

CONSERVATION AND INLAND WETLANDS COMMISSION

TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

A regular meeting of the *Deep River Conservation and Inland Wetlands Commission* held on Thursday, August 9, 2012 at the Deep River Town Hall was called to order at 7:37 p.m. by Acting Chairman Larsen. Members present: Susan Board, John Dube, Ron Larsen, and Alternate Tanner Steeves. Absent: George Atwood, Carol Libby, Alan Mizejeski, Michael Tomlinson, Alternate/WEO Mark Reyher. Also present: Nancy Howard, Robert Doane, Roger Nemergut, Donald Carlson, Brookes Family members, Louis Lerner. Ron Larsen was Acting Chairman for the meeting. The Acting Chairman seated Alternate Tanner Steeves for an absent member.

Approval of Minutes: A motion was made by John Dube and seconded by Tanner Steeves to approve the minutes of the regular meeting of June 14, 2012 as printed. (4-0) Voted Unanimously.

Public Business:

Sarette Builders, Inc., Rattling Valley Road (Map 64, Lot 19): An application was received from Sarette Builders, Inc. for the purpose of installation of a driveway with a stream crossing for a proposed house on property of Jeffery Hinxman and Janis Morin. Robert Doane, P.E., noted that his client is under contract to purchase the property. He noted that in 1989 approval was received for a 24 inch culvert to be placed in the stream to create a crossing for access to the rear lot on the southerly side of Rattling Valley Road. A copy of the 1989 plan was presented. Mr. Doane noted that the driveway was never created and the adjoining property has since been sold without the easement for the pipe. He noted that the new plan has a shortened pipe and headwalls in order to stay within the approximately 25 foot wide access strip. The drainage calculations were submitted. Mr. Doane noted that the proposal is to straighten an approximate 16 ft. section of stream and fill approximately 750 ft. of wetlands for the rip rap, headwall, pipe and underground utilities. The site is currently wooded. The application fee of \$130.00 was received. A motion was made by John Dube and seconded by Tanner Steeves to accept the application by Sarette Builders as a regulated non-significant activity. Voted Unanimously. A site walk will be scheduled prior to the next regular meeting.

Arthur Brookes Sons, Inc., Parcel "A", Plattwood Industrial Park (Map 38, Lot 6B): An application was received from Arthur Brookes Sons, Inc. for the purpose of construction of a driveway with culvert for access to a new 60' x 60' industrial building and supporting utilities on property currently owned by M & M Enterprises of Deep River, Inc. Roger Nemergut, on behalf of the applicant, noted that the 3.3 acre parcel has 150 ft. of frontage on Industrial Park Road and a right of way off of Commercial Drive. The adjacent property to the west is the Town incubator buildings. The subject property had contained a Quonset hut. Currently there is only a concrete slab. Mr. Nemergut reviewed the proposed plan for the wetlands crossing. The brook/pond on the subject property is adjacent to the wash pond on the Haynes property. The main watercourse is a narrow pond fed from a culvert under Commercial Drive. Mr. Nemergut noted that Arthur Brookes Sons Inc. is proposing to operate a granite fabrication business at the site which would involve receiving large granite blocks and cutting the product on site to sell wholesale, as well as other

stone materials. The only existing access to the site is from the right of way through the Moyer property on Commercial Drive. Mr. Nemergut noted that the area for the driveway access from Industrial Park Road is thickly vegetated which will require clearing and grubbing. The driveway is proposed from Industrial Park Road along the property line to the west of the wetlands. The grade difference from the site to Industrial Park Road is 2 feet. An arch pipe 44" x 72" is proposed in the brook. For the secondary crossing a 24 inch pipe is proposed to match the 24 inch pipe from the wash pond on the Haynes property. Mr. Nemergut noted that there is no flow at the second crossing except from the reserve pond at Haynes. The source of the flow appears to be from the pipe from the Haynes pond. Mr. Nemergut noted that the right of way is in place, however the applicant and Mr. Moyer feel that the deliveries will be a disruption to the Moyer property as it is accessed through his parking area. Commission members noted that there has been concerns in the past with brown water in the area and the source had not been determined. Mr. Nemergut noted that there is a connection with the Haynes pond in high water. Mr. Nemergut noted that activity proposed in the upland review area is a 60' x 60' building, with proposed parking and septic for the building. The flat area will be used for storage of materials. Mr. Nemergut reviewed the alternatives; (a) no build/use existing right of way; (b) alternative crossing location but the proposal minimizes the disturbance; (c) bridge or bottomless culvert but the area is wide and the bridge is not economical. Mr. Snarski has indicated that the site did not justify a depressed culvert. There is no existing right of way from the Haynes property. Concern was raised about the 24 inch pipe for the secondary crossing. Mr. Nemergut noted that there will be a 6 foot wide pipe in the middle with flow through rip rap and through the channel. Commission members reviewed the Regulations pertaining to significant activities. A motion was made by Tanner Steeves and seconded by Sue Board to table acceptance of the application pending further review for determination of significant or non-significant activity. (4-0) Voted Unanimously. A motion was made by Tanner Steeves and seconded by John Dube to schedule a site walk on August 14, 2012 at 6:00 p.m. with a special meeting immediately following (approx. 6:45 p.m.) to be held at the Town Hall to determine if the proposal is a significant or non-significant activity. (4-0) Voted Unanimously.

Other Public Business:

Louis Lerner of Grove Street was present to discuss his concerns regarding the wetlands permit issued for 16 Grove Street. Mr. Lerner inquired if the Commission received the petition signed by residents. A copy was not received by the Commission but provided for information purposes from the Planning and Zoning Commission file. Mr. Lerner expressed concern about the parking area to be constructed at the end of Grove Street as that is where the Town plows the snow and there is no drain at the end of the street. He noted that the water backs up and freezes at his driveway. Commission members noted that the proposal was seen as an improvement. The parking will be permeable pavement. A member also noted that if a surveyor checks the site as the final grade is put down it will ensure that the activity is in accordance with the plans. Mr. Lerner noted that he has a sump pump in his house and a drain in the garage due to the high ground water. Members noted that the site walk was held in the pouring rain and the small creek was observed in the back. Members noted that the Wetlands Enforcement Officer will regularly check the site when the work is started.

Enforcement: Richard Cooke, 215 Winthrop Road: Discussion took place regarding the condition of the property at 215 Winthrop Road. The engineer of record is no longer involved in the project. A motion was made by Sue Board and seconded by Tanner Steeves to send a letter to Richard Cooke asking that all representatives of the project attend a meeting of the Commission to discuss the status of the activity on the site. (4-0) Voted Unanimously.

A member noted that the Town Crew was seen one day using machinery to remove material from Plattwood Pond along the parking lot and no permits have been issued. A question was raised if a permit is necessary for the Olson property for grinding and repaving a driveway and other possible activities taking place within a regulated area. Commission members reviewed the Regulations.

Correspondence: The following correspondence was received: (a) Habitat Newsletter; (b) copy of letter dated July 12, 2012 from Dawn McKay from CT Dept. of Energy & Environmental Protection (DEEP) to Frank Magnotta with Natural Diversity Data Base review of plan by Raymond Galeotti for 16 Grove Street with determination that the proposed activities will not impact any extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur in the vicinity of the property; (c) copy of letter dated July 9, 2012 from Priscilla A. Lerner to Planning and Zoning Commission regarding proposal by Raymond Galeotti at 16 Grove Street; and (d) copy of Approval of Authorization from CT DEEP to CT Dept. of Transportation for Statewide Drainage Maintenance Activities.

Report on Finances/Payment of Bills: The following bills were received: Nancy Howard, clerical services, 8 hours; Hartford Courant, legal advertising, \$39.60. A motion was made by Sue Board and seconded by Tanner Steeves to approve payment of the bills as submitted. (4-0) Voted Unanimously.

Ron Larsen noted that Bobby Hamlet, as an Eagle Scout project, is working on replacing the pin oak at the elementary school. It was noted that the Town took the wood from the tree that was removed.

A motion was made by Sue Board and seconded by Tanner Steeves to adjourn the meeting at 9:12 p.m. (4-0) Voted Unanimously.

Respectfully submitted,
Nancy J. Howard
Recording Secretary