



TOWN OF GOSHEN

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Martin J Connor, AICP, Town Planner/Zoning and Inland Wetlands Enforcement Officer

TO: Goshen Inland Wetlands Commission
FROM: Martin J. Connor, AICP, Town Planner, ZEO/IW Enforcement Officer
SUBJECT: IW Activities Report for November
DATE: 12/28/23

Brendon Sandor & Karen Sandor, WL Lot 477, Tax Assessor's Map 05 Lot 045-00, construct dwelling, driveway, well & utilities: Inland Wetlands Permit #05-04-01 was issued to C. M. Pateman 5/11/04. A public hearing with 4 continuations were held and the Commission granted approval with conditions, including a conservation restriction area. Mr. and Mrs. Sandor purchased the lot and requested that this permit be transferred from Mr. Pateman to them. The permit was subsequently transferred to the Sandors, and they requested a permit extension which was granted and finally expired 5/11/18. A new application is now required and has been submitted but without updated engineering plans. The applicant at the 10/5/23 Meeting, after a discussion with the Commission elected to submit the Site Development Plan previously approved with conditions by the Commission after a public hearing was held. The Commission at the 11/2/23 Meeting asked for additional information, an updated report by a Wetlands Biologist. Mr. Sandor emailed me asking for more clarification regarding the Commission's request. I responded via email, *"The Commission wants a present-day wetlands biologist report that includes a description of the ecological communities and functions of the wetlands and the effects of the proposed activity on these communities and wetlands functions per Section 7.6.d of the Regulations. He or she can certainly review the original reports and compare and comment on the mitigation measures previously approved. Clearly, they want to know how today those wetlands are functioning. Your application will not be complete without this information and may be subject to denial for being incomplete.* In response Mr. Sandor submitted online a report from Ian Cole, LLC, Professional Soil Scientist / Professional Wetlands Scientist, dated 11/28/23. The Commission at the 12/7/23 Meeting, tabled the application to allow Commission Members to review Mr. Cole's report. **After reviewing Mr. Cole's report, I recommend approval which includes the recorded map filed on the Goshen Land Records 10/3/21006 which shows the Conservation Restriction Area, titled, "Zoning Location Survey Showing Proposed Improvements, Lot 477 Woodridge Lake, Prepared for C. M. Pateman & Associates, LLC, Sherbrook Drive, Goshen, Connecticut, "by Berkshire Engineering & Surveying, LLC, dated 9/3/093, revised 8/11/04, and the following conditions of approval:**

1. *If the authorized activity is not completed within Five years from the issuance date of: **January 4, 2029**, said activity will cease and, if not previously revoked*

or specifically renewed or extended, this permit will be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with the Inland Wetlands Regulations of the Town of Goshen. Expired permits may not be renewed, and the Inland Wetlands Commission may require a new application for regulated activities.

2. *The permittee will notify the Inland Wetlands Enforcement Officer upon commencement of work and upon its completion.*
3. *All work and all regulated activities conducted pursuant to this authorization will be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments, or regulated activities not specifically identified and authorized herein will constitute a violation of this permit and may result in its modification, suspension or revocation.*
4. *This authorization is not transferable without the written consent of the Inland Wetlands Commission.*
5. *In evaluating this application, the Inland Wetlands Commission has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete, or misleading, this permit may be modified, suspended, or revoked and the permittee may be subject to any other remedies or penalties provided by law.*
6. *The permittee will employ the best management practices as outlined in the 2002 CT E&S Guidelines, March 2002 edition and all amendments, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Wetlands Enforcement Officer. The permittee will immediately inform the Commission of any problems involving the wetlands or watercourses that have developed in the course of, or that is caused by, the authorized work.*
7. *No equipment or material including without limitation, fill, clippings, brush, construction materials, or debris, will be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit. Any such activity not authorized by this permit may be just cause for revocation of the permit. **All yard waste and garden clippings shall be disposed of offsite to avoid potential encroachment into the remaining wetlands area per the recommendations of the Commission's Wetlands Scientist Penelope Sharp.***
8. *This permit is subject to and does not derogate any rights or powers of the Town of Goshen, conveys no property rights or exclusive privileges, and is subject to all public and private rights to all applicable federal, state and local laws. In conducting and maintaining any activities authorized herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of Goshen.*

