

**TOWN OF CROMWELL  
INLAND WETLANDS AND WATERCOURSES AGENCY**

**PUBLIC HEARING AND REGULAR MEETING  
7:30P.M. WEDNESDAY, MAY 24, 2006  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

**MINUTES**

**PRESENT:** Chairman Wynn Muller, Julius Neto, Madelyn Lowry, Moira Robertson, Jonathan Beatty, Ann Halibozek and Thomas O'Neill

**ABSENT:** None.

**ALSO PRESENT:** Selectman Stan Stachura and ZEO Fred Curtin.

**1. Call to Order:** Chairman Muller called the meeting to order at 7:34p.m.

**2. Roll Call:** Chairman Muller introduced the above-mentioned members.

**3. Seating of Alternates:** None.

**4. Approval of Agenda:** Mr. Beatty made a motion to approve the agenda, seconded by Ms. Robertson. All were in favor.

**5. Approval of Minutes:**

**a. April 26, 2006:** Minutes were not included in agenda packet.

**6. Development Compliance Officer Report:** Mr. Curtin reviewed his report and gave updates. Permit 05-02 had failure of the silt fence after the rain and a request has been made to repair it and add additional hay bales.

Permit 05-04 will possibly have a change of ownership but currently the permit regarding the vernal pool is in violation.

Permit 05-11 it has been determined that a sump pump is draining into the stream. Mr. Beatty stated that the special condition #2 has not been met and encourages compliance.

Permit 05-21 has silt fence down on part of the driveway. Pat Snow to put up the fence.

Mr. Beatty suggested that a sheet be developed for items that need to be monitored on permits. Ms. Lowry agreed with developing a standardized sheet, as did Mr. Curtin stating it would be easier than searching for the information. Mr. Beatty suggested developing a punch list that would be part of the permitting process.

Regarding Permit 05-18, Chairman Muller would like the rest of the site stabilized before the sedimentation basin is built and stabilized. Mr. Snow stated that the material is going to be moved ASAP within the town in the next two to three weeks and the rest of the property will be brought to grade and doesn't think it makes sense to stabilize it and then move it. The dirt pile in

the back of the property will be removed next. Atty Petrella stated that the dirt will be moved to Woodside Road on/about June 1. Mr. Neto asked for a date on the completion of the detention pond. Mr. Snow stated that it should be completed in two to three weeks.

Ms. Halibozek noticed a large truck backed into the driveway at 10 North Road with about ten loads of fill within a wetland area. Mr. Curtin suggested that it could be related to a Town water project but will investigate.

Ms. Halibozek also noticed at 2 Ledge Road some fill of dirt and wood chips. Mr. Curtin was there today and the fill will be removed. Mr. Beatty is willing to consider a cease and desist order but Mr. Curtin would like to give the owners a chance to comply. Ms. Halibozek would like to know the origin of the dirt and its status.

Mr. Neto received calls about brownish water coming down the brook near Shadow Lane and would like Mr. Curtin to investigate.

Chairman Muller noticed digging behind the Sunoco station on Rte. 372 and would like to know what they are working on since it is close to the Mattabassett River. Mr. Curtin suggested that it could be a tank replacement and Mr. Beatty suggested it could be removal of a kerosene tank. Mr. Curtin will investigate.

## **7. Town Planner Report:**

### **1. Standard A Conservation Easement Document: None.**

**8. Public Comments:** Atty Petrella stated that projects such as Cider Hill have been approached with a professional attitude and commends the Town for its progress and states that developers in good faith do the best they can. Chairman Muller stated that developers have been responsive to the IWWA's concerns and commends their efforts.

## **9. Public Hearing and Possible Action:**

**a. Application #06-09: Commercial Development in a Wetland or Watercourse at 6 Hammerhead Place. Peking Enterprises, applicant; Investment Associates LP and Peking Enterprises, owner. Continued from April 26, 2006:** Atty Jennifer Gagosz of Michael Dowley & Assoc., introduced Patrick Doherty, of Vanasse Hangen Brustlin Inc, who gave an overview of the project to build a pharmacy and bank. Construction of a retaining wall would not require excavation as originally planned. The riser pipe is not working currently and water in the detention area has eroded a channel where the discharge pipe will be constructed. Mr. Beatty suggested creating a public access way to the Mattabassett. Mr. Doherty stated that providing access would require the removal of vegetation and the construction of a ramp system. Mitigation that could be done onsite would be the removal of invasive species and the improvement of the storm water drainage system. Mr. Neto suggested considering the placement of passive education information on items such as the history of the river or invasive plant information. Mr. Beatty suggested contacting the Mattabassett Watershed Association. Chairman Muller expressed concern over the removal of material for construction and contaminating the

