



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 27, 2015

CANCELLATION NOTICE

The Roxbury Inland Wetlands & Watercourses Commission meeting scheduled for Tuesday, January 27th has been cancelled due to a blizzard warning forecast.

Respectfully submitted,
Karen Fddy
Land Use Administrator

Dated: January 26, 2015

Cc: Town Clerk
Wetlands Enforcement Officer



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING FEBRUARY 24, 2015

MINUTES

CALL TO ORDER

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

Members Present: Ms. O'Conner, Mr. Engel, Mr. Cody, Mr. Smoliga, Ms. Fitch (7:35) and Mr. Dirienzo

Others Present: WEO Gary Coburn, Bill Horrigan, Mr. & Mrs. Jackson and Brian Neff

SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, O'Conner, and Dirienzo. Mr. Engel was seated for Rob Horrigan and Mr. Cody was seated for Sue Fitch.

APPROVAL OF MINUTES:

Regular Meeting - December 16, 2014

MOTION: To approve of the minutes of the 12/16/14 meeting as written. By O'Conner, seconded by Engel and passed 4-0-1. Smoliga abstained.

January 27, 2015 Meeting was cancelled

COMMUNICATION WITH THE PUBLIC

N/A

Sue Fitch was seated at 7:35 PM and John Cody stepped down.

WEO REPORT

Gary Coburn reviewed the WEO Report

A complaint regarding Nogid was investigated and it was found that the activity had been permitted.

A complaint regarding a deteriorating culvert on Kressfield Farm Lane. was investigated. Brian Neff reported that he viewed the culvert and reported that it looks structurally sound. Gary Coburn reported that Janet Morgan is going to require an engineer's report.

OLD BUSINESS:

Horrigan – Hemlock Road – Single-family dwelling

Andy Engel viewed the site. He questioned the drainage design and whether it would wash out the driveway. Bill Horrigan reviewed the design and noted the berm. Pat O'Conner also noted concerns with driveway runoff. Mr. Horrigan agreed to have an engineered driveway drainage plan prepared.

Pat O'Conner noted that the existing rock wall is a good wetland buffer. Bill Horrigan agreed to have this wall restacked.

Bill Horrigan confirmed that the dirt from the excavation will be stored off site. There will be minimal clearing and the septic has been approved.

Russell Dirienzo explained that a driveway drainage plan is required prior to approval. Also, a notation to restack the existing wall and to store spoils off site should be included on the plan.

NEW BUSINESS

Jackson – Falls Road (Map 14, Lot 3) – Single family dwelling, garage & storage barn

Mr. & Mrs. Jackson came forward and reviewed the Site Development Plan dated 1/14/15. Mr. Dirienzo reported that he has seen this site and noted that there are no wetlands on this 6.02 acre parcel. He explained that the river is the concern with this application; however, all activity is outside the buffer area.

Mr. Jackson agreed to stake the site. Mr. Dirienzo and Mr. Horrigan will do the site walk.

Logan – 194 Apple Lane – Construct Barn

Mr. Neff came forward and reviewed the plan entitled Proposed Barn Site Plan dated 1/22/15 for a 24' x 24' barn with shed connecting to the existing driveway. He noted that the proposal is within the regulated area of the pond on this site.

Ms. O'Conner agreed to view the site.

Shaw – 183 River Road – Brook Bank Stabilization

The Brook Bank Stabilization Plan dated 2/1/15 was reviewed and it was noted that this was a previously approved activity; however, the permit expired before the work could begin. The proposal is for boulder stabilization of the bank and there are no changes to the previously approved plan.

MOTION: To approve the application of Shaw – 183 River Road – Brook Bank Stabilization as a regulated activity. By O'Conner, seconded by Fitch and passed 5-0.

PENDING REVIEW/FOLLOW-UP

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

Mr. Dirienzo reported that the dam is complete. There will be no further work until the weather is better.

Martinelli – 31 Weller's Bridge – Clearing in wetlands - Spring inspection

Krett – 15 Welton – Road drainage issues – Spring inspection

Nogid - 53 Southbury Road – Remediation plan - Spring inspection

COMMUNICATION

State Regulation regarding clearing for construction

Mr. Dirienzo explained that this regulation regarding storm water discharge is not wetlands related. However, a soil and erosion control plan must be approved for any clearing 1-5 acres. A permit is required and follow-up is necessary. The Commission agreed that he should draft a proposed Wetland Regulation making any disturbance 1-5 acres, regardless of wetlands, a regulated activity.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:25 PM, by Engel, seconded by Smoliga and passed 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.



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING MARCH 24, 2015

MINUTES

CALL TO ORDER

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

Members Present: Ms. O'Conner, Mr. Engel, Mr. Cody, Mr. Smoliga, Ms. Fitch, Mr. Horrigan, Mr. Ketchum and Mr. Dirienzo

Others Present: WEO Gary Coburn, Bill Horrigan, Sam Sabin, Steve Trinkaus, Mr. & Mrs. Jackson, Mr. Krett and Brian Neff

SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, O'Conner, Fitch, Horrigan and Dirienzo.

APPROVAL OF MINUTES:

Regular Meeting - February 24, 2015

MOTION: To approve of the minutes of the 2/24/15 meeting as written. By O'Conner, seconded by Smoliga and passed 4-0-1. Horrigan abstained.

COMMUNICATION WITH THE PUBLIC

N/A

WEO REPORT

Kress - Kressfield Farm Road - Culvert

Gary Coburn reported that Fire Marshal Janet Morgan has provided a letter, which will be forwarded to the Kress', stating the requirement of an engineer's report with regard to the culvert. He has spoken with the Kress' attorney who has stated that the culvert is not their responsibility.

Russell Dirienzo noted that the IWC heard from an engineer regarding this matter at their last meeting and are satisfied. The members agreed that this matter is outside of IWC's jurisdiction unless work is to be done on the culvert.

OLD BUSINESS

Rob Horrigan stepped down and Andy Engel was seated.

Horrigan – Hemlock Road – Single-family dwelling

Bill Horrigan came forward and reviewed the revised map noting the additions as requested; to restack the stone wall, the swale, the driveway drainage, and the proposed soil stock pile. Mr. Horrigan confirmed that his engineer reviewed the driveway drainage plan. It was noted that this is a flat, 45 foot driveway.

Russell Dirienzo suggested that a use of a rain garden would have been a better option for drainage. The engineer may be underestimating the amount of water on this site.

Bill Horrigan agreed to withdraw this applicant due to statutory timeline requirements. He will resubmit this application and return next month with his engineer.

Rob Horrigan was reseated. Mr. Engel stepped down.

Jackson – Falls Road (Map 14, Lot 3) – Single family dwelling, garage & storage barn

Mr. Dirienzo, Mr. Horrigan and Mr. Smoliga reported that they viewed the site and agreed that this is an overall good plan that protects the river. The only concern found was with regard to roof drainage. Mr. & Mrs. Jackson came forward and reviewed the roof drainage on the revised plan.

The stock pile area was discussed. Mr. Jackson explained that he does not foresee a lot of stock piling on this site. He made a notation on the plan for a stockpile area.

MOTION: To approve the application of Jackson – Falls Road (Map 14, Lot 3) – Single family dwelling, garage & storage barn as a nonregulated activity. By Horrigan, seconded by O'Conner and passed 5-0.

Logan – 194 Apple Lane – Construct Barn

Brian Neff came forward regarding this plan to construct a small barn in a flat area by the driveway entrance of this property.

Ms. O'Conner reported on her site walk and found no issues with this proposal as long as the proper erosion control measures are taken.

MOTION: To approve the application of Logan – 194 Apple Lane – Construct Barn as a regulated activity. By O'Conner, seconded by Fitch and passed 5-0.

NEW BUSINESS

Krett - 15 Welton Road - Storage barn with accessory apartment

Steve Trinkaus and Brian Krett came forward. Mr. Trinkaus explained that this is the same barn that was on the original plans; however, due to a Health Code change it requires a separate septic.

The group reviewed the septic plan and use of level spreader was described. It was noted that the roof drains will also go to a level spreader. Mr. Trinkaus confirmed that there will be no increase in runoff from this property.

It was noted that 1.3 acres have been cleared on this site. This plan has been previously approved for development with erosion control. The project is to be overseen by Steve Trinkaus.

MOTION: To approve the application of Krett - 15 Welton Rd. - Storage barn with accessory apartment as a non-regulated activity. By Dirienzo, seconded by Horrigan and passed 5-0.

Mr. Krett discussed his 80 acre parcel on Lower County Rd. with a deeded driveway access. He would like to use this property for recreation and questioned what steps are required to establish an access-way that will not cross wetlands. Mr. Dirienzo advised that an application for a nonregulated activity should be submitted for review. It may be determined that the activity is exempt for recreation.

Brothers / Cheng - 181 Tophet Road - Pool and Cabana

Sam Sabin came forward and reviewed the property survey with the Commission. He explained that the wetlands are to be flagged within the next couple weeks and will be located on the survey. The proposed site is an existing disturbed area.

Mr. Sabin agreed to inform the Land Use Office once the proposed pool and cabana are staked and the wetlands are flagged. Sue Fitch, Pat O'Conner and Andy Engel will view the site.

PENDING REVIEW/FOLLOW-UP

- McCourt – 262 Painter Hill Road – Dam – Follow-up inspection
- Martinelli – 31 Weller's Bridge – Clearing in wetlands - Spring inspection
- Krett – 15 Welton – Road drainage issues – Spring inspection
- Nogid - 53 Southbury Road – Remediation plan - Spring inspection

COMMUNICATION

Proposed Stormwater Regulation - Memo from R. Dirienzo dated March 9, 2015

It was reported that the Zoning Commission advised that it was best that the IWC take on this regulation. The memo dated 3/9/15 with the proposed regulation was reviewed and suggestions were made for revision. It was clarified that this regulation would apply when clearing is to occur for a nonregulated activity. A fee of \$150 would be charged; however, there would be no need for a public hearing.

MOTION: To add to the Wetlands Regulations the DEEP Stormwater Regulation as revised. By O'Conner, seconded by Smoliga and passed 5-0.

A public hearing will be set for 7:15 PM on April 28, 2015 with regard to this matter.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:40 PM, by O'Conner, seconded by Smoliga and passed 5-0.

Respectfully submitted,

Tai 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



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ROXBURY INLAND WETLANDS COMMISSION PUBLIC HEARING APRIL 28, 2015

MINUTES

CALL TO ORDER

Chairman Dirienzo called the meeting to order at 7:25 PM.

Members Present: Ms. O'Conner, Mr. Engel, Mr. Cody, Mr. Smoliga, Ms. Fitch, Mr. Ketchum and Mr. Dirienzo

Others Present: WEO Gary Coburn, Dirk Sabin, Mr. & Mrs. O'Connell, Mr. Szymanski, Mr. Gambino, Mr. Taylor, Mr. Neff, Mr. Davis and members of the public.

SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, O'Conner, Fitch, and Dirienzo. Mr. Engel was seated for Mr. Horrigan.

PURPOSE OF HEARING

Chairman Dirienzo read the purpose of the hearing aloud;

- The purpose of this public hearing is to allow public comment on proposed amendments to the Roxbury Wetlands Regulations regarding Stormwater Discharge Permitting.

Chairman Dirienzo read the DEEP Stormwater Regulations with regard to 1-5 acre clearing and explained that by adopting this into the Roxbury IWC Regulations it creates awareness of the requirements when clearing for a non-regulated activity.

The floor was opened to questions from the public

Brian Neff asked for clarification regarding the fee. It was explained that this \$150 would only pertain to nonregulated activities. A new form will be developed by the Land Use Office for a Stormwater Discharge Permit. It was clarified that timber harvesting is exempt; however, requires a forester to oversee.

The proposed Section 5.6 under Activities Regulated by the State was read. It was agreed that after "Stormwater Quality Manual" should be added "and CT Guidelines for Soil Erosion Control (2002)".

Chairman Dirienzo looked for further questions from the public or Commission. It was agreed that this hearing would be closed and this matter should be included on the Regular Meeting agenda for next month to be voted upon by the Commission.

ADJOURNMENT

MOTION: To close the public hearing at 7:35 PM, by Smoliga, seconded by Fitch and passed 5-0.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

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



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ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING APRIL 28, 2015

MINUTES

CALL TO ORDER

Chairman Dirienzo called the meeting to order at 7:36 PM.

Members Present: Ms. O'Conner, Mr. Engel, Mr. Cody, Mr. Smoliga, Ms. Fitch, Mr. Ketchum and Mr. Dirienzo

Others Present: WEO Gary Coburn, Dirk Sabin, Mr. & Mrs. O'Connell, Mr. Szymanski, Mr. Gambino, Mr. Taylor, Mr. Neff, Mr. Davis and members of the public.

SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, O'Conner, Fitch, Horrigan and Dirienzo.

APPROVAL OF MINUTES

Regular Meeting - March 24, 2015

MOTION: To approve of the minutes of the 3/24/15 meeting as written. By O'Conner, seconded by Engel and passed 5-0.

COMMUNICATION WITH THE PUBLIC

Chairman Dirienzo sadly reported that Commission Member Pat O'Conner will be moving. Pat has been an intricate part of this Commission for many years. Pat and Stewart have spent over 19 years living in and advocating for Roxbury. He is happy for Pat and Stewart and wishes them both the best. The Commission will truly miss Pat and cannot thank her enough.

WEO REPORT

Gary Coburn reported that he is working on following-up inspections now that it is spring.

OLD BUSINESS

Brothers / Cheng - 181 Tophet Road - Pool and Cabana

Dirk Sabin came forward and reported that the pool was staked, the soil report was received, and the wetlands were flagged on the site and noted on the map. Members O'Conner, Fitch and Engel reported on the site walks.

Ms. O'Conner questioned whether part of the hill would be removed for the cabana. Dirk Sabin explained that the 20 x 40 cabana would be tucked into the hill. He does not feel this will have a material impact onto the wetlands.

Chairman Dirienzo explained that the closest part of the proposal to the wetlands is not flagged even though the members saw this area as wetlands. Ms. O'Conner noted that the grade and fill is not clear on the map.

Mr. Sabin agreed to have the wetlands rechecked and flagged and will show contours on the map.

NEW BUSINESS

Houck (Horrigan) – Hemlock Road (Map 8, Lot 054) – Single-family dwelling

Paul Szymanski came forward as agent for Bill Horrigan and submitted a modified plan. He explained that the area is graded to a paved swale and redirected to a 5 x 10 rain garden. The driveway, roof runoff and sediment and erosion were reviewed. The stacked stone wall will act as a level spreader. Mr. Szymanski provided calculations for the record noting the rain garden is sized for 5 1/2 inch rain event.

The Commission agreed they have no concerns with this plan and will vote to approve this application at the next

meeting.

Booth – 54 & 75 Old Roxbury Road- Pasturing sheep in regulated area

A plan to utilize six sheep contained by an electric fence to clear knot weed and bamboo was described.

MOTION: To approve the application of Booth - 54& 75 Old Roxbury Rd- Pasturing sheep in regulated area as an exemption of agriculture and maintenance. By Dirienzo, seconded by Engel and passed 5-0.

Yelding Pond - 167 Tophet Road - Aquatic Pesticide application

Mr. Dirienzo reminded the Commission that this application of aquatic pesticide is done yearly. A letter informing them of other options will be sent for educational purposes.

Roxbury Pond - 55 River Road - Aquatic Pesticide application

The Commission was reminded that this pond is owned by the Land Trust and is used for swimming. Other options have been researched; however, this method works to keep the pond weed free. Mr. Gambino came forward and presented the permit requirements and distributed the chemical information.

O'Connell - Issues with Good Hill Lane installation

A letter dated 4/23/15 from Dymar was read confirming that the 1998 permit issued to modify the existing drainage system was installed 56 feet longer than planned and has not been properly maintained. A letter dated 4/24/15 from Brian Neff with recommendations for flow restrictions was read.

Mrs. O'Connell clarified that the 1998 plan was intended to benefit the owners on Good Hill Lane. The O'Connell's asked that the Commission issue a NoV to the Good Hill Lane Association.

MOTION: To issue a NoV to the property owners of Good Hill Lane for activity not consistent or in accordance with permit issued in 1998 and impacting the inland wetland and watercourse. By Dirienzo, seconded by Engel and passed 5-0.

MOTION: To add to the agenda the application of Michael Taylor - Allen S. Hurlburt Preserve - Build 2 20 foot sections of boardwalk. By Engel, seconded by Smoliga and passed 5-0.

Michael Taylor - Allen S. Hurlburt Preserve - Build 2 20 foot sections of boardwalk

Boy Scout Michael Taylor of Troop 65 came forward and distributed a presentation of a proposal to build a boardwalk at Hurlburt Preserve at Flag Swap Rd. for an Eagle Scout project. Two 20 foot sections at 32 inches wide are proposed to be built over the muddy trail. The boardwalk will preserve wild life from being destroyed by the trail. The project would begin in May or June and be complete by July. Materials are to be stored off site. Photos of the site were reviewed.

Chairman Dirienzo gave an overview of the wetland regulations history and purpose. He explained that recreation exemptions do not need a permit; however, still need to come before the Commission. This presentation was a perfect example of what should be done. The Commission commended Mr. Taylor on an excellent presentation.

COMMUNICATION

Proposed Stormwater Regulation - Discussion following public hearing

It was agreed that this would be included on the next agenda to be voted upon.

Presentation by Elliot Davis regarding Roxbury Station business proposal

Elliot Davis came forward regarding a proposal for a craft distillery at Roxbury Station. He explained he has been in front of the Zoning Commission with this idea and distributed copies of the Mine Hill Distillery proposal for members to review.

Mr. Davis reviewed his personal and professional background. He explained that the plan is to restore this historic building, work with local farms and give back to the community. There will be no change to the exterior other than to restore. He would like to disassemble the building, build a new foundation and then rebuild. The distillery is a

small sophisticated closed system. It would be a craft distillery in a small scale with 4 - 6 six employees throughout the week. A new well and septic will be installed.

Mr. Davis looked for questions from the Commission. He explained that there will be very little waste water. The only paving will be of the small lot in the back.

Chairman Dirienzo noted that this activity is within the regulated area; however, the area is flat. The Commission will look at septic, storm water discharge, and determine the potential impact once an application is submitted.

PENDING REVIEW/FOLLOW-UP

- McCourt – 262 Painter Hill Road – Dam – Follow-up inspection
- Martinelli – 31 Weller’s Bridge – Clearing in wetlands - Spring inspection
- Krett – 15 Welton – Road drainage issues – Spring inspection
- Nogid - 53 Southbury Road – Remediation plan - Spring inspection

ADJOURNMENT

MOTION: To adjourn the meeting at 9:05 PM, by Engel, seconded by Fitch and passed 5-0.

Respectfully submitted,
Tai Kern
Tai Kern, Secretary

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



TOWN OF ROXBURY CONNECTICUT

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ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING MAY 26, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Engel, Mr. Cody and Ms. Fitch

Others Present: WEO Gary Coburn, Sam Sabin, Mr. & Mrs. O'Connell, Mr. Szymanski, Mr. Gambino, Mr. Krett, Mr. Neff, Mr. & Mrs. Zehring, Mr. & Mrs. Kennedy, Atty. Buchsbaum, Mr. Lancor, Mr. Brothers, Ms. Daly and members of the public.

SEATING OF MEMBERS

Acting Chairman Engel seated member Fitch. Engel was seated for Dirienzo and Cody was seated for Horrigan.

APPROVAL OF MINUTES

Regular Meeting - April 28, 2015

MOTION: To approve of the minutes of the 4/28/15 Regular meeting as written. By Cody, seconded by Fitch and passed 3-0.

Public Hearing - April 28, 2015

MOTION: To approve of the minutes of the 4/28/15 Public Hearing as written. By Cody, seconded by Fitch and passed 3-0.

COMMUNICATION WITH THE PUBLIC

Mr. Gambino came forward as agent for Mark Rosin and requested that a pond treatment application for 44 Booth Rd. be added to the agenda.

MOTION: To add to the agenda under New Business application of Mark Rosin- 44 Booth Rd. - Pond Treatment. By Fitch, seconded by Engel and carried unanimously.

COMMUNICATION

DEEP Workshop: Legal & Administrative Updates. Included in members packets.

WEO REPORT

Gary Coburn came forward and reported on the items under Pending Review:

- McCourt – 262 Painter Hill Road – Dam – Follow-up inspection- no update
- Martinelli – 31 Weller's Bridge – Clearing in wetlands - Spring inspection- working on a silt fence removal plan
- Krett – 15 Welton – Road drainage issues – Spring inspection

Gary Coburn reported that the driveway drainage is complete; however, the road drainage is still pending. Mr. Krett came forward to note that the road runoff continues to drain into the wetlands. Acting Chairman Engel advised that this would be on the agenda for review at next month's meeting. Gary Coburn will work with the town to find a resolution.

- Nogid - 53 Southbury Road – Remediation plan - Spring inspection- New growth is being monitored.
- Hurlburt Preserve - Boardwalk in wetlands- The LUO has not yet been advised when work will begin.

Gary Coburn distributed the non regulated Permit Listing Report dated May 21, 2015.

OLD BUSINESS

O'Connell- Issues with Good Hill Lane installation

(Notice of Violation to Good Hill Lane property owners)

The original drainage plan dated 7/25/98 and revision dated 8/22/98 was reviewed. Acting Chairman Engel reminded the Commission that a Notice of Violation was sent to the Good Hill Lane Association regarding noncompliance with the permit for this plan. The plan states that the pipe should be 70 feet from the O'Connell's property line; however, it is approximately 20 feet from the property line.

Steve Zehring came forward and distributed the minutes from the 8/25/98 IWC meeting, which reflect the approval of this permit and the O'Connell's agreement with the extension of the pipe as well as addition of rip rap. The 8/22/98 plan revision did note this change to the plan.

WEO, Gary Coburn, reported on his site inspection. He found the areas of rip rap to be dry. He explained there is hard pan beneath the surface.

Mr. O'Connell came forward and explained that the pipe extension was supposed to be beyond the pasture, but was never done. A 2007 plan by Brian Neff for Dr. Krieger was reviewed; however, it was noted that this work was never completed.

Acting Chairman Engel reminded the Commission that they can only consider whether the Association is within compliance with this permit.

Attorney Jason Buchsbaum of Cohen and Wolf came forward representing the O'Connell's and explained that this is a substantial issue and a violation of the plan. The 8/25/98 minutes have no certainty and the motion was to approve the plan. He asked that the Commission come up with a solution to correct the problem.

Mark Lancor of Dymar, Engineer for the O'Connell's, came forward and reviewed his site observations. He explained that the drainage requires a legal receptor. The current issues have down gradient effects on the wetlands.

Andy Engel suggested that the members schedule a site visit. Gary Coburn noted the suggestions to reduce flow provided in a letter dated 4/24/15 by Brian Neff. The Commission asked Mr. Neff regarding his recollections of the 1998 plan. He noted that he recalls the agreement of the pipe extension; however, cannot find a plan showing this change.

Steve Zehring explained that there is no violation per the minutes of 8/25/98 and asked that the Commission lift the NoV. The NoV was issued prior to the minutes being found. The Association will agree to return to work out this matter.

Attorney Buchsbaum disagreed with the lifting of the NoV. Mr. Zehring explained that if the NoV is lifted the Association will shorten the pipe to be in agreement with the plan. Attorney Buchsbaum noted that this is not a solution to the problem.

Andy Engel and Sue Fitch explained that the NoV is not a personal matter. It is just part of the steps that must be taken. John Cody felt that the violation should be tabled because not all of the information was available prior to the issuance the NoV.

Mr. Zehring explained that there is no way the Association can be in compliance because the minutes say the pipe should be extended and the plan does not reflect this. Therefore, regardless of the pipe's length they would be in violation.

MOTION: To continue the matter of O'Connell- Issues with Good Hill Lane installation to the next meeting when more information can be available. By Fitch, seconded by Cody and carried unanimously.

Brothers / Cheng - 181 Tophet Road - Pool and Cabana

Sam Sabin and David Brothers, owner and architect for the cabana, came forward. Sam Sabin reported that per the Commission's request the wetlands flagging has been confirmed by Mike Alex. The area in question is ridge with upland species. A letter regarding flagging has been submitted for the file.

MOTION: To approve as a regulated activity Brothers / Cheng - 181 Tophet Rd. - Pool and Cabana. By Cody, seconded by Fitch and carried unanimously

Houck (Horrigan) – Hemlock Road (Map 8, Lot 054) – Single-family dwelling

Paul Szymanski, engineer, came forward and reported that no changes have been made to the plan presented at the last meeting as no additional requests were made.

MOTION: To approve as a regulated activity the application of Houck (Horrigan) – Hemlock Road (Map 8, Lot 054) – Single-family dwelling. By Cody, seconded by Fitch and carried unanimously.

STORMWATER REGULATIONS

Vote on proposed regulations (Includes language added by IWC 4/28/15)

MOTION: To adopt Stormwater Discharge Permitting Regulations including language added by IWC 4/28/15 under Section 5.6 of the Roxbury Wetlands Regulations publicly heard on 4/28/15. By Fitch, seconded by Cody and carried unanimously.

NEW BUSINESS

Daly - 208 Southbury Road - In-ground pool

Deidre Daly came forward and reviewed a property map prepared for David D. Melanson and noted the wetland areas and proposed pool site. Sketches of the plan and photos were viewed. She reported that there would be no backwash necessary. The pool equipment is to be on the driveway side. A siltration fence will be used for erosion control. A future pergola is proposed with no plumbing.

The Commission agreed to view the site. Ms. Daly explained that she will lose her contractor if this is not approved tonight. The proposal is on an existing manicured lawn which is down gradient of the wetlands. The Commission determined that the activity is within the setback and explained that an approval on a regulated activity is not possible this evening.

John Cody and Andy Engel agreed to view the site.

Krett - Lower County Road (Map 27 / Lot 16) - Recreational access trail

Mr. Krett came forward and reported that he met with a forester regarding this 80 acre lot. He submitted a report and a map of the proposed trails to be 5 feet wide and used for hiking. The trail will be made using a brush hog. He noted that per the Wetland Regulations outdoor recreational use is non regulated.

Mr. Engel questioned whether quad use was anticipated on the trails. Mr. Krett advised that quad use is not expected. He noted that it is forbidden per the Land Trust easement on a portion of the property. Andy Engel and Sue Fitch noted that their only concern is that this does not grow into a driveway.

MOTION: To approve as a nonregulated activity Krett - Lower County Road (Map 27 / Lot 16) - Recreational access trail. By Cody, seconded by Fitch and carried unanimously.

Mark Rosin- 44 Booth Road - Pond Treatment

Mr. Gambino came forward as agent for Mark Rosin and submitted chemical information regarding the proposed pond treatment to be performed if it is required again this year. He noted that the pond was treated last year.

The Commission requested that the LUO send the standard letter to the applicant advising him of alternatives.

PENDING REVIEW/FOLLOW-UP (see WEO Report)

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

- Martinelli – 31 Weller’s Bridge – Clearing in wetlands - Spring inspection
- Krett – 15 Welton – Road drainage issues – Spring inspection
- Nogid - 53 Southbury Road – Remediation plan - Spring inspection
- Hurlburt Preserve - Boardwalk in wetlands

ADJOURNMENT

MOTION: To adjourn the meeting at 9:10 PM, by Engel, seconded by Fitch and carried unanimously.

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



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Inland Wetlands Commission

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

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING JUNE 23, 2015

MINUTES

CALL TO ORDER

Chairman Dirienzo called the meeting to order at 7:32 PM.

Members Present: Mr. Dirienzo, Mr. Smoliga, Mr. Horrigan, Mr. Engel, Mr. Cody and Ms. Fitch

Others Present: Mr. Neff, Mr. & Mrs. Zehring, Mr. Kennedy, Mr. Nogid, Ms. Daly and members of the public.

SEATING OF MEMBERS

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

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

The CT DEEP Training for Municipal IWWAs 2015 was distributed and members were welcomed to take advantage of this training.

WEO REPORT

John Cody reported on his site visit to 53 Southbury Rd. with regard to a complaint. He distributed photos of the work being done and noted that the work that is not included on the plan that was submitted to this Commission. Rob Horrigan commented that although this work is outside the buffer it has tremendous possibilities of affecting the wetlands.

OLD BUSINESS

Daly - 208 Southbury Road - In-ground pool

John Cody and Andy Engel reported on their site visit. Mr. Engel stated that as long as erosion control measures are in place he did not have any concerns. Mr. Cody agreed noting that the area is mostly flat.

MOTION: To approve the application of Daly - 208 Southbury Road - In-ground pool as a regulated activity. By Engel, seconded by Smoliga and passed 5-0.

APPROVAL OF MINUTES

Alternate Cody was seated as a Regular Member. Horrigan stepped down.

Regular Meeting - May 26, 2015

The memo dated 6/23/15 from Mr. O'Connell entitled Corrections Regarding Meeting Minutes of the May 26, 2015 IW Meeting was reviewed along with a partial transcript of those minutes. The members agreed that the minutes reflect what was said at that meeting and determined that Mr. O'Connell's issue is with regard to his opinion of what was said.

MOTION: To approve of the minutes of the 5/26/15 Regular meeting as written. By Engel, seconded by Cody and passed 3-0-2. Smoliga and Dirienzo abstained. (Horrigan not seated)

Mr. Horrigan was reseated and Mr. Cody stepped down.

BUSINESS

O'Connell - Issues with Good Hill Lane installation - (Notice of Violation to Good Hill Lane property owners)

A memo dated 6/23/15 from Mr. & Mrs. O'Connell to the IWC entitled Comments to be Read During Old Business was distributed.

Mr. Dirienzo reported that he was present in 1998 when the drainage in question was installed. He was at the meetings when the plan was approved and made many visits to the site. He explained that this NoV had to be issued because an engineer advised that the drainage did not meet the approved plan.

Mr. Dirienzo stated that he remembers that Mr. O'Connell asked that the pipe be extended at the time of approval. He wishes Mr. & Mrs. O'Connell's experts were available as he would like to understand the specific damage to the wetland being claimed.

Mr. Neff stated that he also remembers Mr. O'Connell asking to extend the pipe to the end of the Smith property; however, no one ever requested that the plan be revised accordingly. This was something that was just agreed upon at the meeting.

Mr. Zehring came forward and read the minutes of the 1998 meeting regarding this matter.

Mr. Horrigan questioned why the O'Connell's would wait this long to file a complaint if this was not the plan that was agreed upon. He questioned whether there is a statute of limitations on such matters.

Mr. Dirienzo noted that a violation has not occurred because drainage was installed as agreed in 1998. He does not see any impact to the wetlands or property. This area has a very high perched water table. The possible alternate drainage plans will not change this. Mr. O'Connell would need to put in his own curtain drain to manage the water.

MOTION: To lift the NoV for O'Connell- Issues with Good Hill Lane installation- (Notice of Violation to Good Hill Lane property owners) because no violation was found and there is no recourse for the IWWC to take action upon. By Dirienzo, seconded by Engel and passed 5-0.

Mr. Zehring asked that he receive something more than the minutes as record of this Commission's decision as he feels this issue may resurface again years from now. Chairman Dirienzo explained that the Land Use Office will provide a letter explaining the NoV was lifted and will include the reasons why this was done.

PENDING REVIEW/FOLLOW-UP

The Commission discussed the status of the following:

- McCourt – 262 Painter Hill Road – Dam – Follow-up inspection
- Martinelli – 31 Weller's Bridge – Clearing in wetlands - Spring inspection
- Krett – 15 Welton – Road drainage issues – Spring inspection
- Hurlburt Preserve - Boardwalk in wetlands
- Nogid - 53 Southbury Road – Remediation plan - Spring inspection

Mr. Nogid came forward. Photos of the site were reviewed. Chairman Dirienzo questioned why some of the work being performed was not included on the plan. The 10/22/14 plan submitted by Sabin was reviewed. Mr. Nogid explained that this work is outside of the 100 foot buffer and it was his understanding this did not need approval by the IWWC. Mr. Horrigan and Ms. Fitch explained that anything that has potential to affect the wetlands is within the IWWC's jurisdiction. Ms. Fitch read the description of the project as noted on the application and found that it does not match with what is being done on the site.

Mr. Cody confirmed that the silt fence is in place and there has been no disturbance to the buffer zone. However, he has concerns with runoff from the site. Mr. Dirienzo questioned whether the stairs had been engineered. Mr. Nogid advised that he designed the stairs.

Mr. Nogid said that the IWWC made the decision that they did not need to know about anything outside of the 100 foot buffer. He said that the IWWC did not issue a permit for the pool. This was the final decision. Mr. Dirienzo

explained that it is up to the Commission to determine if an activity is non-regulated. The Commission's jurisdiction is to the top of the watershed. There is a one page inquiry form in the Land Use Office to make this process simple.

Mr. Nogid came to the Commission on 10/22/14 with this plan and it was determined that it was a non-regulated activity based on Mr. Sabin's plan and presentation. It was never said that the Commission does not want to see anything outside of the 100 foot buffer. The Commission explained that the activity has now changed to add items to increase runoff and permeability of soil. Mr. Dirienzo noted that he has serious concerns about the marsh. If Mr. Nogid stuck with the plan presented it would have been okay, but there was a deviation from the plan.

Mr. Nogid described the deviations from the approved plan. The fire pit was moved. The pool is smaller than requested. Gunitite was used on the stairs on top of the boulders. He agreed to move forward with lawn as it was originally planned.

The Commission agreed that work must stop on any item that differs from the plan. A revised plan should be submitted to the Commission for review and approval. This includes the stairs, waterfall, etc.

Andy Engel stepped down at 8:30 PM and John Cody was seated.

The Commission Members will view the site in pairs and will call prior to visiting the site.

NEW BUSINESS

Election of Vice Chairman- tabled

MOTION: To add to the agenda the application of Joseph & Louise Poletto, 83 Hemlock Rd., Construction of Single Family Dwelling, Driveway, Well & Septic System. By Fitch, seconded by Horrigan and passed 5-0.

Joseph & Louise Poletto, 83 Hemlock Road, Construction of Single Family Dwelling, Driveway, Well & Septic System
Brian Neff came forward and reviewed the plan dated 6/20/15 entitled Proposed Site Development Plan. He noted the wetlands in the northeast corner of the property. All site development will be beyond the setback. All construction will be more than 100 feet away from the wetlands. He noted the septic and roof drains on the map and reported that the site has good soil.

MOTION: To approve the application of Joseph & Louise Poletto, 83 Hemlock Rd., Construction of Single Family Dwelling, Driveway, Well & Septic System as a non regulated activity. By Dirienzo, seconded by Fitch and passed 5-0.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:50 PM, by Horrigan, seconded by Dirienzo and carried unanimously.

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.



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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ROXBURY INLAND WETLANDS COMMISSION SHOW CAUSE HEARING JULY 9, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Dirienzo, Mr. Horrigan, Mr. Engel, Mr. Cody & Ms. Fitch

Others Present: WEO Gary Coburn, Mr. Neff, Mr. Sabin, Mr. & Mrs. Nogid, Mr. & Mrs. Schoenholtz, Attorney Greg Cava, Mark Lowe, John Yurk & members of the public.

SEATING OF MEMBERS

Chairman Dirienzo seated members Fitch, Horrigan, and Engel. Mr. Cody was seated for Mr. Smoliga.

Chairman Dirienzo read the following:

The purpose of the hearing is to Show Cause why a Cease & Desist Order issued July 2, 2015 to Mark Nogid of 53 Southbury Road for potentially regulated activities at 53 Southbury Road related to an application for an inground pool should not remain in effect.

The history of this matter was reviewed. In July 2014 large amounts of trees were removed from the wetlands buffer without a permit causing a NoV to be issued. On 8/27/14 an after-the-fact permit and mitigation plan was submitted. In November 2014 the NoV was lifted. In October 2014 an application for a pool to be outside of the regulated area was submitted and approved as a nonregulated activity based upon the plan presented by Dirk Sabin. In June 2015 the WEO received a complaint and the Commission found that work was being performed outside of the scope of the permit. Mr. Nogid agreed to discontinue unpermitted work; however, upon follow-up inspection it was found that work had continued. A Cease and Desist Order was hand delivered by the WEO and a Trooper as witness.

Chairman Dirienzo explained that this Commission has a history of trying to work with the public and respect property rights; however, they are committed to follow the wetland regulations. The Commission rarely issues a Cease and Desist. This is done only when it is felt a situation is out of control.

This hearing is to collect information so that the Commission can answer the questions of whether there has been a violation to the permit issued and whether there is a potential impact on the pond.

Peter and Nancy Schoenholtz of 38 South St. came forward requesting to become interveners. They are adjacent property owners and feel what has occurred may have a direct impact upon their property.

MOTION: To accept Peter and Nancy Schoenholtz as interveners in the matter of Mark Nogid of 53 Southbury Road for potentially regulated activities at 53 Southbury Road related to an application for an inground pool. By Horrigan, seconded by Engel and carried unanimously.

Mark Nogid reported that his expert witness has advised that there has been no impact on the wetlands. Mr. Nogid explained that this is tricky terrain and his ultimate intention is to comply with the regulations.

Brian Neff, professional engineer, came forward as Mr. Nogid's expert witness and presented an as-built survey entitled Zoning Location Survey dated July 2015. He explained that some work was found to be within the regulated area. He presented an after-the-fact application and fee.

Mr. Neff reported that he found erosion control deficiencies; however, no impact was found to the wetlands. A letter dated 7/9/15 regarding his inspection and drainage recommendations was read aloud. Mr. Neff advised that there would be no increase in runoff to the pond with the proposed 80 foot long drainage system added. He confirmed for Mr. Horrigan that this would be for a 25 year storm.

Mr. Dirienzo read aloud the minutes involving the pool application and approval noting it was presented as being outside of the regulated area.

Peter Schoenholtz voiced his concerns regarding the mass of shotcrete applied to the slope. He questioned whether it had been properly installed, the runoff created by this mass, and whether it will dissolve and erode and release chemicals into the runoff.

Mr. Neff noted that a rebar grid was used and that shotcrete is like concrete once it is cured. He is not sure regarding the chemicals released; however, he recommends a full drainage system. Mr. Schoenholtz understands that the soil under shotcrete should be prepared and he did not see any filtration under the area. Mr. Neff noted that he has not looked at that issue specifically. There are boulders under that area acting as a retaining wall. He did not see any problems during his initial inspection.

Mr. Dirienzo explained that there can be a high PH in the runoff if the area was not properly prepared. He recommended that the PH in the runoff be tested. He also requested that an expert confirm that the site was properly prepared. A gunited hillside was not part of the approved plan. The approval was for a pool outside of the buffer and the pool was installed within the buffer. False information was submitted to this Commission and no information was provided regarding the shotcrete on the plans that were submitted.

Mr. Horrigan noted that he would like to know the effect of from heaves and breaks will have on that hillside.

Dirk Sabin disputed the fact that false information was submitted; however, agreed that the plan submitted was for activity outside of the buffer and the activity was performed within the buffer area. Mr. Dirienzo explained that if he had been given that information he would not have voted to approve the proposal.

Dirk Sabin confirmed that the mitigation plantings are complete with the exception of the 50 sweet fir which were not available. Mr. Nogid noted that they could not complete the lawn and plantings because a stop work was issued.

The plan submitted by Dirk Sabin dated 10/22/14 was reviewed and it was noted that the proposed lawn path is now a slab. Gary Coburn reported on his observations noting that the spa and fire pit are now in different locations than what was approved. Ms. Fitch noted that the patio and stairs on the as-built are not in the same location as the approved plan where this area was approved as a lawn path. The stairs are much larger than approved and covered with concrete.

Mr. Nogid described the lawn areas. Ms. Fitch noted that the lawn that was proposed is now concrete on the as-built. Mr. Nogid noted that he spoke with multiple people in the town departments. He will go to court about this matter.

Mr. Dirienzo noted that he would like to see the original plan done and everything else removed. Mr. Nogid advised that this will create much more damage to the wetlands. Mr. Dirienzo requested a biological study. Mr. Horrigan requested that an independent consultant be hired.

Mr. Nogid noted that this site will be beautiful. It is tricky terrain and he cannot do anything if you don't let him finish. He explained that he is trying to do the right thing.

It was noted that the engineer advised that control of this site needs to be regained by putting in drainage. Mr. Engel explained that the fact alone that the pool was moved to within the buffer shows cause for the cease and desist.

Dirk Sabin agreed to obtain storm water testing. A gunit specialist will be consulted. Mr. Neff will further inspect

the site and provide runoff calculations. Mr. Engel requested that expert confirmation be sought that the pool has no wetlands impact.

Mr. Nogid requested that the Commission accept the after-the-fact application. Mr. Dirienzo explained that what is built is not close to what was approved. Someone needs to prove this has no impact. Mr. Engel agreed. Ms. Fitch reminded the Commission that they worked with Mr. Nogid after the first violation. What took place here is very different from the plan.

The group reviewed the IWC approved plan by Dirk Sabin's to the plan that was said to be submitted and approved by the Building Department and found differences. It was noted that the IWC never saw the plan that the Building Department approved per Mr. Sabin. Mr. Sabin advised that the two plans are not largely different. The as-built was reviewed and in comparison was found to be greatly different from either of Mr. Sabin's plans.

MOTION: To continue Cease & Desist Order issued July 2, 2015 to Mark Nogid of 53 Southbury Road for potentially regulated activities at 53 Southbury Road related to an application for an inground pool for further information to be submitted and reviewed at the 7/28/15 IWC meeting. Motion by Engel, seconded by Horrigan and carried unanimously.

The Commission clarified that the work on the house, garage, and septic are not included as part of this cease and desist. Mr. Nogid insisted that the Commission accept the new application for the after-the-fact work. Mr. Dirienzo explained that the Commission is here to work on the matter in front of them and this should be submitted to the LUO and not during a C&D hearing.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:45 PM by Horrigan, seconded by Engel and carried unanimously.

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.



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING JULY 28, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Dirienzo, Mr. Smoliga, Mr. Horrigan, Mr. Engel, Mr. Cody and Ms. Fitch

Others Present: ZEO Gary Coburn, Mr. Neff, Mr. & Mrs. Nogid, Mr. & Mrs. Schoenholtz, Nanette Falkenberg, Greg Cava, Mark Lowe, Brian Neff, Dirk Sabin, Mike Simon and members of the public.

SEATING OF MEMBERS

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

APPROVAL OF MINUTES:

Regular Meeting - June 23, 2015

MOTION: To approve of the minutes of the 6/23/15 Regular meeting as written. By Horrigan, seconded by Fitch and passed 4-0-1. Engel abstained.

Show Cause Hearing - July 9, 2015

MOTION: To approve of the minutes of the 7/9/15 Show Cause Hearing. By Engel, seconded by Horrigan.

Discussion: Mr. Horrigan clarified what he had said on page 2; "he would be concerned with the damage by frost if the shotcrete was not installed with adequate drainage". Motion passed 5-0.

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

Revised IWWC application to include Stormwater Discharge

Chairman Dirienzo discussed the change to the Regulations regarding stormwater discharge. The Commission reviewed and accepted the revised IWWC application.

WEO REPORT

The letter dated 7/8/15 regarding the lifting of the NOV on Good Hill Rd was distributed and read.

Mr. Dirienzo confirmed for Gary Coburn that the McCourt pond is being dredged and the valve must be found and plugged. The fish have been moved from the pond while this work is being done. He agreed to notify Gary Coburn once the valve is located.

Mr. Coburn reported that both the Martinelli and Carlson sites look good. A barn is being built on the Krett property. There has been no runoff from the property onto the road. Gary Coburn reviewed the WEO report with the Commission.

Mr. Coburn reported that the fence at 35 Minor Bridge Road that extended down river was not allowed. He advised the caretaker to remove it and if owner wanted to rebuild, he needed a wetlands permit. A follow-up visit found fence was rebuilt. He will issue an NOV.

OLD BUSINESS

Nogid - 53 Southbury Road - Cease & Desist

A proposal dated 7/21/15 by Steve Trinkaus for an engineering review of this site was distributed and reviewed by the Commission. It was agreed that this proposal meets the scope of work required. Clarification was made that the \$4,250 fee for these services would be paid for by the applicant per the IW Regulations. Mr. Nogid confirmed that he has received a copy of this proposal.

Mr. Nogid questioned why Russ Dirienzo viewed the site from the neighboring property; however, has not yet visited 53 Southbury Road to do a site inspection. It was confirmed that Commission members John Cody, Rob Horrigan and John Smoliga have visited 53 Southbury Road regarding this matter. Russell Dirienzo agreed to visit as well per Mr. Nogid's request.

MOTION: To retain the services of Trinkaus Engineering, LLC for 53 Southbury Rd. as outlined in 7/21/15 proposal. The property owners are to be responsible for the fee for these services as per the IWWC Regulations. By Engel, seconded by Dirienzo and carried unanimously.

Dirk Sabin came forward with plans entitled Planting Recommendations dated 7/28/15. Brian Neff noted that a water sampling has been taken for analysis to be used as a baseline. The buffer planting was discussed. Mr. Engel questioned the effect of the concrete remaining under the planting. Mr. Sabin explained that this would drain through the boulder wall. He clarified that this is not a retaining wall, but merely a veneer on concrete. The Commission agreed that they would like Steve Trinkaus' input regarding this plan.

Mr. Nogid noted his frustration that this was not necessary as he has presented a full plan. Mrs. Nogid asked that Nancy Schoenholtz be removed as she feels she has a huge influence on this matter. Mr. Dirienzo explained that the public can be present at Commission meetings. Also, the Schoenholtz's are interveners and have a right to review the plans presented. He explained that no influence exists and that this Commission has a long history of doing the right thing.

Mr. Nogid asked that the Commission make their best efforts to expedite this matter. Mr. Dirienzo explained that the Commission will listen to what the experts have to say.

Mr. Neff discusses the drainage plan on the site and measures required to handle runoff. He noted that they will be open to consider rain gardens and will incorporate any other suggestions by Mr. Trinkaus. He clarified that the current proposal is for a 25 year storm. The Commission agreed that given the amount of slope it may be best to design a plan for a 50 year storm.

Chairman Dirienzo explained that a special meeting can be scheduled to expedite this matter if it is felt that all the information could be available. Brian Neff advised that the one month until the next meeting would make sense as the appropriate amount of time needed.

Peter Schoenholtz questioned whether the structural integrity of the slope is being examined. It was confirmed that the engineer being hired will review this as well.

Gary Coburn noted that a new application had been submitted to go along with the plans being presented. Ms. Fitch asked that it be confirmed that the final plan presented include all past and present activity as there has been some variation of plans submitted throughout this process. Mr. Sabin and Mr. Neff confirmed that there will be one final plan that will include everything once Mr. Trinkaus' input has been provided.

Mr. Nogid stated that 90% of the vegetation is complete. Mr. Dirienzo explained the plan is nowhere near what was approved and the engineer reported at the last meeting that the erosion control had not been in place. This was disputed by Mr. Nogid.

The new application received in the LUO on 7/10/15 with an after-the-fact fee was acknowledged. The Commission accepted this application on this date of 7/28/15. The application along with the Cease and Desist Order will go forward to the August meeting of the IWWC.

The members agreed that they did not find a significant effect on the public in the activity to warrant holding a public hearing; however, it was noted that a public hearing can be requested by members of the public.

Mr. Horrigan questioned the environmental impact of this activity. It was agreed that Steve Trinkaus would be asked whether he could review this as well for the Commission.

NEW BUSINESS

Adams - 152 South Street - Permit extension request for Box Culvert Project

Chairman Dirienzo explained that the applicant is requesting an extension of their permit to expire 9/25/15.

MOTION: To grant the request of Adams - 152 South Street - Permit extension request for Box Culvert Project. By Dirienzo, seconded by Horrigan and carried unanimously.

Mygatt - Ranney Hill (Map 19 - Lot 60) - Single - family dwelling

Mike Simon came forward with a plan entitled Simon Residence dated 7/22/15 and noted that the proposed structure is 60 feet from the wetlands. He would like to keep as many trees on the site as possible. The structure will be situated parallel with the wetlands. He agreed to stake the site and flag the wetlands.

Smoliga and Fitch agreed to view the site.

Petrus / Tener - 17 Baker Road - Driveway improvements

Brian Neff came forward and presented a Driveway Improvement Plan dated 7/21/15. He reviewed the proposal to add a catch basin and silt basin to stop the current erosion on the property.

Horrigan and Fitch agreed to view the site.

PENDING REVIEW/FOLLOW-UP

- McCourt – 262 Painter Hill Road – Dam – Follow-up inspection
- Martinelli – 31 Weller’s Bridge – Clearing in wetlands - Spring inspection - Closed
- Krett – 15 Welton – Road drainage issues – Spring inspection- Closed
- Nogid - 53 Southbury Road – Remediation plan - Spring inspection- See C&D
- Hurlburt Preserve - Boardwalk in wetlands

ELECTION OF VICE CHAIRMAN

Dirienzo nominated Andy Engel as Vice Chairman of the IWWC. The nomination was seconded by Smoliga.

MOTION: To close nominations for IWWC Vice Chairman. By Dirienzo, seconded by Smoliga and carried unanimously.

MOTION: To elect Andy Engel as IWWC Vice Chairman. By Dirienzo, seconded by Smoliga and carried unanimously.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:25 PM, by Horrigan, seconded by Engel and carried unanimously.

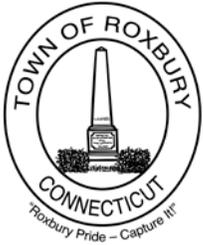
Respectfully submitted,

Tai 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



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ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING AUGUST 25, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Dirienzo, Mr. Horrigan, Mr. Engel, Mr. Cody and Ms. Fitch

Others Present: WEO Gary Coburn, Steve Trinkaus, Mr. Nogid, Mr. DiVesta, Mr. Baker, Mr. Neff, Mr. & Mrs. Schoenholtz, Mark Lowe, Dirk Sabin, and a member of the press.

SEATING OF MEMBERS

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

APPROVAL OF MINUTES

Regular Meeting - July 28, 2015

MOTION: To approve of the minutes of the 7/28/15 Regular meeting as written. By Engel, seconded by Horrigan and passed 5-0.

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

DEEP Newsletter

OLD BUSINESS

Nogid - 53 Southbury Road - Cease & Desist

A letter dated 8/21/15 from Trinkaus Engineering, LLC to the Inland Wetlands Commission regarding 53 Southbury Rd. was distributed. Steve Trinkaus came forward and reported on his site review. He advised that the retaining walls are his biggest concern and noted that they will not stay in place due to the way the rocks are placed. He distributed photos of the wall and advised that this is not a stable situation. Mr. Trinkaus added that the shotcrete on the ledge for the waterfall feature will crack and come down over time. Water quality is a concern due to the nitrogen and phosphorus from the impervious surface. The result of this will be increased aquatic vegetation in the pond.

Mr. Trinkaus recommended a comprehensive plan involving the retaining wall and drainage under the shotcrete. He noted that the future tennis court should be considered as part of the comprehensive plan. Mr. Trinkaus confirmed for Mr. Dirienzo that shotcrete has a high pH level and if the wall gives way, the rocks and shotcrete will end up in the pond. He also confirmed that the shotcrete will likely start cracking after the winter freeze.

Chairman Dirienzo reminded the Commission that the approved plan was not within 100 feet of the wetland, did not include the retaining wall and shotcrete. Therefore, the approved plan would have not had these issues.

Mr. Neff reported that he is working on a plan and suggested subsurface drains. Steve Trinkaus explained that there would be no water quality benefits to this. He advised that a bioretention LID system built for less than a 50 year storm would not be a concern.

Chairman Dirienzo explored the options for action with the Commission. He explained that the active permit has

been violated because it was built closer to the pond than approved and the shotcrete coverage was not part of the plan. The permit can be revoked. A second after-the-fact application has been submitted for the plan as built. It was confirmed for Dirk Sabin that an option can be to extend the C&D on the original plan and allow time to make remediation revisions.

Andy Engel asked Steve Trinkaus to discuss the boulder wall remediation options. He suggested that a new wall be built in front of the existing structure to be tied into the original wall. He explained that this would mean there would be more activity within the upland review area.

Rob Horrigan inquired upon the drainage solution options for the shotcrete. Steve Trinkaus advised that the shotcrete would have to be removed and drainage added behind the area.

Mark Lowe explained that he built the retaining wall and reported that there is a flat platform that it is built upon. He said that the wall will never move. It was built the correct way as described by Mr. Trinkaus. It only looks the way it does because Mr. Nogid wanted it done quickly.

Mr. Nogid noted that two-thirds of the area is not finished. The base is to be covered with blue stone or marble; therefore, the issue with the cracking will not happen. He would like to work with the Commission. He has slope experts that say it is fine. Russell Dirienzo encouraged Mr. Nogid to have his licensed slope experts submit reports to the Commission advising that the site is stable.

Steve Trinkaus noted that the activity that occurred was not designed by a PE. It was designed in the field. The balance of the unfinished activity will go more into the upland area.

Sue Fitch questioned whether the original violation regarding the removal of the trees was reviewed. Steve Trinkaus confirmed that the removal of the trees and vegetation did increase runoff. Dirk Sabin noted that a planting plan was approved as part of the restoration for this violation. John Cody reminded the group that the remediation for the first violation is incomplete as the sweet ferns have not yet been planted, the second violation is the encroachment and this are moving onto a third violation.

Russell Dirienzo explained that the Commission accepted the remediation and mitigation plans for the first violation and he feels the Commission gave a permit for a good plan. He would never have approved the activity that was performed. The shotcrete will require removal to add drainage. The Commission can consider licensed experts that Mr. Nogid brings forward who attest this is not needed and will be professionally responsible if the shotcrete fails. He feels the applicant should go back to the original plan because the new plan is closer to the pond, there is a massive area of shotcrete, the stairs are larger than shown on the original plan and the retaining wall may be a violation of the State Code for not being designed by a PE.

Mr. Dirienzo noted that the original application currently is under a C&D Order. The new after-the-fact application was accepted and there is a timeline for the Commission to act upon. The Commission should consider if a feasible and prudent alternative exists.

Andy Engle suggested that the Commission let the C&D stand and make a decision at the next meeting regarding the second after-the-fact application. This will allow Mr. Nogid's experts more time to submit alternative designs.

MOTION: To continue the Cease & Desist Hearing for Nogid- 53 Southbury Road to allow the applicant time to present proper and licensed expert opinion regarding the structural stability of the slope and whether drainage is required to preserve water quality. By Dirienzo, seconded by Engel and carried unanimously.

The new application can run concurrent with the C&D. It was requested that a lighting plan and the steps be included on a 1 to 20 scale plan for this application. The Commission clarified that this is not guarantee that the second plan will be approved. The Commission may require that the previously approved plan be completed.

Petrus / Tener - 17 Baker Road - Driveway improvements

Brian Neff came forward with the 7/21/15 Drive Improvement Plan and reiterated the proposal. Rob Horrigan

reported on his site visit and agreed that this is a good improvement. Currently silt is running down a gully and getting into brook.

MOTION: To approve the application of Petrus / Tener - 17 Baker Road - Driveway improvements as a regulated activity. By Fitch, seconded by Horrigan and carried unanimously.

NEW BUSINESS

Grigorian - 69 Tophet Road - Guest House Addition

Brian Baker came forward with a map entitled Sub Surface Sewage Disposal dated July 2, 2015 and reviewed the proposal for a walk-out two floor guest house. He explained that the septic has been approved; however, there are no plans to install it at this time. Any increase from runoff will be from the small driveway pull-off and roof runoff which will be infiltrated. The plan includes 3300 square feet of upland disturbance. Approximately three feet of material will be removed.

Andy Engel and John Cody agreed to view the site. The four corners of the house and infiltrators will be staked. The wetland will be reflagged. Brian Baker will call the Land Use Office once the site is flagged.

Kovac/DiVesta – Moosehorn Road & Forest Farm Drive – Proposed Conservation Easement on three lots

Rob Horrigan stepped down for this application.

Doug DiVesta came forward with a plan dated 8/20/15 entitled Proposed Conservation Easement and explained that this plan is needed to develop a value of the land for tax purposes. The plan is to give this property to the Land Trust as a conservation easement. Mr. DiVesta reviewed the plan for a three lot subdivision noting that the IWC approved a crossing with a bridge in 2006 to access one of the house sites. The only regulated area within the subdivision is a small section of the house and the bridge crossing on this site.

MOTION: To accept the concept for Kovac/DiVesta – Moosehorn Road & Forest Farm Drive – Proposed Conservation Easement on three lots. By Dirienzo, seconded by Engel and carried 4-0. Horrigan recused.

Mr. Horrigan was reseated.

WEO REPORT - PENDING REVIEW/FOLLOW-UP

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

Gary Coburn noted that he observed some scouring under the cement. Russell Dirienzo reported that the Woodbury Inland Wetland Commission recommended trap rock in this area. He understands this has been completed. They will now regrade and refill the pond. Gary Coburn reported that the Fire Marshal will be approaching the McCourts regarding a dry hydrant. Russell Dirienzo confirmed that an IWC permit will be required for a dry hydrant.

Nogid – 53 Southbury Road

Remediation plan - Spring Inspection - see above

Hurlburt Preserve – Boardwalk in wetlands

Gary Coburn reported that this activity is complete. Final documents will be forwarded to the Land Use Office upon their availability.

Krett – 15 Welton Road – Road drainage issue

Gary Coburn reported that upon his inspection he found that the road had been scoured out by the culvert. Russ Dirienzo confirmed that an application for a permit should be submitted by the Town if new drainage is added within 100 feet of a wetlands.

Feder – 35 Minor Bridge Road

Gary Coburn reported that he has not yet had an opportunity to issue a NoV regarding the fence extending down to the river which was not allowed. He expects to have this available within the week.

Rob Horrigan discussed the stone walls approved on the Booth property on Old Roxbury Road that should have breaks in the walls. He noted that pipes are being installed and the stream has been compromised. Gary Coburn agreed to view the site.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:55 PM, by Horrigan, seconded by Engel and carried unanimously.

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



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING SEPTEMBER 22, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Dirienzo, Mr. Horrigan, Mr. Engel, Mr. Cody, Mr. Smoliga and Ms. Fitch

Others Present: Rose Garbien, WEO Gary Coburn, Mr. Nogid, Mr. Wolff, Mr. Baker, Mr. Neff, Dirk Sabin & Mr. La Fosse.

SEATING OF MEMBERS

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

APPROVAL OF MINUTES:

Regular Meeting - August 25, 2015

Page 2, 7th paragraph- the word "are" should be replaced with "is".

Page 3, 5th paragraph- correction "three hundred square feet"

MOTION: To approve of the minutes of the 8/25/15 Regular meeting as amended. By Fitch, seconded by Engel and passed 4-0-1. Smoliga abstained

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

DEEP Soils Workshop

Chairman Dirienzo noted that information regarding this workshop has been included in the members' packets.

OLD BUSINESS

Nogid- 53 Southbury Road - Cease & Desist

Chairman Dirienzo reviewed the discussion regarding this matter at the last meeting and the history of this file. Dirk Sabin came forward with a series of plans that were previously submitted including the mitigation for tree clearing, the pool plans, the subsequent pool plans, pool plans submitted to the Building Dept., an as-built and a plan submitted after the show cause hearing showing mitigation. Additionally, Mr. Sabin submitted photos of the site for the record.

Mr. Sabin explained that tonight Brian Neff will submit a comprehensive drainage plan and a response from Mr. Nogid's expert regarding the structural engineering on the site will be provided. It was confirmed that the Commission's expert, Steve Trinkaus, has not had an opportunity to review Mr. Neff's plans; however, his recommendations were taken into account. Additionally, Steve Trinkaus has not yet received a copy of Mr. Nogid's expert's report regarding the structural engineering on the site.

Ulrich La Fosse, Geo Tech Engineer and Cofounder of Geo Design came forward and reported that he met with Mr. Nogid and Mark Lowe on August 27th regarding the wall in question. Mr. Lowe and Mr. Nogid described for him how the wall was built and Mr. Lowe provided a sketch. Mr. La Fosse reviewed how he came to the conclusion that the wall is stable. He submitted a report dated 9/21/15 for the record entitled Stability Analysis of Boulder Wall and Geotechnical Recommendations. Mr. La Fosse offered to provide his resume for the record. Based upon the information provided, Mr. La Fosse examined sliding, overturning and, barring calculations and found the wall is

stable and has plenty of reserve or excess capacity. Mr. La Fosse noted how the shotcrete was described to be fastened. Photos of the site during construction were reviewed to confirm the description of how the wall was built.

Mr. La Fosse reviewed his three long term recommendations including a drain behind the pool so ground water will not accumulate, microdrains to prevent water from building up behind the shotcrete and slope protection in the form of boulders in the sections that are steeper than 2 to 1. He noted that planting can happen in between these boulders. He currently views the site as absolutely stable. He demonstrated what the step lights would look like. He explained that the shotcrete is providing protection to the ground from erosion. He advised that the shotcrete will actually help the ground overtime.

Mr. La Fosse advised that Brian Neff will speak regarding water quality. Brian Neff came forward and presented plans dated 9/10/15 entitled Drainage and Erosion Control. He described the three rain gardens that are proposed. The plans include erosion control requirements and construction sequence as requested by Mr. Trinkaus. The group agreed that a weekly site inspection would be performed by Brian Neff. The plans have been e-mailed to Steve Trinkaus and Mr. Neff is prepared to work with him regarding his recommendations for this plan.

Chairman Dirienzo looked to the Commission for their thoughts. The Commission agreed that they would like to hear Mr. Trinkaus' opinion. Mr. Nogid asked for a decision tonight. Chairman Dirienzo thanked Mr. Nogid for hiring a highly qualified professional. He noted that he does not like that this was done without the permit and preferred the original plan because it was a better feasible and prudent alternative. The Commission was put in a position where it approved a plan and it was not followed and the Commission has the right to have their expert review this proposal.

Mr. Cody discussed Mr. La Fosse's description of how the shotcrete had been pinned to the site; however, Mr. La Fosse was not present during construction. Mr. Cody found that the rebar fastening of shotcrete was not the case during his site inspections at the time of construction. He referred to photos taken by him at that time in the record. Mr. Nogid clarified that the rebar was pinned to the waterfall and that the comment was only about the waterfall. Mr. La Fosse stated that he did not see the photos from the record. Mr. Nogid described the rebar as tied in around the rock at the waterfall and explained that Mr. Cody is referring to a different area. Mr. Dirienzo clarified that Geo Design will be liable if the wall comes down and he has stated that his expert opinion was based upon information provided by the property owner and his own field inspection.

Mr. Dirienzo explained that one of Steve Trinkaus' main concerns was that the water will get under the shotcrete and freeze. Mr. La Fosse noted that this is why he recommends the series of weep drains to prevent this from occurring.

John Cody reiterated what he observed during his site visit does not correspond with what the owner has reported to his expert.

The group agreed that it is best to wait for Steve Trinkaus' opinion. Mr. Nogid advised that this work must be completed before the next meeting.

A motion was made by Russell Dirienzo to withdraw the initial permit that was not followed. This motion was withdrawn as the Commission agreed the first permit should remain in effect with the C&D.

It was noted that the after-the-fact application needs a decision tonight. The Commission determined that there was not enough information before them to make a decision. Mr. Nogid submitted for the record a 30 day extension for the after-the-fact application.

Grigorian - 69 Tophet Road - Guest House Addition

Brian Baker came forward with a map entitled Sub Surface Sewage Disposal dated July 2, 2015. He confirmed that the septic tie-in approval was obtained.

Andy Engel and John Cody reported on their site inspections. Brian Baker agreed to submit bi-weekly inspection

reports on this activity to the Land Use Office.

MOTION: To approve the application of Grigorian - 69 Tophet Road - Guest House Addition as a regulated activity subject to a professional engineer's inspection on a biweekly basis. By Engel, seconded by Horrigan and carried unanimously.

NEW BUSINESS

Feder – 35 Minor Bridge Road – Notice of Violation – Fence in regulated area

WEO Gary Coburn reported that he issued a NoV regarding this fence in a regulated area. He received a call from Mr. Feder from Florida who advised he could not be present tonight. He e-mailed an application and sent a sketch of the fence; however, the application fee was not included. Mr. Feder noted that the fence was there before he purchased the property in 2008. Mr. Coburn reported that the fence came down during winter event and at that time Mr. Feder was advised that an application should be submitted to replace the fence; however, he did not submit an application.

The Commission members questioned the purpose of the fence. Mr. Coburn reported that the applicant uses the fence to keep people off his property as he has security concerns. Gary Coburn noted that his main concern is that the fence will become detached and will end up down river.

MOTION: To deny the application of Feder – 35 Minor Bridge Road – Notice of Violation – Fence in regulated area for the reasons that this is a regulated activity, there is lack of information, and the after-the-fact permit fee was not paid. Motion by Dirienzo, seconded by Engel and carried unanimously.

The Notice of Violation should remain in effect. The Commission urges Mr. Feder to not to have a fence in a flood plain. If the fence is not removed in 30 days Mr. Feder will be fined \$1,000 per day. His option is to submit completed application within 30 days with a survey of the fence, showing flood plain elevations and if the fence is found to be within the flood plain a State permit from the DEEP will also be required.

Demann – 35 Schoolhouse Road – Replace septic system and install pool

Brian Neff came forward with plans entitled Septic System Replacement Plan dated 9/17/15. He advised that the septic system is out of date so the application would like to replace it at the same time they plan to install a pool. The location for the pool was chosen because it is level area. The site has been staked for members to do a site inspection.

MOTION: To add to the agenda Vasileff - 2 Squire Rd. Motion by Dirienzo, seconded by Engel and carried unanimously.

Vasileff - 2 Squire Road

Ron Wolff came forward and noted that this is the house that burned down on 2 Squire Rd. He presented a plan entitled Subsurface Sewage Disposal Plan and noted that there are no wetlands on the site.

The members noted that this site has had problems with washout from the driveway since the house burned down and suggested that a drainage plan be submitted. Mr. Wolff explained that the applicant has no plans to build at this time, but would like an approval to maintain the lot for zoning purposes.

The Commission requested that a driveway drainage plan and a plan showing roof drains to infiltrators be submitted.

Election of Deputy Wetlands Enforcement Officer

Chairman Dirienzo explained that the Commission cannot appoint John Cody as a Deputy Wetlands Enforcement Officer if he is still on this Commission. As a member of the IWWC Mr. Cody can be trained and can go out to sites acting as an agent for this Commission.

PENDING REVIEW/FOLLOW-UP

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

Russell Dirienzo reported that this project is complete. Gary Coburn noted that he is waiting on notice that the valve was found and fixed to close out this file.

Nogid – 53 Southbury Road

Remediation plan - Spring Inspection - see above

Hurlburt Preserve – Boardwalk in wetlands

Gary Coburn explained that he is waiting on notice from the Land Trust to close this file.

Krett – 15 Welton – Road drainage issue

Gary Coburn reported that Barbara Henry is working on resolving this matter.

WEO REPORT

Gary Coburn reported that the Town installed drainage and a box culvert today on Transylvania Road. No permit was issued for this activity. Gary Coburn agreed to stress the need for a permit before road drainage is done by the Town.

Gary Coburn reported that Mr. Noe of Welton Road would like to install a second driveway to access his pool. The driveway will not go through wetland area. The Commission advised that nothing would be required from this Commission for this activity.

Gary Coburn presented photos of the Booth wall project which was approved by this Commission with natural openings. The photos show that as the wall gets further from the house the natural openings are replaced with piped openings. Rob Horrigan reported that a pristine wetland on Old Roxbury Road has been disturbed due to this project. The Commission noted that this project is beyond what the permit allows for. The applicant should stop work and stabilize immediately.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:11 PM by Horrigan, seconded by Fitch and carried unanimously.

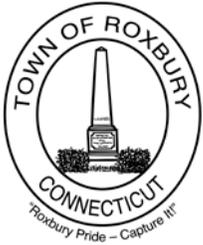
Respectfully submitted,

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



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING OCTOBER 27, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Dirienzo, Mr. Horrigan, Mr. Engel, Mr. Cody, Mr. Smoliga, Ms. Krantz and Ms. Fitch

Others Present: Attorney Gail McTaggart, WEO Gary Coburn, Mr. Trinkaus, Mr. Nogid, Mr. & Mrs. Schoenholtz, Mr. Microchine, Mr. Loya, Mr. Neff, Dirk Sabin, Mr. La Fosse, and Attorney James Kelly.

SEATING OF MEMBERS

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

APPROVAL OF MINUTES:

Regular Meeting - September 22, 2015

MOTION: To approve of the minutes of the 9/22/15 Regular meeting. By Engel, seconded by Fitch and carried unanimously 5-0.

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

N/A

OLD BUSINESS

Nogid - 53 Southbury Road - Cease & Desist

Chairman Dirienzo reviewed the history of this matter and reminded the Commission of their duty regarding impact to the wetlands. He noted that the Town Attorney Gail McTaggart is present to answer the questions of the Commissioners. She advised that the timeframe to schedule a public hearing has not passed. Mr. Dirienzo noted that other owners along the lake have now expressed an interest in this matter. The Commissioners agreed that they did not find the need for a public hearing.

Steve Trinkaus reviewed his letter dated 10/28/15 regarding the review of Brian Neff's plan and Geo Design's letters dated 9/21/15 and 10/22/15. He accepts the geotechnical professional engineer's testimony that the walls are stable and will hold up over time. He expressed concerns with the drainage with regard to the shotcrete for the waterfall. He feels it is unknown if the shotcrete will crack over time; however, he does not believe it would have much impact on the wetlands if it fails.

Mr. Dirienzo asked Mr. Trinkaus what impact the plan that was implemented has on the wetlands versus the plan that the Commission approved. Mr. Trinkaus explained that this plan creates a higher pollutant load. Proper conveyance to the rain gardens can alleviate this. The second issue is the clearing of the wooded slope, which will increase the temperature of the water. Additional planting of trees would minimize the thermal impact.

John Smoliga noted Mr. Trinkaus' concerns with the constructions of the rain gardens. To address these concerns, the conditions included in his response letter should be conditions of approval. Infiltration tests should be done and if it does not meet the DEEP standards, another location must be found. He explained that Mr. Neff is professionally responsible to see to it that his engineered design is working properly.

Mr. Horrigan asked Mr. Trinkaus' opinion regarding an engineer approving soils and designs that cannot be visibly verified. Mr. Trinkaus advised that he would not be comfortable with that.

Dirk Sabin came forward with a plan dated 10/26/15 and reviewed how the stone slab steps coming off the gunitite will go toward the lakefront. He confirmed nothing will go beyond the boulder walls and there will be no change to the path to the lake. He reviewed the vegetation plan. The wall that will be manipulated is the southern wall. There will be 8 - 9 feet of activity beyond the rain garden. Machine access will be above the wall.

Attorney James Kelly representing Mr. Nogid noted that on the pond side there are three additional silt fences, which are all in good shape. He confirmed that the site is not lacking in silt fences. Dirk Sabin confirmed that the area is very vegetated.

Mr. LaFosse came forward and Rob Horrigan questioned his comfortability level of accepting professional responsibility for this site based upon information provided by owner and contractor. Mr. LaFosse advised that he is very comfortable with putting his professional seal on this site plan based on the information provided by Mr. Nogid and Mr. Lowe. He reviewed photos and sketches and found them consistent with his observations.

John Cody asked Dirk Sabin about the existing stairway. Dirk Sabin advised that the existing stairs are 30 feet and would be downsized to 5' and covered over without breaking up the concrete. He has no concerns that the soil will erode with planting.

Mr. Sabin addressed Mr. Trinkaus' previous concerns regarding the increased temperature of the water by noting that trees have been planted for the previous remediation. The group reviewed the approved restoration plan dated 10/22/14 and Mr. Sabin advised that overtime this will be a very good buffer to the pond. Mr. Horrigan questioned if there should be more trees planted due to the cumulative disturbance on this site. Mr. Sabin explained that he does not feel additional trees would be significant and stated that he does not feel that there has been any significant impact to the wetlands system. Mr. Dirienzo and Mr. Horrigan agreed that they observed on their site walk that the area is vegetated. However, Mr. Horrigan stated that additional trees, possibly larger trees, should be considered because of the cumulative disturbance to this site.

Attorney Kelly referenced Section 4 of the Inland Wetland Regulations with regard to the incidental use of residential property, which includes landscaping. He noted that the owner has a right to have small shrubs vs. large trees. Chairman Dirienzo explained that shotcreting a hillside is not an incidental use.

Gail McTaggart read the balance of this Section for the record:

Uses incidental to the enjoyment or maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted anywhere in the Town and containing a residence. Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of significant amounts of material from or into a wetland or watercourse, or diversion or alteration of a watercourse.

The number of plans involved in this matter were discussed and it was agreed that they should be consolidated into one engineered site plan so that there is no confusion in the future. Brian Neff will integrate the work from Mr. Sabin's plan into his plan. Mr. LaFosse will sign off on the final plan with regard to his expertise.

Attorney Kelly advised that Mr. Nogid is here to satisfy the Commission's requirements. Mr. Trinkaus has stated that he defers to Mr. Nogid's expert's testimony. A significant accommodation has been made with regard to covering the stairs.

Mr. Trinkaus advised that Brian Neff's combined plan should be at 10 or 20 scale with detailed mapping so there is no question for the town or contractors looking at it. Mr. Sabin requested an administrative approval so work can begin on this site for stabilization.

Mr. Horrigan questioned the lighting plan with regard to the habitat for the wetlands and asked that it be incorporated in the plan. Dirk Sabin confirmed that there will be low lighting and it will be included on the plan.

Mr. Neff confirmed that he will oversee the project as a condition of approval. Mr. Horrigan brought forward the idea of bonding this project. Mr. Kelly noted that a bond would be a perfectly appropriate; however, Mr. Trinkaus has already deferred to Mr. LaFosse's opinion. Attorney Kelly noted that reasonable bond for the completion of the work would be considered. Mr. Sabin suggested a final completion date by Memorial Day next year. He estimated the cost of the project being \$40,000. It was noted that Mr. Trinkaus has not yet received the information regarding the calculations for the sizing of the rain gardens. Brian Neff advised once the data is available he will provide that information to Steve Trinkaus. It was noted that all this information is needed before a final plan can be put together.

Chairman Dirienzo reviewed with the Commission their options. The applicant can grant an extension or this can move forward with an administrative approval which will allow Mr. Trinkaus to review the final plans once they are available.

MOTION: To approve as a regulated activity the application of Nogid- 53 Southbury Rd. contingent upon the following conditions:

- There shall be one plan with a 1-20 inch scale submitted to Steve Trinkaus for his approval.
- There shall be an oversight manager
- There shall be a Professional Engineer that will sign and stamp a letter stating that the plan was built according to the design. If there are any deviations to the plan the PE shall notify the LUO immediately.
- There shall be bond be set in the amount of \$40,000 to assure the work is completed according to the plan by Memorial Day 2016. A 60 day extension is acceptable along as the Commission is notified 30 days prior.
- There shall be an administrative approval by Steve Trinkaus of the water garden design and site plan.
- Steve Trinkaus shall be paid by the applicant in full in accordance with the Town Ordinance
- The WEO shall be notified 5 days prior to work beginning. The WEO is to make regular visits to the site and the applicant agrees to that as part of the condition of approval for this application.

By Dirienzo, seconded by Engel

Discussion: Mr. Horrigan suggested that the applicant be permitted to do the test holes for the rain gardens prior to the 5 day notification. It was agreed that 1 day notice via e-mail for the test holes is sufficient.

Ms. Fitch confirmed that a construction sequence will be part of the final site plan.

Motion carried unanimously 5-0.

The group discussed the Cease & Desist.

MOTION: To lift the C&D for Nogid- 53 Southbury Rd. upon payment of \$1000 fine. By Dirienzo, seconded by Engel and carried unanimously 5-0.

Feder – 35 Minor Bridge Road – Notice of Violation – Fence in regulated area

Gary Coburn came forward and reported that he issued a NoV and spoke with Mr. Feder; however, a receipt of the notification of NoV has not yet been received. Mr. Feder has retained Brian Neff who has assured him that an application will be submitted prior to Nov 4th, which is within the 30 days permitted by this Commission.

Demann – 35 Schoolhouse Road – Replace septic system and install pool

Brian Neff came forward with a plan dated 9/17/15 entitled Septic System Replacement and revised 10/22/15. He noted that the plan has been revised to locate the septic further from the pond. He explained that the middle section of the three foot high stone wall is being removed to be able to see the pond from their house. This will allow them to have a better view without altering the pond itself.

MOTION: To approve as a regulated activity the application of Demann – 35 Schoolhouse Road – Replace septic system and install pool. By Horrigan, seconded by Fitch and carried unanimously 5-0.

NEW BUSINESS

Microchine / 16 Church Street – Extend fence over brook

Aaron Microchine came forward and submitted photos of the site. He explained that he would like to extend the

fence across the brook for privacy. Mr. Dirienzo noted that this can cause a debris issue in the flood plain. Mr. Microchine proposed that the fence be lifted high enough so that debris can flow through underneath.

Ms. Fitch agreed to view the site.

Fish / 104 North Street – Crossing of farm drainage ditch for logging road

Gary Coburn came forward and reported that a complaint was received regarding an excavator digging in the brook. He viewed the site and found that they were not working in the brook. A logging bridge was being built. Chairman Dirienzo explained that although logging is an exempt activity, it is required that the forester review their plan with the Commission to confirm best practices are being used.

MOTION: To approve as an exempt activity the application of Fish / 104 North Street – Crossing of farm drainage ditch for logging road and to assess a \$350 after-the-fact fee. By Dirienzo, seconded by Engel and carried unanimously 5-0.

Shaw / 183 River Road – Single-family dwelling

Brian Neff came forward with a map entitled Proposed Site Development Plan dated 10/1/15 and explained that the applicant would like to use existing house as accessory dwelling and build a new house. The activity proposed within 200 feet of the river. One quarter of the house and the septic system are within the regulated area. The house site is flat area in an open field. The corners of the house are staked

Russell Dirienzo and Rob Horrigan will view site.

Booth / 54 & 75 Old Roxbury Road – Remove invasive species

Brian Neff came forward with a proposal to remove the Japanese Knotweed from the site. He submitted copies of the proposal dated 10/12/15 for the record. Mr. Neff will draw the site plan showing the areas of knotweed and where they extend into the wetlands. It is expected that the project will be complete within 2 weeks. It will involve machine work and hand work in the wetland area. The plan is to remove knotweed, replant the area and monitor over the course of a couple years and remove by hand.

Mr. Dirienzo advised that the plan includes the option of a deep burial on site, which is against the law in CT. He noted that this site has a history of overreaching their approvals and feels this project should be supervised by those who designed this plan.

Mr. Neff agreed with the concept that Mr. DeRosa should supervise and sign-off on this project. Mr. DeRosa will come to the next meeting.

MOTION: To add to the agenda the application of Rose Krantz / 26 Hemlock / Pond Dredging. By Dirienzo, seconded by Smoliga and carried unanimously 5-0.

Rose Krantz / 26 Hemlock Road / Pond Dredging

Drew Loya came forward and explained that they would like to dig out of portion of the pond that is becoming filled in with silt. Gary Coburn reported that Mark Lowe advised to the LUO that some of the material may be deposited in low areas and some may be taken off site. A survey map of the property was reviewed. Russell Dirienzo made note of the pond's dam, which alleviates most concerns.

MOTION: To approve as a maintenance activity the application of Rose Krantz / 26 Hemlock / Pond Dredging.

By Dirienzo, seconded by Smoliga and carried unanimously 5-0.

WEO REPORT

Booth / 75 Old Roxbury Road – Stone Wall

Gary Coburn will follow-up on this next month to confirm the wall is completed. It was reported that the plastic pipes have been removed.

Feder / 35 Minor Bridge Road – Fence issue

Previously discussed.

PENDING REVIEW/FOLLOW UP

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

Mr. Dirienzo advised that the valve was not located; however, the pipe was filled with concrete. This project is complete.

Nogid – 53 Southbury Road – Remediation plan - Spring Inspection

Previously discussed

Hurlburt Preserve – Boardwalk in wetlands

Gary Coburn noted that there is nothing new to report.

Krett – 15 Welton Road – Road drainage issue

Gary Coburn noted that there is nothing new to report.

Grigorian – 69 Tophet Road – Guest House Addition – Biweekly inspections by an engineer

Gary Coburn noted that there is nothing new to report. He is not aware that this project has begun.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:16 PM, by Horrigan, seconded by Fitch and carried unanimously.

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.



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING NOVEMBER 24, 2015

MINUTES

CALL TO ORDER

Chairman Dirienzo called the meeting to order at 7:30 PM.
Members Present: Mr. Dirienzo, Mr. Engel, Mr. Cody, and Ms. Fitch
Others Present: Brian Neff and Michael DeRosa

SEATING OF MEMBERS

Chairman Dirienzo seated members Fitch, Horrigan, and Engel.
John Cody was seated for Rob Horrigan

APPROVAL OF MINUTES

Regular Meeting – October 27, 2015

MOTION: To approve of the minutes of the 10/27/15 Regular meeting. By Engel, seconded by Fitch and carried unanimously 4-0.

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

Schedule of Meeting for 2016

The members reviewed the proposed meeting schedule for 2016 and agreed with the suggestion to meet 12/20/15, which is the 3rd Tuesday in December.

MOTION: To approve the Schedule of Meetings for 2016 with December's meeting being December 20th (3rd Tuesday). By Engel, seconded by Fitch and carried unanimously 4-0.

Election of Officers for 2016

Sue Fitch nominated Russell Dirienzo as Chairman of IWWC for 2016. The nomination was seconded by Andy Engel. Russell Dirienzo nominated Andy Engel as Vice Chairman of the IWWC for 2016. The nomination was seconded by Sue Fitch.

MOTION: To close nominations for 2016 Officers of the IWWC. Motion by Fitch, seconded by Cody and carried unanimously 4-0.

MOTION: To elect the nominated slate of IWWC Officers:

- Chairman Russ Dirienzo
- Vice Chair Andy Engel

Motion by Fitch, seconded by Cody and carried unanimously 4-0.

OLD BUSINESS

Nogid – 53 Southbury Road - Cease & Desist

Chairman Dirienzo reported that the Cease & Desist remains in effect as the necessary requirements to lift it have not yet been received. The Land Use Office has received the return receipt of mailing regarding this matter.

Feder – 35 Minor Bridge Road – Notice of Violation – Fence in regulated area

Chairman Dirienzo noted that a new application was received for this meeting. Ms. Fitch viewed the site and reported that poles were driven into a rock that extends into the river. Brian Neff came forward and reported that polypropylene fencing is being used as a barrier for their property line. Chairman Dirienzo explained that Mr. Feder may own the property; however, the river belongs to the State. Mr. Neff agreed to discuss with the applicant moving the proposed fence line back away from the river.

Microchine / 16 Church Street – Extend fence over brook

Ms. Fitch viewed the site. She noted concerns with putting a fence across the brook. It was noted that the applicant could not be available for this meeting and asked to table this matter until December. Additional members will view the site prior to December's meeting.

Shaw / 183 River Road – Single-family dwelling

Russell Dirienzo reported that he and Rob Horrigan viewed the site. They found that the house could be made smaller to be outside the 200 foot setback; however, their primary concerns were with clear cutting. It was suggested that it be recorded on the land record that no trees shall be cut and no development shall occur within the flood plain.

Brian Neff noted that they might like to limb trees. He agreed to consult with the property owner regarding a way to preserve the area of concern and he will return to the next meeting.

Booth / 54 & 75 Old Roxbury Road – Remove invasive species

Chairman Dirienzo explained that the Commission supports this effort to remove invasive species; however, they would like a qualified environmental professional to oversee this project.

Michael J. DeRosa of DeRosa Environmental Consulting, Inc agreed to oversee and be responsible for this project. Whenever shovel is in the ground either Mr. DeRosa or his staff will be present. He explained that they will burn the invasives. They will work on this project over the course of the winter and plant native desirables in spring. This is something that will be a long term maintenance commitment.

MOTION: To approve as a regulated activity contingent upon the project being directly supervised by a professional wetlands scientist or professional engineer. That professional's name must be submitted to the Land Use Office prior to the start of work. Motion by Dirienzo, seconded by Engel and carried unanimously 4-0.

NEW BUSINESS

Smith / 6 Davenport Road - Tree clearing and fencing

There was no one present to represent this application. The Commission reviewed the application and found it to be incomplete. It was noted that the file does not contain the DEEP form and that the applicant needs to provide more information. The Commission will keep this application open; however, the applicant should be present at the next meeting.

Schoenholtz / 38 South Street - Tree planting

John Cody reported that he viewed the site for three trees to be planted 30 feet from the water and has no concerns with this proposal.

MOTION: To approve the application of Schoenholtz / 38 South Street - Tree planting as a regulated activity. Motion by Engel, seconded by Fitch and carried unanimously 4-0.

WEO REPORT

N/A

PENDING REVIEW/FOLLOW UP

- McCourt – 262 Painter Hill Road – Dam – Follow-up inspection- Mr. Dirienzo will follow up
- Nogid - 53 Southbury Road – Remediation plan - Spring Inspection
- Hurlburt Preserve – Boardwalk in wetlands

- Krett – 15 Welton – Road drainage issue -
- Grigorian – 69 Tophet Road – Guest House Addition – Biweekly inspections by an engineer
- Fish / 104 North Street - Crossing of farm drainage ditch for logging road

ADJOURNMENT

MOTION: To adjourn the meeting at 8:03 PM by Engel, 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



TOWN OF ROXBURY CONNECTICUT

Inland Wetlands Commission

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

ROXBURY INLAND WETLANDS COMMISSION REGULAR MEETING DECEMBER 15, 2015

MINUTES

CALL TO ORDER

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

Members Present: Mr. Dirienzo, Mr. Cody, Mr. Smoliga, Mr. Horrigan and Andy Engel

Others Present: Marie Swanson, Bob McCarthy, Brian Neff and Mr. Microchine

SEATING OF MEMBERS

Chairman Dirienzo seated members Smoliga, and Horrigan.

John Cody was seated for Sue Fitch

APPROVAL OF MINUTES:

Regular Meeting – November 24, 2015

MOTION: To table the approval of the minutes of the 11/24/15 Regular meeting. By Dirienzo, seconded by Cody and carried unanimously 4-0.

COMMUNICATION WITH THE PUBLIC

N/A

COMMUNICATION

N/A

OLD BUSINESS

Nogid - 53 Southbury Road - Cease & Desist

Gary Coburn reported that the fine levied and Steve Trinkaus' fee have been paid; however, the other requirements to lift C&D have not yet been fulfilled. A letter advising that the C&D has not been lifted was sent to Mr. Nogid.

Andy Engel was seated at 7:36 p.m.

Feder – 35 Minor Bridge Road – Notice of Violation – Fence in regulated area

Mr. Neff came forward and reported that the revised proposal is to move the fence upstream and leave the rock accessible.

MOTION: To approve the application of Feder – 35 Minor Bridge Road – Fence in regulated area as a regulated activity. By Cody, seconded by Horrigan and carried unanimously 5-0.

Microchine / 16 Church Street – Extend fence over brook

Mr. Microchine came forward. A photo of the site was viewed. He explained that there will be a fence over the brook; however, there will not be fence posts in the brook. Concerns should the brook overflow as well as concerns with interference with wildlife were noted. Mr. Microchine explained that the banks are higher than the brook and the fence is proposed about a foot higher than the highest bank. Andy Engel reported that he is familiar with the area and did not see a concern with overflow.

Mr. Microchine explained that the purpose of the fence is for a quality of life issue. He would like this for privacy and noise relief.

MOTION: To approve the application of Microchine / 16 Church St. – Extend fence over brook as a regulated activity. By Dirienzo, seconded by Horrigan and carried unanimously 5-0.

Shaw / 183 River Road – Single-family dwelling

Mr. Horrigan recused himself.

Brian Neff came forward with a map dated 10/01/15 entitled Proposed Site Development Map. He reported that he spoke with the property owner and a deed restriction for tree cutting within 200 feet of the river was recommended.

MOTION - To approve the application of Shaw / 183 River Road – Single-family dwelling as a regulated activity. By Dirieinzo, seconded by Engel and carried unanimously 4-0.

Rob Horrigan was reseated.

NEW BUSINESS

Smith / 6 Davenport Road - Tree clearing and fencing

Bob McCarthy came forward to represent this application. Gary Coburn reviewed the proposal to cross the brook with a fence in two places. Mr. McCarthy noted that the crossing of the brook with the fencing will be suspended from both sides with cable. Gary Coburn reported that the additional tree cutting done was to clean up the property. The property map was reviewed.

The question of wildlife passage was raised. The Commission agreed that they should consult the Town Attorney regarding this matter. Mr. Horrigan and Mr. Smoliga agreed to view the site.

Roxbury Land Trust / 6 Mine Hill Road / Construction of handicap access ramp, stairway, reinforcement of septic tank, enlargement of driveway and parking area

Brian Neff came forward and explained that the Land Trust would like to move their office to the 6 Mine Hill Rd. They are required to provide a total of five parking spaces. He reviewed with the Commission a map dated 12/9/15 entitled Soil Erosion & Sediment Control Plan and indicated the areas for the proposed parking. A handicap ramp will be close to entrance on the backside of the building. The septic top must be reinforced in order to be driven over. This will be done with a concrete slab over the tank and rebar. The point of nearest disturbance to the river is 25 feet. Mr. Neff explained that they tried to keep the activity as far away from the wetlands as possible; however, it is a tight squeeze on this site. The existing driveway is paved. The proposed parking spaces will be gravel grass paver with the exception of the handicap spot.

Rob Horrigan requested that the setbacks to the river be included on the map. The Commission agreed view the site individually.

REPORTS

WEO Report

26 Painter Ridge Road - Gary Coburn reviewed a map with the Commission. He noted a catch basin with an underground pipe draining below. Mr. Neff explained that this is not a watercourse or wetland. He agreed to add this drainage to the as-built.

67 Davenport Road - Gary Coburn explained that this pond was built prior to 1991. He was requested to look into whether this restricted watercourse is a wetland issue. Mr. Dirienzo noted that some water should be released so the stream below does not suffer. Mr. Dirienzo explained that this is a civil matter for down gradient property owners because it is taking away their riparian rights. Mr. Dirienzo asked that Gary Coburn follow-up with the DEEP as to whether this dam should be registered.

132 Baker Road - Gary Coburn reported that shrubs should be removed and replaced with berms approx 75 feet

from the river. He has asked that erosion control be installed.

127 River Road - Gary Coburn inspected the property and found that the erosion control was removed. New erosion control has been installed per his request.

54 & 75 Old Roxbury Road - Gary Coburn reported that two machines working in the area on Sunday were noticed without the proper supervision as agreed per the conditions of the approval. He has reiterated to the project manager what is expect with regard to this approval. Rob Horrigan reported seeing fresh piles of top soils delivered to the site. He presented photos of this top soil. The Commission asked that John Cody review the approved plan. A notice of violation should be issued if it is found that there has been a deviation from this plan.

John Smoliga noted concerns with clearing along the stream at 114 River Road. He asked that this activity be investigated.

PENDING REVIEW/FOLLOW UP

McCourt – 262 Painter Hill Road – Dam – Follow-up inspection - Mr. Dirienzo will follow up
Mr. Dirienzo feels that the site should be left as is. He was advised that concrete was used to plug the pipe at the dam; however, he does not see any evidence of this. This must be done per the DEEP requirements. There is not a cause for wetlands concern.

Nogid – 53 Southbury Road – Remediation plan - Spring Inspection

See Old Business

Grigorian – 69 Tophet Road – Guest House Addition – Biweekly inspections by an engineer

This project has not yet begun.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:20 PM by Engel, seconded by Horrigan and carried unanimously 5-0.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

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