

TOWN OF KENT INLAND WETLANDS COMMISSION

41 Kent Green Boulevard
P.O. Box 678
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REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on August 24, 2015 at 7:00 p.m. in the Kent Town Hall, 41 Kent Green Boulevard, Kent, CT.

1. CALL TO ORDER

Ms. Werner called the meeting to order at 7:00 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Lynn Werner, Chairman; Eric Cieplik, Paul Yagid, Fred Hosterman and Rex Newton.

Staff Present: Donna Hayes, Land Use Administrator
Jennifer Calhoun, Land Use Clerk

3. READING OF MINUTES OF PREVIOUS MEETINGS

A. Regular Meeting Minutes, July 27, 2015.

Ms. Werner noted a grammatical change to the motion on application #1108-15. It should read *Mr. Cieplik moved to approve application #1108-15 with the modification that no clearing, including that for planting of fruit trees, occur within the regulated area.*

Mr. Cieplik noted that the word "continue" on item 5.1 should be "continued".

Mr. Cieplik moved to approve the regular meeting minutes of July 27, 2015 with the changes stated above. Mr. Newton seconded and the motion carried unanimously.

4. APPLICATIONS

4.1. Application #1114-15, WMC Consulting Engineers for the Town of Kent, replacement of existing metal culvert with a precise concrete box culvert, Carter Road over Kent Falls Brook, Map 14 Blocks 21 & 22 Lots 9, 23 & 22.

Dennis Garceau, P.E. Project Manager for WMC Consulting Engineers, was present for the application. Mr. Garceau explained the application to the Commission. This project is funded under the federal bridge replacement program. The State of CT will review the plans. The wetlands have been flagged on the property. There will be field meetings with the State Fisheries Dept and the DOT. The proposed project

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is not located in the FEMA floodplain. This project is an Army Corps category 2, which means a formal package has to be reviewed by them.

Ms. Werner asked what this meant and Mr. Garceau explained that the size of the watershed and the culvert bottom is what triggered the category 2. He added that a category 1 is non reporting.

Mr. Garceau went on to explain that the existing culvert was reportedly built in 1956. Mr. Newton added that the new culvert pipe was installed in the 70's. Mr. Garceau added that it was built to withstand a 100-year storm. The proposed culvert is 10' x 25' and is a pre-cast box culvert.

Mr. Garceau explained the proposed alternatives. He explained the alternatives of using 2 aluminized corrugated metal pipes and an open-box culvert. He noted that in order to address the existing scour hole and condition of the old existing abutments all alternatives would impact the wetland and watercourse environment in a similar manner. The precast box culvert was chosen because it provided the longest life expectancy of all alternatives and lowest estimated future maintenance costs.

The proposed culvert will have an outlet at the water level, to allow for fish passage through the culvert. The culvert will all have baffles to sustain water depth at low-flow conditions, to assist in fish passage. In addition, the existing scour hole dimensions will be maintained. The scour hole will be lined with riprap and top dressed with existing streambed material. This will maintain existing in-stream habitat, while preventing future expansion of the scour hole.

He noted that the proposed culvert would be about the same as the existing and have a 1' under clearance.

Mr. Garceau stated that they would like to begin construction in April 2016. Ms. Werner questioned whether the Fisheries Dept. was okay with the bridge construction schedule. Mr. Garceau informed her that there is documentation in the folder that was submitted to the Commission.

Mr. Garceau then explained that 3 stages of construction to the Commission.

Stage 1:

1. Install necessary erosion and sedimentation controls.
2. Install temporary precast barrier curbing, closing Carter Road to through traffic. Maintain access to local residents.
3. Install upstream and downstream portions of temporary cofferdam as shown in the plans and maintain flow through the existing culvert. The maximum elevation of cofferdams shall be as shown which should provide protection for the 3-year flood.
4. Excavate temporary bypass channel as shown on Stage 2.

Stage 2:

1. Maintain necessary erosion and sedimentation controls from Stage 1 and install any necessary erosion and sedimentation controls for Stage 2 as required.
2. Install temporary cofferdam as shown in the plans maintaining flow through the temporary bypass channel as shown. The maximum elevation of cofferdams shall be as shown which should provide protection for the 3-year flood.
3. Remove existing metal pipe culvert and old stone abutments.
4. Install the new precast concrete box culvert with baffles.
5. Construct the proposed headwalls and westerly wingwalls as shown.

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6. Perform channel grading, install portions of riprap and dissipater pool and grade adjacent to westerly wingwalls as shown.

Stage 3:

1. Reconfigure temporary cofferdams for the constructions of the easterly wingwalls as shown directing flow through the proposed culvert. The maximum cofferdam elevations shall be as shown which should provide protection for the 3-year flood.
2. Remove temporary bypass channel and temporary intermediate riprap.
3. Construct the easterly proposed wingwalls and footings as shown.
4. Perform remaining channel grading, installation of riprap and final grading in the easterly portion as shown.
5. Remove remaining temporary cofferdams.
6. Complete remaining roadway work and reopen Carter Road to traffic.
7. The sedimentation control system is to be removed after the impacted areas are stabilized and vegetation has been established.

Mr. Garceau stated, after questioned by Mrs. Hayes, that the project would take 8 months with a few months for each stage.

Ms. Werner questioned whether the cofferdam system would be protected from erosion and Mr. Garceau noted that it would.

Mrs. Hayes questioned the material used for the cofferdams and Mr. Garceau stated that it was up to the contractor, but they usually use concrete blocking or large sand bags.

Mr. Garceau then explained the impacts to wetlands and watercourses. The temporary impact to wetlands is 222 sq. ft. The permanent impact to wetlands is 2,202 sq. ft. The temporary impact to watercourses is 0 and the permanent impact is 5,865 sq. ft. The total watercourses created is 588 sq. ft. The total regulated area impacted is 21,870 sq. ft.

Ms. Werner questioned why a bridge was not chosen for the project. Mr. Garceau explained that they would need to line the entire streambed with riprap to protect foundation from the velocity of the stream.

Mrs. Hayes asked how the velocity of the stream was checked and Mr. Garceau stated that they look at all the flood events and there is a technical method that is reviewed by the DOT.

Ms. Werner asked if information about a bridge for the project could be provided and Mr. Garceau stated that he had already provided that information in his explanation.

Mr. Garceau noted that a planting plan has been designed based on the soil scientist report. The planting will be native to the site as well as native to the State of CT.

Mr. Yagid asked about controlling erosion on the slopes before they are stabilized. Mr. Garceau stated that they would use erosion control matting on those slopes. He added that a wetland seed mix would be used for the disturbed areas.

Mr. Hosterman asked about excess materials. Mr. Garceau noted that there would be stockpile areas during construction, some may need to be transported out and some re-used on site.

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Mr. Garceau added that there will be an inspector on site for the erosion controls and there would be regular meeting on site, which the Commission is invited to attend.

Mr. Hosterman questioned the runoff from the roadway during construction. Mr. Garceau noted that they would be creating a swale to catch the roadway drainage, but that some water will go down the banks.

The Commission then discussed whether this application should be considered a significant activity and a public hearing be held as per the regulations. Ms. Werner then read the section of the regulations that warrant the application to be considered a significant activity:

9.1 The inland wetlands agency shall not hold a public hearing on an application unless the inland wetlands agency determines that the proposed activity may have a **significant impact** on wetlands or watercourses, 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 inland wetlands agency not later than fourteen days after the date of receipt of such application , or the inland wetlands agency finds that a public hearing regarding such application would be in the public interest.

“Significant impact activity” means any activity, including, but not limited to, the following activities which may have a major effect:

a. Any activity involving deposition or removal of material which will or may have a substantial effect or significant impact on wetlands or watercourses or on the wetlands or watercourses outside the area for which the activity is proposed.

b. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.

c. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.

d. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.

e. Any activity which causes a substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.

f. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.

g. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.

Mr. Yagid asked if the neighbors had been contacted and Mr. Garceau noted that they were invited to the informational public hearing the Town held awhile back.

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Mr. Hosterman wondered if any private property would be affected and Mr. Garceau stated that they are looking into acquiring a drainage easement from a neighboring property owner.

Mr. Yagid noted that there had already been an informational meeting for the bridge.

Mr. Cieplik noted that the proposed project would be an improvement after-the-fact.

Ms. Werner questioned whether the wetland would be re-established after construction and Mr. Garceau noted that they would bury riprap with natural stream bed material.

Mr. Newton stated that the construction period is inconvenient, but the outcome outweighs that.

Mr. Hosterman noted that it was a reasonable approach with minimal impact on wetlands.

Mr. Yagid asked about the drainage swale having a sediment catcher for road sand. Mr. Garceau added that they could provide check dams for that. These check dams could be cleaned out by the Town.

The Commission was in agreement that a public hearing was not necessary for this application.

Ms. Werner noted that before next month's meeting, the Commission will have an opportunity to review the packet and may have additional questions at the next meeting. The Commission may submit questions through e-mail to Mrs. Hayes and then they will be discussed at the next meeting.

Mr. Newton moved to table application #1114-15. Mr. Cieplik seconded and the motion carried unanimously.

4.2. Application #1115-15, Joseph Ramirez for Robert Courtier Trustee, 85 Davis Road, construction of 2 car garage in regulated area, Map 16 Block 22 Lot 17.

