

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

**REGULAR MEETING
7:00 WEDNESDAY, AUGUST 2, 2017
ROOM 224
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 5, 2017
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. Old Business:

a. Application #17-06: Request to conduct regulated activities (disturbance for the construction of a building) within the Upland Review Area at 186 Shunpike Road. JPG Partners, LLC is the Applicant and John C. and Sybil C. Martin Executrix of the Estate of Helen M. Ewald is the Owner.

10. Commissioners' Comments and Reports:
11. Adjourn

RECEIVED FOR FILING
7/26/2017 at 1:36 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prendergast, Asst
TOWN CLERK

**TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY
REGULAR MEETING
7:00 PM WEDNESDAY JULY 5, 2017
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Joseph Corlis, G. Alden Nettleton, Amanda Drew, John Whitney, and William Yeske

Absent: Wynn Muller

Also Present: Director of Planning and Development Stuart Popper, Town Council Liaison Tom Tokarz

1. Call To Order

The meeting was called to order by Chairman Corlis at 7:01 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates: NONE

4. Approval of Agenda

A motion to approve the agenda was made by John Whitney and Seconded by Amanda Drew. *All in favor; motion passed.*

5. Approval of Minutes:

a. June 7, 2017: A motion to approve the minutes was made by Amanda Drew and Seconded by G. Alden Nettleton. *All in favor; motion passed.*

6. Development Compliance Officer Report

Mr. Curtin was not present at the meeting. Mr. Popper read into the record Mr. Curtin's email regarding his request that the Commission make two motions regarding the cutting of trees at 3 Twin Oaks Drive as Mr. Vincenzi was unable to attend tonight's meeting.

Amanda Drew made a motion to table action against Richard and Dina Gondon, Trustees, until the August meeting. Seconded by G. Alden Nettleton. *All in favor; motion passed.* Amanda Drew made a motion to table action against Bill Vincenzi, JWV Associates until the August meeting. Seconded by G. Alden Nettleton. *All in favor; motion passed.*

7. Town Planner Report

Mr. Popper provided the Agency with an overview of the application to be heard by the Agency at the present meeting.

RECEIVED FOR FILING
7/6 2017 at 1:42 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prendergast, Asst
TOWN CLERK

8. Public Comments

There were no public comments at this time.

9. New Business:

- a. Application #17-06: Request to conduct regulated activities (disturbance for the construction of a building) within the Upland Review Area at 186 Shunpike Road. JPG Partners, LLC is the Applicant and John C. and Sybil C. Martin Executrix of the Estate of Helen M. Ewald is the Owner.

Chris Juliano of Juliano & Associates, 405 Main Street, Yalesville, Connecticut, presented the application. He began by reviewing the property survey map. He explained the proposed construction of a residential apartment complex consisting of five buildings. He stated that there was no planned activity that would directly impact the wetlands or upland review area, but that because of the proximity of the proposed construction to the upland review area, it was possible that there could be an area of disturbance. Therefore, the applicant was requesting a permit to temporarily impact an area of 2,000 square feet in the upland review area to prevent any issues during construction.

Mr. Juliano reviewed the issues raised in Town Engineer Jon Harriman's Memorandum dated July 5, 2017, regarding his concerns over the discharge point of the underground detention system. Specifically, Mr. Harriman was concerned as to whether there would be sufficient runoff collected from the roofs and parking lots to recharge the wetlands. Mr. Juliano proposed collecting the roof runoff from buildings 2 and 3 and directing it to the Upland Review Area. He stated that he would discuss this proposal with Mr. Harriman and provide calculations to ensure that his concerns were addressed.

Amanda Drew asked for clarification regarding how the water would be directed, the use of a silt fence and a riprap check dam. Mr. Juliano stated that downspouts would be used and the water discharged to grade, that both a silt fence and construction fence would be utilized, and he explained how the riprap check dam reduced water flow to prevent erosion.

