

Inland Wetlands and Watercourses Agency
REGULAR MEETING
7:00 WEDNESDAY, June 3, 2020
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET
Minutes

Present: Chairman Joseph Corlis, William Yeske, Wynn Muller (*via Zoom*), Bob Donohue, and John

Also Present: Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, and Town Engineer Jon Harriman

1. Call to Order

The meeting was called to order by Chairman Corlis at 7:02 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates:

None.

4. Approval of Agenda:

Mr. Popper added the following under New Business: Application #20-08 Town of Cromwell 100 County Line Drive filling and grading within the wetlands and the upland review area.

John Whitney made the motion to approve the agenda as amended; seconded by William Yeske.
All in favor, motion passed.

5. Approval of Minutes:

a. February 5, 2020

Motion: Wynn Muller made the motion to approve the minutes of February 5, 2020; seconded by John Whitney. *All in favor, motion passed. Bob Donohue abstained.*

6. Development Compliance Officer Report:

a. Status of On-going Project and Existing Cease and Desist Orders

Mr. Driska offered to address any questions or comments on the permit report. He said that absent from that report is an administrative approval which Town staff made recently to a residential property at 9 Harper's Road for a pool and a deck within the 100-foot Upland Review Area. Mr. Driska said the Agency had authorized the staff to issue an administrative approval to grade and install for a drainage trench and bank stabilization within the Inland Wetlands and Upland Review Area at 26/28 Franklin Road. Mr. Driska and Mr. Popper and he have both gone there to check on the progress. The Agency members had no questions.

7. Town Planner Report:

Mr. Popper reported that construction on the town garage is continuing and there will be changes to be discussed later in the meeting. He said that the Amazon building is moving forward on County Line Drive and at the Starbucks site the manmade drainage basin is in the process of being moved closer to Baci Grill. He noted that part of the parking lot at Burger King is being removed to create a joint parking area for both Starbucks and Burger King. Mr. Popper said construction on the Marriott Hotel at 76 Berlin Road continues and that demolition of the existing structures has begun at the former Nike site.

8. Public Comments:

There were none.

9. New Business Accept and Schedule New Applications:

a. Application #20-05: Request to conduct regulated activities within the Inland Wetlands and Upland Review Area (dredge pond and install silt basin) at 20 Shadow Lane. Blake Lewis is the Applicant and the Owner.

Mr. Popper summarized the history of the dredging of the pond under the previous owner. He explained that the previous owner had submitted a similar application to dredge the pond about five years ago and the Agency determined it to be significant activity. Mr. Popper noted that it was approved after a public hearing. Mr. Driska summarized the current application and the applicant Mr. Lewis presented the application to the Agency.

The Agency members and staff discussed whether or not this would require a public hearing, as well as what type of activities would require a public hearing. The members noted that the Agency had determined that the previous application to dredge the pond was a significant impact on the wetlands and had required a public hearing.

Mr. Lewis Blake questioned the reasons for a public hearing. Mr. Popper reviewed the regulations and discussed with the Agency members and applicant the activities that would trigger the requirement for a public hearing.

John Whitney made the motion that this has a significant impact on the wetlands and should require a public hearing on July 1, 2020; seconded by Wynn Muller. *All in favor, William Yeske opposed. Motion passed.*

b. Application #20-06: Request to conduct regulated activities within the Upland Review Area (grade and construct a retaining wall) at 70 Commerce Drive. 70 Commerce Drive LLC is the Applicant and Henry Vassel is the Owner.

Mr. Jim Cassidy Engineer with Hallisey, Pearson & Cassidy at 630 Main Street Cromwell Connecticut presented the application. Mr. Cassidy described the location of the site at 70 Commerce Drive, the site itself, the surrounding properties and noted that access will be from Commerce Drive. He said the property contains 8.25 acres of which 2.5 acres are wetlands and the site is in the Industrial Zone. Mr. Cassidy said that the applicant is proposing to construct two 1-story 31,500 square foot industrial buildings and one 1-story 4,200 square foot office building and

an associated 86-space parking lot on the property. He said the parcel is currently owned by Henry Vassel and will be purchased and developed by 70 Commerce Drive, LLC.

Mr. Cassidy described the location of the existing wetlands and upland review area and noted that the site plan has been designed to ensure that only the upland review area is impacted and that there are no direct impacts to the wetlands. He explained that the activities proposed will disturb about an acre of upland review area will include clearing, grading and construction of a retaining wall, portions of the parking lot and the office building.

Mr. Popper noted that all the proposed regulated activities are located within the upland review area so there is no need to make a determination of impact to the wetlands. He said that staff had reviewed the application and had no comments. Mr. Popper noted that if the application is approved by the IWWA the next step will be for the applicant to go before the Planning and Zoning Commission with an application for Site Plan approval.

John Whitney made the motion to approve the application as presented; seconded by William Yeske. *All in favor, motion passed.*

c. Application #20-08: Request to conduct regulated activities (filling and grading) within the Inland Wetlands and Upland Review Area at 100 County Line Drive. The Town of Cromwell is the Applicant and the Owner.

Mr. Popper explained that the Town was previously before the Agency on January 9, 2020 with Application #19-09 Request to conduct regulated activities (filling and grading) within the Inland Wetlands and Upland Review Area at 100 County Line Drive. He summarized the history of the previous application.

Jon Harriman, P.E., Town Engineer/Assistant Public Works Director described the previous proposal to fill 4,000 SF within a ravine at the proposed new Public Works facility. He explained that the town needed to expand the area for storage of materials and would like to fill an additional 1,742.4 square feet of wetlands. Mr. Harriman stated that this area like the previous area had developed wetland soils from years of drainage from the adjacent Gardner farm property at 120 County Line Drive. He explained that the farm is now a 403,000 square foot warehouse and drainage from that property has been engineered directing drainage flow away from the ravine and the wetland soils are drying up.

The Agency members and staff discussed the previous application and how the development at 120 County Line Drive had permanently impacted some areas of the wetlands at 100 County Line Drive. Mr. Muller noted that since the wetlands are drying up and will not exist in the near future it does not make any sense to deem this a significant activity.

Wynn Muller made the motion that this was not a significant impact on the wetlands and should not require a public hearing; seconded by John Whitney. *All in favor, Motion passed.*

Wynn Muller made the motion to approve Application #20-08; seconded by William Yeske. *All in favor, Motion passed.*

10. Commissioners' Comments and Reports:
None.

11. Adjourn

John Whitney made a motion to adjourn at 7:55 PM; seconded by Bob Donohue. *All in favor, motion passed.*

Respectfully submitted,

A handwritten signature in black ink that reads "April Armetta". The signature is written in a cursive, flowing style.

April Armetta
Recording Clerk