

CHAPLIN
INLAND WETLANDS & WATERCOURSES COMMISSION
Meeting Minutes

Regularly scheduled monthly meeting

Wednesday, May 22nd, 2019 @ 7:00 p.m.

Chaplin Town Hall, 495 Phoenixville Rd. Chaplin, CT.

Present: Chairman S. Matthies, S. Rusch, P. Kegler, V. Walton
Staff: J. Theroux;

S. Matthies called the meeting to order at 7:02 P.M.

Alternates seated: None seated

Review and approval of the minutes from Wednesday, November 28th, 2018 regularly scheduled meeting:

It was discussed that the minutes were apparently missing one page due to a clerical error thus the approval of the minutes was tabled.

Audience of Citizens: **None**

Additions to agenda: **None**

Old Business: **None.**

New Business: 23 Tower Hill Rd. Plandome Capital LLC. Pond construction:

Mr. Norman Thibeault addressed the Commission and explained the application for the construction of 2 ponds on the 216 acre property owned by Mr. Rory Smith. Both the towns of Mansfield and Ashford were notified of this application as the property lies within 500 feet of both towns. Windham Water Works was also notified.

The larger pond is proposed in the south central portion of the property, the smaller one in the northeast portion of the property.

The larger pond will be approx. 1 acre in size with a potential future home site overlooking it. 2,500 sq. feet of wetland disturbance will be needed to construct the pond. In addition, 14,000 sq. feet of wetlands will be clearcut to provide views to the pond from the home site. This clearcut will convert the forested wetland to a scrub-shrub wetland comprised of sapling, shrub and herbaceous vegetation.

The smaller pond will require 1,988 sq. feet of wetland disturbance, for a total of 4,503 sq. feet of disturbance for the construction of both ponds.

The construction of the ponds will create approx. 1.1 acres of open water habitat, creating a diversity in wetland habitat.

Mr. Thibeault added that revised plans will be submitted showing improvements to several existing culvert crossings on Tutko Rd. that are in disrepair or are not currently functioning. First Selectman Bill Rose indicated that the road was discontinued but the

Town still had a deeded right of way on the road and this would have to be investigated before any work could be done on the road. The road may be open to the public. Mr. Rose added that Mattern & Stefon provided the Town with a report documenting the right of way.

Chairman Matthies asked the Commission if they considered the project to meet the definition of a significant impact activity as defined in the regulations, and if a public hearing was needed. The Commission discussed this and Agent Theroux indicated that he considered the project to be a significant activity and that a public hearing would be needed. Mr. Thibeault concurred.

Agent Theroux asked Mr. Thibeault to have the remaining wetlands around wetland flag 1A indicated on the plans as there was significant grading proposed in that area.

Chairman Matthies read the definition of a significant impact activity as defined in section 2.31 of the regulations and the Commission discussed the definition.

Mr. Thibeault added that there is 2,515 sq. feet of disturbance proposed in wetlands and 43,000 sq. feet of disturbance outside the wetlands for the larger pond. The smaller pond proposes 1,988 sq. feet of disturbance in wetlands and 5,850 sq. feet outside the wetlands. V. Walton added that she thought the project met the definition of a significant activity.

Mr. Thibeault stated that the project was substantial but it was his opinion that the project was agricultural due to the proposed pond could be tied to forest management even though no crops were proposed.

Chairman Matthies indicated the pond construction had to be essential to the agricultural operation for the pond to be considered as of right.

Mr. Thibeault stated that the proposed ponds after completion would add diversity to the existing forested wetlands due to the ponds and newly created scrub-shrub wetlands. Agent Theroux concurred.

V. Walton asked about the proposed lawn areas and Mr. Thibeault described the post construction conditions around the ponds. The berms/banks would be seeded with new England Wetmix and would be taller natural grasses with no trees or brush growing on them.

P. Kegler suggested the Commission go over the definition of significant impact activity line by line to make a determination.

Agent Theroux stated that although he thought that this would be a significant impact, the project would add diversity to the wetlands.

V. Walton stated that under section 2.31, item "A" was met.

Chairman Matthies stated that item "B" was met and P. Kegler concurred.

The Commission discussed item "C" and concurred that this item was not met.

The Commission concurred that item "D" was met, item "E" was not met, item "F" was met, and item "G" was not met.

Motion by P. Kegler that the proposed pond project meets the definition of a significant impact activity as defined under items "A, B, D, and F" in section 2.31 of the regulations, thus requiring a public hearing.

Second by S. Rusch.

Motion passed.

The Commission discussed going on the site walk as a group on Tuesday June 18th, 2019. As this technically constitutes a meeting, this will have to be noticed as such. The public hearing will be held on June 26th, 2019 at 7:00 PM with the regularly scheduled meeting following.

Town of Chaplin North Bear Hill Road drainage improvements:

First Selectman Bill Rose presented the application for the road and drainage improvements to be done from the new bridge area extending up to Middle Road. The project will consist of elevation and grading changes in the road as well as culvert replacement and adding underdrains to intercept ground water.

The Commission reviewed the plans with Mr. Rose as he explained the aspects of the project.

**Motion by P. Kegler to accept the application, Second by S. Rusch,
Motion passed.**

Correspondence:

Letter from Windham Water Works, asking for notifications on future applications.

Letter from VHB notifying the Commission of the Algonquin gas line project to install a cathodic protection system on the gas line. As this project is regulated under federal jurisdiction, the Commission has no authority.

Letter from Solitude Lake management notifying the Commission on the treatment of Reed Pond with aquatic herbicide.

Administrative Report:

Agent Theroux notified the Commission of a pending application from Chaplin Woods Condominiums for the construction of a French drain to intercept ground water.

Quiet Corner Hops Farm timber harvest and field construction:

Agent Theroux explained that the clearcut and field areas of the property were extremely muddy and rutted, with large piles of stumps and stone still left to be removed. The selective timber harvest was finished, and no significant impacts were found within the wetlands.

Commission Discussion:

V. Walton asked about the Pocius property on Route 198, Agent Theroux explained that the E&S measures were adequate and the project was progressing.

Chairman Matthies inquired about the recent drainage swale improvements on Palmer Road and First Selectman Bill Rose explained the project and indicated that this was routine maintenance. Mr. Rose will look into the matter further.

Adjournment:

**Motion by P. Kegler to adjourn,
Second by S. Rusch
Motion passed**

Meeting adjourned at 8:45 PM.

Respectfully submitted,

Joseph R. Theroux
Acting Recording Secretary