



# 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. (7:02 P.M.)  
**Date:** July 15, 2010  
**Place:** Swift Middle School Media Library Room  
250 Colonial Street  
Oakville, Connecticut

#### 1. Call Meeting to Order

Chairman, Mr. Edwin Undercuffler called the meeting to order at 7:02 P.M.

#### 2. Roll Call

Secretary, Mr. Thomas Murphy executed the roll call.

**Present:** Chairman, Mr. Edwin Undercuffler  
Secretary, Mr. Thomas Murphy  
Mr. Michael Genovese  
Mr. Joseph Polletta  
Ms. Dorota Habib

**Absent:** Vice Chairman, Mr. Donato Orsini  
Ms. Martha Sturgis  
Mr. Brian Benoit  
Mr. Richard Sarandrea  
Mr. Todd Robinson

**Also Present:** Land Use Secretary, Mr. Chuck Bezio

Chairman, Mr. Edwin Undercuffler seated Ms. Dorota Habib for Ms. Martha Sturgis.

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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
- G. Regular Meeting June 10, 2010

**MOTION:** Mr. Michael Genovese moved to approve items 4A., 4B., 4C., 4E, 4G. and table item 4D. to the next regular scheduled meeting on August 12, 2010.

**SECOND:** Mr. Joseph Polletta.

#### VOTE

#### AYES:

Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

### 5. Pending Applications

- A. Application #722 of David Tataranowicz for filling and grading within a regulated area at 633 Park Road, Watertown, CT.

If a public hearing is not held then a decision is required by July 17, 2010.

Mr. Tataranowicz

He was present on and explained the application to the Commission.

Mr. Polletta

During the site walk you mentioned that you would clean up the edge of the property line so your neighbor would not complain.

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Mr. Tataranowicz Yes, in the back is the regulated area this is why I have not been back there. I wanted the permit first. I have been cleaning up the side lines.

Mr. Undercuffler He is waiting for the permit in order to do the work in the regulated area. Moosa has been at the site and reported that he is happy with the proposal.

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

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:**

Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

**NAYS:** None.

MOTION UNANIMOUS PASS T 5-0.

**B. Application #732 of Valerie Macchi for repair of an existing septic system within upland review area at 601 Nova Scotia Hill Road, Watertown, CT.**

**If a public hearing is not held then a decision is required by August 14, 2010.**

Mr. Wolf Professional engineer representing the applicants. Since the previous meeting we have received approval from Torrington Area. We made the change the Commission requested to removal the boulders and put them down at the end of the slope. They are shown on the updated plans that was submitted into the record last week.

Mr. Polletta We expressed concerns with the stone wall.

Mr. Wolf He reviewed the plans with the Commission. There are several rubble walls that run through the septic areas. We are proposing to move some of the boulders and this will allow us to pull some of the fill back away from the wetlands area. The boulders will hold back some of the fill.

Mr. Bezio Has the activity been moved away from the wetlands?

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Mr. Wolf Yes. We have been able to move away from the wetlands.

Mr. Undercuffler When do you expect the work to be done?

Mr. Wolf As soon as possible. The weather is really dry now.

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

1. Standard conditions.
2. Removal of the stonewall as shown on the revised drawings..

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:**

Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

**NAYS:** None.

MOTION UNANIMOUS PASS T 5-0.

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

**If a public hearing is not held then a decision is required by August 14, 2010.**

Mr. Lafferty George Lafferty was present on behalf of the applicant. We started to do a project on the Troll property off of Claxton Avenue. There was a little access trail on the property before but it goes through the middle of the field and it really sloppy. There is a hazard with it. We saw along the tree line that I thought was on our property but it is actually the town property. The ground is firmer in this area. We are thinking about clearing the area and putting down some would chips. This will give us access to the rest of the property. When I was at the property I saw a Watertown Land Trust marker on the corner and thought that was our property line. It is not, I do not know how the marker was put there. Moosa went with Gail to the site. It appears that it is on Town property.

Mr. Undercuffler I have reviewed the letter from Gail Sangree. Was there any approval on this? Where does this stand?

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- Mr. Lafferty She met with Moosa Rafey, Chuck Berger and Ruth Mulcahy the recommended the applicant request the town to turn that portion of the land to the Land Trust. We would have to apply for a permit from the Commission and then go to the Town Council for approval.
- Mr. Polletta What you are looking for, are you trying to get out of the wet area and move to a dryer area?
- Mr. Lafferty Yes.
- Mr. Undercuffler We could approve this activity but it does not give them the authority to do the project without the Town Councils approval.
- Mr. Polletta It makes sense to put the trail on drier property.
- Mr. Undercuffler How steep is this?
- Mr. Lafferty It is not as steep going down the bank from the road. It will not be as steep as the existing trail is. We may need to eventually put some steps going down to it.

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

**SECOND:** Mr. Michael Genovese.

**Discussion**

- Mr. Undercuffler Is the only impact going to be cutting brush and putting chips down.
- Mr. Lafferty It appears to be more high grass. There may be some brush along the tree line. There will not be any impact of the water or the wildlife in this area.

**VOTE**

**AYES:**

Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

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NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

## 6. New Applications

### A. Application #734 of Stephen Mastroianni for construction of a 12' X 16' sunroom within upland review area at 89 Cayuga Drive, Watertown, CT.

