



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

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JoAnn Doyle
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***REGULAR MEETING
7:00 WEDNESDAY, SEPTEMBER 7, 2022
TOWN COUNCIL CHAMBERS
CROMWELL TOWN HALL, 41 WEST STREET***

AGENDA

1. Call to Order
2. Roll Call
3. Seating of Alternates:
4. Approval of Agenda:
5. Approval of Minutes:
 - a. July 6, 2022
 - b. August 3, 2022
6. Development Compliance Officer Report:
 - a. Status of On-going Project and Existing Cease and Desist Orders
7. Town Planner Report:
8. Public Comments:
9. New Business: Accept and Schedule New Applications:
 - a. Application #22-07: Request to conduct activities within the Upland Review Area to allow for filling at 12 Sumer Brook Lane. Magdalene and Sead Mehic are the Applicants and the Owners.
10. New Business:
 - a. Application #22-06: Request to conduct activities within the Upland Review Areas to allow for the redevelopment of the site to include a apartments, townhouses and commercial development at 100 Berlin Road. M360 Berlin Land Holdings, LLC is the Applicant and the Owner.
 - b. Application #22-03: Request to conduct activities within the Upland Review Areas to allow for the construction of a 6-lot subdivision at 170 Evergreen Street. Roswell Development, LLC is the Applicant and Robert Grinold Estate c/o Adam Berkeley Grinold is the Owner.
11. Old Business:
 - a. Application #22-02: Request to conduct activities within the Inland Wetlands and Upland Review Area to allow for the construction of a road and warehouse at 94A and 102 Court Street, 76 and 80R Geer Street and 210 Shunpike Road. Scannell Properties #576, LLC is the Applicant and Dilys B. and Henry P. Jr. McIntyre, Gardner's Nurseries Inc. and Paramount Property LLC are the Owners.
12. Commissioners' Comments and Reports:
13. Adjourn



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Jul 22, 2022 02:32P
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TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY
41 WEST STREET, CROMWELL, CT 06416

***REGULAR MEETING
7:00 WEDNESDAY, JULY 6, 2022
TOWN COUNCIL CHAMBERS
CROMWELL TOWN HALL, 41 WEST STREET***

Minutes and Record of Votes

Present: Chairman John Whitney, Vice Chairman Stacy Dabrowski, Joseph Corlis, Peter Omicioli, Wynn Mueller (via phone)

Absent: Robert Donohue, William Yeske

Also present: Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska

1. Call to Order

The meeting was called to order at 7:01pm by Chairman John Whitney.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates:

No alternates were seated.

4. Approval of Agenda:

A motion was made by Peter Omicioli and seconded by Joseph Corlis to amend the agenda to include 2 new applications to be considered and accepted. Application 22-03 Roswell Develop, LLC, 170 Evergreen Road and application 22-04 Cromwell Automotive 263 Main Street.

5. Approval of Minutes:

a. June 1, 2022

A motion was made by Peter Omicioli and seconded by Joseph Corlis to approve the minutes of June 1, 2022. All were in favor; the motion passed.

6. Development Compliance Officer Report:

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

Development Compliance Officer Bruce Driska said 2 applications were included in his report. For application 22-01 on West Street the foundation has been poured and they are ready to build.

7. Town Planner Report:

Town Planner Stuart Popper said that the old Lord Cromwell site has been approved for a zone change and the application will come to the IWWA in September for activities within the Upland Review Area.

8. Public Comments:

Mr. Popper asked if there were any members of the public who wanted to speak on a matter other than what was on the agenda. No one came forward.

Commission Member Wynn Mueller joined by phone.

9. New Business: Accept and Schedule New Applications:

Mr. Rock Evans from SLR Consulting at 99 Reality Drive in Cheshire, CT said that Application #22-03 was for 170 Evergreen Road at the corner of Willowbrook Road to build 6 single family homes. He said the site is 14 acres and there is a stream and wetlands on the site. He said there will be six frontage lots and the construction of five of the lots will impact the Upland Review Area but not the wetlands. He said they will adhere to best management practices in regards to the driveways, garages and drainage infrastructure. He said there will be 54,320 square feet of total disturbance and showed the map. He said it is a pretty cut and dry delineation. He showed the site plan and said the distance to the wetlands is about 10-12 feet. He said the houses will be designed to have basement walkouts to minimize the disturbance. Mr. Evans said they are here this evening seeking a determination of a nonsignificant activity with the Upland Review Area.

A motion was made by Peter Omicioli and seconded by Joseph Corlis to find that the proposed activity within the Upland Review Area to be a nonsignificant activity for Application #22-03 and to schedule it for the August meeting. All were in favor; the motion was passed.

Mr. Justin Packard of Hallisey, Pearson and Cassidy said Application #22-04 for 263 Main Street is an existing business/building with a one-story building on the property. He said there is a paved parking lot with one large gravel storage area in the rear for cars and equipment. He said there are wetlands behind that gravel area but the wetlands are not on the property. He said the current gravel area is in the upland review area. Mr. Packard said they are planning on building a 500 square foot steel building on the western side where gravel is now which will be used for storage only. He said they will pave the area

from the front to the back leading to the building and leave gravel everywhere else. He said there will just be minor regrading in the upland review area. He said they will not be decreasing any lawn space. Mr. Packard said they are here this evening seeking a determination of a nonsignificant activity with the Upland Review Area.

A motion was made by Peter Omicioli and seconded by Joseph Corlis to find that the proposed activity within the Upland Review Area to be a nonsignificant activity for Application #22-04 and to schedule it for the August meeting. All were in favor; the motion was passed.

10. Public Hearing:

a. Application #22-02: Request to conduct activities within the Inland Wetlands and Upland Review Area to allow for the construction of a road and warehouse at 94A and 102 Court Street, 76 and 80R Geer Street and 210 Shunpike Road. Scannell Properties #576, LLC is the Applicant and Dilys B. and Henry P. Jr. McIntyre, Gardner's Nurseries Inc. and Paramount Property LLC are the Owners. (public hearing continued)

A motion was made by Peter Omicioli and seconded by Joseph Corlis to open the public hearing for application 22-02. All were in favor; the motion was passed.

Mr. Popper read the legal notice for Application #22-02. He said there was a presentation last month by the applicant and his representatives and we will continue the meeting tonight to allow for comments by the neighbors and their representatives with a cut off time of 10:00pm.

Attorney John Parks of 352 Billings Road, Somers, CT handed Mr. Popper the verified petition to intervene from Jamin DeProto

Mr. George Logan, Wetland Scientist with REMA Ecological Services located at 164 East Center Street in Manchester, CT said he is working on behalf of the neighbors of the proposed site. He distributed a supplemental report to the Commission. Mr. Logan provided his background on his experiences working in Cromwell on various large projects. He said he and his team have walked the eastern perimeter of this property from adjacent town property to see what they see and how the proposed activity directly and indirectly impacts the wetland resources. He said there is an 18,000 square foot confirmed Tier 1 vernal pool with other vernal pools which are connected ecologically. He said Bing.com was a good source for aerial photographs of the vernal pools and Jon Harriman, Town Engineer had allowed them to review some the town files relating to the mapping of the town's wetlands a number of years ago.

Mr. Logan continued to read from his supplemental report and explain his findings. He said the Commission needs to explore other alternatives as your regulations say no there should be no vernal pool impact. He said filling tier 1 vernal pool #7 of this size is unprecedented and simply just not done. He said this will create an irreversible and irretrievable loss of wetland resources. Mr. Logan said the size and shape of this building do not represent a balance for this area. He said the town regulations say this can be discussed and considered by the Wetlands Commission.

Mr. Logan said a CT soil survey shows an area indicating wetlands that may have been missed due to its size. He said that this area will be under the proposed tractor trailer parking spaces seen from 46R Geer Street. He also said that section 23a on the soil map shows a wet spot and it hasn't been mapped since it's

too small. He said this area has rarely been planted due to its sustained wetness which is evident by the very dark topsoil. He said the applicant's soil scientist can investigate this. Mr. Logan also showed previously mapped wetland 46-22-18. He said I don't know what happened to this but it is right under where the parking lot would be.

Mr. Logan said that the Kestrel and Broad Winged Hawks may be impacted by this development. He said a more robust inventory of species would have been better for this application.

Mr. Logan gave Mr. Popper a copy of the Best Development Practices methodology. Mr. Logan talked about the critical areas around the vernal pools and said he is skewing the numbers to be in favor of the applicant instead of us. He said the total disturbances shouldn't take more than 25% of the habitat for a tier 1 vernal pool and vernal pool #6 will have a 28% disturbance. Mr. Logan also talked about discharge violations and the area they are proposing to restore will take years. He said the proposed access road is essentially a killing zone for amphibians. He said there is interconnectivity between vernal pools and if you sever the one in the middle the ones on the sides will suffer. He said they are eliminating the best source for amphibians.

