



TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY
41 WEST STREET, CROMWELL, CT 06416

REGULAR MEETING
7:00 WEDNESDAY, JANUARY 7, 2015
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET

Minutes and Record of Votes

Present: Vice Chairman Joseph Corlis, Wynn Muller, Amanda Drew (alternate), William Yeske, Madeline Lowry, John Whitney (alternate), Scott Lamberson, G.Alden Nettleton

Also Present: Town Planner Stuart Popper, Town Council Liaison Shirley Banic, Zoning Enforcement Officer Jillian Massey

1. Call to Order

The meeting was called to order at 7:03pm by Vice-Chairman Corlis.

2. Roll Call

The presence of the above members was noted.

- 2. Seating of Alternates:** (Alternate Amanda Drew was seated at the December 3, 2014 meeting)

A **motion** was made by G. Alden Nettleton and **seconded** Madeline Lowry to seat John Whitney as an alternate. *All were in favor; the motion passed.*

4. Approval of Agenda:

A **motion** was made by Wynn Muller and **seconded** by Bill Yeske to approve the agenda with the amendment of moving the Town Planner report to after item 12. *All were in favor; the motion passed.*

5. Approval of Minutes:

- a. December 3, 2014**

A **motion** was made by Madeline Lowry and **seconded** by Wynn Muller to approve the minutes of December 3, 2014. Joseph Corlis, *Wynn Muller, William Yeske, Madeline Lowry approved; Scott Lamberson, G. Alden Nettleton and John Whitney abstained; the motion was passed.*

6. Development Compliance Officer Report:

Ms. Massey said that she was happy to be here and looking forward to coming to the meetings.

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

Ms. Massey said that she met with Mr. Holt in early December and he has been making progress with the slope. She said he planted grass and hayed. Ms. Massey said she gave him until May 1, 2015 to have the rest of the woodchips removed due to the winter. Town Council Liaison Shirley Banic arrived at 7:06pm.

A **motion** was made by G. Alden Nettleton and **seconded** by Madeline Lowry to continue the Cease and Desist order for 20 Greendale Avenue. *All were in favor; the motion passed.*

7. Town Planner Report: heard after item 12.

8. Public Comments: none

9. Old Business:

- a. Cease and Desist Order for 20 Greendale Avenue. Daniel M. Holt is the Owner.

Already discussed in 9b.

10. New Business Accept and Schedule New Application:

11. Public Hearings

a. Application #14-12: Request to conduct regulated activities within the wetlands and upland review areas at 40, 55 and Parcel 0066400 Sebeth Drive. The applicant is proposing to relocate the existing detention basin from 40 Sebeth Drive to 55 Sebeth Drive to allow for the development of Parcel 0066400 Sebeth Drive. NADEKA LLC is the Applicant and the Owner.

Vice-Chairman Corlis reads application 14-12.

Attorney Salvatore Petrella of 630 Main Street gave the notices of original mailings to Ms. Massey and she said the sign was posted on the property prior to December 25, 2014.

Attorney Petrella said we have a complete set of plan with a better solution that Soil Scientist, George Logan came up with. He said we want to enlarge the mitigation area on our property and enhance the wetlands. Attorney Petrella said they have the review from the Town Engineer and the Town Staff and any approvals will be subject to their review. He shows the property on a map and said it is the Apria Building. He said the road that goes past Apria would be requested to be made a public road to serve 3 lots, one would be new if approved by Planning and Zoning. He said that Mr. Logan came up with the new plan of instead of moving the detention pond across the street. He said this is a sensitive area and we have been reviewing this for 3 years. He said we need to stay away from the wetlands and the gas lines in front. Attorney Petrella describes the wetlands.

