

Town Clerk

Inland Wetlands Commission (IWC)
Special Meeting - Minutes
Tuesday, December 17, 2013, 7:00PM
First Floor, Probate Conference Room
Vernon Memorial Building
14 Park Place
Rockville/Vernon, CT

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14 JAN 16 PM 3:14

1. Call to Order & Roll Call

- ◆ Meeting was called to order at 7:02 P.M.
- ◆ Regular Members Present: Ronald Kane, Frank Galat and Lynda Morhart
- ◆ Alternate Members Present: None
- ◆ Staff Present: Leonard Tundermann, Town Planner, Craig Perry, Inland Wetlands Agent
- ◆ Town Counsel: Harold Cummings, Town Attorney
- ◆ Recording Secretary: James Krupinski

2. Administrative Actions

2.1 Communications received not related to Agenda items.

- ◆ IWC Approval of a Wetlands Permit for demolition of an existing structure and construction of a new dwelling and driveway on property at #2 Lakeview Drive (Assessors ID: Map #51, Block #0139. Lots/Parcels #00003 and #0001A)

2.2 Acceptance of Minutes.

- ◆ Frank Galat, seconded by Lynda Morhardt moved a motion to adopt the November 26, 2013 Regular Meeting minutes as amended.
 - Page 2, Section 4 to read – Mr Perry stated that the homeowner placed the shed back on his property, the remaining objects remain in the wetlands area.
- ◆ Motion carried.

2.3 Acceptance of Annual Meeting Schedule.

- ◆ Lynda Morhardt, seconded by Frank Galat moved a Motion to accept the following Meeting Dates:
 - 1/28/2014, 2/25, 3/25, 4/22, 5/27, 6/24, 7/22, 8/26, 9/23, 10/28, 11/25, 12/23, 1/27/2015 at 7:00 P.M., Town Hall, Town Council Chambers, 3rd Floor.
- ◆ Motion carried unanimously.

2.4 Call for filing(s) of Intervener petition(s) and determination of status.

- ◆ None

3. Public Hearing:

3.1 Continued Hearing for Application [IWC-2013-05] of Andre Charbonneau for a wetlands redesignation and a wetlands permit to construct a single family dwelling and install a culvert for a driveway crossing of a wetland on property at 133 Washington Street (Assessor's ID: Map # 11, Block #0155, Lot/Parcel #09A10 & 01B24)

- ◆ Tim Coon, J. R. Russo & Associates LLC representing the applicant.
 - Attorney Ralph Alexander, Jay Usery, John Iannis, Soil Scientist.

- Revised plans had been supplied during previous meeting with Alternate #3 without prior Staff review.
- Received letter from Ray Walker, Fire Marshal regarding possible need for a residential sprinkler system for fire protection. Applicant would provide if necessary.
- Had spoken with Craig Perry and had indicated that the revised plans had addressed prior comments, excluding the well location which could be relocated to address the 75' separation for compliance WPCA requirements.
- Terry McCarthy, Town Engineer had no additional comments regarding the revised plans.
- Conservation Commission issued a follow-up letter regarding the "Non-Buildable Lot" and questions regarding an isolated wetland area.
- ◆ John Ianni,
 - Conservation Commission and Lynda Morhardt had questioned isolated wetland area located on site. Upon review he determined it not to be a Vernal Pool due to lack of evidence of ponding of water.
- ◆ Lynda Morhardt questioned a second wetland area based on a 1991 Survey.
- ◆ John Ianni indicated that the second wetland was located off-site of the application property.
- ◆ Eileen Dee, 137 Washington Street indicated that she had supplied data regarding the 1991 survey.
- ◆ Attorney Ralph Alexander representing Mr. Charbonneau.
 - Spoke to the issue of the old subdivision map notation of "non-buildable lot".
 - Prior approval would have required labeling to indicate the area was not part of the approval, otherwise it would have been indicated as a Conservation Easement or Open Space.
 - Assessors Property Record Cards show the land taxed as a residential home site.
- ◆ Harold Cummings, Town Attorney
 - Submitted a Legal Opinion dated October 18, 2013 regarding the "Non-Buildable Lot" and made part of the record.
 - Spoke to a memorandum from Ann Letendre, dated October 22, 2013 disagreeing with the determination in the Legal Opinion.
 - Search of the Land Records did not show any filings to dedicate the land as Open Space or a Conservation Easement
 - Reviewed prior history of Land Use approvals and requirement of the applicant to request a modification to remove the "Non-Buildable Lot" notation.
- ◆ Lynda Morhardt was concerned about impact to the wetlands in order to allow for the house to be built.
 - Reviewed prior reports supplied for the commission to review and excerpts from reports.
 - November 24, 2013 Conservation Commission memorandum considers the wetland to be an important resource value.
- ◆ Frank Galat questioned soil types discussed at the prior November meeting.
- ◆ John Ianni reviewed drainage styles of classified soils and the mechanics behind the draining of the soil.
 - Discussion took place regarding the topography of the land and drainage of water from the proposed home site to the wetlands.
 - Reviewed wildlife habitat functions located within the site and methodology utilized for determination.

