

**New Hartford Inland Wetlands Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, September 5, 2018 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

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

ABSENT: Karl Hermonat.

Chairman James Hall called the meeting to order at 7:00PM. The meeting was recorded digitally and copies are available through Town Hall.

1. PUBLIC HEARINGS:

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

Mr. Hall noted that there was an error in the notice provided to the abutting neighbors for this application. He noted that the public hearing will therefore be held on October 3, 2018.

2. PENDING 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.

Mr. Hall reminded the Commission that this application is for an after-the-fact permit. Ms. Mulcahy read aloud an email to First Selectman Dan Jerram she sent the day prior advising him that this Commission learned at their August meeting that the Town's drainage pipe located at this property needs repair and the stream bank under the pipe is in need of riprap to prevent erosion. She noted that the email also communicated that the Commission unanimously resolved to recommend to the Selectmen that the storm water drainage pipe at 53 Steele Road be replaced and the stream bank be stabilized.

MOTION: Mr. Unger, Mr. Moscaritolo second, to approve 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 subject to the standard conditions; 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.

No business discussed.

C. PNL Nutmeg LLC/Owner – Map 044 – Block 013 – Lot 17A – 283 Main Street – Clean an Existing Swale, Remove Overgrowth and Install 6” Rip Wrap.

Ms. Mulcahy reminded the Commission that the owner in this matter had submitted the application last month after the agenda had been filed. She also noted that the owner had advised that Berkshire Engineering was handling the application on their behalf. Ms. Mulcahy explained that she contacted Berkshire Engineering who summarily advised that they had not been retained as such.

It was noted that no fee has been received in this matter. The August minutes indicated that there should be a public hearing. Ms. Mulcahy noted that without a fee, the application should not yet be advertised.

Ms. Mulcahy noted that this property is scheduled to go before the Planning and Zoning Commission next week. Ms. Hall questioned whether approval was necessary from this commission prior to one being received from that commission. Ms. Mulcahy confirmed.

MOTION: Ms. Schroeder Perez, Mr. Tabaka second, to table this application to the next regular meeting and to schedule a public hearing, deeming the proposal significant activity; unanimously approved.

3. OTHER BUSINESS:

None.

4. NEW APPLICATIONS:

A. Jimmy J. Dionne Jr. /Owner – Map 014 – Block 018 – Lot 11B – 72 Maple Hollow Road – Driveway Construction.

Jimmy Dionne appeared before the Commission, accompanied by his uncle Scott Martin of 577 Hill Road in Harwinton, regarding this application. Mr. Dionne explained that he is seeking approval for an after-the-fact application for the widening of his driveway.

Mr. Martin distributed packets to commissioners with information relative to the wetlands at this site. He noted that his nephew's home was purchased from a bank who had previously foreclosed on the parcel. Mr. Martin explained that the site has always had two rear lots, side by side, but that originally only one driveway had been installed with the intention of it being shared. He noted that his nephew learned that the other property owner had decided that they no longer wanted to share the access when the Bank sold the parcel. Mr. Dionne's understanding from the bank, the seller, that he would need to widen the area after the first fifteen to twenty feet and had therefore retained Bill Langer of Kerr Construction in Barkhamsted to complete the task. Mr. Martin relayed that Mr. Langer, who does this type of work in this area, had indicated to his nephew that there were no necessary permits needed for this work.

Mr. Hall reported that he had visited the site and noted that the driveway does indeed go across a low value wetland but noted that the other driveway did at one point, too. He questioned whether the date of this subdivision may have been approved by a wetlands commission previously. Ms. Mulcahy explained that wetlands approvals only last for five years. Ms. Hall agreed that information on a previous approval would be interesting though. Ms. Mulcahy noted that the packet includes information on an approval from 1979.

Mr. Martin reviewed the location of the widening of the driveways on a survey prepared by Licensed Land Surveyor David J. Little entitled, "Sketch Showing Points Found or Set Along the Northeasterly Side of Driveway on Lot 4 – Roland H. Gagne, et al Subdivision 72 Maple Hollow Road New Hartford, Connecticut Scale 1"=20' July 2017".

Mr. Martin explained that his nephew had contacted a wetlands scientist, whose report is included in the packet distributed to commissioners. He also noted that Mr. Dionne had contacted Dennis Morrow of Berkshire Engineering who had indicated that he was unsure what he should be giving a drawing for, noting that Mr. Morrow could not understand the request as the grades remained the same as before the installation of the driveway.

It was noted that it would be useful for the applicant to provide a map delineating the wetlands at the site.

Ms. Mulcahy questioned whether there were any additional pipes or culverts installed. Mr. Martin indicated that there were not.

MOTION: Ms. Schroeder Perez, Mr. Moscaritolo second, to accept the application in the matter of Jimmy J. Dionne Jr. /Owner – Map 014 – Block 018 – Lot 11B – 72 Maple Hollow Road – Driveway Construction, as an after-the-fact application, deeming the activity as non-significant; unanimously approved.

B. Michael D. Butler Trustee/Owner – Map 044 – Block 137 – Lot 003 – 45 Black Bridge Road – Declaratory Ruling – For a Provision for Gravel for Regrading for Farm Access Road and Other Minor Changes Extending from Black Bridge Road to Large Farm area at Butler property.

Denton Butler appeared before the Commission, on behalf of his brother, Michael Butler, regarding this application. Utilizing a very large rendering of a map prepared by CDM Smith entitled, “Proposed Sewer Service Area”, Mr. Butler reviewed the area of land, 96.3 acres, that is subject to the request.

Mr. Butler also reviewed two surveys showing the area of land for which improvements are proposed to the farm access road. He noted that the work is 300’ from the east branch of the Farmington River and 500’ from the west branch of the Farmington River

Ms. Hall noted that she is familiar with the land and that it has very nicely draining soils on an existing farm and that there are no wetlands on site. Ms. Mulcahy agreed.

MOTION: Ms. Hall, Mr. Unger second, to issue a declaratory ruling in the matter of Michael D. Butler Trustee/Owner – Map 044 – Block 137 – Lot 003 – 45 Black Bridge Road – Declaratory Ruling – For a Provision for Gravel for Regrading for Farm Access Road and Other Minor Changes Extending from Black Bridge Road to Large Farm area at Butler property, finding that the Commission has deemed the proposed work an agriculture activity in an area with no wetlands and not subject to their jurisdiction; unanimously approved.

MOTION: Ms. Schroeder Perez, Ms. Hall second, to add to the agenda *Discussion with First Selectman Dan Jerram: Developments Regarding Wetlands*; unanimously approved.

5. OTHER BUSINESS:

A. Discussion with First Selectman Dan Jerram: Developments Regarding Wetlands.

First Selectman Dan Jerram explained that he had updates on the Town’s Implementation of Stormwater Management Plan as well as the Carpenter Road Bridge.

Mr. Jerram explained that as a fluke result of federal regulations and mapping, New Hartford has been found as an industrial area from Bristol’s Farm through East West Hill Road over through Burwell and Arrowhead. As a result, the Town contracted for a stormwater management plan as there are other initiatives mandated, too, including education within the community, more frequent street sweeping, and mapping underground water conduit through the Town’s GIS. Mr. Jerram requested that commissioners review the plan which can be found under the Highway Department tab on the town’s website.

Mr. Jerram reported that the Town has received a permit from the US Army Corp. of Engineers in early August to continue work on the Carpenter Road bridge. He noted that this was received after having received the issuance of a permit from the State of Connecticut Department of Energy and Environmental Protection (DEEP). Mr. Jerram relayed that there are no changes to how the bridge will be constructed and that the focus has been on the bypass channel. Mr. Jerram noted that the work has now been sequenced and also includes a provision for sheet piling to encapsulate the area to minimize and slow seepage. He distributed copies of a rendering of the project with changes included in blue.

6. MEETING MINUTES – August 1, 2018:

MOTION: Ms. Schroeder Perez, Mr. Tabaka second, to approve the August 1, 2018 Minutes; unanimously approved.

7. INLAND WETLANDS OFFICER’S ENFORCEMENT REPORT:

None.

8. CORRESPONDENCE:

None.

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

Respectfully submitted,

Pamela A. Colombie
Recording Clerk