



**REGULAR MEETING OF THE INLAND WETLANDS AND WATERCOURSES AGENCY
MIDDLETOWN CONNECTICUT
MARCH 6, 2019**

A. Call to Order / Pledge of Allegiance

The meeting was called to order at 7:04 PM with the Pledge of Allegiance. All members are voting members.

Present: Commissioner Joe Carta,
Commissioner Robert Whitney
Commissioner Trevor Davis
Commissioner Fred Terrasi
Commissioner Jennifer Greenberg
Commissioner Kayleigh Pratt
Commissioner Constance Kisluk
Commissioner Paul Dyka
Commissioner David Pritchard
Commissioner Jammie Middleton

Absent: Commissioner Gabriel Russo
Commissioner Jack Pieper
Commissioner Ken McClellan

Staff: Joseph Samolis, Director of PCD
Christine Raczka Marquis, Planning/Environmental Specialist

B. Public Hearing

- 1. Proposed demolition of an existing residential building and garage and construction of four (4) new 2-story residential building with associated parking, walkways and utilities, within 100 ft. upland review area at 173-179 Butternut Street. Applicant/agent Hillside Investments LLC 18-16 (Date of Receipt 1/2/19; Scheduled for a Public Hearing 2/6/19; Tabled to 3/6/19 per applicant's request)**

The Applicant's Attorney, Ralph E. Wilson, Esq., requested that Chris Holden give a presentation to the commission on the City of Middletown's plan to update the storm water drainage system on Butternut St and Thomas St.

Chris Holden, Deputy Director of Public Works, a history of the storm water drainage issue and the plans the Public Works Department has to redirect the storm water to the Butternut System. This will improve water quality in the Butternut Hollow Pond and also the Coginchaug River. It also means that there will be no little to no storm water entering the property.

Joe Carta asked when the City of Middletown planned to finish this project. Chris Holden responded that the project would be completed in approximately three weeks depending on weather.

John Wagenblatt, LS principal, presented an updated site plan that included a loop road to satisfy the fire departments concerns. He also pointed out that the back retaining wall had been removed and was now a sloped hill (14 % change in slope) and that the project called to fill in about 3,100 ft² of wetlands on the site.

Matthew Gustafson, Registered Professional Soil Scientist presented his analysis of the wetlands on the proposed development site. He determined that the wetlands were present due to the amount of storm water present on the site. There is some basal flow of storm water but it is minimal. His analysis concluded that these wetlands were not of high functioning ecosystem value.

Commission Robert Whitney asked for clarity on the proposed storm water system for the site including how deep the storm water tanks would be buried, the type of fill placed around the storm water holding tanks, the type of sediment below the tanks and how permeable to soil is below the storm water system.

John Wagenblatt responded that there would be fill and mat placed under the storm water system. He also answered questions that Commissioner Robert Whitney and Joe Carta had about the storm water system and the way it functions.

Matthew Gustafson, Registered Soil Scientist responded to questions about the fill and soils below the proposed fill material. He stated that the soils below the storm water system were Ludlow soils and that they permeability test indicated 0.21 ft./day.

Commissioner Robert Whitney asked for clarity on the cubic yardage of fill proposed, its composition and the perforated pipe that is proposed for the site. The soil scientist responded that the pipe is meant to relieve hydrostatic pressure from the base flows on the site. He was not sure of the fill composition.

Commission Robert Whitney replied that the City of Middletown would like the information regarding the fill material.

Commissioner Constance Kisluk requested clarity from Chris Holden about the planned drainage project and stated that she had concerns about the amount of maintenance and trainings the proposed storm water system required.

Director Joe Samolis stated that he understood her concerns but that under state law the maintenance/management would be tied to zoning.

The Commission stated that as part of a condition of the permit being approved they would like additional silt fencing and hay bales along the site for sediment and erosion control.

Commissioner Joe Carta expressed frustration that they Commission had received new site plans the day of meeting.

Director Joe Samolis explained that the Commission had received the updated site plans late in the day due to the challenges faced with developing that site. He also stated that the contractor had been working diligently with the City of Middletown to implement their comments.

Commissioner Joe Carta asked if the intermittent wetland would be mitigated. The applicant's soil scientist stated that it would not be replaced with any in kind mitigation.

Commissioner Joe Carta asked some general questions about the proposed project which were answered by the applicant. Commissioner Joe Carta also asked whether the fill material needed to be specified and inspected. Director Joe Samolis said that the applicant had noted that intention in the site plan notes.

Commissioner Joe Carta made a motion to close which was approved by Commissioner Trevor Davis and seconded by Commissioner David Pritchard.

Commissioner Robert Whitney asked if the commission felt that this matter should be tabled to the next Inland Wetland and Watercourses meeting. This would allow the commission more time to go over the new site plans.

Director Joe Samolis stated that staff felt comfortable with their analysis of the project.

Commissioner Constance Kisluk asked whether the proposed project would need to come before the commission again to review the site variances. Director Joe Samolis stated that the variances have already been reviewed and approved.

Commissioner Joe Carta asked the commission if they wished to close the discussion. The commission unanimously agreed.

Commissioner Joe Carta called for a vote on the proposed permit. Commissioner Robert Whitney abstained from voting because he felt he did not have adequate time to review the site plans.

The Commission approved the permit with eight votes approving the project, one abstaining and one commissioner opposing the project.

C. Old Business

None

D. New Business

No new business

E. Agency Review

Director Joe Samolis said that he and Christine planned to find speakers and trainings that the Commission would be interested in.

Joe also brought to the Commission's attention that there was an official complaint made by the South Fire District and some of the residents of increased flooding near Sumner Brook. He hopes to tag a road bond or appropriate from General Council to evaluate the flooding.

Commissioner Joe Carta speculated that the culvert was probably undersized. Director Joe Samolis and Commissioner Joe Carta discussed potential causes for the flooding.

Commissioner Robert Whitney discussed a local Citgo Station that is in violation of several codes. Joe Samolis said that U.S ARMY Corp representatives told him that they had asked the owner for information on the site including a Remediation Plan and the owner had ignored their request for information. The property owner is now accruing daily fines.

F. Reports of Officers and Committees and WEO Report

None

G. Public Open Forum

None

H. Minutes – January 2, 2018

Commissioner Joe Carta moves for approval of the minutes of January 2, 2019. Regular Meeting. Commissioner Trevor Davis and Jennifer Greenberg second the motion. The chair calls for the vote. The chair states the matter passes with eight in favor votes and two Commissioners abstaining since they did not attend the last meeting.

I. Communication and Bills

The Commission received a letter from CT DEEP about that state of two dams (Zoar Pond Dam and Butternut Hollow Dam) near Randolph Rd in the City of Middletown. Commissioner Joe Carta asked Chris Holden, Deputy Director of Public Work, to explain their status and why the Commission had received the letter.

Chris Holden explained the recommendations the CT DEEP had for both dams and Public Works plan to comply with their recommendations.

Commissioner Robert Whitney asked for more information on when the work on the dams would be complete and if the City of Middletown would file an Emergency Action Plan. Chris Holden replied that the Public Works was doing an engineering study on the Zoar Pond and that there was no work immediately planned. Commissioner Robert Whitney asked about the immediate concern and Chris Holden replied that there was no immediate concern. Commissioner Robert Whitney then stated that insurance companies would require notice from the home owners and recommended that Public Works address CT DEEP's concerns quickly and remediate the issue soon. Chris Holden stated it was a priority for the Public Works Department

J. Adjournment

Commission Joe Carta moves to adjourn the meeting. Commissioner Paul Dyka and Kayleigh Pratt second the motion. The chair states the matter pass with ten unanimous votes. Meeting adjourned at 8:45 PM.

Respectfully submitted,

*Christine Raczka,
Environmental Planning Specialist*