

**CHAPLIN**  
**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**Regular Monthly Meeting**  
**Chaplin Town Hall, 7:00 P.M.**  
**September 28, 2016**  
**AMENDED\* Minutes**

**Members Present:** Scott Matthies; Michael Jenkins; Sharyn Rusch; Peter Stick; Paul Deveny; Sharyn Rusch Joe Theroux, Inland Wetlands Agent; Elizabeth Marsden, Recording Clerk

**Members Absent:** Michael O'Neill

**Alternates Seated:** Virginia Walton for Vacancy

**Also in attendance:** Applicant Rodney Larrivee; Applicant Todd Strickett; Engineer Matt Maynard representing Applicant Walter Landon; Joe Theroux, Inland Wetlands Agent; Elizabeth Marsden, Recording Clerk

**Public Attendance:** None

**Regular Meeting**

Chairman Scott Matthies called the meeting to order at 7:00 p.m.

**Additions to Agenda:** None

**Minutes reviewed** from August 24, 2016 regular meeting and September 8, 2016 special meeting. **Motion** to approve by M. Jenkins and seconded by P. Kegler. S. Rusch and P. Deveny abstained, S. Matthies, P. Stick V. Walton voted in favor. **Motion** carried.

**Old Business:** None

**New Business:**

New Business:

1. Application IW-05-16: Walter Landon, 3 lot subdivision on a 9.50 acre tract. Matt Maynard of Towne Engineering presented application to IWWC. He stated the project has approval from Eastern Highlands Health District. Application with site plan/map states that there will be no activity within a delineated wetland, the closest activity will be 32 feet from a delineated wetland for the purpose of installing 2 footing drains in 2 locations. Approximately .18 acres of the Upland Review Area will have a regulated

activity in it. No filling is anticipated in this area. Some clearing will occur. Erosion control and loaming/seeding is planned in disturbed areas. Construction entrances are specified.

J. Theroux asked if there are any proposed grades – M. Maynard answered no. S. Matthies asked if the contours are all existing and M. Maynard answered yes. P. Kegler and S. Matthies discussed distances and topographical features/elevation. S. Matthies said it is difficult to show the impact of the project without knowing what is the proposed grading. J. Theroux said the only location that will be an issue is in lot #3. S. Matthies said that is accurate as long as the septic on Lot 2 doesn't encroach, and J. Theroux agreed. S. Matthies mentioned that as long as the "house behind it" doesn't encroach as well. P. Kegler asked M. Maynard about a finished foundation, answer was no but he said it is something they can easily add. S. Matthies said that information will be needed to determine the impact.

The Commission members discussed each of the 3 lot sites at length, foundations planned, topsoil piles. \* S. Matthies requested that the engineer include location of topsoil piles in the plan and bring amended plan before the Commission at next month's meeting. M. Jenkins said it will work the way it's drawn on the plan. J. Theroux said ground water is no impact.

M. Maynard stated that some towns require site plan reviews by town official as construction proceeds. S. Matthies wants to propose grading, otherwise the construction company could consider itself to have free reign. Theroux stated the application fee is \$485 even.

**Motion** to accept application by P. Deveny, seconded by M. Jenkins. V. Walton asked for clarification about how application acceptance works. **Motion** carried unanimously.

2. Application IW-06-16: Rodney Larrivee, 325 Phoenixville Rd. Filling wetlands.

Mr. Larrivee presented his application, J. Theroux distributed NECOGG GIS maps marked up, and the application, explained that wetlands horseshoes around the area where applicant is working. The reason Applicant is filling is that he brings firewood into the area and needs a level area to drive on. J. Theroux said there is no determination of square footage of wetlands affected, S. Matthies said that needs to be determined to set fee and determine impact.

The Commission and Applicant discussed the map and the description of the affected area, at length.

P. Kegler said all the fill is in upland review area. J. Theroux suggested that Commission members do a site walk, it is hard to explain without it and S.

Matthies suggests a group site walk. Commission members agreed to do a site walk Tuesday Oct 11, 5:00 p.m.

