

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

Present: Chairman Bruce Burnett, Susan Ryan, Timothy Bobroske, Eric Rahn, Robert Wesneski, Merrill French, Alternate Member Robert Orciari, Alternate Member Leah Blake (arrived at 7:08 p.m.) and Land Use Coordinator Polly Redmond

**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 Victoria Elliott.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 9/4/18 AND 10/1/18**

R. Wesneski **motioned** to approve the minutes of 9/4/18, seconded by R. Orciari. Motion passed unanimously with T. Bobroske refraining from vote due to his absence at the 9/4/18 meeting.

E. Rahn **motioned** to approve the minutes of 10/1/18, seconded by M. French. Motion passed unanimously with S. Ryan, R. Wesneski and R. Orciari refraining from vote due to their absence at the 10/1/18 meeting.

**3. DISCUSSION/POSSIBLE DECISION - BUMPER BROOK ESTATES, LLC – APPLICATION TO CONSTRUCT 36 UNIT ELDERLY HOUSING COMPLEX, TWENTY-FOUR BUMPER ROAD, ASSESSORS MAP NOS. A8-03-0003, A8-03-0004 AND A8-03-0006.**

**(DECISION DUE 10/9/18)**

William J. Tracy, Furey, Donovan, Tracy & Daly, P.C., Bristol, CT is present along with Robert Hiltbrand, P.E., R.R. Hiltbrand Engineers & Surveyors, LLC, Bristol, CT. A final set of 11 x 17 drawings is provided to the Commission that includes a Cover Sheet, revised 11/5/18, Property/Topographic Survey, revised 6/15/18, Site Layout Plan (Sheet L), revised 11/5/18, Site Grading & Drainage Plan (Sheet G), revised 11/5/18, Site Utilities Plan (Sheet U), revised 11/5/18, Sediment & Erosion Control Plan (Sheet S&E), revised 11/5/18, Profiles (Sheet P), revised 11/5/18, Details (1 of 3) (Sheet D1, D2 & D3), Revised 11/5/18 and Sediment & Erosion Control Details (Sheet S&E Details), Revised 11/5/18. (Full scale maps are required.) Atty. Tracy is in possession of an email sent from W.M.C. Consulting Engineers (town engineers) today to the Land Use office at 3:46 p.m., copied to R.R. Hiltbrand, and submitted to the Commission. The email states that "R.R. Hiltbrand has forwarded updated plans for the above mentioned [Bumper Brook] project and we are satisfied with the plan revisions. No further comments." Atty. Tracy states that the open items concerning calculations, the berm and basin, are all to the satisfaction of W.M.C. Engineers. He notes that the application was accepted as a regulated non-significant activity on 3/5/18 and the planting plan was reviewed at the last Wetlands meeting. R. Orciari states that he recognizes there is a planting plan for wetlands but questions if there is a planting plan for the steep slope. Atty. Tracy states that there is, that it's just a slope mix that includes information received from Clinton Webb. R. Orciari notes that he sees only planting of small evergreens up by the highway but for the slope he believes planting of grass is best. Atty. Tracy believes this is noted on the plan and points it out on Sheet S&E Details, letter *E. Permanent Grass Cover* and reads it. R. Wesneski questions whether this permanent grass cover is for steep slopes with Atty. Tracy stating no, not specifically, but it can be.

T. Bobroske, following up on discussion of the slope, asks Mr. Hiltbrand if he will be the agent of records and that he believes there will be some discussions with the town during construction. Mr. Hiltbrand states that there will probably be bi-weekly reports sent to the town and that there can be a condition that specifies coordination between the town and the applicant. T. Bobroske reminds Scott Bayne, S&W Custom Home Builders, (who arrived during discussion) that the town inspections by the IWZEO will be his financial responsibility. With no further discussion, R. Orciari **motioned** to approve the application of Bumper Brook Estates as a regulated non-significant activity with condition that the planting of seed mix, noted in Section E. found on Sheet S&E Details, be prepared for the slope from the highway area down to the buildings, and that seed mix found under E.2.a, be utilized; that seed mix being: Creeping Red Fescue, Redtop and Tall Fescue. T. Bobroske adds a **friendly amendment** that the notes found under Construction Sequence should have the added note that "should a significant rain event happen, that the agent and town's enforcement officer be in contact with each other." Scott Bayne, S&W Custom Home Builders agrees to any additional town enforcement inspections. LUC Redmond suggests that the motion include the provision that all W.M.C. Consulting

Engineers' invoices for review of the Bumper Brook Estates application is to be paid by the applicant and that four sets of full scale plans be provided to the Land Use office. T. Bobroske seconds the motion that includes his friendly amendment and the suggestions of the Land Use Coordinator. The motion passed unanimously.

Atty. Tracy expresses some concerns his client has on the W.M.C. Consulting Engineers' invoices, four in total, amounting to over \$6,000.00. He points out that with each time W.M.C. was contacted, the responses from them have come in late. His client believes the hours spent on the plans and the billing of time seems excessive with Atty. Tracy stating that this is a situation he is not used to seeing. Atty. Tracy states he will reach out to W.M.C. regarding this matter and Chairman Burnett states he will reach out to First Selectman Michael Criss though he is not sure it's something the town can do anything about.

**4. MICHAEL ZABA FOR KATHLEEN DERIESTHAL – APPLICATION TO CONSTRUCT 40' LONG RETAINING WALL, 16 CATLIN ROAD.**

Mr. Zaba is present and explains that this is his sister-in-law's property and that it has a slope in the backyard that drops abruptly. A drawing is provided showing the proposed wall at a length of 40 feet and 36" to 40" tall. The wall turns towards the yard and house for a length of 12 feet. The wall will be 2-3 feet from the edge of the lake with Mr. Zaba explaining that since the lake has been drawn down, it is a good time to do this work. Silt fence will be installed and backfill of regular soil will be brought in after construction and the wall will be anchored to the bank for stability. R. Wesneski suggests placing stone behind the wall for drainage and to keep the bottom of the wall from moving out and also suggests PVC pipe to be installed for drainage. S. Ryan **motioned** to approve the application as a use of right, seconded by T. Bobroske. Motion passed unanimously.

**5. ELAINE SCHIAVONE – APPLICATION TO PLACE SAND AT SHORELINE OF LAKE HARWINTON, 6 LAKE SHORE DRIVE.**

Ms. Schiavone is present and shows photos of her backyard and the lake edge and dock. The area where she wishes to replace sand measures 10' x 20' and shall be a couple of inches deep. She has done this four times since she has moved into the home in 1976. M. French **motioned** to approve the application as a use of right, seconded by R. Wesneski. Motion passed unanimously.

**6. ANY OTHER BUSINESS.**

LUC Redmond reports an Agent approval for Larry Jones, 80 Rocky Road East -- application for 20' x 20' addition. Non-regulated activity.

**7. COMPLAINTS/ENFORCEMENT ACTIONS/REPORTS.**     None.

**8. CORRESPONDENCE.**

Letter of resignation received from Commissioner Victoria Elliott.

Copies of Habitat received.

Reminder of the CACIWC Annual Meeting 11/17/18 in Cromwell if any member is interested in attending.

**9. INVOICES.**     None.

**10. ADJOURN.**

R. Wesneski **motioned** to adjourn the meeting at 7:55 p.m., seconded by R. Orciari. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT  
ON 11-13-2018 AT 1:37 PM  
ATTEST NANCY E. ELDRIDGE TOWN CLERK