

**INLAND WETLANDS AND WATERCOURSES COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
December 20, 2011**

(Not yet approved by the Commission)

1. CALL TO ORDER: Chairman Randolph Dill called the meeting to order at 7:30 p.m. at the Town Grange.

2. ATTENDANCE:

COMMISSIONERS PRESENT: Randolph Dill – Chairman, Mary Augustiny, Jennifer Burton-Reeve, David Cassenti, Bryan Goff, Daniel Jahne, Susan Odell

COMMISSIONERS ABSENT: None

OTHERS PRESENT: James Ventres and 4 townspeople were present.

3. MINUTES:

Motion by Mr. Goff, seconded by Ms. Augustiny, and passed by unanimous vote to accept the minutes of the November 15, 2011 meeting, with the following amendment:

- Page 3, Item C, Paragraph 4: Strike “Mr. Ventres stated”

4. BILLS

	<u>Invoice</u>	<u>Amount</u>
NLJ (Banner Country Club)	75016	\$1853.48
Hartford Courant		170.41
Penelope Sharp (Banner Country Club)		1600.00

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

5. CONSERVATION COMMISSION INPUT

No one was present at this time.

6. DISCUSSION

Mr. Dill asked that Mrs. Lombardo add “Field Walk Report” as an item to each agenda.

Mr. Dill noted for the record that field walks were conducted on the following properties: Banner, Averum Sprecher, Don Angersola, Karen Lombardi, Steve Urban. Each of the field walks was attended by Mr. Dill, Mr. Ventres, Ms. Augustiny, and Mrs. Burton-Reeve.

7. WETLANDS PERMIT REVIEW

B) Continued: Scott Russo, 30 Hilltop Road (Moodus Lake Shores), reconstruction and expansion of existing deck in the upland review area. Assessor's Map 67, Lot 179.

First date: November 15, 2011

Last date: January 18, 2012

Mr. Russo addressed the Commission. He went before the ZBA, and was successful in obtaining approval to extend the deck. Mr. Russo stated he had also talked previously about putting a roof over part of the deck, and his contractor advised against it, so he no longer plans to add a roof over part of the deck.

Motion by Ms. Augustiny to approve the application for Scott Russo, 30 Hilltop Road (Moodus Lake Shores), reconstruction and expansion of existing deck in the upland review area, as shown on the plans dated November 15, 2011, with the condition that the deck remains an open deck. Motion seconded by Mr. Goff, and carried by unanimous vote.

C) Continued: Goodspeed Airport, LLC, 15 Lumberyard Road, tree trimming in the upland review area. Assessor's Map 17, Lot 69

First date: November 15, 2011

Last date: January 18, 2012

Attorney John Bashaw addressed the Commission on behalf of the applicant, along with Ms. Sigrun Gadwa, and George Logan.

Attorney Bashaw reviewed his letter dated November 28, 2011, which was addressed to Mr. Ventres. He stated that all trees in the glide path will need to be trimmed, but those along the river would not.

Ms. Augustiny stated that she believed that it would be better to cut some of the trees rather than leave a 4-foot high stump. Attorney Bashaw stated they were not interested in keeping dead spikes. Ms. Gadwa stated it was worth a shot to try to keep the trees, and then if that was unsuccessful, they could cut them. Mr. Logan suggested even if they were cut down to the base, they could still grow shoots.

Responsive to Item 2, Attorney Bashaw commented that it would be difficult to know what would be left as spikes at this time. He stated if they were below the glide path, they would likely call Mr. Ventres to see what would have to be done to cut certain trees to the base, rather than have them pose a danger.

Item 3: Attorney Bashaw stated the brush piles will not be placed in any standing water areas at all. He stated they would have a fair amount of firewood size material that would be set aside for firewood purposes.

Ms. Augustiny stated she had asked that question, and part of the report talked about piling the brush. Her concern was that the brush would not be stacked in the wetland area itself, whether or not there was standing water. Attorney Bashaw stated that should not be an issue. He stated they would contact Mr.

u/z/IWWC/min/2011/12202011

Ventres to ask about piling brush, particularly for wildlife habitat. The rest would be brought to a tub grinder. Ms. Gadwa stated the Army Corps of Engineers requires some woody debris to be put in some areas of wetland. Ms. Augustiny clarified that was for creation of a wetland, not an existing wetland as this is. Mr. George Logan agreed that this is an existing wetland.

Mr. Cassenti recalled from the minutes that the trees that would be cut were going to be labeled. Attorney Bashaw stated that would be easier on the west side, as they were distinct. On the east side, it would not be feasible. He stated the surveyor could mark the spots for the people who are cutting.

Mr. Dill stated that the applicant should use the experts to determine whether to cut to the base or trim the marked trees. Attorney Bashaw stated they could wait and see whether anything has happened once the growing season has come and gone, and based on the advice of Ms. Gadwa and Mr. Logan, they could make a decision as to whether to cut or not.

Mr. Dill stated a few piles of brush could be beneficial for wildlife habitat. Attorney Bashaw asked if the Commission wanted them to call Mr. Ventres. Mr. Ventres suggested a condition of approval be to contact his office prior to starting.

Motion by Ms. Augustiny to approve the application of Goodspeed Airport, LLC, 15 Lumberyard Road, tree trimming in the upland review area, with the following conditions:

- **Work shall be as shown on the plans submitted September 8, 2011**
- **Tree flagging shall be done before the trimming and the Land Use Administrator shall be notified just before the activity is to start, and once the work is completed.**
- **If at the advice of the consultant, if it is determined the tree will die, the applicant may cut it to the base, but the stump is to remain to allow re-sprouting.**

Motion seconded by Mr. Goff, and carried by unanimous vote.

D) Continued: Don Angersola, 71 AP Gates Road, proposed 3-lot subdivision with a driveway in the inland wetlands floodplain. Assessor's Map 31, Lot 34.

First date: November 15, 2011

Last date: January 18, 2011

Mr. Roger Nemergut addressed the Commission and distributed revised plans.

Mr. Nemergut stated the outlet for Driveway 2 goes under the stonewall. Other changes for the Chatham Health District did not make the system further encroach on the wetland.

Mr. Dill asked about Lot 1 and the wet area, in the building area in the southeast corner. Mr. Nemergut stated it had not been re-checked. It had been looked at by Mr. Snarski and was determined to not be wetland. Mr. Nemergut stated he was not a soil scientist, but this was the first time he has seen standing water there. In addition, during the walk, someone sunk down in this area, but this was an area in which they had dug a test hole. He stated if the Commission wanted this area re-checked, he would do so. Mr. Dill was satisfied with this.

Mr. Goff asked about one area for the rebuilding of the stone wall after installing the culvert. Mr. Nemergut explained how this would work. Mr. Goff was amenable to this.

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Motion by Mr. Goff to approve the application of Don Angersola, 71 AP Gates Road, proposed 3-lot subdivision with a driveway in the inland wetlands floodplain in accordance with the plans dated 12/20/11, and to notify the Land Use Office when the work is done. Seconded by Mr. Jahne, and carried by unanimous vote.

Motion by Ms. Augustiny to send a letter to P&Z stating that the application of Donald Angersola, 71 AP Gates Road, proposed 3-lot subdivision with a driveway in the inland wetlands floodplain meets the requirements of the IWWC. Motion seconded by Mr. Goff, and carried by unanimous vote.

E) New: Karen Lombardi, Cottage #9, Wildwood Association, Smith Road, repair of existing dock and construction of a swim platform.

First date: December 20, 2011

Last date: February 22, 2012

Mr. Jim Lombardi addressed the Commission. He stated they have a small cottage and a 20-foot dock. An ice storm a few years ago took part of this dock. He would like to replace it with a 40-foot dock. They would also propose to add a swimming/diving platform. This would still be well within the neighboring docks.

Ms. Augustiny asked if the diving platform would be floating, or attached to the dock. Mr. Lombardi stated it would be attached to barrels.

Mr. Dill recalled from the site walk that there is a large rock sticking out of the water, and it is difficult to get the boat around this area. In addition, the area is quite rocky. He stated he did not have an issue with the dock, but he had concerns about the floating dock.

Mr. Dill stated if this Commission approves this dock, that it should be conditioned to require reflective devices so that boats did not run into it at night. He believed this could be a potential safety issue. Mr. Lombardi stated he would like to have this in water at least 6-feet so no one hit their heads when they dive into the water.

Mr. Dill believed it could be constructed, and then the location could be determined by floating it out in the lake to the appropriate depth, and it could be documented for the file. Mr. Dill stated there would have to be reflectors, etc.

Mrs. Burton-Reeve suggested it should be more than 6-feet for diving. Mr. Ventres stated there would not be a diving board, but people would just dive off the dock.

Ms. Augustiny suggested that the plan show the areas where the rocks are. Mr. Ventres suggested he could take photographs of the area for the next meeting.

Mr. Lombardi asked if he could get approval for the dock. Mr. Dill stated tonight was the first time this has appeared on the agenda, and the Commission could not act on it tonight.

Mr. Lombardi did not believe the raft would restrict boats, as there is a sandbar which acts like a jetty that prohibits boats from coming into this area.

Motion by Mr. Dill, seconded by Mr. Goff to continue this application. Ms. Augustiny did not see why Mr. Lombardi would have to come back to the next meeting. Mr. Goff stated unless Mr. Lombardi had new information to share on the floating dock, he would not have to come back. Mrs. Burton Reeve asked the size of the floating dock, to which Mr. Lombardi stated it would be 10ft. x 10ft.

TAPE CHANGE (1B)

Voting: Motion passed by unanimous vote. It was agreed that Mr. Lombardi could come back to the next meeting if he chooses to, but he was not required to do so.

8. SUBDIVISION REVIEW

A) Continued: Application 11-03, Donald Angersola, 71 AP Gates Road, wetlands review for a proposed 3-lot subdivision. Assessor's Map 31, Lot 34.

First date: November 15, 2011

Last date: January 18, 2012

See motion at Item 7.D., above

B) New: Application 11-04, Averum Sprecher, Parker Road, wetlands review for a proposed 2-lot subdivision. Assessor's Map 29, Lot 19

First date: November 15, 2011

Last date: January 18, 2012

No one representing the applicant was present at this meeting. Mr. Ventres presented plan. He stated the question was where the test pits were located, which were done in 2004. He informed the Commission that both he and Mr. Weaver relocated the test pit sites.

Ms. Augustiny asked where the boundaries were. Mr. Ventres showed this on the plan. He stated the other lot was remaining land.

Mr. Dill asked if there were any activities in the wetlands or upland review area, to which Mr. Ventres stated there were not. Mr. Dill stated this would be a letter to the Planning & Zoning Commission, but he suggested if any members had any comments to pass along to the Planning & Zoning Commission, to include them in the letter.

Motion by Ms. Augustiny to send a letter to the Planning & Zoning Commission stating that this application for a 2-lot re-subdivision meets the requirements of the IWWC, and suggestion that P&Z make sure all of the stone walls are properly identified on the plan. Motion seconded by Mr. Goff, and carried by unanimous vote.

9. IWWC Enforcement Officer's Report

Mr. Ventres and Mr. Dill attended a seminar on stormwater management this morning. There were many products offered. Mr. Ventres saw one fabric that did not allow ruts to form when driven on, so it has some tensile strength. This may be beneficial for roadside work. He stated he might talk with Ms. Lunt about getting some of this.

Mr. Dill stated they saw linked concrete mats that can be placed as mats to reinforce a bank. In some cases, they can fill it with small stones. In other applications, they can have topsoil placed over it, which would act somewhat as a grassy paver.

Mr. Dill had some information from this show today if anyone was interested in looking at it. It was noted that most of the attendees were public works employees.

Mr. Ventres distributed photos for a residence on Glimmer Glen, Lake Hayward. The homeowner would like to rake out the area by hand, remove it with a wheelbarrow, and add new sand. He also sent an email to Mr. Ventres. Mr. Ventres asked the Commission if they would like to have this handled as a permit.

Mr. Todd Gelston asked if this would become an annual activity. Mr. Ventres stated nothing has been done for approximately 15 years. Mr. Gelston believed it was a stable situation, and he suspected this would become almost this bad again within a year.

Mr. Ventres asked if the Commission would like this completed as a permit, or to be considered maintenance. Ms. Augustiny suggested it should be done by permit, because then other people will do work without a permit. Mr. Dill stated the Commission has the authority to waive fees, but he suggested this should have some structure, so that people know that the Commission is aware. Ms. Augustiny agreed that the Commission could waive the fees for this.

Mr. Dill distributed the 2012 schedule of meetings.

Motion by Mr. Dill to approve the 2012 meetings as is. Motion seconded by Mr. Goff, and carried by unanimous vote.

10. SHOW CAUSE HEARING

A) Continued: Steven Urban, 98 Bashan Road, extensive work in the upland review area without permit approval. Assessor's Map 58, Lot 134.

No one representing the applicant was present at this meeting. Mr. Ventres distributed the plan to the Commission, and noted that they were supposed to get colored copies for Penni Sharp.

Motion by Mr. Dill, seconded by Mr. Cassenti to continue this until the next meeting. Motion passed unanimously.

5. CONSERVATION COMMISSION INPUT

Mr. Gelston stated they were trying to continue the logging on the Nichols property, but the weather has not cooperated. He anticipated it would be spring before it was done. Mr. Dill asked if the logger was a different company than the forester. Mr. Gelston stated the agent was from Middletown, and the forester was out of Guilford.

Mr. Gelston announced that the Conservation Commission has enlisted the services of the high school students, who are taking on this project for cleanup, marking trails, etc.

Mr. Gelston asked the Commission about the earlier discussion regarding the Goodspeed cutting. Mr. Dill stated the Commission was satisfied with the responses. The Commission is leaving it to the experts to decide whether to cut or leave the spikes.

Mr. Dill asked Mr. Gelston how he felt the Conservation Commission input has helped. Mr. Dill believed they had more communication with the Conservation Commission now than in the past, and he believed it was beneficial. Mr. Gelston agreed.

Mr. Dill stated at the January meeting, the Commission would have to hold a vote on officers. He explained that this is required at the January meeting after each municipal election.

There was a brief discussion about bonding, after a recent seminar Ms. Augustiny attended through CACIWC Mr. Ventres explained that if the Commission was very concerned about a particular project, such as the Goodspeed housing project, where they required bonding for the trees, etc. Mr. Gelston asked what would be done about this. Mr. Ventres explained this was difficult because it is legislature. He believed it was detrimental to the town, since there would have to be constant oversight.

Mr. Goff asked the status of the water level on Beebe Road. He stated two weeks ago when there was a lot of rain, the water level was higher. Mr. Ventres stated that Steve McDonnell from WMC looked at this and determined the water level was the same as it had been. Mr. Ventres received a call from the DOT, and he referred him to Mr. Ted Rybek, who was the engineer on the project. Mr. Goff stated the water level is higher than when they began the project.

11. ADJOURNMENT

Motion by Mr. Dill, seconded by Mr. Goff to adjourn at 9:00 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina