

**BOLTON INLAND WETLANDS COMMISSION  
SPECIAL MEETING, SEPTEMBER 7, 2021, 7:00 P.M.  
MOTIONS & MINUTES  
VIRTUAL**

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

		<b>Present</b>	<b>Absent</b>
Regular Member	Jane Darico		X
Chairman	Ross Lally	X	
Regular Member	Andrew Gordon	X	
Vice Chairman	James Loersch	X	
Regular Member	Open		
Alternate Member	Open		
Alternate Member	Open		
Staff	Mindy Gosselin for Barbara Kelly	X	

Also Present: Timothy Traub (for Hemlock Construction); Art Lajoie; Rick O’Connor, Cinea family, Tom Mosier, and “a phone number.”

**Show Cause Hearing regarding Cease and Restore Order for Mark Anthony Road**

Timothy Traub of Hemlock Construction was present, as well as members of the Mark Anthony community.

Storm Henri washed out the culvert on Mark Anthony. The purpose of special meeting is to discuss what can be done as soon as possible to restore embankment and put a bridge in place to allow families to cross safely.

Mr. Traub explains a resident called through a family member that works for Hemlock Construction, and after seeing the situation and the size of opening, they have a bridge that is stored in the Torrington yard that has 40 ft beams and would make 36’ span which is about the size of their opening. Would be set on concrete block footings and abutments, backfill it and armor it with rip-rap and filter fabric. It would leave an opening much larger than the pipe, or culvert that was there prior, and later on, if it met requirements of DEEP and the Corp and any other permits, it could potentially be a permanent solution.

Lally shared screen to review plan submitted showing overhead view, showing rip-rap to stabilize the slope, concrete block footings shown and the bridge.

Lally asks if there will be some grading necessary to make a smooth transition from the road surface to either side of the bridge. Traub confirmed and stated that the bridge will be slightly higher than the road is now, and just a ramp of processed gravel to get up on it from the other side. As far as the construction procedure, they would put up sedimentation controls from each side. First they would reach from one of the embankments from an excavator and pluck out the existing pipe. Lally asks if they are taking out the pipe and guard-rails? Traub confirms they are retrieving the pipe, which will be cut up and disposed of. The rails would be saved for future use, if needed. They will put up sediment controls, then survey and excavate for abutment on each side, place a compacted stone base, position blocks parallel with roadway to create a spread footing effect and build on top of blocks perpendicular to roadway to create the abutments. He stated after speaking with Howard, we're adding section of blocks to push footings down to have 4 ft of coverage in the event it is to remain in the future. Then once abutments are in place, they will bring in beams 4 ft wide, 2 ½ ft thick, 40 ft long placed adjacent to each other to create solid panel slab. Upon putting that through, they'll put in barriers that bolt to the sides – they're regular jersey barriers you see on the side of the road in construction sites - and put in post-tension cable that goes between the beams perpendicular to road way, 4 of them, grout the gap between beams, fill with spray foam to prevent grout from dropping through, use non-shrink grout, tension the beams prior to grouting, and after grout sets, re-tension strands to 30 kips, the deck unit becomes one solid piece.

Lally asks and confirms that they would be putting 4 pieces in place, there's grout to fill in between them, they pull them tight with tensioners, and then it's solid. Traub confirms and states this is the exact procedure that is done on most DOT precast deck plank structures that you drive over on Rt 6 or any other state road and this particular bridge was used as a DOT bridge on a DOT project and it is HS20 loading so it could handle I-84 traffic. It's overconstructed for the purpose putting it in, it can handle fire apparatus or anything driven down a state road to get to it. It has a 14 ft travel lane. First rip-rap is put in prior to beams going in, and then all the work in front of the abutments would be done before beams go in, the beams are set, its backfilled, the barrier is set on it, and then you have a roadway. It will be about a 6 to 7 day process to finish it.

Lally states it looks like a temporary solution that may serve as a long term solution, something to get in quickly, about a week, and would do it for short term as well as long term.

Gordon states that the plan sounds good from the description and pictures, and if the bridge was used on 84, it sounds good.

Loersch states he is concerned with the alignment. The structure is on sharp bend which might have been the problem with the pipe. If there are large flows, it may still have a lot of erosion with the water going around those corners. He asks if there will there be more detailed hydraulic study like Howard recommended as a follow up, or before it happens to make sure the right thing is being done?

Traub stated he spoke with Howard about a hydraulic study, and that is a more lengthy process. The focus was to try to get a temporary solution in, and before it is approved as a more permanent solution, he thinks you would have to go through that action and whatever recommendations that come from that – whether the structure is okay where it is, or if the river needs to be realigned or armament on banks, or any other things. The homeowners are willing to hedge doing things right on the base side of things, in the event things are okay, and there's just

external improvements that may need to be done to make it survive the flows, including raising structure if need be.

Lally confirms that it's the understanding of the homeowners this is a more temporary solution and that states that hopefully it will be okay after an additional study is done for long term. But wants it clear that it is understood that this is a temporary solution pending results of a more detailed hydrological study, and the results of that study may indicate the need for additional work that may need to be done to make it permanent. Traub confirms this is the proposal.

Lally reiterates and confirms that if it does not survive the study as is, and if not, the homeowners are open to the additional work make it permanent.

Loersch asks if Army Corp permits are gathered? Traub said that would be part of the hydrological study process. The study would create the information to present to the Corp of Engineers to get the permits you need. Lally confirms permits from the town would be needed as well, and right now they're only covering this order and the erosion controls. They can talk about amending it to include this temporary work and the various understandings. But if the study shows more work is needed, and to get permits from the Corp and Town, that will all be taken care of at a later date. Traub states once you know what other work needs to be done, you would go back before the local IWC, obtain their criteria and blend it into what the Corp or State would look for and get the permits and do the modifications as final approved.

Loersch asks when they would be prepared to start the work. Traub stated they would be ready tomorrow afternoon or Thursday morning - ready in 24 hours of go-ahead.

**Motion:** As a temporary measure, to amend the existing order regarding the homeowners of Mark Anthony to include this proposal to implement a temporary solution pending a hydrological study and any other subsequent changes that will be required by the State, Army Corp and Bolton, with the work done under the supervision of the town Staff.

By: Gordon

Seconded: Loersch

**Discussion:** Loersch seconds with the condition that any changes that are a result of the study are carried out. Loersch states this is a temporary repair and maybe it will last a long time, but he doesn't want this to fail again with more major work to have to be done, or more sedimentation going down the river, and there needs to be a more in-depth study done and the recommendations from that study need to be incorporated afterward. We will need to follow up and make sure the repair it appropriate

Lally confirms to cover the conditions discussed and document things are done in accordance with this plan, appropriate sediment and erosion controls are put in place, town staff oversight and that the appropriate hydrological studies are done to determine this is okay as is as a permanent structure and if not, get appropriate permits from the Army Corp, State and town of Bolton to do further work beyond this as necessary. Lally shares his concerns about the sharp bend in the river because bends such as that with a lot of flow, is usually where you get problems. Traub stated as discussed with the homeowners, if you took the same replica of pipe and put it back in, and filled over it and it was exactly as it was a month ago, these studies would still be required and some kind of change the studies show would be required, or they would find themselves in the situation they're in now. This proposal offers the largest hydro opening available that can be put in, in the same time frame with materials more readily available due to

COVID, and that any fix would require revisiting it. It was confirmed by the Commission and Traub that further studies must be done and that additional work may be required.

Voting:

For: Loersch, Gordon, Lally

Against: None

Abstain: None

**Questions:**

Tom Mosier asks how to obtain the minutes from this meeting. Lally stated they will be posted on website or they can be sent. They are posted by the end of week and recordings available and posted too.

Patty Cinea asks who would pay the bill for a hydrological study? Lally stated he believes it would be the Homeowners, and not the town because it's a private road. Any discussion really should be done with the First Selectman.

Patty Cinea asks about a declaration from February 20, 1981, signed by Larry Fiano and the Town of Bolton releasing any liability concerning any changes in the course of the aforementioned brook or effects to repairing and rights. She stated it appears to have been mentioned last week that the brook was altered at the time of the home construction, and there is a noticeable dip in road from her property to the adjoining property, and if you follow the divot, it goes into the pond like area and into Johnson brook stream, and if there was a change in downstream, who is liable? The Town says it's not liable, the developer is not liable? Who will make sure in any torrential rain, we have a pause in release of any water from Lower Bolton Lake? Lally states these are really good questions for the First Selectman or Town Staff or a broader group.

**Adjournment Motion:** The Bolton Inland Wetlands Commission moves to adjourn the meeting at 7:33 p.m.

By: Gordon

Seconded: Loersch

Voting:

For: Loersch, Gordon, Lally

Against: None

Abstain: None

**Respectfully submitted:**

Danielle Palazzini

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Land Use Secretary

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