

TOWN OF CLINTON  
ANDREWS MEMORIAL TOWN HALL  
54 EAST MAIN STREET  
CLINTON, CONNECTICUT 06413  
CLINTON INLAND WETLANDS COMMISSION  
TELEPHONE: (860) 669-6133 - FAX: (860) 664-4469

**Minutes**  
Regular Monthly Meeting  
May 7, 2019

Chairman Scott Harley called the May 7, 2019 Regular Monthly Meeting of the Inland Wetlands Commission of the Town of Clinton to order at 7:00 P.M. in the Rose Room of the William Stanton Andrews Memorial Town Hall, 54 East Main Street, Clinton, Connecticut.

Members present: Chairman Scott Harley, Vice Chairman Bertram Schmitz, Secretary Michael DiDonato, Robert LaFrance (arrived at 7:03 P.M.), Edward Alberino (left at 9:11 P.M.)

Members absent: Carl Neri, James Norrie and Alternate MaryJo Phelps

Also present: Clerk Sherry Lee Hynes, applicants, applicant's agent and members of the public

Harley **MOVED** to add to the Agenda: IWC 19-004R: 6 Lindera Lane, John Brasile (Applicant) John Rahel Brasile (Owners). Activity within 100' of Inland Wetlands: new single-family residence and appurtenant structures. Assessor's Map 61 Block 44 Lot 19A-1. Zone: R-80. Schmitz seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato and Alberino. Opposed: none. Abstentions: none. The motion was **carried**, 4-0-0. LaFrance was not present.

LaFrance arrived at 7:03 P.M. and assumed his seat.

**IWC 19-004R:** 6 Lindera Lane, John Brasile (Applicant) John Rahel Brasile (Owners). Activity within 100' of Inland Wetlands or a Watercourse: new single-family residence and appurtenant structures. Assessor's Map 61 Block 44 Lot 19A-1. Zone: R-80

**John Brasile** presented his application. He was not aware that he needed a wetlands permit for the work he was doing at the site. Work on site has been halted. He noted that only the area for a driveway was cleared, there was no clear-cutting of the site. At the request of Chairman Harley, Mr. Brasile added the location of the silt fencing to the record site plan.

Schmitz **MOVED** to accept IWC 19-004R: 6 Lindera Lane, John Brasile (Applicant) John Rachel Brasile (Owners). Activity within 50' of Inland Wetlands or a Watercourse: new single-family residence and appurtenant structures. Assessor's Map 61 Block 44 Lot 19A. Zone: R-80, and to set a

IWC Minutes  
Regular Monthly Meeting  
May 7, 2019

site walk for Tuesday, May 14, 2019, at 6:00 P.M. with a rain date of Thursday, May 16, 2019, at 6:00 P.M. LaFrance seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato, LaFrance and Alberino. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0.

Harley **MOVED** to add to the Agenda, IWC 19-005R: 83 West Shore Drive, Vaycheslav Foksha (Applicant & Owner). Activity within 50' of Inland Wetlands or a Watercourse: 1, 125 gallon above-ground LP Storage Tank on a concrete pad. Assessor's Map 14 Block 3 Lot 35. Zone: R-30. Schmitz seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato, Alberino and LaFrance. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0.

**IWC 19-005R:** 83 West Shore Drive, Vaycheslav Foksha (Applicant & Owner). Activity within 50' of Inland Wetlands or a Watercourse: 1, 125 gallon above-ground LP Storage Tank on a concrete pad. Assessor's Map 14 Block 3, Lot 35. R-30.

**Chuck Mandel**, P.E., Thomas Stevens & Associates, LLC, agent for the applicant/owner, questioned why a "commission permit" was needed and not an "administrative" permit. He asked that the application be changed to an administrative application.

He **submitted** the following documents:

1. Exhibit A – Section 6.1 of the Inland Wetlands and Watercourses Regulations of the Town of Clinton;
2. Exhibit B - portion of Site Plan, undated;
3. Exhibit C – IWC WEO 15-008R Permit for Deep Test Pits; and
4. Exhibit D – E-mail from Steven D. Yenco, the CRAHD.

Mandel noted that there was a wetlands permit issued for the home. The LP storage tank was not a part of the project. It is a de minimus change to the permitted site plan. De minimus changes are allowed in the field without going back to the Commission.

Following a discussion of application procedures, Mandel asked for this item to be tabled to later in the agenda to allow him time to research the Land Use Application Notification Ordinance.

Harley **MOVED** to table IWC 19-005R: 83 West Shore Drive, Vaycheslav Foksha (Applicant & Owner). Regulated Activity within 50' of Inland Wetlands or a Watercourse: 1, 125 gallon above-ground LP Storage Tank on a concrete pad. Assessor's Map 14 Block 3, Lot 35. R-30 to later in the agenda.

IWC Minutes  
Regular Monthly Meeting  
May 7, 2019

DiDonato seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato, Alberino and LaFrance. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0.

**Wetlands Enforcement Office Alberino: Site Visit Reports:** Alberino noted that he submitted photographs for the complaint files.

