

**BRISTOL INLAND WETLANDS COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY NOVEMBER 7, 2022**

CALL TO ORDER:

By: Chairman Fisk

Time: 7:00 P.M.

Place: Board of Education

Auditorium, 129 Church Street

ROLL CALL:

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS	Zachary Fisk (Chairman)	X	
	Michael Robinson (Vice Chairman)	X	
	David Rooks (Secretary)	X	
	James Carros	X	
	David Scarritt		X
	Daniel Massaro, Jr.	X	
	Richard Ministro	X	
ALTERNATE MEMBERS	James Ritchie	X	
	Logan Williams		X
STAFF	(Vacant), Environmental Engineer		
	Nancy Levesque, P.E., City Engineer	X	
	Andrew Armstrong, Assistant City Planner	X	

Chairman Fisk called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Commissioner Ministro asked for a moment of silence for the fallen police officers.

INTRODUCTIONS AND SEATING OF ALTERNATE COMMISSIONERS:

Members and staff were introduced and Chairman Fisk designated regular Commissioners Robinson, Carros, Massaro, Ministro, Rooks and Fisk as voting members this evening.

Public Participation (Non-Pending Applications)

Erik Madsen, 70 Oak Hill Drive, a volunteer from various small committees relating to the Pigeon Hill open space land acquisition area. He spoke regarding concerns of the city land that is designated as an open space. He voiced concerns that an adjacent land owner is encroaching on the land and appears to be cutting down trees.

Raymond Rogozinski spoke and stated that Public Works will be going out to look at the land and that Public Works does not condone cutting trees down and an investigation will be done.

Acceptance of Minutes

1. Site Walk Minutes – August 29, 2022
2. Site Walk Minutes – October 1, 2022
3. IWWC Meeting – October 3, 2022
4. Site Walk Minutes – October 22, 2022

MOTION: Move to approve the onsite minutes of the August 29, 2022, meeting, as amended.

By: Robinson
For: Carros, Massaro, Ministro and Fisk.
Against: None.
Abstained: None.

Seconded: Rooks

MOTION: Move to approve the onsite minutes of the October 1, 2022, meeting, as amended.

By: Robinson
For: Carros, Massaro, Ministro and Fisk.
Against: None.
Abstained: None.

Seconded: Rooks

MOTION: Move to approve the minutes of the October 3, 2022, regular meeting, as amended.

By: Massaro
For: Carros, Ministro, Rooks and Fisk.
Against: None.
Abstained: None.

Seconded: Robinson

MOTION: Move to approve the onsite minutes of the October 22, 2022, meeting, as amended.

By: Robinson
For: Carros, Ministro, Rooks and Fisk.
Against: None.
Abstained: None.

Seconded: Massaro

PUBLIC HEARINGS:

5. Application 1999 - Wetlands application for a new single-family home at Lot 42-2A, Wolcott Road; Assessor's Map 8, Lot 42-2A; AMCO Development, LLC, applicant.

The Commission received the following items in their electronic packets

- a. Assessor's Map with Inland Wetlands Watercourse Layers
- b. Application
- c. Plan (Electronic Copy Only)

MOTION: Move to open a public hearing on Application #1999

By: Robinson
For: Carros, Massaro, Ministro and Fisk.
Against: None.
Abstained: None.

Seconded: Rooks

The Public Hearing was opened.

Brian Cunningham, Engineer at Robert Green Associates LLC, 6 Old Waterbury Road, addressed the Commission regarding application 1999. He reviewed the documents that were submitted to the committee. The only wetlands on the property is the lake. There is a retaining wall at the lake that will need repairs. Septic tank and pump chamber is 70 feet from the water and the storm water management chambers are about 77 feet from the water. The house is 102 feet from the water.

Commissioner Fisk asked that revisions regarding the retaining wall should be included in the final plans of the application.

City Engineer stated that it has not been added, but can stipulate that it must be added to the final plan and indicate that the wall be repaired.

Steve Dubois, 32 Sparrow CT, Suffield, is the owner of the land, stated that the plans do include a new wall and addition of a dock.

MOTION: Move to close the public hearing on Application #1999

By: Robinson

Seconded: Massaro

For: Carros, Ministro, Rooks and Fisk.

Against: None.

Abstained: None.

The Public Hearing was closed.

MOTION: Move to approve Application #1999 –Wetlands application for a new single-family home at Lot 42-2A, Wolcott Road; Assessor's Map 8, Lot 42-2A; AMCO Development, LLC, applicant, in accordance with the plot plan and information submitted with standard stipulations and RGA shall work with staff on the design of the retaining wall and dock for final plan.

By: Robinson

Seconded: Rooks

For: Carros, Massaro, Ministro and Fisk.

Against: None.

Abstained: None.

The application is approved.

STAFF-APPROVED APPLICATIONS/UNPUBLISHED:

Administrative Applications Approved

App.# Approved Administrative	Street No.	Address	Purpose of App.
102038	283	Pennwood Place	Detached garage/shed
102039	215	Witches Rock Road	Replacing damaged fence
102040	47	Kory Lane	Retaining wall maintenance
102041	47	Carriage Road	Fence

MOTION Move to file report

By: Robinson

Seconded: Rooks

For: Carros, Massaro, Ministro and Fisk.

Against: None.

Abstained: None.

The report is filed.

An update on the Eversource crossing new Park Street was added to the Agenda.**6. Eversource Update.**

Ken Cook with Eversource and Thom Spolzak from ECO Design spoke regarding the 101 Park Street design with the culvert crossing issue. Work is pending an easement agreement with the property owner at this time. Once this is resolved, work can start. This should be a one day job or worst case scenario two or three days for the trench pipe work. The work should be starting in the next week or two and the culvert will begin once the easement is resolved.

Chairman Fisk requested that the Enforcement Officer or City Engineer, Nancy Levesque be notified so the commission is kept up to date on the project.

NO MOTION MADE.

STAFF REPORTS:**7. IWEO Report – October 2022**

The Commission received the following items in their electronic packets: the Zoning Enforcement Officers report dated October 31, 2022, (attached Special Inspections, report undated.)

Zachary Norton, Inland Wetlands Enforcement Officer

Commissioner Ministro questioned if there was activity on the site for application # 1915.

City Engineer Nancy Levesque stated no activity is currently happening on site.

MOTION: Move to file report.

By: Robinson

Seconded: Massaro

For: Carros, Rooks, Ministro and Fisk.

Against: None.

Abstained: None.

The report is filed.

COMMUNICATIONS:**8. Cease & Correct Order – 109 Moody Street**

The Commission received the following item in their electronic packets:

- a. E-mail dated November 3, 2022, from Robert Green Associates, LLC, to Nancy Levesque, P.E., regarding our office has been re-retained to provide surveying and engineering at the above location.
- b. Letter dated July 14, 2022, from the Zoning Enforcement Officer, Zachary Norton, regarding the Cease and Correct Enforcement Order, 109 Moody Street **PREVIOUSLY** (09-12-22 IW Meeting):

The Commission received the following items in their electronic packets **PREVIOUSLY** (08-01-22 IW Meeting):

- c. Letter dated July 6, 2022, from Zachary Norton, IWEO, regarding 109 Moody Street
- d. Three photographs, undated

City Engineer Nancy Levesque stated that communication was received that Robert Green's office was rehired to work on the project. They will be submitting a report and inspection to let us know the status and continue to sort this out and be corrected.

Brian Cunningham, Engineer for Robert Greene Associates, 6 Old Waterbury road, stated that they were rehired and they will be looking at making sure that what was going to be done last summer gets done. They are requesting an extension for the application. No action has been taken due to just being rehired.

City Engineer Nancy Levesque stated that the end date was tonight. If they could extend the deadline to next month to receive the report of the inspection, current conditions and progress.

MOTION Move to file the report for Cease and Correct Order – 109 Moody Street and to extend the application until December 5, 2022 for new information from Robert Green Associates.

By: Robinson

Seconded: Rooks

For: Carros, Massaro, Ministro and Fisk.

Against: None.

Abstained: None.

The report is filed.

9. Superior Electric – Status Update

The Commission received the following items in their electronic packets:

- a. Memorandum dated October 31, 2022, from Sarah Seekins, Partner-in-Charge, ERM, regarding Superior Electric Wetland and Stream Restoration Project Compliance Groundwater Results Update (attached Table 1 and 2, Groundwater Summary Table, East of Emmett.)

The Commission received the following items in their electronic packets **PREVIOUSLY** (08-01-22 IW Meeting):

- a. E-Mail dated September 26, 2022, from Sarah Seekins, to Nancy Levesque, P.E., regarding Superior Electric - Response to Inland Wetlands Commission Comments, dated September 26, 2022, pdf. (1 attachments (8 MB)
- b. Letter dated September 26, 2022, from Sarah Seekins and Mac Bonner, to Zachary Fisk, Chairman and Nancy Levesque, City Engineer, regarding Superior Electric Wetland and Stream Restoration Project - Response to As Built Comments (two maps attached.)

The Commission received the following item in their electronic packets **PREVIOUSLY** (09-12-22 Meeting):

- a. Letter dated September 7, 2022, with an attached report dated June 2, 2022, from ERM, regarding Superior Electric Wetland and Stream Restoration Project, Compliance Groundwater Results Update, from Sarah Seekins, Partner in Charge and Joseph Robb, Hydrogeologist.

