

**INLAND WETLANDS AND WATERCOURSES COMMISSION MEETING
MONDAY, DECEMBER 2, 2013
TOWN HALL 7:00 P.M.**

Present: Chairman Bruce Burnett, Sue Ryan, Robert Orciari, Robert Wesneski, Don Prigitano, Victoria Elliott, Paul Whiton, Alternate Member Marie Etter and Tim Bobroske and Land Use Coordinator Polly Redmond

1. OPEN MEETING – ESTABLISH QUORUM.

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

2. APPROVE MINUTES OF PREVIOUS MEETING: 11/4/13

R. Wesneski **motioned** to approve the minutes of the previous meeting, seconded by D. Prigitano. Motion passed unanimously with P. Whiton and T. Bobroske abstaining from vote due to their absence at the 11/4/13 meeting.

3. TONY FERRARO – DECISION - APPLICATION FOR 2-LOT SUBDIVISION, 125 WOODCHUCK LANE/PARCEL A (PARCEL A & B PREVIOUSLY SPLIT UNDER AN AGRICULTURAL SUBDIVISION IN 2001 BY JERRY DEPREY). APPLICATION TO INCLUDE APPROVAL FOR SINGLE FAMILY DWELLING, PARCEL A, WOODCHUCK LANE.

Dennis McMorrow, P.E., Berkshire Engineering is present to represent. Mr. Tony Ferraro is also present. Site plans titled Septic System Design, dated 10/30/13, revised to 11-26-13, for the construction of the single family dwelling are presented. At the last IWWC meeting commissioners requested site plan revisions showing the house and septic system locations flipped. The site plans now show the septic in the back and the house located in the front. The original site plan plotted the house mostly in the regulated area and now with the revision, the majority of the house is outside the regulated area. The septic is now located 48 feet from wetlands and D. McMorrow states that TAHD still needs to review these plans. M. Etter states that it was her understanding that the commission requested at the last meeting that a site plan be presented showing the entire 25 acre parcel to review to see whether there was a possibility of siting the house and septic outside any regulated areas. Mr. McMorrow agrees that there was discussion of preparing a site plan of the entire property but that it was of his opinion that the discussion ended with focus on flipping the house and septic locations. R. Wesneski states that the plan presented tonight is an improvement over the original plan with the septic system now 48 feet from wetlands instead of 39 feet with the previous plan. M. Etter questions whether commissioners wish to see what the other 25 acres looks like in regards to wetlands with V. Elliott stating that Mr. McMorrow claimed that the other areas were too steep. Upon M. Etter stating that Mr. McMorrow confirmed that he did not walk the entire property, Mr. McMorrow presents an elevation map of the parcel and points out areas of steep grade contours and vineyard location not conducive to plotting the house in those areas. He states that the proposed house location is located in the flattest area. R. Orciari states that he believes this revised plan is an improvement with less driveway leading to less impervious surface. R. Wesneski **motioned** to approve the application for the two-lot subdivision, previously subdivided agriculturally in 2001, including construction of house, septic and driveway, as a regulated non-significant activity, pending TAHD approval. V. Elliott seconded the motion and it passed unanimously.

4. JARED BRADDOCK/PICKETT BROOK PROPERTY, LLC – APPLICATION FOR TIMBER HARVEST, 609 LITCHFIELD ROAD (Country Residential Zone).

Mr. Braddock is present and states for the record that the application has been amended and is now for a driveway only. Mr. Braddock states that a soil scientist flagged the wetlands in the area where a wetlands crossing is proposed and was instructed by this commission at the last meeting to obtain an engineered site plan. Plans by Jones Engineering titled Proposed Brook Crossing & Access Road Improvements, dated 11/26/13 are reviewed. Mr. Braddock states that the plans show a 12' x 40' timber bridge crossing wetlands at the narrowest area. He explains the timber mat bridge and how it will be constructed and that DixieMat provides these mats that are designed to handle heavy equipment. M. Etter questions the lack of a legend on the site plan. V. Elliott questions the purpose of the road with Mr. Braddock explaining that it

