

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, MAY 25, 2022
HYBRID MEETING**

By: Mathieu

Time: 7:01 p.m.

Place: Hybrid

1. ROLL CALL:

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

Powers was seated by Mathieu.

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

No one wished to speak on non-agenda business.

3. OLD BUSINESS:

A. Public Hearing:

- 1. #22-15W – Plains Road R03731 – Applicant: Michael Breton; Owner: Same; Agent: Andrew Bushnell – Construction of a common driveway in conjunction with a 2 lot resubdivision.**

Choate recused herself from this matter.

Andrew Bushnell, Bushnell Associates, Professional Engineer/Land Surveyor, representing the applicant. This is a 40 acre lot for a 2-lot subdivision to construct a 1,700' long common driveway for the two houses. Rich Snarski marked the wetlands adjacent to the proposed disturbed areas. This will be a 20' wide driveway and turnouts

no more than every 300'. We are following a previously existing farm road as best as possible. The fields have been overtaken with Russian olive and other invasives. There are two proposed wetlands crossing where they are now. One is an existing stone culvert with pipe coming out of it and another crossing with a 12" - 15" pipe there. We will be crossing at the same areas making them wider for the common driveway and adding fill to make them more level. We will be filling the sides with a 3:1 side slope for mowing and maintenance. We are proposing a 24" pipe so stormwater does not go over the driveway. Rip rap and plunge pools with a scour outlet will be added to catch the water and slow the velocity down. At the turn there are wetlands on both sides of the driveway. On the northerly lot, lot 2, some changes were made to move the footing drains out of the regulated area and to move the septic system away from the regulated area. The underground utilities will follow the driveway from Plains Road. Proposed areas of disturbance: 38,375 sq. feet of the upland review area and 3,950 sq. feet of wetlands. There will be a permanent silt fence in the steeper areas in the wetlands.

Gosselin: Where will stormwater flow from the driveway? Bushnell: It will flow onto the grass.

Penney: The drainage computations show the pipe is sized accordingly. Is there a low spot between the two culverts? Bushnell: Yes. Penney: How is the accumulation of organics on the downstream side going to be handled? Bushnell: Organics may have a small build up each year but snow plowing will take that down each year.

Mathieu: Is the existing pathway at the road cut? Bushnell: Yes, the previous road cut for the farmer will be used. This is the last piece of the large McLaughlin farm.

Gosselin: Shared pictures of the existing farm road with the crossings. Laramee: The crossing looks pretty dry right now. Is there puddling on the right side during the wet season only? Gosselin: There was not puddling there today when she took the pictures. That is a shadow Laramee is seeing in the picture.

Powers: Seems like the questions from Staff and IWA have been answered and changes made accordingly. Norman: Is glad the sixteen points were addressed; the plan has been thoroughly looked over.

Mathieu: How much fill will be used in the regulated area? Bushnell: 600 yards coming from the house sites. Mathieu: Likes the fact there is a road there and the crossings will be maintained. That is the feasible alternative to get to the back areas. What is the percentage of wetlands on the lot? Bushnell: 40-50%. Mathieu: Any thought given to having conservation/open space areas? Bushnell: This is a family subdivision so we are not held to the open space requirement. Where there are wetlands you are precluded from getting in there so the wetlands are protected anyway. This plan is getting the access way in there while being respectful of the wetlands. The other options used two driveways to get to the back area so that would have been doubling the impact.

Audience of citizens:

No one wished to speak.

Mathieu: Suggested conditions: follow instructions of Staff, hold a preconstruction meeting, work to be done during the dry season, use E&S controls as necessary for the slopes. These are so no impacts into the wetlands areas go unnoticed as someone will be

keeping an eye on it. The other Members agreed with these conditions.

The hearing is closed.

Motion: I move that the Coventry Inland Wetlands Agency approve application #22-15W – Plains Road R03731 – Applicant: Michael Breton; Owner: Same; Agent: Andrew Bushnell – Construction of a common driveway in conjunction with a 2 lot resubdivision.

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.
- Conduct culvert work during the ‘dry season’.
- Notify Town Wetlands Agent when the ‘dewatering’ for the two culverts commence.
- Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.

By: Powers

Seconded: Norman

Voting:

For: Laramée, Powers, Norman, Mathieu

Against: None

Abstain: None

B. #22-10W – 105 John Hand Drive – Applicant/Owner: Kelly and Geoff Hunt; Agent: Andrew Bushnell, Bushnell Associates LLC – Demo and Rebuild/Expand Single Family Residence on Coventry Lake.

Choate returned to the table as a voting member.

Gosselin: The Members had in their packet a Staff memo from May 16, 2022, and a revised narrative and a revised site plan from 5-19.

Andrew Bushnell, Bushnell Associates: Made changes to the site plan to adjust the scale, move the tracking pad, showing the 1,910 sq. feet footprint of the house, the location of the sump pump drain outlet, and a cross section of the stonewall barrier. There will be a bit less than the current 16.5% lot coverage. The house is closer to the lack but impervious areas are moving away from the lake. There is a lot line modification on the north side.

Geoff Hunt: The poured concrete walkways along the perimeter will be removed. The lot coverage is being reduced and impervious surfaces are being moved away from the lake. The narrative submitted outlines why the orientation of the house is set as shown. They are making an adjustment to the back lot line as they own both lots. The plan does proposing putting in rain gardens. Along the peninsula there is substantial autumn olive; that will be removed and natural wetlands plantings put in.

Gosselin: Regarding the rain garden – there was some question about the percolation. What is the alternative if the soil does not perc well? Bushnell: We did the tests in the locations

shown and they areas seemed sufficient.

Mathieu: The lot coverage is? Bushnell: 16.5% now and Hunt is figuring 15.4% for the new plan.

Choate: What will the permeable paver surface look like for driveway? Bushnell: The driveway will be left as asphalt. It is better to let the storm water sheet flow than go to underdrains.

Gosselin: There are references to the anti-tracking plan but it is not shown on the plan. Bushnell: We can add that. Gosselin: We can make that as a condition to account for the large tree and the rain garden. The tracking pad will be between the rain garden and the tree.

Hunt: We are proposing a lot line modification for ZBA. The lot correctly does not meet setbacks.

Mathieu: She likes appendix 7. Reducing the lot coverage % is important; reducing the pervious surface is important. How much lawn area will there be? Hunt: Not much. Hundreds of sq. feet.

Gosselin: The western jetty will have the invasives removed and it will be mowed once or twice per year. She feels that is good mitigation in that area.

Powers: A lot of ground has been covered.

Laramee: The revised plan has addressed the items we asked about. She is glad to get rid of the concrete.

Motion: I move that the Coventry Inland Wetlands Agency approve application #22-10W – 105 John Hand Drive – Applicant/Owner: Kelly and Geoff Hunt; Agent: Andrew Bushnell, Bushnell Associates LLC – Demo and Rebuild/Expand Single Family Residence on Coventry Lake.

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 maybe required as site conditions/weather warrant by the Wetlands Agent staff.
- The applicant/owner shall submit to the Wetlands Agent a proof of inspection for each storm water mitigation feature once a year in the spring on a form to be provided by the Town of Coventry.
- Depict anti-tracking pad on the site plan – to be reviewed and approved by Wetland Agent as per wetlands meeting.
- Native Plantings list for west jetty to be submitted to Wetlands Agent staff.

By: Choate

Seconded: Powers

Voting:

For: Laramee, Powers, Norman, Mathieu, Choate

Against: None
Abstain: None

Laramée left the meeting at 7:57 p.m.

4. NEW BUSINESS:

A. #22-24W – 276 Woodland Road – Applicant/Owner: Dana Markie; Agent: None – Construct a 14' x 28' pre-fab garage within the upland review area.

Dana Markie was present.

Gosselin: In the Member's packet is the Viewpoint application and a blown up image of the garage and the gravel pad. The property went to ZBA already which is not the usual order. There are some restrictions with the slope of the property and ledge. Due to the garage being over 200 sq. feet it is 15' away from the property line. Markie: It is 18.5' – 19' from the property line because of the door. Gosselin: Some work did commence because of the approval by the ZBA. The garage is staked out. Photos were shared. An intermittent stream (drainage into the storm drain) runs on the property line.

Markie: That intermittent stream is very overgrown and he has had to clear the stream line. There had been no maintenance to the property before he owned it. He did not know it was wetlands. There are many tree roots in the watercourse area where trees toppled over.

Penney: There is a watershed that is north of Spring Road with a catch basin on Spring Road. There is a cross culvert that conveys flow from the north and down through the right-of-way. There is a larger wetlands associated with that watercourse.

Markie: He had some larger trees taken down. The tallest is in the watercourse area. That unmaintained property area could come down and take his roof out. His concern - who does own the property because roots get undermined by the water way. Three trees have been uprooted in that area. Penney: Call Public Works to put in a work request to have them take a look at it. The town did receive some of those rights-of-way but he is not sure about this one.

Gosselin: The lot is constrained by the sewer line. The septic units are no longer on the property. Due to current condition of the right-of-way and intermittent watercourse, it needs work. The homeowner made a trench in between the watercourse and the constructed gravel pad. Rip rap in that area will help to ensure there is no erosion. Overall, she is comfortable with the work that has been started. She would be comfortable if the IWA remands this application to the Wetlands Agent. That action will help in the essence of time.

Powers: Is comfortable with remanding it to the Wetlands staff as was Norman. Choate agreed.

Mathieu: She would like to recognize the thinking for putting the garage near the road. Where there other possible locations? Site development is moving along and the watercourse is intermittent. The garage should be moved away. Maintain the watercourse by the Town, if owned it is owned by the town. The right-of water should be maintained so the storm

drains run correctly. Maintaining the watercourse is important.

Consensus is to remand this to the Wetlands Agent.

B. #22-26AR – 289 Wrights Mill Road – Applicant/Owner: Richie Pleasant; Agent: None – Gravel driveway improvement to access hay field within the upland review area. Previously an enforcement item.

Richard Pleasant was present.

Pleasant: A year ago he did an improvement to the hay field and did not know there were wetlands there. Rick Zulick did a delineation of the wetlands. That did intersect with the driveway going into the hayfield. This is the proposal to correct the situation by getting off the existing wetlands by shifting the crossing over a couple of feet with a 12" pipe under the crossing and with plunge pools and rip rap. It is not typically wet for the most part. It is really dry right now. There will be 36.6 sq. feet of impacted wetlands.

Gosselin: Received a letter from Rick Zulick certifying he set the wetlands stakes. All of the conditions have been met to deal with the violation. There is current piping out there that is very small. It is good that it will be upgraded. She is happy to see the 12" pipe & plunge pool.

Katherine Santoro, 201 Wrights Mill – Ever since he did what he did it has flooded her land. She is under 5' - 6' of water. She cannot mow the area. It is green sludge. It has severely impacted her property. There is some real problems with that property still. Gosselin: The farm road is different than scouring from the tractor.

Mathieu: Asked Santoro go to the town about her issue to figure out what else needs to be done. We don't have enough information right now to know what Santoro is speaking about.

Penney: The violation was about activity that happened without the appropriate permitting. This is permitting after the fact. There is a good size wetlands complex on the Pleasant property and a portion on the Santoro property. That is not really mapped. John Ianni did the wetland mapping up near Wrights Mill Road for the town work to alleviate the storm water discharge from the road. As part of the subdivision of the Wright property in the 80s, there was a digitized wetlands delineation. The wetlands complex continues off this property. A Soil Scientist has to get out there if everyone wants to know more about the off property wetlands. The wet issue with Santoro's property has not happened from a zero turn mower over the last couple of years. It is a complicated issue. The road drainage was put in place in 2020.

Santoro: Her property is actually wetter. She has lived there through hurricanes. That land was always dry. Mathieu: Take up Penney's offer to go out and take a look. The improvement we are looking at and the road drainage are improvements. That is the way to work this out without the IWA being put into the middle.

Choate: The plans don't indicate grades. How much disturbance will there be at the plunge pools because of the grades. Pleasant: There is ledge in that area. Hoping there can be 3' of soil over the pipe. Choate: She thinks the disturbance will be different than what is shown on the plan. That needs to be quantified.

Mathieu: Suggested taking a step back. Have Gosselin do a field visit, more calculations done for the disturbances, and have the grades added to the plan.

C. #22-27NJ – 612 Broadway – Applicant/Agent: Andrew Bushnell, Bushnell Associates LLC; Owner: Pete Maynard – 2-lot subdivision with wetlands on both parcels.

Andrew Bushnell, prepared the plan for the existing 6.14 acre parcel. The proposal is to create an additional lot. The existing house lot will be 1.18 acres and 1.28 acres for the new lot. The rear portion will be open space connecting the Liberty Croft subdivision open space. All activity is outside of the regulated area. A new septic system will be put in for both the existing house and the new lot.

Mathieu: Unless something changes with the EHHD approving the location of the septic this is a non-jurisdictional ruling.

Gosselin: It is good that the plan calls for conveying open space.

Motion: I move that the Coventry Inland Wetlands Agency deem application #22-27NJ – 612 Broadway – Applicant/Agent: Andrew Bushnell, Bushnell Associates LLC; Owner: Pete Maynard – 2-lot subdivision with wetlands on both parcels a non-jurisdictional ruling.

By: Choate

Seconded: Norman

Voting:

For: Powers, Norman, Mathieu, Choate

Against: None

Abstain: None

D. #22-28W – Lewis Hill Road R06900 – Applicant/Agent: Andrew Bushnell, Bushnell Associates LLC; Owner: Garrett Rooke – Installation of driveway and culvert for new single family residence.

Andrew Bushnell, Bushnell Associates, was present.

Bushnell: This is a parcel with wetlands that parallels Lewis Hill Road for an installation of driveway to build single family home on the property. The plan would be to cross at the narrowest spot where the wooden bridge is now and installing a culvert. The house and septic system will be kept out of the wetland area. Mini bridges are a cost impediment and box culverts are very expensive. There is a 24” culvert under the Pollansky property. He has concerns about how they sized that pipe but it has been there a while and has not blown out.

Penney: Cautioned the IWA to be consistent in deciding when a public hearing is required. The applicant on Pucker Street required a public hearing based on that wetlands crossing. All crossings are unique. It is interesting this delineation doesn’t have connection between the wetlands and that may have been impacted by the bridge. Applicant has to look at mitigating the impact. It would be nice to know what the whole site looks like. The culvert crossing on the property owner’s land to the south is a driveway that was constructed and may be undersized.

Choate: Would like to know the functions of the wetlands and that value from the Soil Scientist.

Mathieu: Perhaps a database can be built of past decisions on requiring a public hearing to help us determine what is significant impact. That could be the presence of a lot of wetlands, what is upstream, if one lot is proposed, the amount of fill required, poor design, not following through with erosion and sediment controls, or not sequencing appropriately. We need more information to make a determination. Gosselin will research the past 5 – 10 years of when the IWA required a public hearing.

Powers: A 36” pipe proposed so someone thinks there may be some water coming down there.

Penney: Your regulations allow you up to 35 days to make a determination of a public hearing. A public hearing requires the feasible and prudent alternative for significant impact.

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: Notified Beebe that his attendance was wanted at the meeting this month. He is not here. She has been trying to contact him since April 21, 2022, to get on the property. She called and emailed over ten times giving him dates for her to visit but he neglects to respond. The Town Attorney opined that she cannot be on the property without his permission because of the right of privacy. Gosselin did take pictures from her car today that she shared. He removed the tree stockpile and had a date at April meeting for the area be seeded and mulched. She does not think the area has been seeded. The silt fence was up when she was there three months ago. The most recent concern is of a new pile of dirt that she observed on February 23, 2022, when she asked for a silt fence around it and that the pile be removed. He did not do that. This is a newly deposited soil pile just upgradient of the wetlands. Trying to clearly communicate with him that no matter what he does he must inform town staff. Gosselin will continue trying to contact him. Zoning is going to forward a packet to the Town Council about this property because he has no permits of any kind for this property. She has contributed to that packet with the overview of the wetlands violation.

Mathieu: Is there a Cease & Desist order in place? Gosselin: The violation letter is technically a Cease & Desist. He is running a farm operation on residential property.

Gosselin: She will follow up again at the June meeting. Beebe did acknowledge both of the last two meetings and then did not attend. Mathieu: A certified letter may help. It is disappointing because he was making progress.

B. Violation - 162 Grant Hill Road – Owner: Derek Pacheco; Agent: None – unpermitted work in upland review and wetlands related to recreational motocross.

Gosselin: Pacheco was told to attend this meeting. He was not present last month either. – told to attend this meeting. Eric Peterson and Rick Zulick have been working surveying the

filling of the wetlands for the motocross course. The IWA should see the official memo from Zulick next month. She can provide a timeline pertaining to this violation.

Mathieu: She wants to see Pacheco and his engineer at the next meeting.

6. ADOPTION OF MINUTES:

A. April 27, 2022 – Public Hearing and Regular Meeting Minutes

This was tabled until the next meeting.

6. CORRESPONDENCE:

None

7. DISCUSSION:

A. DPW General Permit

Gosselin: Shared the draft permit that she put together after research similar size towns. This has not yet been reviewed with Penney or with the Department of Public Works (DPW). Most towns just let their public works departments do the project. Gosselin suggests training for DPW of best management practices in the future. The general permit would be renewed every January and will be discussed by IWA each year. She found one from South Windsor but they no longer use it. She will check with them as to why not.

Mathieu: What is the basis for doing this? Do we have statutory authority? Gosselin: She did talk to Darcy Winthrop, DEEP, about this. Mathieu: ‘Under the authority of’ should be on the form. Mathieu would rather it be a legal way of permitting. We may have to change a regulation to allow us to do this.

Penney: Coventry probably would have 20-30 per year.

Mathieu: This would be for culverts, detention ponds, outfalls, and fire ponds.

B. Beach Sand/Lakefront Activities

No movement on this matter.

C. Violations Framework

Gosselin: Talked to Ken Slater about a violations framework. She found a good one from East Windsor; they just passed an ordinance with fines that was broken down nicely.

Mathieu: How effective is the levying of the fines? What is the enforcement/escalation policy?

Gosselin: Two additional violations may be coming our way. At 2933 Main Street they applied for a pole barn. There was clear cutting and a man-made ditch for conveying water. This came from a neighbor complaint on rerouting the drainage. Gosselin observed potential filling of wetlands when she visited the neighboring property.

8. ADJOURNMENT:

Motion: I move that the Coventry Inland Wetlands Agency adjourn this meeting at 9:57 p.m.

By: Choate

Seconded: Mathieu

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.