



TOWN OF KILLINGLY
INLAND WETLANDS AND WATERCOURSES COMMISSION

Monday, August 7, 2023

Regular Meeting – Hybrid
7:00 PM

Second Floor – Town Meeting Room
Killingly Town Hall
172 Main Street
Killingly, CT

Elysebeth M. Sullivan

2023 AUG -4 AM 11: 23

RECEIVED
TOWN CLERK KILLINGLY, CT

AGENDA

The public can also view this meeting on Facebook Live.

Go to www.killinglyct.gov and click on Facebook Live at the bottom of the page

- I. CALL TO ORDER
- II. ROLL CALL
- III. ADOPTION OF MINUTES – (Review/Discussion/Action)
 - A. July 10, 2023, Regular Meeting
 - B. May 01, 2023, Regular Meeting
- IV. CITIZENS’ PARTICIPATION – Public comment can be emailed to publiccomment@killinglyct.gov or mailed to Town of Killingly, 172 Main Street, Killingly, CT 06239 on or before the meeting. All public comment received prior to the meeting will be posted on the Town’s website www.killinglyct.gov.
- V. Unfinished Business: – (Review/Discussion/Action)
 - A. **Application 23-1558 of James & Alma Morey** for demolition of existing seasonal home and construction of new year-round residence; 77 Island Road; Map ID 3791, Alt ID 82-62, ALZOD / Low Density Zone. **Approved May 1, 2023; Revised Site Plan for consideration and action by the Commission.**
- V. **New Business:** (listed in order of receipt) – (Review/Discussion/Action)

If the application is complete the Commission shall decide if a public hearing and/or site walk should be held on each application and continue further action until next month’s meeting. The Commission may also delegate to its duly authorized agent.
- VI. Correspondence to the Commission
- VII. Staff Report
 - A. Authorized Agent Applications
 - 1. **Application 23-1569 of Canterbury Holdings, LLC** for the construction of 32 residential units (16 duplexes) within the 200’ upland review area; 25 Colonial Drive; Map ID 9937, Alt ID 113-29.6, Low Density Zone.
 - B. Monthly Zoning/Wetlands Report
 - C. Other
- IX. Town Council Liaison
- X. Adjournment

TOWN OF KILLINGLY

INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)

**Killingly Town Hall
172 Main Street
Killingly CT**

RECEIVED
TOWN OF KILLINGLY
2023 JUL 18 11:11:00

Eggers

MINUTES

**Special Meeting
Monday, July 10, 2023**

-
- I. Call to Order: Chairperson Eggers called the meeting to order at 7:00 p.m.
- II. Roll Call: **Members Present:** Paul Archer, Chairman Sandy Eggers, Secretary Corina Torrey, Chris McDonald **Member Absent:** Vice Chairman Rodney Galton (with notification)
Also Present: Jonathan Blake, Town Planner/Zoning Enforcement Officer
- III. Adoption of Minutes:
- a. May 1, 2023:
- MOTION #1** made by Paul Archer **SECONDED BY** Chris McDonald that the Inland Wetlands and Watercourses Commission table May 1, 2023 Meeting Minutes - to the next regularly scheduled meeting
VOICE VOTE: UNANIMOUS; MOTION CARRIED
- b. June 6, 2023:
- MOTION #2** made by Corina Torrey **SECONDED BY** Chris McDonald that the Inland Wetlands and Watercourses Commission adopt June 6, 2023 Meeting Minutes – as presented
VOICE VOTE: UNANIMOUS; MOTION CARRIED
- IV. Citizens' Participation: none
- V. Unfinished Business:
- A. Application #23-1567, Dan St. Laurent:** for construction for construction of single-family home with associated grading, septic, well within 200' of upland review area; 39 Shippee Schoolhouse Road; Map ID 9420, Alt ID 208-4; Rural Development
- PRESENTATION / APPLICANT:** Norman Thibeault, Killingly Engineering Associates, was present to represent the applicant. He noted applicant has been advised to apply additional erosion and sedimentation controls due to significant weather/rain storms. In his July 4, 2023 correspondence, Professional Soil Scientist Joe Theroux indicated sedimentation made its way into wetlands prior to initial IWWC preview. It has been decided to not disturb such affected wetlands because it would make the situation worse.
- TOWN STAFF COMMENTS:** Jonathan Blake noted applicant and the Engineering Department have been working together to keep site controlled. Rainstorms have been challenging. David Cappachione, Town Engineer, issued a few minor comments including but not limited to, specifications/sub-base material for driveway are to be added to plans.

MOTION #3 made by Rodney Galton **SECONDED BY** Paul Archer, that the Inland Wetland and Watercourses Commission approve Application #23-1567, Dan St. Laurent - with the following condition:

1. Applicant is to adhere to remaining Staff comments and requirements

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

VI. New Business:

- A. Application #22-1568, Dubois Forestry**, Jurisdictional Ruling: Notification of timber harvest, including forest road maintenance / hardening; 75 Bear Hill Road; Map ID 9988; Alt ID 120-16.1, Rural Development / Low Density Zones

TOWN STAFF: Jonathan Blake indicated this application is subject to USDA/Forestry/Wildlife & Management. There is a pre-existing cross/culvert on the forestry road that is functioning but needs replacement with 10 to 12" pipes. Work will be done in wetlands for road maintenance/hardening. Jurisdictional ruling applies to forestry activities associated to this project.

MOTION #4 made by Paul Archer **SECONDED BY** Corina Torrey that the Inland Wetland and Watercourses Commission affirms Application #22-1568, Dubois Forestry

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

VII. Correspondence to the Commission:

- Under DEEP control/application - Quinn's Dam was breached

VIII. Staff Report: Authorized Agent Applications: Noted above.

IX. Town Council Liaison: None

X. Adjournment

MOTION #5 made by Corina Torrey **SECONDED BY** Paul Archer that the Inland Wetland and Watercourses Commission adjourn meeting at 7:42 pm

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

Respectfully submitted
Sherry Pollard
IWWC Recording Secretary

TOWN OF KILLINGLY
INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)

Killingly Town Hall
172 Main Street
Danielson, CT
MINUTES

Regular Meeting
Monday, May 1, 2023, following site walk

RECEIVED
TOWN CLERK, KILLINGLY, CT

2023 JUN 13 PM 3:11

Elizabeth M. Wilson

- I. Call to Order: Chairperson Eggers called the meeting to order at 6:00 p.m.
- II. Roll Call: **Members Present:** Paul Archer, Chairman Sandy Eggers, Vice Chairman Rodney Galton, Secretary Corina Torrey, Chris McDonald. **Also Present:** Jonathan Blake, Town Planner/Zoning Enforcement Officer, Allison Brady Assistant Planner / Natural Resource Officer
- III. Adoption of Minutes: April 3, 2023 Special Meeting & April 8, 2023 Regular Meeting:

MOTION #1 made by Rodney Galton **SECONDED BY** Chris McDonald that the Inland Wetlands and Watercourses Commission approve April 3, 2023 Special Meeting (Site Walk) Minutes as amended: Corrected Spelling Chris McDonald

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

MOTION #2 made by Rodney Galton **SECONDED BY** Chris McDonald that the Inland Wetlands and Watercourses Commission approve April 3, 2023 Regular Meeting Minutes as amended: Corrected Spelling Chris McDonald

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

IV. Citizens' Participation: none

V. Unfinished Business:

A. Application #23-1557, American Retaining Walls LLC, for construction of single-family home with associated grading, septic, well and multiple wetlands crossings; 210 Snake Meadow Road; Map ID 9627, Alt ID 246-2 & 246-11; Rural Development Zone

PRESENTATION / APPLICANT: Norman Thibeault, Killingly Engineering Associates, was present to represent applicant. He reviewed the professional soil scientist report written by Joseph Theroux in detail. Additionally, he reviewed and responded to comments in peer review report written by Killingly Town Engineer, Dave Capacchione. Mr. Thibeault noted additional review is necessary with Mr. Capacchione regarding bridge construction. There are no impact to wetlands as a result of bridge construction and abutments are outside wetlands. Bridge is basically dropped into place. CT DOT approval has been obtained and submitted into the record for driveway location.

