



Town of Griswold



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**GRISWOLD INLAND WETLANDS & WATERCOURSES
CONSERVATION COMMISSION & AQUIFER PROTECTION AGENCY
REGULAR MEETING
GRISWOLD TOWN HALL**

**APPROVED MINUTES
NOVEMBER 17, 2016**

I. Regular Meeting (7:30 P.M.)

1. Call to Order

Chairman Courtland Kinnie called this regular meeting of the Griswold Inland Wetlands & Watercourses Conservation Commission to order at 7:32 p.m.

2. Roll Call & Determination of Quorum

Present: Courtland Kinnie, Robert Parrette, Lawrence Laidley, Clarence (Pete) Merrill, Glen Norman, Alternates Lauren Churchill, Kevin Franklin, Town Planner Mario Tristany, WEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Gary Serdechny, Edward (Jay) Waitte, Alternate Alex Grzelak,

C. Kinnie appointed L. Churchill to sit for G. Serdechny and K. Franklin to sit for J. Waitte. There was a quorum for this regular meeting.

3. Written Comments

There were no written comments.

4. Approval of the Minutes

A. Approval of Minutes for the October 20, 2016 meeting.

C. Kinnie asked for approval of the minutes of October 20, 2016.

MOTION: R. Parrette moved to approve the minutes of the regular meeting of October 20, 2016. L. Churchill seconded the motion. All were in favor. The motion was carried.

L. Laidley arrived at 7:34 p.m.

5. Applications

There were no applications discussed under this item.

6. Additional Business (New Applications)

A. CC 04-17 ROXBEE, KEVIN & EILEEN ROXBEE, 18 MYRTLE ROAD, GRISWOLD. Requesting approval for residential activity within a regulated area and wetland/watercourse in order to re-establish the base of a wall a minimum of 8 inches below lake bed leaving weep holes in wall for drainage. Restoration of retaining wall reinforced with mortar and rebar for strength and integrity. Installation of a blue stone patio with 4 inches of crushed stone and 2 inches of stone dust with joints of polymeric sand. Steps will have 6 inch risers. Property is zoned R-60.

C. Kinnie asked if there was someone to present the application. Derek Pepin was present with the applicants, Kevin Roxbee and Eileen Roxbee, to make the presentation. D. Pepin explained that the work involves replacing and reestablishing a wall that is falling down and that it would be the whole wall that runs the width of the property and it will attach to the neighbor's wall. He stated that the wall base will be 8 inches of crushed stone below the lake bed. He stated that he will be using 200 lb. to 300 lb. stones for the first course so they won't be going anywhere; he will use mortar and reinforcing rebar to lock it together. He stated that the bottom course of stones will allow the water to come and go. He stated that there will be weep holes in the wall for drainage.

D. Pepin asked if there were questions about the wall.

P. Merrill asked regarding the high water mark if the property owner owns the property under the water. C. Kinnie stated that the State of Connecticut has a standing that all work that is done on Pachaug Pond below the 159.52 ft. elevation, the State DEEP has jurisdiction over that work because of their flowage rights and that the applicant must notify DEEP of the work to be done.

C. Kinnie asked D. Pepin if he determined the elevation of the base of the wall. D. Pepin stated no. L. Churchill stated that the elevations could be on the house plans. C. Kinnie stated that this is an older home. K. Franklin asked that if it is an old installation is it still considered work. M. Tristany stated that the wall is being removed and rebuilt, so they should contact DEEP.

K. Franklin explained that there are different data models that are used and stated that the 159.52 (NVGD) data is at the top of the water at the high water elevation. He stated that there is an elevation of 155.58. C. Kinnie asked who the contact was a DEEP. D. Szall stated that it is Carol Ladue and Mr. Tuthill, a former applicant, had talked with her in September when he was before the commission. There was discussion of this matter.

D. Pepin stated that he will contact DEEP and asked if they must come back next month. C. Kinnie stated yes; and explained that there is a State statute that any application must wait thirty days before a decision can be made. There was discussion of this matter.

R. Parrette asked what was there now. D. Pepin stated that the existing wall is poured concrete with rebar sticking out of it which is a safety problem.

K. Franklin asked D. Pepin to quantify the volume of the existing wall and what the volume of the new wall that you are putting in. He stated that DEEP will want to see some calculation. D. Pepin stated that will be based on the 100 linear feet, the 3.5 ft. height of the wall, and the 8 inch base below the lake bed for the next meeting. P. Merrill asked if he can put that information into a table for the DEEP.

R. Parrette stated that this is a step down to the patio. D. Pepin stated that is a second tier retaining wall, the patio and fire pit. He stated that the steps to the water will be cut back into the patio and not into the lake and there are two steps up from the patio to the property and then there is a ramp for a boat.

L. Churchill asked for information on polymeric sand. D. Pepin stated that is fine sand with polymer in it that locks the stones together. L. Laidley asked how long the dock was and how was it anchored. K. Roxby stated that it was 32 feet long. R. Parrette asked if it currently exists. E. Roxbee stated yes, we take it in and out every year. K. Roxbee stated that we are on the southeast side of the lake and it gets all the winter winds and destroys the walls.

C. Kinnie asked D. Pepin to get in touch with DEEP to speak to someone about the work that will be done.

L. Laidley asked about the material to be removed for the patio. D. Pepin stated that it will be dispersed on the property behind the wall where it will be leveled off. L. Laidley asked if he knew the volume of displace. D. Pepin stated that he is going down 8 inches by 18 ft. by 30 ft. for the blue stone patio that will have stairs in the wall going back to the property; there will also be stairs leading up to the yard from the patio.

C. Kinnie asked if there were further questions for Mr. Pepin. There were no other questions.

L. Laidley moved to accept and table CC 04-17 to the next regular meeting on December 15, 2016. R. Parrette seconded the motion. All were in favor. The motion was carried. L. Laidley suggested taking pictures of the broken wall with the rebar and sending them to DEEP and copies of them.

7. Reports from the Enforcement Officer

P. Zvingilas stated that there was activity at 5 Danika Way. He stated that the new owner bought the property, moved in and started making improvements not knowing that the improvements were working within a regulated

area. He stated that they were misled by the realtor that they could work on the whole property. He stated that half the site has a drainage easement to the town; there is a retention pond with an outlet on it; and there has been brush and tree removal on the property not knowing that they should have obtained permits.

P. Zvingilas stated that they are both here and have a set of plans. He submitted photographs of the activity. P. Zvingilas stated that the property owner is here and he is filling out an application. C. Kinnie asked if there was an application number. D. Szall stated no because she has not seen the application.

C. Kinnie asked the homeowner to state his name for the record under reports from the Enforcement Officer and to tell us what is going on.

Edward Hart, 5 Danika Way, explained that he purchased the property a month ago and that nothing was said that half the property was wetlands. He stated that he was misinformed since there was nothing in his documents from his attorney. He stated that looked on the GIS map, but it did not show wetlands. He stated that he called the Building Department for the steps to put a 40 ft. by 60 ft. garage. He was told that he needed a plot plan and to send it to Uncas Health who approved the location on the property. He stated that the P. Zvingilas went to his property and was told that he needed the engineering structural drawings for the steel building before he could build it. He stated that he cleared a location on the property and the site plan shows that this location was in the wetlands. He showed the commission the locations on the map.

E. Hart stated that he now has a new location for the garage that is 75 feet from the wetlands and that this was submitted to Uncas Health who has approved this location. He showed the map with the locations of the house, septic, well and proposed garage to the commission. C. Kinnie asked P. Zvingilas if he has seen the proposed site plan and if it was zoning compliant. P. Zvingilas stated yes.

E. Hart stated that he spoke with his landscaper about putting in plants in the wetlands. L. Laidley suggested using a wetlands mix. C. Kinnie asked if it had been stumped. E. Hart stated yes. There was discussion of this matter including putting brush in the wetlands for habitat.

C. Kinnie stated to let the record show that G. Norman arrived at 7:58 p.m.

P. Zvingilas stated that there are ten yards of sand that should be removed from the wetlands for the base of the building. P. Zvingilas stated that when we had the heavy rain, the pipe in the retention basin worked well in the retention pond. E. Hart stated that the pipe in the retention pond worked well. P. Zvingilas stated that it fills up in the spring.

R. Parrette asked if someone local was doing the steel building. E. Hart stated that he got it from a company in Texas and that is to be used to house an RV. There was discussion of this matter.

C. Kinnie stated that this application will be to restore the wetlands. C. Kinnie gave E. Hart instructions for the narrative to remove the sand used for fill in the wetlands mistakenly and to restore the wetlands plantings with a wetlands mix and/or a grass cover to get it established before the cold weather. There was discussion of this matter.

C. Kinnie asked the applicants to make copies of the maps for the file. C. Kinnie asked for an application number so the commission can accept this application. D. Szall stated that CC 05-17 could be used and that she needed the application and the application fee. E. Hart stated that they will bring the application with copies of the site plans and the fee tomorrow

C. Kinnie asked for a motion to place this application on the agenda for discussion. R. Parrette moved to put CC 05-17 Edward Hart, 5 Danika Way on the agenda. L. Laidley seconded the motion. All were in favor. The motion was carried.

E. Hart asked if he could remove the sand from the wetlands now. C. Kinnie stated that he could remove the sand before it freezes and to put some kind of ground cover down such as straw to stabilize the soil. There was discussion of this matter

E. Hart asked if he can proceed with his building permit for the garage since it is out of the wetlands. C. Kinnie stated yes.

C. Kinnie asked for a motion to accept and table the application. R. Parrette moved to accept CC 05-17 Edward Hart, 5 Danika Way to the next regular meeting on December 15, 2016. L. Laidley seconded the motion. All were in favor. The motion as carried.

8. Old Business

There was no old business.

9. New Business

- A. Discussion regarding work, permanent or temporary long the shoreline of Pachaug Pond at the dam spill way of 159.52 feet (NGVD29).

C. Kinnie stated that we have had this question before regarding the elevation. C. Kinnie stated that this number can be put on the application and if there is work being done on Pachaug Pond. He stated that he has heard several different numbers for the elevation of the pond. K. Franklin stated that is because there are several different datum that are used such as NGVD based on sea level as well as a new datum NAVD88 which is 158.55 ft. He stated that both of these elevations are the top of water level at the high water mark. There was discussion of this matter. C. Kinnie stated that the figure from DEEP in 2004, 159.52 ft can go on the application.

M. Tristany asked if there had been a representative from DEEP who mentioned that soft armor should be used at the shoreline. L. Laidley stated that it was an engineer from one of the projects had this information from DEEP based on correspondence with them. There was discussion of this matter.

C. Kinnie stated that this has come up because of the draw down on Pachaug Pond this winter. He asked what work you want to quantify as needing administrative approval or Commission approval. L. Laidley stated that anything other than maintenance only and not removal of any structures should come before the commission. There was discussion of this matter. M. Tristany suggested that any work that involves a wall should come before the commission. D. Szall stated that any wall repair should be reviewed by the Enforcement Officer to determine whether it comes to the commission. R. Parrette stated that wall repair is subject to DEEP notification and approval.

10. Communications

- A. . Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Fall, 2016, Volume XX, Issue 4. This was not discussed.

11. Reports from Members

R. Parrette asked if the car was pulled from Glasgo Pond. M. Tristany stated that it was a truck and it was removed. C. Kinnie stated that it fell apart along with the wagon frame. L. Laidley asked if the furnaces were removed. P. Zvingilas stated they said so.

L. Laidley stated that the work at 122 Pleasant View; the silt fence and staked hay bales need to be reinstalled and there can be erosion that may go into the wetlands which is installed. M. Tristany stated that they are working on the water main valve tap to the site.

L. Churchill asked how Jay Waitte was doing. C. Kinnie stated that he had had a hip replacement that had complications and is expected to have the other hip done. C. Kinnie asked when his term is up. D. Szall stated that she will find out.

L. Churchill stated that we looked through it quickly and identified groups who could edit their information such as the schools, the senior center, and the youth center. The next meeting is on the December 1, and we will look through it for more changes such as census data for 2010. There was discussion of this matter. C. Kinnie stated that the goals that were fulfilled, will they be removed. M. Tristany stated that we should keep them as a reference. C. Kinnie asked about the future land use map should be current. M. Tristany stated that he is going over COG's maps to make corrections because they have listed some areas in our town as conservation. C. Kinnie asked if the aquifer mapping was in the 2006 PoCD. M. Tristany stated no, it will have to be added.

12. Conservation Commission Matters

Inland Wetlands & Watercourses Conservation Commission
& Aquifer Protection Agency
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C. Kinnie stated that we had discussed removal of the trees while the pond was drawn down on Glasgo Pond behind the dam by t the cemetery. He stated that DEEP representative, a fire department representative and the town crew looked at the site and concluded that nothing could be done because time is too shore, so one tree will be cut with the platform; the ropes will be cut as far as they can reach and signage will be posted.

13. Adjournment

C. Kinnie asked for a motion to adjourn.

MOTION: L. Laidley moved to adjourn. R. Parrette seconded the motion. All were in favor. The meeting adjourned at 8:40 p.m.

III. Aquifer Protection Agency

This Meeting was cancelled due to lack of applications.

Respectfully submitted,

Donna M. Szall
Recording Secretary