

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, JULY 27, 2022
TOWN HALL ANNEX AND ZOOM TELECONFERENCING**

By: Mathieu

Time: 7:04 p.m.

Place: Hybrid

1. ROLL CALL:

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

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

No one wished to speak on non-agenda business.

3. OLD BUSINESS:

A. #22-33W – 325 Main Street – Applicant/Owner: Town of Coventry; Agent: Kevin Grindle, Barton & Loguidice and Todd Penney, P.E. Town Engineer – Installation of recreational softball field

Todd Penney, P.E. in the State of Connecticut and the Town Engineer. The IWA approved softball field number one in February. That will be going out to bid next month. Hoping construction will start in September.

Penney: New STEAP grants are becoming available. Each grant funding is ~\$500k. Town Council decided to go for the second softball field for the upcoming STEAP grant. The further along the plans are the greater chance of getting the grant. That application is due on August 15, 2022.

Mathieu: Asked for clarification of the difference between the limits of the wetlands and the limits of disturbance shown on the plan. Penney: Thinner blue line is the wetlands area delineated by Rich Snarski. The thicker line is the limits of disturbance. Mathieu: What is the limits of disturbance? Penney: There is 4,900 sq. feet in the upland review area; the greatest depth is 25' in the upland review area. The closest proximity to the wetlands is 50'. Red dashed line is the limits of work and where the silt fence will be.

Penney: This will be a regulation softball field. Proposing a gravel parking lot except for the accessible parking spots. Sheet flow off the driveway into a water quality swale and then discharge to the rain garden with rip rap outfall into a large flat area that is the existing laydown yard.

Choate: The existing laydown yard is being returned to lawn? Penney: There will be a small area of lawn. The master plan is for a dog park in the rest of the laydown yard. The pile of wood chips will be removed from the laydown yard.

Mathieu: Will there be fencing or naturalized buffer to the wetlands? Penney: the wooded area is going to remain in place except for the green hashed area.

Motion: I move that the Coventry Inland Wetlands Agency approve application #22-33W – 325 Main Street – Applicant/Owner: Town of Coventry; Agent: Kevin Grindle, Barton & Loguidice and Todd Penney, P.E. Town Engineer – Installation of recreational softball field.

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.

By: Choate

Seconded: Laramee

Voting:

For: Laramee, Mathieu, Choate, Norman

Against: None

Abstain: None

4. NEW BUSINESS:

- A. #22-34W – 159 Woodland Road – Applicant/Agent: Andrew Bushnell, Bushnell Associates LLC; Owner: Itze Taylor – Proposed 153 SF permeable patio, stone stairs and retaining wall on Coventry Lake**

Andrew Bushnell, Bushnell Associates, was present with Mike Taylor.

Bushnell: The plan is proposing construction of a permeable surface patio. There would be a retaining 4' wall. The wall is at the edge of the sand adjacent to the lake. That will

be above the high level mark. There will be a set of stairs into the patio to access to the beach and a proposed walkway up to the house. Pictures were shown of the current conditions of the area. There are fairly well drained soils. These are mulch covered now with low growth landscaping. The plan is to cut into 4' into the slope to be at grade. We are trying to not impact the large tree.

Mike Taylor: the idea is to make sure the trees on either side are not impacted. We need to preserve those trees.

Choate: What is the detail of the permeable pavers. What if you hit ledge? Bushnell: We dug down and are hoping we do not hit ledge. We would have to jack hammer any ledge by hand. Taylor: There is another matching set of stairs on the other side of the lot. We will use field stone with a lot of space between them. Penney: We will have to define the spacing and the base for this to be permeable. Gosselin: The IWA could ask that an arborist take a look at the trees and the proposed plan impacts, if any. Mathieu: The owner said he wishes to keep those trees. Penney: the sewer easement should be shown on the plan to make sure there is no impact.

The application is accepted by the IWA.

B. #22-35W – Goose Lane R06043 – Applicant/Agent: Andrew Bushnell, Bushnell Associates LLC; Owner: Zachary Studenroth – Free split subdivision and construction of gravel driveway

Andrew Bushnell, Bushnell Associates, was present. The property is 6.3 acres on the other side of Goose Lane from Studenroth's house. This side contains the barn related to the farm house. The split will have the barn property a 2.9 acre lot. The owner is proposing to convert the barn to a residential structure and split the property. The gravel driveway will serve this residence. There is a short gravel driveway now. We are trying to get the driveway as far away from the Goose Lane curve with parking for three cars away from the road. Upland review area impacted is 5,768 sq. feet. That will be protected with silt fence during construction. A gravel driveway will have less impact on the wetlands. This is a low functioning wetlands.

Mathieu: There is no disturbance 75' from the large wetland? Bushnell: No.

Choate: Would like the applicant/agent to provide photos of the wetlands to determine if there some plantings should be done. Penney: Get some expert in the record about that wetland. Perhaps mitigation measures with invasive removals or add some plantings in there would be suggested.

Mathieu: Is there a more creative design possible for the driveway so it not so close to the wetlands while keeping safety in mind. Drilling the well creates spoils – how are you going to stay away from the larger wetlands? There is a lot of disturbance when drilling a well. Bushnell: We can fence off the area during the well drilling. Penney: Can you put the well in the area next to the driveway? Add in the tree line to the plan. Bushnell: The limits of disturbance will be shown. The property is all treed now. The well would be better to the south of the driveway. Penney: Has zoning opined if that barn can be converted to a house? Bushnell: they said yes. Penney: what is going to happen to lot two? Is that part of the plan? You can talk about a conservation area.

The application is accepted by the IWA.

C. #22-36W – 377 Hop River Road – Applicant/Agent: Scott Lagace, Lagace Construction LLC; Owner: Greg Howe – 10' x 16' addition with foundation

Greg Howe was present.

Gosselin: In the rear of the lot there is an intermittent water course. The nearest point is 10' from the intermittent water course. There is currently a sunroom/greenhouse where the addition will be constructed. The existing sunroom is on a concrete slab. There was no water present when she took the pictures on July 6, 2022.

Choate: We do not have a wetlands delineation. Was the proposed plan how the house originally built? Construction would be quite close to the stream. Penney: They relocated the intermittent watercourse to build the current house in 1985.

Gosselin: This will be a master bath off their bedroom. There will be some mitigation measures.

Greg Howe: This is the only place for the addition. At the end of the house is where the pipe is for the septic tank. Penney: The plumbing is all right there in the existing bath.

Mathieu: What is the addition sq. footage? Gosselin: The addition is 10' x 16'. Penney: That is an 8 x 10 greenhouse so it would be going from 80 sq. feet to 160 sq. feet.

Mathieu: Where does the intermittent stream run to? Gosselin: The Hop River at thousands of feet away.

The application is accepted by the IWA.

Norman was experiencing issues with her computer at 8:06 p.m. and dropped off the call.

D. #22-37AR – 425 Riley Hill Road – Applicant/Agent: Quinten Arsenault, Sterling Aquatics LLC; Owner: Karen Richardson – Remove nuisance aquatic vegetation from pond

Quinten Arsenault was present and explained the plan. His company did similar work on Dunn Road for a farm pond owner last year. Cat tails and curly pond weed are invasives. This removal is for aesthetics and minor recreational activity of the pond. Removal of the curly weed will be done with a mechanical harvester of aquatics. We will remove the cat tails by hand by the water inlet. The pond is too shallow to use any equipment. The pulled material will be placed on the shore and then transfer to a trailer for removal from the property.

Gosselin: We did see this activity previously. They did this at 233 Dunn Road. That was deemed a non-jurisdictional ruling. She visited this property. They do use the pond for recreation and for irrigation.

Penney: What will you do at the outflow of the pond? His concern is about stirring of the pond bottom. What kind of outflow protection will be used? Arsenault: The pond is too low right now to have any flowing water at the outlet. We could put a haybale at the outlet low. But we are not expecting turbidity because the pond is too low. Penney: When you start to work we will see about having a haybale used.

Mathieu: There will be no use of chemicals? Arsenault: There will be no use of herbicides. Mathieu: Will the pulling of the cat tails by hand be sufficient? Arsenault: The goal is to reduce the density of the cat tails that occur season to season. Seeds or roots may remain. We will remove as much as practicable without using chemicals.

This was deemed a non-jurisdictional ruling by the IWA.

E. #22-38W – 163 Grant Hill Road – Applicant/Agent: Eric Peterson, Gardner & Peterson LLC; Agent: Rick Zulick – Soil Scientist; Owner: Derek Pacheco – Create new wetland area adjacent to existing wetlands and remove fill from wetland area. Previously an enforcement item.

Eric Peterson, Gardner & Peterson, was present. We have been working with Rick Zulick for most of this year on this project. Zulick was present at the June meeting. Roughly 3,500 sq. feet was disturbed. The plan is to create a new wetland of 8,200 sq. feet adjacent to an existing one. We have added the requested details and filed for a wetlands permit.

Choate: A wetlands report is requested with the application noting with the functions and value of what was impacted and how the new wetlands will function. Mathieu: Some of that information is in the project narrative but more detail is being requested.

Peterson: This is all adjacent to and not in the existing wetlands.

The application is accepted by the IWA.

F. #22-39NJ – 457 Flanders Road – Applicant/Agent: Mark Reynolds; Owner: Heather Sansome – Subdivision with wetlands on the parcel

Gosselin: This is a proposed 2-lot subdivision with no work in the regulated area. Mark Reynolds and the Heather Sansome are present.

Mark Reynolds: This is a subdivision of 15 acres in total to create a lot around the existing house of 3 acres. The new house lot will be of 12 acres. The property is predominately wooded with some cleared area. There is a CL&P easement. The plans shows the erosion and sedimentation controls and the construction sequencing. This will have to go to the PZC for review. Disturbance is being kept to a minimum. Test pits done have been done. The proposed driveway is shown.

Mathieu: The driveway is on the slope; there are no wetlands off property there?

Gosselin: None that were delineated. Reynolds: There are no mapped wetlands area here; he has walked the property many times. Penney: Lot 447 was a split off this larger lot and the wetlands were delineated for that.

Choate: The presentation is clear and the activity is outside the regulated area. Does not see any problems with that. Laramée: Agrees with that. Mathieu: Agrees based on the map we viewed. The IWA deemed this a non-jurisdictional ruling.

Gosselin: If any activities move into the 75' we need to know. No grading anticipated for the septic system in the upland review area. Reynolds: Does not expect that to happen. Gosselin: Keep her updated.

G. #22-40W – 1295 Main Street, Teleflex Medical – Applicant/Owner: Deborah McCarthy-Platz – Repair of stone wall and asphalt road

Todd Penney, P.E. Town Engineer. Showed pictures of the Mill Brook after storm Ida. Teleflex had a major failure of the stone wall channel. The force of the water down the slope blew the wall away and causing a portion of the road to fail. Teleflex is the main applicant; the town is responsible for the roadway repair on Monument Hill Road. Teleflex wants to rebuild the wall. Penney helped Teleflex in developing this plan. Sandbags will be used to handle the water coming down here during reconstruction. The wall will be a standard riprap grouted wall. This will be able to withstand the energy of the water coming down the brook.

Mathieu: Is the same turn being maintained? Penney: We are trying to replicate it because the foundation of the building is there. The corner of the building has a hole in it. We cannot really change it too much.

Penney: Their contractor will be ready to go in the beginning of September. The Town may close the lake gate for the two days that it will take them to do the work. There is a little bit of a flow right now. Teleflex still has a permit open for dredging the fire pond which they plan on doing at the same time. They need to do a DEEP notification as there are wood turtles out there. They are using Fuss & O'Neill to do that permitting.

The application is accepted by the IWA.

H. #22-41W – Nathan Hale and Bear Swamp Recreational Trail – Applicant/Agent: Todd Penney, P.E. Town Engineer; Owner: Town of Coventry – Improve the old road beds of Nathan Hale Road and Bear Swamp Road through the Nathan Hale Forest

Todd Penney, P.E. Town Engineer presented as the town's agent. In 2021 the town received a \$500,000 for the redevelopment of the recreational rights-of-way on Bear Swamp Road and Nathan Hale Road. The plan is to take the old roadbed, grade it, and top dress it with stone dust for a 6' wide trail. Ian Cole, Soil Scientist out of Middletown, was contacted. There are a couple of wetlands that were delineated. At Station 111-00 there is a wetland crossing and another wetland crossing with encroachment into the roadbed. The culverts have failed. The plan is to install 2 – 12" culverts. We will stop at Station 128-00. The project will start from the paved section of Bear Swamp. The Nathan Hale Road portion of project will pick up on the gravel driveway and continue along the old roadbed. Ian Cole did a delineation here. Two old culverts have failed.

Penney: Will be coming back to the agency with a different application for where the Rufus Brook culvert to convey water over Bear Swamp has failed. The water conveyance is in the roadbed instead of the ditch. There will be DEEP and Army Corps of Engineer permits needed for this project.

Mathieu: The roadway is established? Penney: Yes. These were one lane road that use was discontinued on in the 1920s. Mathieu: What is the plan with the roadbed? Penney: Add in the drainage infrastructure, clean out the organics, and grade with a stone dust 6' wide trail. There is a ditch that is filled with organics. That would be removed and lined with fabric. Mathieu: She imagines you do not want to do too much to this historic roadbed. Penney: We can blow the leaves into the woods and determine how to maintain these roads. Mathieu: Have the historic groups in town been contacted about this project. They may care dearly about not making an old roadway no longer have a historic look. Penney: Not to that detail. This project will have to get an 8-24 referral from PZC. They may have some input about the type of surface. DEEP agents use this roadway to monitor people using dirt bikes illegally in the forest. What looks like cobbles this really scour. Mathieu: This is one of the major reasons people love our town. It reeks of the 1700s as it is or as keeping it as natural as possible while adding in the culverts to deal with the drainage issues.

The application is accepted by the IWA.

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: On July 8, 2022, the Town Council did refer this property to the Town Attorney to start legal enforcement. The attorney hopes to have a letter drafted in the next month or so. She will provide an update for the August meeting. She continues to try to contact Beebe, including that he be here for this meeting. Beebe contacted Gosselin and stated he did not seed or grade the slope (where the tree pile was previously located) because he does not have the money. Her reply is that she typically views the property before the work and then after the work and she heard nothing further from Beebe.

Penney: This is being a zoning enforcement issues because he is running a business without permits. This provides the IWA to tag along with the illegal zoning. Gosselin: This is about zoning and fire marshal issues because there are no permits for the buildings that the public is possibly going in to.

Mathieu: The Town Attorney has become involved because of the zoning permitting. And the concerns of the IWA have been detailed also. Gosselin: Yes, Wetlands Agent staff met with Eric Trott, Director of Land Use Planning to discuss IWA concerns. Penney: We have been in touch with Attorney Ken Slater for this specific property as well. And we may be able to get onto the property without the owner's permission with this order.

6. ADOPTION OF MINUTES:

A. June 22, 2022 – Regular Meeting Minutes

Motion: I move that the Coventry Inland Wetlands Agency accept the meeting minutes of June 22, 2022.

With the following corrections:

- Page 2, third paragraph, second sentence – change “goes” to “does”.
- Page 3, second paragraph, first sentence – change “inverse” to “adverse”.

By: Choate

Seconded: Laramee

Voting:

For: Laramee, Choate, Mathieu

Against: None

Abstain: None

7. CORRESPONDENCE:

A. Lewis Hill Road

Gosselin: Approved the application at the last meeting for the driveway crossing. He did start construction without notifying us. Applicant/subcontractor for the conditions instead of the owner. Gosselin assessed construction per the plan. Bushnell went out as well. It was determined that it was in the correct location, E&S was installed per Gosselin’s request. Keep an eye on that property.

B. 301 Broadway – potential wetlands violation

Gosselin: Part of the 5 properties that the TC referred to the Town Attorney for legal action. We are unsure what that holds. Penney: this is the Wall property. Suspect and noticed in the 2016 and 2019 aerial he is running a business out of his property. No permits. He had that property public act 490 keep as farmland so you don’t have to pay as much in taxes. Require him to do a site plan and have a wetland scientist go out there. Don’t think he filled any wetlands.

8. DISCUSSION:

A. Coventry Lake Health

Gosselin: The clarity of the lake was decreasing during the test periods. A public health advisory by EHHD was issued on July 22, 2022 advising of high risk and moderate risk activities. A question and answer document was posted online This is our first bloom of this algae and closure because of it.

Penney: We may want to consider extending an invitation to Dr. Kortmann to give us an update on the progress of testing and his thoughts. Mathieu: We talked to Dr. Kortmann not too long ago. She recalls at that time him reporting the water quality was good.

There was the use of spot herbicides but the overall quality was good. What has changed would be the interesting thing to know. What is the cloudiness factor compared to last year? This lake is incredibly meaningful to us. It is very important and the IWA works so hard to keep the water quality good. We pay special attention to any work in the lake area that comes before the IWA. We are lucky to have Dr. Kortmann and the work he has done over the years. What are all the things that all townspeople could do? It is something to pay attention to. Gosselin: She will contact Dr. Kortmann. We have not had phone calls to the Wetlands office about the advisory.

Mathieu: One suggestion - there should be a public forum on this. Penney: More dataset has to be obtained before you isolate causes or triggers per Dr. Kortmann.

B. Violations Framework

Gosselin: No update.

C. Beach Sand/Lakefront Activities

Gosselin: No update.

Mathieu: Bring this item back to the top and talk about what we would like to do with standard best practices. Make this more prevalent. Gosselin: Noticed something about this in the Finger Lakes area (New York). NH has a lake-wise program. She did find more resources but has not been able to analyze it. Mathieu: Perhaps offer some educational opportunities for people. Penney: Recommends this needs to be a special meeting due to the meatiness of our agendas.

9. ADJOURNMENT:

Mathieu adjourned the meeting at 9:51 p.m.

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.