

TOWN OF NEWINGTON  
CONSERVATION COMMISSION  
MEETING MINUTES  
September 19, 2023

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*This meeting was presented as a Zoom Webinar/Hybrid Meeting*

  
Town Clerk

I. CALL TO ORDER

Chairman Sadil called the meeting to order at 7:01 p.m.

II. ROLL CALL

John Bachand  
Bernadette Conway (*via Zoom*)  
Kelly Dehaas  
Andreas Sadil  
Jeff Wagner  
David Wemett (*via Zoom*)

Also present:

Paul, Dickson, Town Planner  
Susan Gibbon, Recording Secretary (*via Zoom*)

Chairman Sadil: Okay, point of order, I will seat Commissioner Wemett for Commissioner Paskewich this evening.

Ms. Gibbon: Okay.

Chairman Sadil: Okay, moving on to Item II - Public Participation on Non-Agenda Items, each speaker limited to 2 minutes.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS  
(each speaker limited to 2 minutes)

Chairman Sadil: Mr. Dickson is there someone on the line?

Mr. Dickson: I see no attendees online.

Chairman Sadil: Okay, moving on to Item IV- Acceptance of Minutes. Approval of the Minutes form the Meeting of August 15, 2023.

IV. ACCEPTANCE OF MINUTES

A. Approval Of Minutes From Meeting August 15, 2023

Chairman Sadil: Do I have any additions or corrections from commissioners? Seeing or hearing none, may I have a motion to accept the minutes for the regular scheduled meeting of August 15, 2023.

Commissioner Dehaas: I make a motion.

Chairman Sadil: So moved by Commissioner Dehaas, may I have a second?

Commissioner Wemett: Second.

Chairman Sadil: Second by Commissioner Wemett. All in favor?

Commissioners: Aye.

Chairman Sadil: Opposed? Abstentions? Minutes pass.

V. NEW BUSINESS - NONE

Chairman Sadil: Okay, moving on to New Business. There's no New Business this month. On to Item VI - Old Business - A. Application 2023-08: For A Building Addition And Rain Garden Within The Upland Review Area (URA) At The Maple Motel, 2151 Berlin Turnpike, Newington, CT, Applicant/Owner/Contact: Ghanshyam Patel.

VI. OLD BUSINESS

A. Application 2023-08: For A Building Addition And Rain Garden Within The Upland Review Area (URA) At The Maple Motel, 2151 Berlin Turnpike, Newington, CT, Applicant/Owner/Contact: Ghanshyam Patel.

Chairman Sadil: Is the applicant or representative present?

Kevin Johnson: For the record, Kevin Johnson with Close, Jensen & Miller. So, since we last met there's been one small change to the plans. I'll just call your attention to the little driveway turnaround which is basically in the northwest corner of that site driveway. if you recall from last we did have an infiltration trench that followed the edge of the drive. shortly after that meeting it was brought to our attention that there is a regulation that there's no paving within five feet of a property line, so we did make that revision and given that we already have...

Chairman Sadil: Sir, can you point to that on the map, just to be clear for the commissioners.

Mr. Dickson: So what I'll show you so this is a zoom in off the plan so you can see this area right here with that kind of rock type of drawing pattern on it is that infiltration. It'll be a little harder to see but I have the plans up here the difference, and actually I can bring it up on the plans, to show you the old plans of what it looked like let me share that with you. So, the previous plans, as you can see, you know, there was the infiltration trench that was kind of at the bottom of the driveway and the commission also asked that question regarding that pavement being at the, again, end of the property line pavement. right against the fence, kind of in the back. So what the change is, as you can see from there, kind of to show you the previous plan had pavement and now I'll go back to the presentation where you can see that area of pavement has been replaced with that infiltration trench.

Chairman Sadil: Cut back.

Mr. Dickson: Correct.

Chairman Sadil: Okay. Thank you for explaining that. I have no further questions I'll turn it over to the rest of the commission. Do any of the commissioners have any further questions for Mr. Johnson?

Commissioner Wagner: I'm good.

Chairman Sadil: Commissioner Conway? Do you have any questions Commission Conway or Commissioner Wemett?

Commissioner Wemett: No.

Commissioner Conway: No questions. Thank you.

Mr. Dickson: Mr. Chairman I'll just add it for the record that you know at the last meeting of course it was deemed it was not a significant activity and did not require a public hearing and engineering 's comments have been satisfied and plannings comments have been satisfied especially with the addition of the infiltration. Again, that was a good discussion by the commission which kind of

led to this iteration of the plan with more infiltration, again to capture any pollutants or anything from the paved surface.

Chairman Sadil: Thank you for that Mr. Dickson.

Commissioner Bachand: I have one question.

Chairman Sadil: Commissioner Bachand.

Commissioner Bachand: So, what is the infiltration just a gravel surface now or an impervious, I mean pervious pavement...

Mr. Johnson: Yeah we do have a detail for that storm water infiltration, it's basically a 2-inch wash stone and the trench is wrapped in filter fabric

Commissioner Bachand: Okay... and that'll be driven over or that's just at the end

Mr. Johnson: It will be driven over. I don't think that's a garage that's going to be used, you know, on a daily basis so it's probably going to be an infrequent turnaround and we did discuss it with the applicant owner and he's OK with that.

Mr. Dickson: For the commissions reference, I just want to, just kind of put the detail of that again, minimum 3 foot wide again it's going to vary in areas by the difference, you know, at the flare out, but it is a minimum of two foot deep again wrapped stone and filter fabric to you know prevent continual sedimentation filling in only the top would be impacted which could be maintained overtime and this will maintain that kind of infiltration at the back of that lot.

Commissioner Bachand: and when that's full it's just going to overflow the top there's no outlet on it or anything like that it's...

Mr. Johnson: No. It'll just sheet flow and that's the idea i mean the water will go in fill the void space between the rock.

Commissioner Bachand: Right.

Mr. Johnson: Certainly if there's a high intensity rain event you know it will...

Commissioner Bachand: Fill up.

Mr. Johnson: Right.

Chairman Sadil: There's no percolation of any sort that will...

Mr. Jonson: if there is a high intensity rain event it's probably going to fill up quicker than it can infiltrate is all I'm saying and that's when you're going to get the sheet runoff and when they storm event is over that's when you're going to get more of the infiltration.

Commissioner Bachand: It's a dry well concept.

Chairman Sadil: Thank you for that Commissioner Bachand. Any further questions from commissioners at this time. Ok, thank you. Mr. Dickson, is the application complete?

Mr. Dickson: The application is complete, and staff recommends approval with the standard conditions and those are provided in the draft motion. Again, those are the standard 10 conditions of the Conservation Commission.

Chairman Sadil: Ok, with that being said, may I have a motion for Application 2023-08: For A Building Addition And Rain Garden Within The Upland Review Area (URA) At The Maple Motel, 2151 Berlin Turnpike, Newington, CT, Applicant/Owner/Contact: Ghanshyam Patel.

Commissioner Bachand: I make a motion to approve.

Chairman Sadil: I think the Secretary steps in here.

Commissioner Bachand: Oh, sorry.

Secretary Dehaas: *Motion to approve Application 2023-08: For A Building Addition And Rain Garden Within The Upland Review Area (URA) At The Maple Motel, 2151 Berlin Turnpike, Newington, CT, with the standard 10 conditions.*

Chairman Sadil: So moved, may I have a second?

Commissioner Wagner: I second, Commissioner Wagner.

Chairman Sadil: Second by Commissioner Wagner. Final discussion. Ms. Gibbon, please call the roll.

Ms. Gibbon: Commissioner Bachand.

Commissioner Bachand: Yes.

Ms. Gibbon: Commissioner Conway.

Commissioner Conway: Yes.

Ms. Gibbon: Commissioner Dehaas.

Commissioner Dehaas: Yes.

Ms. Gibbon: Chairman Sadil.

Chairman Sadil: Yes.

Ms. Gibbon: Commissioner Wagner.

Commissioner Wagner: Yes.

Ms. Gibbon: Commissioner Wemett.

Chairman Sadil: Commissioner Wemett, can you...

Commissioner Wemett: Yes. Sorry.

Chairman Sadil: Okay. Motion passes unanimously. Thank you. Alright, moving on to Section VII Application Scheduled for Public Hearing. Item A. Application 2023-10: Map Amendment At 220, 226 & 244 Kitts Lane, Applicant: Premier Real Estate Services, LLC, Owner: 226 Kitts Lane, LLC, Contact: Patrick Snow.

## VII. APPLICATIONS SCHEDULED FOR PUBLIC HEARING

A. Application 2023-10: Map Amendment At 220, 226 & 244 Kitts Lane, Applicant: Premier Real Estate Services, LLC, Owner: 226 Kitts Lane, LLC, Contact: Patrick Snow.

Mr. Dickson: So, this is currently under review by staff. We received a map amendment from the owner for this property, we're still reviewing the submitted application and a review of the site as well, to confirm the flags look in the proper locations. Again, this is likely to be a potential increase in flagged wetlands in the area, again, this is wetlands delineated by a soil scientist. Staff again, will review the application for completeness and for correctness, we'll go out to the site and confirm prior to actually publishing the notice for the public hearing, but it is anticipated that we will be scheduling it at the next regular meeting.

Chairman Sadil: So if I understand it that'll be new business on the October...

Mr. Dickson: Correct.

Chairman Sadil: And the public hearing it would be the following month of November.

Mr. Dickson: It could be, and this is kind of for discussion too it could be depending on how fast we turn around the review. It could even be scheduled for the next hearing for the next meeting there are you know it's received tonight so the 65-day clock starts ticking at that point. So, if it's the commission's prerogative that'll either be, you know, reviewed for that and again we can schedule it for a public hearing at the next meeting the applicant can present all their evidence about what they are looking to do with the map change and then it would be at the meeting or another meeting that's down the road. So typically, the way I would do these, again I haven't done many with this commission yet, but typically I would you know we receive it and then we would schedule it for the next meeting as long as it's complete, so if that's good with you Mr. Chairman.

Chairman Sadil: I normally it's the case it comes down to having the public enough time to respond as we're here but normally they have new business; they present and then we decide if the public hearing is necessary. You feel one of the pieces is that it's a drastic change that the public would need to be informed.

Mr. Dickson: So, what I would say it's not necessarily a just drastic change the potential increase again correctly demarcated and flagged on the property. As far as having it at a meeting prior since it is...it automatically requires a public hearing because it is a map amendment. So, if it was on a meeting beforehand hand it wouldn't be at a time for the public to comment at that meeting anyway because the public hearing wouldn't have been scheduled. so the typical notice would go required by the regulations putting it in the newspaper of course and then putting all the information up on our current applications so any members of the public can kind of click through and see any documents that are there.

Chairman Sadil: So, my, I would say, ok it goes on new business for October we can have the public hearing in November and then we can decide at the November meeting whether we approve or disapprove or there or any further actions. Is that acceptable by the rest of the Commission. Just to as always we've done and we give a buffer there for the public to comment, is it abutting, does the property owner have an issue, we don't know but that's the way we've normally handled it, we give it another month and if it's enough we will approve the amendment at that next at that same meeting, we close the public hearing and then we would approve that potentially without any actions.

Mr. Dickson: My only concern with that because at the meeting it would be under new business it wouldn't be a full presentation because that presentation would have to be reiterated under the public hearing.

Chairman Sadil: That's correct, that would be sort of Old Business, we would put that under Old Business at the November meeting and then we would vote at the November meeting and potentially close it in November. Commissioner Bachand.

Commissioner Bachand: So the question is whether we start the clock today is that what it is or...

Mr. Dickson: So the, through the Chair, the 65-day clock starts today to open a public hearing and then after that it's 35 days to close a public hearing.

Commissioner Bachand: The clock starts today only because it's on the agenda even though...

Chairman Sadil: Commissioner Wagner.

Commissioner Wagner: So what would 65 days put us at? We should be good. Am I right?

Chairman Sadil: November. That would put us in November right, we would have to close in November. The pressure would be on, but, uh...

Mr. Dickson: So, again, I can check the timing as well just to make sure that...

Chairman Sadil: If it was exceeding the 65, we do have a special meeting as a last-ditch effort prior to the regularly scheduled meeting, we could meet then if there was any timing...we have that at our disposal, we rarely use that button, but when the time or clock is going to run out on us we do a special meeting two weeks prior to close the...

Mr. Dickson: Yeah, so I can, Mr. Chairman, I can do and make sure and look at the timing and all that and during agenda setting we can have a discussion regarding that going forward

Chairman Sadil: Again the recommendation is to have a public hearing and close potentially at the same meeting.

Mr. Dickson: Yes, I can...

Commissioner Bachand: And then we would vote on the map amendment.

Chairman Sadil: Correct.

Commissioner Bachand: Is there another application with the map amendment?

Mr. Dickson: No.

Commissioner Bachand; It's just a map amendment.

Mr. Dickson: it's just a map amendment.

Commissioner Bachand: So the presentation would come in the October meeting then, is that correct?

Mr. Dickson: It would actually come in the November meeting because they wouldn't necessarily be doing a full presentation outside the public hearing. That would be why typically in the past after its received it, as long as it's complete, schedule the public hearing so they can do their presentation in front of the public, all the public comment can come in, if you feel that you know that there's potentially more comments or there's more things to discuss or questions that you didn't have at that meeting the, you leave, you know, leave the public hearing open. That gives you to the next month, those 35 days, and then you could close it at that and then after that you have up to 65 days to deliberate.

Commissioner Bachand: Sixty-five days after the closing.

Mr. Dickson: Yeah, so it could even, as I said, it's up to the commission, it could be in November and then continued but that's...

Chairman Sadil: Commissioner Bachand go ahead.

Commissioner Bachand: Is there any reason why we wouldn't want to have that public meeting, uh, public hearing in October. I might have missed something here. Like for the next meeting.

Mr. Dickson: No that's what I...I kind of got slipped up too here between October and November, so yeah. we could have it at the next regularly scheduled meeting. That gives again, since it's a month out, plenty of time for public hearing notice, mailing of abutters and all that kind of information that's required.

Commissioner Bachand: Maybe I missed something, but is there any...is there any other difficulty with that or any friction with that?

Chairman Sadil: Again, going to my point, is giving the public adequate time. I don't want to feel like I'm rushing it or anything that's...we've handled that in the past and we all...we want anyone and everyone to make a comment because not everyone is following in these meetings, obviously or to date, so... we've gotten complaints about this before, ok, so we have plenty of time, there's no pending

application, you know, it's getting late in the season as well. I don't see the need to rush, that's the way we've had to facilitate the applicant, we have the public hearing and they're very satisfied we close it and then vote, deliberate, and then...

Mr. Dickson: Ok. So it that's...

Commissioner Wagner: I agree.

Chairman Sadil: ...Vice Chairman, let's do it that way.

Commissioner Wagner: Vice Chairman Wagner agrees.

Chairman Sadil: Ok.

Mr. Dickson: so I will, I'll check and run out all the timetables...

Chairman Sadil: If there's any friction or anything just let me know and...

Mr. Dickson: We'll talk about it during agenda setting. Thank you very much for the guidance.

Chairman Sadil: You're welcome. OK moving on to item VIII. Public Participation on Non-Agenda Items, each speaker limited to two minutes.

**VIII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**  
(each speaker limited to 2 minutes)

Chairman Sadil: Mr. Dickson, is there anyone online?

Mr. Dickson: There are no attendees online.

Chairman Sadil: OK then moving on to Item IX. Communications and Reports, Item A. Agent Communications.

Chairman Sadil: Councilor Budrejko if you would like to we're not up to Communications and Reports just yet but...

Councilor Budrejko: I'd just like to...on what you were just talking about.

Chairman Sadil: Public Participation on Non-Agenda Items.

Councilor Budrejko: On non, I though you said agenda items.

Chairman Sadil: Non-agenda items.

Mr. Dickson: Well if you need something.

Councilor Budrejko: Well, no I have...is this the property behind Citgo?

Mr. Dickson: This is the property adjacent to Stop & Shop. So on the other side of the Pike.

Councilor Budrejko: Oh, ok.

Commissioner Bachand: I saw that.

Chairman Sadil: Is that where there's a little warehouse there used to be a gym there as well...it's across the street.

Councilor Budrejko: I thought this was the Citgo property, and I was going to say I know that there's public interest.

Commissioner Bachand: That's what I was thinking too that it was that cleared lot there, so that's nothing to do with us, there's no wetlands there.

Chairman Sadil: No, it's a TPZ issue. All right. Moving on to Item IX. Communications and Reports, Item A. Agent Communications.

## IX. COMMUNICATIONS AND REPORTS

### A. Agent Communications

Chairman Sadil: Mr. Dickson is there anything to report this month?

Mr. Dickson: nothing to report this month we have not received any communications from any other organizations.

Chairman Sadil: Thank you sir. Item B. Town Council Liaison Communications.

### B. Town Council Liaisons Communications

Chairman Sadil: Councilwoman Budrejko you now have the floor.

Councilor Budrejko: I don't know whether this interests you or not but as residents of the town we had a public hearing on the John Wallace bonding issue and there were no negative comments and that will be a referendum item for the November election. Also, two items were passed 8-24s - a digital sign will be allowed in front of the Firehouse on Main Street by Firehouse 1 and also an easement for an egress ramp out of 1042 Main Street, in the back behind where Flowers etc. used to be, they want to put in like a handicap accessible ramp because they are going to lease out the front of the building which used to be Flowers etc. and they're going to have like a smaller shop but more of a different business perhaps I think like a cafe or you know whatever so they want to have a little patio but they also wanted it should be accessible so that one through 8-24 as well. and then in item that might be of interest to you i mean you probably already know, MDC came to our council meeting and gave us a presentation on a vegetation management project I don't know, maybe Paul you can give more detailed information.

Mr. Dickson: So the MDC, and I think we mentioned something, Erik mentioned something briefly about this at the last meeting as well, so the MDC is going to be going through the town clearing their easements. Now they are going be in front of this Commission for anything that involves a wetland, we have had discussions with them. Generally, is what they're looking to do is they're clearing about 15 foot wide; their easements are larger than that, but it's enough to get there UTV which is an ATV with a roof and some other equipment on back in there. Basically, their first phase, and they'll present this, is going be just clearing the vegetation so then they can bring in the camera inspectors, camera, the whole system and then repair what needs to be repaired. So this will be kind of multi-phased, of course, clearing of vegetation and clearing the area that's going to go through a wetland or the upland review area, they're going to put together, as a package in front of this commission and then I've already had discussions again you know how, means, methods they've been through this with multiple towns so they are kind of building their track record; other towns have had good experience with them so we are kind of looking forward to putting together that final application and get it to this commission.

Chairman Sadil: OK so it'll be coming before us at some time in the near future.

Mr. Dickson: Yes.

Chairman Sadil: All right.

Councilor Budrejko: I think that the presentation is online otherwise you can watch the town council meeting minutes.

Chairman Sadil: Thank you. Councilwoman Rada, I guess is not present tonight. Moving to Item C. Pond Life Research and Education.



C. Pond Life Research And Education

Chairman Sadil: Commissioner Paskewich is not here this evening, does anyone have anything else they want to add in that item? All right, I think that concludes our agenda for this evening, might I have a motion to adjourn.

X. ADJOURNMENT

Motion to adjourn by Commissioner Bachand. Seconded by Commissioner Dehaas. The meeting adjourned at 7:25 p.m.

Respectfully submitted,



Susan Gibbon  
Recording Secretary