

**Regular Meeting Minutes**

**March 7, 2019**

**CITY OF NORWICH  
INLAND WETLANDS, WATERCOURSES AND CONSERVATION COMMISSION  
Lower-level Conference Room  
23 Union Street, Norwich, Connecticut**

**A. CALL TO ORDER:** Chairman Richard Morell called the meeting to order at 7:00 p.m.

**B. ROLL CALL and SEATING of ALTERNATES:**

Present: Richard Morell, Chairman  
Douglas Lee, Vice Chairman  
Peter Chalecki  
Brandon Hyde  
Robert McCoy, Alternate

Absent: Art Sharron  
David Poore  
Michael Lahan, Alternate

Also Present: Dan Daniska, Assistant City Planner, and Katherine Rose, Recording Secretary

**C. APPROVAL OF MEETING MINUTES:**

Douglas Lee put forth a motion to APPROVE the February 14, 2019 minutes as amended. Peter Chalecki seconded. The motion passed unanimously.

**D. COMMUNICATIONS:** Dan Daniska stated he had a referral from the Town of Bozrah in regards to IWWCC #19-03 for the Optimus Senior Living project.

**E. PUBLIC HEARINGS:** None

**F. OLD BUSINESS:**

1. IWWCC #19-02: 543 West Thames Street. Proposed addition to restaurant within the Upland Review Area. Application of Haxhe Balidemaj. Property of Haxhe Properties LLC. Assessor's Map 129, Block 1, Lot 8.

Bruce Haynes of Home Designs by Bruno introduced himself on behalf of the applicant and explained that their plan is use existing courtyard space to build a bathroom and walk-in freezer area. Bruce Haynes stated the project would not take up parking space or any ground area as it is going over the existing concrete and upwards.

Douglas Lee asked if all suggestions and conditions that he had read on this project had been communicated to the applicant. Dan Daniska responded the applicant did receive a memo from the Planning Department. Additional comments from the City Engineer asked to make sure the sediment and erosion controls are looked at because a sidewalk is being removed, the City

Engineer stated that staked hay bales should be employed as a protection to the wetland area. Dan Daniska read through his comments on the application requesting the location of the project's stock pile, to which Mr. Haynes responded that materials would be excavated and placed directly into a truck to be taken off-site; that the off-site wetlands have not been flagged in the field, but the partial site plan that was submitted is sufficient for the project; and that NPU had entered comments through email that need to be addressed but are separate from the application. Dan Daniska said he did have a list of conditions to be entered with the application as well.

Douglas Lee made a motion that a public hearing would not be required because the project is not a significant activity. Brandon Hyde seconded. The motion passed unanimously.

Douglas Lee made a motion to APPROVE IWWCC #19-02 with the following conditions:

1. That the approval is valid for FIVE YEARS and will expire on 03/07/2024.
2. That a bond, in an amount to be determined by the City Engineer, be submitted for Erosion and Sediment Control and Site Restoration.
3. That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any deviation from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
4. That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion.
5. That all work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this approval. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this approval and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
6. That no equipment or materials including without limitation fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.
7. That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.
8. That the permit shall not be assigned or transferred to another entity without the written permission of the Commission.
9. That all erosion and sediment control measures shall be in accordance with the Connecticut Guidelines for Erosion and Sediment Control. Erosion and sediment control measures shall be installed and inspected prior to site disturbance. It is the permittee's responsibility to schedule the inspection with the Norwich Planning Department. Additional erosion and sediment control measures shall be installed if determined to be necessary by the Designated Agent. The permittee shall take such necessary steps consistent with the terms and conditions of the approval, to control stormwater discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
10. That this permit will be strictly enforced. The Commission may suspend or revoke this permit, may direct the Commission's Agent to issue a cease and desist order or may require the applicant to modify, extend, or revise the site work or restore the area to its original

condition if it finds that the applicant has not complied with the conditions set forth in this approval or if the applicant exceeds the scope of this approval as set forth herein or if the intended use or actual use of the general site is not as represented by the application or the plan of record.

Brandon Hyde seconded. The motion passed unanimously.

2. IWWCC #19-03: Route 82 – Salem Turnpike in Vicinity of Goldmine Brook (East of 346 Salem Turnpike), Norwich, CT). Proposal for regulated activities within and adjacent to Goldmine Brook for the installation of water, sewer and natural gas utilities. Application of Optimus Senior Living. Property of State of Connecticut Dept. of Transportation.

Christian Boyson of Optimus Senior Living and Dean Gustafson of All Points Technology introduced themselves. Mr. Gustafson presented a map showing the Goldmine Brook limits and flagged wetlands in the project area along with existing erosion and sediment control measures for the temporary natural gas aerial crossing, and municipal boundary with Bozrah. Mr. Gustafson explained what current E&S controls are in place from the installation of the temporary gas line including a temporary gravel fill cover and stated there has not been any impact to the stream because it is in aerial crossing. Mr. Gustafson stated the permanent crossing would utilize a jack-and-bore method by opening a pit inside of the road, boring under the steam bed and placing permanent utilities there so there is not any temporary or permanent impact to the stream resources.

Brandon Hyde asked how deep under the stream bed the installed utilities would sit. Mr. Gustafson responded there is an existing concrete culvert in the road so when the pits are opened on either side of the road there won't be any exposure to the stream itself, but they are looking to go about 3 feet under the stream bed bottom.

Richard Morrell asked how far from the stream on either side would the pits be opened. Mr. Gustafson said he did not have an exact distance but they would sit very close to the existing culvert structure.

Brandon Hyde questioned the E&S controls in place and Mr. Gustafson explained once the permanent utilities are installed the temporary gas line will be removed, areas will be restored and erosion controls will stay in place until the permanent vegetation is established.

Dan Daniska read his memorandum comments aloud stating that the E&S controls are in good working order and the temporary gas line was installed in coordination with NPU, the application was referred to the Town of Bozrah as the brook is within 500 feet of the municipal boundary, and the City Engineer should advise whether a bond is required due to the municipal nature of the project. Mr. Daniska stated the plans show gas main installation and extension but the title block needs to be updated to include gas as it currently only lists water and sewer. Mr. Daniska added he is unsure, and would defer to the City Engineer if any extra ENS controls will be required for the permanent construction due to the lack of disturbance.

Brandon Hyde asked if NPU or a private contractor would be performing the work. Christian Boyson responded they currently have two bonds in place for a private contractor that they feel

will cover the work that needs to take place.

Douglas Lee stated that while the existing E&S structures are sufficient he recommends that staff inspect the E&S controls prior to the construction of the permanent work to determine if anything needs to be refreshed.

Brandon Hyde made a motion that the application is not a significant activity and would not require a public hearing. Douglas Lee seconded. The motion passed unanimously.

Brandon Hyde made a motion to APPROVE IWWCC #19-03 with the following conditions:

1. That the approval is valid for FIVE YEARS and will expire on 03/07/2024.
2. That a bond, if deemed necessary, should be in an amount to be determined acceptable by the City Engineer, be submitted for Erosion and Sediment Control. The bond must be in the form of a check or letter of credit. That the IWWCC letter of approval be placed on the cover sheet of the plan set for submission to the Planning Department.
3. That it should be noted that this project is located within an archaeologically sensitive area, as such an immediate stop of work and notification of the City Planning Department and State Archaeologist should take place should any archeological resources or remains of any kind be uncovered during the development of the project.
4. That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any deviation from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
5. That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion. Notification of Erosion & Sediment inspection should be at least 24 hours before required work.
6. That all work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this approval. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this approval and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
7. That no equipment or materials including without limitation fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.
8. That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.
9. That the permit shall not be assigned or transferred to another entity without the written permission of the Commission.
10. That all erosion and sediment control measures shall be in accordance with the Connecticut Guidelines for Erosion and Sediment Control (2002). Erosion and sediment control measures shall be installed and inspected prior to site disturbance. It is the permittee's responsibility to schedule the inspection with the Norwich Planning Department. Additional erosion and sediment control measures shall be installed if determined to be necessary by the Designated Agent. The permittee shall take such necessary steps consistent with the terms

and conditions of the approval, to control stormwater discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.

11. That this permit will be strictly enforced. The Commission may suspend or revoke this permit, may direct the Commission's Agent to issue a cease and desist order or may require the applicant to modify, extend, or revise the site work or restore the area to its original condition if it finds that the applicant has not complied with the conditions set forth in this approval or if the applicant exceeds the scope of this approval as set forth herein or if the intended use or actual use of the general site is not as represented by the application or the plan of record.

Robert McCoy seconded. The motion passed unanimously.

3. IWWCC #19-04: NPU 2019-2020 Construction Activities – Multiple Locations: Hamilton Avenue, Otrobando Avenue/Yantic Road and West Thames Street, etc. Proposal for regulated activities within and adjacent to wetlands and watercourses for the replacement and/or extension of natural gas mains and services, and the replacement of utility poles. Application of Norwich Public Utilities. Property of State of Connecticut or City of Norwich.