Sigrun Gadwa, a Wetland and Soil Scientist from Cheshire, CT said she is a regular subcontractor to Rema and she owns her firm as well. Ms. Gadwa said she will expand on Mr. Logan's details. She said the Commission will need to decide on the physical effects on the vernal pools. She also said this proposal included a lot of lights which will attract insects and bats. She said this will have an adverse effect on the diversity of the population. Ms. Gadwa handed out an article on the impacts of artificial lighting.

Ms. Gadwa referred to page 5 of the Rema handout. She said many invertebrates, amphibians and aquatic insects all habitat this vernal pool. She said it's a very complex recycling of nutrients going on. She said a healthy vernal pool has a diverse population along with predators. She said these will all be highly vulnerable by the entry way road. Ms. Gadwa handed Chairman Whitney a chapter about the population of vernal pools. She also discussed diesel fuel exhaust that could settle into the wetlands. She also read the conclusion on page 9 of the Rema report.

Attorney John Parks of 352 Billings Road, Somers, CT talked about reduction of species and how it impacts the values of the wetlands. He said these very things are what this Commission is charged to protect by statute.

A break was called at 8:20pm and the meeting was called back to order at 8:25pm.

Mr. Popper said they have a speaker list. Chairman Whitney said there will be a 3-minute time limit for each speaker. Mr. Popper said you can also just say I support the previous comments of another speaker. Mr. Popper asked Attorney Parks about the intervenor.

Dr. Jamin DeProto of 50 Hicksville Road said he is an instructor of Harvard Medical, Oxford and a scientist who conducted a lot of research in his days. Dr. DeProto reads from the verified petition to intervene that he submitted.

Ben Conroy of 59 Geer Street said the peer review shows the research was incomplete and this is not the best option. He asked if Cromwell wanted this dumped into our neighborhoods, schools, communities and wetlands. He said this is not the most prudent approach and I oppose it.

Nicole McHugh of 17 Botelle Manor said I oppose it. She said she is a professional counselor and performs a lot of data research. She said there wasn't any actual clear data from the May meeting nor was it presented from a scientific perspective and she questioned if it was actual data. She said there is no validity or reliability in these studies. She asked how they can trust this will be a successful project. Ms. McHugh said there is nothing in the new proposal for scientifically mitigating wetlands. She said Cromwell should create a Cromwell land trust if the town values conservation.

Ken Kasek of 15 Pondview Drive said there are too many issues with this property as explained by the applicants. He said he is putting in a request to the applicants to show one manmade vernal pool in Connecticut that has been constructed and successful.

Steven Balmer of 18 Ranney Street said this is a terrible idea and this plan is not suitable. He said he has deep concerns about the deposition of materials and pollution of local waters by trucks that will build up over time. He said the Commission should deny based on the oath you took.

Fay Tine of 24 Botelle Manor said she was concerned with the thermal effects or heat islands. She said the road will separate the vernal pools.

Alana Stachura of 47 Geer Street said the applicant submitted an application in 2021 with their best practices which were debunked by the peer review. She said now a new application is submitted this year with best practices saying there are no other alternatives. She said to please use the no build alternative.

Andrew Holt of 8 Wildwood Road said he opposes the proposal. He said all of the neighbors oppose it and he hasn't talked to one person who is in favor. He asked how Scannell can say there are 150 loading docks but it's not a transportation center. He said this completely disregards and destroys the wetlands. He said this land should be used to build a new middle school and that Scannell will create gridlock all over town. He said this will be the biggest mistake of the town and please say no.

Joan Holt of 48 Geer Street said my property abuts this directly and my biggest concern is pollution of the Mattabesset River and its flow into the Connecticut River and Long Island Sound. She said I agree with all who oppose.

Phyllis Becker of 71 Geer Street said they will put the snow into piles on the property which will be surrounded by chain link fences. She said this will pollute the wetlands. Ms. Becker said that there was a May Bloomberg report talking about how large ecommerce companies are closing. She said that we don't want an empty half-built building. She said covering a vernal pool will ruin other wetlands. She asked how do we know what they are saying is true and she would like to see another peer review. She asked the Commission not to approve and said this is unsuitable activity for this part of Cromwell.

Patricia Jepsen of 46R Geer Street said she is adjacent to the property and said she opposes the destruction of vernal pools and the lack of the applicant's alternatives. She said this would have short- and long-term impacts.

Robin Swanson of 1 Walnut Tree Road said the reason to deny this application is vernal pool #7. She said your regulations say that wetlands can be manmade or natural. She said they need smaller buildings and you can't let them cover the vernal pool. She said you can't make a decision until you get all the reports.

Diane Wiegert of 75 Geer Street said she agrees with all the previous speakers who oppose the application. She asked the Commission to please deny. She said we have a petition and are just looking to get more signatures before we submit it. She handed out the petition to the Commission.

Isabella Szydlowski of 3 Jewell Avenue said she agrees with all the previous speakers who oppose the application. She said the applicants have downplayed how complex these wetlands are. She said Mr. Logan from Rema has such a long-standing history with Cromwell and we are fortunate with what his team has pointed out. Please deny this application. She said the feasible and prudent alternative is to build smaller buildings or nothing at all.

Chris Pleasanton of 336 Man Street said he is heartbroken by this project and opposes it. He said the environmental impact will be devastating and the peer reviews shows serious concern with the plans. Mr. Pleasanton said the statute says that the obligation of this commission is to consider the impacts of the wetlands so please deny.

Michael Slowik of 25 Vincy Drive said he voices strong objections to this application. He said his wife also opposes the application as well. He said this project should not be built on wetlands and is very complicated. He said there is a slew of major problems with their plans and they shouldn't be building on this wetland as it is simply inappropriate. After the toxicity levels were discussed he is wondering why our kids should be breathing these fumes. He asked why we should give this up for a warehouse. He said it violates the character and identity of Cromwell. He said he opposes and to please deny the application.

Diedre Daly of Geer Street said she is opposed to this application because of the impact to the wetlands and the wildlife. She noted that she lives directly across the street from the proposed warehouse and is very concerned about the impact not only to the wetlands and wildlife but to her and her neighbor's quality of life. She said she opposes the application and she asked that they please deny the application.

Michael Baecker of 71 Geer Street said he opposes this application due to the irreparable harm to the wetlands. He said a feasible and more prudent alternative would be more welcomed. He showed pictures of turtles moving with the vernal pools and said this would become a highway of death. He said the application is misleading and they are trying to take advantage of the town. He said please deny. He handed his comments to Mr. Popper.

Mr. Popper asked if anyone else wanted to speak.

Scott Baecker of 71 Geer Street said he was thankful for the peer review and said this project is too massive to build on this land. Please deny.

Dmytro Grebenyk of 202 Coles Road said he is right next to this and this construction impacts my backyard. He said the neighbors complain about Amazon now so what will happen when this is here. He said he would like to put a pond in his backyard but not with all of these trucks. He said the people of Cromwell will be impacted by this. He said more trucks and cars all add to the pollution. He said the State of CT provides grants to buy wetlands and he wondered if the town has considered this. He asked what the benefit to the town was and asked if it will outweigh the impacts to the environment. He said what if the economy creates a shortage of supplies and they don't have enough money to finish the build. He said construction could halt for years and it could be left half built.

Michael Race of 2 Walnut Tree Road said he opposes and supports all of the previous resident comments. He urged the Commission to deny the application.

Elizabeth Swift of 30 Geer Street said she opposes the application for all of the reasons stated.

John McHugh of 17 Botelle Manor said he opposes the application.

Attorney Parks submitted into record a court case from the Old Saybrook wetlands agency. He said this discusses the interconnection between wetlands and animals. He said this case was

regarding an application for a golf course that was denied. He told the Commission you are charged with protecting wetlands and water courses. He said you have everything you need from seasoned experts to deny this application.

Mr. Popper asked the audience if anyone had anything new to say. No one came forward.

He asked if anyone else wanted to speak and the applicant said they would like to speak.

Attorney Tom Cody of Robinson and Cole on 280 Trumbull Street in Hartford said they represent Scannell and presented in June. He said they will prepare a full response for the August meeting. He said he has a few thoughts regarding statute and regulations. He said the regulations aren't a prohibition of development of wetlands and if it was you wouldn't be here. He said the regulations want to create a balance. He said we have the highest regard for the wetlands and have spent 2 years researching and designing this property for the best use with protection of the wetlands. He said by proposing access to the Shunpike as opposed to Geer Street limits the impacts and fully satisfies a prudent and reasonable alternative. He said the filling of the vernal pool protects the array of wetlands around it. You wanted a peer review and some think Land Tech says we disregarded points but we spent 3 months investigating questions and comments. Land Tech says we satisfied their concerns. We think Land Tech agreed with the new plans.

