

INLAND WETLANDS COMMISSION
Regular Meeting Minutes
September 10, 2014 – 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 7:00 p.m.

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

Members Absent: Abby Conroy, Frederick Minck

1. Public Comment: None

2. Appointment of Alternates: Chairman Blazek appointed alternate Linnea Healy to serve as regular member for Abby Conroy.

PUBLIC HEARING

3. Morzella – Dingwell Drive

9/10/14

Construct driveway with small crossing and dwelling in upland review area

Chairman Blazek opened the continuation of the public hearing at 7:03 and read the public notice and rules of the hearing. He announced no decision would be made on this application this month.

Applicant: Dennis McMorrow, Berkshire Engineering and Surveying, described this application as a nine-acre parcel at the end of Dingwell Drive. This is a pre-existing nonconforming lot. There is an existing right of way and an existing swale. George Malia has flagged the wetlands which were at one time an open field that was excavated, leaving a wetlands soil base, as the water table is high in that area. The driveway will have to infringe slightly on the wetlands in order for a curve that would allow emergency vehicles to make the corner. The septic is centrally located and the house is in the regulated area, 70' from the wetlands, but downhill from them. Wetlands will not be crossed to build the house. The property slopes toward the Bantam River to the west. The existing drainage swale will stay with the proposed driveway. Mr. McMorrow got a copy of the 1950's deed that shows a 13-ft. right of way access from East Street to Dingwell's well. Based on the Samuel Bertaccini survey map of 1987 and the deed, the opinion letter from Michael Rybak confirmed the 13-ft. right of way running southerly from East Street. The extension driveway will be 12 feet wide. The existing channel will flow toward the brook that flows to the Bantam River. There is an existing well on the property.

Commissioners: A. Paradise asked for further explanation of the map, and B. Brower asked that there be no disturbance to the Bantam River.

Public: Priscilla Mosher, abutting neighbor, was concerned with the width of the proposed driveway, and Mr. McMorrow confirmed it would only be 12 feet wide and that it would only improve the last 50 feet.

Commissioners: No further comments.

Motion: Dr. Frank Schildgen moved to close the public hearing at 7:35 p.m.

Second: Jack Hamill

Vote: All voted aye and the motion carried. The decision will be continued to the next meeting on October 8, 2014, at 7:00 p.m.

CONSIDERATIONS

4. Cote – 14 Wilson Road

9/10/14

Measures to correct scouring of stream bank by 1) filling in existing scouring hole; 2) extend and armor stream bed between abutments with riprap; and 3) direct flow by armoring the right stream bank with approximately 30 large boulders

Timothy Cote was present with photos of the bridge and stream. Chairman Blazek read the 8/28/14 letter from Sean Hayden, Northwest Conservation District, to Dr. Tobin outlining his review of the proposal and comments on the plan. He asked that construction occur during low water. Mr. Cote plans to remove debris below the bridge and place large rocks in the scour hole and on the bank halfway up the wing wall. There will also be a triangle of rocks to slow the flow, as they need to reduce the turbulence on the wing wall of the bridge. The Commissioners were concerned about what path the water would take downstream after a rain event. Mr. Cote would like to start the work soon.

Motion: Anthony Paradise moved to approve the application of Cote at 14 Wilson Road to correct the scouring of the stream bank by 1) filling in existing scouring hole; 2) extend and armor stream bed between abutments with riprap; and 3) direct flow by armoring the right stream bank with approximately 30 large boulders with the condition of following the recommendations of Sean Hayden in his letter of 8/28/14.

Second: Dr. Frank Schildgen

Vote: All voted aye and the motion carried.

5. Gillespie (Brandon) – Blue Swamp Road (152/078/001)

9/10/14

Timber harvest (223 acres) with three stream crossings

James Gillespie, Certified Timber Forrester of Sharon, CT was present to explain he has a cultural timber crop. He showed a colored map done by Berkshire Engineering and Surveying. All trees have been marked by him. He led a field walk with Dr. Schildgen attending, accessing from Blue Swamp Road. There are three stream crossings with portable construction mat bridges. He will be using existing trails in the woods and will do the work this winter and seed in the spring with conservation mix. There is also a ten-acre area on Page Road with access from Page Road. After seeing the area, Dr. Schildgen said he has no reservations. The slope is not as steep as he had suspected. There were no other comments from the Commissioners.

Motion: Dr. Frank Schildgen moved to approve the application of Gillespie on Blue Swamp Road for a timber harvest (223 acres) with three stream crossings using best management practices as per map dated 6/1/10 by Berkshire Engineering and Surveying.

Second: Carol Williams

Vote: All voted aye and the motion carried.

6. Aaron Weik - 484 S. Plains Road

9/10/14

50'x50' area to be filled with common fill to level area for a new driveway installation

Aaron Weik said the runoff goes into his property and into the basement. He had a chance for free gravel delivery and went ahead and accepted it and graveled the driveway without a permit. Dr. Tobin said he spoke with Mr. Weik after this was done, explaining it was not yet permitted. He issued him a cease and desist order. Chairman Blazek read the 8/22/14 letter from Michael Morin of the Northwest Conservation

District. He conducted a field inspection and found no signs of violation of the 2002 CT Guidelines for Soil Erosion and Sediment Control. He suggested the order to stop work be lifted so his recommended procedures could take place.

Motion: Dr. Frank Schildgen moved to approve the application of Weik, 484 South Plains Road, for a 50'x50' area to be filled to level it for a new driveway, lifting the cease and desist order based on the letter from Michael Morin of the Northwest Conservation District and following his recommendations.

Second: Carol Williams

Vote: All voted aye except Carol Williams, who voted nay, and the motion carried.

RECEPTIONS

7. Arethusa Farm – 15 Webster Road

9/10/14

Construct connector barn

Dennis McMorrow was present to show a drawing and explain the connector barn from the existing show barn to the existing pack barn. The barn proposed will be 75'x58'. It will be 70.4 ft. to the wetlands and 72.5 ft. to the pond. The catch basin will still handle the water.

8. Peck/Bush – 462 Milton Road

9/10/14

Drainage improvements (swale around existing garage), shed addition and gravel driveway turnaround

Dennis McMorrow explained this house in a wooded area with a hill driveway. The back of the garage is rotted from so much wet area. He plans to put in a grass swale to direct the water away from the garage. Water is also weeping from the hillside and ponding behind the house, so he will add two lawn drains. He will also make a parking area and a walkway to the house. George Malia has flagged the wetlands. They plan to dig to lower the wetland area. In the interest of time and safety due to mold and damage to the property, it was agreed to address this application immediately.

Motion: Carol Williams moved to receive and approve the application of Peck/Bush, 462 Milton Road, for drainage improvements (swale around existing garage), shed addition and gravel driveway turnaround as per Site Plan dated 9/4/14 by Berkshire Engineering and Surveying.

Second: Anthony Paradise

Vote: All voted aye and the motion carried.

9. Murphy – 38 West Morris Road

9/10/14

Pond maintenance

Wallace Murphy was present to describe the maintenance work at his pond to remove phragmites along one edge. He will use a backhoe and pile the weeds 150 ft. away on his other property, using silt fencing. The pond is spring fed, about ¼ acre and 12 ft. deep with trout and bass. They recommended he use Rodeo in the pond and Roundup on the weed pile.

Motion: Dr. Frank Schildgen moved to approve the application of Murphy, 38 West Morris Road, for pond maintenance on a 1/4-acre pond using a backhoe or excavator to dig and store spoils in the area on the hand-drawn map.

Second: Anthony Paradise

Vote: All voted aye and the motion carried.

10. Dobson (Sagarna) – 40 Avalon Lane
Install 18'x42' in-ground pool in regulated area

9/10/14

Julie Dobson was present to explain the proposed plan to dig the pool 58 ft. away from the wetlands and 25 ft. away from the septic, using silt fence and hay bales. The pool will use a cartridge filter with no backwash or discharge. Torrington Area Health is sending her a letter of approval. She presented a stamped copy of the map by Berkshire Engineering and Surveying (Septic System Design) dated 7/9/04.

11. Approval of Minutes of August 13, 2014

Motion: Dr. Frank Schildgen moved to adopt the meeting minutes of August 13, 2014.

Second: Linnea Healy

Vote: All voted aye except C. Williams, who abstained because of absence, and the motion carried.

12. Correspondence

- Integrated Water Quality Report - from Rivers Alliance of CT

- State Water Plan Comment Period Open – from Rivers Alliance of CT

13. Possible Executive Session to Discuss Pending Litigation: None

14. Adjournment

Motion: Dr. Frank Schildgen moved to adjourn at 9:00 p.m.

Second: Carol Williams

Vote: All voted aye and the motion carried.

Respectfully submitted,



Ann D. Combs, Recording Secretary