



TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187

www.ellington-ct.gov

TEL. (860) 870-3120 **TOWN PLANNER'S OFFICE** FAX (860) 870-3122

**INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
OCTOBER 15, 2018 7:00 PM
TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

PRESENT: Chairman Ken Braga, Vice Chairman Ron Brown, Steve Hoffman and Art Aube

ABSENT: Jean Burns and Hocine Baouche

STAFF

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

I. CALL TO ORDER:

Chairman Ken Braga called the October 15, 2018 regular meeting of the Ellington Inland Wetlands Agency to order at 7:04 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. IW201816 – Georgette Carlow, owner / John Ridzon, applicant request for a permit to conduct regulated activity for the demolition of an existing cottage and shed and the construction of a single family home and associated site improvements on property located at 12 West Shore Road, APN 148-078-0000.

TIME: 7:05 PM

SEATED: Chairman Ken Braga, Vice Chairman Ron Brown, Steve Hoffman and Art Aube

Rachel Dearborn, Landmark Surveys, LLC, 62 Lower Butcher Road, Ellington, CT and John Ridzon, 2 Hunters Run, Ellington, CT were present to represent the application.

Ms. Dearborn stated there is an existing cottage and shed on the parcel and her client is looking to demolish the cottage and possibly keep the shed. The wetlands have been flagged and there is a Wetland Delineation Report submitted by George Logan, Registered Soil Scientist, in the file. Ms. Dearborn stated the wetlands flags go along the northern edge of the existing cottage and there may be wetlands disturbance in that area when the cottage is removed. She added the applicant would like to build a house, garage, driveway, and patio mostly on the south side of the parcel. She noted the Connecticut Water Company comments and said they plan to maintain a 25 foot buffer adding plantings and trees within the wetlands and buffer area as well as

constructing a stockade fence 25 feet from the wetlands. The applicant is working with North Central District Health Department (NCDHD) for approval regarding the existing well and grinder pump and the plan for the grinder pump is currently unresolved.

Chairman Braga asked about the demolition process of the cottage that will occur near the wetlands. Ms. Dearborn stated the plan is to keep the excavator on the upland side and pull the debris away from the wetlands area to make sure there is as little disturbance as possible. Georgette Carlow, 9 Private Grounds, Ellington, owner of the property stated she believes the cottage is on cinder blocks. Chairman Braga asked to have silt fence and hay bales installed to the north and west of the property.

Commissioner Hoffman asked if there are any buried oil tanks. Ms. Dearborn stated the only buried item she is aware of is the grinder pump.

Commissioner Brown questioned the location of the low area swale to the north of the cottage. Ms. Dearborn clarified the location of the swale and runoff. Commissioner Brown reiterated the need to be careful during the excavation activity associated with the demolition of the cottage. Mr. Ridzon stated that a mini excavator would be used to remove the cottage. Commissioner Brown asked if there are any locations on the property to relocate the grinder pump in compliance with health department requirements. Ms. Dearborn stated there are other locations to locate the pump should they need to do so.

Michael Richey, 18 West Shore Road, Ellington, CT, informed the commission there is a 108 year old box turtle that lays her eggs in the wetlands behind the property. Mr. Richey believes contamination is coming down the existing driveway on 12 West Shore Road then traveling under the cottage and contaminating his well. He added that the Town puts its road water runoff into a swale and they have no right to empty road water runoff into the well. He also stated his well is less than 75 feet from the ginger pump on 12 West Shore Road. He noted he has been on bottled water for almost two years and said there is 5 feet of silt around the cottage from road runoff on top of the topsoil. He continued, stating there is contamination from the road water being put into his well and his well also has pollution from the sewer line leaking on 12 West Shore Road. Mr. Richey further stated he has concerns about the water continuing to run towards his property after the development of the 12 West Shore Road.

John Colonese, Wetlands Officer, stated concerns about street drainage should be directed to the Department of Public Works and concerns regarding well contamination should be forwarded the NCDHD. Mr. Richey stated he has been to the Department of Public Works as well as the health department. He added that the current proposal will exacerbate the problem. Chairman Braga said he doesn't feel the proposed removal of the cottage, wetlands plantings, and buffer area shown on the plan will exacerbate the problem Mr. Richey is describing.

Cynthia Richey, 18 West Shore Road, Ellington, CT, stated her concerns are protection of the turtle species and the water runoff from the current driveway that flows under the existing cottage. Ms. Richey also said there is a culvert that runs under the street and the water runoff from the street floods their property.

Commissioner Hoffman asked about the sewer lateral connection. Mr. Richey said the Town had to fix the sewer lateral connection to 12 West Shore Road twice. Commissioner Hoffman asked Ms. Dearborn to explain the current water flow on the property. Ms. Dearborn explained how the water runoff from the road culvert runs along the property. She also discussed the swale on the

property that takes street drainage at the existing driveway. Ms. Dearborn stated there will be an increase in impervious coverage on the lot but the increase will be offset by the removal of the cottage and the plan to restore the wetlands. She noted the plan shows wetlands restoration, converting approximately 2,000 square feet of wetlands and 4,000 square feet of upland area of a mowed lawn to an area to be left in its natural state incorporating wetlands plantings and wet seed mix.

Mr. Ridzon stated he wants to keep the turtle habitat and is willing to work to get the road runoff from the culvert issue resolved. Chairman Braga stated the agency would be willing to consider an application from owners proposing to create a swale to send the water to the west of the parcel from the road culvert, but this request is not part of the current application.

Chairman Braga asked if the swale could be continued to the rear of the property so the runoff will travel west to the wetlands instead of north. Ms. Dearborn said the plan could be revised to lengthen the swale and send the runoff to the west of the property.

Commissioner Brown asked if the shed will be in the way of the proposed swale extension. Ms. Dearborn believes the swale could go around the shed and still make it to the west of the property. Commissioner Hoffman believes any contaminants within the cottage should be removed in accordance with town and state regulations when it is demolished.

Mr. Colonese read the following email received from Dana Steele, Town Engineer dated October 15, 2018: "I have reviewed the plan for 12 West Short Rd (IW#201816) by Landmark Surveys, LLC dated 10/11/18. My comments are as follows:

1. Silt fence limits should be relocated outside the buffer area where possible to limit potential disturbance. There does not appear to be any proposed grading beyond contour 514, thus the silt fence could follow this contour with breaks for construction access to shed and cottage removal. A second row of haybales or silt sock could be installed behind the shed and cottage removal areas with minimal encroachment into the wetlands.
2. Note 3 refers to a stockpile detail and location which are not shown on the plans.
3. Notes 6&7 refer to a septic installation which is not shown on the plans.
4. Note 8 should specify a minimum loam (topsoil) depth of 4".

Ms. Dearborn addressed the comments and said they can tighten up the silt fence around the cottage and agreed to make changes to the plan to meet the Town Engineer's comments.

MOVED (BROWN) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO DEEM THE ACTIVITY SIGNIFICANT FOR IW201816.

MOVED (HOFFMAN) SECONDED (BROWN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW201816.

MOVED (HOFFMAN) SECONDED (BROWN) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS IW201816 – Georgette Carlow owner/ John Ridzon, applicant request for a permit to conduct regulated activity for the demolition of an existing cottage and shed and the construction of a single family home and associated site improvements on property located at 12 West Shore Road, APN 148-078-0000 AS A FEASIBLE AND PRUDENT ALTERNATIVE DOES NOT EXIST.

Conditions:

1. Silt fence and hay bales shall be installed then inspected by the Wetlands Agent prior to activity, and remain fully operational until the site is stabilized to prevent soil erosion and sedimentation from entering the wetlands.
2. Subject to Town Engineer's comments received 10/15/18.
3. Subject to North Central District Health Department approval.
4. Subject to Department of Public Works requirements.
5. Subject to Water Pollution Control Authority requirements.
6. "Wet Mix Grass Seed" as shown on plan submitted with application must be a Wetland Seed Mix.
7. Swale as shown on plan submitted with application must be extended to direct water west to the wetlands, rather than to the north.
8. Contamination within the cottage must be removed according to state and local regulations.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. **BY CONSENSUS, THE COMMISSION ADDED TO THE AGENDA AND AGREED TO DELEGATE AUTHORITY TO THE WETLANDS AGENT FOR** – James & Diane Stoddard, owner/applicant request for a permit to conduct regulated activity for installation of two piers for a roof over an existing deck on property located at 40 East Shore Road, APN 169-041-0000.

VI. ADMINISTRATIVE BUSINESS:

1. Approval of the September 17, 2018 Regular Meeting Minutes.

MOVED (BROWN) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE SEPTEMBER 17, 2018 REGULAR MEETING MINUTES AS WRITTEN.

2. Correspondence/Discussion: **None**

VII. ADJOURNMENT:

MOVED (HOFFMAN) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO ADJOURN THE OCTOBER 15, 2018 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 8:21 PM.

Respectfully submitted,

Barbra Galovich
Recording Clerk