



06-29-16A09:49 RCVD

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

RECEIVED FOR FILING
6-29-2016 at 9:49AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

REGULAR MEETING
7:00 WEDNESDAY, JULY 6, 2016
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET

Lisa Conroy, Asst
TOWN CLERK

AGENDA

1. Call to Order
2. Roll Call
3. Seating of Alternates:
4. Approval of Agenda:
5. Approval of Minutes:
 - a. April 14, 2016
6. Development Compliance Officer Report:
 - a. Status of On-going Projects
 - b. Status of Existing Cease and Desist Orders
7. Town Planner Report:
8. Public Comments:
9. New Business Accept and Schedule New Application:
 - a. Application # 16-03: Request to clear trees and construct an access path for a mobile drilling rig to conduct soil testing within the upland review area at 79 River Road. ARCADIS U.S., Inc. is the Applicant and River Road of Cromwell LLC is the Owner.
10. Commissioners' Comments and Reports:
11. Adjourn

**TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY
SPECIAL MEETING
6:30 PM THURSDAY APRIL 14, 2016
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET**

Deborah Corlis
TOWN CLERK

Present: Chairman Joseph Corlis, Amanda Drew, Wynn Muller, John Whitney, William Yeske

Absent: Scott Lamberson, Madeline Lowry, G. Alden Nettleton,

Also Present: Town Planner Stuart Popper and Town Engineer Jon Harriman

1. Call to Order

The meeting was called to order at 6:32 pm by Chairman Corlis.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

Wynn Muller made a **motion** to seat John Whitney as an alternate. Amanda Drew **seconded** the motion. *All were in favor; the motion passed.*

4. Approval of Agenda

Amanda Drew made a **motion** to approve the agenda. Wynn Muller **seconded** the motion. *All were in favor; the motion passed.*

5. Approval of Minutes

a. March 2, 2016

Wynn Muller made a **motion** to approve the minutes from the meeting on March 2, 2016. Amanda Drew **seconded** the motion. *All were in favor; motion passes.*

6. Development Compliance Officer's Report

Stuart Popper reported that they are continuing to work on the plan for the conservation area at 136 Berlin Road with Kelly Starr. Amanda Drew asked about the status of the car wash on Berlin Road. Stuart Popper reported that it was ordered to be demolished. The company can proceed but has not yet. The building was hit by a car and at the request of Chairman Joseph Corlis, Stuart Popper stated that he would check with Fred on the cease and desist orders.

William Yeske and Scott Lamberson were reappointed by the Town Council to the Inland Wetlands and Watercourses Agency. Amanda Drew asked about term ends for the other

board members. Stuart Popper responded that he will send out that information to the board members.

7. Town Planner Report

Stuart Popper reported that the retail portion of Millane Nurseries has been taken over by Garden's Dream Farm.

Stuart Popper stated that the Shady Lane subdivision is moving along.

8. Public Comments

No public comments.

9. Old Business

a. Application #16-01: Request

Town Engineer Jon Harriman reported that the Town Council voted last night to fund this idea. He described the project and activities in the Upland Review Area. If approved tonight the Application still needs to go to Planning and Zoning and also the Board of Finance. Jon Harriman explained that construction could begin by the end of summer. He also provided the aerial map of the location that the agency requested. Amanda Drew asked about how these plans may affect the fields. John Harriman stated that he has spoken with Sue Schein of the Parks and Recreation Department about possible solutions, including changing some of the field sizes.

Amanda Drew made a **motion** to approve Application #16-01. William Yeske **seconded** the motion. *All were in favor; the motion passes.*

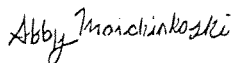
10. Commissioners' Comments and Reports:

No comments or reports.

11. Adjourn

Amanda Drew made a **motion** to adjourn the meeting. John Whitney **seconded** the motion. *All were in favor; the motion passes.* The meeting was adjourned at 6:41 pm.

Respectfully Submitted,



Abby Marchinkoski
Recording Clerk

Memo

To: Inland Wetland Agency
From: Fred Curtin
Date: June 27, 2016
Re: Activity Report April thru June

14-04: Shady Farm Subdivision - Site work remains at 75% and 4 homes are finished. Two more homes to start in July.

15-05: Dunkin Donuts, Shunpike Road - All the drainage and paving is complete. landscaping to follow.

15-18: 1 Community Field Road - The storm drainage is 90% complete.

16-01: Raymond Drainage Project - This project will move forward as soon as the funds are in place.

Wetland Permits Report

Appl#	Date	Applicant	Project Name	Location	Description of Request	Status
14-04	4/30/14	Shady Lane Farm LLC	Conservation subdivision within upland & wetlands	62 Evergreen Road	Conservation subdivision within upland & wetlands	IVWA approved on 7/2/14 - Construction underway
14-12	11/25/14	Nadeka LLC	Relocate existing detention basin	#40 & 50 Sebethe	Fill and relocate existing detention basin	IVWA approved 1/7/15 - Construction has not begun
15-01	1/20/15	Juliano's Pools LLC	Install inground pool in wetland & upland review	70 Court Street	Install inground pool in wetland & upland review	Application withdrawn
15-02	2/5/15	Jason Hanson	Increased disturbance into upland review	Lot #7 - 18 Shady Lane	Increased inground pool in wetland & upland review	Complete
15-03	3/16/15	Arcadis U.S., Inc.	Environmental Investigation	79 River Road	Environmental Investigation	Complete
15-04	3/20/15	Town of Cromwell	Splash Pad	20 James Martin Drive-Pierson Park	Splash Pad	Withdrawn
15-05	3/15/15	Mattabeset Realty LLC	Parking lot	24 Shunpike Road	Parking lot	IVWA approved on 7/1/15 - No Activity Work in progress

Wetland Permits Report

App#	Date	Applicant	Project Name	Location	Description of Request	Status
15-06	4/17/15	Baseline Surveying	Portions of proposed lots in wetlands or within upland review areas	198 Evergreen Road	Portions of proposed lots in wetlands or within upland review areas	Staff approved - No Activity
15-07	4/20/15	Jannusz Klin	Basketball Court less than 100 ft of stream	116A Shunpike Rd	Basketball less than 100 ft of stream	Project on Hold
15-08	4/28/15	GZA GeoEnvironmental	Soil borings in the upland review area	1 Golf Club Road	Soil borings in the upland review area adjacent to water bodies	Complete
15-09	5/21/15	Todd & Grace Director	Amendment to Wetlands & Watercourse Map	70 Court Street	Amendment to Wetlands and Watercourse map	IWWA approved 6/3/15
15-10	5/20/15	GZA GeoEnvironmental	Course maintenance at TPC Highlands Golf Course	1 Golf Club Road	Request to conduct course maintenance in wetlands & upland review area	Complete
15-11	6/8/15	Juliano's Pools	Install inground pool	70 Court Street	Request to build inground pool in the upland view area	Complete
15-12	7/16/15	Edgewood Party Rentals	Build addition within upland review area	194 Shunpike Rd	Build addition within upland review area	Complete
15-13	7/23/15	A's Landscaping & Nursery	Filling in upland review to level existing grade	12 Congress Street	Filling in upland review to level existing grade	IWWA approved 8/5/15 completed



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Affirmative Action/Equal Opportunity Employer

To: Connecticut's Municipal Inland Wetlands Agencies

From: Betsey Wingfield, Bureau Chief *BW*
Bureau of Water Protection and Land Reuse

Dated: December 16, 2015

Re: 2015 Legislation and Regulation Advisory

In 2015 the Connecticut General Assembly amended the Inland Wetlands and Watercourses Act (IWWA) with the passage of Public Act No. 15-85; and amended the General Statutes of Connecticut section 8-7d, which the IWWA references, with the passage of Public Act No. 15-68.

