



Town of Griswold



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GRISWOLD INLAND WETLANDS & WATERCOURSES CONSERVATION COMMISSION

REGULAR MEETING MINUTES

MAY 20, 2010

GRISWOLD TOWN HALL

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 on May 20, 2010 at 7:45 p.m.

2. Roll Call & Determination of Quorum

Present: Chair Courtland Kinnie, Vice Chair Robert Parrette, Secretary Stacie Stadnicki, Member Dean Rubino, Lawrence Laidley, Alternate Gary Serdechny, WEO, Peter Zvingilas, Recording Secretary Donna Szall

Absent: Member Edward (Jay) Waitte, Glen Norman

C. Kinnie appointed G. Serdechny to sit for J. Waitte. It was determined that a quorum was present for this meeting.

3. Applications

A. CC 14-10 Woznica, Casimir, P.O. Box 339, Voluntown, CT 06384. Property location: 170 Mackin Drive, Griswold. Applicant requests approval for residential activity within a regulated area in order to construct a 12 ft. x 20 ft. shed within 25 ft. of Pachaug Pond (Existing) and to construct a 10 ft x 24 ft. wood deck on piers within 35 ft. of Pachaug Pond. The property is zoned R-60.

C. Kinnie asked if there was anyone to represent the applicant. Norm Thibeault, PE, Killingly Engineering Associates was present to represent Casimir Woznica. He explained that he here to permit an existing shed that is 23 feet from Pachaug Pond and to construct a 12 ft. x 24 ft. deck on wooden piers within 35 ft of Pachaug Pond. He stated that there were no permits for the shed.

N. Thibeault explained that the shed is currently over the property and there is a pending ZBA request for a set back variance to build the shed 2 ft. from the property line. He stated that the lot is an undersized lot created in 1962-1963 and is 19,000 s.f. and predates zoning. He stated that the amount of yard makes it limited to place structures. He stated that the addition to the house that was previously permitted leaves as well as the garage. He explained there the septic system and leaching fields and well were located creating a small back yard. He stated C. Fontneau wrote him

that there is a regulation that there is a regulation limiting structures to 25 feet from the pond so that the shed will be moved further back from the pond to meet the 25 foot regulation.

N. Thibeault explained where the silt fences will be around the construction area and moving the shed will not create any erosions or sedimentation issued. The shed is on blocks and will be moved by the machine using timbers to move it back on the property. He stated that the grading is limited for construction of the already approved garage.

C. Kinnie asked if the metal shed was connected to the wooden shed. N. Thibeault stated that the metal shed abuts the wooden shed. C. Kinnie asked if the metal shed will be moved. N. Thibeault stated yes.

S. Stadnicki asked how old the sheds were. N. Thibeault stated that the sheds were put in by the current owner about 2 ½ years ago and was not done by a previous owner. R. Parrette asked how they were fastened to the ground. N. Thibeault stated that the wooden shed is up on blocks and the metal shed is on the ground.

G. Serdechny asked if the deck was the dark section of the plan. N. Thibeault stated no and showed where the deck would be located. He stated shed were installed without a permit in an area where it should not be.

S. Stadnicki read for the record a letter to Theodore Faulise, Chairman of the Zoning Board of Appeals referencing Section 10.4 stating that the sheds were a self-created hardship and should be removed entirely. She asked where the shed could be moved to. N. Thibeault stated that it could go behind the garage. D. Rubino stated that we should wait until there is a ZBA decision. There was discussion of this matter including that there be a plan showing the locations for the sheds.

P. Zvingilas stated that if the garage was put it that the sheds would be eliminated. N. Thibeault stated that if that was the case, he would not be before the commission. There was discussion of this matter.

D. Rubino asked what the variance for the garage was. N. Thibeault stated that ZBA granted a variance for 4 ft. but that the Garage is 5 1/2 ft from the property line. He explained that the proposed request is for a 2 ft. variance and showed where the sheds would be located. S. Stadnicki asked that if these are existing sheds so why are you are asking for construction of the shed. N. Thibeault explained that since no permits were obtained; and it was explained to him that because you are permitting after the fact, you must obtain a permit to construct the shed that is already there.

P. Zvingilas asked what will be stored in the shed. N. Thibeault stated that it was lawn mowers, rakes and shovels, the usual shed things. P. Zvingilas stated that sometimes when the commission grants these permits they restrict the kinds of chemicals that can be stored in the shed. There was discussion of this matter including that the whole property was filled in wetlands prior to adoption of wetlands regulations.

P. Zvingilas asked if it was out of the flood zone. N. Thibeault stated yes and is 3.5 ft higher than the water level and the house is on a slab and the shed would be up that high as well.

C. Kinnie asked if there were any issued with the deck by commission members. There was consensus that there were no issues with the deck. G. Serdechny asked the type of soils under the decl. N. Thibeault stated that the fill material is a gravelly soil of 5 to 7 feet and this was determined when we were locating a septic repair area. S. Stadnicki asked what the plans were for the tree. N. Thibeault stated that it is an 8 inch ornamental that will not grow very large and the tree is 4 feet away from where the piers will be for the deck. S. Stadnicki asked where the 75 foot regulated area was located. He stated that it was mostly the whole lot. He showed the

well 75 foot radius and septic system, and that most everything on the lot except for the septic is located in the regulated area.

C. Kinnie stated that the commission can act on this application. L. Laidley would like to see a site plan with the location of the sheds. N. Thibeault stated that the sheds will be slid on to the property and moved slightly back and if the ZBA feels the sheds should be moved to another location on the property, we will have to come back the this commission.

S. Stadnicki asked if the changes to the plan can be amended on this application. C. Kinnie stated that they can amend the positioning of the shed on this application; but if the sheds are moved to another location on the property, the application states construction of the shed and would have to show a new site plan of the shed location. There was discussion of this matter including that there is enough time to the next meeting to act on this application.

R. Parrette made a motion to table CC 14-10 to the next regular meeting. L. Laidley seconded the motion. All were in favor. The motion was carried.

B. CC 15-10 Imperato, Erma, 188 Latham Drive, Griswold, CT 06351. Applicant requests approval for residential activity within a wetlands/watercourse in order to construct a 20 x 20 floating dock to be bolted to the existing cement wall. The property is zoned R-60.

C. Kinnie asked if there was some to represent the applicant. Frank Imperato stated that he has the requested information from the last meeting. He submitted photographs of the actual the floating dock with its actual dimensions and the location of the floating dock in the cove. He explained that the floating will be located over existing concrete steps and so will be attached with four poles and ride over the steps. C. Kinnie asked the water depth. F. Imperato stated that it was 4 feet deep. There was discussion of this matter.

S. Stadnicki made a motion to approved CC 15-10 as presented. L. Laidley seconded the motion. All were in favor. The motion was carried.

4. Additional Business (New Applications)

A. CC 17-10 Fasula, Anthony Jr. & Diane, 16 Myrtle Road, Griswold, CT 06351. Property location: 14-16 Myrtle Road, Griswold. Applicant requests approval of residential activity within a regulated area in order to construct 110 linear ft. natural stone/boulder wall along shoreline with work to be done on land side of wall. The property is zoned R-60.

C. Kinnie asked if there was anyone here to represent the applicant. Scott Deledda, PCE was present to represent Anthony & Diane Fasula who were also present. He explained the location of the property on Myrtle Road on Pachaug Pond and that the structures are existing. S. Deledda explained that a boulder wall will be installed along the exact edge of the pond; and that the existing wooden deck will be removed. S. Deledda explained that erosion and sedimentation fence along the entire site to protect the pond; and that a staging area will be located at the front of the lot and all construction equipment will be stored there. He showed where the stockpile area with sediment fencing around the stock pile area. He gave a cross section detail of the stone wall which is 2-3 feet in height and will mimic the shoreline exactly where soil ill be removed so the boulders will be the exact height of the shoreline. He explained that sod will be laid down to stabilize the area after construction.

S. Stadnicki asked the distance of the shed from the water. S. Deledda stated that the shed is 15 feet from the pond. S. Stadnicki stated that the shed should be moved back from the pond to the

25 ft distance. There was discussion of the matter including that the zoning regulations require that there be no structures except for boat houses within 25 feet of the pond.

P. Zvingilas asked if there was residence on the property. Diane Fasula stated that there is a house and that it is a two family house and that we were before the commission for an addition five years ago. S. Stadnicki stated that the planner says that there is no permit for the house or for the shed. She asked for the permits file from 5 years ago. D. Szall will bring any files for that property for next month. D. Fasula stated that the shed was there more than 35 years ago. P. Zvingilas stated that a neighbor was before the commission a while ago who put boulders on the shoreline.

D. Rubino asked the age of the house. D. Fasula stated that it was built more than 25 years ago. P. Zvingilas asked if there would be rain gardens. S. Deledda stated that sod would be installed. R. Parrette asked what was there now. S. Deledda stated that it was grass, roots, rocks and a small amount of erosion from the catch basin so it will be sodded and stabilized. R. Parrette asked the height of the water from the level ground. D. Deledda stated that it was between 2 to 3 feet in height from the shore bottom; and will excavate from the landward side, install the boulders and back fill the stone; the stone not used to back fill the wall will be taken off site and it will mimic the shoreline.

C. Kinnie stated that the regulation of twenty-five feet for no building within a water body so to consider this application that there can be a condition that if the shed should be replaced, a permit would be required for replace the shed. D. Fasula stated that the beach toys, skis and such are stored in this shed.

L. Laidley asked about the trees being removed. S. Deledda stated that there will be five trees removed and they will try to keep a large maple tree and another maple tree that supports the existing deck; but there is no plan to replace the deck at this time. G. Serdechny asked about the deck if it is over the water. Anthony Fasula stated that it is attached to a tree and is raised up on cinder blocks. S. Deledda stated that everything associated with the deck will be removed. There was discussion of this matter including that the height of the wall will be approximately the 2 to 3 feet height and be dry stacked.

C. Kinnie stated that there should be some sort of vegetation put in the tree area to stabilize beyond the sod. S. Deledda asked what type of vegetation. S. Stadnicki stated that the planner has a list of plants that can be put there that is favorable to the wetlands.

C. Kinnie asked the commission if they are clear on what is needed for the next meeting. He asked about hr existing permit. D. Szall stated that there is a permit for the addition, there won't be a permit for the shed since it has been there for so long. S. Deledda asked what was needed by him for the next meeting; and offered to move the shed out of the 25 ft. area of the pond.

D. Rubino made a motion to accept CC 17-10 and to table it to the next regular meeting. L. Laidley seconded the motion. All were in favor. The motion carried.

S. Stadnicki made a motion to put **CC 18-10** on the agenda. R. Parrette seconded the motion. All were in favor. The motion carried. C. Kinnie read the application for the record. There was discussion of the location of this property.

S. Stadnicki made a motion to accept **CC 18-10** and table to the next regular meeting. L. Laidley seconded the motion. All were in favor. The motion was carried.

S. Stadnicki left the meeting at 8:40 p.m.

5. Reports from the Enforcement Officer

P. Zvingilas stated that he had no reports.

6. Old Business

There was no old business.

7. New Business

There was no new business.

8. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of April 15, 2010

R. Parrette stated that the date should be for March not May. D. Szall will make correction. R. Parrette made a motion to approve the amended minutes. L. Laidley seconded the motion. All were in favor. The motion was carried.

8. Communications

A. Letter dated 4/21/10 from Todd Babbitt, Road Supt. regarding damage around bridges due to erosion from the heavy rainfall on Norman Road Bridge, Sheldon Road Bridge, Edmond Road Bridge and Bitgood Road Bridge.

C. Kinnie stated that Todd Babbitt, Road Superintendent is asking for permission to repair the dangerous areas left by the damage created by the flooding to bridge sites and culverts. C. Kinnie stated that he submit a letter stating that there will be installing erosion and sedimentation control measures and get the work done. There was discussion of this matter.

P. Zvingilas stated that FEMA is looking at the damage to the town by their engineers to look at the town's \$1 million damage claim to the roads and bridges; if there is allocation of funds, then they will come before the commission for those repairs. There was discussion of this matter including that Terry Road was repaired.

9. Reports from Members

P. Zvingilas stated that FEMA is looking at the damage to the town by their engineers to look at the town's \$1 million damage claim to the roads and bridges; if there is allocation of funds, the Highway Dept. will come before the commission for those repairs. There was discussion of this matter including that Terry Road was repaired.

L. Laidley stated that there is erosion on the other side of the stairs at the school.

D. Rubino asked about the length that should be reviewed by DEP. P. Zvingilas stated that it was an elevation that of 152 ft. that was reviewed by DEP. There was discussion of this matter.

G. Serdechny attended the second session for Wetland Commissions. He gave a lengthy report that addressed the 532 endangered species; town should have a trained certified person for pesticides to protect endangered and the training is free by the State. There was discussion of this matter.

G. Serdechny stated that there should be a check off box on the application to go allow members to go on a property. There was discussion of this matter.

He read a letter for the record regarding State Supreme Court ruling to uphold cease & desist orders in Canterbury v, Deojay.

C. Kinnie stated that we had just done our regulation when the state sent template regulations to the towns and we can adjust it to meeting Griswold's requirements. There was discussion of this matter including that the town can be more restrictive that the State.

10. Conservation Commission Matters

There were no reports.

11. Adjournment

C. Kinnie asked for a motion to adjourn. L. Laidley made a motion to adjourn. R. Parrette seconded the motion. All were in favor. The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Donna M. Szall
Recording Secretary