

**TOWN OF FRANKLIN**  
**INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)**  
Franklin Town Hall  
7 Meetinghouse Hill Rd.,  
Franklin, CT 06254  
**MINUTES**  
**REGULAR MEETING**  
**April 2, 2019**  
**7:30 p.m.**

---

1. Call to Order: Chairman Calli Carboni called the meeting to order at 7:35 p.m.: **Members Present:** Chairman Calli Carboni, Joseph LeVasseur, Secretary Don Smith. **Members Absent:** Vice Chairman Leo Bienvenue, Pat Coleman. **Alternate Members Present:** Raymond Baribeault, Niels Jeppesen. **Alternate Members Absent:** John McGuire. **Also Present:** Ron Chalecki, Zoning Enforcement Officer, Charlie Grant, First Selectman, and Carly Myers, Planner Southeast Connecticut Council of Governments (SECCOG).
2. Recognition of Visitors: Chairman Carboni recognized all visitors.
3. Public Hearing:
  - a. **IWWC # 18-03 Franklin Hills Estates & Country Club, LLC:** Revised Site Plan Review for Regulated Activities for property located on the westerly sides of Route 32, Avery Lane and Lathrop Lane, Franklin, CT, Map 37, Lot 1, existing use of property is golf course and support facilities under construction, proposed activity is golf course, driving-range, clubhouse, lodge, maintenance building, and support facilities.

**APPLICANT / PRESENTATION:** Sam Giavara, Attorney Harry Heller, George Logan, Stephan Nousopoulos, and Normand Thibeault, were present to represent Franklin Hills Estates & country Club. Attorney Heller gave a history overview of this project from its 2004 IWWC permit approval up to this point of submitting a "New" Site Plan Application. The Revised Project Narrative as submitted into the application record offers in-depth information on project history.

**Documents Submitted into the application record:**

Heller, Heller, & McCoy Response Letters (CLA, ZEO & SCCOG) Review Comments	Apr 1, 2019
Golf Course Certification Letter Arnold Palmer Design Company, Amy Palmer Saunders Owner	Mar 15, 2019
Norwich Public Utilities Letter General Commitment to providing potable water & sewer service	Mar 15, 2019
Army Corps of Engineers Letter Authorization CT GP #17 with Conditions (Expires Aug 29, 2020	Nov 30, 2018
DEEP 401 Water Quality Certification/Confirm work to be done thru Pre-Const process under GP	Aug 20, 2018
DEEP GP Storm water Discharge valid to Sep 30, 2019. Currently Drafting new GP. If not issued this year Extension would be granted to Sep 30, 2020	Mar 20, 2019
CT DOT Letter – Set to expire Jun 6, 2019. Applicant requested 2-year ext. No reply yet	Mar 6, 2019
BOS & AGCON Easement Letter – Avery Lane & Lathrop Lane	No date
Integrated Turf Management Program	Feb 4, 2004
Maintenance Facility Operation/Maintenance/Pollution Prevention Plan	Mar 2019
Drainage Report/Storm Water Management Plan/Infrastructure/E&S / Pollution Control / Infrastructure	Apr 2019
Revised Project Narrative	Apr 1, 2019

**Plans Submitted into the application record:**

**Dated, February 5, 2019**

GE.01-GE.02	GENERAL NOTES, TABLES & LEGENDS
SE.01-SE.14	SOIL EROSION CONTROL PLANS 1 THRU 14
WIM.02	WETLAND IMPACT & MITIGATION PLAN
ST.01–ST.03 (3 sheets added to plan sub (02.05.19)	CONSTRUCTION PHASING PLAN 1-3
CON.01	PROPOSED CONSERVATION EASEMENT PLAN
SD.01, 02, 05	EROSION & SEDIMENTATION CONTROL DETAILS
11, & 16	

Attorney Heller noted this application is very similar to the site plan application permit approved by this Commission April 2004 as a permit to conduct regulated activities in conjunction with development of the golf course and country club facility. The permit was extended, from time to time, by IWWC and will sunset April 2019. The permit was not subject to further renewal. Attorney Heller noted the application being presented this evening is for a new permit to conduct regulated activities in conjunction with a minimally revised development plan for development of the Franklin Hills Golf Course and Country Club.

However the vehicular timber bridge crossing remains to be considered as a direct impact to wetlands and is considered as a regulated activity. Also, there are additional wetlands impacts currently that were not included in the 2004 submission. Attorney Heller reviewed the eight points of interest indicating regulated activities as outlined in the Revised Project Narrative.

1. Construction of vehicular timber bridge.
2. Installation of bottom culvert in conjunction with development of main access road to clubhouse facility and lodge across two wetland and intermittent watercourse areas
3. Storm water discharges from drainage system for roadway providing access to golf course and country club facility from Avery Lane
4. Re-grading in fairway of Hole 16 to achieve design contours for development of hole
5. Grading in various upland review areas adjacent to areas of golf course construction
6. Wetland selective clearing in various locations within project area throughout golf course facility
7. Wetlands upland review area selective clearing in various areas throughout golf course facility
8. Timber Bridging, bridging, culverting and filling for installation of cart paths

**Notes:**

1. There have been modifications to conservation easements. The Board of Selectmen & Agriculture and Conservation Commission have approved the conservation easements
2. Golf course routing plan is substantially similar to 2004. However, Hole 4 was re-configured due to Algonquin Gas requirements – activity to close with walkers and the cart path to existing gas lines.
3. Hole 7 was significantly re-routed relative to grading so as to not create off-site drainage issue and also by the Golf Course Architect's desire
4. Reviewed areas of disturbances

Attorney Heller provided complete and detailed oral and written responses to CLA Engineers Initial Project Review letter, dated February 26, 2019, Carly Myers, (SECCOG) Initial Project Review Letter, dated February 27, 2019, and Ron Chalecki Initial Project Review Letter, dated March 19, 2019, as noted below under Town Staff Comments. The letters and responses were lengthy and are available in the application record.

**IWWC COMMENTS/CONCERNS:** Chairman Carboni noted IWWC approved the Franklin Hills Estates and Country Club Golf Course April 7, 2004. February 11, 2009 this Commission approved a five-year extension request to April 7, 2014. On May 6, 2014 this Commission approved another five-year extension set to expire April 7, 2019. IWWC has been involved with this project for quite a long time.

Mr. Baribeault asked for clarification on pesticide management. Attorney Heller responded in saying golf course management performs strict cultural practices for aerating, de-thatching, watering, and seeding. He indicated some pesticides would have to be used as a matter of necessity in order to assure the golf course is up to the level it needs to be for proper business success. Mr. LeVasseur asked for clarification on how wells would be used on the golf course property for irrigation purposed and asked if neighboring property wells would be affected. Normand Thibeault noted some wells on site could be used for irrigation purposes. Attorney Heller indicated the State Active Groundwater Diversion Permit will require golf course management/administration to strictly monitor wells and water draw downs on site so as to not negatively affect wells on neighboring property.

**Albert Rudolph** spoke with concern and asked that Franklin Hills make every effort possible to not allow any bit of water run-off from the Franklin Hills golf course to his property. He is very concerned that this project will increase water flow off of the golf course property towards his property.

**Charles & Denise Warrender** spoke about concerns regarding wells on their property. They have never had any problems with their wells and do not want any problems as a result of this project. They are concerned with water draw downs and the use of pesticides on this golf course. They do not want to see any residual negative impacts to their wells. Mr. Giavara responded by saying the State of Connecticut requires protection of local wells by means of testing data provided within the diversion permit. The State monitors wells, waterflow, wetlands, and watercourses as the developer goes through the diversion process.

**Ron Chalecki:** If the applicant makes any changes on the IWWC site plan set, including upland review information, that was submitted this evening, they must submit such revised plans to PZC automatically. The applicant is required to officially inform Uncas Health District of this wetlands application for their review, summary, and comments.

#### **TOWN STAFF COMMENTS:**

1. **TOWN STAFF:** Project Staff Review Letter from Ron Chalecki, Zoning Enforcement Officer, dated March 29, 2019. There are eleven points of concern. This is a preliminary review only and another review will need to be conducted as this is a very large project and it is anticipated changes to plans will be necessary.
2. **TOWN PLANNER:** Project Staff Review Letter submitted from Carly Myers, SECCOG Planner, dated February 27, 2019. There are four comments and other areas of concerns with the plan set. While the subject of the application is the same, there have been changes to the plans over the years and additional changes in the plan set. This review is not complete. There are a substantial number of revisions needed in order for staff to complete the review.
3. **TOWN CONSULTING ENGINEER:** Project Staff Review Letter submitted by CLA, dated February 26, 2019. There are twenty seven (27) areas of comments and concerns. The plans lack sufficient detail and completeness for a comprehensive review. This review is not complete.

Chairman Carboni opened the Regular Meeting and seated Mr. Baribeault for Mr. Bienvenue.

#### 4. Additions to the Agenda:

**MOTION #1 (04.02.19):** made by Mr. Smith SECONDED BY Mr. LeVasseur that the Inland Wetlands and Watercourses Commission add the following to the Agenda: 1) IWWC Existing Permit Application #03-14/#15-02 Approved April 7, 2004 (Set to Expire April 7, 2019)

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

#### 5. Approval of Minutes:

##### a. February 5, 2019:

**MOTION #2 (04.02.19):** made by Mr. Smith SECONDED BY Mr. LeVasseur that the Inland Wetlands and Watercourses Commission approve Minutes of February 5, 2019 as amended: 1) Item 7a. Robert Gilmore DEEP – add “Dated 08.20.18; 2) Item 7a. Army Corps of Engineers – add “Dated 11.30.18; 3) Item 7a. To Paragraph above table – “Dated January 28<sup>th</sup>, 2019; 4) Corrected Spelling throughout – “Sam Giavara”

**VOICE VOTE: Abstained:** Ray Baribeault

**MOTION CARRIES**

#### 6. Report of the Wetlands Enforcement Officer:

## 7. Unfinished Business:

- a. **IWWC # 18-03 Franklin Hills Estates & Country Club, LLC:** Revised Site Plan Review for Regulated Activities for property located on the westerly sides of Route 32, Avery Lane and Lathrop Lane, Franklin, CT, Map 37, Lot 1, existing use of property is golf course and support facilities under construction, proposed activity is golf course, driving-range, clubhouse, lodge, maintenance building, and support facilities.

Public Hearing for Application #18-03 was continued to May 7, 2019, 7:30 p.m. at the Franklin Town Hall.

- b. IWWC Existing Permit Application #03-14/#15-02 Approved April 7, 2004 (Set to Expire April 7, 2019):

Chairman Carboni asked the applicant to address issues as noted in the CGP Tracking No. IR #19-4, Inspection Date 3.25.2019, from Jacob Faulise, Boundaries Inc.

1. Item #4: "Water Bars, Swale, & Check Dams" along Construction Access Drive (Westerly of Proposed Maintenance Road). Corrective Action Required:

**NOTES:** Recommend adding water bars, swale, & check dams (when construction begins) to construction access drive. Runoff is currently flowing down the access drive to a water bar located at the site entrance. The water bar discharges runoff northerly of the access drive to a swale running east along Lathrop Lane. There are no issues with the existing water bar and swale at this time.

2. Item #5: "Anti-Tracking Pad at Construction Entrance". Corrective Action Required!

**NOTES:** Recommend installing anti-tracking pad at construction entrance (when construction begins).

3. Item #6: "Water Bars, Swale, & Check Dams Along Access Drive to Hole 3 Green"

**NOTES:** Recommend adding water bars, swale, and check dams (when construction begins) to access drive. Currently utilizing stone check dams as temporary control measure.

4. Item #7: Water Bars, Swale, & Check Dams Along Access Path Between Holes 14 and 15.

**NOTES:** Recommend adding water bars, swale, and check dams (when construction begins) to access path. There is currently one stone check dam at the base of the access path to the east of Hole 14 green until above stabilization can be established, add additional stone check dams along the access path and at discharge points.

5. Item #7: "General Stabilization Along Eastern Edge of Pond". Existing access path along eastern edge of pond is eroded and wet. . Corrective Action Needed!

**NOTES:** Recommend haying and seeding when construction begins.

## 8. New Business:

- a. **IWWC # 18-04 Bruce Bourget:** New Site Plan Review for Regulated Activities for property located at 375 Route 32, Franklin CT., Map 32, Lot 5, existing use is farm; proposed use is removal of gravel hill and dig out existing pond at approximately 1.75 acres.

**MOTION # (04.02.19):** made by Mr. LeVasseur SECONDED BY Mr. Jeppesen that the Inland Wetlands and Watercourses Commission refer this application to Tom Weber for an approved Jurisdictional Ruling

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

9. Correspondence:

- a. ST CT Notification Submittal Application to DEEP for GP Water Resource Construction Activities: Rehabilitation of Bridges located at Route 207 under Beaver Brook Town of Franklin. The following correspondence was received and reviewed by the Commission: State of Connecticut Department of Transportation Notification Request for Authorization under the State of Connecticut Department of Energy and Environmental Protection's General Permit for Water Recourse Construction Activities for Rehabilitation of Bridge No 06787 & 06788 Route 207 over Beaver Brook due to failing culvert. Ms. Meyers has been in contact with the Project Manager. It was determined there are no lane closures planned.

8. Correspondence: Reviewed as submitted.

9. Report of the Chair: None

10. Public Comments: None

11. Adjournment:

**MOTION # (04.02.19):** made by SECONDED BY that the Inland Wetlands and Watercourses Commission adjourn the meeting at 8:00 p.m.

**VOICE VOTE: UNANIMOUS;**

**MOTION CARRIES**

Respectfully submitted,

***Sherry Pollard,***

Land Use Administrative Assistant