Public Act No. 15-85 amends subsection (a) of section 22a-43a of the IWWA. This act makes a number of unrelated changes regarding court procedures and personnel. With regards to the IWWA, by law, someone can appeal to Superior Court from a decision of a municipal inland wetlands agency. Public Act No. 15-85 gives the court more options when disposing of these cases on appeal. The law allows the court to set aside the agency's action or modify it if the action constitutes a taking without compensation. For appeals not involving such a taking, the act allows the court, after a hearing, to reverse, affirm, modify, or return the decision in a manner consistent with the evidence in the record.

The provisions of section 22a-43a(a) of the IWWA, as amended by Public Act No. 15-85, took effect October 1, 2015.

Public Act No. 15-68 amends subsection (a) of section 8-7d of the General Statutes of Connecticut. This act limits the steps certain municipal land use commissions must take to identify owners of property abutting a property that is the subject of a public hearing related to a petition, application, request or appeal to the commission. With regards to municipal inland wetlands agencies, in addition to publishing notices of public hearings in a newspaper, the agency *may* notify property owners directly affected by such matter. The additional notice must be mailed to the persons who own land abutting the property that is the subject of the hearing, provided by posting a sign on the land that is the subject of the hearing, or both. By law, for purposes of giving such additional notice, property owners are those persons listed as the owners on the property tax map or the most recently completed grand list. The act specifies that the municipal inland wetlands agency need not conduct a title search or engage in additional methods to identify abutters to whom they give the additional notice.

The provisions of section 8-7d(a), as amended by Public Act No. 15-68, were effective upon passage. The act was signed by the Governor on June 19, 2015.

Complete copies of both Public Act No. 15-85 and of Public Act No. 15-68 are attached for your information. Newly added language is underlined and deleted language is bracketed. If your municipal inland wetlands agency's regulations follow the Department of Energy and Environmental Protection's (DEEP) Inland Wetlands and Watercourses Model Municipal Regulations Fourth Edition, dated May 1, 2006 (as amended), no revisions to your regulations need to occur. However, the DEEP is aware that many municipal inland wetlands agencies have included in their regulations, per the General Statutes of Connecticut section 8-7d(a), the discretionary notice to abutting property owners. If your municipal inland wetlands agency has done this, please be aware that your regulations need to be revised to reflect Public Act No. 15-68.

Finally, as a reminder, the IWWA establishes a specific timeline for the amendment of municipal inland wetlands agency regulations. The timeline begins when an amendment is proposed. The amendment *and* the notice of the public hearing must be submitted to the Commissioner of DEEP at least 35 days before such hearing on the amendment is held. A public hearing on the amendment must be held within 65 days after the receipt of the amendment proposal, and the hearing must finish within 35 days after it started. The municipal inland wetlands agency must take action on the amendment proposal within 65 days after the hearing ends. Further, the agency must submit the final adopted amendment language to the Commissioner of DEEP not later than 10 days after adoption.

The DEEP's Wetlands Management Section (WMS) has created a dedicated email address for the submission of amendment proposals and final adopted amendment language. Please use: DEEP.Municipal.Inland.Wetland.Regis@ct.gov. In the subject line of the email you *must* include: the year, town/city name, proposed/adopted regs (e.g., 2015, Town of _____, Proposed Regs). Please submit your documents (e.g., regulations, hearing notice, and cover letter) in PDF format. A brief reply email acknowledging receipt of your regulations will be sent to you.

Attention, this email address is solely for the submission of municipal inland wetlands agency regulation amendment proposals and final adopted regulations. Other correspondence or requests submitted through this email address will *not* be answered.

If you are unable to submit your regulations electronically, you may continue to mail a paper copy to: Cheryl A. Chase, Director, DEEP Inland Water Resources Division, 79 Elm Street - 3rd Floor, Hartford, CT 06106.

Should you have any further questions regarding the above changes, please feel free to contact Darcy Winther of the DEEP's WMS at (860) 424-3019.

TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY

APPLICATION TO CONDUCT REGULATED ACTIVITY

Street Address: 79 River Road	Map/Block/Lot: 53//14
	Volume/Page: 601/57
Applicant: Arcadis U.S., Inc.	Owner: Mr. Aaron Schames
Address: 213 Gount St., Suite 700 Middletown, CT 06457	Address: 2842 Main St., #108 Glastonbury, CT 06033
Phone: (860) 503-1500	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.
Parcel ID #: 00387900	
Signature:	

Reason for the Proposed Wetland or Upland Review Area Disturbance (not a description of the project, but an explanation of why this disturbance is necessary to complete the project):

The ~~state~~ state of CT has issued an Administrative Order on Consent to Chevron and the site owner to perform environmental investigation of the property (and remediation) to assess potential contamination. The site is overgrown, and access to the testing locations is needed to complete the work.

Area of Wetland Impacted by this Project
(in square feet or acres): 0 Square feet

Area of Upland Review Area Impacted by this Project
(in square feet or acres): 10,000 Square feet

Description of Alternative Methods Considered, and Justification for Method Chosen:
The work requires test borings to be completed using a drilling rig.
The smallest capable drill rig will be used to limit the disturbance area. Because the site, and previous pathways are overgrown,
pathways to the testing locations are needed for drill rig access.

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

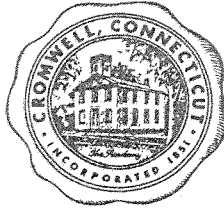
I, the undersigned, hereby certify that the information presented as part of this application is to the best of my knowledge, true and accurate and that should such information be proved to be inaccurate or misleading, any permit issued on the basis of this information may be revoked.

[Signature]
Applicant's Signature

6/27/16
Date of Submission

Lance Karri
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
Office of the Mayor
Nathaniel White Building
41 West Street
Cromwell, CT 06416

April 18, 2016

G. Alden Nettleton
52 Missionary Apt. #5104
Cromwell, CT 06416

Dear Mr. Nettleton,

I am pleased to advise you that at their meeting of April 13, 2016 the Town Council re-appointed you to the Inland Wetlands and Watercourses Agency. Your term will expire December 2019.

Congratulations, and thank you for serving our community in this way.

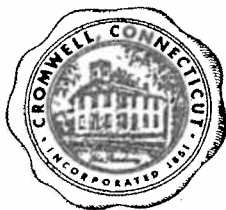
Thank you again. I am looking forward to working with you.

Sincerely,



Enzo Faienza
Mayor

Copy: Joan Ahlquist, Town Clerk
Chairman, Inland Wetlands ✓



Town of Cromwell

Office of the Mayor
Nathaniel White Building
41 West Street
Cromwell, CT 06416

April 18, 2016

Scott Lamberson
10 Centerwood Drive
Cromwell, CT 06416

Dear Mr. Lamberson,

I am pleased to advise you that at their meeting of April 13, 2016 the Town Council re-appointed you to the Inland Wetlands and Watercourses Agency. Your term will expire December 2019.

Congratulations, and thank you for serving our community in this way.

Thank you again. I am looking forward to working with you.

Sincerely,

Enzo Faienza
Mayor

Copy: Joan Ahlquist, Town Clerk
Chairman, Inland Wetlands



Town of Cromwell
Office of the Mayor
Nathaniel White Building
41 West Street
Cromwell, CT 06416

April 18, 2016

William Yeske
28 Chelsea Drive
Cromwell, CT 06416

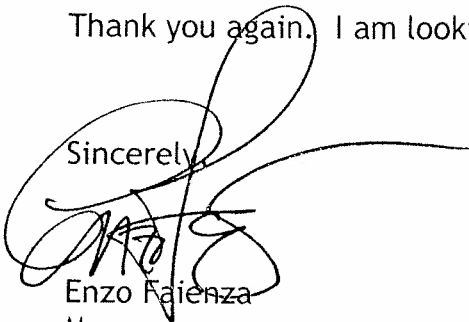
Dear Mr. Yeske,

I am pleased to advise you that at their meeting of April 13, 2016 the Town Council re-appointed you to the Inland Wetlands and Watercourses Agency. Your term will expire December 2019.

Congratulations, and thank you for serving our community in this way.

Thank you again. I am looking forward to working with you.

Sincerely,



Enzo Faienza
Mayor

Copy: Joan Ahlquist, Town Clerk
Chairman, Inland Wetlands ✓