

Town Clerk

**Inland Wetlands Commission (IWC)  
Minutes – Regular Meeting  
Tuesday, September 25, 2012, 6:30 PM  
Third Floor, Council Chambers  
Memorial Building, Town Hall  
14 Park Place  
Rockville / Vernon, CT**

RECEIVED  
VERNON TOWN CLERK  
12 OCT 24 AM 10:27

1. Call to Order & Roll Call

- Meeting was called to order at 6:36 P.M.
- Regular Members Present: **Mark Kalina(7:05 P.M.), Frank Galat, Ronald Kane, Lynda Morhardt and Jeffrey Pescosolido.**
- Alternate members Present: **Christopher Drwiega**
- Staff Present: **Leonard Tundermann, Town Planner, Craig Perry, Inland Wetlands Agent**
- **Recording Secretary: James Krupienski**

2. Administrative Actions

2.1 Communications received not related to Agenda items.

- ♦ **IWC Approval of Wetlands Redesignation and Wetlands Permit for drainage and site improvements for conversion of the Old Talcott Mill to residential use on property at #47 Main Street.**
- ♦ **Two Letters from CT Department of Energy & Environmental Protection to Antoinette Realty Co re: Anocoil Pond Dam #14601, dated September 10, 2012.**

2.2 Adoption of Agenda – Items to be added to the agenda under item #4 “Additional Business” should be introduced to this section “#2.2 Amendment/Adoption of Agenda”.

- ♦ **Jeffrey Pescosolido, seconded by Lynda Morhardt moved a Motion to Adopt the Agenda dated September 25, 2012 as Amended. Motion carried unanimously.**

2.3 Acceptance of Minutes.

- **Ronald Kane, seconded by Frank Galat moved a motion to approve the August 28, 2012 Regular Meeting Minutes. Motion carried unanimously.**

2.4 Call for filing(s) of Intervener petition(s) and determination of status.

- **None**

3. Public Hearing:

3.1. Application [IWC-2012-07] of EKE Associates, LLC for a Wetlands Redesignation and Wetlands permit for 1127 Hartford Turnpike at Assessor’s ID: Map #39, Block #72, Lot/Parcel #26)

- Leonard Tundermann, Town Planner Read the Legal Notice into the Record.

*Legal Notice  
Town of Vernon*

*The Vernon Inland Wetland Commission (IWC) will hold the following hearing at its regular meeting to be held at 6:30 P.M., Tuesday, September 25, 2012 in the Council*

*Chambers on the Third floor of the Vernon Town Hall, 14 Park Place, Vernon, CT, 06066.*

*Application [IWC-2012-07] of EKE Associates, LLC for a Wetlands Redesignation and Wetlands permit for 1127 Hartford Turnpike at Assessor's ID: Map #39, Block #72, Lot/Parcel #26)*

*Mark Kalina, Chairman  
Inland Wetlands Commission*

- Eric Peterson, Gardner & Peterson Associates, LLC, Tolland, CT: Kevin Santini, EKE LLC – Owner; John Ianni, Soil Scientist; Eric Santini:
- Eric Santini reviewed the surrounding sites and developed parcels in the area:
  - Excess material was relocated to apportion of the adjacent wetland and inadvertently filled in.
- John Ianni, Soil Scientist:
  - Trenches were dug 30' to 40' along the wetlands boundary;
  - Established original wetland boundary & flags in early July;
  - Fill was removed from the wetland edge and the wetland topsoil was restored;
  - Berm was added to prevent erosion;
  - Requesting codification of the wetland boundary delineation at 1127 Hartford Turnpike;
  - Action:
    - Requesting to screen topsoil, spread on site and seed area to stabilize the site;
    - Wetlands vegetation is restoring over last several months;
- Jeffrey Pescosolido questioned if a cease and correct order was issued by the Town.
- Craig Perry, Wetlands Officer met with the applicant and discussed remediation for the site. Removal of materials from the wetlands and restoration was suggested as a course of action to protect the wetlands immediately.
- Lynda Morhardt indicated an interrupt on the property line on the North Side.
- John Ianni requesting to revise map to connect wetlands flag #2 to the existing line delineation.
- Lynda Morhardt questioned if a permit should have been issued prior to spreading of materials even outside of the wetlands and upland review area.
- Craig Perry, Wetlands Officer indicated that the applicant is requesting approval of the permit for work that was already performed.
- Lynda Morhardt questioned the timeframe during which the stockpiled materials became spread materials.
- Kevin Santini indicated that they no permit to stockpile materials was issued. Work was completed during a 3-4 day period.
- Leonard Tundermann, Town Planner indicated that the Wetland Flag #10 contains the same line interrupt as previously discussed.
- Lynda Morhardt questioned the direction of Wetland Flag #10.
- Eric Peterson indicated it was following a westerly direction.
- Jeffrey Pescosolido requested a description of the wetlands improvements that have taken place since the repair.
- John Ianni reviewed the 3-4 acre wetland area; some vegetation and topsoil was removed and wetland topsoil was restored.
- Mark Kalina entered at 7:05 P.M.
- Jeffrey Pescosolido questioned the quantity of soil in cubic yards that was excavated.

- Kevin Santini indicated an original soil amount of 2,070 cubic yards.
- Staff Comments:
  - Craig Perry
    - Requested applicant outline the property prior to development
    - Suggested a slope of no greater than 3/1 for the site.
  - John Ianni spoke to previous conditions at the site with excess debris and wooded area to the rear of the site.
  - Lynda Morhardt questioned use of 250 cubic yards to fill depressions shown on the maps.
  - John Ianni indicated that the fill would be utilized for low areas at the front of the property to bring it level.
  - Eric Santini suggested that the existing material on site should be adequate to fill the depressions at the front of the parcel.
  - Public Comment – None
  - Rebuttal & Summation:
  - Kevin Santini apologized for not being before the commission sooner and spoke to the improvement of the parcel after development is completed.
  - Public Hearing was closed at 7:14 P.M.
  - Roland Kane, seconded by Frank Galat moved a Motion to Approve the Redesignation of the Wetland Delineation at 1127 Hartford Turnpike.
  - Jeffrey Pescosolido, seconded by Ronald Kane moved a Motion to Approve the Permit Activities for 1127 Hartford Turnpike for the Placement of Materials on site portion previously spread, and continue with existing materials on site to be spread on the site as depicted on the plans presented to the commission. A revised copy of the plans to be forwarded to the Town of Vernon with the updated Redesignation Wetlands to tie in to the Northern Boundary wetlands, March 1986; on the westerly-side the wetlands flag #10. Town Staff requests that work commence soon so the vegetation can become established. Motion carried unanimously. Mark Kalina abstained.

#### 4. Discussion/Action/Additional Business

##### 4.1. Receipt of Application:

4.1.1. Application [IWC-2012-08] of Bolton Lakes Regional Water Pollution Control Authority (WPCA) for a wetlands permit for the installation of sewers in Phase 5 in Vernon.

- Joyce Cheung, Professional Engineer, Fuss & O'Neill; Marshall Gatson
  - Project based on Consent Order issued requiring installation of system;
  - Permit was issued based on failing septic systems in the Bolton Lakes Area;
  - Proposing to install 9,200 lineal feet of pipe around lower Bolton Lake in Phase 5.
  - Low pressure sewer piping;
  - Most of the project is in the upland wetland review area;
  - Wetlands were field verified by John Ianni, Soil Scientist;
  - Reviewed previous design options and ultimately Option #4 was chosen.
  - Incomplete drainage system in the proposed development area;
  - Will utilize silt sacks to prevent Erosion and Sediment Control measures to prevent sediment in existing catch basins;

- Proximity to wetland areas will utilize a mixture of hay bales and silt fencing to protect adjacent areas;
- A Community Well exists that currently serves nine (9) properties and grinder pumps were relocated based on Health Department separations distances;
- Hatch Hill causeway is considered a Dam. The pipe will be installed underwater and will be reviewed and approved by the DEEP. A second pipe will be utilized for open cut horizontal drilling;
- Mark Kalina questioned if the commission would have review authority of proposed underwater pipe installation.
- Marshall Gatton indicated that the DEEP would have authority over the installation process;
- Proposed sewer installation will only serve parcels in the project area;
- Mark Kalina questioned proposed depth of the sewer line.
- Marshall Gaston indicated that the pipe would be a shallow installation between 4 ½' to 6' depth based on each property connection.
- Mark Kalina questioned proposed timeline for approval to begin construction.
- Marshall Gatton expected a spring construction start.
- Jeffrey Pescosolido questioned cleanout chambers locations adjacent to wetlands areas.
- Marshall Gaston indicated placement was made to allow for release of air from the system.
- Ronald Kane questioned utilizing the proposed system as a storm drain replacement.
- Craig Perry indicated that
- Lynda Morhardt questioned impact to lake levels after prior phases were completed.
- Marshall Gaston indicated no significant reduction in lake level. Supplied commission with lake level calculations of redirected flow through the sewer system.
- **Staff Input:**
  - Leonard Tundermann, Town Planner indicated that the commission would need to determine if the proposal is of significant impact and determine waiver of fees as a public agency.
  - Jeffrey Pescosolido questioned sheet PL502 regarding additional horizontal drilling.
  - Possible directional drilling will be based on topography of the lots regarding access.
  - Mark Kalina feels significant impact to wetlands.
  - Mark Kalina, seconded by Jeffrey Pescosolido moved a Motion to accept Application IWC-2012-18 and schedule a hearing on October 23, 2012 and approval of waiver of fees for the applicant. Motion carried unanimously.

#### 4.2. Status of Cease & Correct Orders.

Talcottville Mill, 47 Main Street

- Craig Perry, Wetland Officer – permit was approved, no work has begun yet.

21 Terrace Drive

- **Left message with Town Attorney, Harold Cummings to meet with for later action.**

4.3. Wetlands Enforcement Officer – Report

- **Phoenix Street Bridge – rip-rapp runoff near bridge not adequately designed – erosion problem. Requesting contractor return to correct outstanding issue.**
- **Wet bottom basin at 400 Talcottville Road is being watched for any issues.**
- **Mark Kalina – Amerbelle – spoke regarding possible impact for commission if structures are demolished and possible impact to the waterway.**

4.4. Inland Wetland Agent – Report

- **None**
- **2012 Legislation and Regulation Advisory report from DEEP and may require additional regulation changes.**

4.5. Change of meeting time to 7 pm

- **Mark Kalina, seconded by Frank Galat moved a motion to change the meeting time to 7:00 P.M.**

5. Items may be added to the agenda in this item under “2.2 – Adoption of Agenda”

6. Adjournment

- **Mark Kalina, seconded by Ronald Kane moved a motion to adjourn. Motion carried unanimously.**
- **Meeting adjourned at 8:07 P.M.**

**James Krupienski  
Recording Secretary**