9. *If the activity authorized by the inland wetlands permit also involves activity or a project that requires zoning or subdivision approval, special permit, variance, or special exception, no work pursuant to the wetlands permit may begin until such approval is obtained.*
10. *The permittee will maintain sediment and erosion controls at the site in such an operable condition as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee will correct any such deficiencies within 24 hours of said deficiency being found. The permittee will maintain such control measures until all areas of disturbed soils at the site are stabilized.*
11. *Erosion and sedimentation controls are installed and inspected **prior** to start of construction.*
12. ***All disturbed areas will be stabilized (even if temporarily) no later than November 1.***
13. *The Conservation Restriction Area shall be marked in a manner acceptable to the Inland Wetlands Officer prior to any construction. Either a post and rail fence or stone wall shall be used to further mark the Conservation Restriction Area and to ensure protection of this area.*
14. *During construction, the orange construction fencing shall be installed in front of the silt fence as shown on the approved plan to define the construction line limits as additional protection of the wetlands.*

Gary Giordano for Jeffrey Purcell Jr. Ivy Mountain Rd., Map 05 Lot 027 00, driveway crossing in regulated area: Met with project engineer and discussed application. I had previously made a site visit when I observed work on the property, timber harvest. I sent Mr. Purcell a letter and he indicated that he was working with an engineer to build a house on the property. I reviewed the plans. It does not appear to be a significant activity. I recommend that the Commission approve the application.

Anna Bangay, 170 North Goshen Rd., culvert installation and driveway improvements, no Inland Wetlands Permit: Investigated complaint from Public Works Director regarding work done in the regulated area with no permits. Made Site visit. Sent a Notice of Violation. Applicant called the office in response to letter and said her driveway washed out during the summer heavy rains. Her contractor told her since it was a repair no permits were required. She agreed to file an after-the-fact Inland Wetlands application and driveway permit application.

Richard McCarty for Mary Hill, 192 East Hyerdale, shoreline stabilization & rain garden to control erosion: The Commission approved the application at the 12/7/23 Meeting. Discussed approval with contractor and WLPOA.

Marc McCarthy, Milton Rd., Map 06 Lot 010 08, Inland Wetlands Permit # 19-1W, 5-year permit extension request for lots 8 & 9, Roraback Subdivision, construct portion of rain garden, cart path to lake and drainage in upland review for house outside regulated area: Discussed Permit extension with applicant.

Michael & Susan Leitman, 12 Wynwood Court - Assessor's MLB 06-086-00 – Demolition and additions to existing dwelling, revised driveway location, grading and drainage, new paver walk and patio, and repair/re-mortar existing lake wall. Site visit to check on E&S Controls. Shoreline stabilization will be done when lake is drawn down. Met with Contractor, Colin Pottbrcker, who is requesting a modification of the original permit for the remaining work – existing lake wall. He has submitted a revised plan that doesn't involve mortar and use geotextile fabric, field stone and boulders. I would recommend that the Commission approve a permit modification. This will be longer-term shoreline stabilization project more in line with other shoreline stabilization projects approved by the Commission.

Garrett Harlow for Town of Goshen, Sharon Turnpike, Assessor's Map 06 Lot 076 00, Construct building 160' x 85' x 35' for storage of vehicles and equipment for Town of Goshen and Goshen Volunteer Fire Company: Favorable report made to PZC. The Planning & Zoning Commission set a public hearing date, 11/28/23, to hear Site Plan application but subsequently withdrew the application to gather more information. A Building Committee was set up by the Selectmen. The Town Clerk was served with an appeal of the Inland Wetland's Commission's decision by Marissa Wright and Michael Leonard on 12/5/23 more than 15 days after the notice of decision was published in the Republican American, 10/26/23. Their appeal has been forwarded to the Town Attorney.