John Whitney made a motion to table the application to the next meeting; Seconded by Amanda Drew. *All in favor; motion passed.*

Mr. Popper noted that the next regularly scheduled meeting will be on August 2, 2017.

10. Commissioners' Comments and Reports: NONE

11. Adjourn: Motion to adjourn at 7:15 p.m. by John Whitney; Seconded by Amanda Drew.
All in favor; Motion passed.

Respectfully Submitted,



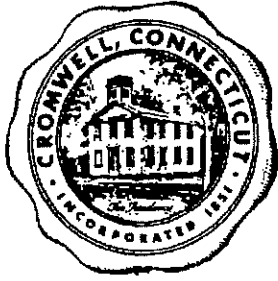
Julie C. Petrella
Recording Clerk

Memo

To: Inland Wetland Agency
From: Fred Curtin
Date: July 26, 2017
Re: July 2017 Activity Report

3 Twin Oaks Drive: I have notified both property owners to attend the August 2, 2017 meeting.

Attachments



TOWN OF CROMWELL
PLANNING & ZONING
41 WEST STREET, CROMWELL, CT 06416

July 10, 2017

Mr. William Vincenzi
JWV Associates, LLC
14 Sovereign Ridge
Cromwell, CT 06416

Re: 3 Twin Oaks Drive
Cromwell, CT

NOTICE OF DECISION

At the July 5, 2017 Inland Wetlands Agency meeting, the Agency voted to table any action on the Cease and Desist order until the August 2, 2017 meeting.

At this meeting the Agency will take additional information and may issue a decision.

This Cease and desist order will remain in effect until the Inland Wetland Agency releases this order.

Fred Curtin
Wetland Enforcement Officer
Town of Cromwell

c: Anthony J. Salvatore, Town Manager
Stuart B. Popper, Town Planner
Inland Wetland Agency



TOWN OF CROMWELL
PLANNING & ZONING
41 WEST STREET, CROMWELL, CT 06416

July 10, 2017

Richard & Dina Gondon, Trustee
3 Twin Oaks Drive
Cromwell, CT 06416

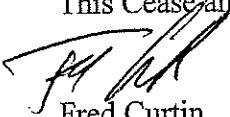
Re: 3 Twin Oaks Drive
Cromwell, CT

NOTICE OF DECISION

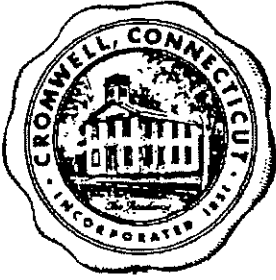
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At this meeting the Agency will take additional information and may issue a decision.

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Fred Curtin
Wetland Enforcement Officer
Town of Cromwell

c: Anthony J. Salvatore, Town Manager
Stuart B. Popper, Town Planner
Inland Wetland Agency



TOWN OF CROMWELL
PLANNING & ZONING
41 WEST STREET, CROMWELL, CT 06416

June 27, 2017

Mr. William Vincenzi
JWV Associates, LLC
14 Sovereign Ridge
Cromwell, CT 06416

Re: 3 Twin Oaks Drive
Cromwell, CT

CEASE AND DESIST ORDER
SHOW CAUSE HEARING

At the June 7, 2017 Inland Wetland meeting the Agency took up the tree cutting in the "Tree Preservation Easement Agreement" within the Twin Oaks Subdivision. The property owner states that he did not cut the trees in violation nor did he give permission to anyone to cut these trees.

The Agency stated that they would like to talk to you at the July 5, 2017 Inland Wetland meeting regarding the violation.

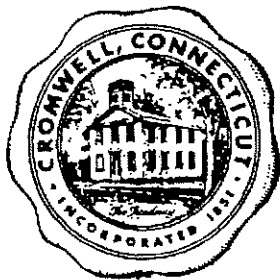
The Wetland Officer has ordered that you replace the cut trees with two 4" Caliper Deciduous Shade Trees with a mature height of at least 35 feet.

At the meeting the Agency will hear and take information on this Cease and Desist order.

