**INLAND WETLANDS & WATERCOURSES COMMISSION**
**REGULAR MEETING**
**December 14, 2015**

The Town of Bloomfield Inlands Wetlands & Watercourses Commission held their regular meeting on Monday, December 14, 2015, in Conference Room 5 at the Bloomfield Town Hall, 800 Bloomfield Avenue, in Bloomfield, Connecticut with the following Commissioners present:

Nicholas Panke, Chairman
Howard Hunter, Vice Chairman
Alan Budkofsky
Joy Chance
David Mann
Wendell Duncan

Also present: David Peter Castaldi, Wetlands Agent
Laura James, Recording Secretary

Commissioners not present:
Barry Berson
Kenneth Bennett

**CALL TO ORDER**

Chairman Panke called the regular meeting of the Inland Wetlands & Watercourses Commission to order at 7:30 P.M. and read the first agenda item

1. **Application of GFP Realty, LLC for the Subdivision of land containing Wetlands and watercourses 2 & 4 Old Windsor Road, Lot 1004 (Public Hearing)**

*A motion was made by Commissioner Budkofsky to open the public hearing. The motion was seconded by Commissioner Hunter and it was approved unanimously.*

Mr. Roger Kellman, Professional Engineer with F.A. Hesketh & Associates, stated that this application is for the is subdivision of lot 1004 at 2 & 4 Old Windsor Road, which is little bit over 18 acres. The original development was approved in 1998 which had a wetlands map amendment. He described the location of the property and the mapping reflects the approved wetland map amendment from 1998. At that time the Commission also approved the construction of two buildings on this one lot with shared access and shared parking. There are two watercourses that run through the property, the larger runs north to south, parallel to Old Windsor Road where it joins a smaller one that comes in from the west where they join and flow out underneath West Dudley Town Road through a large corrugated metal pipe culvert.

Adjacent to the watercourses is about 2-1/2 acres of wetlands including a small retention basin. Mr. Kellman stated what is being proposed is to subdivide the one lot into three lots. A lot for

each existing building. The third lot is for potential future development. The application plan does show a small portion, an excess portion, which can potentially be sold to the adjacent property owner but specifically the gas station on the corner of Old Windsor Road and Blue Hills Avenue. It could help to enhance the redevelopment of that corner lot with some improvements, however, at this time there is no firm deal. When they get to the final subdivision it may be that they will not propose this additional lot. The three new lots meet the subdivision regulations and zoning regulations such as set-back, lot coverage, and parking. The Wetlands Application requires submission of a schematic site development plan to show that the third lot they are creating is a buildable lot. They have shown a small 9,000 sf building with a small parking area access off of Old Windsor Rd and have maintained a 25-foot buffer from the wetlands. Mr. Kellman stated that they were aware that any development on any of these lots they would have to come back to the Wetland Commission with a full wetlands application. There are wetlands but there are not any wetland impacts and no development is being proposed right now.

Mr. Castaldi stated in his staff report of December 7th he made some recommendations for conditions of approval, but they do not significantly change either the proposed development or location of the lot lines. He stated he wasn't aware of the change to keep the northeasterly corner as part of the Lot for #2 but that really doesn't make much difference one way or the other. He asked Mr. Kellman to confirm whether the lot would stand on its own. Mr. Kellman replied that it would not. Mr. Castaldi stated that it would have to be combined with another parcel or not separated from the northerly parcel. He also noted that even if there were no proposed regulated activities the Commission still had to the six criteria as part of their decision. The application does not require a finding of no feasible improvement alternative to the regulated activities because there are no regulated activities. F.A. Hesketh submitted a preliminary plan and he reviewed it with Mr. Kellman and they agreed on several of the standard and non-standard revisions.

Mr. Castaldi stated that his recommendations to the Commission is to approve the application with his four recommended conditions of approval.

Chairman Panke asked if there were any questions from Public – None.

Chairman Panke asked if there were any questions from Commission.

Commissioner Budkofsky asked whether they were approving four lots or is the site plan dated 12-7-2015 was in error?

Mr. Kellman stated that at time of the application there was a good chance that they would be able to sell the one acres piece in the northeasterly corner to the adjacent property owner, but at the present time that deal is not going anywhere. He thinks the best solution is in final submission to Town is to eliminate this for now and if Mr. Greenberg decides to do something in the future he would have to come back to the Commission.

Mr. Greenberg stated the Robertson property needs help and the people that approached him to buy couldn't do their development on the size of the lot he had and they asked him if he would be willing to add an acre. At the time he thought it was good to have in his back pocket in case a developer comes along. He stated it has to be the right deal, the deal that came and wasn't the right deal and is no longer interested and it doesn't matter to him if they leave it or wait until next time.

Mr. Kellman, stated that they cannot create a non-conforming lot. The northeasterly parcel is non-conforming and if they can't sell the piece in the next week or so before they would be able to effectuate the subdivision approval, then at this point they probably need to eliminate the piece from the map.

Commissioner Budkofsky asked if they will have to submit a corrected plan?

Mr. Kellman stated yes and asked Mr. Castaldi if in the future the small lot would be a simple resubdivision?

Mr. Castaldi said no. It would be the same as they were doing tonight a resubdivision and a Public Hearing.

Commissioner Mann asked about the two buildings presently served by one driveway and if there were cross easements in place in case one building is sold?

Mr. Kellman stated there is a written draft reciprocal operating easement in which they need to outline on the plan. It would probably be an easement along the common property line with access through the lots to get to the parking. Mr. Kellman also stated and pointed out where the easements are on the map. He stated there will also have to be a drainage easement, but before they finalize they will have the definition on the map. Internally they know they need to create that common access easement.

Chairman Panke asked if there were any comments from Public –None.

Chairman Panke asked if there were any comments from Commission – None.

*Commissioner Budkofsky made a motion to close public hearing. The motion was seconded by Commissioner Hunter and was approved unanimously.*

There was no further discussion and Chairman Panke asked for a motion to approve.

*Commissioner Budkofsky made a motion to approve the application of GFP Realty, LLC for subdivision of land containing wetlands and watercourses, at 2 & 4 Old Windsor road, Lot 1004 to include comments by staff and final map to reflect only three lots and including the recommended conditions as follows:*

1. *This approval is solely for the subdivision of land containing wetlands and watercourses, to create three new lots. A separate Wetlands Permit is required for any regulated activities on any of the lots.*

2. *Final plans, revised for compliance with the final conditions of approval, and all technical review revisions, are to be submitted no later than 120 days after the date of approval. The final conditions of approval shall be added to the plans verbatim. Final plan revisions are subject to the approval of the Wetlands Agent.*

3. *In accordance with the Wetlands Regulations Section 11.6 the permit cannot be transferred from the applicant to another party without the approval of the Commission. This permit is to be assigned to: GFP Realty, LLC, c/o Mr. Gary Greenberg, Manager, 3 Old Windsor Road, Bloomfield, CT 06002.*

4. *Final plans shall be submitted in digital image form compatible with the Towns GIS. This digital submission is in addition to any prints or mylars required.*

*The motion was seconded by Commissioner Hunter and it passed unanimously.*

## 2. Approval of Minutes, November 16, 2015 Meeting

*A motion was made by Commissioner Budkofsky to approve minutes as presented. The motion was seconded by Commissioner Hunter and was approved unanimously.*

### 3. New Applications

Mr. Castaldi stated that he had received no new applications for the January 19th meeting. He is expecting to receive an application for wetland map amendment on property owned by Mr. Gaudet on Blue Hills Avenue and permit application for the Douglas Street Elderly Housing for the next meeting.

### 4. Status of On-Going Projects

Deringer-Ney site, 353 Woodland Avenue, has steel going up and precast walls on the outside.

CREC Museum Academy, 11 Turkey Hill Road, is still working on foundation with a lot of earth work.

Brighton Park Apartments off Woodland have foundations going in.

Duncaster Heartcare additions are mostly complete. They have asked about expanding their parking, they are currently parking parallel along the road. So they will be coming in for more parking.

Seabury Addition A Phase is pretty much complete. Phase B & C went to the Town Plan and Zoning Commission last week.

Mr. Castaldi had received call from Wetland Scientist, CREC High Scholl 29 Griffin Rd North, struggling to find enough space on property to do the mitigation that they need. They asked about offsite wetland mitigation. Mr. Castaldi suggested that the project may be too big for the site and should either do smaller project or get creative with their wetland mitigation.

At Filley Pond they have finished the streetscape work, and have stopped work for the winter. There will be trees and shrubs planted next spring. The overall plan includes moving the parking lot and dredging the pond. A temporary draw down of the pond may occur over the winter to discourage geese from coming back.

### 5. Adjournment

*Motion was made by Commissioner Budkofsky to adjourn the meeting 8:15 p.m. The motion was seconded by Commissioner Duncan and unanimously approved.*

Respectfully submitted,

Laura James, Recording Secretary

Nicholas Panke, Chairman