

**LITCHFIELD INLAND WETLAND COMMISSION**  
**Regular Meeting Minutes**  
**June 13, 2018 – 7:00 p.m.**  
**Town Hall Annex, 80 Doyle Rd. Bantam, CT**

**Call to Order:** Chairman Robert Blazek called the regular meeting to order at 7:04 p.m.

**Members Present:** Chairman Robert Blazek, Anthony Paradise, Barbara Brower, Jack Hamill. Also present were Dennis Tobin, Ph.D, Wetlands Agent, and Ann Combs, Recording Secretary.

**Members Absent:** Frederick Minck, Jack Healy

**Public Comment:** None

**Appointment of Alternates:** None available

**Motion:** B. Brower moved to add to 7a, "Holtman, 138 Goodhouse Rd., Footing drain pipe extension."

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

**Motion:** B. Brower moved to add to 7b, "Finn (Steinwey/Hamilton), 56 Clark Rd., Replace leaking, rotted metal outlet pipe in pond."

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

**Motion:** B. Brower moved to add to 7c, "Chapin (Alan Poulos), 144 Wheeler Rd., 4X12 deck."

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

**APPLICATION CONSIDERATIONS**

**1. Friends of Litchfield Community Greenway, Inc.**

**6/13/18**

*Bissell Road to Northshore Road – construct greenway*

Dennis McMorrow, Berkshire Engineering and Surveying, was present with Matt Blasavage. He explained the second phase of the trail. Three approvals are needed: Inland Wetlands, DEEP and the Army Corps. Mr. McMorrow read an email from Robert Gilmore of DEEP, who stated there is no particular order in which the approvals should be obtained. Chairman Blazek asked for the Army Corps' approval first and in writing. Mr. Gilmore's second point stated that under the CT Inland Wetlands and Watercourses Act, the CT DEEP has jurisdiction over activities conducted on lands owned or controlled by the State of Connecticut (and Army Corps). Mr. Blazek said he would like the attorney's opinion on this.

Michael Kline and Eric Davison, Wetlands Scientists, are working for the Greenway and will be submitting their findings to the Army Corps. They will fill in wetlands on part of Bissell Road with processed gravel. The old rail bed meets wetlands qualifications soils and will be filled in as well, with a total of 515 cu. yds. of processed gravel used.

One section near the bridge has DOT right-of-way and they are involved in the application. Mr. McMorrow said the DOT wanted him to locate the bottom cords or their bridge beams which were 904.5 ft., or ½ ft.

higher than the hundred-year flood. Our bottom bridge cords are at 905 ft., or one foot higher than the hundred-year flood plain, well in accordance with DOT requirements. They also meet the 1.2 times bank full width. There will be no riprap put in the brook and no stream bank stabilization is required. There will be two concrete abutments with beams sitting on the shelf. Cross members will go on top of them and the bridge will be made with wood planks and guide rail fencing. It will be 55 ft. long from bank top to bank top. The sewer line follows along the rail bed, so soils are not pristine and have already been impacted.

R. Blazek noted that since this is a significant activity and in the public interest, he would like to call a public hearing. Dr. Tobin discussed placement of required public hearing signs. There was some question about the application as it relates to the DOT-jurisdiction section. Mr. McMorrow said they could amend the application.

**Motion:** B. Brower moved to hold a public hearing on this application on July 11 at 80 Doyle Rd at 7 p.m.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

Signs will be placed in appropriate locations, 4'x4', suggested by Mr. McMorrow to be on North Shore Road and Bissell Road. Dr. Tobin said there should be three signs, and one could go in back of the parking area on Route 202. They must be placed within 5 ft. of the road a minimum of 15 days before the hearing.

**Motion:** B. Brower moved to request from the applicant a \$2,500 application review fee for a legal consultation.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried. MaryAnn Dubuque will talk to Darcy Winther at DEEP and also Bob Gilmore. This is a fragmented application now that DEEP has jurisdiction on one section.

**2. Litchfield Land Trust, Inc. – 381 Torrington Rd. (126/36/72&92)**

**6/13/18**

*Reactivate wood road; construct hiking trail*

Peter Litwin of the Land Trust said there is about 65 acres owned by the Land Trust. They have subsequently acquired an additional 10 acres, an old accessway near the road formerly called Pent Road. They are proposing a walking trail that will go down to the Bantam River on the other side. They have hired a consultant who will build the trail. There will be bog bridges crossing the intermittent streams. They have a grant from the Seherr-Thoss Foundation and would like to get the project done. The trail will be cleared to 2 ft. wide and 7 ft. high. There is no plan to clear any trees for views. They are staying far away from a vernal pool. There will be a modest 911 number sign posted on the road.

**Motion:** B. Brower moved to approve the application of Litchfield Land Trust to reactivate a wood road of .1 acres and hiking trail of .35 acres at 381 Torrington Road, Assessors map 126/36/72-92.

**Second:** J. Hamill

**Vote:** All voted aye and the motion carried.

**3. 49 Old Farm Rd. – Maple Ridge LLC (Sahl)**

**6/13/18**

*Selective timber harvest of 71 acres of upland forest*

Forrest Turner, Maple Ridge LLC and Dan Lawrence, CT Certified Forester, were present. They will use portable bridge mat timbers to cross. The crossings are there already with an old stone pad underneath. Commissioners did not have the map or paperwork for this application, so Mr. Turner explained his plan.

**Motion:** J. Hamill moved to approve a selective timber harvest of 71 acres of upland forest at Sharon Sahl's property at 49 Old Farm Road, Map 51/25/20A, with a couple intermittent stream crossings and measures to protect.

**Second:** B. Brower

**Vote:** All voted aye and the motion carried.

#### AGENT DETERMINATION

**4. Town of Litchfield – Brush Hill Rd. (085/059/010)**

**6/13/18**

*Replacement of existing structurally deficient bridge*

Agent Dennis Tobin made the determination to prevent safety issues.

#### APPLICATION RECEPTIONS

**5. Osowiecki – Donahue Road Ext. (081/084/01D)**

**6/13/18**

*After the fact application for removal of stockpiled material and grade smooth and future half acre use for farm activity*

Henry Osowiecki owns 35 acres and 40 acres adjacent. The area in question is near a pond and was of concern. He will remove the pile and plant grass, staying away from the pond and wetlands.

**Motion:** A. Paradise moved to approve after-the-fact application of Henry and Caroline Osowiecki, Donhue Road Ext., Map 081/084/01D, for removal of stockpiled material and grade smooth and future half acre use for farm activity.

**Second:** B. Brower

**Vote:** All voted aye and the motion carried.

**6. Pollack – 119 North Shore Road**

**6/13/18**

*After the fact application for installation of plastic pavers (9'X16' area)*

Frank Pollack said he had put down pavers that were not permeable. R. Blazek read a letter from Keith Cudworth of White Memorial asking him to remove the plastic patio blocks and agreement to not add any deck in that area. Instead he gave permission to add 2-3" of gravel over the area 10'X25', contingent upon completing prior to June 15<sup>th</sup> or after Labor Day and to acquire any necessary permits from the Town. Now they want to do permeable pavers on an area of 12'X32', and said they have talked to Mr. Cudworth about it. Mr. Blazek directed them to get a letter of permission from Keith Cudworth. They will get the letter that matches the footprint in the drawing and return next month.

**7. Bertaccini – 152 Goodhouse Road**

**6/13/18**

*Construct 28'X40' barn and driveway*

Sam Bertaccini said he wants to build a barn, slab on grade. He will use it for equipment; tractors and mowers. He is within 100 ft. of the wetlands. He bought the house on one lot, then bought the adjacent lot and merged the two.

**Motion:** B. Brower moved to approve the application of Sam and Linda Bertaccini to construct a 28 ft. x 40 ft. barn, driveway and parking lot at 152 Goodhouse Road, Map 157/52/9A.

**Second:** J. Hamill

**Vote:** All voted aye and the motion carried.

**7a. Holtman - 138 Goodhouse Rd.**

**6/13/18**

*Footing drain pipe extension*

Elliott Fuessenich said the footing drains are currently creating a wet spot in the corner of the property and they want to push the water back into the woods. They plan to use a machine to dig a 3 ft. trench for a 4" pipe. He will extend the pipe 15 ft. beyond the stone wall, stay on the property and put in riprap at the end.

**Motion:** A. Paradise moved to approve the application of Holtman, 138 Goodhouse Road, Map 157/52/10, to extend the footing drain extension not to exceed 15' past existing stone wall and within the property lines.

**Second:** B. Brower

**Vote:** All voted aye and the motion carried.

**7b. Finn for Steinway/Hamilton - 56 Clark Road**

**6/13/18**

*Replace leaking rotted metal outlet pipe in pond, ¼ acre*

Don Finn, Berry Construction, explained an old stand pipe in the pond and what they need to do to prevent losing water. Water is coming in the cleanout pipe. They will break the rotted pipe off going into the pond and run a new pipe out to prevent losing water height.

**Motion:** J. Hamill moved to approve the application by Don Finn for Steinway/Hamilton, 56 Clark Road, Map 129/12A/10, to remove existing rotting metal pipe and install a plastic pipe to bring the water level up to its former height.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

**7c. Chapin (Allen Poulos) - 144 Wheeler Road**

**6/13/18**

*4'X12' deck*

Owner Allen Poulos said he would like to have a small deck with staircase leading down to the patio. There is a pond 73 ft. away. The deck will have footings for four support beams, and decking will be mahogany. This is a transition from the kitchen sliding door to the patio.

**Motion:** B. Brower moved to approve the application of Curtis Chapin for Alan Poulos at 144 Wheeler Road to build a 4'X12' deck on 1/10 acre off the existing house.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

**8. New Business: Docks:** Connie Trolle of Morris said they have recently revised the Morris Inland Wetlands regulations and explained the new and old regulations. They said a dock is a structure and should be regulated by P&Z, but it became Inland Wetland's purview. She discussed the items in the regulations in regard to docks. The State does not have any policy and does not recommend the towns have a policy on docks. B. Brower asked if Litchfield's regs should match Morris', and she thought they should, although bubblers are not allowed in Morris. She then showed the low impact sustainable development & stormwater management manual. She said Steve Trinkas or Sean Hayden could get us a copy. Morris adopted its regs in 2008, and amended them in 4/2018. R. Deer Island is not included in the Morris regs, as they have their own. R. Blazek also read 1934 - 2005 regulation highlights for Warren with zoning approval needed for docks because they are a structure. Ms Trolle hoped that Litchfield would extend its sewers to North Shore Road as Morris has done at Deer Island.

**9. Approval of Minutes**

a) **July 12, 2017:** unable to approve with members present

b) **February 14, 2017:** unable to approve with members present

c) **March 14, 2018: Motion:** R. Blazek moved to adopt the 3/14/18 minutes and B. Brower seconded. All voted aye and the motion carried.

d) **April 11, 2018:** unable to approve with members present

e) **May 9, 2018:** unable to approve with members present

**10. Correspondence:** Carmody & Torrance re a judicial finding; 10/4/18 invasive plant symposium at Storrs; Field Trip 10/6/18 in Avon; CT Pond services treatments at Lake Floren; Housing Trust P&Z letters.

**11. Possible Executive Session:** None

**12. Adjournment**

**Motion:** B. Brower moved to adjourn at 9:12 p.m.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.



Ann D. Combs, Recording Secretary