

Regular Meeting Minutes November 5, 2020

CITY OF NORWICH INLAND WETLANDS, WATERCOURSES AND CONSERVATION COMMISSION

VIRTUAL/REMOTE MEETING

A. CALL TO ORDER: Chairman Richard Morell called the meeting to order at 7:00 PM.

B. ROLL CALL and SEATING of ALTERNATES:

Present: Chairman Richard Morell, Vice Chairman Douglas Lee, Peter Chalecki, Robert McCoy and Brandon Hyde.

Absent: Swarnjit Singh Bhatia and David Poore.

Also Present: Dan Daniska, Assistant City Planner and Katherine Rose, Recording Secretary.

C. APPROVAL OF MEETING MINUTES:

Douglas Lee put forth a motion to APPROVE the October 1, 2020 regular meeting minutes. Brandon Hyde seconded. All voted in favor. The motion passed unanimously.

D. COMMUNICATIONS: None.

E. PUBLIC HEARINGS: None.

F. OLD BUSINESS:

1. IWWCC #20-13: 2 Sabrinas Court Application for the construction of a New Single Family Home which will require the disturbance of 8854 sq. ft. of area within the Upland Review Area. Previous Septic System on Site, Original IWWCC Approval of Subdivision in 2006. Application and property of Roy Fleming. Assessor's Map 34, Block 1, Lot 8-2. Zone R-40.

Dan Daniska stated the application was a renewal of an older permit from when the subdivision was approved in 2006 and was in regard to a disturbance of 8,854 square feet of area in an upland review area. Dan Daniska noted that there was previous septic system on site that had already been inspected/approved by Uncas Health District.

Douglas Lee made a motion that the application was not a significant activity and did not require a public hearing. Brandon Hyde seconded. The motion passed unanimously.

Douglas Lee made a motion to APPROVE IWWCC APPLICATION #20-13 with the following conditions:

- That the approval is valid for FIVE YEARS and will expire on 11/05/2025.

- That the required bond, in an amount of \$2500, deemed satisfactory to the City Engineer, be submitted for Erosion and Sediment Control and Site Restoration. Bonds must be submitted in a form acceptable to the City (check or letter of credit) prior to any land disturbance activities occurring.
- That final revised plans be submitted and reviewed by City Staff.
- That the City's letter of approval be placed on the final revised plan set (cover page preferred).
- That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any deviation from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
- That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion.
- That all work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this approval. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this approval and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
- That no equipment or materials including without limitation fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.
- That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.
- That the permit shall not be assigned or transferred to another entity without the written permission of the Commission.
- That all erosion and sediment control measures shall be in accordance with the Connecticut Guidelines for Erosion and Sediment Control. Erosion and sediment control measures shall be installed and inspected prior to site disturbance. It is the permittee's responsibility to schedule the inspection with the Norwich Planning Department. Additional erosion and sediment control measures shall be installed if determined to be necessary by the Designated Agent. The permittee shall take such necessary steps consistent with the terms and conditions of the approval, to control stormwater discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
- That this permit will be strictly enforced. The Commission may suspend or revoke this permit, may direct the Commission's Agent to issue a cease and desist order or may require the applicant to modify, extend, or revise the site work or restore the area to its original condition if it finds that the applicant has not complied with the conditions set forth in this approval or if the applicant exceeds the scope of this approval as set forth herein or if the intended use or actual use of the general site is not as represented by the application or the plan of record.

Brandon Hyde seconded. All voted in favor. The motion passed unanimously.

2. IWWCC #20-14: 18 Farm View Drive Application for the installation of a Residential Rock Landscape Feature which will require approximately 600 sq. ft. of disturbance and approximately 20 cubic yards of excavation/fill within the Upland Review Area. Application and property of John B. Luhan. Assessor's Map 14, Block 1, Lot 2-5. Zone R-40.

Dan Daniska stated he had been to the site several times and showcased photos of the existing area. Mr. Daniska discussed the applicant's plans for the area. Richard Morrell asked if the plan would be for runoff to flow naturally as it always had which Mr. Daniska stated was correct. John Luhan, applicant, stated he felt the landscape feature would be an improvement to the property as currently the area is overgrown. Mr. Luhan stated his proposal was inspired by a Japanese rock pond which appeared to be water from a distance but had no water involved. Mr. Luhan stated there was natural run off to the north that wets the area and there is puddling that occurs during rain so the proposed plan allows drainage throughout the rock landscape features and a direct flow through an existing natural swale. Brandon Hyde stated he was very familiar with the piece of land and noted that it had been a hayfield in the past so that it had not been a significant valued wetland.

Douglas Lee made a motion that the application was not a significant activity and did not require a public hearing. Peter Chalecki seconded. The motion passed unanimously.

Brandon Hyde made a motion to APPROVE IWWCC APPLICATION #20-14 with the following conditions:

- That the approval is valid for FIVE YEARS and will expire on 11/05/2025.
- That the required bond, if deemed necessary by the City Engineer, be submitted for Erosion and Sediment Control and Site Restoration. Bonds must be submitted in a form acceptable to the City (check or letter of credit) prior to any land disturbance activities occurring.
- That final revised plans be submitted and reviewed by City Staff.
- That the City's letter of approval be placed on the final revised plan set (cover page preferred).
- That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any deviation from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
- That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion.
- That all work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this approval. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this approval and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
- That no equipment or materials including without limitation fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.
- That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.

- That the permit shall not be assigned or transferred to another entity without the written permission of the Commission.
- That all erosion and sediment control measures shall be in accordance with the Connecticut Guidelines for Erosion and Sediment Control. Erosion and sediment control measures shall be installed and inspected prior to site disturbance. It is the permittee's responsibility to schedule the inspection with the Norwich Planning Department. Additional erosion and sediment control measures shall be installed if determined to be necessary by the Designated Agent. The permittee shall take such necessary steps consistent with the terms and conditions of the approval, to control stormwater discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
- That this permit will be strictly enforced. The Commission may suspend or revoke this permit, may direct the Commission's Agent to issue a cease and desist order or may require the applicant to modify, extend, or revise the site work or restore the area to its original condition if it finds that the applicant has not complied with the conditions set forth in this approval or if the applicant exceeds the scope of this approval as set forth herein or if the intended use or actual use of the general site is not as represented by the application or the plan of record.

Peter Chalecki seconded. All voted in favor. The motion passed unanimously.

3. Updates on Previous Issues:

- IWWCC #20-02: 868 Scotland Road:** Dan Daniska stated he received a packet from Tom Cummings at CLA Engineer including plans and a report that showed no signs of erosion. Dan Daniska stated he also had a site plan from the original application and was currently satisfied to date. Dan Daniska showcased photos of the area.
- Cease & Desist: 27 Pleasant Street Norwich, CT 06360:** Dan Daniska reported the order was a work in progress and that the City engineer was still working with the homeowner to rectify the situation.

G. NEW BUSINESS:

1. IWWCC #20-15(JR): 150,158,154, & 162 Scotland Road Request for a three (3) lot subdivision on an 8.3 acre parcel. Jurisdictional Ruling required by IWWCC. Property and application of American Property Group LLC, Swaranjit Singh Bhatia, Principal. Assessor's Map 52, Block 1, Lots 54,55,56,57. Zone R-40.

Dan Daniska reported a cut and dump had occurred previously and requested that the Commission consider asking that the debris be removed from the upland area. Mr. Daniska stated he also recommended that the wetlands flags be updated as they are aged and difficult to see. Brandon Hyde made a motion that the IWWCC does not have jurisdiction on application IWWCC #20-15(JR): 150,158,154, & 162 Scotland Road due to the fact that no activity or land disturbance is proposed within a Regulated Wetland or Watercourse or within any associated 100 ft. Upland Review Area. However, the wetland flags should be verified in the field by the Soil Scientist and renumbered, and the dumping of debris and brush that has occurred in the Upland Review Area should be appropriately removed during

the development of 162 Scotland Road in the Subdivision. Douglas Lee seconded. All voted in favor. The motion passed unanimously.

2. SHOWCAUSE HEARING: Unauthorized Land Disturbance in an Upland Area 45 Briar Hill Rd Norwich, CT. Assessor's Map 114, Block 1, Lot 12, Zone R-20.

Dan Daniska stated a minor disturbance had occurred including cutting of brush and fill installed in another area. Dan Daniska stated Bob Russo of CLA Engineers Inc. had submitted a letter stating the area was not a wetland but a wet weather stream and that they are not seeking to add additional pipe, just looking to rebuild the swale to its initial state. Mr. Daniska stated a cease and desist letter was sent. Douglas Lee made a motion, based on the communication subsequent to the letter, to withdraw the Cease and Desist Order with the following instructions: That the homeowners work with City Staff regarding the rebuilding and straightening of the drainage easement. Brandon Hyde seconded. All voted in favor. The motion passed unanimously.

3. Receipt of Applications: IWWCC 20-16 Sherman Street Bridge Replacement

Douglas Lee made a motion to table the application to the next regular meeting. Peter Chalecki seconded. All voted in favor. The motion passed unanimously.

H. OTHER BUSINESS: None

I. VIOLATIONS: None.

J. ADJOURNMENT: Peter Chalecki made a motion to adjourn the meeting at 7:32 PM. Douglas Lee seconded. All voted in favor. The motion passed unanimously.

Respectfully submitted, Katherine Rose, Recording Secretary