

**BRISTOL INLAND WETLANDS COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY MAY 6, 2020**

WEBEX MEETING: CALL IN OR LOG IN
<https://bristolct.my.webex.com/bristolct.my/j.php?MTID=meeb7315b0b90292b853a8d49390673fe>
 To join by phone: Call 1-408-418-9388
 Meeting Number: 798 609 529
 Meeting Password: 123456

CALL TO ORDER:

By: Chairman Fisk

Time: 7:05 P.M.

Place: City Hall

ROLL CALL:

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS:	Zachary Fisk (Chairman)	X	
	Chet Reed (Vice Chairman)	X	
	Sebastian Panioto (Secretary)	X	
	Michael Robinson	X	
	James Carros	X	
	David Rooks	X	
	Tammy Kelly	X	
ALTERNATE MEMBERS	David Scarritt	X	
	Daniel Massaro, Jr.	X	
	Carolyn Checovetes	X	
STAFF	Carol Noble, P.E., Environmental Engineer	X	

PLEDGE OF ALLEGIANCE

INTRODUCTIONS AND SEATING OF ALTERNATES

PUBLIC PARTICIPATION (NON-PENDING APPLICATIONS)

There was no public participation.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes – April 1, 2020

MOTION: Move to approve the minutes of the April 1, 2020, regular meeting, as written.

By: Robinson

Seconded: Carros

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

PUBLIC HEARINGS:

2. Application #1896 – Wetlands Application to construct a commercial building of 2,088 sq. ft. with gasoline pumps; 50 Terryville Avenue; Assessor’s Map 22, Lot 10; ANZ Petroleum, Inc., applicant – (Continued from April 1, 2020.)

The Commission acknowledged receipt of the following items in their electronic packets: Assessor’s Map with Inland Wetlands Watercourse Layers; Application; Authorization form dated February 20, 2020, from Riaz Uddin, ZMA Real Estate, LLC, regarding representation of Attorney James Ziogas Jr., Plans (Electronic Copy Only); a low impact development summary letter dated April 23, 2020, from David Hughes, P.E., L.S., regarding the stormwater management narrative with an attached Stormwater Management Report, entitled "*Stormwater Management Report, Prepared for ZMA Real Estate, LLC, 50 Terryville Avenue, Bristol, CT, dated February 24, 2020, revised date April 15, 2020, Prepared by David A. Hughes, Professional Engineer & Land Surveyor*"; *Water Quality Volume Calculations, dated April 15, 2020; a letter dated April 23, 2020, from David Hughes, P.E., L.S., regarding response comments*; and Site photos entitled "Application #1896 – 50 Terryville Avenue, Photo 1 looking north at site; Photo 2 looking east from northwest corner of site; Photo 3 looking southeast from northwest corner of site and Photo 4 looking west from northeast corner of site.

MOTION: Move to reopen the Public Hearing for Application #1896.

By: Robinson

Seconded: Carros

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The public hearing is opened.

David Hughes, P.E., L.S.
57 Norway Street
Oakville, CT 06779

Attorney James Ziogas, Jr.
104 Bellevue Avenue
Bristol, CT 06010

ANZ Petroleum, Inc.
50 Terryville Avenue
Bristol, CT 06010

Riaz Uddin
ZBA Real Estate, LLC
8 Burnham Street, STE 1B
Terryville, CT 06786

Attorney James Ziogas, representing the applicant addressed the Commission regarding the three issues that were of concern at the last meeting, the integrity of the retaining wall in the rear of the property, storm water quality from the level spreader to the west and whether or not it was sized correctly in regards to the roof leaders, and the types of grasses that will be planted for stabilization purposes. Attorney Ziogas invited David Hughes to address the concerns.

David Hughes addressed the Commission in detail regarding each issue.

Comment 1: Evaluation of existing retaining wall: The structural engineer conducted his evaluation and submitted the full report to City Staff. The wall was found to be stable when subjecting the top of the wall with human live load. The wall does not appear to exhibit any horizontal displacement. There was some deterioration in cap blocks and the face shell is missing in one masonry unit in the top course located near the midpoint of the wall. The wall can be expected to remain stable in its current condition provided no additional load is added to the wall. To extend the life of the wall it was recommended that the missing cap blocks and face shell be replaced. The cracks observed in the face shell should also be repaired using epoxy-injection grout.

Comment 2: Proposed vegetation characteristics to address adequacy of stabilization: The toe of the fill slope has been relocated. It has been moved closer to the parking area in order to create a shelf at the existing grade. The grass proposed for the fill slopes is New England Erosion Control/Restoration Mix for Dry sites provided by New England Wetland Plants, Inc. An Erosion control mat will also be placed down.

Comment 3: Water quality volume for the proposed roof areas: The water quality volumes for the proposed roof areas in level spreader #2 calculated incorrectly in the first report. Updated calculations were provided to the commission depicting adequate water quality column.

Soil erosion and sediment control, the engineer of record shall inspect all site work during construction, provide the town with reports at least once a month and upon completion certify that all site work conforms to the approved plans.

Riaz Uddin, Anz Petroleum; addressed the commission regarding construction and the retaining wall. He also went over the commissions concerns regarding the close proximity of the petroleum tanks to the water course. He reviewed his report to the DEEP regarding spills and overfills. All precautions and guidelines were shared with the commission.

Ms. Noble listed prudent and feasible alternatives for this site in order to approve the application. Ms. Noble agreed that this industry is very highly regulated. It is one program that is enforced strictly by DEEP. LID has been considered and have minimized the pavement, and moved away from the watercourse and the wall. The erosion control is also providing protections. Structural report needs to be clearer and stated that construction needs to be away from the wall. They have met the prudent and feasible criteria.

MOTION: Move to close the Public Hearing for Application #1896.

By: Robinson

Seconded: Panioto

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

No one else spoke in favor of the application.

No one spoke against the application.

The hearing is closed.

MOTION: Move to approve Application #1896 – Wetlands Application to construct a commercial building of 2,088 sq. ft. with gasoline pumps; 50 Terryville Avenue; Assessor's Map 22, Lot 10; ANZ Petroleum, Inc., applicant, in accordance with the plot plan and information submitted with standard stipulations and staff shall monitor construction, especially in vicinity of the wall.

By: Carros

Seconded: Kelly

For: Panioto, Carros, Kelly, Reed, Rooks and Fisk.
Against: Robinson.
Abstained: None.

The application is approved.

NEW APPLICATIONS

- 3. Application #1897 – Wetlands Application to construct a 16 ft. by 24 ft. shed, basketball half court and above ground pool; 7 Royal Drive; Assessor’s Map 64, Lot 6; Casey and Danielle Tabacco, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: Assessor’s Map with Inland Wetlands Watercourse Layers; Application; a letter dated April 9, 2020, from Carol Noble, P.E., Environmental Engineer, regarding alterations to the property and the required application for the shed construction and site alterations; an aerial map of the rear of the property, undated and a rear yard plan for the shed, dated April 1, 2020

Casey and Danielle Tabacco
7 Royal Drive
Bristol, CT 06010

Ms Noble, City Staff, stated that we are waiting on additional information from the applicant regarding a drainage plan and the applicant requested it be continued.

MOTION: Move to receive Application #1897.

By: Robinson

Seconded: Carros

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The application is received.

MOTION: Move to continue Application #1897 at the June 3rd Meeting.

By: Robinson

Seconded: Panioto

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The application was continue.

- 4. Application #1898 – Wetlands Application to install topsoil in low areas in front and back yard; construct 14 ft. by 14 ft. patio; cut down 5 trees; demolish existing deck stairs and construct new deck stairs and railings; install vinyl fence in front and rear yards along property line (front yard Lots 28 & 27; rear yard Lots 28 and 25); rake front and rear yards to level low areas, grass seed and maintenance and enlarge existing driveway additional 50 ft. long by 10 ft. wide (grade is 1.6%.); 132 Marcia Drive; Assessor’s Map 49, Lot 28; Gary Dufresne, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: Assessor’s Map with Inland Wetlands Watercourse Layers; Application and an activity plan list, dated April 24, 2020.

MOTION: Move to receive Application #1898.

By: Robinson

Seconded: Reed

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The application is received.
Gary and Janet Dufresne
132 Marcia Drive
Bristol, CT 06010

Gary and Janet Dufresne addressed the commission regarding the property and what they plan to do. Stated they were not aware their home sat in wetlands as the paperwork from the purchase of the home did not state it was wetlands. Would like to dig an infiltration trench so the water does not pond in the backyard.

Chairman Fisk read into record a letter from the Kern Park Association.

MOTION: Move to declare Application #1898 a non-significant activity.

By: Robinson

Seconded: Carros

For: Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: Panioto.
Abstained: None.

The application was declared a non-significant activity.

MOTION: Move to approve Application #1898- Wetlands Application to install topsoil in low areas in front and back yard; construct 14 ft. by 14 ft. patio; cut down 5 trees; demolish existing deck stairs and construct new deck stairs and railings; install vinyl fence located on side of lot, plant trees in back wetland buffer area; rake front and rear yards to level low areas, grass seed and maintenance and extend existing driveway between sidewalk existing driveway; 132 Marcia Drive; Assessor's Map 49, Lot 28; Gary Dufresne, applicant, with the standard stipulations and with the revised fence location on side lot only, planting of Red Maple and native vegetation in back buffer area, no new fill, except in the hole on the North Side of yard as shown in photos and construct trench on the north side to convey storm water to rear buffer area and allow for infiltration.

By: Robinson

Seconded: Carros

For: Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: Panioto.
Abstained: None.

The application is approved with standard stipulations and previously applied stipulations.
The application was declared a non-significant activity.
No one else spoke in favor of the application

STAFF-APPROVED APPLICATIONS/UNPUBLISHED

5. Administrative Applications Approved

Administrative Applications Approved

App.# Approved Administrative	Street No.	Address	Purpose of App.
101790	282	Wolcott Rd.	shed 12 ft. X 16 ft.; no cement pad; non-permanent shed
101791	45	Rich Lane	6 ft. vinyl fence in backyard
101792	871	Farmington Ave.	Milling and resurfacing of existing asphalt parking/service lot. Replace dock and ramp with concrete paving. Add enviro-hoods to existing catch basins. No change in elevations. Vegetation maintenance will occur in northeast storm water storage area.
101793	40	Tiffany Lane	construct 200 sq. ft. shed
101794	124	Indiana St.	18 ft. X 33 ft. X 54 ft. above ground pool with deck
101795	141	Marcia Dr.	fill in low spots. approx. 3 yards
101797	40	Del Prado Dr.	remove and install original fence. Install 16 ft. X 20 ft. gazebo
101798	88	Allentown Rd.	Construct free standing deck (12ft. X 18 ft.)
Floodplain (Approved)	Street No.	Address	Purpose of App.
20-458F-249	871	Farmington Ave.	Milling and resurfacing of existing asphalt parking/service lot. Replace dock and ramp with concrete paving. Add enviro-hoods to existing catch basins. No change in elevations.
20-458F-250	194	Brook St.	Construct fence in backyard

MOTION: Move to place on file.

By: Robinson

Seconded: Carros

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

The applications are placed on file.

Conservation Commission**STAFF REPORTS**

6. IWEO April 2020 Monthly Report

The Commission acknowledged receipt of the following items in their electronic packets: a copy of the Inland Wetlands Zoning Enforcement Officer inspection report dated April 27, 2020 and an attached letter dated April 8, 2020, from Jason Gagnon, Environmental Protection Technician to Gary and Janet Dufresne, regarding the site concerns.

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

By: Robinson

Seconded: Carros

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.
Against: None.
Abstained: None.

The report is filed.

OLD BUSINESS

Commissioner Panioto inquired about the Superior Electric project.

Ms. Noble updated the Commission on the delay of the project, informed them the start date has been pushed back to June, due to an issue with a property owner.

NEW BUSINESS

7. Election of Officers (July 02, 2019 last election)

Chairman Fisk turned the meeting over to Secretary Sebastian Panioto.

NOMINATIONS:

For Chairman: Fisk was nominated by Reed, seconded by Carros.
Fisk accepted the nomination.

Zachary Fisk continued as Chair of the committee.

Nomination for Vice-Chairman: Reed was nominated by Robinson, seconded by Panioto.
Reed accepted the nomination.

Nomination for Secretary: Panioto was nominated by Reed and seconded by Robinson.
Panioto accepted the nomination.

COMMUNICATIONS

8. Application #1593 – Cedar Hill Subdivision – Monthly Report and Status

The Commission acknowledged receipt of the following items in their electronic packets: a report entitled "*J. Edwards & Associates, LLC, Stormwater Pollution Prevention Plan, Inspection and Maintenance Report, dated April 14, 2020*"; six photographs, undated and a Grading and Stabilization Plan, dated April 17, 2020, prepared by J. Edwards & Associates, LLC.

Larry Edwards
J. Edwards & Associates, LLC
Sachem Capital

9. Chippanee_Golf Course – Update

The Commission acknowledged receipt of the following items in their electronic packets: an e-mail dated April 21, 2020, from Attorney Edward Krawiecki to Carol Noble, P.E., regarding Chippanee Golf Course drainage at the 10th hole and trench hay bales and five photographs, undated.

Attorney Edward Krawiecki
17 Riverside Avenue
Bristol, CT 06010

Juan Rodriguez
Chippanee Country Club
FW Blasius, Jr., LLC
6 Marsh Road
Bristol, CT 06010

10. Postponed Notice: Town of Burlington, Public Hearing Date Change

The Commission acknowledged receipt of the following items in their electronic packets: a public notice, dated April 21, 2020, from the Town of Burlington, regarding Public Hearing Date Change, entitled "*Public Hearing Date Change, Public Hearing for Application 2020-003 Sobota Enterprises Postponed to May 13, 2020.*"

11. Pan Am Railway – Vegetation Management Plan (attached amendment to CT Gen. State Statutes)

The Commission acknowledged receipt of the following items in their electronic packets: a report entitled "*Vegetation Management Plan, Introduction, undated*" and an attached copy of the CT General Assembly amendment to CT Gen. State Statutes, dated January 2017, Amendment LCO No. 8819, Pages 1 of 27, 16 of 27 and 17 of 27.

MOTION: Move to place communications on file.

By: Robinson

Seconded: Carros

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

The communications are placed on file.

MATTERS OF UNANIMOUS CONSENT

ADJOURNMENT

MOTION: Move to adjourn at 9:47 P.M.

By: Reed

Seconded: Rooks

For: Panioto, Robinson, Carros, Kelly, Reed, Rooks and Fisk.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,
Janet Letourneau

Zachary Fisk, Chairman
Inland Wetlands Commission

Sebastian Panioto, Secretary

DRAFT