

# Inland Wetlands Commission

## MINUTES

### Regular Meeting

November 26, 2019

7:00 p.m.

Main Level Meeting Room

**Members Present:** Mr. Papsin, Mr. Bedini, Mr. Davis, Mr. LaMuniere, Ms. Branson, Alt.

**Members Absent:** Mr. Bennett, Mr. Kassis, Alt.

**Staff Present:** Ms. White, Mr. Tsacoyannis

**Public Present:** Mr. Olimpieri, Mr. Giroux, PE, Mr. Cermola, Mr. Rosiello

#### **Call to Order:**

Mr. Papsin called the meeting to order at 7:00 pm.

**Seated: Mr. Papsin, Mr. Bedini, Mr. Davis, Mr. LaMuniere, Ms. Branson, Alt. (for Mr. Bennett)**

#### **Consideration of the Minutes (00:19):**

The Commissioners considered the November 13, 2019 meeting minutes:

**MOTION:** To approve the November 13, 2019, Regular Meeting Minutes as submitted, by Mr. Bedini, seconded by Mr. Davis, passed 5-0 vote.

**MOTION:** To approve the November 20, 2019, Special Meeting Minutes- Site Visit at 136 Litchfield Turnpike, as submitted, by Mr. Bedini, seconded by Mr. Davis, passed 5-0 vote.

#### **Subsequent Business (01:10):**

There was no subsequent business to discuss.

#### **Pending Applications:**

##### **Town of Washington/Calhoun Street Bridge/Permit #IW-19-59/Bridge Replacement (01:13):**

Mr. Giroux, P.E. with Cardinal Engineering, reviewed the poor conditions of the existing bridge on Calhoun Street that is over an unnamed brook. He informed the Commissioners that the existing bridge is for one-way traffic and structurally deficient. They are proposing a 22-foot-wide bridge that will allow two-way traffic and is built for a 50-year storm.

Mr. Giroux discussed the dimensions and materials that will be used for the box culvert and wing walls. He noted that riprap will be used to fill behind the wing walls only.

The Commissioners and Mr. Giroux looked at pictures of the existing conditions. Mr. Giroux displayed the Plan titled "Wetlands/Watercourse Impact Plan," prepared for the Town of Washington, by Cardinal Engineering Associates, dated August 209, page WET-01, 17. He noted that the total impact would be

approximately 3,729 square feet, with approximately 1,597 square feet being temporary and 2,132 square feet permanent. All areas will be restored back to its original condition to the best of their ability.

Mr. Giroux stated that the road would be closed during the construction and the amount of time it is going to take depends on the contractor. He noted that they have created a detour plan.

The Commissioners and Mr. Giroux discussed who will be monitoring the construction. Mr. Giroux indicated that the monitoring is part of their contract. They will be keeping track of the weather and checking sedimentation and erosion controls, the bypass pipe and the cofferdams both upstream and downstream. He informed the Commissioners that the bypass pipe is designed for a five-year storm event.

There was a brief discussion regarding the permitting process that this proposed plan must go through. Mr. Giroux noted that they do not need DEEP approval but both the Army Corp of Engineers and DEEP have approved the proposed plans.

It was noted that all soil that is removed for the bypass pipe will be stored on site surrounded by silt fencing or hay bales or, if there isn't room it will be removed by truck and brought back to restore the site at the finish of the project.

There was a brief discussion regarding funding for the projects.

**MOTION:** To approve Permit #IW-19-59 for the Town of Washington, Calhoun Street, to replace Calhoun Street Bridge over unnamed brook, per plan set titled "Town of Washington Plan For The Replacement of Calhoun Street Bridge Over Unnamed Brook (Bridge No. 150-006)," prepared for Town of Washington by Cardinal Engineering Associates, dated August 21, 2019, sheets 1-17, with supporting documents in the file, for five years with the following conditions: 1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. any changes to the plans as approved must be submitted immediately to the Commission for review, in considering this application, the Commission has determined that no reasonable and prudent alternatives exist, and believes that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Mr. LaMunier and seconded by Mr. Davis, passed by 5-0 vote.

**Town of Washington/Rabbit Hill Road Bridge over Bee Brook/Permit #IW-19-60/Bridge Replacement (0:25:50):**

Mr. Giroux and Mr. Cermola of Cardinal Engineering were present to discuss this application. Mr. Giroux informed the Commissioners that the existing bridge is in worse condition than the Calhoun Street Bridge. It is structurally in very poor condition and can only hold seven (7) tons maximum weight which is an issue for emergency vehicles. There are temporary barriers on the bridge to keep people off the outer edges where the structure is more compromised.

The proposed bridge is designed for a 100-year storm and will be raised approximately 2 feet, widened to 22 feet, and will accommodate 2-way traffic.

The Commissioners looked at the plan titled, "Roadway Plan & Profile," prepared for the Town of Washington by Cardinal Engineering Associates, sheet PLA-01, 3, dated August 2019. The road will be tapered out about 150 feet on either side of the bridge.

The Commission looked at pictures of existing conditions. There was a brief discussion regarding the weight limit and the funding for these projects.

Mr. Giroux confirmed that this plan has been approved by the Army Corp of Engineers contingent on DEEP water quality certification. He noted that 3,170 square feet will be impacted of which 976 square feet will be temporary per the plan titled, "Wetlands/Watercourse Impact Plan," prepared for the Town of Washington by Cardinal Engineering Associates, sheet WET-01, 25, dated August 2019.

**MOTION:** To approve Permit #IW-19-60, for the Town of Washington, Rabbit Hill Road, to replace Rabbit Hill Bridge over Bee Brook, per plan set titled "Town of Washington Plan For The Replacement of Rabbit Hill Road Bridge Over Bee Brook (Bridge No. 150-001)," prepared for Town of Washington by Cardinal Engineering Associates, dated August 30, 2019, sheets 1-25, with supporting documentation in the file, for five years with the following conditions: 1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. any changes to the plans as approved must be submitted immediately to the Commission for review, to be filed in the Land Use Office as part of the record, in considering this application, the Commission has determined that no reasonable and prudent alternatives exist, and believes that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Mr. Davis and seconded by Mr. LaMunier, passed by 5-0 vote.

**Con Edison DBA Ross Solar/138 Litchfield Turnpike/Permit #IW-19-61/Installation of ground-mounted solar array w/trenching w/in review area (0:42:33):**

Mr. Olimpieri, Project Manager for ConEd Solutions was present to discuss this application.

Mr. Olimpieri briefly reviewed what was discussed at the last meeting explaining that the panels would be supported by 12 - 2 ½" helical piles that are driven into the soil and cause minimal soil disturbance. The trench will be dug the 2-3' deep trench to accommodate the 1 ½" conduit and all the soil will be put back into the trench.

The Commissioners felt that the site visit was informative and they had enough information to vote.

**MOTION:** To approve Permit #IW-19-61, for ConEdison Solutions, DBA Ross Solar, 138 Litchfield Turnpike, for installation of ground mounted solar array with trenching within the review area, per drawing titled "Proposed Array Layout," sheet SP-1, 01-17-19, "Equipment Location and Conduit Run," sheet SP-E, dated 3-21-19, prepared for George Cole by Ross Solar, with supporting documentation in the file, for two years with the following conditions: 1. that the Land Use Office be notified at least 48 hours prior to the commencement of work so the Wetlands Enforcement Officer can inspect and approve the erosion control measures, 2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. any changes to the plans as approved must be submitted immediately to the Commission for review, to be filed in the Land Use Office as part of the record, in considering this application, the Commission has determined that no

reasonable and prudent alternatives exist, and believes that there is no reasonable probability of significant adverse impact on any wetlands or watercourses, by Ms. Branson and seconded by Mr. Davis, passed by 5-0 vote.

### **New Applications**

#### **Haddad/141 West Shore Rd/Modification to Permit #IW-18-48/Invasive plant & brush removal, planting along intermittent water course (0:46:29):**

Mr. Rosiello from Meadowbrook Gardens, LLC., was present to represent the property owners for this proposed project. He explained how the Haddads would like to modify the existing permit to remove invasive plants and brush and plant Connecticut native species along the intermittent watercourse.

The Commissioners and Mr. Rosiello reviewed the plan titled, "Planting Plan for the Haddad Residence," prepared for the Haddads by RBR, Meadowbrook Gardens, LLC, sheet # PP1, not dated. Mr. Rosiello reminded the Commissioners that the original permit did not have a planting plan but it did have 3 rain gardens and they are proposing to slightly reconfigure rain garden 1 & 3. He stated that this slight change would make the rain gardens more contiguous with the intermittent watercourse on the property.

The intermittent watercourse is approximately 370 lineal feet. Mr. Rosiello discussed the proposed plant list. He noted that they would like to get started hand removing the invasive plants and brush before the ground freezes as well as do some of the planting. He discussed the other specimens that he would be planting in the spring. Mr. Rosiello informed the Commissioners that they are proposing to remove invasives, plant specimens and mulch in 50-100ft sections to discourage erosion. He indicated the location of some of the diseased trees that they would like to remove. The original silt fencing is still in place and Mr. Rosiello stated that he would add some additional hay bales at the end of the watercourse.

The Commissioners discussed whether this should be a modification to the existing permit or a new permit. Mr. Rosiello and the Commissioners discussed what activity was granted in the original permit. They agreed that the modification of the configuration of rain gardens 1 and 3 will be a modification to the existing permit and the activity along the intermittent watercourse was not part of the original permit, and should be a new permit.

### **Enforcement:**

#### **Enforcement Activity Report (01:04:15):**

Mr. Tsacoyannis highlighted areas from his report. He informed the Commissioners that he was reviewing the last IWC permit that 101 Wykeham Road, LLC had received and has asked the engineer to provide him with a copy of the Storm Water Management Plan. Mr. Tsacoyannis stated that the property owner of 47 West Shore Road was denied a variance by ZBA for his lakeside patio but will be working with his granted IWC permit, which is valid through April 2020, to create a pervious sitting area that would not be considered a structure according to zoning regulations. It was noted that this would be a modification to the property owner's existing permit. Mr. Tsacoyannis stated that he notified the property owner of 90 Tinker Hill Road via certified, return receipt, mail about the deviations from what was granted and what was done at the property. The letter was returned and Mr. Tsacoyannis emailed the property owner in an effort to hopefully have him attend the next meeting on December 11, 2019.

### **Other Business:**

There was no other business to discuss.

**Administrative:**

There was no administrative business to discuss.

**Communications:**

There were no communications to discuss.

**Adjournment:**

**MOTION:** To adjourn at 8:19 pm by Mr. Papsin, passed unanimously.

Respectfully Submitted,

Shelley White  
Land Use Administrator,  
December 4, 2019