The Town of Bloomfield Inland Wetlands & Watercourses Commission held their regular meeting at the Bloomfield Town Hall on Monday, February 18, 2020, scheduled at 7:00 p.m.,

I. Call to Order: Chairman Nicholas Panke called the meeting to order at 7:02 p.m.

II. Roll Call:

Present: Chairman Nicholas Panke, Commissioner Alan Budkofsky, Commissioner Kevin Hussain, Commissioner Barry Berson, Commissioner Kevin Wilcox, and Commissioner Katie Blint. A quorum was established with 6 members.

Absent at the start of the meeting were Commissioner David Laiuppa and Commissioner Joy Chance.

Also Present: Mr. Peter Castaldi, Civil Engineer and Wetlands Agent and Ms. Joyce Pickett, Recording Secretary.

Chairman Panke stated that with only 6 member present they could not proceed to the election of officers and he called the first item under Old Business.

IV. Old Business:

1. Map Amendment and Wetlands Permit
   For 1236 Blue Hills Avenue
   Mr. Andy Morrison
   (owner: Ms. Marie Dunn)

Mr. Castaldi reviewed his February 10, 2020 memorandum and stated that these applications were submitted with site plans on January 6, 2020 and were officially received at the January 21, 2020 regular meeting. These applications are incomplete pending the receipt of the thirty two hundred ($3200.00) dollar Permit Application fee and a notarized Conflict of Interest Form.

Section 11.2 of the Wetlands Regulations requires the Commission to schedule a Public Hearing for, or in the absence of a Public Hearing make a decision on, an application within 65 days of the date of official receipt. As of this meeting it has been 28 days (four weeks) since the date of official receipt. At the March 16th meeting the number of days will be 55 (eight weeks minus one day).

The Commission may choose to wait until the March 16th meeting to decide whether to schedule Public Hearings or vote to deny the applications.
Commissioner Questions and Comments:

Commissioner Budkofsky stated the IWW Commission should deny without prejudice.

Commissioner Wilcox asked if there any communication from Mr. Morrison.

Mr. Castaldi stated there has not been any movement on the Cease and Desist.

Commissioner Berson stated the Commission should deny without prejudice.

Commissioner Blint asked if Mr. Morrison invested large amount of money for experts in this matter.

Mr. Castaldi stated yes but Mr. Morrison did not submit the required Conflict of Interest Form nor did he meet other requirements necessary to move these applications forward.

Commissioner Blint asked if the experts advising him to return the form.

Mr. Castaldi stated he did not know but he had informed Mr. Morrison of the necessary measures to move the applications forward by e-mail, and in person at the January 28th Special Meeting, but he had received no response. Mr. Castaldi said the Commission should also rule on whether the fee paid by Mr. Morrison for the Map Amendment can be applied to the new applications that will be needed if the present ones are denied.

Chairman Panke asked if there was activity on the property. Mr. Castaldi stated that Mr. Morrison is still cutting up trees and selling them.

Commissioner Hussain asked if Mr. Morrison had paid the Map Amendment fee or the Permit fee. Mr. Castaldi stated that Mr. Morrison has paid the fee for the Map Amendment application only.

Commissioner Joy Chance stated the application should be denied without prejudice.

Commissioner Budkofsky made a motion to deny without prejudice the application for a Map Amendment and Wetlands Permit for 1236 Blue Hills Avenue—Andy Morrison (owner: Marie Dunn), based on the application being incomplete. All funds paid to date can be refunded or used toward the next application. Commissioner Berson seconded the motion and the Commission voted unanimously to deny the application without prejudice.

III. Organizational Meeting:

1. Election of Officers

Commissioner Joy Chance arrived at the meeting at about 7:15 and with 7 members in attendance the election of officers proceeded.

Mr. Castaldi asked if there were any nominations for Chairman. Commissioner Wilcox nominated Commissioner Alan Budkofsky for Chairman. Commissioner Berson seconded the motion. There were no more nominations for Chairman and the Commission voted unanimously to elect Commissioner Budkofsky as their new Chairman.

Chairman Budkofsky asked if there were nominations for Vice Chairman. Commissioner Joy Chance nominated Commissioner Kevin Hussain for Vice Chairman. Commissioner Berson seconded the motion. There was some discussion about nominating Commissioner Chance for Vice Chairman but she asked not to be so nominated due to her other outside commitments. There were no other nominations and the Commission voted 6 in favor and 1 against and Commissioner Kevin Hussain was elected Vice Chairman.

Chairman Budkofsky asked if there were any nominations for Secretary. Vice–Chairman Kevin Hussain nominated Commissioner Kevin Wilcox for the position of Secretary. Commissioner Berson seconded the nomination. Commissioner Blint was asked if she would consider a nomination for Secretary and she declined. The Commission voted unanimously in favor of the election of Commissioner Kevin Wilcox as the new Secretary.
Commissioner Nicholas Panke who was in attendance from the start of the meeting left at his point due to health concerns.

V. New Business

1. Permit Modification at 5-9 Tunxis Avenue – Application of Naro Family Limited Partnership to include additional regulated activities associated with a proposed driveway at the rear of the building.

Timothy Coon, P.E., of J. R. Russo, Surveyors and Engineers, located at 1 Shoham Rd, East Hartford, spoke for the applicant. Mr. Coon stated that the Commission had approved the previous application on November 18, 2019. Changes were made to the scope of the project and an application was filed for a Permit Modification.

The applicant is proposing the construction of a short section of driveway at the rear of the building to connect the northern and southern parking lots. And the replacement of the existing six (6) inch outlet pipe from a catch basin at the rear of the building to the edge of Wash Brook. This is to accommodate the additional contributing drainage area to that wetland resulting from the addition of the connecting driveway. He stated although there was discussion of replacing the existing drainage pipe during the last approval process, it was not mentioned in the approval and is now included as a modification.

Mr. Coons stated that the proposed revisions will result in approximately 48 square feet of temporary wetland disturbance for the replacement of the drainage pipe and an additional 1,238 square feet permanent disturbance in the Upland Review Area for the connecting driveway. He also stated that in his packet to the Commission was a cover letter, application form including fee calculation and DEEP form, revised site plans, a revised drainage report and a written response to comments from the Town’s Staff.

Mr. Castaldi referred to his February 10, 2020 to the Commission and stated that all of the recommendations and conditions are the same as for the November approval except for condition number seven (7) which was added for the additional regulated activities.

Commission Questions:

Commissioner Blint asked if the planting of trees in the parking lot would affect the traffic circulation. Mr. Coon stated that the trees would not be in the way.

Commissioner Berson asked if the new driveway would create a bank down to the Wash Book. Mr. Coon stated that there is already a bank there.

Commissioner Berson asked about filling for the new driveway. Mr. Coon stated there would be some cutting but no filling and they are not planning to fill to create a new bank.

Commissioner Berson asked if they are replacing a six (6) inch pipe with a twelve (12) inch pipe. Mr. Coon stated, yes.

Commissioner Berson asked if the Design Review Board had reviewed this change to the project. Mr. Coon answered yes, and it was from this review that the rear driveway was added to the plans.

Commissioner Berson asked where the new driveway out to Tunxis Avenue will be intersecting with the proposed new roundabout. Mr. Coon indicated on his drawing that the new driveway will be near the northerly approach to the roundabout.

Commissioner Hussain asked if the twelve (12) inch pipe had enough cover. Mr. Coon answered, yes there will be four (4) feet of cover over the pipe.

Commissioner Berson made a motion to approve the Permit Modification at 5-9 Tunxis Avenue – Application of Naro Family Limited Partnership to include additional regulated
activities associated with a proposed driveway at the rear of the building, including the Town Staff's recommendations, and the modified plans dated 12/23/19, subject to the following conditions:

Prior to the issuance of the Wetlands Permit:

1. Final plans, revised for compliance with the final conditions of approval, and all technical review revisions, shall be submitted and are subject to the approval of the Wetlands Agent. The conditions of approval shall be added to the plans verbatim.

2. Three copies of the final plan, signed and sealed, shall be submitted to the Wetlands Commission for signing. Final plans shall also be submitted in digital form compatible with the Town GIS.

After the Wetlands Permit is issued and before any construction activities are started including clearing or brush removal:

3. In accordance with Section 11.22 of the Wetlands Regulations the permittee shall file a copy of the Wetlands Permit, including these conditions of approval, on the Bloomfield Land Records.

4. The permittee shall schedule a preconstruction meeting with the Wetlands Agent, developer general contractor, site work contractor and utility companies. The permittee shall stake or flag the limits of clearing and schedule a field inspection of the limits of clearing with the Wetlands Agent.

5. In accordance with Sections 11.9 and 13 of the Wetlands Regulations the applicant shall post a bond, separate from the developmental bond, for the duration of the project, in the amount of $1,000 per acre of development or portion thereof. This bond shall be posted prior to any site disturbance, including tree clearing, to correct or prevent impacts to on-site and off-site wetlands or watercourses and to guarantee that soil erosion and sediment control measures are properly installed and maintained; that disturbed areas are stabilized; that all conditions of approval are complied with; and that mitigation areas, landscaping and other site work are completed. This project includes 35,183 square feet (0.80 acres) of disturbance and a $1,000 bond shall be posted.

General Conditions to be complied with during Construction:

6. This permit authorizes certain regulated activities within the Upland Review Area 200 feet from the watercourse. The impact to the Upland Review Areas shall be no greater than 31,400 square feet (0.721 ac). Mitigation for these regulated activities shall be provided with the planting of new buffer vegetation and by the removal of the invasive species, between the brook and the parking areas, on Lot 4, that are not part of the Kleinfelder mitigation plan.

7. This permit authorizes certain regulated activities within the Wetlands at the edge of Wash Brook. These regulated activities shall disturb no more than 50 square feet of wetlands and 10 feet of shoreline. Mitigation for these regulated activities shall be provided with the planting of new buffer vegetation and by the removal of the invasive species, between the brook and the parking areas, on Lot 4, that are not part of the Kleinfelder mitigation plan.

8. All aspects of the approved plans shall be binding upon the applicant, and on the developer and contractors employed to implement the project. Modifications to any aspect of the project or the plans may require a revised Wetlands Permit.

9. Annual Stormwater Quality/Maintenance reports shall be submitted, to the Wetlands Agent, and shall include copies of the inspection reports, identification of any
shortcomings or regular maintenance and documentation of the maintenance work completed.

10. All reports or other correspondence to or from other agencies (DEEP, ACOE, FEMA, etc.) shall be submitted for the record.

11. 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 shall be assigned to the applicant: Naro Family Limited Partnership, c/o Mr. Robert Schwartz.

Prior to issuance of any Certificate of Completion or Occupancy:

12. An as-built site improvement and grading plan, prepared by a licensed Land Surveyor, shall be submitted after all site work has been completed, and prior to requesting a Certificate of Occupancy inspection.

13. All disturbed areas outside of the pavement and sidewalks shall be permanently stabilized with lawn grass or other ground cover.

Commissioner Wilcox seconded the motion and the Commission voted unanimously to approve the application.

V. New Business (continued) – official receipt and Public Hearings:

2. Wetlands Map Amendment – 1390 Blue Hills Avenue – Application of HG Conn Realty Corp. c/o TJX Companies, Inc.

3. Wetlands Permit – 1390 Blue Hills Avenue – Application of HG Conn Realty Corp. c/o TJX Companies, Inc., for a trailer parking facility.

Mr. Castaldi recommended that these two applications have public hearings at the March 16th regular meeting. These applications were submitted on January 28, 2020 and will be officially received at this meeting.

This property is located on the northeast side of Blue Hills Avenue extension northwest of the KAMAN main entrance drive and southeast of the Phoenix Crossing intersection.

The Permit application is for a trailer parking lot for the HomeGoods Distribution Center located at 1415 Blue Hills Avenue. There are no significant regulated activities in wetlands or watercourses associated with this project but there are regulated activities within the Upland Review Area, 200 feet from the pond. This property was the subject of a Wetlands Agent Permit in 2019 for a new gravel driveway in from Blue Hills Avenue at the southwesterly corner.

The Commission agreed with Mr. Castaldi’s recommendation to hold Public Hearings at the March 16, 2020 regular meeting for both applications.

4. Wetlands Permit Modification - At 33 Mucko Road
   Application of Central Recycling
   For a construction demolition Processing facility

Mr. Castaldi stated that this application was filed and then the applicant asked for it to be delayed while they apply for a DEEP permit.
VI. Wetland Agent Permits Approved:

1. Minor Permit Modification
   10 Jolley Drive

Mr. Castaldi stated that this minor modification was needed for a drop-off loop driveway near the main entrance and other modifications that will reduce the impervious coverage.

2. Town of Bloomfield
   Berm removal at
   330 Park Avenue

Mr. Castaldi reviewed this application with the Commission which includes the spreading out of an excess soil berm into the Upland Review Area. The excess soil was from the new Community Services building project that was graded into a berm at the north end of the new ballfields partially within the Upland Review Area. Mr. Castaldi requested that the spread out soil be at least 25 feet from the wetlands line.

VII. Status of on-going projects:

Mr. Castaldi reviewed the on-going projects including Garden Homes/Privilege Road, CREC Anna Grace School at 129 Griffin Road North, 10 Jolley Drive, 470 Cottage Grove Road Apartments and 465 Cottage Grove Road, the Dunkin drive-through which is now open for business.

VIII. Other Business: None

XI. Approval of minutes from the January 28, 2020 meeting:

Commissioner Berson made a motion to approve the January 28, 2020 minutes with minor corrections. Commissioner Kevin Wilcox seconded the motion. The Commission voted unanimously to approve the January 21, 2020 minutes as corrected.

X. Adjournment:

Commissioner Joy Chance made a motion to adjourn the meeting and Commissioner Kevin Wilcox seconded the motion. The Commission voted unanimously to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

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Joyce Picket, Recording Secretary

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Kevin Wilcox, Secretary

THE NEXT MEETING IS SCHEDULED FOR MARCH 16, 2020.