

**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 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