



INLAND WETLANDS AND WATERCOURSES COMMISSION

Minutes of Regular Meeting of Wednesday, January 10, 2018

1. Administrative

- A. Quorum was recognized and Rob Wilson, Vice Chair opened the meeting at 7:09pm. In attendance were Rob Wilson, Linda Kobylarz, Richard Miller sat for Arnie DePascale, Rolf Dietrichson, and Dick Alden.
Abby Conroy, ZEO
Lisa Ozaki, Recording Secretary
- B. **MOTION** Miller, seconded Alden to approve the minutes from December 13, 2017 regular meeting as submitted; unanimously approved.
Dietrichson, pg. 2 “will be more money to residents”, should be, “will cost residents more money”.
- C. **Review General Communications:**
A. Connecticut Wildlife November/December 2017
- D. **Agent Review:**
 - A. The Planning Professionals would like a count at every Commission Public Hearing of how many came and how they heard about Public Hearing. Is it from Town website, Newspapers, Public Hearing signs or notice?
 - B. NWCOG is hosting on Thurs., February 22, 2018 at 6:30-8pm a Clear Land Use Academy Training for all land use members. It is free training. Conroy will forward the email out to all commissions.
 - C. NWCOG on Thurs., January 30, 2018 6-8:30pm Economic Summit.
 - D. Letter dated December 27, 2017 from the First Selectman’s Office to Dominic Lucenti about IWWC meeting attendance and if he will be continuing. Conroy will let commission know outcome next meeting.
 - E. Water Connections for Bristol and New Britain Water. First Selectman would like you to consider when you are reviewing a new subdivision. Certain Water companies pay taxes to us, unless they have met a certain amount of connections in town. Water connections are at 17 and need to keep it fewer than 95.

2. New Business

- A. **Application #2017-026 – JMA** – Subdivision 3 lots – Sawmill Road Lots #415, 416, & 417 (Submitted December 21, 2017)
DJ Harris was present and addressed the commission for JMA. 2 color coded maps were handed out to the commission. 3 lot subdivision on Sawmill Road. The lots are located on the left hand side after the 1st approved lot. Lot #415 nothing within the wetlands, lot #417 the septic is within the 100’ regulated area and lot #416 is within the 100’. Lot #416 once approved might have to relocate the house. WMC letter dated January 3, 2018 read into record. Harris addressed the footing drain outlets for 2 of the lots not within the wetlands, just regulated area and lot #416 footing drain goes directly into plunge pool.



We don't necessarily know how much water will go into the footing until we know which house is going to be built.

Harris addresses WMC letter points 1-6:

1. Will remove all E & R from sheet for clarity.
2. Provide finished floor elevations: Don't really know the size of the house until we actually propose how it will be built. If we need to come back to IWWC once that happens, we will. Conceptual stage.
3. Demonstrate that proposed grading properly directs runoff away from the building foundations, lawn and driveway areas: Required by building code. It's not practical to require in the feasibility stage.
4. Consideration of crushed stone at footing drain outlets: When we file for building permits we can do that. No requirement in building code, just drains to daylight.
5. Erosion Control Fabric with Grass Seed at footing drains: We provided the grass seed.
6. High flow silt sacs be installed in catch basins: Didn't understand that. Catch basins might get some silt if development is uphill but these are all downhill.

Conroy explains to the commission that other subdivisions have move footing drains and have agent reviewed if comfortable or brought back to IWWC. Example is Washington Farms Subdivision.

Harris Sr., states that new roadway was seeded immediately and will sprout in spring. It is 45' to actual wetlands. Clearing for trees, Erosion and sediment controls for septic are the only activity in the regulated area.

Wilson asks if lots are wooded. The last lot was cleared, but most are wooded.

Kobylarz states we don't know for sure where the houses will be placed. So we will have to look at again? Conroy explains that she will review when the permits come in and will bring back if drastic changes are made. Kobylarz does not want any changes to Lot #416. Miller asks of Conservation area. Harris states there will be.

Alden asks about the 6 comments from WMC. Harris Sr. thinks the 6 comments are absurd to justify a fee from the Town Engineer. Building codes have nothing to do with wetlands. Conroy is the agent of the wetlands and should be able to review. Harris Sr. recommends that Conroy review instead of Town Engineer and has all the confidence in the commission and staff to do what is correct. Since we are in a tough economic time and can't justify billing the town for this. I can either address issues, or you turn me down and I can appeal it. I am being just fictitious, but think spending this money is ridiculous. Harris Sr. explains why plunge pool is so close to the wetlands. Hate to see the town spend money on review.

Conroy goes through the 6 comments again. There should be no extra comments for Planning and Zoning.

MOTION Miller, seconded Dietrichson to approve no significant impact as long as erosion and sediment is in place and continue to next regular meeting on February 14, 2018.



3. **Old Business**

A. **Application #2017-024 - Juliano's Pools, LLC** – Inground Pool/Shed/Restoration – 103 Barnes Hill Road (Submitted November 20, 2017)

Wilson reviews application with commission. Wilson went to view the property and they have done a nice job with property. Gravel base is in place for shed. Placing a 10' x 16' shed on crushed stone. See no impact to the wetlands from it.

Conroy reviewed and agrees with Wilson about visit.

Tina Tardiff owner was present and addressed the commission. Everything has been submitted for shed and just on hold for this application.

Miller states he thinks Tardiff saw the logs that were removed from the watercourse and thought they would posed a threat, blowing out the watercourse. Pleased to see they trap rocked and stabilized it, an improvement to the wetland. Disappointed permits weren't done before the project, but I am happy it is stabilized now.

Tardiff thanks the commission and staff for all their help. States she has learn so much from all of this. Thank you for taking the time for making sure my investment is protected. She will call us in the spring when pool is open and shed has been installed for C.O.

MOTION Miller, seconded Dietrichson to approve Application #2017-024 – Julianos Pools, LLC – Inground Pool/Shed/Restoration – Barnes Hill Road #103.

IN FAVOR, Wilson, Dietrichson, Miller and Alden.

OPPOSED, Kobylarz

ABSTAINED, None

Permit Granted.

4. **Public Hearing(s)**

A. **None**

5. **Citizen Comment**

A. **None**

6. **Other**

A. **Justin Hagan - Update**

Conroy contacted the town engineer after the last meeting to get clarification on what he would like to see. The outlet details, the proposed plan with where the outlet protection is in relation to actual wetlands were since changed from the application. Now we are just waiting for Hagan's engineer to get back to us with plan.

Justin Hagan owner was present and addressed the commission. States I thought we were waiting on the town engineer because the engineer I had on site is no longer available to me. Was hoping the town engineer could help me. Conroy explains what should actually happen. Hagan is basically waiting on CO to get into his house. When the As-built came in, Conroy states what was proposed to the IWWC commission was different than what was done at 126 Stone Road. Hagan is hoping our town engineer can give him an



estimate since he has no more money to spend on another engineer and has spent too much on ripping down walls and being overcharged by his engineer. This project has been going on for almost 2 years. BBHD has a problem with number of bedrooms. Conroy explains typically we ask for an estimate from your engineer to design an outlet protection and our engineer reviews and approves it. It might be a DOT engineer design that is appropriate for the site conditions.

Hagan explained to commission that the existing pipe that came from the other house he owns was replaced with a bigger pipe and is now ran under the driveway to where dumping is occurring. The pipe discharges to the rear of the new property and now closer to the wetlands. It's now a point source and adds to the flow. Conroy states it needs an outlet protection design so no impact to the wetlands. It is rock there, but all the soil has been now eroded away, no plunge pool.

Kobylarz states to Hagan perhaps you need a new engineer. We require that information. Hagan asks if town engineer can do that for me?

Conroy states if we had an ordinance to connect 3 party review, we could do that, but we don't. Should we change the policy and let our engineer do that? Alden states no. This puts our engineer into a situation and they cannot act on both sides. The town engineer strictly works for us. Our engineer wants plans and we cannot hire another engineer to review this for us.

Kobylarz refers to the minutes and said we need a new wetland application with what is now there and a DOT design.

Conroy explains that the as-built should have delineated wetlands and outlet protection on it. Your A2 plan can be overlaid by a new engineer.

Hagan asks so I get a new engineer and now what? Conroy explains the steps once the application is received to Hagan. Hagan says 2 years ongoing battle and don't want to spend more money. Conroy states to Hagan, whoever you pick can call me to go over concerns.

Miller states we want a minimal impact to the wetlands.

Conroy wants to know what the whole cost is for the scope of work. Hagan states the site is already stable. Conroy states the engineer and I disagree. That is why the engineer went out with me since it is complicated, situation.

7. Staff & Commission Comments

8. Adjourn

MOTION Kobylarz, seconded Miller to adjourn the meeting at 8:21pm; unanimously approved.

Meeting adjourned.

Respectfully Submitted for the Commission,
Lisa Ozaki
Secretary, IWWC