



# TOWN OF ELLINGTON

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**INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
MAY 14, 2018 7:00 PM  
TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

**PRESENT:** Chairman Ken Braga, Jean Burns, Art Aube and Steve Hoffman

**ABSENT:** Vice Chairman Ron Brown, Hocine Baouche and Mary Beth O'Neill

**STAFF**

**PRESENT:** John Colonese, Assistant Town Planner/Wetlands Enforcement Officer and Barbra Galovich, Recording Clerk

**I. CALL TO ORDER:**

Chairman Ken Braga called the May 14, 2018 regular meeting of the Ellington Inland Wetlands Agency to order at 7:00 PM in the Town Hall Annex, 57 Main Street, Ellington, CT.

**II. PUBLIC COMMENTS (ON NON AGENDA ITEMS):** None

**III. PUBLIC HEARING (READING OF LEGAL NOTICE):**

1. IW201806 – Charles Eastwood, owner/applicant request for a permit to conduct regulated activity for the construction of a road, retaining wall, culvert, and associated improvements to access a future subdivision of approximately 13 lots on property located at 217 Jobs Hill Road, APN 120-001-0000.

**TIME:** 7:02 PM

**SEATED:** Chairman Ken Braga, Jean Burns, Art Aube and Steve Hoffman

Chairman Ken Braga stated he was not at the April meeting but has listened to the recording of the meeting and will be seated for the hearing. He advised the agency members that this application is complicated and the applicant needs to submit a conditional approval from this agency to the U.S. Army Corps of Engineers (USACE). He suggested to approve the application conditionally noting the applicant may not start any construction until the agency has reviewed a USACE approval.

Eric Peterson of Gardner & Peterson Assoc., LLC, 178 Hartford Turnpike, Tolland, CT, Charles Eastwood, 617 Foster Street, South Windsor, CT and John Ianni, of Highland Soils, LLC, 103 School St., Coventry, CT were present to represent the application.

Mr. Ianni stated that mitigation will need to occur on site, and the applicant will need to submit detailed mitigation plans for final approval for the whole site to the Wetlands Agency.

James Long, 175 Jobs Hill Road, asked if the USACE looks at any of the abutting properties. Mr. Ianni stated they only look at the parcel in question. He explained the USACE requires review of a property along with a site visit if there is over 5,000 s.f. of proposed wetlands disturbance. He stated he mapped the wetlands on the subject property only.

John Colonese, Assistant Town Planner/Wetlands Enforcement Officer, stated that the plans are available for review tonight if Mr. Long has any questions. He added that Mr. Long can obtain a copy along with the drainage study in the Planning Office. Mr. Colonese mentioned that North Central District Health Department has not witnessed any soil tests for the proposed septic systems for the proposed new lots. Mr. Peterson noted that this would be conducted after the USACE issued an approval. Mr. Colonese stated since it has been deemed a significant activity by the agency, they will have to find there is no feasible and prudent alternative to the activity and state such in any approving motion.

Mr. Peterson explained that upon approval of the USACE, they will most likely need to submit revised plans to the agency for approval as they anticipate making changes to the plan required by the USACE.

**MOVED (BURNS) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS IW201806** – Charles Eastwood, owner/applicant request for a permit to conduct regulated activity for the construction of a road, retaining wall, culvert, and associated improvements to access a future subdivision of approximately 13 lots on property located at 217 Jobs Hill Road, APN 120-001-0000. **A FEASIBLE AND PRUDENT ALTERNATIVE DOES NOT EXIST AS THIS IS THE BEST LOCATION TO ACCESS THE FUTURE SUBDIVISION DUE TO THE LOCATION OF BAHLERS BROOK AND ADDITIONAL WETLANDS ON THE PROPERTY. THE ENVIRONMENTAL IMPACT TO THE WETLANDS WILL BE LESSENERED BY NARROWING THE WIDTH OF THE ROAD WITH THE USE OF A RETAINING WALL, CROSSING THE WETLANDS AT THE NARROWEST POINT, AND THE USE OF EROSION AND SEDIMENTATION CONTROL MEASURES AS SET OUT IN THE APPLICATION.**

**Conditions:**

1. Applicant must return to the Inland Wetlands Agency for approval of the final details on mitigation measures prior to the start of construction in accordance with Wetland Mitigation Report, Eastwood Subdivision, Jobs Hill Road Ellington, Connecticut prepared by John Ianni, Professional Soil Scientist, dated 4/19/2018.
  2. Applicant must return to the Inland Wetlands Agency for final wetlands permit approval prior to the start of construction after approval is granted by the U. S. Army Corps of Engineers.
2. IW201807 – Roger E. Moser, owner / Big Y Foods, Inc., applicant request for a permit to conduct regulated activity for the construction of commercial buildings, a fueling facility, paved parking areas and access drives, utilities, storm water management facilities, and associated site improvements on property located on West Road on the west side of Route 83, APN 046-001-0000.

**TIME: 7:14 PM**

**SEATED:** Chairman Ken Braga, Jean Burns, Art Aube and Steve Hoffman

Guy Hesketh of Hesketh and Associates, 3 Creamery Brook, East Granby, CT, John Ianni, of Highland Soils, LLC, 103 School St., Coventry, CT, Roger Moser, 17 Hayes Ave., Ellington, CT, and Attorney Bruce Fader, 70 West Road, were present to represent the application.

Mr. Hesketh stated changes have been made to the plans since their last meeting, with a revision date of April 20, 2018. The Big Y Corporation has requested changes to the plan, changing the storage building to a retail building. The proposed activity within the upland review area has been slightly modified in order to create a larger water quality basin. The Storm Water Management Report has been revised in accordance to the Town Engineer's comments. A storm drain collection system is proposed to handle runoff from all paved portions of the development. The storm drain system will consist of catch basins, manholes, culverts and flared-end outlets. The system will discharge into the proposed water quality basin that will be constructed on the west end of the parcel.

Mr. Ianni stated he was on the site in September of 2017 after the corn had been harvested for the season. The cornfields have wetland soils and the fill material that was previously brought onto the site from another project was not placed near the wetland boundaries.

Commissioner Hoffman inquired about the fill material location. Mr. Hesketh showed the location with the elevations on the plan. He stated a vertical geotechnical report was completed for the proposed foundations of the structures which includes soil borings 12 feet down.

Mr. Hesketh reviewed the flow of water on the parcel and how the water will discharge into the water quality basin located at the back portion of the site. The design of the basin was based on a 50 year storm and the basin will be maintained bi-annually. The access drive around the basin will be gravel. Commissioner Aube asked how any petroleum spills would be handled. Mr. Hesketh explained the containers will be located underground furthest from the upland review area on the site. He described how the tanks and pumps operate as well as tank and vehicle filling with regard to alleviating spills. The monitoring of the tanks must be reported to Department of Energy & Environmental Protection (DEEP), and they are directed by DEEP and state regulations on how to construct and maintain the pumps and tanks.

Commissioner Hoffman asked about the storm drains from the buildings. Mr. Hesketh said they will be installing roof leaders, which will flow into the catch basins and then the water quality basin. Commissioner Hoffman asked Mr. Ianni to review his method for testing wetland soils. Mr. Ianni replied the minimum depth tested is 20" and they look at the soil layers of color.

Leonard Blotniski, 32 Stein Road, asked how the project will affect the wildlife and expressed concern about the salt that is applied to the asphalt within the parking lots. He also doesn't want to see all the farmland disappear and become commercialized.

Commissioner Hoffman asked how the applicant would handle the situation regarding salt application. Mr. Hesketh stated they would use the minimal amount of salt on the property in order to maintain safety. Most contractors try to use a sand/salt mixture. Attorney Bruce Fader, representing the property owner, Roger Moser, said the CT Department of Transportation applies more salt along Route 83 than a contractor would on a private site.

John Colonese, Assistant Town Planner/Wetlands Enforcement Officer, read the following department staff comments:

- Water Pollution Control Authority: Detailed plans are needed for connection to existing sanitary sewer. Property will be assessed on commercial assessment calculations. Fats, Oil and Grease permit may be required depending on how the Health Department classifies the Food Service Facilities.
- Health Department: Will need to review proposals and building plans prior to construction as they relate to Food Service Facilities and the related facilities (ex. trash storage).

Commissioner Hoffman asked what utilities will be provided on site. Mr. Hesketh stated there will be connections to public water and sewer. The Water Pollution Control Authority can accommodate the capacity being requested.

Ben Moser, 6 Windermere Village Road, Ellington, CT stated he has been working with the Big Y family for over 40 years and they have assured the property owner that they will do what is right. He added that we should be pleased to have them in town.

**MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW201807 AS THE PLAN AVOIDS DIRECT PERMANENT WETLAND IMPACT.**

**MOVED (BURNS) SECONDED (HOFFMAN) AND PASSED (ABSTENTION: AUBE) TO APPROVE WITH CONDITIONS IW201807** – Roger E. Moser, owner / Big Y Foods, Inc., applicant request for a permit to conduct regulated activity for the construction of commercial buildings, a fueling facility, paved parking areas and access drives, utilities, storm water management facilities, and associated site improvements on property located on West Road on the west side of Route 83, APN 046-001-0000.

**Conditions:**

1. Approval based on plans prepared for Big Y, West Road, Ellington, Connecticut. Prepared by: F.A. Hesketh & Associates, Inc., 3 Creamery Brook, East Granby, CT 06026; Sheets 1 through 14; Dated 04/6/2018, Revised 04/20/2018; Job No. 18108.
2. Plans to be revised to address comments in Town Engineer email dated 5/12/18.
3. IW201808 – John Luginbuhl, owner / S & S Wall Systems LLC, applicant request for a permit to conduct regulated activity for the construction of a 300' x 80' industrial building, parking, stormwater management facilities, and associated improvements on property located at 44 Lower Butcher Road, APN 018-017-0000.

Chairman Braga asked the agency for a motion to table this application, due to the application currently being incomplete.

**MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO TABLE THE OPENING OF THE PUBLIC HEARING TO JUNE 11, 2018 FOR IW201808** – John Luginbuhl, owner / S & S Wall Systems LLC, applicant request for a permit to conduct regulated activity for the construction of a 300' x 80' industrial building, parking, storm water management facilities, and associated improvements on property located at 44 Lower Butcher Road, APN 018-017-0000.

#### IV. NEW BUSINESS:

1. Christina Champeau, owner/applicant request for delegation of authority to wetlands agent to review permit application for the construction of an addition with attached garage to an existing home on property located at 84 Windermere Ave, APN 018-023-0000 within an Industrial Park zone.

Chairman Braga stated the activity is approximately 80 feet from the wetland and asked the agency to vote on delegating authority to the Wetlands Agent for review.

**BY CONSENSUS, THE COMMISSION AGREED TO DELEGATE AUTHORITY TO WETLANDS AGENT ON THE APPLICATION FOR CONSTRUCTION OF AN ADDITION WITH ATTACHED GARAGE TO AN EXISTING HOME ON PROPERTY LOCATED AT 84 WINDERMERE AVE.**

2. **BY CONSENSUS, THE COMMISSION ADDED TO THE AGENDA AND RECEIVED FOR THE NEXT REGULAR MEETING ON JUNE 11, 2018, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT IW201809** – CM & Sons Home Construction LLC, owner/applicant request for a permit to conduct regulated activity for the construction of a single family home with driveway and associated site improvements on property located at Sandy Beach Road, APNs 131-011-0000 and 151-009-0000.

#### V. ADMINISTRATIVE BUSINESS:

1. Approval of the April 9, 2018 Regular Meeting Minutes.

**MOVED (BURNS) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE APRIL 9, 2018 REGULAR MEETING MINUTES AS WRITTEN.**

2. Correspondence/Discussion:
  - a. Oakridge Times, April 16, 2018
  - b. The Habitat, Winter/Spring 2018

#### VI. ADJOURNMENT:

**MOVED (HOFFMAN) SECONDED (BURNS) AND PASSED UNANIMOUSLY TO ADJOURN THE MAY 14, 2018 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 8:10 PM.**

Respectfully submitted,

Barbra Galovich, CZET  
Recording Clerk