

HARWINTON INLAND WETLANDS AND WATERCOURSES COMMISSION
MONDAY, FEBRUARY 5, 2024 TOWN HALL 7:00 P.M.

Present: Chairwoman Susan Ryan, Secretary Todd Werner, Timothy Bobroske, Brent Lafferty, Robert Wesneski, Francis Skarp, Alternate Member Marc Matsil, Land Use Coordinator Polly Redmond Inland Wetlands Enforcement Officer Don Truskauskas

Absent: Benjamin Ogonoski and Alternate Member Nicholas Carbone

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairwoman S. Ryan called the meeting to order at 7:00 p.m. All regular members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 12/4/2023

R. Wesneski **motioned** to approve the minutes of the previous meeting, seconded by T. Werner. Motion passed unanimously.

3. MICHAEL McDONALD – 8' X 24' DECK, 34 BEACH DRIVE.

Michael McDonald is present. 2023 Septic System Repair Plans prepared by Robert Green Associates are provided showing the proposed 8' x 24' deck. Mr. McDonald explains that the house is a three-season cottage he bought in the fall that needed septic repair. The proposed deck is similar to what the neighbors on both sides of him have. R. Wesneski questions what the deck will sit on with Mr. McDonald stating, using a pole post digger, he will put in 4' x 4' posts set in concrete. R. Wesneski questions if there will be erosion control measures put in place with Mr. McDonald stating that the area is pretty flat but silt fence could be put in. T. Bobroske states that with all the rain lately, silt fence should be installed until the deck is completed and everything is stabilized. T. Werner questions how far the deck will be from the stream on the property with Mr. McDonald answering, 15 feet, which is the same as the house. T. Werner informs the Commission that the stream is a named stream called Catlin Brook, and the banks of the stream are already well eroded. T. Bobroske questions whether rip rap should be added with T. Werner answering, he is not sure, but he is concerned with the 15-foot distance to the stream and not so much the 44 feet to the lake edge. T. Bobroske states that by laying rip rap down it would slow the velocity of water and stabilize the bank. T. Werner believes this to be a "tough" property overall and that the stream has a constant flow of water. M. Matsil states that he believes the best way to stabilize the bank is bio-engineering using live plantings that are bundled up and then staked down with live stakes. Within three months there would be a build up of vegetation to stabilize the bank. IWZEO D. Truskauskas suggests that perhaps techno posts could be used instead of sonotubes and concrete for the deck footings. T. Bobroske recommends that IWZEO D. Truskauskas visit the property, look at the stream, and give the Commission his evaluation at the next Wetlands Commission meeting. M. Matsil is also invited to visit. M. Matsil states that he will send LUC Redmond information on bio-engineering who will then forward it to Commissioners, IWZEO Truskauskas, and Mr. McDonald. T. Bobroske **motioned** to accept the application as a regulated activity with the stipulation that the site is visited by IWZEO Truskauskas and M. Matsil to see the stream and where the proposed deck will be. Motion seconded by B. Lafferty. T. Werner wants the plans to show the distance from the stream to the proposed deck as well as proposed stairs. Mr. McDonald took a copy of the site plan and will draw the information in. Motion passed unanimously.

4. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS. FORTIN – 238 LITCHFIELD ROAD

David Fortin is present and has submitted a written complaint with several photos he took of his neighbor's pond and rushing water coming from that neighboring property at 242 Litchfield Road (owner: Melissa Raffanello) on to his property alongside his driveway, which is compromising his retaining wall. Another photo submitted is at the end of the Fortin driveway and at the road edge of Route 118 that shows snow/ice and silt and leaves from the runoff. IWZEO D. Truskauskas states that he visited the Fortin property and did see that water is running downhill from the neighboring property at 242 Litchfield Road but he believes it is not really wetlands but runoff that has always happened. He believes this to be a civil matter and not a wetlands issue. T. Bobroske questions, if the person at 242 Litchfield Road excavated for a pond, is that why water is channeling down? Also, since the property owner never came before this Commission for a permit

for the pond, he believes an after-the-fact application should be submitted. IWZEO D. Truskauskas again states that he believes this to be a civil matter. R. Wesneski questions if the water goes out to the state highway (Route 118) with IWZEO Truskauskas stating that it goes into a catch basin.

Mr. Fortin addresses the Commission and states that the water does run out onto Route 118. R. Wesneski states that he drove by the Fortin house and did see icing on the road from the runoff. R. Wesneski asks Mr. Fortin if the neighbor's pond was always there with Mr. Fortin stating it has not. He explains that water used to come off the back of the hill on to his property and in the 1980s he had a catch basin installed in his backyard. With the neighboring runoff, water would come down the hill and sheet flow over the Raffanello property as well. At one point he suggested to his neighbor and her contractor, when he saw them out in the yard, to put in a 4-inch pipe on her property and tie it into the pipe on his property and run the water out to the road. The contractor had agreed to this but it was never done and then a pond was put in instead. He states that water goes into the pond, out of the pond, into a trench Ms. Raffanello put in, and then flows onto his property. He states that Ms. Raffanello has also piled debris on the side of her yard which also channels water towards his property. The Commission asks that a letter be sent to Melissa Raffanello asking that she attend the next Wetlands Commission meeting on March 4, 2024. LUC Redmond will write the letter.

T. Werner **motioned** to add to the agenda **Randy & Darcey Mensel (present), 534 Plymouth Road**, discussion of shed shown on the as built of the property where a newly constructed house was built. R. Wesneski seconded the motion and it passed unanimously.

LUC Redmond reports that the as built submitted by the Mensel's shows a 10' x 25' shed located 44 feet to wetlands. The shed was not shown on the site plan when the Mensel's made application to construct a single family dwelling and was not shown on a denied 2015 subdivision plan when applied for by the previous owners (McDonald). A shed is not showing on the Assessor's street card. The Mensel's are present and explain that when they purchased the vacant property there was a very old metal shed on the property that they took down and replaced with a new shed in the same location. Mrs. Mensel provides photos of the old shed. Mr. Mensel states that the old shed was 16' x 16' and the new shed is 12' x 24'. T. Bobroske **motioned** to approve the new shed as it is a replacement and in the same location, seconded by B. Lafferty. Motion passed unanimously.

5. ANY OTHER BUSINESS.

LUC Redmond reports that the Recreation Director is seeking a letter of support from the Wetlands Commission for proceeding with an updated routing study to determine if connecting to the Torrington section of the Naugatuck River Greenway Trail at Toro Field is possible. R. Wesneski **motioned** that the Commission supports this study and ask that they be sent a copy of the final report when completed. The motion was seconded by F. Skarp and passed unanimously. LUC Redmond will inform the Recreation Director of this by letter.

6. CORRESPONDENCE. None.

7. INVOICES. None.

8. ADJOURN.

R. Wesneski **motioned** to adjourn the meeting at 7:47 p.m., seconded by T. Werner. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

