

Inland Wetlands and Watercourses Agency
REGULAR MEETING
7:00 PM WEDNESDAY, APRIL 7, 2021
Room 224
Cromwell Town Hall, 41 West Street
Meeting Minutes

Present: Chairman Joseph Corlis, John Whitney, Robert Donohue, William Yeske and Wynn Muller (via phone)

Absent: David Adametz and John Keithan

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

1. Call to Order

The meeting was called to order by Chairman Joseph Corlis at 7:00 PM.

2. Roll Call

The presence of the above members was noted.

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JoAnn Doyle
TOWN CLERK
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3. Seating of Alternates

No alternates were seated.

4. Approval of Agenda

A motion to approve the agenda was made by Robert Donohue seconded by John Whitney. *All in favor, motion passed.*

5. Approval of Minutes:

a. March 3, 2021

A motion to approve the minutes of March 3, 2021 was made by John Whitney seconded by William Yeske. *All in favor, motion passed.*

6. Development Compliance Officer Report:

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

Mr. Bruce Driska reported about ongoing projects noting that Cromwell Village at the top of Country Squire Drive has been progressing. He said he conducts daily inspections of the site.

Mr. Driska explained that the plantings around the stormwater basin by Starbucks have survived the winter and they appear to be very healthy. He said he will continue to monitor the plants in the basin to ensure that they go through this growing season.

Mr. Driska said that he has done an inspection of the drainage system and storm water structure at Arbor Commons on Field Road. He reports that it did very well over the winter as did all the stabilization that was in place last year.

The Commission members had no questions and thanked Mr. Driska for his report.

7. Town Planner Report:

Mr. Popper reported that the addition to Covenant Living is complete and it is expected that they will have their grand opening at the end of the April. He reported that the landscaping and boardwalk around the pond is very well done. Mr. Popper encourages everyone to go and take a look.

Mr. Popper explained that on the agenda under New Business: Accept and Schedule is Application #21-03: Request to conduct activities within the Upland Review Area to allow for the development of a single-family subdivision at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.

Mr. Popper said at the March meeting the Agency discussed Application #21-03 and determined that the proposed activities within the Upland Review Area were not a significant impact. Mr. Popper said that he was contacted by Mr. Muller and asked that the Commission consider to rescinding its vote from the last meeting when it determined that Application #21-03 was an insignificant activity. He said that Mr. Muller is asking the Commission to vote again to determine if Application #21-03 is a significant activity and therefore would require a public hearing. Mr. Popper said he contacted the Town Attorney and was advised that Commission could vote to rescind, but the motion must pass with a super majority (4 out of 5).

Mr. Popper asked the Commission that prior to voting on rescinding the vote that they listen to the presentation from the Applicant and his Engineer and Soil Scientist on the proposed activities within the Upland Review Area.

8. Public Comments:

A member of the public wished to make comments pertaining to Application #21-03, but after discussion between the Commission and Town Staff, it was determined that these comments could only be made during a Public Hearing. Mr. Popper noted that the public will have the opportunity to make comments at the Planning and Zoning Public Hearing scheduled for the Resubdivision application on April 20, 2021.

There were no other public comments.

9. New Business:

- a. Application #21-03: Request to conduct activities within the Upland Review Area to allow for the development of a single-family subdivision at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the owner.

Mr. Popper said that the Agency determined at their meeting on March 3, 2021, that Application #21-03 was not significant activity. Mr. Wynn Muller has asked the Commission to rescind this vote.

Mr. Popper asked the Commission prior to voting to rescind the vote to allow the Applicant the opportunity to present information supporting that Application #21-03 as not a significant activity requiring Public Hearing.

Mr. John Wagenblatt, Principal, LRC Group at 160 Main Street, Cromwell addressed the Commission. The Applicant, John Zaleski is proposing a 9-lot subdivision located along West Street and Hicksville Road. Mr. Wagenblatt was joined by Mr. Richard Reynolds,

Project Engineer, LRC Group and Martin Brogie, Connecticut Licensed Environmental Professional and Soil Scientist.

