

INLAND WETLANDS AND WATERCOURSES COMMISSION MEETING
MONDAY, NOVEMBER 3, 2014
TOWN HALL 7:00 P.M.

Present: Chairman Bruce Burnett, Susan Ryan, Paul Whiton, Marie Etter, Donald Prigitano, Robert Wesneski, Alternate Member Robert Orciari and Alternate Member Tim Bobroske
Absent: Victoria Elliott

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Burnett called the meeting to order at 7:00 p.m. All regular members present are seated. Alternate Member R. Orciari is seated for Victoria Elliott.

2. APPROVE MINUTES OF PREVIOUS MEETING: 10/6/14

R. Wesneski **motioned** to approve the minutes of 10/6/14, seconded by P. Whiton. Motion passed unanimously.

3. SCOTT RAGAGLIA – RULING FOR REMOVAL OF SILT IN POND, 154 WOODCHUCK LANE.

Mr. Ragaglia is present and distributes to each Commissioner an information packet giving the scope of the project that includes a copy of an A2 Survey with a self-drawn location of the pond he is restoring, the vernal pond location, house location and wetland soil types identified in a 1999 Soil Report by Soil Resource Consultants, Meriden, CT addressed to Jason Davis (former owner). Information also includes his responses to the Commission's list of requirements at their October meeting. Mr. Ragaglia notes that he had visited the USDA office in Torrington and met with Kathy Johnson to discuss the restoration of the pond. Upon questioning by T. Bobroske on whether an engineered detailed plan should be provided, Mr. Ragaglia states that the Commission did not ask for an engineered plan and that all he has done so far was clear out what was already there, that being a pond. Chairman Burnett reminds the Commissioners that there is an application before them for a use of right activity and that they have never asked applicants for an engineered plan for uses as of right. R. Orciari asks that Mr. Ragaglia keep the cows out of the vernal pond area with Mr. Ragaglia stating he would. M. Etter states that the applicant has provided the items the Commission had asked for and that the application should be approved with the condition that no activity is to take place in the vernal pond area. Mr. Ragaglia states that the vernal pond area is approximately 300 feet away from the pond he is restoring and that he will stake the vernal pond area to be certain it is left alone. He will also stay in contact with IWZEO D. Perkins and walk the area with him. M. Etter **motioned** to approve the application as a right of use activity with the conditions that (1) the IWZEO be notified prior to the start of the project and be involved and called upon when the vernal pond area is staked, (2) that the IWZEO be notified of the progress of the pond restoration, (3) that fiberglass posts (as stated in Mr. Ragaglia's scope of project) be posted in the area of the project with flags on top so the contractor will not venture beyond the flags or encroach into the smaller wetland area (4) that no work on restoring the pond be done prior to or after a heavy rain and waiting three days after a rain to allow for drainage, (5) that silt fence be placed around stockpiled soil and stockpiles shall be located a significant distance from the pond and wetland area, (6) that after the pond is dug and the soil is placed to drain, a silt fence and if necessary, straw hay bales, be placed around the pile (as noted in Mr. Ragaglia's scope of project), (7) that nothing shall be done with the material until 2015 so there is proper drainage of the material and the surrounding soil firms up. (8) When appropriately timed, the soils will be spread in the low lying areas and used to top dress the areas for seeding and (9) that seeding will take place in April/May 2015 using a quick growing Rye on the recommendation of Sean Hayden, Northwest Conservation District. S. Ryan seconded the motion and it passed unanimously.

Chairman Burnett questions whether Commissioners feel this is an After-the-Fact Activity with R. Orciari stating that the work that began was preliminary to see what could be done with the pond restoration. S. Ryan agrees and states that the actual pond has not been dug. IWZEO Perkins states his belief that it is not an After-the-Fact Activity as there are no stockpiles of dirt and no holes dug.

Commissioners will take up Items 4 and 5 together.

