

## MEETING MINUTES

Conservation Commission  
May 23, 2024, 6:30 PM  
Auditorium, Waterford Town Hall

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WATERFORD, CT

2024 MAY 30 A 9:46

Members Present: Matthew Keatley, Keith Kriet, Tali Maidelis, Chairman Richard Muckle, and Wade Thomas (6:33pm)  
Members Absent: David Lersch (notified), Geneva Renegar (notified)  
Alternates Present: Ivy Plis, (1 vacancy)  
Alternates Absent: Matthew Shea (notified)  
Staff Present: Maureen FitzGerald, Environmental Planner, Kim Powell, Recording Secretary

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

The meeting was called to order by Chairman Muckle at 6:31pm, I. Plis was seated for D. Lersch.

### **2. APPROVAL OF MINUTES May 9, 2024 Meeting**

T. Maidelis requested the minutes reflect the correct time of the call to order at 6:31pm and M. Keatley's arrival at 6:33pm.

**Motion:** Made by M. Keatley seconded by T. Maidelis to approve the May 9, 2024 meeting minutes with correction.

**Vote:** 5-0-1 [I. Plis abstained]

### **3. NEW APPLICATIONS**

**Modification of Permit #C 22-10:** Drainage Pipe Replacement: 184 Boston Post Road, Department of Public Works – Applicant, Town of Waterford – Owner

The Commission reviewed a request by Public Works to modify permit #C 22-10 in order to replace an 80 ft. section of drainage pipe extending from the library to the pond outlet. Staff reviewed the approved plan which called for repair of the exposed section of pipe. The modification involves 25 sq. ft. of temporary disturbance at the intermittent pond outlet to replace the flared end section. Staff requested the Commission find the modification is consistent with the regulated activities authorized by permit #C 22-10.

**Motion:** Made by W. Thomas seconded by M. Keatley to approve the modification of permit #C 22-10 to replace the section of pipe with a 15 day waiting period.

**Vote:** 6-0-0

**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

Joe Wren, P.E. of Indigo Land Design introduced the project plans. There will be 24 units comprising sixteen single family and four 2-family homes constructed on an extension of Roberts Court cul-de-sac. The parcel contains a 0.04 acre wetland. The project design maintains an undisturbed buffer of 75–100 ft. wide around most of the wetland perimeter and a 50 ft. undisturbed buffer at the northeast border where grading for the stormwater basin outlet is proposed. He stated the wetland was evaluated and determined not to be a vernal pool.

J. Wren reviewed the two stormwater basins and noted all peak run-off rates are reduced over existing conditions for all storm events. The soils were tested for in-situ permeability and the basins were designed in accordance with the revised CT Stormwater Manual to drain within 72 hours. J. Wren noted the basins may be wet bottom basins rather than dry basins. 1/3 of the development will drain to basin #1B and 2/3 will drain to basin #1C, including roof run-off. The basins discharge towards the on-site wetland which in turn discharges through a 48 inch culvert under Rte. 32. No run-off is discharged to abutting properties. Grassed swales and grading are designed to capture and mitigate run-off before it leaves the site.

W. Thomas questioned the elevation shown for the outlet at basin #1B. J. Wren will review. K. Kriet questioned who will be responsible for maintaining the basins and swales. J. Wren replied a homeowner's association will be responsible for the common areas and individual homeowners will be responsible for the private land surrounding each unit. The development is expected to have 30% of the units rented at affordable prices and 70% sold as condos or rented.

T. Maidelis asked if a date should be set to conduct a public hearing. Staff recommended the Commission consider after a full presentation at the next meeting if a public hearing will be held on the proposed regulated activities.

#### 4. APPLICATION REVIEW

**C-24-03 - 122 Bloomingdale Road** – Athletics Team/Facilities Building and Associated Site Improvements; The Williams School – Applicant, Williams Memorial Institute – Owner, Summer Hill Civil Engineers – Agent. Review Draft Permit

**Motion:** Made by W. Thomas seconded by M. Keatley to approve the draft permit with conditions as written.

**Vote:** 6-0-0

#### 5. VIOLATIONS

**9 Waterview Drive:** Unauthorized Deposition of Materials in and Adjacent to Waterbodies

Staff reported on the remediation progress at the site. She shared photographs of the accumulated material at the edge of the pond. The Commission directed that as much material as possible be removed from the pond without causing sedimentation impacts.

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

Owner Brooke Guetti, explained to the Commission he was not aware of the Conservation Easement on the property. He thought it was okay to maintain a portion of the common area (open space). He shared photos of the area before he conducted the clearing, stating briar bushes and wildlife were posing safety concerns for his family. He did not intend to create a conflict or take any property. In 2019 he cleared the area back, placed sand and topsoil, and seeded the area. He created a line of demarcation with a vinyl fence. According to Mr. Guetti, no one complained. Recently he contacted the environmental planner to see if there were any concerns with the work done and was informed the area was under a conservation easement.

Staff explained the encroachment of lawn extends 40 feet into the conservation easement. The area was originally pasture when the easement was placed over the open space and over the years briars and vines have become the dominant vegetation. Areas in the western side of the open

space closer to Great Neck Road as well as along the roadway right-of-way have been mowed to control multi-flora rose and bittersweet since the development was constructed. The standard conservation easement language does allow for removal and thinning of vegetation but restricts construction of structures. The conservation easement is not referenced on the property deed to Mr. Guetti. Staff stated she is referring the clearing to the Town attorney for a determination of consistency with the easement agreement and maintenance of other portions of the open space area.

T. Maidelis suggested the fence be removed. W. Thomas suggested allowing one half the area to be maintained as lawn and the other half be maintained as a meadow by mowing once a year to keep the invasive plants maintained.

Staff will provide historic land use photographs of the property and a copy of the conservation easement language to the Commission for further consideration. She suggested Mr. Guetti seek written support from other members of the development that co-own the open space. The matter will be continued.

**Jordan Millpond Park:** Corrective Actions for Trail Erosion

Staff reviewed where erosion occurred at Jordan Millpond Park from the parking area down to the pond edge. She met with R. McNamara, Director of Recreation & Parks and issued a corrective actions letter to remove the sediment from the pond edge and the adjacent pavilion area and install temporary wood chip berms across the eroded trail. Recreation & Parks will be installing a stone-lined trench drain at the edge of the parking area to collect and divert run-off from the eroding trail sections.

**Motion:** Made by T. Maidelis seconded by W. Thomas to approve the corrective actions issued on May 14, 2024 for removal of sediment from the pond and stabilization of the adjacent slope.

**Vote:** 6-0-0

**6. OTHER BUSINESS**

No other business was discussed.

**7. ADJOURNMENT**

**Motion:** Made by W. Thomas seconded by T. Maidelis to adjourn at 7:40 pm.

**Vote:** Unanimous

Respectfully Submitted,



Kim Powell, Recording Secretary