This order is issued under Sections 22a-36 to 22a-45 inclusive of the Connecticut General Statutes as amended.

Fred Curtin
Wetland Enforcement Officer
Town of Cromwell

c: Anthony J. Salvatore, Town Manager
Stuart B. Popper, Town Planner
Inland Wetland Agency
Richard Gordon, 3 Twin Oaks Drive



TOWN OF CROMWELL
PLANNING & ZONING
41 WEST STREET, CROMWELL, CT 06416

May 31, 2017

Richard & Dina Gondon, Trustees
3 Twin Oaks Drive
Cromwell, CT 06416

Re: 3 Twin Oaks Drive
Cromwell, CT

CEASE AND DESIST ORDER **SHOW CAUSE HEARING**

You have cut two trees within the "Tree Preservation Easement Agreement", Vol.701, page 279, Section "I" Prohibitions, the removal of trees 14" or more in caliber.

You are hereby ordered to appear in front of the Inland Wetland Agency meeting on June 7, 2017 at 7:00 p.m. in Room 224/5, here in the Town Hall to explain why you have cut these trees and how you are going to replace the 17" and 24" trees that were cut.

At the meeting the Agency will hear and take information on this Cease and Desist order.

The Agency will make a Decision and finding and may uphold the order, Release the order, or Modify this order.

This order is issued under Sections 22a-36 to 22a-45 inclusive of the Connecticut General Statutes as amended.

Fred Curtin
Wetland Enforcement Officer
Town of Cromwell

c: Anthony J. Salvatore, Town Manager
Stuart B. Popper, Town Planner
Inland Wetland Agency

Curtin, Fred

From: William Vincenzi
Sent: Sunday, July 02, 2017 5:10 PM
To: William Vincenzi; Curtin, Fred
Cc: Popper, Stuart; Salvatore, Anthony
Subject: Re: scan Tree cutting

Dear Fred,

I am currently out of the country visiting family in Italy, and just learned today of this notice of a meeting on July 5th requesting my presence. I will unfortunately not be getting back home until the evening of July 5. I am requesting that the Inland Wetlands meeting be postponed to any later date after July 5th, or August, or whenever is convenient for you and Inland Wetlands commission. Out of fairness to me...I ask of this...since I had just left as of last Wednesday....and had no prior knowledge of this meeting nor of any cease and desist order. Nor was I given enough notice in advance of this request for my presence at this meeting. Please feel free to email me or call me on my cell for any questions at 203-257-0819.
Thank You

Sincerely,
William Vincenzi Jr.
JWV Associates, LLC

Sent from my iPhone

On Jun 28, 2017, at 8:50 PM, William Vincenzi wrote:

Hi Fred,
I just spoke with Stuart Popper and have left my contact information. Bill is out of the country and will be flying back on July 5th; therefore, he will be unable to attend this meeting.

Although my husband is out of the country, he may be reached on his cell phone, 203-257-0819. It is imperative that he is contacted since he will not be able to attend the meeting.

My husband has been a reputable builder in Cromwell for many years, and I respectfully ask that some accommodation can be made for his inability to attend the meeting.

Sincerely,
Elizabeth Vincenzi

Sent from my iPhone

On Jun 28, 2017, at 11:04 AM, Curtin, Fred <fcurtin@cromwellct.com> wrote:

Bill:

Attached is a notice to appear at the July 5, 2017 Inland wetland meeting, regarding the trees that were cut in the Twin Oaks Subdivision, preservation easement area.

The meeting is here in the Town Hall at 7:00PM in room224/5

Fred Curtin
Wetland Officer
Town of Cromwell

F

12/14

Received 4/21 1999 at 11:40 AM.
Recorded in Cromwell, Conn.

By Luis Casaregola Chet
Town Clerk

TREE PRESERVATION EASEMENT AGREEMENT

VOL 701 PAGE 279

The purpose of this Easement is to protect trees of a defined caliper.

It is the responsibility of the property owner to be fully aware of all of the conditions contained in this Easement Agreement as expressed below. The Town of Cromwell will vigorously enforce the conditions established herein.

THIS INDENTURE MADE this 20th day of Apr, 1999 by and between **PREMIER BUILDING & DEVELOPMENT, INC.**, a Connecticut corporation having its principal office in the Town of Wethersfield, County of Hartford and State of Connecticut (hereinafter called "Grantor") in favor of the **TOWN OF CROMWELL**, a municipal corporation having its territorial limits within the County of Middlesex and State of Connecticut (hereinafter called "Grantee");

WITNESSETH:

WHEREAS, the Grantor is the owner of real property, hereinafter described, situated in the Town of Cromwell, County of Middlesex and State of Connecticut, which Grantee, acting through its Inland Wetlands and Watercourses Agency, has determined would be in the public interest, to the extent reasonably possible, to retain, maintain and conserve all trees fourteen (14) inches or more in caliper at thirty-six (36) inches from ground level, now or hereinafter existing in their natural state; and

WHEREAS, the Grantee, acting through its Inland Wetlands and Watercourses Agency, has determined that the maintenance and conservation of trees upon a certain portion of said property of the Grantor can be best accomplished by the securing by Grantee of an Easement over, across, and upon that certain portion of said property



