

MINUTES

CONSERVATION COMMISSION/ INLAND WETLANDS AGENCY

WATERTOWN, CT

REGULAR MEETING

THURSDAY, MAY 15, 2008

WATERTOWN HIGHSCHOOL TECHNOLOGY CENTER

Members Present:

Mr. Ed Undercuffler, Chairman
Mr. Donato Orsini, Vice Chairman
Mr. Tom Murphy, Secretary
Mr. Joe Polletta

Members Absent:

Mr. Jim Zawadzki
Mr. Glen Dupliese
Mr. Tony DiBona

Alternates Present:

Ms. Martha Sturgis (Seated for Glen Dupliese)

Alternates Absent:

Mr. Michael Brown
Ms. Denise Russ

Others Present:

Mr. Moosa Rafey, Assistant Zoning Enforcement Officer

1. Call Meeting to Order

Mr. Undercuffler, Chairman, Called the Regular Meeting to Order at about 7:30PM (7:35 PM)

2. Roll Call

Mr. Murphy executed the Roll Call.

3. Public Participation

Motion was made by Mr. Polletta to add the modification of permit #582 of Ed Scoville of the Watertown Business Center, Watertown, CT to the Regular Meeting Agenda under New Business as item 8C and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

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- B. Application #633 of Watertown Water and Sewer Authority for installation of a water main from Ledge Road to Echo Lake Road, Watertown, Connecticut.

If a public hearing is not held then a decision is required by May 17, 2008.

Vinnie Caterino, Watertown Water and Sewer Authority

Mr. Caterino stated that since the last meeting they found a small area of wetlands that was not picked up before the last meeting along Edge Road. So they moved the water main so it's out of the wetlands and is in the center of the paved portion of the road. Mr. Polletta questioned if it was a water main or sewer. Mr. Caterino responded it was a 12-inch water main. Mr. Polletta commented that they will be putting it right in the road even though they are within 50 feet of the wetlands they are not in the wetlands. Mr. Rafey asked what the total square footage of the impacted area was. Mr. Caterino responded that it was 6,000 Sq. feet of area that will be disturbed of the 50 foot setback.

Motion was made by Mr. Polletta to approve subject to standard conditions application #633 of Watertown Water and Sewer Authority and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

- C. Application #634 of Timothy Boucher for construction of a deck at 158 Cutler Street, Watertown, CT.

If a public hearing is not held then a decision is required by June 14, 2008.

Timothy Boucher, 158 Cutler Street

Mr. Boucher explained that he would like to put up a deck within 28 feet from Steel Brook. Mr. Rafey explained he went to the site and looked at it and the area they are proposing to put the deck is already disturbed.

Motion was made by Mr. Orsini to approve subject to standard conditions application #634 of Timothy Boucher and seconded by Ms. Sturgis.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

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6. New Applications

- A. Application #636 of David McDonnell for construction of a shed within upland review area at 180 Deer Run, Watertown, CT.

If a public hearing is not held then a decision is required by July 19, 2008.

David McDonnell, 180 Deer Run

Mr. McDonnell explained that the gentleman he purchased the shed from had to have everything out of the house and moved so Mr. McDonnell had to take the shed and it is now on the property. It is an area of lawn but within 50 feet of the wetlands. It is in pre-disturbed area form the building of the house. Ms. Sturgis asked if the home was on cinder blocks. Mr. McDonnell explained he built a 10 by 14 block wall foundation for it to sit on level ground. The commission passed around pictures that Mr. McDonnell submitted. A decision could not be made until the following month so the commission tabled it.

Motion was made by Mr. Polletta to table application #636 of David McDonnell and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

- B. Application #637 of Jaime Teixeira to permit filling and grading within upland review area at 30 Charter Oak Drive, Watertown, CT.

If a public hearing is not held then a decision is required by July 19, 2008.

Manuela Teixeira the wife of Jaime Teixeira, 30 Charter Oak Drive

Mrs. Teixeira explained that everything was done and that they did not know they needed a permit to do it. They filled the front yard that had a small embankment to make it level. Mr. Undercuffler commented that the fill was right next to the stream. Mrs. Teixeira explained that part of it was already a straight line and wanted to level that side of the front yard. Ms. Sturgis asked Moosa if he had seen it and he did. He explained that there is a little brook going through the property and next to the brook there is an area that is lower than their front yard. Mr. Rafey spoke to Mr. Teixeira and he explained that because they have small children he is concerned about their safety. The commission members want to have a site walk for this property.

Motion was made by Mr. Polletta to schedule a site walk on June 7, 2008 and table application #637 of Jaime Teixeira and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

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MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

- C. Application #638 of Angelo Farisello to permit an existing shed to remain within a regulated area at 65 Marc Drive, Watertown, CT.

If a public hearing is not held then a decision is required by July 19, 2008.

Angelo Farisello, 65 Marc Drive

Mr. Farisello explained that he put a shed in the back yard by the tree line. He chopped about half a dozen little trees. Mr. Polletta questioned if he was within the 50 feet. Mr. Rafey responded that it's closer. There are no wetlands in the back of the property. The shed is all ready up. The commission agreed to go on a site walk.

Motion was made by Mr. Polletta to schedule a site walk on June 7, 2008 and table application #638 of Angelo Farisello and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

- D. Application #639 of Kristina Atwood to permit filling and grading within regulated area at 241 Woodbury Road, Watertown, CT.

If a public hearing is not held then a decision is required by July 19, 2008.

Kristina Atwood, 241 Woodbury Road

Ms. Atwood was present with Ed Pogogensky her landscaper. There is an existing swale they want to clean out and is very soggy. In the back of the property there is a stream and between an existing fence that was put up.

Ed Pogogensky, Woodbury Landscaping

Mr. Pogogensky explained there is a small stream along the back end of her property. Mr. Polletta questioned if they wanted to clean in there. Mr. Pogogensky answered that they want to grub that area out. Also there is an existing swale half way through her backyard that goes from the right property mark to the left. Mr. Polletta wanted to make sure there was no filling just cleaning up. Mr. Undercuffler asked if that stream flowed all the time. Mr. Pogogensky said the stream does and it flows to an existing pond at the next house down. The commission wanted to have a site walk and see the property.

Motion was made by Mr. Polletta to schedule a site walk on June 7, 2008 and table application #639 of Kristina Atwood and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

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MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

7. Old Business

A. Discussion on adopting the DEP New Model Regulations

Motion was made by Mr. Orsini to table the discussion on adopting the DEP New Model Regulations and seconded by Mr. Polletta.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

8. New Business

A. Show Cause Hearing and discussion on a Notice of Violation issued to Michele McHugh regarding 1067 Main Street, Watertown.

Terri Meyers, Meyers Associates

Mr. Meyers handed in a letter given him permission to represent Michele McHugh. He stated that the state was dumping storm onto the property water without any aqua protection. He stated the septic system had failed. They would like to pump a pump station in and pump the sewage up to Main Street and have a permanent solution. If they tried to put another septic system it's too close to the flood plain and they would spend a lot of money and not have a permanent solution. Mr. Polletta questioned if the existing septic system is within the wetlands. Mr. Meyer stated he didn't believe there was any wetlands even close to the area but may be a part of the flood plain. The commission wanted to go on a site walk and see the property.

Motion was made by Mr. Polletta to schedule a site walk on June 7, 2008 and table the Show Cause Hearing and discussion on a Notice of Violation issued to Michele McHugh regarding 1067 Main Street, Watertown and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

B. Show Cause Hearing and discussion on a Notice of Violation issued to Echo Lake Brownfield, LLC Echo Lake Road, Watertown, CT.

**Joseph Kotrosits, Senior Vice President of Pure Earth Inc., Waterbury, CT
Rob Rein, General Manager of Pure Earth Environmental, Waterbury, CT**

Mr. Kotrosits explained that there were two small areas that totaled about a ¼ of an acre of land that were clear cut. Silt fencing was installed before the clear cutting began. Mr.

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Undercuffler mentioned that there was previously a permit to work on the front section. Mr. Rein mentioned that they did have site plan approval but it included several conditions and the work was not supposed to begin until those conditions were met. One of the conditions was meeting with the town engineer and figuring the site line issues and improvising the site plan. Mr. Rein said that they had a phase II that included all of the wetland impacts for the project. Ms. Sturgis questioned as to why they were clear cutting. Mr. Rein explained that the area was an old land fill and they're project is going to be to fill and close the landfill properly and that's why they need to clear cut. They had a cease and desist because they didn't finalize the Mylar yet.

