

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, FEBRUARY 24, 2021**

By: Mathieu

Time: 7:02 p.m.

Place: Virtual

1. ROLL CALL:

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

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

No one was present to speak.

3. OLD BUSINESS:

A. Public Hearing – Continued

20-51W – South Street Reconstruction and Pedestrian Improvements – Applicant: Town of Coventry; Owner: Same; Agent: Todd Penney – South Street Reconstructions and Pedestrian Improvements.

Penney, Professional Engineer, Town of Coventry’s Engineer/Wetlands Agent began the presentation. This project is to reconstruct 2,800 linear feet of South Street from the Daly Road roundabout to the westerly access of the Nathan Hale Homestead. The project includes drainage improvements, reclamation of the road pavement, and the addition of a sidewalk to the Homestead. The IWA wanted information on the following items that were not part of last month’s presentation:

- Discussion about the erosion and sedimentation controls to be utilized.
- The plantings to be used on the drainage swale.

- The possibility of using a permeable surface on the sidewalk within the wetlands limit.

Penney said a permeable surface of a gravel type resin on the sidewalk was proposed along the scenic road portion of the project. This would be a hard surface that looks more natural and be easier to maintain. However, CT DOT considers that an enhancement feature and is a non-participating option (cost not covered under the grant). The cost for the textured gravel resin overlay is ~\$60k that the Town does not have. Plan B is to propose a KBI product that is ~\$52k. Penney is in the process of writing a letter to CT DOT to consider funding this product as the Land Use commissions and IWA are requiring a natural looking surface along the scenic corridor and as mitigation to the impact of the sidewalk. If CT DOT does not agree to fund this the option would be to use an impermeable chip seal surface.

The erosion and sediment control measures are on the latest plans. Stage 1 is to replace the corrugated metal pipe with the bottom rotted out. A coffer dam will be put in place during this stage to be done in the dry season. If necessary, pumping of water into a silt bag surrounded by hay bales will trap the majority of fines. Half of the road will be done one day to maintain alternating one-way traffic and then the other side will be done. After the pipe is installed the three-sided box will be installed. Stage 2 will be to build the retaining walls. Again, a coffer dam using smaller sand bags will be constructed. The westerly side will be excavated, the retaining wall constructed, and piping installed that is needed. The coffer dam may not be needed when the easterly side is done. Once the wall is built it becomes the coffer dam. The wall will be a bit higher than the sidewalk. The grade will pitch down from the wall to the road. Stage 3 will require handling the flow after the wall is built. The contractor will build the sidewalk and swale in 200' sections. A coffer dam and pumping into the silt bag will be used. A temporary 4" pipe under the road may require another silt bag across the street and hay bales. Every night the pump would be shut off and the water will overflow the check dam into the gravel base. The check dam will collect any sediment discharge. There will be four to five 200' sections to work through. As the sidewalk and swale is built silt bags and erosion matting on the swale will be used to eliminate any scour.

Eric Davidson spoke about the plantings on the swales to improve the water quality with native plant covers. A vegetated swale performs a lot of function in slowing water flow and increases infiltration. Davidson is suggesting using New England Wetland Plants from Massachusetts and their New England Erosion Control mix that is designed for this type of swale. This is a nice seed mix that is hardy. Or you could use a custom mix but that and the erosion control mix would look the same after a couple of years. Plantings using live plugs would increase the cost. Live plugs result in a faster gain while being more costly and needing a crew to install them.

Penney said there will be no curbing on the road; stormwater will sheet flow with the stone wall acting as a natural barrier. The road would remain intact while the sidewalk and swale are being constructed. Once the retaining wall, sidewalk, swale, and drainage are completed a reclaimer will come in to reclaim the road pavement with fine grading and paving to follow. This should be a three to four day exposure. Penney said DPW staff is on board with maintaining a permeable surface. Coventry just does not have the \$60k to install it. Penney thinks there is a better than 50/50 change of getting the permeable surface approved and funded through CT DOT.

Mathieu asked if there are other permeable surfaces to consider if CT DOT rejects the suggestion. Penney said stone dust was talked about but that would cause more erosion and

maintenance issues and ADA access could be problematic.

Choate feels the impact of an impervious surface to an pervious one would not be drastic. The sidewalk is not wide but is long. It could take a while for CT DOT to provide a reply. A pervious surface would go all the way past the wetland to station 26+50.

Laramee likes to know what she is working with to make a decision. She does not want to try to second guess a second option. Laramee would rather wait until Penney hears back from CT DOT even if a special meeting is needed. Choate asked if the decision of CT DOT could change the outcome of the decision. Mathieu and Laramee agreed that it might. Choate is okay with waiting on making a decision for up to 30 days.

Briggs said he does not have much concern of a permeable surface versus an impermeable one near the impervious surface of the road. How will parking on the swale be prevented in the near term and the long term? That is where everyone parks now as overflow parking for the Farmer's Market. Penney said the No Parking signs will be kept in place. There is no guarantee that people will not park on the swale other than having the signs in place and the Market volunteers providing enforcement. The north side of the road will be cleaned up so that will be more attractive for parking. The timber guiderail is proposed along the Holy Grove area only. Guiderail along the entire length of the project will remove some aesthetics and add another \$84k to the project cost. Or using standard drainage, eliminating the swale, and adding a curb would not be in keeping of the scenic road. The project will improve the northerly shoulder for parking. Briggs said this information is helpful to him.

Woolf said hopefully Coventry will get the money from the State for the pervious surface. Is Penney in favor of holding the hearing open and waiting for a decision? Penney said waiting for a decision will handcuff the project a bit but he does not want the IWA to make a decision it may not be comfortable with. Penney was hoping to go out to bid with the project soon. We can continue with the design with the sidewalk surface being a plug and play aspect. The project funding is probably maxed out. Penney does not know what Plan B will be – a processed surface maybe. Ken Radizwon, BL Companies, said this has to be PROAG compliant with accessibility guidelines.

Mathieu wants to give CT DOT 30 days to respond but the project does need to get moving. A thoughtful design has been presented. It is important to maintain this area that gets beat up on in order to keep it working.

The consensus of the IWA was to hold for 30 days before making a decision. The recommended conservation seed mix was also agreed to by consensus.

Public Comments:

No one was present to speak.

The public hearing remains open.

B. 21-01W – 35 Tedford Drive – applicant: Michael Dixon – Juliano Pools; Owner: Ryan LeClaire; Agent: None – Construction of a 22 x 36' in-ground pool and patio within the Upland Review Area.

Eric Levesque for Juliano's Pools was present along with Ryan and Melissa LeClaire.

Eric Levesque said the applicants want to install a 22' x 36' inground pool. There is no other location option on this property except just past the septic field. Melissa LeClaire said the whole area the pool is going in is an old logging road with established grass. The access road has millings on it. Juliano Pools will use the access road during construction. The pole barn has been approved and is in the works. There is a ledge on the side of the house abutting the property line. The front yard has the well and the 50' separating distance could not be met. The property does have an Eversource easement on it. The shown location is the only location for the salt water pool. Fill will be trucked in to bring up the back side of the pool and stones from the property will be used back there along with grass and shrubs. Trees will not be cut down. This property is just under seven acres in size. The upland island is where Eversource has the easement. There is a decent sized wetland complex in back. Penney approved the pole barn with the majority of that building out of the upland area. The property drops 5' – 6' in from road grade. Mr. LeClaire liked the sound of the wetland planting seed mix spoken about in the hearing for 20-51W.

IWA members thanked the owners for the site plan with the additional information.

Mathieu asked if the owners plan to reuse the rocks. Ms. LeClaire replied yes to help blend the back of the pool with nature. That area drops 4' to the wetlands.

Levesque indicated erosion and sediment controls will be taken on top of the planned silt fence. Mathieu is not a fan of hay bales. Penney said straw wattle can be used in addition to the silt fence.

Motion: I move the Coventry Inland Wetlands Agency approve application 21-01W – 35 Tedford Drive – applicant: Michael Dixon – Juliano Pools; Owner: Ryan LeClaire; Agent: None – Construction of a 22 x 36' in-ground pool and patio within the Upland Review Area with the following conditions:

- Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.
- Additional erosion and sedimentation controls may be required as site conditions/weather warrants by the Wetlands Agent staff.
- The planting schedule be submitted and approved by the Wetlands Agent staff for the area between the back of the pool and the wetlands limit.
- Straw wattle shall be added between the back of the pool and the wetlands limit.

By: Choate

Seconded: Woolf

Voting:

For: Choate, Woolf, Briggs, Laramée, Mathieu

Against: None

Abstain: None

C. 21-02W – 86 Stonecroft Lane – Applicant: Chris Stacer; Owner: Same; Agent: None – Construction of an 18 x 36' in-ground pool, 12 x 24' pool house, and 36 x 44' cement patio within the Upland Review Area.

Chris Stacer was present along with Jonathan Casado.

Penney said this property of roughly 7/10th of an acre is in the Trueman's Meadow subdivision. This is a smaller lot adjoining the wetland that is part of the Skungamaug River complex. At the last meeting the IWA had concerns about the location of the pool. Wetlands staff gave the owners additional direction. Based on the 2016 aerials the pool house was outside of the fence and closer to the wetlands. The owners are proposing moving everything to inside the fence and closer to the house. This has reduced the footprint from 420 sq. feet in the upland review area to 230 sq. feet. The location shown at the previous meeting was not in compliance with the health code. Penney likes this placement as it moves the activity to inside an area that has already been disturbed. This is a level area that does not require grading. There remains some encroachment in the upland review area but it is keeping within the existing limits of disturbance.

Mr. Stacer said the project is being moved 12' closer to the house. He is willing to move the existing shed out of the wetlands completely to further reduce the encroachment. The shed is actually off this property and near the wetlands. Penney said that would be compensating for the 230 sq. feet in the upland review area to almost a net zero. Stacer said no trees have to be taken down. The mineral water pool draining and cleaning of the filters will be done through a hose to a location that provides more overland flow before getting to the wetlands. Jonathan Cado said the mineral water is safer than city drinking water with low levels of chlorine.

The IWA appreciated the owner's response to their comments at the last meeting. Those sticking points have been adjusted and resolved. Mathieu said the wetlands complex is a beautiful, precious area that has to be protected.

Mr. Stacer thanked all of those who helped in developing this plan.

Motion: I move the Coventry Inland Wetlands Agency approve application 21-02W – 86 Stonecroft Lane – Applicant: Chris Stacer; Owner: Same; Agent: None – Construction of an 18 x 36' in-ground pool, 12 x 24' pool house, and 36 x 44' cement patio within the Upland Review Area with the following conditions:

- Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.
- Additional erosion and sedimentation controls may be required as site conditions/weather warrants by the Wetlands Agent staff.

By: Choate

Seconded: Woolf

Voting:

For: Choate, Woolf, Briggs, Laramée, Mathieu

Against: None

Abstain: None

D. 20-03W (Mod 01) – 90 Hemlock Lane – Applicant: Scott Shroyer; Owner: Same; Agent: None – Modification to existing permit to include lake wall maintenance

Scott Shroyer was present. He wants to pull apart the wall and rebuild it where it is. Some rocks are so big they won't be moved. Rocks that have gotten beat up will be pulled off and the wall straightened up. A machine will be used to pull off the rocks. Some extras rocks

acquired from the property may need to be used. Shroyer wants to make the wall look better to match up with the neighbor's wall. He does not want to disturb the nice shade tree roots that have grown into the wall. The stones on the beach will remain as a layer of rip rap to break up the waves coming in. The water comes up to the wall when the lake level is very high.

Penney said the water in the lake was down to near winter level a couple of weeks ago which is the closest it has been since the new lake gate was installed. Penney asked if Shroyer was doing the work or hiring a contractor. Mr. Shroyer said Greg's Excavating, the guy who did the site work for the house, will be assisting. Material will be put behind the wall for it to drain properly.

Choate said the disturbance is minimal especially because the bottom of the wall is being maintained. Laramee, Briggs, and Woolf had no specific concerns. Mathieu asked where the machine will be located during the work. Shroyer said the machine will be in the yard above the wall. Weather permitting he hopes to do this work this winter while the ground remains frozen so as not to tear up the yard.

Motion: I move the Coventry Inland Wetlands Agency approve 20-03W (Mod 01) – 90 Hemlock Lane – Applicant: Scott Shroyer; Owner: Same; Agent: None – Modification to existing permit to include lake wall maintenance with the following conditions:

- Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.
- All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be scheduled at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease and desist order.
- Restore finished surfaces with erosion control blanket within 5 days of completion of the wall area, complete wall in sections.
- Additional erosion and sedimentation controls may be required as site conditions/weather warrants by the Wetlands Agent staff.

By: Choate

Seconded: Laramee

Voting:

For: Choate, Woolf, Briggs, Laramee, Mathieu

Against: None

Abstain: None

4. NEW BUSINESS:

None

5. ADOPTION OF MINUTES:

A. January 21, 2021 – Public Hearing/Special Meeting

Motion: I move the Coventry Inland Wetlands Agency approve the minutes of the January 21, 2021 meeting.

By: Choate

Seconded: Laramée

Voting:

For: Choate, Woolf, Briggs, Laramée

Against: None

Abstain: Mathieu

B. January 27, 2021 – Public Hearing/Regular Meeting

Motion: I move the Coventry Inland Wetlands Agency approve the minutes of the January 27, 2021 meeting.

By: Choate

Seconded: Woolf

Voting:

For: Mathieu, Choate, Woolf, Briggs

Against: None

Abstain: Laramée

6. CORRESPONDENCE:

None

7. DISCUSSION:

A. Crumbling Foundations – Permitting Requirements

Penney said applications are coming in and Wetlands staff is looking for guidance. Under the current thresholds the applications require a regulatory ruling. These are for existing foundations and are time sensitive for the maintaining of a residential structure. The Town Attorney was asked for a legal opinion; he said there are no exemptions in the Land Use statutes. Does the IWA consider this activity as an as-of-right or as minimal impact which burdens the property owners with submitting applications and paying the fees that go along with that process; the Town can waive its fee but the owner would still need to pay the State fee that is \$60.

Mathieu is in favor of this being minimal impact. There is construction activity with the replacement of foundations with a lot of equipment and trucks coming and going. She is in favor of giving these to the Wetlands Agent with minimal fees.

Penney said as-of-right maintenance can still require conditions such as requiring Wetlands staff to inspect the property before the work begins. Mathieu and Choate said that would take care of concerns they may have – Wetlands staff to visit the site and walking it beforehand. Laramée agrees with a preconstruction and monthly inspection.

A consensus of the IWA was agreement this is an as-of-right maintenance as long as the

work stays in the same footprint.

B. Storm Water Feature Inspection Form

Penney said the form has been worked on and finalized by Gosselin. If the IWA approves the form the Wetlands staff can start getting this out to the property owners were this is applicable. This will generally be used for properties around the lake and a couple of other sites where rain gardens and infiltrators are required for IWA permit approvals.

Motion: I move the Coventry Inland Wetlands Agency adopt the Storm Water Feature Inspection Form.

By: Choate

Seconded: Woolf

Voting:

For: Choate, Woolf, Briggs, Laramée, Mathieu

Against: None

Abstain: None

C. Standard Conditions

Penney said Gosselin worked on this document. As the IWA evolves additional conditions can be added. Gosselin will add lettering and numbering to the two sections of the form.

Motion: I move the Coventry Inland Wetlands Agency adopt the Standard Conditions as presented and edited as mentioned by Gosselin.

By: Choate

Seconded: Woolf

Voting:

For: Choate, Woolf, Briggs, Laramée, Mathieu

Against: None

Abstain: None

8. ADJOURNMENT:

Motion: I move the Coventry Inland Wetlands Agency adjourn at 9:15 p.m.

By: Choate

Seconded: Woolf

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, IWA Clerk

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.