river with concrete dust. Mr. Doherty stated that drainage of the property is toward the front, away from the river and that controls will be installed first and that the building will be removed and trucked off-site, the parking lot will be ground and reused onsite. A specification booklet will be created. Mr. Beatty asked when the project will begin. Mr. Doherty stated that about two months after all the permits are obtained, construction will begin and is expected to last about six to eight months. Mr. Neto would like any stock piles of material to be kept at the furthest point from the river and Mr. Doherty agreed. Mr. Curtin asked if the existing storm system will be abandoned. Mr. Doherty confirmed that it will, but is to remain in use until the new system is online. Mr. Doherty stated that a four foot high vinyl coated chain link fence will be place along the south side of the property.

Mr. Beatty made a motion to close the public hearing, seconded by Mr. Neto. All were in favor.

Mr. Beatty made a motion to approve the application based on the current application with the following conditions:

1. The plan of Erosion and Sedimentation controls be developed and a list of completion in the order in which it is to be completed.
2. The deconstruction and reconstruction of the building not be done during the wet season or spring of 2007.
3. The stock piles be located in an area approved by Fred Curtin.
4. All changes suggested by Ms. Goodfriend and the applicant as of this meeting be incorporated.

Seconded by Mr. Neto. All were in favor.

## **10. Old Business: None.**

## **11. New Business:**

**a. Application #06-12: Telecommunications Tower in Upland Review Area at 207 West Street. Omnipoint Communications Inc, applicant; Choudry Tahir, owner:** Kevin McManus and Ryan Hale representing Omnipoint and T-Mobile presented their plans to erect a cellular tower behind the Exxon station near Stop n= Shop. The tower will be inside a 15'x15' chained-off area with a paved access road(to replace existing paved area) with a utility easement. There will be a 1,200 ft. permanently disturbed upland review area. The tower will replace and improve a currently existing tower. The project should take one to two weeks. A vote to determine significance found that there was none.

Mr. Beatty made a motion to find the activity non-significant, seconded by Ms. Robertson. All were in favor.

Mr. Beatty made a motion to approve the application, seconded by Mr. O=Neill. All were in favor.

**b. Application #06-13: Commercial Building in Upland Review Area west of Commerce Drive. Delta Building Corporation, applicant; Coles Brook Commerce Park**

**Associates LLC, owner:** Attorney Salvatore Petrella, representing the applicant, introduced Frank Magnotta, engineer, who reviewed the project. The project will be along the south side of the access road to the transfer station and commission members visited the area in relation to a prior application on another site. If the application is approved, the owners intend to use the access road for access to and from the building. P&Z may require a frontage on the cul-de-sac with access through a wetland area. Of the four-acre site only two acres are to be developed. The soil is a very well drained sand and gravel mix. There will be an underground concrete gallery system for water drainage that will be connected to the storm drain system along the access road. The building will be 14,000 sq. ft. used as an office building with some warehouse storage. A vote to determine significance found that there was none.

Mr. Beatty made a motion to find the activity non-significant, seconded by Mr. O'Neill. All were in favor.

Mr. Beatty made a motion to approve the application, seconded by Mr. Neto. Chairman Muller would like a letter sent to P&Z and to all members of the IWWA and an erosion and a sedimentation control punch list to be included. All were in favor.

## **12. Communications and Bills:**

**a. Revised Inland Wetlands and Watercourses Model Municipal Regulations dated May 1, 2006:** Revised regulations were not included in the agenda packet, item to be moved to next month.

**13. Commissioners= Comments and Reports:** Bd. of Selectman Stan Stachura suggested that Fred Curtin get a basic outline of what is required for each application. Chairman Muller suggested getting the Town Engineer=s approval of the outline for his requirements.

**14. Adjourn:** Ms. Robertson made a motion to adjourn at 9:20p.m., seconded by Ms. Lowry. All were in favor.

**Respectfully Submitted,**

**Catherine Potter**