**If a public hearing is not held then a decision is required by September 18, 2010.**

Mr. Ward	Mike Ward of 22 Adaline Drive, Waterbury CT was present on behalf of the applicant and explained the application to the Commission. The house is located on Lake Winnemaug approximately 200' away from the water. There is a stream the runs past the house about 20' to the east. The house is closer to the stream than the sunroom will be. It is a low impact construction. There will be a post and beam construction. There will be no excavation.
Mr. Polletta	Is this an existing house? Is this a fairly new house?
Mr. Ward	It is an older house.
Mr. Polletta	Does it have a regular septic system?
Mr. Ward	It is being updated, but not on this permit.
Mr. Undercuffler	Was there a permit issued for the septic system?
Mr. Ward	It is on going? The owner is working with Torrington Area Health to get approval.
Mr. Mastroianni	He explained his plans for the septic system to the Commission. He reported that he is working with Torrington Area Health to get approval for both the sunroom and septic system.
Mr. Bezio	Just for clarification the septic system will be within a 100' of the regulated area, correct?
Mr. Mastroianni	Yes.



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**7. Old Business**

- A. Notice of Violation concerning 125 Cayuga Drive, Watertown**
- B. Notice of Violation concerning 633 Park Road, Watertown**
- C. Notice of Violation concerning 83 Cummings Avenue, Oakville**
- D. Proposed revisions to Sections 7.10 and 11.6 of the Inland Wetlands and Watercourses Regulations of the Town of Watertown**

**MOTION:** Mr. Joseph Polletta moved to table items 7A, 7B, 7C.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

**NAYS:** None.

**MOTION UNANIMOUS PASS T 5-0.**

**MOTION:** Mr. Michael Genovese moved to schedule a public hearing for the proposed revisions to Sections 7.10 and 11.6 of the Inland Wetlands and Watercourses Regulations of the Town of Watertown August 12, 2010.

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

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

**NAYS:** None.

**MOTION UNANIMOUS PASS T 5-0.**

**8. New Business**

- A. Request for re-approval of permit # 505 for Guernseytown Farms Estates Phase III located on Guernseytown and Killorin Road, Watertown, CT.**

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- Ms. Pilicy Judy Pilicy was present and explained the request to the Commission. We are requesting a 2-year extension of the permit without having to file a formal application. Mr. Calabrese is very sick. He has been very sick for the last year. He has contracted with the buyer to purchase the remaining portion of the subdivision. The buyer is prepared to move forward as long as the extension granted. There is a time restriction with this. I do understand that the permit has expired. The map was filed in 2006. Zoning has extended their permit until 2012. This is an unusual situation because he is not doing well health wise. He has started some of the work on the project it just has not been completed.
- Mr. Polletta Are the buyers planning on changing anything in the approval?
- Ms. Pilicy There will be no changes proposed.
- Mr. Undercuffler The original permit clearly states that states that any request to renew or an extension of the permit shall be filed with accordance of section 11 of the Wetland Regulations. The permit expired on 01/13/10.
- Ms. Pilicy The project has been started, it just is not finished.
- Mr. Polletta I do not see a problem extending the permit because it is unusual circumstances.
- Ms. Pilicy My concerns is that he is not a health person and he has sent that last few month in the hospital and if this closing does not move forward and we have to wait to file an application then wait for the public hearing I am not sure what would happen with the sale.
- Mr. Undercuffler It clearly says that the permit cannot be extended after it has expired. The Commission may require a new application for regulated activities.
- Ms. Pilicy Phase III was not actually filed on the land records until 2006. Does this have any affect?
- Mr. Undercuffler None of the regulations or the permit address when the subdivision maps are filed on the land records.
- Mr. Bezio Were there extensions given for filing the maps on the land records.

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- Ms. Pilicy I am not sure.
- Mr. Undercuffler We have gotten an opinion from the town attorney that the permit has expired and a new application must be submitted to the Commission and reviewed in the time period required for a new application in accordance with the condition of approval.
- Ms. Pilicy I am not sure that the town attorney is this sick and that there is a pending sale. I do not want to see him lose the sale.
- Mr. Undercuffler I do not think we can approve this tonight.
- Mr. Polletta If we have to we can have a special meeting to address this issue.
- Mr. Undercuffler Lets bring the health issues to the town attorney and see if there are any bearing on it.
- Mr. Murphy I think this is good idea, if we can get the town attorney to agree.
- Ms. Pilicy This is the first time I have seen the memo from Ruth Mulcahy.

**MOTION:** Mr. Joseph Polletta moved to table the request for re-approval of permit # 505 for Guernseytown Farms Estates Phase III located on Guernseytown and Killorin Road, Watertown, CT due to the special circumstances related to the medical issue of the Owner of the property and for staff to discuss with the Town Attorney if an exception could be made.

**SECOND:** Mr. Michael Genovese.

**VOTE**

**AYES:**

Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

**NAYS:** None.

MOTION UNANIMOUS PASS T 5-0.

**9. Communications and Bills**  
 None

**10. Reports from Officers and Committees**  
 None

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**11. Reports from Staff**  
None

**12. Public Participation**  
None

**13. Adjournment**

**MOTION:** Mr. Michael Genovese moved to adjourn at 8:05 P.M.

**SECOND:** Mr. Joseph Polletta.

**VOTE**

**AYES:** Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese, Joseph Polletta; Ms. Dorota Habib.

**NAYS:** None.

**MOTION UNANIMOUS PASS T 5-0.**

Attest:

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Tom Murphy, Secretary  
Conservation Commission  
Inland/Wetland Agency