is to gain access to the property for possibly a timber harvest. R. Wesneski states that a driveway cross-section should be provided on the site plan with Mr. Braddock explaining that the crossing will be constructed with gravel and millings with 40 foot timbers. R. Wesneski questions whether an engineered plan of the crossing could be provided with Mr. Braddock stating that DixieMat can provide that detail. R. Wesneski states that it needs to be proven that the bridge will hold up to heavy equipment. R. Orciari notes that the Construction Sequence seems to be missing steps and that more detail is needed including how to prevent silt from getting into the stream. R. Wesneski agrees and questions whether there will be a silt pit and whether there is upstream/downstream diversions. T. Bobroske states that the applicant has to submit a proposal for dewatering. T. Bobroske also questions whether the brook is stocked with trout with R. Orciari stating that it used to be but he is not sure if it still is but notes that Pickett Brook is an important tributary to the Naugatuck River and that the brook is a perennial stream with T. Bobroske adding that it is environmentally sensitive. R. Orciari suggests that perhaps half the work could be done first and once stable, that work on the other half could begin. R. Wesneski states that 42 inch aluminum culverts could be used instead of concrete block abutments. R. Wesneski states that more detail is needed for the uphill side of the proposed driveway which Mr. Braddock states measures 800 feet on the cul-de-sac and 800 feet in the area of the bridge crossing. T. Bobroske questions what the grade is on either side of the crossing with Mr. Braddock stating 20%. T. Bobroske states that the Zoning Regulations allow 10% grade and that Mr. Braddock should review the Zoning Regulations for compliance. LUC Redmond advises Mr. Braddock to contact CTDOT to inform them of the proposal out of courtesy. R. Wesneski **motioned** that this application be deemed incomplete due to numerous outstanding engineered items, seconded by S. Ryan. T. Bobroske states that the commission could request the town's engineer to review the site plan. M. Etter states her curiosity as to why the applicant is applying for a driveway and not for the activity at the same time with Mr. Braddock explaining that there is thick underbrush and slopes and clearing a portion of this property would allow the owners to see what can be done. LUC Redmond questioned whether this parcel is within 500 feet of the Town of Litchfield with Mr. Braddock stating it is and that he will notify Litchfield of this application. Chairman Burnett states that the commission may wish to set a public hearing once a complete application is presented. The motion passed unanimously.

5. REVIEW IWWC DECISION TO UPHOLD CEASE AND CORRECT ORDER AGAINST FRED PESCE FOR AFTER-THE-FACT ACTIVITIES OF DEPOSITION OF MATERIAL AND POLLUTION INTO REGULATED AREAS WITHOUT A PERMIT, 529 BURLINGTON ROAD. CEASE AND CORRECT ORDER ISSUED BY FORMER ZEO KAREN NELSON DATED 12/20/12.

With no ZEO report and no copies of any correspondence the ZEO may have sent out to Mr. Pesce or his engineer, Robert Green, R. Wesneski **motioned** to uphold the Cease and Correct Order and requests that ZEO Perkins send a letter to Mr. Pesce and Mr. Green stating the commission is appreciative of the work that's been done but that the commission still requires an as built. V. Elliott seconded the motion and it passed unanimously. V. Elliott questions whether ZEO Perkins can attend the IWWC meetings with S. Ryan stating that the commissioners should at least receive his reports. S. Ryan **motioned** that the commission wishes to receive monthly reports from the ZEO even if there is no activity and that those reports should be sent to each commissioner via email. R. Wesneski seconded the motion and it passed unanimously.

6. REVIEW 2014 COMMISSION MEETING SCHEDULE.

Commissioners accept the 2014 Meeting Schedule.

7. COMPLAINTS/ENFORCEMENT ACTIONS.

None.

8. **ANY OTHER BUSINESS.**

LUC Redmond has signed off on two IW applications:

- 1) A Great Start Shooting School (Brooke Cheney), 144 Mansfield Road, for non-regulated activity in applying for a gun safety and shooting school.
- 2) Jon Guglietta, 333 Litchfield Road, for 20' x 38' barn and 12' x 30' home addition – no wetland activity.

9. **CORRESPONDENCE.**

None.

10. **INVOICES.**

None.

At 7:58 p.m. at the request of T. Bobroske, S. Ryan **motioned** to enter into Executive Session, seconded by D. Prigitano. Motion passed unanimously. At 7:59 p.m., S. Ryan **motioned** to exit out of Executive Session, seconded by D. Prigitano. Motion passed unanimously.

11. **ADJOURN.**

P. Whiton **motioned** to adjourn the meeting at 8:00 p.m., seconded by V. Elliott. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 12/9/2013 AT 12:31 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK