



# Town of Watertown Connecticut

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Planning and Zoning, Zoning Board of Appeals, Conservation Commission/Inland Wetland Agency

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## MINUTES CONSERVATION COMMISSION/ INLAND WETLANDS AGENCY WATERTOWN, CONNECTICUT

### REGULAR MEETING

**Time:** 7:00 P.M.  
**Date:** June 10, 2010  
**Place:** Watertown High School Lecture Hall  
324 French Street  
Watertown Connecticut

#### 1. Call Meeting to Order

Chairman, Ed Undercuffler called the meeting to order at 7:00 P.M.

#### 2. Roll Call

Secretary Thomas Murphy, executed the roll call.

**Members Present:** Ed Undercuffler, Chairman  
Donato Orsini, Vice Chairman  
Thomas Murphy, Secretary  
Joseph Polletta  
Michael Genovese  
Brian Benoit  
Martha Sturgis  
Richard Sarandrea (7:10 P.M.)  
Todd Robinson (7:10 P.M.)

**Members Absent:** Dorota Habib

**Others Present:** Moosa Rafey, Wetlands Enforcement Officer  
Carol Allen, Secretary

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**3. Public Participation**

None

**4. Action on Minutes**

- A. Public Hearing March 11, 2010 App. #708 Town of Watertown Sunnyside Ave.**
- B. Regular Meeting March 11, 2010.**
- C. Regular Meeting April 15, 2010**
- D. Public Hearing May 13, 2010 App. #717 Anthony Cocchiola**
- E. Regular Meeting May 13, 2010**
- F. Site Walk June 5, 2010**

**MOTION:** Mr. Michael Genovese moved to table 4A. through 4F. to the next regularly scheduled meeting on July 15, 2010.

**SECOND:** Mr. Joseph Polletta

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

**5. Pending Applications**

- A. Application #715 of Anthony Sebestiano for installation of a drainage pipe and grading within a regulated area at 125 Cayuga Drive, Watertown, CT.**

Mr. Sebestiano                      Anthony Sebestiano was present and explained the application to the Commission. He also noted that he want to fill in his back yard.

Mr. Undercuffler                      Was filling in the back yard part of the application?

Mr. Sebestiano                      It is on the application.





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**SECOND:** Mr. Michael Genovese

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

Richard Sarandrea arrived at 7:10 P.M. Todd Robinson arrived at 7:10 P.M.

**D. Application #724 of Steven Duffany for installation of a dry well and drainage pipe within a regulated area at 83 Cummings Avenue, Oakville, CT.**

Mr. Duffany	Steven Duffany was present and explained the application to the Commission. The Commission came over on Saturday and visited the site. I have been informed that the work I've done is not on my property. I intend to restore in back to its original condition. I will speak with the Town Manager about the house. The house was built 60 years ago, I've been there for 50 years and this is news to me that the property line goes directly through the house.
Mr. Polletta	You will restore everything back that you removed from the wetlands? You will remove all the ash and garbage. Are you going to level it off?
Mr. Duffany	Yes. I will plant grass and place hay down. This will take a couple of weeks.
Mr. Polletta	When you're done with the work call Moosa and he will inspect. There is a lot of stuff in the wetlands and it needs to be removed.
Mr. Rafey	I recommend the only activity that is being approved is the restoration of the disturbed area and removing all the debris from the wetlands area and nothing else. If you should get approval to do the dry well from the Town Manager then you can come back to the Commission for their review.

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**MOTION:** Mr. Joseph Polletta moved to approve the application for restoration of disturbed area and removing all the debris from the wetlands area subject to standard conditions. This approval does not include approval of the drywell.

**SECOND:** Ms. Martha Sturgis

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

**E. Application #725 of Chris Levesque for construction of a detached garage within upland review area at 117 Cherry Avenue, Watertown, CT.**

- |              |   |
|--------------|---|
| Mr. Levesque | Chris Levesque was present and explained the application to the Commission. He pointed out that the site map states it is 6' from the house and when the Commission was at my house for the site walk it was observed that it is 16' from the house. The plans are incorrect. |
| Mr. Polletta | He expressed concerns with how close the detached garage is to the brook. Will you be using silt fence.   |
| Mr. Levesque | Yes, the application specifies the details of the sediment and erosion control that will be utilized.   |
| Mr. Rafey    | This is very close to the brook and Scott Avenue.   |
| Mr. Berger   | I have been at the site because of the box culvert work that was done a few years ago. I have not looked at it with the proposed garage in mind. I believe that if the applicant uses adequate sediment and erosion controls it should be ok.                                 |
| Mr. Rafey    | What about flooding issues?   |
| Mr. Berger   | How are you going to access the garage?   |



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When the developer submitted the final plans the conservation easement was not included on the final map. This is not the applicants fault. They have purchased the lot based on the signed approved map filed on the land records. The applicant was not the developer of the subdivision. I recommend the area between the north side property line and 50' setback line be untouched. The driveway and house and everything is outside 50' setback. We need to leave all the trees and bushes in this area alone. When I was on the site I noted that there was a silt fence close to the brook. That should be removed and the surveyor should mark the 50' setback line from the property line and this area should be left alone.

Mr. Tearman

This is fine.

Mr. Rafey

There is enough room for them to build a house. You will need to get the placard for the Upland Review Area. For the protection of the watercourse we need some buffer between the house and the watercourse.

**MOTION:** Mr. Joseph Polletta moved to approve the application with the condition that the upland review line will be marked on the north side of the property and subject to standard conditions.

**SECOND:** Mr. Michael Genovese

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

**G. Application #727 of Watertown Department of Public Works for restoration of a drainage channel at 217 Hamilton Avenue, Watertown, CT.**

Mr. Berger

The project is to improve drainage at 217 Hamilton Avenue. It is across the street from the school. As part of the school project a new box culvert was put under Hamilton Avenue.



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**6. New Applications**

**A. Application #731 of 741 Echo Lake Road, LLC for modification of Permit #664 for construction of 60 condominium units and associated roadways at 741 Echo Lake Road, Watertown, CT.**

Mr. Undercuffler                      The applicant has submitted a withdrawal letter. The

Chairman, Mr. Edwin Undercuffler read the letter into the record.

From:                      George Norman

To:                        Moosa Rafey, ZEO and Wetlands Enforcement Officer and  
 Watertown Conservation Commission and Inland Wetlands Agency

Subject:                Proposed Condominium Development on Echo Lake Road and Buckingham  
 Street, Watertown.

Dear Mr. Rafey

Please note that application # 731 of 741 Echo Lake LLC for modification for permit # 664 for construction of 60 condominium units in associated road ways at 741 Echo lake road, Watertown CT be withdrawn at the present time.

Mr. Undercuffler                      The originally permit will still stands.

Mr. Rafey                                Yes.

**MOTION:** Vice Chairman, Mr. Donato Orsini moved to accept letter of withdrawal for Application #731 from George Norman.

**SECOND:** Mr. Michael Genovese

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.



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We could use the stone on site and reduce the amount of fill needed on the lower end of the leach field. We want to create a natural barrier.

Mr. Rafey Contour number line 493 is this something you can avoid changing it and leaving it alone and move the silt fence up in order to reduce the limits of disturbance.

Mr. Wolf We may be able to pull it back a little. Eventually we have to get that area so that it drains away.

Mr. Rafey It is very close to the wetlands. If you avoid that and put stone wall back there you could create a barrier between the wetlands and back yard.

Mr. Wolf I think we could put the stones where contour 494 is. We could eliminate the 493.

Mr. Rafey Could you please look into this and revise the plan.

Mr. Wolf I will review it Rob Rubbo and make sure he is ok with it. If Torrington are health is ok with this then we will tuck the stones in along the contour. They will not be buried they will be sitting on top.

**MOTION:** Mr. Michael Genovese moved to table the application to the next regular scheduled meeting on July 15, 2010.

**SECOND:** Mr. Joseph Polletta

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

- C. Application #733 of Watertown Land Trust for cutting a footpath within a regulated area to access Crowell Trail from Claxton Avenue, Watertown.**

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Mr. Undercuffler Gary Laferty called the office and said he might be late for the meeting tonight.

**MOTION:** Vice Chairman, Mr. Donato Orsini moved to table the application to the next regular scheduled meeting on July 15, 2010.

**SECOND:** Mr. Michael Genovese

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

**MOTION UNANIMOUS PASS T 7-0.**

**7. Old Business**

- A. Notice of Violation concerning 125 Cayuga Drive, Watertown**
- B. Notice of Violation concerning extension of Cayuga Drive**
- C. Notice of Violation concerning 633 Park Road, Watertown**
- D. Notice of Violation concerning 83 Cummings Avenue, Oakville**

Mr. Rafey We can remove item 7B. Notice of Violation concerning extension of Cayuga Drive because we have approved two applications on both sides of Cayuga Drive. The approvals for 125 and 129 Cayuga Drive covers the area that I was concerned about. There is no need for the association to come to the Commission for the same activity that has already been approved. At the time I issued the notices of violation I was not sure who was responsible for what. I had learned the association had put some fill on the road then the homeowners did some other work in the area. I found out later that it was the homeowners who did all the regulated activities.

**MOTION:** Ms. Martha Sturgis moved to remove item 7B. Notice of Violation concerning extension of Cayuga Drive because all the issues have been addressed.

**SECOND:** Mr. Michael Genovese

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**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

**MOTION:** Ms. Martha Sturgis moved to Table items A., 7C., 7D. to the next regular scheduled meeting on July 15, 2010.

**SECOND:** Secretary, Mr. Thomas Murphy

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

**8. New Business**

**A. Proposed revisions to Sections 7.10 and 11.6 of the Inland Wetlands and Watercourses Regulations of the Town of Watertown.**

Mr. Rafey

At the last meeting I discussed with the Commission the letter that I had received from the DEP. They want all the municipalities to change their regulations to change the expiration date of the permit issued during July 1, 2006 through July 1, 2009. They did not give a reason why they have done this. I have drafted a proposed regulation for the Commission to review. A public hearing is required in order to make the changes. I recommend that you review the regulations and if there are any other changes that you want to make this is the time to do it.

**MOTION:** Mr. Joseph Polletta moved to schedule a public hearing for August 12, 2010.



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**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

**9. Communications and Bills**

None

**10. Reports from Officers and Committees**

None

**11. Reports from Staff**

**A. Agent Determinations**

**1. Application #729 of Barbara King for construction of a deck within upland review area at 116 Georgetown Drive, Watertown, CT.**

Mr. Rafey

He reported to the Commission about an application he issued a permit for a minor activity. The homeowner wants to remove the old deck and build a deck a little larger than the existing deck. The desk is located within an upland review area.

**2. Application #730 of John Perugini for construction of an aboveground pool and shed within upland review area at 37 Carola Drive, Watertown, CT.**

Mr. Rafey

He reported to the Commission about an application that he issued a permit for. It was minor activity. There are no wetlands on this property; there is a piece of wetlands on the neighbors propertied located on on both sides of the property. Only portions of the pool and shed are within the upland review area. The area is a lawn already.

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**12. Public Participation**

None

**13. Adjournment**

**MOTION:** Mr. Thomas Murphy moved to adjourn at 8:00 p.m.

**SECOND:** Ms. Martha Sturgis

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler, Vice Chairman, Mr. Donato Orsini, Secretary, Mr. Thomas Murphy, Mr. Michael Genovese, Mr. Joseph Polletta, Ms. Martha Sturgis, Mr. Brian Benoit.

**NAYS:** None.

MOTION UNANIMOUS PASS T 7-0.

Attest:

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Tom Murphy, Secretary  
Conservation Commission  
Inland/Wetland Agency