

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

**PUBLIC HEARING
Eric Fogg and Giuseppe Cipriano
Bassett Road**

Time: 7:02 P.M.
Date: Thursday, September 10, 2009
Place: Swift Middle School Media Library Room
250 Colonial Street
Oakville, Connecticut

1. Call Hearing to Order

Chairman, Mr. Edwin Undercuffler called public hearing 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
Alternate, Mr. Michael Brown
Ms. Martha Sturgis
Alternate, Ms. Denise Russ

Absent: Vice Chairman, Mr. Donato Orsini
Mr. Joseph Polletta
Mr. James Zawadzki

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

Chairman, Mr. Edwin Undercuffler seated Alternate, Ms. Denise Russ for Mr. James Zawadzki and Alternate, Mr. Michael Brown for Vice Chairman, Mr. Donato Orsini.

PUBLIC HEARING MINUTES for 09/10/09
CONSERVATION COMMISSION/INLAND WETLANDS AGENCY
Eric Fogg and Giuseppe Cipriano - Bassett Road

3. Hearing of Applications

Chairman, Mr. Edwin Undercuffler read the ground rules into the record.

GROUND RULES
CONSERVATION COMMISSION INLAND/WETLAND AGENCY

1. The applicant or his representative will make his formal presentation to the Commission stating the proposed regulated activities, the wetland impacts, and the alternatives which were considered by the applicant.
2. All comments, discussion and observations shall be made through the Chairman after proper recognition by the Chairman. This is necessary to ensure that only one person at a time speaks on any issue, thus making it easier for everyone to understand and for clearer legal transcription.
3. All persons addressing the Commission shall begin by first clearly stating their name and address for the record. If necessary, the person may be asked to spell his name for the record.
4. Following the presentation of the application, the Conservation Commission Inland Wetland Agency will ask specific questions of the applicant.
5. After the Commission has asked its questions of the applicant, I shall then allow any members of the public who wishes to speak either in favor of this application or against it to address the Commission.
6. I shall then allow the applicant to respond to the comments of the members of the general public.
7. I shall then allow any members of the general public who wish to present any additional information or clarifying discussion to do so.
8. I shall then provide an opportunity for the applicant to respond to these additional remarks if he or his representative so wishes.
9. The Conservation Commission/Inland Wetland Agency has thirty-five days from the date the public hearing commences to complete the public hearing. The Commission may ask the applicant for a thirty-five day extension of the public hearing period if the Commission requires any additional information or wishes to schedule a site walk to observe the situation for them selves.

3

PUBLIC HEARING MINUTES for 09/10/09
CONSERVATION COMMISSION/INLAND WETLANDS AGENCY
Eric Fogg and Giuseppe Cipriano - Bassett Road

10. The Conservation Commission/Inland Wetland Agency has thirty-five days from the date when the Public Hearing is closed to render its decision.

Chairman, Mr. Edwin Undercuffler read the legal notice into the record.

TOWN OF WATERTOWN

The Conservation Commission/Inland Wetlands Agency of the Town of Watertown will hold a public hearing at 7:00PM on Thursday, September 10, 2009 at Swift Middle School Media Library Room 250 Colonial Street, Oakville, CT to hear and act upon the following applications deemed as significant activity by the Conservation Commission! Inland Wetland Agency pursuant to Section 2.1(ddl-7) of the Watertown Inland Wetlands and Watercourse Regulations.

Application #674 of Eric Fogg and Giuseppe Cipriano to conduct the following regulated activities associated with the construction of a common driveway to provide access for two-lot residential subdivision located on Bassett Road, Watertown, CT.

1. Filling of 3,000 Sq. Ft of wetland! watercourse and disturbance of approximately 54,900 Sq. Ft upland review area for construction of a common driveway.
2. Installation of erosion and sediment control measures within inland wetlands and upland review areas.

At this hearing interested persons and written communications will be heard. A copy of the applications is on file in the Planning and Zoning Office, 51 Depot Street, Suite 502, Watertown, CT.

Dated at Watertown, CT this 27th day of August 2009
Dated at Watertown, CT this 3' day of September 2009

Tom Murphy, Secretary
Conservation Commission! Inland Wetlands Agency

- A. Application #674 of Eric Fogg and Giuseppe Cipriano for two-lot residential subdivision located on Bassett Road, Watertown, CT.**

Public Hearing must be closed by October 15, 2009 unless applicant grants an extension of time.

