

INLAND WETLANDS AND WATERCOURSES COMMISSION
MONDAY, DECEMBER 3, 2018
TOWN HALL 7:00 P.M.

Present: Chairman Bruce Burnett, Timothy Bobroske, Eric Rahn, Robert Wesneski, Merrill French, Alternate Member Robert Orciari and Land Use Coordinator Polly Redmond
Absent: Susan Ryan and Alternate Member Leah Blake

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 position left by regular member Victoria Elliott.

2. APPROVE MINUTES OF PREVIOUS MEETING: 11/5/18

R. Wesneski **motioned** to approve the minutes with a correction to Item 5, line 4 to read: Motion passed [*unanimously*] 6 to 1 with E. Rahn opposed. Those voting in approval of the motion: B. Burnett, S. Ryan, T. Bobroske, R. Wesneski, M. French, Alternate Member R. Orciari.
E. Rahn seconded the motion to amend the 11/5/18 minutes and it passed unanimously.

3. MICHAEL CYR – APPLICATION TO EXTEND DRIVEWAY WITHIN A REGULATED AREA LEADING TO A PROPOSED 36' X 48' BARN, 182 SCOVILLE HILL ROAD.

Michael Cyr is present. Plans by Berkshire Engineering dated 11/21/18 are reviewed. A portion of the driveway is in the upland review area with the application stating 0.2 ± acres of upland review area to be altered. The extension of the driveway will measure 200-220 feet and will slope at the bend for drainage. R. Orciari questions whether a culvert would be needed with Mr. Cyr answering no. He is doing the work himself and states that no material will be brought in. T. Bobroske refers to the construction sequence on the site plan (completion date 2023) and asks that when the erosion control is in place and the work on the boulder wall and grading is to be done that the IWZEO be contacted so he can go out to inspect. T. Bobroske also asks Mr. Cyr to be mindful of the weather when planning the work. T. Bobroske **motioned** to accept the application as a regulated non-significant activity, seconded by R. Wesneski. Motion passed unanimously.

4. INFORMAL DISCUSSION – W.M.C. CONSULTING ENGINEERS.

Chairman Burnett reminds the Commission that he was asked to contact First Selectman Michael Criss of concerns regarding W.M.C. Consulting Engineers and their timeline review of applications. It was suggested that the Commission ask a representative from W.M.C. to attend a Wetlands Commission meeting for further discussion. LUC Redmond will contact them to set up a date and an invitation will be extended to the Planning Commission and the Zoning Commission if they would like to attend and ask questions of their own.

5. REVIEW 2019 COMMISSION MEETING SCHEDULE.

Commissioners accept the 2019 Meeting Schedule.

6. ANY OTHER BUSINESS.

Discussion is held on whether a Wetlands bond should have been required of Bumper Brook Estates for the construction of their elderly housing project on Twenty-four Bumper Road. A bond cannot be required at this time because the application has already been approved. The Zoning Commission may want to consider bonding this project and will seek guidance and review from W.M.C. Consulting Engineers.

R. Orciari questions the status of the vernal pools off Plymouth Road in connection with the construction of Break Maiden Lane within Equestrian Estates Subdivision and the conditions placed on that approval. He suggests that the vernal pools be looked at in the spring to see the condition of them. It was noted that reports from Clinton Webb were never received

The following conditions were placed on the 11/9/16 IWWC approval:

*That Hiltbrand Engineers inspects compaction and test for 95% compaction of backfill proposed in site development and that they supervise the removal of the existing road, construction of the vernal pool overflow, and the installation of the cold ground water underdrain along the proposed road to insure the maximum amount of water will flow into vernal pool #5 and that the engineer issue a written report when done.

***That 40% of the trees proposed to be planted in Clinton Webb's "*Recommendations for Enhancing the Buffer around Wetland 5's Vernal Pool*" shall be followed with the exception that 40% of each categorized tree be five to ten feet tall upon planting.**

*That there shall be zero mortality of trees planted within one year to date of planting.

***That White Ash shall be replaced by oaks due to the Emerald Ash Borer that feeds on ash species.**

***That the planting plan presented by Clinton Webb titled "*Recommendations for Enhancing the Buffer around Wetland 5's Vernal Pool*" that states shrub seedlings shall be planted within a 10 to 15 foot swath along the southern boundary of the wetland be modified to reflect the shrub coverage and distances away from the vernal pool and that winterberry bushes would be added to the mix.**

*That fencing to keep horses out of the wetland proposed and shown on the site plan approved by this Commission on 6/6/16 for the construction of a 20-stall horse barn (Plans by R.R. Hiltbrand, revised to 7/11/16, titled Proposed Site Plan – Lot 21 Equestrian Estates, Sheet O) be shown on the as built plans at the time they are presented at Town Meeting for road acceptance.

*That a small level spreader or rip rap be placed at the outlet of the western culvert at Station 12+70 before it goes into the pond.

*That the bond to be posted for the road construction includes and covers plantings and work around the vernal pool. This should be noted at the time of the Planning Commission's decision on the application for resubdivision/road construction of Break Maiden Lane.

***That a minimum of five (5) site inspections (15-20 hours total) be conducted by the Inland Wetlands/Zoning Enforcement Officer with Clinton Webb accompanying him. The IWZEO fee for these inspections shall be paid by the applicant and that the Commission will receive five (or more, if needed) reports on those inspections.**

*That it be known that Clinton Webb is attesting to these items and that the engineer record is on file and when the critical areas of the drain and the interconnection between the two wetlands occur, a written report stating what has occurred is received.

♦Commissioners ask that LUC Redmond contact Clinton Webb and ask him for a concluding report on the vernal pools and also on the inspections that were conducted as required in the condition found above regarding site inspections.

R. Orciari updates the Commission on recent activity on Lead Mine Brook Road in connection with the illegal removal of trees within the property owned by the Harwinton Land Trust. He notes that there has been hardly any erosion from the site in spite of all the rain we've had.

E. Rahn informs the Commission that the test beaver pipes were installed at Bull Pond and worked well when flowing. Beavers have now hunkered down for the winter.

7. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.

R. Orciari notes that there is a problem of foul smelling water in a ditch on Locust Road leading to Bull Pond which could be the result of farm activity in the area. He believes that drainage (effluent) from the farm is going into Bull Pond. The Commission asks that LUC Redmond contact the Northwest Conservation District for any assistance they might be able to offer.

8. CORRESPONDENCE.

LUC Redmond has provided the 2019 Commission Meeting Schedule for Commission review.

9. INVOICES.

None.

10. ADJOURN.

R. Wesneski **motioned** to adjourn the meeting at 7:45 p.m., seconded by E. Rahn. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 12-4-18 AT 1:52 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK