

**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**MONDAY, FEBRUARY 5, 2018**  
**TOWN HALL 7:00 P.M.**

Present: Chairman Bruce Burnett, Susan Ryan, Victoria Elliott, Timothy Bobroske (arriving at 7:10 p.m.), Eric Rahn, Robert Wesneski, Merrill French, Alternate Member Robert Orciari, Alternate Member Leah Blake, LUC Polly Redmond and IWZEO Tom Mitchell

**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 T. Bobroske.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 1/2/18**

R. Wesneski **motioned** to approve the minutes of the previous meeting, seconded by M. French. Motion passed unanimously with V. Elliott refraining from vote due to her absence at the previous meeting.

**3. DECISION - ALYSEN ALMAND – APPLICATION FOR CONSTRUCTION OF 25' X 42' BARN (REBUILD OF PORTION ON SAME FOOTPRINT), 401 BURLINGTON ROAD.**

No one is present to represent. Commission members express no concerns for the application that was presented at the last meeting and note that the file is in order. S. Ryan **motioned** to approve the application as a regulated non-significant activity, seconded by R. Wesneski. Motion passed unanimously.

**4. LAKE HARWINTON ASSOCIATION – APPLICATION TO CLEAN AND RIP RAP SWALE AND REPLACE DAMAGED DRAINAGE PIPE, LAKE SHORE DRIVE.**

Warren Wilford, LHA Vice President, is present to represent. He explains that the project will improve water quality of the lake. The swale is located on 194 Catlin Road and will be cleaned out and lined with rip rap. A drainage pipe that the swale drains into will be replaced with 18 inch pipe. R. Wesneski questions the four foot manhole and how it is gotten into with Mr. Wilford stating it is used for sedimentation and it is accessed via an existing pipe under the road. E. Rahn questions what activity is in the regulated area with Mr. Wilford stating just the pipe replacement. E. Rahn asks if putting rip rap in the swale would prevent sediment from going into the lake with Mr. Wilford answering, yes.

R. Wesneski asks what the size of the rip rap detention area is with Mr. Wilford stating he is unsure.

R. Wesneski asks this because he is concerned with overflow of sediment going into the lake if the pipe is not sized correctly. Mr. Wilford states that it will be as big as it can be. Mr. Wilford informs the Commission that Gilbert Construction will be doing the work which will begin in March, weather depending. Double rows of hay bales will be used for E&S control and will be included at the location of the swale. V. Elliott **motioned** that the activity is a use of right for maintenance, seconded by S. Ryan. Motion passed unanimously. Mr. Wilford is instructed to call the IWZEO when work begins.

Commissioner T. Bobroske arrives at this time. Alternate Member R. Orciari is unseated and T. Bobroske is seated.

**5. DAVID BEERS, CONNWOOD FORESTERS, INC. – APPLICATION FOR TIMBER HARVEST, COOK'S DAM PROPERTY, BURLINGTON ROAD/ROUTE 4, LAND OWNED BY BRISTOL WATER DEPARTMENT.**

David Beers, Forester Agent, Connwood Foresters, Inc. is present to represent. He explains that in 2017 Bristol Water Department made application for a timber harvest on the east side of Cook's Dam and this year the application is for harvesting the west side. He notes that no work has begun yet in relation to last year's application so there is nothing to report on that. Access to the west side project is across an 11.65 acre parcel owned by the Town of Harwinton (Assessor's Map No. D6-03-0008) located on the north side of Burlington Road/Route 4. Highway Supervisor John Fredsall and Land Use Coordinator Polly Redmond have had pre-application discussions with Mr. Beers and an okay has been given to cross the town's property with recommendation that a \$5000 bond be obtained to ensure that the town-owned property used for access is restored and no damage is done. A letter giving this authority is on file. Mr. Beers explains