PUBLIC HEARING MINUTES for 09/10/09
CONSERVATION COMMISSION/INLAND WETLANDS AGENCY
Eric Fogg and Giuseppe Cipriano - Bassett Road

4

Eric Fogg off 33 Highland Ave. in Watertown, CT was present and explained the application to the Commission. There will be a common drive serving the two lots.

Mr. Fogg submitted into the record the certified notices to the neighbors, the affidavit for posting the sign on the property. The common drive is 1000' off of Bassett road. There will be a small stream crossing proposed. The entire driveway is in the upland review area.

Mr. Rafey noted that the record contains a letter from the Torrington Area Health District stating the subdivision was approved five years ago. The Sanitarian Rob Rubio reviewed and approved the plans.

Chairman, Mr. Edwin Undercuffler expressed concerns with the Conservation Easement area and want to make sure that it will be marked by placards.

Mr. Russ apologies for missing the scheduled site walk and ask what the conscientious of the Commission was regarding the proposal.

Chairman, Mr. Edwin Undercuffler explained that they walked the driveway and saw the brook that will have the crossing.

Mr. Rafey noticed that the watercourse is crossing the entire width of the property and there is no way to avoid the crossing. The proposed crossing is at the narrowest point possible.

Chairman, Mr. Edwin Undercuffler asked if there were any member of the public wish to speak for or against this application. No one from the public wished to speak.

Town Engineer, Mr. Berger advised the Commission that he believes that this application has been approved twice in the past, this will make the third time that the local Board are reviewing the application. He brought to the Commission's attention and prior brought to the applicants attention that what is show on the plans as part of the application the driveway crossing as shown on these plans consists of what he called a step structure with a pipe that comes in with a manhole then drops down about 4' on sheet 6 of 9 in the upper left hand corner they have a drop structure in the middle of the driveway with a pipe comes in comes to a manhole drops several feet and then goes out to the discharge pipe.

Which in recent past the Commission has not been approving those kinds of structures.

PUBLIC HEARING MINUTES for 09/10/09
CONSERVATION COMMISSION/INLAND WETLANDS AGENCY
Eric Fogg and Giuseppe Cipriano - Bassett Road

5

For a while the Commission was looking to especial with town road systems you were looking for arch culvert with the actual stream bottom. Recently on the Golden Acres subdivision we approved a concrete boxed culvert buried put into the ground to create some natural stream bed as for that crossing. This type of crossing we do not normally approve. He reported that he had spoken with Mr. Fogg and he is proposing is to shorten this up and to not have a drop structure in hear. What the applicant would like to do is something more consistent with what the Commission has been approving lately. He recommends that revised plans be submitted.

Mr. Fogg confirmed that they are proposing to shorten this up and to not have a drop structure in hear and to have the plans submitted and approved by the Town Engineer prior to construction.

Mr. Rafey asked what will happen to the impact to the wetlands. Will this reduce the impacts?

Mr. Fogg reported if anything it would reduce the impacts to the wetlands.

Chairman, Mr. Edwin Undercuffler, asked what, was the reason for using the step structure design in the first place.

Mr. Fogg advised the Commission the reason for using the step structure was because of grades and was designed for a town road.

Chairman, Mr. Edwin Undercuffler asked again if there were any member of the public wish to speak for or against this application. No one from the public wished to speak.

MOTION: Mr. Michael Genovese moved to close the public hearing.

SECOND: Secretary, Mr. Thomas Murphy.

VOTE

AYES:

Chairman, Mr. Edwin Undercuffler; Secretary, Mr. Thomas Murphy; Mr. Michael Genovese; Alternate, Mr. Michael Brown, Ms. Denise Russ; Ms. Martha Sturgis.


NAYS: None.

MOTION UNANIMOUS PASS T 6-0.

PUBLIC HEARING MINUTES for 09/10/09
CONSERVATION COMMISSION/INLAND WETLANDS AGENCY
Eric Fogg and Giuseppe Cipriano - Bassett Road

6

Attest:



Tom Murphy, Secretary
Conservation Commission
Inland/Wetland Agency