- 20 Linder Lane: beaver dam recurring problem. An owner of 20 Linder Lane and Alberino walked the site then went to the Florio property at 8 Linder Lane. The owner, possibly in conjunction with other property owners, will be looking into devices to control the beaver dams on the waterbody. They were advised to contact the Commission to see if a permit will be needed when they decide what course of action they wish to pursue.
- IWC 19-000C: 11 Autumn Lane. Drainage going from 11 Autumn Lane onto 8 Stephens Court. There is no water leaving this property and going onto 8 Stephens Court. No further action is needed.
- IWC 19-001C: 137 Cow Hill Road. On-going activities within 100' of a wetlands or a watercourse without a permit at lot across from 160 Cow Hill Road a/k/a 137 Cow Hill Road. (Complainant Aziz Dehkan will be present and/or submitting a letter of concern). There is only one tree that was taken down was the only activity within 100' of wetlands. There is a plastic pipe that carries water from across the road then flows in and then discharges into a culvert along the road. The pipe and culvert (filled with debris) run across the front 137 Cow Hill Road but are on Town property. DiDonato **READ** the May 6, 2019 E-mail from Dehkan into the record. Alberino spoke with the property owner and DPW Interim Director Todd Hajek. The property owner is willing to replace the plastic pipe and clean out the culvert as part of his development project. Hajek was agreeable to this. Alberino advised them a wetlands permit will be required. If work is to be done on town property, authorization to perform the work will be required with the application. It was noted by the Commission that the site plan dated March 12, 2019 provided is not signed by a certified soils scientist. By consensus, the Commission determined that when the permit application comes in for the development of the property, the accompanying site plan must have the location of the wetlands verified and the site plan signed by a certified soils scientist. All work to be done should be indicated on the map.
- IWC 19-002C: 2 Old Nod Road. Possible violation of wetlands permit for filling of wetlands and possibility a vernal pool. Following the overview by Alberino, Harley stated that he and Interim WEO Schmitz will be looking further into this.
- IWC 19-003C: 15 Stonewall Lane. Possible discharge of water into adjoining wetlands without a permit. Alberino gave an overview of the site visit, noting that there is some sort of water vessel with drainage flowing from it. Richard and Lisa Standish, 17 Stonewall Lane, were present and advised that their property is being inundated by runoff from 15 Stonewall Lane and steps they

IWC Minutes  
Regular Monthly Meeting  
May 7, 2019

have taken to address the issue. The water is creating a health issue, destroying their property, affecting their septic system and the property value. After discussion, the Commission determined that the Commission jurisdiction is only on any discharge going into wetlands. The owners at 17 Stonewall Lane advised they have no wetlands on their property, only the discharged water. The Commission determined that the water going onto their property is a civil matter between the property owners. As to their claim of health issues, it was suggested that a complaint be filed at the Land Use Office and the Connecticut River Area Health District be contacted. Harley and Schmitz will investigate this as to a possible wetlands violation.

**Return to: IWC 19-005R: 83 West Shore, Drive, Foksha**

Mandel and Commission members discussed further procedures and the Land Use Application Notification Ordinance. The Commission by consensus determined that the Commission Application is not needed, an administrative application is required. Mandel revised the application accordingly and submitted same.

**Wetlands Enforcement Officer Report:** May 7, 2019. Overview by Clerk Hynes.

**Minutes:** April 2, 2019 Regular Monthly Meeting

Schmitz **MOVED** to accept and approve as presented the Minutes of the April 2, 2019 Regular Monthly Meeting. LaFrance seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato, LaFrance and Alberino. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0.

**Correspondence and Bills**

Harley **MOVED** to accept and recommend for payment Invoice No. 36482 dated January 30, 2019 as to 32 Cream Pot Road – IWC 18-011R, in the amount of \$320.00. DiDonato seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato, LaFrance and Alberino. Opposed: none. Abstentions: none. The motion was **carried**, 5-0-0.

Alberino left the meeting at 9:11 P.M. and did not return.

**Continued/New Business**

- Clinton Events. No report
- Conservation Commission. Update by Schmitz.
- Membership. Brief discussion on vacant seats.
- Guide Rail Spraying: WEO. Harley asked them interim WEOs to look into this.
- Emergency Culvert Repairs by Town DPW. See below.

IWC Minutes  
Regular Monthly Meeting  
May 7, 2019

- DPW – Carter Hill Road Bridge Repair/Replacement. Tabled.
- National Hazard Mitigation Plan – designate Commissioner to review plan. DiDonato is working on the review.
- Discussion: draft beaver dam regulations. Schmitz and LaFrance will work on a draft proposal.
- Member Educational Opportunities: distributed prior to the meeting.
- Future Invitation to Acting Director of Public Works Todd Hajek
  - Process: Emergency Repairs
  - Authorization
  - After-the-fact Reports
  - Permits for Permanent Repairs
  - Status Reports for Emergency Repairs for:
    - Culvert Repair: Fairy Dell Road @ Long Hill Road (Early 2018)
    - October 2018 Morgan School Bridge Emergency Repairs
    - October 2018: October 2018 Flood: Other Emergency Repairs
    - Other Culvert Emergency Repair Locations

Hajek will be asked to come to the July 2, 2019 Regular Monthly Meeting.

**Additions to Agenda:** June 4, 2019 Regular Monthly Meeting: no additions at this time.

**Chair's Comments:** none.

There being no further business, Schmitz **MOVED** to adjourn the meeting. LaFrance seconded the motion. Discussion: none. Voting in favor: Harley, Schmitz, DiDonato and LaFrance. Opposed: none. Abstentions: none. The motion **carried**, 4-0-0. Alberino was not present. The meeting was **adjourned** at 9:25 P.M.

Respectfully submitted,  
*Sherry Lee Hynes*  
Sherry Lee Hynes, Clerk

E-mail: Town Clerk  
Board of Selectmen  
Posted: Website