Fred Erik Nilsen 411 Milton Road, Tax Assessor's Map 06-004-010-06, enforcement action for clear cutting within 100 ft of Woodridge Lake: Enforcement action should continue until a restoration plan is approved. Site visits to check on E&S Controls. Additional E&S controls were requested and have been installed. Project Engineer, Bill Colby, reported additional topographic survey work has been completed. and the Landscape Architect, Michael Cegan, is working on a restoration plan and they were awaiting Chip Roraback's Association's approval on revised house location. Project Engineer, Bill Colby, met with me to discuss drainage for the proposed house. I also spoke again this week with Michael Cegan as well who is designing the Landscape Plan for the new house and the restoration plan.

Robert H Hull IV, 106 Sandy Beach Road, construct new septic system and well,

Abandon existing septic system: Mr. Hull requested that his permit issued 10/11/18, be extended for 5 additional years. The septic system work has been completed but the new well has not yet been drilled. His request was made via email prior to the expiration. Due to the COVID Pandemic Section 22a-42 of the CT General Statutes was amended to indicate any permit issued under this section on or after July 1, 2011, but prior to June 10, 2021, that did not expire prior to March 10, 2020, shall expire not less than fourteen years after the date of such approval. I requested that Lori issue a revised permit with a expiration date of 10/11/32, 14 years after the original permit was issued.

Sumir & Nidhi Sahgal, 209 West Hyerdale Dr., sea wall and steps, no Inland Wetlands Permit: Investigated complaint regarding work done in the regulated area with no permits. Made Site visit. Spoke with WLPOA regarding violation. Sent enforcement letter. Contractor came into office with Engineer Bill Colby and was and filed an after-the-fact application. The masonry wall will be removed by hand and replaced with a typical shoreline stabilization using filter fabric and rip-rap. Not a significant activity. The Commission approved the application at the 11/2/23 Meeting. The contractor who was to do the work started the job and has quit. A new contractor came into the office to discuss the permit. The masonry wall was removed and replaced with rip-rap. Inspected the completed work. Verified completion of the work with WLPOA.

William Colby for Anthony Renzullo, Brynmoor Ct., Assessor's Map 05 Lot 057 00, construct dwelling, driveway, well & utilities: Discussed permit issued with real estate agent marketing the property.

Edward Dutka, WLPOA, 260 East Hyerdale Drive, structural repair and rehabilitation of concrete dam, retaining walls and stilling basin: Made site visit. Work for this year has been completed. More work next summer.

Dean Harley, Rock House, Map 03 Block 016 Lot 006, construct driveway for future barn and dwelling: Permit issued. Contractor to notify office when work begins.

Edmond Meto, Ed & AJ Building & Remodeling LLC, 77 Paxton Ct., construct dwelling, utilities and well in a regulated area: Site visits for E&S controls.

Howard Noreika, 157 E. Hyerdale Dr., construct dwelling: Site visits for E&S controls.

Michael A. Cegan for Karen Ross, 153 W. Hyerdale Dr., Regulated activities include a building addition, deck renovations, permeable terraces, stone walls and boulder slopes, permeable and solid stone steps, a new dock to replace the existing dock, shoreline stabilization, and wetland enhancement plantings: Made a site visit to property, work underway.

Richard B. Rosiello for Peter M and Mariel Goodson, 167 W. Hyerdale Dr., after-the fact application, Within the 100' regulated area: repair/restore the compromised existing lake wall south of the dock: Site visits for E&S controls.

Berkshire Engineering & Surveying LLC for Eric Trattner, 158 E. Hyerdale Dr., Demolish existing dwelling, rebuild on existing foundation with additions, modify driveway, AC units, generator pad, fence and buried propane tank in upland review area: Site visit to check on E&S Controls.

Barbara Ziogas, 134 Sandy Beach Rd., raze an existing seasonal cottage and construct a new seasonal cottage and repair and septic: Site visit to check on E&S Controls. Issued a Zoning Permit for the construction. Foundation dug, silt fence in place.
Awaiting an as-built survey of the foundation for Zoning before they proceed further.

Christopher Root, 113 Lyman Lane, construct dwelling, grading and roof drains within regulated area: Site visit to check on E&S controls.