

**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**MONDAY, MARCH 6, 2017**  
**TOWN HALL 7:00 P.M.**

Present: Chairman Bruce Burnett, Susan Ryan, Robert Wesneski, Victoria Elliott, Timothy Bobroske, Robert Orciari and Land Use Coordinator Polly Redmond  
Absent: Paul Whiton

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

Chairman Burnett called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member R. Orciari seated for the vacant regular member position.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 2/6/17**

Tabled at this time and will be discussed after the applications have all been heard.

**3. DECISION - DENNIS MCMORROW, P.E., BERKSHIRE ENGINEERING – APPLICATION OF JOSHUA DUMOCH & ABIGAIL BREWERTON FOR SINGLE FAMILY DWELLING, CORNER OF MANSFIELD ROAD AND GALE ROAD, ASSESSORS MAP NO. A5-01-0010.**

Dennis McMorro, P.E., Berkshire Engineering, is present along with Abigail Brewerton. Plans by Berkshire Engineering titled Septic System Design dated 2/1/17 are reviewed. Mr. McMorro reminds the Commission that they had asked him to take a look at other areas on the property that may be more suitable for locating the house. He distributes a copy of a location map generated through CT ECO that shows contours of the property and Mr. McMorro points out that the house location is fairly level. There is another level area on the property to the north where the house could be located but it would be closer to wetlands than what is originally being proposed. He states that most of the other areas of this 18 acre parcel contain cliffs or wetlands. Chairman Burnett states that he visited the site and agrees that the house location presented at the last IWWC meeting is the best location. TAHD approval has been received. S. Ryan **motioned** to approve the application as a regulated non-significant activity, seconded by V. Elliott. Motion passed unanimously. R. Wesneski adds a friendly amendment to the motion that the Zoning Enforcement Officer is to be contacted to verify erosion control measures are in place prior to construction. S. Ryan **motioned** to accept the friendly amendment, seconded by V. Elliott. Motion passed unanimously.

**4. DECISION - DENNIS MCMORROW, P.E., BERKSHIRE ENGINEERING – APPLICATION OF MICHAEL ROUSSEAU FOR SINGLE FAMILY DWELLING, WILDCAT HILL ROAD, ON 5 ACRE PARCEL OF LAND RECENTLY DEEMED A FREE-SPLIT OF LAND OWNED BY ROBERT MORTON DUNNING TRUST, ASSESSORS MAP NO. A6-04-0001.**

Dennis McMorro, P.E., Berkshire Engineering, is present to represent. Plans by Berkshire Engineering titled Septic System Design dated 2/1/17, revised 2/15/17 for house footprint, driveway and grading are reviewed. The driveway will no longer loop around to the rear of the property and garage. TAHD approval has been received. V. Elliott **motioned** to approve the application as a regulated non-significant activity with the stipulation that the Zoning Enforcement Officer is to be contacted to verify erosion control measures are in place prior to construction. S. Ryan seconded the motion and it passed unanimously.

**5. ZACHARY LYGA – WALL MAINTENANCE/REBUILD, 22 LAKE SHORE DRIVE.**

Mr. Lyga is present. Photo taken by former ZEO D. Perkins of the fallen wall along the lake's edge is on file. Mr. Lyga provides another photo showing the fallen wall taken while standing on the frozen lake. He states that the wall was constructed improperly years ago when his mother owned the property. No grid was placed behind the wall when constructed and now approximately 25% of the wall has fallen over. His plan is to place layers of concrete block down and placing a grid behind the wall to keep it in place. R. Orciari asks for clarification on how the wall would be built with Mr. Lyga stating that several blocks will be laid down, then mesh, then three layers of block, staggered, and more mesh which would be pinned in back to hold the wall in place. R. Orciari asks James Buss, Lake Association member who is present in the audience, if there are any Association recommendations for stone walls with Mr. Buss stating that there is a limit of three feet walls and anything over that would have to go before the Board of Governors. He states that repair to Mr. Lyga's wall should be done soon. T. Bobroske **motioned** that this activity is a use of right for maintenance, seconded by R. Wesneski. Motion passed unanimously. Mr. Lyga is instructed to contact the Inland Wetlands Enforcement Officer for inspection of the wall once it is done.

**6. JOE MCCOOL – APPLICATION OF CHRISTOPHER JONES FOR 24' X 32' STORAGE BARN, 312 WOODCHUCK LANE.**

Mr. McCool is present along with Mr. & Mrs. Christopher Jones. He has a revised plan from what was presented at the last IWWC meeting but states he doesn't want to give up on gaining approval on the original location of the barn. He states that a friend of the Jones' who is a soil scientist reviewed the plans showing the wetlands location and that this soil scientist believed that the wetlands shown on the plan are still true. Mr. & Mrs. Jones present photos they have taken of the front of their property where they wish to locate the barn that shows lawn and what they believe does not have characteristics of wetlands or wetland soils. Chairman Burnett states that he drove by the property and he could see that there is lawn created 100 feet down from the house before reeds appear by the road but even though the area is mowed, there is still wetland as shown on the site plan. Discussion on alternative location at the top of the driveway takes place but it is determined there would be much excavation needing to be done. Mr. Jones questions how the house could have been built in the first place if there is so much wetland on the property which might be now prohibiting him from building a barn. R. Orciari states that the lot may have been an approved building lot prior to the incorporation of Wetland Regulations for the town. T. Bobroske reminds the applicant that the wetland delineation could have changed with the construction of the house and driveway and that was why the Commission felt it was important to have a new soil scientist report done to perhaps determine this. Mr. Jones questions whether remediation could be proposed if the location of the barn could be approved with R. Orciari stating that they would have to get a biologist involved and that perhaps a vernal pool could be put in as remediation. Mr. Jones is directed to reach out to the Northwest Conservation District for help in finding a biologist and for any other information they might have to offer. Mr. Jones states that he is not submitting a Wetlands application at this time.

**7. PICKETT BROOK PROPERTY, LLC – MODIFICATION OF PREVIOUS APPROVAL GRANTED 11/9/16 FOR ROAD CONSTRUCTION OF BREAK MAIDEN LANE WITHIN EQUESTRIAN ESTATES SUBDIVISION, PLYMOUTH ROAD.**

Atty. William J. Tracy, Furey, Donovan, Tracy & Daly, P.C., Bristol, CT is present to represent along with Jared Braddock, Project Manager, Supreme Industries/Pickett Brook Property, LLC. Atty. Tracy reminds the Commission that this application received IWWC approval back in November 2016 and has since been submitted to the Planning Commission. Town Engineers, W.M.C. Consulting Engineers, made recommendations after reviewing the plans and therefore there are some minor revisions that will be made to the plan approved by IWWC. In the interest of full transparency, Atty. Tracy states he wanted to come back before this Commission and ask for the modifications. There were four items recommended, or suggested as they weren't really requirements, that W.M.C. wanted to see. Softening of the slope adjacent to the road and on the side by the pond was one of them. Atty. Tracy explains that there will be a side slope from the pavement out to the edge of the highway where W.M.C. wanted a gentler slope than what was on the original plan. The effect would be to carry the grading out an additional four feet from the road for about 200 feet. This would provide 200 square feet of additional grading with 90 feet of that being in the review area. The reason for this was the road specification regulations allow for certain slope and given the fact that this slopes down to the pond, the engineer thought that if the slope was softer, if a car accidentally left the roadway, it would be easier for it to recover. Highway Supervisor John Fredsall agreed with this modification as well. R. Wesneski questions whether the full shoulder to the highway line will remain the same with Atty. Tracy replying yes. W.M.C.'s suggestion of installing a guide rail in the area of the pond was not added as John Fredsall was against it. W.M.C. Engineers suggested Cape Cod curbing, something not allowed in the highway ordinance, so that also was not implemented. Atty. Tracy states that the other W.M.C. suggestion was that in the area where there was the steepest rock cut, to push the base of the rock cut farther away from the road providing an additional snow shelf but also for the reason so that if the rock itself wasn't solid, if anything falls, it wouldn't fall in the road. Atty. Tracy states that Highway Supervisor John Fredsall had issues with the under drain where the pipe crossed under the road and that revisions to the plans will include that pipe to be sleeved inside another pipe. John Fredsall also had concerns of stone coming to the surface in the under drain so the plans have now been altered so the top of the drainage would be top soiled (6inches) and sealed from the surface which will act as filter. This will also keep the vernal pool clean. John Fredsall's last concern was with a yard drain at the highway line and Atty. Tracy states this drain will now be moved slightly to the north and will be privately owned. By doing so, some of the activity will be in the review area. With no further discussion, R. Wesneski **motioned** to approve the modifications as stated, seconded by S. Ryan. Motion passed unanimously. R. Wesneski states that he appreciates that these modifications were brought back to this Commission so the Commission is informed of the changes.

**8. ANY OTHER BUSINESS.**

LUC Redmond reports applications she has signed off on. They are as follows:

Gary Tartaglino/A Harwinton Haven – house construction, 29 County Line Road, regulated non-significant activity.

Thomas Rotondo – addition to house, 15 Meadow Lane, regulated non-significant activity.

Mark Mierzejewski – green house, 230 Wildcat Hill Road, no wetlands.

R. Wesneski **motioned** that he would like to make clear that the Commission strongly recommends that the Board of Selectmen fund training for the new Zoning Enforcement Officer, seconded by S. Ryan. Motion passed 4-1 in favor with V. Elliott voting against the motion and T. Bobroske refraining from vote.

Returning to Item 2, **Approval of Minutes of 2/6/17.**

R. Wesneski **motioned** to approve the minutes of the previous meeting with amendment to Item 8, to delete the sentence that begins on line 11 as “S. Ryan motioned to not accept the application until more information on the wetlands is...” and replace with “*No motion was made.*”

**9. COMPLAINTS/ENFORCEMENT ACTIONS.**

None.

**10. CORRESPONDENCE.**

A copy of a letter sent to the Harwinton Lake Association from DEEP is received. The letter gives notice that an inspection of Lake Harwinton Dam #6604 was done in August 2016 and lists maintenance items that must be performed.

A copy of a request for reauthorization under the General Permit for Diversion of Water for Consumptive Use applied for by Fairview Farm Golf Course is received.

An email has been received in the Land Use office from Robert Gambino, Northeast Tree, Pond & Turf Service, Inc. informing the Commission that a DEEP permit application for the use of pesticides in state waters (Lake Harwinton) has been made.

**11. INVOICES.**

None.

**12. ADJOURN.**

S. Ryan **motioned** to adjourn the meeting at 8:20 p.m., seconded by R. Wesneski. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT  
ON 03/09/17 AT 9:08 AM  
ATTEST NANCY E. ELDRIDGE TOWN CLERK