



# TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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

## ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING MARCH 22, 2016

### MINUTES

#### CALL TO ORDER

Chairman Dirienzo called the meeting to order at 7:30 PM.

Members Present: Russell Dirienzo, John Smoliga, Andy Engel, Andrew Wood, Daniella Pappas and Rob Horrigan (8:30 PM)

Others Present: WEO John Cody, Mark Nogid, Jim Kelly, Bill Horrigan, Dirk Sabin, Brian Neff, Doug DiVesta, Stephanie Weaver, and Brian McCulloch

#### SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, Engel, and Dirienzo. Alternate Krantz was seated for Fitch and Alternate Wood was seated for Horrigan.

#### APPROVAL OF MINUTES:

The approval of Roxbury Land Trust application was corrected to note that it is a regulated activity; however, it was agreed that the fee should be waived. The \$150 should be returned to the Land Trust as a donation from the IWC.

MOTION: To waive the regulated activity fee for the application of the Roxbury Land Trust – Construction of Handicap access ramp, stairway, reinforcement of septic tank, enlargement of driveway and parking area. By Dirienzo, seconded by Smoliga and carried unanimously.

#### Regular Meeting, January 26, 2016

MOTION: To approve the minutes of the 01/26/16 Regular meeting as amended. By Engel, seconded by Smoliga and carried unanimously 4-0-1. Krantz abstained

#### COMMUNICATION WITH THE PUBLIC

N/A

#### OLD BUSINESS

German – 67 Davenport Road – R. Dirienzo to contact DEEP and report

Mr. Dirienzo reported that the DEEP does not want involvement with this matter as this dam is not in their jurisdiction. Any further action should be a civil matter.

#### NEW BUSINESS

DEEP – Cutler Pond/307 Painter Hill Road – Aquatic pesticide application

The Commission found no issues with this application. The pesticide alternatives educational letter should be forwarded to the applicant.

DEEP – Yelding Pond/167 Tophet Road – Aquatic pesticide application

It was noted that this application is done yearly. The pesticide alternatives educational letter should be forwarded to the applicant.

Russell Dirienzo stepped down and Daniella Pappas was seated. Andy Engel came forward as Acting Chairman.

Town of Roxbury/Transylvania Road – Road drainage work

Doug DiVesta came forward with a map entitled Town of Roxbury Transylvania Rd. Proposed Drainage System

dated 2/18/16. He explained that the road is planned to be chipped sealed this year and this proposal is to control the drainage on the road. He reviewed the areas in which runoff is an issue and the proposed plan to control the erosion.

MOTION: To approve the application of Town of Roxbury/Transylvania Road – Road drainage work as a regulated activity and to waive the fee. By Smoliga, seconded by Wood and carried unanimously.

Dirienzo was reelected as Chairman and Pappas returned to an Alternate position.

Sweeny/Willow Brook Road – Tree clearing for horse pasture and riding ring

Brian Neff came forward and presented a plan entitled Soil Erosion and Sediment Control Plan revised 2/22/16. He noted that all activity is outside the 100 foot setback. Mr. Neff explained this plan includes the erosion control inspections, which he will perform. The contractor is aware of all of the requirements. The area cleared will be used for pasture.

Mr. Dirienzo explained that with regard to this application the Commission would be approving the erosion control plan for stormwater management.

MOTION: To approve the erosion control plan in accordance with the State Stormwater Permit Regulations. By Dirienzo, seconded by Wood and carried unanimously.

Horrigan/63 Hemlock Road – Single-family dwelling – amend house location

Bill Horrigan came forward with the Proposed Sanitary Disposal System Plan dated 10/21/10 which he explained has been previously approved; however, since then the abutting property deeded additional property to this lot. The newly deed land allows for an additional 127 feet to move the house. He presented a map entitled Boundary Line Revision Map dated 1/13/16. The previous house site was 13 feet from wetlands. The new location is now 26 feet from the wetlands. The newly proposed house is twice as big as the originally proposed house and there is an increase in footprint due to the garage location.

Mr. Dirienzo noted that this plan is not only to move the house, it is increasing the house size and adding a pool. The original plan had a detailed drainage plan. This new plan needs to include the same kind of drainage plan.

Mr. Horrigan noted that the driveway was revised to a 15 to 8 percent pitch and the rain garden has remained as part of the plan. Mr. Dirienzo explained that the Commission will need a drainage plan to be assured by an engineer that runoff will have no effect on neighboring areas. Mr. Engel agreed and added that he would like to know where roof water will go.

Mr. Dirienzo reminded the group that the previous proposal included a stone wall for protection of the wetlands. A wall or stakes would be ideal identifying the wetlands in the new plan. It was requested that the house site, driveway site and pool site be staked and Mr. Horrigan return to the next IWC meeting with engineered drainage plans.

Andy Engel agreed to view the site.

Nogid/53 Southbury Rd – Extension requested to comply with conditions of Cease and Desist Order

Mr. Dirienzo reviewed the history of this project. A letter from Attorney Kelly was read aloud seeking an extension to 7/31/16 and a waiver of Steve Trinkaus' approval of the rain garden plan. Attorney Kelly recanted this request.

Brian Neff came forward and reported that test holes were dug for the rain garden and found the initially proposed area unacceptable. New test holes were dug and a newly proposed area has been determined. The plan entitled Drainage and Erosion Control Plan dated 3/21/16 along with the test results have been forwarded to Steve Trinkaus. Mr. Neff feels that this plan will comply with all the required regulations.

MOTION: To extend the date to comply with conditions of Cease and Desist to 7/31/16 for Nogid/53 Southbury Rd.

By Engel, seconded by Smoliga and carried unanimously.

Attorney Kelly explained that an additional request is to waive the condition requiring everything to be on one plan. There is too much information; therefore, they request that three plans be submitted.

MOTION: To waive the requirement of one plan for Nogid /53 Southbury Rd. and to allow for three plans containing all the required information. By Dirienzo, seconded by Engel and carried unanimously.

Dirk Sabin submitted the landscaping plans for the records and agreed to forward a plan to Mr. Trinkaus as well.

Metz/19 Spargo Road – Construction of enclosure for pool equipment

Brian Neff came forward and reported that the proposed activity is in close proximity to wetlands. The pool was built many years ago and the equipment is currently kept on a concrete pad. A map entitled Proposed Pool Equipment Enclosure dated 2/18/16 was presented. The proposal is to build an enclosure over the equipment on the existing pad. The 8' x 9' footprint will remain the same and material will be hand carried onto the site. It was noted that this is seemed to be a maintenance activity. Mr. Neff explained that it is within a regulated area.

MOTION: To approve the application of Metz/19 Spargo Road – Construction of enclosure for pool equipment as a regulated (maintenance) activity. By Dirienzo, seconded by Engel and carried unanimously.

John Smoliga stepped down and Daniella Pappas was seated as a Regular Member.

Rob Horrigan arrived at 8:30 PM.

Rob Horrigan was seated and Drew Wood returned to an Alternate position.

N.O.V. – McCulloch/33 Rocky Mountain Road

Attorney Stephanie Weaver came forward and reviewed her client's history with the property. She explained that her client uses wood for fuel and has been cleaning up the property and using the wood the entire time they have owned the property. There has been no tree removal since July 2015. They make use of the firewood before they move on to taking down another tree. The Town always receives an application for burn permit for any activity. A total of 16 trees were taken down within 100 feet of the watercourse since they owned the property.

WEO John Cody reported on his site visit noting the wetlands in the corner of the property. He advised for Mr. Dirienzo that he does see the removal of trees as clear cutting. He presented photos of the site and indicated the property's wetland area shown on the wetland map.

Brian McCulloch reported that under 1 acre has been cleared of this 4.5 acre parcel.

Mr. Dirienzo explained that selective cutting is permitted. It was agreed that going forward when trees within 100 feet of the waterway are planned to be cleared they should flagged the trees and contact the WEO. The NOV will be lifted and a letter will be sent advising of what is expected in the future.

MOTION: To lift the N.O.V. for McCulloch/33 Rocky Mountain Road. By Dirienzo, seconded by Engel and carried unanimously.

John Smoliga was reseated and Daniella Pappas returned to an Alternate position.

DEEP – DeMann/35 Schoolhouse Road/Aquatic pesticide application

The Commission found no issues with this application. The pesticide alternatives educational letter should be forwarded to the applicant.

Ginns/55 Old Tophet Road – Rebuild Guest House

Brian Neff came forward and explained that the existing guest house is not in good condition. He presented a plan entitled Soil Erosion and Sediment Control dated 3/15/16 and noted that this is a small site and a small house. The

proposal is to do a new foundation and rebuild in the same area. The guesthouse will not be greatly enlarged. The wetlands have been identified by a soil scientist. Mr. Horrigan agreed to view the site.

Rob Horrigan stepped down and Daniella Pappas was seated.

Rower/ Painter Hill Road (Map 38/Lot 1) – Barn construction

Brian Neff came forward with a plan dated 3/15/16 entitled Soil Erosion & Sediment Control. He explained that this is a tear down and rebuild of a barn. The work is outside of the regulated area; however this is a good size building. An underground drainage system is proposed. Erosion control will be monitored and maintained on the down gradient side of the work zone. The proposed use of the building will be for an experimental agriculture

MOTION: To approve the application of Rower/ Painter Hill Road (Map 38/Lot 1) – Barn construction as a nonregulated farming operation. By Engel, seconded by Smoliga and carried unanimously.

Rob Horrigan was reseated and Daniella Pappas returned to an Alternate position.

**WEO REPORT**

February & March

The WEO Report for February and March was distributed in the member's packets. John Cody reported that the excavator has been removed from 114 River Road.

**PENDING REVIEW/FOLLOW UP**

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

The posts have been removed and old fencing will be cleaned up.

McCourt – 262 Painter Hill Road – Dam – Follow-up inspection

Mr. Dirienzo reported this project to be complete. John Cody agreed to view the site.

Nogid – 53 Southbury Road – Cease and Desist in effect - see Old Business

McCulloch/33 Rocky Mountain Road - see Old Business

**ADJOURNMENT**

MOTION: To adjourn the meeting at 9:00 PM, by Smoliga, seconded by Fitch and carried unanimously 5-0.

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.