

**INLAND WETLANDS AND WATERCOURSES COMMISSION MEETING**  
**MONDAY, JANUARY 3, 2011**  
**TOWN HALL 7:00 P.M.**

Present: Chairman Bruce Burnett, Susan Ryan, Robert Orciari, David Keepin, Robert Wesneski, Victoria Elliott, Alternate Member Don Prigitano and Land Use Coordinator Polly Redmond.

Also Present: Town Atty. Michael Rybak

Absent: Alternate Garrett Jacques and IWZEO Karen Nelson

**PUBLIC HEARING**

**1. OPEN HEARING – ESTABLISH QUORUM.**

Chairman Burnett called the hearing to order at 7:00 p.m. All regular members present are seated.

**2. CONSIDER (1) ADOPTING REVISIONS TO SECTION 7 OF THE INLAND WETLANDS AND WATERCOURSES REGULATIONS REGARDING LOW IMPACT DEVELOPMENT AND DESIGN PRACTICES AND (2) ENDORSING A “RECOMMENDED LOW IMPACT DEVELOPMENT TECHNIQUES” MANUAL.**

Chairman Burnett reads the call to hearing as published in the Republican-American on 12/23/10 and 12/31/10. Proposed regulation amendments, Draft LID Manual and Public Educational Material are available for the public. Chairman Burnett reviews the proposed amendments and then opens the floor for public comment to which there is none. With no comments by commissioners, S. Ryan **motioned** to close the hearing at 7:06 p.m., seconded by R. Wesneski. The motion passed unanimously. In realizing that the LID Manual was not addressed, S. Ryan **rescinds her motion** with R. Wesneski rescinding his second to the motion in order to reopen the hearing. Chairman Burnett explains that the LID Manual is for information and guidelines to developers and engineers. Chairman Burnett opens the floor to public comment to which there is none. With no comments by commissioners S. Ryan **motioned** to close the hearing at 7:07 p.m., seconded by R. Wesneski. Motion passed unanimously.

**REGULAR MEETING**

**1. OPEN MEETING – ESTABLISH QUORUM.**

Chairman Burnett called the meeting to order at 7:07 p.m. A quorum of regular members remains.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 12/6/10.**

S. Ryan **motioned** to approve the minutes of the previous meeting, seconded by V. Elliott. Motion passed by unanimous vote with R. Wesneski refraining from vote due to his absence at the previous meeting.

**3. GRJH/SUNOCO GAS STATION – CONTINUED SHOW CAUSE HEARING – MODIFIED SITE PLANS REQUIRED FOR NON-PERMITTED AFTER-THE-FACT ACTIVITIES, 207 BIRGE PARK ROAD.**

A letter from GRJH legal counsel Matthew S. Hirsch dated 12/30/10 has been received requesting that his appearance and that of a GRJH representative be postponed until the February 7, 2011 meeting. Letter remains on file in the Land Use office. Commissioners direct the Land Use Coordinator to send a letter to Atty. Hirsch stating this will be the last continuance this commission will grant and that an application for an after-the-fact permit, along with the application fee in the amount of \$650.00, must be submitted for February 7, 2011. Also, an outstanding W.M.C. Consulting Engineers' invoice in the amount of \$600.00, which is the responsibility of the applicant, GRJH, is to be paid immediately.

**4. PAUL & ELLA DRESKIN – APPLICATION TO INSTALL CURTAIN DRAIN, 36 BEACH DRIVE.**

Mr. & Mrs. Dreskin are present. They provide an A2 survey showing the location of the curtain drain in the front of the house and then running along the side of the house. It is already installed, by Abe Excavating, to the corner of the back of the house but doesn't yet have an outlet to the lake as they were told to stop work by TAHD. Mr. Dreskin explains this work was required because during heavy rains, water would run under the house (crawl space) and run over the septic area, flooding it. Chairman Burnett questions if the water is coming from off the road during rainstorms with Mr. Dreskin replying, yes. Mrs. Dreskin clarifies that it is only during heavy, heavy rain. R. Wesneski questions if the piping can be brought to within 35 feet of the lake's edge and then crushed stone laid down with Mr. Dreskin agreeing to this. R. Orciari would like to see erosion and sedimentation controls in place to protect silt from running off onto the neighboring property or into the lake.

Location of E&S controls will be placed on a revised A2 survey. The Dreskins state they would also like to add on a 10' x 15' deck and ramp to the house and the revised A2 will show this as well as the trench and crushed stone area. TAHD approval for a 10' x 10' deck has been received but will need to be revised for the increased size. Lake Harwinton Association approval for the deck is also required. Mr. & Mrs. Dreskin will make formal application once the site plan has been revised.

5. **FRED PESCE – APPLICATION FOR AGRICULTURAL USES, 529 BURLINGTON ROAD.**

Bob Green, Robert Green Associates, Terryville, CT is present to represent Mr. Pesce. He explains that he has a drawing that was prepared for pond construction from the 1980s on Mr. Pesce's property. He has been retained by Mr. Pesce to show a site plan for what the property was to be used for, which is to be an agricultural use. Discussion on reclaiming the wetlands and wetlands mitigation takes place. Mr. Green states that he and Mr. Pesce will be at the February 7, 2011 IWWC meeting to provide a formal application and a complete plan and to show intent of the specific area to be used for agricultural purposes. R. Orciari notes that the application should address a pile of manure that has been placed on the property close to a wetlands area. He also notes that if Mr. Pesce is planning on irrigation, he should know that not more than 50,000 gallons can be taken from the stream and that the use of his ponds would be more appropriate. Mr. Green states that Mr. Pesce will be using his ponds for irrigation.

As a final note, Mr. Green informs the commission that he has been in discussions with IWZEO Nelson regarding this proposal.

V. Elliott leaves the meeting at 7:45 p.m.

6. **DISCUSSION/POSSIBLE DECISION - CONSIDER (1) ADOPTING REVISIONS TO SECTION 7 OF THE INLAND WETLANDS AND WATERCOURSES REGULATIONS REGARDING LOW IMPACT DEVELOPMENT AND DESIGN PRACTICES AND (2) ENDORSING A "RECOMMENDED LOW IMPACT DEVELOPMENT TECHNIQUES" MANUAL.**

D. Keepin **motioned** to adopt the revisions to the Inland Wetlands and Watercourses Regulations, seconded by R. Wesneski. The motion passed unanimously. Effective date will be when all land use commissions have voted to adopt LID regulations. (The Zoning Commission will be holding their public hearing on 1/24/11 and the Planning Commission will hold their public hearing on 1/26/11.)

7. **ANY OTHER BUSINESS.**

The commission would like to review 2009 and 2010 Legislation and Regulation Advisories at their 2/7/11 meeting. 2010 Advisories have recently been distributed to commission members and the 2009 Advisories will be included in the next agenda mailing.

The Land Use Coordinator has not signed off on any applications for the month of December.

8. **COMPLAINTS/ENFORCEMENT ACTIONS.**

Members of the Commission have received a copy of *The ABCs of Enforcement by Wetlands Agencies* found in the Winter 2007 Habitat.

9. **CORRESPONDENCE.**

None.

10. **INVOICES.**

R. Wesneski **motioned** to approve the invoice of IWZEO, Karen Nelson, in the amount of \$175.00 for 5 hours.

D. Keepin seconded the motion and it passed unanimously.

11. **ADJOURN.**

S. Ryan **motioned** to adjourn the meeting at 8:02 p.m., seconded by Mr. Orciari. Motion passed unanimously.

Respectfully submitted,

Polly Redmond, Land Use Coordinator