

INLAND WETLANDS AND WATERCOURSES COMMISSION MEETING
MONDAY, JANUARY 7, 2013
TOWN HALL - 7:00 P.M.

Present: Chairman Bruce Burnett, David Keepin, Robert Wesneski, Alternate Member Marie Etter and Tim Bobroske (in 7:03PM) and IWEO Karen Griswold Nelson.

Absent: Susan Ryan, Robert Orciari, Victoria Elliott and Don Prigitano.

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 M. Etter seated for regular member Susan Ryan.

2. Approve minutes of previous meeting: 12/5/12.

R. Wesneski **motioned** to approve the minutes, M. Etter seconded the motion with the correction of “removal of a portion of the parking lot will need to be removed” to “a portion of the parking lot will need to be removed” as part of the Mele application discussion. Amended minutes passed unanimously.

T. Bobroske in 7:03PM and seated for Robert Orciari.

3. Greg Mele/Birge Park Commons LLC Decision – application for additions to commercial building and septic repair – 178 Birge Park Road.

Robert Colabella, PE and principle of Laurel Engineering and Mr. Mele are in attendance to represent. Plans presented (and referenced in the minutes) at the December meetings are re-reviewed with note made of no new revisions being presented that evening. Mr. Colabella provides copies of Torrington Area Health approval of a portion of the septic system for the additions to the building, addressing the proposed combination of tie-ins to the existing system and new septic system for the modifications to the commercial building proposed. With agreement that all concerns are satisfied;

R. Wesneski, **motioned**, seconded by M. Etter to Approve the application **Greg Mele/Birge Park Commons LLC for regulated non-significant activities associated with additions to and septic repair for the commercial building located at 178 Birge Park Road** as per the plans prepared by Laurel Engineering titled, SSD (*Subsurface septic design*) – 178 and Birge Park Road dated 12/3/12 and SC (*Sediment Control*) “Details and Narrative for 178 and 182 Birge Park Road dated 12/3/12 with the following conditions:

- a. Final sequence of events and construction narrative to be reviewed by the ZEO at the pre-construction meeting.
- b. Standard erosion and sedimentation controls are to be installed and inspected prior to the start of construction.

Motion unanimously approved.

4. Peter Lavasseur – application for pond dredging, 86 Gale Road.

No one was in attendance to represent the application.

5. John Matthews for James Pratt – application for timber harvest – Assessors Map No. C-3-1-01 – Whetstone Road.

John Matthews, Supervising Forest Products Harvester addresses correspondence provided entitled “Notification of Timber Harvest – dated 12/21/2012 for Whetstone and Hayden Hill Road properties”. Mr. Matthews provides mapping of the overall property and addresses the proposed timber harvest on the 260 acre parcel including access roads, type and nature of the proposed harvest and proposed areas of cutting. Based on questions raised as to the consideration of watercourse crossings, Mr. Matthews was to prepare a more detailed plan and re-address the matter at the February meeting.

6. Fred Pesce – application for after-the-fact activities/ Cease and Correct Order – 529 Burlington Road.

Griswold Nelson provided copies of the Cease and Correct Order issued to Mr. Pesce as per Commission directive at the December meeting. Griswold Nelson addressed conversations with Mr. Pesce and Mr. Pesce's engineer Bob Greene and the work started on the preparation of plans in accordance with the directives of the Commission to include the recommendations made by Northwest Conservation District. Discussion ensued as to the extent and nature of the February "Show Cause" hearing with suggestions made by T. Bobroske that town counsel Michael Rybak be asked to be in attendance.

R. Wesneski **motioned**, seconded by M. Etter that town counsel Michael Rybak be in attendance at the February "Show Cause" hearing and that IWZEO Griswold Nelson contact and address the situation with Mr. Rybak prior to the meeting. Motion unanimously approved.

7. Review – 2012 Legislation and Regulation advisory.

Discussion deferred.

8. Any other business.

None.

9. Complaints/enforcement action.

Griswold Nelson addressed a December end Complaint received from the Ladd's on South Road. Noting that the complaint was lodged against her, in her capacity as ZEO and IWZEO, Griswold Nelson provided copies of meeting minutes showing that both the Inland Wetlands Agency and the Zoning Commission had previously addressed the Ladd's complaints regarding purported impact from run-off from an uphill property. Griswold Nelson stated that she would be following up on the matter from a Zoning standpoint and that any decision rendered would be appealable to the Zoning Board of Appeals.

James Buss, member of the Lake Harwinton Association addressed ongoing activities on the lake with input from Griswold Nelson as to recent investigation of a construction project on the lake and questions raised as to necessary permitting. Mr. Buss addressed the recent construction of a retaining wall near the lake with Mr. Buss to follow up regarding the locations

10. Correspondence.

Connecticut Federation of Lake correspondence received.

11. Invoices.

None.

12. Adjourn.

R. Wesneski **motioned** to adjourn the meeting at 8:03. M. Etter seconded and motion unanimously approved.

Respectfully submitted,

Karen Griswold Nelson

RECEIVED FOR RECORD AT HARWINTON CT
ON 1-14-13 AT 11:23 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK