

TOWN OF WATERFORD
GENERAL FUND
2024 - 2025 PROPOSED BUDGET

DEPT/AGENCY: 10114 CONSERVATION COMMISSION

LINE ITEM	DESCRIPTION	2022/2023 ACTUAL EXPENDED	2023/2024 RTM APPROP.	2023/2024 ADDITIONAL/ TRANSFERS	ACTUAL EXPEND & ENCUMB AS OF 1/1/24	2024/2025 DEPT/ AGENCY REQUEST	2024/2025 APPROVED BD/COMM (10/26/23)	2024/2025 BD OF SELECTMEN APPROVED (1/31/24)	2024/2025 BD OF FINANCE APPROVED (3/6/24)	BOF Approved \$ Increase	BOF Approved % Increase
SERVICES											
52010	ADVERTISING	1,599	1,500		507	1,500	1,500	1,500	1,500	0	0.00%
52020	POSTAGE	112	125		46	125	125	125	125	0	0.00%
52030	PROFESSIONAL SERVICES	0	3,500		0	3,500	3,500	3,500	3,500	0	0.00%
52031	PLANNING SERVICES	11,250	12,000		3,881	12,000	12,000	12,000	12,000	0	0.00%
52050	DUES, CONF. & EDUC.	315	600		170	600	600	600	600	0	0.00%
52060	PRINTING	0	25		0	25	25	25	25	0	0.00%
	SUBTOTAL	13,276	17,750	0	4,604	17,750	17,750	17,750	17,750	0	0.00%
MATERIALS & SUPPLIES											
53020	OTHER SUPPLIES	253	500		0	500	500	500	500	0	0.00%
	SUBTOTAL	253	500	0	0	500	500	500	500	0	0.00%
	DEPARTMENT TOTAL	13,529	18,250	0	4,604	18,250	18,250	18,250	18,250	0	0.00%

TOWN OF WATERFORD
FY2025 BUDGET REQUEST
DEPARTMENT: CONSERVATION COMMISSION



FY 2024/25 PROPOSED CONSERVATION COMMISSION BUDGET

The Waterford Conservation Commission serves as the Inland Wetlands Agency; reviewing applications, issuing permits and enforcing activities affecting inland wetlands and watercourses in accordance with the Waterford Inland Wetlands and Watercourses regulations and CT General Statutes 22a-36 through 22a-45. The Conservation Commission also carries out the statutory responsibilities of a municipal Conservation Commission, maintaining a survey of natural resources, reviewing land use proposals and making recommendations to other Boards and Agencies on natural resource identification and protection, and Open Space preservation.

The Conservation Commission conducted 21 regularly scheduled meetings and 2 special meetings in FY 2022/23 and rendered decisions on 21 applications to conduct activities in and adjacent to inland wetlands and watercourses. Inland Wetland permits authorized the permanent loss of 0.22 acres of wetland, and the temporary disturbance of 0.96 acres of wetlands which are required to be restored following completion of construction.

FEES – Application Fees Generated from Inland Wetland Permit Applications

<u>Fiscal Year</u>	<u>Total Fees Collected</u>
FY 2109/2020	\$ 1,100
FY 2020/2021	\$ 800
FY 2021/2022	\$ 700
FY 2022/2023	\$ 1,600
FY 2023/2024 – 4 months	\$ 350

The Waterford Conservation Commission requires an additional fee when public hearings are required. The fee off-sets the cost for publishing the two legal notices of public hearing required by State statute.

BUDGET REQUEST SUMMARY

<u>Line</u>	<u>Description</u>	<u>FY24/25 AMOUNT</u>
52010	Advertising	\$ 1,500
52020	Postage	\$ 125
52030	Professional Services	\$ 3,500
52031	Planning Services	\$ 12,000
52050	Dues, Conferences & Education	\$ 600
52060	Printing	\$ 25
53020	Other Supplies	\$ 500
Conservation Commission Total Request		<u>\$ 18,250</u>

This is the same amount approved for the FY 2023/24 budget.

TOWN OF WATERFORD
FY2025 BUDGET REQUEST
DEPARTMENT: CONSERVATION COMMISSION



ADVERTISING LINE 10114-52010

\$ 1,500 REQUESTED

The advertising account covers the cost of all legal notice requirements required by State statute. This includes publication of notices of public hearings, enforcement orders and notices of decision on all Commission inland wetland agency actions. Advertisements for public hearings and decisions of the Commission are required to be published in a newspaper having general circulation in Waterford. To off-set publication costs, the Commission requires an additional fee of \$400.00 when a public hearing is required for the legal notices. The costs for legal notices of decision placed in The Day newspaper for FY 2022/2023 were \$1,599.13. The requested budget amount is consistent with that approved for the FY 2023/24 budget.

POSTAGE LINE 10114-52020

\$ 125 REQUESTED

Postage expenditures include certified letter mailings required for notice of Commission decisions on applications and for enforcement proceedings, correspondence to Town residents, and referrals to municipal, State and Federal agencies. The requested budget amount is consistent with that approved for the FY 2023/24 budget.

PROFESSIONAL SERVICES LINE 10114-52030

\$ 3,500 REQUESTED

The professional services account is used to obtain professional technical reviews, retain expert witnesses, chemical laboratory analyses and other professional technical assistance unavailable at the municipal or State level that are required to conduct the duties of the inland wetlands agency and the Conservation Commission. These services may include assisting the Commission with technical expert reviews of application documents, investigating complaints of wetland, soil or water quality impacts, documenting violations of the inland wetlands and watercourses regulations, providing expert testimony in court proceedings, or assisting the Commission in preparing natural resource surveys.

To carry out the responsibilities of the Inland Wetland and Watercourses Act, it is critical that the Commission have the ability to retain expert witnesses for determination of impacts to wetlands and watercourses in order to reach and maintain defensible decisions. Court case law has established that the finding of adverse impacts and justification for conditions of approval requires technical expertise and expert evidence in the application record. The Commission uses the expertise of staff members, and regional and state technical offices when available, however specific technical expertise may be required during the application process within a limited time frame. Having sufficient funding available to procure services when expert review is needed is essential in consideration of the strict time frames established by State Statute for rendering decisions on inland wetland applications.

The fee schedule for Inland Wetland permit applications allows the Commission to charge the applicant for third party expert reviews and technical evaluations deemed necessary to assist in the review of complex permit applications. However, the Commission continues to require funds for obtaining professional expertise on items other than those duties associated with complex permit applications.

TOWN OF WATERFORD

FY2025 BUDGET REQUEST

DEPARTMENT: CONSERVATION COMMISSION



Expenditures under this item are difficult to predict and are related to the number and complexity of permit applications, public hearings, enforcement proceedings and technical needs of the Commission. The requested amount will fund an estimated 25 -35 hours of professional service at a rate of \$100 - \$150/hr.

The requested budget amount is consistent with that approved for the FY 2023/24 budget.

PLANNING SERVICES LINE 10114-52031

\$ 12,000 REQUESTED

The Conservation Commission conducts a water quality monitoring program of freshwater streams and ponds in Waterford. Samples are collected at 30 locations in the early summer and late fall of a calendar year to track water quality over the growing season and monitor changes in quality over time. Sampling is conducted on Jordan Brook, Nevins Brook, Fenger Brook, Hunts Brook, Stony Brook, Oil Mill Brook and its tributaries, Millstone (Beebe) Brook, Green Swamp Brook and a tributary stream to Goshen Cove. Water quality parameters monitored include total coliform, e. coli and enterococci bacteria, temperature, pH, and nutrient loadings from nitrogen compounds and phosphorus.

The surface water quality monitoring program has been conducted for the past 22 years by the Conservation Commission and has generated comprehensive data on the quality of the town's water resources. This data is used to evaluate potential impacts of land development on stream health and to track changes in water chemistry over time. It also provides a scientific basis for the Conservation Commission to establish required levels of stormwater treatment for development proposals, and water quality mitigation goals for enforcement proceedings.

Jordan Brook, Oil Mill Brook and Stony Brook support native trout and high quality waters. Habitat requirements for these fisheries include cool, oxygenated waters with suitable substrate conditions to provide food and aquatic habitat. Alteration of adjacent lands, loss of vegetative cover, soil erosion, flow alterations, septic system discharges and stormwater run-off can adversely impact the biological conditions of these watercourses. The monitored temperature, nitrogen and phosphorus levels in these streams continue to indicate high quality surface waters.

The 2020 State of Connecticut Integrated Water Quality Report, submitted by CT DEEP to the EPA, identifies Alewife Cove, Niantic Bay and near-shore waters of Long Island Sound as not meeting designated uses of habitat for fish and other aquatic life. In addition, Alewife Cove, Jordan Cove, and areas of Niantic Bay and the Niantic River are listed as impaired for direct shellfish consumption due to bacteria levels. Fenger Brook is listed as not supporting designated uses for aquatic life and recreation. Hunts Brook downstream of the Miller Pond dam is listed as not supporting fish and aquatic life habitat. The lower reach of Stony Brook south of Rte 1 has been identified as impaired for recreational use due to bacteria. The State is developing restoration policies to improve water quality and habitat of impaired waters.

The Commission continues to monitor bacteria, nitrogen and phosphorus levels in stream reaches that eventually discharge to Jordan Cove, the Niantic River, and Long Island Sound. This long-term water quality monitoring is a critical part of the natural resource inventory work the Commission conducts and allows tracking of trends in water quality from land use changes and provides an indication of where

TOWN OF WATERFORD
FY2025 BUDGET REQUEST
DEPARTMENT: CONSERVATION COMMISSION



water quality may be affected. Town staff conducts the sampling to minimize costs. Cost variations are linked to the number of water samples collected.

The Commission is requesting the same amount for this item as approved in the previous fiscal year.

DUES, CONFERENCES, EDUCATION LINE 10114-52050

\$ 600 REQUESTED

Expenditures from this line item include membership dues, commission and staff training, attendance at seminars and workshops. The Connecticut Inland Wetlands and Watercourses Act [CGS 22a-36 - 22a-45a] recommends members of inland wetland agency complete a comprehensive training program developed by the CT DEEP. Commissioners also attend environmental education conferences and legal seminars regarding inland wetlands to keep informed of changes to State Statute or case law affecting application review practices, public hearing records and decision-making for Inland Wetlands and Watercourse Regulations application. The Commission satisfies the minimum required training recommended by CT DEEP for inland wetlands agencies.

The Commission is requesting the same amount for this item as approved in the previous fiscal year to maintain the level of training of its members and staff.

PRINTING LINE 10114-52060

\$ 25 REQUESTED

Expenditures under this line item include printing of oversized documents, maps and colored copies, which cannot be printed or are unavailable at Town facilities. As a result of changes in court procedures, some printing funds may be necessary to reproduce, in paper or digital format, large documents and files. The amount requested under this line item is the same as approved in the previous fiscal year.

OTHER SUPPLIES LINE 10114-53020

\$ 500 REQUESTED

Funds in this account are used to purchase and maintain environmental testing/monitoring equipment, safety equipment, survey flagging, and Conservation Easement and Non-Encroachment Boundary Line markers for field markings. This equipment allows the Conservation Commission with its professional staff to perform wetland identification, water testing, natural resource inventory and conservation easement boundary marking that would otherwise require contracting for outside professional services. The amount requested under this line item is the same as approved in the previous fiscal year.

CONSERVATION COMMISSION MEMBERS

Richard Muckle , Chair	Ivy Plis - Alternate
Tali Maidelis, Secretary	2 - vacancies
David Lersch	
Geneva Renegar	
Wade Thomas	
Matthew Keatley	
1 - vacancy	

TOWN OF WATERFORD

FY2025 BUDGET REQUEST

DEPARTMENT: CONSERVATION COMMISSION



CONSERVATION COMMISSION HISTORY OF EXPENDITURES

	FY 19/20	FY20/21	FY21/22	FY22/23	FY23/24 To date	Proposed FY24/25
52010 Advertising	\$901.65	\$989.0	\$1,104.75	\$1,599	\$369.64	\$1,500
52020 Postage	\$ 104.4	\$106.0	\$83.87	\$112.0	\$ 15.0	\$ 125
52030 Professional Fees	\$ 0	\$3,500	\$ 0	\$ 0	\$ 0	\$ 3,500
52031 Planning Services	\$12,000	\$12,000	\$6,357	\$6,278	\$ -	\$ 12,000
52050 Dues/Education	\$ 455	\$295	\$275	\$315	\$ 95	\$ 600
52060 Printing	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 25
53020 Supplies	\$ 8.40	\$365.92	\$ 0	\$ 253.05	\$ 0	\$500

Approved by the Waterford Conservation Commission – October 26, 2023

MEETING MINUTES

Conservation Commission
October 26, 2023 6:30 PM
Auditorium, Waterford Town Hall

RECEIVED FOR RECORD
WATERFORD, CT

2023 NOV -1 P 1:24

Members Present: Matthew Keatley, Geneva Renegar, Wade Thomas
Members Absent: David Lersch (notified), Tali Maidelis (notified), Richard Muckle (notified),
(1 vacancy)
Alternates Present: Ivy Plis (2 vacancies)
Staff Present: Maureen FitzGerald, Environmental Planner
Kim Powell, Recording Secretary

WITNESS: *David Lersch*
TOWN CLERK

1. CALL TO ORDER

The meeting was called to order by W. Thomas, acting Chair, at 6:30 PM. I. Plis was seated for D. Lersch.

2. APPROVAL OF THE MEETING MINUTES

Motion: Motion made by M. Keatley, seconded by I. Plis to approve the October 12, 2023 meeting minutes.

Vote: 3-0-1, G. Renegar abstained.

3. NEW APPLICATIONS

C-23-09: 295 & 313 Willetts Ave.; 16 & 18 Boston Post Road, Proposed hotel and associated parking and storm water management systems; Woodsprings Suites – Applicant, CLA Engineers, Inc. - Agent

Robert Russo, Soil Scientist from CLA Engineers presented the proposed activity. The building will be a 122 room hotel with parking and storm water management basins. The inland wetland area on the western side of the site is an isolated area comprised primarily of red maple swamp with greenbriers. R. Russo noted the wetland functions are limited due to surrounding land use. The wetland is used by local wildlife and birds. The primary access to the facility will be from Route 1. Willetts Avenue will provide access for emergency and utility vehicles.

R. Russo reviewed the location of the two storm water management basins that are designed to hold 2" of rainfall run-off, treating many of the pollutants associated with run-off. The storm water system is designed to reduce flows leaving the site. He stated there is no direct impact to wetlands from the project. Activity in the upland review area includes the storm water basin, a portion of the parking and access drive, and proposed landscaped areas. A rain garden will be installed by the dumpster area and by the Boston Post Road access.

Commission members requested a vegetated buffer be included around the isolated wetland. W. Thomas requested the engineer review if the outlet from the southern basin can be moved to the east to avoid conflict with the sanitary line. R. Russo reviewed the proposed proximity of the development to the wetland boundary and adjacent playground. He stated the project engineer will be available to answer questions at the next meeting.

4. APPLICATION REVIEW

C-23-8: 33 Kenyon Road, New Construction; Congregation Beth El Temple, Inc. - Applicant, Wayne S. Garrick, AIA - Agent

Staff noted the applicant's agent is working on revised plans to address additional wetland area on the site.

5. VIOLATIONS

52 Gurley Road: Notice of Violation -- Issued 10-13-23, Unauthorized Grading & Clearing of Stream Channel, Restoration Plan required by 10-26-23

Mr. Jeff Reagan, owner, gave background information of the property and described the clean-up of debris and fallen trees that resulted in the unauthorized activity. Mr. Reagan explained the restoration plan proposes planting ten red twig dogwoods 8 feet apart along the western channel embankment. Additional plantings will be added if needed for stabilization of the stream. The lawn will be maintained with proper mowing up to the stream area as it is throughout the property.

The commission accepted the restoration plan and directed staff to draft a permit authorization for review at the next meeting. Mr. Reagan was notified he will need to submit a permit application fee.

577 Vauxhall Street Extension: Notice of Violation & Corrective Actions - Issued 6-14-23 Unauthorized Activity within Inland Wetlands & Watercourses, Restoration required by 11-1-23.

The corrective actions are required to be completed by November 1, 2023.

6. OTHER BUSINESS

49 Niantic River Road -- Request to modify portion of non-encroachment area -- revised plan

Staff reviewed that unauthorized mowing had been conducted in the non-encroachment area. The mowed area was not grubbed and will grow back. The owners are requesting a modification to the non-encroachment boundary as part of the restoration plan. They have submitted a revised plan for the Commission to consider.

Mr. and Mrs. Heard, owners, addressed the Commission. They purchased the subdivision lot behind their house and combined the properties. They installed a shed on the second property and would like to keep the land behind it cleared to the neighboring yard to improve visibility. They are also requesting the commission relax the non-encroachment boundary by 10 feet on average on the south side of the yard so they can mow around the forsythia and avoid weeds and poison ivy.

Staff explained the forsythia shrubs were planted by the prior owner along the established non-encroachment boundary and have since grown in width. The boundary will be marked with stakes with non-encroachment boundary markers attached.

Motion: Motion made by M. Keatley, second by I. Plis to accept the revised plan to modify the non-encroachment boundary and to have the owners submit an application.

Vote: 4-0

Staff will prepare a draft authorization for review at the next meeting.

Conservation Commission Annual Report 7/1/22-6/30/23

The Commission reviewed a draft of the report and highlights of commission actions.

Conservation Commission Proposed Annual Budget 2024-2025

The Commission reviewed the draft FY 24/25 budget. The requested budget amounts were the same as previous years.

Motion: Motion by M. Keatley, seconded by G. Renegar to approve the draft annual report and the draft budget.

Vote: 4-0

7. CORRESPONDENCE

CACIWC 2023 Annual Conference – November 11, 2023

8. PAYMENT OF BILLS

There were no bills.

9. ADJOURNMENT

Motion: Made by M. Keatley seconded by I. Plis to adjourn the meeting at 7:28 PM.

Vote: Unanimous

Respectfully Submitted,



Kim Powell
Recording Secretary