

CHAPLIN
INLAND WETLANDS & WATERCOURSES COMMISSION
Meeting Minutes *AMENDED*
Regularly scheduled monthly meeting
Wednesday, September 25, 2019 @ 7:00 p.m.
Chaplin Town Hall, 495 Phoenixville Rd. Chaplin, CT.

Present: Chairman S. Matthies, S. Rusch, V. Walton, D. Cates
Staff: J. Theroux;

Others: Christopher Komuves

S. Matthies called the meeting to order at 7:00 P.M.

Alternates seated: V. Walton for M. Jenkins; D. Cates for P. Deveny

Review and approval of the minutes from Wednesday, August 28th, 2019 regularly scheduled meeting:

**Motion by V. Walton to approve minutes as presented,
Second by S. Rusch. All in favor.
Motion passed**

Audience of Citizens: None

Additions to agenda: None

Old Business: Mr. Christopher Komuves 122 Bedlam Rd. Modification of wetlands permit

S. Matthies stated that a site walk was done and a revised plan with an updated narrative has been presented. Due to the fact V. Walton's property abuts Mr. Komuves property, she has recused herself.

S. Matthies noted that the plan is still proposing extension of the main road at end which involves 170' of fill in wetlands. Mr. Komuves stated it is 147' 4" to where it was flagged by NRCS. Only change on plans removed other extension, changed elevation, and exact extension measurements. S. Matthies stated the commission will need to determine if it constitutes a significant impact activity based on IWWC Regulations section 2.31 definitions A-G. In the past any substantial crossing of a wetland or watercourse has gone to public hearing. The information received doesn't include description of impacts to that crossing, no environmental reports, no wetland description of functions and values. It is hard to determine with the information provided how significant the impacts may be. Main issue is extension #9 also involves redirecting of flow and read regulation 2.31 – A for the commission.

Agent Theroux stated that the wetland is a palustrine forested with wetland wildlife habitat, ground water discharge, and a small measure of ground water recharge. Not a highly functioning wetland system. Agent Theroux stated if Mr. Komuves fills in the wetlands then the wetland functions under footprint of fill will cease to exist which Agent Theroux considered a significant impact; amphibians and salamanders may have to migrate. Any fill of wetlands is significant

impact although the 1473 square feet not a huge amount of area compared to wetlands around there.

S. Matthies stated either way we must declare reasons why there is or isn't a significant impact to the wetlands. He reviewed IWWC Regulations 2.31 and the definitions. Agent Theroux stated he has a hard time calling it a watercourse and it doesn't seem to fit this description – the definition it seems to fit in the most is A. He recommends to the commission to approve application but through a significant impact public hearing process.

Motion by D. Cates to declare this application a significant impact activity according to IWWC Regulation 2.31 A, C, and D

Seconded by S. Rusch.

Motion passed.

All in favor. Motion carries.

S. Matthies stated that next month to schedule a hearing at 7pm and immediately following hearing regular meeting. There will be additional permitting requirements which Agent Theroux will inform the applicant of; abutters also need to be notified.

C. Komuves asked if he could modify the application to get the pipes done. He would strike extended road #10 and #8 from application and the rest remains. Committee discussed whether permit was modification or not and what the timeframe is, you can renew modification permits before it expires.

Motion by D. Cates to withdraw the significant impact of application.

Seconded by S. Rusch.

All in favor. Motion carries.

Discussion: The Committee agreed the 8 pipes do not need to go public hearing. They discussed the standing water in the road and the swale with stone/textile fabric. If built correctly there will be water going over road, flowing, not just sitting there. C. Komuves stated in first crossing there is standing water entire winter/spring. In the other ones the water overtops normally but in this one the road is blocking waterflow. He is proposing to take out stone/rip rap put in pipe, so it goes through. He will use schedule 40 pipe and fill on top will help with 6" pipe and the 8" pipe will be corrugated HDPE with at least 6" of fill going on top of geo textile. The Commission discussed the pipe and fill of crossing #3 whether 6" or 8" fill is enough.

Motion by D. Cates to approve modification as presented.

Seconded by S. Rusch.

All in favor. Motion carries.

Agent Theroux stated that Mr. Komuves can begin the work. He will send approval letter and run a legal ad, but just be aware that after publishing someone can appeal and the work may get stopped.

New Business: None

Correspondence: Annual meeting in Cromwell CACIWC

Administrative Report:

Agent Theroux stated agent approval for Chaplin Woods is done, this is for the French drain to alleviate storm water issues.

There was an issue at the Quiet Corner Hop Farm. While doing an inspection it was noted that the current stone operator created a new stream crossing. The Committee issued a jurisdictional ruling for permitted use as of right for timber harvest and clear cutting/grub field for stone. Owner had Joe Randazzo go in after stone walls and found below area for timber harvest a significant crossing area of bulldozed rocks, soil and debris into stream channel, and then dammed it up to get stone from walls. Below crossing they removed stone walls in wetlands and stream channel and also a third area. Agent Theroux stated "I spoke with Mr. Randazzo and he said he wasn't taking stone but had subcontractor, Crow Construction out of Colchester do the work. I informed him we have a wetlands violation. He stated he would call the contractor. I received a call from a contractor at Crow Construction and he admitted they did the crossing and would do whatever they had to do to fix it. I told him not until we do a site meeting and it will go to the Commission before any further work to be done". Both contractors were to meet on a Tuesday for site walk and they did not show up. When Agent Theroux went back to site and he saw that they remedied it by pulling material out of the stream and put some stone down then hayed/seeded the area. Agent Theroux called Crow Construction and he called back irate and threatened to sue the commission and Agent Theroux personally. The contractor was told that this must go through the Wetlands Commission. He has not talked to Mr. Ireland or both contractors since.

S. Matthies said to send a letter requesting an after the fact application. The Commission discussed whether letter should go to Quiet Corner Hop Farm, Randazzo, or Crow Construction. Agent Theroux stated we technically would have to go through to Quiet Corner Hop Farm. Letter will go to Randazzo because he hired a subcontractor. V. Walton (no longer recused from meeting) stated contractor, Mr. Randazzo, should be responsible for sub-contractor. S. Matthies suggested he contact Mr. Ireland and see if he will come in and address violation, submit application for work already done and commission could possibly issue a permit for remediation. Agent Theroux will call Mr. Ireland and then send a formal letter requesting application for work done.

Commission Discussion: none

Adjournment:

Motion by S. Rusch to adjourn, 8:15pm

Second by D. Cates

Motion passed

Meeting adjourned at 8:15pm

Respectfully submitted,

Suzanne Gluck
Recording Secretary