



# Inland Wetlands and Watercourses Agency

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## REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, June 13<sup>th</sup>, 2024 at 7:00 PM

This meeting was held remotely, via ZOOM.

**CALL TO ORDER:** Meeting called to order at 7:00 pm by Chairman Bassermann

**ROLL CALL:** Chairman P. Bassermann, Commissioners M. Ormrod, C. Begemann, M. Papantones, D. Goclowski, J. Meinsen (arrived 8:28 pm)

### 1) **MINUTES FOR APPROVAL:**

- a) May 23<sup>rd</sup>, 2024 Regular Meeting Minutes-Commissioner C. Begemann made a motion to approve the minutes of May 23. Commissioner M. Papantones seconded. Motion carried unanimously.

### 2) **PUBLIC HEARINGS:**

- a) IW#24.02.02 | 1-17 Beacon Hill Road and Beacon Hill Road (formerly part of property known as 83 Rose Hill Rd) | New Active Adult Residential Community
  - i) POSTPONED rescheduled from June 13<sup>th</sup>, to be opened June 27<sup>th</sup>, 2024.-IW Agent J. Frederick informed the commission that due to the applicant not meeting the noticing requirements for the public hearing, the opening of the public hearing had to be pushed back to the June 27 meeting.

### 3) **ENFORCEMENT:**

- a) Notice of Violation | 38 Howard Ave | retaining wall & associated activities [discussed with item b below]
- b) Consider whether to issue cease and correct orders relative to Regulated Activity conducted without a permit at 34 Howard Ave and 38 Howard Ave (activity subject to notice of violation sent on April 24<sup>th</sup>, 2023) -Chairman P. Bassermann reviewed the history and the general considerations for issuing a Cease and Correct order. J. Frederick reiterated that a Cease and Correct Order was a means for the commission to be able to ensure that the required work is completed. Chairman P. Bassermann made a motion to lift the Notice of Violation issued on April 24, 2023, and issue a Cease and Correct order for 38 Howard Avenue [Not to include 34 Howard Ave] with a deadline of Sept 30 of 2024 to comply with the order. Commissioner D. Goclowski seconded. Commissioner M. Papantones questioned the timeline of the order and noted concern that since the Court must approve any activity, that September 30 won't be a realistic timeline. Chairman P. Bassermann did not think that was a concern for the commission. Roll Call Vote:

D. Goclowski-aye

C. Begemann-aye

M. Ormrod-aye

M. Papantones-aye

P. Bassermann-aye

Motion Carries unanimously

4) **APPLICATIONS FOR REVIEW:**

a) IW#24.04.01 | 200-206 North Main St | New Service Building for Premier Kia- Engineer Mike Ott presented for the applicant. The plans have been modified slightly in the location of the subsurface infiltration systems. The fill that is currently onsite where the infiltrators are going to be located will be excavated and replaced with suitable fill per recommended stormwater guidelines. The location of the subsurface infiltration system was moved in order to achieve the recommended set back from the watercourse which is a new recommendation; there was no recommended set back from the watercourse to the infiltration system previously. There will also be permanent turf reinforcement mats at overflow to prevent erosion. Commissioner C. Begemann made a motion to approve the application with the conditions in the staff report prepared for the June 13 meeting, along with standard conditions and general provisions of all permit. Commissioner D. Goclowski seconded. Roll Call Vote:

M. Ormrod-aye

M. Papantones-aye

C. Begemann-aye

D. Goclowski-aye

P. Bassermann-aye

Motion carried unanimously.

b) IW#24.03.03 | 22 Howard Avenue | replacement of crumbling retaining wall- applicant Kurt Troidle made the recommended revisions to the plan, including indicating the location of the watercourse, the stockpile location and the current retaining wall's deconstruction plan. IW Agent J. Frederick indicated that it is approximately 50 feet from the end of the wall to the wetlands. Approval was received from the neighbors at 2 Rustic Rd to access the retaining wall from their property. Erosion control measures will also have to be placed on the property at 2 Rustic Rd which the property owner also consented to. The owner of 2 Rustic Rd (Sarah Suitor) stated she was in favor of the application for the wall, but was concerned about the flooding she has in the backyard and the neighborhood in general. IW Agent J. Frederick recommended she reach out to the engineering department regarding that any flooding that may be related to the town drainage system. Commissioner C. Begemann made a motion to approve the application with the recommended conditions stated in the staff report dated for the June 13 meeting, along with the standard conditions and general provisions of all permits.

Commissioner M. Ormrod seconded. Roll Call Vote:

D. Goclowski-aye

M. Papantones-aye

M. Ormrod-aye

C. Begemann-aye

P. Bassermann-aye

Motion carried unanimously.

[Commissioner J. Meinsen joined the meeting at 8:28 pm and was seated.]

c) IW#24.04.03 | 4 Liesl Lane | site improvements due to change in use-IW Agent J. Frederick gave an overview to the commission of the project. Its former use was automobile sales and service. The proposed new use is a rental car facility. Engineer

for the applicant John Paul Garcia, PE went over the proposed site plan. Site Currently has a drainage swale on the south and east portion of the site.. Commission considered the stormwater calculations based on 2004 Stormwater Manual vs. the 2023 (using 1” vs 1.3”). Since this project is a redevelopment and not a new project, and the calculation used is what is in the current regulation, the commission accepted the calculations. Commissioner C. Begemann made a motion to approve the application with the conditions proposed in the staff report for the June 13 meeting, with the addition of 2 conditions: 4) paper copies are to be submitted from the June 12 submission and 5) Elevations are to be shown on revised plans, along with the standard conditions and general provisions of all permits. Commissioner D. Gocłowski seconded the motion. Roll Call Vote:

D. Gocłowski-aye

J. Meinsen-aye

C. Begemann-aye

M. Ormrod-aye

M. Papantones-aye

P. Bassermann-aye

Motion carried unanimously.

- d) IW#24.05.01 | 1201 West Main St | Construct proposed 1850 sf drive thru oil change facility including parking and storm drainage system-IW Agent J. Frederick gave a brief overview of the site. Wetlands are located off site of the property, but is within the 100 foot upland review area. Engineer Timothy Houle, PE from BL companies went into more detail about the site and proposed plan. Stormwater was calculated using 2004 Stormwater guidelines. Erosion controls include silt fences backed with haybales, silt socks, inlet protections, anti tracking pad, concrete wash off area. Site was previously a residential property. Commission requested that the applicant submit test pit results and infiltration prior to the next commission meeting to address retention requirements.

**5) ENFORCEMENT cont’d:**

- a) Notice of Violation | 142 Chestnut Street | removal of vegetation and earthwork without a permit to conduct regulated activities- Matt Davidson, Soil Scientist was present for the applicant and presented his findings to the commission, along with his mitigation plan, dated June 9, 2024.

Chairman P. Basserman made a motion to add a discussion of issuance of a Cease and Correct order to the agenda. Commissioner M. Papantones seconded. Motion Carried unanimously. Discussed with notice of violation.

Chairman P. Bassermann felt it was appropriate to issue a Cease and Correct Order for this property, as there are a lot of moving parts and a lot going on that the commission doesn’t want to lose track of. IW Agent J. Frederick indicted that there was the history of the site that needs to be considered, and there have been some improvements, however they are improvements that should have been reviewed. Matt Davidson thinks the spreading of gravel would be the biggest part of the project, and planting should be reserved for fall at this point. Chairman P. Bassermann makes a motion to issue a Cease and Correct order with a Just Cause hearing to be held on June 27<sup>th</sup>. Commissioner D. Gocłowski seconded. Motion carried unanimously.

**6) OTHER BUSINESS: n/a**

- 7) **APPLICATIONS FOR RECEIPT:** none at time of filing
- 8) **AGENT REVIEWS:**
  - a) IW#24.03.01 | 72 Parish Farm Road & 10 High Meadow Road | Grading and New Barn
    - i) Possible agent review per March 14<sup>th</sup> meeting pending revised plans -no discussion
  - b) IW#24.06.01 | 6 Hampton Park | deck replacement and new footings
    - i) Approved-no discussion
- 9) **CORRESPONDENCE AND ANNOUNCEMENTS:** None
- 10) **ADJOURNMENT:** Chairman Bassermann adjourned the meeting at 10:17 pm.

Respectfully Submitted,

Katy Blanchette  
IW Associate