

**Hampton IWWA Minutes**  
**Regular Meeting – January 3, 2017**  
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The Regular Meeting of the Inland Wetlands and Watercourses Agency was held on Tuesday, January 3, 2017, at the Town Office Building.

Stan Crawford called the Meeting to order at 7:06 p.m.

**Present for the Board:** Stan Crawford; Muriel Miller; Marty Mlyniec; Glen Newcombe (7:39).

**Staff and Others Present:** John Valente, Wetlands Enforcement Officer; Dayna McDermott-Arriola, Recording Secretary.

**Item 1: Audience for Citizens:** Conservation Commission Chairman Randy Thompson announced that a representative from the Eastern Connecticut Green Action Committee will address the issue of fracking at the January 24, 2017 Commission Meeting.

**Item 2: Additions to the Agenda:** none.

**Item 3: Approval of Minutes – Regular Meeting of December 6, 2016**

**Motion:** Muriel Miller, seconded by Marty Mlyniec, to approve the Regular Meeting Minutes of December 6, 2016. Motion carried unanimously.

**Item 4: Old Business**

1. WP1116-01 Application of Mickey Pankaj Patel LLC, 396 Hartford Turnpike, Agent Robert DeLuca P.E. CLA Engineering. Application for the conversion of existing structure to a Convenience Store/ Gas Station with storm water discharge and the storage and fueling of construction vehicles within 30 feet of wetlands “The Upland Review Area”. Fees of \$435 received.

Soil Scientist Bob Russo of CLA Engineering presented revisions to the plan that address the outstanding issues. The process of remediating the erosion at the edge of the wetlands has begun and is expected to be completed by January 6, 2017. The eroded material has been removed. Mr. Russo will submit confirmation of completion of the project to the IWWA. Mr. Russo also presented the Storm Water Pollution Prevention Plan, which include the locations of, and explanatory texts for, the two storm water management systems: the filtration system for the temporary equipment storage area which will filter sediments and hydrocarbons during the construction phase of the project; and the catch basin for collecting and treating storm water from the paved area of the Gas Station/Convenience Store prior to its discharge to the State catch basin and the vegetation area across the highway. The plan also notes the frequency of inspections and cleaning of basins, prescribed at regular intervals with adjustments as needed.

John Valente reviewed the terms set forth in the Summary Ruling (attached).

**Motion:** Marty Mlyniec, seconded by Muriel Miller, to approve the application of Mickey Pankaj Patel LLC with the conditions outlined in the Summary Ruling. Motion carried unanimously.

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2. WP1216-01 Application of Peter Thurlow, 89 North Bigelow Road. Proposed Activity: removal of earth for gravel mining of a maximum of 20,000 cubic yards; subdivision of a nine acre lot into two lots, one with existing residence and one for proposed development; and the construction of a single family dwelling, septic system, well, driveway and site grading in connection with lot development. Fees of \$435 received.

Marty Mlyniec, adjoining property owner, recused himself from discussion of the application.

Surveyor Paul Terwilliger, representing Applicant Peter Thurlow, presented a plan that includes notation on: the maintenance of a permanent berm on the wetland edge to protect the wetlands from contamination; measures to control dust during excavation; and the installation of a shallow sump and silt fencing to filter all storm flows to the culvert crossing North Bigelow Road. Mr. Terwilliger also noted that the revised plan includes partial maintenance of the berm between the properties, amounting to a reduction of 3000 yards of excavated material. Chairman Crawford noted that information from the Department of Environmental Protection's Natural Diversity Database will be included in the file.

John Valente reviewed the terms set forth in the Summary Ruling (attached).

**Motion:** Glen Newcombe, seconded by Muriel Miller, to approve the application of Peter Thurlow with the conditions outlined in the Summary Ruling. Motion carried, 3-0, Marty Mlyniec abstaining.

**Item 6: No Permit Necessary:** no report.

**Item 7: WEO Report**

1. Monthly Report: Mr. Valente reported that he has spent much time at the two sites, inspecting, conversing with engineers, and developing the Summary Rulings.
2. Duly Authorized Agent Report: none.

**Item 8: Communications:**

Chairman Crawford reported on notification that the DEEP Forestry grant endorsed in September, 2016, by the IWWA for eradicating non-native, invasive plants in our region has been approved by the State and forwarded to the Federal level for funding approval.

**Item 9: Discuss and Act on any other Business**

1. **2017-2018 Budget Proposal**

Chairman Crawford distributed the budget proposal, which requests level funding from the current year.

**Item 10: Audience for Citizens:**

Conservation Commission Chairman Randy Thompson reiterated his invitation to the Commission's January 24 Meeting.

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**Item 11: Adjournment**

There being no further business to come before the Agency, the meeting adjourned at 8:03 p.m.

Respectfully Submitted,

Dayna McDermott-Arriola  
Recording Secretary

**TOWN OF HAMPTON  
INLAND WETLANDS AGENCY  
Summary Ruling**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

As provided for in Connecticut General Statutes Sections 22a-36 and 22a-45 as amended, and in accordance with Sections 6.1.c, 7.1, 8.1 and 9.1 of the Hampton Inland Wetlands and Watercourse Regulations, I move that the application of Mickey Pankaj LLC, of 396 Hartford Turnpike and described below, be approved and a permit be granted with the conditions listed below because all prudent and feasible measures have been taken to minimize the impact on the wetlands and no feasible and prudent alternative exists. The short-term impacts have been addressed by the applicant's plan and should be sufficient to protect the resource provided the plan is implemented as designed. The long-term impacts to the Resource have been mitigated to the fullest extent.

The above is contingent on the proper implementation of the plan and adherence to the conditions of the permit.

Applicant: Mickey Pankaj LLC  
Address of Activity: 396 Hartford Turnpike

Property Owned by: Mickey Pankaj LLC  
Maps dated: October 2016, Revised November 2016, Revised December 2016 and  
Revised December 27, 2016

Application Submitted on: November 11, 2016 and fee of \$435 paid.

For the proposed activity: Application for the Conversion of existing structure to a Liquor Store and a Convenience Store/ Gas Station with storm water discharge and the storage and fueling of construction vehicles within 30 feet of Wetlands "The Upland Review Area".

Under Section 6.1.c of the Agencies Regulations, the activity as proposed "The discharge of Storm Water is a Regulated Activity with the potential to degrade and contaminate the Wetlands in the Town of Hampton outside of the designated Upland Review Area. The Agency has determined Jurisdiction on the Storm Water Discharge into the State Basin and out letting south onto the property of ECOS Energy, formerly the property of Gregory Frieman, approximately 135 feet to Wetlands.

1. The Inland Wetland Commission Agent is to be notified 48 hours before the commencement of any part of the activity approved above;
2. The granting of this permit does not relieve the applicant from obtaining additional permits and/or approvals required by other agencies, federal, state and local;
3. If an approval or permit is granted by another agency and contains conditions affecting the wetlands and/or watercourses and the area 100 feet from their flagged boundaries not addressed by this permit, the applicant must resubmit the application for further consideration by the Inland Wetlands Commission for a decision before work on the activity is to take place;
4. The duration of this permit is for five (5) years unless extended, by this Agency, and shall expire upon completion of the activity approved herein or within one (1) year of the start of the activity, whichever is sooner;
5. The applicant shall not assign or transfer this permit, or any part thereof, without the written permission of this Agency;
6. All activities for the prevention of soil erosion, such as installation of silt fence, hay bales and other necessary or required measures shall be under the direct supervision of a certified engineer, or at the discretion of the IWWC agent, the home owner or contractor, who shall: employ best management practices consistent with the terms and conditions of this permit, control storm water discharges, prevent erosion and sedimentation and otherwise prevent pollution of wetlands or watercourses;
7. The wetlands agent is to be notified of a pre-construction meeting with the engineer, contractor and property owner (prior to the start of work). The intention of the meeting is to discuss the construction sequence, the proposed E&S measures required or necessary to protect the resource, and stabilization of the site maintained during and immediately following construction;
8. A copy of this motion and conditions listed, when approved by a majority vote of the IWC members present, shall constitute a permit for the activity described in the application and accompanying data when signed and dated by the Agent;
9. The Owner proposes the installation of an ADS Water Quality Treatment System with a four-foot deep hooded basin (pre-treatment) for storm water treatment before discharging into the State Catch Basin and neighboring property south of Hartford Turnpike. The nearest Wetlands System is 135 feet from this discharge point. The Commission has conditioned their approval, provided this system "or equal", be approved by Hampton Planning and Zoning Commission, be installed for this proposed use.
10. The ADS Water Quality Treatment System and Hooded Basin is to be maintained

in accordance with the Manufacturers' Recommendations and further must be in adherence to the "Stormwater Management & Pollution Prevention Plan items 1-6 on Sheet 2 of the current Plan dated October 2016, Revised November 2016, Revised December 2016, and Revised December 27, 2016 (on Sheet 2 of 8).

11. The owner shall have a State Licensed P.E. inspect the ADS System and all structures in accordance with the requirements listed in Number 10 of this Summary Ruling.
12. The Owner will maintain all paved surfaces in accordance with the Plan and Best Management Practices. This shall include the sweeping of surfaces to minimize sands and solids from getting into the ADS System compromising the overall effectiveness of the Treatment System.
13. The Owner shall follow all State Requirements and Reporting of all fuel spills.
14. The catch basins to the north of the property will be accommodated with a Flo-Gard insert with "Flo-Gard T-Bag" to improve storm water quality discharged into the dry basin and wetlands.
15. The Remediation Plan for the unpermitted work adjacent to the Dry Basin and Wetlands (North of the Site) will be followed under the Supervision of the Soil Scientist and the site will be stabilized before January 6, 2017. If additional work is necessary and cannot be completed this week the Soil Scientist will provide a report to the Agency on the status of the work completed and the work necessary to finalize compliance to the Remediation Plan.

Motion by: Martin Mlyniec  
Seconded by: Muriel Miller  
Commission Action: Approved

John Valente, Agent

**TOWN OF HAMPTON  
INLAND WETLANDS COMMISSION  
Summary Ruling**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

As provided for in Connecticut General Statutes Sections 22a-36 and 22a-45 as amended, and in accordance with Sections 7.1, 8.1 and 9.1 of the Hampton Inland Wetlands and Watercourse Regulations, I move that the application of Peter Thurlow, 89 North Bigelow Road and described below be approved and a permit be granted with the conditions listed below because all prudent and feasible measures have been taken to minimize the impact on the wetlands and no feasible and prudent alternative exists. The short-term impacts have been addressed by the applicant's plan and should be sufficient to protect the resource provided the plan is implemented as designed. The long-term impacts to the Resource have been mitigated to the fullest extent.

The above is contingent on the proper implementation of the plan and adherence to the conditions of the permit.

Applicant: Peter Thurlow  
Address of Activity: 89 North Bigelow Road

Property Owned by: Peter Thurlow

Maps dated: October 2016 and revised: 12/12/16

Application Submitted on: December 6, 2016 and fee of \$435 paid.

For the proposed activity: One Lot Subdivision and Gravel Excavation for the removal of 20,000 cubic yards of material

Conditions:

1. The Inland Wetland Commission Agent is to be notified 48 hours before the commencement of any part of the activity approved above;
2. The granting of this permit does not relieve the applicant from obtaining additional permits and/or approvals required by other agencies, federal, state and local;
3. If an approval or permit is granted by another agency and contains conditions affecting the wetlands and/or watercourses and the area 100 feet from their flagged boundaries not addressed by this permit, the applicant must resubmit the application for further consideration by the Inland Wetlands Commission for a decision before work on the activity is to take place;
4. The duration of this permit is for five (5) years unless extended, by this Agency, and shall

expire upon completion of the activity approved.

5. The applicant shall not assign or transfer this permit, or any part thereof, without the written permission of this Agency.
6. All activities for the prevention of soil erosion, such as installation of silt fence, hay bales and other necessary or required measures, shall be under the direct supervision of a certified engineer who shall: employ best management practices consistent with the terms and conditions of this permit, control storm water discharges, prevent erosion and sedimentation, and otherwise prevent pollution of wetlands or watercourses;
7. The wetlands agent is to be notified of a pre-construction meeting with the engineer, contractor and property owner (prior to the start of work). The intention of the meeting is to discuss the construction sequence, the proposed E&S measures required or necessary to protect the resource, and stabilization of the site maintained during and immediately following construction;
8. A copy of this motion and conditions listed, when approved by a majority vote of the IWC members present, shall constitute a permit for the activity described in the application and accompanying data when signed and dated by the Agent;
9. The Commission has reviewed the proposed plan for a one lot subdivision and has made a determination of "No Jurisdiction"; the activity is outside of the Upland Review Area and presents no potential impact to the neighboring Wetlands.
10. The project as proposed will not open the site to grade to the Wetlands, a berm will be maintained between the activity and the Wetlands, containing all storm flows within the gravel operation. This berm will remain after the operation is completed and may not be removed without a Wetlands Permit.
11. The culvert crossing North Bigelow Road drains within 50 feet of neighboring Wetlands on an adjacent property. Currently there is no sump at the inlet; a shallow sump shall be created to provide a sediment trap. In addition to the shallow sump a silt fence shall be installed to filter all storm flows to the cross culvert; the final design to protect the outlet from sediment will be under the requirements of the Planning and Zoning Commission
12. Other Erosion and Sediment Measures, i.e. construction apron, stabilization of the site, dust control and BMPs, will be approved under the Requirements of the Planning and Zoning Commission.

Motion by: Glen Newcombe  
Seconded by: Muriel Miller  
Commission Action: Approved

John Valente, Agent



