

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

MINUTES
REGULAR MEETING AND *PUBLIC HEARING*
Tuesday, November 1, 2022, 7:30 PM

This meeting was held in-person and with connections via ZOOM.
(Minutes are "Unapproved." Formal approval takes place at the next Board meeting held and will show changes/ corrections if any)

1. Call to Order: Chairman Raymond Baribeault called the meeting to order at 7:30 p.m.

Members Present: Chairman Baribeault, Secretary Niels Jeppesen, Joseph LeVasseur, Don Smith

Member Absent: Leo Bienvenue, Vice Chairman. **Alternate Members Present:** Calli Carboni, John McGuire III. Chairman Baribeault seated John McGuire for absent member Leo Bienvenue.

Also present: Ron Chalecki, IWWC Agent

2. Recognition of Visitors: Sign in sheet provided for recognition.

3. Public Hearing:

- a. **IWWC 22-11: JOSEPH RANDAZZO:** New Site Plan Review for significant activity; Property located at Southeast Corner of Route 32 & Route 207; Assessors Map 12 Lots 42 & 43; Zoned C-2 / R-80; Existing Use of property is vacant land. Proposed Use is new gas station / convenience store (Lot-1) and Warehouse / Office Units for lease (Lot 2)

Chairman Baribeault read Public Hearing Notice into the record.

APPLICANT / PRESENTATION: Attorney Mark Block was present and provided history on this application. He indicated application is for wetlands only. Applicant is seeking wetlands approval prior to filing formal Planning & Zoning [PZC] Site Plan. However, proposed uses included in plans shown this evening are permitted by PZC Regulations within this zone.

Wes Wentworth, Project Engineer, submitted amended plans this evening for review. He addressed comments from Towne Engineering peer review letter dated October 13, 2022. He stated there are no direct impacts to wetlands. Activity occurs in upland review area as shown on plans - Lot 1. Also, minor activity of grading and clearing occurs in upland review area as shown on plans - Lot 2. He provided a comprehensive review of storm water management and drainage plan dated 9.21.22 as submitted into the record.

OFFICE OF FIRST SELECTMAN/CONSERVATION EASEMENT: In accordance with Section 7.11 of IWWC Regulations, Applicant's Engineer provided a copy of correspondence from First Selectman Charlie Grant, dated September 13, 2022, regarding Conservation Easement. Property related to this application is encumbered by a Conservation Easement held by the Town of Franklin known as Lot 1 and Lot 2, Spring Valley Subdivision, (Map 12 Blocks 42 & 43). Applicant's Engineer confirmed no prohibited activity will be conducted in conservation area. Letter from First Selectman confirmed Town of Franklin does verify application does comply with terms of restrictions.

TOWN STAFF / REVIEW: Previously Towne Engineering submitted their peer review letter dated October 13, 2022. In summary, proposed use on Lot #1 is a very intense use of site. Both during construction and after site is in operation, close monitoring by Town Staff will be necessary to avoid wetlands impacts which could be real possibilities.

IWWC COMMENTS: Members are very concerned with effects of heavy metals and runoff. Members believe water should be treated prior to entering waterflow. Even though driveway entrance is a PZC issue, members are concerned there is no Department of Transportation approval. The commission is requiring an Environmental Impact Study for this application be submitted for their review.

PUBLIC COMMENTS: Chairman Baribeault asked for those speaking in favor of application - NONE

Chairman Baribeault asked for those speaking against application:

1. Alden Miner believes application presents a risk to wells/wetlands/watershed areas. He asked if wetlands flags are in same places as in 2000. Wes Wentworth responded there have been no changes to wetlands boundaries since 2000.
2. Roland Mihok believes activities are too close to wetlands and will have negative impact.
3. Mark Heinonen noted proposed warehouse seems to be beginning of potential future business not a warehouse as proposed. Would like 3rd party independent review for wetlands. Concerned with significant amount of impervious surface and runoff of heavy metals.
4. Diane Labich noted she has negative wetlands impact concerns and that presentation minimizes more obvious major impacts that will be felt on property and surrounding residential areas.
5. Stori Beckwith noted if houses were built on this property there would be much less of an impact.

ADDITIONAL INFORMATION NEEDED FROM APPLICANT: IWWC Regulations Section 7.5 f & g:

Section 7.5: All applications shall include the following information in writing or on maps or drawings:

- f. Alternative which would cause less or no environmental impact to wetlands or watercourses and why the alternative as set forth in the application was chosen; all such alternatives shall be diagrammed on a site plan or drawing;
- g. Site plan showing the proposed activity and existing and proposed conditions in relation to wetlands and watercourses and identifying any further activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or watercourses;

Additional Information needed:

1. Written Soil Scientist report from Rich Snarski documenting his opinion of wetlands.
2. More specifics regarding heavy metals / tanks / pumps / mitigation of gas-spills
3. Redesign Underdrains
4. Environmental Impact Study Features Report
5. Tanks and installation specifications
6. Impervious Surfacing Coverage Calculations for Lots 1 & 2
7. Revise Easements to include possible grading
8. Site Lighting shown on plans for upland review area
9. Obtain and submit Fire Department Chief Review letter
10. Submit Uncas Department of Health Approval Letter

MOTION #1 made by John McGuire **SECONDED BY** Niels Jeppesen that the Inland Wetlands and Watercourses continue the public hearing to December 6, 2022

VOICE VOTE: UNANIMOUS

MOTION CARRIES

4. Additions to Agenda:

5. Approval of Minutes:

a. October 4, 2022 Regular Meeting & Public Hearing

MOTION #2 made by Niels Jeppesen **SECONDED BY** Joe Levasseur that the Inland Wetlands and Watercourses approve October 4, 2022 Regular Meeting & Public Hearing as presented

VOICE VOTE: Abstain: Mr. McGuire

MOTION CARRIES

b. October 12, 2022 Special Meeting & Public Hearing

MOTION #3 made by Niels Jeppesen **SECONDED BY** John McGuire that the Inland Wetlands and Watercourses approve October 12, 2022 Special Meeting & Public Hearing as presented

VOICE VOTE: Abstain: Mr. LeVasseur

MOTION CARRIES

6. Report of the Wetlands Enforcement Officer: Franklin Hills. Waiting for boundaries response.
7. Unfinished Business:
 - a. **IWWC 22-11: JOSEPH RANDAZZO:** New Site Plan Review for significant activity; Property located at Southeast Corner of Route 32 & Route 207; Assessors Map 12 Lots 42 & 43; Zoned C-2 / R-80; Existing Use of property is vacant land. Proposed Use is new gas station / convenience store (Lot-1) and Warehouse / Office Units for lease (Lot 2). **SEE ABOVE**
 - b. Review of IWWC By-Laws & Regulations: Tabled to Next Meeting

MOTION #4 made by Niels Jeppesen SECONDED BY John McGuire that the Inland Wetlands and Watercourses Tabled to Next Meeting – December 6, 2022

VOICE VOTE: Abstain: Mr. LeVasseur

MOTION CARRIES

8. New Business:
 - a. **IWWC 22-12: DAVID BOYLE:** Revised Site Plan Review for regulated activity; Property located at 825 Route 32; Assessor's Map 9 Lot 21; Zoned R-120; Existing Use of property is vacant land. Proposed Use is expansion of house deck and construction of outdoor shower in regulated area

APPLICANT / PRESENTATION: David Held, Provost & Rovero, Inc., was present and presented site plans this evening dated 9.27.2022. House footprint has been increased, outside shower to be added (outside of regulated area), and deck to be expanded (end corner will expand into regulated area by 12 feet)

WETLANDS AGENT: Ron Chalecki indicated proposed house abuts upland review area. Associated activities should be closely monitored by Town Staff. Revised plans show graded area around proposed deck. Erosion and sediment control measures for this area should be required to protect encroachment into upland review.

MOTION #5 made by Joe Levasseur SECONDED BY Niels Jeppesen that the Inland Wetlands and Watercourses approve IWWC 22-12 David Boyle with conditions:

1. Wetlands Agent to approve footing specifications
2. Wetlands Agent to approve **additional** erosion and sedimentation control measures for locations around proposed deck, shower, and driveway
3. Wetlands Agent to formally approve after such time appropriate site visits are conducted

VOICE VOTE: UNANIMOUS

MOTION CARRIES

9. Correspondence Commission Matters: NONE
10. Public Comments:
11. Adjournment:

MOTION #6 made by Joe Levasseur SECONDED BY John McGuire that the Inland Wetlands and Watercourses adjourn at 10:06 pm.

VOICE VOTE: UNANIMOUS

MOTION CARRIES

Respectfully submitted,
Sherry Pollard,
Land Use Administrative Assistant