

CONSERVATION AND INLAND WETLANDS COMMISSION
TOWN OF DEEP RIVER, CONNECTICUT

Town Hall 174 Main Street Deep River, Connecticut 06417

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A *regular meeting* of the *Deep River Conservation and Inland Wetlands Commission* held on Thursday, March 12, 2009 at the Deep River Town Hall was called to order at 7:35 p.m. by Chairman Mizejeski. Members present: George Atwood, Carmela Balducci, Susan Board, Ron Larsen, Carol Libby, Alan Mizejeski, Alternate Michael Tomlinson, and Alternate/WEO Mark Reyher. Absent: John Szymanski. Also present: Michael Simmons. Chairman seated Alternate Tomlinson for the absent member.

Approval of Minutes: A motion was made by Carol Libby and seconded by Susan Board to approve the minutes of the regular meeting of February 12, 2009 as printed. (7-0) Voted Unanimously.

Public Business:

Michael Simmons, 70 Book Hill Road (Map 67, Lot 14): An application was received at the February 12, 2009 meeting from Michael Simmons for the purpose of a ground floor master suite addition on property of Barbara and Jan Deutsch at 70 Book Hill Road. Michael Simmons was present on behalf of the application. Commission members discussed concerns regarding the steepness of the slope and the placement of additional erosion and sedimentation control measures. Commission members indicated that the silt fencing should be installed from the driveway all the way around the construction. Mr. Simmons agreed to comply with any additional erosion and sedimentation control measures at the direction of the WEO at the site. Mr. Simmons stated that the majority of the material will be removed from the site, with a small amount used on site. A motion was made by Carol Libby and seconded by Susan Board to approve the application by Michael Simmons as presented subject to the following conditions: (a) Silt fencing will be extended to the driveway in accordance with the direction of the Wetlands Enforcement Officer; (b) The permanent vegetation shall be in place at the earliest possible time in the planting season this year; (c) The Wetlands Enforcement Officer shall be notified prior to the start of work; and (d) Additional erosion and sedimentation control measures shall be placed, if necessary, in accordance with direction by the Wetlands Enforcement Officer. (7-0) Voted Unanimously.

Leroy Holdmeyer, Bushy Hill Road (Map 30, Lot 2): An application was received from Leroy J. Holdmeyer for an agriculture exemption for farming on property on Bushy Hill Road (47 Deer Lane, Ivoryton). WEO Reyher stated that Mr. Holdmeyer called and indicated that he was not able to attend the meeting. A motion was made by Ron Larsen and seconded by Susan Board to table the application by Leroy Holdmeyer to the next regular meeting so that the applicant may be present. (7-0) Voted Unanimously.

Barbara Scholes, 73 Rattling Valley Road (Map 64, Lot 5A): An application was received at the February meeting from Barbara Scholes for the activity that has taken place on the property. The application indicates that the purpose is to prepare the front yard for landscaping. Ms. Scholes was not present. Discussion took place regarding the findings at the site walk held by the Commission on the property on March 10, 2009. Chairman Mizejeski noted that he visited the site on March 11, 2009. There are two streams on the property running towards Pratt Cove. Members noted that at the time of the site walk there was no evidence of sedimentation into the watercourse. WEO

Reyher noted that the silt fence has stopped the sedimentation that was going into the water. The site is muddy. WEO noted that at one of the site visits he saw the excavator in the watercourse directly behind the house creating a pool area in the stream. WEO noted that since his last visit to the site, patio deck brick and stone were added to the crossing and the pipe has been removed. The work at the crossing was done after being advised by the WEO and the letter of violation to stop all work in the regulated area until a proper permit has been issued. A permit is required for the activity that has taken place and currently taking place on the property. Members noted the need for permanent vegetative cover on the site and concern that nothing would grow in the current condition of the site. Members recommended that the property owner contact the Extension Service for assistance. Trees have also been cut down on the other side of the stream. Ms. Scholes has indicated that there is a right of way over the stream to her mother's property. No activity should take place in the wetland until the low water is reached in July and August. Members noted that the majority of the site is within 100 feet of a wetlands or watercourse. Members noted that there appeared to be a creek on the south side of the house that has been filled with material and stumps. Concern was raised regarding the large sheer cut into the bank on the southeast corner of the site where earth material has been removed to be used as fill. Members noted that an area by the driveway has washed out. Commission members discussed recommending secondary silt fencing and hay bales be installed in order to protect runoff into the streams. The WEO will contact Wendy Goodfriend of the Connecticut River Coastal Conservation District for any guidance that can be provided for the property owner. Members noted that a vernal pool is located on the west side of the stream. Chairman Mizejeski reviewed stipulations regarding permanent vegetative cover which have been used on a site plan in another town and he recommended that they be considered as stipulations for a permit for the site. One potential condition would be that implementation of all soil and erosion control measures shall conform to the Connecticut Guidelines for Soil Erosion and Sedimentation Control revised 2002. Discussion took place about sending a letter to the property owner asking for a plan to be submitted for the April meeting that would include additional hay bales and secondary silt fencing to be installed to be in conformance with the direction of the WEO; indicate that planting should be completed by September and failure to do so may result in a report to the DEP and/or EPA; the WEO will visit the site on a regular basis; no activity shall take place on the other side of the stream as it is a different parcel of land and would require a separate application; clarification of intent for location of sheer cut into earth material; and attempts should be made to stabilize site by April. A motion was made by Susan Board and seconded by Ron Larsen to send a letter to Barbara Scholes, 73 Rattling Valley Road, regarding stabilization of the site and issues to be addressed for the April meeting. (7-0) Voted Unanimously

Enforcement: WEO Reyher noted that the only enforcement matter at this time is the Rattling Valley Road property which has been discussed.

Payment of Bills: A bill was received from Nancy Howard, clerical services, 9 3/4 hours. A motion was made by Susan Board and seconded by Carol Libby to approve payment of the bill as presented. (7-0) Voted Unanimously.

Correspondence: Susan Board noted receipt of the following correspondence: (a) letter dated March 6, 2009 from Peter Lewis, Superintendent of the Water Pollution Control Facility regarding sewer extension of sanitary sewer line in the area of River and Kirtland Streets. A schematic

drawing was not received; (b) letter dated March 9, 2009 from Marla Butts of DEP Inland Water Resources Division regarding the property of Leroy Holdmeyer, Bushy Hill Road; and (c) Brochure from the CT Audubon.

Other Matters: Commission members noted that as a result of the oil spill at Deep River Oil a few years ago, the DEP was going to be monitoring the wells for five years and the reports were supposed to be provided to the Commission. The property appears to be in good condition. The WEO will follow up on the status of the reports.

Conservation Matters: Canfield Woods: George Atwood noted that signs and three kiosks will be put up in Canfield Woods at the end of next month. Individuals from Essex are regularly maintaining the trails. Commission members discussed walking the trails. Dates of March 22, 2009 at 9:30 a.m. and April 5, 2009 at 9:30 a.m. were set for members to walk in Canfield Woods.

A motion was made by Susan Board and seconded by Carmela Balducci to adjourn at 8:50 p.m. (7-0) Voted Unanimously.

Respectfully submitted,
Nancy J. Howard
Recording Secretary