Mr. Wagenblatt presented the site plan and presented the plans and information on all the proposed activities to take place within 64,000 square feet of Upland Review Area as part of the new Application #21-03. He noted that on Lots 2 and 9 the area to be disturbed is on the lowest parts of the lots near the fringe wetlands for the installation of the individual storm water management systems. Mr. Wagenblatt said the other portion of Upland Review Area to be disturbed will be for the site grading for Lot 8.

Mr. Richard Reynolds reviewed his letters dated April 5, 2021 addressing comments from Mr. Bruce Driska and Mr. Jon Harriman in their memos of March 29, 2021 regarding stormwater management and the installation of temporary construction fencing prior to site disturbance.

Mr. Martin Brogie addressed the Commission. Mr. Brogie explained to the Commission that he is a licensed environmental professional with 30 years of experience conducting wetland delineation and assessment and mitigation impact analysis. He said he provides wetland delineation and assessment services in association with site development or redevelopment. Mr. Brogie said he has worked on a variety of local, state, and federal inland wetland permitting over his career. He said he was hired by LRC group to conduct a wetland delineation on the subject site.

Mr. Brogie asked the Commission if they were in receipt of his report from January 2021. Mr. Popper noted that the Commission had received this report as part of the previously withdrawn application.

Mr. Brogie explained that the purpose of his original report was to prepare a wetland delineation of the property, an assessment of the value and functions of the wetlands, review proposed project construction plans, assess potential wetland impacts and to provide wetland mitigation recommendations as needed. He said Mr. Popper had forwarded him the emails and letters from neighbors expressing their concerns the impact this proposed development may have upon the inland wetlands, Chestnut Brook and the natural habitat on the property. Mr. Brogie thanked Mr. Popper for the letters and said he would be happy to address their concerns and questions.

He first presented a summary of his report describing the value and function of the wetlands on the site, Chestnut Brook, and the natural habitat. Mr. Brogie then gave a detailed response to the concerns raised in the neighbor's letter regarding the impact the proposed development may have upon the inland wetlands, Chestnut Brook, the Mattabesset watershed, vernal pools and the impact on wildlife at the site. He explained that this new application would have no direct impact upon the wetlands and all the activities were taking place within the Regulated 100' Upland Review Area. Mr. Brogie concluded in his professional opinion, the activities associated with Application 21-03 would pose no significant impact and is what he considers a "very low-impact development."

Mr. William Yeske commented that Mr. Brogie did a very good job. Chairman Corlis thanked Mr. Brogie, Mr. Wagenblatt and Mr. Reynolds for their presentation.

Mr. Muller asked Mr. Popper to read into the record the Town of Cromwell Inland Wetland and Watercourse Regulations Section 2.1 Definition ff. "Significant Impact" means any activity, including, but not limited to, the following activities which may have a major effect on a wetland or watercourse. Mr. Popper read 1. – 7. Section 2.1 Definition ff. and the Commission found that for each point, the answer would be NO.

Chairman Joseph Corlis then asked each Commission Member to vote "yes" to rescind Application 21-03 (i.e., considered "significant activity") or vote "no" that Application 21-03 is NOT considered "significant activity" and therefore will not require a Public hearing.

Members voted as follows:

Robert Donohue – Yes

John Whitney – No

Joseph Corlis – No

Wynn Muller – No

William Yeske – No

Motion to rescind did not pass.

Mr. Popper said if the Commission were to act favorably upon Application #21-03 this evening it should be with the conditions contained in the memos from Mr. Jon Harriman dated March 25, 2021 and Mr. Bruce Driska dated March 29, 2021.

John Whitney made a motion to approve Application #21-03 with the conditions contained in the memos from Mr. Jon Harriman dated March 25, 2021 and Mr. Bruce Driska dated March 29, 2021. 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 8:26 PM. All in favor, motion passed.

Respectfully submitted,

A handwritten signature in black ink that reads "Michelle Armetta" followed by a stylized monogram or initials "BA".

Michelle Armetta

Recording Clerk