



City of Bristol
Conservation Commission/ Inland Wetlands and Watercourses Agency

REGULAR MEETING OF MONDAY, MAY 5, 2025
6:30 PM
MEETING ONLINE VIA ZOOM AND
BRISTOL CITY HALL – COUNCIL CHAMBERS
111 NORTH MAIN STREET

INFORMATION FOR THE PUBLIC TO ACCESS THIS MEETING

Zoom Meeting link:

<https://bristolct-gov.zoom.us/j/84108719875?pwd=68RUwZhKkhQm4m13mBuiUpxsnnwW3T.>

1

Meeting ID:

841 0871 9875

Meeting Passcode:

123456

Join by phone

1-929-205-6099

AGENDA

1. Call to Order
2. Public Participation
3. Approval of Minutes
 - a. Regular Meeting - April 7, 2025
 - b. On-Site Inspection - April 28, 2025
4. Public Hearings
 - a. Application AWR-24-3 – Draft Regulation Amendments - Proposed amendments to the Inland Wetlands & Watercourse Agency Regulations to include the following: Section 2.1(r) – Definitions for “Regulated Activities”; Initiated by the Bristol Inland Wetlands & Watercourses Agency. (Public Hearing continued from April 7, 2025 meeting)
 - b. Application #2048 - Wetlands application for the rehabilitation of retaining wall along Broad Street near Pequabuck River due to deteriorating stone wall; City of Bristol, Right-of-Way; City of Bristol, Public Works Department, applicant.

5. Old Business
 - a. Cease & Correct - 360 King Street & Lot 47-5-1
6. New Business
 - a. Cease & Correct - 225 East Main Street
 - b. DEEP Permit Application for the Use of Pesticides in State Waters - Jacklin Rod & Gun Pond
 - c. Permit Transfer Request - Lot #16-1G, Perkins Street
 - d. Permit Transfer Request - 1980 Perkins Street
 - e. Permit Transfer Request - 1970 Perkins Street
7. Staff Reports
 - a. IWWA Report - April 2025
8. Communications
9. Adjournment

NOTE: This meeting will be held in-person and online (Via Zoom).

Please contact the Land Use Office at 860-584-6225 for further information.

REMINDER: The next Regular Meeting of the Inland Wetland Commission is Monday, June 2, 2025

**INLAND WETLANDS & WATERCOURSES AGENCY
OF THE CONSERVATION COMMISSION OF THE CITY OF BRISTOL
MINUTES
REGULAR MEETING OF MONDAY APRIL 7, 2024**

By: Chairman Fisk

Time: 6:30 P.M.

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

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	
	James Ritchie	X	
	Faye Duquette	X	
ALTERNATE MEMBERS	Greg Klimek	X	
	Laura Valentino	X	
STAFF	Anthony Lorenzetti, P.E., City Staff	X	
	Raymond Rogozinski, P.E., Director of Public Works	X	

Per the order of Chairman Fisk, the meeting was called to order at 6:30 P.M.

1. Call to Order

Chairman Fisk reminded the Agency the next Regular Meeting of the Inland Wetland Agency is Monday, May 5, 2025.

2. Public Participation

Michael Dudko, 116 Lewis Rd., requested to speak on the Public Hearing, Item 4.a., Application AWR-24-3. Mr. Dudko noted he would listen to item New Business, Item 6.a., Permit Transfer Request - Lot #2 Business Park Drive., to understand the process for that item. The resident also requested to speak on the item Communications, 9.b., DEEP Permit for Use of Pesticides in State Waters - Business Park Drive Pond.

Chairman Fisk would allow Mr. Dudko to speak on the items requested when the items were discussed on the agenda.

3. Approval of Minutes

a. On-Site Meeting - March 1, 2025

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the March 1, 2025, On Site Meeting minutes.

MOTION: Move to approve the onsite minutes of the March 1, 2025, meeting.

By: Massaro

Seconded: Robinson.

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

Against: None.

Abstained: None.

b. Regular Meeting - March 3, 2025

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on to vote on March 3, 2025, regular meeting minutes.

MOTION: Move to approve the onsite minutes of the March 3, 2025, meeting.

By: Robinson

Seconded: Massaro.

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

Against: None.

Abstained: None.

4. Public Hearings

- a. Application AWR-24-3 – Draft Regulation Amendments - Proposed amendments to the Inland Wetlands & Watercourse Agency Regulations to include the following: Section 2.1(r) – Definitions for “Regulated Activities”; Initiated by the Bristol Inland Wetlands & Watercourses Agency. (Public Hearing continued from March 3, 2025 meeting)

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on to vote on Application #AWR-24-3.

The Commission received the following items in their electronic packets for Application #AWR-24-3 previously:

- a. IW and Watercourses Regulations of the Conservation Commission of the City of Bristol, CT, Amended to: Effective date 5-3-2021, Adopted: August 13, 1973 – Section 2.1.r.

Raymond Rogozinski, P.E., Director of Public Works, representing the applicant, explained there was no new status of a sales agreement from the City of Bristol or from the State of CT from last month's meeting on the open space land.

The Commission and Mr. Rogozinski discussed granting an extension for 30 days or 60 days on application. The members agreed that a 30-day extension was sufficient for the application because of concerns of the State timelines and the City attorneys were not in attendance this evening.

Commission inquiries: Mr. Rogozinski noted there was a pending grant application for open space with the State of CT.

The Commission received the following items in their electronic packets for Application #AWR-24-3 previously:

- a. IW and Watercourses Regulations of the Conservation Commission of the City of Bristol, CT, Amended to: Effective date 5-3-2021, Adopted: August 13, 1973 – Section 2.1.r.

The following person spoke regarding the Application AWR-24-3: Brian Cunningham, P.E., Robert Green Associates, 6 Old Waterbury Rd., Terryville and Michael Dudko, 116 Lewis Rd.

Mr. Cunningham was concerned about if the Commission was going to change the upland review area language. The resident said he read the documents from the original public hearing. Mr. Cunningham stated that there was reference to the proposed Regulations in the ConnDEEP guidance from 1997 and the Bureau of Water Management Guide and Review document. He said that he was concerned and that establishing upland review areas that 100 ft. wide areas are sufficient for construction and activities in upland review areas and watercourse areas. Mr. Cunningham had concern of slopes more than 5% of adding 5 ft. to every 1% increase in slope to the maximum number. The engineer's concern was how the Commission would establish this area that may be significant up to 600 ft. such as from two meetings ago. Mr. Cunningham said with the ConnDEEP guidance, this

becomes more difficult for Staff to determine and enforce with the level of review unless it was more uniform distance.

In response to Mr. Cunningham, the Commission verified the Commission was reviewing these concerns on Pgs. 3 to 5. Mr. Lorenzetti indicated there were some areas that are up to 2 acres that were extended, but individual properties had to be reviewed with the GIS system.

Mr. Dudko had concerned about Pg. 15 of the Regulations about protecting the inland wetlands areas that he raised previously for a higher standard of protection. The resident agreed with the proposed language as discussed to adopt.

The Commission said the area Mr. Dudko spoke of was included with the Regulations.

MOTION: Move to continue Application AWR-24-3 – Draft Regulation Amendments - Proposed amendments to the Inland Wetlands & Watercourse Agency Regulations to include the following: Section 2.1(r) – Definitions for “Regulated Activities”; Initiated by the Bristol Inland Wetlands & Watercourses Agency, to the May 5, 2025, regular meeting of the Commission. The Commission voted to extend Application AWR-24-3 for 30 days.

By: Robinson

Seconded: Rooks.

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

Against: Rooks.

Abstained: None.

The application is continued.

Chairman Fisk requested if the application is in the same status by next month that he would like to consult with the Corporation Counsel Office.

The application is extended for 30 days.

Mr. Rogozinski discussed some additional comments on the green area of the map and some of Mr. Lorenzetti's comments. The director indicated there are existing inland wetlands lines on the existing inland wetlands map that has to be revised on an individual basis. Mr. Rogozinski noted the upland review area is based on the inland wetlands mapping. The director indicated then upland review areas would be then determined on applications because it would be difficult for Staff to determine. Mr. Rogozinski said every application needs to be determined for any slopes.

Commission inquiries: Mr. Rogozinski verified the upland review area would be determined when an application is filled out including the topography of a property.

Mr. Lorenzetti stated some items on topography may potentially be missed to determine limits.

Mr. Rogozinski noted he would work with Mr. Lorenzetti, the Chairman and the Corporation Counsel Office for potential amendments.

5. Receipt of New Applications

- a. Application #2046 – Wetlands application for a new in-ground swimming pool at 124 Pondview Lane; Assessor's Map 60, Lot 7-13; Erika & Kenneth Dailida, 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)

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on Application #2046.

MOTION: Move to receive #Application #2046.

By: Robinson

Seconded: Rooks.

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

The application is received.

MOTION: Move to declare Application #2046 a complete application.

By: Robinson

Seconded: Rooks.

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

The application was declared a complete application.

Erika Dailda, 124 Pondview Lane, representing the applicant,

Kenneth Tamborra, Tamborra Pool, Path & Patio, 47 Academy Hill Rd., Watertown, representing the applicant, presented the request to construct a 16 ft. X 32 ft. inground swimming pool in the rear yard. Mr. Tamborra explained the existing house had to be placed in the rear yard because of the slope of the property. The custom pool builder indicated there was no alternative location. Mr. Tamborra specified the pool would be 11 ft. away from the house because the Building Dept. requirements. The builder said a variance was required to construct the house because the 100 ft. buffer goes through the middle of the house. Mr. Tamborra verified the fence, deck, pool and spoil pile would remain on the lawn with a silt fence. The custom pool builder made clear the existing topography would remain as it exists. Mr. Tamborra verified there would be no impact on the inland wetlands area or the buffer area by using the pool with the filter. The builder described the layout of the pool features.

Commission and Mr. Lorenzetti inquiries, respectively: The custom pool builder addressed the question of a 100 yr. storm for flooding going in the inlands area by dropping the water level and putting a safety cover on the pool. Mr. Tamborra detailed this was a natural salt swimming pool. The builder noted there was a 3 ft. X 32 ft. area of grass to the rear of the pool for drainage. Mr. Tamborra estimated the water level would be 11 inches from the top of the pool. The custom pool building said water would be pumped to the storm sewers or on the property, if necessary.

MOTION: Move to declare Application #2046 a non-significant activity.

By: Robinson

Seconded: Rooks.

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

The application was declared a non-significant activity.

No one else spoke in favor of the application.
No one spoke against the application.

MOTION: to close the public hearing on Application #2046.

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

MOTION: Move to approve Application #2046 – Wetlands application for a new in-ground swimming pool at 124 Pondview Lane; Assessor's Map 60, Lot 7-13; Erika & Kenneth Dailida, applicant, in accordance with the plot plan and information submitted with standard stipulations.

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

The application is approved.

- b. Application #2047 - Wetlands application to replace 3 existing decks and 2 new decks at 65-69 Laird Drive; Assessor's Map 51, Lot 48; Anatole Chorew, applicant.

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on Application #2047.

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)

The application was declared a complete application.

MOTION: Move to receive #Application #2047.

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

The application is received.

Anatole Chorew, 4 Haviland Rd., Bloomfield, was presumed online, but had technical difficulties.

Mr. Lorenzetti represented the applicant was replacing decks in the rear yard of the property. The engineer stated the plan did not warrant engineering plans. Mr. Lorenzetti said the Building Dept. has several properties upgrade their decks with the Building Officials requirements. The engineer indicates to applicants to minimize the disturbance of the properties. Mr. Lorenzetti noted the deck would be constructed on the same footprint.

MOTION: Move to declare Application a non-significant activity.

By: Massaro

Seconded: Robinson.

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

The application was declared a non-significant activity.

No one else spoke in favor of the application.
No one spoke against the application.

MOTION: Move to approve Application #2047 – Wetlands application to replace 3 existing decks and 2 new decks at 65-69 Laird Drive; Assessor's Map 51, Lot 48; Anatole Chorew, applicant, in accordance with the plot plan and information submitted with standard stipulations.

By: Robinson

Seconded: Rooks.

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

The application is approved.

- c. Application #2048 - Wetlands application for the rehabilitation of retaining wall along Broad Street near Pequabuck River due to deteriorating stone wall; City of Bristol, Right-of-Way; City of Bristol, Public Works Department, applicant.

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on Application #2048.

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)

The application was declared a complete application.

Raymond Rogozinski, P.E., Director of Public Works, 111 North Main St., Public Works Dept., representing the applicant.

Keegan Elder, P.E., 87 Holmes Rd., Newington, representing the applicant,

The application was declared a complete application.

MOTION: Move to receive Application #2048.

By: Robinson

Seconded: Rooks.

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

The application is received.

Anthony Lorenzetti, P.E., Staff, Public Works Dept., 111 North Main St., representing the applicant, reviewed the discussions with the designer for the City. Mr. Lorenzetti indicated the designers and the City expected the

application to be declared a significant activity and for an onsite inspection to be scheduled. Therefore, the engineer noted the designers were not in attendance this evening.

MOTION: Move to declare Application # 2048 a significant activity and set a public hearing for the May 5, 2025, meeting and schedule an onsite inspection for Monday April 28, 2025, at 6:00 P.M.

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

The application was scheduled for a public hearing and scheduled for an onsite inspection.

6. New Business

a. Permit Transfer Request - Lot #2 Business Park Drive Pond

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the Permit Transfer Request - Lot #2 Business Park Drive Pond.

The Commission received the following items in their electronic packets:

a. Letter undated from ConnDEEP, regarding Business Park Drive Pond

Mr. Lorenzetti specified this was a letter request because there was an existing approved application. The engineer stated the property was transferred to a new property owner. Mr. Lorenzetti indicated the property owner wanted to comply with the Regulations, so this was just to have the new property owner responsible for the Inland Wetlands permit and their contact information. The engineer noted this was just an administrative action to transfer the permit. Mr. Lorenzetti noted the request was for Lot 2. The engineer represented the new property owner would comply with the plan submitted.

The Commission acknowledged the report and property transfer. The members agreed no additional action was required.

MOTION Move to file the report.

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

The report is filed.

b. Cease & Correct – 360 King Street

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the Cease & Correct – 360 King Street.

The Commission received the following items in their electronic packets:

a. Letter dated March 10, 2025, from Zachary Norton, Environmental Protection Technician, regarding Cease and Correct – Digging and Grading within A Regulated Area Without A Permit – 360 King Street and King Street Lot 47-5-1 Bristol, CT 06010

- b. Three photographs, undated

Chairman Fisk read into the record the letter dated March 10, 2025.

Jeromy Berube reviewed the status of the property. Mr. Berube's goals were to slowly clean up the property. The resident said there are people parking there for events in the area and from events on the property. Mr. Berube detailed how he cleaned up the property including removing 5 trees in the inland wetlands area and a lot of trees in the upland review area. The resident installed 6 inches of millings. Mr. Berube constructed a parking lot and a pavilion on the property. The resident was unaware that a permit was required until he received the Cease & Correct notice. The resident verified an engineering plan was unable to be designed until a later time. The resident's intentions were to extend the building and the parking lot until he was notified this was a non-conforming use property. Mr. Berube was willing to correct the errors.

Commission inquiries: The resident spoke with the Land Use Office that disagreed with the plans to make this a parking lot. Mr. Berube verified he was not owner of the property.

Mr. Berube stated the concern this evening was the removal of the trees and the millings, but not the parking lot. The resident added the second problem was this was a residential zone that does not allow parking.

Mr. Lorenzetti represented that Mr. Norton and he inspected the property. The engineer and Staff let Mr. Berube know of the various inland wetlands concerns. Mr. Lorenzetti added there is also a floodplain concern. Mr. Lorenzetti suggested scheduling a site walk on April 28, 2025, at 5:30 P.M., for the property.

The following property owner spoke on the item: Mr. Victor Lagace stated he was the property owner of the 360 King St. Mr. Lagace explained he lived in this area for a long time and the property was never cleaned up. The owner noted there were existing trees near the condominium that should be removed.

Mr. Lorenzetti indicated the suggestion of a temporary silt sock filter or hay bales for now would help for runoff.

Chairman Fisk wanted to prevent the soil from going into the inland wetlands area.

MOTION Move to continue to cease the work on the property except for installing erosion control as approved by the applicants engineer at their earliest convenience.

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

The property is scheduled for an onsite inspection, to cease work and erosion control is required for the property.

The Commission requested Mr. Berube to call Mr. Norton before the erosion control is installed to observe the work being done on the property.

7. Old Business

There was no old business.

8. Staff Reports

a. IWWA Report – March 2025

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the IWWA Report – March 2025.

Zachary Norton, Zoning Enforcement Officer, (Environmental Protection Technician)

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro and Ritchie with alternate Commissioners Klimek and Valentino to vote on the IWWA Report – March 2025.

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

By: Robinson

Seconded: Rooks.

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

Against: None.

Abstained: None.

The report is filed.

Item 9.d. was taken out of order.

9. Communications

d. Highlands Conservation Act Letter

The Commission received the following items in their electronic packets:

- a. Letter dated March 19, 2025, from Kyla Hastie, Deputy Regional Director, Northeast Region, United States Department of Interior.

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the Highlands Conservation Act Letter.

Mr. Rogozinski explained the letter was to inform the Commission this would help with the request for the existing grant application.

Commission inquiries: Mr. Rogozinski clarified the letter was a notification the City was accepted and the designation helps when the City applied for grants.

The report is filed.

9. Communications

a. DEEP Permit for Use of Pesticides in State Waters - 225 Fox Hollow Lane

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the to vote on the DEEP Permit for Use of Pesticides in State Waters - 225 Fox Hollow Lane.

The Commission received the following items in their electronic packets:

- a. Letter dated March 19, 2025, from the United States Department of the Interior, Fish and Wildlife Service, regarding the request to add lands within additional municipal boundaries to the area eligible for the Highlands Conservation Act (HCA) grant funds in CT

Mr. Rogozinski explained a pesticide permit was received by the City for the detention ponds for evasive species removal. The director verified if the permit was not received, the evasive special removal was unable to be done.

The report was filed.

b. DEEP Permit for Use of Pesticides in State Waters - Business Park Drive Pond

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the DEEP Permit for Use of Pesticides in State Waters - Business Park Drive Pond.

The Commission received the following items in their electronic packets:

- a. Letter undated from ConnDEEP, regarding Business Park Drive Pond, Aquatic Pesticide Treatment

Mr. Rogozinsk mentioned that his comments for Item 9.a, under Communications, was applicable to Item 9.b., under Communications.

The following person spoke on Item 9.b., under Communications: Michael Dudko, 116 Lewis Rd.

Mr. Dudko's wanted to inform the Commission of two questions on Pg. 90 and Pg. 92 of where the water flows to and if there were any downstream users that may be affected by the treatment. The resident was concerned pesticides were being used on the property. Mr. Dudko reviewed the flow of where the water goes. The resident inquired if the 2.5 ft. deep pond may possibly go downstream.

Mr. Dudko inquiries: Mr. Lorenzetti said the pond on the application said an average of 2.5 ft. deep but there were deeper portions.

The Commission clarified the treatment was to prevent or to eliminate evasive species. The members understood the concern of the contamination. Mr. Rogozinski indicated the notification was from the State and the work would be done by a contractor. The Commission indicated this treatment has been done for the last 3 years. The member said the benefits would outweigh the risks.

The Commission filed the report.

- c. Aquarion Environmental Champions Awards Letter

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the Aquarion Environmental Champions Awards Letter.

The Commission received the following items in their electronic packets:

- a. Letter dated March 2025 from the Aquarion Water Company, regarding the 15th annual Aquarion Environmental Champion Awards (with attachment.)

Chairman Fisk read into the record the letter dated March 2025.

The Commission filed the report.

10. Adjournment

Chairman Fisk designated himself, regular Commissioners Duquette, Robinson, Carros, Massaro, Ritchie and Rooks to vote on the adjournment.

MOTION: Move to adjourn at 8:30 P.M.

By: Robinson

Seconded: Rooks.

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

This meeting was recorded.

Respectfully submitted,
Nancy King

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

David Rooks, Secretary

DRAFT

Meeting Minutes

Monday, April 28, 2025

Time: approximately 5:30 pm

Location 360 King Street– Cease and Correct

Site walk in response to Cease and Correct order letter from Zach Norton, dated March 10, 2025.

Attendees:

- Zachary Fisk, Chairman
- Michal Robinson, Vice Chairman
- Daniel Massaro, Jr. Commissioner
- Faye L. Duquette, Commissioner
- Greg Klimek, Alternate
- Laura Valentino, Alternate
- Anthony Lorenzetti, Bristol Engineering Department
- Jeremy Berube Owner/Contractor 338 Town Line Road

Minutes:

Mr. Berube explained to the Commission the history of the site. The Commission viewed the wetlands flagging, the work that was done including tree removal, filling and the brook. Wetlands permits and Flood Plain mapping were discussed. The applicant was advised to submit an application and plans to the Commission.

Meeting Ended at 5:47

Meeting Minutes

Monday, April 28, 2025

Time: approximately 6:02 pm

Location: Broad Street along Pequabuck River Application 2048

Applicant City of Bristol

Site walk

Attendees:

- Zachary Fisk, Chairman
- Michal Robinson, Vice Chairman
- Daniel Massaro, Jr. Commissioner
- Faye L. Duquette, Commissioner
- Greg Klimek, Alternate
- Laura Valentino, Alternate
- Anthony Lorenzetti, Bristol Engineering Department
- Keegan Elder Design Engineer – WMC Engineers representing the City of Bristol

Minutes:

Mr. Elder explained to the Commission the limits of the retaining wall replacement that is being proposed by the city. The Commission viewed the area that was in disrepair and saw the concrete blocks along the review bank. Mr. Elder explained the proposed work area that was needed to excavate for the new retaining wall, the flood plain limits, possible detours, and possible schedule subject to permit approval.

Meeting was adjourned at 6:16



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: April 28, 2025

TO: Raymond Rogozinski P.E.
FROM: Anthony A. Lorenzetti P.E.

RE: Inland Wetlands and Watercourses Regulations of the Conservation Commission
Proposed amendments as proposed January, 6, 2025, Application AWR-24-3

This memorandum is being prepared based upon a request to recommend a revision to the regulation section for "Regulated Activity".

There are two components of the proposed changes, one component is a revision to the text, as recommended by the City Corporation Counsel, the second is an explanation of how the regulation change will be calculated for particular examples.

The intent of the regulation revision is to increase the regulated distance upgradient from a wetland, watercourse, vernal pool, or waterbody when there is a downward gradient in excess of 5% that drains towards the wetlands, waterbody, water course or vernal pool. The additional distance would only be added to properties that are already within the 100- foot and 200-foot review areas. No new properties would be added. The percent grade would be calculated from the edge of the wetland, water body, watercourse or vernal pool.

The recommended text revision is:

"Regulated Activity"

- (i) means any operation within or use of a wetland or watercourse involving removal or deposition of material; or any obstruction, construction, alteration or pollution of such wetlands or watercourses,
- (ii) and any earth moving, filling, construction, clearcutting of trees, or installation of septic systems within one hundred (100) feet of wetlands or watercourses, or within 200 feet of a watercourse as defined by a pond or lake with a surface area greater than 5 acres (reservoirs, Jacklin Lake, Indian Lake, Birge Pond, Pine Lake, Cedar Lake) and vernal pools.

City of Bristol
Public Work Department
111 North Main Street
Bristol, CT 06010
www.bristolct.gov



Department of Public Works | 860.584.6125

The upland review area may be extended for applications which are already considered a regulated activity as described above. The intent of the additional upland review area is not to regulate additional properties which are not currently regulated, but to extend the areas of those activities which would be under review per the above paragraph.

If the upgradient slope of the land exceeds five percent (5%) from the wetlands, watercourse, or vernal pool, the distance that the upland review area will be extended shall be 50 feet for a five percent slope and shall be increased by five (5) feet per every one percent (1%) increase in slope to a maximum extended upland review area distance of 200 feet. The total maximum upland review area shall be 400 feet. Parcels with upgradient soils which are also identified as highly erodible soils will also be extended to the limits of the erodible soils to an additional maximum of 200 feet.

Since the environmental impact of a proposed activity may, in some instances, come from outside the physical boundaries of a wetland or watercourse, the intent of (ii) above is to regulate these adjacent areas and thereby to implement the statutory authority necessary to effectuate the legislative purpose set forth in Connecticut General Statutes Section 22a-36 and regulation 1.3;

(iii) means the construction of or the alteration of ponds;

(iv) means any construction to alter or create a wetland, but shall not include the activities specified

Example calculations:

When the parcel is already within the upland review area, and the average grade over the first 100 feet of upland review is

- 1) Less than 5% the additional review would be: 0 feet
- 2) 5% then the additional review would be: 50 feet
- 3) 10% then the additional review would be: 50 feet + $((10-5) \times 5) = 75$ feet
- 4) 20% then the additional review would be: 50 feet + $((20-5) \times 5) = 125$ feet
- 5) 30% then the additional review would be: 50 feet + $((30-5) \times 5) = 175$ feet
- 6) 40% then the additional review would be 50 feet + $((40-5) \times 5) =$ calculated to be 225 feet but the maximum would be 200 feet.
- 7) If the grade is below the grade of the wetlands the slope percentage would be less than zero, so the additional review would be 0 feet.

The grade would be calculated by the applicant or their agent, and will be approved by the Commission's staff.



Department of Public Works | 860.584.6125

Please feel free to contact me at 860-584-6116 with any questions or concerns.

City of Bristol
Public Work Department
111 North Main Street
Bristol, CT 06010
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INLAND WETLANDS AND WATERCOURSES REGULATIONS OF THE
CONSERVATION COMMISSION
OF THE
CITY OF BRISTOL, CT

Amended to: Effective date 5-3-2021
Adopted: August 13, 1973

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SECTION 1 – TITLE AND AUTHORITY

- 1.1 These regulations shall be known as the "Inland Wetlands and Watercourses Regulations of the City of Bristol."
- 1.2 These regulations have been prepared and adopted and may be amended, from time to time, in accordance with the provisions of the Sections 22a-36 through 22a-45 of the Connecticut General Statutes by the Bristol Conservation Commission, as authorized by ordinance of the Bristol City Council meeting on March 6, 1973.
- 1.3 The preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the public health, welfare and safety. It is, therefore, the purpose of these regulations to implement the provisions of the Inland Wetlands and Watercourses Act of the State of Connecticut and to protect the citizens of Bristol, Connecticut, by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by Federal, State or local authority; preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and protecting potable fresh water supplies from danger of drought, overdraft, pollution, misuses and mismanagement by providing an orderly process to balance the need for economic growth of the City of Bristol, Connecticut, and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the City of Bristol, Connecticut, the safety of such natural resources for their benefit and enjoyment of generations yet unborn.
- 1.4 Pursuant to the General Statutes of the State of Connecticut, the Agency shall enforce all provisions of the Inland Wetlands and Watercourses Act and shall grant, grant with conditions, or deny all regulated activities on inland wetlands and watercourses in the City of Bristol pursuant to Sections 22a-36 through 22a-45, inclusive, of the Connecticut General Statutes, as amended.

SECTION 2 – DEFINITIONS

- 2.1 As used in these regulations:
 - a. "Act" means the Inland Wetlands and Watercourses Act, Section 22a-36 through 22a-45 of the General Statutes, as amended.
 - b. "Agency" means the Inland Wetlands and Watercourses Agency of the Conservation Commission of the City of Bristol, Connecticut.
 - c. "Clear cutting" means the harvest of timber products in a fashion which removes all species of trees down to a two (2) inch diameter at breast height.
 - d. "Commission member" means a member of the Agency.
 - e. "Commissioner of Environmental Protection" means the commissioner of the State of Connecticut Department of Environmental Protection.
 - f. "Deposit" includes, but shall not be limited to fill, grade, dump, place, discharge or emit.
 - g. "Discharge" means emission of any water, substance, or material into wetlands or watercourses whether or not such substance causes pollution.
 - h. "Disturbing the natural and indigenous character of the land" means that the activity will significantly alter the inland wetland and watercourses by reason of removal or deposition of material, clear cutting, alteration or obstruction of water flow, or will result in the pollution of the wetland or watercourse.
 - i. "Feasible" means able to be constructed or implemented consistent with sound engineering principles.

- j. "Permit" means the whole or any part of any license, certificate or approval or similar form of permission which may be required of any person by the provisions of these regulations under the authority of the Agency.
- k. "Permittee" means the person to whom such permit has been issued.
- l. "Material" means any substance, solid or liquid, organic or inorganic, including but not limited to: soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand, refuse or waste.
- m. "Municipality" or "city" means the City of Bristol, Connecticut.
- n. "Nurseries" means land used for propagating trees, shrubs or other plants for transporting, sale, or for use as stock for grafting.
- o. "Person" means any person, firm, partnership, association, corporation, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.
- p. "Pollution" means the harmful thermal effect or the contamination or the rendering unclean or impure of any waters within the city caused by, but not limited to, erosion or any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as to directly or indirectly come into contact with any waters.
- q. "Prudent" means economically and otherwise reasonable in light of the social benefits to be derived from the proposed regulated activity, provided cost may be considered in deciding what is prudent and further provided a mere showing of expense will not necessarily mean an alternative is prudent.
- r. "Regulated Activity" (i) means any operation within or use of a wetland or watercourse involving removal or deposition of material; or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, (ii) and any earth moving, filling, construction, clearcutting of trees or installation of septic systems within one hundred (100) feet of wetlands or watercourses or within 200 feet of a watercourse as defined by a pond or lake with a surface area greater than 5 acres (reservoirs, Jacklin Lake, Indian Lake, Birge Pond, Pine Lake, Cedar Lake), **and vernal pools. The upland review shall be extended if the upgradient slope of the land exceeds 5% from the wetlands, water course or vernal pool. The distance that upland review area will be extended shall be 50 feet for a five percent slope and shall increase by 5 feet per every 1% percent increase in slope to a maximum extended upland review distance of 200 feet. The total maximum upland review area can be 400 feet in total. Parcels with soils that are identified as highly erodible soils that are upgradient will also be extended to the limits of the erodible soil to a maximum of 200 feet additional.** Since the environmental impact of proposed activity may, in some instances, come from outside the physical boundaries of a wetland or watercourse, the intent of (ii) is to regulate these adjacent areas and thereby implement the statutory authority necessary to effectuate the legislative purpose set forth in the Connecticut General Statutes Section 22a-36 and regulation 1.3; (iii) means the construction of or alteration of ponds; (iv) means any construction to alter or create a wetland; (v) but shall not include the specified activities in Section 4 of these regulations.
- s. "Regulated Area" means any wetlands or watercourses as defined in these regulations.
- t. "Remove" includes, but shall not be limited to, drain, excavate, mine, dig, dredge, suck, grub, clear cut timber, bulldoze, dragline or blast.
- u. "Rendering unclean or impure" means any alteration of the physical, chemical or biological properties of any waters within the city, including, but not limited to, change in odor, color, turbidity or taste.
- v. "Significant activity" means any activity, including but not limited to, the following activities which may have a major effect or substantial impact on the area for which an application has been filed or on another part of an inland wetland or watercourse system:
 - (i) any activity involving deposition or removal of material which will or may have a substantial effect or significant impact on the regulated area or on another part of the inland wetland or watercourse system, or
 - (ii) any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system, or

- (iii) any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to support desirable fisheries, wildlife, or other biological life, prevent flooding, supply water, assimilate waste, facilitate drainage, provide recreation or open space or other functions, or

- (iv) any activity which causes substantial turbidity, siltation or sedimentation in a wetland or watercourse, or
- (v) any activity which causes a substantial diminution of flow of a natural watercourse, or groundwater levels of the regulated area, or
- (vi) any activity which causes or has the potential to cause pollution of groundwater, a wetland or watercourse, or
- (vii) any activity which creates conditions which may adversely affect the health, welfare and safety of any individual or the community, or
- (viii) any activity which destroys a wetland or watercourse.

w. "Soil Scientist" means an individual duly qualified in accordance with standards set by the Federal Office of Personnel Management.

x. "Submerged lands" means those lands which are inundated by water on a seasonal or more frequent basis.

y. "Waste" means sewage or any natural or man-made substance, liquid, gaseous, solid or radioactive, hazardous waste, or toxic waste which may pollute or tend to pollute any of the waters of the city.

(i) Hazardous waste includes material which may pose a present or potential hazard to human health or the environment including without limitation hazardous waste identified and listed in the Code of Federal Regulations Part 261.30 through 261.33, as amended or as superseded by subsequent regulation, or which meet the criteria outlined in Part 261.20 through 261.24 of said Code.

(ii) Toxic waste includes substances shown in scientific studies to have toxic, carcinogenic, mutagenic or teratogenic effects on humans and other life forms.

z. "Watercourses" means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the Town or any portion thereof not regulated pursuant to Section 22a-28 through 22a-35, inclusive. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (a) evidence of scour or deposits of recent alluvium of detritus, (b) the presence of standing or flowing water for a duration longer than a particular storm incident, and (c) the presence of hydrophytic vegetation.

(i) Bogs are usually distinguished by evergreen trees and shrubs underlain by peat deposits, poor drainage, and highly acidic conditions.

(ii) Marshes are distinguished by the absence of trees and shrubs and the dominance of soft-stemmed herbaceous plants. The water table in marshes is at or above the surface throughout the year, but seasonal fluctuations are encountered and areas of open water six inches or more in depth are common.

(iii) Swamps are dominated by wetland trees and shrubs. Red maple is the most characteristic tree of the wooded swamps, with black gum and black ash as frequent associates. A conspicuous shrubbery understory of highbush blueberry, spicebush, sweet pepperbush, clammy azalea and other wetland shrubs may be present and a rich diversity of wildflowers such as marsh-marigold, skunk-cabbage, jewelweed, violets, and cardinal flower may also be present. Shrub swamps represent another swamp type, where alders, willows, buttonbush and other shrubs can form relatively pure or mixed stands. Occasionally trees may be associated with a shrub swamp. However, a high water table often favors certain shrubs, such as buttonbush, over trees. In swamps the underlying deposits are often relatively shallow and usually highly organic. Swamps may develop through the gradual invasion of marshes by woody species or directly, as in poorly drained depressions.

(iv) Vernal pools are small bodies of standing fresh water that are most obvious in the landscape during the spring of the year and shall have the following characteristics:

- (A) contains water for a minimum of two months during the growing season, usually the spring,

- (B) occurs within a confined depression or basin that lacks a permanent outlet stream,
- (C) lacks a fish population,
- (D) dries out most years, usually by late summer,
- (E) serves as a habitat for one or more obligate species. Obligate species shall include, but are not limited to, fairy shrimp, spotted salamander, eastern spadefoot toad, Jefferson salamander, marbled salamander, and wood frog.

The regulatory boundary of a vernal pool shall be defined as the lower of (A) and (B) or the elevation as defined by (C) below:

- (A) the maximum elevation of a topographical depression that holds water for a minimum of two (2) continuous months,
- (B) the maximum observed or recorded water level in a topographical depression,
- (C) the maximum water elevation based on a theoretical one year storm of a total of 2.6 inches of water in 24 hours taking into account the ground water that the basin is holding at the beginning of the spring amphibian breeding season.

aa. "Wetlands" means land, including submerged land not regulated pursuant to Section 22a-28 to 22a-35, inclusive, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soils Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture. Such areas may include filled, graded, or excavated sites which possess an aquatic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey. Wetlands shall be delineated by a Soil Scientist, geologist, or ecologist.

SECTION 3 – INVENTORY OF REGULATED AREAS

- 3.1 The map of regulated areas entitled "Inland Wetlands and Watercourses Map, Bristol, Connecticut" delineates the general location and boundaries of inland wetlands and the general location of watercourses. Copies of this map are available for inspection at the office of the Inland Wetlands Agency. In all cases, the precise location of regulated areas shall be determined by the actual character of the land, the distribution of wetland soil types and location of watercourses. The Agency may use aerial photography, remote sensing imagery, resource mapping, soils maps, site inspection observations or other information in determining the location of the boundaries of wetlands and watercourses.
- 3.2 Any property owner who disputes the designation of any part of his or her land as a regulated area on the Inland Wetlands and Watercourses Map, may petition the Agency to change the designation. All petitions for a map change shall be submitted in writing and shall include all relevant facts and circumstances which support the change. The petitioner shall provide proof that the designation is inapplicable. Documentation in accordance with Section 15 of these regulations may be required of the property owner when the Agency requires an accurate delineation of regulated areas.
- 3.3 The Inland Wetlands and Watercourses Agency or its designated agent(s) shall monitor and maintain general surveillance of all regulated areas.

SECTION 4 – PERMITTED USES AS OF RIGHT AND NONREGULATED USES

- 4.1 The following operations and uses shall be permitted in inland wetlands and watercourses, as of right:
 - a. Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essentially to the farming operation, and activities conducted by, or under the authority of, the Department of Environmental Protection for the purposes of wetland or watercourse restoration or enhancement or mosquito control. The provisions of this subdivision shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear cutting of timber except for the expansion of agricultural crop land, the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale;
 - b. A residential home (A) for which a building permit has been issued or (B) on a subdivision lot, provided the permit has been issued or the subdivision has been approved by a municipal planning, zoning or planning and zoning commission as of the

effective date of the promulgation of the municipal regulations pursuant to subsection (b) of section 22a-42a, or as of July 1, 1974, whichever is earlier, and further provided no residential home shall be permitted as of right pursuant to this subdivision unless the permit was obtained on or before July 1, 1987. The applicant shall be prepared to document the validity of said permit by providing a certified copy of the building permit and approved site plan showing proposed and existing topographic contours, house and well locations, septic systems, driveways approval dates or other information;

- c. Boat anchorage or mooring, not to include dredging or dock construction;
 - d. Uses incidental to the enjoyment or maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted anywhere in the municipality and containing a residence. Such incidental use shall include maintenance of existing structures, landscaping involving planting of trees and shrubs, fences, signs, but shall not include excavation for such incidental use of more than a total of ten (10) cubic yards of material from a regulated wetland or watercourse, or diversion or alteration of a watercourse; or deposition of no more than a total of ten (10) cubic yards of material into a regulated wetland or watercourse, or diversion or alteration of a watercourse; or combination thereof;
 - e. Construction and operation, by water companies as defined by Section 16-1 or by municipal water supply systems as provided for in Chapter 102 of the Connecticut General Statutes, of dams, reservoirs and other facilities necessary to the impounding, storage and withdrawal of water in connection with public water supplies except as provided in Sections 22a-401 through 22a-410 of the General Statutes;
 - f. Maintenance relating to any drainage pipe which existed before the effective date of any municipal regulations adopted pursuant to Section 22a-42a or July 1, 1974, whichever is earlier, provided such pipe is on property which is zoned as residential but which does not contain hydrophytic vegetation. For purposes of this subsection, "maintenance" means the removal of accumulated leaves, soil, and other debris whether by hand or machine, while the pipe remains in place; and
 - g. Withdrawals of water for fire emergency purposes.
- 4.2 The following operations and uses shall be permitted as a nonregulated use in wetlands and watercourses, provided they do not disturb the natural and indigenous character of the wetland or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetland or watercourse:
- a. Conservation of soil, vegetation, water, fish, shellfish, and wildlife. Such operation or use may include, but is not limited to, minor work to control erosion, or to encourage proper fish, wildlife and silviculture management practices;
 - b. Outdoor recreation including play and sporting areas, golf courses, field trails, nature study, hiking, horseback riding, swimming, skin and scuba diving, camping, boating, water-skiing, trapping, hunting, fishing, shellfishing and cross-country skiing where otherwise legally permitted and regulated.
 - c. The installation of a dry hydrant by or under the authority of a municipal fire department, provided such dry hydrant is only used for firefighting purposes and there is no alternative access to a public water supply. For purposes of this section, "dry hydrant" means a non-pressurized pipe system that: (A) is readily accessible to fire department apparatus from a proximate public road, (B) provides for the withdrawal of water by suction to such fire department apparatus, and (c) is permanently installed into an existing lake, pond or stream that is a dependable source of water.
- 4.3 All activities in wetlands or watercourses involving filling, excavation, dredging, clear cutting, grading and excavation, or any other alteration or use of a wetland or watercourse not specifically permitted by this section, shall require a permit from the Agency in accordance with Section 6 of these regulations.
- 4.4 To carry out the purposes of this section, any person proposing to carry out a permitted or nonregulated operation or use of a wetland or watercourse shall, prior to commencement of such operation or use, notify the Agency on a form provided by it, and provide the Agency with sufficient information to enable it to properly determine that the proposed operation and use is a permitted or nonregulated use of the wetland or watercourse. The Agency, or its designated agent, shall rule that the proposed operation or use is a permitted or nonregulated use or operation or that a regular permit is required. Such ruling shall be in writing and shall be made no later than the next regular scheduled meeting of the Agency following the meeting at which the

request was received. The designated agent for the Agency may make such ruling on behalf of the Agency at any time. The Bristol Inland Wetlands Agency hereby designates the technical advisor to the Inland Wetlands Agency, as determined by the Public Works Department, as its designated agent to act with authority to determine whether a proposed operation or use is a permitted or nonregulated use or operation under Section 4 of the Bristol Inland Wetlands Regulations, and to make such rulings thereunder, with the following limitations and guidance:

- a. That no such determination or ruling shall authorize more than ten (10) cubic yards of excavation or fill or combination thereof within a two (2) year period at any site.
- b. That the delegation to make such determinations and rulings under Paragraph 1.d of Section 4, allowing "uses incidental to the enjoyment and maintenance of residential property", is made to encourage the exercise of good judgment and discretion of the designated agents, particularly, but not limited to, to permit those uses or operations that involve the removal or deposition of material ~~in, or~~ within 100 feet of a wetlands or watercourse and the uses or operations for the construction of additions to primary residences or freestanding accessory structures normally incidental to the use of pre-existing residential structures. Actual field conditions, land cover, slopes and drainage patterns, past and current soil scientist reports, geotechnical information, and other pertinent existing condition information may be considered in this determination.
- c. Any person receiving such approval from the agent shall, within ten days of the date of such approval, publish, at the applicant's expense, notice of the approval in a newspaper having a general circulation in the City of Bristol where the activity will take effect. Any person may appeal such decision of such agent to the Inland Wetlands Agency within 15 days of the publication date of the notice and the Inland Wetlands Agency shall consider such appeal at its next regularly scheduled meeting provided such meeting is no earlier than 3 business days after receipt by such agency or its agent of such appeal. The Inland Wetlands Agency shall, at its discretion, sustain, alter, or reject the decision of its agent or require an application for a permit addressed to the agency itself.
- d. Such delegation of authority can be modified at any time by the Agency.

