

**Inland Wetlands Commission
Regular Meeting
Final Minutes**

April 6, 2023 - 7:00 p.m.

Stonington Police Station, 173 South Broad Street, Pawcatuck, CT 06379

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

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

Correspondence:

- a.** Aquatic herbicide control of Phragmites Australis (Common Reed) and Japanese Knotweed. Property located at 17 Wamphassuc Rd., Stonington, CT 06378 / DEEP Approval
- b.** Aquatic herbicide control of Phragmites Australis (Common Reed) along the edge of private property abutting Pequotsepos River. / DEEP Approval
- c.** Email from J.D. Fontanella (Withdrawn at authors request)

Call for Public Comment:

Ben Tamsky, 5 Edgemont St, Mystic, received an update from Candace Palmer regarding the project at 1620 Stonington Rd.

New Business:

- a. IW #23-04 Barbara & James Scott** - Seeking a permit for construction of a 24.3' x 18' screened in porch addition within the upland review area. Property located at 101 Tipping Rock Road, Stonington, CT 06378. Assessor's Map 79 Block 3 Lot 10, Zone RR-80.
- b. IW #23-05 Town of Stonington** - Seeking a permit to replace an open channel drainage system with a closed pipe drainage system within the regulated uplands and wetlands. Property located at 36 and 40 Washington St., Mystic, CT. Assessor's Map 174 Block 19 Lot 3 & 2, Zone LS-5. The notices will include the Amtrak property but currently they do not have a MBL or address. Site walks will occur on April 29th.

Public Hearing: 7:00 p.m.

- a. IW #23-01 Ante Ljubicic** - Seeking a permit for construction of a 12' wide gravel farm road within an existing logging road. Activity includes installation of a culvert in a wetland and grading within the upland review area. Property located on 43 Shawondasse Dr., Stonington, CT 06378. Assessor's Map 106 Block 1 Lot 34C; Zone RR-80. **(Scheduled for May 4, 2023 Per Applicants Request)**

- Site Walk will occur on April 29th.

Old Business:

- a. IW #23-02MOD CLA Engineers Inc.** - Seeking a modification to IW21-07 for construction of a Convenience Store and Gasoline Service Station located within the Upland Review Area. Property located at 54 S. Broad Street., Pawcatuck CT 06379. Assessor's Map 14 Block 2 Lot 6; Zone LS-5.

John Casey, Robinson & Cole LLP - Here tonight with minor modifications which arose due to changes to address zoning concerns.

Kyle Haubert, CLA Engineers, Inc - Plan is very similar; no direct wetlands disturbance, there is work in upland regulated areas. They incorporated the conditions of approval into this plan. The size of the building was reduced from 3,500 to 3,300 square feet and moved easterly a few feet. The change in size allowed to them to increase the volume of the rain garden and shifted the building farther from the property line. The water quality basin gained about 320 cubic feet with building shift. The changes based on Town Engineer comments consist of monitoring the well in the storm water basin and addressing e/s issues. The e/s bond provided to the Town Engineer was approved. There will be fence instead of hay bales along the perimeter. There are other changes at the owner's request: the back sidewalk will hold the cooling equipment but there will still be more than 3 feet of access for pedestrians. A marker post in the water quality basin will indicate when sediment has to be cleaned out. The Town Engineer has reviewed and approved these plans.

Ian Cole, Soil and Wetlands Scientist - This application has a robust planting plan, introducing 79 shrubs into basin where previous application did not. There is no direct wetland impact.

The commission questioned what the monitoring system will be, and whether there is a better location for the rain garden. What will occur with the information gathered through monitoring? And how often will that happen? And exactly what is being monitored? The Commission arrives at a suggested stipulation of providing a monitoring program which will be submitted and approved by the Town Engineer. The Commission also determines that a northerly location near the parking area is suitable for the monitoring well.

John Chase, Attorney, representing Aldin Associates Limited Partnership, submitted a Petition for Intervention under CGS 22a-19. A report was submitted, written by David Battista. Mr. Chase states that no conduct shall be authorized or approved if there is a feasible alternative that has a better impact on public health, safety, and welfare. The commission is responsible for determining these effects. Mr. Reichart questions why Mr. Chase is present as the court has already made their ruling that there is no standing here.

Mark Temple, Senior Project Hydrologist, highlights 3 main points from the report written by Mr. Battista: 1. Existing and proposed water shed limits are incorrectly stated by applicant. 2. Basin will be filled to the brim for every storm. 3. Storm sewer does not have capacity for storm water flows. Flow will go out to route 1. Mr. Temple states that the applicant should recalculate their figures based on the actual watershed size.

Atty. Casey questions Mr. Temple as to which aspect of the report focuses on the proposed *modifications* and not the overall design which has already been approved. He asked how these modifications make the project worse than what was already approved.

Mr. Unites make a motion to table this discussion for the next meeting in order to review the added material, seconded by Mr. Wright, all in favor, 4-0.

b. IW #23-03 Brian Wood - Seeking a permit for construction of a single-family residence, detached garage, gravel driveway and associated improvements located within the uplands review area. Property located on the corner of Pawcatuck Ave & Buckingham St., Pawcatuck. Assessor's Map 13 Block 10 Lot 8, Zone RA-15.

Brian Wood – applicant, explained the wetlands application. He is looking to construct a small house for his personal use. The shed size has been adjusted from 24' x 50' to 24' x 30'. The Commission confirmed the location of the stone wall.

Mr. Wright makes a motion to approve the application with stipulations, seconded by Mr. Unites, all in favor, 4-0.

Stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. Garage is to be reduced to 24' X 30', to reduce the total amount of impervious surface.
3. Stonewall located between proposed activity and the inland wetlands is to remain in place until all disturbed areas have been stabilized

Enforcement Officer's Report:

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

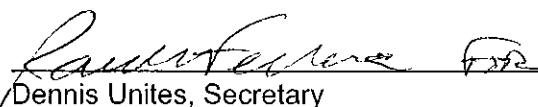
Mr. Fontanella requests that the stipulations be "tighter" - they appear to be unclear. The commission clarifies why there was a stipulation to pause work until after April.

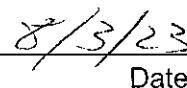
Per Ms. Palmer, a wetlands permit can be submitted into the town land records and therefore they will carry with the lot. According to Mr. Fontanella, it is not clear how much wetlands disturbance is allowed. It is more difficult when the wetlands delineation goes across vernal pools as it does here.

Review of Outstanding Minutes: 2/2/2023 & 4/1/2023

Mr. Ferreria makes a motion to approve the minutes of 2/2/2023 & 4/1/2023, seconded by Mr. Unites. All in favor, 4-0.

Mr. Ferreria makes a motion to adjourn the meeting, seconded by Mr. Unites. All in favor, 4-0. The meeting adjourned at 8:46 p.m.


Dennis Unites, Secretary


Date