Mr. Popper said the recording tape needs to be changed and we will come back and open the meeting to new comments.

Attorney Cody said they will just request an extension of time to extend the public hearing to cover the next August meeting.

A motion was made by Peter Omicioli and seconded by Stacy Dabrowski to accept the request for extension of time to continue the public hearing for Application #22-02. All were in favor; the motion passed.

11. Commissioners' Comments and Reports:

12. Adjourn

A motion was made by Peter Omicioli and seconded by Joseph Corlis to adjourn at 9:46pm. All were in favor; the motion passed.

Respectfully submitted,

Linda Imme

Linda Imme
Recording Clerk



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

***REGULAR MEETING
7:00 WEDNESDAY, AUGUST 3, 2022
TOWN COUNCIL CHAMBERS
CROMWELL TOWN HALL, 41 WEST STREET***

Minutes and Record of Votes

Present: Chairman John Whitney, Joseph Corlis, Peter Omicioli, Robert Donohue, William Yeske, Wynn Mueller (via phone),

Absent: Vice Chairman Stacy Dabrowski

Also present: Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska

1. Call to Order

The meeting was called to order at 7:01pm by Chairman John Whitney.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates:

No alternates were seated.

4. Approval of Agenda:

Mr. Popper asked the that the agenda be amended to include Application #22-06, Request to conduct activities within the Upland Review area at 100 Berlin Road and 15 Christian Hill Road. He said the activities include demolishing the existing building and parking lot and grading and constructing the new parking lot and buildings at 100 Berlin

Road. M360 Berlin Land Holdings LLC is the Applicant and the Owner. A motion was made by Peter Omicioli and seconded by Robert Donohue to amend the agenda to include Application #22-06. All were in favor; the motion passed.

5. Approval of Minutes:
July 6, 2022

A motion was made by Peter Omicioli and seconded by Joseph Corlis to table the minutes. All were in favor; the motion passed.

6. Development Compliance Officer Report:

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

Development Compliance Officer Bruce Driska said he has nothing new to report. Mr. Donohue asked about the gas station on lower Main Street and said the windows were blown in. Mr. Driska said it's not a wetlands matter but he did not know about it and will be addressing it.

7. Town Planner Report:

Mr. Popper said the Application #22-06 for the former Lord Cromwell site has been added to the agenda. He said construction of the new Burlington Store at the Shop Rite Center is moving along as well as construction at other developments in town. He said we expect to see new applications in the Fall for older properties on the Shunpike and Route 372.

8. Public Comments:

Chairman Whitney asked if any members of the public had any comments on anything other than what is on the agenda tonight. No one came forward.

9. New Business: Accept and Schedule New Applications:

Mr. Popper said that a brief presentation will be made on Application #22-06 and the Commission will need to decide if the activity is either insignificant or significant enough to require a public hearing. He said all of the work will be in the upland review area. He said the Planning and Zoning Commission has already approved a zone change from Highway Business Zone District to a Mixed-Use Zone District. He said there will be 260 multi-family units as well as 30,000 square feet of commercial space in the front. He said the rear will have 26 townhouse condos. He said the activity is only in the upland review area and there are no wetlands on site. He said the wetlands are contained between the Lowes site and this site so it's within the 100-foot setback.

Jim Cassidy, an Engineer with Hallisey, Pearson and Cassidy said he represents 360 Land LLC the present owner of this property. He said the site has moderately sloping

grades and the Mattabesset trunk lines runs through here. He said only the current parking deck will remain. There will be retail use in front and the upper 3 levels will be residential. There will be 260 apartment units and 20 townhouses for sale or lease each with individual garages. He showed the surface parking area and said there will be 437 parking spaces. He also said that 50% of the parking would be in a structure. Mr. Cassidy said there will be a 17,000 square foot reduction in the building area with a slight reduction in impervious areas. He said there will be courtyards above the parking garage. He said there will be no direct impact to the wetlands, only the upland review area. He said there are currently no storm water quality measures now but we will install various brand-new systems for quality measures.

Mr. Cassidy said the site demolition plan is included in the package and that work is what will be done in the upland review area. He said the development will be in the current developed area. Mr. Popper said he has Mr. Cassidy's narrative and read the significant activity clause from the regulations to the Commissioners.

A motion was made by William Yeske and seconded by Joseph Corlis to find application 22-06 to be an insignificant activity because there is no impact to the inland wetlands. All were in favor; the motion passed.

A motion was made by Peter Omicioli and seconded by Joseph Corlis to accept and schedule application 22-06 for the September 7, 2022 meeting. All were in favor; the motion passed.

10. New Business:

a. Application #22-03: Request to conduct activities within the Upland Review Areas to allow for the construction of a 6-lot subdivision at 170 Evergreen Street. Roswell Development, LLC is the Applicant and Robert Grinold Estate c/o Adam Berkeley Grinold is the Owner.

Mr. Popper said he was asking the Agency to table this application until the next meeting.

A motion was made by Robert Donohue and seconded by Peter Omicioli to table application 22-03 until September 7, 2022. All were in favor; the motion passed.

b. Application #22-04: Request to conduct activities within the Upland Review Areas to allow for the grading of the site to construct a 4,992 square foot building at 263 Main Street. Cromwell Automotive LLC is the Applicant and the Owner.

Jim Cassidy an Engineer with Hallisey, Pearson and Cassidy said this is a 1.4-acre site is home to Cromwell Automotive. Mr. Cassidy described the location of the site and the surrounding area. He said the area to the south is where the wetlands are and a portion of the grading and construction of the building will be within the Upland Review area. He said the applicant is proposing to construct a 1 story, 4,992 square foot building to

be used for storage. He noted the grading and construction of the building will disturb about 8,390 square feet of the upland review area.

He explained that the property is also located within the 100 Year Flood Zone and will require a special permit from the Planning and Zoning Commission. He said the proposed building will be designed so it is not susceptible to flooding.

Mr. Popper said if the project is approved by the IWWA the applicant will be submitting applications a site plan modification and a special permit to the Planning and Zoning Commission.

A motion was made by Peter Omicioli and seconded by Joseph Corlis to approve application 22-04. All were in favor; the motion passed.

11. Public Hearing:

Application #22-02: Request to conduct activities within the Inland Wetlands and Upland Review Area to allow for the construction of a road and warehouse at 94A and 102 Court Street, 76 and 80R Geer Street and 210 Shunpike Road. Scannell Properties #576, LLC is the Applicant and Dilys B. and Henry P. Jr. McIntyre, Gardner's Nurseries Inc. and Paramount Property LLC are the Owners. (public hearing continued)

Mr. Popper read the legal notice for the public hearing into the record.

A motion was made by Peter Omicioli and seconded by Joseph Corlis to reopen the public hearing for application 22-02. All were in favor; the motion passed.

Mr. Whitney told the audience that the public comments portion will only hear new comments and people should refrain from repeating past comments or concerns. He said the meeting will end at 10:00am.

Mr. Popper said a reply from the applicant was posted on the town website last Wednesday.

Attorney Tom Cody of Robinson and Cole, 280 Trumbull Street in Hartford said that Dean Gustafson, a professional Soil Scientist will share his review of the REMA presentation.

Dean Gustafson of All Points Technology Corporation referred to his report dated July 28, 2022 and also showed slides from a project at Uconn in Mansfield, CT and said this project required wetlands approval and approvals from both State and Federal agencies. He said there are recognized strategies to mitigate vernal pools. He also showed a Vermont project that showed the wildlife openings. He said we are proposing 4 openings in the access road. He said you can make a condition of approval that the vernal pool has to be revived. Mr. Gustafson read from his report.

Mr. Whitney asked if any members of the Commission had any questions for Mr. Gustafson. No one did.

Attorney Cody said that they asked Langan, an air quality specialist company to do a national standards comparison.

Tim Onderko of Langan Engineering and Environmental Services said he is an air quality specialist and he showed a graph with air quality results. He said air particles are not a concern to plants. Chairman Whitney asked the effect of the air quality in 10 years and Mr. Onderko said this graph shows what happens every 24 hours in Connecticut and what this project will add to it. He said the levels are below EPA standards and they pose no hazard.

A break was called at 8:20pm and the meeting was called back to order at 8:25pm.

