

TOWN OF KILLINGLY

INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)

Killingly Town Hall
172 Main Street
Danielson, CT

REGULAR MEETING MINUTES

Monday, April 1, 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. March 4, 2019 Regular Meeting:

MOTION #1 (04.01.19): made by Mr. Galton **SECONDED BY** Mr. Ruhlemann that the Inland Wetland and Watercourses Commission approve the March 4, 2019 Regular Meeting Minutes as amended:

1) Unfinished Business - remove "None" and 2) Adjournment – corrected spelling Ms. "Torey"

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, was present to represent the applicant. He noted, this sub-division was previously approved in 2014 but was never built. There are no wetland crossings or any direct wetlands impacts on site. This application is essentially a "complete re-design" of that submittal.

Attorney Heller reviewed the extensive storm water management plan and associated construction activities of the sub-division. There was also discussion on the newly proposed location of the access drive and receipt of an easement associated to the southerly side of Ballouville Road. It was noted site grading activities is within 54' of wetlands and/or watercourses.

IWWC COMMENTS: Sandy Eggers noted the commission is concerned with the proposed storm water and drainage plan with respect to water discharge including proposed rain gardens. There is concern that wetlands located very close to the abutting property line of this property may be directly impacted by construction/grading activities associated to this 51 lot sub-division. Commission members raised concerns about the use of multiple rain gardens as a means of acceptable water discharge management. It was noted, rain gardens must be maintained by the property owner in order for the gardens to be efficient. Commission members are also concerned with drainage calculations as submitted this evening. It was noted, rain gardens on private property must be recorded in the deed for such property. It appears calculations are not inclusive of details surrounding proposed multiple rain gardens. Additionally, submitted plans do not show adequate drainage calculations. The applicant has not provided an adequate professional soil scientist summary report or a letter from the Department of Energy & Environmental Protection indicated they have been notified of this proposed application and associated activities.

MOTION #2 (04.01.19): made by Mr. Galton **SECONDED BY** Ms. Torey that the Inland Wetland and Watercourses table Application #19-1460 to the next regularly scheduled meeting
VOICE VOTE: UNANIMOUS; MOTION CARRIED

V. New Business:

- A. **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 review of site plans associated to this application. Discussion included, but was not limited to, specifics of the dog kennel activities. There was a question as to whether the 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.

MOTION #3 (04.01.19): made by Fred Ruhlemann **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses table Application #19-1461 to the next regular meeting
VOICE VOTE: UNANIMOUS; MOTION CARRIED

- B. **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 gave a presentation on proposed activities and referenced the site plan. It was noted, the Department of Energy & Environmental Protection [DEEP] will closely monitor this project with respect to the removal of contaminated soils and capping of the disturbed area, erosion and sedimentation controls, stockpile controls, and specifics of restoration materials. A de-watering permit will be obtained from DEEP prior to the commencement of diverting water flow in an efficient manner. The overall erosion and sedimentation plan was reviewed.

MOTION #4 (04.01.19): made by Fred Ruhlemann **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses table Application #19-1462 to the next regular meeting without a site walk or public hearing

VOICE VOTE: UNANIMOUS; MOTION CARRIED

- C. **Application #19-1463:** Albert & Alice Minarik for show case hearing (cease and desist Order – Section 13.3a); Located at 399 Hartford Pike; GIS Map 107; Lot 9; 0.14 Acres; Low Density Zone.

TOWN STAFF COMMENTS: Mr. Blake reviewed the history of issues with this property and noted there have been many instances of improper dumping into a watercourse and blight issues. The Town of Killingly has sent an enforcement letters asking the property owner to cease dumping near a watercourse and to clean-up the property.

MOTION #5 (04.01.19): made by Mrs. Dubofsky-Porter **SECONDED BY** Ms. Torrey that the Inland Wetland and Watercourses Commission uphold the cease and desist order
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:

STAFF REVIEW: Town Staff will communicate with the applicant and engineer to discuss all materials that must be submitted with this application. Mr. Blake noted that a letter submitted for this application signed by a professional soil scientist does not provide a summary of wetlands impact or information on wetland functions and values associated to this application. There is a letter but it only indicates there was delineation on this property.

MOTION #6 (04.01.19): made by Mr. Galton **SECONDED BY** Ms. Torrey that the Inland Wetland and Watercourses table Application #19-1464 to a site walk scheduled for May 2nd, 5:30 p.m.
VOICE VOTE: UNANIMOUS; MOTION CARRIED

VI. Correspondence to the Commission:

- Notification of Application Submission to Town of Putnam for Putnam Ash Residue Landfill, Development of Phases 7 through 11, From Donald W. Musial, P.E. General Manager, Wheelebrator, dated March 21, 2019: Town Staff will review the contents of this correspondence.

VII. Other:

A. Appointment of Authorized Agents

MOTION #7 (04.08.19): made by Mr. Ruhlemann **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses appoint Jonathan Blake, Zoning Enforcement Officer, and Ann-Marie Aubrey, Director of Planning & Development, as authorized agents for the Commission
VOICE VOTE: UNANIMOUS; MOTION CARRIED

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

IX. Adjournment

MOTION #8 (04.01.19): made by Mr. Ruhlemann **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses Commission adjourn at 9:12 p.m.
VOICE VOTE: UNANIMOUS; MOTION CARRIED

Respectfully submitted,
Sherry Pollard
IWWC Recording Secretary