Barry Ellison, Gas Integrity Manager at NPU, introduced himself and stated he put together an application that addressed all proposed work by NPU for 2019 and 2020 however there could be changes due to budgeting. Mr. Ellison discussed the three proposed gas projects that border wetland areas including a gas line replacement on Hamilton Avenue from East Main Street to Smith Avenue, where the main will cross three wetland areas; a gas expansion from Otrobando Avenue (Comfort Suites) into Yantic for the proposed Hale Mill hotel project which borders an intermittent brook by West Town Street and an underground canal near at the Hale Mill site; and a third project to continue gas main replacement on West Thames Street from Dunham Street to the Police Department. Mr. Ellison stated all projects intend to install gas lines over existing culverts and the only culvert they believe might encroach on an existing culvert is on Hamilton Avenue near Smith Avenue, but they have measures in place to go over it. Mr. Ellison explained their process is to open 100-150 feet of road per day without stockpiling, install the lines and repave the road in one day. Mr. Ellison stated there would be a low chance of any temporary or permanent impact to the nearby wetland areas.

Douglas Lee asked if at any point would the equipment be in the wetlands area or off the road bed to which Mr. Ellison responded it would not.

Barry Ellison stated NPU is also planning to install four utility poles two of which are shown as being in wetland soils and the other two are close enough to be in a wetland review area. Mr. Ellison said the locations are 29 Pleasant Street in a paved parking lot, 38 Yantic Flats Road, 19 Ford Avenue and the last on Sunnyside Street in Yantic. Mr. Ellison said the poles are to replace existing rotten poles and will be installed directly next to them.

Brandon Hyde stated that based on the locations although they may be classified as wetland

soils he does not believe they are in any valuable wetland areas.

Richard Morrell asked if the gas crossing for the Hale Mill hotel would be going through the old canal or underneath. Barry Ellison stated the nearest depth he could find is up by the Mill and appears to be very deep so he believes they will be able to go over it without any disturbance.

Dan Daniska commented that staff requested NPU to provide an overview for the project and for the City Engineer to determine if a bond is required due to the municipal nature of the project. Mr. Daniska stated NPU did provide general timelines for the projects but they may change and as the work will likely take place during low flow conditions staff agreed that there would not be a large impact.

Douglas Lee made a motion that a public hearing would not be required. Peter Chalecki seconded. The motion passed unanimously.

Douglas Lee made a motion to APPROVE IWWCC #19-04 with the following conditions:

1. That the approval is valid for FIVE YEARS and will expire on 03/07/2024.
2. That a bond, if deemed necessary, should be in an amount to be determined acceptable by the City Engineer, be submitted for Erosion and Sediment Control. The bond must be in the form of a check or letter of credit.
3. That it should be noted that portions of this project are located within an archaeologically sensitive area, as such an immediate stop of work and notification of the City Planning Department and State Archaeologist should take place should any archeological resources or remains of any kind be uncovered during the development of the project.
4. That it should be noted that a portion of this project on Hamilton Avenue is located in the Natural Diversity Database, however, due to the depth of the culverts located in the area, it is not anticipated to impact any potential species in the area.
5. That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any deviation from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
6. That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion.
7. That all work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this approval. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this approval and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
8. That no equipment or materials including without limitation fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.

9. That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.
10. That the permit shall not be assigned or transferred to another entity without the written permission of the Commission.
11. That all erosion and sediment control measures shall be in accordance with the Connecticut Guidelines for Erosion and Sediment Control (2002). Erosion and sediment control measures shall be installed and inspected prior to site disturbance. It is the permittee's responsibility to schedule the inspection with the Norwich Planning Department. Additional erosion and sediment control measures shall be installed if determined to be necessary by the Designated Agent. The permittee shall take such necessary steps consistent with the terms and conditions of the approval, to control stormwater discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
12. That this permit will be strictly enforced. The Commission may suspend or revoke this permit, may direct the Commission's Agent to issue a cease and desist order or may require the applicant to modify, extend, or revise the site work or restore the area to its original condition if it finds that the applicant has not complied with the conditions set forth in this approval or if the applicant exceeds the scope of this approval as set forth herein or if the intended use or actual use of the general site is not as represented by the application or the plan of record.

Peter Chalecki seconded. The motion passed unanimously.

4. IWWCC #19-05: 129 Dunham Street. City of Norwich Roadway Reconstruction, extend existing drainage culvert to widen roadway within a regulated area. Part of Dunham Street Reconstruction – LOTCIP #0103-0003

Jean-Paul 'JP' Laguerre, Engineer with Norwich Public Works, introduced himself and stated the City of Norwich received \$1.7 million dollars to reconstruct Dunham Street and in the process NPW found there is a 6' x 3' stone box culvert that needs to be replaced. JP stated Dunham Street averages traffic of approximately 3400 vehicles per day so their plan is to perform the work on each side of the culvert, to allow for one-way traffic, during low flow season. Mr. Laguerre stated the plan would be to leave the existing culvert walls as they are while pouring new foundation on either side of the walls, which would slightly reduce the size of the culvert, and then place a precast culvert onto the poured foundation. Mr. Laguerre stated there would be a sump pump in place with a catch basin downstream in case they encounter groundwater and that the water would run through hay bales for sediment control.

Douglas Lee asked if the City Engineer has been able to determine if the reduced size of the culvert would still have sufficient capacity. Dan Daniska responded that the City Engineer joined him on a walkthrough and approved the size.

Richard Morell asked for clarification on the Dunham Street reconstruction. Mr. Laguerre explained NPW will ultimately put in two courses of Class 1 and one course of Class 2 pavement to create a total thickness of 8 inches. Mr. Laguerre stated the road would be reduced to one-way traffic with flaggers on either side and estimated the project would conclude within a month at most. Mr. Laguerre added

that Dunham Street narrows slightly where the culvert is located so they are planning to widen the road by approximately two feet on either side.

Douglas Lee asked if in the process of the construction if any wetland soils beyond the culvert area would be disturbed. JP responded that he didn't believe so as the wetland in question is at least 20 feet away from the culvert location. Douglass Lee stated that still constitutes a wetland review area and if the land slopes towards the wetland there must be E&S controls in place.

Dan Daniska stated staff asked NPW for an overview of the project and that the City Engineer determine if a bond is required due to the City being the one to perform the work.

Brandon Hyde made a motion that the application is not a significant activity and would not require a public hearing. Douglas Lee seconded. The motion passed unanimously.

Brandon Hyde made a motion to APPROVE IWWCC #19-04 with the following conditions:

1. That the approval is valid for TWO YEARS and will expire on 03/07/2022.
2. That a bond, if deemed necessary, should be in an amount to be determined acceptable by the City Engineer, be submitted for Erosion and Sediment Control. The bond must be in the form of a check or letter of credit.
3. That the IWWCC letter of approval be placed on the cover sheet of the plan set.
4. That a small project locus map be added to the plan set to show the location of the culvert extension in the larger project.
5. The Project's Engineer and the Soil Scientist that delineated the wetlands and watercourse sign the plan sheet(s).
6. That it should be noted that this project is located within an archaeologically sensitive area, as such an immediate stop of work and notification of the City Planning Department and State Archaeologist should take place should any archeological resources or remains of any kind be uncovered during the development of the project.
7. That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any deviation from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
8. That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion.
9. That all work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this approval. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this approval and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
10. That no equipment or materials including without limitation fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this approval.
11. That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.
12. That the permit shall not be assigned or transferred to another entity without the written permission of the Commission.
13. That all erosion and sediment control measures shall be in accordance with the Connecticut Guidelines for Erosion and Sediment Control (2002). Erosion and sediment control measures shall

be installed and inspected prior to site disturbance. It is the permittee's responsibility to schedule the inspection with the Norwich Planning Department. Additional erosion and sediment control measures shall be installed if determined to be necessary by the Designated Agent. The permittee shall take such necessary steps consistent with the terms and conditions of the approval, to control stormwater discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.

14. That this permit will be strictly enforced. The Commission may suspend or revoke this permit, may direct the Commission's Agent to issue a cease and desist order or may require the applicant to modify, extend, or revise the site work or restore the area to its original condition if it finds that the applicant has not complied with the conditions set forth in this approval or if the applicant exceeds the scope of this approval as set forth herein or if the intended use or actual use of the general site is not as represented by the application or the plan of record.

Robert McCoy seconded. The motion passed unanimously.

**G. NEW BUSINESS:** None.

**H. OTHER BUSINESS:**

**1. Staff Report: Update on Plan of Conservation and Development Implementation Committee**

Dan Daniska reported the next Plan of Conservation and Development Implementation Committee meeting will be on March 13<sup>th</sup>, 2019 and reminded members to notify himself or Deanna Rhoades if they are interested in attending the 35th Annual Land Conservation Conference. Dan Daniska stated he and Deanna Rhoades responded to a wetlands complaint in the area of North Street but due to the snow conditions they are going to return to the area to investigate in June/July.

**2. Upland Review Permits Issued.** None.

**3. Miscellaneous:** None.

- I. ADJOURNMENT:** A motion was made by Douglas Lee to adjourn the meeting at 7:38 p.m. Seconded by Peter Chalecki. Motion carried unanimously.

Respectfully submitted,  
Katherine Rose, Recording Secretary