IWWC COMMENTS / CONCERNS: There are concerns regarding bridge design, installation and placement. Town Staff will be keep a close eye on construction and placement. Fire Marshal will need to review bridge specifications.

MOTION #3 made by Rodney Galton **SECONDED BY** Corina Torrey that the Inland Wetland and Watercourses Commission continue **Application #23-1557**, American Retaining Walls LLC, with the following conditions:

- narrative about wetlands restoration area/litigation area as noted by the soil scientist be added to plans and that there be consideration of the 100 year flood elevation level association to bridge construction

- wetlands flags are to be appropriately posted
- drainage calculations are to be submitted
- further discussion to take place with Town Engineer Dave Capacchione regarding bridge construction

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

- B. Application #23-1558**, James & Alma Morey for demolition of existing seasonal home and construction of new year-round residence; 77 Island Road; Map ID 3791, Alt ID 82-62, ALZOD / Low Density Zone:

PRESENTATION / APPLICANT: Norman Thibeault, Killingly Engineering Associates, was present to represent the applicant. Mr. Thibeault reviewed and responded to all comments in peer review report written by Killingly Town Engineer, Dave Capacchione, Mr. Thibeault noted wall is showing a high water mark.

MOTION #4 made by Rodney Galton **SECONDED BY** Corina Torrey that the Inland Wetland and Watercourses Commission approve **Application #23-1558**, James & Alma with the following conditions: 1) Elevations tie into high water mark; 2) Staff to approve location of underground propane tank; 3) Add sanitary detail specified by David Cappachione

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

VI. New Business:

- A. Application #22-1560**, Kurt & Kristopher Meyer for show cause hearing (Cease & Desist Order:

PRESENTATION / APPLICANT: Kurt and Kristopher Meyer's were present and discussed details about activity on this site and property layout.

TOWN STAFF COMMENTS: Jonathan Blake explained a recent accidental fire occurred on this property. It then came to the attention of Town Staff there is a large amount of burnt debri and general debri in close proximity to a local brook. Additionally, in 2004 the property owner was involved with dumping wood chips and fill in upland review area. In 2019 the property owner was involved with dumping wood chips and "other" unwanted debri within the upland review area. Photos of the property were submitted for review. These activities violate IWWC regulations. A Cease & Desist letter and a violation letter were sent to property owner in April 2023.

IWWC/COMMENTS: Rodney Galton and IWWC asked the applicant to provide a complete wetlands delineation report from a professional soil scientist to the Commission.

MOTION #5 made by Rodney Galton **SECONDED BY** Paul Archer that the Inland Wetland and Watercourses Commission modify **Application #22-1560**, Kurt & Kristopher Meyer for show cause hearing (Cease & Desist Order – per Section 13.3(a)); 64 & 80 Mashentuck Road; Map ID 3684 & 3683, Alt ID 183-13 & 183-13.1; Rural Development Zone – in that Cease & Desist order stands with the following conditions: 1) Prior to compliance to IWWC Regulations property must be cleaned-up of unsightly debris; 2) Wetlands delineation report written by a Certified Professional Soil Scientist is required to be submitted to the Commission

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

- B. Application #22-1561**, Corina Torrey for jurisdictional ruling, notification of invasive species management. Property owner is working with USDA on small forest stand improvement project. Invasive species have been located within the limits and there is hope to eradicate infestations to return area to more native community and improve overall forest health.

Corina Torey recused herself from this application.

PRESENTATION / APPLICANT: Full application, mapping, and details on the process of invasive species removal/management have been provided.

TOWN STAFF COMMENTS: Jonathan Blake believes this is a Jurisdictional Ruling as an "as-of-right activity". No activity will fill in or remove fill in wetlands. Mr. Blake has been in contact with the USDA and has reviewed proposed pesticide treatment plan in detail.

IWWC / COMMENTS: Rodney Galton and the Commission are concerned with areas referred to as "creating small patch cuts". Mr. Blake responded this approach is for animal control and forest improvements only. The Commission asked for clarification on activities related to "tree stumping". Mr. Blake explained pulling stumps is considered a regulated activity while cutting/grinding stumps is a non-regulated activity.

At his point, the applicant *clarified* the current application is only for "treatment activities". Activities associated to tree removal will be submitted to the Commission at a later date.

MOTION #6 made by Rodney Galton **SECONDED BY** Paul Archer that the Inland Wetland and Watercourses Commission approve **Application #22-1561**, Corina Torrey for jurisdictional ruling, notification of invasive species management; 325 Cranberry Bog Rd; Map ID 1073, Alt ID 193-6; Rural Development Zone as an "as-of-right" activity

VOICE VOTE: 4:0:1 In favor: Paul Archer, Chairman Sandy Eggers, Vice Chairman Rodney Galton, Chris McDonald

Abstention: Corina Torrey

MOTION CARRIED

- C. Application #22-1562**, Douglas Cutler for jurisdictional ruling, notification of timber harvest:

TOWN STAFF COMMENTS: Plans were submitted for review. Jonathan Blake noted there are significant topography changes not shown on plans. There are trails, old wells, foundations, and roads on property. There is also a vernal pool. There will be no cutting within 100 feet of wetlands.

MOTION #7 made by Rodney Galton **SECONDED BY** Paul Archer that the Inland Wetland and Watercourses Commission approve **Application #22-1562**, Douglas Cutler for jurisdictional ruling, notification of timber harvest, 95 cords; 190 Cutler Rd.: Map ID 1346, Alt ID 5-5; Rural Development Zone

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

VII. Correspondence to the Commission: None.

VIII. Staff Report:

- a. Authorized Agent Applications: Reviewed above
- b. Monthly Zoning / Wetlands Report: N/A
- c. Other: N/A

IX. Town Council Liaison:

X. Adjournment

MOTION #8 made by Rodney Galton **SECONDED BY** Paul Archer that the Inland Wetland and Watercourses Commission adjourn meeting at 7:45 pm

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

Respectfully submitted
Sherry Pollard
IWWC Recording Secretary

Property within 500' of adjoining Town boundary? _____
If so, which town(s)? _____
Date the notice was sent by KIWWC to town clerk of adjoining municipality(ies) _____
Receipt date of copy of Applicants notice to adjoining municipality _____

Zoning Permit Reference #: _____
Date of Staff Authorization: _____
Date of legal notice to be published _____
Appeal period ending: _____

KILLINGLY INLAND WETLAND AND WATERCOURSES COMMISSION
AGENT APPROVAL APPLICATION

A \$150.00 base fee plus a \$60.00 State fee must accompany each application (**Total fee: \$210.00**). **ALL FEES AND ADVERTISING COSTS ARE NON-REFUNDABLE.** Checks or Money orders should be made payable to the Town of Killingly.

TO BE COMPLETED BY THE APPLICANT - PLEASE PRINT:

Applicant's Name: Canterbury Holdings, LLC
Daytime Phone: 860-982-2686 Evening Phone: 860-982-2686
Mailing Address: 18 Gavin Way, Lisbon, CT 06351
Owner of Record: Upper Maple, LLC Mailing Address: 105 Center Street, Thompson, CT 06277
Applicants interest in the Project (if not the property owner): developer
Authorization from property owner: yes - see Special Permit Application

LOCATION OF THE PROPERTY/PROJECT:

House # and Street: 25 Colonial Drive
Tax Map #: 113 Block: 29 Lot: 6
Zoning District: LD Lot Size: 6.57 Ac. Lot Frontage: 363'

DESCRIBE THE PROPOSED ACTIVITY: (applicant must attach a scale drawing of the proposed activity showing north arrow, property boundaries, location of activity in relation to wetland/watercourse as well as steps to be taken to avoid any impacts to the wetlands and/or watercourses.)

See attached drawings
No wetlands on site

The applicant understands that this application is to be considered complete only when all information and documents required by the Agent have been submitted. The undersigned warrants the truth of all statements contained herein and all supporting documents according to the best of his/her knowledge and belief. Permission is granted to the Town of Killingly and applicable agent(s) to walk the land at reasonable times and perform those tests necessary to properly review the application, both before and after the approval is granted/issued.

Applicant's Signature: see Special Permit Date: _____
Owner of Record: see Special Permit Date: _____

Reason for Agent approval: _____ DEP form completed: _____

Conditions attached to approval: _____

Authorized Agent Signature: _____ Date: _____