



## INLAND WETLANDS AND WATERCOURSES COMMISSION

### Minutes of Regular Meeting of Wednesday, November 8, 2017

#### 1. Administrative

- A. Quorum was recognized and Arnie DePascale, Chair opened the meeting at 7:00pm. In attendance were Arnie DePascale, Rob Wilson, Jonathan Schwartz, Richard Miller sat for Rolf Dietrichson, and Dick Alden.  
Abby Conroy, ZEO  
Lisa Ozaki, Recording Secretary
- B. **MOTION** Miller, seconded Wilson to approve the minutes from October 11, 2017 regular meeting as submitted; unanimously approved.
- C. **Review General Communications:**  
A. Connecticut Wildlife September/October 2017
- D. **Agent Review:**  
A. 1 Wildcat Road Shed Agent review. 14' x 22' shed in upland review.

#### 2. New Business

- A. **103 Barnes Hill Road – Inground Pool – Show Cause Hearing**  
Conroy explains she went out there after the last meeting when there was rain. Tina Tardiff, owner present. Waiting for Brian Juliano to arrive.
- MOTION** Schwartz, seconded Miller to move this item to item 6A since Brian Juliano has not arrived yet.

#### 3. Old Business

- A. None

#### 4. Public Hearing(s)

- A. None

#### 5. Citizen Comment

- A.

#### 6. Other

- A. **103 Barnes Hill Road – Inground Pool – Show Cause Hearing**  
Brian Juliano, owner of Juliano Pools present and addressed the commission. Juliano submitted letter into record stating their responsibility. Juliano submitted pictures of finished landscaping around the pool. Juliano shows where the area of concern was and explains Tardiff invested money to install rip rap and river rock with plantings. Tighten up area and catch basin to collect the runoff. 45 cubic yards of washed rip rap laid out. Run off was actually coming from neighbor. Juliano made sure run off went into drain



and not into yard anymore. Tardiff wants to add this shed in now. Laid crushed stone down for the 16' x 12' shed they want to add to pool area.

DePascale states this is in a regulated area and project has gotten way out of proportion. Juliano cut into stream. Juliano explains due to October snow storm of 2010 the stream was full of dead trees and a mess. Juliano's paperwork from the town showed nothing about wetlands or topo so he thought he was good to go. Cleaned all the trees out of the channel and took out logs and rocks. Juliano did most of the work for free. Miller states it seems this is in the upland review area. DePascale states you need a permit for being in a wetland. Juliano is blaming the town for not giving him the map. Juliano explains it's a runoff above me not below. Conroy explains when she went out it was small rain storm. Conroy emailed the commission the pictures where it was mess. Referencing photos provided by Juliano, water was collecting in the low area by the pool and coming from upstream area. The photos presented by Juliano look totally difference since I went out there. At the time of site visit no stabilization in place.

Miller says you mention this was a stream, I thought it was an overflow from detention pond. Schwartz explains that is an intermittent waterway and partially fed by the detention pond and run off by the hill. Swale was definitely there and has been there. Juliano states he cleaned it up and improved the area. Conroy states looking at these photos, it is significantly better then what it looked like before. Miller says Tardiff used a lot of money to fix the situation. Conroy explains how the pool got moved without our knowledge or approval.

Tardiff expresses her concerns how the permit was done and how do we proceed?

DePascale is requiring an after the fact application for all the work that was done in stream area to stabilize. Juliano states we had to finish the job to stabilize this. Will act on application at the next meeting.

Conroy asks if anyone remember a conversation about digging the channel or cleaning the channel. Wilson and Schwartz states knew nothing about that. Miller says other than when they pulled some stumps and rocks, they were in the Wetland. When they found ledge and move the pool to back yard, the back of the property is not upland review area. You probably shouldn't have pulled the trees out without permit.

Schwartz explains the review area to Miller. Tardiff feels like the definition of stabilize at last meeting was not clearly explained. Conroy shows on the pictures what needs to be detailed in application. Commission voted last time to stabilize the pool area without a complete application. Work was done outside the scope of that approval. DePascale explains the process of what needs to be done now. Application needs to detail what has now been done. Pictures will be emailed to Land Use Office to add to file. Once the application is complete and we review you can speak with Conroy about shed. Conroy explains the delineated area and wetlands to Tardiff. The original pool location would have been the regulated area. Not sure if shed will be in delineated area or regulated area; agent only has authority in upland review. Shed will be added to application for next meeting. Discussion of new application and what is needed and required.



7. **Staff & Commission Comments**

Miller states he would like to make it easy for residents to do beneficial work. For example, someone doing maintenance on a pond that is slowly filling itself in. Has DEEP changed the process for when you do something beneficial to a pond? Conroy explains they still must come in with an application to the commission to verify maintenance and if it is a significant impact or not. Lake Garda has done that. Schwartz asks Miller if there are specific issues. Miller is speaking of 126 Stone Road issue. Conroy states, regardless of intent you need to have the right contractor on a project or a project can have negative impacts hence why application is still required.

Conroy discusses the Aquifer Protection Agency. The ordinance committee doesn't want to take up changing the commission since they don't have time. So Wetlands is still the committee. Calendar for 2018-2019 motion made by Miller, seconded Wilson to approve the calendar, unanimously approved.

Schwartz explained to Miller list of As of Right.

8. **Adjourn**

MOTION Miller, seconded Alden to adjourn the meeting at 7:45pm; unanimously approved.

**Meeting adjourned.**

Respectfully Submitted for the Commission,  
Lisa Ozaki  
Secretary, IWWC