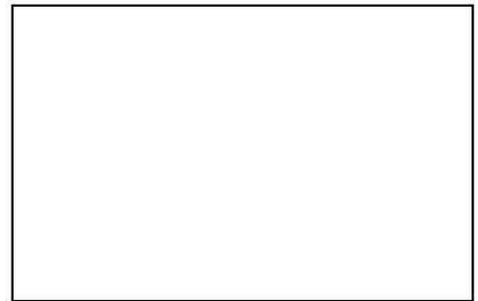


Application No. \_\_\_\_\_

Page 1 of 6

Date of Receipt \_\_\_\_\_

Tax Collector Approval \_\_\_\_\_



**TOWN OF WESTBROOK, CT**  
**APPLICATION FOR PERMISSION TO CONDUCT A**  
**REGULATED ACTIVITY WITHIN 100' OF AN INLAND WETLAND, WATERCOURSE**  
**OR UPLAND REVIEW AREA**

1. Name of Applicant John G. McCall, Jr. (property owner)

Project /Subdivision Name 376 & 380 Horse Hill Road

Address 376 & 380 Horse Hill Road, Westbrook, CT 06498

Telephone Numbers 860-388-9343 (Joe Wren, P.E. - agent)

Fax Number 860-391-8854 (Joe Wren, P.E. - agent)

E-Mail Address jwren@Indigo-Land.com (Joe Wren, P.E. - agent)

2. Applicant's interest in the Property: Owner  Leasee \_\_\_\_\_ Lessor \_\_\_\_\_ Other \_\_\_\_\_

3. Name of Property Owner (if not applicant) <property owner is applicant>

Address \_\_\_\_\_

Telephone Numbers \_\_\_\_\_

Fax Number \_\_\_\_\_

4. Name of Engineering Firm, Engineer, License Number, and Contact Information  
Indigo Land Design, LLC / Joe Wren, P.E. PEN#21090 - contract info see agent above

Name of Soil Scientist, Company, Credentials, and Contact Information  
Richard Snarski, CPSS (860) 918-1970

5. I (owner) give consent to <N/A - property owner is applicant> (name of applicant) to carry out the activity proposed in this application.

<N/A - property owner is applicant> (signed by property owner)

6. Location of the property where proposed activity is to occur.

A. Street Address 376 & 380 Horse Hill Road, Westbrook, CT 06498

B. Attach assessor's map of the area with Map # 155, Lot # 2 & 4

C. Zoning District Rural Residential - RR

D. Is any portion of property on which regulated activity is proposed located within 500 feet of a boundary of an adjoining municipality? No

i) If so, state the distance and the municipality 1,600'± to Clinton town line (per GIS)

E. Has the application been forwarded to other municipalities? N/A

i) If so, provide a list of municipalities and documentation of the notification to the abutting municipalities pursuant to Inland Wetland and Watercourses Regulations (separate sheet)

F. If a portion of the property is in a special flood hazard area specify:

Zone(s) Identification(s) N/A

FIRM Panel Number(s) & Date(s) N/A

G. Is the property part of a pending or previously approved subdivision? No



- ✓ 7. Description of Property. Submit a detailed drawing of the area, showing the geographical location of the property which is to be affected by the proposed activity, including a description of the land in sufficient detail to allow identification of existing and proposed structures, inland wetlands & watercourses, areas of wetland or watercourse disturbance, soil types, local topography, and vegetation (on a separate sheet). (see attached)
- ✓ 8. Purpose and Description of Activity. Submit a written description (on a separate sheet) of regulated activity, materials removed or deposited (volume(s) and description(s)), and time to complete the project, and a site plan (see Appendix A) showing existing conditions and/or structures and proposed activities in relation to wetlands and watercourses. Also, identify the location(s) and type(s) of proposed Best Management Practices and stormwater discharge points. (see attached)
- ✓ 9. Describe any impacts on the local municipality, including, but not limited to, stormwater runoff, pollution, and material deposition (on a separate sheet). (see attached)

- ✓ 10. Acreage of existing wetlands: 2.398 ac. (#376) and 1.259 (#380) acres
- ✓ 11. Lineal feet of existing watercourses and streams: 0 feet
- ✓ 12. Acreage and lineal feet of wetlands and watercourses altered: 0.110 acres 285± feet
  - A. Soil types (if available): \_\_\_\_\_ - \_\_\_\_\_ acres
  - Ridgebury & Leicester \_\_\_\_\_ - \_\_\_\_\_ acres
  - \_\_\_\_\_ - \_\_\_\_\_ acres
  - B. If soil type not available, specify area altered as follows:
    - \_\_\_\_\_ Swamp \_\_\_\_\_ acres
    - \_\_\_\_\_ Bog \_\_\_\_\_ acres
    - ✓ \_\_\_\_\_ Marsh 0.110 acres
    - \_\_\_\_\_ Open Water \_\_\_\_\_ acres
    - \_\_\_\_\_ Other \_\_\_\_\_ acres
  - C. Acreage and lineal feet of wetlands or watercourses created: 0 acres 0 feet
  - D. Lineal feet of stream alteration: 0 feet
  - E. Total land area of project: 12.109 acres \_\_\_\_\_ acres (combined lot areas)
  - F. Activity purpose (check main purpose);
    - \_\_\_\_\_ Residential improvements by homeowner
    - \_\_\_\_\_ Agriculture/forestry/conservation
    - X \_\_\_\_\_ New residential development
    - \_\_\_\_\_ Wetland creation/restoration
    - \_\_\_\_\_ Commercial/industrial uses
    - \_\_\_\_\_ Storm water/flood control
    - \_\_\_\_\_ Municipal improvements
    - \_\_\_\_\_ Recreation/boating/navigation
    - \_\_\_\_\_ Utility Co. improvements
    - \_\_\_\_\_ Routine maintenance
    - \_\_\_\_\_ General clearing/tree clearing
    - \_\_\_\_\_ Watercourse alteration
    - \_\_\_\_\_ Deposition/removal of material
    - \_\_\_\_\_ Other
  - G. List (on a separate sheet) alternatives which have been considered and why the alternatives are not feasible or prudent. (see attached)
  - H. Submit other information necessary to the understanding of what is being proposed.



- ✓ 13. Total limit of disturbance area 0.4 ac. URA & 0.110± ac. IW  
 A. Anticipated start and end date of construction Aug 2020 - Oct. 2020  
 B. Describe phases of construction (separate sheet if necessary) No phases planned for driveway construction.

- ✓ 14. Please check the box where permits, variances, or other approvals are required or have been obtained in relation to this proposal:

- Subdivision Approval  
 Re-Subdivision Approval  
 Zoning Variance  
 Special Case Permit  
 DEP Bureau of Water Management  
 U.S. Army Corps of Engineers Permit  
 None of the Above

- ✓ 15. Names and addresses of adjacent property owners (separate sheet)  
 <see attached>

- ✓ 16. The signature on this application authorizes members and staff of the Town of Westbrook Inland Wetlands Agency to conduct a site walk(s) of the property for the purposes of understanding existing property conditions, which may be necessary in order to make a decision on this application. The IWWC agent will inspect during and after the project is complete. Such site walk(s) will be conducted at reasonable times.

- ✓ 17. Fourteen (14) copies of all application materials shall be submitted to comprise a complete application, or as is otherwise directed in writing by the Agency. (10 per WEO)

- ✓ 18. Fees (All checks to be made out to the Town of Westbrook):  
 \$75.00 to be paid when filing application for residential; \$135 per WEO  
 \$400.00 to be paid when filing for commercial/industrial;  
 \$60.00 for State DEEP fee.  
 If the IWWC deems this is a significant activity, see Fee Schedule.

In the event that actual fees for professional review exceed the estimate, the Agency shall recalculate the estimate, and the applicant shall, within 30 days of receipt of the recalculated amount, contribute 150% of the increase in the estimate. Upon completion of the professional review, the Agency shall determine the actual costs incurred for review and either refund any excess funds to the applicant or in the event the escrow account is insufficient to cover the costs, bill the applicant for the balance due, which bill will be due and payable within 30 days. No Regulated Activities may be initiated under any permit until the Applicant has paid all such fees and expenses, unless the Agency expressly allows such activities to commence at an earlier time under the terms of the permit. Professionals shall include, but not be limited to, engineers, scientists, and lawyers.

**\*\*ALL FILING FEES TO BE PAID BEFORE APPLICATION IS SUBMITTED\*\***

**\*\*ALL NECESSARY FEES MUST BE PAID BEFORE PERMIT IS ISSUED\*\***



Application No. \_\_\_\_\_

Date of Receipt \_\_\_\_\_

Tax Collector Approval \_\_\_\_\_

The undersigned swears that the information supplied in the completed application is accurate to the best of his/her knowledge and belief, and is aware of the penalties for obtaining a permit through deception or inaccurate or misleading information.

*[Handwritten Signature]* Signature of Applicant 05/26/20 Date Filed

Application with fee received by Inland Wetlands agent:

\_\_\_\_\_ Signature \_\_\_\_\_ Date

Under provisions of Inland Wetlands & Watercourses Public Act 87-338 and 87-533 and updated amendments.



## APPENDIX A. CHECKLIST FOR APPLICATIONS TO THE INLAND WETLANDS & WATERCOURSES AGENCY

### Plans

<p><input checked="" type="checkbox"/> Title of project or sub-division, name of property owner and applicant.</p> <p><input checked="" type="checkbox"/> Name, address, telephone number, State Seal of project engineers and soil scientist.</p> <p><input checked="" type="checkbox"/> Location map of site, index map/key plan of project if more than one (1) drawing, date of drawings.</p> <p><input checked="" type="checkbox"/> North arrow, scale of site plan, scale of all detail drawings, cross-sections or road profiles.</p> <p><input checked="" type="checkbox"/> Proposed structures &amp; improvements, limit of work, and distances to upland review area and/or wetland (if applicable).</p> <p><input checked="" type="checkbox"/> Names of all abutting property owners with intersections of property lines indicated.</p> <p><input checked="" type="checkbox"/> Rights-of-way, easement lines, existing edges of pavements indicated.</p> <p><input checked="" type="checkbox"/> Locations and sizes of existing and proposed storm drain lines, ditches, drain basins, manholes, head walls, curbs, and gutters. Note any rim and invert elevations, as well as all applicable pipe sizes and materials.</p> <p><input checked="" type="checkbox"/> Invert or flow line elevations at pipe ends, head walls, gutter, ditches, or water bodies. Include details and cross sections.</p> <p><input checked="" type="checkbox"/> All nearby or on-site water courses, bodies of water, springs, sink holes, natural retention basins. If none of the above touch directly on the project property, the engineer shall show estimates of distance to such.</p> <p><input checked="" type="checkbox"/> Limit of work, stockpile and staging areas, and temporary roadways.</p> <p><input checked="" type="checkbox"/> Line reflecting 100 foot regulated area (upland review area).</p> <p><input checked="" type="checkbox"/> Erosion and sedimentation control measures (BMPs).</p> <p><input checked="" type="checkbox"/> Existing and proposed contour lines at an interval of one (1) foot.</p> <p><input checked="" type="checkbox"/> Existing and proposed property lines</p> <p><input checked="" type="checkbox"/> Fees</p> <p><input checked="" type="checkbox"/> Septic system &amp; proposed building structures to be staked prior to site walk</p> <p><input checked="" type="checkbox"/> Identification of where soils will be deposited &amp; stockpile locations</p> <p><input checked="" type="checkbox"/> Flagged wetlands, date of delineation noted on plans</p> <p><input checked="" type="checkbox"/> Location of test pits and provide soil logs</p> <p><input checked="" type="checkbox"/> Benchmark &amp; datum reference</p>
--



### Hydrological Report

Calculations for drainage system based on Section 11.70.00 Stormwater Management Regulations, of the Town of Westbrook Zoning Regulations.

### Additional Information

Final application drawings shall be submitted in ten (10) copies.

The Agency reserves the right to ask for additional information prior to rendering an approval decision.

### APPLICANT SHOULD BE PREPARED TO ANSWER THE FOLLOWING QUESTIONS:

1. Have all of the wetland areas on your property been reflected on your site plan? Is your plan signed by the soil scientist who delineated the wetlands?
2. Have you drawn in the 100-foot regulated area line around all wetlands & watercourses on your site plan?
3. What type of activities are you proposing in the 100-foot regulated area?
4. Where will stockpiles be stored on your property?
5. Has this property been approved for any building project or been brought before the Inland Wetlands & Watercourses Agency before? If so, when and by whom?
6. Have sedimentation and erosion measures (silt fence/hay bales) been shown on your site plan to protect wetlands and watercourses from construction-related impacts?
7. Do you have an alternate plan for your project?
8. Do you know that tree clearing, logging, brush clearing or any type of digging, soil disturbance, or alteration of any kind in the wetland and the 100' regulated area requires a regulated activity permit from the Inland Wetlands & Watercourses Agency?
9. When do you propose to start your project, and how long will it take to complete?
10. Have your sanitary system plans been reviewed by the Sanitarian?
11. What is the distance from the edge of soil disturbance resulting from your project to the nearest wetland or watercourse?



Project Narrative  
Map 155 Lots 2 & 4  
376 & 380 Horse Hill Road (Route 145)  
Westbrook, CT

Agent – Indigo Land Design, LLC  
Applicant / Owner – John G. McCall, Jr.

**Section 7 - Description of Project:**

The owner is proposing to construct a common driveway to access the buildable areas of Lots 1 and 2 as shown on the plan. No lot development is proposed at this time – any lot development will be a future, separate IWWC application. The total acreage of the property is 12.109 acres. The two lots were created by first division or “free split” in 2008.

This project was previously approved by IWWC and USACE in 2008/2009 but all approvals related to the proposed common driveway have recently expired. The proposed plans are essentially the same in overall scope, minor revisions were made to update to present standards. No changes were made to the previously approved driveway and wetlands crossings. The plans and drainage computations were reviewed and approved by the IWWC engineer at the time, Bob Wheway, PE – the same drainage computations are submitted herewith.

**Section 8 - Purpose and Description of Activity:**

There are 0.110 acres of wetlands (3 wetland area crossings) on the property that are proposed to be disturbed to install the common driveway. Activities within the proposed disturbed wetlands areas will consist of removal, excavation, filling and culvert installation for the construction of the common driveway. Some blasting will likely be required for driveway construction.

**Section 9 – Description of Impacts on the Local Municipality:**

Drainage requirements for the development of the lots are included on the site plan and include 900 cubic feet (min.) of stormwater retention for Lot #1 and 1,200 cubic feet (min.) of stormwater retention for Lot #2. Culverts with riprap plunge pools are proposed at all wetland crossings and at the driveway entrance. All drainage for pre and post-development were reviewed and approved by the IWWC engineer at the time of original approval.

**Section 12.G – List of Alternatives Considered:**

The following are alternatives that were considered:

- 1) Do nothing – the property owner would not have access from the street to the buildable area of his property.
- 2) Construct two separate driveways – this would result in significantly more wetlands disturbance.
- 3) Alternate alignment to the north – closer to vernal pools and more wetland and upland area disturbance.
- 4) Alternate alignment to the south – significant blasting would be required and more wetland and upland area disturbance and poor sight line at street.