4. **JOHN MATTHEWS, CERTIFIED FOREST PRACTITIONER -- APPLICATION FOR TIMBER HARVEST, HILL ROAD, ASSESSORS MAP NO. B3-03-0008, PROPERTY OWNED BY RALPH JOHNSON.**
5. **JOHN MATTHEWS, CERTIFIED FOREST PRACTITIONER -- APPLICATION FOR TIMBER HARVEST, HILL ROAD, ASSESSORS MAP NO. B3-03-0009, PROPERTY OWNED BY THOMAS BALDWIN.**

Mr. Matthews is present and explains that two years ago he did a timber harvest on the Pratt property located on Whetstone Road, Assessors Map No. C3-01-0001 and that access through an old abandoned road exiting onto Hayden Road from the Pratt property was used and will be used for the Johnson and Baldwin timber harvest. At no point will wetlands be crossed and timber harvest will take place during the months of January, February and March when the ground is frozen. Mr. Matthews notes that the address of the Johnson property is 505 Hill Road. A compilation of maps onto one map showing the three properties is reviewed. Mr. Matthews states he has spoken with Michele DaSilva, Harwinton Assessor, regarding the property being able to remain with 25 acres of forest (classified and taxed as such and minimum required) after the timber harvest and she informed him that she will ask for an evaluation in the future to be certain 25 acres of forest still remains on both properties. T. Bobroske asks that a letter from Mr. Pratt be received in the Land Use office giving permission for his property to be used as a yarding area to which Mr. Matthews agrees to provide. IWZEO Perkins states that the ground should be frozen when operations begin and that Hayden Road should have the proper E&S Controls in place that include silt fence and hay bales. T. Bobroske asks if a list of equipment that will be used could be provided to the Land Use office to which Mr. Matthews agrees to. S. Ryan **motioned** to approve the application for timber harvest, 505 Hill Road, Assessors Map No. B3-03-0008, property owned by Ralph Johnson as a use of right with the stipulation that there be no work in wetlands and that the applicant be in touch with the IWZEO for inspections. T. Bobroske adds a friendly amendment to include the timetable for work to be done shall be during the months of January, February and March with all work being completed by April 1, 2015. Motion is seconded by M. Etter and passed unanimously. S. Ryan **motioned** to approve the application for timber harvest, Hill Road, Assessors Map No. B3-03-0009, property owned by Thomas Baldwin as a use of right with the stipulation that there be no work in wetlands, that the applicant be in touch with the IWZEO for inspections and that the timetable for work to be done shall be during the months of January, February and March with all work being completed by April 1, 2015. Motion is seconded by M. Etter and passed unanimously.

6. **ANY OTHER.**

LUC Redmond has signed off on a Wetlands application for Randall Serkey, construction of a single family dwelling, Lot 2, Laurel Road Estates, Laurel Road. IWWC approved the wetland crossing for driveway construction on 6/5/12. House construction is a non-regulated activity.

LUC Redmond presents the draft 2015 Inland Wetlands Commission Meeting Schedule. S. Ryan **motioned** that the November meeting will be changed from the first Monday of the month to the first Wednesday of the month due to Elections held at town hall and the lack of proper space for a Commission meeting. Motion seconded by M. Etter and passed unanimously.

7. **COMPLAINTS/ENFORCEMENT ACTIONS.**

IWZEO Perkins informs the Commission that Fred Pesce has completed work on his bridge last week. There was a recent incident of wood chips that were placed in the CTDOT right of way, by who, no one knows, in front of Fred Pesce's property where there was a recent Cease and Correct Order and where restoration was done by Mr. Pesce. IWZEO Perkins said that Fred Pesce took the woodchips and spread them on the north eastern portion of the property. After an inspection was done by IWZEO Perkins, Mr. Pesce told the IWZEO that he would do no further work in that area. IWZEO Perkins states that the activity did no damage to wetlands.

IWZEO Perkins states that there is no report on Fred Pesce's trees that were planted by a pond and where two trees were dying off.

8. **CORRESPONDENCE.**

Copies of the Habitat are received and distributed to Commissioners.

9. **INVOICES.**

M. Etter **motioned** to approve the invoice of the IWZEO for 12.5 hours, seconded by R. Wesneski. Motion passed unanimously.

10. **ADJOURN.**

M. Etter **motioned** to adjourn the meeting at 8:00 p.m., seconded by R. Wesneski. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 11/10/2014 AT 10:02 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK