

MEETING MINUTES

Conservation Commission
July 25, 2024, 6:30 p.m.
BOE Conference Room, Waterford Town Hall

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WATERFORD, CT

2024 JUL 31 A 11: 10

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

ATTEST: *David L. Campbell*
TOWN CLERK

1. **CALL TO ORDER** - The meeting was called to order by Chairman Muckle at 6:30 p.m.

2. **APPROVAL OF THE July 11, 2024 MEETING MINUTES**

Motion: Made by D. Lersch seconded by W. Thomas to approve the July 11, 2024 minutes.

Vote: 4-0

3. **NEW APPLICATIONS** - No new applications received.

4. **APPLICATION REVIEW**

C-24-05 430 Mohegan Avenue Parkway & 23B Old Norwich Road: 24 Unit residential housing development – 1721, LLC – Applicant/Owner, Indigo Land Design, LLC – Agent

Atty. William Sweeney, TCORS Attorneys, representing the applicant 1721 LLC. He introduced the project team present: Dan DelGrosso, Principal; Joe Wren, Professional Engineer - Indigo Land Design; Bob Russo, Soil Scientist – CLA Engineers.

J. Wren reviewed the revised plans submitted July 24, 2024. The project will extend from Roberts Court as a 20 ft. wide private road in a full loop with water and sewer service and 24 free-standing residential condominium units. Units will be individually owned and the common area managed under a Home Owners Association.

He reviewed the proposed grading and drainage plans. Overland grassed swales are designed to collect run-off from a portion of the roof areas and common land and discharge to the east of the development. A closed drainage system will collect the remaining run-off and direct it to two stormwater treatment basins. He noted the post-development stormwater run-off rates and volumes from the site are less than existing conditions for all storm events. The revised drainage report includes summary tables of the water quality volumes treated by the basins.

J. Wren reviewed the wetland location and the upland review limits on the site plans. He explained the 100 ft. upland review area is preserved on the south boundary of the wetland and a 75 ft. undisturbed buffer is preserved on the west and northern boundary of the wetland. Grading for stormwater basins 1B and 1C and the vegetated outlet swale of basin 1C are the activities proposed in the upland review area. No impervious surface area is proposed within the 100 ft. upland review area. All graded slopes in excess of 3:1 will be treated with erosion control blankets. Temporary sediment traps and stockpile areas are identified. The temporary sediment traps are designed per the 2024 ESC manual. He noted the plans have incorporated revisions requested by staff. J. Wren also reviewed sheets 6, 7 and 8 of the revised plan set showing roadway profiles and plan details.

B. Russo, soil scientist reviewed the wetland location and surrounding terrain. He explained that the wetland is a headwater drainage area cut off by the fill embankments of Rte. 32 resulting in a

small wetland pocket. The adjacent land is heavily vegetated with barberry and multiflora rose shrubs. Past fill activity west of the wetland is evident with boulders abutting the wetland. The site was reviewed in March and April for the presence of vernal pool species and none were observed.

B. Russo noted that an area of rip-rap was added to the outlet from basin 1C for stabilization against erosion. He explained that the stormwater basins will tend to pond water due to the relative elevation of the outlets to the basin bottom. Vegetative plantings were selected that tolerate shallow ponding. He suggested the commission could impose a condition to monitor the basin hydrology during construction and modify the proposed planting plan if necessary prior to planting.

B. Russo stated the project has no direct impacts to inland wetlands. The potential construction impacts and long-term water quality impacts are controlled by the stormwater basins designed to treat the water quality volume per the 2024 CT Stormwater manual, and the specified erosion and sediment controls including check dams, erosion control blankets and temporary sediment traps. He stated that if the plan is followed, the project can be constructed with no wetland impacts.

Atty. Sweeney clarified that the common interest land area will be maintained by a professional management company.

R. Muckle requested the basins be monitored post-construction for vegetation and stabilization. J. Wren replied a 2-3 year post construction monitoring requirement is acceptable. R. Muckle recommended the basin construction and monitoring be bonded.

M. FitzGerald noted the stormwater basin maintenance narrative on sheet 8 needs to be modified to reflect wet stormwater basin conditions.

Motion: Made by W. Thomas seconded by D. Lersch to prepare a draft permit with conditions as discussed.

Vote: 4-0.

5. VIOLATIONS

5.a 12 Perkins Farm Road: Unauthorized Vegetation Clearing, Fence & Lawn Encroachment in a Conservation Easement Area

Gina Guetti was present as owner of 12 Perkins Farm Road.

Staff provided aerial photos from 2004, 2012 and 2019 showing the pasture limits prior to development and the mowing limits at the entrance to Perkins Farm Road subdivision. R. Muckle noted there are two items the Commission needs to decide; the existing mowing extent along the entrance and road right-of-way and the mowing of the easement area next to #12 Perkins Farm Road. Attorney Avena has determined the fence cannot remain in the conservation easement area.

G. Guetti questioned why the fence needs to be removed. Commissioners noted the land is under a conservation easement and structures are not allowed. The fence and mowed portion of the easement converted the area to maintained lawn which is not in keeping with the purpose of a conservation easement.

Commissioners discussed authorizing control of invasive shrubs and vines within 5 feet of the western property line of #12. The easement needs to return to its natural state, it will not be a manicured lawn. If the community would like to propose a maintenance plan for the common land next to 12 Perkins Farm Road, the Commission would consider their proposal for a natural landscaping plan.

Motion: Made by W. Thomas seconded by D. Lersch to require the owner to move the fence to their property line, stop mowing of the easement area adjacent to #12, and allow control of invasive plants by hand trimming within 5 feet of the western property line.

Vote: 4-0.

The Commission considered the on-going mowing of the easement area bordering Great Neck Road and along the Perkins Farm right-of-way.

Motion: Made by D. Lersch seconded by K. Kriet to allow continued mowing along the right-of-way and street trees bordering Perkins Farm Road and in the two western sections of the easement areas bordering Great Neck Road, to the extent demonstrated in the 2019 aerial photograph, to control invasive species and maintain sight lines.

Vote: 4-0.

5.b 90 Foster Road: Unauthorized Grading and Deposition in and Adjacent to Inland Wetlands – Notice of Violation Issued June 13, 2024

Staff provided current photograph showing the restored wetland area back at grade level and stated the violation has been addressed.

Motion: Made by D. Lersch seconded by K. Kriet to find the corrective actions have been implemented and the violation is closed.

Vote: 4-0.

6. **CORRESPONDENCE** – None received.

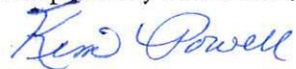
7. **OTHER BUSINESS** - No other business was discussed.

8. **ADJOURNMENT**

Motion: Made by W. Thomas seconded by D. Lersch to adjourn at 7:49 p.m.

Vote: 4-0.

Respectfully Submitted,



Kim Powell, Recording Secretary