

**BRISTOL INLAND WETLANDS COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY MARCH 2, 2022**

Call To Order:

By: Chairman Fisk

Time: 7:00 pm

Place: City Hall

Roll Call:

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS	Zachary Fisk (Chairman)	X	
	Chet Reed (Vice Chairman)	X	
	David Rooks (Secretary)	X	
	Michael Robinson	X	
	James Carros		X
	David Scarritt	X	
	Daniel Massaro, Jr.	X	
ALTERNATE MEMBERS	Carolyn Checovetes		X
	Richard Ministro – NEW ALTERNATE	X	
	James Ritchie – NEW ALTERNATE	X	
STAFF	Carol Noble, P.E., Environmental Engineer		X
	Nancy Levesque, P.E., City Engineer	X	
	Andrew Armstrong, Assistant City Planner		X

Pledge of Allegiance:

Chairman Fisk led a recitation of the Pledge of Allegiance.

Introduction and Seating of Alternates:

Members and Staff were introduced. Alternates Ministro and Ritchie were seated and directed to alternate Application votes.

Public Participation (Non-Pending Applications):

There was no public participation.

Acceptance of Minutes:

1. IWWC – January 5, 2022

MOTION: Move to approve the minutes of the January 5, 2022, regular meeting.

By: Robinson

Seconded: Rooks

For: Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

2. IWWC – February 2, 2022

MOTION: Move to approve the minutes of the February 2, 2022, regular meeting.

By: Robinson

Seconded: Scarritt

For: Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

3. IWWC – February 19, 2022 (Site Walk)

MOTION: Move to approve the minutes of the February 19, 2022, onsite minutes.

By: Robinson

Seconded: Rooks

For: Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

Public Hearings:

4. Application 1963 – Wetlands boundary change application for the revision of the wetlands boundary based upon soil scientist survey at 1960 Perkins Street; Assessor's Map 58, Lot 16-1; LED, LLC, applicant – (Public Hearing continued from February 2, 2022).
5. Application 1964 – Wetlands application for a new ten lot residential subdivision at 1960 Perkins Street; Assessor's Map 58, Lot 16-1; LED, LLC, applicant – (Public Hearing continued from February 2, 2022).

Chairman Fisk explained Applications #1963 and #1964 would be heard concurrently, but voted on separately.

The Commission received the following items in their electronic packets: a report dated December 21, 2021, from James McManus, MS, CPSS of JMM Wetland Consulting Services, LLC, for Richard Green, P.E., Robert Green Associates, LLC, "entitled "Appendix D, Wetlands/Watercourses and Soil Report a report from Soil Science and Environmental Services, Inc., Wetlands/Watercourses and Soil Report, to Robert Green Associates, inspection date May 9, 2013"; Wetlands Review Comments, undated; a report entitled "Hilltop Subdivision, Environmental Assessment of Proposed Wetlands Impacts, June 29, 1990, by David Lord, CSS, EC"; and a report entitled "Plan for Maintenance and Emergency Operations for Detention Ponds, Located on Lots 37, 38, Hart St. 16-17 Perkins St., Hilltop Subdivision, Bristol, CT, prepared by Augustine Lepore, Jr., P.E., LS, 75 Meadow St., Bristol, CT 06010, dated June 27, 1990; a report entitled "Supporting Documents, Meadow View Farm subdivision, Perkins Street and Southdown Drive, Bristol, CT, dated December 22, 2021, prepared by Robert Green Associates, LLC, Joseph Green, P.E."; a report entitled "Storm Drainage Report, Barnes subdivision, Perkins Street – Westwood Road, Hilltop subdivision, dated June 27, 1990, prepared by A.F. Lepore, Jr., P.E., L.S"; a draft Storm Water Drainage Easement, dated February 2022; a copy of IW Permit #506 with conditions; Wetlands Review Comments for Application #1963; a report entitled "Hilltop Subdivision, Environmental Assessment of Proposed Wetlands Impacts, dated June 29, 1990, by David Lord, CSS, EC, of Soil Resource Consultants.

MOTION: Move to resume the Public Hearing for Application #1963, continued from February 2, 2022.

By: Robinson

Seconded: Scarritt

For: Ministro, Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant, gave an overview of the proposed Subdivision and described two reports submitted by soil scientists detailing their assessment of site condition, dated June 29, 1990, and December 21, 2021.

James McManus, MS, CPSS of JMM Wetland Consulting Services, LLC, described his findings detailed in his December 21, 2022 soil report and conditions observed on the February 19, 2022 site walk, including a non-regulated swale that did not meet the conditions required to be deemed an intermittent watercourse.

Stacy Williamson, 164 South Down, requested clarification regarding the approval process for the proposed subdivision.

Attorney Ziogas explained the approval process steps to Mrs. Williamson.

MOTION: Move to close the Public Hearing for Application #1963.

By: Robinson

Seconded: Reed

For: Ministro, Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

The Application #1964 was continued.

5. Application 1969 – Wetlands boundary change application for the revision of the wetlands boundary based upon soil scientist survey at 16 Andrews Street; Assessor's Map 38, Lots 62-4, 62-4A, & 61-5; 16 Andrews Street LLC, applicant.

The Commission received of the following items in their electronic packets: a google photograph of 217 Frederick St., undated; a Wetlands/Watercourses Delineation Report dated August 9, 2021, from Davison Environmental; two aerial photographs with Staff comments undated; an e-mail dated January 27, 2022, from Robert Flanagan, City Planner, to Carol Noble, regarding Buffer Requirement (attached Figure A-13: Buffer Requirements); a report of 16 Andrews Street, Bristol, CT Stream Status Report, dated February 2, 2022 and Re-delineation submittal documents (5 pgs.)

Chairman Fisk explained Applications #1969 and #1970 would be heard concurrently but voted on separately.

MOTION: Move to open the Public Hearing of Application # 1969.
By: Robinson Seconded: Rooks
For: Ritchie, Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The Public Hearing was opened.

Attorney Dwight Merriam, 80 Latimer Lane, Weatogue, representing the applicant, summarized the proposed activity and introduced the Applicant.

Michael Klein, Soil Scientist, 10 Maple St, Chester, CT, Davison Environment, described his August 9, 2021 site visit, testing and that no wetlands soils were found on the site.

Steven Donaghy, 94 Fredricks St, posed clarifying questions.

MOTION: Move to close the Public Hearing for Application #1969.
By: Robinson Seconded: Scarritt
For: Ritchie, Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The Public Hearing was closed.
No one else spoke in favor of the application.
No one else spoke in opposition of the application.

MOTION: Move to approve with a March 30, 2022 effective date, Application #1969 – Wetlands boundary change application for the revision of the wetlands boundary based upon soil scientist survey at 16 Andrews Street; Assessor's Map 38, Lots 62-4, 62-4A, & 61-5; 16 Andrews Street LLC, applicant, in accordance with the plot plan and information submitted with standard stipulations.

By: Reed Seconded: Scarritt
For: Ritchie, Scarritt, Massaro, Reed, Rooks and Fisk.
Against: Robinson.
Abstained: None.

The application was approved.

PENDING APPLICATIONS:

6. Application 1970 – Wetlands application for a paved parking lot and area of grading at 16 Andrews Street; Assessor's Map 38, Lots 62-4, 62-4A, & 61-5; 16 Andrews Street LLC, applicant.

E-mail dated from February 2, 2022 to February 24, 2022, from Attorney Dwight Merriam, to Carol Noble, regarding 16 Andrews St.; (3.) a Description of the Subject Property; (4.) a Description of the Proposed Activity

and Its Purpose; an agreement entitled "City of Bristol Small Business Grant, Administered by the Bristol Development Authority, Commercial Grant Agreement, dated June 25, 2019; a Notice of Violation and Request for Voluntary Compliance, dated November 24, 2020, from Edward Spyros, ZEO (attached documents); 2021 meteorological data set; a quote dated April 24, 2019, from Martin Laviero Contractor, Inc.; a referral letter dated June 24, 2021, from the Zoning Commission to the Planning Commission; an approval letter dated July 15, 2021, from the Zoning Commission; a report entitled "Drainage Calculations, Quick Auto Sales and Repair, 16 Andrews St., Bristol, CT, 06010, dated January 24, 2022, from Torres Engineering, Inc.; a letter dated January 24, 2022, from Michael Klein of Davison Environmental to Dwight Merriam, Esq., regarding 16 Andrews St.; an e-mail dated January 27, 2022, from Robert Flanagan, City Planner, to Carol Noble, regarding Buffer Requirement (attached Figure A-13: Buffer Requirements);); a report of 16 Andrews Street, Bristol, CT Stream Status Report, dated February 2, 2022; Re-delineation submittal documents (5 pgs.); and a report dated January 2002, from UCONN Library, regarding Precipitation in CT.

MOTION: Move to receive Application #1970.

By: Robinson

Seconded: Rooks

For: Ritchie, Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

The application is received.

Attorney Dwight Merriam, 80 Latimer Lane, Weatogue, expressed the financial peril the Applicant was in and requested no unnecessary improvements be mandated and summarized the proposed activity.

Vllaznim Sadriu, 16 Andrews Street, explained he performed unpermitted paving on his lot and was ordered to cease and desist, as the improvements were un-permitted. He described the impact to his business, employees and submitted letter of support provided by Jacob & Rebecca Plocher, 20 Andrew Street, as well as, Frank & Brenda Slisz, 19 Andrews Street.

Ozzie Torres, P.E., 63 Reed Drive, Wethersfield, CT, Torres Engineering, described the current stormwater drainage flow, the total size of the lot, describe the proposed hydrodynamic separator for improved water quality of run off and asserted water detention on site was not needed as the increased runoff was unlikely to cause flooding on Fredrick Street.

Michael Klein, Soil Scientist, 10 Maple St, Chester, CT, Davison Environment, asserted stormwater detention so close to the Pequabuck River could be counterproductive if the release added to peak flow during a storm event.

Deliberative discussion followed.

MOTION: Move to reserve determination of the proposed activity's significance and set a public hearing, as it's determined to be in the public's interest, for Application #1970.

By: Robinson

Seconded: Rooks

For: Ritchie, Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

The application was set for Public Hearing.

New Applications:

7. Application 1971 – Wetlands application for the replacement of Bridge 04104 to address structural deficiencies at Downs Street over the Pequabuck River; Assessor's Map 30A, Lot 18, Assessor's Map 34, Lots 92 & 93; City of Bristol, Department of Public Works, applicant.
8. Application 22-466F-276 – Floodplain application for the replacement of Bridge 04104 to address structural deficiencies at Downs Street over the Pequabuck River; Assessor's Map 30A, Lot 18, Assessor's Map 34, Lots 92 & 93; City of Bristol, Department of Public Works, applicant.

Chairman Fisk requested Staff Member Levesque to advise whether Applications #1971 and 22-466F-276 should be considered complete.

Staff Member Levesque advised that they were not complete and should not be considered until the next regular meeting.

Staff-Approved Applications/Unpublished:

10. Administrative Applications Approved:

App.# Approved Administrative	Street No.	Address	Purpose of App.
101995	82	Couture Drive	Brush removal

MOTION: Move to file the report.

By: Reed

Seconded: Rooks

For: Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

Staff Reports

11. IWEO Monthly Reports – February 2022

The Commission received the following items in their electronic packets: the Zoning Enforcement Officer's report, dated February 21, 2022 (two attached letters.)

Zachary Norton, Acting Zoning Enforcement Officer, Environmental Protection Technician

MOTION: Move to file the report from the Acting Inland Wetlands Zoning Enforcement Officer.

By: Reed

Seconded: Robinson

For: Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

The report is filed.

Conservation Commission:

12. Consideration of Meeting Time Change to allow for Conservation Commission Items at 6:30 PM.

An up/down vote was taken to approve the meeting time change.

For: Scarritt, Robinson, Massaro, Rooks and Fisk.

Against: Rooks.

Abstained: None.

The time change was approved.

Communications:

13. 50 Terryville – Report

The Commission received the following items in their electronic packets: a report from David Hughes, P.E., of ZMA Real Estate, LLC, regarding Soil Erosion and Sediment Control Inspection for 50 Terryville Ave.

MOTION: Move to file the report.

By: Robinson

Seconded: Rooks

For: Scarritt, Robinson, Massaro, Reed, Rooks and Fisk.

Against: None.
Abstained: None.

The report was filed.

14. Barnum Road Willow Industries – Maintenance Reports

The Commission received the following item in their electronic packets: a report from Jacob Dinklocker of Schultz Corporation, dated February 18, 2022, entitled "Maintenance Report, Willow Industries, Barnum Rd., Earth Removal Operation.

MOTION: Move to file the report.

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

Seconded: Scarritt

The report was filed.

15. 2022 Meeting Schedule Information

The Commission received the following items in their electronic packets: a copy of the draft Regular Meetings Dates for: Inland Wetlands Commission, undated.

MOTION: Move to approve the updated 2022 meeting schedule, as presented.

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

Seconded: Scarritt

The report was filed.

Adjournment:

MOTION: Move to adjourn at 9:57 pm.

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

Seconded: Rooks

This meeting was taped.

Respectfully submitted,
Robin Klug

Zachary Fisk, Chairman
Inland Wetlands Commission

David Rooks, Secretary