

## March 9, 2011

7:00 p.m. Land Use Meeting Room

**MEMBERS PRESENT:** Mr. Bedini, Mr. Bohan, Mrs. Hill, Mr. LaMuniere

**MEMBER ABSENT:** Mr. Wadelton

**ALTERNATES PRESENT:** Ms. Cheney, Mr. Papsin

**ALTERNATE ABSENT:** Mr. Martino

**STAFF PRESENT:** Mr. Ajello, Mrs. J. Hill

**ALSO PRESENT:** Mr. Neff, Mrs. Coakley, Mr. Crosseley

Mr. Bedini called the Meeting to order at 7:00 p.m. and seated Members Bedini, Bohan, Hill, and LaMuniere and Alternate Cheney for Mr. Wadelton.

### Consideration of the Minutes

The 2/23/11 Regular Meeting minutes were accepted as corrected.

Page 2: last sentence, top paragraph: Add: "less" - He estimated less than one tenth....

Page 2: next to last paragraph: While it was said at the meeting the petition had 25 signatures, actually there were only 23.

Page 3: next to the last line: Change: "Mr. Charles" to "Mr. LaMuniere."

**MOTION:** To accept the 2/23/11 Regular Meeting minutes as corrected.

By Mr. Bedini, seconded by Mr. LaMuniere, and passed 5-0.

### Pending Application

Klein/271 West Shore Road and 236 Tinker Hill Road/#IW-11-03/ Construct Driveway:

It was noted the public hearing had been scheduled for 6:00 p.m. on Wednesday, March 23, 2011 in the Land Use Meeting Room. A site inspection was scheduled on Tuesday, March 22, 2011 at 5:00 p.m.

### Other Business

Smith/35 East Shore Road/Request to Revise Permit #IW-06-24/Shed:

Mr. Neff, engineer, presented the map, "Property/Boundary Survey," by Mr. Alex, dated October 2006, on which he indicated the new location for the shed. The proposed site was 25 feet from the boundary line, bringing it into compliance with the Zoning Regulations. Mr. Neff noted that the new location was the same distance from the Aspetuck River, but was closer to another watercourse. However, that watercourse was higher in elevation than the shed site. He noted, too, that the shed was not a permanent structure and would be set on timbers. No excavation or tree cutting would be required.

**MOTION:**

To approve the request submitted by Mrs. Smith to revise Permit #IW-06-24 to change the location of the shed approved at 35 East Street.

By Mr. LaMuniere, seconded by Mr. Bedini, and passed 5-0.

### Privilege of the Floor

Mrs. Coakley submitted a letter, which stated that concerned area residents are opposed to the proposed 17 Warren Road cell tower and to other sites proposed by the Montessori School's attorney. It was noted that Mr. Wadelton will speak with Selectman Solley regarding drafting a letter to the Siting Council and will find out whether AT&T would be required to apply for an Inland Wetlands permit for

17 Warren Road should it decide to apply to the Siting Council for that location.

## **Enforcement**

### Carter/Walker Brook Road:

Mr. Neff, engineer, and Mr. Crosseley, caretaker, were present. Mr. Ajello noted ongoing maintenance and washout issues due to the recent storms and snow melt. He noted he had inspected the site and circulated photos that showed the collapsed section of the retaining wall. He noted that Mr. MacBroom, engineer, had recommended that emergency repair work be done. Mr. Ajello asked for the Commission's consent to immediately place large rip rap behind the wall to prevent further scouring. He said the rocks would be set in place by an excavator, which would reach across the brook from the road. He noted that large boulders would be used because they would be less likely to need readjustment when the permanent repair work was done. It was the consensus that this emergency repair work should be done. Mr. Neff stated that all the work done would be documented for the file. In addition to the collapsed wall along Walker Brook, there was also damage to the culvert crossing on Walker Brook Road. Mr. MacBroom thought the entire culvert had sunk and would have to be replaced with either a double culvert or a bridge.

### Auth/West Shore Road:

Mr. Ajello presented a photo of the dock, which had not been taken out of the lake because Mr. Auth had installed a bubbler.

### Rosen/304 Nettleton Hollow Road:

Mr. LaMunier asked if the unauthorized stonework had restricted the flow of water. Mr. Ajello said the flooding was minor in this area and he did not think it had.

### Chatfield/19 Tinker Hill Road:

Mr. Ajello reported that the cleared site is not eroding, but runoff is flowing onto the property below and then into the lake. He said he will send another letter to Mr. Chatfield.

### Brose/213 Roxbury Road:

Mr. Ajello will inspect the planted area in a few weeks.

### Ranieri/Nettleton Hollow Road:

Mr. Ajello showed photos of the erosion at the top of the earthen dam on the east side of Nettleton Hollow Road. When he called Mr. Ranieri to alert him of the problem, he learned that he had already completed emergency repairs. Mr. Ajello advised him that the Commission would regulate any permanent repair work that would be done during the dry season. Mr. Papsin asked if an engineered plan would be required. Mr. Ajello said it would and said he would write to Mr. Ranieri to advise him what is required before further repairs are made. He noted he had not contacted the DEP dam unit. Mr. Bedini thought it would be a good idea for the Commission to meet with Mr. Ranieri to discuss preliminary plans. Mr. Ajello said he would invite him to the next meeting.

### DePecol/Nettleton Hollow Road:

It was noted that Mrs. DePecol had not picked up her certified mailing and had not sent in a start card. Mr. Ajello will call Mr. DePecol to advise him that he missed his opportunity for timber harvesting this winter and will have to wait now until the dry season.

## **Administrative Business**

### Shoreline Protection Policy:

Mrs. J. Hill reported that the document had been referred to the other commissions who had been asked

to comment by April 8th. Mr. LaMuniere said he had been working with Mr. Ajello to use more precise language. Pressure treated wood and the difference between the Zoning and Inland Wetlands Regulations were discussed. Mr. LaMuniere said he would get additional information on pressure treated wood. Mr. Bedini asked what the DEP's position on pressure treated wood was. He noted that once the Commission decides on the language, it will be referred to our attorney for review. Mr. LaMuniere said he would try to use the language from the Inland Wetlands Regulations as closely as possible. He also stated that it was his intent to provide fundamental, simple working guidelines.

Update on DEP Pesticide Permit Process:

Mr. Ajello said the process had been modified, but it was not clear from the material sent what the changes were. Mr. Bedini asked him to contact the State to find out and report back at the next meeting.

**Executive Session:**

It was noted an executive session was not needed.

Mr. Bedini reported that after the recent high water there had been 30 inches of water in the Primary School basement even though drainage improvements had been installed last summer. This was the highest level of water there since the 1955 Flood.

The 3/12/11 Ct. Bar Assoc. workshop was briefly discussed. Mrs. Hill will attend in Mr. Wadelton's place.

MOTION: To adjourn the Meeting. By Mrs. Hill

Mr. Bedini adjourned the Meeting at 8:10 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,  
Janet M. Hill  
Land Use Administrator