

Regular Inland Wetlands Commission Meeting

MINUTES

7:00 PM Monday, April 27, 2015

Room 133

1) Convene Meeting

Chairperson Fox convened the meeting at 7:01 p.m.

2) Roll Call and Designation of Alternates

Present: Chairperson S. Fox, R. Huttemann, M. Kukk (arrived at 7:03 p.m.), Alternate and Voting Member J. Bronn

Absent: Vice Chairman M. Forlenza, Secretary M. Mulvaney

Also Present: Wetlands Enforcement Officer K. Daniel, Recording Secretary D. Cioffi

3) Wetlands Enforcement

a) Enforcement Officer's Report

- **148 North Lake Shore Drive#201401019**– This violation relates to a septic installation without a permit. The request is for an application. *No one present.* WEO Daniel has been in touch with Town Counsel as the violations present on this site involve several departments.
- **136 Gray's Bridge Road#201400652**– This matter has also been referred to Town Counsel.
- **81 Kellogg Street**– This is a subdivision that has not been completed. This lot contains a swamp and conservation easement. WEO Daniel is meeting with the property owner, Mr. Sweeney, tomorrow.
- **13A Forty Acre Mountain Road#201500183**– WEO Daniel has been in contact with J. Meadow, the property owner. He is getting some help sketching out the plans requested at the last meeting, showing the site before and at present, and delineating what is close to the wetlands. WEO Daniel advised that aerial photos can be reviewed, also. She added that the property owner seems willing to work with the Commission, and wishes to have the wood piles away from house to keep the wildlife away. WEO Daniel will find aerial photos of area in question, and the property owner will provide the existing conditions as well as what is being proposed. Mr. Meadow is aware of the next meeting date.
- **39 Hop Brook road #201500196**

E-mail from Roger Miller with Proposed Restoration Plan – *R. Miller, 39 Hop Brook Rd., was present.* WEO Daniel advised that she received a call from a neighbor who saw cutting taking place on the property. Upon inspection, she verified this. Mr. Miller had intended on coming before the Commission, but there was a miscommunication about the meeting date.

A restoration plan has been devised, and was reviewed. *J. Evans, 47 Hop Brook Rd., was present.* Mr. Miller advised that property was purchased late last summer. He described the trees at the entrance as a "jungle", and indicated that trees were removed for safety reasons (visibility to the road). Additionally, he explained that cutting the trees allowed more light in, to allow smaller trees to grow. Mr. Miller stated that 2 ten-yard dumpsters were filled with the debris. He advised he did not realize he needed permit until WEO Daniel explained that the property was in a regulated area. Upon inquiry from Chairperson Fox, Mr. Miller explained that 17 trees were cut down, and of them, six were dead. He discussed a concern about roots and leaders. He is not aware what types of trees they were. Chairperson Fox had Mr. Miller show her on the map where the trees were removed.

Commissioner Bronn advised he visited the site, and did note that the trees were by the road. Mr. Miller pointed out pond, and where cutting took place. Chairperson Fox inquired if there were wetlands soils, and WEO Daniel advised that it appears to be wetlands soil, but it has not been analyzed. The area where the cutting occurred is definitely in a regulated area. Chairperson Fox discussed her concern regarding the type of growth that could occur with opening the area up. Mr. Miller stated that his landscaper indicated that any invasives were removed. Chairperson Fox noted the importance of restoring the area so that the invasives do not return. Mr. Miller shared the plan the landscaper came up with, which included 24 trees of varying sizes. The logs have been removed, but there are still some chips. The neighbor, Mrs. Evans, was able to review the plan to restore the area, with the accompanying key of plants. Commission members agreed property owner is on the right path to fix the situation. Mr. Miller intends to complete the work this Spring.

Because this is a commercial property, an application is necessary, and commercial application fees will apply. Mr. Miller advised that a landscaper has completed an application, but it has not yet been filed. Mr. Miller will follow up with the application and check.

WEO Daniel inquired regarding Mr. Miller's wish to build an entry wall, and requested that those plans be put on the application. Mr. Miller explained there are currently two 4.5' tall stone pillars that are falling down. He wants to replace them with a stone wall that is 10 feet in length, and 3 feet tall, on each side, and put smaller plantings in with mulch, to

keep a rural look. Mr. Miller will be utilizing stone from the property. Chairperson Fox requested this be documented on the plan.

The Commission will meet again on May 11, 2015. Mr. Miller will get the application in tomorrow. WEO Daniel advised Mr. Miller that no more work can be done until the proper paperwork has been filed. She added that no erosion is occurring on the site. Mr. Miller advised that a silt fence has been put up.

No motion.

36 North Mountain Rd. – The property owner is collecting the information. There is nothing damaging taking place on the site.

b) Site Inspection Reports

- **540 Federal Road** - Letter from M. Morin of the Northwest Conservation District dated 04/15/2015 and 04/23/2015 – Site inspection reports are satisfactory
- **40 & 64 Laurel Hill Road** - Letter from M. Morin of the Northwest Conservation District dated 04/15/2015 – WEO Daniel advised that wetland mitigation must be accomplished prior to the construction of the next set of townhouses. The property owner plans to do landscaping soon. WEO Daniel will check the clean-up and landscaping near the historic house. It was noted that Mr. Morin has not re-inspected since 4/15/15, but the area is not wet.

No motion.

Commissioner Kukk moved to go to Agenda Item 4.d. and 5.a. Commissioner Huttemann seconded the motion, and it carried unanimously.

4) Old Business

a) Bonding for Buffered Areas on Candlewood Lake/First Light Property

WEO Daniel indicated that she reviewed the bond files, and found three properties that are applicable. She will send letters to the owners and ask them to request a bond release.

It was requested that this item be removed from the Agenda, with the understanding that WEO Daniel will get in touch with the three property owners that own applicable sites.

- b) 78 North Lake Shore Drive # 201500139 - Addition Residential (dec date 05/26/2015)
No one present. Chairperson Fox reviewed that this matter relates to a septic system. She noted the hay bales on the plans. The prior discussion was reviewed, and it was noted that nothing new has been received. WEO Daniel advised that the property owner will likely need an approval from the Sanitarian.

Chairperson Fox moved to continue 78 North Lakeshore Drive, #201500139, in the hopes that applicant can provide information regarding construction equipment, and the location of any dirt stockpiling, and a construction sequence. Commissioner Kukk seconded the motion, and it carried unanimously.

- c) 23 Cross Pond Drive #201500185 - In Ground Pool (dec date 06/16/2015)

Chairperson Fox reviewed the discussion at the last meeting. No new information has been received.

Chairperson Fox moved to continue 23 Cross Pond Drive, #201500185, to the next regularly scheduled meeting, with the understanding that the Land Use Office will get in contact with the applicant, and ask questions regarding construction, and where the dirt will be stockpiled if there is any. Commissioner Kukk seconded the motion, and it carried unanimously.

- d) 12 Candlewood Harbor #201500220 - Alteration Residential (dec date 06/16/2015)

D) Stacey Keaney, Keaney & Company, was present. She submitted the construction sequence. There was discussion regarding the previously-installed stone wall. The map was reviewed, showing the silt fence location, and where the activity will be. Ms. Keaney pointed out a proposed retaining wall, where the hay bales will be, and where the soil stockpiling will occur. The property owner will work from the lake, and move upward. A concrete patio will be removed. Ms. Keaney then reviewed the proposed alterations to the house, which will include removal of walls and the roof, construction of new walls and the roof, and work closer to the street. Upon inquiry from Chairperson Fox, Ms. Keaney described how the retaining wall would be constructed.

There was discussion regarding the stock pile area, which was designated at "A" on the plans. "B" denoted the silt fence.

Ms. Keaney initialed the plans, and will provide a copy of the plans with these revisions to the contractor. Chairperson Fox requested that once the silt fence is in, that the Land Use Office be contacted and work cease until there is an inspection. She asked that a revised plan showing the soil stockpile location within thirty (30) days.

Chairperson Fox moved to approve the application at 12 Candlewood Harbor, #201500220, with all of the normal stipulations, including the requirement to submit a revised plan with the soil stock location, the soil stockpile details, and the siltation fence details, within thirty (30) days. Commissioner Huttemann seconded the motion, and it carried unanimously.

- e) Weantinoge Heritage Land Trust/Brookfield Open Space Legacy, Inc/Town of Brookfield public parking project (dec date 06/16/2015)

Chairperson Fox reviewed that the missing information involves the size of the parking lot, and how far it is from the creek. The applicant advised at the last meeting that it would check with the engineer, CCA. Additionally, there were questions related to the infiltration trench and the level spreader. WEO Daniel advised she has asked the engineer if parts of the plan were needed. The applicant is working on the information, and also has an application due date for a \$10,000 grant from Iroquois. The applicant is also working with the Brookfield Open Space Legacy.

Commissioner Fox moved to continue Item 4.e., Weantinoge Heritage Land Trust, to the next regularly scheduled meeting as additional information has not come in. Commissioner Huttemann seconded the motion, and it carried unanimously.

- f) 36 North Mountain Road #201400591 - 12 Lot Affordable Subdivision

WEO Daniel will verify the **stipulation**.

Chairperson Fox moved to continue 36 North Mountain Rd., #201400591, to the next regularly scheduled meeting. Commissioner Bronn seconded the motion, and it carried unanimously.

5) New Business

- a) 106 North Lake Shore Drive #201500277 - Retaining Wall (dec date 6/30/2015)

M. Fawcett, 106 North Lake Shore Dr., was present. She advised that the retaining wall fell. Photographs were reviewed. B. Wood of First Light has been to the property and recommended that the existing remainder part of the wall be utilized as a base. Ms. Fawcett discussed as a safety issue with the steps. Chairperson Fox discussed the need for First Light permission for extending the existing patio. Ms. Fawcett reviewed where the existing steps are, and there was discussion regarding the gravel base helping with drainage. The planting list is in the file. Ms. Fawcett advised that Mr. Wood and the landscaper encouraged her to start the work as soon as possible. Upon inquiry from Chairperson Fox, she explained that the destruction of the existing wall, and construction of the new, will be simple. WEO Daniel noted that the erosion and proximity to the lake makes the situation more emergent. Chairperson Fox discussed the procedure for New Business items. She advised that the Commission will act in two weeks, but requested that WEO Daniel be advised if there is a severe weather event. WEO Daniel advised that in the past, the Commission has asked owners to post a bond. Mrs. Fawcett inquired if this approval would cover the shoreline management planting plan, and Chairperson Fox advised it would, as it is on the drawing attached to the application.

Commissioner Kukuk moved to continue 106 North Lakeshore Drive, #201500277, to the next regularly scheduled meeting. Commissioner Huttemann seconded the motion, and it carried unanimously.

WEO Daniel will contact the property owner the day after the next meeting.

6) Tabled Items

None.

7) Correspondence

- a) Minutes of Other Boards & Commissions
Noted.

8) Review Minutes of Previous Meeting

Commissioner Bronn moved to approve the Minutes of the April 13, 2015 meeting. Commissioner Huttemann seconded the motion, and it carried, 3-0-1, with Commissioner Kukuk abstaining.

9) Informal Discussion

1) Chairperson Fox indicated that she and WEO Daniel met with vernal pool experts. During the walk, they observed wood frog eggs, fairy shrimp and salamander eggs. She encouraged other Commissioners to come down.

Commissioner Bronn inquired regarding the requirement of allowing interested parties to speak regarding violations. Chairperson Fox noted that the Commission does not have to allow it, but may at its discretion.

10)Adjourn

Commissioner Bronn moved to adjourn the meeting at 8:19 p.m. Commissioner Huttemann seconded the motion, and it carried unanimously.