Attorney Cody said that we have shown you the intervenors have not established that this project will cause unreasonable harm to the wetlands and there is no showing of harmful effects as a result of this application. He said we have satisfied every criteria and after this we will still have to move to the Planning and Zoning Commission which will require a public hearing. He said they will have to go to the State DOT As well. He said we still have a long review process to go.

Attorney John Parks said he represents the residents who live in this neighborhood and has a question to Mr. Gustafson from his report and presentation regarding page 4 in the section that references vernal pool filling precedent. He asked if those vernal pools were as interconnected as vernal pool 7.

Dean Gustafson said we don't have the details of those 3 projects but it is reasonable to assume that 1 of the 3 pools filled in was a productive pool.

Attorney Parks said that was the answer I expected. He said I don't know much about aquatic life but the judicial system is based on precedent. He said if you don't know if those 3 vernal pools establish precedence then you don't know. He said that Mr. Logan said this is unprecedented. Attorney Parks said an intervenor, Robin Swanson said you only need one reason to deny and it's the unprecedented filling of pool 7.

George Logan, professional Wetland Scientist with REMA handed out a report. He said his job is to provide a 3rd party review not to provide objection to an application. He said he took exception to the tone of the letter from Dean Gustafson.

Sigrun Gadwa, professional Wetland Scientist handed out 2 reports to the Commission. She said that vernal pool 7 is deep and that means in severe drought the salamanders can still reproduce in vernal pool 7.

Chairman Whitney left the room at 9:07pm.

Ms. Gadwa said the long-term concern is pollutants not ambient particles. She said it is like a steady rain of toxic dust.

Chairman Whitney returned to the room at 9:10pm.

Ms. Gadwa said what hasn't been addressed is that the upland mitigation may result in loss of open wildlife habitat.

Mr. Logan reads the report from page 5 and the impact of the wood frog population.

Mr. Whitney asked if that concluded their presentation and Mr. Logan said yes.

Mr. Whitney asked for any members of the public who wanted to speak.

Patricia Jepson of 44R Geer Street said she is an intervenor and that the applicant has issues with the intervenors referring to an outdated 30-year report but they talk about old practices. She handed out a letter to the Commission.

Nicole McHugh of 17 Botelle Manor said that the DEEP prohibits anything that potentially traps wildlife. She said please have the DEEP review the culvert and request that the DEEP look at the environmental impact of air particulates of fauna at adjacent Watrous Park.

Mike Baecher of 71 Geer Street said he is an intervenor and the applicant is not basing things on facts. He said this is questionable because of the size and impact of the application. He said they are drawing conclusions based on pollutants on the site but they have no knowledge of how many trucks would be going in and out. He said you are drawing conclusions on what you want.

Attorney Cody said I only know of 2 intervenors but others are referring to themselves as intervenors. Mr. Popper said the last page of the packet shows the additional intervenors. Attorney Cody said we have received none of this and we should have received copies of this before. He also said that the two copies we received were identical and no additional issues were raised. Mr. Popper said he would get them right now for him.

Robyn Swanson said she is an intervenor living at 1 Walnut Tree Road and said she stands by her position and this decision falls to the Commission. She said it is your responsibility to look out for the best interest of the residents. She presented her memo to the Commission.

Ben Conroy of 59 Geer Street said your regulations say you may consider our comments and our opposition is unanimous. Mr. Conroy asked what reassurances do we have that if this approved that the applicant adheres to any conditions.

Zoning Compliance Officer Driska said that any land use application that is approved with conditions is memorialized in the town clerk's office.

The recording tape was changed at this point.

Abby asked not to provide her name or address due to personal reasons and said that she is familiar with the Vermont application that Mr. Gustafson referred to and said the salamander crossings worked for a period of time but degraded quickly.

Dmytro Grebenyk of 202 Coles Road said he read the report from All Points and said it is arrogant and is borderline insulting to REMA. He said I expected to read a scientific report. Mr. Grebenyk handed his comments to the Commission.

Jamin DeProto said he didn't hear anything on methodology and this didn't pass the sniff test. He said the applicant is missing details that make a big difference. He said this project needs to die here tonight.

Attorney Tom Cody said shame on Attorney Parks for untrue statements. Attorney Parks told you that you would be the first Commission in the State of Connecticut to fill in a vernal pool but Mr. Logan wouldn't say that. He said based on your regulations this application should be approved. Attorney Cody said shame on Mr. Logan for claiming Mr. Gustafson didn't write the report. He said he did write the report based on research he conducted. Attorney Cody also said that Mr. Logan made a comment that you could do a different layout of the building. He said we are trying to have a fair balance of property and understand the site as a whole while doing what is best. He said the feasible and prudent alternative is this application when you take into consideration the entire site. Attorney Cody also said that no part of Ms. Gadwa's presentation was relevant to this site. He said none of that should be considered by you. Attorney Cody addressed the comments received by the public by saying we have satisfied the regulations He said he had a chance to look at the other intervenors and they are all identical with nothing new on any of them.

Chairman Whitney asked the Commissioners if they had any comments or questions. Mr. Omicioli asked REMA if they had a chance to visit the site/property.

Mr. Logan said we asked to visit and received no response. He said they were able to get onto 46R Geer Street and the Eastern Perimeter of Watrous Park. Mr. Omicioli clarified that they asked the property owner for access and didn't receive a response. Mr. Logan said that is correct. Mr. Omicioli also asked if Mr. Logan reviewed the 3rd party review and if he thought it was accurate and Mr. Logan said he had no issue with it. Mr. Omicioli asked if the 3rd party would have questioned the APT evaluation and Mr. Logan said they should have. Mr. Omicioli said his concern is if you haven't been on the site then lots of things come into question on your report. Ms. Gadwa said the botanist report is very detailed and Mr. Logan asked how much time did the peer reviewer spend on the property.

Attorney Cody showed the DPT report and said the DR's who wrote this report state these are not regulations, just guidelines.

William Yeske said he is trying to use logic when making a decision. He said you can have the site plan changed at Planning and Zoning and we are just going by law. He said you have never been on the land and this should have been done properly.

Attorney Parks said respectfully he wants to ask why we have to go on the property to know they are filling in a vernal pool. They stated they are doing that. Mr. Yeske said you don't have solid proof. He said section 10 of the regulations say a consideration of decision means if they can move it then they can move it. Attorney Parks said you have to protect the wetlands.

Mr. Omicioli said you are looking at one vernal pool but we are looking at the whole project. He said there are other vernal pools on this property and one attempt to contact the property owner is not acceptable. He said 4-5 times would be doing your due diligence. He said one call or email is not enough.

Attorney Parks said they don't have to invite us on site but that doesn't mean our information is not relevant. Mr. Omicioli said you are asking us to deny this application for multiple reasons.

Mr. Popper told the audience that there has to be order.

Attorney Cody said that Attorney Parks just told you that he doesn't understand wetlands law and you can't approve the filling of wetlands. Yes, you can. It's not illegal for you to do that.

A motion was made by Peter Omicioli and seconded by Joseph Corlis to close the public hearing for application 22-02. All were in favor; the motion passed.

Mr. Popper said that the next meeting is Wednesday, September 7, 2022 and the Commission will discuss this and likely vote.

12. Commissioners' Comments and Reports:

13. Adjourn

A motion was made by Joseph Corlis and seconded by Peter Omicioli to adjourn at 10:08pm. All were in favor; the motion passed.

Respectfully submitted,




Linda Imme
Recording Clerk

			Inland Wetland Report 2022					
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	Date of Approval		
22-01	Bantry Bay Ventures	5 Berlin Road	Disturbance to Wetlands	5/4/2022	Approved	5/4/2022		
22-02	Scannell Properties #576, LLC	210 Shunpike Road	Proposed Warehouse Building		Pending			
22-03	Roswell Development	170 Evergreen Road	To create 6 frontage lots		Pending			
22-04	Cromwell Automotive, LLC	263 Main Street	Construct a 1-story 4,992 sq ft. steel frame bldg		Approved	8/3/2022		
22-05	Daniel Vontell	45 Coles Road	Building a shed roughly 80' from brook		Approved	7/15/2022		
22-06	Magdalene Mehic & Sead Mehic	12 Summer Brook Lane	Proposed Filling in upland review area		Pending			
22-07								
22-08								

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

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street Address: 12 Summer Brook Lane, Cromwell, CT	Map/Block/Lot: 22-6-12 Volume/Page: 1648/317
Applicant: Magdalene Mehic & Sead Mehic	Owner: Magdalene Mehic & Sead Mehic
Address: 12 Summer Brook Lane, Cromwell, CT	Address: 12 Summer Brook Lane, Cromwell, CT
Phone: (860) 422-5384	<i>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.</i> Signature: 
Parcel ID # 00518900	

Reason for the Proposed Wetland or Upland Review Area Disturbance <i>(not a description of the project, but an explanation of why this disturbance is necessary to complete the project):</i>
Our property is incredibly steep leading into the back yard, which creates a dangerous environment for our two young children. In order for our family to be able to use the yard, we need to add fill to decrease the steep grade. This is an amended application, which was originally submitted in Summer 2021 and withdrawn by homeowner.

