

**CITY OF NORWICH INLAND WETLANDS, WATERCOURSES AND CONSERVATION
COMMISSION
Special Meeting Minutes June 16, 2022
Hybrid Meeting**

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

B. ROLL CALL and SEATING of ALTERNATES:

Present: Chairman Richard Morell, Vice Chairman Douglas Lee, Peter Chalecki, and Brandon Hyde.

Absent: None.

Also Present: Mark Block, Counsel for the Applicant; Jeff Bord, Bohler Engineering for the Applicant; Henry Resnikoff, Applicant's Consultant; Deanna Rhodes, Director of Planning and Neighborhood Services; Dan Daniska, Assistant City Planner and Melinda Wilson, Recording Secretary.

C. APPROVAL OF MEETING MINUTES:

Brandon Hyde put forth a motion to APPROVE the May 5, 2022 regular meeting minutes. Doug Lee seconded. Peter Chalecki, Douglas Lee, Brandon Hyde and Richard Morrell voted in favor. The motion passed unanimously.

Doug Lee put forth a motion to APPROVE the May 26, 2022 special meeting minutes. Brandon Hyde seconded. Peter Chalecki, Douglas Lee, Brandon Hyde and Richard Morrell voted in favor. The motion passed unanimously.

D. COMMUNICATIONS: None.

E. PUBLIC HEARINGS:

1. IWWCC #22-05: Business Park North Proposed construction of a 40 foot curb to curb roadway that extends approximately 1.4 miles from CT-97 to Lawler Lane. Proposed construction of the roadway, associated utilities, and storm water management system will result in the removal of wetland soil and vegetation. Work will occur within the Wetland Regulated Area, Upland Review Area, and cross Byron Brook. Includes land disturbance activities associated with future development sites that are part of a proposed business park project. The project area includes approximately 367 acres of land north of Interstate 395 (I-395), east of Scotland Road and west of Taftville-Occum Road (CT-97). I-395 runs along the southern border while Lawler Lane, Old Canterbury Turnpike, Canterbury Turnpike and CT-97 all border different parcels that comprise the site. Application of Norwich Community Development Corporation, c/o Kevin Brown, President. Property of M&A Holdings, LLC / Byron Brook Country Club, LLC, Robert J. Arnone, Member. Assessor's Map 19, Block 2, Lot 16, 55, 46; Map 23, Block 1, Lot 7, 8; Map 24, Block 1, Lot 1, 8, 12, 13, 54; Map 25, Block 1, Lot 1, 2. Zone PDD & GC.

The Public Hearing on IWWCC #22-05 was opened on May 5, 2022 and remains open at this meeting on June 16, 2022.

Jeff Bord, Engineer for the Applicant, presented the site plan that was displayed on-screen for all participants to view. He spoke to the request to approve the roadway, which is proposed to be a curbsless, 1.4 mile stretch of road with two roundabouts. The stormwater study has been completed. Two wetland crossings are required. The commission members toured the property at the May 26, 2022 special meeting. He reviewed total permanent disturbance which is 73,629 square feet of permanent upland impact. The roadway disturbance will be 400,000 square feet.

Review and approval by the IWWCC is required for the master plan. This site plan is a conceptual layout similar to an initial plan for a subdivision. It was confirmed that if the development has strong deviation from these parameters, it will come back to the IWWCC. The return to the commission would depend on the impacts and encroachment on wetlands.

Brandon Hyde expressed concern at approving a conceptual plan. Deanna Rhodes, Director of Planning and Neighborhood Services, said it is likely that most sites will come back for approval. Transfers for the developer's permits will come back to IWWCC.

The applicant is the Norwich Community Development Corporation (NCDC). Henry Resnikoff confirmed that development of the roadway will take about one year. Attorney Mark Block noted that the lots will have separate developers. NCDC plans to develop 12 – 14 units. Each unit owner will go back for a site plan review. The wetlands and site plan will be scrutinized again. Attorney Block noted the city's control in approval of each lot development. Mr. Hyde noted the IWWCC's responsibility to protect wetlands. His concerns were addressed by clarification that the individual sites will come back to IWWCC for further approvals.

Assistant City Planner Dan Daniska reviewed his memo, dated 6/9/22. He requested waiver of reading the exhibits list.

Doug Lee made a motion to waive the reading of the exhibit list as it is displayed on-screen for all to view. Brandon Hyde seconded the motion. Peter Chalecki, Douglas Lee, Brandon Hyde and Richard Morrell voted in favor. The motion passed unanimously.

Brandon Hyde made a motion to close the Public Hearing. Doug Lee seconded. The IWWCC closed the Public Hearing at 7:30 pm.

Brandon Hyde made a motion to APPROVE IWWCC APPLICATION #22-05 with the following conditions:

- That the approval is valid for FIVE YEARS and will expire on 06/16/2027. The right to request an extension of approval shall be applicable to each developer of an individual building site within the business park to which this wetlands approval has been assigned and approved by the Commission.
- That final revised plans be submitted and reviewed by City Staff.
- That the signature of the Certified Soil Scientist be added to the final plan.
- That the proposed site development areas be modified to remove any encroachment into the

delineated wetlands, excluding the temporary disturbance that may be necessary to construct roadway access to the sites. The applicant shall provide updated plans that reflect estimated temporary and permanent impacts to delineated wetlands before the submission of the Master Plan document to the City Council and Commission on the City Plan.

- That the depicted solar arrays be modified to not encroach on any wetland areas.
- That the applicant notify city staff of Eversource review findings, and be prepared to return to the IWWCC should changes be necessary.
- That the required Erosion and Sedimentation Control Bond be submitted, in an amount satisfactory to the City Engineer, for the construction of the roadway and adjacent multi-use pathway. Bonds must be submitted in a form acceptable to the City (check or letter of credit) prior to any land disturbance activities occurring.
- That the required bond, in an amount deemed satisfactory to the City Engineer, be submitted as individual sites are developed, for Erosion and Sediment Control and Site Restoration. Individual site developers shall be responsible for Erosion and Sediment Control bonds at the time of permit transfer. Bonds must be submitted in a form acceptable to the City (check or letter of credit) prior to any land disturbance activities occurring.
- That the Commission on the City Plan consider designated Conservation Area Easements on the larger wetland systems along Interstate 395; between buildings 7, 8, 9, and 12; and between the proposed roadway and Sunny Waters Mobile Home Park.
- That all site activities shall be conducted in accordance with the plans, specifications and documents of record. Any material deviation such as encroaching to the wetlands, with the exception of the roadway construction, which will require the review and approval of city staff and the Wetlands Commission, from the approved plans or construction sequence shall be cause for enforcement action by the Inland Wetlands, Watercourses and Conservation Commission.
- That the permittee shall notify the Inland Wetlands Agent prior to the commencement of work and upon its completion.
- 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 of this permit, but such modification, suspension or revocation shall be limited to that portion of the property, i.e., building site under development, on which the violation has occurred. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this approval.
- 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.
- That the General Provisions stated in Section 11.9 of the Inland Wetlands and Watercourse Regulations are applicable to this permit.

- That the permit shall not be assigned or transferred to another entity without the written permission of the Commission. Individual site developers are required to inform the Commission prior to commencing any land disturbance activities for permit transfer approval.
- 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.
- 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.

REASON: The proposed erosion and sediment controls are sufficient to protect the wetlands located throughout the project.

Doug Lee seconded the motion. Peter Chalecki, Douglas Lee, Brandon Hyde and Richard Morrell voted in favor. The motion passed unanimously.

F. OLD BUSINESS: None

G. NEW BUSINESS: Mr. Daniska reported a new application has been received. Application IWWCC #22-09 covers a new single-family home at 3 Sabrina's Court.

Doug Lee made a motion to receive and table IWWCC #22-09. Peter Chalecki seconded. The motion was unanimously approved.

H. OTHER BUSINESS: None.

I. VIOLATIONS: Mr. Daniska reported that while there are no new violations to report, his department is investigating a potential violation with the state Department of Energy and Environmental Protection.

J. ADJOURNMENT: Brandon Hyde made a motion to adjourn the meeting at 7:33 PM. Peter Chalecki seconded. Brandon Hyde, Peter Chalecki, Douglas Lee, and Richard Morrell voted in favor. The motion passed unanimously.

Respectfully submitted,
Melinda Wilson
 Recording Secretary