

**INLAND WETLANDS COMMISSION  
REGULAR MEETING – MINUTES  
WEDNESDAY, SEPTEMBER 3, 2014 – 7:00PM  
NEW HARTFORD TOWN HALL – 530 MAIN STREET**

**PRESENT:** Chairman James Hall, Anne Hall, Troy LaMere, James Chakulski, Lou Moscaritolo, Wayne Ryznar, Inland Wetlands Enforcement Officer Steve Sadlowski.

**ABSENT:** Nancy Schroeder Perez.

Chairman James Hall called the meeting to order at 7:00PM. All regular members 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:**

**A. Roger J. & Linda Schiffert – Map 30 Block 30 Lot 005-3 Town Hill Road – Driveway Crossing watercourse for one single-family residential house, including installation of a culvert and placement of fill in wetlands. Area of wetlands disturbance less than 0.1 Acre.**

The chairman noted that the applicants have requested a continuance of the public hearing on their application because the engineering was not complete.

**MOTION:** Ms. Hall, Mr. LaMere second, to continue the Public Hearing in the matter of **Roger J. & Linda Schiffert – Map 30 Block 30 Lot 005-3 Town Hill Road – Driveway Crossing watercourse for one single-family residential house, including installation of a culvert and placement of fill in wetlands. Area of wetlands disturbance less than 0.1 Acre;** unanimously approved. The public hearing will be continued at the next regularly scheduled meeting, October 1, 2014.

**B. Nicola Arbucci – Map 029 Block 015 Lot 025 Hoppen Road – Develop private driveway on an old town road right-of-way know as Yellow Mountain Road at the intersection of Town Hill and Hoppen Roads and proceeding in a southerly direction crossing over or near to map 29, block 15, lots 15, 17, 19, 28, 27.**

Mr. Hall informed the commission that this application has been withdrawn, necessitating no further action on the part of the commission.

**C. Town of New Hartford – Brodie Park, 580 West Hill Road – Storm water improvements near the beach.**

Mr. Todd Parsons, Lenard Engineering, representing the Town of New Hartford presented a revised plan addressing storm water improvements near the beach at Brodie Park to the commission. The purpose of the work proposed, according to Mr. Parsons, is to reduce the amount of sediment that goes into the lake with a goal to come up with a solution that is effective, relatively simple to install and relatively simple to maintain since the Town of New Hartford will be responsible for maintaining it. He noted that the Town intends to construct it and that they sought to find something that was relatively inexpensive as well. The plan was revised from the previous submission. The plan included a cross culvert coming across the driveway in an existing depressed area discharging back across a sandy access into a little water course that goes back into the lake. The current plan that Mr. Parsons was presenting was to expand that slightly, take some of the vegetation out but leave the major trees there. They would be creating a flat rock bottom with the purpose that as sediment was built up, it would allow an excavator to hit bottom and not keep going so they would know when the bottom was hit and not keep going. A small concrete catch basin would also be installed at the end of

the pipe with an open top which would allow the water that pours into the overall area to have to come up before it spills into the pipe. That rising up would create a pool which allows the sediment to drop out. Another feature of the plan was two stone burms, one located on top of an existing intermittent water course. A third component of the plan is gravel water bars that would direct water away from certain areas.

The previous plan has bio-retention areas which was the subject of comments that Lenard Engineering received. Mr. Parsons reported receiving formal comments from Inland Wetlands Officer Steve Sadlowski, Conservation District Staff Sean Hayden and the New Hartford Conservation Commission. Mr. Parsons paraphrased the comments but indicated that the primary comment from the New Hartford Conservation Commission was that they would like the design to reduce the overall impact and to create less disturbance. The primary comment from Mr. Sadlowski, according to Mr. Parsons, was that he noted during a rainstorm, the picnic grove seemed to generate a lot of runoff just on its own and felt that catchment area should be relocated so that the water didn't run across the beach. Mr. Parsons relayed that Mr. Hayden's comments primarily dealt with trying to treat the water closer to the gravel driveway itself and if stone was used as a filter, to try to filter that water first so that the sediment did not get into the stone filled trench which could result in it clogging.

Mr. Parsons noted that the changes between the previous plan and the one present was the removal of the bio-retention area and that he added some small stone-lined, grass filled shallow detention areas which would divert the runoff from the parking area and then disburse it into the woods. An additional new feature to the plan he presented to the Inland Wetlands Commission was to create a plain grass swale at the toe of the picnic grove and direct that into a stone filled trench that would act as an infiltration area.