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

Application # _____

Description of Alternative Methods Considered, and Justification for Method Chosen:

This is the least disruptive method of lessening the grade and creating safer access to our back yard.

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 ☒ 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 ☐ 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 ☐ 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

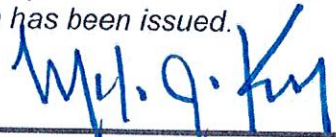
8/23/22
Date of Submission

Magdalene B. Mehic
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.

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

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street Address: 100 Berlin Road & 15R Christian Hill Rd	Map/Block/Lot: 07/21 & 07-6D Volume/Page: 1743/66 & 1746/281
Applicant: M360 Berlin Land Holdings, LLC Martin J. Kenny, Co-Manager	Owner: Same as Applicant
Address: 755 Main Street, Unit 1245 Hartford, CT 06103	Address:
Phone: (860) 520-1005	<i>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.</i> Signature: 
Parcel ID # 00459100 / 11300100	

Reason for the Proposed Wetland or Upland Review Area Disturbance (<i>not a description of the project, but an explanation of <u>why</u> this disturbance is necessary to complete the project</i>):
This proposal is for the redevelopment of a previously developed site. Construction of the new residential, community and amenity buildings, townhomes, site drive and utilities will all be constructed almost entirely within the limits of the original development.
The proposed 6' walking trail provides an important amenity feature for the community residents while avoiding any direct impacts to the wetlands.

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): See attached list of activities.

Application # _____

Description of Alternative Methods Considered, and Justification for Method Chosen:
The final design shifted Residential Building A.2 and townhomes #1 to 8 to the west
in order to minimize the project's impacts on the upland review area. There
are no direct impacts to any wetlands and the majority of the impacted upland review area
was previously disturbed.

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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Has a copy of this application been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Has a copy of the plans been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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

Printed Name

Date of Submission

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.

PROJECT NARRATIVE

The applicant is proposing to redevelop the former Red Lion Hotel property into a multifamily residential community, consisting of residential buildings, commercial buildings, an amenity building, and twenty (20) townhomes. The development will utilize a portion of the existing garage and much of the same developed footprint, meaning that almost all of the area subject to redevelopment was previously disturbed during the construction of the hotel.

The subject parcels of this application are 100 Berlin Road and 15R Christian Hill Road. Most of 15R Christian Hill Road contains wetlands, except for the centermost portion, and Coles Brook runs through the southeast corner of the parcel.

This is an application for permits to conduct four (4) regulated activities that will impact the 100' upland review area and/or the 200' upland review area from a watercourse (Coles Brook). No direct impacts to wetlands are proposed.

Activity #1: Removal of existing building, bituminous pavement, concrete walks and utilities within the 100' upland review area from wetlands and 200' upland review area from Coles Brook. Impact: 90,800 sq. ft. or 2.08 acres

Activity #2: Construction of a portion of buildings R, A.2 and A.1, townhome units #1 – 8, construction of new site drive, portion of parking area, and construction of new drainage system, sanitary sewer system, water main and other utilities. Impact: 98,000 sq. ft. or 2.26 acres.

Note that Activity #1 completely overlaps Activity #2. Therefore, the total impact for both Activity #1 and Activity #2 is 98,000 sq. ft. or 2.26 acres.

Activity #3: Clearing, grading and construction of 6' wide stone dust walking trail. Impact: 5,900 sq. ft. or 0.14 acres.

Activity #4: Clearing, grading and construction of rain gardens behind townhouse units #1 to 8. Impact: 3,800 sq. ft. or 0.09 acres.


Total Impact to Upland Review Area: 107,700 sq. ft. or 2.49 acres

To minimize impacts to the upland review area, the 4-story residential building (Building #A-2) and the easterly townhomes (#1-8) have been shifted more to the west than was previously proposed on the initial master plan. The rain gardens to be located behind these townhomes will help promote groundwater recharge. The stormwater management plan for the proposed development will improve water quality and reduce runoff versus the current development.

The proposed walking trail is part of an outdoor amenity space to be located to the west of townhomes #1-8. While it does impact a portion of the upland review area that was not previously disturbed, it provides the community residents access to an important recreational area. It also provides the residents an opportunity to appreciate and enjoy the aesthetic value inherent in wetlands and watercourses.

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

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street Address: 170 Evergreen Road	Map/Block/Lot: 16-10A Volume/Page: 1744-306
Applicant: Roswell Development, LLC	Owner: Robert Grinold Estate c/o Adam Berkeley Grinold
Address: 276 Salmon Brook St., Granby, CT 06035	Address: 193 RT 9 East, Wilmington, VT 05363
Phone: 860-916-7495	<i>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.</i> Signature: 
Parcel ID #00210200	


Reason for the Proposed Wetland or Upland Review Area Disturbance <i>(not a description of the project, but an explanation of why this disturbance is necessary to complete the project):</i>
The application is to create 6 frontage lots in a 14 acre parcel along Willowbrook Road. There are no direct wetland impacts. There are however proposed activities within the upland review area for the purposed of constructing the houses. The parcel is large and mostly limited by the proximity of existing wetland and floodplain areas so any reasonable use of this parcel would include upland activity. The proposal is limited to six zoning compliant lots

Area of Wetland Impacted by this Project 0 SF (in square feet or acres):
Area of Upland Review Area Impacted by this Project 54,320 SF (in square feet or acres):

Description of Alternative Methods Considered, and Justification for Method Chosen:
Given the extent of wetlands throughout the parcel, and other development of the parcel other than frontage lots would have a more significant direct impact
on the wetlands and watercourse.

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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable
Has a copy of this application been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable
Has a copy of the plans been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 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

6/29/22
Date of Submission

Jonathan Vosburgh
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.

Project Narrative
Cromwell Inland Wetlands and Watercourses Narrative

170 Evergreen Road Subdivision
Cromwell, Connecticut

July 18, 2022

SLR #141.17386.00002

The subject parcel is roughly 14-acres in size and located at the northwest corner of Evergreen Road and Willowbrook Road. Presently, the site is primarily wooded and undeveloped, however, in the past, the parcel had been utilized for agricultural purposes. The topography is generally moderate to gentle, with the entire site drainage flowing towards a watercourse and associated wetland area central to the parcel. The application includes the development of six frontage lots along Willowbrook Road, sized in conformance with the underlying R-25 zone. Remaining land, including the watercourse and areas on the west side of the parcel, are to remain unimproved as part of this application.

Wetlands on site were delineated in 2022 by Ian Cole, certified soil scientist, and are shown on the submitted site plans. The wetlands range from approximately 130 feet to 270 feet from the Willowbrook Road right-of-way. Because of the proximity of the wetlands to Willowbrook Road, the houses and rear yards of Lots 1 through 4, and a small portion of the rear yard of Lot 6, will be located within the upland review area. Regulated activities include tree clearing, house construction on Lots 1 through 4, and the establishment of lawn areas for Lots 1 through 4, and Lot 6. In addition, regulated activities include utility installation and minor site grading associated with the house construction. To the extent possible, site grading will take advantage of the natural topography, with walk-out basements provided on all lots. Stormwater runoff from the houses will be directed to stormwater chambers for the purposes of water quality and runoff volume retention. There are no direct wetland impacts proposed as part of this application.



Ian T. Cole

Professional Registered Soil Scientist / Professional Wetland Scientist

PO BOX 619

Middletown, CT 06457

Itcole@gmail.com

860-514-5642

August 2, 2022

Mr. Stuart B. Popper
Director of Planning and Development
Town of Cromwell
Inland Wetlands and Watercourses Agency

RE: APPLICATION #22-03 Wetland Assessment Prepared for: Roswell Development LLC, Request to conduct activities within the Upland Review Areas to allow for the Construction of a 6-Lot subdivision at 170 Evergreen Street, MBL: 16-10A, Cromwell, Connecticut.

Dear Mr. Stuart and Commission Members:

I am the soil scientist of record that completed the wetland delineation on the above referenced 14-acre parcel. On behalf of the Applicant, I have completed a site review and wetland assessment of the application for the requested approval to construct 6 new single-family residential lots with road frontage along Willow Brook. I coordinated efforts with the SLR and Roswell Development, LLC during the design of the proposed layout to avoid and minimize wetland impacts. I offer the following comments relative to assessing impacts to the inland wetlands and watercourses due to the proposed regulated activities.

