INLAND WETLANDS AND WATERCOURSES COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
April 15, 2014
(Not yet approved by the Commission)

1. CALL TO ORDER: Chairman Randolph Dill called the meeting to order at 7:30 p.m. at the Town Grange.

2. ATTENDANCE:

COMMISSIONERS PRESENT: Randolph Dill – Chairman, Mary Augustiny, Jennifer Burton-Reeve, Bryan Goff, Daniel Jahne (arrived 7:19 p.m.)

COMMISSIONERS ABSENT: 2 vacancies

OTHERS PRESENT: James Ventres, and 1 member of the public was present.

3. MINUTES:

Motion by Mr. Goff, seconded by Ms. Burton-Reeve, and carried by unanimous vote to approve the minutes of the March 18, 2014 meeting with the following amendments:
- Page 2, 3rd paragraph, 4th sentence: Add “, representing Mr. Dutch” after “Mr. Parker”, and 7th sentence, add “sustain a gunshot” after “not”

4. BILLS:

Branse, Willis, and Knapp $129.50
(Review article by Janet Brooks regarding East Haddam, respond to Mr. Ventres)

Motion by Ms. Augustiny to approve payment of the bill as presented, seconded by Mr. Goff, and carried by unanimous vote.

5. FIELD WALK REPORT

None

6. WETLANDS PERMIT REVIEW

A) Continued: Brownell and Company, Inc., property owner, Dutch Propane, LLC, applicant, 423 East Haddam Moodus Road, wetlands permit application to install two 30,000 gallon above-ground commercial propane storage tanks and related improvements in the upland review area.
Assessor’s Map 64, Lot 49.
First date: February 18, 2014 Last date: April 23, 2014
Mr. Roger Nemergut, P.E., and Mr. Bruce Dutch addressed the commission. Mr. Nemergut distributed revised plans to the commission, which reflected changes from the site plan.

Mr. Nemergut clarified a comment from the last meeting regarding a gunshot. He stated a bullet could penetrate the tank, but it would not ignite it. Mr. Nemergut clarified another comment about gas settling, and that it is not lighter than air. Mr. Nemergut explained that this gas is actually heavier than air. It would be a very unlikely event that there would be a venting issue. He did not believe the concern about gas settling was valid.

Mr. Jahne arrived at 7:39 p.m.

Mr. Nemergut stated they would cut the section of the wall of the old brick building down to about four feet high. The plan was revised to specify that a portion of the slab that would not be in conflict with the pad for the tank would remain in place for erosion control.

Mr. Nemergut reviewed the elevations of the tank, bottom, as well as the flood levels.

Mr. Nemergut stated this plan includes dredging of the Brownell pond. They met with Mr. Curtis of NL Jacobson & Associates. They received a review letter from Mr. Curtis, and they have made all changes for the comments made by Mr. Curtis, with the exception of one Planning and Zoning comment. They had not had time before the meeting to make this change.

Mr. Nemergut explained there is a pipe from the Moodus River to the fire pond, in order to keep the pond full. They would plug this pipe by an approved method before dredging the pond. They anticipate taking the entire pond down about 2-feet. They are not going to dredge within 50 feet of the dam. The area near the hydrant will have to be dredged deeper, in order to get underneath the suction level for the dry hydrant. This will ensure there are no issues with ice, turbulence, etc. They added locations for dewatering equipment. They will protect the area around the inlet with stone to avoid siltation problems. They will put in a Dirt Bag filtration system to protect the runoff during dewatering. They will likely have to build a temporary stone access way to reach the center of the pond. The contractor believes they will be able to direct load the material. They designated the flat area shown on the plan as a temporary stockpile, in the event that the material cannot be directly loaded for removal.

Mr. Nemergut noted that the inlet pipe to the river was angled. They propose a 90-degree T on this, turned away from the flow. This should help with long-term siltation issues. However, he noted that this will need regular inspections and maintenance.

Mr. Dill asked about the second pipe coming from the existing pump house, and the purpose of it. Mr. Nemergut explained that the Brownell Company has a huge warehouse, and all of the buildings have sprinklers. When the alarms come on, the pumps are automatically activated, and the sprinklers go on.

They need to provide fire protection for the propane tanks. One way is to hook the ladder truck up to the pumper. It appears that it would be more economical to go over ground with the lines. Mr. Dill asked if this new line would function as a back up to the main hydrant, to which Mr. Nemergut responded affirmatively.
Mr. Nemergut believed they would put in Sonotubes, add cylindrical pipes that stick up, and attach the pipe to it. Ms. Augustiny asked if the pipe would remain empty until the alarm was activated, to which Mr. Nemergut confirmed it would.

Ms. Augustiny asked if there was some erosion along the front of the building. Mr. Nemergut stated there was, and this was reviewed. Mr. Nemergut believed this erosion was actually caused by runoff from Route 149. The new curbing appears to be directing the runoff away from this now. During the site walk with the commission, they decided to run the stone right up against the building, to function like a drip edge. Ms. Augustiny asked if that would fill in the sluiceway. Mr. Nemergut stated they would likely stone up to this area, and then beyond this area. However, it is spelled out on the plan to ensure the area will support the cranes.

Mr. Nemergut stated that there is an access way from Route 149. Mr. Nemergut stated they would build a new bituminous driveway, then connect to the existing driveway that Brownell uses for their complex. They have shown how the elevation would be graded. It will be approximately an 8% grade. The sprinkler system will be above ground. They have added anti-tracking pads, and he showed these on the plan.

Mr. Nemergut stated if they re-do the flood numbers, the flood levels would be lowered as a result of the new bridge.

Ms. Augustiny asked if all of Mr. Curtis’s concerns were addressed. Mr. Ventres responded affirmatively, and distributed the review letter from Mr. Nemergut.

Ms. Augustiny asked if additional shrubbery was added along the riverbank. Mr. Nemergut did not know if this was done since the last meeting, or if it had been there, but they were adding some additional shrubs.

Mr. Dill asked if there was anything in the wetland area. Mr. Nemergut stated with the exception of the pond that is true.

Motion by Ms. Augustiny to approve the application of Brownell and Company, Inc., property owner, Dutch Propane, LLC, applicant, 423 East Haddam Moodus Road, wetlands permit to install two 30,000 gallon above-ground commercial propane storage tanks and related improvements in the upland review area, with the following conditions:
• Excavation of the pond area shall be completed per the plans dated April 15, 2014, and in concurrence with the April 11, 2014 NL Jacobson & Associates review letter.
Motion seconded by Mr. Goff, and carried by unanimous vote.

B) New: DRA, LLC, 428 Hopyard Road (I-Park), wetlands permit review to create parking areas within the upland review area and provide vehicular access to these parking areas across wetlands and in intermittent swale. Assessor’s Map 61, Lot 12.
First date: April 15, 2014 Last date: June 18, 2014

Mr. Roger Nemergut, P.E. addressed the commission on behalf of the applicant. He stated this application relates to activities at the I-Park. He stated this is a non-profit artist residency program,
free of charge to artists that apply and are accepted. They currently have 6 artists on premises at one
time for a period of weeks. It is multi-medium art. The artists stay on the property in the 6-bedroom
house. At the end of the 4-week period, they hold an event to show the finished products to the
community. Historically, they have not had a large attendance at these shows. However, during the
year, typically in September, they hold an open house/fundraiser. They have gotten 100 – 150 people
throughout the day at this annual event.

Mr. Nemergut stated there is limited parking on the property right now. They have been renting the
field on the opposite side of Hopyard Road for parking. They would like to do something of their own,
and would like 100 spaces. Currently, there is a meadow that appears to be a mowed meadow. This
property is located in the Eightmile River overlay district. Most of the year, it just appears to be a
mowed field. They propose to utilize this area for this single annual event for parking, which would be
within 50-feet of the wetland area. As mitigation, they would install a buffer planting on both sides.
The two parking areas are separate, and the owners would like to be able to connect the two areas.
They proposed a wetland crossing. They would need a 30-inch pipe in order to drive across it.

Mr. Goff asked if they could have a walking bridge rather than driving. Mr. Dill agreed, and asked
about the open field. Mr. Nemergut stated the owner wants the field to remain open. There is a
proposed future expansion to go from 6 studios to 18 studios. Mr. Nemergut stated they will have
supervised parking. There will be a split-rail fence to keep people away from the buffer area. There
would be very little clearing required to add this annual event. If they are successful, they may like to
have two events.

Mr. Jahne asked about the actual crossing. Mr. Nemergut stated they would propose a larger,
bottomless culvert. It would be 6-feet wide, by 22-inches high. Most of the flow would be confined. It
would be wider than the stream flow in this area. They would be pretty much at grade with this type of
culvert.

Mr. Goff asked if they would only need to cut the grass for the parking right now. Mr. Nemergut
explained that they would also like to hold more frequent, but smaller functions. Mr. Nemergut stated
as mitigation, they would add a vegetated buffer.

Mr. Nemergut stated they had Mr. Snarski flag the wetlands. Mr. Nemergut asked him to comment on
the vernal pools. Mr. Snarski believed he needed a couple more weeks. Mr. Nemergut stated they
may come back and find out that there is a vernal pool habitat on site. Mr. Goff asked if the driveway
was approximately 1,000 feet away from that area. Mr. Nemergut stated it was, but if they hold the
larger event, it would be close to or within the 400-feet review area.

