

HARWINTON INLAND WETLANDS AND WATERCOURSES COMMISSION
MONDAY, OCTOBER 2, 2023 TOWN HALL 7:00 P.M.

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

PLEDGE OF ALLEGIANCE

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairwoman S. Ryan called the meeting to order at 7:00 p.m. All regular members are present with Alternate Member M. Matsil seated for B. Ogonoski.

2. APPROVE MINUTES OF PREVIOUS MEETING: 9/5/2023

T. Bobroske **motioned** to approve the minutes of the previous meeting with the correction noted by M. Matsil on page 2, paragraph 1, last line, to read “black willow” (omit the word “widow”), seconded by B. Lafferty. Motion passed unanimously with T. Werner abstaining from vote due to his absence at the previous meeting.

3. DISCUSSION/POSSIBLE DECISION - RICHARD & KATHERINE O’GRADY – APPLICATION FOR SINGLE FAMILY DWELLING, 6 FIELD STONE WAY.

Richard O’Grady is present along with David Hughes, P.E., Oakville, CT. Plans titled Improvement Location Survey – Proposed, Sheet C1, revised to 9/27/2023 for IWC Comments, is submitted tonight by Mr. Hughes. This sheet replaces original Sheet C1 dated 6/29/2023 with Sheets C2 and C3, dated 6/29/2023 to remain as is. Revision to Sheet C1 is showing area for “*Proposed New England Conservation/Wildlife Permanent Vegetation Stabilization Grass Mix (Seed mixture or suitable substitute as provided by New England Wetlands Plants, Inc.) Application Rate: 1,750 SF/LB*” which is what the Commission asked for at the last meeting along with additional erosion control measures if there are no feasible and prudent alternatives. Mr. Hughes states that haybales will be added as extra erosion control and provides Commissioners a copy of listed species of wetland plants that could be planted for erosion control. Additional revision shows the *proposed roof and footing drain discharge point* relabeled on Sheet C1 revised to read, *proposed roof detention overflow & footing drain discharge point*. Mr. Hughes states that at the last Wetlands Commission meeting, Commissioners questioned why the house is being located closer to the wetlands when it was shown further away in the subdivision plan. He submitted a letter dated 8/24/2023, accompanied by a sketch that showed the very small building envelope, stating that the proposed house fits entirely within the “Building Envelope” and sits as close to the front yard setback as possible with no inland wetland disturbance. Mr. Hughes agrees that the house location being proposed for the O’Grady’s is 47 feet to the wetlands but building on the same footprint as was proposed in the subdivision plan is not typical. Subdivision plans only show the preliminary/feasibility of the house location and that location is not what the O’Grady’s want.

T. Bobroske questions why no feasible and alternatives were given with Mr. Hughes stating that they did look at mirroring the house, as suggested at the last Wetlands meeting, but it is not feasible. Plans for additional erosion control with silt fence, haybales and grass plantings to provide a buffer to wetlands are being proposed. M. Matsil suggests planting of black willow and the use of coconut fiber to stabilize the ground with Mr. Hughes stating that plantings in the detention area should be carefully done with suggested grasses that will stabilize the slope. The detention basin is based on volume of roof runoff and plans show 2 rows of 4 standard quick infiltrators with stone.

T. Bobroske questions ZEO D. Truskauskas on the number of inspections this project may require with him answering two to four with four being probable. Referring to the Monitoring Compliance Fee, T. Bobroske states that erosion control is key to inspections and **motioned** to approve the application with the stipulation that the ZEO be notified of when erosion control measures are in place and that any more than three inspections shall be the responsibility of the applicant to pay for. B. Lafferty seconded. Motion passed 5-1 with T. Werner opposed.

4. DISCUSSION/POSSIBLE DECISION – ERICA ROBINSON & TYLER DIEVERT – APPLICATION FOR 24' X 42' GARAGE, 35 DELAY ROAD.

Erica Robinson and Tyler Dievert are present. Mr. Dievert supplies a copy of the plan showing where silt fence would be installed for erosion control if it is decided that a foundation will be dug for the garage. He is still not sure if the garage will be placed on slab or not. Plans by Stephen Giudice, L.S., and Harry E. Cole & Son, Engineering and Surveying, titled Property & Topographic Survey Map Depicting Proposed Garage are reviewed once again. T. Werner **motioned** to approve the application as a regulated activity with the stipulation that the enforcement officer be contacted once erosion control measures, if needed, are in place and for inspection of setbacks. Motion seconded by T. Bobroske and passed unanimously.

T. Bobroske recuses himself from participating in the following application discussion as there may be an appearance of a conflict of interest.

5. TODD PARSONS, P.E., HALEY WARD – APPLICATION FOR SEPTIC REPAIR, 25 LENOR DRIVE.

Todd Parsons, P.E., is present along with property owner Natasha Santiago. Plans by Todd Parsons, P.E., Haley Ward, titled Subsurface Sewage Disposal Repair, 9/27/2023, are reviewed. Mr. Parsons notes that the house was built in the 1970s with wetlands on both sides of the driveway. The septic is in poor condition requiring a new tank and pump chamber to be completely outside the upland review area with roughly a quarter acre disturbance. Construction entrances will be on both sides of the house and erosion control measures will be installed as noted on the plans. T. Werner questions whether the pump chamber can be further away from wetlands with Mr. Parsons stating he can do 40 to 42 feet and ZEO Truskauskas adding that if the septic tank is turned, perhaps the pump chamber can get even further away. TAHD approval has not yet been received but Mr. Parsons states that the system will meet 100% of code for distances. T. Werner **motioned** to approve the application as a use of right/maintenance with recommendation that the pump chamber be rotated and TAHD approval is received. B. Lafferty seconded the motion and it passed unanimously.

T. Bobroske is reseated.

6. HARWINTON LAND TRUST/ERIC RAHN – APPLICATION TO REPLACE EXISTING BOARDWALK WITH ELEVATED WALKWAY AT BULL POND.

Eric Rahn and Steve Craig are present to represent with Mr. Rahn explaining that the current board walk sits on cement blocks that are sinking into the pond. The new boardwalk will be elevated with no impediment of water. This work will be done by hand and the old boardwalk will be removed. A sketch of the boardwalk concept accompanies the application. T. Bobroske **motioned** to approve the application as a use of right for maintenance, seconded by T. Werner. Motion passed unanimously.

7. JAMES MALONE – APPLICATION TO CONSTRUCT RETAINING WALL AT LAKE EDGE, 30 LAKE SHORE DRIVE.

Mr. Malone is present and provides a copy of a site plan for septic repair done on the property October 2022. He has drawn in the area where he is proposing a small retaining wall along the existing shoreline that will include a small step-off in between. Mr. Malone states that the wall will be under two feet high with T. Bobroske confirming for the record that the wall will be under four feet with Mr. Malone agreeing. Mr. Malone states that he may just do the step-off but is applying for the wall just in case it all gets done. Gilbert Construction is the contractor. T. Bobroske **motioned** to approve the application as a use of right with the stipulation that the enforcement officer be contacted at start of work, seconded by B. Lafferty. Motion passed unanimously.

T. Werner recuses himself from participating in the following application as he is an LHA Board Member.

8. LAKE HARWINTON ASSOCIATION/PAUL ROSIN, LHA PRESIDENT – APPLICATION FOR LAKE REPAIRS INVOLVING REMOVAL OF UNDERBRUSH, DEBRIS/SILT AND INCLUDING BOAT LAUNCH REPAIRS.

Paul Rosin, LHA President is present along with William Powell, Bd of Directors, Watershed Committee. Information packets provided by Mr. Rosin were sent to all Wetlands Commissioners outlining the projects scheduled that reads as follows.

1. Water is conveyed from Smith Way and Beach Dr. through a steep pipe to an eventual discharge at the lake. Significant erosion has been noted. An attempt has been made to mitigate sediment and erosion from this outlet, but the structure is not permanent and needs to be addressed and replaced potentially with a proper retention pond. The pipe needs be opened up to form a stream channel as well. There is a mound of sediment from plowing on the banks of the creek channel. There is a delta of sediment in the lake at the terminus of the discharge channel.
Proposed Remediation:
A) Remove underbrush and debris
B) Remove 12" of silt material from RCP to edge of lake.
C) Install 4"-6" rip=rap on non-woven geotextile fabric 12" thick from RCP to edge of lake.
D) Install silt fencing around work area prior to being work.
2. The Association maintains two boat launches one on Beach Drive and one at Powerline Beach. These launches need some repair and maintenance that will entail some excavation along the shoreline. Silt Fencing will be installed prior to any work being completed.

The packets include photos and descriptions of work to be done by Gilbert Construction.

B. Lafferty **motioned** to approve the application as a use of right/maintenance, seconded by F. Skarp. Motion passed unanimously.

T. Werner is reseated.

9. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.

Greg and Cynthia Lucian, 31 Hannah Way, are present along with other neighbors of Sunset Ridge. The Lucians experienced a land slide of the bank in their backyard over the weekend due to the heavy rains and they distribute photos of what it looks like. T. Bobroske states that he does not see this as a wetlands issue but understands there is an issue with drainage within this development. He advises the residents to obtain a lawyer as this is a civil matter. George Perlotto, 33 Hannah Way, states that the water source is from above and behind a stone wall of a residential lot in Torrington with T. Bobroske stating that the runoff is not going into the watershed of Harwinton. Dennis Busse, 15 Hannah Way, questions what the Wetlands Commission purpose is then and that what is happening within Sunset Ridge is a hydrological event. ZEO D. Truskauskas states that the town can't ask Mr. Lopardo to do anything regarding this because there is no violation taking place.

10. ANY OTHER BUSINESS.

LUC Redmond reports two Agent approvals.

- 1) Pelletier, 43 Bull Road – addition to home. No wetlands.
- 2) Martel, 311 Burlington Road – addition to home. No wetlands.

11. CORRESPONDENCE.

None.

12. INVOICES.

None.

13. ADJOURN.

T. Werner **motioned** to adjourn the meeting at 8:20 p.m., seconded by B. Lafferty. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED
OCT 10 2023
HARWINTON
TOWN CLERK