

TOWN OF FRANKLIN
INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)
Franklin Town Hall
7 Meetinghouse Hill Rd.,
Franklin, CT 06254
MINUTES
REGULAR MEETING
September 7, 2021, 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 7:38 p.m.

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

Alternate Members Absent: Pat Coleman. Chairman Carboni seated Ray Baribeault for Don Smith.

Also Present: Ron Chalecki, Zoning Enforcement Officer, Charlie Grant, First Selectman, Carly Holzschuh, Town Planner & Wetlands Agent

2. Additions to the Agenda: NONE

3. Approval of Minutes:

- a. July 6, 2021: (August 3, 2021 Cancelled)

MOTION #1 (09.07.21): made by Mr. Baribeault SECONDED BY Chairman Carboni that the Inland Wetlands and Watercourses Commission approve July 6, 2021 Meeting Minutes – as presented

VOICE VOTE: UNANIMOUS

MOTION CARRIES

4. Report of the Wetlands Enforcement Officer:

FRANKLIN HILLS Boundaries Reports Reviewed (7.7.21, 7.12.21, 8.19.21 & 8.24.21).

5. Unfinished Business:

- a. **IWWC 21-05 GARRETT HOMES LLC:** New Site Plan Review for Regulated Activities; Property located at 99 Route 32, Assessors Map 44, Lot 24; Zoned C2/I; Existing use of property is residential, proposed activity includes demolition of existing single-family home & construction of 9,100 s.f. retail store with new paved parking & loading areas, site lighting, concrete walkways, stormwater management system & associated utilities & landscaping.

APPLICANT / PRESENTATION: Kimberly M. Masiuk, P.E., Senior Project Manager, Robin Pearson, Alter & Pearson, LLC. Legal Counsel, and Matthew Bruton, Soil Scientist, and Eric Davidson, Certified Professional Wetland Scientist, Registers Soil Scientist, were present in representing the applicant.

Submitted Documents:

1. Application dated August 20, 2021
2. Notice of Permitting Rights (Exhibit B)
3. Site Plans dated July 1, 2021
4. Storm Water Management Report dated June 15, 2021
5. Written Statement of Use / Project Narrative, dated August 23, 2021
6. Wetlands / Watercourses Delineation Report dated April 20, 2021
7. Statewide Inland Wetlands & Watercourses Activity Reporting Form
8. List of Abutters within 500 Feet Report
9. Eco Tec. Inc., Wetlands Impact Report, Arthur Allen, CPSS, CWS, CESSw1 DATED May 11, 2021.
10. Statewide Inland Wetlands & Watercourses Activity Report Dated

Kimberly Masiuk gave an overview of site plans, parking configurations, delivery pathway (stated delivery trucks turn on their property only), shared/common driveway and easement (Pete's Tire Barn), design of preliminary infiltration system, steep slope & ledge topography, crossing of wetlands configuration and wetland buffer areas.

Eric Davidson explained existing conditions relative to water discharge management plan, wetland locations (bordering), and wetlands delineation. He noted the delineating process used was by way of standard practices in Connecticut and matches what was done in the past for this location. The eastern tip of this property contains a wetland finger and wetlands crossing. Downstream and upstream areas are characteristically the same and is defined as a watercourse.

IWWC COMMENTS: After review of site plans as submitted there were significant errors and omissions including, but not limited to, numerous missing wetlands flag locations, location of actual wetlands on site, noting of a brook crossing, in-correct set-back lines, and in-proper location of intermittent stream. Overall wetlands information was mis-represented. Additionally, site plans show a depiction of wetlands coming down to an actual "point" at the southern tip. This is highly unusual because wetland areas most always comes to an area at the end that fans out to support flow.

In summary, the site plan does not in fact show existing conditions of this property. Therefore, the Commission would not be aware that the applicants proposed activities could actually take place within wetlands. The Commission cannot determine if proposed activities are or are not in wetlands or even within the buffer area and most importantly if this activity is significant or regulated. By use of site plans as submitted IWWC is not in a position to make an informed decision on the application as submitted.

FRANKLIN CONSULTING ENGINEER REVIEW: Joe Boucher, Towne Engineering, was present and submitted their project review report dated September 7, 2021. At this time, review of the application pending before both IWWC & PZC Commissions should be considered preliminary due to the fact we have identified a number of issues which will likely require at least revised plans which will require additional review prior to us making a recommendation of any favorable action on this application. The report detailed concerns outlined in Items 1 through 24.

IWWC CONSENSUS: IWWC deemed the application and site plan incomplete and recommended the applicant submit a withdrawal request in writing.

APPLICANT / WITHDRAWAL: Robin Pearson requested to formally withdrawal this application. The applicant intends to update site plans and return to the Commission for further consideration and action.

- b. **IWWC 21-06 HULL FOREST PRODUCTS:** Jurisdictional Ruling for Timber Harvest, Property located at 26 Murphy Rd., Assessors Map 42, Lot 11; Zoned R-80; Existing use of property is residential, proposed activity is select timber harvest to promote natural regeneration establishment.

APPLICANT / PRESENTATION: Applicant was not present.

MOTION #2 (09.07.21): made by Chairman Carboni SECONDED BY Mr. Baribeault that the Inland Wetlands and Watercourses Commission table IWWC 21-06 Hull Forest Products to the next regular meeting of October 5, 2021.

VOICE VOTE: UNANIMOUS

MOTION CARRIES

6. New Business: NONE
7. Correspondence: NONE
8. Report of the Chair: NONE
9. Public Comments: NONE
10. Adjournment:

MOTION # (09.07.21): made by Mr. McGuire SECONDED BY Mr. Baribeault that the Inland Wetlands and Watercourses Commission adjourn the meeting at 8:20 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

Respectfully submitted,

Sherry Pollard

Land Use Administrative Assistant