



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

29 North Street • P.O. Box 203 • Roxbury, CT 06783-0203

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING MARCH 27, 2018

AGENDA

CALL TO ORDER

Chairman Dirienzo called the Regular Meeting to order at 7:30 p.m.

Regular Members Present: Russ Dirienzo, Robert Horrigan, John Smoliga, and Andy Engel

Alternate Members Present: Daniela Pappas

Staff Present: John Cody, WEO, and Julie Cady, Clerk

Public Present: Allen Kovac, Robert Shaver, Mark Zerbe, Paul Manson, Manuel Barreto, John Keggi, and Jack Roush

SEATING OF MEMBERS

Chairman Dirienzo seated regular members Horrigan, Smoliga, Engel, himself, and alternate Pappas.

APPROVAL OF MINUTES

Public Hearing & Regular Meeting - February 27, 2018

Motion: A motion was made to approve the February 27, 2018 Public Hearing and Regular Meeting Minutes as amended by John Smoliga, seconded by Andy Engel and carried. The Public Hearing Meeting Minutes amended as follows: To correct the spelling of Ed Pollock to Ed Pawluck, and to change sentence "*He feared the proposed road would split a high-quality system with adverse effects downstream.*" to "*Mr. Klein stated the proposed road would split a high-quality system with adverse effects downstream.*"

COMMUNICATION WITH THE PUBLIC

Paul Manson presented an e-mail to the Commission from Michael S. Klein regarding the Public hearing held on February 27, 2018.

OLD BUSINESS

12-17-01 The Woods Roxbury LLC - North Street – Subdivision - Application withdrawn

Russ Dirienzo informed the Commission the application for The Woods Roxbury LLC had been withdrawn.

02-18 #1 Mahrer/Schafer - 14 Evergreen Drive - Addition to existing home - Report onsite inspection

Russ Dirienzo reported he and Andy Engel did a site visit to the property. Neither one had any issues with the property having an addition to the existing home.

Motion: A motion was made to approve the application of Mahrer & Schafer for an addition to the existing home as a regulated activity on 14 Evergreen Drive by Andy Engel, seconded by Robert Horrigan and carried unanimously.

02-18 #2 Martinelli - Weller's Bridge & Hemlock Road – Driveway - Report onsite inspection

Russ Dirienzo reported he and Andy Engel did a site visit to the property. Neither one had any issues with a driveway being added to the property.

Motion: A motion was made to approve the application of Martinelli for an additional driveway as a regulated activity on the property located at Weller's Bridge and 17 Hemlock Road by Andy Engel, seconded by Robert Horrigan and carried unanimously.

NEW BUSINESS

DEEP AQUA-2017-307 Yelding Pond - 167 Tophet Road - Aquatic pesticide treatment of a 2-acre pond

The Commission was made aware of the aquatic pesticide treatment.

ENFORCEMENT ACTIONS

Russ Dirienzo explained that clear cutting is a regulated activity. Clear cutting more than one acre of land requires a local permit with a storm water management plan, and more than five acres requires a state permit.

NOV BOOTH - 31 Grassy Hill Propertie - Clear Cutting

Manuel Barreto came forward to represent the property. Russ Dirienzo addressed Mr. Barreto stating the Commission has been up to the property many times, and he knows Mr. Barreto knows where the wetlands are. Manuel Barreto stated they did clear dead trees full of vines. John Cody reported 31 Grassy Hill Properties had been approved for some cutting but was cut beyond the approved area. A letter was submitted by Brian Neff stating he would be out of town for the next IWC meeting. Mr. Neff further stated he is preparing a storm water management plan for the additional clearing and will submit it as soon as it is finished. Russ Dirienzo advised Mr. Barreto that he needs to come back to the Commission prior to any additional work being done, and if he has any questions he should call.

Motion: A motion was made to approve the submission by 31 Grassy Hill Properties for an after the fact application for the clearing of trees with a storm water management plan, and \$350.00 for 31 Grassy Hill Road by Andy Engel, seconded by John Smoliga and carried unanimously.

NOV KOVAC - 85 Forrest Farm Road - Clear Cutting

Attorney Robert Shaver and Allen Kovac came forward to represent the property. Russ Dirienzo informed the Commission he is working on an unrelated project with Attorney Shaver and offered to recuse himself if anyone had a problem with this. No one requested him to step down.

John Cody reported that while on a site inspection of the Woods Roxbury property, he noticed extensive clear cutting on the adjacent property which prompted him to issue this Notice of Violation. Attorney Shaver then presented paperwork from Branson Forestry showing a Permanent Land Management Plan between Allen Kovac and the Roxbury Land Trust for the management of shelter wood areas located over an existing conservation easement located on Mr. Kovac's property. Russ Dirienzo remembered reviewing this proposal for the Land Trust but did not realize it was the same property. Russ Dirienzo advised that even if the tree clearing is related to forestry management, the town should be notified prior to the work being done.

Mr. Kovac questioned why Robert Horrigan did not recuse himself regarding this action. Mr. Horrigan stated that he did not see a reason to recuse himself. Mr. Kovac noted that when his proposal for Kovac/DiVesta-Moosehorn Road & Forrest Farm Road - Proposed Conservation Easement was before the IWC on August 25, 2015, Mr. Horrigan did recuse himself. Robert Horrigan noted that he did not recall the circumstances that resulted in his recusal in 2015 and recused himself from this action.

Russ Dirienzo stated, "The question for the Commission is if we agree this is an exempted activity, which based on the letter presented by Attorney Shaver, it is." The enforcement action against Mr. Kovac was dismissed.

NOV Keggi - 8 Farm Road- Clear cutting

Dr. John Keggi came forward to represent the property. John Cody stated it had come to his attention that trees had been clear cut on the property. Dr. Keggi stated he had been removing trees over the past four years by himself. He was unaware of the need for a permit and apologized. This enforcement action was dismissed and Dr. Keggi was advised to get a permit the next time.

WEO REPORT

The WEO Report was not reviewed.

ADJOURNMENT

Motion: A motion was made to adjourn at 8:30 p.m. by Robert Horrigan, seconded by Andy Engel and carried unanimously.

Respectfully submitted,

Julie Cady

Julie Cady, Secretary