Ben Rach representative from Superior Electric spoke on behalf of Sara Seekins who was unavailable. On October 31, 2022 they submitted a memo showing final round of ground water sampling was completed and the results demonstrated that the findings are within DEEP regulations.

Mark Farber, 410 Emmett Street, spoke regarding his opposition to what has been done. He does not think that it is finished. Stated that he has submitted previously a number of points concerning work that was done. Why after decades of stability that after the remediation took place, is it so different now. He stated that he spoke to the condo association president who stated that he has not had not heard from Sarah Seekins. He is very concerned with the toxic and carcinogenic materials, and feels that more specific testing needs to be done, not just a general analysis. He wants this issue to be in front of the board as he is very concerned for the residents and properties all around this area.

Ben Rach responded that the condo president was spoken to on Monday this week. He stated that the ICT method is an approved testing method with the ST of CT and is a standard practice for this type of work. They feel pretty confident that it identifies any issues.

No Motions Made.

10. Willow Industries Maintenance Report – Application #1891

The Commission received the following items in their electronic packets: an e-mail dated October 14, 2022, from Scott Petrone, Project Engineer, of R.R. Hiltbrand Engineers & Surveyors, to Robert Flanagan, City Planner; Attorney Mark Ziogas; Kyle Schultz, regarding Barnum Road - Earth Removal Application – PDF.

MOTION: Move to file the report for Willow Industries Maintenance Report – Application #1891.

By: Robinson

Seconded: Ministro

For: Carros, Massaro, Rooks and Fisk.

Against: None.

Abstained: None.

The report is filed.

10. 50 Terryville Avenue – Erosion & Sediment Control Report

The Commission received the following item in their electronic packets: a Soil Erosion & Sediment Control Inspection Report, dated October 26, 2022, from David Hughes, P.E., L.S.

MOTION Move to file the report for 50 Terryville Avenue – Erosion & Sediment Control Report.

By: Robinson

Seconded: Ministro

For: Carros, Massaro, Rooks and Fisk.

Against: None.

Abstained: None.

The report is filed.

11. 894 Middle Street – E&S Control Recommendations

The Commission received the following item in their electronic packets: a letter dated October 17, 2022, from Robert Roles, P.E. Principal Engineer, of BL Companies, to Raymond Rogozinski, P.E., and Director of Public Works, regarding Soil and Erosion Control Recommendations, 894 Middle Street, Bristol, Connecticut.

Raymond Rogozinski spoke regarding these recommendations. A letter received from BL Company and a submission of a plan to stabilize the area. There are two areas in particular where the silt fence was down and went into the wetland area. Contractor will install silt fencing to stabilize the area and include installation of check dams and would like to proceed with these plans which will supersede the previous plan that was submitted.

City Engineer disagrees with area 1 and to reestablish a silt fence in that area due to a large amount of sand already over the old silt fence. Areas 2, 3 4 will keep eye on. Area 5, 6 agree to the suggestion from BL Company to address.

MOTION: To approve 894 Middle Street-E & S Control Recommendations with additional monitoring and silt fence in Area one.

By: Robinson
For: Carros, Massaro, Rooks and Fisk.
Against: None.
Abstained: None.

Second: Ministro

The motion is approved.

MOTION Move to file the report.

By: Robinson
For: Ministro, Rooks and Fisk.
Against: None.
Abstained: None.

Seconded: Massaro

The report is filed.

12. 351 Minor Street – Staff Communication

Brain Cunningham, 6 Old Waterbury Road, spoke for a proposal for an oil/propane facility on minor road application from over a year ago. CSX owns the operating rights now instead of Pan Am. They are working thru the new requirements with CSX. The applicant is requesting to phase the project into two phases. Phase 1 would be the site work and Phase 2 would be the spur line itself.

City Engineer Nancy Levesque will write a memo adding the phasing of the project for the application to the zoning commission.

MOTION: to accept the phasing of the project and concur with the applicant's proposal.

By: Robinson
For: Carros, Massaro, Rooks and Fisk.
Against: None.
Abstained: None.

Seconded: Ministro

The motion carries.

2023 Meeting Schedule

The Commission received the following item in their electronic packets: a schedule of the draft 2023 Meeting Schedule.

City Engineer Nancy Levesque stated that the schedule could be revised if the New City Hall is open, the meetings would be held there.

MOTION Move to approve the 2023 Meeting Schedule.

By: Robinson
For: Carros, Massaro, Ritchie, Rooks and Fisk.
Against: None.
Abstained: None.

Seconded: Ministro

The report is filed.

ADJOURNMENT:

MOTION: Move to adjourn at 7:54 P.M.

By: Rooks

Seconded: Robinson

For: Carros, Massaro, Ritchie, Rooks and Fisk.

Against: None.

Abstained: None.

Zachary Fisk, Chairman
Inland Wetlands Commission

David Rooks, Secretary