



Town of Coventry

Office of the Town Engineer

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Date: May 18th, 2021

To: Coventry Inland Wetlands Agency (Agency)

Re: 21-07W – Sweeney - North School Rd – 3 lot Resubdivision
Review Memo

The Agency received the above referenced application at its April 28th, 2021 meeting. At the meeting there was discussion on the appropriateness of the proposed conservation area versus the on-site wetland complex versus the proposed activities which were outside of the regulatory authority of the Agency. It was the Agency opinion that the proposed conservation area didn't seem to adequately protect the wetland corridor/complex which is part of the Coventry Brook and desired a realignment of the conservation areas to protect the complete wetland complex and portions of the upland review areas associated with it. The Agency requested staff contact the Town Attorney to obtain an opinion on the above.

Attorney Kenneth Slater from Halloran & Sage was contacted on May 5th with a summary of the request. In short, Attorney Slater advised that the Wetlands Act and Regulations allowed for the Agency to review and regulate activities outside of its defined Upland Review Area if there is a basis to conclude that the activities may impact wetlands or watercourse. He advised it should not adopt a policy requiring permit review regarding activity outside of the Upland Review Areas in all instances, especially given the previous practice of not requiring permitting for previous subdivision activities not within the Upland Review Area.

While we were in discussion with Attorney Slater; we were working with Andrew Bushnell, the applicant Brian Sweeney, and the Planning Staff about revising the Conservation Easement Area. The attached plan depicts the latest revised Conservation Easement area. We provided comment to revise the easement area to utilize the existing stone wall features to define portions of the boundaries as well incorporate a majority of the Upland Review Area for proposed subdivision activities. We believe this configuration is more in line to the desires of the Agency from the April meeting and we support the revised plan. The Planning staff is also in support of the revised plan.

There has been a modest increase in the area of the conservation from 8.83 acres to 8.92 acres. The applicant will require two future conservation crossings to be added to the language of the easement. That language will be very specific stating any and all regulatory permitting shall be approved first and that all feasible and prudent measures be required for each wetland crossings. The applicant wishes reserve future crossings to be able to utilize the middle-west upland area and the south-west corner upland area for possible agriculture uses including a tree farm and/or hemp crop.

TPenney/MG Gosselin