Mr. Nemergut stated this would not be a wet seasoned event. It is held in September each year. He
stated this could be a condition of approval. Mr. Dill asked if there had been test pits done there, to
which Mr. Nemergut stated they had not. Mr. Goff stated if they discover vernal pools, they may have
to come back for review.

The commission discussed the uses of the studios. Mr. Nemergut stated a couple of the studios
would have a water source and likely a dry well for clay rinsing. Ms. Burton-Reeve noted that one was
a sound studio, so they would need power to that unit. Ms. Augustiny asked if there would be
restrooms. Mr. Nemergut stated the artists would go to the residence facility.
Mr. Gelston asked how many cars would be expected to park. Mr. Nemergut stated they expect 100-cars. They anticipate 100-150, but rotating throughout the day.

Responsive to inquiry by Mr. Jahne, Mr. Ventres stated right now, this is on file as a single-family structure. If they want to hold events such as this, they need approval for a special exception through the Planning & Zoning Commission.

Ms. Augustiny noted that there could be an issue with where the parking could be, since Hopyard Road is a State road. She suggested there could be other concerns. Mr. Ventres stated either way, they need to practice sound engineering with sight lines, etc.

Mr. Gelston stated he was concerned about soil compaction. He stated one event would impact the soil. He asked if trucks would be allowed to be here. He stated more events would cause greater impaction. He suggested soil tests. Mr. Goff and Mr. Dill stated they had already asked for this.

Mr. Goff stated their current size is 6 units, and their proposed is 12. He asked about parking. Mr. Nemergut stated that not everyone drives his/her own car to this location. They were asking for 9 more spaces that would be used more routinely, and the other spaces for the annual events.

Mr. Dill believed a site walk would help, but he believed it would be a high bar to justify a road crossing. He stated this area does not see a lot of traffic.

Motion by Ms. Burton-Reeve, seconded by Mr. Goff, and passed unanimously to schedule a field walk and to continue the application of DRA, LLC, 428 Hopyard Road (I-Park) until the next regularly scheduled meeting.

Responsive to inquiry by Ms. Augustiny, Mr. Nemergut stated that all of the light gray items on the plan were pre-existing items.

C) New: Joseph D’Addeo, 2 Fieldstones Drive, create new access to the lake, repair of existing dock, installation of two new docks, repair of existing stonewalls and future plans to construct two sheds, two patio areas, and a gazebo. Assessor’s Map 58, Lot 116.

No one representing the applicant was present at this meeting. Mr. Ventres stated he had received a text on Friday about this property, and work being done without a permit. He explained that the area depicted in orange on the plan has been cleared, and there are two piers installed already. The homeowner has stopped the work, and has contacted Mr. Ventres. The homeowner has submitted the application and a narrative, which includes three proposed docks.

Motion by Mr. Dill, seconded by Mr. Goff, and passed by unanimous vote to schedule a field walk and to continue until the next regularly scheduled meeting the application of Joseph D’Addeo, 2 Fieldstones Drive, create new access to the lake, repair of existing dock, installation of two new docks, repair of existing stonewalls and future plans to construct two sheds, two patio areas, and a gazebo.
8. IWWC ENFORCEMENT OFFICER’S REPORT

Mr. Ventres spoke with Attorney Branse about the Janet Brooks article. A brief discussion ensued. Attorney Branse will get back to Mr. Ventres.

Mr. Ventres distributed a recent Court’s memorandum regarding jurisdiction between commissions. A brief discussion ensued.

Mr. Ventres stated that a wetland scientist and biologist were conducting a wetlands and vernal pool survey on Mr. Casner’s A.P. Gates Road lot. Mr. Ventres stated it is vernal pool system. He left a message for Mr. Casner to ask if he could go out and look at his lot on A.P. Gates Road for vernal pool species. Mr. Ventres received a phone call from a neighbor about the recent pink wetlands flags.

Mr. Jahne asked if there was a consensus among wetlands professionals about the correct time to go out to evaluate vernal pools. Mr. Ventres stated that was why he called Mr. Casner for permission.

9. CONSERVATION COMMISSION INPUT

Mr. Gelston stated they would be coming to the commission for a parking area on the Hatch Lot, Mill Road. They would also like to put a bridge across the stream on the Blue Trail. The bridge would be for walking and horses.

Mr. Dill asked how far in the parking lot would be. Mr. Gelston stated it would be just off the road. They want to eventually clear the brush adjacent to it, but their first priority was the parking lot. Mr. Gelston stated he took Cub Scouts up there a few weeks ago, and he nearly got stuck in his truck. He stated there should not be any problem with runoff for the parking lot.

Mr. Gelston stated they would also like to add a parking lot to the Rose Farm parcel. This would be their third priority. They will also come with an application for this project.

10. ADJOURNMENT

    Motion by Mr. Goff, seconded by Ms. Burton-Reeve to adjourn at 9:15 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina