

**New Hartford Inland Wetlands Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, August 1, 2018 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, Connecticut**

**PRESENT:** Chairman James Hall, Anne Hall, Karl Hermonat, Lou Moscaritolo, Nancy Schroeder Perez, Gerald Tabaka, and Steve Unger; Wetlands Officer Ruth Mulcahy.

**ABSENT:** None.

Chairman James Hall called the meeting to order at 7:05PM. The meeting was recorded digitally and copies are available through Town Hall.

**1. PUBLIC HEARINGS:**

**A. Mark Fairchild/Applicant – William E. Bartlett/Owner – Map 002 - Block 002 – Lot 12-10 – 2 Lynette Court – Driveway and One Half of Septic Trench in Upland Review Area.**

No public hearing was held.

**2. PENDING APPLICATIONS:**

**A. Mark Fairchild/Applicant – William E. Bartlett/Owner – Map 002 Block 002 – Lot 12-10 – 2 Lynette Court – Driveway and One Half of Septic Trench in Upland Review Area.**

It was noted that the applicant had not yet received clearance from the Probate Court. A copy of a letter from the applicant requesting a withdrawal was provided to commissioners. The Commission agreed to review the application at a future time once that clearance has been secured.

**MOTION:** Ms. Schroeder Perez, Mr. Tabaka second, to accept a request to withdraw without prejudice; unanimously approved.

**3. OTHER BUSINESS:**

None.

**4. NEW APPLICATIONS:**

**A. Kurt & Lisa Carpenter/Owner – Map 031 – Block 031 – Lot 013 – 53 Steele Road – Reinforce the Eroding Stream Bank Near the Garage and Over Hang on the Garage.**

Kurt Carpenter appeared before the Commission regarding this application. He explained that he has a stream behind his garage that has been eroding the bank near it over the years. Mr. Carpenter explained that after consulting with a contractor, he had 8" to 12" of riprap installed on the embankment, in an area he described as approximately 14' high by 35' wide. He characterized this as an emergency repair, noting the factors that have contributed to the need to address the erosion. Mr. Carpenter explained that there is very loose soil resulting in erosion from runoff during every storm. He also noted that the stream that flows down Jones Mountain adds to the erosion.

Mr. Carpenter shared photographs of the Town's drainage pipes that direct water underneath his garage. He also passed around photographs of the work that was already completed in an effort to correct the problem.

It was noted that East Mountain Brook flows less than ten feet from the lean-to attached to the garage.

Mr. Hall reported that he had been contacted by Ms. Mulcahy regarding this property and had the opportunity to visit the site. He noted that they had determined that emergency repair work was necessary not only to protect the garage during the next heavy rain event but also to protect the home.

Mr. Hall noted that while the parcel is comprised of 2.1 acres, the house and garage are located as far away from the brook and road as possible. Ms. Hall agreed that the house, built in 1850, predates the wetlands regulations.

The consensus of the commission was that the Town ought to repair the drainage pipe and riprap the bank and any others like it. Mr. Hall noted that it picks storm runoff from catch basins all the way down from Burdick Road.

Ms. Hall questioned whether the riprap already installed was just laid in or if there was grading done. Mr. Carpenter noted that each one was set individually but that there was no grading done. Ms. Schroeder Perez questioned whether there were any measures taken to slow the velocity of the discharge. Mr. Carpenter explained that the rocks were staggered and that the water cascades over them before reaching the stream. Ms. Mulcahy noted that the rocks function similar to a waterfall.

**MOTION:** Ms. Schroeder Perez, Ms. Hall second, to accept the application in the matter of Kurt & Lisa Carpenter/Owner – Map 031 – Block 031 – Lot 013 – 53 Steele Road – Reinforce the Eroding Stream Bank Near the Garage and Over Hang on the Garage, deeming the activity as not significant; unanimously approved.

Mr. Hall requested that someone undertake communicating to the Town that this Commission has learned through an application that a pipe on Steele Road exiting onto the property of Kurt & Lisa Carpenter is in need of repair and riprap to prevent erosion.

**MOTION:** Ms. Hall, Mr. Unger second, to provide notification to the Town pursuant to Mr. Hall's recommendation regarding the Town's drainage pipe discharging on 53 Steele Road; unanimously approved.

**B. Richards Corporation/Applicant – Albert F. III & Linda M. Parady/Owner – Map 023 – Block 034 – Lot 6A-2 – 176 Bruning Road – New Dwelling.**

Joe Green, PE, of Robert Green & Associates appeared before the Commission regarding this application. He explained that his client is seeking to construct a single-family four-bedroom home. Mr. Green noted that Soil Scientist Jim McManus has mapped the wetlands on the survey that was presented. Mr. Green noted that the home would be served by a septic plan.

Mr. Green confirmed that the proposed dwelling would be located twenty-one (21') feet from the wetlands. Ms. Hall questioned how much cut and fill is required at the site. Mr. Green pointed to the location of the walk-out basement. Ms. Hall questioned exactly how much. Mr. Green indicated that he will need to provide those calculations at a future time.

Ms. Mulcahy recommended that the proposal be forwarded to the Town Engineer for additional review noting the steep slope and lack of information relative to the cuts and fills. She shared her questions with the effects on the storm water, noting that grading will occur right up to the edge of the wetlands. Ms. Mulcahy opined that the site is both complicated and delicate.

Mr. Hall noted that this lot is a pre-existing building lot and is one with significant constraints on where things can be located but supported forwarding the plans to the Town Engineer.

Ms. Hall noted the lack of storm-water planning. She noted that she would like detailed plans for handling storm-water both during construction and post-construction. Mr. Hall explained that the wetlands on this property feed into the Nepaug reservoir. Ms. Mulcahy questioned the lot history for the site. Mr. Green confirmed that he would provide that information to her.

Ms. Hall requested a much more detailed construction sequence for the next meeting as well as a grading plan in addition to the details relative to storm water control.

**MOTION:** Ms. Schroeder Perez, Ms. Hall second, to accept the application in the matter of Richards Corporation/Applicant – Albert F. III & Linda M. Parady/Owner – Map 023 – Block 034 – Lot 6A-2 – 176 Bruning Road – New Dwelling deeming the activity as significant and to schedule a public hearing for the next regular meeting; unanimously approved.

**C. PNL Nutmeg, LLC/Applicant – PNL Nutmeg, LLC/Owner – Map Block Lot - 283 Main Street – Clean an Existing Swale, Removed Overgrowth, and Install 6” Rip Rap.**

No one appeared on behalf of the applicant for this application.

Ms. Mulcahy reported that the map included as part of this application was from the approval recently received from the Planning and Zoning Commission. She noted that the site had recently been repaved at which time the swale was discovered. It was noted that this swale was not included on the map that had been submitted as part of the P&Z application. Ms. Mulcahy noted the approximate locations of the swale, the stream, and the three drywells at the site. The monitoring wells and hazardous waste lagoon located near the brewery, between the building and the adjacent residential property, were also pointed out.

The location of the swale had not been previously called out on the applicant’s survey, according to Ms. Mulcahy. She noted that the applicant is hiring a different surveyor/engineer to update the swale.

Mr. Hall confirmed that the site, which previously the old Waring factory operated from, is a hazardous material site but is not a super-fund site. He noted that both liquid and solid waste were disposed of on site and are still buried which is the reason why the monitoring wells exist. Ms. Hall clarified that the wetlands permit that is necessary is limited only to the work that was included as part of the swale clean-out and does not pertain to the hazardous waste. Ms. Mulcahy and Mr. Hall confirmed.

Ms. Hall explained that given the location of the work, noting that the building is used as a public space, agreed that there should be a public hearing scheduled.

**MOTION:** Ms. Hall, Mr. Moscaritolo second, to accept the application in the matter of PNL Nutmeg, LLC/Applicant – PNL Nutmeg, LLC/Owner – Map Block Lot - 283 Main Street – Clean an Existing Swale, Removed Overgrowth, and Install 6” Rip Rap and in the public interest, schedule a public hearing for the next regular meeting; unanimously approved.

**5. MEETING MINUTES – June 6, 2018:**

**MOTION:** Mr. Unger, Mr. Tabaka second, to approve the June 6, 2018 Minutes; Motion approved with Mr. Hall, Ms. Hall, Mr. Hermonat, Mr. Tabaka, and Mr. Unger voting aye while Ms. Schroeder Perez and Mr. Mocaritolo abstained.

**6. INLAND WETLANDS OFFICER’S ENFORCEMENT REPORT:**

Ms. Mulcahy reported that she had requested that Mr. Hall accompany her to 84 Carpenter Road as the MDC had cited the owner with a violation for digging into the mountain. Mr. Hall noted that the cited activity was not within the upland review area of the wetlands.

**7. CORRESPONDENCE:**

None.

**MOTION:** Ms. Hall, Mr. Hermonat second, to adjourn at 8:08PM; unanimously approved.

**Respectfully submitted,**

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