

**Town of Preston
Inland Wetlands and Watercourses Commission
Tuesday, January 18, 2022
7:30 pm
Preston Plains Middle School
Regular Meeting**

1. Call to Order

Chairman Moulson called the meeting to order at 7:30 pm.

Roll Call

Regular Members

John Moulson – Chairman
Gerald Grabarek – Vice Chairman
Doug Fox – Secretary - excused
Paul Andruskiewicz
Chuck Bartnicki
Ian Stammel – excused
Zach Turner

Alternates

Rebecca Hayes - seated
Henry Wrigley - seated

Also Present

Len Johnson – IW Agent
Roberta Charpentier - Recorder

Chairman Moulson seated alternates R. Hayes and H. Wrigley

2. Approval of Minutes

December 21, 2021 Regular Meeting Minutes and Public Hearing Meeting Minutes of December 21, 2021.

A motion was made by P. Andruskiewicz and seconded by C. Bartnicki to approve the December 21, 2021 Regular Meeting Minutes as presented.

All in favor. Motion carries.

A motion was made by P. Andruskiewicz and seconded by C. Bartnicki to approve the Public Hearing Meeting Minutes of December 21, 2021 as amended.

All in favor. Motion carries.

The following comments were left out of the Minutes:

Comments from the Public

- *Tom and Shelley Seeley, 18 Lynn Drive discussed trailoring motorboats to the existing boat launch.*
- *Dan: trees planted versus trees lost*
- *Patricia: spoke about the riparian buffer strip*

3. Communications

- a) Inland Wetlands Application #2022-01, Timothy Bowles, Applicant/Owner for property located at 115 River Road; Existing lot with one new building lot in upland review area.
- b) Letter dated December 30, 2021 to IWWC from Sandra Allyn-Gauthier regarding the 2022-2023 General Government Budget Worksheet.
- c) CLA Engineers, Inc. Invoice #2, CL-19-5918U in the amount of \$300.00 for review of revised plans and drainage, calculations, and comment letter regarding 63 Branch Hill Road; 10 lot residential subdivision.
- d) CLA Engineers, Inc. Invoice #2, CL-19-5918W in the amount of \$120.00 for drainage review discussion with project engineer regarding Blue Water Recreational Campground at 451, 455 & 495 Route 2.
- e) Letter dated January 11, 2022 from Will Walter, PE of Benesch to Tom Cummings, PE (on behalf of IWWC) regarding review of CLA's comments.
- f) Wetlands Agent Report dated December 17, 2021 – January 13, 2022.
- g) IWWC Application Status

4. Old Business

- a) Inland Wetlands Application #2021-14, Sean Nugent/PRA, Applicant and Sandra Allyn-Gauthier/Town of Preston, Owner for property located at 19 Route 12; Abate and demolish Pathway Building.

A motion was made by P. Andruskiewicz and seconded by C. Bartnicki to approve Inland Wetlands Application #2021-14 and to waive the Bond.

All in favor. Motion carries.

- b) Inland Wetlands Application #2021-12, Blue Camp CT, LLC, Applicant and The Mashantucket Pequot Tribal Nation, Owner for property located at 451, 455 & 495 Route 2; Development of a comprehensive luxury recreational campground.

See Minutes of the Public Hearing

5. New Business

- a) **Inland Wetlands Application #2022-01, Timothy Bowles, Applicant/Owner for property located at 115 River Road; Existing lot with one new building lot in upland review area.**

Tim Bowles stated his surveyor for application 2022-01 was not present and did not drop off the maps at Town Hall.

Tim Bowles explained that it is a 1 lot subdivision on River Road on property that has been in the family for 50 years. A 10 acre lot out of the 190 acres will be given to his daughter and son-in-law. It has been flagged for wetlands and perc tested and everything came out fine.

P. Andruskiewicz asked if there is any wetland impact on the lot.

T. Bowles answered yes, the housing lot is high and dry, but there is one wetland crossing to get up there.

Chairman Moulson stated that this will have to be discussed next month when the Commission is able to see the maps.

b) Approval of IWWC 2022-2023 Budget Preparation worksheet.

A motion was made by P. Andruskiewicz and seconded by C. Bartnicki to approve using the current budget with no increase or decrease.

All in favor. Motion carries.

c) Approval of CLA Engineers, Inc. Invoice #2, CL-19-5918U in the amount of \$300.00 for review of revised plans and drainage, calculations, and comment letter regarding 63 Branch Hill Road; 10 lot residential subdivision.

P. Andruskiewicz noted that the CLA bill approved last month included a comment letter, and he doesn't see a 2nd comment letter.

A motion was made by P. Andruskiewicz and seconded by C. Bartnicki to table the approval of CLA Engineers, Inc. Invoice #2.

All in favor. Motion carries.

d) Approval of CLA Engineers, Inc. Invoice #2, CL-19-5918W in the amount of \$120.00 for drainage review discussion with project engineer regarding 451, 455 & 495 Route 2 Blue Water recreational campground.

A motion was made by P. Andruskiewicz and seconded by C. Bartnicki to approve CLA Engineers, Inc. Invoice #2, CL-19-5918W in the amount of \$120.00.

All in favor. Motion carries.

6. Continuation of Public Hearing

a) Inland Wetlands Application #2021-12, Blue Camp CT, LLC, Applicant and Mashantucket Pequot Tribal Nation, Owner for property located at 451, 455 & 495 Route 2; Development of a comprehensive luxury recreational campground.

Recessed Regular Meeting at 8:00 pm

Regular Meeting resumed at 9:08 pm

A motion was made by H. Wrigley and seconded by J. Grabarek to extend the Public Hearing for Inland Wetlands Application #2021-12, Blue Camp CT, LLC for 35 days.

All in favor. Motion carries.

7. Violations & Orders

None

8. Wetlands Agent Report

a) Wetlands Agent Report dated December 17, 2021 – January 13, 2022.

C. Bartnicki asked Len Johnson – IW Agent to forward internet address to all the IWWC members for the free online Municipal Inland Wetlands Agency Comprehensive Training Program.

9. Other Matters – Public Comment

None

10. Legal Actions

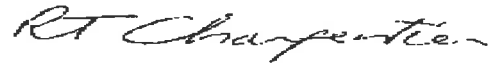
None

11. Adjournment

A motion was made by C. Bartnicki and seconded by P. Andruskiewicz to adjourn the meeting at 9:20 pm.

All in favor. Motion carries

Respectfully submitted,

A handwritten signature in cursive script that reads "RT Charpentier".

Roberta Charpentier

**Town of Preston
Inland Wetlands and Watercourses Commission
Tuesday, January 18, 2022
8:00 pm
Preston Plains Middle School
Public Hearing**

1. Call to Order

Chairman Moulson called the Public Hearing to order at 8:00 pm.

Roll Call

Regular Members

John Moulson – Chairman
Gerald Grabarek – Vice Chairman
Doug Fox – Secretary -excused
Paul Andruskiewicz
Chuck Bartnicki - recused
Ian Stammel – excused
Zach Tarner - recused

Alternates

Rebecca Hayes - seated
Henry Wrigley - seated

Also Present

Len Johnson – IW Agent
Roberta Charpentier - Recorder

Chairman Moulson seated alternates R. Hayes and H. Wrigley

Inland Wetlands Application #2021-12, Blue Camp CT, LLC, Applicant and The Mashantucket Pequot Tribal Nation, Owner for property located at 451, 455 & 495 Route 2; Development of a comprehensive luxury recreational campground.

Chairman Moulson stated that there were changes made to the plan. The applicant will discuss the changes and then there will be Public Comment

Attorney Harry Heller stated that he is representing the applicant Blue Camp CT, LLC and noted that this is a continuation of the December Public Hearing. Review comments were received from Thomas Cummings, P.E. CLA Engineering, Town of Preston Engineer and Joseph Theroux, Certified Forrester/Soil Scientist.

Due to the holidays, Covid and Winter weather, the revised plans were not delivered until late last week and Blue Camp's consultants have not had the opportunity to meet with the Town of Preston consultants to work out the remaining issues.

Attorney Heller requested that the Public Hearing be continued again and will introduce into the record a letter from the applicant consenting to a 35 day extension.

See Town of Preston Website

Exhibit 43: Letter dated January 18 to IWWC from Heller, Heller & McCoy for 35 day extension

Attorney Heller noted that with him tonight are;
Attorney Andrew McCoy
George Logan, Wetland Scientist and Ecologist
Will Walter, Principle Design Engineer
Ryan Dean, Landscape Architect

Attorney Heller discussed the changes that have been made to the proposed Plan;

- To address the concern with proximity of activity to wetlands it was necessary to shrink the size of the water quality detention basins. Most access-ways have been changed from pavement to a gravel crush stone base. This assisted in pulling out a lot of activity that occurred in the 25' corridor that J. Theroux felt was essential to leave undisturbed.
- Change in development of the northwestern peninsula. Eliminated all activity along the periphery of the peninsula with Avery Pond. There will be no activity northwesterly of the ridge line.
- Boardwalk to floating dock for access to Avery Pond. Long Reach Excavator has a reach of ~75' so the excavator will not be positioned on the slope.
- Original proposal left trees that were 24" or greater that has been changed to 10"
- Easterly area, adjacent to Route 2 was redesigned to accommodate park models, by pulling the grading and impact area in to achieve the 25' setback
- Re-designed and re-graded the northeasterly area (2nd glamping site) and eliminated motor vehicle access. Golf cart access only.

Ryan Dean stated that the number of glamping sites on the northwestern peninsula has been reduced from 15 down to 9.

Will Walter stated that the result of reducing the disturbed footprint allowed a reduction in the retention basins.

Chairman Moulson asked if there were any questions from the Commission.

Len Johnson, IW Agent asked if the double silt fence would only be installed during construction
Will Walter answered yes

Jerry Grabarek noted that the retention pond soils are classified Tisbury Silt Loam.

Will Walter stated he doesn't know the USGS designation, but they are silty sand with cobbles.

Jerry Grabarek stated the Tisbury Silt Loam has a seasonally high water table. Did you do any modeling?

Will Walter answered we had our geotech look at that and we placed the bottom of the basins a certain

distance above the ground water

J. Grabarek asked what was the level?

W. Walter answered a foot or two feet from the bottom of that basin.

J. Grabarek asked if after 1 inch of rainfall it's going to go into Avery Pond?

Attorney Heller answered no. The first inch will be infiltrated because it has the most pollutants in it. These larger basins have outlet structures that meter out the water at a controlled rate lower or equal than the current peak rate of runoff.

J. Grabarek asked what happens to inch number 2, 3 and 4 and in the case of September 1st inch number 8?

Will Walter answered that the way DEP looks at it is, when it first starts raining that's when you collect those sediments with pollution, that goes into the basin and infiltrates. As the storms get larger and larger, it comes in the basin and partly infiltrates down, but the infiltration is less than the water coming in and the water starts rising and each of these ponds has a concrete structure with orifices in it, the water is then discharged out a pipe onto riprap stone and the water is dissipated.

J. Grabarek noted that there have been two 100 year storms in Preston in the last 8 years and I don't think that design is going to protect Avery Pond.

Attorney Heller stated that is a technically complex issue and requires the expertise of someone with an engineering degree to evaluate that and make a determination as to whether or not it complies with the requirements.

J. Grabarek stated that the property has had sewage sludge spread on it. Are you aware of that?

Attorney Heller answered he was not unaware of that.

J. Grabarek stated that he would like it to be tested for PFOA, PFOS and PFAS and he wants to be there when it is tested.

Attorney Heller said the request will be discussed and we'll get back to you.

R. Charpentier (recorder) asked J. Grabarek to expound on the acronyms he just used.

J. Grabarek explained that PFOF is perfluorooctane sulfonic acid and PFAFis polyfluoralkyl. It is used in teflon, nonstick surfaces and fire fighting foam, it is concentrated in sewage sludge and they spread it everywhere. I think they should test for it before they start moving that topsoil all over the place.

Jennifer Hollstein 12 Lynn Drive stated that she and Susan Hotchkiss have retained an attorney to represent us in regards to the Blue Camp application. He has prepared a letter for us to read tonight.

See Town of Preston website:

Exhibit 45: Susan and Timothy Hotchkiss and Jennifer Hollstein

Susan and Timothy Hotchkiss 20 Lynn Drive read a letter into the record:

See Town of Preston website:

Exhibit 45: Susan and Timothy Hotchkiss and Jennifer Hollstein

Andrew Stockton, 16 Lynn Drive read three letters into the record:

See Town of Preston website:

Exhibit 47: Letter dated January 18, 2022 to IWWC from Andrew Stockton, comments 1

Exhibit 48: Letter dated January 18, 2022 to IWWC from Andrew Stockton, comments 2

Exhibit 49: Letter dated January 18, 2022 to IWWC from Andrew Stockton, comments 3

IWWC
Public Hearing
January 18, 2022

Gary Piszczek Chairman of Conservation and Agricultural Commission read a letter he had submitted to the IWWC in December:

See Town of Preston website:

Exhibit 13: Letter dated December 15, 2021 from Gary Piszczek, Chairman of CAC regarding RV Park Proposal

Mary Ann O'Neil, 229 Route 164 read a letter into the record:

See Town of Preston website:

Exhibit 46: Mary Ann O'Neil comments on Blue Camp CT, LLC

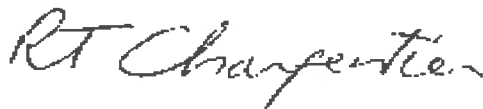
Robert Congdon, 287 Miller Road stated he speaks neither in favor or opposed, but would like to raise a couple of issues. First the Town had the opportunity to buy this land for 1/3 of what the Pequot Tribe paid for it, and I was one who supported that, and it failed miserably. We zoned the land Resort Commercial because the Town felt this land should be developed for a commercial purpose. I agree about concerns about the environment; wetlands and run-off need to be addressed carefully and that's the job of this Commission. I don't think its this Commission's purview to deny the owner of this land the use of their property.

Attorney Heller stated that the applicant has requested this Hearing be continued at the IWWC February Regular Meeting.

Attorney Heller stated that a petition of the 22a-19 Connecticut General Statutes an environmental intervention petition does not expand the scope of the Regulatory Authority of this Commission beyond your Statutory Duties Chapter 440 of the General Statute.

There was discussion tonight about wild life. The Avalon Bay decision and the Legislative reaction to the Avalon Bay decision where the General Statutes were modified to make it clear that you regulate inland wetlands and watercourses and the activities that impact the wetlands and watercourses you do not regulate wildlife that is beyond the scope of the Regulatory Authority of this Commission.

The Public Hearing was recessed at 9:08 pm



Respectfully submitted,
Roberta Charpentier