Joseph Ramirez was present for the application. He explained that the property currently has a barn situated on it that the owner's used for parking their cars, but the barn is 1,000 feet from the house and is now congested with equipment for maintaining the property. He added that the proposed garage was behind an existing stonewall and is 25 feet by 25 feet. It is 125' from North Spectacle Lake. There is a drop off on the other side of the proposed garage to the lake. After some discussion with the Commission, Mr. Ramirez agreed to place two sections of silt fencing on the property. One will be 10' from the proposed garage and the other behind it.

Ms. Werner questioned whether the applicant would provide a larger, better scaled plan and Mr. Ramirez stated that he has a request into CCA, LLC for the plan, but he has not received it yet.

Mr. Yagid asked about alternatives and Mr. Ramirez explained the limited site to him.

It was noted that the project would require 160 yard of fill to be brought onto the property.

The applicant agreed to send the PDF of the scaled drawings to Mrs. Hayes so that she could e-mail them to the Commission members and possibly schedule a site visit prior to the next meeting.

Mr. Yagid moved to table application #1115-15. Mr. Newton seconded and the motion carried unanimously.

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5. **OLD BUSINESS**

- 5.1. Application #1112-15, Rick Osborne for Town of Kent, repair 3 culverts: Carter Road (Map 6 Block 12 Lot 20), Anderson Road (Map 17 Block 32 Lot 19), Bulls Bridge Road (Map 14 Block 22 Lot 5).

Mr. Osborne was present for the application. He noted that he would like to add another pipe to the application. This new culvert would be located on Anderson Road at the entrance of Kane Mountain Road.

Ms. Werner noted that she would like to see a map of where all the culverts are proposed to be located. Mrs. Hayes copied a tax map and Mr. Osborne noted the locations of the culverts on Anderson Road. Ms. Werner added that the application would need the other culverts located on a map. Mrs. Hayes noted that she would get that information from Mr. Osborne.

Mr. Osborne explained that they need to install the Anderson Road/Kane Mtn. Road culvert because the runoff keeps washing away Kane Mountain Road. He noted that it would be a 140 foot long 8" pipe.

Ms. Werner asked how Mr. Osborne knows that the pipe is large enough. He noted that it would stop a majority of the water.

Mr. Cieplik moved to approve application #1112-15 with the addition of the culvert on Anderson Road/Kane Mountain Road. Mr. Yagid seconded and the motion carried unanimously.

- 5.2. Application #1113-15, Wes Wheeler for Rachel Fitch, LLC, 164 Kenmont Road, construction of drywell for discharge of potable water treatment system, Map 15 Block 22 Lot 97.

Mr. Brian Neff, P.E. was present for the application. The Commission had no further questions.

Mr. Cieplik moved to approve application #1113-15. Mr. Newton seconded and the motion carried unanimously.

6. **NEW BUSINESS**

No new business.

7. **COMMUNICATIONS TO THE COMMISSION**

A. **WRITTEN**

- 7.A.1. Letter to Ray Michanczyk, CCR Adjusters Re: Miller/Weeks vs. Town of Kent.

Mrs. Hayes noted that this letter was to the insurance adjuster regarding Miller/Weeks vs. the Town of Kent. The Commission noted that they thought the letter was written well and that Mrs. Hayes did a great job.

- 7.A.2. Letter to 33 Camps Road, LLC owner of 33 Camps Road, in response to letter from "A very concerned resident".

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The Commission noted that the letter that Mrs. Hayes wrote was written well.

- 7.A.3. Notice of Hearing and Order to Show Cause, Docket #FIC 2015-279, Pamela Dudgeon-Eisenlohr against Chairman, Inland Wetlands Commission, Town of Kent; Inland Wetlands Commission, Town of Kent; and Town of Kent, 41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757.

It was noted that Mrs. Hayes would attend the show cause as an agent of the Commission.

- 7.A.4. *A Newsletter for Municipal Inland Wetlands Agencies, Issue 3.1*

The Commission received this document.

- 7.A.5. *The Habitat, Summer 2015*

The Commission received this document.

- 7.A.6. Permit Application for the Use of Pesticides in State Waters: South Spectacle Lake.

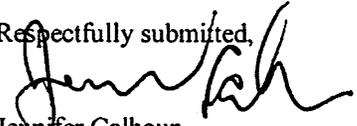
The Commission reviewed this document. It was noted that the pesticide application was for common reed on the south shore of South Spectacle Lake. The Commission did not have any concerns after reviewing the information.

B. VERBAL

8. ADJOURNMENT

Mr. Cieplik moved to adjourn at 8:15 p.m. Mr. Newton seconded and the motion carried unanimously.

Respectfully submitted,


Jennifer Calhoun
Land Use Clerk

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2015 AUG 26 A 10:02
BY  TOWN CLERK

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