



Town of Watertown Connecticut

Planning and Zoning, Zoning Board of Appeals,
Conservation Commission/Inland Wetland Agency
Watertown Government Municipal Center

61 Echo Lake Road
Watertown, CT 06795

Telephone: (860) 945-5266

Fax: (860) 945-4706

Website: www.watertownct.org

Motions

CONSERVATION COMMISSION/ INLAND WETLANDS AGENCY WATERTOWN, CONNECTICUT

REGULAR MEETING

Time: 7:00 P.M. (7:03 P.M.)
Date: January 12, 2012
Place: Watertown High School Lecture Hall
324 French Street
Watertown Connecticut

1. Call Meeting to Order

Chairman, Mr. Edwin Undercuffler called the meeting to order at 7:03 P.M.

2. Roll Call

Vice Chairman, Mr. Donato Orsini executed the roll call.

Present: Chairman, Mr. Edwin Undercuffler
Vice Chairman, Mr. Donato Orsini
Mr. Michael Genovese
Mr. Joseph Polletta
Ms. Martha Sturgis

Absent: Secretary, Mr. Thomas Murphy
Mr. Richard Sarandrea
Mr. Todd Robinson
Ms. Dorota Habib

Also Present: Wetlands Enforcement Officer, Mr. Moosa Rafey
Town Engineer, Mr. Chuck Berger
Land Use Secretary, Mr. Chuck Bezio

3. Public Participation

- A. Robert Donald, Planner for New Millennium was present and requested a new application #811 for Mount Fair Village located on Buckingham and Nova Scotia Hill Road be added to the agenda and item 8A be deleted.**

MOTION: Vice Chairman, Mr. Donato Orsini moved to add to the agenda a new application #811 for modification to an existing permit as item 6E. and delete agenda item 8A.

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

- B. Wetland Enforcement Officer, Moosa Rafey requested the Commission to add to the agenda application #809 located at 65 Farrmdale Road for planting of trees.**

MOTION: Vice Chairman, Mr. Donato Orsini moved to add to the agenda a new application #809 for 6C.

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

- C. Town Engineer Chuck Berger was present and requested application #810 located on Steele Brook off of Echo Lake Road for repair to a retaining wall be added to the agenda.**

MOTION: Vice Chairman, Mr. Donato Orsini moved to add to the agenda a new application #810 located on Steele Brook off of Echo Lake Road for repair to a retaining wall be added to the agenda as item 6D.

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

D. Chris Martin from the Knights of Columbus was present and discussed the site walk on 1/7/12 with the Commission.

4. Action on Minutes

- A. Continuation of the Public Hearing October 13, 2011 App. #791 Joseph Leonard**
- B. Regular Meeting October 13, 2011**
- C. Public Hearing November 17, 2011 App. #795 John Pond**
- D. Regular Meeting November 17, 2011**
- E. Continuation of the public hearing December 8, 2011 App. #795 John Pond**
- F. Regular Meeting December 8, 2011**

MOTION: Ms. Martha Sturgis moved to approve the meeting minutes.

SECOND: Mr. Michael Genovese.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

5. Pending Applications

- A. Application #795 of John Pond Jr. for construction of a 2-Lot subdivision at 25 Woodruff Avenue, Watertown, CT.**

A decision is required by January 12, 2012.

Chairman, Mr. Edwin Undercuffler; and Ms. Martha Sturgis both read the following draft motion into the record.

DRAFT MOTION FOR APPROVAL

WHEREAS, THE WATERTOWN CONSERVATION COMMISSION / INLAND WETLAND AGENCY has received an application from John Pond Jr. for a two lot subdivision and construction of tow two-family dwellings, driveways and associated on site drainage systems as shown on a Site Development Plan entitled “Woodruff Corner Assessor’s Map 99A, Block 65, Lot 21 Two Lot Subdivision in Watertown Connecticut Sheet R-1 latest revision date 12/5/2011, Sheet E-1 Existing Conditions Plan latest revision date 12/5/2011, Sheet S-1 Site Development Plan latest revision date 11/9/2011, Sheet TA-1 Temporary Access Plan dated 12/5/2011, and Sheet D-1 Detail Sheet prepared for John Pond Jr. Prepared by Stuart Somers Co., LLC”

WHEREAS, the Commission determined that the proposed activities constitute a Significant Impact per Section 2.1.4 of the Inland Wetland and Watercourse Regulations of the Town of Watertown and The Commission has evaluated the application according to the standards and criteria for a decision per Section 10.2 of the Regulations in carrying out the purposes and policies of Section 22(a)-36 to 22(a)-45 of the Connecticut General Statutes, including matters related to regulating, licensing and enforcing of the provisions thereof;

WHEREAS, the Agency has convened meetings and public hearings on August 11, 2011, September 15, 2011, October 13, 2011, November 17, 2011, and December 8, 2011;

WHEREAS, the Agency has conducted a site walk on September 15, 2011;

WHEREAS, the Agency has carefully considered all the evidence and testimony received at the duly called public hearings and meetings;

WHEREAS, the Agency recognizes that inland wetlands and watercourses of the State of Connecticut and the Town of Watertown are indispensable, irreplaceable and a fragile natural resource;

WHEREAS, The Agency recognizes pursuant to Section 1.1 of the Inland Wetland and Watercourse Regulations, “The preservation and protection of the wetland and watercourses from random, unnecessary, undesirable and unregulated uses disturbance or destruction is in the public interest and is essential to the health, wealth and safety of the citizens of the State”;

WHEREAS, The purpose of the Inland Wetland regulations is to protect the citizens of the State by making provisions for the protection of inland wetlands and watercourses by

- (1) Minimizing their disturbance and pollution
- (2) Maintaining and improving water quality in accordance with the highest standards set forth by Federal, State or local authority
- (3) Preventing damage from erosion, turbidity or siltation.
- (4) Prevent loss of fish and other beneficial aquatic organisms
- (5) Prevent loss of wildlife and vegetation and the destruction of natural habitats
- (6) To deter and inhibit the danger of flooding and pollution
- (7) To protect the quality of wetlands, and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses
- (8) To protect the State's potable water supply and to provide an orderly process to balance the need for the economic growth of the Town and State use of its land with the need to protect the environment and ecology in order to guarantee to the people of the Town of Watertown and State, the safety of such natural resources for the benefit and enjoyment of generations yet unborn.

NOW THEREFORE BE IT RESOLVED THAT THE WATERTOWN CONSERVATION COMMISSION / INLAND WETLAND AGENCY finds that pursuant to Section 11.1 of the Watertown Inland Wetland and Watercourse Regulations, the Agency may grant the application as filed, grant it upon such terms, conditions, limitations or modifications necessary to carry out the purpose of the Inland Wetland Act or deny it.

The Agency approves application #795 submitted by John Pond Jr. for construction of Woodruff Corner a two lot subdivision with two two-family dwellings, two driveways, and associated on site drainage systems located at 25 Woodruff Avenue, Watertown Connecticut with the following standard conditions and other conditions and modifications:

1. The permittee shall notify Wetlands Enforcement Officer, in writing at least three business days prior to the commencement of work onsite and upon its completion.
2. If the approved activities are not initiated on or before January 19, 2017, said activities shall cease and, if not previously revoked or specifically renewed or extended, this permit shall be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with Section 11 of the Inland Wetlands and Watercourses Regulations of the Town of Watertown. Expired permits may not be renewed and the wetland agency may require a new application for regulated activities.
3. All work and all regulated activities conducted pursuant to this approval shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachment, or regulated activities not specifically identified and approved herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation.
4. This permit is not transferable without the written consent of the Conservation Commission/ Inland Wetland Agency.

5. In evaluating this application, the wetland agency has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete, or misleading, this permit may be modified, suspended, or revoked and the permittee may be subject to any other remedies or penalties provided by law.
6. The permittee shall employ management practices, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. The permittee shall immediately inform the agency of any problems involving wetlands or watercourses that have developed in the course of, or that are caused by, the approved work.
7. No equipment or material including without limitation fill, construction materials, or debris, shall be deposited, placed or stored in any wetland or watercourse on or off site unless specifically approved by this permit.
8. This permit is subject to and does not derogate any rights or powers of the Town of Watertown, conveys no property rights or exclusive privileges, and is subject to all public and private rights and to all applicable federal, state and local laws. In conducting and maintaining any activities approved herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of the Town of Watertown.
9. If the activity approved by the inland wetlands permit also involves activity or a project that requires state or federal approval, zoning or subdivision approval, special permit, variance, or special exception no work pursuant to the wetlands permit may begin until such approval is obtained.
10. The permittee shall maintain sediment and erosion controls at the site in such an operable condition as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee shall correct any such deficiencies within 24 hours of said deficiency being found. The permittee shall maintain such control measures until all areas of disturbed soils at the site are stabilized.
11. A wetland performance bond shall be posted for Woodruff Corner. The bond estimate for all site work shall be provided by the applicant to the Department of Public Works which shall include the following:

Soil erosion and sediment control, construction of on site drainage system including the detention ponds, site stabilization including re-grading and planting of disturbed areas within regulated areas including the upland review areas, repair of the plunge pool and stream banks. The applicant shall furnish to the Town, a bond with proper surety in the form and amount satisfactory to the Administrator for Land Use, Town

Engineer, Director of Public Works and Town Attorney before any activity is initiated on site.

12. A preconstruction meeting shall be held with Agency staff prior to any on site activity. A 24 hour name, address and telephone number must be provided by the site construction manager and a written notification is required three business days prior to any on-site activity.
13. There shall be no other on site disturbance except what is proposed by the final plans and approved by the Commission within the limits of clearing and regulated areas.
14. The following notes shall be placed on the final plans and a written notice on the land records of the Town of Watertown that the following are conditions of the Conservation Commission/ Inland Wetland Agency approval.
 - (a) There shall be no burial of stumps on site.
 - (b) There shall be no floor drains permitted in any buildings.
 - (c) There shall be no underground fuel tanks permitted within the development.
15. The following notes must be placed on the final mylar site development plan:
 - a. Prior to any on site activity all soil erosion and sediment control measures for the project shall be in place. Wetland Enforcement Officer may require additional soil erosion and sedimentation control measures as field conditions warrant.
16. Final filing mylar of the site development plan must be signed and dated by the Soil Scientist and Surveyor.
17. Construction manager/ contractors shall implement all notes and details included in the final plans. It is the permittee's responsibility to provide the final site plan and conditions of approval to the site contractors.
18. A private operation and maintenance plan shall be develop for each of the proposed detention basins and shall be incorporated in the deeds for the dwellings.
19. The proposed areas in the watercourse to be repaired by the applicant shall be monitored for one year after installation and repaired or modified if necessary by the owner.
20. Temporary access way shall be installed prior to the construction of the proposed buildings. The access way shall be stabilized by wood chips for future access to repair the stream if needed.

MOTION: Mr. Joseph Polletta moved to approve Application #795 of John Pond Jr. for construction of a 2-Lot subdivision at 25 Woodruff Avenue, Watertown, CT.

SECOND: Mr. Michael Genovese.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

- B. Application #804 of 1359 Associates, LLC for construction of a new AutoZone building and another commercial building and associated parking areas at 1359 Main Street, Watertown, CT.**

If a public hearing is not held then a decision is required by February 11, 2012.

Chairman, Mr. Edwin Undercuffler read Town Engineer's memo into the record.

MOTION: Mr. Joseph Polletta moved to approve Application #804 of 1359 Associates, LLC for construction of a new AutoZone building and another commercial building and associated parking areas at 1359 Main Street, Watertown, CT with the following conditions:

1. Standard conditions
2. Recommendations made in Chuck Berger, Town Engineer's memo.

SECOND: Mr. Michael Genovese

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

- C. Application #805 of Gowans – Knight Company Inc. for repair and stabilization of an existing berm within upland review area at 49 Knight Street, Watertown, CT.**

If a public hearing is not held then a decision is required by February 11, 2012.

MOTION: Mr. Joseph Polletta moved to Application #805 of Gowans – Knight Company Inc. for repair and stabilization of an existing berm within upland review area at 49 Knight Street, Watertown, CT with the following conditions:

1. Standard Conditions
2. If the grass doesn't grow then reseeded is necessary to establish stabilization to prevent erosion issues.

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

D. Application #806 of NFG Holdings for grading and stabilization of a disturbed area within upland review area at 120 Falls Avenue, Oakville, CT.

If a public hearing is not held then a decision is required by February 11, 2012.

MOTION: Vice Chairman, Mr. Donato Orsini moved to approve items A, B, C F & G and to deny items D & E.

- A. The Northeast corner of the property we showed the tree houses, dead trees overhanging the Brook, as well as some tree limbs extremely close to overhead wires, as well as some trash.
- B. The North side of the building had some limited amount of trash and dead branches/brush. This is to be removed. Native trees will be planted in this area alongside the brook.
- C. The back of the building has a significant amount of trash, tires, metal parts, dead trees, and underbrush. This will be removed, chipped, and grass re-planted.
- D. Is low spot in the area will be cleared out of underbrush and trash.
- E. There are a significant number of dead trees overhanging, and actually in, the brook. These are to be removed and chipped on site or taken away.
- F. The neighbors dumped very large amounts of garbage, bottles, old furniture, logs, and other trash on this portion of the property. All of this will be removed and cleaned, and signs posted.
- G. This is the former parking area for the building which has under payment of gravel and stone. It is undefined yet what long term plans are for this area,

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

6. New Applications

- A. Application #807 of Saint Mary Magdalen Church Corporation for adding playground facilities to St. Mary Magdalen School 140 Buckingham Street, Oakville, CT.**

If a public hearing is not held then a decision is required by March 16, 2012.

MOTION: Vice Chairman, Mr. Donato Orsini moved to table Application #807 of Saint Mary Magdalen Church Corporation for adding playground facilities to St. Mary Magdalen School 140 Buckingham Street, Oakville, CT to the next regularly scheduled meeting on February 9, 2012.

SECOND: Mr. Joseph Polletta.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

Mr. Joseph Polletta rescued himself for the Libero Diistasi application.

- B. Application #808 of Libero Diistasi for construction of a new single family dwelling on Lot 4 Lake View Drive, Watertown, CT.**

If a public hearing is not held then a decision is required by March 16, 2012.

MOTION: Vice Chairman, Mr. Donato Orsini moved to table Application #808 of Libero Diistasi for construction of a new single family dwelling on Lot 4 Lake View

Drive, Watertown, CT to the next regularly scheduled meeting on February 9, 2012.

SECOND: Mr. Michael Genovese.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

Mr. Joseph Polletta was reseated.

C. Application #809 located at 65 Farrmdale Road for planting of trees.

MOTION: Ms. Martha Sturgis moved to table Application #809 located at 65 Farrmdale Road for planting of trees with the condition that the Wetland Enforcement Officer instruct the applicant to install silt fence immediately to the next regularly scheduled meeting on February 9, 2012.

SECOND: Mr. Michael Genovese.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

D. Application #810 from the Town of Watertown, Department of Public Works for repair of retaining wall on the Steele Brook located downstream of Hemingway pond and Upstream of Echo Lake Road.

MOTION: Ms. Martha Sturgis moved to declare the application not a significant activity.

SECOND: Mr. Joseph Polletta.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

MOTION: Ms. Martha Sturgis moved to table Application #810 from the Town of Watertown, Department of Public Works for repair of retaining wall on the Steele Brook located downstream of Hemingway pond and Upstream of Echo Lake Road to the next regularly scheduled meeting on February 9, 2012.

SECOND: Mr. Joseph Polletta.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

6E. Application #811 from New Millennium know as Mount Fair located on Buckingham and Nova Scotia Hill Road for modification of an existing condition.

MOTION: Vice Chairman, Mr. Donato Orsini moved to approve Application #811 from New Millennium know as Mount Fair located on Buckingham and Nova Scotia Hill Road for modification of an existing permit with the following condition.

1. Subject to all original conditions of approval.

SECOND: Mr. Michael Genovese.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

7. Old Business

- A. Notice of Violation issued to the owner of 633 Park Road, Watertown, CT.**
- B. Notice of Violation issued to the owner of 349 Artillery Road, Watertown, CT**
- C. Notice of Violation issued to the owner of 120 Falls Avenue, Oakville, CT**
- D. Notice of Violation issued to the owner of 65 Farmdale, Watertown, CT.**

MOTION: Vice Chairman, Mr. Donato Orsini moved to table the Notice of Violation to the next regularly scheduled meeting on February 9, 2012.

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

8. New Business

- A. Discussion on modification of the Wetland Permit #701 for Mount Fair Village on the corner of Buckingham Street and Nova Scotia Hill Road, Watertown, CT.**

The Commission unanimous agreed to delete this item from the agenda.

9. Communications and Bills

- A. Connecticut Land Conservation Council Letter dated December 27, 2011**

MOTION: Mr. Joseph Polletta moved to accept and file.

SECOND: Ms. Martha Sturgis.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

10. Reports from Officers and Committees
None

11. Reports from Staff
None

12. Public Participation
None

13. Adjournment

MOTION: Ms. Martha Sturgis moved to adjourn at 9:30 PM.

SECOND: Mr. Michael Genovese.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Vice Chairman, Mr. Donato Orsini; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.