

**SPECIAL MEETING OF INLAND WETLANDS & WATERCOURSES AGENCY OF
THE CONSERVATION COMMISSION OF THE CITY OF BRISTOL
SPECIAL MEETING MINUTES
THURSDAY FEBRUARY 5, 2026**

By: Chairman Fisk

Time: 6:30 P.M.

Place: City Hall
Council Chambers
111 North Main St.
First Floor

ROLL CALL:

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS	Zachary Fisk (Chairman)	X	
	Michael Robinson (Vice Chairman)	X	
	David Rooks (Secretary)	X	
	James Carros	X	
	Daniel Massaro, Jr.	X	
	Faye Duquette	X	
	Laura Valentino	X	
ALTERNATE MEMBERS	Greg Klimek	X	
	Joseph Longo	X	
	Justin Bridges	X	
STAFF	Raymond Rogozinski P.E., Director of PW	X	
	William Stango P.E., City Staff	X	
	Janet Little, Recording secretary	X	

1. Call to Order

Per the order of Chairman Fisk, the meeting was called to order at 6:35 P.M.

2. Pledge of Allegiance

3. New Business

- a. Application #2056 – Wetlands application for earth removal activity within the upland review area associated with the development of two residential dwelling units at 45 & 51 Grassy Road; Lot 216 & Lot 217 Ambler Road; Assessor's Map 20, Lots 214, 215, 216 and 217. H&T Holdings of Bristol, LLC, applicant - PUBLIC HEARING CLOSED.

The Commission received the following items in their electronic packets: PREVIOUSLY (01-05-2026 Mtg.):

- a. Application form
- b. Mapping: floodplain, wetlands, topo and aerial
- c. Hopper's email_soils scientist/na, statement dated 12-28-25
- d. WD revised hoppers open space report near 45 Grassy Rd., from Aleksandra Moch
- e. WD hoppers open space report near 45 Grassy Rd._Rev.date12-11-25, from Aleksandra Moch
- f. Revised wetlands intervention soils report_Rev. date 12-28-25
- g. Original wetlands intervention soils report,_Rev. date 11-28-25
- h. Links to Materials submitted on 12-01-2025 – previous packet
- i. Resume – Aleksandra Moch
- j. Scenario 1, scenario 2, w/report from R_Green associates – previous packet
- k. Applicant's soils report dated 11-17-25

- l. JMM – company info 2025
- m. Emails – undocumented wetlands in the hoppers, from Raymond Rogozinski, P.E., Director of Public Works dated from 11-18-25 to 11-08-25
- n. Intervene document dated 10-19-25
- o. Referral memo dated December 16, 2025, from Bristol planning commission to Bristol zoning commission, regarding applications # 2547 & 2548
- p. Site plan, dated 07-01-2025
- q. Photos – previous packet

The Commission received the following items in their electronic packets PREVIOUSLY (12-01-25 Mtg.):

- a. Application form
- b. Stormwater report dated September 2, 2025, from Robert Green Associates, LLC
- c. Mapping: floodplain, wetlands, topo and aerial
- d. Email dated November 18, 2025, from Raymond Rogozinski, P.E., Director of Public Works, regarding Undocumented Wetlands in the Hoppers
- e. Intervenor status letter dated October 19, 2025
- f. Site plan

The Commission received the following items in their electronic packets PREVIOUSLY (11-03-25 Mtg.):

- a. Intervener Status Letter dated October 19, 2019
- b. Supporting Documents for Special Permit for Earth Removal, dated September 2, 2025
- c. Revised application

The Commission received the following items in their electronic packets PREVIOUSLY (10-06-25 Mtg.):

- a. Intervener Status Letter dated October 19, 2019
- b. Supporting Documents for Special Permit for Earth Removal, dated September 2, 2025
- c. Revised application
- d. Assessor's Map with Inland Wetlands Watercourse Layers
- e. Application
- f. Plan (Electronic Copy Only)
- g. Report, dated September 2, 2025, Hydrology Report (28 Pages.)