**Motion** to accept application by P. Kegler, seconded by S. Rusch, **motion** carried unanimously.

J. Theroux explained the fee structure according to area affected. S. Matthies asked if J. Theroux can determine area affected. Otherwise Applicant would have to hire a soil scientist. J. Theroux agreed to determine the square footage of the affected area.

3. Application IW-07-16: Alan Newton, 12 Cross Rd. 2 lot subdivision

J. Theroux presented explanation of project and passed out site plan, 2 lot "paper subdivision" needs IWWC review prior to getting PZC approval. There are 2 existing houses on one lot and Applicant wants to legally split the single house lot into two lots. There will be no physical work on land.

**Motion** to accept application by P. Kegler, seconded by S. Rusch, **motion** carried unanimously.

4. Application IW-08-16: Todd Strickett, 48 Cross Road. Pool construction within upland review area.

J. Theroux distributed the application, J. Theroux had noticed above ground pool, already constructed, Applicant had to seek compliance after the fact. Wetland line is near the pool and stone wall, and the slope between is going away from the wetlands. S. Matthies asked what is the zoning setback from the property line, because if PZC says the pool isn't in compliance with rear setback, they might require the pool to be moved, which would affect IWWC's consideration of this application. The Applicant said he didn't realize that setting up a pool in his lawn was a regulated activity. P. Deveny and M. Jenkins agreed that it was an honest mistake that anyone could easily make.

S. Matthies confirmed to Applicant that any activity within 100 feet of wetlands needs IWWC approval. That is when problems happen with house construction being so close to wetlands, people don't know the regulations. S. Matthies says grading is away from wetlands, where would water drain if pool is drained? Applicant says water goes down driveway and into a plunge pool, a holding pool that holds water so it can settle into ground before it goes directly into wetlands.

V. Walton asked for further clarification from Applicant on the location of the pool in relation to wetlands. P. Deveny said it won't impact wetlands and this was just a case of a home owner doing what he thought he could do on his property. S. Matthies said if the pool did have to move 5 feet further from the house it won't change anything wetland-related. Fees will total \$310.

**Motion** to accept application by S. Rusch, seconded by P. Deveny, **motion** carried unanimously.

**Correspondence:** *Connecticut Wildlife Magazine*, Current issue of *The Habitat*.

**Administrative Report:** 80 Marcy Road property, J. Theroux said he has looked at it again, owners are getting rid of some of the scrap. PZC gave them until November and officials think they are going to be getting rid of junked cars soon.

North Bear Hill Bridge project: engineering issues are being hashed out: J. Theroux read an email the town received from DEEP stating that if fill is added to the FEMA floodway, there must be a mitigating cut equal to the amount of fill being added. P. Deveny explained what equal fill is. DEEP also said that the town had stated it has “more stringent requirements which would exempt the need for the mitigating cut.” DEEP detailed the options the town might take to avoid the mitigating cut. It also asked for a few other clarifications/corrections to the application. J. Theroux is handling these issues in conjunction with the First Selectman.

J. Theroux approved Agent Approval Application, 80 Chappell Street, owner’s name is Stygar, placing addition on back of house, 32 feet from wetlands. No disturbance to wetlands.

**Commission Discussion:** S. Matthies went by Lynch Rd, the location for which the Commission held a Special Meeting on Sept 8 and approved the application. S. Matthies wanted to know why the work hasn’t started and therefore why did the Commission hold a Special Meeting? (The Applicant had requested a Special Meeting in order to take advantage of the dry weather and get started on the work as soon as possible). The Commission members agreed that this was not a good use of their time and the town’s money since the Applicant didn’t begin the work right away.

**Adjournment:** **Motion** to adjourn by P. Kegler 8:04 p.m., S. Rusch seconded, **motion** carried unanimously.

Respectfully submitted,  
Elizabeth Marsden, Recording Clerk

The next scheduled meeting will be held on October 26, 2016 and these minutes are subject to approval at that time.