



TOWN OF ENFIELD

ENFIELD INLAND WETLAND AND WATERCOURSES AGENCY

DPN# 2022-08-15 (IW# 663)- 37 Gordon Ave- Determination of Permit Needed for the installation of a 12x24 in-ground pool in the upland review area; Nadia Wright of Juliano's Pools, Applicant; Patrick W O'Connor, Owner; Map 20/Lot 14; R-33 Zone.

STAFF REPORT

August 30, 2022

BACKGROUND

This is an application to determine if a permit is needed for the property at 37 Gordon Ave. The property is settled within a subdivision built on top of wetlands that are most likely no longer functioning as they once were.

The proposed pool will be a 12x24 inground pool with a 4' safety fence and a self-closing latching gate. The location is in the upland review area with about 288 sqft of soil to be impacted. No surrounding patio is proposed due the small amount of lot coverage allowed on this property.

Erosion and sedimentation controls are mentioned in the narrative. The applicant will install silt fencing with hay bales; however this is not shown on the submitted plot plan. The stockpiling on soils will be hauled away by a Juliano's Pools dumptruck. The location of proposed soil stockpiling is not shown on the plot plan and should also include silt fencing

around the piling. The best location for the stockpiling would be on the South or West side of the project. That way the wetlands to the East can remain protected from any sediment runoff.

The narrative mentions under "At A Glance" that the location of pool/fence includes "the area of disturbance will not be greater than 20' around the pool edge". This should be clarified further by including it on the plot plan to show the total area of the construction project.



Per Section 2 Definitions, all areas within 100 feet of the boundary of such wetlands and watercourses are considered a **regulated activity area**.

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Please refer to the site plan, the narrative, and the materials provided for DPN# 2022-08-15 (IW#663) attached to this application.

STAFF COMMENTS

Planning and Zoning Department: No Comments.

Engineering Department: No easements.

Building Department: No Comments.

Traffic Division: No Comments

Water Pollution Control Division: No Comments.

Fire Department: No Comments.

RESOLUTION

Should the IWWA determine that this a permit is not needed, the following resolution may be used:

MOTION TO NOT REQUIRE A WETLANDS PERMIT FOR DPN# 2022-08-15- 37

Gordon Ave- Application for a determination of permit needed for the installation of a 12x24 in-ground pool with a 4' safety fence within the 100' upland review area as delineated by the Town of Enfield's Official Wetlands Map; Nadia Wright, Applicant; Patrick W O'Connor, Owner; Map 20/Lot 14; R-33 Zone.

Should the IWWA determine that the proposed activity requires a permit, the following resolution may be used:

MOTION TO APPROVE THE WETLANDS PERMIT FOR DPN# 2022-08-15 (IW# 663)-

37 Gordon Ave- Determination of Permit Needed for the installation of a 12x24 in-ground pool in the upland review area; Nadia Wright of Juliano's Pools, Applicant; Patrick W O'Connor, Owner; Map 20/Lot 14; R-33 Zone.

Site Specific Conditions:

1. The applicant will show the location of soil stockpiling and the proper erosion and sedimentation controls on the final plans.



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Prior to the Start of Construction:

1. Prior to the start of construction or, if applicable, the issuance of a building permit(s) the full-size plans as approved by the Agency (and the Planning and Zoning Commission) shall be submitted to the Inland Wetlands Agent;
2. The permittee/contractor shall schedule a pre-construction meeting (if required) with the Inland Wetlands Agent to be held no sooner than two (2) weeks before the regulated activities are to begin. The permittee shall, at that time, review with the Inland Wetlands Agent, the procedures to be taken to protect the regulated areas prior to and during construction;
3. The applicant must submit a Sediment & Erosion Control Bond in an amount to be determined by the Director of Planning and the Town Engineer. This bond can be returned to the applicant upon completion and inspection of all work to be done on the property;
4. The Inland Wetlands and Watercourses Agency or its designated Agent must be notified in writing within three (3) business days of the proposed commencement of permitted activities, and upon completion of said activities; a "business day" is a day when the Town Hall is open for business.
5. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase and shall meet or exceed the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as revised, until the site has become stabilized with permanent vegetative cover.
6. The Permittee shall submit a plan noting plant type and number of plants to be placed in affected area.
7. The Standard Town Notes must be added to the final plans submitted to the Planning Office.

General Conditions:

8. This approval shall be valid for five (5) years from the date of approval unless otherwise revoked or specifically extended;
9. All work and all regulated activities conducted pursuant to this permit shall be consistent with these terms and conditions hereof. Any structures, excavation, fill, obstruction, 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. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions hereof;
10. This approval is not transferable without the written consent of the Enfield Inland Wetlands and Watercourses Agency or its designated Agent;
11. In issuing this approval, the Agency has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate this permit shall be modified, suspended or revoked;

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12. This approval shall be made a part of all construction contracts and sub-contracts pertaining to the proposed regulated activities and shall supersede all other contract requirements;
13. The permittee shall permit the Agency, its authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein;
14. 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;
15. This approval is subject to and does not derogate any present or future property rights or other rights or powers of the Town of Enfield, and conveys no property rights or in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any activity affected hereby;
16. The construction site shall be left in a stable condition at the close of each day. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair silt fences, hay bales, mulch, stone-riprap filter dikes or any other devices planned for use during construction. Additional erosion/stormwater control measures are to be installed as directed by the Inland Wetland Agency, its authorized representative(s) or designee(s) if field conditions necessitate.
17. The permittee shall immediately inform the Planning Division of any problems involving wetlands or watercourses which have developed in the course of, or which are caused by, the authorized work;
18. All temporary barriers, including erosion and sedimentation controls are to be removed when the site is stabilized in suitable weather conditions. The site is considered stabilized when there is equal to or greater than 70% vegetative cover;
19. With the exception of the addition of the items stated in these conditions, this application is approved in accordance with the plans referenced above. Any changes that would potentially cause greater impact to wetlands or watercourses, such as enlargement of the area of disturbance or reorientation of building footprints, from the plans shall require the permittee to come before the Enfield Inland Wetlands and Watercourses Agency for a Determination of Permit Modification.
20. The Inland Wetlands and Watercourses Permit number shall be located on all future plans to any Town or State Agency.



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21. The Wetland Permittee shall complete the permit prerequisites and file the permit on the Land Records within 365 days.

The Inland Wetlands and Watercourses permit, when issued, does not abrogate the applicant's responsibility to obtain permits that may be necessary from other agencies at the local, state or federal level prior to commencing the project.

REFERENCE PLANS

1/1- Narrative- Submitted by Nadia Wright of Juliano's Pools; Prepared for Patrick W O'Connor, Owner of 37 Gordon Ave, Enfield CT. 06082; No Scale; Date: August 8, 2022

1/1-Plot Plan; Scale: 1:20; No Date