Prep work LIVE

2017/05/09 12:58

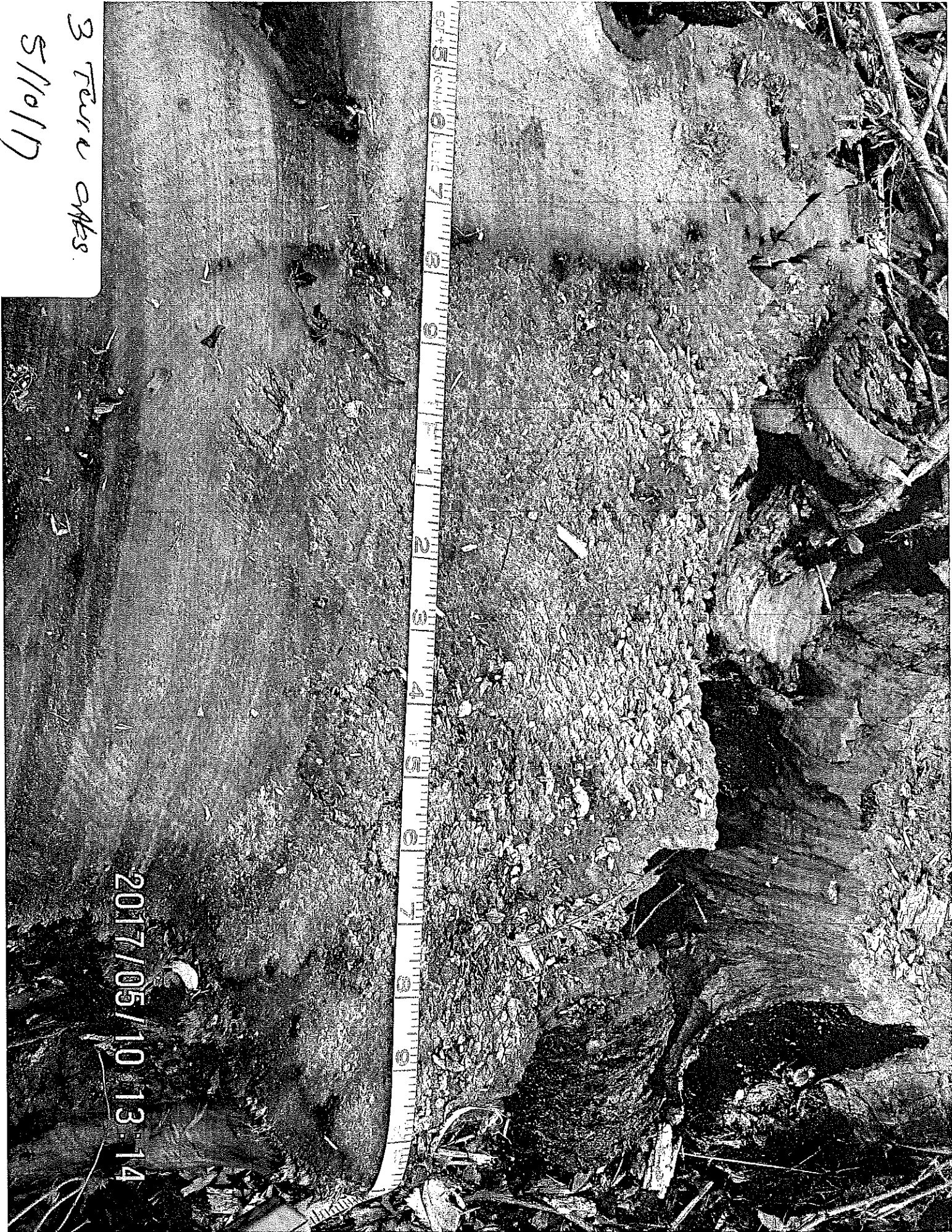
3 Turic cases
5/9/17



3 Tevra CATES DS
5/10/17

2017/05/10 13:15

3 Trench caps
5/10/17



2017/05/10 13:14

Wetland Permits Report 2017

Appl#	Date	Applicant	Project Name	Location	Description of Request	Status
17-01	1/20/2017	Town of Cromwell	Replace Culvert	Crossing Willowbrook - Willowbrook Rd.	Replace Culvert	No activity
17-02	2/21/2017	Two Men & A Truck	Develop site for moving co. within upland review	70 & part of 60 County Line Drive	Develop site for moving co. within upland review	Approved 3/2/2017
17-03	3/6/2017	Jay Schall/Kapura Building	Demo barn & small outbuildings	139 Coles Road	Demo barn & small outbuildings	Approved by ZEO 3/6/2017
17-04	4/17/2017	John Whitney	Dredge Farm Pond	76 Nooks Hill Road	Dredge Farm Pond	Approved 5/3/2017
17-05		Bruce Rutgerson	Provide access to garden plot from Evergreen Road	161 Evergreen Rd	Provide access to from garden plot from Evergreen Road	Tabled
17-06		JPG Partners	Minor intrusion in upland review for development	186 Shunpike Road	Minor intrusion in upland review for development	Tabled til August
17-07		Michael Bonelli	Regulated activity in Upland Review	48 Fawn Run	Regulated activity in Upland Review	Approved by Staff
17-08		Arcadis Environmental	Regulated activity in Upland Review	Cromwell Landing	Regulated activity in Upland Review	Approved by Staff

**TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY
APPLICATION TO CONDUCT REGULATED ACTIVITY**

Street: 186 Shunpike Road	Map/Block/Lot: Map 25; Lot 2F
Address:	Volume/Page: Volume 1558, Page 158
Applicant: JPG Partners, LLC	Owner: Estate of Helen Ewald c/o Sybil Martin, Executrix
Address: 110 Court Street, Suite 1 Cromwell, CT 06416	Address: 16 Chatfield Road, Derby, CT 06418
Phone: (860)632-7090	<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 #: 11600700	

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):

There is no proposed wetland or upland review area disturbance associated with this project.

Area of Wetland Impacted by this Project

(in square feet or acres): 0 (zero)

Area of Upland Review Area Impacted by this Project

(in square feet or acres): 0 (zero)

Description of Alternative Methods Considered, and Justification for Method Chosen:
No alternative methods were considered since the proposed project does not impact any inland wetland or upland review areas.

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 / <input checked="" type="checkbox"/> 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 / <input checked="" type="checkbox"/> 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 / <input checked="" type="checkbox"/> 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.

[Signature]
Applicant's Signature

5/9/17
Date of Submission

Patrick Saw member
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.