

**TOWN OF GOSHEN  
INLAND WETLANDS COMMISSION  
REGULAR MEETING MINUTES  
THURSDAY, AUGUST 6, 2015 – 7:15PM**

**PRESENT:** Chairman Tom Stansfield, Allen Kinsella, Lorraine Lucas, Andy Savarese, and Rick Wadhams.  
**EXCUSED:** Carey Budnick, Ray Turri; Martin Connor, AICP, Town Planner/Inland Wetlands Enforcement Officer.

**1. CALL TO ORDER:**

Chairman Thomas Stansfield called the meeting to order at 7:15PM. The proceedings were recorded digitally, and copies are available in the Land Use Office in Town Hall. Andy Savarese arrived at 7:20PM.

**2. PUBLIC HEARINGS:**

No business was discussed.

**3. READING OF THE MINUTES:**

**A. July 2, 2015 regular meeting.**

**MOTION** Mr. Wadhams, second Mr. Kinsella, to approve the minutes of the July 2, 2015 regular meeting as written; the motion carried 3-0-1 with Mr. Stansfield abstaining.

**4. OLD BUSINESS:**

**A. Raymond Van Duyne, Lot #235 Canterbury Court (Assessor's Map #06-006-145-00) – Construct Single Family Dwelling, Well, Driveway, & Sewer Line in the Regulated Area.**

Noting that the applicant was not yet present, the Commission decided to table this matter to later in the agenda.

**MOTION** Mr. Stansfield, second Mr. Kinsella, to table the matter of **Raymond Van Duyne, Lot #235 Canterbury Court (Assessor's Map #06-006-145-00) – Construct Single Family Dwelling, Well, Driveway, & Sewer Line in the Regulated Area** to after discussion of agenda item 5; unanimously approved.

**B. Mary & Russell Comstock, 193 East Street North – Construct Barn in the Regulated Area.**

Mary Comstock addressed the Commission regarding this matter. Ms. Comstock briefly reviewed the plans prepared for this application with the Commission. The plans showed the proposed barn location, as well as a suitable location for septic system reserve area; Torrington Area Health District approval was present in the file. Ms. Comstock explained that she was selling this property, and she wanted to obtain approval for a pole barn for a potential buyer. She said that the barn would not have any water hookup. The Commission reviewed the soil scientist report that Ms. Comstock had submitted since the last meeting; Mr. Stansfield noted that the report was fairly standard for what would be expected in an area adjacent to wetlands. Referencing last month's minutes, Mr. Stansfield asked about access to the barn. Ms. Comstock stated that the potential buyer had not mentioned a need for access to the barn; she only wanted to ensure that a barn was possible onsite and any additional approvals would be the responsibility of the new property owner. However, she noted that there were two potential ways to access the proposed barn location.

**MOTION** Mr. Kinsella, second Ms. Lucas, to approve the application in the matter of **Mary & Russell Comstock, 193 East Street North – Construct Barn in the Regulated Area**; unanimously approved.

5. **NEW BUSINESS:**

A. **Carl Contadini, 300 Bartholomew Hill Road – Request for Declaratory Ruling – Remove Beaver Dams and Weeds from Farm Pond.**

Explaining that his son was employed by Mr. Contadini, Mr. Stansfield recused himself from this matter and exited the meeting room at 7:24PM.

Carl Contadini addressed the Commission regarding this matter. Mr. Contadini explained that he had been approached by the Town's Public Works Department and asked if he would consider removing a beaver dam that was causing the river level to run higher from the street to the back of his blueberry field. He said that he then spoke with Marty Connor about this matter as he also wished to remove some invasives from the farm pond from the shoreline out to 10 feet. Mr. Connor had explained the matter would have to come before the Commission.

Mr. Contadini said that there were a series of four dams that were causing the flooding. One was by the street, another was approximately 100 feet in, another 150 feet beyond that, and the last one by the back of the field was another 150 feet beyond that. He proposed to start with the one furthest from the street and work up to the front. In order to access the first dam he planned to work on, he would need to remove approximately 100 feet of brush; he planned to start in the fall when the leaves were down. Mr. Contadini said that drainage pipes at the back of the field were plugged up continuously and had to be cleaned out daily. He said that he had been hiring people every fall to remove the beavers, but it was not solving the problem.

Ms. Lucas questioned whether any material would be brought onto the site, and Mr. Contadini responded negatively. The Commission then reviewed Mr. Connor's report on this matter, in which he recommended that this activity was eligible for a jurisdictional ruling under Section 4.1A. Ms. Lucas stated that since the activity was only removal of dams and removal of brush to access dams, and did not include carting in additional material, she had no objections.

**MOTION** Mr. Kinsella, second Mr. Wadhams, to find the activities described in the matter of **Carl Contadini, 300 Bartholomew Hill Road – Request for Declaratory Ruling – Remove Beaver Dams and Weeds from Farm Pond** represent a permitted use as of right under Section 4.1A of the Town of Goshen Inland Wetlands Regulations; unanimously approved.

Mr. Stansfield returned to the meeting room at 7:30 and was seated for the remainder of the meeting.

B. **Colby Engineering & Consulting for John Saba, East Street North (Assessor's Map #04-014-004) – Install Driveway and Utilities in the Regulated Area.**

Mr. Stansfield stated that Bill Colby, PE, had contacted him to advise him that he would be unable to attend this meeting. Mr. Colby had submitted a written statement regarding the application that he had requested be read into the record. Mr. Stansfield then read into the record Mr. Colby's letter dated August 6, 2015.

The project was for a driveway wetlands crossing to gain access to a house and septic system site. Mr. Colby's letter explained that there was insufficient area for a house and septic system at the front of the property. The crossing would fill approximately 4,243 square feet of wetlands. A section of the crossing would have a small boulder retaining wall in an effort to reduce wetlands filling and keep the project under 5000 square feet of disturbance. The application was currently being reviewed by the Torrington Area Health District, and the driveway corridor would be flagged prior to the next meeting so that Mr. Connor could visit the site.

The Commission reviewed the plans submitted and noted that the length of the crossing would be 160 feet. They then reviewed Mr. Connor's report on this application and discussed the significance of this proposal.

Members discussed the need for additional materials prior to making a determination on significance. Mr. Stansfield noted that there was no soil scientist's report in the file. Mr. Kinsella requested additional information regarding how the stone boulder wall would be constructed, as well as a profile of the crossing area. Members also requested additional information regarding erosion and sedimentation controls in the crossing area, noting the presence of a stream running through the area. Ms. Lucas also questioned whether a site visit might be worthwhile in order to determine the quality of the wetlands onsite.

**MOTION** Mr. Kinsella, second Mr. Savarese, to accept the application in the matter of **Colby Engineering & Consulting for John Saba, East Street North (Assessor's Map #04-014-004) – Install Driveway and Utilities in the Regulated Area** with the condition that the following materials are to be submitted prior to the next meeting:

1. Soils report for this property.
2. Information about the construction of the stone boulder retaining wall and a profile of the wetlands crossing.
3. Information regarding erosion and sedimentation controls in the crossing area and around the stream.

The motion was unanimously approved.

**C. LDM Squared, LLC for John Jacobs & Vivien Diller, 41 West Hyerdale Drive – Shoreline Stabilization and Improve Walkway in the Regulated Area.**

Richard McCarty addressed the Commission regarding this matter. Mr. McCarty explained that a 45-foot section of the shoreline wall had collapsed due to ice damage this past winter. The wall was two feet high, and there had been no filter fabric behind the wall. Mr. McCarty explained that he wanted to excavate this section of the wall and rebuild it correctly. He reviewed with the Commission the cross-section he had prepared to show what was proposed.

Additionally, Mr. McCarty explained that there were several paths along the property, and the mulch was eroding. He proposed to put down a bed of pea stone with regular stepping stones on top from the house to the upper part of the lake. Ms. Lucas asked if any material would be removed, and he responded negatively. He submitted a sketch showing how this work would be done, as well as pictures of the walkway area and the shoreline.

Mr. Wadhams asked if the work at the shoreline would be done during drawdown, and Mr. McCarty responded affirmatively. Ms. Lucas then asked if machinery would be used as a part of the shoreline work, and Mr. McCarty stated that an excavator would be used. Ms. Lucas reiterated the importance of during the work during a drawdown such that the area was dry when the work was performed. Mr. Savarese asked when he anticipated doing the work, and Mr. McCarty explained that he was still waiting to hear from the Woodridge Lake Property Owners Association when the drawdown would be; he estimated between November and January depending on the weather.

**MOTION** Mr. Savarese, second Mr. Kinsella, to accept the application in the matter of **LDM Squared, LLC for John Jacobs & Vivien Diller, 41 West Hyerdale Drive – Shoreline Stabilization and Improve Walkway in the Regulated Area**; unanimously approved.

**4. OLD BUSINESS:**

- A. Raymond Van Duyne, Lot #235 Canterbury Court (Assessor's Map #06-006-145-00) – Construct Single Family Dwelling, Well, Driveway, & Sewer Line in the Regulated Area.** Noting that the applicant had still not arrived, the Commission decided to proceed with this matter.

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The Commission read Mr. Connor's report on this matter, noting that the application had been determined significant and therefore subject to a public hearing. It had been approved in 2004, but the permit was allowed to expire. A second permit application was submitted in 2010, based on the information submitted as a part of the 2004 application; this was approved in May 2010, but the permit was also allowed to expire. The applicant was once again seeking a new permit based on the information contained in the original approval; there were no changes to the plans.

The Commission reviewed the maps and plans in the file that were associated with the original approval in 2004. Mr. Wadhams, noting that the application had been determined significant in 2004 and therefore subject to a public hearing, questioned whether a public hearing was appropriate at this time since the original approval occurred 11 years ago. Members discussed whether any pertinent laws or best practices had changed in the intervening 11 years which might necessitate a new public hearing to obtain additional information. The Commission then reviewed the comments made by Penelope Sharpe, the environmental consultant who had formulated a report for the original public hearing, as well as all conditions that were included in the original approval.

The Commission then discussed whether a new public hearing should be held or whether to simply table this matter to the September regular meeting.

**MOTION** Mr. Wadhams, second Ms. Lucas, to table the matter of **Raymond Van Duyne, Lot #235 Canterbury Court (Assessor's Map #06-006-145-00) – Construct Single Family Dwelling, Well, Driveway, & Sewer Line in the Regulated Area**; the motion carried 4-1-0 with Mr. Kinsella voting in opposition.

**MOTION** Mr. Stansfield, second Mr. Kinsella, to amend the agenda to add **Margaret Burnett for Richard & Nurit Amdur, 137 Hageman Shean Road – Pond and Dam Maintenance** to the agenda as item #5D; unanimously approved.

### 5. NEW BUSINESS:

#### D. **Margaret Burnett for Richard & Nurit Amdur, 137 Hageman Shean Road – Pond and Dam Maintenance.**

Ken Hrica, PE, addressed the Commission on behalf of the applicant. Mr. Hrica submitted the completed application form and fee as well as maps and plans for this matter. Referencing pictures of the site, Mr. Hrica explained that the rock face along the pond dam embankment were starting move in toward the pond. The application was a preventative maintenance effort to stabilize the embankment before any major issues developed.

Mr. Hrica explained that the embankment consisted of two layers of stone, each approximately 1 foot high sitting on a soil shelf at the water's edge. Only the bottom 6 inches of the lower stone was submerged. He proposed to lower the water level 12 inches, take out the two layers of stone and stockpile them. A three-foot area of material would be excavated from behind the stones and then approximately one foot of 1-inch washed broken stone would be placed immediately behind the stone embankment area; behind that there would be two layers of geogrid pinned in place with two layers of compacted backfill. Filter fabric would be placed on top. Mr. Hrica explained that the geogrid would ensure no movement of the rock embankment.

No enlargement of the pond was proposed. The applicant did, however, plan to construct a decorative planter along the embankment close to the outlet channel. Mr. Stansfield verified that the size of the pond aligned with what had originally been permitted. Mr. Hrica stated that the pond has not expanded in size for as long as he has been working on this property.

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**MOTION** Mr. Kinsella, second Mr. Savarese, to accept the application in the matter of **Margaret Burnett for Richard & Nurit Amdur, 137 Hageman Shean Road – Pond and Dam Maintenance**; unanimously approved.

**6. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:**

The Commission briefly reviewed Mr. Connor's enforcement report for the previous month. The Commission briefly discussed stockpiling of material behind the Goshen Fire Department, which is within the regulated area, as well as a Request for Voluntary Compliance that was issued to the owner of property at 46 Cottage Grove Road.

**MOTION** Mr. Kinsella, second Mr. Savarese, to accept the Enforcement Report for the period from July 3, 2015 to August 6, 2015; unanimously approved.

**7. CORRESPONDENCE:**

Commission members received copies of the Summer 2015 edition of *The Habitat*. The Commission also reviewed information from the Department of Energy and Environmental Protection regarding an Increase of Transfer of Potable Water from Torrington Water Company to Aquarion Water Company's Litchfield System, dated July 15, 2015.

**8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

No business was discussed.

**9. ADJOURN:**

**MOTION** Mr. Savarese, second Mr. Stansfield, to adjourn at 8:23PM; unanimously approved.

Respectfully submitted,

**Stacey M. Sefcik**  
**Recording Secretary**