- ◆ John Ianni reviewed his qualifications and education.
- ◆ Frank Galat questioned required maintenance of any pipe crossings.
- ◆ Tim Coon indicated that they would be required to be cleared for continuous flow to prevent flooding.
- ◆ Ronald Kane questioned the possible issues with the culvert use.
- ◆ Craig Perry indicated that Terry McCarthy, Town Engineer had reviewed the culvert style and determined it should function properly.
- ◆ Staff Comments
- ◆ Craig Perry
 - Engineer has addressed previous concerns with prior designs.
 - Proposed well placement will be changed to prevent need for pipe testing.
 - Conservation Easement – Important area of the property for protection which should be placarded and Legal Description completed.
 - Commission will need to vote on the wetlands delineation for the property.
- ◆ Ronald Kane questioned if the culvert(s) are adequate for the required flow.
- ◆ Craig Perry indicated that based on the design and review by Professional Engineers it should be adequate for water flow.

- ◆ Public Comment (8:46 P.M.)
- ◆ Richard Steele, abutter
 - Questioned the impact to the stream from salt runoff during the winter season.
- ◆ Craig Perry indicated that the impact could not be determined at this time.
- ◆ Eileen Dee, 137 Washington Street
 - Presented site photos showing algae growth on site.
- ◆ Attorney Ralph Alexander stated that the presented photos could not be utilized to determine specific areas on the site.
- ◆ Eileen Dee, 137 Washington Street
 - Suggested review of expert credentials for reports provided.
 - Tucker Brook entrance to Tankerhoosen River is listed on the 1999 Impaired River listing.
- ◆ Asuncion Dee, 137 Washington Street
 - Concerned with design of the proposed driveway access.
 - Concerned with rainfall impact to the rivers.
 - Concerned with possible sewerage leakage.
 - Concerned with flooding in the rear yard of her property.
- ◆ Amy Beardsworth, 127 Washington Street
 - Questioned possible future impacts for possible homeowners.
- ◆ Tim Coons indicated that the site is 16 acres, home site is 3+ acres for the proposed home location.
- ◆ Craig Perry exited the meeting at 9:20 P.M.
- ◆ Public Hearing was closed at 9:21 P.M.

4. Status of Cease & Correct Orders.

- 11 Autumn Wood Lane
 -

- 14 Autumn Wood Lane

-
- Talcottville Mill, 47 Main Street
-
- 21 Terrace Drive
-
- 19 Grove Street
-

5. Additional Business

5.1 Receipt of Application and Determination of Significance

◆ **None**

5.2 Wetlands Enforcement Officer - Report

◆ **None presented**

5.3 Inland Wetland Agent - Report

◆ **None presented**

6. Adjournment

- ◆ **Ronald Kane, seconded by Lynda Morhardt moved a motion to Adjourn. Motion carried unanimously.**
- ◆ **Meeting adjourned at 9:30 P.M.**

James Krupienski
Recording Secretary

Approved January 7, 2014