

**Thomaston Inland Wetlands and Watercourses Commission**  
**Meeting Minutes – January 27, 2016**

**Members Present & Seated:** Joe Fainer, Chairman, Tony Samela, Sue Pierpont, Robin Capone, Rich Jennings

**Others Present:** Jeremy Leifert, Nick Sforza, Charles Barto, Roman Poniatowski

The meeting convened at 7:08 pm

**A motion was made by T. Samela and seconded by R. Cappone to move the Annual Meeting to after the Show Cause meeting. Motion unanimously passed.**

**Show Cause Hearing:**

**Agenda Item #1 – N. Sforza of 381 Cedar Mountain Rd. for deposition of material and outdoor storage within a regulated area**

Agent(s): N. Sforza

J. Fainer explained the Show Cause proceedings and entered into the record the notice of violation, dated May 24, 2011, and the Cease & Desist Order, dated January 22, 2016, stating that the storage of motor vehicles, storage containers, appliances, and other items are within 100' of the watercourse.

N. Sforza informed the Commission that he removed a lot of items last month, that his son is working on one of the vehicles, that he has been scraping the other vehicles, and that he should be able to complete the cleanup in a couple of months.

J. Fainer reminded N. Sforza that the permit previously approved included the safe storage of fluids.

N. Sforza explained that all the fluids have been drained and that a curb was installed to keep anything from flowing into the waterway.

**A motion was made by T. Samela and seconded by R. Cappone to maintain the Cease & Desist Order for 381 Cedar Mountain Rd. Motion unanimously passed.**

**A motion was made by T. Samela and seconded by R. Cappone to adjourn the Show Cause Hearing. Motion unanimously passed.**

**A motion was made by T. Samela and seconded by R. Cappone to modify the agenda to have additional discussions on the IWWC issues next. Motion unanimously passed.**

J. Fainer recommended that a new application be submitted with detailed plans and that all activity stops until he has a new permit in place.

N. Sforza asked that the permit fee be waived. J. Fainer explained that he can request only the application fee be waived when the application is submitted.

**Regular Meeting:**

**A motion was made by T. Samela and seconded by R. Jennings to move the Annual Meeting portion of this meeting to after New Business. Motion unanimously passed.**

**Minutes:**

**A motion was made by T. Samela and seconded by R. Cappone to approve the minutes of December 16, 2015 as presented. Motion unanimously passed.**

**A motion was made by R. Jennings and seconded by T. Samela to accept the December 19, 2015 site walk minutes as presented. Motion unanimously passed.**

**Old Business:**

**Agenda Item #1 - Permit Application #2015-12-01-01 to construct an accessory building/shed, repair an existing spring house, and landscape and stabilize within a regulated area at 126 Cables La.**

Agent(s): C. Barto

J. Fainer discussed the site walk, that the structure is clearly in a regulated area, and that he is considering the well to be an active part of the stream. Discussion ensued.

C. Barto asked if he could remove the over-growth and post a sign where the drop off is located.

J. Fainer told him that normal maintenance is allowed and to definitely post the sign.

The Commission reviewed the site plan from the previous application.

**A motion was made by T. Samela and seconded by R. Capone to declare this application not a significant activity. Motion unanimously passed.**

**A motion was made by T. Samela and seconded by R. Cappone to approve Application #2015-12-01-01 with the standard permit conditions based on the application and drawings presented. Motion unanimously passed.**

**New Business:**

**Agenda Item #1 – Permit Application #2016-01-15-01 to conduct test borings for Walnut Hill Rd. bridge replacement within a regulated area**

J. Leifert explained that this is a Town application to replace the bridge on Walnut Hill Rd and that it is only to conduct test borings in order for the engineer to determine what types of repairs can be done.

**A motion was made by R. Cappone and seconded by T. Samela to accept Application #2016-01-15-01 for the Town of Thomaston. Motion unanimously passed.**

J. Fainer informed the Commission that the State fee can be waived for municipal applications.

**A motion was made by R. Cappone and seconded by R. Jennings to set the fee at \$0.00. Motion unanimously passed.**

**A motion was made by R. Cappone and seconded by T. Samela to declare Application #2016-01-15-01 not a significant activity. Motion unanimously passed.**

J. Leifert informed the Commission that the Selectman is requesting a special meeting be held to act on the application.

J. Fainer asked for a formal from the Selectman.

It was the consensus of the Commission to hold a special meeting when the request is received.

---

**Agenda Item #2 – Discussion of activities related to future road project on Hickory Hill Rd.**

J. Leifert informed the Commission that more borings will be conducted on Hickory Hill Rd. and that some will be in regulated areas, but he doesn't know exactly where at this time.

**Agenda Item #3 – Permit Application #2016-01-08-01 for installation of guardrails and stabilization within a regulated area at 98 Blakeman Rd.**

Agent(s): R. Poniatowski

J. Leifert informed the Commission that R. Poniatowski would like to install guardrails along a 30' drop and plant grass for stabilization, and that the deposition of material will occur at the top of the embankment of the stream.

The Commission reviewed the map showing the location of the proposed guardrails.

R. Poniatowski gave the Commission permission to conduct a site walk of the property on January 30<sup>th</sup> at 8:00 am, as well as permission for individual site walks.

**A motion was made by R. Cappone and seconded by T. Samela to accept Application #2016-01-08-01. Motion unanimously passed.**

**A motion was made by R. Cappone and seconded by T. Samela to set the fee at \$135.00. Motion unanimously passed.**

**Annual Meeting:**

**Agenda Item #1 - Election of Officers:**

**A nomination of J. Fainer as Chairman was made by T. Samela and seconded by R. Cappone.**

No other nominations for Chairman were made and the nominations were closed.

**The Commission unanimously voted for J. Fainer as Chairman of the IWWC.**

---

**A nomination of T. Samela as Vice-Chairman was made by R. Jennings and seconded by R. Cappone.**

No other nominations for Vice-Chairman were made and the nominations were closed.

**The Commission unanimously voted for T. Samela as Vice-Chairman of the IWWC.**

---

Nominations for Secretary were tabled until next month when L. Fitch is present.

---

**Agenda Item #2 – Review of Commission By-Laws**

J. Leifert distributed the by-laws.

The Commission will review them for next month's meeting.

---

**Agenda Item #3 – Sub-Committee Appointments**

T. Samela and R. Cappone expressed that they would like to continue serving on the committee and J. Fainer re-appointed them.

**Conservation Agenda:**

**Old Business:**

**Agenda Item #1 - Town Owned Parcels Review** – this will be removed from the agenda as

everything pertaining to the Conservation Commission has been completed.

**Agenda Item #2 - Urban Forestry Grants Discussion** – the deadline for the grant was today and the application was hand delivered.

**Agenda Item #3 - New Grant Opportunities** – no grants available at this time.

**Agenda Item #4 - Trail Improvements for Dug Rd. Open Space** – future subcommittee item.

**Agenda Item #5 - Illegal ATV Use/Gating Dug Rd. Open Space** - future subcommittee item.

**Agenda Item #6 - Environmental Assessment of Dug Rd. Property** – will be the next focus.

The newspapers will be asked to run a news item seeking volunteers to help.

**Agenda #7 - Interpretive Signage for Turner Rd. Wetland** – no update at this time.

**New Business:** None

### **Communications and Bills:**

J. Leifert presented and/or distributed the following;

1. **CT Wildlife November/December issue**
2. **Eversource project notification of line upgrades** – a map was presented showing where new lines will be installed within their 100' right-a-way, and the clearing of the right-a-way with some of the areas being located wetlands. J. Fainer suggested having a news item run in the papers to make residents aware that this will be occurring.
3. **59 River St. bio basin maintenance letter** – copy of a letter sent to the property owner was distributed regarding the need to maintain the rain garden/bio basin, which currently has become overgrown with trees are growing in it
4. **DEEP January 2016 newsletter**

### **Reports:**

**Agenda Item #2 – Enforcement:**

- a. **Enforcement – 175 Litchfield St. unpermitted deck in regulated area** – property owners still need to go before ZBA before coming before IWWC.
- b. **Enforcement – 381 Cedar Mountain Rd. deposition in regulated area** – this was discussed earlier in the meeting.
- c. **Enforcement – 126 Cables La. Open C&D Order** – an application was approved earlier in the meeting.
- d. **Enforcement - 167 Reynolds Bridge Rd. Open C&D Order & Court Order** – no update.
- e. **Enforcement - 280 Reynolds Bridge Rd. Open C&D Order** – Atty. Byrne has filed the paperwork for a court date.
- f. **Leigh Ave. - Standing C&D Order for W. Chamberlin Property** – no update.

### **Executive Session:**

**Agenda Item #1 - Discussion of pending litigation - 280 Reynolds Bridge Road**

**Agenda Item #2 - Discussion of pending litigation – 167 Reynolds Bridge Road**

Executive Session was not needed for these items at this time.

---

**A motion was made by T. Samela and seconded by R. Capone to adjourn at 9:16 pm. Motion unanimously passed.**

Respectfully submitted,

Pat Santa Maria, Recording Secretary