

**INLAND WETLANDS & WATERCOURSES COMMISSION
REGULAR MEETING – SEPTEMBER 25, 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, Bill Harpin and Richard Tucker

Members Absent: Sam Zotto and Teresa Pineau

Alternates Absent: Ed Myers

Alternates Absent: Teresa Northway and David Hamel

Approval of Minutes:

- Regular meeting on August 28, 2012

Upon **MOTION** by Richard Tucker, seconded by Roy Balkus, it was unanimously voted to approve the minutes of the August 28, 2012 regular meeting.

CORRESPONDENCE

There were none.

CHAIRMAN'S REPORT

Chairman Garrigus stated no chairman report.

SUB-COMMITTEE REPORTS

There were none.

PUBLIC REQUESTS

There were none.

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OLD 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 stated that they are going to issue a new Permit Number 12-013. They had their site walk last Monday, at which time he asked if any members had questions.

Vice Chairman Tucker commented because this was a permit that had conditions identified originally. He advised the commission that there were several potential buyers who walked away from this property because of the fact that there was an expense that would be incurred by installing a stonewall. With the changes that have come about since then with the new proposal, he noted that the new developers are asking for a design change to the wetlands. He noted that the commission went out and looked at the site again to determine whether or not that change was something that was going to maintain the original intent or if it was going to alter the original intent, so that the wetlands would be compromised. After their site walk in his opinion he determined that with the proposed concrete retaining wall that their original intent was to maintain; that it wasn't altered. However, he also feels that the commission should understand that although it is a compromised wetland they are responsible for maintaining and retaining the eco systems in a wetlands and the intended water retention of each wetlands. To that end although this is a compromised site he still thinks that they need to keep those wetlands intact. And to that end that is why he suggested that they place the posts across the property and he further feels that they should approve this permit with conditions that state that beyond these posts it would never be developed.

Chairman Garrigus asked if anyone else had any comments.

Mr. Balkus asked if the posts in the original approval were the posts diagonally across the lot or did they go around the wetlands to the rear.

Vice Chairman Tucker stated that in the original proposal the stonewall went where the new concrete wall has been extended. It would be moved around where the proposed shrubs would be planted. He stated that he would like the posts removed and placed across to the northeast at which time he showed Mr. Balkus.

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Vice Chairman Tucker noted that they could build the house, they can maintain the wetlands and it is a compromise. Mr. Balkus pointed out that the whole property is in the review area at which time Mr. Tucker said correct.

The commission and the applicant had a lengthily discussion on what they were going to do and they could not agree on anything.

Chairman Garrigus stated that they will have to table this.

Upon **MOTION** by Richard Tucker, seconded by Roy Balkus, it was unanimously voted to **TABLE** until the October meeting Permit Application #12-013.

- 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 the new permit number that will be issued is 12-014. He stated that they had a site walk last Monday at which time he asked the commission members if they wanted to discuss this, at which time there was no discussion. Chairman Garrigus note that he is looking for a motion.

Upon **MOTION** by Roy Balkus, seconded by Richard Tucker, it was unanimously voted to **RENEW PERMIT** on Valcourt as permit #12-014.

Mr. Harpin inquired if that was for a renewed permit at which time Chairman Garrigus said it is to renew the permit.

- 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.

Chairman Garrigus noted that they had a site walk on Monday, at which time he asked the commission if there is any discussion.

Chairman Garrigus pointed out that he spoke with DEEP in regards to filling in the floodway, and they referred back to the ordinance that they had to pass for the state. He noted that Under 3.6 "floodways" at which time he read into the record.

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Floodways:

There shall be no encroachments, including fill, new construction, substantial improvements, and other development unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments will not result in any (0.00 feet) increase in flood levels during the occurrence of the base flood discharge. Fences in the floodway must be aligned with the flow and be of an open design. The second article was alteration which he read into the read.

Alteration of Watercourses:

- a. notify adjacent towns and the Connecticut Department of Environmental Protection, Water Resources Unit, prior to any alternation or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency; and
- b. require that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

Chairman Garrigus stated when they looked at the site what they have there will not work according to the state and the elevation flood area, so they are looking for hydraulic calculations to show how that could affect the stream flow in that area. Basically, what they are up against is the FEMA established floodway which is up against the building and the material that they are removing is not adjacent along the floodway but perpendicular to it.

Chairman Garrigus advised them he needs calculations for them to review and the town engineer, at which time Mr. Green said ok.

Also, Chairman Garrigus noted the he is looking for motion to table this until the next meeting.

Upon **MOTION** by Roy Balkus, seconded by Richard Tucker, it was unanimously voted to **TABLE** to the next meeting Permit #12-009.

New Business

There were none.

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EXECUTIVE SESSION

There was none.

DISCUSSION OF MISC. MATERIALS, VIOLATIONS & COMPLAINTS

There were none.

ADJOURNMENT

Upon **MOTION** by Richard Tucker, seconded by Roy Balkus, it was unanimously voted to adjourn at 7:00 pm.

APPROVED:

**Mark Garrigus– Chairman
INLAND WETLANDS COMMISSION**

**DOLORES DISTISO
COMMISSION SECRETARY**