



**REGULAR MEETING OF THE INLAND WETLANDS AND WATERCOURSES AGENCY
MIDDLETOWN CONNECTICUT
MARCH 4, 2020**

A. Call to Order / Pledge of Allegiance

Chairman Carta opened the meeting at 7:04 PM with the Pledge of Allegiance

Present: Commissioner Joe Carta,
Commissioner David Pritchard
Commissioner Fred Terrasi
Commissioner Ken McClellan
Commissioner Jennifer Greenberg
Commissioner Paul Dyka
Commissioner Trevor Larrubia

Absent: Commissioner Robert Whitney
Commissioner Trevor Davis
Commissioner Jammie Middleton
Commissioner Gabriel Russo
Commissioner Jack Pieper

Staff: Ron Baia, Zoning and Wetlands Enforcement Officer

B. Public Hearing

- 1. Continued: Proposed three (3) lot subdivision and the construction of two (2) single family dwellings on two building lots at 584 Atkins St. within the 100 foot Upland Review Area. Applicant/agent Cocco II, LLC 19-08**

Tom Cocco introduced the application. He gave a history and explained the changes they made to the plans per the Agency's request. He said there will be no impact to the wetlands or the upland review area.

No one from the public wished to speak. Comm. McClellan asked how much area will be grading, digging, disturbance is this going to incur within the review area. Tom explained that they will install the silt fence by hand so there is no disturbance of a backhoe, excavator or bulldozer. They will back up the silt fence with a wood chip berm. There will be no regrading or construction within the upland review area...only clearing. The wood chip berm will stay but the silt fence will come down. Comm. Carta questioned the slope of the driveway on one of the lots. Being over the required 10% he suggested that they turn the house around and further west and put the driveway on the western side of the house so it would cut it to a 10% grade bringing the elevation from 200

to 184. Tom said that he would be agreeable to that but would have to talk to his engineers. The Commission continued to question Mr. Cocomo.

Commissioner Fred Terrasi moves to close the public hearing. Commissioner Ken McClellan seconds the motion. The chair calls for the vote. It is unanimous to close public hearing with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

Commissioner Ken McClellan moves for approval for the proposed three (3) lot subdivision and the construction of two (2) single family dwellings on two building lots at 584 Atkins St. within the 100 foot Upland Review Area. Commissioner Fred Terrasi seconds the motion. Commissioner Carta would like to add an amendment to move the house and the wood chip berm. Comm. Terrasi and McClellan will accept the friendly amendment to the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

C. Old Business

- 1. Request for a general permit to conduct routine maintenance activities along its ROWs in and adjacent to wetlands and watercourses and work needed for the servicing of existing water and sewer services and their respective appurtenances throughout the city. Applicant/Agent City of Middletown Water/Sewer Dept. (20-01)**

Jim Sipperly, Environmental Resource Specialist with the City of Middletown explained that this is for a 'general permit'. This is for general work throughout the City. The Water/Sewer Dept. would bring the plan to PCD staff who will then determine if this needs to go to the IWWA. If not, it would be covered under the 'general permit'.

Commissioner Fred Terrasi moves to approve a three (3) year general permit to conduct routine maintenance activities along its ROWs in and adjacent to wetlands and watercourses and work needed for the servicing of existing water and sewer services and their respective appurtenances throughout the city. Commissioner Ken McClellan seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

D. New Business

- 1. Request for replacement of wood decking with concrete sidewalks, removal and replacement of safety railing, unit pavers and shade pavilions at Harbor Park aimed to improve the accessibility, safety, aesthetics & maintenance of the riverwalk and park. Applicant/agent City of Middletown/Public Works Dept. 20-04**

Chris Holden, Deputy Director of the Public Works Dept. explained that they have had some issues with the boardwalk along the river at Harbor Park. Some sections have gotten displaced from the flooding and they would like to remove all the wood decking and put concrete in its place. It would generally be the same elevation and they would also remove and replace all the railings. Commissioner McClellan said that this does not look like much impact at all. It will be minimal drainage ditches. Chris said they are cutting some scuppers through the concrete. Other than that there will be no drainage ditches. They will be sloping the walkway towards the river. Comm. McClellan said he does not see much impact at all and would be okay to approve tonight. Chris

asked if they could determine that there is no permit necessary and they would work with staff. Ron Baia (staff) said they can do that administratively if the Commission wishes to do so.

Commissioner Ken McClellan moves for approval for replacement of wood decking with concrete sidewalks, removal and replacement of safety railing, unit pavers and shade pavilions at Harbor Park aimed to improve the accessibility, safety, aesthetics & maintenance of the riverwalk and park with the condition that work be monitored by staff. Commissioner Fred Terrasi seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

E. Agency Review

1. Proposed minor addition, regrading parking spaces and drive through at 614 South Main Street. Minor demolition on 650 South Main Street and parking lot modifications to extend drive-through queue to the Dunkin Donuts on 614 South Main Street. Applicant/agent Batista Companies 20-03

Ryan McAvoy, Professional Engineer with Milone and McBroom spoke on behalf of the applicants. He explained the existing conditions of the property and the proposal. He said the applicants want to reconfigure the drive-thru for Dunkin Donuts. The area is mostly flat. It drains towards the wetlands and is captured by a few catch basins. The extent that they are looking to do as far as site work is to add a walk-in freezer. He gave a presentation of the proposed work.

Comm. Carta reminded the Commission that this is an Agency Review and they are here to decide if they need a permit. Comm. Terrasi asked how much more water would be dumped into the catch basin. Mr. McAvoy said there would be a reduction as there is less impervious surfaces. A discussion on the catch basins ensued.

Comm. Terrasi said he doesn't think there is any further disturbance to the wetlands and feels that they do not need a permit. Comm. McClellan agrees but would like staff to monitor the project.

Commissioner Fred Terrasi moves that no permit is needed for minor demolition on 650 South Main Street and parking lot modifications to extend drive-through queue to the Dunkin Donuts on 614 South Main Street with condition that staff monitor the project. Commissioner David Pritchard seconds the motion. The chair calls for the vote. It is unanimous to approve without a permit with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

2. Determination if permit was required for removal of a sedimentation island formed in pond and installation of sedimentation trap at the (30-0127) South Main Street & Wesleyan Hills Road.

Commissioner Ken McClellan moves to accept for the April 1st meeting for a permit for removal of a sedimentation island forming in the pond and installation of sedimentation trap at the (30-0127) South Main Street & Wesleyan Hills Road. Commissioner David Pritchard seconds the motion. The chair calls for the vote. It is unanimous to continue to the April 1st meeting with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

F. Reports of Officers and Committees

N/A

G. Public Open Forum

Gene Salvatore of 48 Brown Street said that there is an open field across the street from his property. A resident took upon himself to clear the land and cut down trees (some on his neighbor's property). Then he began to chip the trees and put them in the wetlands essentially making a dam. Now there is a huge pond developing. His concern now is that residents will have to deal with mosquitoes, ticks, ducks and geese. One resident reported that he has seen snakes. There are coyotes nearby and now this is a great place to come and drink. He has complained to the City and the results have not been too favorable. That is why he is here tonight asking if the IWWA can do something. He would like to have the pond removed and put back the way it was.

Ron Baia (staff) said that the berm created this problem and the water cannot go where it went before. Comm. McClellan said that he is in favor of creating ponds and wetlands for wildlife but not if pond is extending to neighbors properties. If someone created a dam then that is a violation.

Dave Sturwall of 73 Brown Street and said his property abuts the property in question and he gets the brunt of the water. Comm. Greenberg asked the Chair what the IWWA can do. Comm. Carta said one of things is they can make them restore the open field to its original state. He said as long as he has been on the Commission nobody has brought this to their attention. He knows the area very well and it has always been an open field. The IWWA will look into it.

Russell Rubino of 85 Brown Street said he has a letter that was given to the IWWA in 2005 and lots of pictures. The Chair asked if Mr. Rubino could bring copies of everything to the office. Mr. Rubino agreed.

H. Minutes – February 5, 2020

Commissioner Fred Terrasi moves for approval of the minutes of February 5, 2020 with corrections. Commissioner Paul Dyka seconds the motion. The chair calls for the vote. The chair states the matter passes with 6 affirmative votes and one abstention.

I. Communication and Bills

J. Adjournment

Commissioner David Pritchard moves for adjournment at 8:27 PM. Commissioner Ken McClellan seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

Respectfully submitted,

Ron Baia
City of Middletown
Zoning and Wetlands Enforcement Officer