

TOWN OF CLINTON
ANDREWS MEMORIAL TOWN HALL
54 EAST MAIN STREET
CLINTON, CONNECTICUT 06413
TELEPHONE: (860) 669-6133 - FAX: (860) 664-4469
CLINTON INLAND WETLANDS COMMISSION

Minutes
Regular Monthly Meeting
May 3, 2022

Chairman Scott Harley called the May 3, 2022 Regular Monthly Meeting of the Clinton Inland Wetlands Commission of the Town of Clinton to order at 7:04 P.M. in the Green Room of the William Stanton Andrews Memorial Town Hall, 54 East Main Street, Clinton, Connecticut.

Members present: Chairman Scott Harley, Secretary Mary Jo Phelps, Bertram Schmitz and Tania Abbatello
Members absent: Vice Chairman Michael Florio, Robert LaFrance, Edward Alberino, James Norrie and Alternate Ryan Tartisel
Also present: Wetlands Enforcement Officer Kathleen S. King, Clerk Sherry Lee Hynes, an applicant, applicant's agent and members of the Clinton Volunteer Fire Department as noted below

Harley **SEATED** Abbatello for Norrie.

New Applications Received after the filing of the agenda to be added by motion. None.

Minutes: April 5, 2022 Regular Monthly Meeting. Schmitz **MOVED** to accept and approve as presented the Minutes of the April 5, 2022 Regular Monthly Meeting. Phelps seconded the motion. Discussion: none. Voting in favor: Harley, Phelps, Schmitz and Abbatello. Opposed: none. Abstentions: none. The motion was **carried**, 4-0-0.

IWC 22-004AOR or R: Fire Department Water Supply Improvement Project, Project Site: Hesers Pond, Old Nod Road at Airline Road, also includes Olde Orchard Road and Pleasant Valley Road. Determination of As-of-Right Activity per Section 4.2(c) – Underground Fire Tanks (a/k/a dry hydrants). Applicant and Property Owner: Town of Clinton. Hesers Pond: Assessor's Map 19 Block 6 Lot 1H. Zone: R-60

- Review: Minutes: April 21, 2022 Special Meeting Cancellation and Administrative Session
- Determination: AOR or Regulated Activity
- Determination as to Significant Activity
- Set Public Hearing or Deliberation

Minutes: April 21, 2002 Special Meeting Cancellation and Administrative Session. No approval needed.

IWC Minutes
Regular Monthly Meeting
May 3, 2022

Present: Michael Harkin, P.E., Harkin Engineering, LLC, 78 Wolf Hollow Lane, Killingworth, Connecticut, Project Engineer, Brian Manware, Fire Chief, Clinton Volunteer Fire Department, Mike Neff, Assistant Fire Chief, Clinton Volunteer Fire Department.

Michel Harkin, P.E., presented the application using the record site plan dated January 26, 2022 showing the location of the project at Hesers Pond and the technical detail sheet, Page 2 of the site plan. The Hesers Pond location is the subject of this application. At the request of Harkin, the locations at Olde Orchard Road and Pleasant Valley Road were visited by the Commission at the same time as the location at Hesers Pond. These will have separate applications at a future date. There are approximately fifteen locations chosen for the Fire Department Water Supply Improvement Project. It is hoped that there will be enough funding to do all fifteen locations.

Brian Manware, Fire Chief, Clinton Volunteer Fire Department (CVFD)t, with input from Mike Neff, CVFD, spoke about the overall project, its funding. There was a general discussion on the use of the device.

Harkin and Manware then addressed inquiries of the Commission members about this activity and future activity at other town-owned sites.

Phelps **READ** into the record the May 5, 2022 E-mail from Steve Yenco, R.S., the Connecticut River Area Health District (CHRAD). There are no concerns.

Harley **READ** Inland Wetlands and Watercourse Regulations of the Town of Clinton, Section 4.2c (As-of-Right Activities) into the record.

