

**INLAND WETLANDS AND WATERCOURSES COMMISSION MEETING
MONDAY, AUGUST 1, 2016
TOWN HALL 7:00 P.M.**

Present: Chairman Bruce Burnett, Susan Ryan, Robert Wesneski, Victoria Elliott, Alternate Member Robert Orciari, IWZEO David Perkins and Land Use Coordinator Polly Redmond

Absent: Paul Whiton and Timothy Bobroske

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 P. Whiton.

2. APPROVE MINUTES OF PREVIOUS MEETING: 6/6/16

R. Wesneski **motioned** to approve the minutes of the previous meeting with amendment to Item 4, line 16, to add a sentence before S. Ryan seconded the motion to read as follows: *“The \$650.00 after the fact fee is being imposed because the applicant was told explicitly at the time of their January 2016 timber harvest application for the same property that there was to be no clear cutting without first obtaining a permit from the Wetland Commission.”* S. Ryan seconded the motion. The motion passed unanimously with R. Orciari refraining from vote due to his absence at the 6/6/16 IWWC meeting.

3. ANDREW J. BOSSE FORESTRY SERVICE – TIMBER HARVEST, MANSFIELD ROAD, GALE ROAD, BIRCH HILL ROAD, ASSESSORS MAP NO. A5-03-0001. OWNER OF PROPERTY: JOHN W. DUCCI, 282 WILDCAT HILL ROAD.

Mr. Bosse is present and refers to a Timber Harvest Map dated July 5, 2016 that shows in red outline the limits of clearing 200 acres out of the 213 acre parcel and also locates two staging areas. Two wetland crossings are noted on the map by red dots and the logging trail is shown in blue line. He explains that there will be two clear cutting areas in addition to the timber harvest, one area of 13 acres and one area of 7 acres that is for creation of wildlife habitat as part of a USDA-NRCS funded habitat project. R. Wesneski questions whether stumps will be removed with Mr. Bosse stating that only the bottom 13 acres will be clear cut, not the whole area of 200 acres. R. Wesneski questions whether erosion control measures will be put in place with Mr. Bosse explaining that the area is relatively flat with sloping on the western side. R. Wesneski questions whether the stumps will be trucked out with Mr. Bosse stating he is unsure. Upon questioning whether fill will be brought in to replace soil lost in the stumping, Mr. Bosse states no fill will be brought in and that material on site will be used to grade the area. R. Wesneski states that the main concern is erosion and that the sight should be stabilized quickly. The application is accompanied by a Cutting Plan/Erosion Control Plan Narrative that states two portable bridges will be utilized for the two intermittent stream crossings and at the conclusion of the project, the stream crossing sites will be re-graded and stabilized with mulch hay and seeded with a conservation mix. At the conclusion of the harvest, staging areas and main skid trails will be re-graded, water bars installed, and the entire main trail will be seeded with conservation mix. R. Wesneski questions the timeframe of the project with Mr. Bosse stating two weeks. Upon questioning when the project will begin, Mr. Bosse states that he last heard it would be in the winter with clear cutting in the fall but that it depends on the contractor, J&J Logging Lumber out of Dover, NY, who is doing the work. Mr. Bosse states that he will be the one supervising and monitoring the project. R. Orciari questions whether there will be a tracking pad in place at the access sight on Mansfield Road with Mr. Bosse stating that, in addition to the access from an existing trail off of Birch Hill Road, a driveway permit will be obtained for the new access off Mansfield Road and a tracking pad will be required as part of that permit. Mr. & Mrs. Don Cromwell, 25 Mansfield Road, are present and express concern over a stream that runs under Mansfield Road and the affect the timber harvest/clear cutting project may have on its flow since the stream controls the water flow/wetlands on their property. After discussion and locating the stream that the Cromwells are referring to, Mr. Bosse states that there won't be any cutting in that area, which is in the southeast corner of the parcel, nor in the area of the stream which is located 100 feet west of the Cromwell residence.

R. Wesneski suggests that a buffer remain along the property line of the homes located on Wildcat Hill Road. R. Wesneski **motioned** to approve the application as a use of right with the following conditions/suggestions:

- that all temporary bridges be installed;
- that there shall be notification and agreement with the IWZEO as to the location of the southern gate access (A. Bosse states that when the driveway opening permit is taken out, the location will be noted.);
- that no timber harvesting activities shall take place in the southeast corner of the property, particularly 100 feet from wetlands in that area;
- that a plan be provided showing the limits of timber removal (A. Bosse will provide a map with timber limit areas shaded in);
- that a 50 foot buffer from the neighboring properties along Wildcat Hill Road remain in place (A. Bosse states that there may be some areas where trees are marked for harvest that are approximately 30 feet from the neighboring properties);
- that if harvesting is closer than 50 feet to a neighboring property line, the neighbors of that property line be notified of the activity (A. Bosse states that notification letters to all neighbors on Wildcat Hill Road can be sent);
- that exposed areas be limited to only two to four weeks (A. Bosse states that they will seed harvested areas as the timber harvest proceeds);
- that after seeding is done, the exposed areas be hayed OR erosion control measures be put in place to prevent erosion from going downhill of the excavated area and reaching wetlands in the southeast portion of the property;
- that the IWZEO be informed of when the project begins, beginning with notification of the gate location.

S. Ryan seconded the motion and it passed unanimously.

4. **ANDREW J. BOSSE FORESTRY SERVICE – TIMBER HARVEST, 150 BISSELL ROAD, ASSESSORS MAP NOS. C1-02-0006, C1-02-0011, C1-03-0004. OWNER OF PROPERTY: PETER FORTIN, 150 BISSELL ROAD. (*Harwinton address of Fortin residence is 7 Bissell Road. 150 Bissell Road is located in Terryville.)**

It has been determined that this timber harvest does not take place in wetlands or the upland review area. Mr. Bosse reviews the cutting plan/erosion control plan (on file) and notes that no clear cutting will take place and the trails used will be seeded when the project is complete. R. Orciari refers to the logging trail located around the pond on lot C1-03-04 and asks that no activities take place within 100 feet of the pond. A. Bosse states that there may be only a couple of trees within 100 feet of the pond that may be removed. After Mr. Bosse explains that trucks will be entering the property, driving behind the barn and over the dam to the cutting area on lot C1-03-04, R. Orciari questions the stability of the dam under the weight of the trucks. A. Bosse states that the dam looks well-built and he has no concern. R. Wesneski **motioned** to approve the application as a use of right, with the condition/suggestion that the IWZEO be notified of the start date, that no activities take place 75 to 100 feet from the pond located on lot C1-03-04. (A. Bosse notes that there may be a couple of trees closer than 75 feet of the pond that will be removed but that the pond is surrounded by pasture which will be left alone for the most part.) V. Elliott seconded the motion and it passed unanimously.

5. **KELLY DUKSA – APPLICATION FOR SINGLE FAMILY DWELLING, 182 SCOVILLE HILL ROAD. MODIFICATION OF PREVIOUS (EXPIRED) IWWC APPROVAL RECEIVED 7/9/03, APPLICATION MADE BY RALPH LEONE.**

No one is present to represent.

R. Wesneski **motioned** to add to the agenda: **Richard Zaleski, 38 Barber Road, clear cutting of property within regulated areas for creation of pasture land without proper permits.** S. Ryan seconded the motion and it passed unanimously.

Mr. Zaleski is present and provides a copy of an as built of his property. IWZEO Perkins states that a complaint was received by a neighbor of Mr. Zaleski's stating that his pond was being compromised by the clear cutting activity on the Zaleski property. Land was cleared on the west and east sides of the Zaleski driveway for the purpose of increasing pasture land for his horses and Mr. Zaleski notes that he cleared right down to the wetlands but was not in the wetlands. Clearing on the east side of the driveway is completely done with vegetation in. The west side of the driveway has temporary vegetation on 80% of the area. IWZEO Perkins notes that the neighbor's pond was cloudy but had no sediment in it. Chairman Burnett states that he drove past the property recently and saw a big pile of top soil on the west side of the driveway and questions erosion control. Mr. Zaleski states that there is a berm of stump grindings that he placed along the wetlands as erosion control and wetland protection. IWZEO Perkins suggests placing rip rap at the end of a drain pipe located west of the driveway. IWZEO Perkins notes that no recent complaints have come in on this matter. Chairman Burnett states that he would like to have IWZEO Perkins inspect the property prior to this Commission making any decision and that Mr. Zaleski should inform the IWZEO of any further work to be done. R. Wesneski notes that the After the Fact Activity application and any fee to be collected will be decided on after the IWZEO inspects the property and at the next IWWC meeting on Tuesday, September 6, 2016. R. Orciari cautions Mr. Zaleski on manure management and stresses the importance of keeping it out of the wetlands.

IWZEO Perkins informs the Commission that he has asked **Billy Gilbert, Gilbert Construction**, to attend tonight's meeting to discuss work he is doing at **Immaculate Heart of Mary, 78 Litchfield Road**, in connection with septic system upgrades and work being done in the upland review area. Mr. Gilbert explains that the septic system for the church and now defunct school are currently tied in together. The school is planned to be demolished and upgrades are being made to tie the Church Rectory's septic in with the church. Mr. Gilbert has met with the State Health Dept. and the Torrington Area Health District and test holes and perc tests were performed. Some trees in the upland review area were removed in order to get some light into the vicinity of the septic system to dry it up. He notes that Ken Hrica, Hrica Associates, is doing the engineered design plan and that will most likely be delivered to the Land Use office when completed. R. Wesneski states that he would be interested in seeing this plan. The Commission determines that no application is required as only testing is being done at this time.

6. ANY OTHER BUSINESS.

LUC Redmond reports that she has signed off on the following non-regulated Inland Wetlands applications:

- Gary Alger, 6 Quail Road, 10' x 16' deck
- Victoria Basile, 53 Shingle Mill Road, 12' x 40' covered front porch
- Laurie Jackson, 130 Scoville Hill Road, 12' x 24' deck
- Pickett Brook Property, 38 Fox Hunt Way, single family dwelling

7. COMPLAINTS/ENFORCEMENT ACTIONS.

IWZEO Perkins apprises the Commission of work done so far on Christopher Wall's wall construction project, 84 Shingle Mill Road. Erosion control is in and rip rap has been placed down along the stream bed. He notes that foundation walls were started today when he stopped to inspect.

8. CORRESPONDENCE.

A resignation letter from Inland Wetlands Commissioner Donald Prigitano has been received and acknowledged.

9. INVOICES.

R. Wesneski **motioned** to approve the invoice of IWZEO D. Perkins for 23.75 hours, seconded by V. Elliott. Motion passed unanimously.

10. **ADJOURN.**

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

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 8-3-16 AT 9:20 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK