



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

29 North Street • P.O. Box 203 • Roxbury, CT 06783-0203

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING JANUARY 26, 2016

MINUTES

CALL TO ORDER

Chairman Dirienzo called the meeting to order at 7:39 PM.

Members Present: Mr. Dirienzo, Mr. Smoliga, Sue Fitch and Andy Engel

Others Present: WEO John Cody, Andrew Wood, Daniella Pappas, Elliot Davis, Brian Neff, Lisa Smith, Paul Szymanski, David Shaw and First Selectman Barbara Henry

SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, Fitch, Engel, and Dirienzo.

APPROVAL OF MINUTES

Regular Meeting, December 15, 2015

MOTION: To approve the minutes of the 12/15/15 Regular meeting. By Engel, seconded by Smoliga and carried unanimously 3-0-1. Fitch abstained

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

N/A

OLD BUSINESS

Nogid - 53 Southbury Road - Cease & Desist

It was reported that there has been no response to the letter sent to Mr. Nogid. The Agency requested that another letter be sent advising that the permit will be revoked if a response is not received.

Smith/6 Davenport Road – Tree clearing and fencing

Ms. Smith came forward and distributed a packet to the members explaining the plan for the property. John Smoliga and Rob Horrigan viewed the property. John Smoliga reported on the site walk. His major concerns are the clearing and erosion on the site. Also, some evidence of sheet flow was observed. He noted that there are a couple of wetland crossings with regard to the fencing.

Russ Dirienzo explained that the regulations do not have exemptions for tick control because toxins are used, which affect water quality. He noted that the work that was done on this property required an application. Ms. Smith reported that the tree clearing company applied for an application and she has paid for an after-the-fact permit for this activity. Mr. Dirienzo confirmed that the after-the-fact permit fee was paid in November for this application which is before the Commission; however, no one was present at the meeting in November to represent the application at that time. Ms. Smith reported that the fence posts are up, but the fence work stopped as requested by the Town.

John Smoliga noted the evidence of erosion on the site and the silt fencing that needs tending. Ms. Smith explained that they will continue to plant extensively. Andy Engel noted the choice of loosestrife, which is illegal now in Connecticut. Ms. Smith explained that her landscaper, Diane McCarthy, used white loosestrife which is not an invasive. She has been working on the erosion for years because this is a sloped property.

Mr. Dirienzo clarified that any pesticides used near a wetland will require a permit. Ms. Smith advised that they are conscience of that and do not have plans to use pesticides.

Ms. Fitch discussed the fence going over the brook. Mr. Dirienzo explained that the type of fence proposed is recommended by DEEP. He spoke with the DEEP about this and while they do not encourage fencing over a waterway, they do prefer this type of fencing if there is a good reason.

MOTION: To approve the after-the-fact application of Smith/6 Davenport Road – Tree clearing and fencing as a regulated activity. By Engel, seconded by Smoliga and carried unanimously 4-0.

Roxbury Land Trust – Construction of Handicap access ramp, stairway, reinforcement of septic tank, enlargement of driveway and parking area

Brian Neff came forward with a map entitled Soil Erosion & Sediment Control Plan dated 12/8/15. He noted that there will be a small amount of disturbance. Andy Engel and John Smoliga viewed the property and found no issues with the plan and noted that there really are not any alternatives.

MOTION: To approve the application of Roxbury Land Trust – Construction of Handicap access ramp, stairway, reinforcement of septic tank, enlargement of driveway and parking area. By Engel, seconded by Fitch and carried 4-0.

NEW BUSINESS

Mine Hill Property, LLC / 5 Mine Hill Road – Proposed parking, utilities, septic, storm water management associated with development of a Distillery

Elliot Davis and Paul Szymanski came forward with a plan dated 12/21/15 for the renovation and re-creation of the buildings on this site. Mr. Szymanski explained that there will be mostly interior renovations. The exterior changes are to allow parking and a new septic system. The storm water management plan was reviewed and it was noted that the only regulated activity is the storm water management feature. Mr. Szymanski reviewed the existing erosion on the site near the Barrel House and the plan to remedy this. He submitted a Storm Water Management Report which was developed within the DEEP guidelines.

Mr. Szymanski noted that the 16 parking space lot surface flow will direct into a basin. The surface of the parking will be process gravel. The 11 space parking lot has a drainage system. Mr. Dirienzo confirmed that Paul Szymanski is confident that drainage is not needed in the 16 parking space lot.

The Commission agreed that this is a good plan.

MOTION: To approve the application of Mine Hill Property, LLC / 5 Mine Hill Road – Proposed parking, utilities, septic, storm water management associated with development of a Distillery as a regulated activity. By Engel, seconded by Smoliga and carried 4-0.

Van DeBruell / 235 North Street – Rebuild and expand existing stonewall

David Shaw came forward and explained that he would like to remove the angle from the existing wall when rebuilding. It was noted that there is a gully that leads to wetlands across the road.

John Cody submitted a photo of the site and reported on his site inspection.

The Commission determined that no permit is required for this activity.

WEO REPORT

26 Painter Ridge - John Cody reported that he found no wetland issues on this site. This was a matter that was formerly reviewed between Gary Coburn and Brian Neff.

67 Davenport Rd - John Cody spoke with Art Christiansen of the DEEP who reported that there is no file on this matter. Mr. Christiansen advised that it is up to the IWWC regarding how this should proceed. Mr. Dirienzo will contact Art Christiansen to explain that this matter is within the DEEP jurisdiction.

PENDING REVIEW/FOLLOW UP

Feder – 35 Minor Bridge Road – Fence in regulated area – revised map - clarification

John Cody reported that the fence has not been moved and noted that it was not specific as to how far back the fence was to be moved. The Commission requested that Mr. Cody send a letter to Mr. Feder explaining that the fence should be moved back by spring.

McCourt – 262 Painter Hill Road – Dam – Follow-up inspection- Mr. Dirienzo reported that this activity has been completed and should be removed from the agenda.

Nogid - 53 Southbury Road – Remediation plan - Spring Inspection - see Old Business

54 & 75 Old Roxbury Road – Review in spring - John Cody reported that all activity has stopped and stock piles of top soil are covered with a tarp.

114 River Road was discussed by John Smoliga. There seems to be clearing along stream and heavy equipment on the property. The Commission requested that the activity on the site be investigated.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:27 PM. By Smoliga, seconded by Fitch and carried unanimously 4-0.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

Minutes are filed subject to approval by the Roxbury Inland Wetlands Commission

cc: B. Henry, R. Dirienzo, P. Hurlbut, J. Conway, G. McTaggart and G. Steinman