

HARWINTON INLAND WETLANDS AND WATERCOURSES COMMISSION
MONDAY, MARCH 4, 2024 TOWN HALL 7:00 P.M.

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

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: 2/5/2024

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

3. DISCUSSION/POSSIBLE DECISION - MICHAEL MCDONALD – 8' X 24' DECK, 34 BEACH DRIVE.

No one is present to represent. Commissioners will take up discussion after Item 7.

4. BRETT STONE – REVISIT SITE PLAN APPROVED ON 6/6/2022 FOR SINGLE FAMILY DWELLING, 33 WHETSTONE ROAD.

Mr. Stone is present explaining that the proposed garage foundation was angled a little differently than proposed and unknowingly brought closer to the wetlands. The Wetlands Commission signed off on his application in 2022 showing 100 feet to wetlands from the attached garage and the as built plan provided now shows it to be 85 feet to wetlands. A 10'x 20' shed has also been placed on the property (not shown on the as built) that is within the regulated area that was not applied for or approved. T. Bobroske **motioned** that IWZEO Truskauskas visit the property and report back to the Commission. An after the fact determination for the garage location will be discussed at the next meeting. The shed is to be placed on the as built and an application be submitted at the next meeting. R. Wesneski seconded the motion and it passed unanimously.

Brent Lafferty recuses himself for the following agenda item.

5. KEVIN MCGIVERN – REVISIT SITE PLAN APPROVAL ON 7/1/2019 FOR SINGLE FAMILY DWELLING AND RETAINING WALL, 91 CATLIN ROAD.

Mr. McGivern is present explaining that the corner of the retaining wall was built in the wetland which differs from what the Wetlands Commission approved. R. Wesneski asks if wetland plantings can be planted in this area with Mr. McGivern explaining that he did draw up a landscaping plan for the Zoning Commission showing where trees and bushes would be planted. T. Bobroske states he would like to see more than a pencil sketch and perhaps a copy of the as built plan can be used to show location. T. Bobroske asks that Mr. McGivern return to the April 1, 2024 Wetlands Commission meeting with a formal landscaping plan and a revised as built that shows the true foundation location as Mr. McGivern claims it to be in error and not in compliance with what the Zoning Board of Appeals granted as a variance.

Brent Lafferty is reseated.

6. MARK & MARIE GYOLAI – INFORMAL DISCUSSION OF TREE REMOVAL, LOT 9, FOX HUNT WAY, FOX HUNT SUBDIVISION.

Mr. & Mrs. Gyolai are present and provides a copy of Fox Hunt Subdivision plan showing Lot 9 house placement and wetlands outlined. Mr. Gyolai states he is in the process of purchasing this lot and would like to take down some trees along the edge of wetlands prior to building claiming some trees are 75 feet tall and could pose a risk of falling on his newly built house. The proposed location of the house is outside the regulated area and will remain so when being built. T. Bobroske offers that Mr. Gyolai ribbon the trees he would like to take down and then IWZEO D. Truskauskas can go out and take a look and report back to the Commission.

T. Bobroske states that once an engineered plan is drawn up, Mr. Gyolai can come before this Commission showing the location of the trees he'd like to remove and the Commission can then decide. Mr. Gyolai states that he will provide the site plan to this Commission at their April 1, 2024 meeting.

7. ZACH PIRRELLO – INFORMAL DISCUSSION OF POSSIBLE CROSSING OF WETLANDS ON 283 CLEARVIEW AVENUE PROPERTY.

Zach Pirrello and Stephanie Notarnicola are present and using map #1297 filed in the land records point out an area south of their 7-acre lot, not shown on the map, that contains 10 acres and is land locked. They would like to subdivide the 7-acre lot giving some acreage and frontage to the land locked parcel but development would include crossing of two wetland areas. T. Bobroske states that the Commission would need facts on the 10-acre parcel such as wetlands, grade, etc. and also information on crossing of the wetlands. R. Wesneski states that the Commission can't comment without knowing exactly what is being proposed and that would be provided by a professional engineer and soil scientist. T. Bobroske states that wetland disturbances over 5000 square feet would require input from the Army Corp of Engineers. The disturbance limit would be for each individual lot, not lots combined.

8. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.

FORTIN – 238 LITCHFIELD ROAD - COMPLAINT

Mr. Fortin is present along with his neighbor Melissa Raffanello, 242 Litchfield Road, who Mr. Fortin lodged a complaint against regarding drainage from Ms. Raffanello's land being directed on to his property. Mr. Fortin provides a letter from Jack Healy, P.E., and is read by LUC Redmond into the record. The letter states that Mr. Healy inspected the drainage from the small man-made pond on the neighboring property (242 Litchfield Road) and saw a continuous stream of water draining from that pond, down the hill adjacent to the Fortin property line, causing soil erosion and damage to Fortin's wooden timber rail retaining wall. The wall was beginning to move and lean towards Fortin's driveway, potentially damaging the electrical conduit fastened to the wall. The erosion is exposing the drainage pipe and stone installed on the east side of the wall. Mr. Healy suggested the following actions: 1. The water be redirected to drain away from the wall further to the west with care to be taken so that any drainage is not redirected towards a well or septic field. 2. The water be directed to the pipes installed next to the Fortin retaining wall as was originally planned. Ms. Raffanello states that the Fortin's pipe, located on the shared property line, is backed up and isn't adequate to carry the water flow. She explains that water is coming from the property behind her and the Fortin property, which is a spring fed flow of water. T. Bobroske states that as long as it's sheet flow, it can't be directed and based on the facts presented by Mr. Fortin, the pond was created from this sheet flow. Ms. Raffanello states that when she purchased the property, bamboo was placed down in a depressed area which she removed by hand and placed rocks around the perimeter of the depression. This is now the pond area. T. Bobroske states his belief that the four-inch pipe is inadequate and that he would like to see the catch basin on the Fortin property be replaced with a ten-inch pipe. Mr. Fortin states that the four-inch pipe doesn't get clogged but that it could be the stub that is clogging. Commissioners ask that IWZEO D. Truskauskas meet with Mr. Fortin and Ms. Raffanello, who both agree tonight to work together to find a solution to the shared problems.

Commissioners take up Item 3 at this time.

MICHAEL McDONALD – 8' X 24' DECK, 34 BEACH DRIVE. Mr. McDonald is still not present but has submitted to the Land Use office revised plans showing the stairs to the deck and distance to the stream on the side of the property as requested by the Wetlands Commission at the last meeting. IWZEO D. Truskauskas informs the Commission that he visited the property and found that the stream bank was stabilized but the driveway had erosion issues near the septic location in the front yard. He advised Mr. McDonald to have a driveway apron installed. R. Wesneski **motioned** to approve the application with the condition that erosion control measures between the deck post holes and the stream be installed with the suggestion that a berm or a paved driveway apron be installed for better water control heading towards the septic area. B. Lafferty seconded the motion and it passed unanimously.

9. ANY OTHER BUSINESS.

LUC Redmond reports a signoff on an application submitted by Thomas Rabinko, 95 Harmony Hill Road, for a 24' x 28' barn as a non-regulated activity.

10. CORRESPONDENCE.

None.

11. INVOICES.

None.

12. ADJOURN.

T. Werner **motioned** to adjourn the meeting at 8:30 p.m., seconded by F. Skarp. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

