

Thomaston Inland Wetlands and Watercourses Commission
Meeting Minutes October 12, 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, Atty. Seabourne, Mike & Kathleen Riley, Tom Doyle, Melissa Hohider

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

The Public Hearing convened at 7:01 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 he did not hear from R. Geddes stating that he would not be present tonight, but that the Commission can continue the Public Hearing for one more month if they choose to. J. Leifert discussed receiving 2 sets of modified site plans for Parcel A that include a description of the engineering plans for the bank and a planting plan.

Entered into the record:

- Modified engineering site plan for the bank and a modified planting plan, both dated June 1, 2011, originally received by the IWWC on September 14, 2011 from Premiere Properties, LLC, Reynolds Bridge Rd.
- Engineer recommendations from Tighe Bond, dated August 19, 2011, received last month.
- Application #2011-07-13-01 from Premiere Properties, LLC Reynolds Bridge Rd.

Public Comment: None

A motion was made by M. Kulman and seconded by B. Carr to continue the Public Hearing. Motion unanimously passed.

The Public Hearing closed at 7:10 pm.

The regular meeting convened at 7:10 pm

Minutes:

A motion was made by M. Kulman and seconded by B. Carr to move the approval of the minutes until later in the meeting. Motion unanimously passed.

Old Business:

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

The Commission tabled action on this application until month’s meeting because additional information is required to render a decision, which needs to be made at December’s meeting.

Agenda Item #2 - Application #2011-07-27-02 for construction of a storage facility and parking area in a regulated area.

Agent(s): Atty. Seabourne

Atty. Seabourne presented a revised site plan reflecting the recommendations of S. Hayden, which include the increase of sand in the bio basin to more than 50%, which will be changed to 60%, and to increase the size of the rain garden to 2,301 cubic feet to handle 1" of rain. Atty. Seabourne also informed the Commission that maintenance of the rain garden would be performed every 3-5 years.

The Commission reviewed the following for the record;

- Revised site plan, dated September 9, 2011
- S. Hayden's recommendations, dated October 5, 2011

A motion was made by M. Kulman and seconded by J. Pacelli to deem Application #2011-07-27-02 a Not Significant Activity. Motion unanimously passed.

A motion was made by M. Kulman and seconded by B. Carr to set the fee for Application 2011-07-27-02 at \$260.00, which is the commercial fee and includes the \$60.00 State fee. Motion unanimously passed.

A motion was made by M. Kulman and seconded by B. Carr to approve Application #2011-07-27-02 for the construction of a storage facility and parking area in a regulated area with the standard permit conditions and any prior maintenance of the rain garden to be discussed with the Wetlands Officer. Motion unanimously passed.

Agenda Item #3 - 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): None

J. Leifert informed the Commission that he did not hear from J. Nobile stating that he would not be present at tonight's meeting, but that he received the engineering review.

J. Leifert will notify J. Nobile that his presence is required at November's meeting or that he will have to submit a request for an extension to the Commission.

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

J. Leifert will notify R. Geddes that his presence is required at November's meeting.

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

This item was discussed in Executive Session.

New Business:

A motion was made by M. Kulman and seconded by B. Carr to modify the agenda to discuss Grove St. and Clay St. water issues. Motion unanimously passed.

M. Riley & K. Riley, 52 Grove St., discussed flooding that regularly occurs in their back yard and their neighbor's back yards, which is causing health and safety concerns, as well as aquatic plants to grow. They explained that the flooding doesn't just happen with heavy rains, but has also been occurring since the Town Hall parking lot was expanded and repaved up to the drain in the culvert several years ago. They also explained that many property owners had to install drains to handle excess water flowing onto their properties from construction on Gilbert St.

T. Doyle, 44 Grove St., explained that the water would always disappear after a couple of days, but in the last 2 years, yards have started to be submerged when it rains, causing health and safety concerns.

M. Hohider, 71-70 Grove St., concerned with the excess water causing driveways to erode and lawns to be washed out. She informed the Commission that her property is a little better since a lot of the neighbors installed drains.

J. Fainer explained that the IWWC does not regulate rain because it becomes a civil matter, but in the wetland area in emergency situations, the Commission would allow the neighbors to dig a trench. J. Fainer informed the property owners that WPCA is performed an engineering study of the surrounding areas because they have noticed more water at the plant over the years than before

J. Leifert reported that the drainage has definitely changed since the construction on Gilbert St., but it is not a wetland issue that can be enforced.

A motion was made by M. Kulman and seconded by B. Carr to modify the agenda to add Application #2011-10-06-01 for the construction of a garage in a regulated area at 503 Smith Rd. Motion unanimously passed.

J. Leifert informed the Commission that the applicant could not attend tonight's meeting, but gave permission for a site walk of his property. J. Leifert explained that the applicant is proposing to construct a garage 20' away from the wetlands, and to relocate a shed 5' away from wetlands.

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

Further action on this application was tabled until a site walk is conducted, which was scheduled for Saturday, October 15, 2011 at 8:00 am.

Agenda Item #1 - Discussion of 2012 IWWC Meeting Dates

J. Leifert asked the Commission to consider moving their normal meeting dates from the second Wednesday of each month to the fourth Wednesday of each month because Wetlands decisions are required before the Planning and Zoning Commission and render their decisions.

It was the consensus of the Commission to move the 2012 meeting dates to the fourth Wednesday of every month, but keep the meeting time at 7:00 pm.

Minutes:

The approval of the September 14, 2011 minutes was tabled until next month's meeting for the purpose of including application approval criterias read into the records in the minutes.

Conservation Commission:

T. Clark accepted his appointment to the Conservation Commission from last month's meeting.

It was the consensus of the Conservation Commission to hold nominations for officers when they meet.

Old Business: None

New Business:

The Conservation Commission will review grant information received from S. Hayden when they meet.

Communications and Bills:

- At the Commission's request, Mr. Levesque's a written plan of the activity that he will be performing was received. J. Leifert will ask Mr. Levesque to come before the Commission to discuss his list.
- Notification from the Army Corp of Engineers of a meeting to be held on October 19, 2011 regarding the proposed elimination of the Northfield Brook Dam pool.

Reports of Officers, Staff, and Committees:

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

J. Leifert reported that he received a complaint regarding someone operating an ATV on Town owned property at the site of the old dump on Chapel St. During his visit of the site, he noticed that a cap was never installed on the ravine when the dump was closed in 1980, causing it to fill with debris and the stream to be orange in color. J. Fainer suggested he notify DEEP and the Dept. of Health.

Executive Session:

Agenda Item #1 - Discussion of legal progress regarding United Development, LLC properties on Reynolds Bridge Rd.

J. Leifert informed the Commission that Executive Session was not necessary at this time.

Agenda Item # 2 - Discussion of legal issues regarding Leigh Avenue Wood Road

A motion was made by M. Kulman and seconded by B. Carr to move into Executive Session at 9:18 pm to discuss attorney client information regarding the Leigh Ave. wood road issues. Motion unanimously passed.

A motion was made by M. Kulman and seconded by B. Carr to move out of Executive Session at 9:46 pm with no action taken. Motion unanimously passed.

Adjournment:

A motion was made by M. Kulman and seconded by J. Pacelli to adjourn at 9:46 pm. Motion unanimously passed.

Respectfully submitted,

Pat Santa Maria,
Recording Secretary