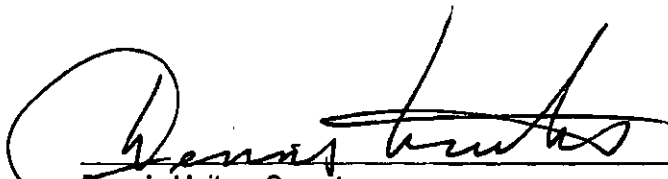
3. Do not clear, grub and replant the shrubby and herbaceous vegetation within 50 feet of the feature as this would require extensive soil disturbance to currently stable location.
4. Designate the area within 50 feet as non-disturbance zone. The existing vegetation is quite dense and will provide shade for the feature and habitat for wildlife.

There was a discussion about the non-disturbance plan and lack of replanting that is required.

Review of Outstanding Minutes:

Mr. Wright made a motion to approve the minutes of 4/6/2023 and 4/29/2023, seconded by Mr. Unites. All in favor, 4-0.

Mr. Finiguerra made a motion to adjourn the meeting, seconded by Mr. Unites. All in favor, 4-0. The meeting was adjourned at 9:03 PM.



Dennis Unites, Secretary

11/2/23
Date