

TOWN OF FRANKLIN
INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)
Franklin Town Hall
7 Meetinghouse Hill Rd.,
Franklin, CT 06254

MINUTES

REGULAR MEETING

September 1, 2020, 7:30 p.m.

This meeting was held in virtual format with connections via live stream and video conferencing.

1. Call to Order: Chairman Calli Carboni called the meeting to order at 7:40 p.m.

Members Present: Chairman Calli Carboni, Joseph LeVasseur. **Members Absent:** Vice Chairman Leo Bienvenue, Niels Jeppesen & Secretary Don Smith. **Alternate Members Present:** Raymond Baribeault, John McGuire. **Alternate Members Absent:** Pat Coleman

Chairman Carboni seated Mr. McGuire for Mr. Smith & Mr. Baribeault for Mr. Bienvenue.

Also Present: Carly Holzschuh, Planner Southeast Connecticut Council of Governments (SECCOG), First Selectman Charlie Grant, and Zoning Enforcement Officer Ron Chalecki.

2. Recognition of Visitors: Matt Maynard Towne Engineering Representing Town of Franklin Murphy Road Widening Project and Applicant Karl Margolis.
3. Additions to the Agenda: NONE
4. Approval of Minutes:
 - a. April 7, 2020:

MOTION #1 (09.01.20): made by Mr. Baribeault SECONDED BY Mr. LeVasseur that the Inland Wetlands and Watercourses Commission approve April 7, 2020 Meeting Minutes – as presented

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

5. Report of the Wetlands Enforcement Officer:

a. BALTAZAR:

Carly Holzschuh reviewed correspondence she sent to Baltazar Contractors, dated July 7, 2020, regarding Erosion Control Measures on Route. 32. Baltazar is the contractor performing work on the Town of Franklin Water/Sewer Project along the southern end of Route 32. The letter officially informed Baltazar they have failing Erosion & Sediment (E&S) Controls along their construction site on Route 32; and, indicated immediate repairs were necessary to such E&S controls in order to protect neighboring properties ahead of storms with possible rainfall over half an inch expected in the coming days. Carly indicated Baltazar responded quickly and efficiently in repairing all erosion and control measures as required prior to the storm event.

6. Unfinished Business: NONE

7. New Business:

- a. **IWWC #20-02 Town of Franklin: Site Plan Review:** Proposed activity is road widening with associated drainage improvements and roadway upgrades along with brush removal, within upland review area / wetlands on site for property located on Murphy Road, Franklin CT.

APPLICANT/PRESENTATION: Matt Maynard, Towne Engineering, was present and noted the design for the widening of Murphy Road is complete and is ready to go out to bid. This project area is part of a previously approved sub-division along Route 32 & Murphy Rd.

Murphy Road is very narrow in various places and is causing unsafe traffic conditions as well as a poor drainage situation mostly at the southern end. Project design calls for drainage improvements, piping replacements, and the widening of Murphy Road. As a result, there will be activity within upland review area and wetlands are on site. At the end of the project there will be re-claiming and re-paving of Murphy Road.

MOTION #2 (09.01.20): made by Mr. LeVasseur SECONDED BY Mr. Baribeault That the Inland Wetlands and Watercourses Commission approve Site Plans, Murphy Road Widening Plan, dated March 23, 2020, - As Presented

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

- b. **IWWC #20-03 Karl Margolis: Site Plan Review:** Proposed activity is cleaning up with light grading of approximately 80' of creek bank, property located at 79 Pond Rd., Assessor's Map 23, Lot 1, Zoned R-80, existing use of property is rental/residential

IWWC CHAIRMAN: Chairman Carboni asked Mr. Margolis if he has already done the work within 50 feet of wetlands and had he disturbed the stream banking. Mr. Margolis replied "yes". Chairman Carboni indicated, as a result of this activity, Mr. Margolis is currently in violation of working within a wetland without a proper permit.

APPLICANT/PRESENTATION: Karl Margolis was present and indicated he did not know a permit was required to disturb soil along a stream bank. His intent was to excavate the area along the stream bank to make it smooth and even and then plant grass. While digging in this area, he found buried building materials such as concrete and stone. This material was evenly buried, evenly graded over, and covered with soil.

John McGuire indicated by burying the slabs flat and evenly grading over the top, in effect, this would hold the bank and avoid potential water issues such as ponding and or flooding in that area. He recommended Mr. Margolis plant on top of exposed material to stabilize and mitigate.

Joe LeVasseur asked if this activity has or will cause an adverse effect to neighbor's property. Mr. Margolis replied "no" and that he would like to lay down top soil, plant seed, and add a berm.

TOWN PLANNER COMMENTS: 79 POND ROAD: Carly Holzschuh reviewed correspondence she sent Mr. Karl Margolis, 79 Pond Road, dated July 27, 2020, regarding a complaint received July 23, 2020 allegedly stating that Mr. Margolis is conducting clearing and grading activities at 79 Pond Road along the bank of Beaver Brook. This is in violation of Section 4.3 of the Inland Wetland and Watercourses Regulations which requires the granting of a permit to do clearing and grading within 50 feet of a watercourse. No such permit has been granted. The letter officially informed Mr. Margolis to halt all work within the watercourse. He was required to fill out an inland, wetland and watercourse application with the Wetlands Commission.

Mr. Margolis has been informed that he must install erosion and sedimentation controls immediately.

Joe LeVasseur ask if Carly Holzschuh is satisfied with the work done by Mr. Margolis at this point. Carly Holzschuh indicated the work is somewhat acceptable at this point, however, there is a significant need to continue working with Mr. Margolis to assure remediation work is done correctly.

MOTION #3 (09.01.20): made by Mr. McGuire SECONDED BY Mr. LeVasseur That the Inland Wetlands and Watercourses Commission approve Application #20-03 Karl Margolis for restoration of disturbed area at the bank of Beaver Brook with the following conditions:

1. Applicant is to work closely with the Town Planner, Carly Holzschuh, during remediation process
2. Applicant is to pay outstanding Application Fees prior to commencing remediation activity

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

8. Correspondence: NONE

9. Report of the Chair:

Ron Chalecki recommended Town Staff hold a meeting to discuss topics related to Franklin Hills Estates & Country Club. There should be discussion about current conditions of the site, erosion and sedimentation controls, drainage site reports by professional engineers, and project accounts.

10. Public Comments:

11. Adjournment:

MOTION #4 (09.01.20): made by Mr. LeVasseur SECONDED BY Mr. Baribeault that the Inland Wetlands and Watercourses Commission adjourn the meeting at 8:40 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard

Land Use Administrative Assistant