

MEETING MINUTES
Town of Granby
Inland Wetlands and Watercourses Commission
Wednesday, September 13, 2023 at 7:00 pm

PRESENT: Nicholas Dethlefsen, Fred Jones, David Tolli, Susan Okie, Vickie Dirienzo, and Aurelle Locke

ABSENT: John Laudati

ALSO PRESENT: IWWC Agent Kate Bednaz, Town Attorney Richard Roberts and Land Use Coordinator Renee Deltenre

1. Call to Order

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

2. Action on the minutes of August 9, 2023

ON A MOTION by V. Dirienzo seconded by A. Locke, the Commission voted 6-0-0 to approve the August 9, 2023 minutes as presented.

3. Public Hearing

a. 37 Hartford Avenue – Vessel RE Holdings, LLC and Vessel Technologies, Inc. – Permit application for regulated activities in connection with the development of a 48-unit apartment building and associated improvements.

Attorney Timothy Hollister of Hinckley Allen and Professional Engineer Seamus Moran of H+H Engineering Associate, LLC were present to discuss the application, along with Landscape Architect Greg Wilson of Fuss & O'Neill. Attorney Hollister informed the Commission that the Farmington Valley Health District notified the Department of Health that a reserve area is required as part of the septic system design; therefore, the applicant team is requesting a continuation of the public hearing to the next regular meeting. S. Moran ran through the revised plan set, which includes the elimination of a double outfall by combining stormwater discharge into one location at the right rear of the property, and re-grading of the existing farm road.

Approval for the septic design from the Department of Health has been retracked at this time until revised plans depicting proper reserve areas have been approved. G. Wilson ran through the proposed landscaping plan that includes a slope seed mix for the disturbed grades, as well as a mix of shade trees and shrubs at the top and base of the slope. K. Bednaz was pleased with the proposed landscaping plan and stated that it meets the intent of the Commission's comments. S. Moran spoke of snow management and removal, and Attorney Hollister granted an extension for the continuation of the public hearing to the October meeting. K. Bednaz provided feedback on the revised plans and had questions regarding maintenance of the stormwater management system and material to be used for re-grading the farm road.

The use of light-colored rip-rap at the end of the outfall was recommended and review by the Natural Diversity Data Base is required. S. Moran addressed how the stormwater

management system will be maintained and explained why a nitrogen and phosphorus analysis was not required for this project under the criteria set forth in the public health code. K. Bednaz stated that she will research case law regarding said testing to see if it can be a requirement for approval. D. Tolli stated for the record his involvement with the Lower Farmington and Salmon Brook Wild & Scenic Committee and that he has no bias in any manner towards the application.

Public Comment

Reinhard Maier of 138 Day Street had questions regarding the submission of stamped and signed drawings, drainage calculations in conjunction with the proposed stormwater management system, and Errors & Omissions (E&O) Insurance.

Maureen Eberly of 37 Silkey Road expressed concerns regarding increased pedestrian traffic and contamination. She read for the record a letter from the Farmington River Watershed Association, Inc, which was received by the town on September 13, 2023 and requested that the application be denied.

Robert Flanigan of 24 Woodcliff Drive requested that a nitrogen and phosphorus analysis be conducted, and stated the proposed project is too large for the site.

Glen Ballard of 289 Granville Road had questions regarding state statute and whether feasible and prudent alternatives were presented.

Jay (undisclosed address and last name) stated that the Commission needs to consider potential impacts to the endangered species present and made reference to sewer capacity and pollutants from fresh pavement.

Michael Fusick of 55 Northwoods Road, who works for the MDC, expressed concerns with the amount of impervious surface proposed and the velocity of water as it leaves the proposed outfall. He also discussed potential issues with the proposed maintenance of the stormwater management system, as seen in his line of work.

Toni Flanigan of 24 Woodcliff Drive also requested that a nitrogen and phosphorus analysis be conducted and expressed concerns regarding environmental impacts.

Attorney Hollister stated that the applicant's team will prepare a formal response to public comment, as well as address additional staff comments in advance of the next meeting.

ON A MOTION by A. Locke seconded by S. Okie, the Commission voted 6-0-0 to continue the public hearing to the October 11, 2023 regular meeting.

A. Locke recused herself at 8:16 p.m.

4. **Permit Request**

a. **11 Juniper Drive – J. Kimble – Permit application to construct a 20’ x 30’ non-agricultural structure within a regulated area.**

Applicant and property owner Jerry Kimble was present to discuss the changes made to his application in response to the recommendations and comments received by the Commission at the last meeting. Revised documentation shows that the proposed structure will be 25 feet from the watercourse and 35 feet from the wetland’s boundary. The Commission deliberated on the application and discussed the possibility of delegating the application to the IWWC Agent. It was indicated that the structure should be set back a minimum of 30 feet from the watercourse, and a final plan shall be submitted depicting the dimensions of the structure, distances from the wetlands and watercourse, location of boulders, location of plantings, etc.

ON A MOTION by S. Okie seconded by F. Jones, the Commission voted 5-0-0 to delegate the application to the IWWC Agent for review and approval with the condition that the structure be set back a minimum of 30 feet from the watercourse.

b. **215 Salmon Brook Street – Town of Granby – Permit request to construct a pedestrian walking path within a regulated area.**

K. Bednaz provided a brief overview on the application and stated that the applicant requested to schedule a public hearing for the next regular meeting in October.

ON A MOTION by A. Locke seconded by F, Jones, the Commission voted 6-0-0 to receive the application and schedule a public hearing for October 11, 2023 at 7:00 p.m.

5. **Notice of Violation**

a. **371 North Granby Road – 369-371 North Granby Road, LLC – Notice of Violation for non-compliance of IWWC approval.**

K. Bednaz stated that the Zoning Enforcement Officer conducted a site inspection today and confirmed that the property is still out of compliance. The storage of equipment has expanded beyond the approved area towards the rear of the property and there is no fencing to designate the approved area, as required per the IWWC permit. K. Bednaz provided a historical overview of the site, inclusive of prior permit approvals and modifications. In order to achieve compliance, all equipment must be confined to the designated storage area or an application must be submitted for a permit modification request. Per the Notice of Violation, the property owner has until September 29th to achieve compliance. If no action is taken, the permit could be revoked by the Commission.

6. **Agent Report and Correspondence**

a. **36th Annual Farmington River Clean Up on Saturday, September 23, 2023**

b. **2023 CACIWC 46th Annual Meeting and Environmental Conference**

7. **Commissioner Reports and Correspondence**

None

8. **Adjourn**

ON A MOTION by A. Locke seconded by S. Okie, the Commission voted 6-0-0 to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

Renee Deltenre
Land Use Coordinator