

**TOWN OF ASHFORD  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
REGULAR MEETING  
TUESDAY, OCTOBER 6, 2015  
7:00 P.M.**

Present: Lenny Liguore, Jack Barclay, Ray Fenn, Gary Lipstreu, Ken Garee (alt.), Bob Michel (alt.).  
Also present: Joe Theroux, Wetlands Agent; and Francine Hodovan, Recording Secretary.

**Guests:** Matthew Ranelli, Shipman & Goodwin; Kevin Thatcher, Shipman & Goodwin; Mr. and Mrs. Bill Darcy, Linda Tasko, Gary Lawrence and Jim Reviczky.

**Call to Order:** Chairman L. Liguore called the meeting to order at 7:03 p.m.

**Seating of Alternates:** Ken Garee was seated for Peter Piecyk and Bob Michel was seated for Dave Rechel.

**Review and Acceptance of Meeting Minutes Tuesday, October 6, 2015:**

**B. MICHEL MOVED AND G. LIPSTREU SECONDED A MOTION TO ACCEPT THE MINUTES OF THE SEPTEMBER 1, 2015 IWWC REGULAR MEETING AS WRITTEN. THE MOTION PASSED WITH EVERYONE VOTING AFFIRMATIVELY, EXCEPT FOR J. BARCLAY, R. FENN AND L. LIGUORE WHO ABSTAINED.**

**Old Business:** None.

**New Business:**

**A. Cumberland Farms W-03-1533-35, Pompey Hollow Road:**

Mr. Ranelli presented the site plan for the proposed expansion of the Cumberland Farms service station at 33-35 Pompey Hollow Road. He stated that the plan has been accepted for review by the Planning and Zoning Commission. It was reported that the plan of expansion has no direct impact on wetlands in the area but may have some impact in the upland review area. He indicated that when the initial survey work was done the wetlands on the Reviczky property were not delineated due to the fact that they did not have permission to do so, but later they had received permission to do so, and they were located, and shown on the revised plans.

Included in the package presented tonight is:

- Cover Letter and Application Form
- Completed Site Plan Application and September 11, 2015 Application Letter
- Authorization Letter from Mr. William Darcy
- Wetlands Report from Soil Scientist
- DEEP Response Letter
- Existing Conditions Plan Sheet
- Full Plan Set Revised to September 9, 2015 per DEEP Response Letter
- Storm Water Management Report
- Letter from NECCOG dated October 2, 2015
- Revised Storm Water Management Report based on NECCOG letter
- Five (5) Plan set sheets revised as of September 28, 2015 based on comments received from NECCOG.

Mr. Thatcher then reported that the plan is to build a larger convenience store further back on the site, and on to the residential property to the south and farther back to the west on the current property where it abuts the Reviczky property. The expansion will require a larger drainage system which includes a subsurface infiltration system that will connect to the existing closed drain system (which drains underneath Route 44) and would go from three curb cuts down to two. He stated that almost 100 % of storm water will be infiltrated into the current drainage system for 10 year storms. He also said that under the 10-year storm scenario there would be only slight runoff, and that in any case, it would be less than is experienced at current rates due to the subsurface treatment to be put in place. The plan is to reduce runoff to both points which will improve water quality to both drainage points. Mr. Thatcher stated that the current site plan proposal for development recognizes and includes best practices based on the comments from NECCOG.

Discussion followed where it was clarified that the proposed plan would go from 4 service pumps to eight, with the old tanks being removed and disposed of safely and being replaced with the best tanks available. They are proposing 40,000 gallons of storage, which is more than they currently have. If necessary soil remediation will be done before the new tanks are placed in the ground. There will be a full roof covering the pumping area. Mr. Barclay strongly encouraged that the FEMA map of the current flood plain be consulted and referred to in follow up discussions. It was stated that construction is expected to be completed within 4 months. Mr. Barclay also noted that the choice of landscaping shrubs and trees be reviewed so that non-invasive plants and natives be used instead of the proposed choices that are not the best for the area. He will be willing to give recommendations if needed. After further discussion, it was noted that there are still issues with flooding, especially in the area across the highway to the East (Old Post Office, Senior Center and Senior Housing).

Guest James Reviczky asked if there will be a Public Hearing and it was stated that it is unclear at this time. Reviczky stated that although he did not give permission to anyone to walk his land it was flagged without his knowledge. He stated that he lives in the home on this property and he has great concerns about flooding and its effects on water and soil quality. Guest Gary Lawrence also stated that he has seen the parking lot of the current Cumberland Farms when it was flooded with from 10 to 12 inches of water after area storms and that he shares Mr. Reviczky's concerns. He is still unsure how extra runoff will be drained into the ground.

**MR. FENN MOVED AND MR. LIPSTREU SECONDED A MOTION TO ACCEPT APPLICATION W-03-15, CUMBERLAND FARMS, 33-35 POMPEY HOLLOW ROAD FOR REVIEW. THE MOTION PASSED WITH EVERYONE VOTING AFFIRMATIVELY.**

Mr. Ranelli requested that the IWWC hold a special meeting within the next 2 or 3 weeks to make their decision on the application and it was stated by Chairman Liguore that the Commission would like to accommodate the applicant but will be unable to call a meeting at such short notice. Mr. Liguore stated that the entire application and all documents pertaining to it will be available in the IWWC office as of Wednesday, October 7, 2015 for anyone who is interested to review.

**B. Tasko: W-04-15, 119 Amidon Road:** Back in April of 2013, Ms. Linda Tasko was given a permit to landscape, install a pool and build a deck with a pergola. The Wetlands Agent received a complaint in September that some work was being done at the pond edge on her property that was not part of the permitted work on the original site plan and was not included on her application. Agent Theroux investigated and issued a notice of violation/cease and desist order to Ms. Tasko for this work. She had already completed a project where she cleared out the pond edge and lined it with boulders so that she could have access to the water for her canoe. During construction she put in a silt fence while creating a retaining wall. She stated that she stabilized everything and planted, mulched, seeded and laid down straw on the area before the rain that we experienced last week. She stated that during the rains there was no erosion and she was able to maintain the soil and the grade. It was decided that the Cease and Desist Order remain in effect even though all of the unapproved project has been completed.

**MR. FENN MOVED AND MR. BARCLAY SECONDED A MOTION TO ACCEPT THE APPLICATION WITH ALL FEES BEING PAID WHILE KEEPING THE CEASE AND DESIST ORDER IN PLACE PENDING ITS RECEIPT. THE MOTION PASSED WITH EVERYONE VOTING AFFIRMATIVELY.**

A site walk was set for 4:00 p.m. on October 19, 2015 for all Wetlands Commissioners at 119 Amidon Road. The property owner may be present but there will be no discussion at that time. The fee was noted to be \$120.00 which was immediately paid by the property owner by check which was given to Wetlands Agent Joe Theroux.

**Agent's Report:** Agent Theroux stated that Commissioner Peter Piecyk, 236 Bebbington Road, Ashford, is having a timber harvest which Theroux is being consulted on. Normally Theroux would go ahead and review the harvest and give a determination on it but since he is involved he brought it to the IWWC to rule on. It is determined that a timber harvest is a use of right and specifically it is being done to remove over mature, poorly formed, diseased and inferior species from the property of Mr. Piecyk. There will be removal of trees adjacent to some wetlands. It was decided that the IWWC will request that Mr. Gardner, Land Use Agent, review the request and sign off on it but that the IWWC will allow the harvest to begin in the uplands area only until the project is signed off.

**Member Reports:** Mr. Fenn stated that the Conservation Commission is in the process of grinding down the trail on the Langhammer Property which will eventually join up to the Fenton-Ruby Trail. It was noted that there may be some wetland issues that they may need to be consulted on and they have asked that issues be handled by Wetlands Agent, Joe Theroux. They are requesting that Mr. Theroux aid them in the planning of the trail, which would be of invaluable help to them, to which Mr. Theroux agreed. It was noted that there are some seasonal streams and that the Conservation Commission will probably plan to have a footbridge for passing over and perhaps a vernal pool. This could well turn into an Eagle Scout project but at this point Mr. Theroux will review the situation and assess if he needs to come back to the IWWC for further input.

**Adjournment: MR. LIPSTREU MOVED AND MR. MICHEL SECONDED A MOTION TO ADJOURN THE OCTOBER 6, 2015 REGULAR MEETING OF THE INLAND WETLANDS AND WATERCOURSES COMMISSION. THE MOTION PASSED WITH EVERYONE VOTING AFFIRMATIVELY.**

The regular meeting of the IWWC was adjourned at 8:32 p.m.

Respectfully submitted,

Francine Hodovan  
Recording Secretary

/fjh