Mr. Hall then sought feedback and/or questions from the commission members. Mr. Wayne Ryznar acknowledged the effort to minimize the amount of disturbance to the area and to reduce the amount of sediment into the lake. He inquired of Mr. Parsons whether there would need to be any additional sand brought into this area as part of this project. Mr. Parsons indicated that there would be no sand brought in as part of this project. He reported that he was asked several months ago to prepare a set of guidelines for beach maintenance that includes guidance in the event that the town should decide to replenish sand under what circumstances they should do so. Mr. Lou Moscaritolo concurred with the sentiments of Mr. Ryznar. Mr. Jim Chakulski noted his preference for the present plan over the previous plan. Mr. Troy LaMere expressed his concern over the maintenance aspect of the plan. Mr. Parsons responded that the maintenance of the sandy beach area is not part of this plan. He went on to explain that the maintenance required is to simply remove the sediment as it is accumulated. Mr. LaMere indicated that he would like to see a biannual maintenance as part of the application. He also suggested a vactor truck as opposed to an excavator for cleaning the sediment. Ms. Hall noted that while the present plan is an improvement, she is concerned over the significant amount of water that comes off the parking lot and that the previous plans bio-retention basins were substantially larger. She asked Mr. Parsons whether he was confident that the sizes of the plunge pools and the retention at the bottom of the picnic grove will in fact handle the water. Ms. Hall explained that what she did not want to see happen is to adopt a plan that minimizes the short term impact of the construction but doesn't actually solve the problem of the water coming off the driveway into the parking lot. Mr. Parsons responded that the design is different not only in size but in that the previous plan was relying on the bio-retention areas to capture the water whereas the current plan relies on the woods themselves to filter the water. He indicated that the different design relies on

different techniques to accomplish the same thing given the comments and recommendations received.

Again, maintenance and the success of the design being more dependent on maintenance for its success were discussed. Mr. Parsons acknowledged that the current plan does require more frequent removal of the sediment. Mr. Parsons said he appreciates the concern but that in his experience rather than imposing specific directives as to when certain maintenance action items need to be done and at what specific frequency, that the area is evaluated at certain times during the course of the year and that the maintenance schedule is based on that.

**Mr. Peter Humphrey, of 273 Niles Road**, praised and acknowledged the efforts of Wetlands Officer Steve Sadlowski for coming out to the site within ten minutes notice during a rainstorm to assess runoff and conditions. He noted the newer design as a huge improvement to the previously presented design and favored it.

**Mr. Ed McCann, of 608A West Hill Road**, noted that the trenches at the top of the hill of the driveway down to the beach are completely filled with sediment now and questioned the maintenance of what is in place currently.

**Mr. Dave McNally, of 59 Helen Highway and 50 Dorothy Drive**, President of Laurel Acres Properties Owner's Association, described to the commission how his group reviewed how their private beach may have brought sediment into the lake and efforts they undertook to make improvements in this regard. Among the improvements undertaken was a culvert across from their beach and repositioning of all the curbs. He urged the commission to continue their positive work in addressing this issue.

**Mr. Steve Unger, of 706 West Hill Road**, also praised the efforts of Mr. Sadlowski in coming out to the area on short notice during the rainstorm and any input he may have had in the revisions to the former plan of this application. He also inquired about the maintenance of this plan.

**Ms. Jean Cronauer, of 25 Red Clover Road**, praised the efforts of protecting the natural resources of the town of New Hartford. She, too, praised the plan as presented and thanked the efforts of Mr. Sadlowski.

**Mr. Rick Smith, of 67 Marstan Trails**, stressed the importance of maintenance with this plan and the potential for problems if clogs occur. He noted that the resources in town are such that people also have to be vigilant in noticing problems.

Mr. Hall noted the importance of neighbors and residents to contact town hall if they should see something that needs to be addressed. Mr. LaMere also commented on how maintenance issues are sometimes initially noticed by residents and not through a formal inspection. Mr. Hall noted for everyone present that should anyone note a problem, a call should be made to town hall.

**Ms. Karen Nelson, of 57 Stedman Road**, acknowledged the efforts of the Inland Wetlands Commission in addressing this issue.

**Mr. Skip Sly, of 57 Aquatic Road**, president of the West Hill Pond Association, reported to the board that several years ago his group funded a study examining storm water runoff which had studied the fifteen major inflows. At that time, the beach wasn't one of them. He, too, stressed the importance of erosion control and the need to address the sediment that could get into the lake. He expressed gratitude on behalf of his board to the Inland Wetlands Commission for their efforts.

The chairman noted into the record the legal notice for the public hearing which was published in The Hartford Courant on August 20, 2014 and August 27, 2014. Zoning Enforcement Officer Steve Sadlowski confirmed to the commission that the applicant did send notice of public hearing to the abutters of said property.

**MOTION:** Mr. Ryznar, Mr. Moscaritolo second, **to close the public hearing in the matter of Town of New Hartford – Brodie Park, 580 West Hill Road – Storm water improvements near the beach; unanimously approved.**

## **2) PENDING APPLICATIONS:**

**A. Roger J. & Linda Schiffert – Map 30 Block 30 Lot 005-3 Town Hill Road – Driveway Crossing watercourse for one single-family residential house, including installation of a culvert and placement of fill in wetlands. Area of wetlands disturbance less than 0.1 Acre.**

The application was continued for public hearing at the next regularly scheduled meeting on October 1, 2014.

**B. Nicola Arbucci – Map 029 Block 015 Lot 025 Hoppen Road – Develop private driveway on an old town road right-of-way know as Yellow Mountain Road at the intersection of Town Hill and Hoppen Roads and proceeding in a southerly direction crossing over or near to map 29, block 15, lots 15, 17, 19, 28, 27.**

No action was taken on this application as it has been withdrawn by the applicant.

**C. Town of New Hartford – Brodie Park, 580 West Hill Road – Storm water improvements near the beach.**

Mr. LaMere and Ms. Hall again expressed their concern regarding the maintenance involved with these revised plans and the requirement needed for much more oversight in terms of maintenance with this plan.

**MOTION:** Mr. LaMere, Mr. Chakulski second, **to approve the application of the Town of New Hartford – Brodie Park, 580 West Hill Road, Storm Water Improvements near the beach with the condition that the various erosion controls shown on the plan shall be maintained to their original condition on a biannual basis, at least six months apart, in spring and in fall, and that further, the Wetlands Enforcement Officer shall inspect the condition of these various erosion control and sedimentation measures not less often than once every month during the summer and if additional maintenance is required at those times, he will notify the town recreation commission and the town highway department who will undertake that maintenance. The least invasive cleaning approach shall be used; unanimously approved.**

**3) NEW APPLICATIONS:**

**A. Michael Bernstein – 698 West Hill Road – Removal of collapsed and collapsing lake-front retaining wall with loose rock and rip-rap to prevent erosion. Clean up of crumbled concrete sections of wall that have fallen into the lakebed.**

**MOTION:** Mr. LaMere, Mr. Ryznar second, **to accept the application in the matter of Michael Bernstein – 698 West Hill Road – Removal of collapsed and collapsing lake-front retaining wall with loose rock and rip-rap to prevent erosion. Clean up of crumbled concrete sections of wall that have fallen into the lakebed and determine it to be significant; unanimously approved.**

**B. Nelson Sly – 57 Aquatic Road – Repair stone wall at waterfront after fall draw down.**

Mr. Sly described the work he would like to have contracted to repair a stone wall on subject property and reported that the work would take place in the middle of October at which time the water will be sixteen feet away from the base of the wall. He provided copies of drawings of the work that will be performed.

**MOTION:** Mr. LaMere, Mr. Moscaritolo second, **to accept the application in the matter of Sly – 57 Aquatic Road – Repair stone wall at waterfront after fall draw down and determine it to be non-significant; unanimously approved.**

**C. Jennifer Klinger – 47 Burdick Road – General Pond maintenance to remove silt build up.**

Mr. Bill Langer, owner of Kare Construction, addressed the commission on behalf of Ms. Klinger. He indicated that he has worked on the pond twice before which involved digging out silt and removing by dump truck. He indicated that this plan, like the other two, includes digging out the sediment and removing it, during dry times when the brook is not flowing. Mr. LaMere inquired as to an approximate number of yards of sediment that will have to be removed. Mr. Langer responded that he estimates it to be 150 yards of sediment to be removed.

**MOTION:** Mr. Ryznar, Mr. LaMere second, **determine that in the matter of Jennifer Klinger – 47 Burdick Road – General Pond Maintenance that it is a maintenance operation as of right pursuant to 401c of the Regulations; unanimously approved.**

**MOTION:** Mr. LaMere, Mr. Moscaritolo second, **to return the application fee in the matter of Jennifer Klinger – 47 Burdick Road – General pond maintenance to remove silt build up; unanimously approved.**

**4) MEETING MINUTES:**

**A. August 6, 2014 regular meeting.**

Mr. Chakulski's name was misspelled in different areas. The minutes should be amended to correctly spell his name.

**MOTION:** Mr. LaMere, Ms. Hall second, **to approve the August 6, 2014 minutes as amended; unanimously approved.**

**5) INLAND WETLANDS OFFICER'S ENFORCEMENT REPORT.**

No business was discussed.

**6) CORRESPONDENCE:**

No business was discussed.

**7) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

No business was discussed.

**MOTION:** Mr. LaMere, Mr. Chakulski second, to adjourn at 8:38PM; unanimously approved.

**Respectfully submitted,**

**Pam Colombie**  
**Recording Secretary**

DRAFT