

WOODSTOCK INLAND WETLANDS & WATERCOURSES AGENCY
REGULAR MEETING MONDAY, AUGUST 6, 2018 – 7:00 P.M.
WOODSTOCK TOWN HALL – LOWER LEVEL, ROOM B

MINUTES

I. The call to order was by Chairman Mark Parker at 7:14 PM.

II. Roll Call: Mark Parker, Marla Butts, Bill Rewinski, Michael Thienel, Woody Durst, Diane Wolff (present at 7 PM, excused; returned at 7:35).

Note: Tina Lajoie (IWWA Agent) set up the materials related to the agenda; could not stay
Members of the public, Recording Secretary Dotti Durst

III. Appointment of alternates: none

IV. Action on minutes of previous meetings – July 9, 2018: **Motion by M. Butts seconded by B. Rewinski, to re-sequence this agenda item to become part of item VII, Wetlands Agent Activity Report, carried unanimously.**

V. New Business:

a. #08-18-14 Elizabeth Zimmerman Smith & Patrick McKenna Lynch Smith, Roseland Park Rd (Map 7282, Block 55, Lot 30 -) – Improving existing access road:

- the application was presented last month and discussed (30 acres to be used for wildlife refuge as well as agricultural and educational uses)

-there are 2 matters regarding this parcel; one is to determine if improving the current undeveloped road is an exempt activity, the second is related to Timber Harvesting.

- using the available 2016 DEEP 100-year flood plains map, panel 20 of 30, it appears it does to be an exempt activity; although the road might be slightly within the FEMA-designated 100-year floodplain, there is likely no adverse impact, due to the retention created by the embankments of the pond.

– the culvert seems adequate; there is no evidence of over-topping

- it was confirmed by the applicant, Bet Zimmerman Smith, that the upgrade of the 1934 road, to give access for timber thinning (their Forest Management Plan) and for haying as well as for use by the public, will remain in place.

– a grant application notes a snail but there will be no impact (NRCS flagged it)

– the applicant confirms that the soils scientist found only a small area of wetlands soils; the maps need to be changed to reflect the area as being around 350' by 12'

– another field on the south end of the property has no accessway, nor is one planned

- **Motion M. Butts seconded by B. Rewinski to move for approval of #08-18-14 with no special conditions carried unanimously.**

– the applicant questioned whether the application is subject to the fee and if she should request a fee waiver.

– since there is a permit being issued, a fee customarily applies

- if there is an identified Public Benefit to the parcel, a waiver can be considered.

– given the access to TLGV for Walktober and other public access, it was determined that there is a public benefit

-Motion M. Butts seconded by B. Rewinski to waive the application fee, in light of the stated public benefits, (Regulations 19.8.a.), with the provision that the applicant bring her written request to the Wetlands Agent, carried unanimously.

Chair M. Parker - D. Wolff has returned at 7:35 PM

b. #08-18-16 Keith & Barbara Pezzetti, Indian Spring Rd (Map 5787, Block 34, Lot133W) - There is no proposed activity in the upland review area (125 feet from a continuous watercourse) therefore no regulated activity; a corner of the second concrete chamber of the septic appears to fall into the area. **Motion by M. Butts seconded by D. Wolff to modify application #08-18-16 to a Wetlands Agent approval, to be held pending the arrival of the NDDH approval for location of the septic system, carried unanimously.**

VI. Old Business

a. #07-18-13 Stephen & Lorraine Gabriele, Crystal Pond Rd (Map 6385, Block 39, Lot 39F) - Subdivision and Special Permit for Proposed multi-family development: the application was received at the July IWWA meeting. An issue last month was whether the cart path is considered to be within wetlands. There were no issues with the waterfront wetlands themselves. M. Charette, 197 Crystal Pond Road -There is a drainage area on the east side of the property which drains into the lake. Along the stone wall where our property abuts that of the applicant, there is waterflow, (within 100' of the watercourse). Discussion: David Smith (PE) at KWP has the required credentials to document this situation. The plan does not show a culvert across the driveway, which would be within the upland review area, so this needs to be addressed. His evaluation, in writing, is needed, to determine if there could be erosion. **Motion M. Butts seconded by W. Durst to table the application, awaiting the findings from the applicant's engineer as detailed, carried unanimously with M. Thienel abstaining.**

b. Elizabeth Zimmerman Smith & Patrick McKenna Lynch Smith, Roseland Park Rd (Map 7282, Block 55, Lot 30 -) – Timber Harvest utilizing access road – Use Permitted As of Right: The applicant's map shows patch cut/thinning and shows stands with trails. **Motion M. Butts seconded by W. Durst that the Timber Harvest request of 06-26-2018 n As of Right permitted use carried unanimously.**

DISCUSSION- two matters are before the Commission for this parcel, but the application shows only one number; *As of Right* matters should have their own application numbers. By consensus, the matter of the numbering system and the forms needed for *As of Right* and *Non-regulated Uses* is moved to next month's agenda. M. Butts will provide sample language used by Thompson.

VII. Wetlands Agent Activity Report of August 6, listing activities during the previous month and associated time requirements was read aloud by Chair M. Parker.

- a. B. Rewinski- Painter Pond downstream seems, upon his inspection, to be remarkably clear, with no evidence of sedimentation. Attention needs to be directed to where the dam was removed to watch for changes in the level of sedimentation, especially heavier materials. Maybe photos could document any changes.
- b. M. Butts asks about the status of the Wetlands Agent being in attendance at the IWWA meetings. Much of tonight's work should have involved interaction with the Agent. M. Parker suggested a formal request go to the BOS, explaining the interactive nature of the IWWA meetings. He understands through the Selectmen that union contracts control some of these decisions, including attendance at evening meetings.
- c. M. Parker - IWWA does not receive a monthly fiscal status report, but that he will request one from the Treasurer's office.
- d. W. Durst – the Wetlands Agent July report, which demonstrates the amount of time needed for each responsibility, is helpful to the Commission in understanding her time and it is available for anyone to see.
- e. D. Wolff – the consensus of the Committee is that the chair should move ahead with a letter of inquiry to the BOS regarding the Wetlands Agent being present at the monthly meetings. Additionally, we are in agreement that the Treasurer should provide the Commission with a monthly fiscal report.

Motion by D. Wolff seconded by B. Rewinski to receive/accept the Wetlands Agent report as written carried unanimously.

Action on minutes of previous meetings – July 9, 2018 (agenda item re-sequenced from # IV.

Motion by M. Butts seconded by B. Rewinski to receive/accept the minutes of the July 9, 2018 meeting, which have been distributed at this meeting, carried unanimously with D. Wolff and M. Thienel abstaining. Chair M. Parker-these minutes note that the Agent is needed at our meetings. He will follow up with the formal request.

VIII. Citizen's comments / other topics

a. Eastern CT Conservation District Pond Review – 264 Senexet Rd: it is unclear what prompted the report. It is not a new situation for sediment to move down Bull Hill and across Senexet Rd flowing into Dr. Looby's pond, but it seems to have worsened since a paved apron was installed, resulting in a public safety problem for passing vehicles. **Motion by B. Rewinski seconded by D. Wolff to ask T. Lajoie to contact the Director of Public Works, to learn of the Town's plans to prevent run-off from entering the pond.** Discussion: revise the request to ask the Town to address the run-off issues rather than request the plan. **Modified Motion B. Rewinski/D. Wolff to ask the Town to address the run-off from Bull Hill across Senexet Road carried unanimously.**

b. Gary Cameron, Crystal Pond Road –the minutes state that the #07-18-13 application (Gabriele) is asking to build the cabin-type structures “for family use’ so how is possibly using them for rental units addressed? The concern is maintaining water quality in the pond and people using the site with boats from other areas could possibly create a problem. D. Wolff – IWWA does not control uses of a parcel, only any impacts on wetlands and watercourses.

Perhaps the Lake Association has rules about this. President of the Crystal Pond Association, Christopher Mayhew, Lake Dr, Eastford - clarified that their rules only control the dam and monitoring water quality. M. Charette – there is no document on the NDDH website regarding this application. M. Butts – the proposed pavilion is within the upland review area (125 feet), which is regulated, and it appears the plan calls for pumping up to the main dwelling unit's chamber. NDDH or DEEP will base their determination of this plan's acceptability on various factors. Questions should be submitted in writing to the NDDH; our Wetlands Agent will assist you with details to put the questions together. Submit your list of questions to this commission in advance of the next meeting, focused on water quality matters. Christopher Mayhew– the lake is currently free of invasives; can this use bring in boats that could endanger this ideal situation? M. Charette- asks the possibility of petitioning for a Public Hearing on the application. IWWA Regulations, Section 9.1: Petitions are allowed within 14 days of submission of the application, if the application is of significant impact or is in the public interest; none seem to apply. It was clarified that IWWA can issue a permit with conditions or limitations, if that is in the public interest.

IX. Motion to adjourn by D. Wolff seconded by M. Thienel at 9:01 PM carried unanimously.

Next meeting: the **Second Monday** of the month, September **10**, 2018

Respectfully Submitted; Dorothy Durst, Recording Secretary *Dorothy Durst*

These minutes have not yet been approved by the IWWA. Please refer to next month's meeting minutes for approval of and/or amendments to these minutes.