The Commission received the following items in their electronic packets PREVIOUSLY:

- a. Intervener Status Letter dated October 19, 2019
- b. Supporting Documents for Special Permit for Earth Removal, dated September 2, 2025
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- e. Application
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Chairman Fisk asked Commissioner Rooks if he had a chance to review the recordings, Commissioner Rooks confirmed he had. We will continue Application deliberations for Application #2056. Chairman Fisk asked Director Rogozinski if he had any comments.

Director Rogozinski stated this is a continuation of the deliberation period for application #2056 Application #2056 – Wetlands application for earth removal activity within the upland review area associated with the development of two residential dwelling units at 45 & 51 Grassy Road; Lot 216 & Lot 217 Ambler Road; Assessor's Map 20, Lots 214, 215, 216 and 217. H&T Holdings of Bristol, LLC, applicant . One thing I would like to spend some time doing is just reviewing the City's Inland wetlands regulations, as it pertains to consideration of a decision.

Director Rogozinski read the City Regulations, entitled Inland Wetlands and Watercourse regulations that of the Conservation Commission, as amended on a 6-1-2025, Section 10.1-10.2.

City Engineer William Stango, read from Section 10.3-10.8

Chairman Fisk shared a statement During Monday's meeting, I heard from several commissioners and expressed... who expressed an interest in an additional soil science review. I share that sentiment, but at this point, the public hearing is closed. The applicant has declined extensions, and we have to decide based on what is in the record. What's important to me is that the applicant's own soil scientists identified wetlands closer to the project area than the city wetlands map shows. Once that occurred, I don't think it's appropriate for the Commission to continue relying on the city map as the regulatory baseline. That leaves us with two delineations in the record, the interveners and the applicants. Under the intervener's delineation, the upland review area clearly extends into the project. Under the applicant's delineation, the wetland is closer than mapped, and given slope and groundwater considerations in our regulations, the upland review area likely extends into the project as well. Under either scenario, it's not clear that the project lies entirely outside the Upland review area. The application and engineering drawings from June or July, I forgot which month it was, of 2025. However, we're prepared on the assumption that it was. The record does not show that impacts were evaluated under either of those drawings, either of those conditions. If the applicant had been willing to extend the timeline, additional study might have helped resolve that uncertainty. If they chose not to do so, that leaves us with a choice between approving an incomplete record or denying based on the applicant not meeting its burden under our regulations. Based on the evidence before us, I do not believe that burden has been met. That's how I'm viewing the record. I'd like to hear from the rest of the Commission before we decide how to proceed.

Depending on where the discussion lands, I do have proposed motions ready.

Director Rogozinski, reminded the Commission of Section 11, Decision and Process of Permit, specifically Section 11.3. The agency shall state upon its record the reason for basis of the decision, and in the case of a public hearing, such a decision shall be based fully on the record of such hearing, and shall be in writing. And then 11.4. In the case application which is denied on the basis of the findings that there will be no feasible and prudent alternatives to the proposed regulatory activity which have less adverse impact on the wetlands or watercourse, the agency shall propose on the record, in writing, the types of alternatives which the applicant may investigate, the requirements shall not be construed to shift the burden of the act from the applicant to prove that he is entitled to a permit or in the present alternatives to the proposed regulatory activity.

Commissioner Robinson shared his thoughts from Monday's meeting

Commissioner Valentino stated she was in agreement with Chairman Fisk and Commissioner Robinson

Commissioner Rooks stated he had some concerns, their soil scientist has it a lot higher, but it also, from what I'm getting testimony from the professionals is it could be a disturbed wetland. We don't know if that wetland was put there from when those houses were built. Where it's coming from. So even if the line, like, when I said it 2 months ago. Even if we were to split the difference, you know, we're talking 30, 40 feet. You know, and I understand that we have to make the decision and figure this out, But I have an issue because they're saying water, is it just groundwater? We're not here to regulate groundwater. And I don't know why some of the commissioners are stuck on that. We've had applications in the past that was specifically worrying about groundwater, and we as a commission said, we don't govern groundwater. So why are we dealing with this here, on this project, when the other applications, we said no to it? And that's just my personal take on this. You know, I think the applicants actually done what they needed to do. Their soil scientist was here, testified in front of us. We could not examine theirs. And that's... that's my feeling.

Chairman Fisk stated where I'm falling down on this is that we don't know where that delineation, what the impacts are to the upland review area. That's not on the plans. The plans, the drawings were done prior to that delineation. Even accepting that, which I am. I've been accepting that at this point. The application is not complete.

Commissioner Rooks, How much is the difference, is where we're coming. Is it 10 feet? Is it 20 feet?

Chairman Fisk, We don't know, because with the slope involved, we don't know. We don't know how far it's going to extend into it. From testimony, Mr. McManus stated it was 90 feet to the road, his nearest point. With our regulations and the slope involved that would, in my mind, extend into it. And that's why, in this matter, the burden has not been met on this application. It would be difficult to approve an application that is not complete.

Commissioner Massaro, I'm still very torn about it. I think that the applicants did a pretty thorough job, and vetting all of the parameters that they're required to follow. When submitting a wetlands application. Then we find that the wetlands map that the city has issued for them to use are off. We found it by soil scientists. We had other soil scientists look at it. I think Mr. McManus did a very thorough job in his investigating of those. He did speak quite a bit about the wetland soils that he did find. Were they dumped there? Were they indigenous to that property? He wasn't able to say.

Chairman Fisk stated he was hung up on that as well, as I recall from his testimony, the areas that are disturbed wetlands, or dumped wetlands, as you put it, are the areas that the intervenor soil scientists identified.

Commissioner Carros agreed with Commissioner Massaro. If I had to vote right now, I would vote to approve the project, but we're not quite there yet. And I understand the concerns of the interveners, I understand them completely. I was reminded we are bound by the regulations of wetlands and our regulations. And not the other concerns of, you know, road use and dust and everything else. This is a hard project to make a decision.

Chairman Fisk are you in agreement with the applicant's soil scientist or the intervenors?

Commissioner Carros, I think the applicant's, presentation, their soil scientist report, I think, is accurate. And again, nobody has proved that it's not. As Commissioner Rooks talked about water, running water, that's not what we're talking about here. Every time it rains, we're going to have water running down no matter where you are, you can have wetlands or dry desert. You're still going to have rain coming down. The intervenor has not convinced me Let's put it that way.

Chairman Fisk, that goes back to, you know, what Commissioner Massaro brought up, is the altered human, human transported soils according to the applicant, are not viable soils. They may have wetland characteristics still there, but they're not still functioning as wetlands. That may be a place of disagreement between the two soil scientists is, are those soils still viable at this point that they've been altered? As I mentioned, I'm leaning the fact that after questioning him and my years of experience on this board, that you know, Mr. McManus was correct that those are not viable. However, repeating myself, it still leaves me the question, where is the upland review boundary?

No motions were brought forth, Chairman Fisk read into record a motion for consideration:

The Inland Wetlands and Watercourses Commission finds that the applicant has not met its burden under the Inland Wetlands and Watercourses Regulation. The applicant's soil scientists identified wetlands closer to the project area than shown on the city wetlands map, and the record contains two delineations, the interveners and the applicants. Either of which indicates that the upland review area extends closer to and may extend into portions of the proposed activity area, beyond what was assumed or evaluated in the application materials.

While the applicant has recognized the upland review areas elsewhere on the property, the record does not demonstrate that the full extent of upland review associated with the wetland feature identified closer to the project has been established and incorporated into the project evaluation. Including consideration of slope and groundwater factors required by the regulations. As a result, the Commission cannot find on the record that impacts have been avoided and minimized, that the proposed activity complies with applicable standards, and the application is therefore denied. Is there a motion consistent with this finding?