Determination: AOR or Regulated Activity. It was the consensus of the Commission that the proposed activity qualifies as an As-of-Right Activity in accordance with Inland Wetlands and Watercourse Regulations of the Town of Clinton, Section 4.2c (As-of-Right Activities).

Determination as to Significant Activity. Determination not required because the activity was deemed as-of-right.

Schmitz **MOVED** that IWC 22-004AOR: Fire Department Water Supply Improvement Project, Project Site: Hesers Pond, Old Nod Road at Airline Road, also includes Olde Orchard Road and Pleasant Valley Road. Determination of As-of-Right Activity per Section 4.2(c) – Underground Fire Tanks (a/k/a dry hydrants). Applicant and Property Owner: Town of Clinton. Hesers Pond: Assessor's Map 19 Block 6 Lot 1H. Zone: R-60 meets the elements of Inland Wetlands and Watercourse Regulations of the Town of

IWC Minutes
Regular Monthly Meeting
May 3, 2022

Clinton, Section 4.2c (As-of-Right Activities) is determined as an as-of-right activity in accordance with the site plan entitled:

Schematic Site Development Plan

Prepared for

Town of Clinton

“Fire Dept. Water Supply
Improvement Project”

Hesers Pond – ID# 19/6/1H

Clinton, Connecticut

dated January 26, 2022. Phelps seconded the motion. Discussion: none. Voting in favor: Schmitz, Phelps, Harley and Abbatello. Opposed: none. Abstentions: none. The motion was carried, 4-0-0.

IWC 22-003R: 79 Olde Orchard Road, Anthony G.J. Bono (Applicant and Owner). Application for Activity in and within 50 Feet of Inland Wetlands or a Watercourse: placement of boulders adjacent to and in a portion of an existing pond to contain the water in the pond. Assessor’s Map 6 Block 2 Lot 7-109. Zone: R-80.

- Review Minutes: April 21, 2022 Special Meeting Cancellation and Administrative Session
- Determination as to Significant Activity
- Set Public Hearing or Deliberation

Anthony G.J. Bono was present.

Review Minutes: April 21, 2022 Special Meeting Cancellation and Administrative Session. No action needed.

Presentation. Anthony G.J. Bono presented his application to place boulders adjacent to the edge of an existing pond. The pond is approximately twenty years old. The pond level goes up and down. The water is starting to weep into his yard. The boulders will address this issue. He researched on-line and contacted several contractors on the plausibility of the project. He is confident this proposal will address his issue. A contractor will be using heavy construction equipment to relocate boulders on site to approximately one quarter of the pond edge. He then addressed Commission inquiries, including but not limited to, a question on topography. All the lots in this area have substantial amounts of multi-size boulders.

Phelps **READ** the following document into the record: April 4, 2022 E-mail from Steve Yenco (the CRAHD). No B-100a is required for this project.

Determination as to Significant Activity. By consensus, the Commission determined this project does not meet the criteria to be deemed a “significant activity” as defined the Inland Wetlands and Watercourse Regulations of the Town of Clinton.

Set Public Hearing or Deliberation. No public hearing will be held. It is not in the best interest of the public to hold a public hearing.

Phelps MOVED to approve as presented IWC 22-003R: 79 Olde Orchard Road, Anthony G.J. Bono (Applicant and Owner). Application for Activity in and within 50 Feet of Inland Wetlands or a Watercourse: placement of boulders adjacent to and in a portion of an existing pond to contain the water in the pond. Assessor’s Map 6 Block 2 Lot 7-109. Zone: R-80 in accordance with the site plan entitled

Proposed Subsurface
Sewage Disposal System
Lot 109 Kenilworth
Olde Orchard Road
Section VI
Clinton, Connecticut
Prepared for
Summer Hill Associates

dated January 18, 2022 last revised on March 29, 2022, subject to the following conditions:

General Conditions

1. Not later than two weeks prior to the commencement of any work, permittee shall submit to the Clinton Inland Wetlands Commission the names and addresses of any contractor(s) employed to conduct such work and the expected date for commencement and completion of the work.
2. Permittee shall give a copy of the permit to the contractor(s) who will be carrying out the authorized activities.
3. Installation of erosion and sedimentation controls at the discretion of the Wetlands Enforcement Officer and inspection thereof prior to the start of construction.
4. Permittee shall not deviate from the referenced site plans and shall not make De Minimis changes without the prior authorization of the Clinton Inland Wetlands Commission or the wetlands enforcement officer until the authorized work has been completed.
5. Upon completion of the project the applicant shall notify the wetlands enforcement officer who will then inspect the site.

Abbatello seconded the motion. Discussion: none. Voting in favor: Schmitz, Phelps, Harley and Abbatello. Opposed: none. Abstentions: none. The motion was **carried**, 4-0-0.

WEO Report

- Report: The WEO and Clerk's Reports for April 3, 2022 were distributed prior to the meeting.
- Project Updates:
 - Indian River Landing. Project Engineer via telephone has asked for some of the silt fencing to be removed. WEO King has asked for a written request along with a map showing the location(s) of the particular silt fencing proposed to be removed.
- Complaints/Violations
 - IWC 19-003C: 15 Stone Wall Lane: Vincent D. & Margaret M. Pansa (Applicants & Owners). Discharge of Water into Wetlands without a Permit. Assessor's Map 28 Block 21 Lot 9-13. Zone: R-40. WEO King has requested a project completion date from Attorney Barber.
 - IWC 20-001C: 230 Cow Hill Road: Violation – Filling of wetlands and a pond. Tabled pending the outcome of 228 Cow Hill Road below.
 - IWC 20-002V: 228 Cow Hill Road: Violation – Filling Wetlands and Pond. Remediation plan approved on February 1, 2022. Activity to take place in during "dry" months.
 - IWC 20-002C: 141 Liberty Street: Beaver Dam. Application for dam removal received. Application approved. A contractor and neighbor, Louis Campanaro, advises that a device inserted into the area does not appear to be functioning.
 - IWC 21-006V: 1 Woodcock Lane #1. Tree cutting in wetlands without a permit. A contractor has been hired. A remediation plan is anticipated. Remediation Plan approved at April 5, 2022 Regular Meeting. Remediation to take place during the "dry" months.
 - IWC 21-011C: Open Space, Elsie Lane. Vernal Pool dam. WEO King has requested a status update from Mike Houde, Clinton Land Conservation Trust.
- Land Use Staff. Cristi Alvarado is the new Planning and Zoning Clerk.

Old/New Business

- Discussion: Consideration of Change to By-Laws – Bonding Established by Commission and
- Discussion: Submitting the IWC By-Laws to Town Council for Approval (The Town Charter does not have student members on the IWC. To allow them, the Charter must be changed or Town Council must approve the IWC By-Laws allowing student members)

Harley will be reviewing the By-laws and will prepare proposals if there are any changes that need to be made.

Additions to the June 7, 2022 Agenda. This meeting will be held virtually. Members discussed the proposed legislation to return to in-person meetings. This proposal was passed by the legislation and is awaiting signature by the governor. The proposal is that meetings can be held in-person with the caveat that If a Commission member or a member of the public, in writing,

IWC Minutes
Regular Monthly Meeting
May 3, 2022

requests electronic access, the request **must be** accommodated. This can be done via virtual meetings. At this time, the Town does not have the electronics necessary to conduct hybrid meetings (in-person and electronically simultaneously). WEO King will look into hybrid meeting electronics further with Town Manager Karl Kilduff and the IT Department. A Commission may hold virtual meetings at its discretion.

Chair's Comments. None.

There being no further business, Schmitz **MOVED** to adjourn the meeting. Abbatello seconded the motion. Discussion: none. Voting in favor: Schmitz, Phelps, Harley and Abbatello. Opposed: none. Abstentions: none. The motion was **carried**, 4-0-0. The meeting was **adjourned** at 7:51 P.M.

Respectfully submitted,
Sherry Lee Hynes
Sherry Lee Hynes, Clerk

E-mail: Town Clerk
Town Council

Posted: Website