

June 28, 2018

The Sterling Inland Wetland and Watercourses Commission (SIW&WC) public hearing was called to order at 7:03 p.m. by Chairman Roger Gibson. Other member's present- Kimberly Gunn, Brad Herman, Richard McGarry, Robert McLevy, Jen Mossner, and Alternate James Hawkins Jr.

Member's absent- Maggie Camplin.

Staff present-Joseph Theroux, Russell Gray, and Dale Boisselle.

Also present-David Held, Dalton and Ed Ogley, Donald Salisbury, and Bruce Woodis.

The legal notice was read by R. Gibson. The purpose of the hearing is to accept written and/or verbal comments on #IW&WC 18-04 by KC & WJ, LLC for property located at 0 Snake Meadow Hill Road.

The following was submitted into record: Septic and Well System approval letter from Northeast District Department of Health (NDDH) for the plans as presented, dated June 7, 2018, and abutter notification mail receipts.

D. Held of Provost & Rovero, Inc., presented the application on behalf of KC & WJ, LLC for property located at 0 Snake Meadow Hill Road for the installation of a pipe to cross the intermittent watercourse for the driveway in order to construct a single family dwelling with well and septic system. This piece of property went before the Wetland Commission approximately twelve (12) years ago as the subject of a four (4) lot subdivision application which was denied. There is a single wetland crossing with the majority of the driveway coming off of Snake Meadow Hill Road which is within the one hundred (100) foot upland review area. The proposed house is outside the review area with some proposed clearing limits intruding in the one hundred (100) foot upland review area, and the downhill corner of the septic system is also within the upland review area. The clearing limits have been minimized to maintain the separating distances between the well and septic systems. Mark Sullivan, Certified Soil Scientist, flagged the wetlands (delineation report on file). The wetland crossing is to continue to convey flow from the seasonal watercourse uphill of the development area by using a single twenty-four (24) inch pipe which be countersunk half the diameter into the grade in keeping within the Department of Energy & Environmental Protection (DEEP) and Army Corps requirements. The total disturbed area is 1,200 square feet in that watercourse, which is the only direct impact to the wetlands and is considered a significant activity.

D. Held asked if anyone had any questions or comments.

R. Gibson stated that several members attended the site walk. No direct questions were asked. The Commission discussed various aspects of the application which included the intermittent brook that flows through the area.

R. Gibson asked if anyone had any comments in favor of or against the application. There were none.

R. Gibson asked if anyone had any questions or comments.

D. Held asked R. Gibson to ask the Commission if they have any questions as no further testimony can be offered once the public hearing is closed.

R. Gibson closed the public hearing at 7:12 p.m. All voted in favor. (A motion to close the public hearing was not made).

Attest: _____

Dale Boisselle, General Office Assistant

June 28, 2018

Call to Order: The monthly meeting of the Sterling Inland Wetland and Watercourses Commission (IW&WC) was called to order at 7:13 p.m. by Chairman Roger Gibson. Other members' present-Brad Herman, Richard McGarry, Robert McLevy, Jen Mossner, Kimberly Gunn, and Alternate James Hawkins Jr.

Members' absent-Maggie Camplin.

Alternate J. Hawkins was not seated.

Staff present-Joseph Theroux, Russell Gray, and Dale Boisselle.

Also present David Held, Dalton and Ed Ogle, Donald Salisbury, and Bruce Woodis.

Audience of Citizens: D. Salisbury asked for an update on the gravel excavation on Newport Road. J. Theroux stated that item will be discussed later in the meeting.

Additions to Agenda: R. McLevy made a motion, seconded by J. Mossner to add site plan modifications by Tilcon Connecticut, Inc. for the renewal of a previous issued Inland Wetland Permit for Excavation of Sand and Gravel for property located at 0 Sterling Road (Route 14) as Item b. under New Business. All voted in favor of the motion.

Approval of Minutes: R. McGarry made a motion, seconded by K. Gunn to approve the monthly meeting minutes of 5/24/2018 with the following correction: Under New Business, Item a., schedule a site walk...instead of..."schedule a site work". All voted in favor of the motion.

Correspondence: None

Unfinished Business:

a. Application #IW-18-02 by Sterling Materials, LLC (South) for 258 Newport Road –

Gravel Removal Operation: Abutter notification certified mail receipts were submitted into record. B. Woodis of KWP Associates presented the application and stated that many

Commission members attended the site walk covering the proposed limit of disturbance along the northerly side of the project. The limit of disturbance is at the edge of stockpiled material that will be later used in the reclamation. The material needs to be moved out of the regulated area and stockpiled. The work should have been done with the original project approval but the permit expired before the work was completed. This is essentially the same project that was previously approved by this Commission and the Board of Selectmen. New plans have been drawn to show the current topography and existing conditions. Some issues/concerns include removing additional stockpiled material out of the limits of the regulated area, a ponded area has been formed by excavation below the water table, wetland vegetation has sprouted up, and wildlife is present in the water. Discussion followed regarding blasting the ledge and filling in the ponded area, the limit of disturbance and the placement of the silt fence for protection of the pond, and the re-delineation of the wetlands. To date, there are no proposed plans for blasting.

J. Theroux does not see any issues as long as Erosion and Sedimentation control measures are put in correctly along the stockpiles. R. McLevy made a motion, seconded by K. Gunn to

approve Application #IW-18-02 by Sterling Materials, LLC (South) for 258 Newport Road

(Assessor's Map 03644-029-001I) "Proposed Gravel Removal Plan" prepared for Sterling Materials, LLC, "South Site" prepared by KWP Associates, consisting of four (4) Sheets with the following revision dates: Sheet 1 with a revision date of 3-2018, Sheet 2 & 3 with revision dates of 1-19-2012 and 3-15-2018, and Sheet 4 with a revision date of 1-19-2012, with the following two (2) modifications 1. Silt fence and protective measures of the wetlands are in place prior to any other disturbances 2. The Commission recommends that the Board of Selectmen set an

Erosion and Sedimentation (E&S) Bond. Five (5) members voted in favor of the motion and one (1) member voted against the motion. The motion carried.

b. Application #IW-18-03 by Sterling Materials, LLC (North) for 220 Newport Road – Gravel Removal Operation: The following was submitted into record: Revised Proposed Gravel Removal Plan prepared for Sterling Materials, LLC - North Site. B. Woodis of KWP Associates presented the application and stated that the north site is the property adjacent to the south site. This project was previously permitted and has been inactive for a while. The permit lapsed and needed to be resubmitted. The excavation of this project is essentially complete and the slopes on the outer perimeter are to be loamed, seeded, and reclaimed. The plans have been revised since the site walk of 6-7-2018 to clarify where the existing limit of the disturbance is located. The slopes as they currently exist, except in a few places, are at the proper grade and loam and seed is needed around the perimeter of the project. Work still needs to be done at the bottom of the project, such as the crushing and removal of boulders, excavation to be done at the northern end, and flatten out the bottom of the site with the stored material on site. No more work shall be performed on the outside of the project and the steeper slopes shall be modified 3:1 using the existing topsoil from the site to stabilize and redo the slopes. J. Theroux stated that four (4) inches of topsoil needs to be in place, as well as, liming, fertilizing, and hydro seeding needs to be done. The Board of Selectmen and the Town Engineer are responsible for reviewing these items. Frequency of inspections, invoicing the applicant, six (6) inches of topsoil instead of four (4) inches and grading was discussed. R. McGarry made a motion, seconded by B. Herman, to approve Application #/IW-18-03 by Sterling Materials, LLC (North) for 220 Newport Road (Assessor's Map 03644-029-0015) "Proposed Gravel Removal Plan" prepared for Sterling Materials, LLC, "North Site" prepared by KWP Associates, consisting of 4 Sheets with the following revision dates: Sheet 1 with a revision date of 6-2018, Sheet 2 with a revision date of 6-28-2018, Sheet 3 with a revision date of 6-25-2018, and Sheet 4 dated 2-6-2018, with the following three (3) modifications: 1) The reclamation note shall be revised stating that a minimum of six (6) inches of topsoil be placed before seeding and mulching; 2) the plans shall be revised removing the contour lines and the final grading activity to occur within the shown limits of disturbance; 3) the Inland Wetland Agent shall inspect the site every other week as needed and the cost to be paid for by the applicant. All voted in favor of the motion.

c. Application #IW-18-04 by KC & WJ, LLC, for a Single Family Dwelling for Property Located on Snake Meadow Hill Road: The public hearing on this application closed earlier tonight. R. Gibson asked J. Theroux if he had any comments or concerns with the application. J. Theroux stated that the applicants have minimized the impact to the wetlands while utilizing the property and recommends approval. Discussion was held on the placement of the dwelling and septic systems relative to the wetlands on the property. J. Theroux stated that the plan appears to create the least disturbance while still developing the land. The details of the wetland crossing were discussed as well as placement of buffer signs. B. Herman made a motion, seconded by J. Mossner to approve application #IW-18-04 with the following two (2) modifications: 1) E&S measures are to be installed and inspected by the Wetlands Agent prior to any excavation activity; 2) Inland Wetland buffer signs are to be placed at fifty (50) foot intervals, fifty (50) feet from the flagged wetlands boundary. All voted in favor of the motion.

New Business:

a. Timber Harvest Notification by Michael Jordan for Property Located at 0 Porter Pond Road and 0 Cedar Swamp Road: The location of the timber harvest has been corrected from what was on the agenda due to a clerical error. Michael Jordan has submitted a Timber Harvest

Notification for The Molodich Family LTD, Partnership for property located at 0 Porter Pond Road and 0 Cedar Swamp Road to harvest 50,000 board feet, Assessor Maps 03646-027-0007 & 03646-033-0036 (copy on file). The plan is to do some thinning on the property. The proposed Timber Harvest Notification shows a temporary bridge stream crossing that may be utilized, the decision on whether to harvest on the far side of the stream has not yet been made. The crossing has been included in the plan so that approval is in place if they decide to harvest on the far side of the stream. J. Theroux reminded the commission that this is a Permitted Use as of Right and the applicant is seeking a jurisdictional ruling on the Timber Harvest Notification. J. Theroux shall inspect weekly upon the start of the harvest. J. Mossner made a motion, seconded by K. Gunn that this Timber Harvest Notification, by Michael Jordan for The Molodich Family LTD, Partnership for property located at 0 Porter Pond Road & 0 Cedar Swamp Road pertaining to Section 4 of the Sterling Inland Wetlands and Watercourses Regulations, conforms to Permitted Uses as of Right, based on the wetland's agent recommendations. All voted in favor of the motion.

b. Application #IW-18-01 Tilcon Connecticut, Inc: D. Held of Provost & Rovero, Inc. explained to the commission that Tilcon is in the process of applying for an Excavation Application and the excavation plans needed to be revised due to changes in the excavation regulations over the last several years. The required changes are significant and therefore we are bringing the revisions to the commission for review. D. Held stated that the largest changes were to the buffer zones to property lines and residential structures and went on to explain that the driveway needed to be moved for safety reasons. The plans were reviewed in detail. Discussion was held regarding the placement of the fueling pad and other modifications. J. Theroux stated that this is a better plan with larger buffers than when it was reviewed in March and that he would include in his letter to the Board of Selectmen a recommendation to require more detail on the fueling pad. D. Held reminded the commission that there are no regulated activities at this site. J. Mossner made a motion, seconded by K. Gunn, to provide administrative approval to the changes to Application #IW-18-01. All voted in favor of the motion.

Agents Reports:

1. Violations: No new violations.
2. Other Issues: J. Theroux reported that the rain garden at the Magiera property, 68 Deerfield Drive, has not been constructed to date. J. Theroux reminded the commission of the planting schedule and specific plants that are to be planted in the rain garden and on the other side of the stone barrier. Native vegetation has grown in and the soil has stabilized. J. Theroux will write a letter to L. Magiera regarding the need for Normand Thibeault of Killingly Engineering Associates to write a letter to the Commission within thirty (30) days stating that the type of vegetation that is growing on the site is a suitable replacement for those that were required by the originally approved rain garden plan.

Any Other Business to Come Before the Commission: None.

Adjournment: R. McLevy made a motion, seconded by J. Mossner to adjourn at 9:03 p.m. All voted in favor of the motion.

Attest: _____
Dale Boisselle, General Office Assistant

Attest: _____
Richard McGarry, Secretary