1. **CALL TO ORDER:** Vice-Chairman Mary Augustiny called the meeting to order at 7:30 p.m. at the Town Grange.

2. **ATTENDANCE:**

**COMMISSIONERS PRESENT:** Mary Augustiny, Jennifer Burton- Reeve, Bryan Goff, Daniel Jahne

**COMMISSIONERS ABSENT:** Randy Dill, 2 vacancies

**OTHERS PRESENT:** Jim Ventres, Attorney Matthew Willis, Conservation Commission representative Todd Gelston, and 4 townspeople were present.

3. **MINUTES:**

   Motion by Mr. Goff to accept the minutes of the September 16, 2014 meeting as presented. Motion seconded by Ms. Burton-Reeve, and carried by unanimous vote.

4. **BILLS:**

   NL Jacobson (Bashan lake shore stabilization) $192.73
   NL Jacobson (AP Gates Road) 311.88
   Hartford Courant (legal notices) 112.28
   Branse & Willis (legal matters Clark Gates LLC) 203.50
   Branse & Willis (Clark Gates LLC) 92.50

   Motion by Mr. Goff, seconded by Mr. Jahne, and carried by unanimous vote to approve payment of the bills as presented.

5. **FIELD WALK REPORT**

   There were two sites visited. Ms. Augustiny, Mr. Goff, Ms. Burton-Reeve, Mr. Jahne, and Mr. Ventres attended both the Kaczmarczyk and the Kiley walks.
6. WETLANDS PERMIT REVIEW

A) Continued: Stanley and Darlene Kaczmarczyk, 14 Sunny Heights Road, rebuild of existing house and creation of a walkway.

Mr. Charles Dutch addressed the commission on behalf of the applicants. He distributed revised plans which addressed the commission’s concerns about the pervious patio under the deck. He noted that was the only change on this plan.

Ms. Augustiny recalled when they were on site, they asked about the dock and walkway. Mr. Ventres presented the plan from Burnett’s Landscaping from last month’s meeting, which proposed two walkways. At the last meeting, the commission wanted to review the site. It was well noted that the new stairs to the northwest had some topographical challenges. The landscape architect did not meet the commission in the field, but it should be noted that at some point, east of the old walkway provided itself an opportunity for a dock placement and some lawn chairs. The area is vegetated, and trees are growing back. As staff, Mr. Ventres recommended the landscaping be put in place around the stairway, and the dock could be put in somewhere near that stairway. It will likely take approximately nine months for the demolition of the house and the re-build of the new house.

Mr. Goff would like to see some recommendations for plantings because the soil is dry and he did not want to see the bank collapse.

Responsive to inquiry by Ms. Augustiny, it was noted the dock was 10’x4’ and the walkway was 5’x8’. Ms. Augustiny noted the property owner was not present and has not agreed to this. Mr. Ventres stated they are at the end of the timeline on this application. The landscape architect did not meet the commission in the field, and the plans were submitted late. He recommended approval of the house and have the applicant come back for if they wanted to amend the other work approved.

Mr. Dutch believed putting the dock in the cove would be less intrusive to the lake.

Motion by Mr. Goff to approve the application of Stanley and Darlene Kaczmarczyk, 14 Sunny Heights Road, rebuild of existing house and creation of a walkway, with the following modifications and conditions:

- All work shall be done in accordance with the plans dated September 11, 2014 and September 16, 2014, with changes noted.
- Elimination of the stairwell to the north
- Relocation of the proposed dock to the southernmost stairwell
- No changes to the planting plan to the south stairway
- No changes to the size of the proposed dock
- If the applicant wishes to modify the plan, they must come back to this commission.
- The Land Use Administrator shall be notified before the work commences.
Motion seconded by Mr. Jahne, and carried by unanimous vote.

Items B and C on tonight’s agenda were heard together:

First date: August 19, 2014  Last date: October 22, 2014

AND

C) Continued: Wally Clebowicz, Wildwood Cottage #19, lakeside retaining wall improvements. Assessor’s Map 49, Lot 009
First date: August 19, 2014  Last date: October 22, 2014

No one representing the applicants was present at this meeting. Mr. Ventres recalled at the last meeting the applicants submitted plans for a concrete wall. They were provided several handouts of alternative methods. Mr. Ventres spoke with Mr. Brian Curtis about this as well. Neither the applicants, nor a representative was here tonight, and there has been no request for extension.

Motion by Mr. Goff, seconded by Ms. Burton-Reeve to move Items B and C to the end of tonight’s agenda. Motion carried by unanimous vote.

First date: October 21, 2014  Last date: December 25, 2014

No one representing the applicant was present at this meeting. Mr. Ventres noted that this applicant sent in a request for a further extension. He advised the commission that since the plans have not changed, it could be extended until 2020. This original approval was for a double crossing. It was first looked at in the 1990’s. The applicant would like the full extension until 2020.

Motion by Mr. Goff to grant an extension to Elaine Woods, 407 Hopyard Road, for a double stream crossing, to comply with the current 14 year extension, through 2020. Motion seconded by Mr. Jahne, and carried by unanimous vote.

E) New: Bill Kiley, 43 Lakeside Drive, lakeside retaining wall reconstruction.
Assessor’s Map 49, Lot 67.
First date: October 21, 2014  Last Date: December 25, 2014

No one representing the applicant was present at this meeting.
Mr. Ventres presented the plan. There is a retaining wall that runs the length of the property line, which extends over 125 feet. It is a stone and mortar retaining wall. The ice over the years has pushed the wall forward. To replace what is there could open the area to erosion. There has been a proposal to face the wall and to install footings. This would encompass the full length of the wall. Ms. Augustiny suggested facing it with stone, or to use the forms that look like stone when they are completed.

Ms. Augustiny believed this would be a maintenance issue, but it should be conditioned with the facing. Both Mr. Goff and Ms. Augustiny requested photographs before and after for comparison.

**Motion by Mr. Goff to approve the maintenance of the retaining wall for Bill Kiley, 43 Lakeside Drive, lakeside retaining wall reconstruction, with the following conditions**

- The final repairs shall reflect the current appearance of the wall.
- Photographs shall be taken and submitted to the Land Use Office before the start of the project.
- Mr. Ventres should talk with the contractor before the construction starts.

Motion seconded by Ms. Burton-Reeve, and carried by unanimous vote.

The commission recessed at 7:55 until the public hearing.

**7. PUBLIC HEARING**

Mr. Ventres read the call for the following public hearing:

A) **Clark Gates, LLC, 87 AP Gates Road, construction of a single-family residence with activity in the upland review area. Assessor’s Map 31, Lot 37.**

**First date:** October 21, 2014 **Last date:** November 24, 2014

Mr. Casner addressed the commission and submitted the green certified receipt cards. He was without counsel this evening, and he therefore asked that this meeting be continued to the next meeting. He had no objection to opening the hearing to the public for public input, but he asked that testimony not be given or taken this evening.

Mr. Ventres distributed a bullet-list of the maps and documents that are part of the application.

Mr. Ventres stated that it is the Planning & Zoning Commission’s opinion that this property should not be before the IWWC. The planning & zoning commission has maps on file. Some of the P&Z members were actually on the commission when this application came
through in 1988. There is a requirement in the statutes that any activity proposed in a conservation restriction area be brought to the Planning and Zoning Commission first. Mr. Ventres stated he had a letter from the Planning and Zoning Commission about this matter.

Mr. Casner asked that the letter not get into evidence at this time.

Mr. Goff asked if this were continued to the next meeting, if it would give Mr. Casner an opportunity to speak with P&Z. Mr. Ventres stated this issue needs to be researched thoroughly.

Atty. Willis stated there is a statute that provides that if there is a restriction, that the holders of the restriction be given 60 days notice. In this case, the planning & zoning commission contends that they are the holder of the easement. Mr. Goff asked if Mr. Casner would speak with the Planning & Zoning Commission. Mr. Casner stated this was something for the attorneys to discuss.

Attorney Willis believed the best course of action would be to withdraw, go before the Planning & Zoning Commission, and then come back to this commission. Mr. Casner saw no reason to withdraw, and he believed these issues could be resolved within the next 30 days.

Mr. Goff stated there is a Kennedy Farms subdivision report with a note that there is a missing page. Mr. Ventres stated that page was about pools on the Kennedy property.

Ms. Augustiny opened the hearing to the public, to discuss wetlands issues only.

Mr. Richard Longett, 83 AP Gates Road stated they had concerns, but would hold their comments until the issue with planning & zoning is resolved.

Ms. Deborah Adams, 88 AP Gates Road, also had concerns, but would hold her comments until the next hearing date as well.

Mr. Todd Gelston, Conservation Commission representative, would hold his questions until the next hearing.

The Commission encouraged everyone with concerns to put them in writing.

**Motion by Mr. Goff to continue the public hearing of Clark Gates, LLC, 87 AP Gates Road, construction of a single-family residence with activity in the upland review area, Assessor’s Map 31, Lot 37 until the next regularly scheduled meeting on November 18, 2014, 8:00 p.m. at the Town Grange. Motion seconded by Mr. Jahne, and carried by unanimous vote.**
Ms. Augustiny informed the audience that there would not be another notice, but that they could come to the next meeting at 8:00 p.m.

6. WETLANDS PERMIT REVIEW (Continued)

First date: August 19, 2014 Last date: October 22, 2014

AND

C) Continued: Wally Clebowicz, Wildwood Cottage #19, lakeside retaining wall improvements. Assessor’s Map 49, Lot 009
First date: August 19, 2014 Last date: October 22, 2014

No one was present and Mr. Ventres reported that there were prudent and feasible alternatives to the proposal.

Motion by Mr. Goff to deny the applications of B) Brian and Francine Clebowicz, and C) Wally Clebowicz, without prejudice, due to lack of information. Motion seconded by Ms. Burton-reeve, and carried by unanimous vote.

8. IWWC ENFORCEMENT OFFICER’S REPORT

Mr. Ventres stated after many years, they will now have a removable dock at the Goodspeed landing. It will be removed in the winters. It will be a multi-purpose use. The piers are permanent, and the decking is aluminum.

Mr. Ventres reported that Mr. Roger Nemergut dropped off a plan for a new septic system at the Shagbark property. Mr. Ventres presented this plan to the commission. This is a change to the plan previously reviewed and the distribution pipe will cross the wetland. They propose a forced main pipe. Ms. Augustiny asked if the septic would be pumped up hill, to which Mr. Ventres confirmed it would. Mr. Ventres stated this should be put on next month’s agenda. It was dropped off to him today. Ms. Augustiny stated they would need to conduct a site walk.

Mr. Ventres stated there are several people on Bashan Lake who would like to do work. It had been previously agreed that any re-stacking, etc. would be reviewed in-house and could be approved as maintenance. Ms. Augustiny believed the commission would want to walk around the lake.
The commission discussed the schedule for field walks. It was agreed that they were back to a Sunday field walk schedule. Ms. Burton-Reeve stated she works every other Sunday. She will forward her schedule to Mr. Ventres, and he will make the schedule.

Mr. Ventres reported that he has been approached by two gentlemen who would like to create a Frisbee golf course at Nichols field. They planned to follow the logging roads. Mr. Goff asked how this would affect the baseball fields. Mr. Ventres stated it would not affect the other fields. The two gentlemen need to go to the Conservation Commission next. Ms. Augustiny asked if this would come from the Conservation Commission, since they are the stewards of the land. Mr. Gelston stated the Conservation Commission has not seen this application, but he had no problem with Frisbee golf. However, he believed there might be better properties in town for Frisbee golf. Mr. Ventres stated they would have to use land that was not purchased with State funds for open space. The Nichols property was donated to the Town. Mr. Gelston suggested Sunrise Resort would be a good place for something like this. It was noted that they would have to go to the Conservation Commission, then to the Board of Selectmen. Attorney Willis stated this is supposedly the fastest growing sport in the United States. Mr. Ventres reported that many New England states have them.

Mr. Ventres distributed forms for the CACIWC annual meeting and conference on Saturday, November 15, 2014. Anyone interested should complete the forms and submit them to his office.

9. CONSERVATION COMMISSION INPUT:

Mr. Gelston reported that the parking lot at the Hatch lot has been installed. They put in a bridge along the blue trail. They plan to add some additional small stones to make a more stable walkway.

10. ADJOURNMENT

Motion by Mr. Goff, seconded by Ms. Burton-Reeve to adjourn at 8:38 p.m.
Motion carried by unanimous vote.

Respectfully submitted,
Holly Pattavina