Joe Wren, PE  
Indigo Land Design, LLC



## Statewide Inland Wetlands & Watercourses Activity Reporting Form

*Please complete and mail this form in accordance with the instructions on pages 2 and 3 to:*

*DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3<sup>rd</sup> Floor, Hartford, CT 06106*

*Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.*

### PART I: Must Be Completed By The Inland Wetlands Agency

- DATE ACTION WAS TAKEN: year: \_\_\_\_\_ month: \_\_\_\_\_
- ACTION TAKEN (see instructions, only use one code): \_\_\_\_\_
- WAS A PUBLIC HEARING HELD (check one)? yes  no
- NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:  
(print name) \_\_\_\_\_ (signature) \_\_\_\_\_

### PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

- TOWN IN WHICH THE ACTION IS OCCURRING (print name): Westbrook  
does this project cross municipal boundaries (check one)? yes  no   
if yes, list the other town(s) in which the action is occurring (print name(s)): \_\_\_\_\_, \_\_\_\_\_
- LOCATION (see instructions for information): USGS quad name: Essex or number: 99  
subregional drainage basin number: 5103
- NAME OF APPLICANT, VIOLATOR OR PETITIONER (print name): Indigo Land Design, LLC (agent for owner)
- NAME & ADDRESS / LOCATION OF PROJECT SITE (print information): 376 & 380 Horse Hill Road (Map 155 Lots 2 & 4)  
briefly describe the action/project/activity (check and print information): temporary  permanent  description: Construction of common residential driveway with 3 wetlands crossings to serve two (2) lots
- ACTIVITY PURPOSE CODE (see instructions, only use one code): B
- ACTIVITY TYPE CODE(S) (see instructions for codes): 1, 2, 7, 9, 12
- WETLAND / WATERCOURSE AREA ALTERED (must provide acres or linear feet):  
wetlands: 0.110 acres open water body: 0 acres stream: 0 linear feet
- UPLAND AREA ALTERED (must provide acres): 0.40 acres
- AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (must provide acres): 0 acres

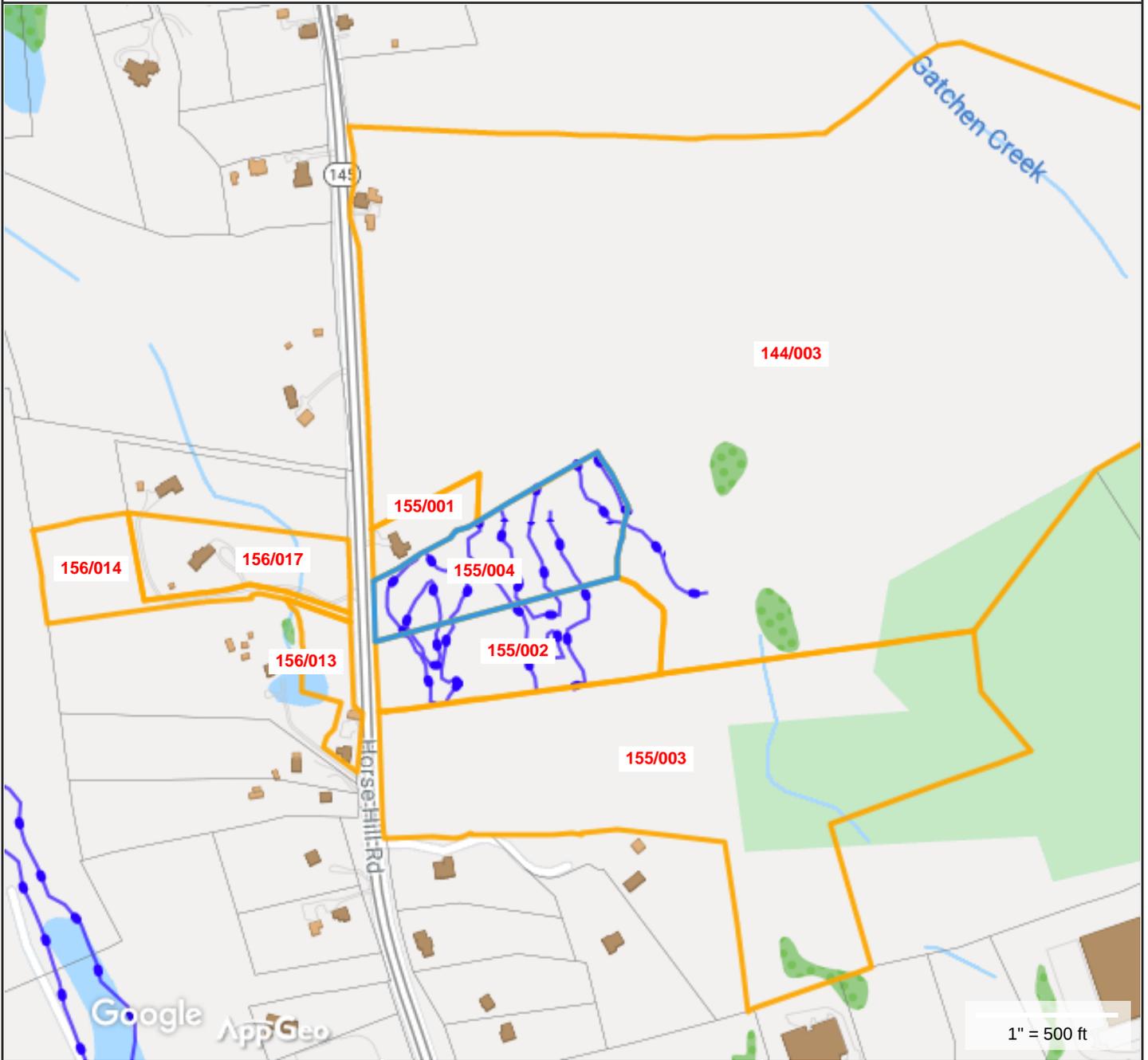
DATE RECEIVED:

### PART III: To Be Completed By The DEEP

DATE RETURNED TO DEEP:

FORM COMPLETED: YES NO

FORM CORRECTED / COMPLETED: YES NO



**Property Information**

**Property ID** 155/004  
**Location** 380 HORSE HILL RD  
**Owner** MCCALL JOHN G JR

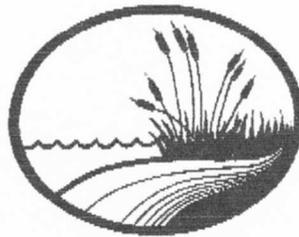


**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town of Westbrook, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated October 2018  
Data updated 11/19/2018

<u>ID</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Owner Name 2</u>	<u>Owner Address</u>	<u>Owner City</u>	<u>Owner State</u>	<u>Owner Zip</u>
155/002	376 HORSE HILL RD	MCCALL JOHN G JR		18 ALLEN RD	CLINTON	CT	06413
155/004	380 HORSE HILL RD	MCCALL JOHN G JR		18 ALLEN RD	CLINTON	CT	06413
<u>ID</u>	<u>Site Address</u>	<u>Owner Name</u>	<u>Owner Name 2</u>	<u>Owner Address</u>	<u>Owner City</u>	<u>Owner State</u>	<u>Owner Zip</u>
144/003	486 HORSE HILL RD	CHRISTIE HEATHER P TRUSTEE &	BARBARA CHRISTIE TTEE	486 HORSE HILL RD	WESTBROOK	CT	06498
156/014	HORSE HILL RD	CAPELLARO DONALD W TTEE & CAROLYN M EST		PO BOX 556	WESTBROOK	CT	06498
155/001	384 HORSE HILL RD	HARDIMAN JAMES & JANINE		384 HORSE HILL RD	WESTBROOK	CT	06498
156/013	319 HORSE HILL RD	LAVORGNA RICHARD		319 HORSE HILL RD	WESTBROOK	CT	06498
156/017	365 HORSE HILL RD	TWIGG DENIS J & ROBIN E		365 HORSE HILL RD	WESTBROOK	CT	06498
155/003	HORSE HILL RD	JBW GROUP LLC		PO BOX 13	CHESTER	CT	06412

**NEW ENGLAND  
ENVIRONMENTAL  
SERVICES****BLACKLEDGE  
RIVER  
NURSERY**

December 1, 2008

Mr. David Stein, Chairman  
Inland Wetlands Commission  
Town of Westbrook  
866 Boston Post Road  
Westbrook, CT 06498

RE: Welsch Land, Horse Hill Road  
Westbrook, Connecticut

Dear Mr. Stein:

In August 2008 I evaluated the wetlands on the Welsch land which is located off Horse Hill Road in the Town of Westbrook. Three wooded wetlands occur on the land. On April 4, 2008, a vernal pool investigation was conducted. Two vernal pools occur on the land. A highly productive vernal pool occurs from wetland flag 22 to 49. The vernal pool contained 143 spotted salamander egg masses, 38 wood frog egg masses and fairy shrimp. The second vernal pool occurs between wetland flag 12 & 46. This pool contained 4 spotted salamander egg masses. This pool is shallow and has a short hydroperiod. Surface water in the vernal pool drains southerly through a wooded wetland. The vegetation in the wooded wetland includes Red Maple, Sugar Maple, Pepperbush, Black Gum, Ironwood, Christmas Fern, Royal Fern and Greenbrier. An intermittent watercourse forms in the wetland on the east branch (south of the vernal pool). The soil type in the wetland is Leicester. Leicester is a poorly drained soil formed in glacial till. The solum (A & B horizon) has a fine sandy loam texture. The substratum (unweathered glacial till) has a gravelly sandy loam texture.

The second wetland occurs in the central portion of land and is marked with wetland flags 62 - 122. The plant species in the wooded wetland include Red Maple, Ash, Highbush Blueberry, Spicebush, Shagbark Hickory, Red Oak, Pepperbush, Christmas Fern, Wood Reed Grass, Virginia Creeper, Poison Ivy, Violet, Skunk Cabbage, New York Fern, Sedges and Greenbrier. An intermittent watercourse occurs in the wetland, which flows southerly. The soil type in the wetland is Ridgebury.

The third wetland occurs in the northeast section of the land. The wooded wetland contains Red Maple, Spicebush, Sensitive Fern, Christmas Fern, Jack-in-the-Pulpit, Bed Straw, Skunk Cabbage, Violet and Greenbrier. The wetland contains an intermittent watercourse which flows southerly.

The proposal is to construct an approximately 800 foot driveway to serve two house sites. The driveway will cross the wetlands at three locations involving filling 4,783 square feet of wetland. The driveway fill will be 135 feet from the high quality vernal pool (eastern vernal pool) and 150 feet from the lower quality vernal pool (western vernal pool).

Mr. David Stein, Chairman  
Inland Wetlands Commission  
Town of Westbrook  
RE: Welsch Land, Horse Hill Road  
Westbrook, Connecticut  
December 1, 2008  
Page 2

I believe box culverts are not needed at the three wetland crossings, because the wood frogs and spotted salamanders will travel freely over the gravel driveway. The revised plans, dated 11/14/08, incorporate changes which reduces potential wetland impacts on Lot #1. The house site has been moved southerly. The house and septic system will be 50 feet from the wetlands. The Conservation Easement has been expanded into the uplands to reduce the potential of future land owners clearing the wooded upland buffer. All of the wetlands are included in a Conservation Easement.

The slight increased stormwater flow to the southerly property is about 5% according to Joseph Wren's calculations. The increase in the water will not increase the wetlands on the land to the south.

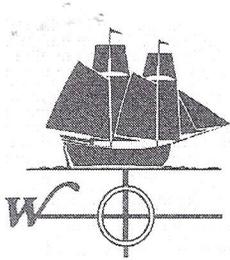
Please contact me if you have any questions.

Sincerely yours,

A handwritten signature in black ink that reads "R. Richard Snarski" followed by a circled set of initials "RS".

R. Richard Snarski  
Certified Professional Soil Scientist #1975  
Professional Wetlands Scientist  
Certified Sediment & Erosion Control Specialist #200

RRS:srh



# TOWN OF WESTBROOK

## WETLANDS

866 BOSTON POST ROAD  
WESTBROOK, CONNECTICUT 06498  
(860) 399-3046 • Fax (860) 399-2084

January 26, 2009  
INLAND WETLANDS PERMIT NO. 210

James and Grace Welsch  
420 East 61st Street, Apt. 30F  
New York, NY 10065

RE: Application No. 210  
Town Of Westbrook  
Tax Map 43 Lot E50 Horse Hill Road  
Referencing Proposed First Division of Land & Common Driveway Plan, N/F of Grace F. & James R. Welsch, Horse Hill Road, Westbrook, Connecticut, prepared by Indigo Land Design, LLC, "Dwg. No. WP-1, dated 8/1/08, revised to 12/1/08

Dear Mr. and Mrs. Welsch:

The authorization refers to your application to conduct regulated activities in the Town of Westbrook.

The Westbrook Inland Wetlands & Watercourses Commission has considered your application with due regard for the matters enumerated in Section 10 of the Regulations of the Inland Wetlands & Watercourses Commission and has found that the proposed work, as specified and conditioned below, conforms to the purposes and provisions of said section.

The authorized activity consists of the construction of a common driveway for 2 lots with 3 wetland crossings.

The permit is issued subject to the following conditions and/or modifications:

1. The permittee shall notify Wetland Office immediately upon the commencement of work and upon its completion.
2. If the authorized activity is not completed on or before (January 26, 2014 date) said activity shall cease and, if not previously revoked or specifically renewed or extended, this permit shall be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with Section 7.10 of the Inland Wetlands and Watercourses Regulations of the Town of Westbrook. Expired permits may not be renewed and the wetlands agency may require a new application for regulated activities.
3. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments, or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation.
4. This authorization is not transferable without the written consent of the Inland Wetlands & Watercourses Commission.

Number 210  
January 26, 2009

5. In evaluating this application, the wetlands agency has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete, or misleading, this permit may be modified, suspended, or revoked and the permittee may be subject to any other remedies or penalties provided by law.
6. The permittee shall employ the best management practices, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Inland Wetland Office at 399-3046.
7. No equipment or material including without limitation, fill, construction materials, or debris, shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.
8. This permit is subject to and does not derogate any rights or powers of the town of Westbrook, conveys no property rights or exclusive privileges, and is subject to all public and private rights and to all applicable federal, state, and local laws. In conducting and maintaining any activities authorized herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of Westbrook.
9. If the activity authorized by the inland wetlands permit also involves activity or a project that requires zoning or subdivision approval, special permit, variance, or special exception, no work pursuant to the wetlands permit may begin until such approval is obtained.
10. The permittee shall maintain sediment and erosion controls at the site in such an operable condition as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiency being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.

In addition:

**Specific Conditions of Approval (1/06/09)**

1. The approval and permit are for the construction of the Common Driveway and culverts only. Further development of the two lots will require separate application for approval by the Westbrook Inland Wetland Commission.
2. The installation of wetland crossings for activities I, II, and III shall be restricted to the months of July through October.
3. The installation of the wetland crossings identified as Wetland Activities I, II, and III shall be supervised by a Professional Engineer. Weekly reports are to be provided to the Inland Wetlands Enforcement Officer.

Number 210  
January 26, 2009

4. An as-built drawing of the "Common Driveway" and culverts shall be submitted for review and approval by the Inland Wetlands Commission's Engineer. As-built shall be performed in accordance with T-2 survey standards.

If any portion of the project was not constructed as approved, the Engineer or Land Surveyor shall describe any and all discrepancies, as appropriate, as to the variation and the cost necessary to correct the variation to the approved plans. The performance bond shall not be released without the professional's certification and findings.

5. The permittee shall employ best management practices, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. The permittee shall immediately inform the agency of any problems involving wetlands or watercourses that have developed in the course of, or that are caused by, the authorized work.
6. The permittee shall maintain sediment and erosion controls at the site in such an operable condition as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiency being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.

**The following items shall be complied with before the issuance of the wetlands permit and prior to any disturbance of the site.**

7. Approval from the State of Connecticut Department of Environmental Protection Agency / Army Corp of Engineers shall be obtained and copy of said approval provided to the Westbrook Inland Wetlands Commission.
8. Note on plans and in deeds that the proposed driveway be designated a right of way for access and/or inspection and enforcement of the conservation restrictions.

This authorization constitutes the permit required by section 22a-42 of the Connecticut General Statutes, as amended.

# CODESPOTI & ASSOCIATES P.C.

SITE PLANNING  
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## **Inland Wetlands Application Common Driveway Plan Welsh Property Tax Map 43 Lot E50 Horse Hill Road Westbrook, Ct.**

### **Motion for Approval**

The following conditions of approval are put forth for consideration by the Inland Wetlands Commission

### **Specific Conditions of Approval (1/06/09)**

1. The approval and permit are for the construction of the Common Driveway and culverts only. Further development of the two lots will require separate application for approval by the Westbrook Inland Wetland Commission.
2. The installation of wetland crossings for activities I, II, and III shall be restricted to the months of July through October.
3. The installation of the wetland crossings identified as Wetland Activities I, II, and III shall be supervised by a Professional Engineer. Weekly reports are to be provided to the Inland Wetlands Enforcement Officer.
4. An as-built drawing of the "Common Driveway" and culverts shall be submitted for review and approval by the Inland Wetlands Commission's Engineer. As-built shall be performed in accordance with T-2 survey standards.

If any portion of the project was not constructed as approved, the Engineer or Land Surveyor shall describe any and all discrepancies, as appropriate, as to the variation and the cost necessary to correct the variation to the approved plans. The performance bond shall not be released without the professional's certification and findings.

5. The permittee shall employ best management practices, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. The permittee shall immediately inform the agency of any problems involving wetlands or watercourses that have developed in the course of, or that are caused by, the authorized work.
6. The permittee shall maintain sediment and erosion controls at the site in such an operable condition as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately

after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiency being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.

**The following items shall be complied with before the issuance of the wetlands permit and prior to any disturbance of the site.**

7. Approval from the State of Connecticut Department of Environmental Protection Agency / Army Corp of Engineers shall be obtained and copy of said approval provided to the Westbrook Inland Wetlands Commission.

## **Motion for Denial**

- 1) Alternatives as required by Section 7.6.f and 7.6.r of the Westbrook Inland Wetland Regulations were not provided on the site plans or drawings
- 2) Based on the information provided, the applicant has not sufficiently demonstrated that a feasible or prudent alternative which would lessen the impacts to the adjacent regulated Inland Wetland areas to that proposed, does not exist,
  - a) An alternate location for the future home(s) exists by relocating them to the westerly portion of the property which could eliminate or substantially reduce the amount of wetlands filling required for the driveway location.

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December 18, 2008

David Stein, Chairman  
Inland Wetlands Commission  
Town of Westbrook  
866 Boston Post Road  
Westbrook, CT. 06498

RE: Common Driveway Plan  
Welsh Property  
Tax Map 43 Lot E50 Horse Hill Road  
Westbrook, CT.

Dear Mr. Stein:

We have completed our review of the revised material submitted for the Inland Wetlands Application for "Proposed First Division of Land & Common Driveway Plan, Land N/F Grace F. & James R. Welsh, Horse Hill Road Tax Map 43 Lot E50, Westbrook CT.", by Indigo Land Design , LLC.

Revised drainage computation have been submitted which provide for the storage routing of the upstream areas above the four main culvert crossings. Based upon these computations, and the inclusion of the proposed 900 cubic feet of stormwater retention for lot 1 and 1,200 cubic feet of storage for lot 2, it would appear that a zero increase in peak rate of runoff will be achieved.

The vernal pool and wetlands inventory submitted by Rich Snarski was also reviewed. With the exception of the box culvert crossings we concur with the assessment. His comment with regard to the increased stormwater flow has since been mitigated with the revised drainage computation and inclusion of stormwater retention.

Unless otherwise noted, all comments from our 11/26/08 review have been sufficiently addressed and we have no outstanding issues.

If there is any additional information requested at this time, please feel free to contact me.

Sincerely,

Robert Wheway, P.E.

## **Material Review List**

**Common Driveway Plan  
Welsh Property  
Tax Map 43 Lot E50 Horse Hill Road  
Westbrook, Connecticut**

### **Map Listing**

Proposed First Division of Land & Common Driveway Plan, N/F of Grace F. & James R. Welsch, Horse Hill Road, Westbrook, Connecticut, prepared by Indigo Land Design, LLC, "Dwg. No. WP-1, dated 8/1/08, revised to 12/1/08

Soil Test Data & Septic Design Criteria, N/F of Grace F. & James R. Welsch, Horse Hill Road, Westbrook, Connecticut, prepared by Indigo Land Design, LLC, "Dwg. No. ST-1, dated 6/26/08, revised to 10/27/08

E&S Control Details and Narrative, N/F of Grace F. & James R. Welsch, Horse Hill Road, Westbrook, Connecticut, prepared by Indigo Land Design, LLC, "Dwg. No. D-1, dated 8/1/08, revised 11/14/08

Three Cable Guiderail Details, N/F of Grace F. & James R. Welsch, Horse Hill Road, Westbrook, Connecticut, prepared by Indigo Land Design, LLC, "Dwg. No. D-2, dated 12/1/08

Proposed Common Driveway Profile, N/F of Grace F. & James R. Welsch, Horse Hill Road, Westbrook, Connecticut, prepared by Indigo Land Design, LLC, "Dwg. No. PR-1, dated 8/1/08, revised 11/14/08

### **Written Material:**

Drainage Computations, prepared by Indigo Land Design, LLC, dated 11/03/08, Revised 11/18/08

Transmittal letter including Velocity Calculations, prepared by Indigo Land Design, LLC, dated 11/20/08

Wetland Report (2 pages) by New England Environmental Services dated 12/1/08

Transmittal letter including revised drainage calculations, prepared by Indigo Land Design, LLC, dated 12/12/08 (Calculations revised 12/17/08 via e-mail)

# TOWN OF WESTBROOK

## Conservation Commission

TO: Inland Wetlands & Watercourse Commission (WIWL)

January 2, 2009

RE: Welch Property; East side of Horse Hill Road (Route 145), Map 43, Lot E50; free split; construction of common driveway to access 2 lots:

FROM: Conservation Commission: Tom ODell, Chairman

At the Commission's December 16, 2008 regular meeting members reviewed the application, site plan-revised to 11/14/08, and comments/ recommendations submitted to the WIWL by R. Richard Snarski, Certified Professional Soil Scientist, and Robert Wheyway, Codespoti & Assoc., P.C.. Joseph Wren, P.E., Indigo Land Design, LLC provided detailed description of the proposed common driveway and the potential for future development of 2 residential lots at the end of the drive.

Commission members voted unanimously to recommend to the Inland Wetlands & Watercourse Commission that the application be accepted as presented, with particular attention to, and compliance with, Site Plan Notes 1 thru 13. Further, the Commission has the following comments and recommendations regarding the proposed 9.78 acre conservation easement.

### Comments:

- Conservation easements or conservation restrictions generally contain significant natural resources or aesthetic value in their present state and, thus, should be subject to periodic review and enforcement to ensure preservation of those qualities. Westbrook's Subdivision Regulations, Appendix D.8 Conservation Restrictions (see attached), provide for such review and enforcement. However, because the Welch property is a "Free Split" it is not subject to Westbrook's Subdivision Regulations including this review and enforcement process.
- Appendix D.8 designates the Conservation Commission as the "Agent" for the town for recommending, implementing and inspecting conservation restrictions. The Town Planner assists with enforcement.
- Generally conservation restrictions/easements are over, across, and upon the property of the owner and are recorded in the deed in favor of the Town of Westbrook.
- Access for review and inspection of the restricted property is designated on the site plan and noted in the deed.
- Generally there is stipulation on the site plan for owner notification prior to inspection.

Recommendations:

- To provide town-wide continuity in the use of conservation restrictions/easements for protecting significant natural resources it is recommended that the WIWL provide for a process for inspection and enforcement of conservation restrictions/easements in the WIWL regulations by establishing a process similar to Appendix D.8 of the Westbrook Subdivision Regulations. The Conservation Commission would be happy to discuss the details of the process if requested.
- In lieu of establishment of a process for inspection and enforcement of conservation restrictions in the WIWL regulations access to the 9.78 acres of conservation easement should be stipulated on the site plan. We recommend that the proposed driveway be designated for that purpose. This would allow the most efficient access at any time of year.
- The CT DEP Bureau of Land Protection and Reuse recently released an advisory concerning conservation restrictions for amending municipal wetland regulations. These amendments will support enforcement of conservation restrictions/easements. We recommend the commission amend Westbrook's IWL regulations as provided for in the advisory. The following is a link to that advisory:  
[http://ct.gov/dep/lib/dep/water\\_inland/wetlands/2008\\_legislation\\_&\\_regulations\\_advisory.pdf](http://ct.gov/dep/lib/dep/water_inland/wetlands/2008_legislation_&_regulations_advisory.pdf)

We appreciate the extension of the Public Hearing and thank you for the opportunity to comment on this application.

Tom ODell  
Chairman

CC: Planning, Zoning, J. Wren