

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

February 1, 2022, 7:30 PM

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

1. Call to Order: Chairman Raymond Baribeault called the meeting to order at 7:35 p.m.

Members Present: Chairman Raymond Baribeault, Leo Bienvenue, Vice Chairman Joseph LeVasseur, Secretary Niels Jeppesen. **Members Absent:** Don Smith. **Alternate Members Absent:** John McGuire III. **Also Present:** Selectman Russ Beisiegel, Selectman Tom Craney, Town Clerk Lynda Craney, First Selectman Charlie Grant, and Town Planner Carly Holzschuh. Resident Calli Carboni

2. Recognition of Visitors:

3. Public Hearing:

- a. **IWWC 21-08 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: Mr. Matthew Bruton, Project Engineer, Sara LeClerk, Project Engineer, and Applicant Attorney Robin Pearson, were present to represent the applicant. Mr. Bruton reviewed modified site plans, dated January 24, 2022. He reviewed BL Companies Response letter dated, January 27, 2022, to Towne Engineering's Project Review Letters, dated January 10 and January 22, 2022. Additionally, he reviewed BL response items 1 through 5 and recommended PZC consider items I through IX as conditions of approval.

COMMISSION/COMMENTS: The Commission is in receipt of the Towne Engineering response letter, dated February 1, 2022, regarding review of items 1 through 5, and BL companies recommended conditions of approval - items I through IX. There was concern the stone base on the retaining wall will not hold up in a situation with major water flow as stones may wash away.

WETLANDS AGENT/COMMENTS: Carly Holzschuh requires the applicant obtain a formal letter from Normand Miller, Department of Transportation, stating final approval of drainage plan. Carly Holzschuh is in agreement with storm water management report.

PUBLIC COMMENTS:

- Cali Carboni asked for clarification on requirements of Upland Review
- Carly Holzschuh responded the review is to determine if there are impacts to wetlands, if construction to close to wetlands, and that it is very important to property and visually stake out area of disturbance, and that there is no run-off to the stream.
- Calli Carboni asked where does run-off go? Mr. Bruton responded it is captured and directed to the storm water management system under the parking lot, along the property, then treated, and ultimately discharged to Route 32.

ZONING ENFORCEMENT OFFICER: Ron Chalecki noted he just received plans yesterday late afternoon and has not had adequate time to review.

PUBLIC COMMENTS: No persons spoke in favor or against this project.

COMMISSION/COMMENTS:

- Member Leo Bienvenue does not believe this project will not impact Route 32 and doesn't like the word "believe" it will have no impact as shown in email communication with DOT Normand Miller.
- Mr. Bruton responded that the Department of Transportation has legal jurisdiction on Route 32 and BL Companies will adhere to the State of Connecticut Department of Transportation.

MOTION #1 made by Joseph LeVasseur **SECONDED BY** Niels Jeppesen that the Inland Wetlands and Watercourses Commission close the public hearing at 8:17 P.M.

VOICE VOTE: UNANIMOUS

MOTION CARRIES

4. Additions to the Agenda:

MOTION #2 made by Joseph LeVasseur **SECONDED BY** Niels Jeppesen the Inland Wetlands and Watercourses Commission add Application #22-02 to the Agenda under New Business

VOICE VOTE: UNANIMOUS

MOTION CARRIES

5. Approval of Minutes:

a. January 4, 2022:

MOTION #3 made by Joseph LeVasseur **SECONDED BY** Leo Bienvenue that the Inland Wetlands and Watercourses Commission approve December 7, 2021 – as amended: Leo Bienvenue and Ron Chalecki were **PRESENT**

VOICE VOTE: UNANIMOUS;

MOTION CARRIES

6. Report of the Wetlands Enforcement Officer: No report.

7. Unfinished Business:

a. **IWWC 21-08 GARRETT HOMES LLC:**

MOTION #3 made by Joseph LeVasseur **SECONDED BY** Niels Jeppesen that the Inland Wetlands and Watercourses Commission approve IWWC 21-08 with the following comments and conditions in accordance with Towne Engineering Project Review Letter dated February 1, 2022:

COMMENTS:

1. Comments 1, 2, and 3 are to be adhered to by the applicant
(Comment 4. is omitted as it pertains to the Planning and Zoning Commission)
2. Updated approval letter from Norman Miller, Department of Transportation, from the permit section (reference Norman Miller Email dated February 1, 2022)

CONDITIONS OF APPROVAL:

1. Items I through IX are to be adhered to by the applicant
2. ***Note:** Item V. is to be considered a "priority" by the applicant.
3. All outstanding application fees must be paid prior to the issuance of permits, endorsement of maps or plans, and/or release of any bond held

VOICE VOTE: Leo Bienvenue - Opposed

MOTION CARRIES

8. New Business:

a. **Application #22-02:**

WETLANDS AGENT/COMMENTS: Commission members spoke about concerns that skidder may cause ruts and create erosion. They felt there was a lack of details for methods to be used. Members would like erosion and sedimentation controls to be better defined.

As this is a “use-by-right” as a Jurisdictional Ruling, Carly Holzschuh assured the Commission she will work directly with the application to ensure best management practices are to be used.

MOTION #4 made by Leo Bienvenue **SECONDED** BY Joseph LeVasseur that the Inland Wetlands and Watercourses Commission approve Application #22-02 as a Jurisdictional Ruling with the following conditions: (1) Town IWWC Agent will work directly with Applicant to ensure this project is managed using best principal practices for the entirety of this project
VOICE VOTE: UNANIMOUS **MOTION CARRIES**

9. Correspondence: NONE

10. Report of the Chair: NONE

11. Public Comments:

IWWC member Leo Bienvenue referenced the IWWC Elections of Officers process held October 19, 2021. It was noted, Ex-Officio, First Selectman Charlie Grant, opened the meeting and sat Ray Baribeault (alternate member) as a regular member. Elections of Officers was then held and Mr. Baribeault was voted in as Chairman. Mr. Bienvenue believes that after the October 19, 2021 meeting, Mr. Baribeault should revert back to an alternate member and no longer hold the office of the Chairmanship as an alternate member cannot be voted as Chairman. Mr. Bienvenue believes the Board of Selectmen must appoint IWWC members as permanent members prior to such person being elected an officer.

Resident Calli Carboni noted at the October 19, 2021 meeting Mr. Baribeault was an alternate member going into the meeting.

12. Adjournment:

MOTION #5 made by Niels Jeppesen **SECONDED** BY Joseph LeVasseur that the Inland Wetlands and Watercourses Commission adjourn the meeting at 8:55 P.M.
VOICE VOTE: UNANIMOUS **MOTION CARRIES**

Respectfully submitted,
Sherry Pollard
Land Use Administrative Assistant