

**New Hartford Inland Wetlands Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, May 3, 2017 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, Connecticut**

**PRESENT:** Chairman James Hall, Anne Hall, Steve Unger and Regina Wexler; and Inland Wetlands Officer Ruth Mulcahy.

**ABSENT:** Lou Moscaritolo and Nancy Schroeder Perez.

Chairman James Hall called the meeting to order at 7:05PM.

**1. PUBLIC HEARINGS:**

**A. Collinsville Savings Society – Attorney William Tracy/Applicant – John Ciola/Owner – Map 022 Block 028 Lot 9-1 – 69 Bruning Road – Soil Conservation and Site Stabilization.**

Attorney William Tracy appeared before the Commission regarding this application. Receipts for the provision of notice to abutting land owners was provided for the record. Attorney Tracey explained that the application concerns two areas within the upland review area.

Tom Grimaldi, Project Engineer of RR Hiltbrand Engineers, appeared before the Commission regarding this application. He provided revised drawings for the project. Mr. Grimaldi provided an overview of the restoration sequence included as part of the proposed project. He noted that the proposed restoration area was depicted in blue on the drawings and consists of one and one half (1½) acres. He noted that the stabilization sequencing areas were created as a means of addressing the slopes that are part of the site, allowing the filling of minor holes at the top and establish erosion and sedimentation control perimeters, topsoil the area, mulch and seed. He explained that the intent is to confine the work to small areas in order to reduce the potential for erosion in the event of heavy rain.

Mr. Grimaldi noted that a site walk was conducted with Ms. Mulcahy, observing that there are substantial trees and dense brush growing in an area that has been untouched for five or six years. He noted that the plan is to leave that noted area alone as the growth was observed on this area containing a 2:1 slope.

The use of an existing gravel driveway would allow the work to begin at the top of the site and work down, scarifying the site and laying top soil. He noted that the silt fence is parallel to the slope so that there are no areas of concentrated flow and that as the work progresses down and where there is potential for larger flow areas coming down, there is geotextile silt fence and wood chip berms extending down. Mr. Grimaldi noted the location of the construction entrance and dust control in the event there are dry times. He also indicated the areas for a temporary loam stockpile and the temporary dumping area for topsoil, too. Mr. Grimaldi noted the location of the stone check dams, included as a precaution.

Mr. Grimaldi also addressed the area as part of the Cease and Correct order, noting that it was resurveyed with the wetlands noted. He explained that pine trees will remain. He explained that the proposal includes bringing the mulch up to a stockpile area and permanently seeded. Mr. Grimaldi explained that the plan includes silt fence in the area as a precautionary method.

Ms. Hall questioned whether the gravel driveway will be removed. Mr. Grimaldi confirmed but indicated that the plan is to not change the contours.

Attorney Tracy noted that the applicant has reviewed other alternatives but has deemed this to be the most appropriate option.

**Helena Mubarek of 22 Bruning Road** noted her concerns with the hours of operation and the truck traffic, requesting that the traffic be equally distributed between Bruning Road and Maple Hollow Road and excluded from Gray Road and Stub Hollow Road.

**Scott Goff of 291 Maple Hollow Road**, accompanied by his wife Linda Goff, shared photographs and read aloud a letter that he submitted noting that they are abutting property owners. They requested that a plan be submitted that includes all sand and gravel removal m planting, along with including a time limit of two years for work to be completed as well as oversight by a professional engineer and the town's land use officer.

**Judy Mubarek of 40 Bruning Road** questioned why excavation was not included as part of the application, explaining that she believes the new owner intends to continue excavating for sand and gravel.

Mr. Hall explained that this application does not propose any further sand and gravel operations on this property.

John Ciola, owner of the property, noted that he plans to fix the existing problems on the property and disagreed that time limits be imposed on the work.

Attorney Tracy noted that the Failure to Restore from the 2008 excavation permit is what is still open and that this application seeks to fix that.

**MOTION:** Ms. Hall, Ms. Wexler second, to close the public hearing in the matter of Collinsville Savings Society – Attorney William Tracy/Applicant – John Ciola/Owner – Map 022 Block 028 Lot 9-1 – 69 Bruning Road – Soil Conservation and Site Stabilization; unanimously approved.

## **2. PENDING APPLICATIONS:**

### **A. Collinsville Savings Society – Attorney William Tracy/Applicant – John Ciola/Owner – Map 022 Block 028 Lot 9-1 – 69 Bruning Road – Soil Conservation and Site Stabilization.**

Ms. Mulcahy opined that the Applicant's plan appeared to address all the issues with the site. She requested that the engineer participate with site inspections during the restoration process. Regarding the discussion of Ms. Mulcahy being available to inspect the site and the work being performed, it was noted that her hours are 8:00AM to 4:00PM on Monday through Thursday and 8:00AM to 1:00PM on Friday.

**MOTION:** Ms. Hall, Mr. Unger second, to approve the application in the matter of Collinsville Savings Society – Attorney William Tracy/Applicant – John Ciola/Owner – Map 022 Block 028 Lot 9-1 – 69 Bruning Road – Soil Conservation and Site Stabilization subject to the standard conditions along with the following: 1. Work to be performed during the regular business hours of New Hartford Town Hall in order to allow the opportunity for the wetlands agent to be present during any stage of the remediation; and 2. Engineer of record to inspect the site at regular intervals and provide a report; unanimously approved.

