

**BOLTON INLAND WETLANDS COMMISSION
REGULAR MEETING
TUESDAY, SEPTEMBER 28, 2021– 7:00 pm
VIRTUAL MEETING VIA ZOOM WEBSITE PLATFORM
Minutes**

Inland Wetlands Commission Members Present: Chairman Ross Lally, Vice Chairman James Loersch, Andrew Gordon

Inland Wetlands Commission Members Absent: Jane Darico

Staff Present: Wetlands Agent Barbara Kelly and Board Clerk Linda McDonald

Others Present: Gregg Fedus, Gwen Marrion, Brent Mayerson, Mather Clarke, and First Selectman Sandra Pierog

Call to Order: R. Lally called the meeting to order at 7:03 p.m.

1. Approval of Agenda: A. Gordon MOVED to add “Approval of Minutes of the September 7, 2021 special meeting” to item 5 and add “Approval of 2022 meeting calendar” to item 7. J. Loersch SECONDED. MOTION CARRIED 3:0:0.

2. Old Business:

2.a IWC #2021-7: Gwen Marrion, 0 Brandy Street to rehabilitate an existing 90-year-old gravel access road to enable forest management equipment to access areas of Bobcat Woods property to manage woodlands for wildlife habitat enhancement and farm field restoration:

Members had no additional questions on this application.

J. Loersch MOVED to approve application IWC #2021-7 of Gwen Marrion, 0 Brandy Street to rehabilitate an existing 90-year-old gravel access road to enable forest management equipment to access areas of Bobcat Woods property to manage woodlands for wildlife habitat enhancement and farm field restoration as outlined in the plans presented and appropriate E&S measures put in place. A. Gordon SECONDED. MOTION CARRIED 3:0:0.

R. Lally thanked the members of the Bolton Land Trust, President G. Marrion, B. Mayerson, and M. Clarke, for putting together a really good presentation that anticipated and answered questions.

3. New Business:

3.a IWC #2021-9: Nathaniel Fleming, 271 Hop River Road for removal of and renovation to portions of the existing building:

Professional Engineer Gregg Fedus of Fedus Engineering, representing the owner of the property at 271 Hop River Road, spoke to the application. He explained the property was recently purchased by his client. Currently the gas station is closed but the previous owner is still operating with a few oil deliveries. He explained there is a lot of stuff on the property that extends to the gravel area in the back by some existing oil tanks. He said his client’s intent is to clean all that stuff up and work the existing building into a convenience store, replace the pumps and replace the underground oil tanks. Parts of existing building will be removed.

Parking would be created along the east side and the southern side and some parking close to the road so people can park at the pump and go into the store. The proposed tanks would be located in the same place as the existing tanks on the northwest corner of the property. Most likely the septic system will be replaced. G. Fedus said two test holes have been dug with the Health District, which is probably some of the closest activity to the wetlands. He said since the plan had been submitted, he had a soil scientist, Davis Lord, delineate the wetlands. He will be submitting a revised plan for the October meeting that shows more exact locations of the wetlands located in heavy brush. He said junk cars and trucks and above-ground oil tanks in this area will be removed. The well will be replaced.

G. Fedus said there was some question on the lot size on the plan. He said the lot is 14.6 acres and that will be clarified on the revised plan that will show the entire property. The back area of the property separated by a wetlands will not be touched. The revised plan will have a rain garden and grading some of the improvements toward that to treat some of the stormwater. The plan will show grading in the proposed additional parking area, treating the stormwater runoff before hitting the wetlands. He noted it is a very flat site which is helpful to slow down the stormwater runoff. The plan is to get infiltration in, activate the rain garden and install a grass filter strip all the way around the proposed parking.

The plan for the wooded areas is not to remove any trees, just remove the tanks and other debris. G. Fedus said maybe a few trees in the proposed leaching area would have to be removed. The objective is to get rid of all junk and debris on property.

Agent Kelly asked what became of the consent order with the DEEP. G. Fedus responded he believes it is all set but has not received anything in writing confirming that. Agent Kelly noted some work of an urgent nature was being done today to remove the underground tanks that were more than 100 feet from the wetlands so the work did not require a permit.

R. Lally asked G. Fedus to show on the revised plan the areas of debris removal and clean-up and to add to the revised plan that there is no intent to remove the vegetation cover. Agent Kelly said she would look for the treatment of the storm water on the revised plan.

The members expressed interest in individually looking at the property before the October meeting, not a formal site walk. G. Fedus said the property is gated and recommended the members go during the week to do individual walks. He said he will provide hours of operation to Agent Kelly to forward to the commission members.

A. Gordon would like to make sure there is no oil seepage into the wetlands, in the event of an accident. G. Fedus said there will be no more mechanical repairs done, no storage of oil on site, and no more fuel oil delivery. This use of the property is being removed by getting rid of all those potential exposures.

R. Lally noted, since the usage of the property will change, it would be good to make that clear so the commission understands that here is the existing usage, this is how we are going to clean it up, what the extent of that work is and here is the new usage so the commission can make sure what has been done and proposed is appropriate for the new use.

G. Fedus said he will add the change of use to the revised plan and will provide and add a narrative to plan to clarify the change of use.

No action was taken on this application at this time.

- 4. Public Comment: No public comment.
- 5. Approval of Minutes:
 - 3.a Approval of August 24, 2021 Regular Meeting Minutes
 - 3.b Approval of September 7, 2021 special meeting minutes

A. Gordon MOVED to approve the August 24, 2021 regular meeting minutes and the September 7, 2021 special meeting minutes as presented. J. Loersch SECONDED. MOTION CARRIED 3:0:0.

- 6. Wetland Agent’s Report:
 Agent Kelly reported on the temporary repairs to restore the embankment and put a bridge in place to allow families to cross safely on Mark Anthony Road. She said there is a bridge over the river and sizable rip rap. R. Lally asked Agent Kelly to follow-up with the engineer about conducting a hydrological study, which is part of filing Army Corps permits and that they are pursuing a permanent repair.

- 7. Other:

- 7.a Approval of 2022 Meeting Calendar:

J. Loersch MOVED to approve IWC Calendar Year 2022 regular meeting schedule as follows:

January 25, 2022	July 26, 2022
February 22, 2022	August 23, 2022
March 22, 2022	September 27, 2022
April 26, 2022	October 25, 2022
May 24, 2022	November 22, 2022
June 28, 2022	December 27, 2022

A. Gordon SECONDED. MOTION CARRIED 3:0:0.

First Selectman Pierog reported the commission can continue with virtual meetings until April 30, 2022 per executive order. She said the Town Hall is open to in-person meetings as well and masks are required. If the Town Charter revision passes in November, in-person meetings will be required to provide visual and audio access to remote participants.

R. Lally asked about the renewal of CACIWC membership, shared with the Conservation Commission. Agent Kelly will follow-up.

First Selectman Pierog said approval of explanatory documents for proposed Town Charter revision referendum questions is on the BOS agenda tomorrow night. One referendum question would combine the PZC and IWC and make it an appointed commission.

- 8. Adjournment: A. Gordon MOVED to adjourn the regular meeting at 7:53 p.m. J. Loersch SECONDED. MOTION CARRIED 3:0:0.

Respectfully submitted by Linda H. McDonald, Board Clerk

Linda H. McDonald.

PLEASE SEE THE MINUTES OF SUBSEQUENT MEETINGS FOR THE APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.