SECTION 5 – ACTIVITIES REGULATED BY THE STATE

- 5.1 The Commissioner of the Environmental Protection shall regulate activities in or affecting wetlands or watercourses subject to the following jurisdiction:
- a. Construction or modification of any dam pursuant to Sections 22a-410 of the General Statutes, as amended;
 - b. Construction or placement of any obstruction within stream channel encroachment lines pursuant to Sections 22a-342 through 22a-349 of the General Statutes, as amended;
 - c. Diversion of water in excess of fifty thousand (50,000) gallons per day or any surface waters of the state where the tributary watershed area above the point of diversion is 100 acres or larger pursuant to Sections 22a-365 through 22a-378 of the General Statutes, as amended;
 - d. Discharges into the waters of the state pursuant to Section 22a-430 of the General Statutes, as amended;
 - e. Discharge of fill or dredged materials into the wetlands and watercourses of the state pursuant to Section 401 of the Federal Clean Water Act, as amended, for activities regulated by the U.S. Army Corps of Engineers under Section 404 of the Federal Clean Water Act.

SECTION 6 – REGULATED ACTIVITIES TO BE LICENSED

- 6.1 No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Agency.

- 6.2 The Agency shall regulate any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses and any other regulated activity, unless such operation or use is permitted or non-regulated pursuant to Section 4 of these regulations.
- 6.3 Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Agency or violating any other provision of these regulations shall be subject to the enforcement proceedings and penalties prescribed in Section 14 of these regulations and any other remedies as provided by law.

SECTION 7 – APPLICATION REQUIREMENTS

- 7.1 Any person wishing to undertake a regulated activity shall apply for a permit on a form provided by the Agency. An application shall include an application form, such number of site plans as required by the Agency and such information as prescribed by Section 7.3 and, in the case of a significant activity, by Section 7.4 of these regulations. Application forms may be obtained in the office of the Agency.
- 7.2 No such application shall be deemed complete unless it shall be in such form and contain such information as the Agency deems necessary for a fair and informed determination of the issues. The Agency shall inform the applicant of such necessary information.
- 7.3 All applications shall include the following information in writing:
- a. The applicant's name, home and business address and telephone numbers;
 - b. The owner's name, address and telephone number and written consent if the applicant is not the owner of the property involved in the application;
 - c. The geographical location of the property which is to be affected by the proposed activity, including a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, area(s) of wetland or watercourse disturbance, soil types(s) and vegetation;
 - d. The purpose and a description of the proposed activity;
 - e. Alternatives considered by the applicant and why the proposal to alter wetlands set forth in the application was chosen;
 - f. A site plan showing existing and proposed conditions in relation to wetlands and watercourses;
 - g. Names and addresses of adjacent property owners;
 - h. Certification that the applicant is familiar with the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;
 - i. Certification of the present flow of storm water for a 50 year storm and the flow which would result from the proposed activity. In addition, the Agency may require certification of existing flows and determination of flow which would result from the proposed activity associated with a 2, 5, 10, 25 and 100 year storm event.
 - j. Submit a feasible and prudent stormwater management plan to minimize site runoff. The goal of the plan shall be to provide no increase in the peak rate of stormwater runoff.
 - k. Authorization for the commissioners and agents of the Agency to inspect the property, at reasonable times, both before and after a final decision has been issued;
 - l. Any other information the Agency deems necessary to the understanding of what the applicant is proposing;

m. Submission of the appropriate filing fee as established by the Agency.

7.4 If the proposed activity involves a significant activity as defined in Section 2.1 of these regulations, additional information, based on the nature and anticipated effects of the activity, including but not limited to the following may be required.

- a. Site plans for the proposed use or operation and the property which will be affected, which show existing and proposed conditions, wetland and watercourse boundaries, land contours, boundaries of land ownership, proposed alterations and uses of the wetlands and watercourses, and other pertinent features of the development drawn by a licensed surveyor, professional engineer or architect registered in the State of Connecticut or by such other person acceptable to the Agency;
- b. Engineering reports and analyses and additional drawings to fully describe the proposed project and any filling, excavation, drainage or hydraulic modifications to watercourses;
- c. Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U.S. Soil Conservation Service;
- d. Description of the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions;
- e. Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application and with each alternative, and a description of why each alternative considered was deemed neither feasible nor prudent;
- f. Analysis of chemical and/or physical characteristics of any fill material;
- g. Measures which would mitigate the impact of the proposed activity. Such measures include, but are not limited to, plans or actions which avoid destruction or diminution of wetland or watercourse functions, recreational uses and natural habitats; which prevent flooding, degradation of water quality, erosion and sedimentation and obstruction of drainage; or which otherwise safeguard water resources;
- h. Analysis of chemical and/or physical characteristics of the wetlands or watercourses involved with the application.

7.5 The applicant shall certify whether:

- a. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
- b. Traffic attributable to the completed project on the site will use streets within an adjoining municipality to enter or exit the site;
- c. Sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or,
- d. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

7.6 The original application, site plans, filing fee and any other materials as may be required by the Agency shall be submitted to comprise a complete application.

7.7 Any application to extend the expiration date of a previously issued permit shall be filed with the Agency no later than sixty-five (65) days prior to the expiration date for the permit in accordance with Subsections 8.4 through 8.8 of these regulations. Any application for renewal or extension shall be made in accordance with this section provided:

- a. The application may incorporate by reference the documentation and record of the original application;

- b. for purposes of this section, “preservation restriction “ means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described therein, including, but not limited to, the state of any political subdivision of the state, or in any order of taking such land whose purpose is to preserve historically significant structures or sites.
 - c. no person shall file a permit application, other than for interior work, in an existing building or for exterior work on an existing building that does not expand or alter the footprint of such existing building, relating to property that is subject to conservation restriction or a preservation restriction unless the applicant provides proof that the applicant has provided written notice of such application, by certified mail, return receipt requested, to the party holding such restriction, including but not limited to, any state agency that holds such restriction, not later than sixty days prior to the filling of the permit application.
 - d. in lieu of such notice pursuant to section 7.9c, the applicant may submit a letter from the holder of such restriction or from the holder’s authorized agent, verifying that the application is in compliance with the terms of the restriction.
- 7.10 Any application to renew a permit shall be granted upon request of the permit holder unless the Agency finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued, provided no permit shall be valid for more than ten years, and b) no permit issued prior to July 1, 2006 or after July 1, 2009 may be valid for more than ten years, and further provided that any permit issued prior to July 1, 2011 that did not expire prior to May 9, 2011 shall be valid for no more than fourteen years.

SECTION 8 – APPLICATION PROCEDURES

- 8.1 All applications shall be filed in the Agency's office.
- 8.2 In the case of any application where any portion of the wetland or watercourse on which the regulated activity is proposed is within 500 feet of the boundary of an abutting town, the applicant shall give written notice of the proposed activity, certified mail return receipt requested, to the adjacent municipal inland wetlands and watercourses agency on the same day of filing an inland wetlands and watercourses permit application with this Agency. Documentation of such notice shall be provided to this Agency.
- 8.3 The Agency shall notify the clerk of any adjoining municipality of the pendency of any application to conduct a regulated activity when:
- a. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
 - b. A significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - c. A significant portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage or drainage system within the adjoining municipality; or,
 - d. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

Notice of the pendency of such application and a copy of said application shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application. No hearing shall be conducted on any application, petition, request or plan until the adjoining town has received the notice required under this section.

- 8.4 The date of receipt of any application shall be the day of the next regularly scheduled meeting of the Agency immediately following the day of submission to the Agency or thirty-five days after such submission, whichever is sooner.

- 8.5 At any time during the review period, the Agency may require the applicant to provide additional information about the regulated area or regulated activity which is the subject of the application, or wetlands or watercourses affected by the regulated activity.
- 8.6 If a public hearing is to be held on any application for a permit, all documentary evidence in support of the application shall be filed with the Agency and available for public inspection no less than ten (10) days prior to the day of the hearing or any reconvening thereof.
- 8.7 All applications shall be open for public inspections.
- 8.8 Incomplete applications may be denied.
- 8.9 When an application is filed to conduct or cause to be conducted a regulated activity upon an inland wetland or watercourse, any portion of which is within the watershed of a water company as defined in Section 16-1 of the General Statutes, the applicant shall provide written notice of the application to the water company provided such water company has filed a map showing the boundaries of the watershed on the land records of the municipality in which the application is made and with the inland wetlands agency of such municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of the application. The water company, through a representative, may appear and be heard at any hearing on the application.

SECTION 9 – PUBLIC HEARINGS

- 9.1 The Agency shall not hold a public hearing on an application unless the Agency determines that the proposed activity may have a significant impact on wetlands or watercourses or a petition signed by at least twenty-five persons who are eighteen years of age or older and who reside in the municipality in which the regulated activity is proposed, requesting a hearing is filed with the Agency not later than fourteen days after the date of receipt of such application or the Agency finds that a public hearing regarding such application would be in the public interest. The Agency may issue a permit without a public hearing provided no petition provided for in this section is filed with the Agency on or before the fourteenth day after the date of receipt of the application. Such hearing shall be held no later than sixty-five days after the receipt of such application. All applications and maps and documents relating thereto shall be open for public inspection. Any person or persons may appear and be heard or may be represented by agent or by attorney at any public hearing.
- 9.2 The Agency shall publish a notice of a public hearing in a newspaper having a general circulation in the municipality where the regulation, map, or regulated activity that is the subject of the hearing is located.
- a. Such notice shall be published at least twice, at intervals of not less than two days.
 - b. The first notice shall be published between ten and fifteen days before the date of the public hearing.
 - c. The second notice shall be published not less than two days before the date of the public hearing.
 - d. The notice shall contain specific information, including but not be limited to, the public hearing date, time, and location, and a summary of the proposed regulated activity or action.
- 9.3 A sign or signs must be posted on the premises which is the subject of the application at least fifteen (15) days before the hearing or any reconvening thereof and must be removed within ten (10) days after completion of the hearing or any rehearing thereof. The sign shall be so located on the property so as to be visible and readable from the street(s) or highway(s) that the property fronts on. The sign must be no more than 5 feet off the street line and must be readable for the full time of the required posting. The sign shall be a 4 feet by 4 feet. Printed lettering shall be black on a yellow background. The wording and size of lettering shall be as follows:

INLAND WETLANDS APPLICATION	(3" letters)
PLACE: City Hall	(2" letters)
DATE	(2" letters)
FOR ADDITIONAL INFORMATION, CALL 860-584-6225	(2" letters)

The sign must be legible in block or printed letters not less than the sizes shown above. The sign shall be prepared and erected by the applicant at a cost to be borne by the applicant.

If the opening of the hearing is postponed, the date on the sign shall be revised to indicate the date of the rescheduled hearing. Such revision shall be made to the sign at least fifteen (15) days before the rescheduled hearing.

SECTION 10 – CONSIDERATIONS FOR DECISION

10.1 The Agency may consider the following in making its decision on an application:

- a. The application and its supporting documentation;
- b. Public comments, evidence and testimony from a public hearing;
- c. Reports from other agencies, departments and commissions including but not limited to those of the City of Bristol;
- d. The Agency may also consider comments on any application from the CT Conservation District, the Connecticut Regional Council of Government or other regional organizations; agencies in adjacent municipalities which may be affected by the proposed activity, or other technical agencies or organizations which may undertake additional studies or investigations.
- e. Non-receipt of comments from agencies, departments and commissions listed above within the prescribed time shall neither delay nor prejudice the decision of the Agency.

10.2 Factors for Consideration; Finding of No Feasible or Prudent Alternative

In carrying out the purposes and policies of Sections 22a-36 to 22a-45a, inclusive, including matters relating to regulating, licensing and enforcing of the provisions thereof, the Agency shall take into consideration all relevant facts and circumstances, including but not limited to:

- a. The environmental impact of the proposed activity on wetlands or watercourses;
- b. The applicant's purpose for and any feasible and prudent alternatives to, the proposed regulated activity which alternatives would cause less or no environmental impact to wetlands or watercourses;
- c. The relationship between the short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses and the maintenance and enhancement of long-term productivity of such wetlands or watercourses
- d. Irreversible and irretrievable loss of wetland or watercourse resources which would be caused by the proposed regulated activity, including the extent to which such activity would foreclose a future ability to protect, enhance or restore such resources, and any mitigation measures which may be considered as a condition of issuing a permit for such activity including, but not limited to, measures to:
 - (i) prevent or minimize pollution or other environmental damage,
 - (ii) maintain or enhance existing environmental quality, or,
 - (iii) in the following order of priority: restore, enhance and create productive wetland or watercourse resources;
- e. The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened by the proposed regulated activity; and,

- f. Impacts of the proposed regulated activity on wetlands or watercourses outside the area for which activity is proposed and future activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or watercourses.
- 10.3 In the case of an application which received a public hearing pursuant to a finding by the Inland Wetlands Agency that the proposed activity may have a significant impact on wetlands or watercourses, a permit shall not be issued unless the Agency finds on the basis of the record that a feasible and prudent alternative does not exist. In making the finding, the Agency shall consider the facts and circumstances set forth in subsection 10.2. The finding and the reasons therefore shall be stated on the record in writing.
- 10.4 In reaching its decision on any application after a public hearing, the Agency shall base its decision on the record of that hearing. Documentary evidence or other material not in the hearing record shall not be considered by the Agency in its decision. A conclusion that a feasible and prudent alternative does not exist does not create a presumption that a permit should be issued. The applicant has the burden of demonstrating that his application is consistent with the purposes and policies of these regulations and sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes.
- 10.5 In the case of an application which is denied on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands or watercourses, the Agency shall propose on the record in writing the types of alternatives which the applicant may investigate provided this subsection shall not be construed to shift the burden from the applicant to prove that he is entitled to the permit or to present alternatives to the proposed regulated activity.
- 10.6 For purposes of this section, (1) "wetlands or watercourses" includes aquatic, plant or animal life and habitats in wetlands or watercourses, and (2) "habitats" means areas or environments in which an organism or biological population normally lives or occurs.
- 10.7 A municipal inland wetlands agency shall not deny or condition an application for a regulated activity in an area outside wetlands or watercourses on the basis of an impact or effect on aquatic, plant, or animal life unless such activity will likely impact or affect the physical characteristics of such wetlands or watercourses.
- 10.8 For development of the regulated area in and around a vernal pool, the Commission may consider the following:
- a. The physical characteristics of the vernal pool depression shall remain undisturbed. There may be no cutting, heavy equipment operation, grading, or clearing in the vernal pool depression at any time of the year unless approved by the Commission.
 - b. Disturbance of the regulated area around the vernal pool shall be minimized. All disturbances within the regulated area shall be approved by the Commission.
 - c. No work that would affect the physical characteristics of the pool is to occur in the pool and regulated area between the dates of February 15th to July 31st.
 - d. Maintain overland and ground water flow to the vernal pool. Point discharges directly to the vernal pool depression will be prohibited without the specific approval of the Commission.
 - e. The use of fertilizers and pesticides without written approval of the Commission is prohibited within the regulated area.
 - f. The construction of a detention / drainage facility shall have no short or long term impact to vernal pools.
 - g. If multiple pools are present and located within close proximity to each other, the establishment of an undisturbed conservation area connecting the vernal pools is recommended within the regulated area.
 - h. Detailed erosion and sedimentation control plans will be required in the areas of the vernal pools.

- i. The controlled removal of invasive species along with the replacement of invasive plants with native plants is encouraged. Removal and restoration plans require Commission approval.
 - j. If required by the Commission, the applicant shall provide a written certification by a qualified Registered Soil Scientist, geologist, or ecologist that no vernal pools are located within the regulated area of the proposed activity.
- 10.9 If required by the Agency, signs delineating the City of Bristol Inland Wetland Easement shall be located a minimum of thirty (30) feet apart or at a change of direction unless otherwise approved by the Engineering Department.
- A minimum of three (3) signs per lot shall be provided. Signs shall be installed on 4" x 4" posts constructed of Treks wood polymer lumber or an approved equal. Posts shall be installed a minimum of four (4) feet above grade and three-and-one-half (3.5) feet below grade. Signs shall read "City of Bristol Inland Wetland Easement."
- 10.10 In the case of an application where the applicant has provided written notice pursuant to subsection 7.9c of these regulations, the holder of the restriction may provide proof to the inland wetlands agency that granting of the permit application will violate the terms of the restriction. Upon a finding that the requested land use violates the terms of such restriction, the inland wetlands agency shall not grant the permit approval.
- 10.11 In the case of an application where the applicant fails to comply with the provisions of subsection 7.9c or 7.9d of these regulations, (1) the party holding the conservation or preservation restriction, other than a state agency that holds such restriction, may, not later than 15 days after receipt of actual notice of permit approval, file an appeal with the inland wetlands agency, subject to the rules and regulations of such agency relating to appeals. The inland wetlands agency shall reverse the permit approval upon a finding that the requested land use violates the terms of such restriction; or (2) the state agency that holds such restriction may, not later than thirty days after receipt of actual notice of permit approval, file an appeal with the inland wetlands agency, subject to the rules and regulations of such agency relating to appeals. The inland wetlands agency shall immediately reverse such permit approval if the commissioner of the state agency that holds such restriction certifies that the land use authorized in such permit violates the terms of such conservation or preservation restriction.
- 10.12 Nothing in subsection 7.9c or 7.9d of these regulations shall be construed to prohibit the filing of a permit application or to require such written notice when the activity that is the subject of such application will occur on a portion of property that is not restricted under the terms of such conservation or preservation restriction.

SECTION 11 – DECISION PROCESS AND PERMIT

- 11.1 The Agency may grant the application as filed; grant it upon such terms, conditions, limitations or modifications necessary to carry out the purposes of the Act; or deny it. Such terms may include any reasonable measures which would mitigate the impacts of the regulated activity and which would (a) prevent or minimize pollution or other environmental damage, (b) maintain or enhance existing environmental quality, or (c) in the following order of priority: restore, enhance and create productive wetland or watercourse resources. Such terms may include restrictions as to the time of year in which a regulated activity may be conducted, provided the agency, or its agent, determines that such restrictions are necessary to carry out the policy of sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes.
- 11.2 No later than sixty-five (65) days after receipt of an application, the Agency may hold a public hearing on such application. At such hearing any person or persons may appear and be heard and may be represented by agent or attorney. The hearing shall be completed within thirty-five (35) days of its commencement and action shall be taken on applications within thirty-five (35) days after completion of a public hearing. In the absence of a public hearing, action shall be taken on applications within sixty-five (65) days from the date of receipt of the application. The applicant may consent to one or more extensions of the periods specified in this subsection for the holding of the hearing and for action on such application, provided the total extension of any such period shall not be for longer than sixty-five (65) days, or may withdraw such application. Failure of the Inland Wetlands Agency to act within the time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the application. An application deemed incomplete by the Agency shall be withdrawn by the applicant or denied by the Agency.

- 11.3 The Agency shall state upon its record the reasons and bases for its decision and, in the case of any public hearing, such decision shall be based fully on the record of such hearing and shall be in writing.
- 11.4 In the case of an application which is denied on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands or watercourses, the Agency shall propose on the record in writing the types of alternatives which the applicant may investigate. The requirement shall not be construed to shift the burden from the applicant to prove that he is entitled to the permit or to present alternatives to the proposed regulated activity.
- 11.5 The Agency shall notify the applicant and any named parties to the proceeding of its decision within fifteen (15) days of the date of the decision by certified mail and the Agency shall cause notice to its order in the issuance or denial of the permit, in a newspaper having general circulation in the city. A copy of all Agency decisions shall be forwarded to the Commissioner of Environmental Protection in such a form as prescribed by the Commissioner. In any case in which such notice is not published within such fifteen-day period, the applicant may provide for the publication of such notice within ten days thereafter.
- 11.6 Any permit issued by the Agency for the development of land for which an approval is required under chapter 124, 124b, 126 or 126a of the Connecticut General Statutes shall be valid until the approval granted under such chapter expires or for ten years, whichever is earlier. Any permit issued by the Agency for any activity for which an approval is not required under chapter 124, 124b, 126 or 126a shall be valid for not less than two years and not more than five years.
- 11.6.1 Notwithstanding the provisions of 11.6 of these regulations, any permit issued by the Agency prior to July 1, 2011 that was in effect and did not expire prior to May 9, 2011 shall be valid for a period not less than nine years after the date of such approval.
- 11.7 If an activity authorized by the inland wetland permit also involves an activity or project which requires zoning or subdivision approval, a special zoning permit, variance or special exception, a copy of the Agency's decision and report on the application shall be forwarded to the respective Commission.
- 11.8 If the Agency grants a permit with terms, condition, limitations or modifications, the applicant may attempt to modify the proposal to the Agency's satisfaction. The Agency shall determine whether the proposed modification requires the filing of a new application. The rejection of a modified or corrected application by the Agency shall be equivalent to the denial of an application for purposes of appeal.
- 11.9 If the Agency denies a permit, the application may be resubmitted if there has been a material change in the plan or other facts or circumstances to warrant reconsideration.
- 11.10 All permit conditions shall be the responsibility of the original applicant unless otherwise approved by the Commission or its duly authorized agent(s). All requests to transfer permits shall include the following:
- a. The grantor(s) name, address and telephone numbers.
 - b. The grantee(s) name, address and telephone numbers.
 - c. Certification that the grantee(s) is aware with the information provided in the permit requirements and conditions imposed by the permit.
 - d. The existing permit, or portion thereof, must be in conformance with all regulations and conditions of approval immediately prior to and at the time of transfer.
 - e. A fee as established by the Commission.
- All applicable conditions and requirements of the permit shall be the responsibility of the new applicant.
- 11.11 If a bond is required in accordance with Section 12 of these regulations, no permit shall be issued until such bond is provided.
- 11.12 General provisions in the issuance of all permits:

- a. In evaluating applications in which the Agency relied in whole or in part on information provided by the applicant, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.
 - b. All permits issued by the Agency are subject to and do not derogate any present or future rights or powers of the Agency or the City of Bristol, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the property or activity.
 - c. If the activity authorized by the inland wetland permit also involves an activity or a project which requires zoning or subdivision approval, special permit, variance or special exception, no work pursuant to the wetland permit may begin until such approval is obtained.
 - d. The permittee shall employ construction management practices, consistent with the terms and conditions of the permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses in accordance with the "Connecticut Guidelines for Soil Erosion and Sediment Control" prepared by The Connecticut Council on Soil and Water Conservation, which plan shall be submitted to and approved by the Agency or its designated agent(s) prior to the initiation of any activity. The disturbed area shall be revegetated within a period of time determined by the Agency.
- 11.13 The Agency or its duly authorized agent(s) shall compare permits issued by the Agency to those issued by the building department or any other city agency, department or commission to monitor compliance.
- 11.14 Notice of the permit and its conditions or stipulations shall be filed on the land records of the City of Bristol.

SECTION 12 – [RESERVED]

SECTION 13 – BOND

- 13.1 Upon approval of the application and prior to issuance of a permit, the applicant may, at the discretion of the Agency, be required to file a bond or other surety in a form approved by the Agency.
- 13.2 The bond or surety shall be conditioned on compliance with all provisions of these regulations and the terms, conditions and limitations established in the permit.
- 13.3 In determining the necessity and amount of any bond or security, the Agency may consider criteria which include:
- a. Guaranteeing the structural integrity of any man-made structures designed to control the flow, amount or retention of water such as detention ponds, dams, berms, swales, etc.;
 - b. Any activity involving the deposition of or the removal of 100 cubic yards or more of material within a regulated area or any deposition that will have a substantial adverse effect on the regulated area or on another part of the wetlands or watercourses;
 - c. Any activity which may substantially change the natural channel of a watercourse system;
 - d. Any activity which may diminish substantially the natural capacity of a watercourse or an inland wetland to support desirable biological life, prevent flooding, supply water, and/or facilitate drainage; and/or,
 - e. Any activity which may result in degrading a watercourse, surface water, ground water or an inland wetland, such degradation to be measured by standards of the water compliance division of the Department of Environmental Protection, where applicable.

13.4 On any construction site involving a regulated activity the bond will not be released until it has been inspected and approved by the Agency or its duly appointed agent.

SECTION 14 – ENFORCEMENT

14.1 The Agency may appoint an agent or agents to act in its behalf with the authority to inspect property, except a private residence, and issue notices of violations and carry out other actions or investigations necessary for the enforcement of these regulations.

14.2 The Agency or its agent may make regular inspections of all regulated activities for which permits have been issued under these regulations.

14.3 In the case in which a permit has not been issued or a permit has expired, the Agency or its agent may make regular inspections at reasonable hours with the consent of the property owner or authorized agent of the property owner.

14.4 If the Agency or its duly authorized agent finds that any person is conducting or maintaining any activity, facility or condition which is in violation of the Act or of these regulations, the Agency may:

- a. issue a written order by certified mail, return receipt requested to such person conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within ten (10) days of the issuance of such order the Agency shall hold a hearing to provide the person an opportunity to be heard and show cause why the order should not remain in effect. The Agency shall consider the facts presented at the hearing and within ten days of the completion of the hearing, notify the person by certified mail that the original order remains in effect, that a revised order is in effect, or that the order has been withdrawn. The Agency shall publish notice of its decision in a newspaper having general circulation in the municipality. The original order shall be effective upon issuance and shall remain in effect until the Agency affirms, revises or withdraws the order. The issuance of an order pursuant to this section shall not delay or bar an action pursuant to Section 22a-44(b) of the General Statutes, as amended.
- b. issue a notice of violation to such person conducting such activity or maintaining such facility or condition, stating: the nature of the violation; the jurisdiction of the Agency; and prescribing the necessary action and steps to correct the violation. Such corrective action may include, without limitation: halting work in wetlands or watercourses; appearing at the next regularly scheduled meeting of the Agency to discuss the unauthorized activity; providing a written reply to the notice or filing a proper application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in subsection a of this section or other enforcement proceedings as provided by law.

14.5 The Agency may suspend or revoke a permit if it finds that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application including application plans. Prior to revoking any permit or suspending any permit, the Agency shall issue notice to the permittee, personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action. The agency shall hold a hearing to provide the permittee with the opportunity to show that it is in compliance with its permit and any and all requirements for retention of the permit. The Agency shall consider the facts presented at the hearing and notify the permittee of the Agency's decision to suspend, revoke, or maintain a permit by certified mail within fifteen (15) days of the date of its decision. The Agency shall publish notice of the suspension or revocation in a newspaper having general circulation in the municipality.

SECTION 15 – AMENDMENTS

15.1 These regulations and the Inland Wetlands and Watercourses Map for the City of Bristol may be amended, from time to time, by the Agency in accordance with changes in the Connecticut General Statutes or regulations of the State Department of Environmental Protection, or as new information regarding soils and inland wetlands and watercourses becomes available.

15.2 An application filed with an Inland Wetland Agency which is in conformance with the applicable inland wetlands regulations as of the date of the receipt of such application shall not be required thereafter to comply with any change in inland wetlands regulations, including changes to setbacks and buffers, taking effect on or after the date of such receipt and any appeal from the decision of such Agency with respect to such application shall not be dismissed by the Superior Court on the grounds that such a change has taken effect on or after the date of such receipt. The provisions of this section shall not be construed to apply (1) to the establishment, amendment or change of boundaries of inland wetlands or watercourses, or (2) to any change in regulations necessary to make such regulations consistent with the provisions of this chapter as of the date of such receipt.

15.3 These regulations and the Inland Wetlands and Watercourses Map shall be amended in the manner specified in the General Statutes, as amended. The Agency shall provide the Commissioner of Environmental Protection with a copy of any proposed regulations and notice of the public hearing to consider any proposed regulations or amendments thereto, except determinations of boundaries, at least thirty-five days before the public hearing on their adoption.

15.4 Petitions requesting changes or amendments to the "Inland Wetlands and Watercourses Map, Bristol, Connecticut" shall contain at least the following information:

- a. the petitioner's name, address and telephone number;
- b. the address of the land affected by the petition;
- c. the petitioner's interest in the land affected by the petition;
- d. map(s) showing the geographic location of the land affected by the petition and the existing and the proposed wetland(s) and watercourse(s) boundaries documentation supporting such proposed boundary locations; and
- e. the reasons for the requested action.

15.5 Any person who submits a petition to amend the "Inland Wetlands and Watercourses Map, Bristol, Connecticut" shall bear the burden of proof for all requested map amendments. Such proof may include, but is not limited to, professional interpretation of aerial photography and remote sensing imagery, resource mapping, soils mapping, or other information acceptable to the Agency. If such person is the owner, developer or contract purchaser of the land which is the subject of the petition, or if such person is representing the interests of such an owner, developer or purchaser, in addition to the information required in subsection 15.4, the petition shall include:

- a. the name, address and telephone number of the owner(s) of such land and owner(s) agent or other representative;
- b. the names and addresses of the owners of abutting land;
- c. documentation by a soil scientist of the distribution of wetland soils on said land. Such documentation shall at a minimum include the report of the soil scientist documenting the location of wetland soils on the land and a map of the said land indicating the flag locations set by the soil scientist and defining the boundaries of wetland soil types; and
- d. map(s) showing any proposed development of the land in relation to existing and proposed wetland and watercourse boundaries. Map indicating proposed wetland and watercourse boundaries shall be signed by a certified soil scientist.

15.6 Watercourses shall be delineated by a soil scientist, geologist, or ecologist.

15.7 A public hearing shall be held on petitions to amend the Inland Wetland and Watercourses Map. Notice of the hearing shall be published in a newspaper having substantial circulation in the municipality at least twice at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days, before the hearing. A copy of the proposed boundary change shall be filed in the Agency's office and the city clerk's office for public inspection at least ten days before such hearing.

15.8 Within sixty-five (65) days after receipt of a complete petition for a change in the mapped boundaries of any wetland or watercourse, the Agency shall hold a public hearing to consider the petition. The hearing shall be completed within thirty-five days after commencement. The Agency shall act upon the changes requested in such petition within sixty-five days after the close of the hearing. The petitioner may consent to one or more extensions of the periods specified in this subsection for the holding of the hearing and for action on such petition, provided the total extension of any such period shall not be for longer than sixty-five days, or may withdraw such petition. The failure of the Inland Wetlands Agency to act within any time period

specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the petition. The Agency shall provide a copy of the change to the Commissioner of Environmental Protection no later than ten (10) days after adoption.

15.9 The Agency shall make its decision and state the reasons why the change in the Inland Wetland and Watercourses Map was made in writing.

15.10 The city shall amend the Inland Wetlands and Watercourses Map within thirty (30) days after adoption of the amendment by the Agency.

SECTION 16 – APPEALS

16.1 Appeal of actions of the Agency shall be made in accordance with the provisions of the Connecticut General Statutes.

16.2 Notice of such appeal shall be served upon the Agency and the Commissioner of Environmental Protection.

SECTION 17 – CONFLICT AND SEVERANCE

17.1 If there is a conflict between the provisions of these regulations, the provision which imposes the most stringent standards for the use of wetlands and watercourses shall govern. The invalidity of any word, clause, sentence, section, part, subsection or provision of these regulations shall not affect the validity of the remaining portions of these regulations. These regulations shall not supersede or obviate requirements of any other regulation or ordinance of the City. Where there is a conflict between the provisions of these regulations and those of any regulation administered by the Connecticut Department of Environmental Protection, the provisions of the regulation which imposes the most stringent standards for the use of the wetland or watercourse shall govern.

17.2 If there is a conflict between any provision of these regulations and the provision of the Act, the provisions of the Act shall govern.

SECTION 18 – OTHER PERMITS

18.1 Nothing in these regulations shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation of the City of Bristol, the State of Connecticut and the Government of the United States including any approval required by the Connecticut Department of Environmental Protection and the U. S. Army Corps of Engineers. Obtaining such assents, permits or licenses is the sole responsibility of the applicant.

SECTION 19 - FEE SCHEDULE

19.1 All applications shall be accompanied by a fee based on a fee schedule set by the Inland Wetlands and Watercourses Agency of the City of Bristol, Connecticut.

SECTION 20 – [Reserved]

SECTION 21 – EFFECTIVE DATE OF THESE REGULATIONS

21.1 These regulations are effective upon filing in the Office of the City Clerk and publication of such filing in a newspaper having general circulation in the City of Bristol. These regulations for the protection and preservation of Inland Wetlands and

Watercourses are in conformity with the Department of Environmental Protection Guidelines, utilizing information provided by the Department of Environmental Protection and from the regulations of other Connecticut towns.

SECTION 22 – ASSESSMENT RELIEF

22.1 Any owner of wetlands and watercourses who is denied a permit in connection with a regulated activity affecting such wetlands and watercourses, shall upon written application to the Assessor or the Board of Tax Review of the City of Bristol, be entitled to a revaluation of such property to reflect the fair market value thereof, in light of the restriction placed upon it by denial of such permit, effective with respect to the next succeeding assessment list, provided no such revaluation shall be retroactive and the city may require as a condition, therefore the conveyance of a less than fee interest to it of such land pursuant to the provisions of Sections 7-131b to 7-131k, inclusive, of the Connecticut General Statutes, as amended.

SECTION 23 – STATE REPORT

23.1 A reporting form shall be completed during the application process which provides the commissioner of the state Department of Environmental Protection with information necessary to properly monitor the inventory of state wetlands. The reporting form shall be part of the application and specified sections shall be completed by the applicant. The sections shall include the following: name of applicant; name of the project; project description; area of wetlands and/or lineal feet of watercourse proposed to be altered.

**BRISTOL CONSERVATION COMMISSION
INLAND WETLANDS AGENCY
FORM IW-1 (Application for a Wetlands Permit)**

For Office Use Only
APPLICATION NO. 2048
DATE FILED: 03-19-2025
DECISION DATE: _____
DECISION: _____

1. APPLICANT:

Name: Bristol Department of Public Works: Raymond Rogozinski, P.E.
Address: 111 North Main Street City: Bristol State: CT Zip 06010
Telephone No.: 860-584-6125 [] home [x] work E-Mail: RaymondRogozinski@bristolct.gov
Signature: _____ Signature – (Printed/Typed) Raymond Rogozinski
CHECK ONE: [] owner [x] other (specify): Bristol Department of Public Works

2. PROPERTY OWNER(S):

Name: City of Bristol - Jeff Caggiano, Mayor
Address: 111 North Main Street City: Bristol State: CT Zip 06010
Telephone No.: 860-584-6250 [] home [x] work E-Mail: mayorsoffice@bristolct.gov
Signature: _____ Signature – (Printed/Typed) Jeff Caggiano

3. DESCRIBE THE SUBJECT PROPERTY:

Address or Location: Broad Street along Pequabuck River
Assessor's Map No.: N/A Assessor's Lot No.(s): N/A
Description of wetlands (location, approximate area to be disturbed, vegetation, etc.): Connecticut wetlands can be found along both sides of the Pequabuck River. Very Minimal permanent impacts will be made on the wetland. Approx. 1191 SF of temporary impacts, 19 S.F permanent impact and 15,993 S.F of upland area will be impacted during construction

4. DESCRIBE THE PROPOSED ACTIVITY AND ITS PURPOSE: Rehabilitation of Retaining wall along Broad St near Pequabuck River due to deteriorating stone retaining wall.

5. CHECK THE STATEMENT WHICH APPLIES TO THE PROPOSED ACTIVITY:

- [] a. The proposed activity is either a use permitted as of right or a non-regulated use, under subsection _____ of Section 4 of the Inland Wetlands Regulations. *See instructions for submission requirements.*
- [] b. The proposed activity is not regulated because it is greater than 100 feet from a wetlands or watercourse or will not adversely affect the wetlands or watercourse. *See instructions for submission requirements.*
- [x] c. The proposed activity is a regulated activity and will occur:
- | | |
|-----------------------------------|-----------------------------------|
| [x] in a wetlands or watercourse | area: <u>2010 SF (0.046 AC)</u> |
| [x] within the upland review area | area: <u>15,993 SF (0.367 AC)</u> |

6. FLOW CALCULATIONS:

Does a watercourse flow through the subject property?
[x] yes [] no

If "yes", see instructions for submission requirements.

**CITY OF BRISTOL, CONNECTICUT
SUPPLEMENTARY INFORMATION**

For Office Use Only
APPLICATION NO. 2048

Address or location of property: Broad Street along Pequabuck River

ADDITIONAL INFORMATION/COMMENTS (click inside the box below and begin typing)

See attached narrative.

ADDITIONAL APPLICANT

Name: _____ CHECK ONE: ☐ owner ☐ other: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

ADDITIONAL OWNER(S) OF RECORD

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

(OPTIONAL) SEND COPIES OF ALL CORRESPONDENCE TO:

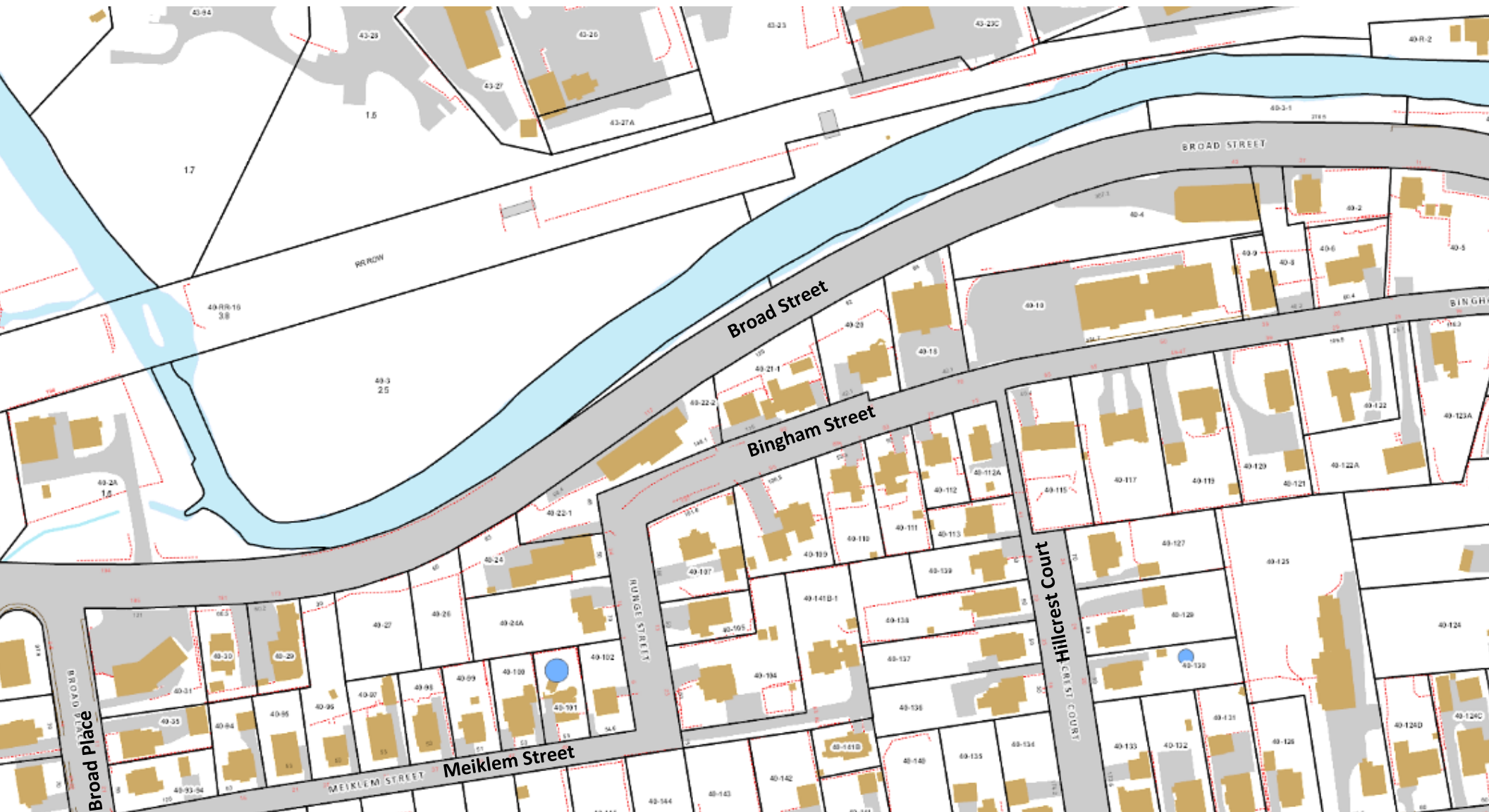
Name: Keegan Elder

Address: 87 Holmes Road City: Newington State: CT Zip: 06111

Telephone No.: 860-667-9624 E-Mail: kelder@wmcengineers.com

08/17 - LUO

Broad Street – Right-of-Way

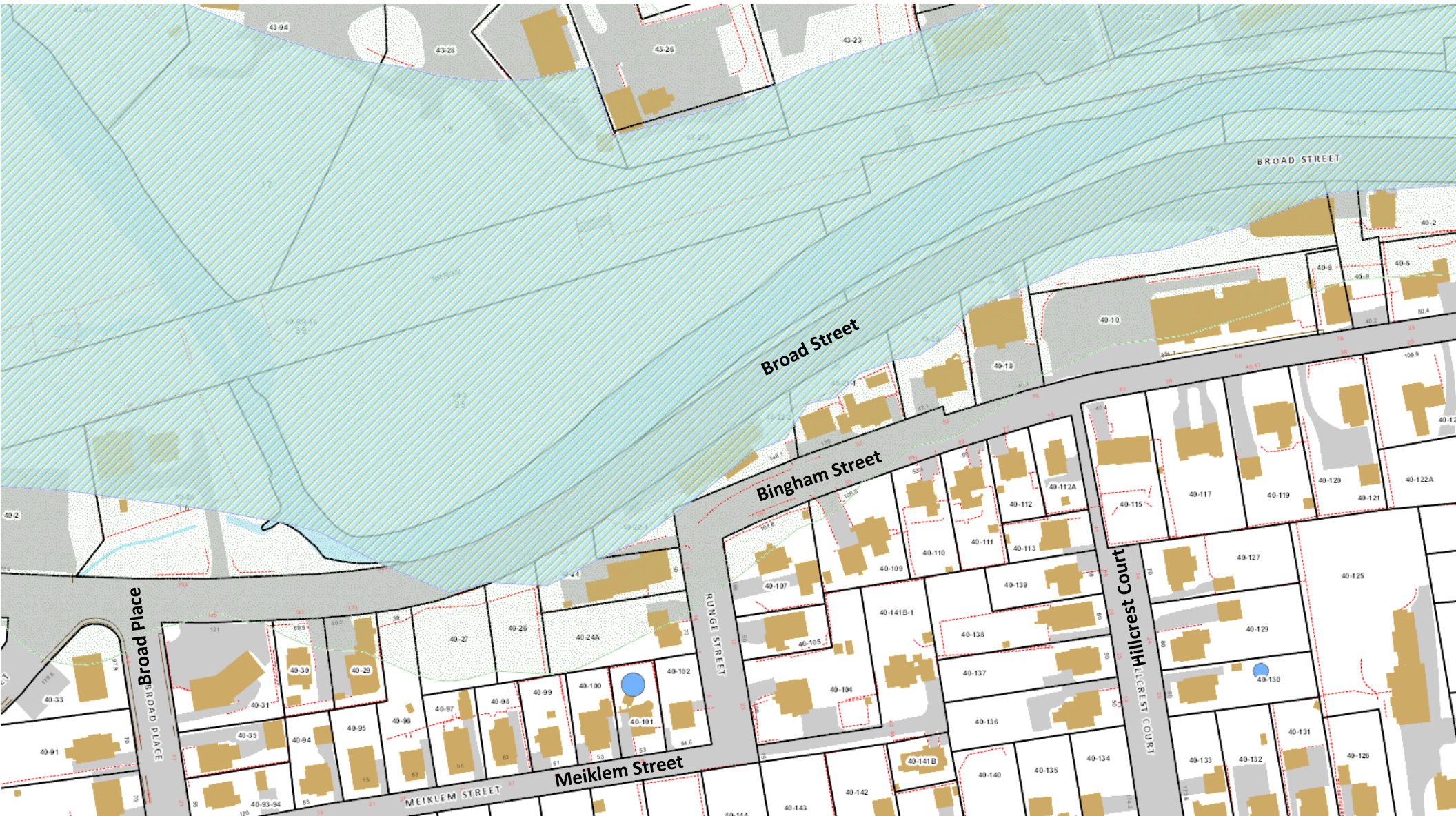


Aerial Map
Broad Street – Right-of-Way



Nearmap

IWWA Map
Broad Street – Right-of-Way



LEGEND

- SF

SF

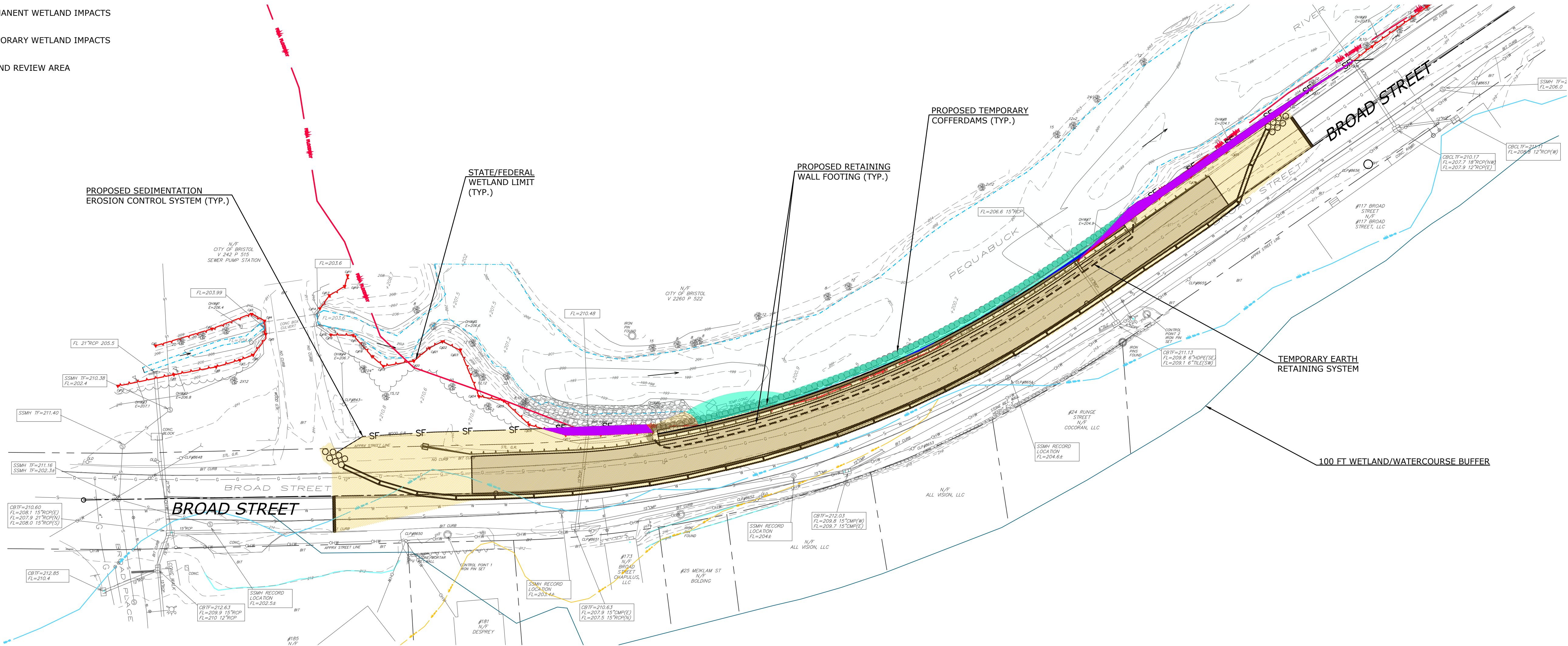
SF

SEDIMENTATION CONTROL SYSTEM (SCS)
-
- ORDINARY HIGH WATER (OHW)
-
- STATE WETLANDS
-
- LIMIT OF FLOODWAY
-
- FEMA 100-YR FLOOD (CALCULATED)
-
- FEMA 500-YR FLOOD (CALCULATED)
-
- PERMANENT WATERCOURSE IMPACTS
-
- TEMPORARY WATERCOURSE IMPACTS
-
- PERMANENT WETLAND IMPACTS
-
- TEMPORARY WETLAND IMPACTS
-
- UPLAND REVIEW AREA

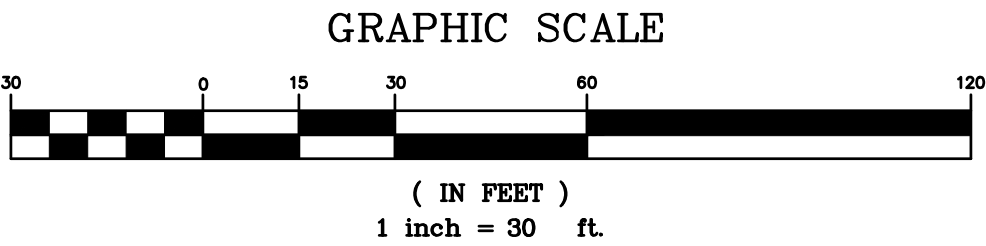
* **NDBB :**
SEE SPECIAL PROVISION FOR NDBB REVIEW AREA.

- WATER HANDLING NOTES:**
1. THE CONTRACTOR SHALL MAINTAIN WATER THROUGH THE TEMPORARY COFFERDAMS AS SHOWN DURING CONSTRUCTION.
 2. EQUIPMENT SHALL NOT BE PERMITTED IN THE STREAM WHEN TEMPORARY COFFERDAMS ARE NOT IN PLACE WITHOUT THE APPROVAL OF THE ENGINEER.
 3. PRIOR TO ANY DEWATERING, THE CONTRACTOR MUST SUBMIT TO THE ENGINEER A WRITTEN PROPOSAL FOR SPECIFIC METHODS AND DEVICES TO BE USED AND MUST OBTAIN THE ENGINEER'S WRITTEN APPROVAL OF SUCH METHODS AND DEVICES.
 4. A DEWATERING BASIN SHALL BE ESTABLISHED OUTSIDE OF THE WETLAND LIMITS. THE LOCATIONS OF THE DEWATERING BASIN IS APPROXIMATE. THE EXACT POSITION MAY VARY BASED ON THE PUMPING DESIGN SUBMISSION AND MUST BE APPROVED BY THE ENGINEER. DEWATERING BASINS SHALL BE PAID FOR UNDER ITEM "COFFERDAM AND DEWATERING".
 5. TEMPORARY COFFERRDAMS AND WATER-HANDLING-COFFERDAMS SHALL CONSIST OF ANY APPROVED SYSTEM THAT THE CONTRACTOR ELECTS TO USE WHICH WILL SAFELY CONVEY WATER FLOWS THROUGH THE CONSTRUCTION AREA, SHALL BE ABLE TO SUPPORT CONSTRUCTION ACTIVITY AND EXCAVATION, AND SHALL CONFORM TO PERMITS.

* **UPLAND REVIEW AREA :**
THE 100' UPLAND REVIEW AREA OFFSET FROM THE EXISTING WETLANDS AND WATERCOURSE IS OUTSIDE THE SURVEY LIMITS. THE ENTIRE PROJECT IS WITHIN THE UPLAND REVIEW AREA.



WETLAND/WATERCOURSE IMPACT PLAN
SCALE: 1" = 30'



THE INFORMATION, INCLUDING ESTIMATED QUANTITIES OF WORK SHOWN ON THESE SHEETS IS BASED ON LIMITED INVESTIGATIONS BY THE TOWN AND IS IN NO WAY WARRANTED TO INDICATE THE TRUE CONDITIONS OR ACTUAL QUANTITIES OR DISTRIBUTION OF QUANTITIES OF WORK WHICH WILL BE REQUIRED.

STATE WETLAND AND WATERCOURSE IMPACT TABLE				
	WETLAND SITE NO.	STATE WETLAND IMPACTS	WATERCOURSE IMPACTS	TOTAL
PERMANENT IMPACTS	1	0 S.F. (0.00 AC.)	19 S.F. (0.0004 AC.)	19 S.F. (0.0004 AC.)
TEMPORARY IMPACTS	1	678 S.F. (0.016 AC.)	1313 S.F. (0.0301 AC.)	1991 S.F. (0.0457 AC.)
TOTAL IMPACTS		678 S.F. (0.016 AC.)	1332 S.F. (0.0306 AC.)	2010 S.F. (0.0461 AC.)
URBAN REVIEW AREA				15,993 S.F (0.367 AC.)

			SUPV.	J.A.C.
			DESIGN	R.I.
			DRAWN	D.T.J.
			CHECKED	K.O.E.
NO.	DATE	DESCRIPTION	DATE	02/27/25
REVISIONS				

PD
SUBMITTAL

WMC

CONSULTING ENGINEERS

• WENGELL, McDONNELL & COSTELLO •
87 HOLMES ROAD
NEWINGTON, CT 06111
(860) 667-9624

PREPARED FOR
CITY OF BRISTOL
150 MAIN STREET
BRISTOL, CT 06010

**REPLACEMENT OF RETAINING WALL ALONG
BROAD STREET AT PEQUABUCK RIVER
WETLAND/WATERCOURSE IMPACT PLAN**

D	BRISTOL - BROAD ST	PD	23067.10		SHEET	9
SIZE	PROJECT	FILE NAME	NUMBER	REV.	OF	14



March 10, 2025

Skytop Enterprises LLC
359 Broad Street
Bristol, CT 06010

Re: Cease and Correct – Digging And Grading within A Regulated Area Without A Permit –360 King Street and King Street Lot 47-5-1 Bristol, CT 06010

Based on a recent inspection of the above-mentioned property, it appears that there are current activities that are in violation of the City's Inland Wetlands and Flood Plain Regulations. Based on the city records, you own this property. It appears that trees have been cut down in the wetlands area, and millings have been placed in the wetlands and flood plain areas. This activity is not allowed.

You are required to take the following actions and repairs.

- Immediately cease all work in the regulated area
- Submit a plan, and obtain the proper permits

You are required to attend the next scheduled Inland Wetlands meeting on **April 7, 2025** at 6:30 pm at 111 North Main Street Bristol, CT 06010 or via Zoom. Please contact the Engineering Department with questions or concerns at 860-584-6115. The failure to comply with the above request will subject you to further regulatory action, including but not limited to, legal fines and/or penalties by the City.

Sincerely,

Zachary Norton
Environmental Protection Technician

cc: Inland Wetlands Commission
Environmental Engineer





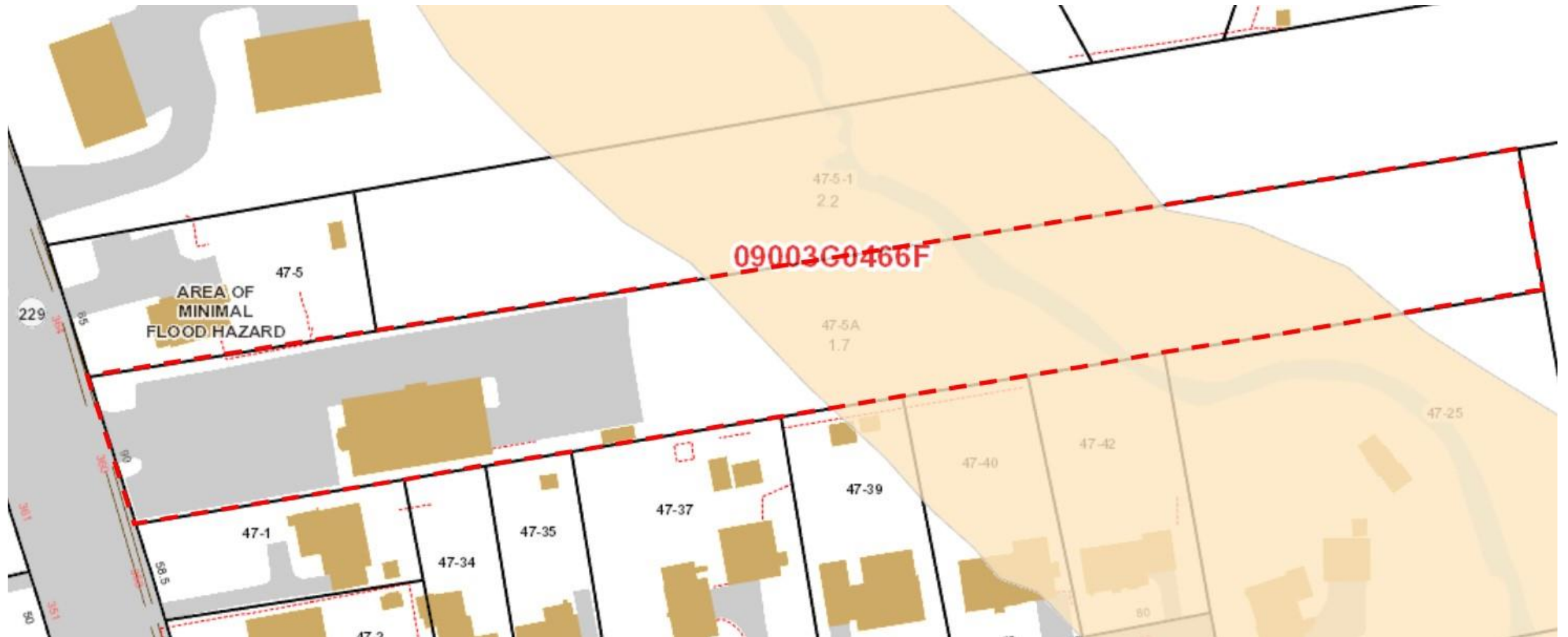


Materials Provided by City Staff

360 King Street Historical Photos with Wetlands, Upland Review and Flood Plain

For IWCC Meeting May 5, 2025

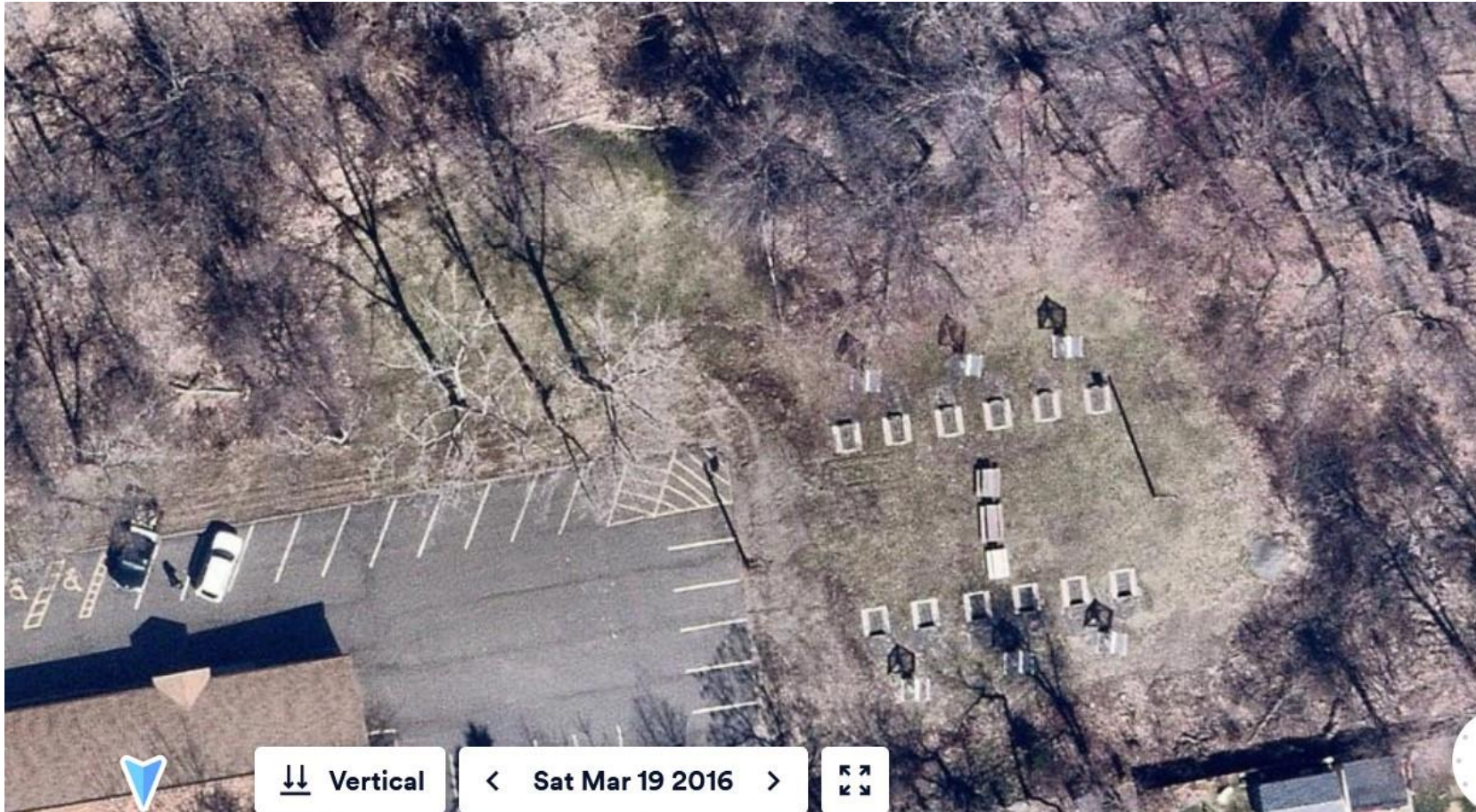
Limits of Flood Plain



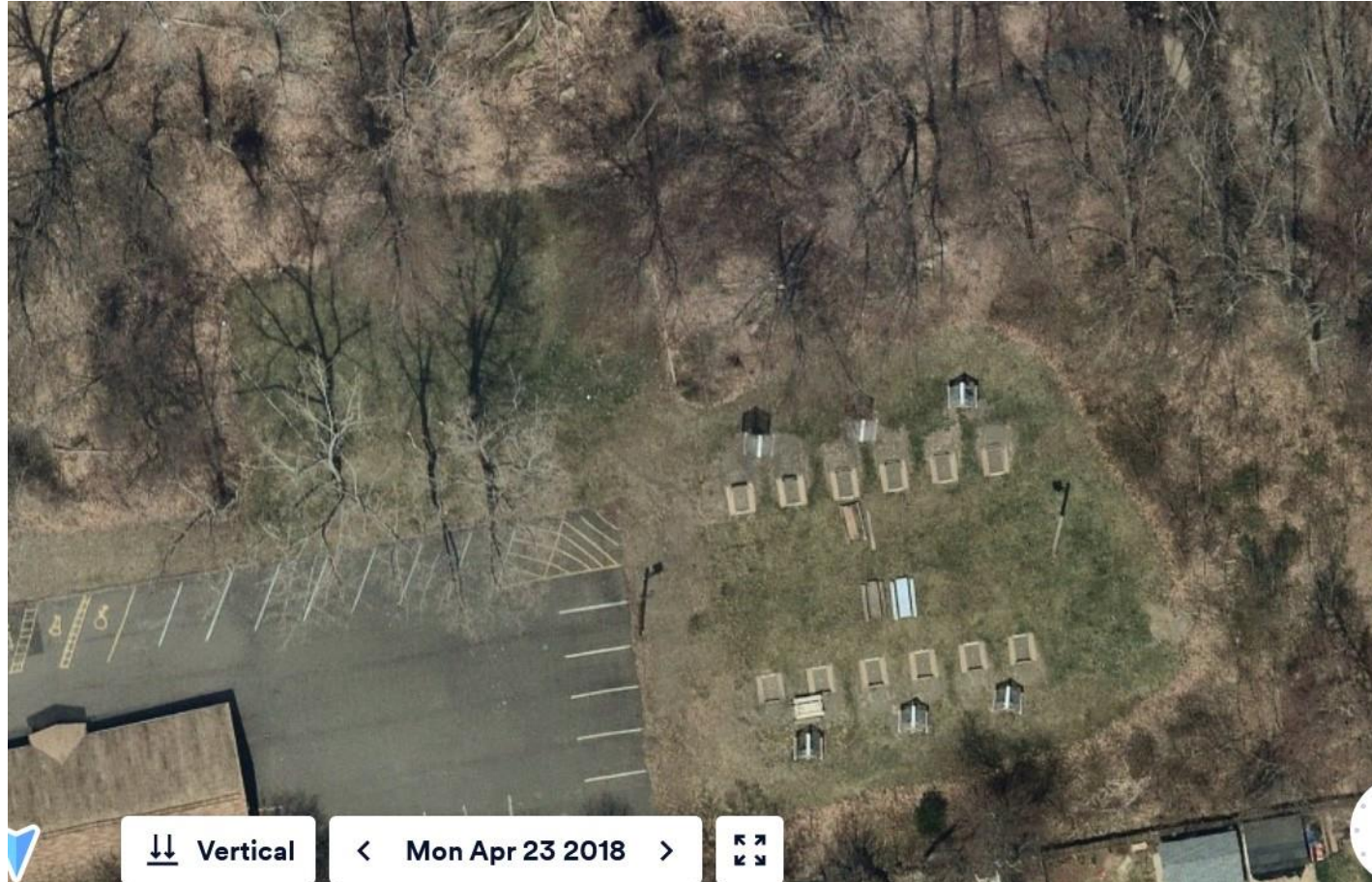
Wetlands and Upland Review



Nearmap photo March 2016



Nearmap photo April 2018



Near map photo March 2020



Nearmap photo March 2023



Nearmap photo April 2024



Nearmap Photo April 2025



Materials Provided by Public

Re: Unpermitted Work and Incorrect Zoning at 360 King St and Lot 47-5-1

jason levine <jlevine13@gmail.com>

Wed 3/26/2025 9:12 PM

To: Brandon Peate <BrandonPeate@bristolct.gov>; Robert Flanagan <RobertFlanagan@bristolct.gov>; Andrew Armstrong <AndrewArmstrong@bristolct.gov>; Thomas Damon Smith <ThomasDamonSmith@bristolct.gov>; Paul Tramadeo <PaulTramadeo@bristolct.gov>; Chad Senich <ChadSenich@bristolct.gov>; Shannon Newburry <ShannonNewburry@bristolct.gov>; Zachary Norton <ZacharyNorton@bristolct.gov>;

Cc: atino23@gmail.com <atino23@gmail.com>; Joe Ciccio <joe.ciccio@gmail.com>; Berna Saracoglu <berasar@gmail.com>; Schwab Realty International LLC <info@schwabrealtyint.com>; Kingsbury Farms Townhomes <kingsburyfarmstownhomes@gmail.com>; jennifermakula@gmail.com <jennifermakula@gmail.com>;

To Bristol Building, Zoning, Engineering and Land Use,

I have previously contacted some of you on this matter and added a few others in case any of this is relevant to them as well. Ultimately I would like to bring this to the attention of the Conservation Commission/Inland Wetlands and Watercourses Agency as well as the Zoning Commission but I do not see a way to contact the members of those commissions directly. Please bring this to their attention.

There has been significant progress with the work being done at the vacant lot 47-5-1 owned by Victor Lagace. The work is still being done by Jeremy Berube, owner of Luna's Banquet Hall at 360 King St.

The lot has been clear-cut of trees up to the wetlands (within 100 ft). The debris, tree stumps, dead trees, trash, and wood chips have been mostly piled against the wetlands and our property line. The lot has been leveled, partially graveled, and now has an entrance from the back parking lot of Luna's Banquet Hall. Jeremy has started parking his vehicles on the vacant lot to allow more available parking spaces on his property for the events at his banquet hall.

The damage has been done. The few trees that are left on our property line with 47-5-1 are swaying from the wind so much more than before. They are more likely to fall due to the disruption in the ground caused by Jeremy Berube's choice to rip out all of the other trees with their roots included. The debris and wood chip piles on the property line will attract vermin, especially termites. This will spread to our property and our neighbors at 364 King St. There is illegal dumping on the property line and it is extremely unsightly. According to Jeremy, he will be dumping more there. Also, there will be more flooding in that area. There is no more privacy from the events at Luna's Banquet Hall. Without a doubt, the neighbors' and our property values have all gone down because of Jeremy's work and the self-described commercial food establishment business he operates out of a residential neighborhood.

For Jeremy's project on vacant lot 47-5-1, per your request, we have been collecting photos and videos. Here is a link to the GDrives with the photos and videos:

- 3/11/25 https://drive.google.com/drive/folders/1OLQZ7NYkXE77E6I9xTygmoxLPHB_Shz_?usp=drive_link
- 3/22/25 https://drive.google.com/drive/folders/1hFc0wl--UIWSbK5UXG3Wc4qkTQfbXAiW?usp=drive_link

On Saturday, March 22, 2025, Jeremy Berube likely broke several laws while confronting us for taking photos and videos from our side of the property line of the vacant lot owned by Victor Lagace. Jeremy came onto our private property 3 times, despite being asked to leave the property. He crossed the property line to harass, intimidate, threaten, assault or attempted assault, attempted tampering with evidence by grabbing my girlfriend's phone out of her hands (which was the camera we have been using to document

the vacant lot's progress) and threw it as far as he could. In addition, Jeremy Berube says several times that he will be dumping more on our property line and that he can do whatever he wants. We called the police to get the incident documented, but nothing came of it. We will be following up with this incident. We have included these videos in the GDrive link for 3/22/25. Due to the incident, no one in the community feels safe to record documentation for your departments anymore.

Members of the community have observed that there are other possible violations to both the Bristol Zoning/Inland Wetlands and Watercourses Regulations on the vacant lot 47-5-1 and Luna's Banquet Hall at 360 King St/Rt 229.

- Improper Zoning of 360 King St
 - The zoning is R-10 single-family residential. Since Jeremy bought the property, there have been several commercial upgr
- Improper Zoning of Vacant Lot 47-5-1 (owned by Victor Lagace)
 - This lot is no longer vacant nor R-10 single-family residential. Per Bristol Zoning Regulations, "Accessory buildings, struc
- Parking Lot of 360 King St
 - There are issues with the parking lot's landscaping, screening, and buffers. Also, there is no screening around his dumps
 - 11.1.3 Parking Lot Landscaping B: Parking areas containing between 20 and 99 parking spaces shall contain a m
 - 11.1.4 Screening A: Screening shall be provided for parking areas which are adjacent to residential properties or v
 - 11.1.4 Screening B: Screening shall be provided for any objectionable areas or views which are adjacent to reside
 - 11.1.5 Buffers: A landscaped buffer shall be provided for any use in a Business or Industrial zone which is adjace
- Parking Lot of Vacant Lot 47-5-1
 - Jeremy did not apply for a Special Permit, nor did the owner of the lot Victor Lagace. In addition to the same violations m
 - 13.12 Construction and Drainage Standards for Parking and Loading Areas C: The stormwater runoff system for :
- Signs at 360 King St
 -

The signs for Luna's Banquet Hall are internally illuminated. It does not appear that Jeremy specified the illumination met

- 14.4.5 Sign Illumination C: Any illuminated sign located on a lot adjacent to, or across the street from, a Residenti
- E: In Residential Zones, no sign shall be internally illuminated

• Wetlands Regulations

○ Jeremy has done the following: earth moving, filling, construction, clearcutting of trees within one hundred (100) feet of w

It appears there was no permit issued nor is the property zoned to allow Outdoor Dining. Jeremy offers an outdoor menu on his website (https://uk01.l.antigena.com//5UgiwcvQ5LdyKIZ3gjsxcSS_AG26GoSuGPA6ar95thkhr83ltDEE4nRrMjzy4BNU8-kH~AiOhWzftIO5ZJ581vTHw5uMADEWLB1dvxX6UivhHVuLL_QNfvyt-bv6AKqThyc6g22OYVRtYivqal-mNg4FZD1oM6U9S1T~kp~egqtsTTMztYoJMntYh1x). There are events past and upcoming that are outdoors with food and beverages around his outdoor bar pavilion. For example, on May 4th, there will be a large "Mother's Day Shopping Event." It is advertised in several locations, including Luna's public Facebook page, described as "shop and explore more than 50 vendors... Food music and beverages available.... This event will be indoors AND outdoors."

We're not sure if the work already done qualifies as Removal of Earth Materials. It honestly looked like it, judging by the excavators and other equipment used. Jeremy has moved some of the earth materials removed against the wetlands and our property line. There's also a chance that we could have just missed the trucks if material was removed from the property. The big mounds of gravel that Jeremy spread out throughout the vacant lot may be considered Filling of Land. There has also been no drainage system put into place, which affects our property and the wetlands. This may also need to have CT DEEP looped in, since this wetland is a part of the Mechanic Street regulated Aquifer, and is a protected watershed of the Pequabuck River.

It is worth noting that this pattern of "work first, permit after," has happened before with Jeremy Berube. The previous big project at Luna's Banquet Hall that affected neighbors (the installation of the outside bar pavilion) was approved by the Wetlands Commission on May 1, 2023. He was already doing the work before permit approval. This is proven by the posts on the public Facebook page of Luna's Banquet Hall. There is a post from May 8, 2023 with pictures of the structure basically completed. There is another post from April 26, 2023 with pictures of the frame already built. There is a post from March 31, 2023 proving the clear-cutting of trees right up to the wetlands and backyards on Holt Street. There were complaints by neighbors on Holt Street about the work at the April 3, 2023 Wetlands meeting. These complaints included flooding issues caused by his work. There wasn't a meeting with a stated agenda item of a public hearing for his projects.

We are concerned that there have not been any public hearings available for the work being done at 47-5-1. Our community has expressed interest in attending a Zoning meeting and/or the Wetlands meeting. I imagine there are other neighbors who would attend as well, since this impacts those who live on either side of Luna's Banquet Hall, and those on Holt St who have already complained about flooding issues due to previous work done for his outdoor bar. However, there is no legal notice of hearing for the properties, 47-5-1 or 360 King Street. Could you please add public hearings for this project to the April meetings for both Zoning and Wetlands?

When it comes to resolutions, we are hoping to gain back our property values, our privacy, and improve our neighborhood. We would like to note that a fence on either Jeremy's or Victor Lagace's properties would not suffice, as Jeremy has altered the vacant lot in a way that affects our property. We have flooding issues. We are now at a higher risk of one of the remaining trees falling on our property after the ground has been disturbed. There is a ton of blight (trash, dead trees, stumps, and wood chip piles) against our property that will attract vermin. It has become very clear that Jeremy does not have respect for the residential neighborhood or city that he runs his commercial business in. The damage should be corrected by a professional since Jeremy Berube has proved himself to not be one.

Thank you for your attention. Please let me know if there is anything else we can do.

Jason Levine
HOA President, Kingsbury Farm Townhomes
203-848-8552
jlevine13@gmail.com

On Wed, Mar 5, 2025 at 2:41 PM jason levine <jlevine13@gmail.com> wrote:

To the Bristol Zoning and Building Departments,

There appears to be unpermitted work occurring at lot 47-5-1 (the vacant lot between 360 and 380 King St).

The work currently being done is removal of trees and removal of earth materials. I was not able to confirm from looking online if permits are required for removing trees but due to the proximity to our property line it seems like it should require some kind of official process.

The work is being done by the owners of Luna's Banquet Hall, which is Skytop Enterprises LLC, and not the owner of the vacant lot, Victor Lagace. Skytop vehicles have been spotted on the vacant lot during construction and when asked they confirmed they are Skytop. He also stated he does not have a permit.

I am aware that at times there are discrepancies between the town records available online and the true status of things so I do appologize if any of what is stated here is inaccurate. Much of it is based on records available online and I felt it was best to bring this up and let the experts figure it out from there.

In addition to unpermitted work, the lot for 360 King St is zoned as "R-10 Single-Family Residential Zone" but the building is a business. Per their website, Luna's Banquet Hall describes themselves as a "Banquet Facility and Catered Event Space." They often have large parties with parking overflowing onto the very busy King St/Rt 229 and onto surrounding private residential properties. It has caused traffic issues before. The parties at Luna's are loud and serve alcohol, and intoxicated people have been seen walking around the residential neighborhood and on private residential properties. Litter also accumulates from these parties.

As trees have been removed the noise issue have become much more noticeable for the neighboring properties.

I live at 380 King St, the Kingsbury Farm Townhomes. I am the President on the HOA board. We are concerned that the unpermitted work and incorrect zoning at 360 King St/vacant lot 47-5-1 will lead to depreciation of our homes' values.

Since the work is currently happening, we hope for quick action. Please let us know if there is anything we can assist with.

Sincerely,
Jason Levine
President of Kingsbury Farm Townhomes HOA
203-848-8552
jlevine13@gmail.com

- <https://drive.google.com/drive/folders/17jqA-eKC3dISrs4KLCDjq-FqnlwnaV-p?usp=sharing>
- Listing from sale by Knights of Columbus with pictures of before for reference
 - https://www.realtor.com/realestateandhomes-detail/360-King-St_Bristol_CT_06010_M98168-61045
- 4/7/2025 IWWA Commission Meeting
 - Jeremy stated he has previously had issues and complaints from neighbors on the other side during the work he did
 - Jeremy claimed to only have taken down a few trees, maybe 5
 - Based on difference in visibility of Luna's from 380 King St and the pile of logs that was removed it must have been dozens of trees
 - Later on admits to taking every single one of them down except 2 of them
 - Claimed some were taken down cuz they were dead and close to his building
 - He cleared far away from the building
 - Jeremy stated he didn't think he needed a permit
 - Continued working after Jason Levine, 380 King St #4, (3/7/2025) asked him if he had a permit
 - Continued working after Cease and Correct
 - **Claimed he stopped work and his machines haven't moved**
 - **Photos in folders from dates after 3/10 show otherwise**
 - Later he states he's been down this road before and is familiar with the process of doing work near a wetlands
 - Jeremy stated he put 4-6 inches of millings on the property
 - Jeremy says he was not able to get a site plan from his engineer before doing the work
 - He said his reason for doing this project was to expand his business including an addition to the building and make a new parking area and to "clean the property up"
 - Said his intent was to expand the building and build a parking lot
 - Said his reasons for this were to make it easier for him to have larger events
 - Used as an example the 9/12/2024 event mentioned below where there were parking issues
 - Says he sees the options as expanding his parking or having people park on King St
 - This would be using residential areas as parking for his commercial business
 - Has caused major disruptions for neighbors and traffic
 - Obstructed visibility leaving driveways onto busy route 229
 - Cars parked in neighboring 380 King St's parking lot as well without permission

- Expanding his footprint in a residential zone pushes the limits of his special permit
 - Previous renovations and alterations to the property may already have done this
 - If he cared about cleaning up he wouldn't pile debris on a neighbor's property line where it is still visible
- After starting work, then he brought in an expert to see where the wetlands are
 - Stated it ended up being closer to where he was working than he thought
 - Stated he is not an expert, but started working on his own without consulting an expert
- Stated there was nothing malicious about it
 - See videos of confrontation on 3/22/2025
- Jeremy claimed he has previously used the excavator to clear debris from a "river" in the wetlands area
 - Claimed he was doing the city a favor
 - This could be considered dredging of a wetlands area
- Commission asked that Jeremy put socks near wetlands to protect it from runoff but he was not asked to do anything to protect 380 King St from runoff
 - We are downhill from his parking lot and the graded, gravel lot on 47-5-1
 - Only protection currently is the piles of debris Jeremy left on the property line
- 9/12/2024
 - Cars from event parked on the side of King Street/State Rt 229, on the grass, double-parked, and in 380 King Street's private parking lot
 - Police were called to 380 King St, incident report should be available
 - At IWWA Commission meeting, 4/7/2025, Jeremy stated this event had over 250 people attend
 - Luna's capacity is 140 people
- 3/5/2025
 - Clear-cut of trees
 - Pile of logs, excavator, mounds of gravel and a Skytop towing truck
 - Dumpster has no screening
- 3/6/2025
 - Skid steer grading and moving gravel
- 3/7/2025
 - Wood chipper + dump truck + excavator
 - Wood chips dumped on property line and wetlands area
 - Gravel spread down in wetlands area
 - Dead tree debris, stumps, and trash pushed against property line and wetlands
 - The work went over old stone wall/property lines and onto 380 King Street's property/wetlands
- 3/11/2025 - Everything after 3/10 is after Cease and Correct was issued
 - Vacant lot is completely clear-cut of trees
 - Huge wood chip mound is on property line

- Huge pile of logs and trash against 364 King Street's fence
- Excavator down by wetlands
- More dead tree debris, stumps and trash pushed against property line and wetlands
- 3/18/2025
 - Huge log pile was removed from worksite
- 3/22/2025
 - Multiple vehicles parked on lot 47-5-1, including during an event at Luna's
 - Grading of lot and spreading gravel with heavy machinery continues including near wetlands
 - Jeremy comes onto 380 King St's property to confront residents
 - Videos showing confrontation
 - Police were called, there should be an incident report available
 - Log of events <https://drive.google.com/drive/u/0/folders/1hFc0wl--UIWSbK5UXG3Wc4qkTQfbXAIW?ths=true>
 - Key points bolded
 - Jeremy Berube's Skytop Motors vehicle parked on the vacant lot during an event
- 3/31/2025
 - Multiple vehicles parked on lot 47-5-1 in wetlands area during an event
 - Red truck is seen at Luna's before/during all events
 - This is likely an employee's vehicle
 - Work in wetlands area may have crossed onto 380 King St's side of the property line
- 4/3/2025
 - Multiple vehicles parked on lot 47-5-1 in wetlands area
 - Debris from tree work, plastic, and metal scrap piled on the property line with 380 King St
 - Gravel spread into wetlands area
- 4/18/2025
 - A framed structure constructed right near the wetlands
 - 380 King St Unit #10 claims to have seen contractors build this
- 4/23/2025
 - Excavator moved and parked near wetlands area
 - Stump Jeremy dropped on 380 King St's property line on 3/22 was moved to another spot on the property line, appears to have been flipped upright
 - 380 King St Unit #10 and occupant of #6 claim to have seen a large fuel truck down in wetlands area fueling the excavator
 - Large dumpster being filled with debris from construction work inside
 - This is the 3rd dumpster to be used for inside renovation project
 - Other 2 were removed after being completely filled
 - Called building dept 4/24 and confirmed there are no active permits for interior renovations
 - Only current active permit is for the outdoor bar structure

- This structure is already in use for events without permit being closed
- 4/24/2025
 - Excavator being loaded onto truck for removal
- 4/25/2025
 - Contractor van parked near construction dumpster/basement garage door
 - Has been seen on the property most days since end of March
 - Red truck parked in the wetlands area before/during an event
- 4/28/2025
 - Red truck parked near the wetlands area
 - Contractor van parked near construction dumpster/basement garage door
 - Dumpster filled with debris including a wet sink
 - This means there is unpermitted plumbing involved in the work being done
- FB Posts
 - Outdoor bar and menu available for events
 - Construction happening before permits are filed/approved
 - Before/After photos of various projects for reference
 - **Posts related to Upcoming Mother's day event 5/4/2025**
 - **50+ vendors**
 - **Marketed as indoors and outdoors**
 - **Music, drinks, food, etc**
 - **Has been advertised on several platforms**
 - **Over 250 people on Facebook alone have expressed interest in attending this event**
 - Pictures showing internally illuminated signs
 - Picture showing Knights of Columbus sign telling guests to keep all drinks indoors
 - Jeremy now serves drinks outside at his outdoor bar area
 - Picture from 7/8/2023 showing Skytop vehicle parked on lot 47-5-1
 - Need to zoom in to wooded area
 - Also shows how much trees there were between 380 King St and Luna's previously
- Emails with City of Bristol
 - Prior emails I have sent to City of Bristol employees on this subject
 - Please review for additional details of the issue













































April 28, 2025

Rafal Zagrobelny + Marzena Gap
225 East Main Street
Bristol Ct, 06010

Re: Cease and Correct –Cutting Trees And Demolishing A Building In A Regulated Area Without A Permit Or Erosion Control–225 East Main Street Bristol, CT 06010

Based on a recent inspection of the above-mentioned property, it appears that there are current activities that are in violation of the City's Inland Wetlands and Flood Plain Regulations. Based on the city records, you own this property. It appears that trees have been cut down in the wetlands area, the garage was demolished, and the proper required erosion control was never installed. All work was conducted without the proper permits. This activity is not allowed.

You are required to take the following actions and repairs.

- Immediately cease all work in the regulated area
- Submit a plan, and obtain the proper permits

You are required to attend the next scheduled Inland Wetlands meeting on **May 5, 2025** at 6:30 pm at 111 North Main Street Bristol, CT 06010 or via Zoom. Please contact the Engineering Department with questions or concerns at 860-584-6115. The failure to comply with the above request will subject you to further regulatory action, including but not limited to, legal fines and/or penalties by the City.

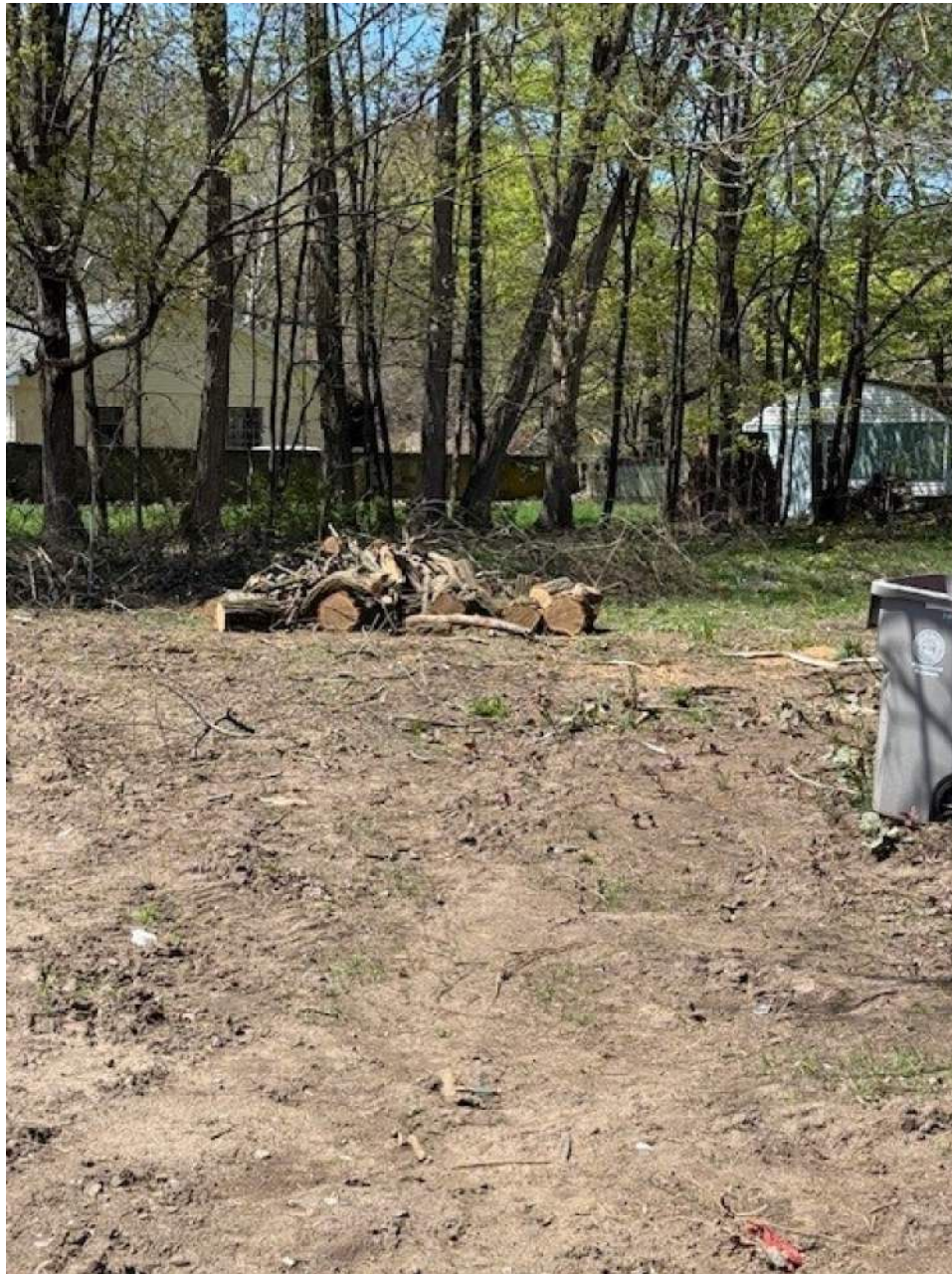
Sincerely,

Zachary Norton
Environmental Protection Technician

cc: Inland Wetlands Commission
Environmental Engineer









**Connecticut Department of
Energy & Environmental Protection**
Bureau of Materials Management & Compliance Assurance
Engineering & Enforcement Division

Permit Application for the Use of Pesticides in State Waters

Affiliations:

Description: (Jacklin Rod & Gun Pond) Aquatic Pesticide Treatment

Filed By: **Kyle Waters**

E-mail: kyle@thepondandlake.com

Affiliations

Type	Name	Mailing Address	Business Phone	Contact
Applicant	STAHL HOLDINGS, LLC	1112 FEDERAL RD BROOKFIELD, CT 06804, US	203-885-0184	LISA MARIAKAKIS 203-885-0873 LISA@THEPONDANDLAKE.COM
Billing Contact	STAHL HOLDINGS, LLC	1112 FEDERAL RD BROOKFIELD, CT 06804, US	203-885-0184	LISA MARIAKAKIS 203-885-0873 LISA@THEPONDANDLAKE.COM
Primary Contact	STAHL HOLDINGS, LLC	1112 FEDERAL RD BROOKFIELD, CT 06804, US	203-885-0184	NICK MCMAHON 203-885-0184 NICK@THEPONDANDLAKE.COM
Owner	JACKLIN ROD AND GUN CLUB INCORPORATED	697 Beecher Rd Wolcott, CT 06716,	860-940-8641	Darren Whitman 860-940-8641 d_whitman@att.net
Pesticide Applicator	STAHL HOLDINGS, LLC	1112 FEDERAL RD BROOKFIELD, CT 06804, US	203-885-0184	NICK MCMAHON 203-885-0184 NICK@THEPONDANDLAKE.COM

Part I: Application Type and Description

Application Type

This application is to request (check one):

- ☐ One year permit
- ☐ Two year permit
- ☒ Three year permit

Note: Multi-year permits will be issued at the Department of Energy and Environmental Protection's (DEEP) discretion.

- ☐ Check here if DEEP has previously issued an Aquatic Pesticide Permit for this site.

Town where site is located: **Bristol, Wolcott**

Brief Description of Project: **(Jacklin Rod & Gun Pond) Aquatic Pesticide Treatment**

Part II: Fee Information

An application fee of \$200.00 [#1009] is to be submitted with each permit that you are applying for. Each site requires a separate permit. The application will not be processed without payment of the fee. If you are applying for a multi-year permit, see Part II of the [instructions](#)

for information on fee payment. There is no discount for municipalities. The fee shall be non-refundable and shall be paid by e-check or credit card to the Department of Energy and Environmental Protection.

Part III: Site Location

Name of Waterbody **Jacklin Rod & Gun Pond**

SITE LOCATION

697 Beecher Rd, Wolcott, CT 06716 , [Wolcott]

Part IV: Applicant Information

☒ Additional information is required for applicant

Please indicate the type of business

☐ corporation

☒ limited liability company

☐ limited partnership

☐ limited liability partnership

☐ statutory trust

☐ other

ii) provide Pesticide Application Business Registration Number: **b2764**

Registration Expiration Date **08/31/2025**

b) Applicant's relationship to the property at which the proposed activity is to be located:

☐ site owner

☐ option holder

☐ lessee

☐ easement holder

☐ operator

☒ pesticide applicator

☐ other

2. Owner Information

a. If known, list the name and address of all owners of the area(s) to be treated. If unsure, go to item #2b.

Name of Owner	Address
JACKLIN ROD AND GUN CLUB INCORPORATED	697 Beecher Rd Wolcott, CT 06716,

b. If the applicant is unsure of who owns an area(s) to be treated, provide the name and address for all shoreline property owners located 200 feet or less from such area. However, if the applicant does know who owns the area to be treated, then return to the 'Companies/Entities/Individuals Associated with the Filing' section by selecting the arrow in the top left corner of this screen and add the Owner(s).

Does the State of Connecticut own any portion of the area to be treated?

☐ Yes

☒ No

**If an area(s) to be treated is owned or controlled by the state of Connecticut, see [instructions](#)*

for submitting an application to the DEEP Land Acquisition and Management Unit (LAM) for review and approval of the proposed treatment on state property. A LAM Authorization letter must be submitted as Attachment G for any application involving treatment of a waterbody that is owned or controlled by the state of Connecticut.

3. Pesticide Applicator

Is this a Commercial Application?

☒ Yes

☐ No

Pesticide application Certification Number **PMCS.0065473**

Pesticide application Certification Expiration Date **01/31/2027**

Part V: Additional Information

If the applicant is submitting this application on behalf of someone else, identify the person(s) or organization(s) seeking to have pesticides applied to the treatment area(s) and provide the following information. If more than one person or organization is being represented, attach additional sheets providing the information requested below.

Name	Mailing Address	Business Phone	Contact Person
JACKLIN ROD AND GUN CLUB INCORPORATED	697 Beecher Rd Wolcott, CT 06716	8609408641	Darren Whitman

Part VI: Site Information

1. COASTAL AREA

Is this pesticide application located in the municipality within the coastal area? (check town list in the instructions)

☐ Yes

☒ No

For assistance in determining if the water being treated is affected by tidal water as described above or in completing the Coastal Consistency Review form, contact the Office of Long Island Sound Programs (OLISP) at 860-424-3034.

2. NATURAL DIVERSITY DATA BASE (NDDDB) - ENDANGERED OR THREATENED SPECIES

According to the most current 'Natural Diversity Data Base Areas Maps', will the activity which is the subject of this application, including all impacted areas, be located within an area identified as, or otherwise known to be, a habitat for state listed endangered, threatened or special concern species?

☐ Yes

☒ No

Date of Map **12/2024**

3. AQUIFER PROTECTION AREAS

Is the site located within a town required to establish Aquifer Protection Areas, as defined in section 22a-354a through 354b of the General Statutes (CGS)?

☒ Yes

☐ No

To view the applicable list of towns and maps visit the DEEP website at <http://www.ct.gov/deep/aquiferprotection>

If yes, is the site within an area identified on a Level A or Level B map?

☐ Yes

☒ No

4. CONSERVATION OR PRESERVATION RESTRICTION

Is the property subject to a conservation or preservation restriction?

☐ Yes

☒ No

5. TYPE OF AREA TO BE TREATED

Select area type

☐ Tidal Waters

☒ Pond or Lake

☐ Stream

6. PUBLIC WATER SUPPLY WATERSHED

Is the waterbody located in a public water supply watershed?

[\(See instructions\)](#)

☐ Yes

☒ No

7. WATERBODY LOCATION FROM PUBLIC WATER SUPPLY

Is the waterbody potentially located 200 ft. or less from a public water supply well?

☐ Yes

☒ No

8. Where does the waterbody flow to?

Name of receiving stream or waterbody? **Unnamed stream**

Is the outflow usually flowing?

☐ Yes

☒ No

Can outflow be stopped?

☐ Yes

☒ No

9. SIZE OF WATERBODIES TO BE TREATED

Identify the size of the waterbody(ies) and the portion of the waterbody(ies) to be treated. Refer to the

[instructions.](#)

What type of waterbodies will be treated?

☒ Ponds and Lakes

☐ Streams and Rivers

Will more than 80 Acres be treated?

☐ Yes

☒ No

Name of Waterbody	Total Acres	Average Depth ft.	Total Volume Acre ft.	Acres	Volume Acre ft.
Jacklin Rod & Gun Pond	23	3.5	80.5	23	80.5

10. PROPOSED PRODUCT TO BE USED

Identify each proposed product to be used, the amount per treatment, the number of treatments and the surface area (acres) or volume (acre feet) of water to be treated with that product. If more than one waterbody will be treated, provide this information for each waterbody. Provide quantities using only in the units specified in the [instructions](#).

Name of Waterbody	Full Product Name	Active Ingredient	Amount per Treatment	Measurement Units	Number of Treatment	Acres	Volume Acre-ft
Jacklin Rod & Gun Pond	Green Clean Pro	Sodium Carbonate Peroxyhydrate (85.0%)	4025	Pounds	3	23	80.5
Jacklin Rod & Gun Pond	Reward	Diquat Dibromide (37.3%)	15	Gallons	3	10	0
Jacklin Rod & Gun Pond	Clipper	Flumioxazin (51.0%)	7.5	Pounds	3	10	0
Jacklin Rod & Gun Pond	Clearcast	Ammonium Salt of Imazamox (12.1%)	0.5	Gallons	1	0.5	0
Jacklin Rod & Gun Pond	AquaPro	Glyphosate (isopropylamine salt) (53.8%)	1.5	Quarts	1	0.5	0

11. PUBLIC ACCESS

Does the waterbody have public access?

☐ Yes

☒ No

12. STATE-OWNED BOAT LAUNCH

Is there a

[state-owned boat launch?](#)

☐ Yes

☒ No

13. STOCKED WITH FISH

Is the waterbody stocked with fish by the state?

☐ Yes

☒ No

14. USE OF WATERBODY

Identify use(s) of waterbody:

- ☐ Domestic Water Supply
- ☐ Irrigation
- ☐ Watering Livestock
- ☐ Swimming
- ☒ Fishing
- ☐ None

15. DOWNSTREAM USERS AFFECTED BY TREATMENT

Are there any downstream users of the water who may be affected by treatment?

- ☐ Yes
- ☒ No

16. PRIVATE DRINKING WELLS

Within 200 ft. inclusive of the treatment area are there any private drinking water wells 50 ft. or less from the shoreline?

- ☐ Yes
- ☒ No

17. PLANTS OR ANIMALS TO BE CONTROLLED

Identify all plants or animals to be controlled: **Algae, Dwarf-hair grass, Spatterdock, Bur Reed, Big-leaf Pondweed, Phragmites**

18a. FISH PRESENT

Identify all types of fish present: **Trout, Bass, Bluegill, Minnow, Sunfish**

18b. ALKALINITY OF WATER

If a copper-based product will be used and there are fish species sensitive to copper, what is the alkalinity of the water to be treated? Please include units.

Value

19. TIME PERIOD OF PESTICIDE USE

Projected Date(s) of Pesticide Use **April to October**

20. PRIOR YEARS CHEMICALS WERE APPLIED TO WATERBODY

List prior years in which chemicals were applied to this waterbody: **N/A**

Part VII: Supporting Documentation

Be sure to read the instructions (DEEP-PEST-INST-200) to determine whether the attachments listed are applicable to your specific activity. Check the applicable box below for each attachment being submitted with this application form. When submitting any supporting documents, please label the documents as indicated in this part (e.g., Attachment A, etc.) and be sure to include the applicant's name as indicated on this application form.

☒ **Attachment A - Aerial Map**

File name: Jacklin Rod & Gun Pond Aerial.pdf

File Update Date: 04/10/2025 07:15:52

☒ **Attachment B - Applicant Compliance Review Form**

File name: compliance_form.doc.pdf

File Update Date: 12/16/2022 14:22:37

[Applicant Compliance Information Form](#)
(DEEP-APP-002), if applicable.

☐ **Attachment C - Coastal Consistency Review Form**

[Coastal Consistency Review Form](#)
(DEEP-APP-004), if applicable.

☐ **Attachment D - NDDB Determination Response**

A copy of the NDDB Determination response letter that has not expired, if applicable. Include a copy of any mitigation measures developed for this activity and approved by NDDB. Do not submit any NDDB Preliminary Site Assessments with your application. Be aware that you must renew your NDDB Determination if it expires before project work commences.

☐ **Attachment E - Verification of Notification to Local Inland Wetland Agency**

Verification of Notification to Local Inland Wetland Agency:

Note:

To submit your Verification of Notification to Local Inland Wetland Agency, you must first complete all other portions of this application, select 'Save', then select 'Download PDF' from the bottom of this screen to download a copy of your application.

You must send a copy of your completed application to the local Inland Wetland Agency, and then return to this application page to upload your verification as Attachment E above.

You will then be able to submit your completed application for review.

The following are acceptable forms of Verification of Notification:

- copy of a certified mail receipt, or*
- a copy of the application stamped and dated as received by the local inland wetlands agency, or*
- an e-mail from the local inland wetlands agency verifying that this completed application has been received by such agency. If sending via email, you must first contact the local inland wetlands agency to verify that this method of delivery is acceptable.*

Refer to the
[instructions](#)

☐ **Attachment F - Conservation or Preservation Restriction Information**

Conservation or Preservation Restriction Information, if applicable.

☐ **Attachment G - DEEP Land Management Unit Authorization**

DEEP Land Management Unit's Authorization letter for treatment of a state-owned or controlled waterbody and/or use of a state-owned boat launch, if applicable.

☐ **Attachment H - Approval under G.P. for Point Source Dischargers to Waters of the State from Application of Pesticides**

Approval under the
[General Permit for Point Source Discharges to Waters of the State from the Application of Pesticides](#)
, if applicable.

☐ **Attachment I - Department of Public Health comments**

Department of Public Health comments if the proposed treatment area(s) is located 200 ft. or less from a public water supply well or if the waterbody is located within a public water supply watershed and the application proposes the use of flumioxazin or triclopyr.

☐ **Attachment J - Other Supporting Documents**

If you have additional documents or information to support your application that are not otherwise specified above, upload them here. This can include recent vegetation surveys, long term management plans or other information specific to your site that could aid in the review of



**Connecticut Department of
Energy & Environmental Protection**

DEEP ONLY

App. No. _____

Co./Ind. No. _____

Applicant Compliance Information

Applicant Name: Stahl Holdings LLC: DBA The Pond and Lake Connection

Mailing Address: 1112 Federal Rd.

City/Town: Brookfield

State: CT

Zip Code: 06804

Business Phone: 203-885-0184

ext.:

Contact Person: James Gorman

Phone: 845-798-9383 ext.

***E-mail: james@thepondandlake.com**

If you answer yes to any of the questions below, you must complete the Table of Enforcement Actions on the reverse side of this sheet as directed in the instructions for your permit application.

- A. During the five years immediately preceding submission of this application, has the applicant been convicted in any jurisdiction of a criminal violation of any environmental law?

☐ Yes ☒ No

- B. During the five years immediately preceding submission of this application, has a civil penalty been imposed upon the applicant in any state, including Connecticut, or federal judicial proceeding for any violation of an environmental law?

☐ Yes ☒ No

- C. During the five years immediately preceding submission of this application, has a civil penalty exceeding five thousand dollars been imposed on the applicant in any state, including Connecticut, or federal administrative proceeding for any violation of an environmental law?

☐ Yes ☒ No

- D. During the five years immediately preceding submission of this application, has any state, including Connecticut, or federal court issued any order or entered any judgement to the applicant concerning a violation of any environmental law?

☐ Yes ☒ No

- E. During the five years immediately preceding submission of this application, has any state, including

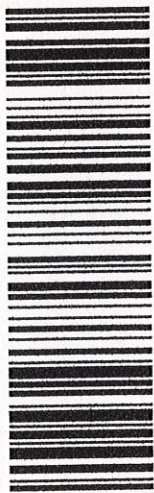
Connecticut, or federal administrative agency issued any order to the applicant concerning a violation of any environmental law?

☐ Yes

☐ No

and Lake Connection
eral Road
id, CT 06804

CERTIFIED MAIL



9589 0710 5270 0742 2822 66

B/C

City of Bristol Conservation Commission
111 North Main Street
Bristol, CT 06010

FIRST-CLASS



US POSTAGE



ZIP 06266 \$ 006.62⁰
02 7H
0001317089 APR 10 2025

Date: April 28, 2025

From: Richard J. Masotti, Sr, LLC Builder

To: Anthony Lorenzetti agent to city of Bristol IWWCC

Subject: Transfer Wetlands Permit on lot #16-1G Perkins Street, Bristol, CT from D'Amato Construction to Richard J Masotti, Sr, LLC Builder, 161 Maxine Road, Bristol, CT 06010.

Thank you,

Richard J. Masotti, Sr. Phone # 860-989-6854

Date: April 30, 2025

From: Phillip Violette (DBA- P. Violette Construction and Remodeling LLC)

To: Anthony Lorenzetti agent to City of Bristol IWWCC

Subject:

Transfer Wetlands Permit for lot #6 1980 Perkins Street, Bristol, CT from D'Amato Construction to P. Violette Construction and Remodeling LLC/ Phillip Violette of 729 Matthews Street, Bristol, CT 06010.

Thank you,

Phillip Violette
(P. Violette Construction and Remodeling. LLC)
729 Matthews Street
Bristol, CT. 06010

Cell phone # 860-406-1277

Email: phillip_violette@yahoo.com

Date: April 30, 2025

From: Phillip Violette (DBA- P. Violette Construction and Remodeling LLC)

To: Anthony Lorenzetti agent to City of Bristol IWWCC

Subject:

Transfer Wetlands Permit for lot #5 1970 Perkins Street, Bristol, CT from D'Amato Construction to P. Violette Construction and Remodeling LLC/ Phillip Violette of 729 Matthews Street, Bristol, CT 06010.

Thank you,

Phillip Violette
(P. Violette Construction and Remodeling. LLC)
729 Matthews Street
Bristol, CT. 06010

Cell phone # 860-406-1277

Email: phillip_violette@yahoo.com



City of Bristol
DEPARTMENT OF PUBLIC WORKS
BRISTOL, CONNECTICUT 06010

Inland Wetlands
Environmental Protection Technician
Monthly Report

April 28, 2025

Approved Applications Inspections

No.	Location	Description	Inspection Dates	Status
#1593	Cedar Hill Lots 12-42	Open space subdivision - Residential building lots (Exp. 20270519)	4/4, 4/11, 4/18, 4/25	Act
#1567	Allentown Road (Wood shire)	Wetland crossing with residential community (Exp. 20260919)	4/4, 4/11, 4/18, 4/25	Inact
#1819	Allentown Road (Saddlebrook)	Grading and water lateral installation (Exp. 20270417)	4/4, 4/11, 4/18, 4/25	Inact
#1827	894 Middle Street	Environmental remediation (Exp. 20270717)	4/3, 4/10, 4/17, 4/24	Inact
#1883	40 Janice Lane	Construct of 2 car garage (20240904)	4/4, 4/11, 4/18, 4/25	Expired
#1889	35 Kory Lane	Remove and replace existing dock (20241106)	4/4, 4/11, 4/18, 4/25	Expired
#1890	20 Beechwood Street	Construct addition, pool, and infiltration system (20250205)	4/4, 4/11, 4/18, 4/25	Inact
#1891	Barnum Road	Clean detention ponds and existing debris piles (20250205)	4/4, 4/11, 4/18, 4/25	Inact
#1893	150 Century Drive	Construct drainage area and parking (20250304)	4/3, 4/10, 4/17, 4/24	Expired
#1894	315 Shrub Road	Reconstruct road for earth removal (20250304)	4/3, 4/10, 4/17, 4/24	Expired
#1896	50 Terryville Avenue	Construct Gas Station (20250506)	4/3, 4/10, 4/17, 4/24	Act
#1897	7 Royal Drive	Install shed, basketball court, above ground pool (20251007)	4/3, 4/10, 4/17, 4/24	Inact
#1898	132 Marcia Drive	Grade, install patio, and fence (20250506)	4/3, 4/10, 4/17, 4/24	Inact
#1901	105 Maxine Drive	Install pipe, fence, and bridge (20250902)	4/3, 4/10, 4/17, 4/24	Expired
#1902	44 Nelson Farm Road	Addition 22x12 w/ Bioswale (20250805)	4/3, 4/10, 4/17, 4/24	Inact
#1903	16 Great Pyrenees Way	Construct in ground pool (20250805)	4/3, 4/10, 4/17, 4/24	Inact

No.	Location	Description	Inspection Dates	Status
#1904	Huntington Woods	Replace 60" CMP with HDPE (20250805)	4/4, 4/11, 4/18, 4/25	Act
#1907	115 Lakewood	Construct 20x40 addition (20251007)	4/4, 4/11, 4/18, 4/25	Inact
#1908	351 Minor Street	Construct Oil/Propane facility (20251202)	4/3, 4/10, 4/17, 4/24	Act
#1909	21 Sonstrom Road	Construct Garage (20251202)	4/3, 4/10, 4/17, 4/24	Expired
#1915	505-545 Redstone Hill Road	18 Lot Subdivision (20260505)	4/3, 4/10, 4/17, 4/24	Inact
#1919	258 Brook Street	Demo existing garage, replace with 3 car garage (20260407)	4/3, 4/10, 4/17, 4/24	Inact
#1922	71 Horizon Drive	Parking lot construction. Modification of #1848 (20260505)	4/3, 4/10, 4/17, 4/24	Inact
#1925	66 Vermont Avenue	Removal of smaller trees and grading (20260505)	4/3, 4/10, 4/17, 4/24	Inact
#1933	Lot 2 Business Park Drive	Filling & grading for parking area to new building (20260707)	4/3, 4/10, 4/17, 4/24	Inact
#1934	Glenn Street	Harding a section to allow passage of woodland machinery (20260707)	4/3, 4/10, 4/17, 4/24	Inact
#1936	52 Shelia Court	Construct 20 new spaces with related storm water management (20260707)	4/3, 4/10, 4/17, 4/24	Inact
#1937	Lot 18 Donovan Court	Construct new house (20260901)	4/4, 4/11, 4/18, 4/25	Inact
#1945	Lake Avenue Bridge 017005	Bridge replacement (20261006)	4/3, 4/10, 4/17, 4/24	Inact
#1946	175 Century Drive	28,875 SF addition to existing facility (20261006)	4/3, 4/10, 4/17, 4/24	Inact
#1949	23 Columbus Avenue	Install in-ground pool (20261103)	4/3, 4/10, 4/17, 4/24	Inact
#1950	801 Burlington Avenue	Construct single family home (20261103)	4/3, 4/10, 4/17, 4/24	Inact
#1951	Lot 7B 1-2 Marsh Road	Construct single family home (20261103)	4/3, 4/10, 4/17, 4/24	Inact
#1966	183 Foxden Road	Extend sanitary sewer to service two lots (20270202)	4/3, 4/10, 4/17, 4/24	Inact
#1968	175 Shrub Road	One mile Hiking Trail elevated boardwalks (20270202)	4/3, 4/10, 4/17, 4/24	Inact
#1970	16 Andrews Street	paved parking lot and area of grading (20270406)	4/3, 4/10, 4/17, 4/24	Inact
#1972	34 Climbing Street	New deck and in-ground swimming pool (20270406)	4/3, 4/10, 4/17, 4/24	Inact
#1974	Memorial Blvd	Removal of tennis courts and planting of a new urban garden(20270406)	4/3, 4/10, 4/17, 4/24	Act
#1977	Wolcott Street	installation of temporary bypass pipe in culvert for repairs (20270406)	4/4, 4/11, 4/18, 4/25	Inact

No.	Location	Description	Inspection Dates	Status
#1983	243 Jacobs Street	Regrade River at Rockwell Park (20270801)	4/4, 4/11, 4/18, 4/25	Inact
#1984	Jerome Ave Bridge	Replace Pedestrian Bridge (20270711)	4/3, 4/10, 4/17, 4/24	Act
#1986	85 Buckley Ave	Construct Garage Addition (20270711)	4/4, 4/11, 4/18, 4/25	Inact
#1988	Lot# 7-1 Terryville Road	Commercial Building (20270801)	4/4, 4/11, 4/18, 4/25	Act
#1989	177 Corbin Ridge	Retaining Wall, Above Ground Pool, And Deck (20270711)	4/4, 4/11, 4/18, 4/25	Inact
#1990	29 Woodside Way	Inground Pool (20270711)	4/3, 4/10, 4/17, 4/24	Inact
#1991	62 Litchfield Lane	Inground Pool (20270711)	4/4, 4/11, 4/18, 4/25	Inact
#1993	21 Royal Drive	Grading and Drainage in Rear Yard (20270801)	4/3, 4/10, 4/17, 4/24	Inact
#1998	76 Mountain View Ave	Inground Pool (20270912)	4/3, 4/10, 4/17, 4/24	Inact
#2000	Shrub Rd/ Jerome Ave	Sidewalk Improvement, and pedestrian Bridge (20280109)	4/3, 4/10, 4/17, 4/24	Inact
#2002	1261 & 1265 Farmington Ave	Construct Medical Office, Restaurant, and Car Wash (20280109)	4/3, 4/10, 4/17, 4/24	Act
#2003	50 Terryville Rd	Pond Maintenance (20280109)	4/4, 4/11, 4/18, 4/25	Act
#2004	Mellen Street Bridge	Bridge replacement (20280206)	4/3, 4/10, 4/17, 4/24	Complete
#2005	71 Minnesota Lane	Construct a 20x30 Garage (20280306)	4/4, 4/11, 4/18, 4/25	Inact
#2007	109 Moody Street	Construction Of A Plate Arch Spanning The Watercourse (20280501)	4/3, 4/10, 4/17, 4/24	Inact
#2008	205 Pennwood Place	Install 20x40 Inground Pool (20280501)	4/4, 4/11, 4/18, 4/25	Inact
#2010	Clark Ave Lot 271-1A	Mixed use development (20280710)	4/4, 4/11, 4/18, 4/25	Inact
#2012	812 Redstone Hill Road	New In-Ground Pool (20280710)	4/3, 4/10, 4/17, 4/24	Inact
#2013	54 Merrill Court	Repair of Septic System (20280710)	4/4, 4/11, 4/18, 4/25	Inact
#2015	Page Park	Park Renovations and Improvements (20281205)	4/3, 4/10, 4/17, 4/24	Act
#2016	Downs Street Bridge	Replacement of Bridge (20281205)	4/3, 4/10, 4/17, 4/24	Inact
#2018	East Street Bridge	Replacement of Bridge	4/3, 4/10, 4/17, 4/24	Act

No.	Location	Description	Inspection Dates	Status
#2033	1001 Stafford Ave	Top Soil And Seed Existing Field	4/3, 4/10, 4/17, 4/24	Inact
#2020	Maltby Street	Restoration of Whitebridge Waterworks Facility (10/7/2029)	4/3, 4/10, 4/17, 4/24	Inact
#2022	120 Perkins Street	Piping of Existing Channel (10/7/2029)	4/4, 4/11, 4/18, 4/25	Inact
#2027	300 Broad Street	Restoration of Rip Rap Along Channel Bed (10/7/2029)	4/3, 4/10, 4/17, 4/24	Inact
#2029	315-350 Divinity	Replacement of Culvert (10/7/2029)	4/4, 4/11, 4/18, 4/25	Inact
#2032	Minor Street at Hill	Reconstruction of Minor Street (10/7/2029)	4/3, 4/10, 4/17, 4/24	Inact
#2036	236 Robertson Street	Construction of Garage (10/7/2029)	4/4, 4/11, 4/18, 4/25	Inact
#2037	Old Wolcott Road	Construct single family home (10/7/2029)	4/4, 4/11, 4/18, 4/25	Inact
#2038	632 Village Street	Pool (10/7/2029)	4/3, 4/10, 4/17, 4/24	Inact
#2039	36 Anthony Drive	Remove Deck / New Addition (10/7/2029)	4/4, 4/11, 4/18, 4/25	Inact
#2040	37 Main Street	Construct Commercial Development (10/7/2029)	4/3, 4/10, 4/17, 4/24	Inact
#1948	225/247 Park Street	Install pavilion, sidewalks, retaining walls, watercourse stabile (20261006)	4/4, 4/11, 4/18, 4/25	Act
#2042	Memorial Blvd	Construct 5 Ft ADA Sidewalks	4/3, 4/10, 4/17, 4/24	Inact
#2043	Rockwell Park	Construct 5 Ft ADA Sidewalks	4/3, 4/10, 4/17, 4/24	Inact
#2044	Davis Drive	Rehab of Road, Sidewalks, and Buildings	4/3, 4/10, 4/17, 4/24	Inact

SPECIAL INSPECTION:

Lot 13-1 Waterbury Road- 20220417 - During a drive by of the property, it was discovered that clearing of trees was being done in a regulated area, EPT called the current property owner and set up a meeting. 20220418 - EPT met with the property owners and explained that their property was in a regulated area, P/O agreed to install temporary silt fence at the bottom of the slope, and then immediately stop all work until they obtain a wetlands permit- **Pending**

275 Silo Road- 20250408- An on site inspection was conducted due to complaints of work being done in the wetlands area without a permit. Upon inspection it was discovered that trees were being removed, and the lot was being cleared in preparation to construct a new house- **Cease and Correct.**

C. O. INSPECTIONS:

NOTICE AND NOTICE OF VIOLATION LETTERS:



April 8, 2025

Vito Rubin
43 Whispering Pines Drive
Plantsville CT, 06479

**Re: Cease and Correct –Cutting Trees And Clearing Land In A Regulated Area
Without A Permit –275 Silo Road Bristol, CT 06010**

Based on a recent inspection of the above-mentioned property, it appears that there are current activities that are in violation of the City's Inland Wetlands and Flood Plain Regulations. Based on the city records, you own this property. It appears that trees have been cut down in the wetlands area, and the lot has been cleared without a permit. This activity is not allowed.

You are required to take the following actions and repairs.

- Immediately cease all work in the regulated area
- Submit a plan, and obtain the proper permits

You are required to attend the next scheduled Inland Wetlands meeting on **May 5, 2025** at 6:30 pm at 111 North Main Street Bristol, CT 06010 or via Zoom. Please contact the Engineering Department with questions or concerns at 860-584-6115. The failure to comply with the above request will subject you to further regulatory action, including but not limited to, legal fines and/or penalties by the City.

Sincerely,

Zachary Norton
Environmental Protection Technician

cc: Inland Wetlands Commission
Environmental Engineer