Motion made by Commissioner Robinson and Seconded by Commissioner Valentino.

A roll call vote was taken, resulting in 3 for, 4 against.

Commissioner	Vote
Commissioner Duquette	No
Commissioner Valentino	Yes
Commissioner Carros	No
Commissioner Robinson	Yes
Commissioner Massaro	No
Commissioner Rooks	No
Commissioner Fisk	Yes

For: Valentino, Robinson, and Fisk
Against: Duquette, Carros, Massaro, and Rooks.

Abstained: None.

The motion does not pass.

The second motion was read into the record by Chairman Fisk, stating it will have some stipulations that will be discussed before voting.

The Inland Wetlands and Watercourses Commission finds that, subject to appropriate conditions, the proposed regulated activity may be conducted in a manner that avoids or minimizes impacts to wetlands and watercourses. As required by the Inland Wetlands and Watercourses regulations, the Commission further finds that approval is contingent upon incorporation of the wetland boundary identified by the applicant's soil scientist and the associated upland review area into the project design, as well as implementation of measures necessary to protect wetlands, groundwater, and related resources. Approval of application number 2056 is therefore granted, subject to the following conditions, which we can discuss once we have a motion and a second in the discussions. But even before that, it's the language there agreeable?

Motion made by Commissioner Massaro and Seconded by Commissioner Duquette.

Discussions commenced regarding adding stipulations.

Director Rogozinski stated through the chair, a stipulation that the applicant submits to engineering for a review, a drainage report confirming the size of the sedimentation chamber and currents with Connecticut DEEP, stormwater control yield manual and also a report from a geotechnical engineer associated with the slope stability.

Chairman Fisk proposed a stipulation that the applicant revise the plans and show the McManus delineation and the Upland review on the drawings. We're not changing the map, we're having them change their plans to 90 feet from the road. Per scale, the delineation itself may not be on the map, but the upland review likely will be.

Final Motion with Stipulations

MOTION: Move to approve Application #2056 – Wetlands application for earth removal activity within the upland review area associated with the development of two residential dwelling units at 45 & 51 Grassy Road; Lot 216 & Lot 217 Ambler Road; Assessor's Map 20, Lots 214, 215, 216 and 217. H&T Holdings of Bristol, LLC, applicant, in accordance with the plot plan and information submitted with standard stipulations and additional stipulations as listed: Engineering review of drainage report confirming size of sediment basin in accordance with CT DEEP Manual; Geotechnical report indicating slope stability of proposed excavation; Erosion control bond in the amount of \$20,000; Conservation Easement in Northeast Corner and Southern/ Southwest portions of the property in areas where there's no excavation proposed on the applicant's plan; presence of groundwater table would stop work; indications of wetland limits or upland review area to be denoted on the map along the eastern property line from the applicant's soil scientist, per our regulation.

By: Massaro

Seconded: Duquette

A roll call vote was taken, resulting in 6 for, 1 against.

Commissioner	Vote
Commissioner Duquette	Yes
Commissioner Valentino	Yes
Commissioner Carros	Yes
Commissioner Robinson	Yes
Commissioner Massaro	Yes
Commissioner Rooks	Yes
Commissioner Fisk	No

The motion passed.

For: Duquette, Valentino, Carros, Robinson, Massaro, and Rooks.
Against: Fisk

Abstained: None.

The application is approved with standard and additional stipulations.

4. Adjournment

MOTION: Move to adjourn at 7:36 P.M.

By: Rooks

Seconded: Robinson

For: Duquette, Valentino, Robinson, Klimek, Massaro, Rooks and Fisk.

Against: None.

Abstained: None.

This meeting was recorded.

Respectfully submitted,
Janet Little

Zachary Fisk, Chairman
Inland Wetlands & Watercourses Agency
of the Conservation Commission of the City of Bristol

David Rooks, Secretary