

**COVENTRY INLAND WETLANDS AGENCY
MINUTES
REGULAR MEETING OF WEDNESDAY, JUNE 26, 2019**

1. CALL TO ORDER:

By: Mathieu

Time: 7:02 p.m.

Place: Town Hall Annex

2. ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Martin Briggs		X
	Lori Mathieu, Chairperson	X	
	Open		X
	Sam Norman, Treasurer		X
	Thomas Woolf, Vice Chairman		X
ALTERNATE MEMBERS:	Patricia Laramee	X	
	Mike Powers	X	
STAFF:	Todd Penney, Wetlands Agent		X

3. AUDIENCE OF CITIZENS:

None

4. OLD BUSINESS:

1. 19-03W – Proposed Text Amendments to Inland Wetlands and Watercourses Regulations for the Town of Coventry

Mathieu asked for and received acceptance to move this item until after the discussion section.

Included in the packet is a memo from Todd Penney dated June 20, 2019, that details the language clarification for the text amendments that the IWA had questions on at the last meeting. Mathieu read the memo into the record.

Mathieu has been thinking of asking that Staff put together a binder of the regulations for the Members. She is making this request by way of these minutes.

Powers is happy with the language that the attorney suggests.

The language was cleaned up on Section 6.2.

Motion: I move that the Inland Wetlands Agency approve the proposed text amendments as amended, including the language clarifications in the memo from Todd Penney, dated June 20, 2019.

By: Laramee

Seconded: Powers

Voting:

For: Laramee, Mathieu, Powers

Against: None

Abstain: None

2. 19-04W – Matt Cordner, Applicant; Todd Henderson, Owner; Proposed Activity: Phragmites Management and Sand Installation at 311 Woodland Road.

Todd Henderson, owner, was present.

The packets Members received have information about this application including a memo from Todd Penney, dated June 20, 2019. Mathieu read the memo into the record. Email from May 23, 2019, 3:56 p.m. from Attorney Kenneth Slater, Jr. to Todd Penney is part of the file.

Laramee asked the applicant if he has removed the phragmites yet. Mr. Henderson indicated he has not as they are waiting for all the stalks to come up.

The work sequencing process was outlined per the previous discussions and Henderson's plan dated May 20, 2019.

Mathieu asked how the applicant will make sure that nothing of the invasive escapes into the water. Matt Cordner will install a turbidity curtain with Staff on site to inspect the installation process. Cordner is responsible for the correct use of the turbidity curtain. This method will be used if the lake draw down does not allow the water to drain from the area of work. If the draw down is successful a silt fence will be used as the lakebed will be dry in this area. Staff will make the determination of which control should be used, but the agent and applicant are responsible for making sure the method is working properly. Work will not be done during a rainstorm. If the barrier intended to kill the plant remains down through the winter, it may be more effective. Then the root mass removal would take place in the Spring before the water comes up.

Motion: I move that the Inland Wetlands Agency approves 19-04W with the following conditions:

- Execution of said Activity will be limited to winter drawn down season of the Lake.
- Todd Penney, Town Engineer/Wetlands Agent, will make the determination for either the use of silt fence or turbidity curtain outline in Sequence Plan.
- Todd Penney, Town Engineer/Wetlands Agent, shall be on site for the duration of the root mat removal to inspect and monitor effectiveness of proposed protection measures and make recommended adjustments, as required.

- The Applicant shall execute the work in a continuous manner to minimize disturbance duration.
- Disposal of all Phragmites shall be performed legally off site.

Stipulation from the Chairperson:

- The Applicant shall make sure that pieces of the invasive do not escape into the water body. If this does happen, the work will be stopped, and the plan reevaluated.

By: Powers

Seconded: Laramee

Voting:

For: Laramee, Mathieu, Powers

Against: None

Abstain: None

5. NEW BUSINESS:

A. 14-07W – Rich Rotundo Application; Request for Extension for construction of a new single-family home, well and associated grading, and permeable paver parking area.

Mathieu asked for and received acceptance to move this item until after the discussion section.

Recess called for at 8:10 p.m.

Return to meeting at 8:12 p.m.

A note from Todd Penney suggests the IWA can extend the permit for five years as the request was made prior to the expiration date of June 25, 2019. The request was from Rich Rotundo in an email to Todd Penney dated June 10, 2019. The extension would run through June 25, 2024.

Motion: I move that the Inland Wetlands Agency approve the request for an extension of the permit for application #14-07W. The extension granted is for five years.

By: Powers

Seconded: Laramee

Voting:

For: Mathieu, Powers, Laramee

Against: None

Abstain: None

6. ADOPTION OF MINUTES:

A. May 22, 2019

Mathieu asked for and received acceptance to move this item until after the discussion section.

Motion: I move that the Inland Wetlands Agency approves the minutes of the May 22, 2019 meeting as written.

By: Powers

Seconded: Laramee

Voting:

For: Mathieu, Powers, Laramee

Against: None

Abstain: None

7. DISCUSSION ITEMS:

A. Cumberland Farms Possible Site Plan Modification (Expected for Meeting)

Mathieu referenced a memo from Joseph Williams dated June 25, 2019.

Andrea Gomes, attorney, Peter Yeskey, real estate, and Matt Lidener, engineer, were present.

Gomes stated that Staff instructed the applicant to use the original application for this modification and to submit those plan sheets that pertain to the modification at the preliminary discussion last month. The applicant is seeking a reduction of the retail store building and removal of the outdoor seating area to the left of the building. The seating area would be replaced with a landscaped space. There is a slight increase in the upland review area, but an overall reduction of ~700 sq. feet of impervious surface. When the formal request was made to the IWA about these changes, an amendment of the same was made to the PZC. Gomes received a response from Eric Trott indicating that he believes the PZC would have a problem with the removal of the seating area. If that is the case the representatives for the applicant have a couple of options for the IWA to consider for Staff approval to prevent the necessity of Cumberland Farms returning to the IWA.

Mathieu asked how Trott know that the PZC would not like the removal of the seating area. Gomes replied Trott phrased the response as the PZC saw the seating area as an asset to the plan. These modifications are an overall design shift in the stores to best meet customer needs, as well as a reduction in cost of developing the stores. Cumberland Farms has found that people are not using the seating area that is seasonal in the Northeast. The maintenance of the space versus the return on use is not there.

Matt Lidener, Civil Design Group, detailed the modifications using the plan shown in May. The reduction in the size of the building will create a landscaped area between it and the dumpster. The store size will then be 4,384 sq. feet. The patio seating area will be removed, and landscaping will be added. There are no changes forward of the parking spaces. The building will move further back into the 75' upland review area creating some impervious area within it. However, the overall impervious area is being decreased with these modifications. The rain garden will be reshaped while keeping the same capacity, which is slightly over designed. The limit of work in general does not change. The applicant is proposing to enhance the swale at the back for storm water management quality. The circles in the rain garden represent a redistribution of the plants due to the shape change of the garden. Plants such as dogwood, summer sweet, and low bush blueberries are proposed per Staff's suggestion. The operation and trash management plan submitted, approved, and part of the file will not change. The berm that has been in place for years protecting the wetlands from people entering will be reshaped and enhanced by contouring the sides.

Lidener addressed the concern of the applicant regarding the feedback from Trott that the PZC may not look at the removal of the seating area favorably. Laramee stated that the outdoor patio will be where trash appears. Lidener replied that the patio was approved by the IWA and PZC. The trash management plan includes abundant trash receptacles. However, the applicant wishes to remove the patio and replace it with landscaping. If the PZC does not approve the removal of the area Mr. Lidener pointed out that 57 sq. feet of impervious surface would end up there, which is less than half of a standard parking space. Looking at the plan globally, the impervious surface would still be a 400 sq. foot reduction. This is a net reduction in impervious surface in terms of the wetlands.

Mathieu asked what material is to be used in this area. Lidener explained that pervious crushed stone would be used if the patio is removed. Should PZC not approve its removal an impervious surface would be used; the patio is 10' wide.

The IWA needs to render a decision before the applicant can appear before the PZC for the modification. If the IWA approves the removal of the patio and PZC does not this results in inconsistent approvals between the agencies. The applicant asks that the IWA consider options for Staff to give Administrative approval for the reinsertion of the patio. Mathieu asked if the impervious surface of the patio can be outside of the 75' upland review area with pervious surface making up the remainder. Lidener can work with Cumberland Farms about possibly not having concrete in the upland review area. The PZC may decide the patio must stay as previously designed. Based on the size of the area and accessibly a concrete surface may be required. To balance that area in the upland review area, Lidener suggests moving the sidewalk to the dumpster out of the upland review area and seeding the remaining area. The roof drains remain as previously approved. The PZC and Cumberland Farms may see more of a value of the patio going back in as previously approved and tweaks made to the opposite side of the building to gain a reduction in the upland review area. The Members agreed, by order of preference, on the following changes – removal of the patio, the patio does not infringe on the upland review area if it must remain, balance the impervious material in the upland review area if the patio remains as previously approved by moving the sidewalk between the building and dumpster outside of the upland review area. The IWA also agreed that Staff could provide Administrative approval if the second or third option are required.

Mr. Yeskey commented that construction is slated to begin in late August or September. The buildings will be abated before allowing the fire department to use the buildings for training purposes before demolition takes place.

Motion: I move that the Inland Wetlands Agency approves the requested modification of application #18-06W. Because of the awareness that the PZC may not approve the removal of the outdoor seating area, the following are options, in the order of preference of the IWA, that can be approved by the Town Engineer/Inland Wetlands Agent as an administrative matter after consultation on any new design:

- Reduce the outdoor seating patio to stop at the border of the 75' upland review area.
- The outdoor seating patio remains the size under original approval and the sidewalk between the store and dumpster be moved to outside of the 75' upland review area thereby balancing the area that would be in the upland review area.

By: Powers

Seconded: Laramee

Voting:

For: Mathieu, Powers, Laramée
Against: None
Abstain: None

Mathieu again stated the order of preference of the IWA regarding the modification of the patio area. Ms. Gomes indicated she will share these with the PZC.

8. CORRESPONDENCE:

A. Solitude Lake Management – Permit Application for the Use of Pesticides in State Waters – Coventry Lake

The IWA received a memo from Solitude Lake Management dated May 15, 2019 with a copy of the DEEP application attached. Concerns of the Members included notification of the public regarding the application of the chemicals, the area of the lake to be treated, lack of the referred to map of the lake showing the area, the process used for the application of chemicals, the chemicals have been applied to the lake for the past three years.

Mathieu asked Powers to do some research on these concerns and report back to IWA. She feels it is an odd time to be treating the lake around the Independence Day holiday. She wants to tweak the applicator and DEEP to provide better detail on the application form including the method of how people are being notified.

B. Other

Mathieu distributed the newsletter *Habitat* from Winter/Spring of 2019. The annual conference is listed on the back. If any Member is interested in attending speak to Staff regarding funding support.

9. ADJOURNMENT:

Motion: I move to adjourn the meeting at 9:04 p.m.

By: Powers

Seconded: Laramée

Voting:

For: Mathieu, Powers, Laramée

Against: None

Abstain: None

Mathieu adjourned the meeting at 9:04 p.m.

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, IWA Clerk

PLEASE NOTE: The minutes are not official until approved by the Inland Wetland Agency at the next Agency meeting. Please see the next Agency meeting minutes for approval or changes to these minutes.