

**BOLTON INLAND WETLANDS COMMISSION
REGULAR MEETING, OCTOBER 25, 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:	Cameron Covill	X	
STAFF:	Barbara Kelly	X	

Lynn was seated as a voting member.

Others present: John Laudati, Mr. Garner, Richard Barger, Town Attorney, and Todd Lockward

1. Approval of Agenda

Motion: The Bolton Inland Wetlands Commission moves to accept the agenda with moving New Business after Public Comment.

By: Gordon

Seconded: Lynn

Voting:

For: Lally, Lynn, Gordon, Loersch

Against: None

Abstain: None

2. Public Comment

No one was present to speak.

3. New Business

A. Remediation Plan – 65 Shoddy Mill Road

John Laudati, for the family trust representing the owner, was present.

Staff: The plan was submitted after an on-site meeting on October 11, 2022, with Mr. Snarski and Laudati, a trustee for the property. The plan represents the comments and discussion made in the field of what should be done and what makes sense to get the wetlands restored. The plan submitted by Snarski was spot on to that discussion. In general, the amount of time that the fill has been in place and the weight of it has done some compression of the wetlands. Removing it would have a slightly different hydrology than the pre-fill. The plan reflects that.

Lally: Likes the plan is creating more variety in the habitat. Snarski suggested leaving the boulders on the edge to help in trying to achieve a healthy ecosystem.

Staff: This is an optimum kind of arrangement.

Laudati: We had two meetings out there. In compliance with the court order, we agree with Kelly's input on how the repair should be made. Snarski and Kelly came to the same approach and this is laid out in the restoration plan. The idea to create enhanced wetlands is a good approach. As a member of the Grandy Wetlands Agency he likes to see these types of enhancements. Three years of monitoring of the property will be covered with bonding. There is equipment on the property to get to work on this. Laudati has contracted with someone who will be working on this when approved. All work will be done under the direction of Kelly and Snarski. Ultimately this plan will fix the problem. The trustee is anxious to go forward.

Lally: Town staff oversight is part of the court ordered remediation. Permission for Staff to be on the property has to be granted by Laudati in order to monitor what is going on. Laudati: At this point, we have the authority to allow Staff on the property.

Lally: Bonding should be enough to cover monitoring for three growing seasons.

Kelly: Would feel better if permission to spot check the work is in writing. In the past it was put in writing that staff was not welcome on the property. Richard Barger,

Town Attorney: Asked Laudati to get the authority of staff being on the property in writing.

Laudati: Has made preliminary inquiries about the bonding. The trust may have the funds to post the bond in cash. One way or another the bonding will be in place when work is permitted. He will circle back to Barger about posting a cash bond. Kelly: Hopes the bond discussion does not dramatically delay the start of the restoration.

Barger: What is the status of moving the vehicles out? Laudati: There were vehicles in the wetlands area. Ten to twelve were removed between the first and second meetings. He has made it clear that removal of the vehicles should be accelerated so the equipment is not impeded when restoration starts.

Lally: Recapped: Sounds like there were a number of vehicles in wetlands and the disturbed area. Some have been removed. Some remain in the area that is in the remediation area. Kelly's concern is these could be leaking oil or anti-freeze. Kelly: Does not know if there is leaking but rust does happen. That is a concern. The vehicles were not part of this plan. Removal of the vehicles can be happening without the plan approval and bonding. Removing them from the wetlands would head off problems. And those are probably part of a zoning issue. Laudati: We cannot

proceed with the remediation without getting the vehicles removed that were staged on the fill.

Gordon: Will I be able to take a look at that property eventually to see what is going on? Lally: This may not be a case for any IWC member to go out there on their own. Gordon should work with Kelly on this. Kelly: Can snap a few photos to show the work in progress. Photos to show the compliance with the court order makes sense.

Motion: The Bolton Inland Wetland Commission moves to approve this remediation plan which is being required by a Connecticut Superior Court. Work is not to start until the bonding is in place.

By: Lally

Seconded: Gordon

Voting:

For: Loersch, Lynn, Lally, Gordon

Against: None

Abstain: None

B. #IW-22-7 – Todd Lockward – 83 Vernon Road – Rebuild existing wall

Todd Lockward was present.

Lockward: The wall is crumbling. The plan is to take out what is there and put in a boulder wall. He dropped off a sketch of the plan at Town Hall. Covill: This was included in the packet.

Loersch: What is the existing wall made of? Lockward: A concrete footing that has crumbled and rock that was probably pulled from the lake. Any stones currently there can be used for the backfill. The concrete footing will be removed and disposed of. He is waiting for the lake to be drawn down to do this work.

Lally: Since this is work within wetlands soil on the lake shore we cannot delegate the application to staff. The IWC can only accept the application at this meeting but cannot render a decision until the next meeting, at least.

Loersch: What will be the composition of the new wall? Lockward: He is going to use boulders. These will be about a foot into the water with the overall height of the wall being two feet. He will be working from above with a thumb excavator to remove old material and to place the new boulders. Lally: Sedimentation barriers above and below the work will be needed.

Lynn: In looking at the sketch he does not see the footing. Lockward: There will not be a footing; the current concrete footing will be removed.

Loersch: How long will it take to do the work? Lockward: It might take about two weeks of work on this 90' wall.

Covill: Will you be stockpiling material before moving it off-site? Lockward: He will get rid of discarded material the day it is removed by bringing it to Ansaldi where they can grind it up for fill. Lally: A stockpile will have to be protected from any run

off. Covill: Instructed Lockward to use straw bales, not hay. Hay can contain invasives.

4. Old Business

A. Jurisdictional ruling for timber harvest (#TH-22-3) – Joseph Sicard – 55 Tolland Road

This is not ready for action.

5. Approval of Minutes

A. September 27, 2022, Regular Meeting

Motion: The Bolton Inland Wetlands Commission approves the minutes of the September 27, 2022, Regular Meeting as presented.

By: Loersch

Seconded: Gordon

Voting:

For: Loersch, Lynn, Lally, Gordon

Against: None

Abstain: None

6. Wetlands Agent Report

Covill reported:

- 55 Tolland Road – The forester has not been in contact with the owners. They are looking for a new forester.
- 79 Hatfield: He heard about an inquiry of a forest cutting plan. An application has not been submitted yet. There are wetlands on the property. The owner is not planning to cut very much.
- 56 Hebron Road – A propane tank is being used to heat a barn. The barn is upslope of a wetlands 100' away. This is not a sizable slope. He signed off on that plan.

Lally: Mr. Loersch called to report a lot of clearing on the property to the east of 3 J's to put in a lawn. It is now rutted and much of the material is in 3 J's parking lot. It is quite a mess. This may not be a wetlands issue so much as one for PZC. Loersch: Better erosion control is needed. Covill: Will inform Jim Rupert of this matter and view it himself on Friday.

- 10 French Road – This is for a septic repair that was previously permitted. He checked on this to see if they had started on the project. They had already dug down with min excavator and reached the septic tank. They did not have any of the silt fence set up. They said they were planning to set it up. Covill made it clear to them that was the priority. Nothing else is to be done until the fencing is in place. He will follow up on this matter Friday.

7. Other

Lally: Will be attending CAICWIC as are Covill and Kelly.

8. Adjournment

Motion: The Bolton Inland Wetlands Commission moves to adjourn the meeting at 7:52 p.m.

By: Gordon

Seconded: Lynn

Voting:

For: Lally, Loersch, Lynn, Gordon

Against: None

Abstain: None

Respectfully submitted,

Yvonne B. Filip

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Commission Clerk

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