

Thomaston Inland Wetlands and Watercourses Commission
Meeting Minutes November 9, 2011

Members Present: Joe Fainer, Chairman, Matt Kulman, Vice-Chairman, Bob Carr, Secretary, Jen Pacelli, Tony Samela, Alternate Tim Clark

Others Present: Jeremy Leifert, Wetland Enforcement Officer, Jim Nobile, John Famigletti, Atty. DiPentima

Members Seated: J. Fainer, M. Kulman, B. Carr, J. Pacelli, T. Samela

The Public Hearing convened at 7:00 pm.

Agenda Item #1 - Application for grading, stabilization, and drainage improvements at 296 Reynolds Bridge Rd. & "Parcel A" Reynolds Bridge Rd.

Agent(s): None

J. Leifert informed the Commission that a reminder of the meeting was sent to R. Geddes who replied that he would be present tonight.

The Commission reviewed the following items in the application packet;

- Application #2011-07-13-01 from Premiere Properties LLC, signature stamped by R. Geddes,
- Tonight's meeting reminder email to R. Geddes from J. Leifert,
- Proposal for engineer review, dated 10/10/1, to J. Leifert from Tighe & Bond,
- Letter to E. Mone from R. Geddes, dated 10/5/11, regarding work the Town is performing on the road is causing damage to his property,
- Copy of an invoice from Tighe & Bond, dated 9/26/11, for the review of the site,
- Notice of Public Hearing of this application, dated 9/14/11, and read into the record 11/9/11,
- An email from J. Leifert to R. Geddes, dated 9/14/11, stamped as received 9/14/11, stating he would not be attending the September's meeting,
- Notification of the application to Town of Watertown and abutting property owners, dated 9/1/11,
- Plans for "Parcel A" drafted by John J. Stonkus & Assoc. for Premiere Properties LLC, Reynolds Bridge Rd., revised 9/14/11, stamped as received 10/12/11,
- Letter from Tighe & Bond, dated 8/19/11, to J. Leifert regarding their observations and comments,
- Owner authorization, dated 7/2/11, from Premiere Properties LLC allowing R. Geddes to submit the application,
- Original site plans for "Parcel A" dated 5/4/11, drafted by John J Stonkus & Assoc. for Premiere Properties LLC, Reynolds Bridge Rd.,
- Project status report, received 3/9/11 for "Parcel A" Reynolds Bridge Rd.,
- Set of site drawings received 3/9/11 with not date stamp,
- Letter to the Thomaston IWWC, dated 2/24/11, received 3/9/11,
- Section 2 from Public Roads or Ways received 3/9/11,
- Drainage submittals received 1/13/11, revised 6/1/11, drafted by J. Stonkus & Assoc. for Premiere Properties LLC, Reynolds Bridge Rd.,
- Letter from Guion & Stevens, dated 12/8/75, to Bert Weeks Inc. received 3/9/11,
- Laboratory report from CT Testing Laboratories, dated 9/7/10, to Coneco Engineers.
- Letter from JMM Wetlands Consulting Services, dated 2/12/07, regarding their site investigation,
- Memo dated 7/22/05 to Mohawk Northwest Inc. from S. Barto received by the Commission 3/9/11.

T. Clark expressed his concern that R. Geddes is not moving forward with this application because he has not been present at the last few meetings.

Public Comment: None

A motion was made by M. Kulman and seconded by J. Pacelli to close the Public Hearing for grading, stabilization, and drainage improvements at “Parcel A” Reynolds Bridge Rd. at 7:17 pm. Motion unanimously passed.

The Public Hearing closed at 7:17 pm.

The regular meeting convened at 7:17 pm

Minutes:

A motion was made by M. Kulman and seconded by B. Carr to accept the revised minutes of September 14, 2011 of the Thomaston IWWC. Motion unanimously passed.

A motion was made by M. Kulman and seconded by B. Carr to approve the amended minutes of October 12, 2011 to read (Pg. 1 Old Business) the Commission tabled action on this application until next month’s meeting, to read (Pg. 2 Agenda Item #6) no discussion or action taken at this time, to read (Pg. 3 4th paragraph) J. Fainer explained that the IWWC does not regulate rain and that rain water diversion would be a civil matter, to read (5th paragraph) J. Leifert reported that the drainage has definitely changed since the construction on Gilbert St., but the wetland regulations do not cover this activity, (Minutes) to read the approval of the minutes were tabled until next month’s meeting for the purpose of including application approval criterias and modifications read into the record of the minutes, and (Pg. 4 Communications) to read Mr. Levesque submitted a hand written plan of activity that he will be performing. Motion unanimously passed.

A motion was made by M. Kulman and seconded by J. Pacelli to accept the amended minutes of the October 15, 2011 site wall to read J. Pacelli present and M. Kulman not presented. Motion unanimously passed.

Old Business:

Agenda #1 - Action on application for grading, stabilization, and drainage improvements at “Parcel A” Reynolds Bridge Rd.

Commission discussed if they had enough information to make a decision on this application.

J. Leifert reported that there is stabilization and plantings on the slope, that R. Geddes has a planting plan for the base of the slope, but a portion of the base in on neighboring property, that drain modifications were made at the top of the slope, and that a stone pad has been installed for maintenance purposes. J. Leifert also informed the Commission that R. Geddes may have been charged an extra fee of \$150.00 fee for a subdivision.

It was the consensus of the Commission that the engineering report needs to be reviewed before a decision can be made.

Agenda Item #2 - Action on Application #2011-08-23-01 for culvert replacement, property grading and installation, and maintenance of a silt pond in a regulated area at 86 Woodbridge La.

Agent(s): J. Nobile

J. Leifert informed the Commission that he has received advice from the engineer, comments from S. Hayden, and an email from J. Nobile stating that he could not afford the cost of the engineer.

J. Nobile discussed the engineer wanting the culvert to be at least 2' deep and S. Hayden's visit of the site to review the comments of the engineer. J. Nobile informed the Commission that S. Hayden thought it was a good idea to cut 3' before and 3' past the culvert, put crushed stone part way up it, and then fill the rest with concrete. J. Nobile also told the Commission that S. Hayden thought that the brook was rocked well and that he did not see any erosion issues with the dam.

J. Leifert reported that there is enough stabilization for the winter, but not for long term. It was the Consensus of the Commission to have J. Leifert work with J. Nobile on a proposal to submit to the Commission of the activity that he will perform.

J. Nobile requested a 65 day extension on his application.

A motion was made by M. Kulman and seconded by B. Carr to amend the agenda to add under Old Business the discussion of 503 Smith Rd. Motion unanimously passed.

The Commission discussed their site walk of the property and reviewed the site plan with J. Famiglietti. J. Leifert explained that J. Famiglietti would like to construct a garage, relocate an existing shed up to the wetlands, and deposit material near the wetlands.

J. Famiglietti submitted a modified site plan showing the shed being located 5' away from the wetlands and told the Commission that he would not deposit material near the wetlands.

A motion was made by B. Carr and seconded by J. Pacelli to declare this application Not a Significant Activity. Motion unanimously passed.

A motion was made by B. Carr and seconded by M. Kulman to assess the fee of \$135.00 for Application #2110-10-06-01, which includes the State fee. Motion unanimously passed.

A motion was made by B. Carr and seconded by M. Kulman to accept Application #2011-10-06-01 as submitted. Motion unanimously passed.

A motion was made by B. Carr and seconded by M. Kulman to amend the motion to read to approve Application #2011-10-06-01. Motion unanimously passed.

A motion was made by M. Kulman and seconded by B. Carr to amend the agenda to move into Executive Session at 8:04 pm with J. Leifert and Atty. DiPentima to discuss pending legal issues regarding Leigh Ave. Motion unanimously passed.

Tape recorder was shut off at 8:04 pm

A motion was made by M. Kulman and seconded by B. Carr to move out of Executive Session at 8:31 pm with no action taken. Motion unanimously passed.

Agenda Items #4 & 5 - Discussion of Cease and Desist Order for Parcel A Reynolds Bridge Rd. and 296 Reynolds Bridge Rd.

J. Leifert didn't have anything new to report.

Agenda Item #6 - Discussion of Cease and Desist Order for Leigh Ave. wood road.

This item was discussed in Executive Session.

Agenda Item #7 - Distribution and discussion of 2012 Meeting Dates

The Commission reviewed the 2012 meeting schedule and changed the December 26, 2012 meeting date to December 19, 2012. Action on the schedule will take place at the yearly annual meeting in December.

New Business:

Agenda Item #1 - Representative for Plan of Conservation and Development update

J. Leifert informed the Commission that the Planning and Zoning Commission is starting to work on the Plan of Conservation and Development, which needs to be completed by 2014, and will schedule discussions with various departments and Commissions for their input regarding what needs to be included in the plan.

Conservation Commission:

Old Business: None

New Business:

B. Carr reported the following;

- He was elected Chairman of the Conservation Commission
- The Commission discussed finding out if grants are available to help with the cleanup of Nystrom's and what resources could help with projects on Town properties.

Communications and Bills:

The following items were received;

- The Habitat Fall 2011 issue
- Information from FEMA regarding grants available that could be used for the old land fill.
- The Land Use Law Book

Reports of Officers, Staff, and Committees:

Agenda Item #1 - Conservation Sub-Committee Report

The Conservation Sub-Committee didn't have anything to report.

Agenda Item #2 - Wetland Enforcement Officer Report

J. Leifert discussed his staff report (Attachment 1).

J. Leifert discussed the meeting he attended at the Army Corps of Engineering regarding their proposal to drain the Northfield Brook Lake and Dam area, allowing it to freely flow without water being retained behind the dam. J. Leifert informed the Commission that the Army Corp has offered to come before the Commission to discuss the proposal. It was the consensus of the Commission to have someone from Army Corp come before the Commission.

Adjournment:

A motion was made by M. Kulman and seconded by J. Pacelli to adjourn at 9:25 pm. Motion unanimously passed.

Respectfully submitted,

Pat Santa Maria, Recording Secretary