

# TOWN OF KILLINGLY

## INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)

Killingly Town Hall  
172 Main Street  
Danielson, CT

2019 MAY 14 PM 4:15

### REGULAR MEETING MINUTES

Monday, May 6, 2019

- I. Call to Order & Roll Call: Chairman Sandy Eggers called the meeting to order at 7:30 p.m.

**Members Present:** Sandy Eggers, Vice Chairman Rod Galton, Beth Dubofsky-Porter, Fred Ruhlemann, and Secretary Corina Torrey. **Member Absent:** Ronald Dass.

**Also Present:** Director of Planning & Development Ann Marie Aubrey and Town Planner & Zoning Enforcement Officer Jonathan Blake.

II. Adoption of Minutes:

A. April 1, 2019 Regular Meeting:

**MOTION #1 (05.06.19):** made by Ms. Dubofsky-Porter **SECONDED BY** Ms. Torrey that the Inland Wetland and Watercourses Commission approve the April 1, 2019 Regular Meeting Minutes as amended: 1) MOTION #2 – corrected spelling - Torrey

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

B. May 2, 2019 Special Meeting (Site Walk Application 19-1464- 55 Dog Hill Rd.):

**MOTION #2 (05.06.19):** made by Mr. Galton **SECONDED BY** Mr. Ruhlemann that the Inland Wetland and Watercourses Commission approve the May 2, 2019 Special Meeting Minutes as presented

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

III. Citizens' Participation: None

IV. Unfinished Business:

- A. **Application #19-1460 Ballouville Road:** 51 lot sub-division with associated driveways, homes, and drainage; activity is within 54' of wetlands/watercourses; Located at 38, 76 & 90 Ballouville Road; GIS Maps 63 & 54; Lots 50, 1 & 2; 20+/- acres; Low Density Zone:

**APPLICANT / PRESENTATION:** Attorney Harry Heller, Heller & Heller 736 Route 32, Uncasville, and David Held, Provost & Rovero, were present to represent the applicant.

Revised plans were submitted this evening for review by the Commission and Town Staff. The most notable change is the removal of all proposed rain gardens. There are no wetland crossings or any direct wetlands impacts on site. However, there are regulated activities along the northeastern portion near duplex construction activities. Site grading activities is within 54' of wetlands and/or watercourses. Because there will be a disturbance of more than 5000 acres as a result of this project, the CT Department of Environmental and Energy Protection [DEEP] requires their review in support of the potential need for a water diversion permit.

**TOWN STAFF:** David Capacchione, Town Engineer, is in the process of reviewing this application. He only recently received updated plans, updated drainage report, and the soil scientist report. Town Staff will need additional time to complete this review. It was noted, the Commission is not in receipt of the letter from the Department of Energy & Environmental Protection indicated they have been notified of this proposed application and associated activities.

**APPLICANT:** Attorney Heller submitted a handwritten extension request to the Commission for the record.

**MOTION #3 (05.06.19):** made by Mr. Galton **SECONDED BY** Ms. Torrey that the Inland Wetland and Watercourses Commission accept the extension request as submitted and table the application to the June 2019 Regular Meeting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

- B. **Application #19-1461:** Believe Enterprise Inc.: Declaratory Ruling for Agriculture Use (Section 4.1a) with wetlands crossing, crop fields, barns, and dog kennel; Located at 81 Squaw Rock Road; GIS Map 257; Lot 10; 13.64 Acres; Rural Development Zone:

**IWWC COMMENTS:** There was a question as to whether the dog kennels would be considered a business use and not an agricultural use. Additionally, there was concern with how the access drive to the kennel would cross the site, and that there should be regard to wildlife present on the property – namely beavers in the area.

**TOWN STAFF:** Jonathan Blake submitted his staff report for this application. He contacted the CT Department of Agriculture to discuss the dog kennel operation as this is the regulatory authority for permitting commercial dog kennels. The State Department of Agriculture is continuing their review.

**TOWN ENGINEER:** David Capacchione provided a project review memorandum, dated May 3, 2019, for the record. There were seven items of concern with regard to engineering and adherence to the Inland Wetlands and Watercourse Regulations.

**MOTION #4 (05.06.19):** made by Mr. Galton **SECONDED BY** Mr. Ruhlemann that the Inland Wetland and Watercourses Commission continue this application to the June 2019 Regular Meeting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

- C. **Application #19-1462:** Rogers Corp: Environmental remediation adjacent to the Quinebaug River and within Goodyear Brook; Located at 2041 Main Street; GIS Map 111; Lot 7; 74 Acres; Industrial Zone.

**APPLICANT PRESENTATION:** Mr. Tim Clinton, Fuss & O'Neill, Project Manager, was present to represent the applicant. He indicated this application is for activity associated to the final phase of site clean-up and restoration. Mr. Clinton provided an update on proposed activities and referenced the revised site plan. It was noted, the Department of Energy & Environmental Protection [DEEP] will closely monitor this project. The CT State Wetlands group has asked for testing of Goodyear Brook. Results will be provided.

**MOTION #5 (05.06.19):** made by Mr. Ruhlemann **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses Commission approve Application #19-1462

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

- D. **Application #19-1464:** Preserve at Valley View LLC & Richard O'Keefe for 20 duplexes (40 units) residential development with associated grading, drainage, utilities & paved access; activity will require filling 1,120 S.F. of Wetlands disturbance; Located at 55 Dog Hill Road; GIX Map 130; Lot 12; 11.782 Acres; Low Density Zone:

**APPLICANT PRESENTATION:** Norman Thibeault, Killingly Engineering Associates, was present to represent the applicant. Modified site plans and revised storm water basin designs were submitted for the record. He submitted the soil scientist report from Joseph Theroux, dated May 6, 2019. Mr. Thibeault is looking into ways of limiting wetlands disturbance as a result of this application. Currently, the design would result in the creation of wetlands and the filling of existing wetlands. At this point, Mr. Thibeault has not responded to the Staff Report Memorandum from David Capacchione.

**TOWN ENGINEER:** David Capacchione provided a project review memorandum, dated May 2, 2019, for the record. There were thirty two items of concern with regard to engineering and adherence to the Inland Wetlands and Watercourse Regulations.

**MOTION #6 (05.06.19):** made by Mr. Galton **SECONDED BY** Ms. Dubofsky-Porter that the Inland Wetland and Watercourses Commission continue Application #19-1464 to June 2019 Regular Meeting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

**V. Unfinished Business:**

- A. Application #19-1465:** Fredrick Moran for single family home; activity is within 42' of Wetlands / Watercourses; Located at 1121 Hartford Pike; GIS Map 118; Lot 38; 1.67 Acres; Low Density Zone:

**STAFF REVIEW:** Jonathan Blake provided a Staff Report. This applicant has been using this property for seasonal camping and has not started construction on the house. The applicant had a contractor install a septic system at some point in 2018 without IWWC approval. It has been determined the system is legitimate.

**MOTION #7 (05.06.19):** made by Mr. Galton **SECONDED BY** Ms. Dubofsky-Porter that the Inland Wetland and Watercourses Commission continue Application #19-1465 to the June 2019 Regular Meeting

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

**VI. Correspondence to the Commission:**

- A. Application #19-1466:** Luke Emmons for Notification of Timber Harvest; Located at 47 Red Oak Drive; GIS Map 242; Lot 14; 17.88 Acres; Rural Development Zone No Action Required by Commission

**VII. Other:**

- A. Monthly Zoning / Wetlands Report:**

**VIII. Town Council Liaison:** Adam Griffiths was not present.

**IX. Adjournment**

**MOTION #8 (05.06.19):** made by Ms. Dubofsky-Porter **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses Commission adjourn at 8:35 p.m.

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIED**

Respectfully submitted,  
Sherry Pollard  
IWWC Recording Secretary