

**INLAND WETLANDS & WATERCOURSES COMMISSION  
REGULAR MEETING – AUGUST 28, 2012  
WOLCOTT TOWN HALL, COUNCIL CHAMBERS  
MINUTES 6:30 P.M. PAGE 1 of 5**

**Note: These are summary minutes. A tape recording of this meeting is on file in the Inland Wetlands and Watercourses Office, Wolcott Town Hall.**

Chairman Garrigus called the meeting to order at 6:30 p.m., with the Pledge of Allegiance and attendance was taken.

**Members Present:** Mark Garrigus, Roy Balkus, Brian Lanese, and Bill Harpin

**Members Absent:** Richard Tucker, Sam Zotto and Teresa Pineau

**Alternates Absent:** Ed Myers

**Alternates Absent:** Teresa Northway and David Hamel

**Approval of Minutes:**

- Organizational meeting on March 27, 21012

Upon **MOTION** by Roy Balkus, seconded by Brian Lanese, it was unanimously voted to accept the minutes of the March 27, 2012 Organizational meeting.

- Regular meeting on March 27, 2012

Upon **MOTION** by Roy Balkus, seconded by Brian Lanese, it was unanimously voted to accept the minutes of March 27, 2012 Regular meeting.

- Special Meeting on May 10, 2012

Upon **MOTION** by Roy Balkus, seconded by Brian Lanese, it was unanimously voted to accept the minutes of the May 10, 2012 Special Meeting.

**CORRESPONDENCE**

There were none.

**CHAIRMAN'S REPORT**

Chairman Garrigus stated that they had 20 signoffs not involving wetlands.

**SUB-COMMITTEE REPORTS**

There were none.

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**PUBLIC REQUESTS**

There were none.

**OLD BUSINESS**

There were none.

**New Business**

- Permit #07-006- Sideline LLC, Lot 6 Beach Road, Wolcott, CT 06716. Emanuel Pitino & Ray Rinaldi, requesting a modification for a wall & drainage. Permit expired on July 26, 2012.

Chairman Garrigus informed the commission members that he has been working with Mr. Mazzeo. He noted that this permit was originally approved in 2007 and due to the economy nothing has been done and they are looking for a modification. Originally it was approved for a stone wall between the wetland area and the back of the house.

Mr. Lou Mazzeo came forward and stated that he is acting on behalf of Side Line LLC. He noted that they are looking for a modification on a wall that was originally proposed. What they are proposing is a concrete wall instead of a stone wall.

Chairman Garrigus noted that Mr. Tucker who was not available for the meeting tonight submitted a letter which he requested to be read into the record at which time Chairman Garrigus read it (see attached). "Regarding Lot #6 Beach Road I think we should accept the application for review and schedule a site walk before the app is accepted. The reason for this is that there are new members on the commission since last approval and they need to see what the physical constraints are that resulted in our "conditions" for the last application. Also several potential buyers looked at this property before and shyed away from it because of costs of wall construction. I am still not comfortable with the new proposal and we need to look at it again and discuss the alternatives. Remember, our responsibility is to the preservation of wetlands-not accommodate builders".

Chairman Garrigus said he tends to agree with Mr. Tucker. He recommends that they have a site walk. The commission had a brief discussion regarding a site walk and the commission decided on **September 10<sup>th</sup> at 6:00 pm.**

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Mr. Mazzeo indicated that they submitted a planting plan (see attached).

**After a brief discussion, the following motion was made:**

Upon **MOTION** by Roy Balkus, seconded by Brian Lanese, it was unanimously voted **to Accept for review** Permit Application #07-006- Side Line LLC, Lot 6 Beach Road, Wolcott, CT 06716 Requesting a modification for a wall and drainage.

- PERMIT #05-035 -Robert Tommone, 56 Lake Street, Wolcott, CT 06716, requesting a renewal of a Permit issued in 2005 which expired on June 7, 2011, for Lot 116A Valcourt, Wolcott CT, 06716 for a new single family home.