that a 600 foot log truck road will be constructed to access the 110 acre harvest area. The road will be a 10 foot wide single lane dirt road on level ground and will require the installation of an 18" diameter culvert at an intermittent stream crossing. At the completion of the project the road will be blocked with boulders or some type of block approved by the town. Streams and wetlands have been flagged and four temporary bridges have been marked on site. Notification to neighbors has been given by Mr. Beers. R. Orciari questions whether this will be a selective harvest or a clear cut with Mr. Beers stating it is a thinning. R. Wesneski questions if Mr. Beers will be monitoring the site with Mr. Beers stating he will be monitoring the site once a week and Bristol Water representatives will check the landings daily. R. Wesneski asks if there is a need for E&S control at the bridge crossings with Mr. Beers stating there will be erosion control measures in place and when the project is completed, the bridge crossings will be hayed. R. Wesneski asks if the bridges are pre-constructed with Mr. Beers stating yes. R. Wesneski questions if there are wet areas with Mr. Beers stating if pockets of water are found, the loggers will be told to fill them in with brush. S. Ryan questions if there would be any traffic issues with trucks entering and exiting the property with Mr. Beers stating the CTDOT approved the location of the access and that there are good sight lines in this area. E. Rahn questions if the streams at the bridge crossings are seasonal with Mr. Beers stating the south to north stream, located most south on the property, is a seasonal stream and the three crossings to the north are perennial. There will be no obstruction of water during this project. T. Bobroske **motioned** that this is a Use of Right Activity with the requirement of a \$5000 bond to be posted with the Town of Harwinton for work on town-owned property. Periodic reports, erosion control measures and a tracking pad are to be supplied. The IWZEO is to be notified of when work begins. S. Ryan seconded the motion and it passed unanimously.

**6. MICHAEL VIGUE – APPLICATION FOR CREATION OF POND AND CLEARING OF LAND, 63 HARMONY HILL ROAD.**

Mr. Vigue informed the Land Use office that he is not yet ready to present an application.

T. Bobroske questions how long Mr. Vigue has to present an application to this Commission. LUC Redmond informs Commissioners that Mr. Vigue informed her that he was working with an engineer to supply the Commission with their requested items regarding fill and culvert size from and as soon as that was received, he would be back before the Commission. Chairman Burnett states that if an application isn't made by the March 5, 2018 Wetlands meeting, a letter should be sent to Mr. Vigue because this application is resulting from a complaint of work being done without a permit. T. Bobroske **motioned** that this Commission expects an application accompanied by an engineer's report based on after-the-fact activities to be presented to the Wetlands Commission within the next thirty (30) days or enforcement action will be taken. S. Ryan seconded the motion and it passed unanimously. IWZEO notes that no further work has been done since Mr. Vigue appeared before this Commission in January.

**7. ANY OTHER BUSINESS: DISCUSS INLAND WETLANDS FEE SCHEDULE, SECTION 19 IWWC REGULATIONS**

Discussion takes place on multiple enforcement officer inspections and application fees to cover the cost of these inspections. The IWWC Regulations Fee Schedule does not include Enforcement Officer Inspection fees. Any changes to the fees would be through a town meeting. LUC Redmond will research Fee Schedules of other area towns. The town attorney will also be consulted with to ask if the Wetlands Commission could charge enforcement inspections in their Fee Schedule similar to the Zoning Regulations Fee Schedule.

**8. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.**

Betsy Selfo and George Werner, 591 Litchfield Road, are present to complain of the noise and vibration they are experiencing due to the timber harvest activity at 587 Litchfield Road. They believe that the activity is commercial in nature that is taking place in a residential zone. It is explained to them that the Wetlands Commission reviewed this application in January and that the only activity the Commission was

charged with was reviewing work close to the stream and the construction of the bridge over the stream. Even though it may seem that a commercial activity is taking place, timber harvesting is an agricultural use permitted under State Statute 1-1q. Betsy Selfo states that the residential driveway has been widened and activity is taking place 8 feet from her home where a wood chipper has been placed. There is no noise ordinance in town but perhaps Torrington Area Health District could be contacted regarding the amount of noise taking place. IWZEO Tom Mitchell is asked for an update on his inspection. He has submitted a report informing the Commission of his initial site walk of the 52 acre parcel. When the bridge is completed he will go out to the property again. He agrees that TAHD deals with noise issues and CTDOT had requested that the driveway be widened to accommodate logging trucks. His report remains on file. It is recommended that B. Selfo appear in front of the Zoning Commission to discuss the use of the property. T. Bobroske **motioned** that LUC Redmond write a letter to Pickett Brook Property asking if there is a possibility of considering the installation of a sound barrier wall and to take into consideration the noise the neighbors are experiencing. R. Wesneski seconded the motion and it passed unanimously.

## 9. CORRESPONDENCE.

Resignation letter is received from Commissioner Paul Whiton.

CT Association of Wetland Scientists Annual Meeting is taking place March 8, 2018 in Meriden for any Commissioners interested in attending.

Notice of Northwest Hills Council of Governments Training Sessions is received. This information will be emailed to all Commissioners. Training is always encouraged and the sessions are free of charge.

## 10. INVOICES.

None.

## 11. ADJOURN.

R. Wesneski **motioned** to adjourn the meeting at 8:35 p.m., seconded by S. Ryan. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT  
ON 02/13/18 AT 2:57PM  
ATTEST NANCY E. ELDRIDGE TOWN CLERK