

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

PRESENT: Chairman James Hall, Anne Hall, Karl Hermonat, Nancy Schroeder Perez, Gerald Tabaka and Steve Unger and Acting Wetlands Agent Rista Malanca.

ABSENT: Lou Moscaritolo.

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.

Robert Cunningham, PE of Robert Green and Associates appeared before the commission regarding this application. Mr. Cunningham confirmed that a soil report had indeed been submitted, noting that it had been prepared by James McManus of J&M Wetland Consulting Services of Newtown. He noted the wetlands were field located with numbered flags followed by the surveyors picking up the locations. Referring to the site plan, Mr. Cunningham noted the location of the intermittent stream and the wetlands that wrap around the proposed home location. Addressing a question raised in the last public hearing relative to endangered species on the site, Mr. Cunningham explained that he researched the national diversity database assessment and submitted a map wherein the endangered species were reflected as part of the crosshatched areas and an 'X' marked the spot of the proposed dwelling. The 'X' was noted as being outside of that crosshatched area.

Mr. Cunningham reported that the comments provided by the town engineer were addressed and incorporated through the latest, revised drawings. He noted the proposed house now includes a frontload garage and the location of it has been shifted to the north. While the house was originally proposed to be located fifteen (15') feet from the wetland, it is now proposed at twenty-two (22') feet from the wetland, according to Mr. Cunningham. He noted that the plans now further clarify where the driveway drainage is flowing into a one-foot deep impoundment. Mr. Cunningham indicated that the roof liters would also drain into the impoundment. Additionally, the plans have been modified to include an orange construction fence around the wetlands area, according to Mr. Cunningham. He noted that the town engineer's October 30th comments have been addressed as have his comments from the day prior to this hearing. Mr. Cunningham reported that those latter comments include the orange fence to be installed around the impoundment area, too, in order to keep the contractor away from that area. Secondly, the town engineer had recommended a special seed mixture for the impoundment area.

The hearing was open to the public.

Ms. Hall suggested that the orange fencing be installed longer along the edge of the wetlands. Mr. Cunningham agreed, offering to extend the orange fence to one more wetland marker. Mr. Hall requested that the wetland markers be replaced with some type of wooden or metal plaque so that they remain delineated in the field. It was agreed that wooden stakes with orange flags on them will be installed so that they are not just located on trees.

MOTION: Ms. Schroeder Perez, Ms. Hall second, to close the public hearing; unanimously approved.

2. PENDING APPLICATIONS:

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

MOTION: Ms. Schroeder Perez, Mr. Tabaka second, to approve 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, subject to the following conditions:

1. The Filing/Application Fee of \$120 for regulated activities, which includes the \$10 fee for the State of Connecticut, was paid.
2. The Permittee shall notify the Commission and/or its authorized agent in writing immediately upon the commencement of the work and upon its completion.
3. If the Authorized Activity is not completed on or before five (5) years from the date of this Permit, November 7, 2023, said Activity shall cease, if not previously revoked, and unless specifically extended by the Commission after timely application by the Permittee, this Permit shall be null and void. However, once the activity authorized herein is initiated, it is to be completed within one (1) calendar year.
4. All work and all Regulated Activities conducted pursuant to this Authorization shall be consistent with the terms and conditions of this Permit. Any structures, excavation, fill, obstructions, encroachments, or Regulated Activities not specifically identified and authorized herein shall constitute violations of this Permit; and may result in its modification, suspension, or revocation. Upon initiation of the Activities authorized herein, the Permittee hereby accepts and agrees to comply with the terms and conditions of this Permit.
5. This Authorization is not transferable without the written consent of the Commission.
6. In evaluating this Application, the Agency has relied upon information provided by the Applicant, and by Sources which it considers reliable, and if such information should subsequently prove false, deceptive, misleading, incomplete, or inaccurate, this Permit shall be reconsidered and modified, suspended, revoked, or otherwise dealt with as the Commission deems fitting.
7. The Permittee shall employ the best management practices, consistent with the terms and conditions of the Permit, to control storm water discharges and to prevent erosion and sedimentation and otherwise to prevent pollution of wetlands and watercourses. For information and technical assistance, contact the New Hartford Inland Wetlands and Watercourses Commission.
8. The Permittee shall immediately inform the Commission of any problems, breaches, failures to follow the stipulations, or anything detrimental to the wetlands or watercourses which may have developed in the course of, or which are caused by, the authorized work.
9. No equipment or material, including without limitation, fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland, watercourse, on or off site, unless specifically authorized by this Permit.
10. This Permit is subject to and does not derogate from any present or future property rights or any other rights or powers of the Town of New Hartford, and conveys no property rights in real estate or material, nor any exclusive privileges, and is further subject to any and all public and private rights, and to any Federal, State, or local laws or regulations pertinent to the property or activity affected thereby.
11. Timely implementation of Sedimentation and Erosion Control Measures are conditional to this Permit and must be maintained until all disturbed areas have been stabilized to the satisfaction of the Agency and so indicated by it in writing.
12. Inland Wetlands Delineation Markers will be placed along Inland Wetland boundaries at 100-foot intervals at the expense of the applicant.
13. All sedimentation and erosion controls must be installed and approved by the Inland Wetlands Enforcement Officer prior to the commencement of any work.
14. Approval is granted pursuant to the conditions noted in the memorandum from Lenard Engineering dated November 6, 2018.
15. Applicant to include additional construction fence and extra wetland flagging as per the discussion during the public hearing.

Unanimously approved.

B. Mark & Christina Snieckus - Map 044 - Block II2 - Lot 009 - 606 West Hill Road Addition to and Remodel of Principal Structure and Associated Landscaping and Plantings.

Mr. Hall reported an email had been received, from Ms. Snieckus, requesting a continuance of this application.

MOTION: Mr. Unger, Ms. Hall second, to continue this application to the next regular meeting; unanimously approved.

C. Tracy L. & Christian E. Maser – Map 007 – Block 003 – Lot 19E-3 – 50 Ramstein Road – Suction Dredging of Organic Sediment on Bottom of Pond.

Tracy Maser, accompanied by Christian Maser, appeared before the commission regarding this application. Ms. Maser reminded commissioners that the impetus behind her application was from their finding that their children like to play in the pond but noted that there is two feet of muck at the bottom. She explained how they are proposing to dredge the pond through a mechanical suctioning of the organic material which shall be bagged and placed in an area adjacent to the pond where the water will be able to seep out and drain back into the pond.

Ms. Malanca reported that she had visited the site and noted the applicants have great access to the pond for the dredging and that there is an adequate area to stockpile the material from the dredging.

MOTION: Mr. Hermonat, Ms. Schroeder Perez second, to approve the application in the matter of Tracy L. & Christian E. Maser – Map 007 – Block 003 – Lot 19E-3 – 50 Ramstein Road – Suction Dredging of Organic Sediment on Bottom of Pond, subject to the following conditions:

1. The Filing/Application Fee of \$120 for regulated activities, which includes the \$10 fee for the State of Connecticut, was paid.
2. The Permittee shall notify the Commission and/or its authorized agent in writing immediately upon the commencement of the work and upon its completion.
3. If the Authorized Activity is not completed on or before five (5) years from the date of this Permit, November 7, 2023, said Activity shall cease, if not previously revoked, and unless specifically extended by the Commission after timely application by the Permittee, this Permit shall be null and void. However, once the activity authorized herein is initiated, it is to be completed within one (1) calendar year.
4. All work and all Regulated Activities conducted pursuant to this Authorization shall be consistent with the terms and conditions of this Permit. Any structures, excavation, fill, obstructions, encroachments, or Regulated Activities not specifically identified and authorized herein shall constitute violations of this Permit; and may result in its modification, suspension, or revocation. Upon initiation of the Activities authorized herein, the Permittee hereby accepts and agrees to comply with the terms and conditions of this Permit.
5. This Authorization is not transferable without the written consent of the Commission.
6. In evaluating this Application, the Agency has relied upon information provided by the Applicant, and by Sources which it considers reliable, and if such information should subsequently prove false, deceptive, misleading, incomplete, or inaccurate, this Permit shall be reconsidered and modified, suspended, revoked, or otherwise dealt with as the Commission deems fitting.
7. The Permittee shall employ the best management practices, consistent with the terms and conditions of the Permit, to control storm water discharges and to prevent erosion and sedimentation and otherwise to prevent pollution of wetlands and watercourses. For information and technical assistance, contact the New Hartford Inland Wetlands and Watercourses Commission.
8. The Permittee shall immediately inform the Commission of any problems, breaches, failures to follow the stipulations, or anything detrimental to the wetlands or watercourses which may have developed in the course of, or which are caused by, the authorized work.
9. No equipment or material, including without limitation, fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland, watercourse, on or off site, unless specifically authorized by this Permit.
10. This Permit is subject to and does not derogate from any present or future property rights or any other rights or powers of the Town of New Hartford, and conveys no property rights in real estate or

material, nor any exclusive privileges, and is further subject to any and all public and private rights, and to any Federal, State, or local laws or regulations pertinent to the property or activity affected thereby.

11. Timely implementation of Sedimentation and Erosion Control Measures are conditional to this Permit and must be maintained until all disturbed areas have been stabilized to the satisfaction of the Agency and so indicated by it in writing.

12. Inland Wetlands Delineation Markers will be placed along Inland Wetland boundaries at 100-foot intervals at the expense of the applicant.

13. All sedimentation and erosion controls must be installed and approved by the Inland Wetlands Enforcement Officer prior to the commencement of any work.

Unanimously approved.

3. OTHER BUSINESS:

A. Approve 2019 Meeting Schedule.

The Commission reviewed the proposed 2019 meeting schedule.

MOTION: Ms. Schroeder Perez, Ms. Hall second, to approve the 2019 regular meeting schedule as presented; unanimously approved.

Ms. Malanca reported that there was a new application received this date for Camp Sequassen.

MOTION: Ms. Hall, Mr. Unger second, to add to the agenda, as Item B, under New Applications, the following: Camp Sequassen – 780 West Hill Road to Replace Boulder Retaining Wall with Modular Block Wall, Replace Railroad Tie Wall with Modular Block Wall, and Regrade and Install PVC Pavers with Grass; unanimously approved.

4. NEW APPLICATIONS:

A. Castellani Family Real Estate Vent LLC – Map 002 – Block 002- Lot 11-6 – 906 Tarringford East Street – Construct Wetland Crossing for Access to Single Family Home. Crossing Will Require Disturbance of Approximately 3445 SF of Wetlands.

Karl Nielson, accompanied by Larry Edwards, PE, appeared before the Commission regarding this application. Mr. Nielson reminded the commission the success that has been achieved through open space subdivisions. He explained that approval was being sought for the first lot, the most front lot on Tarringford Street, which shall be part of an eventual 21-lot open space subdivision. Mr. Edwards explained that this first lot will be sized at 3.6 acres and will have access through what will eventually be the road. The proposal included roughing in an access wide enough for a two-lane road including the installation of the culvert.

The plans were reviewed. Mr. Edwards explained that the proposal includes the drainage for the road but explained that there will be no further disturbance necessary for the remaining development of the other lots. It was noted that this first home will be no closer than 120' to the wetlands.

MOTION: Ms. Hall, Ms. Schroeder Perez second, to accept the application in the matter of Castellani Family Real Estate Vent LLC – Map 002 – Block 002- Lot 11-6 – 906 Tarringford East Street – Construct Wetland Crossing for Access to Single Family Home. Crossing Will Require Disturbance of Approximately 3445 SF of Wetlands deeming the proposed activity as significant and to schedule a public hearing for the next regular meeting; unanimously approved.

B. Camp Sequassen - 780 West Hill Road to Replace Boulder Retaining Wall with Modular Block Wall, Replace Railroad Tie Wall with Modular Block Wall, and Regrade and Install PVC Pavers with Grass.

No designated representative appeared before the commission regarding this application. The plans were reviewed with Ms. Malanca noting that they included a stepped back wall. She opined that it was important that the camp maintain their waterfront. Ms. Malanca explained that by keeping the camp

attractive for the attendees, it will continue to thrive, and noted that there is a lot of open space in this area.

Ms. Malanca advised the commission that while they may accept the application at this meeting, it was not necessary to make a finding relative to whether the activity should be subject to a public hearing. Mr. Hall suggested that the Commission accept the application but request that a representative attend the next regular meeting to provide more information regarding this proposal.

MOTION: Ms. Schroeder Perez, Ms. Hall second, to accept the application but request a representative to attend the next meeting; unanimously approved.

5. MEETING MINUTES:

MOTION: Ms. Hall, Ms. Schroeder Perez second, to approve the October 3, 2018 Minutes; unanimously approved.

7. INLAND WETLANDS OFFICER'S ENFORCEMENT REPORT:

Ms. Malanca reported that one agent determination was made after consulting with Mr. Hall regarding a garage on a slab foundation on Maple Hollow Road. She noted that the area was very flat and out of the flood plain.

Ms. Malanca reported that she had been handling a lot of zoning issues around West Hill Lake.

8. CORRESPONDENCE:

MOTION: Ms. Schroeder Perez, Ms. Hall second, to adjourn at 7:53PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**