

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

**REGULAR MEETING  
7:30P.M. WEDNESDAY, DECEMBER 27, 2006  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

**MINUTES AND RECORD OF VOTES**

**1. Call to Order:** Chairman Muller called the meeting to order at 7:30p.m.

**2. Roll Call:**

Present: Wynn Muller, Julius Neto, Madeleine Lowry, Jonathan Beatty, Ann Halibozek, Thomas O'Neill and G. Alden Nettleton.

Also Present: Town Planner Craig Minor and Selectman Stan Stachura.

**3. Seating of Alternates:** A **motion** was made by Mr. Beatty and **seconded** by Mr. Neto to seat Alternate G. Alden Nettleton and was *unanimously* approved. *Motion passed.*

**4. Approval of Agenda:** A **motion** was made by Mr. Beatty and **seconded** by Ms. Lowry to approve the agenda as presented and was *unanimously* approved. *Motion passed.*

**5. Approval of Minutes:**

**a. November 15, 2006:** A **motion** was made by Mr. Beatty and **seconded** by Ms. Lowry to accept the minutes of November 15, 2006 and was *unanimously* approved. *Ms. Halibozek abstained. Motion passed.*

**6. Development Compliance Officer Report:** Fred Curtin was not in attendance and no report was submitted.

**7. Town Planner Report:** None.

**8. Public Comments:** None.

**9. Public Hearing and Possible Action:** None.

**10. Old Business:** None.

## 11. New Business:

**a. Application #06-27: Bridge over Coles Brook at 49 Coles Road. Andrej & Ewa Cieslik, owner/applicant:** Andrej Cieslik stated he fixed and replaced parts of the bridge for safety reasons and that the work occurred in 2005. Chairman Muller asked about the application that had been filed in 2005. Mr. Cieslik stated that he didn't think he need to complete the application process because the work was repairs. Ewa Cieslik stated that the original application was for a brand new bridge. Mr. Cieslik also stated that where a pipe was removed there are periodically oil spots in standing water areas on his property. Rocks were also place along the bank and were taken from the front of the property when sewer connection was made. Mr. O'Neill asked how much oil is seen. Mr. Cieslik stated that is seems to be just on the surface and could possibly be coming from I-91. Ms. Halibozek suggested having Wendy Goodfriend visit the site. Mr. Neto stated that Mr. Curtin needs to start documenting this situation and is concerned with property owners doing work without permits although as indicated in the photos the work was done well. Mr. Cieslik stated that Mr. Curtin and other town officials had visited the sites and didn't mention a need for a permit. Mr. Neto asked if there is storage of oil or other such products in the shed across the stream. Mr. Cieslik stated that his lawnmower has been drained. Mr. Stachura is concerned that town employees didn't follow up on permits when they visited the site. Chairman Muller suggested getting input from Mr. Curtin and is concerned about the appearance of oil. Ms. Halibozek asked if any other items listed in the original permit have been done or are planned to be done. Mrs. Cieslik said they are waiting for a plot plan and will follow procedures. Mr. Cieslik stated that an area of standing was altered, bushes were planted and fish were added (unsuccessfully). Mr. Beatty suggests refraining from taking action until Mr. Curtin's response can be heard. Mr. Nettleton is also concerned about the presence of oil. A **motion** was made by Mr. Beatty and **seconded** by Mr. O'Neill to table action until the next meeting and was *unanimously* approved. *Motion passed.* A site walk has been scheduled for Saturday, January 6, 2007 at 2p.m.

**b. Application #06-28: Residential Subdivision (APond View≅) at Willowbrook Road. Larry Webster, applicant; Millane Nurseries, owner:** Allan Bongiovanni, Land Surveyor, gave an overview of the project and stated that Mr. Webster is now owner of the property. The project is on the south side of Coles Road, is twenty-four and one-half acres and one third is wetlands. It is to be a seventeen lot conservation subdivision. No work will be done within the wetlands but some work will take place within the one hundred foot buffer zone in one area. Four of the lots will have a minor grading disturbance within the buffer zone. Ms. Lowry asked how long the property has been used as a nursery and if it has been checked for chemicals. Mr. Bongiovanni stated that it has been a nursery for about seventy-five years and that as part of the permit from Planning and Zoning it must meet DEP regulations. The top six inches in residential areas will be removed for remediation. Mr. Beatty asked for information on those areas. Mr. Bongiovanni stated that the few areas that material will be removed are located on areas that aren't going to be developed. Mr. Minor suggested that before a site walk that

center lines of proposed roads be staked for reference. Chairman Muller noticed that the open space stated on the plans is at 49.9% and that a minimum of 50% is required. Mr. Bongiovanni stated that the open space is much larger than stated and will clarify this in the plan notes. Mr. Beatty suggested that the buffer to the west could serve as a walking path in the future. Mr. Bongiovanni stated that the Conservation Commission has no plans for a pathway on this site to connect to other walking paths in town and that neighbors on the other side might oppose a path in their backyards.

