

**BOLTON INLAND WETLANDS COMMISSION
REGULAR MEETING, JUNE 28, 2022, 7:00 P.M.
MOTIONS & MINUTES
VIRTUAL**

Lally called the meeting to order at 7:00 p.m.

		Present	Absent
REGULAR MEMBERS:	Andrew Gordon	X	
	Ross Lally - Chairperson	X	
	James Loersch – Vice Chairperson	X	
	Open		
	Open		
ALTERNATE MEMBERS:	Dave Lynn	X	
	Open		
STAFF:	Barbara Kelly	X	

Lynn was seated as a voting member.

1. Approval of Agenda

Motion: The Bolton Inland Wetlands Commission moves to amends the agenda to add New Business item #IW-22-6, application of Donna Tedford Sheridan, 27 Kenney Drive.

By: Loersch

Seconded: Gordon

Voting:

For: Lally, Loersch, Lynn, Gordon

Against: None

Abstain: None

2. Public Comment

No one was present to speak.

3. Old Business

A. IWC #2022-5; 271 Hop River road; an existing auto repair shop to be removed and replaced with a convenience store

Nathaniel Fleming and Gregg Fedus were present for this application.

Gregg Fedus, Fedus Engineering, began the presentation. He was here last month with the IWC asking for couple of items to be shown on the plans or to be clarified.

Loersch: Who is the owner of the property? Fedus: IMS Petroleum LLC.

Fedus: The Revision 2 plans dated, 7-12-2022, were available to the Commission. The cover sheet shows the wetlands crossing of the trail going to the back of the property. The trail weaves its way into the back to get to the rail trail. The State did not want the well so close to the detention basin so the site plan so it was oved farther away from the building in the rear. The grading and utility plans were shown. The detention basin was reshaped a bit due to moving the well. There is a grass filter strip for some of the pavement. We have identified a concrete weir at the furthest point of the wetlands. The sheet flow is shown in a couple of different directions as it is fairly level out there. The hydro-separator will need to be cleaned periodically – there are notes on the plans for cleaning this, the two catch basins, the detention basin, and, generally, the site for weekly trash pick- up. A full maintenance schedule will be put together. The health district wanted a couple of more test pits for the septic system. We do not have the results of those test yet.

Lally: IWC wanted a note about protection from the well drilling tailings. He wants to see notation of a silt fence or hay bales on the plan. Fedus: A note about the containment of the tailings from the is included on the plans now.

Gordon: How often is the hydro-separator cleaned? Fedus: The maintenance schedule is based on manufacturer’s specification. In the beginning it will be checked quarterly then once a year a vacuum truck comes on site. The upper chamber will not flush out if there are significant flows. Materials captured will remain in the unit.

Motion: The Bolton Inland Wetlands Commission moves to approve IWC #2022-5; 271 Hop River Road; an existing auto repair shop to be removed and replaced with a convenience store.

With the following conditions:

- The final sizing of the hydro-dynamic separator shall be shown on the plan and this information sent to the Wetlands Agent.
- Maintenance schedule for the storm water management shall be included on the plans.
- Erosion and sedimentation controls shall be shown around the well drilling site.
- All work shall be done in accordance with the plan.
- Erosion and sedimentation controls shall be installed and maintained according the *2002 Connecticut Guidelines for Soil Erosion and Sediment Controls*.

By: Gordon

Seconded: Loersch

Voting:

For: Loersch, Lynn, Lally, Gordon

Against: None

Abstain: None

4. New Business

A. #IW-22-6, application of Donna Tedford Sheridan, 27 Kenney Drive.

Donna Sheridan was present.

Staff gave a brief introduction. The owner recognized the work she wants to do may possibly need a wetlands permit. The plan is to place a row of boulders along the edge of the lake to help with the undercutting/erosion of the bank. Other neighbors have done so. These boulders will be embedding in the existing bank or leaned against it.

Donna Sheridan: The boulders will be below the level of the lawn. Staff: There is a gravel substrate; there will not be a footing. This is placing boulders along the length of the property at the edge of the lake. Sheridan: They are all natural granite stone. The contractor will fill in with smaller stones where needed. Staff: The boulders will not go into the lake. Sheridan: The stones will be 1' - 5' from the water; no stones will be in the water.

Loersch: What equipment? Sheridan: She believes the contractor will use a bobcat type vehicle. Staff: The bobcat will work from the lawn side and not where her sewer runs.

Lally: Does not remember if past projects such as this one were considered by the IWC for the use of the enjoyment or use of the property and did not require a permit. Staff: With the amount of the material being deposited it could be considered minimal impact. It is near the edge of the water and it is not poorly drained soil. Lally: If the IWC delegates this to the Wetlands Agent or makes a jurisdictional ruling the applicant can proceed with this low impact work soon. If not, the application will be heard at the August meeting and the project would be delayed. Staff: For this length of wall with footings a permit would definitely be needed but footing will not be installed here.

Loersch: Has the contractor done this type of work before? He would feel more comfortable with someone with more expertise in this area. Sheridan: He has built a stonewall along a river bank on his property. Should she hire a consultant or put silt fence up? Loersch: The disturbed area should be protected so waves hitting the area during and after construction so soil is not pulled away. Staff: The bank along that edge is not high. Sheridan: At the highest it is not quite 2' high. Lally: Put larger rip rap in there to armor the area. Sheridan: Is a master gardener and will construct a rain garden.

Lally: Does the IWC want a more formal plan from the applicant or do we want to delegate this to Staff to take care of it in the field? Loersch: He has the sense Sheridan and Staff can give input to the landscaper about how the activity should proceed. Lally: Feels the same way. To Loersch's point this is not a high impact activity but it does have to be done properly and promptly.

Motion: The Bolton Inland Wetland Commission moves to delegate this matter to the Wetlands Agent to work with the property owner and the contractor.

By: Gordon

Seconded: Loersch

Discussion: Gordon: Can he take a look at this when it is underway? Loersch: Thinks that is okay but give any input to Staff who will speak with the owner.

Lally: Tedford's approval is needed to go on the property. Sheridan: We do not need to put a silt fence in? Staff: You would end up putting the fence in the lake and stirring things up more. Have hay bales handy to be staked down at the base if something turns up.

Voting:

For: Loersch, Lynn, Lally, Gordon

Against: None

Abstain: None

5. Election of Officers

Lally: He and Loersch have volunteered to continue in their respective roles for another year.

Motion: The Bolton Inland Wetlands Commission moves to retain the same slate of officers for the next year, that is, Ross Lally as Chairman and Jim Loersch as Vice Chairman.

By: Loersch

Seconded: Gordon

Voting:

For: Loersch, Lynn, Lally, Gordon

Against: None

Abstain: None

6. Approval of Minutes

A. June 28, 2022 Regular Meeting

Motion: The Bolton Inland Wetlands Commission approves the minutes of the June 28, 2022, Regular Meeting as presented.

By: Loersch

Seconded: Gordon

Voting:

For: Loersch, Lynn, Lally, Gordon

Against: None

Abstain: None

7. Wetlands Agent Report

Staff reported:

- Sent out the Salmon River watershed report to the IWC.
- There was a request from 116 Hebron Road to expand a horse pasture around her barn. Staff visited the site. The area to be cleared is in the upland review

area. The closest was within 20' - 25' of a wetlands area. She had a discussion with Lally and it was decided to advise the owner it fits into Chapter 4 of the regulations. It is a selected cut. It was acknowledge as an agricultural use.

- Would appreciate guidance for IWC about a matter brought to her attention today. Folks on the lake noticed that a residence on the Bolton/Vernon line, on the west side of the lake, had cut down vegetation along the edge of the lake. Neighbors sent a notice around that there was a clear cut. Lally: Did the IWC get the chance to look at the pictures? Staff: Looked at the regulation definition of 'clear cut'. Some large tree stumps and shrubby bushes near the edge of the lake appear to have been removed. Lally: It appears they cleared a strip of vegetation so they could have a view of the lake. Gordon: Is this on their property? Staff: It is private property. Lally: The property has a portion in Bolton and the rest in Vernon. Staff: This does not appear to be wetlands soils. She did not want to classify this as a violation without receiving input from the IWC. Loersch: Has Staff talked to the homeowner? Staff: This was brought up today. She wanted input from the commission. She can contact the homeowner to let them know that any further work or construction will need to come to the Wetlands Agent if the IWC agrees this is not a violation. She can also tell the owners to get this area landscaped and planted. The PZC did put in a 50' zone around the lake that does not allow the building of any structures. There is no prohibition of removing vegetation. Lally: Sees this as use and maintenance of the property. But he does not want to have bare soil exposed. Staff: She will address what is there and ask how they are going to fix it; this will not be considered a violation. Loersch: Talk to homeowner and give advice. Lynn: Is there concern this could be considered a precedent by neighbors? Lally: Ideally they should come before us for a jurisdictional ruling. Each application has to be treated as an individual project.

Loersch: What is the progress of the clean-up and demolitions at the old M&M Oil? Staff: As of the beginning of July they had removed a significant amount of debris from the property and did the remediation of the tanks. There is a considerable difference in how the property looks. Would not expect the building to come down until after PZC approval.

8. Other

None

9. Adjournment

Motion: The Bolton Inland Wetlands Commission moves to adjourn the meeting at 8:24 p.m.

By: Gordon

Seconded: Lynn

Voting:

For: Lally, Loersch, Lynn, Gordon

Against: None

Abstain: None

Respectfully submitted,

Yvonne B. Filip

Yvonne B. Filip
Commission Clerk

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



WRER-22-4

INLAND WETLANDS REGULATION EXEMPTION REQUEST

Status: Active

Date Created: Aug 9, 2022

Applicant

Richard Barger
rbarger@mkrb.com
4479 SW Fenwick Lane
Palm City, FL 34990
860-916-1775

Location

87 BRANDY ST
BOLTON, CT 06043

Owner:

Richard Barger, Trustee
4479 SW FENWICK LANE PALM CITY, FL 34990

List All Parcels

Parcel ID / MBL

10001767

ACTIVITY AREA

Total Acreage of Property(s)

21

Total Acreage of Activity Area

21

Type of Operation or Use

Agricultural Activity

Description of Proposed Work and/or Activity

Restoration of farm ponds

Licensed Professional if applicable

Name

--

Address

--

Email

--

Phone No (Business)

--

Phone No (Cell)

--

Affidavit

I have read and understand the below statement.



Electronic Signature [Typed Name of Applicant]

Richard Barger

Attachments



87 Brandy Street updated pdf surveyy.jpg

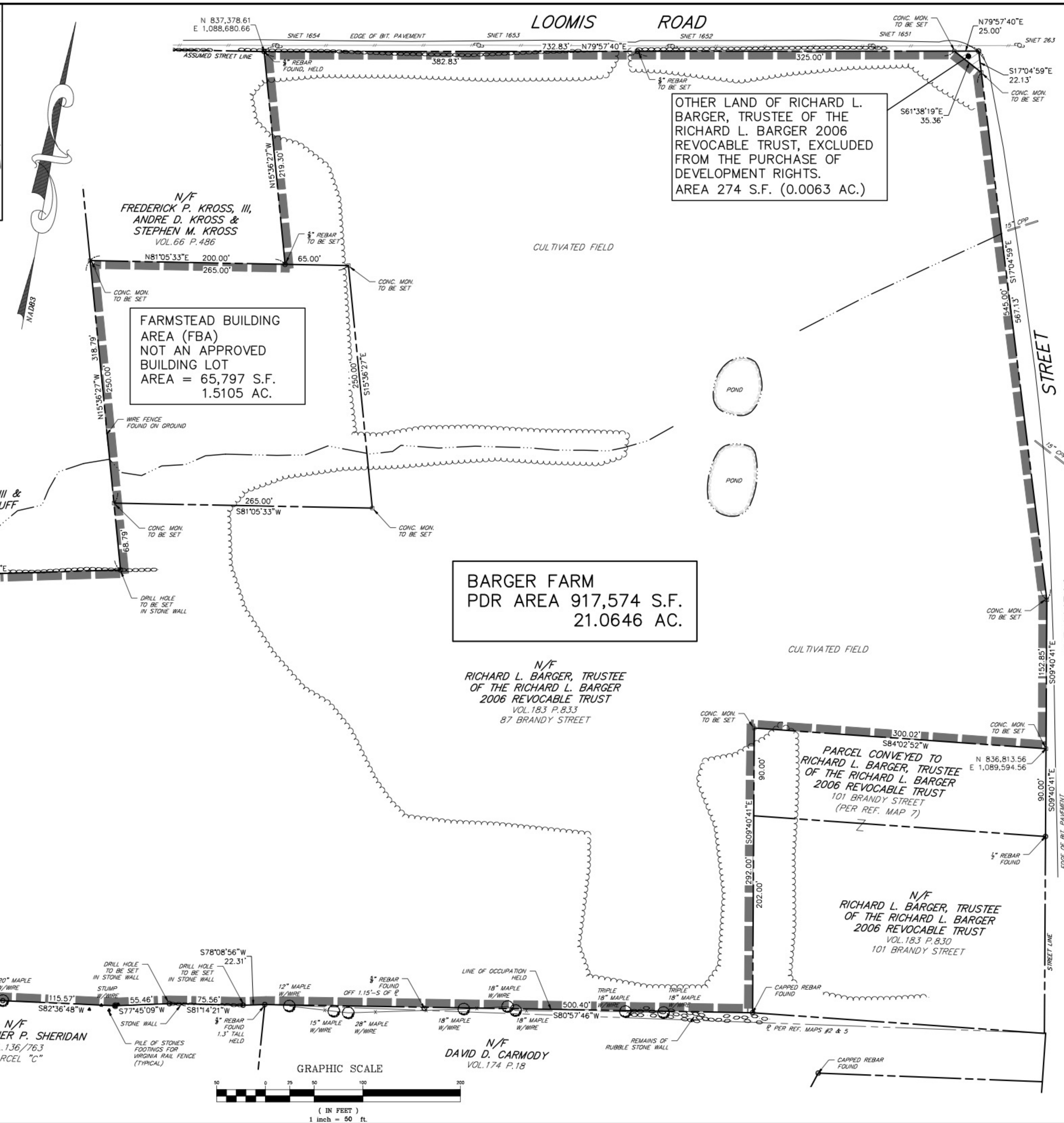
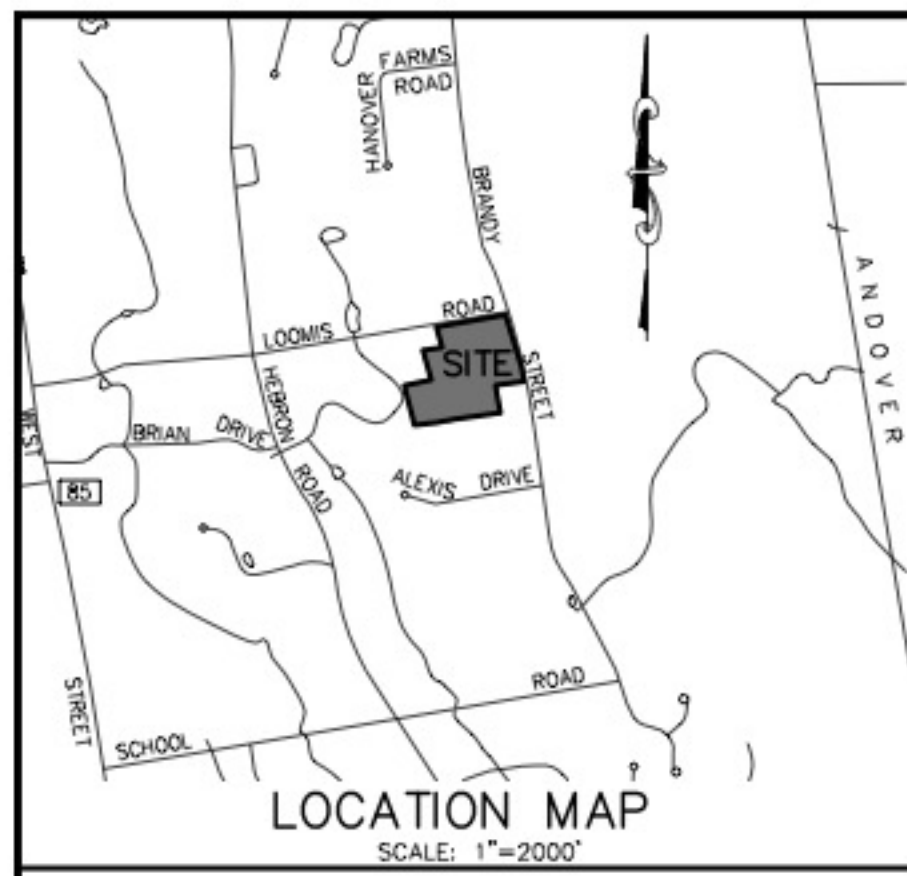
Uploaded by Richard Barger on Aug 9, 2022 at 2:34 pm

History

Date	Activity
Aug 9, 2022 at 2:22 pm	Richard Barger started a draft of Record WRER-22-4
Aug 9, 2022 at 2:24 pm	Richard Barger altered Record WRER-22-4, changed ownerEmail from "" to "rbarger@mkrb.com"
Aug 9, 2022 at 2:24 pm	Richard Barger altered Record WRER-22-4, changed ownerName from "" to "Richard Barger, Trustee"
Aug 9, 2022 at 2:24 pm	Richard Barger altered Record WRER-22-4, changed ownerPhoneNo from "" to "860-916-1775"
Aug 9, 2022 at 2:24 pm	Richard Barger altered Record WRER-22-4, changed ownerStreetName from "4479 SW FENWICK LANE" to "SW FENWICK LANE"
Aug 9, 2022 at 2:24 pm	Richard Barger altered Record WRER-22-4, changed ownerStreetNo from "" to "4479"
Aug 9, 2022 at 2:34 pm	Richard Barger submitted Record WRER-22-4
Aug 9, 2022 at 2:34 pm	approval step Application Review was assigned to Barbara Kelly on Record WRER-22-4

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
Application Review	Active	Aug 9, 2022 at 2:34 pm	-	Barbara Kelly	-
Inland Wetlands Approvals	Inactive	-	-	-	-
Permit Issuances	Inactive	-	-	-	-



OTHER LAND OF RICHARD L. BARGER, TRUSTEE OF THE RICHARD L. BARGER 2006 REVOCABLE TRUST, EXCLUDED FROM THE PURCHASE OF DEVELOPMENT RIGHTS. AREA 274 S.F. (0.0063 AC.)

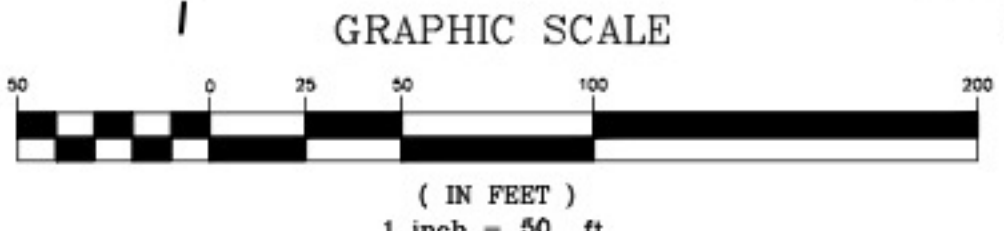
FARMSTEAD BUILDING AREA (FBA) NOT AN APPROVED BUILDING LOT AREA = 65,797 S.F. 1.5105 AC.

BARGER FARM PDR AREA 917,574 S.F. 21.0646 AC.

PARCEL CONVEYED TO RICHARD L. BARGER, TRUSTEE OF THE RICHARD L. BARGER 2006 REVOCABLE TRUST 101 BRANDY STREET (PER REF. MAP 7)

RICHARD L. BARGER, TRUSTEE OF THE RICHARD L. BARGER 2006 REVOCABLE TRUST VOL. 183 P. 830 101 BRANDY STREET

DAVID D. CARMODY VOL. 174 P. 18



LEGEND

---	PROPERTY LINE
- - - -	PDR BOUNDARY (PURCHASE OF DEVELOPMENT RIGHTS)
~ ~ ~ ~	STONE WALL
— x —	FENCE
— · — ·	OVERHEAD WIRES
— · · · —	WATERCOURSE
— () —	TREE LINE
○	TREE WITH WIRE
⊙	PILE OF STONES
⊕	UTILITY POLE
N/F	NOW OR FORMERLY
VOL. P.	VOLUME/PAGE

TOTAL AREA OWNED:
917,848 S.F. (21.0709 AC.)

AREA EXCLUDED FROM FARMLAND PRESERVATION PROGRAM:
274 S.F. (0.0063 AC.)

TOTAL RESTRICTED FARMLAND AREA:
917,574 S.F. (21.0646 AC.)

- REFERENCE MAPS:**
- "RIGHT OF WAY MAP, BRANDY STREET, BOLTON, CONNECTICUT, SCHOOL ROAD TO BOLTON CENTER ROAD, SURVEYED AND CHECKED BY ROBERT AHERN, 10 APRIL, 1972, SCALE 40'-1"=1"
 - "PROPERTY MAPPED FOR WILLIAM BOGNER, BRANDY STREET, BOLTON, CONN.", SCALE 1"=100', DATE JUNE, 1975, BY GRISWOLD & FUSS, INC.
 - "PLAN PREPARED FOR JOHN J. & DEBORAH M. STRUFF II, NO. 77 LOOMIS ROAD, BOLTON, CONNECTICUT", SCALE 1"=50', REVISED 6-19-89', BY FUSS & O'NEILL
 - "BOUNDARY PLAN PREPARED FOR GIULIO BRONDOLO, BRANDY STREET, 'PARCEL A', BOLTON, CONNECTICUT", DATE: 8-31, SCALE: 1"=40', BY MESSIER & ASSOCIATES, INC.
 - "IMPROVEMENT LOCATION PLAN, PREPARED FOR DAVE CARMODY, SHOWING EXISTING FOUNDATION, 105 BRANDY STREET, BOLTON, CONNECTICUT", DATE: OCTOBER 4, 2017, SCALE: 1"=30'.
 - "PLAN PREPARED FOR RICHARD BARGER, 101 BRANDY STREET, BOLTON, CT., LOT LINE MODIFICATION", SCALE: 1"=20', DATE: 9-13-2021, BY BUSHNELL ASSOCIATES LLC.
 - "LOT LINE ADJUSTMENT PLAN, ORIGINAL SURVEY, PROPERTY OF RICHARD L. BARGER 2006 REVOCABLE TRUST, 101 BRANDY STREET, BOLTON, CONNECTICUT", DATE: 03-09-22, SCALE: 1"=40', BY THE BONGIOVANNI GROUP, LAND SURVEYORS.

- SURVEY NOTES:**
- HORIZONTAL DATUM BASED ON NAD83 (2011) EPOCH 2010.00.
 - 5/8" REBAR TO BE SET AT ALL PERIMETER PROPERTY CORNERS, LIMITS OF PDR, AND INTERM POINTS ON LINE, UNLESS OTHERWISE SHOWN.

DECLARATIONS:

A. THIS SURVEY HAS BEEN PREPARED IN PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20, AS REVISED. IT IS A "PROPERTY SURVEY", BASED ON AN "ORIGINAL SURVEY", CONFORMING TO HORIZONTAL ACCURACY CLASS A-2, WITH BEARINGS TIED INTO THE NORTH AMERICAN DATUM OF 1983 (NAD83).

B. I HEREBY DECLARE TO CONNECTICUT FARMLAND TRUST, INC. AND TO BOLTON LAND TRUST THAT THIS SURVEY WAS MADE ON THE GROUND ON MARCH 10, 2022. ALSO, ALL STRUCTURES, UTILITIES (OVERHEAD OR UNDERGROUND), PONDS, WATERWAYS, AND ROADWAYS, EITHER PAVED OR GRAVEL, AND ANY OTHER PAVED OR OTHERWISE IMPERVIOUS SURFACES ARE LOCATED AND SHOWN ON THIS MAP ALSO, BASED ON A CAREFUL INSPECTION OF THE LAND RECORDS, AND CAREFUL PHYSICAL INSPECTION OF THE PROPERTY, THAT THERE ARE NO APPARENT EASEMENTS, RIGHTS OF WAY, OR ENCROACHMENTS OVER THIS PROPERTY OTHER THAN THOSE SHOWN HEREON.

C. TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

SURVEYORS SIGNATURE DATE LICENSE NUMBER

PREPARED FOR
CONNECTICUT FARMLAND TRUST, INC.
MAP PROPERTY OF
RICHARD L. BARGER 2006 REVOCABLE TRUST
21,0709 TOTAL ACRES OWNED
21,0646 TOTAL RESTRICTED FARMLAND ACRES
BOLTON, CONNECTICUT

MONUMENTED PROPERTY SURVEY PLAN

Scale: 1"=50'
Date: 03-16-22
Checked: AB
Drawn: D.D.
Revision: _____
Date: _____
Date: 04-01-22

THE BONGIOVANNI GROUP, INC.
LAND SURVEYORS
170 Pure Road
Newington, Conn. 06111
TEL: (860) 666-0334
FAX: (860) 666-3830

Sheet 1 of 1

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