Mr. Polletta questioned if they had all the wetlands flagged on the property. Mr. Rein explained that the map was taken from the board that was submitted approximately 5 years ago. Milone and McBroom were scheduled to go out and re-flag the following Monday or Tuesday. Mr. Polletta expressed that he wanted to go on a field trip because it looked like a mess. He wanted the wetlands flagged before the commission went out and looked at the site. Ms. Sturgis questioned if they knew where all the contamination was on the site and if it was defined. Mr. Rein responded that they are in the process of defining and it is part of the investigation of the site. They do know that there are approximately 100,000 tires on site that have to be cleaned up. There are about 70 to 80 drums that are rotted and there is a very good chance that soil will have to be taken out because they did find some levels of PCB contamination.

Mr. Undercuffler questioned if there was anything that the commission would do before they have an application ready. Mr. Polletta and Mr. Rafey suggested on going and seeing the site. Mr. Rafey explained that there were 2 issues going on. One was the Cease and Desist Order that was issued to them by the Planning and Zoning Commission and the second being the Notice of Violation from the Wetland Commission. He suggested that they should put some silt fences and hay bails to protect the wetlands from further erosion or contamination. Mr. Rein explained that they had some hay bails they re-enforced and some silt fences on the steeper slopes and that the site was very stable. The commission agreed to go on a site walk at the property.

Motion was made by Mr. Polletta to schedule a site walk on May 31, 2008 and table the Show Cause Hearing and discussion on a Notice of Violation issued to Echo Lake Brownfield, LLC Echo Lake Road, Watertown and seconded by Mr. Orsini.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

- C. Modification of permit #582 of Ed Scoville for the Watertown Business Center, Watertown, CT.

Ed Scoville, Engineer from Stuart Somers Company

Mr. Scoville explained that the modification is for the change from the original proposal which was 7 buildings, 6 being 20,000 Sq. Ft and the 7th being 10,000 Sq. Ft. They are

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changing because of the economy to 15 smaller buildings and on it there is no change and less impact to the regulated area that is proposed with the new change. There is less impervious area. Mr. Undercuffler questioned how many building were proposed originally and Mr. Scoville responded 7 buildings.

Charles Spath, Principal with Stuart Somers Company

Mr. Spath explained that they took the outside disturbance area of the original proposal and changed it because of the smaller buildings. With the larger buildings they wanted a flatter site but with the smaller buildings they were able to design the site better to fit the grades that were existing. Mr. Polletta commented on the fact that there were 2 detention ponds in the modification and 4 in the original proposal. Mr. Spath explained that because it was less impervious. Mr. Polletta questioned if it would be a regular road like a subdivision or condo sites. Mr. Spath responded that it is all one condo site. Mr. Polletta questioned if in a wetland point of view if there is less impact. Mr. Spath said yes, everything is less impact and behind the building they are now able to put a sediment basin instead of parking.

Motion was made by Mr. Polletta to approve subject to review and approval by the town engineer and standard conditions the modification of permit #582 of Ed Scoville and seconded by Mr. Murphy.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

9. Communications and Bills

- A. State of Connecticut DEP Stream Channel Encroachment Permit issued to John Daddona for construction of two buildings near Steele Brook in Watertown.
- B. The Habitat Connecticut Association of Conservation and Inland Wetlands Commissions, Inc Newsletter Vol. XX No. 1 Winter 2008.

Motion was made by Mr. Orsini to accept and file items 9A and 9B and seconded by Mr. Polletta.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

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10. Reports from Officers and Committees

None

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11. Reports from Staff

None

12. Public Participation

None

13. Adjournment

Motion was made by Mr. Polletta to adjourn the regular meeting at 8:50 PM and seconded Ms. Sturgis.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY – NO FURTHER DISCUSSION

Attest,

Edwin Undercuffler, Chairman
Conservation Commission
Inland/Wetland Agency Chairman

Approved: Jennifer Guerrero, Minutes Secretary