### **B. William Marciano/Applicant – William Marciano/Owner – Map 025 Block 139 Lot 066 - 96 Arrowhead Drive – To Construct 30'x50' Garage/Barn.**

William Marciano appeared before the Commission regarding this application. He explained that he is seeking to construct a garage in order to house a large truck he drives for work. He noted that a drawing to scale was submitted for the file, depicting the location of his leach fields.

Ms. Mulcahy noted that she had discovered that this property had been subject to a wetlands violation for fill a couple years ago. Mr. Marciano explained the former wetlands agent had received a complaint at the time from a neighbor but had deemed that no violation had occurred. Ms. Mulcahy questioned the

slope. Mr. Marciano explained that he had received a five-year permit to put fill in the backyard. Ms. Mulcahy questioned the amount of fill that was approved as she had observed during her site visit approximately eight (8') feet of fill. He explained that where the pool is located is where it was level. Ms. Mulcahy reported that she had not seen either a planning or zoning application nor a wetlands application on the pool in the file either. Mr. Marciano reported that the pool was installed two years ago by Ticon Pools. Ms. Wexler noted that she was doubtful that Tim Considine (Ticon Pools) would install a pool without the proper permits.

Mr. Marciano explained that due to the slope, the foundation of the proposed barn will be six (6') feet deep in the back and four (4') feet deep in the front. Mr. Marciano explained that there will be no removal of fill from his property and that approximately sixty yards of fill will be brought onto the site. Ms. Mulcahy questioned whether the pipes that she observed empty back into the wetlands and whether they will be changing at all. He noted that they are the existing pipes and that he had just extended them. Ms. Hall questioned what type of drainage will be installed as part of constructing the garage. Mr. Marciano was unsure but noticed that the backfill of the garage will be gravel until such time that he can afford concrete. Mr. Hall opined that with gravel backfill, drainage will likely be unnecessary and that it is typically only necessary when there is a basement. Mr. Marciano indicated that he will be installing insulation in the floor of the garage as he intends to install radiant heat in the garage floor. Mr. Unger questioned the distance of the silt fence in relation to the wetlands. Mr. Marciano indicated that it is approximately thirty (30') feet.

**MOTION:** Mr. Unger, Ms. Hall second, to approve the application in the matter of William Marciano/Applicant – William Marciano/Owner – Map 025 Block 139 Lot 066- 96 Arrowhead Drive – To Construct 30'x50' Garage/Barn subject to the usual conditions; unanimously approved.

Noting that the application had just been received this date, the Agenda was amended to include under New Applications the following application: *Todd Levesque – Map 013 Block 004 Lot 027 - 425 East Cotton Hill Road – Installation of Prefabricated Shed.*

### **3. NEW APPLICATIONS:**

#### **A. Todd Levesque – Map 013 Block 004 Lot 027 - 425 East Cotton Hill Road – Installation of Prefabricated Shed.**

Todd Levesque addressed the Commission regarding this application, explaining that he only recently learned that his shed installation would require this Commission's review. He explained that he is seeking to install a prefabricated 12'x20' shed. Mr. Levesque explained that the site preparation includes removing three to four inches of top soil replaced with four to six inches of crushed stone. He noted that the proposed location of the shed is fifty (50') feet from a drainage pond on the site.

**MOTION:** Ms. Hall, Ms. Wexler second, to refer the application of Todd Levesque – Map 013 Block 004 Lot 027 - 425 East Cotton Hill Road – Installation of Prefabricated Shed to Ms. Mulcahy for an agent determination; unanimously approved.

### **4. MEETING MINUTES – April 5, 2017:**

**MOTION:** Mr. Unger, Ms. Hall, second, to approve the April 5, 2017 Minutes; unanimously approved.

### **5. INLAND WETLANDS OFFICER'S ENFORCEMENT REPORT:**

Ms. Mulcahy noted that she had discovered some older pamphlets from the Department of Energy and Environmental Protection regarding agriculture forestry and has had copies made.

### **6. CORRESPONDENCE:**

### **7. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

**A. Whitehall Construction LLC/Applicant – Chris Smith & Linda Bell/Owners – Map 025 Block 139 Lot 067 – 76 Arrowhead Drive – Transfer of Permit from Mike LaChance Construction, LLC to Whitehall Construction LLC. Mike LaChance Construction, LLC is Demolition Contractor, White Hall Construction, LLC is the Builder for the House.**

Ms. Mulcahy explained that the purpose behind transferring the permit is to be sure that permittee is aware of permit conditions and has a copy of the map.

**MOTION:** Ms. Wexler, Ms. Hall, to transfer the permit from Mike LaChance Construction, LLC to Whitehall Construction LLC regarding Map 025 Block 139 Lot 067 – 76 Arrowhead Drive; unanimously approved.

Mr. Goff addressed the Commission regarding obtaining a copy of the drawings prior to the meeting. He opined that the file ought to be sealed a week before the meeting in order to allow interested parties to gain copies and get professional opinions. It was explained that while the public hearing could have been continued, anything may be submitted up until the time the hearing is closed.

**MOTION:** Mr. Unger, Ms. Hall second, to adjourn at 8:10PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie**  
**Recording Clerk**