

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, SEPTEMBER 22, 2021**

Call to Order by: Woolf

Time: 7:02 p.m.

Place: Hybrid

1. ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Martin Briggs, remote	X	
	Suzanne Choate	X	
	Patricia Laramee	X	
	Lori Mathieu, Chairperson, remote	X	
	Thomas Woolf, Vice Chairman, remote	X	
ALTERNATE MEMBERS:	Open		
	Mike Powers, remote	X	
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Mindy Gosselin, Wetlands Agent Assistant	X	

Alternate M. Powers was seated for L. Mathieu

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

No one was present to speak.

3. OLD BUSINESS:

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 stated that the violation was issued on 5/12/21 and that Staff has been conducting site visits and updating the Agency on the property’s status every month since then. Gosselin shared site pictures from her 9/22/21 site visit which showed more vegetative growth. She also said that she highly encouraged Mr. Beebe to come to this meeting because his timeline of having the trees removed and to have Wes Wentworth (professional soil scientist) out to delineate the wetlands was not met. Mr. Beebe

indicated to Gosselin that he does not have an updated timeline for the tree removal or wetland delineation. He has not heard from Wes Wentworth. Gosselin said that she explained to him that it is his responsibility as the applicant to proactively reach out to Wes and get something scheduled – he should not wait around for Wes to contact him.

Gosselin stated that she sees the removal of the tree stockpile as a barrier or an excuse for Mr. Beebe to not contact a professional soil scientist. The Agency initially wanted Mr. Beebe to systematically remove the trees first and then get a professional soil scientist out there to delineate the wetlands. Gosselin recommended that the Agency require a wetland delineation by a professional soil scientist ASAP and then have Mr. Beebe remove the trees after that. She believes an accurate delineation can still be conducted with the tree stockpile in its current location. Gosselin said that we need to be mindful of the weather with winter coming.

Woolf asked if a monetary fine can be implemented for this violation. Gosselin said that is a possibility. Penney stated that we can inquire with the town attorney.

Penney explained that the Agency has not taken any legal action towards Mr. Beebe as of yet. Penney's advice is to give Mr. Beebe a deadline of next meeting for the professional soil scientist to delineate the wetlands. Town Staff can send him a letter that states the deadline and if that deadline is not made, a legal timeline would begin.

Mathieu joined the meeting at 7:13pm, Powers was unseated.

Woolf stated that Mr. Beebe has been milking the time. Penney stated that we gave him time but his timeline is up, so further action needs to be taken for remediation.

There was discussion on how long this property has been in violation. An informal violation letter was sent on 5/12/2021.

There was progress in the spring with site stabilization but there has not been any progress since then.

It was decided that a week ahead of the next IWA Meeting, October 20th, 2021, Mr. Beebe must submit a delineation from a professional soil scientist. This would provide the Agency and Staff with time to review the plan ahead of the October 27th, 2021 IWA Meeting. If that deadline is not met, legal enforcement will be sought.

Briggs stated that this is the most serious violation he has seen since joining the Agency years ago. He urged that the Agency ask for something substantial, we must protect the natural resources.

A question was asked regarding the next steps after the wetland delineation is received. Gosselin stated that once a delineation is received, the Agency can advise Mr. Beebe on what they would like to see at the October meeting. A restoration plan would then be created by his professional Agents. Penney stated that when the letter containing the

deadlines is sent, there can also be a request that Mr. Beebe must attend the October 27th, 2021 IWA Meeting with his professional soil scientist.

Mathieu stated that it is clear that the tree stockpile is in the regulated upland review area. She wondered if the Agency should focus on getting these trees out of the regulated area, because even without a delineation it is clear that they are within our jurisdiction.

Powers stated that if the ground is wet, removing the trees may not be in the wetlands best interest. He also stated that Mr. Beebe should be providing written and signed statements that have his signature – verbal information is not good enough.

Powers asked how harmful is this activity to the wetlands.

Gosselin stated that a delineation would be helpful in relation to his business because he does have agricultural buildings and potential further development on the property. She continued on to say that knowing exactly where the wetland and upland review area are would be helpful to see how much these existing and future activities encroach and what permits/forms may be necessary.

Penney stated that the letter that will be sent to him can include not only contacting and getting a professional soil scientist out to delineate the wetlands, but also to have activity regarding the removal of the tree stockpile.

Penney responded to Power's question and stated that until we know where the wetlands are and we can establish a no activity area in a wetland and have a professional soil scientist make testimony at the next IWA Meeting, we are unsure of if/how the wetlands are harmed. The Agency can agree or disagree with the soil scientist and can consider hiring their own if desired.

Penney went on to explain that if those deadlines are not met, the Agency will proceed with a formal letter of violation and a show cause hearing.

The Agency came to a consensus that Mr. Beebe must remediate the outstanding violation with the following actions, otherwise formal violation measures and enforcement will begin:

- Contact and contract with a Professional Soil Scientist to delineate the wetlands and review and evaluate the extent of activities in question in relation to the wetlands by October 20th, 2021.
- Start the removal of the tree stockpile by October 20th, 2021.
- Attend the Coventry IWA Regular Meeting with his Professional Soil Scientist to discuss wetland impacts and a restoration plan.

B. #21-23W – Bunker Hill Road Bridge – Owner: Town of Coventry; Agent: Todd Penney – Construct Bridge Wing Wall

Penney explained the location of bridge #32013 on Bunker Hill Rd. (est. 1940's). The bridge conveys Rufus Brook which leads into the Hop River. It is a concrete bottom box culvert with a fieldstone foundation and a concrete deck and end walls. There is a wing wall on the upstream side and on the downstream easterly side. There is not a wing wall on the downstream westerly side. The road is sloped and gutter flow from Bunker Hill Rd which has no curbs or formal drainage, is causing the water to scour out the downstream westerly side of the bridge and the road. The Dept. of Public Works has been dealing with this problem since 2017. Penney stated that constructing a temporary wing wall will prevent further scour and solve the current issue at hand. He used the word temporary because there are future potential plans to replace this bridge with funds from the CT DOT Local Bridge Program. The walls are cracked and joints are losing mortar, but the total bridge replacement is 3-5 years out. This proposed temporary wing wall will save the road until the bridge is able to be replaced in totality. Andover has lost its bridge on Bunker Hill Rd, so there is slightly increased traffic on the Coventry bridge due to the detour.

Penney stated that he measured the water a day or two after Storm Ida. He said that there was 6/10th's water in the culvert. It is a very low flow area. Pictures were then shared to show the flow and the existing road failure (5 ft x 2 ft hole). Penney stated that he took his shovel and made a path for the water to discharge on the downstream easterly side to hopefully divert some water that would scour the downstream westerly side.

Penney reviewed the plans for the coffer dams. They will be utilizing a 3-inch trash pump with the hose running right through the box to convey the water from one side of the culvert to the other. There will be sand bags both upstream and downstream. Penney then explained the elevation and the concrete blocks of the proposed wing wall. The first row of concrete blocks will be buried 12 inches – that means 12 inches will be sticking out, this gives it scour protection. There will also be some rip rap along the streambed. The concrete block joints will be staggered (A: 2'x2x'4' and B: 2'x2'x2') and will be mortared. However, the corners will not be mortared to allow groundwater weeping.

Sunset Valley will be doing the work, the wall should be set in a day and everything should be finished within two days.

Choate asked if the existing bridge wall will be mortared to the new wing wall. Penney stated that yes, it will be mortared because the existing bridge wall is uneven.

Mathieu asked if the bridge is close to failure. Penney said no, the bridge won't fail for another 5-10 years but if this scour issue isn't fixed it would fail sooner. Right now, the road needs to be supported until funding is obtained.

Mathieu asked where the excavator would sit during construction. Penney shared a site photo on screen and described that it would sit in the grassy next to the road.

Penney suggested that Gosselin be out on site during the de-watering process. He also said that the work won't commence until there is less than a half inch of water.

There was brief discussion on historic preservation and fish passage in regards to when the bridge is replaced.

Motion: I move the Coventry Inland Wetlands Agency approve application #21-23W – Bunker Hill Road Bridge – Owner: Town of Coventry; Agent: Todd Penney – Construct Bridge Wing Wall with the following conditions:

- Town Staff be present throughout construction
- Work will be done when the water flow is low

By: Choate

Seconded: Woolf

Voting:

For: Briggs, Choate, Laramée, Mathieu, Woolf

Against: None

Abstain: None

C. #21-24W – Brigham Tavern Road, Winding Brook – Owner: Town of Coventry; Agent: Todd Penney – Realignment of the Stream Channel. Public Hearing on 10/27/2021.

No new application materials were submitted. A public hearing will be held for this application on 10/27/21 and it will also be discussed in the regular meeting following the hearing.

4. NEW BUSINESS:

A. #21-28W – 1585 Main Street – Owner: Town of Coventry; Agent: Todd Penney – Expand Police Department Visitor Parking Area.

Penney explained that the Police Department has \$10,000 to spend by the end of the fiscal year and they want to use that money to expand the police department visitor parking area by 6 spaces and increase the boat parking pad. This expansion mirrors the visitor spots that already exist on the opposite side. There is no curbing, water currently sheet flows off of the parking area and there is erosion going on along the entrance. To remedy this there would be rip rap and a shallow rain garden proposed to capture runoff and prevent future scour. The closest the parking area would be to the wetlands is ~57 ft.

Penney suggested that the Agency classify this as a minimal impact permit. According to our thresholds, if this was not a municipal project it would qualify as a minimal impact permit. Mathieu stated that she does not agree with that. The Police department was built to stay out of the Regulated Upland Review Area, there is a reason that there is no parking there. She

There was question as to whether this was the only catch basin affected. Although this is a town road, a contractor does the work. Penney said the next steps would be for Town Wetlands Staff to visit the development and document which basins have been affected and let public works know.

If the contractor did not apply best management practices will there be ramifications?

Gosselin shared an aerial map on screen so the Agency could see the surrounding wetlands/watercourses in the area. Penney stated that the 61 Barbara Drive catch basin looks like it drains due north to the small ponds. Public Works said they did not see anything unusual in the ponds but that Town Wetlands Staff should investigate ourselves.

Kathleen, resident of 61 Barbara Drive, stated that there are 3 ponds near that catch basin. She said that she noticed the spill right away. She flagged down a worker to talk to him about the potential environmental issue due to the spill. The worker called someone, and the person on the phone said to tell her that its water based and it's totally fine. At that point, Kathleen said she could see the sheen in the first pond. Mark Owens from DPW also visited the site shortly after and removed a clump of material from around the catch basin. Kathleen has sent her site pictures to the Town Manager already and will email them to Gosselin after the meeting.

The next step is for Gosselin to evaluate the area and see how many catch basins were affected. From there, the CT Department of Energy and Environmental Protection may need to be contacted.

7. DISCUSSION:

A. State of the Lake Forum – 9/21/2021

Gosselin gave the Agency a synopsis of the State of the Lake Virtual Forum:

Limnologist Hillary Kenyon gave a presentation on Hydrilla and aquatics invasive species in Coventry Lake. Kenyon reported that the Hydrilla treatments are working and it is also diminishing another invasive species as well. The native plants that are not targeted in the treatments seem to remain unaffected. For proactive measures against aquatic invasives, there was mention of checking for and removing aquatic plants that are stuck to your boat or boat trailer to prevent the spread of species from waterbody to waterbody.

Robert Kortmann gave a presentation on the health of Coventry Lake. He repeatedly stated that our lake is a great example for other towns and that we are being proactive with our regulations/mitigation. Kortmann also explained what cyanobacteria looks like and what the levels are in the lake.

Debby Zeppa, of the Coventry Lake Advisory Committee, also explained the watershed health pledge which was created in conjunction with the Town Council.

B. Beach Sand – Future Application

Gosselin told the Agency that there will most likely be an application coming in October that will be proposing beach sand on a lake lot. Mathieu asked if we ever had the beach sand discussion. Penney said that we have been putting it off. He asked if the Agency would be interested in hiring Dr. Kortmann for a working session in the form of a special meeting. Mathieu and other Agency members expressed interest in this session. Penney will be contacting Kortmann.

C. Storm Response/Pending Annual DPW Wetland Permit

Gosselin has been contacting surrounding towns to see if they have a general wetland permit for their Dept. of Public Works in relation to maintenance activities. She has contacted South Windsor, Manchester, Glastonbury, and Ellington. Every town varies but South Windsor has issued a general wetland permit to their DPW before, it had a limit of 300 sqft. of direct disturbance. Manchester is looking to instate a maintenance permit. Gosselin said that her next step includes contacting Darcy Winther at CT DEEP to see what other towns are doing and what is allowable.

8. ADJOURNMENT:

Motion: I move the Coventry Inland Wetlands Agency adjourn at 9:34 p.m.

By: Choate

Seconded: Mathieu

Voting:

For: Briggs, Choate, Laramée, Mathieu, Woolf

Against: None

Abstain: None

Respectfully Submitted,

Mindy Gosselin

Mindy Gosselin, Wetlands Agent

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.