

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, JANUARY 25, 2023
ZOOM TELECONFERENCING**

By: Mathieu

Time: 7:01 p.m.

Place: Virtual

1. ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson	X	
	Martin Briggs	X	
	Patricia Laramee		X
	Richard Pearson	X	
	William Glenney	X	
ALTERNATE MEMBERS:	Mike Powers		X
	Stefanie Wierszchaelek	X	
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Mindy Gosselin, Wetlands Agent	X	

Wierszchaelek is seated for Laramee

2. AUDIENCE OF CITIZENS (2-minute time limit):

Tommy Simmons (878 Silver Street): Corner of South and Silver, 9.2 acre parcel of town owned property near south portion of property. I was told there would be no tree removal from the town, it looks like they cut a stone wall that has been there for a substantial period of time. There has been fill brought in, and trees cut down. Has there been an application regarding this path? I was told that this was for angler access, and so CT DEEP can put fish back in the water.

Staff Penney: Town is pursuing a 2023 Recreation Trail from South Street to the Route 6 corridor. Right now public works needed to cut down and remove some of the invasives and dead trees. The town is planning on getting a wetlands scientist out there, this is work is geared towards providing access to the river. They did break the stone wall that was present, the stone wall was falling apart. We are looking to put in trailhead parking spaces and a curb cut. Simmons: I would like to minimize the impact of the trees, and there are a lot of wetlands. Penney: Public Works needs to be able to safely gain access to the area. Simmons: I understand trees have to be cut but some trees that were cut do not appear need to be old or dead trees.

Mathieu: I would like the town to prepare something in writing to address what is happening

within these parcels. Maintenance, and cutting down dead tress is understandable. Penney: We are preparing this parcel for an upcoming grant application. Staff Gosselin: If we receive the grant, then we would be going through the wetland and would apply for permits. Currently we are clearing out the invasives in the area, and gaining access to an area for the trailhead to understand where the trail is going to start.

Mathieu: Could we put this item in our next meeting so we can see further from the town what is happening. Gosselin: Yes. We are currently in a public comment period regarding this matter.

Mathieu: Closes Public Comment.

3. **OLD BUSINESS:**

A. **No Business**

4. **NEW BUSINESS:**

A. **#23-01W – 32 Heather Lane – Applicant/Owner: Ryan Spindler, Agent: None – Install in-ground pool, concrete patio, and pool house in the Upland Review Area**

Mathieu: For new members, we will call up applications up on the agenda, and should have the information within the packet you received from Mindy. New business means we are hearing it today but we are not voting on it today. Additionally Staff also provide a report regarding each of the agenda items.

Ryan Spindler, the applicant, and his fiancée Jamie Campbell were present.

Spindler: Provides a PowerPoint presentation to share additional information on this proposed project. Heather Lane is located off of route 31, and off of Bread and Milk Street, abutting the Town of Tolland.

Gosselin: Explains what is visible from the plot plan being provided by the applicants. Applicants are proposing an in-ground pool, surrounding concrete patio, and pool house. Gosselin explains the wetlands location and where the structure is located in relation to the uplands review area and the wetlands. Spindler: The reason for picking this location is that a majority of the property is on a hill. This location is the furthest up the yard that we can go in order to avoid the leech fields, and the septic tank.

Briggs: Could you provide some information on the characteristics of the wetlands?

Spindler: We moved in June 30th. I have not seen very much water. I typically see the water when there are heavy rain storms. I did not walk up and down the entire thing.

Briggs: Have you noticed ground water seeps? Spindler: No we have not, many of the nearby properties nearby are at a lower elevation than us and they may have groundwater seeps within their property. Gosselin: I did go out onto this sight on Monday January 25th, and could not see the ground at all due to snow. I will be going back out to that area to evaluate particularly erosion and sediment control once the snow melts. There has been fill added to level out the area for the pool.

Mathieu: Where is this wetland going? Penney: This wetlands goes to Cedar Swamp.

Mathieu: The heads of the wetlands are going down to Cedar Swamp Road and upwards of Bolton Lake. Mathieu: The wetlands appear narrow in this area.

Gosselin: When the applicant contacted the Town regarding an electrical permit, that is when they noticed that the land had wetlands. Gosselin informed the owners during her site visit that if the proposed activities do not get approved in the proposed location, they would have to remove the fill that has already been brought in. Penney: Is this site photo current and includes the fill? Glenney: What are the yellow stakes in the photo representing? Spindler: The yellow stakes refer to where we originally were planning on putting the pool. Spindler: The photo was taken this past fall prior to snow fall, and it does not include the fill within the photo. The area where the pool is located is where most of the fill is, and the land needs to be graded out to prevent erosion over time. Penney: Is the original site plan in the file? Gosselin: Yes. Glenney: do the orange stakes in the photo represent the area of the concrete or the pool? Spindler: The orange stakes represent both. The outer ones are the concrete and the inner ones are the pool.

Mathieu: There is concern that there is fill there, filling in the regulated area without a permit. Spindler: We did not intend to break any rules and have been cooperating with the town.

Mathieu: We have to consider the alternatives. Have you considered adjusting the pool further and move to adjust further outside of the 75 foot wetlands buffer? Spindler: We have but it would require additional fill. Mathieu: I would like to see the actual location of the septic trenches. Penney: You can partially see it from the as-build displayed. Mathieu: I cannot see it. Penney: The boxes are the 25 foot buffer, and the pink lines are the trenches. Spindler: The red lines are the setback requirement, the green dashed line is depicting the current existing tree line. This is the area relevant to the pool location. The red boxes are fulfilling the setback requirements for health code. Penney: Just so it is clear you did not place any fill outside of the green dashed line. Spindler: That is correct.

Penney: This is an oddly shaped lot. The lot is rear lot. Mathieu: Ok. There is more work to be done to gather more information. Penney: I will say we have had a record level drought, hence why the soil may have been drier in the past. I may be able to go out there with Mindy to see if we can see the wetland corridor. A lot of people are not aware their properties are on wetlands. Did you file for a pool permit, prior to doing the activity? Spindler: Contractor came out and did the test per the recommendations from Hunter's Pool. Penney: We have to educate the contractors on pulling permits within town. Mathieu: We realize new owners of properties come to us after the fact. The staff will go out further to look at the area.

B. #23-02W – 1295 Main Street, Teleflex Medical – Applicant/Agent: Fuss & O'Neill; Owner: Deborah McCarthy-Platz – Dredge fire pond (e)

Kristin Connell and Alison Baranovic from Fuss & O'Neill were present.

Connell: shares screen to highlight the location of the pond to the Agency. Last permit was issued was in 2008, and has expired. Insurance is requiring Teleflex to dredge the pond. The pond collects runoff from the uplands, and currently has road sand, leaves and other debris in it. We are planning on dredging the pond during low flow period. The pond will need a temporary draw down, and there is a low-level outlet for the pond to be

drained through. The plan is to sandbag and the pipe the water flow from Mill Brook, and discharge over the dam. I can show additional photos, of the stagnant water with little flow. Highlighted area were the dumpster would be place, and any other staging areas in the adjacent parking. During the dredging time will verify the status of the dam, and determine if it needs any additional repairs, and complete them under the Connecticut Dam Safety Permit.

Mathieu: Could you explain further of the flow? Does it take discharge from the Dam?
Connell: Yes, it does, and flows from Coventry Lake into this fire pond and continues to flow further downstream underneath the Teleflex Medical Property. Mathieu: This pond flows down to other ponds downstream. Penney: This pond is part of the Mill Brook.

Gosselin: They have received a permit in the past for this parcel in 2008 and it just expired December 4th, 2022. Mathieu: The work proposed is just dredging correct? How many square yards are you taking out of there. Connell: That is correct. The impoundment itself is around 2500 square feet, our calculation is currently 100 cubic yards of removal.

Briggs: Was there previous work on this property? Any concerns for box turtles?
Gosselin Yes, there was previous work further downstream near where the brook goes under the Teleflex building. Connell: I can highlight a report from CT DEEP regarding wildlife inside of the pond. No there is no concern box turtles. Glenney: What is a BMP?
Connell: Best Management Practice. There will be a water truck on site while we are drawing down the fire pond. Mathieu: Is this a town owned pond? Penney: No it is not. It is a privately owned pond, and the property actually has deed rights to a certain amount of gallons of water from the Town to the pond. We are going to work with Fuss & O'Neill and Teleflex on the water handling.

Mathieu: How many days for the project? Connell: Refilling the pond is dependent on the weather but the actual project should take a week. Mathieu: What is your timing on this property? Connell: Hopefully would complete the work this summer. Mathieu: Any chemicals added to the pond? Connell: No. Mathieu: I would like the best management practices, and plans to contain any runoff in the record. Working with the town is important because the town can control the flow while you are doing this, and if you could explain any contingencies during any extreme weather events. We do not want this running off down into other peoples ponds, and creating turbid water, and ensuring there are appropriate controls for that as well. Connell: Of course.

5. ENFORCEMENT:

A. Violation – 89 Flanders Road - Owner: Joshua Beebe – Unpermitted work in the upland review area and wetlands. Violation letter sent on 5/12/2021

Gosselin: We have not received the A2 survey that has been requested by zoning and wetlands. We have given him more time than the 90 day timeframe to receive this information. We are pursuing legal action. Eric Trott is handling this, due to the zoning matter as well. Penney: Mindy am I wrong is there a pre-trial hearing? Gosselin: I am not completely sure. Penney: There may be a pre-trial hearing to emphasize this matter further, and why it is important comply. Glenney: What is the vision of the end state? Gosselin: From a wetlands perspective, the owners have a list of items to complete.

Currently there are no permits attached to the business, and we need a wetlands agricultural application submitted for the work within the upland review area that includes a site plan to be provided. This matter has been going on since 2019, and has officially been in violation since May 2021. He has not fully completed the requirements.

Glenney: Will he have to come back to the wetlands? Mathieu: Good question. The owner has been given a lot of time. The owner has started going in the right direction, but has stopped again. We are very reasonable, along with the Town. They have been provided priorities to consider, we understand things can be expensive, but he has not been cooperating much with the Town or the Agency. Penney: The end game is a compliance site plan from this owner. He must also complete a wetlands restoration plan and must bring this plan to the Wetlands Agency as he has damaged the wetlands, and moved materials around with a dozer. He has to restore the natural vegetation in the area he has damaged. Mathieu: We want people to understand the importance of wetlands, and residents to be compliant when there are found to have done some wrong in terms of the wetlands. We have to start thinking about a lot of people moving to the town from other states unaware of wetlands protections, and ways we can improve awareness of wetland concerns within Coventry. What are next steps? Gosselin: Pre-trial discussion is happening, and by next meeting I should have an update.

B. Violation – Bread & Milk Street R05031 – Owner: Ronald and Kelly Moser – Unpermitted construction of an access road. Cease and Desist sent on 11/8/2022 and 11/29/2022

Kelly Moser, the property owner, was present.

Gosselin: Presented an email from Mrs. Moser. They have had a contacted a surveyor, Gardner and Peterson, to provide a survey of the property that incorporates the wetland delineations. Moser: Almost all of the land is wetlands. Penney: Did you receive a sketch and can you provide it to Mindy? Moser: Yes, I can. Mathieu: Kelly, thank you coming forward, and the dozer still sits there, what is your intent further? Moser: See if there is another place to allow for the access road. Mathieu: So your intent is to build an access point? Moser: Yes, we are looking for an access point, and apply for an agricultural permit, in order to plant Christmas trees, and create a tree farm. Mathieu: Any additional questions? Is this part of the end phase of the Zeya subdivision? Penney: Yes, this was one of Satari's properties. The land is unbuildable due to the wetlands. Mathieu: I live in phase 2 of this subdivision, there is a lot of moisture near the Zeya Drive properties. The wetlands flags have to be redone due to the poor job highlighting the wetlands. Moser: We are not planning on building on it. The title search said that the state has some things at the top of the property, which they were unsure of. We are on Gardner and Peterson's schedule for the end of February.

6. ADOPTION OF MINUTES:

A. November 16, 2022 – Regular Meeting Minutes

Unanimous consensus to move item to next month's agenda.

B. December 21, 2022 – Regular Meeting Minutes

Unanimous consensus to move item to next month's agenda.

7. CORRESPONDENCE:

No Business.

8. DISCUSSION:

A. IWA Binders

Gosselin: I delivered the Coventry Wetlands Agency Info binders to our new members yesterday and I have previously emailed them the link to the 8 hour CT DEEP Wetlands Agency training. Rich brought to my attention that he attempted to register for the state training but it was not populating. I will look into this further.

Out of everything I have supplied in the binders and through emails, the 8 hour CT DEEP Wetlands Agency training is that most thorough training.

Mathieu: The binders are wonderful and keep all of your information in them. I will encourage you all to complete the training once the state gets the link running again.

Gosselin: Explains purpose of the IWA Binder and the information contained within the binder for the new wetland commission members.

Penney: We have been working with our town attorney regarding agricultural areas impacting the wetlands that is discussed within the binder. Penney continued to explain: Mindy and I are both available to help further if needed.

Glenney: Can we mark up these binders? Gosselin: Yes, you can mark the binders up and keep them as well. Mathieu: Encourages new members to read through the enforcement matters within the binders. Mathieu: Explains aspects in regards to common rules of ethics for the new commissioners, and explains additional scenarios for the new commissioners to consider. Penney: We have a firm that does provide training for commissioners to be aware of when it is important to recuse yourself from a decision. Mathieu: Explaining further outlining sections within the handbook for the new commissioners to particularly pay attention to and read thoroughly. Penney: Explains further the role of Gosselin and himself in the review process for review these wetland applications.

B. Sexual Harassment Prevention Training

Gosselin: Training is due at the end of March. All elected and appointed officials are considered town employees in relation to the Sexual Harassment Training and are required to complete it. Penney: If you have done something with your employer related to this training within the last two years, sometimes that will qualify. Gosselin: I will email out the Memo I received.

Penney: We have to very careful with communication, reply directly to Mindy and do not respond to all. This relates to avoiding discussing applications, etc. outside of a meeting setting. For application information, we can work on getting information out sooner. Sending it when we get it - once an application is complete.

Mathieu: Discussed common texting rules in relation to the committee, and avoiding texting back and forth.

9. **ADJOURNMENT:**

Glenney moved to adjourn the meeting at 9:21 p.m. Seconded: Briggs

Unanimous consensus.

Respectfully Submitted,

Jase Olavarria

PLEASE NOTE: The minutes are not official until approved by the Inland Wetland Agency at the next Agency meeting. Please see the next Agency meeting minutes for approval or changes to these minutes.