

**INLAND WETLANDS COMMISSION**  
**Regular Meeting Minutes**  
**November 13, 2013 – 7:00 p.m.**  
**Town Hall Annex, 80 Doyle Rd. Bantam, CT**

**Call to Order:** Chairman Robert Blazek called the regular meeting to order at 7:04 p.m.

**Members Present:** Chairman Robert Blazek, Jack Hamill, Anthony Paradise, Dr. Frank Schildgen, Abby Conroy, Barbara Brower, Carol Williams. Also present were Inland Wetlands Agent Dennis Tobin, Ph.D, and Recording Secretary Ann Combs.

**Members Absent:** Frederick Minck

**1. Public Comment:** None

**2. Appointment of Alternates:** Chairman Blazek appointed Barbara Brower to be seated for regular Frederick Minck.

**AFTER THE FACT APPLICATION**

**3. Eisenhaure – 20 Goodhouse Road**

**11/13/13**

*Grading near stream bed*

Jon Tarrant, 17 Goodhouse Road, represented the applicant, and said he had removed some overgrown underbrush and burned it. Recently he has taken out rocks to prepare for grass-seeding and mowing. He used a medium-sized excavator, and two weeks ago he used a small tractor. He came no closer than 25 feet from the stream bed. Dr. Tobin said he got a call and went to the property. He saw clearing and grading on the east end and at the west end. There were two points at which the applicant had worked up to the stream. At present there is just weedy soil and a lot of vegetation near the stream. Mr. Tarrant estimated the grade leading down to the stream at about 4 or 5%. There will be a 25' to 50' buffer of vegetation. This is an after-the-fact reception. Permission was given for the commissioners to walk the property.

**PERMIT REVIEW**

**4. Copeland - 342 Bantam Road**

**11/13/13**

*After the fact application for removal of brush near intermittent watercourse and light brush removal throughout the property for walking pathways*

Gary Copeland, the applicant, and Jeremy Schultz, a crop consultant, were present. He reported many invasive plants that needed to be removed or they would kill the trees. Chairman Blazek said he had cleared far beyond what was permitted. R. Blazek said they need to know where the wetland soils are. Mr. Copeland said he unclogged a 15" storm drain that empties into a storm basin on his property which prompted Barbara Brower to say there must be an easement on the property. A. Paradise asked to see a map with the drains shown and the wetlands delineated by a certified soil scientist. Commissioners will take a look at the property. A. Conroy asked also asked for maps to be able to see sewer lines and drains, easements, and elevation changes. Mr. Copeland was asked to bring in the deed and any maps and

easements to the next meeting and to have a certified soil scientist flag the soils, with expense born by the applicant. He will bring the survey map showing drainage easements. He also submitted a certification of his ownership of the property and will return next month.

**Motion:** Dr. Frank Schildgen moved to have a certified soil scientist flag the wetlands on this property owned by Mr. Copeland.

**Second:** Jack Hamill

**Vote:** All voted aye and the motion carried.

### APPLICATION RECEPTIONS

#### **5. Cyr (Mists of Avalon) – 243 Old Mt. Tom Road**

**11/13/13**

*As of right application for construction of agricultural drive row from farm stand to adjacent caretaker's house*

Ron Wolf, PE, was present to represent the owners. The property is comprised of 15 acres and is now used as an organic vegetable farm. They received a permit from Inland Wetlands for construction of a driveway at the house. This application is for a gravel drive row for westerly access to the greenhouses and fields. It will also provide a buffer to the wetlands. The farm is registered as Wild Carrot Farm, and about ten acres will be farmed. They are a certified organic farm using no pesticides. The wetlands were delineated by a soil scientist. The road will be 12' wide and gravel and will be no closer than 20' from the wetlands. Water sheet flows off the road. They will take out about 12" of topsoil before laying down the gravel and would like to do the work right away.

**Motion:** Carol Williams moved to grant Mists of Avalon, 243 Old Mt. Tom Road, an as of right permit for construction of an agricultural drive row from the farm stand to the adjacent house, as designated on Map 040, Block 088, Lot 034.

**Second:** Anthony Paradise

**Vote:** All voted aye and the motion carried.

#### **6. Shanks/Warner – 60 Butternut Road**

**11/13/13**

*Clear pathway to construct post and wire fence (400 ft. long)*

Damian Shanks is moving in and would like to fence the garden in to secure an area for the children. It will be a stake and wire fence. They may use a bobcat with a post digger and will clear just enough area to allow them to work in putting up the fence. The present owners have signed their consent for him to begin work. Commissioners suggested they dig a certain steep grade area by hand.

**Motion:** A. Paradise moved to approve the application of Shanks/Warner for 60 Butternut Road, Map 157, Block 051, Lot 02C, with the condition that the area on the map between Sections 58.117 and 59.1 with steep slopes on the west side of the property should be dug by hand, as they will have difficulty getting a machine in.

**Second:** Abby Conroy

**Vote:** All voted aye and the motion carried.

#### **7. Bertrand – Torrington Road (Map 145, Block 021, Lot 062)**

**11/13/13**

*Construct single family dwelling in regulated area and driveway crossing in wetland*

Dennis McMorrow, Berkshire Engineering and Surveying, was present to show a vicinity map of a 22.6-acre, 9-lot subdivision approved 24 years ago. It has been vacant since then and now the Bertrands want

to build a house. This is a 20-acre watershed with a band of wetlands going through the property with additional wetlands and a small wetland pocket that discharges into an open-end culvert on Route 202. He walked it with George Malia, who had flagged it, and found the best place to cross the wetlands with a 24" culvert that will pass the 100-year storm. They are proposing a 12' driveway entering with 10' shoulders on each side of the Town road. The stream flows down into the swamp at the driving range. This property will be on the sewer system.

### APPLICATION PROPOSALS

#### **8. Submission of Technical Information Concerning Proposal to Construct a New Wireless Telecommunications Facility at 469 Bantam Road in the Town of Litchfield, Connecticut (WITHDRAWN)**

#### **9. Approval of Minutes of October 9, 2013**

**Motion:** Dr. Frank Schildgen moved to approve the meeting minutes of 10/9/13.

**Second:** Anthony Paradise

**Vote:** All voted aye except C. Williams who abstained because of absence; motion carried.

#### **10. Correspondence:** A 10/26/13 letter from Jane McMahon was read by Chairman Blazek regarding the Copeland work at 342 Bantam Road.

Chairman Blazek then read a 10/16/13 letter from Robinson & Cole to Leo Paul regarding its application withdrawal for the proposed tower at 469 Bantam Road.

#### **11. Possible Executive Session to Discuss Pending Litigation**

**Motion:** Dr. Frank Schildgen moved to go into executive session at 8:40 p.m. with all commissioners and Wetlands Agent Dennis Tobin attending.

**Second:** Barbara Brower

**Vote:** All voted aye and the motion carried.

They came out of executive session at 8:42 p.m. with no action taken.

#### **12. Old Business –** Dr. Tobin said there were Scribner's errors in the new Inland Wetland Regulations adopted in July. Corrections have been made and new copies were given to all commissioners.

**Motion:** Robert Blazek moved to adopt the corrected regulations as presented in the packets.

**Second:** Barbara Brower

**Vote:** All voted aye and the motion carried.

#### **13. Adjournment**

**Motion:** Barbara Brower moved to adjourn at 8:43 p.m.

**Second:** Carol Williams

**Vote:** All voted aye and the motion carried.

Respectfully submitted,



Ann D. Combs  
Recording Secretary