



**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**Minutes of Special Meeting**  
**Wednesday, June 27, 2018**

**1. Administrative**

- A.** Quorum was recognized and Arnie DePascale, Chair opened the meeting at 7:00pm. In attendance were Arnie DePascale, Rob Wilson, Dick Alden, and Rolf Dietrichson. Absent was Jonathan Schwartz, Linda Kobylarz, Rachel Loughlin, Barbara Dahle and Richard Miller  
Abby Conroy, ZEO  
Lisa Ozaki, Recording Secretary
- B.** **MOTION** Wilson, seconded Dietrichson to approve the minutes from June 13, 2018 regular meeting as submitted; unanimously approved. Dietrichson noted under minutes was not special meeting. Remove from minutes.
- C.** **Review General Communications:**
  - A.** None
- D.** **Agent Reposts:**
  - A.** Conroy met with Risa Malanca tonight. Malanca will be covering wetlands when Conroy leaves. Anything that comes up, send to Ozaki and she will forward to Malanca. Conroy will leave any wetlands issue for Malanca to review on Friday when she comes in to meet with DePascale.

**2. New Business**

- A.** **Application #2018-009 – Sztachelski** – Grading & Stabilization – Angela's Way #61 (Submitted June 25, 2018)  
Wojtek Sztacjelski was not present for meeting. Conroy states that Sztacjelski came right into the office. Conroy spoke with Malanca about and he has been very cooperative. Malanca suggested he fill out a new application for the scope of work that he has done beyond the original site plan. He has exceeded the grading and filling near the septic area. He has been in contact with his engineer to get an updated plan and recommendations for resolving the work that exceeded the original approval. A new application has been submitted, but not complete since no plans. He intends to have it available for the July 11, 2018 IWWC meeting.  
DePascale states all the commission member should go look at this.  
Dietrichson asks if he restored the silt fence.  
DePascale states to use the word steep is an understatement. More like a cliff. There is so much material there.  
Continued to next regularly scheduled meeting on July 11, 2018.

**3. Old Business**

- A.** **Application #2018-007 – JMA** – Reapplication – Mountain Top Pass Lots #308 & 309 (Submitted May 21, 2018)  
Dwight Harris was present and addressed the commission. Conroy states this was approved many year ago. Approval has expired. Someone is interested in purchasing  
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and building a house on lot. Since expired needs to be a new application. Lot #3-10 has a house on it, but other 2 lots do not. There will be miner grading, well, and footing drain in the regulated area.

DePascale asks Conroy will we see a replay of Gilbert Road here. Conroy explains the buyer will be building a small ranch here.

DePascale asks if house can be moved closer to the road. Yes, I guess.

Ozaki reads the minutes from last meeting determining no significant impact.

Harris states the septic system is smaller now and in the front.

DePascale has seen a lot of situations that houses are closer to the wetlands. Conroy states right now this is a field with cows on it.

Wilson states the house has barely one corner in the wetlands. Conroy states brook is over 200' away.

Motion Wilson, seconded Alden to approve Application #2018-007 – JMA – Reapplication – Mountain Top Pass Lots #308 & 309.

IN FAVOR, DePascale, Wilson, Dietrichson, and Alden.

OPPOSED, None.

ABSTAINED, none.

Permit Granted.

**B. Application #2018-003 – B & R Corporation – Driveway – George Washington**

Tpke. Lot #3 according to Property map survey showing revision to lot lines land owned by B & R Corporation dated 3/16/17. (Submitted February 9, 2018) (Public hearing May 9, 2018)

Conroy states the latest plans have been submitted. Last question was can there be no impact to the wetland and drainage swale. Letter dated June 27, 2018 from Robert Green Associates was read into the record. WMC and George Logan believes that is the better way to do it and take no exception in Conroy's email dated June 26, 2018. Conroy explains the bonding that would be added to Planning and Zoning commission. Hand drawn map with delineation of wetlands from Logan email have been submitted into application.

Dietrichson states I am still not convince it will handle 100 year storm.

Alden asks we received WMC approval. Conroy states yes and in the file. Alden asks and both soil scientists are ok with this map dated June 27, 2018.

Motion Wilson, seconded Dietrichson to approve Application #2018-003 – B & R Corporation – Driveway – George Washington Tpke. Lot #3 according to Property map survey showing revision to lot lines land owned by B & R Corporation dated 3/16/17.

IN FAVOR, DePascale, Wilson, Dietrichson, and Alden.

OPPOSED, None.

ABSTAINED, none.

Permit Granted.



4. **Public Hearing(s)**

A. None

5. **Citizen Comment**

A. None

6. **Other**

A. None

7. **Staff & Commission Comments**

- A. DePascale states he has been around the town and seeing a lot of thing going on. Would like the commission to take a look at a couple of places:
1. 20 Gilbert Lane, where owner pleaded with us to let them build a house 15' from the wetlands. They have now put in a large shed or barn and a children's play area. If you look at the backyard through the bushes, they have cleared a lot of the wetlands. Conroy states she used Google Earth on this property and changes haven't taken place in the last 8 years. There is also a conservation easement they are encroaching on.
- B. 12 Lake Street, Diane Reale came to us for a parking area. Conroy explains she has done a lot of grading and when she was here, you did not ask for a new site plan to be done. She has gone from taking out trees, to excavating material. She does have a tracking pad. Steep lot and she had to demonstrate she could put in a driveway. But basically she went ahead and did the work. She provided photos for the file. There were tiered concrete walls that she has taken out. Conroy states its good you are bringing this to the attention of the office, since I could only do about 5% of inspections that I needed to do with Ozaki being here only part-time
- C. DePascale states he sees more projects getting done without permits. When after the fact permits, should be charged double or triple. We really need to do something to fix this. If you look at how many people start projects without permits, it's ridiculous.
- D. DePascale is concerned at how much free fill was brought into 61 Angela's Way and where fill came from. We don't know what is in the fill and could potentially now seep into our grounds. Maybe should take a soil sample, but it's out of our hands. Dietrichson states I thought he said they got it from another projects. Alden states if we don't have money to pay people for enforcement what is the purpose of having regulations.
- E. Conroy states there are things she would like to see:
1. An ordinance to collect 3<sup>rd</sup> party review fees on applications. We wouldn't have had to foot the bill for those wetlands to be delineated again on George Washington Tpke. The amount of money the town has spent on sending our engineer out and other things. That is a huge bill that we are not recouping on. DePascale asks what would you guess how much the town has spent for this review on George Washington Tpke. Conroy states potentially \$10,000. For the time and personnel you send out, if an applicant knows beforehand that they will have to pay for the Town's review, they will be more likely to make sure things are done correctly the first time. I have gone to the ordinance commission and had Richard Miller state we don't need this. Dahle is the same way about having applicants pay. Many other towns take in a 3<sup>rd</sup> party fee. Only thing zoning
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regulations have are for a planner and landscaping engineer and the commission doesn't make use of it. Miller doesn't think it's appropriate. It's not right for a town to carry that burden. An ordinance would have to go to a town meeting to get voted on and no one comes out to support it, just like a blight ordinance. Conroy states there is no citation framework either for tickets. I can write you a letter for being in violation, but can't fine you. Unfortunately, it's part of why Conroy is leaving her position here since she can't get out to do her job. Commission is now concerned how this will change with next ZEO or temporary help to also get their job done. Commission thinks about going to Board of Selectmen to talk about the fees.

8. **Adjourn**

MOTION Wilson seconded Alden to adjourn the meeting at 8:45pm; unanimously approved.

**Meeting adjourned.**

Respectfully Submitted for the Commission,  
Lisa Ozaki, Secretary, IWWC