

Town of Vernon
Inland Wetlands Commission (IWC)
Tuesday, September 24, 2019, 7:00 p.m.
Council Chambers, 3rd Floor, Vernon Memorial Building
14 Park Place, Vernon, CT

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APPROVED MINUTES

1. Call to Order and Roll Call

Chairperson Rachel Stansel called the meeting to order at 7:12 p.m. Also in attendance were Don Schubert, Frank Galat, and Ronald Kane. Staff members present were Craig Perry, Wetlands Enforcement Officer, and David Smith, Town Engineer.

2. Administrative Actions

2.1 Amendment/Adoption of Agenda – Additional business to be considered under agenda item #9 “Other Business” requires Commission vote
None

2.2 Communications received not related to Agenda items, if any
CACIWC annual meeting notice dated August 31, 2019, and Central Conservation District memo regarding erosion & sedimentation control dated September 19, 2019

2.3 Acceptance of Minutes from the August 27, 2019, meeting
Don Schubert made a Motion seconded by Chairperson Stansel to approve the minutes as presented. Motion carried unanimously.

2.4 Call for filing(s) of Intervener petition(s) and determination of status
None

3. Public Hearing/Action

3.1 Application **[IWC-2019-03]** of Jacob Ziter, for a Redesignation of Wetlands, for future home construction at 40 Dockerel Road (Assessor’s ID: Map 51, Block 0138, Parcel 0004B)

Jacob Ziter, applicant, and Jay Ussery, Land Surveyor J.R. Russo & Associates, appeared. Mr. Ussery discussed and explained the property map. There were no public comments. Public Hearing closed at 7:20 p.m.

*Chairperson Stansel made a Motion seconded by Don Schubert to approve Application **[IWC-2019-03]** of Jacob Ziter, for a Redesignation of Wetlands, for future home construction at 40 Dockerel Road as presented. Motion passed unanimously.*

3.2 Application **[IWC-2019-04]** of Kenneth J. Boynton, for a Wetlands Permit by Commission, for construction of a single family housing development containing 15 units, driveways, utilities, site grading, and storm-water management system, at 652 Dart Hill Road (Assessor’s ID: Map 04, Block 0004, Parcel 00002)

Attorney Dorian Famiglietti of Kahan Kerensky & Capossela; Rick Zulick, Soil Scientist; and Mark Peterson, P.E., of Gardner & Peterson Associates, appeared for the applicant. Map and site plans were presented and discussed by Mr. Peterson and Mr. Zulick. Updated plans were distributed to Commission.

Commission Member Frank Galat recused himself from this Application as he owns property near-by.

Discussions took place including site drainage, public utilities, tree line, bio retention basin, stock-pile areas, sedimentation and erosion control, upland review area, and streamside shade trees.

Hearing was opened to public comments.

Frank Salerno, 3 Quail Crossing, appeared and assured Commission no tree cutting would take place on his property.

Attorney Famiglietti discussed the storm water management and erosion control to take place during construction and testified the applicant is confident there will be no direct or indirect impact and no long-term effect on the productivity of off-site wetlands and watercourses.

Chairperson Stansel made a motion seconded by Ronald Kane to close the public hearing at 7:41 p.m. Motion carried unanimously.

Don Schubert made a motion seconded by Chairperson Stansel to approve Application [IWC-2019-04] of Kenneth J. Boynton, for a Wetlands Permit by Commission, for construction of a single family housing development containing 15 units, driveways, utilities, site grading and storm-water management systems, at 652 Dart Hill Road. Motion carried unanimously.

- 3.3 Application [IWC-2019-05] of Chilstone, LLC by Evan Gerber, Member, for a Redesignation of Wetlands, and Wetlands Permit by Commission, for the construction of a 4 unit apartment building, parking and associated infrastructure, at 624 Dart Hill Road (Assessor's ID: Map 04, Block 0004, Parcel 0001A)

Russell Heintz, Tarbell Heintz & Associates, Inc., and George Logan, Soil Scientist, REMA, appeared for the applicant. Mr. Heintz presented the site map. Mr. Logan discussed the Wetland Delineation Report dated August 19, 2019. He then distributed and discussed the Wetlands Assessment: Summary of Findings dated September 24, 2019. Discussion took place. Mr. Perry recommended that the soil scientist oversee erosion control during construction with a follow-up report.

Hearing was opened to public comments.

David W. Smith, 2 Quail Crossing appeared with objections to Application.
Frank Salerno, 3 Quail Crossing appeared with objections to Application. Exhibit B was distributed.

Joseph Buerk, 3 Quail Hollow Close appeared with objections to Application.
Clarice Leger, 18 Quail Hollow Close appeared with objections to Application.

Mr. Heintz spoke to clarify the drainage plans of Application.

Chairperson Stansel made a motion seconded by Frank Galat to continue public hearing on Application [IWC-2019-05] to give Commission time to review additional material. Motion carried unanimously.

4. Receipt of Application(s), if any, and Determination of Significance
None
5. Status of Cease & Correct Orders, if any
 - 933 JAJL LLC Hartford Turnpike
 - 965 A VETS Hartford Turnpike

There is concern of excavation in a possible wetlands area. The owners have been notified to cease & correct further activity by certified letter dated September 18, 2019.

Ana Ciotto, owner at 965 Hartford Turnpike, appeared in response to Cease & Correct Order. Mark Peterson, P.E., Gardner & Peterson Associates, and Rick Zulick, soil scientist, appeared on behalf of owner. Discussion took place. Recommendations that a permit be obtained and a plan be made and implemented to correct the work and presented at the next IWC meeting. It was also recommended that the Cease & Correct Order be upheld while improvements are made.

Jeff Burns, owner 933 Hartford Turnpike, appeared. Discussion took place regarding work to be done on his property and consent needed. Mr. Burns granted permission to do what work is necessary to stabilize the property.

Chairperson Stansel made a motion seconded by Don Schubert to accept the Cease & Correct Order for 933 and 965 Hartford Turnpike with the understanding that immediate remediation and erosion control will be taken care of, cleaned out, and will be reviewed at the next IWC meeting.

6. Wetlands Enforcement Officer Report
None
7. Inland Wetlands Agent Approvals
 - 228 West Street; approval letter attached
 - 16 Wildwood Road, Lake View, Lot 1; approval letter attached

Mr. Perry discussed approval of work completed.

8. Communications Sent
None
9. Other Business
 - 9.1 Sustainable CT discussed

10. Adjournment
Chairperson Stansel made a motion seconded by Frank Galat to adjourn at 9:40 p.m. Motion carried unanimously.

Respectfully Submitted

Susan Hewett

Recording Secretary