



# Town of Watertown Connecticut

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

### REGULAR MEETING

**Time:** 7:15 P.M. (7:30 P.M.)

**Date:** July 14, 2011

**Place:** Watertown High School Lecture Hall  
324 French Street  
Watertown Connecticut

#### 1. Call Hearing to Order

Chairman, Mr. Edwin Undercuffler called the meeting to order at 7:30 P.M.

#### 2. Roll Call

Ms. Martha Sturgis executed the roll call.

**Present:** Chairman, Mr. Edwin Undercuffler  
Mr. Michael Genovese  
Mr. Joseph Polletta  
Ms. Martha Sturgis

**Absent:** Vice Chairman, Mr. Donato Orsini  
Secretary, Mr. Thomas Murphy  
Mr. Richard Sarandrea  
Mr. Todd Robinson  
Ms. Dorota Habib

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

### 3. Public Participation

Mark Gadoci of 40 Shannon Avenue and Peter Guerra of 41 Shannon Avenue were present and submitted a petition to hold a public hearing opposing the application for construction of a single family dwelling located on Lot 10 Shannon Avenue.

### 4. Action on Minutes

- A. Regular Meeting April 14, 2011
- B. Special Meeting May 2, 2011
- C. Site Walk May 7, 2011
- D. Regular Meeting May 12, 2011
- E. Regular Meeting June 9, 2011
- F. Site Walk June 24, 2011
- G. Special Meeting June 24, 2011

**MOTION:** Mr. Michael Genovese moved to table the minutes to the next regularly scheduled meeting on 8/11/11.

**SECOND:** Mr. Joseph Polletta.

#### VOTE

#### AYES:

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

NAYS: None.

MOTION UNANIMOUS PASS T 4-0.

### 5. Pending Applications

- A. Application #760 of David Pope for construction of a new single-family dwelling within upland review area on Lot 10 Fox Crossing Subdivision, Lovley Drive, Watertown, CT.

**A decision is required by July 14, 2011.**

Mr. Pope

David Pope of 85 Northwest Drive, Watertown, CT was present and explained Application #760 for construction of a new single-family dwelling within upland review area on Lot 10 Fox Crossing Subdivision, Lovley Drive, Watertown, CT, to the Commission. We have incorporated some of the recommendations from the State of CT Soil Erosion and Sediment control manual. I have submitted revised plans into the record. The last plans incorporate the recommendations made from Sean Hayden of the Northwest

Conservation District. We have hand delivered the plans to Sean Hayden of the Northwest Conservation District. We have moved the house further away from the conservation easement. We will have more to do the construction. We have added the filter strip on the inside of the driveway. We have delineated the Conservation easement with 4'x4' posts and placards. We have changed one of the temporary sediment basins to a sediment trap. We have put in the ground water recharge to collect the rain litter that will go through a stone filtering system. We have the rolled mulch to back up the silt fence.

Mr. Polletta How far have you moved the house? Is there public water and sewer?

Mr. Pope It has been moved southerly by 20' to 30'. Yes there is a public sewer and water. We will use a pump chamber to pump the sewer up into the sanitary sewers. All the utilities will follow the driveway underground.

Mr. Undercuffler What is the reason the house cannot be moved closer to the stone wall?

Mr. Pope I am concerned about the zoning setback line. We want to be able to have a yard around the house.

Mr. Undercuffler I am concerned that this house is so close to the wetlands that the posts and placards are going to be enough demarcation. I am concerned that they would be removed. Could we get a low stone wall that would make a permanent boundary marker? We are trying to keep people out. Because it is in the meadow, I am concerned that will be considering an extension of the lawn.

Mr. Pope On the south side already is there stone wall.

Mr. Rafey The silt fence is the limits of disturbance. On the north side of the limits of disturbance can you put a permanent barrier. It doesn't need to be a masonry wall. It could be a dry wall. The buyer should be forewarned about the conservation easement. The posts and markers should do the job. Something needs to be put on the deed about this conservation easement.

Mr. Hayden There is plenty of stone on the property. No addition material will be needed.

Ms. Sturgis I don't think a stone wall is needed.

Mr. Genovese I don't think it is needed and the cost to build is ridiculous. The wall will not be a benefit just a visual boundary.

Mr. Hayden The applicant has addressed all my concerns in my reports that have submitted to the Commission.

**MOTION:** Mr. Joseph Polletta moved to approve the application with the following condition.

- Standard Condition
- House location to be 45' off the south side boundary line.
- Conservation easement placard every 50' and at each corner.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

- B. Application #763 of the Brass City Hyundai, LLC for construction of an addition to an existing building and additional parking at 674 Straits Turnpike, Watertown.**

**If the public hearing is closed on July 14, 2011 then a decision is required by August 18, 2011.**

Mr. Undercuffler The hearing is still open. I need a motion to table this.

**MOTION:** Mr. Michael Genovese moved to table the application to the next regularly scheduled meeting on 8/11/11.

**SECOND:** Ms. Martha Sturgis.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

- C. Application #782 of Cercemegiore Club for installation of a drainage pipe within upland review area at 550 Sylvan Lake Road, Watertown, CT.**

**If a public hearing is not held then a decision is required by August 27, 2011.**

Ms. Pilicy Judy Pilicy was present on behalf of the applicant and explained the Application #782 of Cercemaggiore Club for installation of a drainage pipe within upland review area at 550 Sylvan Lake Road, Watertown, CT to the Commission. She reviewed the site plan with the Commission. About a month ago we began replacing drainage on the property. The drainage was no longer working. We were having a lot of pooling of water by the chapel. Due to a neighbor's complaint to the Planning and Zoning office, Moosa inspected the site and informed us that our activity is within the upland review area. We need a permit to do the drainage repair. In the chapel area there is 100'x40' drainage area. The 100' drainage has been installed already and is working very effectively. This does not go into and wetlands or watercourse area. There is 3' drainage swale area that it goes into. The 40' portion has not been completed.

Mr. Undercuffler What happens to the water after it enters the drainage swale?

Ms. Pilicy There is a small wooded area. It is not discharging into the watercourse.

Mr. Rafey The swale will discharge into wetlands. There was an old pipe in this location. The area around the Chapel is already a lawn area.

Ms. Pilicy The 40' area is new. The old drainage was installed incorrectly. It did not function properly. The drainage issues were a safety hazard. What has been done already has worked wonderfully.

**MOTION:** Mr. Joseph Polletta moved to approve the application with standard conditions.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

**MOTION UNANIMOUS PASS T 4-0.**

**6. New Applications**

**A. Application #789 of Kurt Dolnier for construction of a dock on the east shore of Smith Pond at 1135 Northfield Road, Watertown, CT.**

**If a public hearing is not held then a decision is required by September 16, 2011.**

Mr. Dolnier

Kurt Dolnier was present and explained application #789 for construction of a dock on the east shore of Smith Pond at 1135 Northfield Road, Watertown, CT to the Commission. The dock will be 180' sq. ft. It will be 10'x10' Dock. It will extend out about 28' from the shore of the pond. We propose to construct a dock on the East Shore of Smith Pond contained within Our property lines and exceeding the set back requirements for construction within The zone (20 feet from both lines). The size of the dock is as outlined, 180 square feet, consisting of a 4' x 20' walkway and an attached 10' x 10' platform. It is to be of wood construction, with (4-6) 4" steel poles to support the frame and hold it 1 foot above high water level. It is to be attached to shore with (2) steel rods driven into the firm shore ground. The purpose of the dock is to provide swim access to Smith Pond from our property WITHOUT disturbing the ecosystem of the immediate shoreline. There are aquatic Plants and numerous fish nests that extend from the shore out to 6-10 feet; and it is this sensitive area that we are trying to protect. The 30 foot length is designed to Provide swim access without disturbing the pond bottom and vegetation. No volume of soil or other material is to be removed or disturbed either in the pond Or on the shoreline where to dock meets shore. The only intrusion into the pond Will be the (4-6) 4" iron pipes supporting the dock for a total intrusion of 12.5 square inches per pole or a total of 75 square inches if we use 6 poles. The construction of the dock will be of a permanent nature so as to provide additional habitat for fish and other pond creatures, without to seasonal Disturbance of a floating or removable dock. The dock will be wood frame construction with untreated wood decking so as not to bleed any hazardous material into the pond. The construction of this dock will Not create any erosion of the shoreline, and should actually act to protect this area From further shoreline soil erosion. The alternatives we have considered are as follows. Relocation of the dock to the south of the proposed area. We have deemed this as ill advised and unworkable because The shore line at that point is at pond level, and consists of A watery bog with native grasses and plants that would be Destroyed by the foot traffic associated with the dock. The shoreline at that point would not allow for attachment of the dock structure due to the nature of the soil and wet Shoreline. A floating dock would kill

extensive amounts of shoreline Vegetation, and possible cause shoreline erosion and disturbance of the ponds ecosystem. We have opted to pursue the fixed dock at the proposed location as the least invasive alternative to the pond and its ecosystem.

Mr. Polletta

How are you going to put the steel pole into the water.

Mr. Dolnier

The water is not deep. It will not be deep to install the four poles. When the water freezes the dock will be above the lake.

Mr. Rafey

The Town and the Commission does not take any legal liability for granting approval because we are assuming that you the applicant has the legal right to use this water for this activity. In case there is a dispute on the ownership or the rights the Commission does not take any responsibilities.

Ms. Sturgis

Are you removing any trees?

Mr. Dolnier

No.

**MOTION:** Mr. Joseph Polletta moved to schedule a site walk for 7/30/11 at 9:45 A.M. and table the application to the next regularly scheduled meeting on 8/11/11.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:**

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

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

- B. Application #790 of Michael D'Agostino and Kenneth Demirs for a three lot residential subdivision at the intersection of Colonial Street and Morro Street, Oakville, CT.**

**If a public hearing is not held then a decision is required by September 16, 2011.**

Mr. Demirs

Kenneth Demirs of 312 Oak Drive was present and explained the Application #790 of Michael D'Agostino and Kenneth Demirs for a three lot residential subdivision at the intersection of Colonial Street and Morro Street, Oakville, CT to the Commission. I

submitted into the record approval from the Water and Sewer Authority. He read the following Soils Report to the Commission.

## SOILS AND WETLANDS REPORT

ConnSoil

Dated 5/5/11

Mr. Ken Demirs  
Westview Properties  
1400 Main Street  
Watertown, CT 06795

LOCATION: Morro and  
Colonial Roads, Oakville,  
Connecticut

INSPECTION DATE: 5/5/11

MAP PROVIDED: property boundary survey

CONTOUR INTERVAL SHOWN: No

SCALE SHOWN: No

SOIL MOISTURE CONDITIONS: Dry

PROPERTY LINES IDENTIFIABLE: Yes

NUMBERING OF WETLAND FLAGS: NO WETLANDS AT THIS SITE

This site inspection was conducted to evaluate the presence of inland-wetlands and watercourses. A detailed classification of the soils was not part of this study. Field observations of the wetland and upland soils together with the classification system of the National Cooperative Soil Survey, USDA, and the County Soil Legend were used in this investigation to identify the soil series names. In conducting field investigations, soil borings are taken from which many important soil properties are observed, as follows: seasonal soil moisture condition OR the presence of free water and its depth, for each horizon in the soil profile, the thickness, color and texture are also observed. The areas shown on soil maps are called soil map units. Some map units consist of one kind of soil while others consist of two or more kinds of soil. A few have little or no soil material at all. The information in this report is based on examination and interpretation of soils with the use of a hand auger and shovel. Wetland delineation is based on prevailing conditions at the time of investigation and best professional judgment. Field conditions may change over time.

COMMENTS: This parcel is located at the southeast corner of Morro Street and Colonial Road. The soils at the site are well-drained and sandy textured. There are no wetlands or watercourses on this property or, as far as I can tell, on adjacent parcels.

If there are any questions or comments, please contact me.

Yours Truly,  
Cynthia Rabinowitz

Soil Scientist/Landscape Designer  
Permaculture Design Practitioner

Mr. Rafey I have inspected this property. I walked the property. There is no wetlands on this property or in the surrounding area. The reason this application is before you is only the Wetlands Commission can determine that there is no wetlands on the site.

**MOTION:** Ms. Martha Sturgis moved to determine that this application has no regulated activities associated with the application because there are no wetlands on the property.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

- C. **Application #791 of Joseph Leonard for construction of a single family dwelling within upland review area on Lot 10 Shannon Avenue, Watertown, CT.**

**If a public hearing is not held then a decision is required by September 16, 2011.**

Chairman, Mr. Edwin Undercuffler read the petition to deny construction from the neighbors into the record.

Mr. Leonard Joseph Leonard was present and explained application #791 of Joseph Leonard for construction of a single family dwelling within upland review area on Lot 10 Shannon Avenue, Watertown, CT to the Commission.

Mr. Rafey The lot size is 18,546 sq. ft. or .426 acres.

Mr. Undercuffler How far behind the deck is the wetlands?

Mr. Leonard Approximately 10' behind the deck.

Mr. Rafey There is a watercourse going through this property. I recommend the Commission have a site walk.

**MOTION:** Mr. Joseph Polletta moved to schedule a public hearing for 8/11/11.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

**MOTION:** Mr. Joseph Polletta moved to schedule a site walk for 7/30/11.

**SECOND:** Ms. Martha Sturgis.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

**MOTION:** Mr. Joseph Polletta moved to table the application to the next regularly scheduled meeting on 8/11/11.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Mr. Michael Genovese; Mr. Joseph Polletta; Ms. Martha Sturgis.

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

**7. Old Business**

**A. Notice of Violation issued to the owner of 633 Park Road, Watertown, CT.**

**MOTION:** Mr. Michael Genovese moved to table to next regularly scheduled meeting on 8/11/11.

**SECOND:** Mr. Joseph Polletta.

**VOTE**

**AYES:**

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

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

**B. Notice of Violation issued to the owner of 349 Artillery Road, Watertown, CT**

**MOTION:** Mr. Joseph Polletta moved to schedule a site walk for 7/30/11 and table the discussion on the regulated activity violation to the next regularly scheduled meeting on 8/11/11.

**SECOND:** Ms. Martha Sturgis.

**VOTE**

**AYES:**

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

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

**8. New Business**

None

**9. Communications and Bills**

**A. Conservation Options for Connecticut Farmland A Guide for Land Owners, Land Trusts and Municipalities**

**MOTION:** Mr. Joseph Polletta moved to accept and file the Communications and Bills.

**SECOND:** Ms. Martha Sturgis.

**VOTE**

**AYES:**

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

**NAYS:** None.

MOTION UNANIMOUS PASS T 4-0.