A **motion** was made by Mr. Beatty and **seconded** by Mr. O'Neill in the public interest to schedule a public hearing for the next regularly scheduled meeting and schedule a site walk and was *unanimously* approved. *Motion passed.* A site walk is scheduled for Saturday, January 6, 2007 at twelve noon. Parking is available along the Coles Road portion of the property.

Mr. Beatty stated that a map with topographic lines would have assisted commissioners in determining significance. Ms. Lowry asked who is to maintain the storm detention system and what is its life span. Mr. Minor stated that this information should be presented at the public hearing. The area on the northern side of the project, Coles Road, is in the upland review area for a wetland on Coles Road which impacts three quarters of the two lots along Coles Road and should also be taken into consideration.

**c. Application #06-29: Residential Subdivision at 14 Sydney Lane. Sovereign Ridge LLC, owner/applicant:** Allan Bongiovanni, Land Surveyor, stated that this project was previously approved by this commission but didn't gain approval from Planning and Zoning. The project will now consist of only two lot sites with access from the cul-de-sac Twin Oaks Drive. There will be no work within a regulated area. Chairman Muller read the points to determine significance.

A **motion** was made by Mr. Beatty and **seconded** by Mr. O'Neill to find the application a non-significant impact activity and was *unanimously* approved. *Motion passed.*

A **motion** was made by Mr. Beatty and **seconded** by Mr. O'Neill to approve the application with the usual conditions and was *unanimously* approved. *Motion passed.*

**d. Application #06-30: Building Addition at 60 Hicksville Road (Children=s Home). Kevin Clark PE, applicant; Children=s Home of Cromwell Inc, owner:** Mr. Nettleton stated that he is a resident of Covenant Village but has no interest in the corporate structure. Ms. Lowry stated that she is a former employee of the Children=s Home of Cromwell and receives a pension from them and is recusing herself. Kevin Clark stated that a 9,000 foot addition will be added to the main building and will be two stories with domestic water and fire lines, sewer and electrical utilities. There is a .37 acre area of temporary disturbance in a regulated area. Ms. Halibozek asked what erosion controls will be used and suggested considering using new materials such as bark filled tubes in addition to a silt fence. Mr. Beatty suggests working with Mr. Curtin to determine the best erosion control method. Mr. Neto asked where roof water will travel. Mr. Clark stated that the addition is downstream from the pond. Chairman Muller read the points to determine significance.

A **motion** was made by Mr. Beatty and **seconded** by Mr. O'Neill to find the application a non-significant impact activity and was *unanimously* approved. *Ms. Lowry abstained. Motion passed.*  
A **motion** was made by Mr. Beatty and **seconded** by Mr. O'Neill to approve the application with the usual conditions and to work with town staff to install additional erosion controls was *unanimously* approved. *Ms. Lowry abstained. Motion passed.*

## **12. Communications:**

**a. DEP A Notice of Intent to Issue General Permits for Various Water Diversion Activities and Intent to Waive Public Hearing** dated December 1, 2006: *No action taken.*

**b. DEP A Notice of Tentative Determination and Intent to Waive Public Hearing** dated December 4, 2006 for Cromwell Fire District: *No action taken.*

**c. Notification from Town of Rocky Hill of Pending Application for Inland Wetlands and Watercourses Permit at a site within 500' of Cromwell** dated December 4, 2006: *No action taken.*

**d. Letter from Connecticut River Coastal Conservation District** dated November 30, 2006: Mr. Beatty would like to encourage the First Selectman to pay the full amount billed. Mr. Stachura stated that the amount has already been approved.

**13. Commissioners= Comments and Reports:** Mr. Stachura is concerned that town departments and staff are not checking on projects and that building officials should be aware of what projects require or have obtained permits.

## **14. Annual Meeting:**

**a. Reading of by-laws:** Chairman Muller advised members to read through the by-laws. Mr. Stachura suggested including stipulations that applications with large amounts of information not be submitted on the night of a meeting. Chairman Muller felt an improvement has been made in the last six months. Ms. Lowry stated that discussion of applications via email would be a violation of Article 13. Mr. Beatty suggests adding >including email= to Article 13. Article X section x-4 regarding the public hearing time line should be changed to match the regulations. A motion was made by Ms. Lowry and seconded by Mr. O'Neill that the by-laws have been read and may possibly be amended in January 2007 was *unanimously* approved. Motion passed.

### **b. Election of Officers:**

A **motion** was made by Mr. Muller and **seconded** by Mr. O'Neill and it was *unanimously* approved to **elect** Mr. Beatty as Chairman. *Motion passed.* Mr. Muller thanked commission members for their support over the years.

A **motion** was made by Mr. Beatty and **seconded** by Ms. Lowry and it was *unanimously* approved to **elect** Mr. Muller as Vice Chairman. *Motion passed.*

A **motion** was made by Ms. Halibozek and **seconded** by Mr. O'Neill and it was *unanimously* approved to **elect** Ms. Lowry as Secretary. *Motion passed.*

**15. Adjourn:** The meeting was adjourned by general consent at 9:18p.m.

**Respectfully submitted,**

**Catherine Potter**