PROPOSED ACTIVITIES

The proposed plans call for the construction of a new 6-lot single-family residential subdivision with road frontage on Willow Brook Road. Each home will be serviced by public utilities including both municipal sewer and water connections. Generally, each lot is approximately 1-acre in size with the home centered on the eastern half of the lot.

The proposed development envelope and overall limits of disturbance fall within the footprint of land that was previously cleared and active agriculture up until the late 1970. Following post agricultural abandonment, the lands have reforested with a new cohort of maple trees which now cover the majority of the proposed building lots (Photo 5).

There are no proposed activities that will directly impact the wetland resources.

The construction of Lots #1 through #4 will required approximately 52,390 SF of impact to the 100' Upland Review Area (URA) to facilitate site clearing, construction of the homes and associated site grading. Proposed Lot #5 has no proposed regulated activities within any resource area. Proposed Lot #6 will have 1930SF of impact to the 100' URA.

Each individual lot is designed so that runoff from the proposed development will be directed to a gallery detention system to manage and renovate stormwater runoff.

Prior to the start of construction erosion and sediment controls will be installed at the limits of disturbance and maintained in good condition throughout construction. These control measures will be removed following final site stabilization and project signoff from the Town.

EXISTING SITE CONDITIONS & DESCRIPTION OF ECOLOGICAL COMMUNITY

170 Evergreen Road is a 14-acre vacant undeveloped lot situated on the northwest corner of the intersection of Evergreen Road and Willowbrook Road. The land to the north of the site is a mixture of woodlands and single-family residential development. The Cromwell Community Garden and agricultural lands are found south of the site on the opposite side of Evergreen Road.

A red maple dominated forested wetland occupies the bulk of the western low-lying lands on the property (Photo 1). The wetlands are associated with the source of Willowbrook, a perennial watercourse that bisects the center of the property in a north to south orientation. The watercourse flows south to a culvert along the shoulder of Evergreen Road (Photo 2).

Currently the property is wooded, but the eastern 1/3 of the property was previously cropland. A desktop review of CTDEEP historic air photos from 1934, 1957, 1970, 1990, and 2004 demonstrate that the lands slated for development were managed agriculture lands until the 1970's when agricultural practices were abandoned and the site became reforested. Attached is an air-photo timeline that illustrates the property's transformation from agriculture to present day forest.

The wetland boundary west of proposed development is well-defined and very linear. The wetland boundary closely following what was the leading edge of the above-mentioned crop field. The CTDEEP historic air photos show this distinct boundary well, which has been obscured by the reforestation of the property. A fist-sized stone rubble wall at the edge of the former agriculture field characteristically defines and confines the upper limits of the easterly edge of the jurisdictional wetland in the vicinity of the proposed development (Photo 3). The wetland boundary follows the rubble wall south for several hundred feet where it takes a 90 degree turn west along a distinct relic plow line that was later planted with Eastern Red Cedar trees, an eco-indicator that this line was once a field-edge, as cedar trees require an open canopy and exposure to sunlight (Photo 4). The remaining woodlands are patchwork various stages of successional regrowth.

The project site is characterized by “red” soils which are common in central Connecticut, including Cromwell and formed from red parent material (typically Triassic sandstone) abundant in iron oxides. These red soils are resistant to the formation of redoximorphic features which are often used to identify wetland soils. Delineating wetland soils can be further complicated by the post-agricultural nature of the landscape here which has contributed to a deep, organic enriched A horizon which can also mask redoximorphic features along with typical farming drainage improvements (both surface and subsurface) which can also alter the drainage pattern in the landscape. The wetland soil along the delineated wetland boundary are mapped and classified as belonging to the poorly drained Wilbraham and Menlo soil series. These dense silt loam hydric soils are found on gently sloping foothills. Generally, the slopes to the west with mild slopes ranging from 3-8 percent.

These wetland soils transition to a north to south trending band of moderately well-drained Ludlow upland soils. Lastly, the upland soils running parallel to Willowbrook Road in the vicinity of where the bulk of the proposed activities are planned are mapped and classified belonging to the well-drained Weathersfield loam soil series. These upland soils are well suited to development and are generally considered low-erosion risk.

Representative site photos are provided below.

IMPACT ASSESSMENT

There are no direct impacts to the wetlands due to the proposed activities. The bulk of the home and supporting appurtenances have been shifted to the East to the extent possible to keep most activities along Willowbrook Road where there is an existing development corridor of single-family homes on the opposite roadside.

Clearing limits will be kept well within the historically cleared lands that were previously used for agriculture. These lands have been cleared several times in the past with no adverse effect on the adjacent wetlands and the functions and services the resource provides.

Runoff from each proposed lot will be directed to its own standalone gallery detention system designed to control and mitigate discharge flows to match predevelopment runoff rates. The stormwater management system will ensure that runoff is mitigated and leaves the site as non-erosive sheet flow and or promotes infiltration.

INDIRECT IMPACTS

Indirect or secondary impacts to a wetland or watercourse can occur as a result of activities outside of the wetlands or watercourses. These impacts can be either short-term (*construction phase*) or long-term (*i.e., change in drainage patterns / whole-sale clear cutting*) and are typically associated with erosion and sedimentation during construction, removal or disturbance of vegetation in adjacent upland areas, alteration of ground / drainage patterns that could affect the flow regime of a watercourse, and the discharge of

degraded or insufficiently treated surface or groundwater, which may adversely impact the water quality of the regulated resource.

The potential for any of these indirect impacts to occur at the site as a result of the development depends on the quality of the regulated resources, the sensitivity to said resources, the resource's physical and ecological characteristics, and the degree to which those resources provide recognized functions and values.

EROSION AND SEDIMENTATION

To minimize potential impacts the design incorporates industry standard best management practices (BMPs) and guidelines for residential developments. A construction sequence is provided on the site plans notes. Additional construction notes include details on the proposed earthwork and grading, site stabilization, and best management practices (BMPs) for protecting the environment. All construction activities will be completed in compliance with the standards and guidelines provided by the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, the 2004 Connecticut Stormwater Quality Manual. These controls as well as compliance with permit approvals will assure that no permanent adverse effects will impact the receiving wetlands.

The implementation of a soil and erosion control plan coupled with the flat topography and the physical separation that the existing stonewall provides will attenuate the potential for any short-term adverse impacts to the wetland system during construction activities.

CONCLUSION

Due to the size and configuration of this parcel, its proximity to the wetland resources the activities will require activities within the 100' upland review area. The proposed residential homes have been located as far away from the wetlands to the extent practical to both provide a reasonable building envelope and a vegetated buffer to the wetland resources. The proposed individual stormwater treatment systems at each lot will attenuate, renovate, and promote infiltration.

Alterations within the URA will result in some minor conversion of habitat. The activities in the uplands required to facilitate the development will not result in any loss of wetland function. Post development the wetlands and watercourse will still have the same ability to perform the existing functions they currently provide. As a result, environmental effects will be minor and highly localized with no adverse impact to the regulated resources.

The design has minimized the potential for wetland disturbances by:

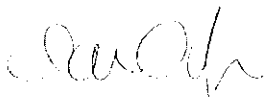
1. Avoidance of any direct wetland disturbance.
2. Positioning the homes, both location and orientation to maximize separation distance from the home to avoid the wetland areas.
3. Providing and maintaining erosion and sediment controls during construction.
4. Commitment to adhering to permit conditions and construction industry standard best management practices (BMPs).

The proposed development is consistent with the adjacent home developments. The proposed layout makes reasonable use of the buildable upland space on the parcel while maintaining the integrity of the wetland resources.

Based on my review of the proposed activities it is my professional opinion that the development will not have a negative or adverse effect (either short-term or long-term) on the natural capacity of the wetlands or the functions and services they provide.

Please do not hesitate to contact me at; (860) 514-5642 or itcole@gmail.com if you have any questions or need any additional information.

Respectfully Submitted.



Ian T. Cole
Professional Registered Soil Scientist
Professional Wetland Scientist #2006

WETLAND SURVEY PHOTOS

170 EVERGREEN ROAD SUBDIVISION

EVERGREEN ROAD & WILLOWBROOK ROAD

CROMWELL CONNECTICUT

2022



Photo 1: Example of the wetland conditions in the interior of the property



Photo 2: Willowbrook discharge point at edge of Evergreen Road, looking across the street at the Cromwell Community Garden

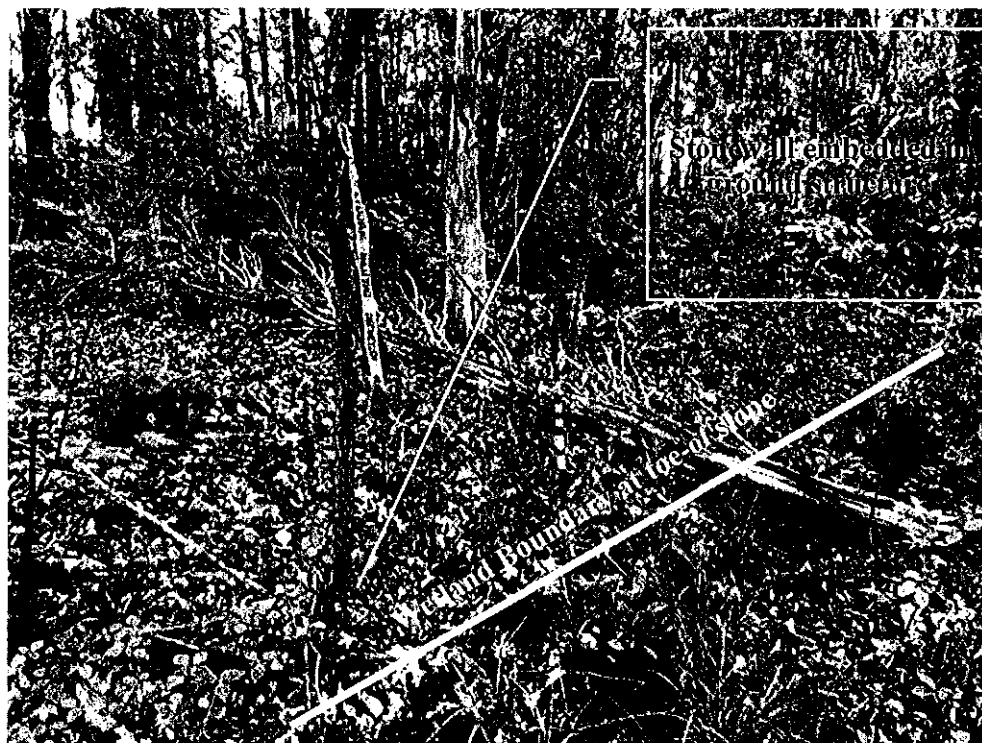


Photo 3: Remnant rubble stonewall along former field edge that confines the upper limits of the wetland boundary

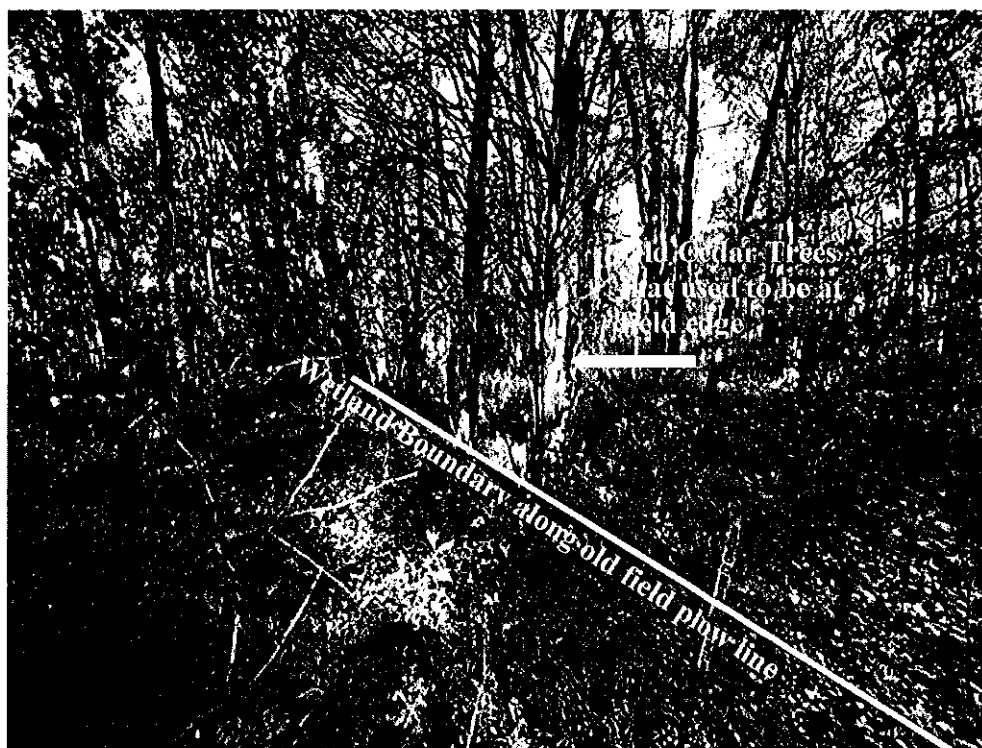


Photo 4: Example of wetland boundary / upland interface



Photo 5: Example of the existing conditions where lots 1 through 6 will be built, notice similar sized maple trees indicator that this cohort of trees established at one time once the cropland was abandoned



1934 Photo –Active Agricultural Field



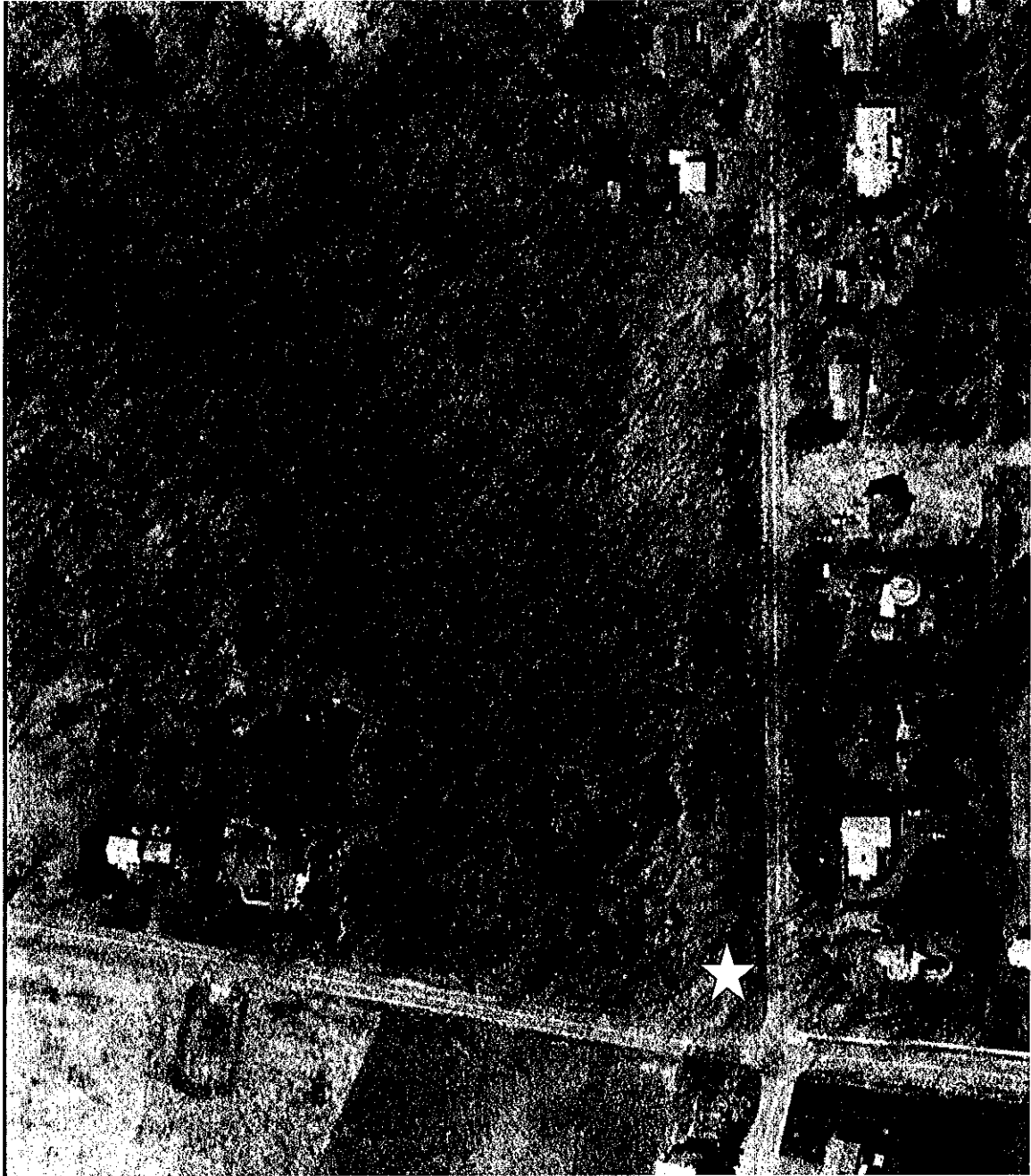
1957 Photo – Note Forest Regeneration -Residential Houses Start Appearing on Willow Brook to the North



Photo 1970 - Agricultural Abandonment Occurred sometime between 1970 and 1990 (50-30 years ago)

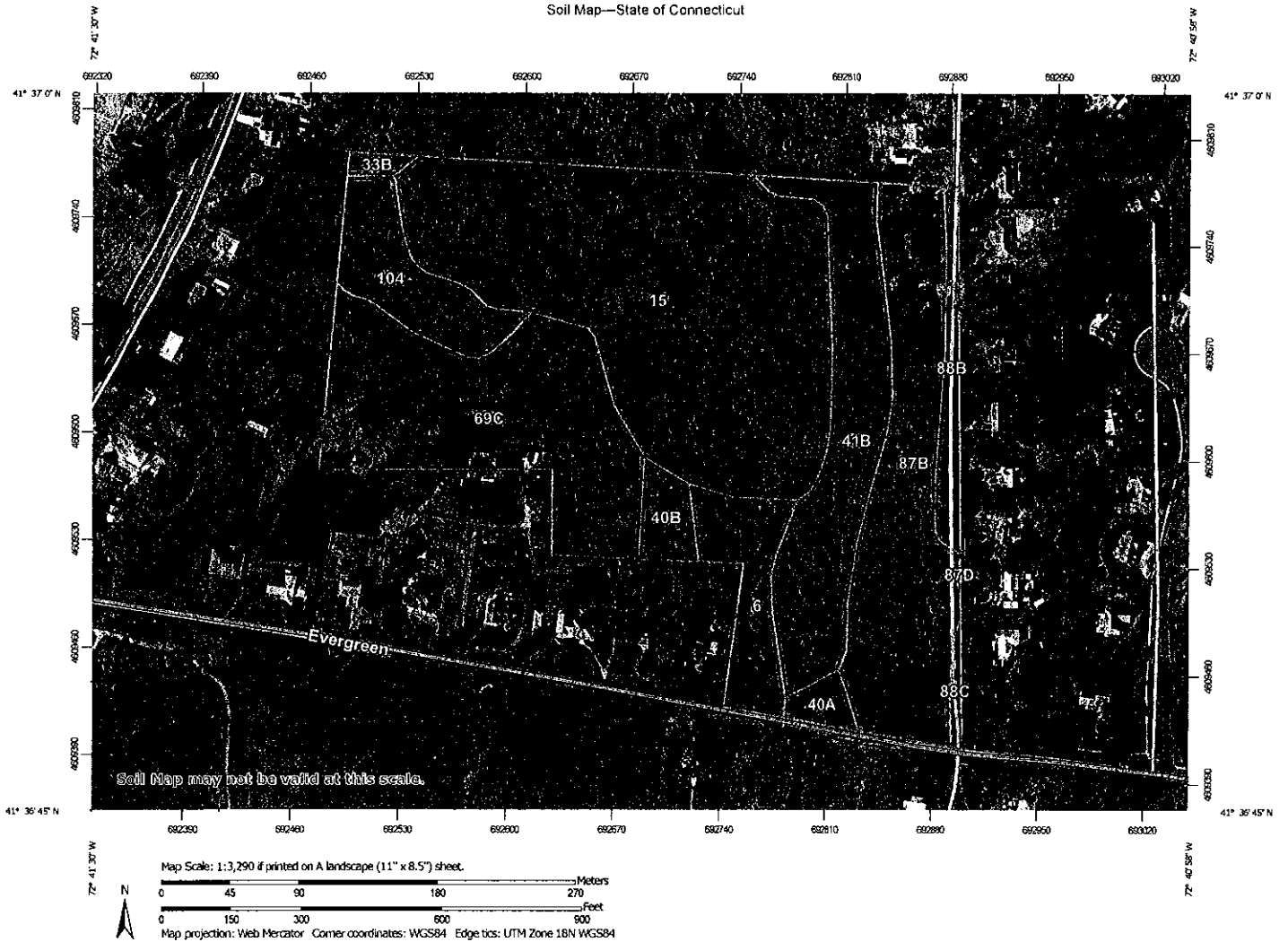


Photo 1990 – Note Most of Willowbrook is lined with Residential Single-Family Homes and Abandoned Croplands have Reverted to Forest and Scrub Shrub Cover – Most of the Re-Forestation is comprised of Maples.



2004 Photo – Conditions 20 years ago – Site is forested.

Soil Map—State of Connecticut



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

3/5/2022
Page 1 of 3

Soil Map—State of Connecticut

MAP LEGEND

Area of Interest (AOI)			Spoil Area
Soils			Stony Spot
	Area of Interest (AOI)		Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
Special Point Features		Water Features	
	Blowout		Streams and Canals
	Borrow Pit	Transportation	
	Clay Spot		Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow	Background	
	Marsh or swamp		Aerial Photography
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut
Survey Area Data: Version 21, Sep 7, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 30, 2019—Oct 15, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
6	Wilbraham and Menlo soils, 0 to 8 percent slopes, extremely stony	1.3	4.8%
15	Scarboro muck, 0 to 3 percent slopes	10.1	36.3%
33B	Hartford sandy loam, 3 to 8 percent slopes	0.1	0.5%
40A	Ludlow silt loam, 0 to 3 percent slopes	0.3	1.0%
40B	Ludlow silt loam, 3 to 8 percent slopes	0.5	1.8%
41B	Ludlow silt loam, 2 to 8 percent slopes, very stony	3.5	12.5%
69C	Yalesville fine sandy loam, 8 to 15 percent slopes	5.2	18.6%
87B	Wethersfield loam, 3 to 8 percent slopes	4.5	16.2%
87D	Wethersfield loam, 15 to 25 percent slopes	0.0	0.0%
88B	Wethersfield loam, 3 to 8 percent slopes, very stony	0.7	2.4%
88C	Wethersfield loam, 8 to 15 percent slopes, very stony	0.1	0.5%
104	Bash silt loam	1.5	5.4%
Totals for Area of Interest		27.9	100.0%

Application # 22-02

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

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street refer to Attachment 1: Parcel List Address:	Map/Block/Lot: refer to Attachment 1: Parcel List Volume/Page:
Applicant: Scannell Properties #576, LLC	Owner: refer to Attachment 1: Parcel List
Address: 8801 River Crossing Blvd. Suite 300, Indianapolis, IN 46240	Address: refer to Attachment 1: Parcel List
Phone: (763) 331-8853; Daniel Madrigal	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. refer to Attachment 3: Letters of Authorization Signature:
Parcel ID #: refer to Attachment 1: Parcel List	

Reason for the Proposed Wetland or Upland Review Area Disturbance <i>(not a description of the project, but an explanation of why this disturbance is necessary to complete the project):</i>
The proposed warehouse building and the proposed access road off Shunpike Road will result in unavoidable direct wetland impacts and encroachment into upland review areas.
The proposed driveway off Shunpike Road will require replacing an old culvert at the location of the historic stream crossing.
Please see Attachment 2: Project Narrative for additional discussion.

Area of Wetland Impacted by this Project 19,394 SF (0.445 AC) (in square feet or acres):
Area of Upland Review Area Impacted by this Project Development: 195,252 SF (4.48 AC) (in square feet or acres): Mitigation: 214,065 SF (4.91 AC)

Description of Alternative Methods Considered, and Justification for Method Chosen:
Alternate locations for the proposed warehouse building would result in significantly greater wetland impacts. Filling of the man-made irrigation pond is considered the most prudent alternative compared to impacting higher functioning wetlands elsewhere on the property.
The use of a former stream crossing near Shunpike Road is considered the most prudent alternative since it is an existing disturbed area and avoids creating a new stream impact.

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?	<input checked="" type="radio"/> Yes / <input type="radio"/> No <input type="radio"/> Not Applicable
Has a copy of this application been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	<input checked="" type="radio"/> Yes / <input type="radio"/> No <input type="radio"/> Not Applicable
Has a copy of the plans been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	<input checked="" type="radio"/> Yes / <input type="radio"/> No <input type="radio"/> 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.

Thomas P. Cody
Applicant's Signature

May 3, 2022

Date of Submission

Thomas P. Cody, Robinson & Cole, LLP, Attorneys for Scannell Properties #576, LLC

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.