

**INLAND WETLANDS COMMISSION
REGULAR MEETING – MINUTES
MONDAY, JULY 22, 2013 – 7:00PM
NEW HARTFORD TOWN HALL – 530 MAIN STREET**

PRESENT: Chairman James Hall, Anne Hall, Lou Moscaritolo, Nancy Schroeder Perez, Jack Trumbull, Wayne Ryznar; Inland Wetlands Enforcement Officer Rista Malanca and Recording Secretary Stacey Sefcik.

ABSENT: Troy LaMere.

Chairman James Hall called the meeting to order at 7:00PM. All regular members present were seated for the meeting. The proceedings were recorded digitally, and copies are available in the Land Use Office in Town Hall.

1) PUBLIC HEARINGS CONTINUED:

A. Guy LaPlante for WFL Properties, Inc., 81 Winchester Road – Driveway with 3 Wetlands Crossings, Single Family Dwelling, and Septic System in the Regulated Area.

Ms. Malanca informed the Commission that a letter dated July 18, 2013 had been submitted by David Whitney, PE, the applicant's engineer, requesting a continuance of the public hearing to the August 26, 2013 regular meeting. The Commission agreed to grant a continuance on this matter.

2) PUBLIC HEARINGS:

A. Paul Rhoda and Patricia Abad, 106 South Road – Removal of Trees and Grading Work in the Upland Review Area.

Paul Rhoda addressed the Commission regarding this matter. Mr. Rhoda reviewed with the Commission the maps and plans for this project. He stated that the project followed the recommendations of the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*. He explained that 15 trees would be taken down, and the stumps would be removed; the area would then be graded and grass would be planted. Mr. Rhoda estimated that the work would take approximately one week to complete. Ms. Hall questioned whether the grass would be planted up to the edge of the stream, and Mr. Rhoda responded negatively. He stated that there was also a broken tree near the bank of the stream, a part of which had fallen into the water; the part in the water would be removed, and the rest of the tree would be cut down to the stump, which would be left in place. The stump of the broken tree was approximately 12 feet from the stream; no grass would be planted any close to the stream than the existing tree line. Mr. Ryznar then verified that other than removal of the broken tree, no other work was taking place within 8 feet of the stream; Mr. Rhoda responded affirmatively.

Hearing no further questions from the Commission, Mr. Hall opened the floor to public comment. Zygmunt Karolyszyn of 31 Aquatic Road addressed the Commission to question why grass was being planted instead of wildflowers. Mr. Rhoda responded positively, explaining that he was open to suggestions. Mr. Hall and Ms. Hall both explained that there were seed mixes available that would be appropriate for New England wetlands areas and riparian corridors. Ms. Malanca said that she would email the information to Mr. Rhoda.

MOTION Mr. Trumbull, second Ms. Hall, to close the public hearing in the matter of **Paul Rhoda and Patricia Abad, 106 South Road – Removal of Trees and Grading Work in the Upland Review Area**; unanimously approved.

Noting that the proof of notice to abutting neighbors had not yet been submitted, the Recording Secretary requested this information for the file. Mr. Rhoda stated that he had mailed notice to his neighbors via regular mail. After a brief discussion, Ms. Malanca explained that no action should take place on this matter without proof of notice to abutting neighbors on file; she suggested that the Commission could vote to re-open the public hearing and continue this matter to the August regular meeting. Mr. Rhoda could then re-notice his abutting neighbors via certificate of mailing as required by Section 9.3 of the Inland Wetlands Regulations. Ms. Malanca noted for the record that this matter had been noticed in *The Hartford Courant* on July 9th and July 16th.

MOTION Mr. Ryznar, second Ms. Schroeder Perez, to re-open the public hearing in the matter of **Paul Rhoda and Patricia Abad, 106 South Road – Removal of Trees and Grading Work in the Upland Review Area** and continue this matter to the August 26, 2013 regular meeting; unanimously approved.

B. Steven Florio, 146 Camp Workcoeman Road – Demolish and Rebuild Single Family Dwelling in the Regulated Area.

Thomas Beecher, attorney for the applicants, addressed the Commission regarding this matter. Mr. Beecher noted for the record that he also owns the property at 142 Camp Workcoeman Road. He explained that Mr. Florio wanted to tear down the existing 1920s cottage and replace it with a single-story ranch house with a walkout basement. Mr. Beecher noted that the existing cottage did not have a septic system; therefore, a new septic system was also proposed as a part of this project. He explained that the lot was 0.7-acres, and the proposal met all zoning requirements except floor area ratio; the applicants would have to obtain a special exception from the Zoning Board of Appeals to increase the floor area ratio for this project. Mr. Beecher noted that the project complied with both the impervious surface coverage and building coverage regulations. As this application had been determined to be a significant regulated activity, Mr. Beecher explained that alternatives considered included leaving the existing house onsite in its current condition. However, he explained that the applicant did not consider this to be a feasible and prudent alternative for a year-round home given that the existing cottage had no septic system.

The applicant's engineer, David Whitney, PE, then addressed the Commission and reviewed the maps and plans for the proposed activity. Mr. Whitney explained that the property was across the street from the Camp Workcoeman parking lot, and adjacent to property owned by the Connecticut Rivers Council where the parking lot's drainage was routed. He explained that the lot was 100 feet wide; there was currently an old cottage and an outhouse on the site. Mr. Whitney explained that the proposed new house would conform to all zoning setbacks; it would in fact be slightly farther from the lake than the existing cottage. He explained that the Farmington Valley Health District (FVHD) had approved a three-bedroom house onsite with a pump-up system to leaching fields close to the road; the leaching fields would be located approximately 200 feet from the lake. Mr. Whitney stated that the septic system had been approved by FVHD in 2007; however, the plan had been resubmitted in June 2013, and it was approved once again. He informed the Commission that the location did not encroach on any neighbors current or future well or septic locations.

Mr. Whitney explained that the grade was approximately 10% with land sloping toward the lake. He stated that there were no wetlands on the property; there was only the 100-foot upland review area around the lakefront. The application included work within the upland review area to replace patio stones and an existing stone wall; no earthwork was proposed as a part of this activity. Approximately half of the proposed house would be located within the upland review area as well. Mr. Whitney stated that there would be approximately 6000 square feet of regulated activity, which included the house, driveway, septic pump chamber, stone wall, and patios; all work was located outside of the flood zone. With regard to low-impact development techniques, Mr. Whitney explained that grass drainage swales were proposed along each side of the lot; roof and footing drains would be routed to the eastern drainage swale, which would lead to a rain garden on the eastern side of the property.

Mr. Whitney then reviewed the sedimentation and erosion control measures proposed during construction onsite. He explained that a silt fence or silt sock would be installed around the perimeter of the property, with a second tier of silt fencing also surrounding the septic system construction area. Mr. Whitney stated that the Town's engineering consultant had suggested an additional tier of silt fencing around the garage location, which the applicant agreed to incorporate into the plans.

At this time, the Commission discussed calling a brief recess in order to allow members of the Commission and public to attend another Town committee meeting being held at the same time in the Senior Center of the Town Hall. The regular meeting and this public hearing would reconvene once these members of the Commission returned.

MOTION Mr. Trumbull, second Mr. Moscaritolo, to call a 15-minute recess at 7:29PM; unanimously approved.

Ms. Schroeder Perez then exited the meeting room; she returned to the meeting room at 7:41PM. The meeting was reconvened at 7:41PM and the public hearing in the matter of **Steven Florio, 146 Camp Workcoeman Road – Demolish and Rebuild Single Family Dwelling in the Regulated Area** then resumed.

Mr. Whitney again reviewed the proposed sedimentation and erosion control measures. Noting that the runoff from the Camp Workcoeman parking area drained onto the abutting property, Mr. Moscaritolo questioned whether this water ever came onto Mr. Florio's property. Mr. Whitney responded negatively, explaining that Mr. Florio's property was higher than the abutting property. Ms. Hall questioned whether

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Mr. Florio ever encountered erosion issues with his current driveway. Mr. Whitney stated that there had been some erosion in the past; however, Mr. Florio was planning to pave the driveway as a part of this project. Ms. Hall questioned how runoff from the driveway area would be handled. Mr. Whitney explained that runoff from the half of the driveway closest to the road would be routed east cross-slope to the drainage swale on the eastern side of the lot; the runoff from the half of the driveway closest to the lake would be routed to the drainage swale on the western side of the lot. Mr. Trumbull noted that the activities proposed were taking place throughout the entire lot. Mr. Whitney acknowledged this; however, he stated that the plans were designed to preserve as many trees as possible onsite. Mr. Hall concurred with Mr. Trumbull, noting that the Town's engineering consultant had also made this observation and recommended the additional tier of silt fencing because of this. Ms. Hall questioned whether Mr. Florio proposed to preserve all trees located near West Hill Pond. Steven Florio then addressed the Commission, explaining that one oak tree near the lake would be taken down as it was dying; he wanted to try to preserve the rest of the trees.

Mr. Trumbull complimented the applicant and his engineer on the quality of the plans submitted; however, he expressed concern about a septic system being installed on a 0.7-acre lot uphill of West Hill Pond. Ms. Hall observed that an engineered septic system was better for the lake than the current outhouse. Ms. Malanca noted that the applicant provided a stormwater management plan even though he was not required to do so. She explained that building coverage after this project would equal 10%; therefore, 90% of the lot would remain vacant. Mr. Whitney stated that the size of the house proposed was very modest. Ms. Malanca noted that 0.7 acres was actually a large lot in comparison to many other lots in the R-4 Zone. Mr. Beecher then submitted a copy of the most recent Farmington Valley Health District approval for the record as well as proof of notice to abutting neighbors. Hearing no further comments or questions from the Commission, Mr. Hall opened the floor to public comment; however, no one present expressed a desire to speak.

MOTION Mr. Trumbull, second Ms. Schroeder Perez, to close the public hearing in the matter of **Steven Florio, 146 Camp Workcoeman Road – Demolish and Rebuild Single Family Dwelling in the Regulated Area**; unanimously approved.

3) NEW APPLICATIONS:

A. **Ursula Von Rydingsvard, 646 West Hill Road – Construct 12' x 19'9" Blue Stone Patio in the Upland Review Area.**

Zygmunt Karolyszyn addressed the Commission on behalf of the applicant. Mr. Karolyszyn submitted for the record sketches of the proposed activity. He explained that the applicant proposed a 12-foot by 19-foot 9-inch blue stone patio at the back of her house; 4x4s would be used around the perimeter of the patio. Mr. Karolyszyn explained that crushed stone would be used underneath and in between the blue stone; no concrete would be used. Mr. Hall questioned whether any grading would be required; Mr. Karolyszyn responded negatively, explaining that the patio area was on grade with the basement. He stated that two 4x4s would be used to make a step down from the patio to the yard as there was a slight slope to the lake. Mr. Karolyszyn said that silt fencing would be used, and any digging would be done by hand. Mr. Trumbull questioned how materials would be brought to the site, and Mr. Karolyszyn said that he would bring them to the site in a pickup truck and then transport them to the back of the house using a wheelbarrow. Members of the Commission reviewed the sketches, noting that the proposed patio would be 16 feet from West Hill Pond. Mr. Ryznar questioned whether any other equipment would be needed for this work. Mr. Karolyszyn said that the work would be done by hand; possibly a tamper would be required.

MOTION Mr. Trumbull, second Ms. Hall, to accept the application in the matter of **Ursula Von Rydingsvard, 646 West Hill Road – Construct 12' x 19'9" Blue Stone Patio in the Upland Review Area**, determine it to be nonsignificant, and schedule the matter for discussion at the August 26, 2013 regular meeting; unanimously approved.

4) PENDING APPLICATIONS:

A. **Paul Rhoda and Patricia Abad, 106 South Road – Removal of Trees and Grading Work in the Upland Review Area.**

The Commission agreed to table discussion of this matter to the August 26, 2013 regular meeting.

B. Steven Florio, 146 Camp Workcoeman Road – Demolish and Rebuild Single Family Dwelling in the Regulated Area.

Mr. Ryznar stressed the importance of frequent site inspections by the Inland Wetlands Enforcement Officer.

MOTION Mr. Trumbull, second Ms. Hall, to approve the application in the matter of **Steven Florio, 146 Camp Workcoeman Road – Demolish and Rebuild Single Family Dwelling in the Regulated Area** as per all oral and written testimony and finding there are no other feasible and prudent alternatives, subject to the condition that the plans must be modified to comply with the recommendations of the Town engineering consultant, Roger Hurlbut, PE, in his letter dated July 22, 2013; unanimously approved.

C. Guy LaPlante for WFL Properties, Inc., 81 Winchester Road – Driveway with 3 Wetlands Crossings, Single Family Dwelling, and Septic System in the Regulated Area.

The Commission agreed to table discussion of this matter to the August 26, 2013 regular meeting.

D. Andrea Dobrozensky, 48 Gibson Lane – Construction of Carriage House with Well, Septic, and Driveway in the Upland Review Area. (Continued to August 26, 2013 at applicant's request).

The Commission agreed to table discussion of this matter to the August 26, 2013 regular meeting.

5) MEETING MINUTES:

A. June 24, 2013 regular meeting.

MOTION Mr. Trumbull, second Mr. Moscaritolo, to approve the minutes of the June 24, 2013 regular meeting as written; unanimously approved.

B. June 24, 2013 site walk special meeting.

MOTION Mr. Moscaritolo, second Ms. Schroeder Perez, to approve the minutes of the June 24, 2013 site walk special meeting as written; unanimously approved.

6) INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:

Ms. Malanca briefly updated the Commission regarding her activities over the previous month. She noted a complaint had been received regarding activity on Arrowhead Drive where it appeared that wetlands were being filled. Upon investigation Ms. Malanca determined that the work being done to extend a driveway was not occurring within the wetlands. While a permit would be required, Ms. Malanca stated that she could likely approve it as an agent determination.

Mr. Hall then informed Ms. Malanca that it appeared some activity was taking place at a vacant lot near 430 Town Hill Road. Mr. Trumbull stated he too had seen activity, possibly surveying taking place onsite. Mr. Hall stated that he believed that when subdivision approval had been granted approximately 20 years ago, it was with the requirement that a deed restriction be filed prohibiting any further activity on the lot. Ms. Malanca stated that she would look into the issue.

7) CORRESPONDENCE:

No business was discussed.

8) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

No business was discussed.

MOTION Mr. Moscaritolo, second Mr. Trumbull, to adjourn at 8:12PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik
Recording Secretary