

INLAND WETLANDS AND WATERCOURSES COMMISSION
MONDAY, AUGUST 5, 2019 TOWN HALL 7:00 P.M.

Present: Chairman Bruce Burnett, Susan Ryan, Todd Werner, Timothy Bobroske, Eric Rahn, Robert Wesneski, Merrill French, Alternate Member Robert Orciari, Alternate Member Leah Blake, IWZEO Troy LaMere and LUC Polly Redmond

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Burnett called the meeting to order at 7:00 p.m. All regular members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 7/1/19

R. Wesneski **motioned** to approve the minutes of the previous meeting with the following amendments:

Page 2, continuation from Item 3 (McGivern), last line: "Motion passed unanimously", omit the word "*unanimously*". Page 2, Item 5, line 2: delete the word "*President*" and change to "**Past**" President.

Page 3, line 8: delete the word "*President*" and change to "**Past**" President. S. Ryan seconded the motion and the motion passed unanimously.

3. DISCUSSION/POSSIBLE DECISION - DAVID NADEAU – APPLICATION FOR DRIVEWAY CONSTRUCTION/EXTENSION, 211 BLUEBERRY HILL ROAD.

Mr. Nadeau is present. Notice of this application has been sent to the Town of Burlington on 7/2/19 by LUC Redmond and in accordance with §1-42-b and 22a-42c. No response received. T. Bobroske **motioned** to approve the application as a regulated activity with low level inspections required by the IWZEO, seconded by E. Rand. Motion passed unanimously.

R. Wesneski **motioned** to amend the agenda to add **Ken Hrica, P.E., for Our Lady of Hope Parish (previously known as The Church of Immaculate Heart of Mary), 78 Litchfield Road (rectory), 6 + 14 Birge Park Road (church and social center) parking lot expansion, grading, stormwater management in upland review area.**

S. Ryan seconded the motion and it passed unanimously.

Mr. Hrica is present. Plans by Hrica Associates, LLC, titled Parking Lot Expansion Plan, 8/1/19 are reviewed. Mr. Hrica states he has worked with the church in the past on a septic repair and is familiar with the site. He states that the church has a parking problem during certain times of the year with cars being stacked in the lot and getting boxed in and also cars being parked on the street (Route 4/Birge Park Road). He acknowledges that the plan he is presenting is a little short on the landscaping requirements of the Zoning Commission but the intent is to keep cars off of Route 4. Expansion of the parking lot will add 20 parking spaces (124 presently existing) to the rear of the property where a school once stood and will involve cutting of trees. The proposed lot expansion to the back (east) of the property will bring the pavement 235 feet from Lead Mine Brook. Proposed parking to the north edge of the property (23 spaces) exists now as rough gravel, is proposed to be paved, and is approximately 8 feet to Catlin Brook at its closest point and 36 feet from Catlin Brook to the edge of the existing paved parking lot. There is an existing stone wall along Catlin Brook that will remain as is and untouched.

A Stormwater Filter Drain is proposed at the edge of the parking area on the Catlin Brook side and will include a trench and placement of 1-1/4" washed stone. Mr. Hrica states that the trench will allow for storage capacity in a controlled manner and is sized up to the 100 year storm. The trench will have a 6 inch dip to act as a bit of a swale that will also prevent cars from crossing over and parking closer to Catlin Brook. Site Plans include a Filter Drain Cleanout Detail. Mr. Hrica states that the new portion of the parking lot will be paved and he is recommending to the church that the entire lot be paved to avoid problems with heaving in one to two years. Chairman Burnett questioned whether any consideration was given to permeable pavement with Mr. Hrica responding that it is costly and not affordable for this large parking lot. R. Orciari questions if there is curbing with Mr. Hrica responding, no, that sheet flow will flow to the rear of the lot and that is the reason for the Stormwater Filter Drain. R. Wesneski questions who will be maintaining the drain and conducting cleanouts with Mr. Hrica replying that it will be the church's responsibility and that he could supply a maintenance plan. R. Wesneski states that any conditions of approval could include that *the church is responsible for cleanout of the drain so it does not impair the*

function of the drain and that reports on the cleanout are to be sent to the town on a yearly basis.

T. Bobroske refers to the filter drain noting that there is two feet of cover to the bottom of the pipe and he would like to be assured there's capacity to drain. Mr. Hrica states that during his investigation for the septic repair, it was 18 inches to the hard pan, 40 inches in a couple of bad areas, and that they with this plan they are probably looking at 40 inches in the area of the proposed pipe and filter drain. R. Wesneski refers to the piping running east and then turning south and questions how the water will take this turn. He also questions that with the hard pan, will the water build up. Mr. Hrica states that he can add a 1% pitch in this location and that there won't be water build up because it will take on water slowly over time. IWZEO Troy LaMere questions whether the parking lot will be sanded in the winter or will they use salt. Mr. Hrica doesn't know this. IWZEO LaMere notes that salt should be used so that the trench doesn't fill up with silt with the use of sand.

R. Orciari questions the purpose of the proposed islands with Mr. Hrica stating that it is to comply with Zoning Regulations on landscaping and lighting requirements. R. Orciari questions whether the islands can be used as detention basin islands with Mr. Hrica stating they are small and inadequate. R. Orciari states his belief that the proposed parking lot is way too close to Catlin Brook, which requires shade, and the proposal to cut trees is a concern to him. He questions whether the existing parking area on the north side near Catlin Brook is currently graveled with Mr. Hrica stating it is. R. Orciari states that this area should not be graveled but left natural. He suggests removing the islands and replacing them with parking spaces and meet the landscaping Zoning Regulations with natural landscaping in the north area of the lot along Catlin Brook instead. Mr. Hrica agrees to this and adds that he will propose going further east in the back parking area where the school once stood adding at least two rows of parking spaces.

R. Wesneski **motioned** to accept the application as a regulated activity provided that feasible and prudent alternatives and recommendations made by the Inland Wetlands Commission will be provided and reviewed at the next IWWC meeting. S. Ryan seconded the motion. T. Bobroske adds a friendly amendment to the motion that the acceptance includes the clause that *the church is responsible for cleanout of the Stormwater Filter Drain so it does not impair the function of the drain and that reports on the cleanout are to be sent to the town on a yearly basis.* Mr. Hrica notes that a maintenance plan will be added to the revised plans. Motion passed unanimously.

E. Rahn recuses himself at this time for the following matter.

4. SHOW CAUSE HEARING PERTAINING TO CEASE AND DESIST ORDER ISSUED BY IWZEO TROY LAMERE ON JUNE 20, 2019 TO MICHAEL AUDET FOR IMPROPER MANURE MANAGEMENT/MANURE RUNOFF TO BULL POND, LOCUST ROAD, FROM 70 LOCUST ROAD.

Mr. Audet is not present. IWZEO T. LaMere states that Vivian Felten, NCRS, was to go out to the Audets farm to inspect the property. He asked Ms. Felten if he could meet her at Bull Pond, the site of proposed manure deposits from the Audet farm, to view the conditions of Bull Pond. She reported that she didn't have time to meet him there. IWZEO LaMere asked if she could provide him with a copy of her report after inspection of 70 Locust Road and she responded that Mr. Audet hired her and that he would have to approve of the report being sent to IWZEO LaMere and the IWWC, which Mr. Audet did. After the date of her inspection, IWZEO states he reached out to Ms. Felten to ask for a copy the report. She responded back to him on 7/31/19 saying that her letter dated 7/25/19 would be mailed to him and to expect it on Monday, August 5, 2019 in time for the IWWC meeting or Tuesday, August 6, 2019. IWZEO LaMere asked if she could email him a copy of her report but he hasn't received that either. R. Wesneski asks if water testing of Bull Pond was going to be done with R. Orciari asking what it is they were testing for. IWZEO LaMere states that they might possibly test for nitrogen at the outlet pipe.

R. Wesneski **motioned** to continue the Show Cause Hearing to the next IWWC meeting on Tuesday, September 3, 2019 at 7:00 p.m., seconded by T. Bobroske. Motion passed unanimously. IWZEO LaMere or LUC Redmond will forward the report of Vivian Felten's to Commissioners once it is received.

5. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.

IWZEO LaMere reports that he inspected property at 91 Catlin Road for erosion control which was improperly installed and told the property owner, Kevin McGivern, to install it correctly.

Chairman Burnett informs Commissioners that updates have been received on Pending Litigation regarding Bumper Brook Estates. R. Wesneski **motioned** to enter into **Executive Session** at 7:50 p.m. to discuss pending litigation, seconded by S. Ryan. Motion passed unanimously. R. Wesneski **motioned** to exit out of **Executive Session** at 7:55 p.m. No action taken.

6. ANY OTHER BUSINESS.

None.

7. CORRESPONDENCE.

Notice received from CT Association of Conservation and IWC, Inc. of their upcoming Annual Meeting on 11/23/19 and also gives notice of membership fees due. Conference registration form letter will be sent later in the summer with descriptions of workshops. CACIWC notes that "Commissions that renew their membership dues for the 2019-20 fiscal year this summer will be eligible for a \$25.00 discount in the registration fee *for each commission member or staff* who registers by 10/1/19."

8. INVOICES.

R. Wesneski **motioned** to approve the invoice of IWZEO T. LaMere for the month of July and approve the invoice for mileage reimbursement, seconded by S. Ryan. Motion passed unanimously.

9. ADJOURN.

S. Ryan **motioned** to adjourn the meeting at 8:00 p.m., seconded by R. Wesneski. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 8-8-19 AT 12:45 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK