



**Town of Cromwell
Inland Wetlands and Watercourses Agency**

***PUBLIC HEARING AND REGULAR MEETING
7:00 P.M. WEDNESDAY, JULY 7, 2010
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET***

AGENDA

RECEIVED FOR FILING
6/24 2010 at *12:14 P.M.*
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prudergast, Asst
TOWN CLERK

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Approval of Minutes:
 - a. June 2, 2010

6. Development Compliance Officer Report:
 - a. Status of On-going Projects
 1. 4 Eager Lane
 - b. Status of Existing Cease and Desist Orders:
 1. 97 Nooks Hill Road.
7. Public Comments
8. Town Planner Report:
 - a. Upland Review Area Permits Issued by Staff:
 1. Application #10-09: Footings Under Existing Deck at 9 Summerbrook Lane. Ronald Infante, applicant; Loraine Caruso, owner.

9. Public Hearing:

a. Application #10-07: Move Existing "Made Wetlands" at 51 Court Street. Michelle Hodge, owner/applicant. Continued from June 2, 2010.

10. Old Business:

a. Application #10-10: Gas Station/Convenience Store Renovation at 207 West Street. Gas Development Cromwell LLC, owner/applicant.

11. New Business: None.

12. Communications: None.

13. Commissioners' Comments and Reports

14. Adjourn

Individuals with disabilities who require accommodations, assistance, or communication aids to participate at this meeting are encouraged to make their needs and preferences known to Town Planner Craig Minor at 632-3422 or cminor@cromwellct.com or to the Town ADA Coordinator Therese Strong at 632-3446 or tstrong@cromwellct.com at least 72 hours prior to the scheduled event.

REGULAR MEETING AND PUBLIC HEARING
7:00 P.M. WEDNESDAY, JUNE 2, 2010
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET

Glenn Brendergast, Asst
TOWN CLERK

MINUTES

PRESENT: Chairman Jonathan Beatty, Joe Corlis, Madeleine Lowry, William Yeske, Wynn Muller, G. Alden Nettleton and Alternate Amanda Thomas

ABSENT: Scott Lamberson

ALSO PRESENT: ZEO Fred Curtin and BOS Liaison Ann Halibozek

1. **Call to Order:** Chairman Beatty called the meeting to order at 7:02p.m.
2. **Roll Call:** The above-mentioned members were introduced.
3. **Seating of Alternates:** A **motion** was made by Mr. Muller and **seconded** by Ms. Lowry to seat Alternate Thomas and was *unanimously approved. Motion passed.*
4. **Approval of Agenda:** A **motion** was made by Mr. Corlis and **seconded** by Mr. Nettleton to approve the agenda and was *unanimously approved. Motion passed.*
5. **Approval of Minutes:**

a. May 5, 2010: A **motion** was made by Mr. Corlis and **seconded** by Mr. Nettleton to approve the minutes of May 5, 2010 and was *unanimously approved. Motion passed.*

6. Development Compliance Officer Report:

a. Status of On-going Projects: Mr. Curtin handed out the last two sheets of the 2009/2010 permits that wasn't included in the agenda packet.

b. Status of Existing Cease and Desist Orders:

1. 97 Nooks Hill Road. Mr. Curtin is still waiting for the homeowner to put medallions on post.

2. Tree-cutting Incident on River Road. No action. Mr. Curtin suggested removing this from the agenda until there is an update available.

Mr. Curtin issued a notice of violation on Timber Hill Road for activity that was in the easement area.

Cromwell Commons hasn't done their planting plan yet. Mr. Curtin will send another notice to

have it done in the next two weeks.

7. **Public Comments:** None.

8. **Town Planner Report:**

a. Upland Review Area Permits Issued by Staff: none.

9. **Public Hearing:**

a. Application #10-07: Move Existing "Made Wetlands" at 51 Court Street.

Michelle Hodge, owner/applicant:

Chairman Beatty read the notice of the public hearing for the record. Jim Cassidy, engineer with Hallisey, Pearson and Cassidy explained that originally the permit obtained was to build a house in 2004 and that a wetland was created and it is not functioning as it was intended Mr. Cassidy showed the original site plan for construction of the house with the original wetlands in the front of the lot. That wetland was filled in and a new wetland was created that receives water from several areas. The water doesn't drain anywhere but serves as a groundwater recharge. This recent application called for filling in the existing wetland and moving it to the southeast portion of the property. Ed Pawlak, soil scientist, determined that it is a low quality wetland and he suggested filling in the wetlands and extending the pipe to the wetlands in the rear. After visiting the site it was decided to leave the rear wetlands alone and improve the existing wetlands. The plan for the wetland along east side is to pull out invasive plants. Also part of the plan is to plant shrubs along east wetland and rear wetland to provide buffer and wildlife habitat. Water from rear wetland currently drains under Court Street and heads east. The town's Engineering Dept is currently looking at improving drainage along Court Street by replacing a cross culvert and adding a catch basin near this property. The cross culvert would be replaced with a larger pipe to eliminate drainage problems along the street. When the new catch basin is installed a new pipe from low spot could be tied in and the pitch, depth and line from property would support this plan. Drainage currently draining onto property would then be collected and sent through the pipe. The plan would still include planting shrubs to prevent intrusion into wetlands. Ms. Lowry asked about the timeline of construction of pipes by the town. Mr. Cassidy replied that he is not sure but that it could be pushed forward. Ms. Thomas asked for confirmation that the project can't start until town's project is done and Mr. Cassidy confirmed that it is true. Mr. Muller asked if there would be no increase of flow into large wetland. Mr. Cassidy replied that there would be no increase. Mr. Muller asked if there would be a slight decrease to neighbors. Mr. Cassidy confirmed that with this application along with town's project there would be a decrease in flow. Mr. Yeske read portions of minutes from other meetings regarding the approval of the location of the house and states that he likes the idea of a plan for improvement for neighbors and the homeowner. Mr. Muller stated that the application had some misconceptions that there was no determination of significance during its original approval No determination was made and

originally there was a finding of significant impact. Mr. Muller stated that a determination was made and that by moving the house closer to road the wetland was filled in with the understanding that the position of the house was a better alternative but not the best alternative. Mr. Muller also stated that originally the wetland was to have a fence and plants surrounding the new wetland. Mr. Muller explained that sometimes decisions are between the lesser of two evils and that there is now the chance to make it better. Chairman Beatty confirmed that the lot was zoned as a buildable lot at the time the first application was submitted.

Chairman Beatty opened the comments to the public.

Connie Lazaro, 59 Court Street, submitted a letter and signatures regarding moving of wetlands stated that they do not support the movement of the wetlands (letter was in response to the plan proposed at the May 2010 meeting).

Jim Gibson, 4 Sachem Drive, asked about the elevation of the fill. Mr. Cassidy stated that the elevation will be changed to 4 feet. Mr. Gibson asked how the calculations made. Mr. Cassidy took in to consideration the volume and rate and that one can't use what is there to base the calculations. Mr. Gibson asked if the project will be done only if town's project is done and Mr. Cassidy confirmed that is the case.

Ray Choffee, 61 Court Street, stated that the town's plans for improving drainage have been in proposal form for the last fifteen years and that the drainage has not been improved during that time. Mr. Choffee feels that the town needs to commit to project before the board approves this project. Mr. Choffee stated that the water problem was occurring long before the Hodges built their house. Mr. Choffee stated that because of the current pipe there is sitting water which is a breeding ground for mosquitos. Mr. Choffee is concerned about the process and when he requested all the documents and application copies at town hall. Mr. Choffee attended the first meeting in April and heard about other plans for the backyard. Requests about pool were not included in the file and he was told Mr. Curtin had it on his desk. Mr. Curtin confirmed this.

Jack Lutz, 6 Sachem Drive, wanted to revisit the report that area was not considered a vernal pool. Mr. Lutz asked if the wetland can be impacted by pumping and it should be looked at over time. Mr. Lutz stated that currently the backyard is not workable and that a split rail fence beyond retaining area was supposed to be installed. Prior meetings had determined significance but Mr. Lutz doesn't recall any public hearing being held. Mr. Muller stated that the August 26 2004 meeting held a public hearing. Members discussed whether abutting neighbors had to be notified and whether signs had to be posted and neighbors didn't recall being notified or signs being posted

Ann Halibozek, 7 Christian Hill Road and Board of Selectmen liaison, stated that there are two options: 1. the commission could approve the application with the intent that nothing happens

until town's improvements occur and determine protection to current wetlands or 2. deny without prejudice until a new plan comes forward. Mr. Nettleton asked for current open wetlands last month and that the item was on list of approved applications. Staff approval can be granted as long as it was an upland review area

Mr. Cassidy addressed comments made by the public. Mr. Cassidy was not aware of the pool application but the pool was going to be installed regardless of wetland situation. Mr. Cassidy stated that the original property owner got the permit to build house, a modification was made to property by new owners, lot was then sold to the Hodges and then they filed an application to modify application. Mr. Cassidy recognizes that this application and the homeowners are now held hostage until drainage system is improved by town. Mr. Cassidy hoping to make the proposed modifications and explained that in designing of drainage system was based on several criteria. The design is for rate of flow. Mr. Cassidy stated that Mr. Pawlak did not feel the wetland was a vernal pool. For a wetland to be a vernal pool, Mr. Pawlak was looking for signs of amphibian life not just standing water and didn't find any species of special concern. Mr. Cassidy stated that mitigation can be done on other areas not just like wetlands proposed to be disturbed and that he will have to look into whether a split rail fence and plantings will be included.

Mr. Curtin found the original folder with the original applications.

Michelle Hodge, 51 Court Street, reviewed plans for pool which included change of trees to arborvitaes. Ms. Thomas asked where pool would be place and Ms. Hodge showed the location as directly behind the house. Ms. Hodge explained that the pumping occurred because water had filled in the wetland and would have headed toward neighbors house and yard.

Ray Choffee, 61 Court Street, asked why the commission indicated they were not aware of the pool application. Mr. Muller indicated that the application was approved by staff and didn't come before the commission. Mr. Choffee asked if the pumping of water would require an application before IWWA and if it is allowed by the commission. Mr. Choffee asked if this action would render consequences. Mr. Choffee asked why the water isn't being put back. Drainage and mowing is not what was agreed to so why hasn't the commission done anything about this. Mr. Yeske is try making it right and is looking for expertise. Mr. Choffee stated that people want the issue resolved but when the commission is aware of things being done that are not allowed it should be handled and that individuals can't take it upon themselves to do something Mr. Curtin was instructed to make the homeowners aware that type of activity is unacceptable.

Connie Lazaro, 59 Court Street, stated that Mr. Minor was notified via email that pumping occurred and it was forwarded to members of the board. Mr. Muller agrees that a violation has occurred but the board is dealing with the application at this time and will address the violation at a future time.

Jim Gibson, 4 Sachem Drive, stated that if the fence was installed according to the original application things may not be where they are today.

Chairman Beatty stated that if there will be no net increase to flow have offsite calculations been reviewed by town staff. Mr. Cassidy will get a formal letter from town staff.

Jack Lutz, 6 Sachem Drive, feels that there is a recurring theme of misinformation and is skeptical that things will be done right.

Chairman Beatty stated that regardless of things that happened in the past this involves a different person, a different application and that the commission must consider the current application. Chairman Beatty stated that that commission may want to hold over making any decisions until the next month since staff needs to review and the commission needs time to digest information.

Mr. Corlis is concerned that the town hasn't done anything on Court Street and that as a member of the Board of Finance he hasn't heard about anything being done. Until there are plans in place and money to pay for it he is not in favor of this application at this time.

Ms. Lowry would at this time motion to deny without prejudice.

Mr. Yeske disagrees with Mr. Corlis and feels that time is money and that there is a plan in place. Mr. Yeske feels that it would be a waste of time if it has to be brought before IWWA again.

Mr. Muller would like hearing to be kept open.

Ms. Thomas likes the current plan but is wary that it is contingent upon action from the town of Cromwell. Ms. Thomas would like to see contingency plan for the meantime fence, plans, promise not to mow etc...

Mr. Nettleton feels that the new plan looks good and would like to continue public hearing.

Chairman Beatty would like to continue the public hearing.

A **motion** was made by Mr. Muller and **seconded** by Ms. Lowry to continue the public hearing until next month and was *unanimously approved. Motion passed.*

10. Old Business: None.

11. New Business:

a. Application #10-10: Gas Station/Convenience Store Renovation at 207 West Street. Gas Development Cromwell LLC, owner/applicant:

Dean Gustafson, soil scientist, showed survey of current site (Exxon mobile station) with a wetland that drains to the south and eventually travels to the Mattabassett River. The wetland has been disturbed over the years and the applicant is proposing minor improvements. The improvements include formalizing the dumpster location sitting on a concrete pad. A silt fence will be installed during construction and plans include the removal of the existing propane tank and enclosure. The work will be no closer than forty feet from upland review area and the existing telecommunications tower will remain.

Chairman Beatty stated that the commission can't act on it tonight because of timeline.

Mr. Muller asked if the commission should determine significance.

Ms. Lowry read items to determine significance.

A **motion** was made by Mr. Muller and **seconded** by Ms. Lowry to find this application a non significant impact activity and was *unanimously approved. Motion passed.*

12. Communications:

a. Letter from Algonquin Gas Transmission, LLC dated May 6, 2010 regarding excavation and examination of existing roadway casing at Shunpike Road.

b. Memo from Lycott Environmental, LLC received May 5, 2010 regarding pesticide application in a pond at The Tournament Players Club golf course.

13. Commissioners' Comments and Reports: Ms. Lowry spoke with someone from the Berlin town hall and reported that nothing was presented during the last meeting or submitted before their office closed.

14. Adjourn: A **motion** was made by Mr. Muller and **seconded** by Mr. Yeske to adjourn at 8:52p.m. and was *unanimously approved. Motion passed.*


Respectfully submitted,



Catherine Potter

Clerk

Memo

To: Inland Wetlands and Watercourses Agency
From: Craig Minor, AICP
Town Planner 
Date: June 24, 2010
Re: Comments for IWWA Meeting on July 7, 2010

I will be on vacation the last week in June/first week of July, which is why you are getting this agenda so early. If any new applications come in while I am gone I will bring them to the meeting Wednesday night.

9. Public Hearing:

a. Application #10-07: Move Existing "Made Wetlands" at 51 Court Street. Michelle Hodge, owner/applicant.

See comments (attached).

10. Old Business:

a. Application #10-10: Gas Station/Convenience Store Renovation at 207 West Street. Gas Development Cromwell LLC, owner/applicant.

This is an application to construct a trash containment area at the edge of an existing convenience store which is being remodeled. The trash containment area is within 100' of the wetlands so it requires Agency approval.

As of this writing I have not received comments from the Engineering Department.

cc:
file

Inland Wetland Permits 2010

<u>Permit #</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
10-01	Town of Cromwell Special Conditions: NONE	33 Prospect Hill Road	Drainage Improvements	Approved by Staff 12/15/09	Work in progress E & S installed
10-02	Philip Benoit Special Conditions: 1. Increase the depth of the stone wall to 24" as recommended in Erica Lerner's letter dated 3/26/10; 2. The area behind the stone wall shall be planted with buffer plantings as recommended in George Logan's letter dated 4/7/10; 3. The applicant shall obtain all necessary local, state & federal permits before beginning construction. Local permits may include P&Z approval due to the loss of flood storage capacity.	42 River Road	Streambank Restoration	Approved 4/7/10	No Activity
10-03	Sebastian Damiaata Special Conditions: Erosion control plan will be revised to show "Filtrexx Filter Sock" or approved equal in lieu of, or in addition to the row of hay bales.	North Road	1 lot subdivision	Approved 3/3/10	No Activity

10-04	First Tee of CT., Inc. Special conditions: NONE	Golf Club Road 676 Main Street	One lot subdivision	No permit required no regulated activities on the parcel	No Activity
10-05	Inland Wetland Agency Special Conditions: NONE	town wide	Regulation Amendments length of permit	Approved 4/7/10	
10-06	LRC Group Special Conditions: NONE	14 Hillside Road	Stormwater Management Basin	Approved 5/5/10	Work in progress
10-07	Michelle Hodge Special Conditions: NONE	51 Court Street	Move existing "Made Wetlands"	Site walk on 4/10/10 Vote tabled	
10-08	Brian DiMartino Special Conditions: Plans shall be revised to show mulch or compost filled erosion tubes instead of staked haybales.	9 Ledge Road	Subdivision in Upland Review	Approved 5/5/10	No Activity

Inland Wetland Permits 2009

<u>Permit#</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
09-01	Bethany Housing Corp. Special Conditions: NONE	50 Hicksville Road	Generator Pad	Approved 1/29/09	Complete
09-02	Andrzej Cieslik Special Conditions:	49 Coles Road	Replace shed with gazebo	Approved by Staff 2/18/09	Complete
09-03	Inland Wetland Agency Special Conditions:	town wide	Amendment regarding low impact development	Continue PH to July meeting	
09-04	Economy Fuel Depot LLC Special Conditions: The open Cease & Desist order at 201 Main St. will be resolved by the property owner within 6 months of the date of permit approval.	201 Main Street	Fuel storage facility	Approved 5/6/09	Work in progress E & S installed
09-05	Town of Cromwell Special Conditions: NONE	Beechwood Circle	Install storm drainage and restore eroding slope which supports the roadway	Approved 5/6/09	Complete
09-06	Richard Gilbert Special Conditions: (1) The floor height is recessed one inch, (2) On site spill kits are available, (3) Storage of any fertilizers and chemicals be above elevation 28.5.	39 Pasco Hill Road	Construction of Commercial Greenhouse Storage buildings	Approved 5/6/09	Work in progress Silt fencing installed
09-07	Viola Lawn Service	45 Commerce Drive	Storage of landscaping	Approved 5/6/09	

Special Conditions:
 (1) The permit is null and void if any evidence provided by a town employee or contradicting information is discovered pertaining to the wetland violations in Cromwell, (2) Plans are revised to show the use of a mulch tube for E&S controls and (3) No storage of pesticides, fertilizers, chemicals or hazardous materials to the wetlands are stored on site.

materials and construction equipment in Upland Review area

09-08	<p>David Freitas Special Conditions: NONE</p>	71 North Road	Shed and Fencing in Upland Review area	Approved by Staff 3/30/09	Complete
09-09	<p>Janine Colagiovanni Special Conditions: Filter backwash water shall not be discharged directly to the upland review area, but shall be directed to either (1) a properly manufactured and installed separation tank or (2) the Cromwell sanitary sewer system.</p>	95 South Street	Above ground pool in Upland Review area	Approved 5/6/09	Complete
09-10	<p>Gilbert & Marion Bironi Special Conditions: (1) The conservation easement is part of the plan (2) the conservation easement is demarcated in the field with metal plates</p>	78 Timber Hill Road	Single lot subdivision	Approved 6/3/09	Work in progress. E & S installed. The violation is a zoning violation - No Wetland violation at this time

provided by the Town.
 (3) the standard E&S
 controls be utilized.

09-11	MJ Property Management Special Conditions: (1) The semi-annual catch basin maintenance is overseen by the Zoning Enforcement Officer (2) a schedule acceptable to the Zoning Enforcement Officer based on the manufacturers recommendations and its usage be developed for the storm sceptor unit and (3) the storage of hazardous materials be on pallets above the one-hundred year flood plain.	41 South Street	Commercial Bldg. Parking lot & Storm Water Treatment Structure in Upland Review Area	Approved 6/3/09	No Activity
09-12	David Freitas Special Conditions: NONE	71 North Road	Amend Permit #09-08	Approved by Staff 3/30/09	Complete
09-13	Town of Cromwell Special Conditions: NONE	Chelsea Drive Cambridge Drive Lancaster Drive	Road Reconstruction in Upland Review Area	Approved 5/6/09	Work in progress
09-14	Town of Cromwell Special Conditions: NONE	Willowbrook Road	Community Garden in Upland Review Area	No votes taken	Citizens using gardens
09-15	Quantum of Cromwell LLC Special Conditions: NONE	North Road	NorthBrook Estates Revise Conservation Easement	Approved 5/6/09	

09-16	Norman & Kenneth Nadeau Special Conditions: NONE	North Road	Modification of IWA Permit#07-34	Approved by staff 6/26/09	Silt fence installed Work in progress
09-17	Corporate Row Assoc. Special Conditions: NONE	269 Main Street	Reconstruction and Relocation of existing driveway curb cut	Approved 6/3/09	Complete
09-18	Paul & Susan Sousa Special Conditions: NONE	3 Dairy Lane	Attached garage in upland review area	Approved 7/1/09	Complete
09-19	Mariles Maldonado Special Conditions: NONE	2 Applewood Road	Pool & fence in upland review area	Approved 7/9/09	Complete
09-20	Mattabasset District Special Conditions: NONE The credentials (qualifica- tions, licenses, etc.) of the contractor selected to do the paint removal and disposal shall be sent to the Town Planner to be placed on file as soon as the selection has been made.	end of Sebethe Dr.	Repair & excavation of a trunk sewer bridge crossing	Approved 8/5/09	Area cleared of brush E & S being installed
09-21	John Leavy Special Conditions: (1) A fence and plantings be placed along the clearing line, (2) If the house is positioned any closer to the wetlands on the western side, an applica- tion must be filed, (3) An application must be filed if	68 Court Street	Develop building lot within upland review	Approved 9/2/09	No Activity

the footage of disturbance increases due to a change in plans.

09-22	<p>Stanley Myrak Special Conditions: (1) The Permittee shall remove the lowest horizontal fence rail wherever the fence crosses the stream, unless such rail is sixteen inches or more above the stream; (2) The Permittee shall remove the metal mesh material between the ground and the lowest horizontal fence rail wherever the fence crosses the stream.</p>	61 Willowbrook Rd	Installed fence to establish permanent boundary impacting wet land and upland review areas	Approved 9/2/09	Work in Progress
09-23	<p>Pinney Construction Special Conditions: NONE</p>	1000 Corporate Row	GKN Aerospace Equipment Pad	Approved 8/20/09	Complete
09-24	<p>David Lewis Special Conditions: NONE</p>	52 Chelsea Drive	Attached deck	Approved 10/7/09	Complete
09-25	<p>Town Planner Special Conditions: NONE</p>	Northbrook Estates	Rescind COA	Approved 11/4/09	
09-26	<p>Michelle Hodge Special Conditions: Filter backwash water shall not be discharged directly to the upland review area, but shall be directed to either (1)</p>	51 Court Street	Swimming pool in Upland review	Approved 11/4/09	No Activity

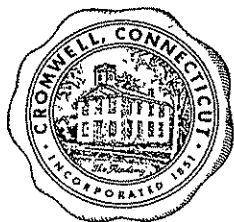
a properly manufactured and installed separation tank, or (b) the Cromwell sanitary sewer system.

09-27	Doug and Colleen Morrill Special Conditions: NONE	3 Ryan Court	Additions to home, and install above-ground pool	Approved 9/22/09	Complete
09-28	Daniel Mihon Special Conditions: NONE	142 Coles Road	Deck addition to home	Approved 9/22/09	Complete
09-29	Michelle Hodge Special Conditions: NONE	51 Court Street	Amend COA re plantings	Approved 10/7/09	Complete
09-30	Brothers Property Special Conditions: 1. The Permittee shall submit the revised site plans that were displayed at the Agency meeting on December 2, 2009	45 Commerce	Subdivision approval	Approved 12/2/09	
09-31	Inland Wetland Agency Special Conditions: NONE	town wide	CE Marker amendment	Approved 1/6/10	
09-32	William & Kristen Sullivan Special Conditions: Silt fence must be located outside of the wetlands	2 Millennium Drive	Shed	Approved 1/6/10	Work in progress
09-33	Gary M. Sullivan Special Conditions: E&S procedures as outlined in REMA report of 11/11/09	146 West Street	Demolish existing attached deck, and re-build at same location	Approved 1/6/10	Work in progress

Minor, Craig

From: Mazurek, Joe
Sent: Wednesday, June 09, 2010 5:09 PM
To: Minor, Craig
Cc: Curtin, Fred
Subject: 4 Eager Lane

Craig;
May I request to be placed on I/W agenda for the next meeting in July(?) to discuss the drainage proposal and its minimal impacts to wetlands?
Joe



Town of Cromwell

Inland Wetlands and Watercourses Agency

NATHANIEL WHITE BUILDING
41 WEST STREET
CROMWELL, CONNECTICUT 06416

WETLANDS PERMIT #10-09

Name of Project: Footings Under Existing Deck

Site Address: 9 Summerbrook Lane
Deed Reference: 830/325
Parcel ID Number: 03670000

Name of Applicant: Ronald Infante
Address of Applicant: 35 New Lane, Cromwell, CT 06416

Name of Owner: Loraine Caruso
Address of Owner: same

Nature of Activity: Excavate and install footings underneath existing deck, to support roof over deck.

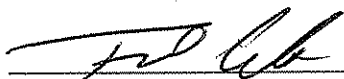
Date of Public Hearing: n/a
Date of Decision: June 1, 2010
Legal Notice Published: June 8, 2010

Special Conditions: None

General Conditions:

1. This Permit shall expire five years after the date of its issuance;
2. All work shall be conducted as shown on plans submitted in connection with this application as amended to reflect any conditions of this approval;
3. The Permittee shall notify the Development Compliance Officer and the Town Engineer immediately prior to any work being conducted in a wetland or upland review area;
4. The Permittee shall notify the Development Compliance Officer upon the completion of the approved regulated activity;

5. In granting this Permit, the Agency has relied on information provided by the Permittee and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.
6. Prior to commencement of any regulated activity and not more than 30 days after the date of this permit, the Permittee shall submit a narrative "Erosion and Sediment Control Chronological Order Checklist" for use by the Permittee's contractors and town staff.

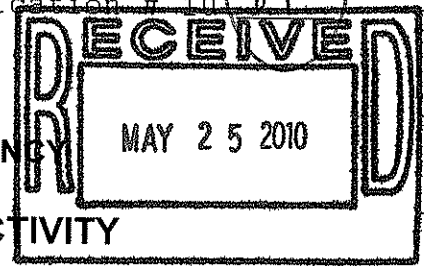


Fred Curtin
Wetlands Enforcement Officer

6/11/10

date

cc:
file



TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street Address: 9 Summer Brook	Map/Block/Lot: 32/17/6-3
Applicant: RONALD INFANTE	Volume/Page: 830/325
Address: 35 NEW LANE Cromwell	Owner: FRANCIS LOREANE CARUSO
Phone: 860 635 3507	Address: 9 Summer Brook CROMWELL CT 06416
Parcel ID #: 03670000	I hereby consent to the Applicant acting as my agent for the purpose of this application. I hereby permit the members and agents of the Agency to inspect the subject land both before and after a final decision has been issued. Signature: <i>[Signature]</i>

Reason for the Proposed Wetland or Upland Review Area Disturbance (not a description of the project, but an explanation of why this disturbance is necessary to complete the project):

TWO FOOTINGS 16" UNDER EXISTING DECK
THAT HAS EXISTING FOOTINGS AROUND IT

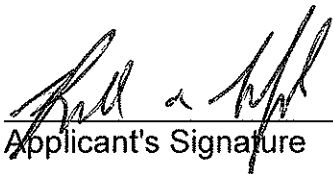
Area of Wetland Impacted by this Project (in square feet or acres): 0

Area of Upland Review Area Impacted by this Project (in square feet or acres): LESS THAN 5'

Description of Alternative Methods Considered, and Justification for Method Chosen:
NONE

Certification of Notice to Neighboring Municipalities	
Is any portion of the wetland or watercourse impacted by this application within 500' of Rocky Hill, Berlin, or Middletown?	Yes / <input checked="" type="radio"/> No Not Applicable
Has a copy of this application been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	Yes / <input checked="" type="radio"/> No Not Applicable
Has a copy of the plans been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	Yes / <input checked="" type="radio"/> No Not Applicable

I, the undersigned, hereby certify that the information presented as part of this application is to the best of my knowledge, true and accurate and that should such information be proved to be inaccurate or misleading, any permit issued on the basis of this information may be revoked.



 Applicant's Signature

5/24/10

 Date of Submission

RONALD W INFANTE

 Printed Name

The Cromwell Inland Wetlands and Watercourses Agency has detailed environmental information on many of the wetland areas in town. The applicant is strongly encouraged to request a copy of this information.

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RC
RIGHT TO DRAIN

FIELD LOCATED WETLANDS LINE

LOT 1 N / F SUMMER BROOK ASSOC.

LOT 2 N / F SUMMER BROOK ASSOC.

LOT 4 N / F SUMMER BROOK ASSOC.

FIELD LOCATED WETLANDS LINE

HAYBALE CHECK

1% PITCH

FIELD LOCATED WETLANDS LINE

END OF SWALE IMPROVEMENTS

PROPOSED NEW 8" SAN SEWER

3.4" CL. WATER

3.4" CL. WATER

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5.43-21-45 W

147.00'

3.88-47-10 E

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- SOIL AND SEDIMENTATION CONTROL NOTES:**
1. INSTALL SOIL AND SEDIMENTATION CONTROL MEASURES AS SHOWN ON ATTACHED LANS FOR CONSTRUCTION.
 2. LOCATIONS AND CONTROL TYPES ARE APPROVED.
 3. CONTROL MEASURES SHALL BE INSTALLED AS SHOWN ON THIS SET AND MAINTAINED TO PREVENT EROSION CONTROL.
 4. CONTROL MEASURES SHALL BE MAINTAINED TO THE GREATEST EXTENT POSSIBLE.
 5. STORM WATER CHANNELS AND EXISTING VEGETATION TO REMAIN SHALL BE MAINTAINED THROUGHOUT THE PERIOD.
 6. ALL VEGETATION SHALL BE MAINTAINED THROUGHOUT THE PERIOD.
 7. STORM WATER CHANNELS SHALL BE MAINTAINED THROUGHOUT THE PERIOD.
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 10. STORM WATER CHANNELS SHALL BE MAINTAINED THROUGHOUT THE PERIOD.

*** AS BUILT**
 Date 12-10-88
 HEWITT ENGINEERING P.C.
 CONSULTING ENGINEERS

PLOT PLAN

PROPERTY OF

KEN KASEK

LOT 3 BLOCK

SUMMER BROOK LANE

CROMWELL, CONNECTICUT

DATE 10/19/88 SCALE 1"=40'

REV 10/24/88 JS

[Handwritten signature]

HEWITT ENGINEERING

U.S. & P.L. 0-28



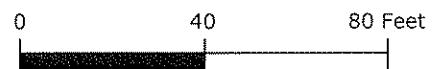
Town of
Cromwell, CT

Parcel ID: 03670000

Owner: CARUSO LORAINE L

Parcel Address: 9 SUMMER BROOK LANE

Interactive Map



Scale: 1"=40' (1:480)
Date: 5/28/10

UPLAND REVIEW AREA
PERMIT CHECKLIST

Application #: 10-09

Applicant: Ronald Infante

Street Address: 9 Summerbrook

✓

1. Single family residential, or small project by the Town

✓

2. Grade no steeper than 10%

✓

3. New location not more than 10' from the original location


✓

4. Proposed activity at least 10' from conservation easement

✓

5. Proposed activity at least 30' from wetland or watercourse

Memo

To: Inland Wetlands and Watercourses Agency
From: Craig Minor, AICP
Town Planner 
Date: June 24, 2010
Re: **Application #10-07: Move Existing "Made Wetlands" at 51 Court Street.
Michelle Hodge, owner/applicant.**

1. Plan Review:

It's my understanding that the most-current plans dated May 28, 2010 were distributed at the June meeting. Please contact my office if you don't have a copy (I will bring more to the meeting).

Those plans are different from the original plans as follows:

1. The wetlands behind the house are shown as filled in;
 2. The wetlands on the east side of the house will have the invasive plants removed, and suitable wetland "shrubs" planted in their place;
 3. A new catch basin at the curb on the west side of the property which will be built by the Town, to convey stormwater from the area behind 51 Court Street to the existing stormwater management system across the street.
-

I have reviewed this plan and find it acceptable. If the applicant still would like to install a fence along the east side of the property, it should be shown on the plan.

2. Notification to Neighbors:

At the June meeting the question came up as to whether the neighbors were ever notified of the map amendment and the regulated activity approved back in 2004 by the previous owners.

The regulations do not require written notice be sent to the neighbors of a map amendment request. A legal notice must be published in a local newspaper (the Hartford Courant), which was done on September 8 and 15, 2004. No request for a public hearing was filed for the regulated activity application, so it was approved without a public hearing on October 27.

3. Letter from Applicant Dated June 8, 2010:

See attached.

cc:
Michelle Hodge
Engineering Department
file

To: IWA
Regarding: Application #10-07

June 8, 2010

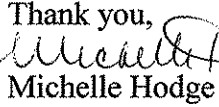
I am writing in response to the letter that was presented to the Commission in June regarding my application #10-07. The author of this disturbing letter, which she had several neighbors sign, did not contain much or any accurate information at all. If the author of that letter had actually looked at the previous applications for this property she would have seen that "the Hodges" as she put it several times was not the owner or applicant for any previous applications outside of the current application and the application to modify the trees and put in an above ground pool. But yet this person misinformed the neighbors of such. I do not appreciate the personal attack of my character and integrity that she would accuse me of any underhandedness because I work for the Town. She not only attempted to make me look dishonest but also the staff in the Public Works Department.

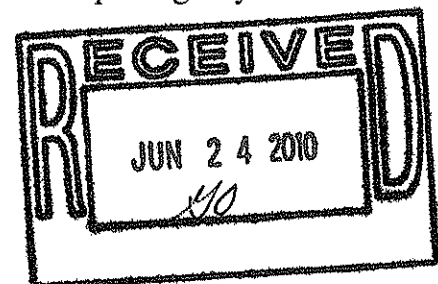
She also stated I want to change the "Man-made Wetlands" because of water in my basement. She can't be anymore wrong. The *Hodge's* built their home above the ground water level. Bone dry. Even though we are maintaining all of our neighbor's water we have a dry basement. Which leads me to believe that the ground water levels in our area, cause basement leakage. A professional has confirmed this to me, not just someone that thinks they know the facts. Had the person done more research they would have found I already had a signed permit from the IWA for an above ground pool in the Upland Review area. But yet she told the neighbors I wanted to fill in the pond so I can install an in-ground swimming pool. Again, a blatantly wrong piece of information. She should have researched better.

What the neighbors do not want to believe is that us pumping the pond during the horrendous storm a few months back, the storm which by the way had reportedly caused several flooding incidences throughout the entire state, was to avoid having the neighbor at 57 Court Street completely flooded. The water was heading right to their home through the pipe going from the property line next to their home to the pond. What would that neighbor say then if we had not diverted the water away? Would the Town be liable for the damage to their home? And now that I have been instructed to not pump again, if another storm like that hits, is the Town liable for the property damage caused by the water back flowing to 57 Court Street? In the 3 years I have owned this property there was never any pumping done, and the one storm pumping was under extreme conditions that this was done. And to clarify we did not use a generator, what use would an electrical generator have on water? We used a gas operated pump. In reference to us flooding the neighbors, if the water came up to their home seeping into their basement from the rear wetlands then I would agree that we flooded their basements. But in fact, by their own admission in the June meeting, the water did not come up to their home from the wetlands. This supports the fact that the water in the basements is caused by high ground water levels in our area, these neighbors have had this problem for several years, according to Town documents.

The author also stated in the letter that we couldn't support any more water on our property in the rear wetlands. What an ignorant statement to make. We are trying to find the best possible solution to alleviate the water being contained on my property. Not to increase anything. The author also states that this is a beautiful place to live. Which it is. But does the person think this because her water along with the other properties drains into the hole in my backyard giving them relief?

In closing I want to state the letter written to the Commission and publicly read was from a person that wrote blatant inaccurate information, and it was done, in my opinion, to instill anger and anxiety with the surrounding homeowners so that their storm water can continue to drain to my property giving them usable yards. The Hodges' would like the same comforts the abutting property owners enjoy without impacting any of the neighbors.

Thank you,

Michelle Hodge
Homeowner
51 Court Street



TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street Address: 207 West Street	Map/Block/Lot: 21/13/6A
Applicant: Gas Development Cromwell, LLC	Volume/Page:
Address: 23 Concord Street Wilmington, MA 01887	Owner: Gas Development Cromwell, LLC
Phone: (617) 877-3411	Address: 23 Concord Street Wilmington, MA 01887
Parcel ID #: 00422500	<p>I hereby consent to the Applicant acting as my agent for the purpose of this application. I hereby permit the members and agents of the Agency to inspect the subject land both before and after a final decision has been issued.</p> <p>GAS DEVELOPMENT CROMWELL, LLC By: <i>[Signature]</i> Signature: <i>[Signature]</i> RICHARD J. PICARIELLO, MANAGER</p>

Reason for the Proposed Wetland or Upland Review Area Disturbance (not a description of the project, but an explanation of why this disturbance is necessary to complete the project):

The proposed location of the dumpster pad provides the optimal location on the subject property for proper operation of the site and avoidance of conflict with current traffic circulation patterns on the property. The proposed dumpster pad is located approximately 40 feet north of wetlands located at the rear of the property. This upland review area consists of existing developed and disturbed areas associated with the site's development.

Area of Wetland Impacted by this Project (in square feet or acres): None

Area of Upland Review Area Impacted by this Project (in square feet or acres): +/- 500 square feet (existing developed/disturbed area)

Description of Alternative Methods Considered, and Justification for Method Chosen:
The dumpster pad was considered along the east side of the site. However, this location conflicted with proper traffic circulation and is difficult for refuse pickup trucks due to the close proximity to the existing site building. Also, aesthetically it is not an ideal location due to the adjoining commercial facility sideyard and close proximity to the site's frontage.

Certification of Notice to Neighboring Municipalities	
Is any portion of the wetland or watercourse impacted by this application within 500' of Rocky Hill, Berlin, or <u>Middletown</u> ?	<input checked="" type="radio"/> Yes / No Not Applicable
Has a copy of this application been sent to the Rocky Hill, Berlin, or <u>Middletown</u> municipal Inland Wetlands and Watercourses Agency?	<input checked="" type="radio"/> Yes / No Not Applicable
Has a copy of the plans been sent to the Rocky Hill, Berlin, or <u>Middletown</u> municipal Inland Wetlands and Watercourses Agency?	<input checked="" type="radio"/> Yes / No Not Applicable

I, the undersigned, hereby certify that the information presented as part of this application is to the best of my knowledge, true and accurate and that should such information be proved to be inaccurate or misleading, any permit issued on the basis of this information may be revoked.

Dean Gustafson, VHB, Inc. for May 26, 2010
 Applicant's Signature GAS DEVELOPMENT CROMWELL Date of Submission

DEAN GUSTAFSON, VHB, INC. AGENT FOR GAS DEVELOPMENT
 Printed Name CROMWELL, LLC

The Cromwell Inland Wetlands and Watercourses Agency has detailed environmental information on many of the wetland areas in town. The applicant is strongly encouraged to request a copy of this information.

#10-10

Transportation
Land Development
Environmental
Services



imagination | innovation | energy Creating results for our clients and benefits for our communities

May 28, 2010

Vanasse Hangen Brustlin, Inc.

Ref: 11135.00

Mr. Craig Minor
Town of Cromwell
41 West Street
Cromwell, CT 06416-2142

Re: Wetland Permit Application by Gas Development Cromwell, LLC
Proposed Commercial Redevelopment
207 West Street

Dear Mr. Minor:

On behalf of Gas Development Cromwell, LLC (the Applicant), Vanasse Hangen Brustlin, Inc. (VHB) is pleased to submit this *Application to Conduct Regulated Activity* for the proposed redevelopment of the existing gasoline station and convenience store at 207 West Street. The application fee check of \$129.00 is enclosed along with fifteen (15) copies of the following items are included with the application:

1. Permit Application narrative;
2. Town of Cromwell Inland Wetlands and Watercourses Agency Application;
3. CTDEP Reporting Form;
4. Wetlands Delineation Report;
5. Site Location Map; and,
6. Project Plans.

The subject property is within 500 feet of the City of Middletown municipal boundary. In compliance with Section 6 of the Inland Wetlands and Watercourses Regulations of the Town of Cromwell, notification to the City of Middletown Inland Wetlands and Watercourses Agency has been made concurrent with this filing and a copy of such notification is enclosed.

Very truly yours,

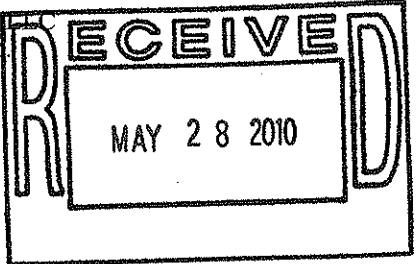
VANASSE HANGEN BRUSTLIN, INC.


Dean Gustafson
Professional Soil Scientist

Enclosures

cc: Rick Picariello
Kenneth S. Staffier, P.E.
File

Gas Development Cromwell, LLC
Vanasse Hangen Brustlin, Inc.



54 Tuttle Place
Middletown, Connecticut 06457-1847
860.632.1500 • FAX 860.632.7879
email: info@vhb.com
www.vhb.com