T.C.

Inland Wetlands Commission (IWC)
Tuesday, March 11, 2014
First Floor, Probate Conference Room
14Park Place
Rockville/Vernon, CT

RECEIVED
VERNON TOWN CLERK
14 APR 10 PM 3:25

1. Call to order and Roll Call
Meeting was called to order at 7:18 PM. Commission members present were Jeff Pescosolido, Frank Galat, Lynda Morhardt and Ronald Kane.
Staff members: Shaun Gately, Acting Town Planner and Craig Perry, Inland Wetlands Agent, Town Attorney Harold Cummings
Recording Secretary: Peggy Jackle

2. Administrative Actions

2.1 Communication received not related to Agenda items- Mr. Cummings addressed the correspondence in the packet relating to the Charbonneau/Welti versus the Town of Vernon.

2.2 Acceptance of Minutes – January minutes will be accepted at next month's meeting.

2.3 Call for Filings (s) of Intervener petition and determination of status
There was no call for filing of intervener petition and determination of status.

2.4 Election of Officers - Election of officers will be postponed until next month's meeting.

3. Public Hearing

3.1 Application (IWC-2014-01) of Ed Johansen for a wetlands redesignation and a wetlands permit to perform work within an upland review area at # 458 Talcottville Road (Mill Street Auto) (Assessor's ID: Map #9, Block # 15T, Lot/Parcel 21D). The legal notice for the public hearing was read into the record by Mr. Gately. Ms. Dorian Famiglietti, attorney for the applicant and owner and Mr. John Martucci, Engineer from LBM Engineering presented information pertaining to the application for a wetlands redesignation and wetlands permit for the property located at 458 Talcottville Road. Ms. Famiglietti reviewed the requested information from the last meeting and stated that the owner has agreed to operate and maintain a maintenance schedule and log, address the concern of the two catch basins and runoff water on the property and will use a sealed container for outside storage of tires and miscellaneous materials from the site.

Public hearing was opened to the Public:

Mr. Paul Guillemette, 29 Pearl St., Vernon, CT addressed the commission concerning the potential of oil and antifreeze leaks. He distributed photographs of the site, a cease and correct order and an article relating to the risk assessment of oil spills to US inland waterways.

Mr. George LeTendre, 35 Pearl St., Vernon, CT addressed the commission regarding the long term storage of materials on the property, the runoff from the catch basin and the effects on the environment, the draining of the fluids and the towing process.

The IWC called for a five minute recess at 8:15 PM. The IWC meeting resumed at 8:20 PM.

Mr. Nick and Caroline LaPenta, Vernon, CT addressed the commission regarding drainage of the catch basins, the potential of resurfacing the pavement, the toxicity of tires when stored, nightly surveillance, snow removal and its potential runoff in the Spring, and the implication of the redesignation of the wetlands.

Ms. Famiglietti addressed the commission rebutting statements made relating to the cease and correct order. Owner was responsive immediately when he discovered that he could not tow cars to the location. The container on site will be a water tight container, snow will be plowed to drain toward the lower catch basin, a paved apron will be provided around the catch basins and the lot that will house the 10 -19 cars in the parking area will be resealed. Ms. Famiglietti stated that the owner has addressed the staff's, the public and commission's concerns and will be using best practices to insure the safety and well being of the property and its surroundings.

Mr. Craig Perry, Inland Wetlands Enforcement Officer, addressed the commission and stated that the existing materials in the resignation area does not meet the standards as wetland materials; therefore he believes the property should be removed as wetlands. He also stated that the owner has done due diligence addressing the concerns of the staff and commission. He requested that the Town be allowed to have the right to inspect the property and facility during normal business hours.

For the record, Mr. Cummings distributed a handout pertaining to excerpts relating to the potential impact of wetlands.

Concerns by the commission included the cracked pavement, the redesignation of the property and the inspection and maintenance of the property.

A motion was made by Jeff Pescosolido and seconded by Frank Galat to close Public Hearing (IWC -2014-01) for a wetlands redesignation and a wetlands permit to perform work within an upland review area at #458 Talcottville Road (Mill Street Auto). Motion passed unanimously.

A motion was made by Ron Kane and seconded by Frank Galat to approve the redesignation at # 458 Talcottville Road (Mill Street Auto). Motion passed unanimously.

A motion was made by Ron Kane and seconded by Lynda Morhardt to allow a wetlands permit to perform work within the upland review at #458 Talcottville Road (Mill Street Auto) with stipulations that the property owner would operate and maintain a maintenance plan and log and allow the Town of Vernon access to property and logs and inspection of the vehicle storage area on a quarterly basis. Motion passed unanimously.

4.0 Status of Cease and Correct Orders

- 21 Terrace Drive – Mr. Perry stated that there was nothing new to report for this location.
- 19 Grove Street - Mr. Perry stated that there was nothing new to report for this location.

5.0 Additional Business

5.1 Receipt of Application and Determination of Significance

5.1.1. Application (IWC-2014-02) of Talcottville Development CO.LLC for a Wetlands Permit at #57, #95 & #163 Hartford Turnpike (Assessor's ID: Map #1, Block #158, Lot/Parcel #00057, #00095 & #000163). Ms. Dorian Famiglietti addressed the commission and stated that the parcel of property does not require any revisions to the plan and the letter in the Commission's packet dated March 12, 2014 will serve as evidence that the Statutory notification requirement had been fulfilled.

5.1.2. Application (IWC-2014-03) of New York West Ltd. For excavation work within a regulated area at Park West Apartments, at #24 Terrace Drive (Assessor's ID: Map #22 , Block #38/42, Lot/Parcel #00044/0001C). Mr. John Furman addressed the commission regarding the above stated property and its drainage issues. He stated that the intent is to return the property back to the 1966 standards.

A motion was made by Jeff Pescosolido and seconded by Frank Galat that a Public Hearing be scheduled for the March 25, 2014 meeting due to significant impact on the wetlands and water courses. Motion passed unanimously.

5.2 Wetlands Enforcement Officer – Report – Mr. Perry reported on the following applications stating:

IWC-2013-05 (133 Washington St. - Proposed house surrounded by wetlands) – An appeal has been filed in court.
IWC-2013-04 (West Main St. Bridge) – A contract was signed and construction will begin on April 1, 2014.
IWC-2011-08 (Bolton Lakes WPCA- Contract 4) – The road work has been completed.
IWC-2006-20 (130 Reservoir Road/Walker's Reservoir) – Construction has begun with other park improvements.

Other Information of Importance: A violation had been sent to the Chelsea Ridge Homeowners Association and the tree debris subsequently had been removed.

6.0 Inland Wetlands Agent – Report - Mr. Perry reported Vernon Manor had been approved for six (6) adjacent parking spaces and that the work had been approved by Planning and Zoning.

7.0 Adjournment

Motion was made by Frank Galat and seconded by Ronald Kane to adjourn the meeting at 9:47 PM. Motion passed unanimously.

Respectfully submitted,
Peggy A. Jackle
Recording Secretary