

Inland Wetlands & Watercourses Commission
June 6, 2007
Special Public Meeting/Public Hearing

The Inland Wetlands & Watercourses Commission held a Special Public Meeting on Wednesday, June 6, 2007 at 7:30 P.M. in the Community Room, Wethersfield Police Department, 250 Silas Deane Highway, Wethersfield, CT 06109.

Members Present:

Lawrence Buck, Acting Chairman
Joseph Hallisey
George Camarco
Frank Morris
Brent Owen
Louis Sanzaro
William Randazzo
Antonio Margiotta

Also Present:

Michael Turner, Town Engineer

Acting Chairman Buck opened the meeting at 7:35 p.m.

GENERAL COMMENTS (Fourteen (14) persons in the audience)

No comments.

Motion by Commissioner Hallisey, seconded by Commissioner Morris, to move Violation No. 551-07 74 Morgan Circle and Application No. 552-07, Ingrid Petty, 157 Robeth Lane prior to the Public Hearing. All voted in favor. Motion carried.

Violation No. 551-07, 74 Morgan Circle, Parcel 145-03, Joan Homick Excavation, placement of drainage pipes on Town Property within a regulated area.

Attorney John Harvey represented the applicant. Atty. Harvey stated that the applicant purchased the property in November 2006 and has developed water problems in the basement. Applicant will remove drainage pipes and restore property to the pre-existing conditions. No trees were removed on this property.

Michael Turner, Town Engineer stated that the applicant did not obtain the proper permit to conduct this activity.

Motion by Commissioner Hallisey, seconded by Commissioner Camarco, to APPROVE the restoration plan as presented. All voted in favor. Motion passed.

Application No. 552-07, Ingrid Petty, 157 Robeth Lane, Parcel 088-001, Application to clear brush within the 1860 Reservoir Encroachment Line

Permission by applicant, Vern Petty for Ingrid Petty to speak on homeowner's behalf.

Ingrid Petty presented photographs to the Commission. The applicant is proposing clearing the brush, seeding lawn and landscaping which is not a direct impact on the wetlands. Applicant clearing the brush on her own land upland of the 1860 Reservoir Encroachment line.

Motion by Commissioner Hallisey, seconded by Commissioner Camarco to approve the application as a SUMMARY RULING. All voted in favor. Motion passed.

PUBLIC HEARING

Application No.550/07 E/S, Phoenix Medical, LLC, 1260 Silas Deane Highway (Rear), Parcel 237-010 & Parcel 238-010 & Parcel 237-013 Application for additional parking and building expansion within a regulated area, also seeking Erosion and Sedimentation Plan Certification.

John Miller, Corey Garro, and Bill Smyers of Close, Jensen & Miller, PC represented the applicant.

Michael Gragnolati, Soil Scientist and Mike Panek of Phoenix Medical were also present.

Mr. Miller and Mr. Garro presented the drawings and photographs to the Commission and explained that the property needs to be expanded due to the nature of the business.

The activity within the floodplain will result in 7,321 cu yards of deposit materials.

Mr. Turner spoke to the Commission regarding a letter dated May 15, 2007 and addressed to Commissioner Clark from Betty Rosania, Chair of the EDIC that the EDIC is in positive support of this project.

Mr. Miller informed the Commission that there is a tax lien on one of the properties (N/F Gampel) and that the tax lien has been conveyed to John Miller from the Town Council. Much discussion amongst the Commissioners took place regarding the ownership rights of the property.

Mr. Smyers presented MDC maps regarding the water levels, elevations and further studies conducted regarding the flow.

Aerial photographs were presented to the Commission and forwarded to the town for record.

Attorney Marc N. Needelman of Bloomfield, CT spoke for Bruce and Alice Singer, Owners of Puritan Furniture, 1210 Silas Deane Highway, regarding OPPOSITION of the proposed project. He advised the Commission that the Singers were concerned about the flooding to their property. Atty. Needelman presented five (5) photos to the Commission about flooding issues many years ago back in the late 70's to their loading docks at the Puritan Furniture location. They are also concerned about significant impact to the wetlands and are looking for more information.

Commissioner Owen inquired if there were any other alternatives for this project suggesting the Fun Zone location property.

After much discussion, Acting Chairman Buck closed the Public Hearing at 8:55 p.m.

PUBLIC MEETING

Application No.550/07 E/S, Phoenix Medical, LLC, 1260 Silas Deane Highway (Rear), Parcel 237-010 & Parcel 238-010 & Parcel 237-013 Application for additional parking and building expansion within a regulated area, also seeking Erosion and Sedimentation Plan Certification.

After much discussion, Commissioner Camarco requested a letter from the heirs of the property for approval.

Motion by Commissioner Hallisey, seconded by Commissioner Morris to APPROVE the application. No vote was taken at this time.

Acting Chairman Buck stated that he does not want to delay this project but is concerned over ownership rights to the property - legal issues.

Acting Chairman Buck recommended to the Commission that due to pending clarification on the rights of the property he is recommending that the Commission withdraw the motion made by Commissioners Hallisey and Morris.

Commissioner Hallisey disagreed with the request by Acting Chairman Buck.

After much discussion, there action on the above motion. Commissioners Hallisey, Morris, Margiotta, Randazzo, Sanzaro vote to APPROVE the application as a Plenary Ruling and to CERTIFY the Erosion and Sedimentation Control plan.

Motion Opposed by Commissioners Camarco, Owen.

Commissioner Buck Abstained. Motion Passed 5-2-1.

Application No. 553-07 Shield Hotel Management, 1324 & 1330 Silas Deane Highway, Parcel 236-007 & Parcel 236-014 Application for Re-Subdivision, No proposed improvements.

Mark Domingos, L.S. of Conklin & Soroka, Inc. and Michael Lester represented the applicant.

Mr. Domingos presented the drawings and explained to the Commission that the property is south of Executive Square and north of the Wethersfield/Rocky Hill town line. The proposed activity is located in the subdivision of the Red Lobster/Best Western parcel and that there are no improvements proposed on this location other than cosmetic.

Motion by Commissioner Sanzaro, seconded by Commissioner Morris to APPROVE the application as a Summary Ruling with no proposed improvements. All voted in favor. Motion passed.

Application No. 554-07, Town of Wethersfield, Heritage Way Bike Trail Phase II, Various Locations, Application to construct a bike trail.

Michael Turner, Town Engineer represented the applicant. Mr. Turner explained to the Commission that the project is to be built this summer throughout various locations, and work included replacing sewer drain tops and signs.

Motion by Commissioner Randazzo, seconded by Commissioner Camarco to APPROVE the application as a Summary Ruling. All voted in favor. Motion passed.

GENERAL BUSINESS

1. Approval of Minutes - [October 18, 2006](#) (FC,DA,LB,JH,FM,GC)

Motion by Commissioner Camarco, seconded by Commissioner Hallisey to approve the October 18, 2006 minutes. All voted in favor. Motion passed.

Special Meeting - [February 27, 2007](#) (FC,LB,JH,LS, FM,MS)

Motion by Commissioner Sanzaro, seconded by Commissioner Hallisey to approve the February 27, 2007 minutes. All voted in favor. Motion passed.

Special Meeting - [May 16, 2007](#) (JH,FM,GC,BO,BR,LS)

Motion by Commissioner Camarco, seconded by Commissioner Owen to approve the minutes of May 16, 2007. All voted in favor. Motion passed.

2. Fred Clark resignation letter
3. Correspondence (NO ACTION REQUIRED)
 - a. UCONN College of Agriculture and Natural Resources JOURNAL Newsletter. A complete copy is available in the Town Engineer's Office.

ADJOURNMENT

Motion by Commissioner Camarco, seconded by Commissioner Margiotta to adjourn the meeting at 9:40 p.m.

Michael Turner, Town Engineer