

**MINUTES  
CONSERVATION COMMISSION  
INLAND/WETLAND AGENCY**

**THURSDAY, SEPTEMBER 11, 2008 - 7:00 P.M.  
WATERTOWN HIGH SCHOOL TECHNOLOGY CENTER**

**Regular Meeting**

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**Members Present:** Mr. Ed Undercuffler, Chairman  
Mr. Donato Orsini, Vice Chairman  
Mr. Tom Murphy, Secretary  
Mr. Joe Polletta

**Members Absent:** Mr. Mike Genovese  
Mr. Jim Zawadzki  
Mr. Tony DiBona

**Alternate Present:** Ms. Denise Russ

**Alternate Absent:** Ms. Martha Sturgis  
Ms. Michael Brown

**Others Present:** Mr. Moosa Rafey, Wetlands Enforcement Officer

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**1. Call Meeting to Order**

Chairman Undercuffler called the Regular Meeting to Order at 8:20 pm.

**2. Roll Call**

Mr. Murphy executed the Roll Call.  
Chairman Undercuffler seated Ms. Russ for Mr. DiBona.  
Chairman Undercuffler read the Ground Rules as follows for the record:

**"CONSERVATION COMMISSION INLAND/WETLAND GROUND RULES"**

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

### **Public Participation**

None

**Action on Minutes**

Mr. Polletta moved to table the minutes. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

**Pending Applications**

Application #643 of 741 Echo Lake Road, LLC for construction of 64 condominium units and 2,045 linear feet of new private roadway on the northwest corner of Echo Lake Road and Buckingham Street, Watertown, CT.

If the public hearing is closed on September 11, 2008, then a decision is required by October 15, 2008.

Mr. Polletta moved to table this application. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Application #644 of Watertown Board of Education for restoration of a watercourse located at Watertown High School 324 French Street, Watertown, CT.

If the public hearing is closed on September 11, 2008, then a decision is required by October 15, 2008.

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

1. Standard conditions and review.
2. Review and approval by the Town Engineer.

Mr. Murphy seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0    Opposed: 0

MOTION PASSED UNANIMOUSLY.

Application #646 of Town of Watertown Public Works Department for construction of an indoor recreational facility (metal building) at Veterans Memorial Park Nova Scotia Hill Road, Watertown.

If a public hearing is not held, then a decision is required by September 13, 2008

Chairman Undercuffler noted that during the public hearing he had read into the record a withdrawal letter from the applicant.

Mr. Polletta moved to accept the withdrawal letter. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0    Opposed: 0

MOTION PASSED UNANIMOUSLY.

Application #648 of Gary and Mary Voghel to repair an existing onsite septic system located within regulated area at 24 Woodpark Drive, Watertown, CT.

If a public hearing is not held, then a decision is required by October 18, 2008

Ron Wolff from Ronald Wolff Associates, LLC was present on behalf of the applicant and explained the application to the Commission.

Mr. Polletta asked the applicant why they can not use the current location for the septic system.

Mr. Wolf advised the Commission the proposed system is 29' from the brook.

Mr. Polletta expressed concerns with the location of the proposed system and what may happen if it should fail.

Mr. Wolf advised the Commission that the system is designed properly and will not have safety issues.

Mr. Polletta requested from the applicant a letter stating for the record that the sewage will not end up in the brook and if it does it will be repaired at the applicant's expense.

Mr. Wolf stated that he could not guarantee that the system will not fail if it is not maintained properly.

Mr. Rafey asked the applicant why they would not remove some of the existing material and bring in new materials for the new system so that it could be installed in the same, location. Mr. Rafey asked the applicant if this is feasible and prudent alternative to the proposed project.

Chairman Undercuffler asked if there are any other possible alternatives to the proposed location.

Mr. Polletta asked the applicant who would be responsible if the system should fail.

Mr. Wolf replied that the homeowner would responsible if the system should fail.

Mr. Rafey noted that the lot is very small and there is limited amount of space to design the system.

Mr. Wolf noted that it is recommended for the system to be pumped every two years.

Mr. Rafey noted that during construction if you are able to move the system away from the brook it should be done.

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

1. Approval subject to standard conditions.
2. The septic be moved back and over to keep it from the watercourse.
3. The septic system be maintained regularly.

Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor

Abstained: 0

Opposed: 0

MOTION PASSED UNANIMOUSLY.

Application #649 of Garsan Corporation for construction of a corporate office and warehouse building with a footprint of 10,800 Sq. Ft and associated parking area on Mountain View Drive, Watertown, CT.

If a public hearing is not held then a decision is required by October 18, 2008.

Steven Whitaker from Ames & Whitaker Architects in Waterbury was present on behalf of the applicant. Mr. Whitaker explained the application to the Commission. Mr. Whitaker noted that the parcel of land is 10 acres and has two wetland areas. Mr. Whitaker explained that the wetlands are on the northerly and southerly boundaries. Mr. Whitaker explained to the Commission that the parcel was originally approved for a much larger building. Mr. Whitaker explained the two different proposals to the Commission and why the applicant was favoring one proposal over another. Mr. Whitaker noted that it is because there would less impact on the wetlands. Mr. Whitaker discussed the revised plans and explained how the modifications to the application answers all the questions that the Commission had. Mr. Whitaker noted that the water and sewer authority has not responded to his letter regarding the intrusion into the Town's Right of way.

Mr. Polletta expressed concerns with how the drainage system was going to work.

Mr. Rafey asked the applicant about the grass swale and asked how specifically it was going to protect the wetlands. Mr. Rafey also expressed concerns with the condition of the existing detention pond. Mr. Rafey asked the applicant if the existing detention pond was going to be able to handle all the additional water.

Mr. Whitaker agreed that the existing detention pond should be checked and suggested that it could be a condition of approval.

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

1. Submit plans and details that verify that the existing detention pond will be able to handle the addition water.
2. Submit for the record that the existing detention pond has been cleaned.
3. Submit a drainage report to the Town Engineer for review and approval.
4. Submit for the record that the Water and Sewer Authority approval of the activity proposed in Town Right of Way.

Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Application #652 of Echo Lake Brownfield, LLC for restoration of Echo Lake Landfill located on the north side of Echo Lake Road in the IR-80 Restricted Industrial Zoning District.

If a public hearing is not held, then a decision is required by October 18, 2008.

Joe Kotrosis from Pure Earth was present and discussed the application with the Commission.

Mr. Rafey noted that he is waiting for the third party, Fuss & O'Neil, to submit estimates for their review. Mr. Rafey advised the Commission that a public hearing could be scheduled for the 10/09/08 meeting.

The Intervenors had no comments.

Mr. Orsini moved to schedule the public hearing for 10/09/08. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Ms. Russ moved to table the application. Mr. Orsini seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Application #653 of Dean Bergstrom for restoration of a disturbed sites at Lot A Bidwell Hill Road, Watertown, CT.

If a public hearing is not held then a decision is required by October 18, 2008.

Gary Giordano a Professional Engineer and Land Surveyor was present on behalf of the applicant and explained the application to the Commission.

Mr. Rafey reported to the Commission that Sean Hayden from the Northwest Conservation District and he had walked the site yesterday and the sedimentation and erosion controls that are in place are adequate.

Sean Hayden from the Northwest Conservation District was present and advised the Commission that he has not had the opportunity to review the applicant and plans and would provide a report to the Commission for the 10/09/08 meeting.

Mr. Giordano advised the Commission that he would like to get the planting done before the end of the growing season.

Mr. Polletta asked the applicant if the site had problems with all the rain we had received lately.

Mr. Giordano advised the Commission that the site handled a 4" rain storm event without any problems.

Mr. Polletta moved to schedule the public hearing due to the Significant Activity for 10/09/08. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Mr. Polletta moved to table the application. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

## **New Applications**

Application #654 of Katherine Cebik to permit an existing deck to remain within upland review area at 18 Turner Avenue, Oakville, CT.

If a public hearing is not held, then a decision is required by November 15, 2008.

Katherine Cebik was present and explained the application to the Commission. Ms. Cebik explained that the deck was existing prior to her purchasing the house.

Mr. Rafey advised the Commission that Turkey Brook is behind this property and has steep slopes. Mr. Rafey noted that 3 posts are within the regulated area.

Chairman Undercuffler asked if this is a new house.

Mr. Rafey replied "No".

Mr. Polletta moved to table this application to 10/09/08. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

## **Old Business**

Mr. Polletta moved to table the Show Cause Hearing and discussion on a Notice of Violation issued to Echo Lake Brownfield, LLC Echo Lake Road, Watertown, CT. 10/09/08. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Mr. Polletta moved to table the Show Cause Hearing and discussion on a Notice of Violation issued to Dean Bergstrom and John Maxwell regarding property on Bidwell Hill Road, Watertown. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

**New Business**

None

**Communication and Bills**

None

**Report from Officers and Committees**

Subcommittee report on DEP New Model Regulations. Mr. Polletta reported that the Subcommittee had tried to meet a couple of times. There is a scheduled meeting for next Tuesday.

**Report from Staff**

None

**Adjournment**

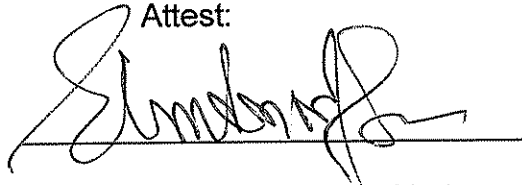
Mr. Polletta moved to adjourn at 9:20 p.m. Ms. Russ seconded the motion.

Discussion: None

Vote: 5 in favor      Abstained: 0      Opposed: 0

MOTION PASSED UNANIMOUSLY.

Attest:

A handwritten signature in black ink, appearing to read 'Ed Undercuffler', is written over a solid horizontal line. The signature is stylized and cursive.

Ed Undercuffler, Chairman  
Conservation Commission  
Inland/Wetland Agency