George Logan, Soil and Wetland Scientist showed the existing condition on a map and he discusses the prior project 6-7 years ago. He referred to a December 26, 2014 report which describes the site and the soils and discusses the new town road. He said there is no other prudent and feasible alternative to the plan of moving the existing catch basin from 55 Sebethe Drive to 40 Sebethe Drive. Mr. Logan discussed the catch basins and detention pond. He said they will conduct regulated activities in Wetland A and replacing the water quantity and quality in the pond which is a 22,000 square foot pond. He said the upland activity will be 10,800 square feet away from the Algonquin gas lines. He discussed the fragmites in this area and said we have species that can complete with the fragmites.

Mr. Logan said there is a planting plan for the back. There was a discussion on the type of storm water management system they would use and he said that Engineer, Jim Cassidy and the Town Engineer have verbally agreed on what method to use. Mr. Logan said they have presented a feasible and alternative solution with a process that minimizes impacts and has no long term impacts.

Mrs. Drew asked if there would be a maintenance plan for the detention system and Mr. Logan said yes, it is on the last sheet 19-D and it has extensive notes and tables. Ms. Lowry asked about the notations on the deed and Mr. Logan said it would run with the property.

Attorney Petrella said the Engineering Department has put in effect a maintenance policy for the periodic maintenance of detention systems.

Mr. Popper said that we had found that the town approved facilities which were never maintained and now we require an annual report to show cleaning and it will be on the deed forever.

Vice Chairman Corlis said that they discussed a site walk at the last meeting and what is the opinion of the Commissioners now. Mr. Popper said the staff has walked the area and Attorney Petrella said there will not be any activity at 55 Sebethe Drive, it was all eliminated.

Vice Chairman Corlis asked if any member of the public wanted to speak regarding application 14-12.

Jay Polke of 15 Harrison Drive said he is here as a resident and taxpayer and business owner. He said this is a no brainer project and the business brings people in on a daily basis. He said other towns want this project and it could generate \$150,000 per year in taxes. Mr. Polke said I am in favor of the project.

Mr. Popper said if this is approved tonight they still have to submit a site plan and subdivision application to Planning and Zoning. He said there is much more review to this project and not the last step.

Mr. Nettleton said he is presently a client of Attorney Petrella on an out of town transfer that has no bearing on this project at all.

Attorney Petrella said he could summarize the criteria's for approvals and he was sorry for the late change but it is beneficial to keep the project on two parcels. He said there is some sense of urgency and the question is what the harm of the activity is. He said they will actually do many good things to the wetlands. He said we will only be dealing with 40 Sebeth Drive and a new parcel not 55 Sebeth Drive.

A **motion** was made by Wynn Muller and **seconded** by G. Alden Nettleton to close the public hearing for application 14-12. *All were in favor; the motion passed.*

A **motion** was made by William Yeske and **seconded** by Wynn Muller to approve application 14-12 with final approvals of the Town Engineer. *All were in favor; the motion passed.*

Attorney Petrella said that he won't raise conflict of interest unless I feel there is a reason.

12. Commissioners' Comments and Reports:

a. Election of Officers and Reading of the Bylaws

A **motion** was made by Wynn Muller and **seconded** by G. Alden Nettleton to waive the election of officers until the new position is filled. *All were in favor; the motion passed.*

A **motion** was made by Wynn Muller and **seconded** by William Yeske to change the bylaws to read Jillian Massey as the authorized agent and to include emails to item 13 Communications. *All were in favor; the motion passed.*

12b. Town Planner Report

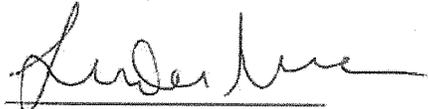
Mr. Popper said that Chevron will be cleaning up 79 River Road. He said they will be drilling and testing in the upland review area. He said he is asking the Commission to authorize the staff to handle the application. He said we will be receiving reports from the DEEP.

A **motion** was made by Scott Lamberson and **seconded** by John Whitney to authorize the staff to issue an administrative review for application for 79 River Road. *All were in favor; the motion passed.*

13. Adjourn

A **motion** was made by Wynn Muller and **seconded** by Scott Lamberson to adjourn at 8:20pm. *All were in favor; the motion passed.*

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Linda Imme", written over a horizontal line.

Linda Imme
Recording Clerk