Chairman Garrigus stated that this is another permit that was approved with conditions. He noted that the permit was issued in April 10, 2006, and then Mr. Tommone purchased the property in July 30, 2006, and never requested a transfer of the permit. The permit has expired. He also recommends that they have a site walk. The commission decided on September 10<sup>th</sup> at 6:30 pm.

**After a brief discussion, the following motion was made:**

Upon **MOTION** by Brian Lanese, seconded by Roy Balkus, it was unanimously voted **to Accept for review** for Permit Application #05-035- Robert Tommone, Lot 116A Val court, Wolcott, CT 06716 for a new single family home.

- Permit Application #12-009- Michael Favreau, 18 Tosun Road, Wolcott, CT 06716, proposing to fill in the upland review area to create access to existing building.

Michael Favreau and Bob Green from Robert Green Association, 6 Old Waterbury Road, Terryville CT was present and came forward to indicate that Mr. Green is here on behalf of the applicant. Mr. Green noted that the property is located on Tosun Road across the exotic tree green house. He stated that their intent is to fill in the upland review area to gain access to an existing overhead door. He mentioned that the wetlands are flagged out which is shown on said map. Also the upland review area is colored in yellow on said map. He stated they are proposing to fill in approximately 150 cubic yards of material in the upland review area. They are removing some soil. He also stated that the property is located in a floodplain. Mr. Green also noted that he submitted a soil scientist report (on file). He noted that the material will be coming from a pit on site and it will be cleaned.

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Chairman Garrigus inquired about the excavating materials and wanted to know where it was going at which time Mr. Green stated that if it is material cleaned it will be used a part of the fill within the retaining wall. If not it will be removed from the property.

Chairman Garrigus asked how many yards they will be removing at which time Green said 240 yards.

Chairman Garrigus also noted that he will be running it by FEMA because they have to comply with the ordinance.

After the discussion the following motion was made:

Upon **MOTION** by Roy Balkus, seconded by Bill Harpin, it was unanimously voted to **Accept for review** and have a **site walk** on September 10<sup>th</sup> at 7:00 pm for Permit Application #12-009- Michael Favreau, 18 Tosun Road, Wolcott, CT 06716 proposing to fill in the upland review area to create access to existing building.

**DISCUSSION OF MISC. MATERIALS, VIOLATIONS & COMPLAINTS**

Chairman Garrigus explained to commission members that in June of this year the town engineer was working on a project on town line road and noticed numerous trucks were driving in and out of 32 and 36 Town Line Road. He placed a complaint with Mr. Kalinowski regarding the material being placed on their property. He advised the commission that they are only able to move 200 yards a year without a permit. He also noted that this came up to the commission a year ago.

He stated that they took probably 700 to 1,000 yards of material out of Watercreek and deposited on their property. He stated that their property is listed as auto repair, not as a contractor. Also, he noted that this in the flood plain and the stockpiles are at least 10 feet from the river with no soil and erosion controls in place. They asked Mr. Olmstead to submit a site plan application so they could go through the proper channels. Mr. Olmstead never filed with Wetlands.

Chairman Garrigus noted that the ZEO asked him for his response in regards to a site plan application that he received from Mr. Olmstead regarding stockpiling. He noted that he could not accept it or approve it, so he denied it. "He added that the Planning and Zoning commission denied Mr. Olmstead's application on

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August 15, 2012. He also stated that he sent Mr. Olmstead a violation letter on July 3, 2012 (on file). He noted that there was no respond.

Chairman Garrigus spoke with the Town Attorney and was told by him that this needs to be taken to the commission. He also noted that he spoke with FEMA. He recommends that they send Mr. Olmstead a notice of violation of the regulations and have a hearing. The commission decided on September 25<sup>th</sup> to have a special meeting.

**ADJOURNMENT**

Upon **MOTION** by Roy Balkus, seconded by Bill Harpin, it was unanimously voted to adjourn at 7:20 pm

**APPROVED:**

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**Mark Garrigus– Chairman  
INLAND WETLANDS COMMISSION**

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**DOLORES DISTISO  
COMMISSION SECRETARY**