

DRAFT

INLAND WETLANDS COMMISSION
September 14, 2011 ~ 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: Robert Blazek, Barbara Brower, Jack Hamill, Dr. Frank Schildgen, and Carol Williams. Also present were Inland Wetlands Agent Dennis Tobin, Ph.D, and Recording Secretary Ann Curtis.

Members Absent: Frederick Minck, Jeffrey Zullo

1. Public Comment: Sherri Irwin, resident of Tannery Brook Road, presented her complaint against Meadow Street resident and abutting landowner John Gould, who she says has been clearing his land and has caused the runoff from his land to change course and flood her yard and home. She had photos and noted a letter sent previously by Land Use Administrator Ruth Mulcahy warning him of unauthorized wetlands activities. Chairman Blazek and Dr. Tobin will inspect.

2. Appointment of Alternates: None available

APPLICATION CONSIDERATIONS

3. Tapping Reeve Village Assn.

9/14/11

Drainage work

No one was present from Tapping Reeve. Dr. Tobin will call.

Motion: Dr. Frank Schildgen moved to table this application until next month.

Second: Carol Williams

Vote: All voted aye and the motion carried.

4. Birge – 23 Hidden Pond Lane

9/14/11

Construction of single family dwelling, septic, driveway and selective cutting of trees

Barry Birge and Engineer Brian Neff were present. Ms Birge explained that extensive clearing was done by the previous owners, and she plans to cut selected trees and let the understory grow back in. R. Blazek and Sean Hayden will look at the tagged trees for suggestions. Mr. Hayden submitted a letter dated 8/25/11 with the results of his review and list of design considerations.

Motion: Dr. Frank Schildgen moved to approve the application for Birge, 23 Hidden Pond Lane, for construction of a single family dwelling, septic, driveway and selective cutting of trees that will be monitored by Dr. Tobin. This approval is granted as per map “Soil Erosion and Sediment Control” dated 9/11 with report dated 8/25/11 by Sean Hayden, Northwest Conservation District, with his recommendations to be considered in the development of this site.

Second: Jack Hamill

Vote: All voted aye and the motion carried.

Motion: Dr. Frank Schildgen moved to add to the agenda under 9a. of Application Receptions, “Pam and Gene Genarelli – 220/226 Goodhouse Road, swale renovation.”

Second: Carol Williams

Vote: All voted aye and the motion carried.

PERMIT REVIEW

5. Shepaug Crossing – Old Mt. Tom Road

9/14/11

Relocate created wetlands in Lot #13

Phil Deleppo was present representing C. A. Litchfield Land, LLC, owners of Shepaug Crossing. He explained they want to construct a vernal pool on Lot #13 to relocate an egg mass located in a drainage ditch. There is ledge rock in the way, so they want to move it 25 – 30 feet. Michael Klein, who recreates wetlands, will do the work.

Motion: Barbara Brower moved to approve the permit review to relocate a created wetlands in Lot #13 of Shepaug Crossing per map titled “Shepaug Crossing Lot Layout Plan” dated 2/28/09 and revised 9/14/11 by the Inland Wetlands Commission and the applicant.

Second: Carol Williams

Vote: All voted aye and the motion carried.

BOND RELEASE

6) Shepaug Crossing - Old Mt. Tom Road

9/14/11

Permit review for bond release

Sean Hayden said he inspected the site, the stormwater structures are working well and the infrastructure is stable.

Motion: Dr. Frank Schildgen moved to release the bond for Shepaug Crossing, Old Mt. Tom Road, in the amount of \$27,837.04, with the recognition that C. A. Litchfield Land, LLC, or the current owner, will assume responsibility for the maintenance of the sedimentation system, as discussed with Phil Deleppo, C. A. Litchfield Land, LLC. Further, Dr. Dennis Tobin will inspect 1 – 2 times per week during construction of homes and then once a month after construction.

Second: Barbara Brower

Vote: All voted aye and the motion carried.

APPLICATION RECEPTIONS

7. Litchfield Country Club – Old South Road

9/14/11

Repair of 5th green stream bank on Bantam River

Dennis McMorrow, Berkshire Engineering and Surveying, was present to represent the Country Club. Due to Hurricane Irene, the river carved out part of the 5th green and sand trap. He is proposing a rip rap triangle in the carve-out, then filter fabric and fill dirt back in. Both White Memorial and the Country Club have signed the application.

Motion: Carol Williams moved to receive and approve the application of the Litchfield Country Club, Old South Road, on behalf of White Memorial Foundation, on Map 99, Block 460, Lot 001, to stabilize the stream bank along the 5th green after storm damage from Hurricane Irene as per plan

prepared by Berkshire Engineering dated 9/9/11 for stabilization of vegetation with rip rap, with input from Sean Hayden.

Second: Jack Hamill

Vote: All voted aye and the motion carried.

8. Klein – 78 Norfolk Road

9/14/11

Septic repair

Dennis McMorro said the septic is hydraulically failing and blowing into the river. This is due to the flooding from Hurricane Irene and being in the flood plain. There is only one place to go on the lawn with septic fill added.

Motion: Barbara Brower moved to approve the application reception of Margaret Klein, 78 Norfolk Road, for septic repair as per map entitled “Septic System Repair Design” dated 9/7/11.

Second: Jack Hamill

Vote: All voted aye and the motion carried.

9. Borghesi Bldg. & Eng. (Patterson Oil) 827 Bantam Road

9/14/11

Renovate existing gas/service station, remove existing garage and construct parking area

Russell and Sam Patterson were present and explained they want to remove the ancillary cold warehouse building in the back and convert the building to a small store and gas station. The driveway will be paved and a small retaining wall will be constructed at the end along the river.

9a. Pam and Gene Genarelli - 220/226 Goodhouse Road

9/14/11

Swale renovation

Mr. Genarelli was present and explained that the swale has filled in with sediment and washes over to the Malo’s property. He was requested to get a letter from the Malo’s to go on the property. The material will be dug out with a backhoe.

AGENT DETERMINATIONS

10. Town of Litchfield – White Woods Road to South Lake Street

9/14/11

Replace one catch basin, limited repair, asphalt and chip seal entire length

Dr. Tobin said we need to move quickly to get funding for this Town/State project, which is scheduled maintenance. The road will be chip sealed from Webster Road to South Lake Street.

Motion: Robert Blazek moved to approve this agent determination.

Second: Jack Hamill

Vote: All voted aye and the motion carried.

11. Putnam – 73 Clark Road

9/14/11

As of right activity to construct 14’ X 36’ hoop house on posts for agriculture

Barbara Putnam was present and explained she would like to construct a hoop house in which to grow vegetables, similar to a cold frame. The hoop house will be 142’ from the stream and will be built on posts in the ground that hold hoops to support a plastic cover. There will be no herbicides or pesticides, as she is an organic farmer.

Motion: Barbara Brower moved to approve this agent determination for Barbara Putnam at 73 Clark Road as described above.

Second: Jack Hamill

Vote: All voted aye and the motion carried.

12. Lafferty (Education Connection) – 355 Goshen Road

9/14/11

Replace overflow pipe under Sarcka Lane

D. Tobin explained that due to Hurricane Irene, this drain pipe repair was necessary to allow the water to flow out. Carol Williams questioned Dr. Tobin's decision made without the Commission's knowledge, and Chairman Blazek said that the Commission okays all agent determinations. Barbara Brower also questioned why the Commission is needed if the Inland Wetlands Agent has already made the determination. R. Blazek asked Dr. Tobin to go to the Commission first or contact him in the future if there is an emergency that must be approved immediately. Dr. Schildgen agreed, saying that if Dr. Tobin is approving these under the auspices of the Inland Wetlands Commission and causing these approvals by the Commission to be retroactive, he should notify the Chairman first before taking action. Dr. Tobin agreed.

13. Oskwarek – 578 Torrington Road

9/14/11

Filling an abandoned well and garage addition

Mr. Tobin explained that he worked with TAHD and talked to Keith Cudworth at White Memorial. He found a hand-dug well that contains bacteria. The well will be filled in with dirt. The addition is 10' X 10', and he required silt fence and hay bales. The Commission felt that this is the type of application that should come to the Commission for review in the future.

Motion: Jack Hamill moved to approve this action as an agent determination.

Second: Dr. Frank Schildgen

Vote: J. Hamill, F. Schildgen voted aye; C. Williams voted nay; B. Brower abstained; motion carried.

14. White Memorial Foundation – White Woods Road (area around Little Pond)

9/14/11

Maintenance and repair of wooden boardwalk

Dr. Tobin found portions of the boardwalk to be tilted after Hurricane Irene. Robert Blazek said that White Memorial has repaired the boardwalk many times and has never come in for a permit. Dr. Schildgen said it sets a bad precedent to charge them every time they need to make a repair. Dr. Tobin said he requested the applicant to ask for a fee waiver. He felt it was a safety issue, but Mr. Blazek asked him to call him first in the future.

Motion: Dr. Frank Schildgen moved to make this an agent determination for White Memorial Foundation in the area around Little Pond for maintenance and repair of the wooden boardwalk.

Second: Barbara Brower

Vote: All voted aye except Carol Williams, who abstained; motion carried.

15. Approval of Minutes of August 10, 2011

This vote will be postponed until next month, as there were not enough members who were present at the last meeting to vote.

16. Election of Officers

Motion: Carol Williams moved to appoint Robert Blazek as Chairman and Barbara Brower as Vice Chairman.

Second: Jack Hamill

Discussion: Barbara Brower suggested Jack Hamill take the Vice President appointment, but then agreed to accept Vice Chairman until March.

Vote: All voted aye and the motion carried.

17. Correspondence

- Received 8/17/11 from Northeast Tree Pond Turf Service Co. for the DEEP Aquatic Pesticide Application. They are going to control water lily and algae at East Cemetery pond.
- 8/5/11 Client Update on Case Law Development from Steven E. Byrne, Esq.
- CT Federation of Planning & Zoning Quarterly Newsletter
- Voice of Local Conservation

18. Adjournment

Motion: Carol Williams moved to adjourn at 9:07 p.m.

Second: Barbara Brower

Vote: All voted aye and the motion carried.

Respectfully submitted,



Ann D. Curtis
Recording Secretary