

**Inland Wetlands Commission**  
**Regular Meeting**  
**Final Minutes**  
**October 6, 2022**  
Stonington Police Station, 173 South Broad St., Pawcatuck, CT

Seated for the meeting were Lee Reichart, Raul Ferreira, Dennis Unites, Nick Salerno, and William Wright. Candace Palmer, WEO was also present. Michael Finiguerra was absent.

The meeting was called to order at 7:00 p.m. on October 6, 2022 at the Stonington Police Department.

Correspondence: Groton Utilities-CT DEEP Diversion Permit Application

Ms. Palmer stated that they have received a letter from Groton Utilities regarding renewal of their permit to deliver water to Aquarion.

New Business:

**IW #22-14 Edwin A., Sarah J. & Daniel W. Emery (Owners) Dan Ravenelle (Applicant) Mark Reynolds (Agent)** - Seeking a permit for construction of a single-family residence, driveway and associated site improvements within the upland review area. Property located on 197 North Stonington Road, Stonington. Assessor's Map 146 Block 1 Lot 6, Zone RA-20.

The application was accepted and the site walk was scheduled for October 29, 2022.

Old Business:

**IW #22-11 Steven A. Burdick** - Seeking a permit for construction of an inground pool, shed, deck enlargement, drainage and rain garden within the upland review area. Property located on 22 Pine Street and Manor Street, Pawcatuck. Assessor's Map 16 Block 7 Lot 22 & 5, Zone RH-10.

Steven Burdick stated that they would like to install an inground pool with a retaining wall surrounding it. They will install drainage and a rain garden. They will also be renovating their deck, and making improvements to the yard area. Erosion and sedimentation controls will be installed by their contractor.

Mr. Wright moved to approve the application with the following stipulations:

1. Sediment & Erosion Control measurements are to be installed down gradient from retaining wall and rain garden. Disturbed soils are to be stabilized with straw mulch. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. All activity is to comply with the recommendations of James Cowen

Motion seconded by Mr. Ferreira and all were in favor 5-0. Motion approved.

**IW #22-12 Justin MacKenzie, Trustee – John Paul Mereen (Agent)** - Seeking a permit for construction of a single-family residence and associated site improvements within the upland review area. Property located on 1 Mark Street, Pawcatuck. Assessor's Map 6 Block 2 Lot 4, Zone RA-15.

John Paul Mereen presented the site plan for the application. There is a small area of wetlands in the rear of the lot. Soil scientist Richard Snarski recommended that they remove invasive species and plant with more wetland friendly plantings to the extent that they can. They have agreed to do so on their property. They believe this lot is the last remaining lot to be built in a subdivision. The home will be able to tie into the sewer and water connections on River Road and will be built on slab. The site will be built up to the current flood elevation. Compensatory storage is not required for the AE zone.

Mr. Unites moved to approve the application with the following stipulation:

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

Motion seconded by Mr. Ferreira and all were in favor 5-0. Motion approved.

Public Hearing:

**IW #22-13 GD Group, LLC – Sergio F. Cherenzia, PE (Agent)** - Seeking a permit to fill 4,960 SF of wetlands, and create 5,000 SF of wetlands for future construction of a 14,400 sq. ft. [footprint] 2-story Residential Building, two Retail Buildings—one to include a Financial Institution with a drive thru, associated parking and site improvements. Property located on 16-20 Stonington Road, Mystic. Assessor's Map 160 Block 2 Lot 3, Zone GC-60.

Ken Slater, attorney for the applicant stated that he assisted the applicant in filing under the Transfer Act due to contaminated soils on site. A conceptual plan was developed to allow the applicant to begin remediation on the site. The remediation and cleanup would have oversight from DEEP. The wetlands found were not natural wetlands but are currently operating as such. When the time comes in the future for a true development plan, they would need to come back before the commission. Currently their goal is to rebuild the wetlands in a different part of the site and remove the contamination from the site.

Sergio Cherenzia, project engineer, reviewed the site plan. The site is highly disturbed and filled on many occasions as well as had a large amount of debris dumped. There is a pile of contaminated soils on site that is capped with a tarp currently. The new owner of the site is required to remediate the site due to the Transfer Act filing. Additionally, the applicant is proposing these site improvements to benefit the wetlands. The site currently has one building on site, home to the business "Mine" which is deteriorated, and they plan to demolish the building in the future. The wetlands are approximately 59,000SF of the 290,000SF lot. Mr. Cherenzia presented the conceptual site plan and the 1:1 re-creation of the wetlands plan. The contiguous wetlands would be kept intact with a 25-foot buffer. The contaminated soils would be removed and replaced with wetland soils and species. The smaller, less valuable wetlands would be removed and replaced with additional plantings to the contiguous wetlands.

Tim Avizinis, environmental engineer presented the plan for replacement of the wetlands and invasive management plant. There would be plantings to buffer and screen the wetland area. There are phragmites throughout the wetlands, Japanese knotweed are on site. There is a three-year treatment plan to remove the species through chemicals and some mechanical. They are enhancing the overall wetlands to better eradicate the invasive species. The manmade swale at the front of the property has been overtaken with phragmites. Mr. Cherenzia has contacted the DOT and they have agreed it is a concern. Any future applications would address the drainage issues through site improvements and drainage improvements. They have not seen a tidal influence from storm water flooding to date. Mr. Cherenzia stated that site plan will likely shrink due to the drainage management needed on site. The application is just for the approval to fill the wetlands and do the replacement and enhancements. It's likely most of the site was wetlands but was filled prior to wetland regulation. After a remedial plan is created, if activity takes place in the regulated areas they will need to return for an additional permit.

Tom McMorrow, environmental consultant, discussed the history of environmental investigations. Test pits and soil borings have taken place across the property over the years. They have identified two major areas of concern on the site. The site is required to be fully characterized prior to moving the

remediation stage which will require further discovery. The wetlands they are requesting to fill will make it easier to access the areas for remediation and have no valuable function.

Public Comment in Favor: None.

Public Comment Against:

Gary Bennett, board member of the Bishop's Cove Homeowners Association, stated that they are concerned with the flooding on Route One blocking their sole access to their neighborhood. He asked that the developer improve the Route One drainage and expressed that they need an additional access to their development.

General Comment:

Ben Philbrick, asked if there is any saltwater intrusion from the culvert under the Amtrak line. He also spoke to the drainage system and discussed potential options for alleviating the Route One flooding.

Dan Casey, expressed concern with the lack of information around the water being mitigated from the site. He is concerned with the condition of the culvert under the Amtrak line.

JD Fontanella, stated that the environmental improvements are positive but should not be a preface for development. He stated that there is not room for pre-treatment and proper storage of water on site. (Exhibit 2)

Cindy Casey, Brustolon Buick GMC, stated that DOT has studied the drainage issue. She stated she would like to hear how the obstruction with Amtrak will be mitigated.

Rebuttal:

Ken Slater stated that the public are likely responding to the concept plan which is not what they are seeking approval for at this time. If they are to develop the site, they would need to create a plan with all of the drainage calculations and address the issues at that time. Mr. Cherenzia stated that there is a significant amount of engineering still required to address stormwater and traffic in a future development plan that will also require Planning and Zoning Commission approval. Mr. Cherenzia entered photos into the record of the Amtrak culvert which shows it is not crushed but has not been maintained. It is off their property so they cannot control the maintenance. They are not aware of a saltwater intrusion on the property from the last study of the wetlands. Mr. Cherenzia explained the benefit of enhancing a wetland and that it is supported by DEEP and the Army Corps of Engineers.

Mr. Unites asked whether the man-made wetlands fall under their jurisdiction. Ms. Palmer stated the soils were delineated by Don Fortunato, soil scientist who determined they are regulated.

Public Comment:

Dan Casey, expressed concern that there is not an independent analysis that this is a net benefit to the wetlands.

Mr. Unites expressed concern of what they will find upon investigation and is concerned with the overall development process. Mr. Reichert stated that he feels this development could potentially lead to an improvement in the flooding, but that is further steps along from this application. Ms. Palmer clarified the permitting process that will require three Inland Wetlands Permits.

Mr. Reichert closed the public hearing.

Mr. Wright moved to approve the application with the following stipulations:

1. Approval is only for the filling, creation and enhancement of the inland wetland and watercourse.
2. Additional approval is required for the Remedial Action Plan (RAP).

Motion seconded by Mr. Ferreira and the vote was taken 4-0-1. Mr. Unites abstained. Motion approved.

Approval of 2023 Meeting Calendar:

Mr. Wright moved to approve the 2023 calendar, seconded by Mr. Ferreira, all in favor 5-0. Motion approved.

Mr. Ferreira moved to approve the minutes of the September 1, 2022 and October 1, 2022 meetings, seconded by Mr. Wright, all in favor 5-0. Motion approved.

Mr. Ferreira moved to adjourn, seconded by Mr. Wright, all in favor 5-0. The meeting was adjourned at 8:41 pm.



Dennis Unites, Secretary