

June 23, 2022

*Amended

Call to Order: The monthly meeting of the Sterling Inland Wetland and Watercourses Commission (IW&WC) was called to order at 6:10 p.m. by Roger Gibson.

Other members' present - Robert McLevy, James Hawkins, Jr., Kimberly Gunn, Brad Herman and Richard McGarry.

Members' absent – Jen Mossner

Staff present - Link Cooper, Joseph Theroux, and Suzanne Krodel.

Others Present – Charlie Corson, Daniel Blanchette from J&D Civil Engineers, Andrew Kausch, Sarah Haberbosch, and Matt Maynard from Towne Engineering.

Audience of Citizens: None

Additions to Agenda: None

Approval of Minutes: R. McGarry made a motion to approve the monthly meeting minutes of 5/26/2022, seconded by J. Hawkins. All in favor, motion passed.

Correspondence: None

Unfinished Business: None

a. **Discussion (Including Possible Executive Session) and Possible Action on Proposed Settlement of Civil Action Entitled “A. Kausch & Sons, LLC v. Sterling Inland Wetlands & Watercourses Commission,” Docket No. HHD-CV-21-6153852-S, Pending in the Superior Court, Judicial District of Hartford.** R. Gibson stated this item is also on the agenda under item E and can be discussed further then or go into executive session. He was not present at the last couple of meetings but did the site walk. If there is further discussion, they can go into executive session. R. McLevy stated that the Town attorney reviewed the settlement with the commission, and they made a motion to approve it at the last meeting. J. Theroux suggested waiting to discuss further when they come to that agenda item and the commission agreed.

b. **Application IW#22-02 by Charles W. Corson, Jr. for Property Located at 131 Church Street, Map 03828, Block 024, Lot 0024 – Gravel Removal Operation:** J. Theroux stated that there is not activity in the wetlands. Daniel Blanchette from J&D Engineers represented that applicant regarding the excavation permit. He explained that it is an existing gravel bank which was heavily excavated in the 90's and has been undisturbed since 2012/2013. He did a site walk on 6/1/22 and it has stabilized well and is well vegetated. He reviewed the plan and discussed the exposed ledge, grading plan to remove gravel, blasting and a plan for future development for housing/condominiums. They plan on flattening the surface and removing ledge. The applicant, Charles Corson, stated that he would like a 55 and older development as it is needed in town. D. Blanchette stated that no work will be done in any wetlands and there is a portion of the upland review area across the street, but no work will be done in that area except to extend existing swale to capture the runoff. The vegetation will stay to help stabilize soils and the water that goes into the swale will go into the existing basin which is engineered to handle the load. J. Theroux asked if the basin needs to be cleaned out and D. Blanchette stated probably and can be one of the conditions of approval. He also stated that there is no septic needed and the paved area of the property will be ripped up and re-seeded. R. Gibson was concerned about the capacity and design of the basin and D. Blanchette stated the plans on file at the town hall you can get specs on the basin. Ground percolation testing was discussed, and Daniel Blanchette stated they did not have that done. R. McLevy made a motion to approve the application with the condition that the collection basin be re-engineered and inspected for suitability, seconded by R. McGarry. No discussion. All in favor, motion passed.

c. **Application IW#22-03 by A. Kausch & Sons, LLC for Single Family Dwelling in the Upland Review Area for Property Located at 0 Main Street:** J. Theroux presented the plans with the engineering stamps. R. Gibson stated there is a locus map. R. McLevy stated there was no owner representation at the site walk and it was not clear if the lots were joined or not and only found a monument and a pin but not sure of the boundary. R. Gibson saw house stakes and flagging for the wetlands when he did his site walk. A. Kausch stated it is the same type of plan as the 191 Snake Meadow Hill Road lot. J. Theroux stated that CLA engineers reviewed the site and did the wetland delineation. He read the summary that stated the activity will not directly impact wetlands and the work in upland review zone and construction of house will not impact wetlands. The main issue is the E&S measures need to be in place and maintained. J. Theroux recommended conditions of approval posting of

the upland review area, the wetland boundary so there are no encroachments. They should use wetland boundary signs for delineation line and due to the tight lot that the clearing limits be staked prior to any work by the surveyor. A. Kausch agreed to shrink down the size of the house because of the tight lot as a condition of approval. R. Gibson stated the plan states to install and maintain continuous line of silt fence, but it breaks on the plan. R. McGarry made a motion to approval with conditions of wetland boundary signage, dimensions of structure to be reduced, clearing limits staked by surveyor and silt fence along entire disturbance line. seconded by K. Gunn. All in favor motion passed.

d. Application IW #22-04 by A. Kausch & Sons, LLC for Single Family Dwelling in the Upland Review Area for Property Located at 473 Main Street: J. Theroux stated that the State form and fee was received. The commission and A. Kausch discussed in detail the location of the lot as it was difficult to find. Another site walk was discussed, and A. Kausch will be present. J. Theroux stated there are no wetlands on this property. R. McLevy stated that is the property is not worth the application for building then maybe it should be combined with another property, so it doesn't become a wetland nuisance that you sell to somebody, and they can't build on it. A. Kausch stated they talked about it but not concerned with it at this time. R. Gibson is concerned that the whole lot is not showing on the plans show exactly where the wetlands are. R. McLevy made a motion to table until the next meeting to review an updated plan and to show wetlands on northern boundary line. Discussion: A site walk is scheduled after the wetlands are delineated and flagged in the rear, on June 29th at 5pm to meet at the corner of Snake Meadow, seconded by R. McGarry. All in favor, motion passed.

e. Application IW#22-05 by A. Kausch & Sons, LLC for Single Family Dwelling in the Upland Review Area for Property Located at 191 Snake Meadow Hill Road: R. Gibson stated there was a withdraw of the appeal and right now requesting the court to approve conditions as set forth by the attorney and A. Kausch attorney. The changes to the settlement agreement were discussed and there are no intentions to go into the wetlands area. R. McLevy made a motion to approve the application with the attached settlement agreement per the attorney's advice, seconded by K. Gunn. Discussion: K. Gunn asked is the settlement agreement will be attached to the application and R. Gibson stated yes. All in favor, motion passed.

f. Application IW#22-06 by A. Kausch & Sons, LLC for Single Family Dwelling in the Upland Review Area for Property Located at 217 Snake Meadow Hill Road: R. McLevy asked if 217 is a contiguous boundary with 473 and A. Kausch stated yes. R. McLevy stated the plan is not complete and suggested another site review at the same time as the other one. Also discussed was the percentage of wetlands and the State form requirements. R. McLevy made a motion to table until the next scheduled meeting pending site review, seconded by R. McGarry. Discussion: Commission will meet at #217. All in favor, motion passed.

g. Application IW#22-07 by Town of Sterling for Culvert Replacement on Newport Road: Matt Maynard from Towne Engineering reviewed the plans to replace the culvert. The culvert is failing, there are potholes in the road and hoping to do the replacement this summer. The metal pipe is getting replaced with new polyethylene pipe; this will disturb the wetlands. They will keep stone headwalls, bring wall down to pipe to replace. The project should take about two weeks or a month depending on the weather, looking to do it in August when it is dry. J. Theroux will monitor the job as needed. R. McLevy made a motion to approve the application as submitted, seconded by R. McGarry. No discussion. All in favor, motion passed.

New Business: None

Agents Reports:

1. Violations: J. Theroux stated that a letter was sent to Debbie Logan at 95 Old Cranston Road. A swimming pool was approved years ago, and her significant other is a mason contractor and stores equipment, forms, concrete, and rock on the property. When the pool was to be installed, he wanted to fill more area and was told to go to the wetlands commission but didn't, a violation was issued. Wetlands were flagged but documentation submitted is insufficient and J. Theroux requested a more professional plan, an A2 is not necessary but a plan depicting the wetlands delineation, where he wants to fill and come to the commission with an application as it is 20-25 feet to the wetlands. The commission agreed that an ariel photo is sufficient with dimensions and showing the house, current wetlands line, fill line and what the plan is and what they are using for fill line.

2. Other Issues: None

3. Michael Larcher/Tina Rowe, 0 Sterling Road (Route 14): J. Theroux stated that he has not received anything, and it is under a cease and desist. They were going to hire a civil engineer and surveyor. They went across the first crossing site and were working in the stream channels to facilitate the flows. He will send another letter then it will go to the Town attorney.

4. Filmar Colato – 84 Sawmill Hill Road: J. Theroux stated that they are waiting for the water tables to subside, it is still pretty wet. The work will probably be done in July and August and they will leave 6-8' parallel to the driveway.

Any Other Business to Come Before the Commission: None

Adjournment: R. McLevy made a motion, seconded by R. McGarry to adjourn at 7:53 p.m. All voted in favor of the motion.

Attest: Suzanne Krodel
Suzanne Krodel, Recording Secretary

Attest: _____
Richard McGarry, Secretary