

## MEETING MINUTES

Conservation Commission  
Waterford Town Hall

September 8, 2011  
7:00 PM

Members Present: Gary Johnson, Henry Curtis, Harold Hansen, Nancy Hicks, Richard Muckle, and Jeff Sims.  
Members Absent: David Lersch (notified absence)  
Alternates Present: Wade Thomas (2 vacancies)  
Alternates Absent: None  
Staff Present: Maureen FitzGerald, Environmental Planner  
Katrina Kotfer, Recording Secretary

### **1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES**

Chairman Johnson called the meeting to order at 7:00 p.m. W. Thomas was appointed to sit for D. Lersch.

### **2. APPROVAL OF THE AUGUST 25, 2011 MEETING MINUTES**

**MOTION:** Motion made by J. Sims, seconded by N. Hicks, to approve the minutes of the August 25, 2011 meeting with the addition on page 2 of 3, the third paragraph, last sentence of the word geothermal. The sentence will read “The geothermal well water has stopped being used for dust control”.

**VOTE:** 6-0-0

### **3. APPLICATION REVIEWS**

There were no pending applications.

### **4. NEW APPLICATIONS**

**#2011-022– 207 (211) Waterford Parkway North:** Sight Line Maintenance, Applicant – Sonalysts, Inc., Owner – David Piccolo, Agent – Dennis Harlow.

W. Thomas recused himself from review of this application.

Dennis Harlow of Sonalysts explained that he is requesting a permit to maintain vegetation along Parkway North to satisfy STC (State Traffic Commission) mandated sight line maintenance for the additional driveway installed at Sonalysts. The vegetation needs to be maintained vertically and horizontally. He explained that Sonalysts will initially mitigate the area with herbicide and then maintain with a “weed wacker” as needed. D. Harlow referenced photos in the submitted application that showed the location of the area that needs to be cut and maintained.

[H. Curtis arrived at 7:09 pm.]

J. Sims questioned if the phragmites will return if the entire area isn't controlled. M. FitzGerald stated that a large majority of the phragmites stand is being removed in that area, the remainder should not overtake the site again. D. Harlow stated that Sonalysts will only be treating the area within their easement.

Chairman Johnson stated that the activity requires a permit, and the permit can be renewed in accordance with the regulations. He asked what herbicide will be applied and the anticipated frequency of vegetation treatment. D. Harlow replied it will be treated as necessary and no mechanized or motorized vehicles will be used in the wetland.

M. FitzGerald stated that she will contact R. Snarski about what type of herbicide will be used.

**MOTION:** Motion made by J. Sims, seconded by H. Curtis, to have staff prepare a draft permit for review with the condition that the herbicide applied is in accordance with state recommended procedures for control of the site invasive species.

**VOTE:** 6-0-0

W. Thomas returned to the meeting at 7:20 p.m.

**#2011-023 – 528 Mohegan Avenue Parkway:** Channel Bank Stabilization, Applicant & Owner Town of Waterford, Agent – Dennis A. Dievert, Jr., P.E.

Neftali Soto, Chief Engineer, Town of Waterford Utility Commission and Dennis Dievert, P.E. of Wright-Pierce Engineers reviewed the application. Mr. Soto explained the channel erosion that occurred adjacent to the Bolles Court pump station.

Mr. Dievert stated that they had meetings with the CTDEP, the Army Corps of Engineers and Town staff to review the permit requirements to repair the entire channel length of @300 feet that eroded from the culvert headwall down to Smith Cove. He noted that the permitting requirements to repair the entire channel length are extensive and would involve State and Federal permit issuance. The current application is to install 18 inches of rip rap along the western bank of the stream channel for approximately 100 linear feet in the area adjacent to the pump station. There will be no cuts or filling, the original elevations will be used and the work is outside of tidal wetland influence. The rip-rap is designed to withstand a 25 year flood event.

Mr. Soto explained that with a larger storm event, the discharge would be outside the channel banks and distributed over a larger area.

Mr. Soto stated that the proposed project is not going to fix the entire bank, but only the portion needed to protect the Utility Commission's infrastructure. The Town is going to be reimbursed by FEMA grants approved for the repair of Town property. FEMA will not reimburse for projects on state owned property and part of the channel runs over State land. The pump station and proposed concrete pad for the exterior tank are above the flood elevation. Mr. Soto stated that the pads did not flood in the March 2010 flooding.

H. Curtis questioned the plan note regarding the neighbor encroaching on the property. Mr. Soto stated that the Utility Commission is working with the neighbor. He also stated that the work needs to be done between June and August, it is tentatively scheduled for July 2012.

The Commission accepted the application for review.

**20 Rope Ferry Road:** Notice of Violation - Violation of Permit #10-17 – Unauthorized Discharge of Sediment to Wetlands and Watercourses.

Gus Kotait, Project Manager and Ken Biega of O&G, and Jay Miner, Buildings & Grounds, Board of Education were present.

M. FitzGerald distributed a transmittal received from O&G dated September 2, 2011 in response to the Notice of Violation. G. Kotait reviewed the steps taken by O&G and the site contractor to stabilize the site and prepare for the hurricane. He stated the site contractor hired an E&S professional to review the site and prepare a corrective plan. He requested additional time to submit the plan.

Chairman Johnson stated that another sediment discharge was documented at the site today and asked if the corrective plan had been prepared in time, would the events of today have been avoided. G. Kotait noted that excessive rainfall had occurred and they were expecting to submit a thorough plan to address all issues.

M. FitzGerald distributed reports and photographs documenting the sediment discharge to the wetland from today's rain event. She reviewed the staff authorization to discharge from the sediment traps to hay-bale de-watering areas to restore storage capacity for site run-off.

Chairman Johnson questioned if any remediation of offsite properties is required from the release of sediment. M. FitzGerald stated she has not yet reviewed off-site impacts.

Chairman Johnson stated that he doesn't feel that the site is under control and requested that site stabilization and control of sediment discharges be a priority for the site contractor. He questioned what measures will be put in place so the site does not flood again. G. Kotait stated that the water level in the basins has been lowered today and that tomorrow the basin will be enlarged in the geothermal wellfield.

J. Sims questioned how long before the eroded cut slope in the building area will be stabilized. G. Kotait responded not until November. J. Sims stated that these slopes need to be stabilized as they are vulnerable until then.

H. Hansen question why the Commission is still waiting for a corrective plan. G. Kotait responded that the plan will be submitted on September 9<sup>th</sup> and will be wide ranging in addressing the site stabilization and take into account the more recent events.

R. Muckle questioned what is the time frame needed to implement the plan.

Chairman Johnson stated that when the plan is reviewed at the next meeting, it will be almost a month since the notice of violation was issued and corrective actions requested. He required that the plan be submitted for review and implemented by the date of the next meeting or the Commission may consider revocation of the permit.

**MOTION:** Motion made J. Sims, seconded by H. Curtis, to extend the deadline for receipt of report with corrective actions to be implemented until Friday, September 9, 2011.

**VOTE:** 7-0-0

**28 Butlertown Road**: Abatement Order: August 17, 2010. Amended Abatement Order-12/8/10. Wetland Restoration Plan to be completed by May 31, 2011.

No new information was received.

**51 Shore Road**: Notice of Violation - Violation of Permit #97-07 – Tree Cutting & Brush Clearing in Wetland and Designated Non-Encroachment Area.

M. FitzGerald reported that the fence has been installed and a final inspection will be conducted.

**494 Boston Post Road**: Fill Adjacent to Inland Wetlands & Watercourses.

No new information was received.

## **6. OTHER BUSINESS**

M. FitzGerald reported on the LID workshop sponsored by the Eight Mile River Watershed. She distributed a follow-up email from Pat Young.

## **7. CONSERVATION COMMISSION TASKS**

No report from the wetland education subcommittee.

## **8. CORRESPONDENCE**

The Commission reviewed the correspondence.

## **9. PAYMENT OF BILLS**

**MOTION:** Motion made H. Curtis, seconded by J. Sims, to pay a bill from The Day \$77.50 and a bill for the National Wetlands Newsletter for \$54.00.

**VOTE:** 7-0-0

## **10. ADJOURNMENT**

**MOTION:** Motion by W. Thomas, seconded by R. Muckle, to adjourn the meeting at 8:38 pm.

**VOTE:** 7-0-0

Respectfully Submitted,

Katrina Kotfer  
Recording Secretary