

# 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, July 10, 2014 at the Deep River Town Hall was called to order at 7:35 p.m. by Chairman Mizejeski. Members present: George Atwood, Alan Mizejeski, Michael Tomlinson, Alternate/WEO Mark Reyher, and Alternate Tanner Steeves. Absent: Susan Board, John Dube, Ron Larsen, Carol Libby. Also present: Nancy Howard, Attorney Terrance Lomme, Brad Hardy, Geoffrey Jacobson, Fern Tremblay, Sam Shaw, Sarah Tulledge, Richard Gates. The Chairman seated Alternate Tanner Steeves for absent member Ron Larsen and seated Alternate Mark Reyher for absent member John Dube.

Approval of Minutes: A motion was made by Mark Reyher and seconded by Tanner Steeves to approve the minutes of the regular meeting of June 12, 2014 and site walk of June 17, 2014 as printed. (5-0) Voted Unanimously.

## New Business:

Bradford and Tracy Hardy, Hemlock Drive (Map 47, Lot 15-1): An application was received at the meeting held on June 12, 2014 from Bradford and Tracy Hardy for a two lot re-subdivision of property at 20 Hemlock Drive. A site walk was held on June 17, 2014. Present on behalf of the application were Attorney Terrance Lomme, Fern Tremblay, P.E. from Angus McDonald Gary Sharpe & Associates, and Brad Hardy. The proposal is for a two lot re-subdivision on Hemlock Drive. All proposed improvements on Lot 2 are outside of the regulated area. A revised plan dated 7/7/2014 was received from the applicant. The proposed driveway crossing has been relocated further south as a result of the site walk. The relocated crossing was determined to be more appropriate because of the slope of the driveway. The new location is more level. The crossing will be at a 90 degree angle. The new location is a shallower stream bed and will minimize the amount of fill needed and will reduce the disturbance to the wetlands. Mr. Tremblay noted that three 48 inch plastic pipes are proposed for the crossing. Mr. Tremblay noted that it was sized to a 25 year storm event; the headwater would reach top and free board over the driveway. A 10 year storm would top the driveway. The total disturbance to wetlands in the driveway is .3 acres; the disturbance for creation of the driveway in the upland review area is approximately 930 sq. ft. The pipes are 25 ft. long and the driveway is 12 ft. wide with a 4 ft. snow shelf on either side. The crossing is at a 90 degree angle to armor the river bed. The proposal is to excavate and install 18 inches of rip rap down and up the stream. The driveway will be pervious. Commission Member Mike Tomlinson discussed the option of placing fabric over the pipes to prevent permeation of wash between the pipes. Mr. Tremblay noted that the one foot space between the pipes will be filled with compacted processed gravel between the pipes. The area will be returned as close as possible to the natural state. Attorney Lomme noted that the plan is a schematic to show that the drive, house, and septic are feasible on the lot. If construction is done other than what is demonstrated, the proposal would need to return to this Commission for a site specific plan due to the proximity of the wetland review area. Mr. Tremblay presented a revised plan with the location of the sedimentation and erosion control measures drawn by hand on the plan. A motion was made by Mark Reyher and seconded by Tanner Steeves to approve the application by Bradford & Tracy Hardy as revised subject to the following conditions: (a) The Wetlands Enforcement Officer shall be notified prior to the start of work; and (b) Additional erosion and sedimentation control measures shall be placed, if necessary, in accordance with direction by the Wetlands Enforcement Officer. (5-0) Voted unanimously.

John Olson, Winthrop Road: Dick Gates, L.S. was present on behalf of John Olson regarding a proposed subdivision of the Olson property on Winthrop Road. Mr. Gates noted that he appeared before the Commission a couple years ago. There are three existing residences on the property. Mr. Gates noted that an application has been submitted to the Planning & Zoning Commission for the three lot subdivision. He also noted that no activity is being proposed. He is appearing before the Board because comments from the CIWC are required for planning review. Mr. Gates presented the plan for the subdivision of land. Commission members noted and expressed concern that the wetlands are not shown on the plan. The Commission members were in agreement that a proposal may not be reviewed for comment by the Commission without having wetlands delineations on the map.

Sam Shaw & Sarah Tulledge, 48 West Elm Street (Map 51, Lot 41): An application was received from Sarah Tulledge and Samuel Shaw for the purpose of a 4,200 gallon above ground pool located within the upland review area. Sarah showed pictures on her phone showing the location of the pool; the site has already been cleared. The pool will be installed and removed each year. Mr. Shaw noted that he chose the most level area in the back yard. The pool is four feet high. Six inches of soils were peeled off to level the site, the dirt was matted down and a pad will be placed under the pool for protection of the liner. The dimension of the pad is 11' x 20'. The pool is 9' x 18'. Mr. Shaw noted that the pool is located a foot higher than the sidewalk in front of the house (across from the Fire Department). The pad has been completed. Mr. Shaw noted that he was not aware the a permit was required for a four foot pool. Two feet and under do not fall under regulations. The pool will be taken down in September for the protection of the pool. Mr. Shaw noted that the water will be disposed of in the crushed stone near the barn so that it will leach into the ground. Commission members agreed to have the WEO issue an administrative permit for the proposed activity. The Commission will publish the notice of decision.

Town of Deep River, Industrial Park Road (Map 38, Lot 6B): Geoffrey Jacobson from Nathan Jacobson & Associates was present on behalf of the Town of Deep River regarding the Town property on Industrial Park Road. The Town had purchased the property from Gary Mislick. A permit was issued to Arthur Brookes for a wetlands crossing and construction of a building on the existing concrete pad. Mr. Jacobson noted that the Town is now developing the parcel for additional industrial space. The Town will install the road crossing providing access for three buildings to be constructed. The area where the buildings are proposed is disturbed land. Other than the crossing, no construction is proposed in the wetlands. (George Atwood left the meeting at this time.) Mr. Jacobson noted that the First Selectman is requesting that Permit No. 7-12 be transferred to the Town for the crossing and is looking for a consensus that the general proposal for the industrial buildings is acceptable. Wetlands permits will be required for the construction of the three industrial buildings. A motion was made by Tanner Steeves and seconded by Mike Tomlinson to approve the transfer of the Brookes permit, No. 7-12, issued for the Gary Mislick property to the Town of Deep River on Industrial Park Road (Map 38, Lot 6B) and consensus that the proposal by the Town of Deep River for the expansion of incubator space is acceptable. (4-0) Voted Unanimously.

Deep River Fire Department: An application was received at the regular meeting held in June from the Deep River Fire Department for the purpose of digging out water holes for fire protection. WEO Mark Reyher noted that he meets with Mike Malcarne at a site prior to him working on a site. The work is being done as a matter of public safety. A motion was made by Mark Reyher and seconded by Tanner Steeves to approve the permit to the Deep River Fire Department for the purpose of dredging maintenance of various Town fire fighting water sources. (4-0) Voted Unanimously.

Edward Lang, 67 Hoop Pole Hill Road: A timber stand harvest thinning is taking place at 67 Hoop Pole Hill Road. The project is USDA approved and is being done by Don Dubois. WEO Reyher noted that he visited the site this week and he believes the activity is as of right as a maintenance of the property. A temporary bridge is being put in across the wetlands. The project is also inspected by the USDA as the work is being done. A skidder is used to bring out the material. The edges of the brook are corduroyed. Commission members reviewed the regulations and agreed that the project would be considered as of right under Section 4.2a and no application would be required for this project.

George Bartlett, Jr. 444 Main Street: A motion was made by Tanner Steeves and seconded by Mark Reyher to add George Bartlett, Jr., 444 Main Street to the agenda. (4-0) Voted Unanimously. WEO Reyher noted that Mr. Bartlett currently has an application before the Planning and Zoning Commission for a used vehicle display area in the front of the property at 444 Main Street. The proposed plan was available for review by the Commission in order to provide an opinion to the Planning and Zoning Commission. After review of the proposal, Commission members agreed and determined that a wetlands permit is required for a regulated activity because the proposed activity is within 100 feet of wetlands and due to the possible impact of the proposal. A letter will be sent to Don Carlson, L.S. and Mr. Bartlett regarding the requirement for a wetlands permit.

Enforcement: WEO Mark Reyher reviewed the preliminary wetlands identification forms reviewed in the past month. The activities were for an above ground pool, decks (2), pre-built gazebo. No activities required a wetlands permit.

Chairman: Copies of the Town Plan of Conservation and Development were available for review by the members.

A motion was made by Mike Tomlinson and seconded by Mark Reyher to adjourn at 9:26 p.m. (4-0) Voted Unanimously.

Respectfully submitted,  
*Nancy J. Howard*  
Recording Secretary