

HARWINTON INLAND WETLANDS AND WATERCOURSES COMMISSION
MONDAY, AUGUST 2, 2021 7:00 p.m. TOWN HALL, 100 BENTLEY DRIVE

Present: Chairman Bruce Burnett, Susan Ryan, Todd Werner, Timothy Bobroske, Eric Rahn, Robert Wesneski, Merrill French, Land Use Coordinator Polly Redmond and IWZEO Don Truskauskas

1. OPEN MEETING – ESTABLISH QUORUM.

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

2. APPROVE MINUTES OF PREVIOUS MEETING: 6/7/2021

R. Wesneski **motioned** to approve the minutes of the previous meeting, seconded by T. Werner. Motion passed unanimously with T. Bobroske refraining from vote due to his absence at the 6/7/21 meeting.

3. ATTY. WILLIAM TRACY FOR MATTHEW CASSINA – DISCUSSION/POSSIBLE DECISION - APPLICATION FOR STORAGE FACILITY, DRIVEWAY WIDENING, UTILITIES, GRADING AND STORM WATER CONTROL MEASURES IN CONNECTION WITH STORAGE BUILDING. ASSESSORS MAP NO. E6-04-0001, BURLINGTON ROAD (SOUTH SIDE).

Atty. Tracy notified LUC Redmond via an emailed letter dated 8/2/2021 that states "The applicant hereby withdraws the pending application. The statutory time for action is about to expire and the applicant has not yet located drainage calculations from the approvals for the adjacent property to be able to respond to WMC comments. A modified plan will be submitted shortly in a renewed application." S. Ryan **motioned** to accept the withdrawal of the application, seconded by R. Wesneski. Motion passed unanimously.

4. HARWINTON INVESTMENTS, LLC – APPLICATION FOR DRIVEWAY, WHETSTONE ROAD, ASSESSORS MAP C1-1-6.

Neil Small is present to represent for Brett Stone/Harwinton Investments, LLC. Plans by Robert Green Associates titled Driveway Plan, 7/26/2021 are reviewed. Mr. Small explains that the driveway is being constructed to access the back of the lot and will be a dirt driveway with a 14-inch pipe crossing the wetlands corridor. A soil report dated 6/10/2013 is submitted along with the application. With no further discussion, E. Rahn **motioned** to accept the application, seconded by S. Ryan. Motion passed unanimously.

5. RICK BROWN – DISCUSS REMOVAL OF TREES IN REGULATED AREAS, 19 SUNNY LANE.

Mr. Brown is present providing photos of the trees on his property and explains that there are many, approximately 40, oversized, diseased and dead trees on his property and close to his house. He would like to stump and grind the trees down and replant vegetation. He notes that his entire property is in wetlands. Chairman Burnett questions how the trees will be taken down with Mr. Brown stating by chainsaw. R. Wesneski questions how the trees will be removed off site with Mr. Brown stating that a picker truck will drive along the side of his property and the trees will be loaded and taken away. Mr. Brown offers that if needed he will install silt fence for erosion control. T. Bobroske **motioned** that the proposed activity is a use of right for maintenance with advisement that Mr. Brown contact IWZEO Don Truskauskas to assess whether erosion control is needed. Motion seconded by R. Wesneski and passed unanimously. As a final question, E. Rahn asks Mr. Brown if he will be stump grinding only with Mr. Brown replying, yes.

6. KELLY MATHENA – DISCUSSION ON DRAINAGE MAINTENANCE, 77 SWIMMING HOLE ROAD.

Kelly Mathena is present and explains that the drainage on her 11-acre property is requiring maintenance including filled in swales around her outdoor riding arena that need to be cleaned out. Underground drainage is clogged and will also be corrected and regrading of the riding arena will be done to stop erosion. USDA is advising and helping her with this project and Ms. Mathena states that she has a 15-year contract with them to ensure it stays maintained. Aerial photos, mapping and schematics are reviewed by Commissioners. R. Wesneski **motioned** that the proposed activity is a use of right for maintenance with advisement that Ms. Mathena contact IWZEO Don Truskauskas prior to work commencing to inspect proper erosion control installation and suggests that two retention basins be installed to protect the stream that runs beyond the riding arena as previously discussed among some Commissioners and Ms. Mathena. T. Bobroske seconded the motion with a friendly amendment that Ms. Mathena provide to the Land Use office a copy of the 15-year maintenance agreement she has with the DEEP. Motion passed unanimously.

7. **COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.**

IWZEO Don Truskauskas reports that he is looking for a final determination from the Commission on the lawn situation at **231 Catlin Road, Andrew Fortin**, owner. In previous reports, IWZEO Truskauskas suggested that after the lawn is established, the woodchip berm that exists, and still exists as of this day, should be removed from the regulated area and the area between the pipe outlet and the wetlands be allowed to return to natural growth. Mr. Fortin is present and states he will create a silt pond in the area where the berm is/was that will be gradually sloped. He states he will install silt fence until the lawn is established.

IWZEO Truskauskas informs the Commission of multiple complaints coming in from residents of **Sunset Ridge**, Hannah Way and Lauren Lane. Photos and complaints have been received in the Land Use office concerning lack of erosion control, lack of proper drainage and flooding. Two residents/complainants of Sunset Ridge are in attendance at tonight's meeting, Lillian Busse and Jill Fattig, who comment that the retention pond on site has never been cleaned out. They both have sent photos of the site to the Land Use office showing where erosion and drainage issues are occurring. They note that they were told by developer Len Lopardo that the road won't be completed until the project is done and all houses sold which is also a concern to them. IWZEO Truskauskas states that he spoke with Len Lopardo asking him to install erosion control and Mr. Lopardo agreed to but as of this date has not. Lillian Busse states that silt fence is installed until construction begins on a lot and then it is removed.

T. Bobroske addresses IWZEO Truskauskas stating that he should write to Len Lopardo informing him that silt fence must be installed and give a timeframe of two weeks to have it all installed.

E. Rahn questions whether the erosion control issue is a Wetlands Commission matter or a matter for the Zoning Commission with IWZEO Truskauskas stating it is a Zoning matter but did want this Commission to be aware of the complaints received. IWZEO Truskauskas points out that the erosion problem is on Mr. Lopardo's own property since the Association has not taken over yet. With that in mind, he questions whether this is a town issue to enforce or is it a civil matter among the residents of Sunset Ridge. The Zoning Commission will hear the complaints at their next meeting on Monday, August 9, 2021 at 7:00 p.m.

IWZEO Truskauskas reports that he received a complaint from the resident of **25 Cottage Road** regarding her neighbor dumping brush and material onto her property and close to their shared property line. After speaking with that neighbor, it was agreed to relocate the pile of debris.

8. **ANY OTHER BUSINESS.**

LUC Redmond informs the Commission of the following signoffs:

- (1) Herzog, 75 County Line Road – 30' x 36' garage and 12' x 24' shed – non regulated activity
- (2) Nihan, 55 Brookfield Road – above ground pool – no wetlands
- (3) St. Clair, 66 Brookfield Road – above ground pool – no wetlands
- (4) Gagne, 295 Harmony Hill Road – 36' x 48' barn – no wetlands

9. **CORRESPONDENCE.** CT Wildlife Magazine received.

10. **INVOICES.** None.

11. **ADJOURN.**

S. Ryan **motioned** to adjourn the meeting at 8:05 p.m., seconded by R. Wesneski. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARTWINTON CT
ON 8-6-2021 AT 9:20 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK