

**Bolton Inland Wetlands Commission**  
**Regular Meeting Minutes**  
**Tuesday, April 27, 2021 7:00 p.m.**  
**Virtual Meeting utilizing Zoom**

**Members Present:** Chairman Ross Lally, Vice Chairman James Loersch, and Alternate Andrew Gordon

**Others Present:** Wetlands Agent Barbara Kelly, Andrew Bushnell, Matt Eucalitto, Sarah LeClerc, Kimberly Masiuk, William Phillips, Michael Stankov

A. Gordon was seated for D. Ostafin

Chairman R. Lally called the meeting to order at 7:03 p.m.

**1. Approval of Agenda**

**J. Loersch made a motion** to approve the agenda as presented. **A. Gordon seconded.** Motion passed unanimously 3:0:0.

**2. Old Business**

None

**3. New Business**

**A. IWC #2021-2 – William Phillips - 1 Notch Rd. – Excavation Business, Equipment Storage & Material Processing Areas**

Per B. Kelly, the original permit was previously approved by the commission. Modifications and adjustments are being made to the original plans. Andrew Bushnell of Bushnell Associates spoke for the applicant. The plans were shared on the screen with the second page of the plans being discussed.

The building and the septic system have been removed from the plans. The well remains in case water is needed for dust control. The entrance on Notch Road has been widened to allow easier access to the two stockpiles and equipment storage areas. The paved driveway will remain along with the buffer of arborvitae. The existing entrance will be filled in with trees removed from the new entrance. There will be two sediment basins. One basin is currently there that will be expanded. The stone filter berm remains along Notch Road to get as much water as possible into the sediment basin. There will not be any contaminated soil on site and the same amount of wetlands will be disturbed.

B. Kelly said it looks like the plantings have been increased where the storm water leaves the site. Mr. Bushnell agreed and added that topsoil and grass will be put in the areas where storm water mitigation and erosion prevention is needed. Those are enhancements to the previous plan.

Mr. Phillips said that another stockpile may be added near the driveway with no wetlands encroachment. And they would like to add another stockpile added at a future date. Concrete blocks would remain in place to keep the stockpiles from migrating. R. Lally asked where the additional third stockpile would go. Mr. Phillips said the stockpile would be planned for 50% on either side of the driveway.

B. Kelly noted that although there seems like the small amount of planting between the stockpiles and the driveway, there is much more green space planned for other parts of the property. This is an improvement over the last plan and there is more control over the ground water.

J. Loersch questioned the proposed eight smaller stockpile locations and the five to ten foot step up to access them. Mr. Phillips said that the step up will be reduced to about five feet as you come in the driveway. No blasting will be required as it is just a big spoils piles. Mr. Phillips said that there is a hole on the property that can be used to contain this material. It will not be trucked off site. Loaders and similar equipment will be stored in this area. The cinder block wall will move ten feet or less to the north and the piles will be smaller. Fill, sand, topsoil, stone and millings will be stored in this area. A processing area will take care of concrete grinding. There will not be a crusher on the property permanently. They may rent one for up to three days at a time for a maximum of four days a year.

J. Loersch asked about erosion. Storm water will go into pipes leading off the property. Mr. Bushnell said the storm water will be filtrated with grass and sediment. The paved driveway is stable. Concrete and rocks do not have a lot of erosion potential. There is not a lot of bare earth on the site. Some rainwater goes up Notch road and some goes towards Route 384. B. Kelly said that this is consistent with the permit.

Existing conditions for the permit are:

1. In accordance with the plan dated July 23, 2020
2. Maintenance intervals, inspection and cleaning as necessary for the retention basins, berms, and anti-tracking mats must be spelled out and added to the plan.
3. Best practices for spills and hazmat must be noted on the plan.
4. Final finishing or design of the enhanced sediment basin shall be approved by the Inland Wetlands agent.
5. Soil erosion and sediment control measures shall be installed and maintained in accordance with the 2002 CT guidelines for soil erosion and sediment control.

Existing conditions will remain with a notation that the final berm may be placed up to ten feet to the north.

B. Kelly noted that the original permit was granted in July 2020 and asked if the commission was willing to extend the expiration date as part of this modification. R. Lally replied yes, the commission agrees to a new expiration date of April 26, 2023.

**J. Loersch made a motion** to approve the modifications to Plan IWC #2021-2 that was presented today with an extension through April 26, 2023, keeping existing conditions with two minor changes. This current plan of record will be referenced and the plan will be updated to show the final stockpile location and cinder block wall on the north side of the property. **A. Gordon** seconded. The motion passed unanimously 3:0:0.

J. Loersch asked if any further permits are needed. B. Kelly responded that there are still wetlands on the site so if something changes, yes. R. Lally added that if the work is done within the confines of the permit, all is well. New permits are needed only if something changes.

### **B. IWC #2021-3 – Garrett Homes, LLC – 1100 Boston Turnpike – Proposed Retail Development and Subdivision 2 Lots**

Kim Masiuk spoke on behalf of the applicant. She shared an aerial image of the property. The lot has been before the commission previously for construction of the dentist's office. Ms. Masiuk shared the subdivision plan. Lot one is the existing dentist. The other two lots have wetlands associated with

Bolton Pond Brook. The easement and wetlands taken out there is still 99,000 square feet and is in accordance with zoning requirements. This subdivision application plan will go before the P&Z on May 5<sup>th</sup>.

B. Kelly said that previously the commission authorized the filling of a smaller area of manmade wetlands on the western portion of the subdivision. This application contains wetlands but the area to be carved out does not contain wetlands and is outside of the upland review area. If the development impacts a wetland in some way, the Inland Wetland Commission would need to review the plan. The only potential impact would be how storm water was to be diverted.

Ms. Masiuk wants to make sure that their application is complete. This will be a 10,640 sq. ft. retail facility with associated paved parking. Roof water will come down downspouts into grass and/or rip rap into a bio retention area. An overflow structure ties into the existing drainage system. They have taken into account the 100 year storm possibility. B. Kelly asked if the overflow is strictly for the 100 year storm. R. Lally said that he thinks the design seems good because the water is being kept on that lot and there is not a lot of maintenance needed although storms seem more frequent now than 100 years. S. LeClerc that the flow for the 100 year storm possibility is taken care of. Rainfall in inches is what is used to determine the 100 year storm category.

R. Lally said that this plan is much more complete that what was expected and it looks good. Ms. Masiuk said that the same plan will be used for the Planning & Zoning meeting. B. Kelly noted that this is development without adverse impact to wetlands in the upland review area and she would approve the plan as such. A wetlands permit is not required.

**J. Loersch made a motion** to accept the subdivision plan IWC #2021-3 as presented. **A. Gordon** seconded. The motion passed unanimously 3:0:0.

**4. Other Business:** R. Lally provided an update about the 10 year Charter review and the proposed combination of the Inland Wetlands Commission and the Planning and Zoning Commission. He and Rod Parlee presented their comments and spoke against that proposal at the BOS hearing. The BOS reviewed their comments and sent them back to the Charter Review commission. They will take it back to the BOS and have another Public hearing before it goes to vote. R. Lally suggests that commission members make their voices heard.

**5. Public Comment:** None

**6. Approval of Minutes:**

**A. March 23, 2021 Regular Meeting**

R. Lally could not comment as he was not at the last meeting. **A. Gordon made a motion** to accept the minutes as written. **J. Loersch seconded.** The motion passed 2:0:1 with R. Lally abstaining.

**7. Wetlands Agent Report**

After the preliminary discussion last month, B. Kelly expected to hear something about 51 Loomis. They had been before the IWC to site a single family house on the lot on the corner.

There have been a series of preliminary meetings:

Mobil Gas Station remodel with no wetlands impact.

A veterinary hospital proposed on the corner of Williams Road

Subdivision planned on Brandy Street. There has been an application to construct a home on 90 Brandy Street outside of the 100 foot review area.

It is a busy season with shed and pool permits.

J. Loersch asked about the sedimentation pond at dentist's office on Route 44. B. Kelly said that she looked at it today and it is stable in the sense that it is totally vegetated around the pond and the spillway. She will pull the plans to see what plantings had been proposed for there. The landscape plantings look good she is not sure that they have stuck to the plan. It is early in the season for some vegetation to be emerging. Cattails are growing and algae is forming in the pond. They are trying to grow grass on sand as a lot of the fine soil has eroded away. Bonding may need to be done in a different way. R. Lally agrees with her looking at the plans and they should come to a decision on the bond at the next meeting. There is not a lot of new erosion happening. R. Lally and A. Gordon will also take a look at the area. B. Kelly said that the silt fence has not been removed. It is not needed below the lawn. B. Kelly and R. Lally will talk to see if they could approach the dentist to discuss the area.

On June 7, 2021, full staffing will start in Town Hall. Access to information will be easier.

R. Lally asked if there was any restoration on Shoddy Mill. B. Kelly said that there has not been any restoration but there has been no further deterioration. Restoration is unlikely for this year. The town will probably need to go back to court.

## **8. Other**

None

## **9. Adjournment**

**A. Gordon made a motion** to adjourn at 8:08 p.m. **J. Loersch seconded.** The motion passed unanimously 3:0:0.

Respectfully submitted,

*Leslie J. Brand*

Leslie Brand  
Recording Clerk

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.

**From:** [REDACTED]  
**Sent:** Wednesday, June 16, 2021 11:28 PM  
**To:** Rupert, Jim; Kelly, Barbara  
**Cc:** Cristina Ilies  
**Subject:** Re: 1120 Boston Turnpike - Bolton, CT

Dear Jim and Barbara,

I hope my email finds you well.

We would like to formally request the release of the bond that we have with the town. We hope that this release will be discussed in the upcoming meeting of the town's Inland Wetlands Commission.

Best wishes,

-Horea

On Tue, Oct 15, 2019 at 6:14 PM Horea Ilies <[REDACTED]> wrote:  
Dear Jim,

The basin planting has been completed. The designer called for 9 blue flag irises and 6 swamp asters. Jim Aldrich's team planted about 100 of each at the mandate of the town.

With this planting, all the outstanding issues have been closed per your guidelines, including those related to the basin. We'd like to request the release of all our bonds that we have with the town.

Thank you,

-Horea

On 9/24/19, 11:03 AM, "Kelly, Barbara" <[bkelly@boltonct.org](mailto:bkelly@boltonct.org)> wrote:

Hi Tim,

I think that the right answer is somewhere between. New England Wetlands recommends that the plugs be planted every 12" on center.

I am not in Bolton to check a plan...but if memory is working, and it is 35'-40' from the pipe outlet to the far side of the basin side, 2 to 2.5 trays of 50 plants would be needed to circle the basin once. You have the plan and the monitoring data to know the width of the areas to be planted. Feel free to adjust the quantity based on the actual numbers and the planting recommendation.

Take care,  
BK

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From: Tim Coon [[tcoon@jrusso.com](mailto:tcoon@jrusso.com)]  
Sent: Tuesday, September 24, 2019 10:18 AM  
To: Kelly, Barbara; Horea Ilies; Rupert, Jim  
Cc: Joseph M. Dillon, P.E. ([JDillon@nlja.com](mailto:JDillon@nlja.com)); Carson, Patrice; Cristina Ilies; Aldrich Construction Company ([ja@aldcon.com](mailto:ja@aldcon.com))  
Subject: RE: 1120 Boston Turnpike - Bolton, CT

Barbara,

If obtained through New England Wetland Plants, they come 50 to a tray. Based on the size of the basin and the fact that the approved design called for only 15 plants/grasses, planting 9 trays of blue flag iris and 6 trays of swamp aster seems excessive. I would suggest 1 tray of each, and fit as many as you can in the areas recommended by Kate for each of the species. Is that acceptable?

Timothy A. Coon, P.E.  
Principal Engineer

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-----Original Message-----

From: Kelly, Barbara [<mailto:bkelly@boltonct.org>]  
Sent: Tuesday, September 24, 2019 9:17 AM  
To: Horea Ilies; Rupert, Jim  
Cc: Tim Coon; Joseph M. Dillon, P.E. ([JDillon@nlja.com](mailto:JDillon@nlja.com)); Carson, Patrice; Cristina Ilies; Aldrich Construction Company ([ja@aldcon.com](mailto:ja@aldcon.com))  
Subject: RE: 1120 Boston Turnpike - Bolton, CT

Hi Horea,

My apologies for missing this note.

The plants are appropriate for the basin. The numbers of each would be appropriate if the quantities refer to trays of potted plants or flats of plugs. If the numbers refer to individual plants, the recommendation is too sparse.

Also, since the spreader bar has been repaired, the erosion scar should be filled and the soil

just below the spreader and rocks should be leveled and the area should be seeded or planted.

Please let me know if you have any questions.

Thank you,  
Barbara Kelly

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From: Horea Ilies [REDACTED]  
Sent: Wednesday, August 28, 2019 12:29 PM  
To: Rupert, Jim  
Cc: Tim Coon; Joseph M. Dillon, P.E. ([JDillon@nlja.com](mailto:JDillon@nlja.com)); Kelly, Barbara; Stille, Joyce; Carson, Patrice; Cristina Ilies; Aldrich Construction Company ([ja@aldcon.com](mailto:ja@aldcon.com))  
Subject: FW: 1120 Boston Turnpike - Bolton, CT

Dear Jim,

We received today the following recommendation for planting the basin, which is based on an extended period of monitoring the water levels in the basin.

We'd like to go ahead with this. Please let me know if you have any questions.

Best regards,

-Horea

From: Tim Coon <[tcoon@jrusso.com](mailto:tcoon@jrusso.com)>  
Date: Wednesday, August 28, 2019 at 12:09 PM  
To: Horea Ilies <[REDACTED]>  
Cc: "Aldrich Construction Company ([ja@aldcon.com](mailto:ja@aldcon.com))" <[ja@aldcon.com](mailto:ja@aldcon.com)>  
Subject: 1120 Boston Turnpike - Bolton, CT

Horea,

After nearly a year of monitoring the water levels within the stormwater basin, our wetland scientist Kate has come up with the following recommendation for plantings within the basin.

- \* 9 blue flag iris planted in the inundated, but not deepest areas of the basin.
- \* 6 swamp aster planted on the edge of the water where soils are exposed, and just above.

She notes that cattail that have become established will continue to spread in the deepest portion of the basin. The plant plug supplier has also recommended that the water level be pumped down while planting to allow the plants get established.

Please forward this planting plan to the Town to request their approval. Let me know if you have any questions.

Timothy A. Coon, P.E.  
Principal Engineer

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