

TOWN *of* PLYMOUTH

INLAND WETLANDS &
CONSERVATION COMMISSION
80 Main Street, Terryville, CT 06786
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The **March 3, 2010** regular meeting of the Plymouth Inland Wetlands and Conservation Commission was called to order at 7:01 p.m. by Chairman James Deutsch, in the Assembly Room of the Plymouth Town Hall in Terryville, CT.

1. **CALL TO ORDER**

2. **FIRE EXITS:** Noted for the record

3. **PLEDGE OF ALLEGIANCE**

4. **ATTENDANCE:** Scott Gray; Mike Maffia, alternate, a voting member this evening; Sean Doran; Joy Stregowski, alternate, a voting member this evening; David Elder, Zoning/Wetlands Officer and Ronda Porrini, recording secretary. Excused absence: Jim Benway and Kathy Peterson.

Also present was Marty Sandshaw, Town Council liaison. (7:10 p.m.)

5. **MINUTES:**

Regular Meeting of **February 3, 2010**

MOTION: to approve the minutes of the February 3, 2010, by M. Maffia, second by S. Gray. Roll call vote: S. Gray, aye; M. Maffia, aye; S. Doran, aye; and J. Stregowski, aye. Vote: unanimous

Regular Meeting of **February 17, 2010**

MOTION: to approve the minutes of the February 17, 2010, by S. Gray, second by M. Maffia. Vote: unanimous.

6. **CONTINUING APPLICATIONS:** none

7. **SHOW CAUSE HEARINGS:**

- a) East Washington Road – Lucky Forest Estates – BHS Construction – Chair Deutsch gave a brief background of the show cause hearing and explained there has been some progress in the last two weeks. D. Elder met with the new owner of record; Lawrence Yurdin of First CT Capital; Tony Lorenzetti, Public Works Director; and Tom Catucci, representative of the property owner. D. Elder stated the issues with the culvert were pointed out and the property owner stated they will fix what ever needs to be done and get new permits or permits renewed if need be. The former owner, Jean LaCroix did fix a portion of the culvert by placing large stone at the base of

the culvert but did not install the plunge pool. The plunge pool was part of the original approved plan.

Chair Deutsch read a letter dated 2/22/10 from L. Yurdin from First CT Capital to D. Elder into the record. Chair Deutsch then read a letter dated 2/24/10 from D. Elder to L. Yurdin into the record. Chair Deutsch reviewed the existing permits for this property with the Commission. The original permit # 04-27 was approved 1/19/05 to expire 1/19/10. On 10/5/05 permit #05-23 was approved with an expiration date of 10/5/10. On 9/20/06 a third permit was approved, #06-26, with an expiration date of 9/20/11. The later two permits were actually modifications to the first permit and the expiration date and permit number should have remained the original that were assigned with modifications to the first permit. At this point, with three permits in place and one already expired the Commission discussed the direction to take with the two remaining permits. Chair Deutsch would like to seek legal counsel to get direction on this issue. D. Elder stated that as of this date J. LaCroix is no longer a representative for this property.

Tom Catucci, 49 Leominster Rd. Bristol is present on behalf of the property owner L. Yurdin. T. Catucci stated that J. LaCroix has no interest in the property any longer. T. Catucci stated that before any more work is to be done on the site, the culvert will be stabilized and not until approval is given by this Commission. S. Gray stated he had concerns of the machinery that is currently on site. There is leaky equipment and a smelly dump truck that he would like to see removed from the site. Is this equipment property of BHS Construction? T. Catucci stated it is in fact property of BHS but the dump truck has been removed. Discussion on how to proceed with this hearing.

MOTION: to remove the cease & correct order for East Washington Rd. – Lucky Forest Estates – BHS Construction from Land Records in the Town Clerks office based upon a thorough plan being submitted to address the culvert and any erosion control measures no later than 6/2/10, was made by S. Gray, second by M. Maffia. Discussion: J. Stregowski stated the plan can come in prior to 6/2/10 but no later. Vote: unanimous.

MOTION: to close the Show Cause Hearing for East Washington Rd. – Lucky Forest Estates – BHS Construction was made by M. Maffia, second by S. Doran. Discussion: S. Gray would like to see the machine removed from the property. Chair Deutsch stated D. Elder will work with the property owner to have any applicable machinery removed. Vote: unanimous.

- b) 13 Gear Drive – Sandstrom – Chair Deutsch gave a background on permit #09-12. A cease & correct order was issued as the property owner has not complied with the stipulations of the issued permit. The Public Works Director has been waiting for the drainage calculations to review since the permit was issued on 9-16-09. David Wlodkowski, 645 Main St. Plantsville, architect for the property owner is present this evening on behalf of the property owner. The drainage calculations have been submitted but failed to have the engineer's signature as well as the required stamp and seal of the engineer who did the report.

MOTION: to continue the Show Cause Hearing for 13 Gear Drive – Sandstrom to 3/17/10 with the stipulation that the drainage report get the required signature/stamp by Anthony Tranquillo was made by S. Gray, second by M. Maffia. Discussion: should T. Lorenzetti be requested to attend the next meeting

to discuss the drainage calculations. Chair Deutsch stated that T. Lorenzetti will give his opinion in writing by the next meeting and does not need to be in attendance.

- c) 471 Main Street – Mazzettini – Chair Deutsch explained this hearing is due to the applicant failing to submit a completed application for work he had done on his property. Domenic Mazzettini, property owner present this evening and has submitted an application to be heard this evening.

MOTION: to close the Show Cause Hearing for 471 Main Street – Mazzettini due to the application for this property being received was made by M. Maffia, second by J. Stregowski. Vote: unanimous.

8. NEW APPLICATIONS:

- a) 471 Main Street – Mazzettini - #10-04 – Chair Deutsch read the application into the record. Chair Deutsch gave a background into the history of this application that came into the office as an enforcement issue and then a cease and correct order was issued and a show cause hearing opened. The property owner was getting water in his basement due to the slope in his backyard and his yard never having a chance to dry up. He removed some trees to allow the sun into the backyard to try and dry it out.

Domenic Mazzettini, 471 Main Street present on behalf of the application. D. Mazzettini stated that on 2/25/10 the rainstorm event caused his basement to flood again. He stated that his backyard is constantly wet and that crystal clear water is constantly running through the ledge in the rear of the property. D. Mazzettini stated he dug a trench; laid pipe and stone; added plastic felt; he stumped one tree approximately 8” in diameter; and cut down a few smaller ones. Chair Deutsch stated he would like D. Mazzettini to write a letter for the record in order to acknowledge and document to the property abutters that some trees (and branches of trees) have been cut down on either side of the applicable property boundaries. Chair Deutsch addressed the issue with the boulders on the property. D. Mazzettini state he will be moving the boulders into place with a backhoe. D. Mazzettini submitted a copy of a map of the Town of Plymouth done by the State Department of Transportation in May 2000. The description of the watercourse at the rear of the property is identified as a stone drainage canal. D. Mazzettini stated he will not be cutting down anymore trees or branches and will be moving the fill at the rear of the property closer to the house. D. Mazzettini stated that on 2/25/10 the water was gushing into his basement like an open faucet. After discussing the application the Commission decided to do a site walk on Saturday 3/6/10 at 9:30 a.m. This application to be continued to 3/17/10.

9. ENFORCEMENT:

- a) 181 South St. – background discussed. Mr. Voytas was suppose to meet with D. Elder to complete his application and failed to come into the Land Use Office. D. Elder will visit with Mr. Voytas to try and get application completed.
- b) Washington Road at Town Hill Rd. – S. Gray observed trees being removed from the Kliendienst property reserve. Work possibly be done by the DEP. D. Elder will look into it.
- c) Maggie Court – D. Elder to visit site to see what equipment on site is being used for.
- d) 359 South Street – vacant stormdrain and old abandoned foundation is flooding down gradient property. D. Elder to look into it.

- e) 152 Allentown Rd. – flooding issues are occurring to this property from a neighboring property. D. Elder to meet with both property owners to try and resolve the issues.

10. PUBLIC COMMENT:

- Le Adjini, 646 Greystone Road addressed the Commission with tree cutting being performed on the forest property behind her home. D. Elder stated that he and T. Lorenzetti; Atty. Mark Malley; and Mr. Pelletier visited the site on Monday 2-22-10 and came up with a plan to prevent any water flow from going toward the Adjini home. D. Elder stated that Mr. Pelletier will be installing a small ditch & berm (also known as a “thank you ma’ am) on the passageway/road area about 15-20 feet up from where the underground pipe is currently located. On Thursday 2/25/10 there was a large rain event. On Saturday 2/27/10 Chair Deutsch and D. Elder visited the site and walked up the hill past where the machinery is parked and observed over 200 trees had been cut down. The root systems and the stumps are still remaining. They then observed the tracking pad and determined there was no damage done to the site from the rain event. The ground was a little squishy but everything looked good. The property owner that abuts the Adjini’s, Lucio DeMarco also walked the property with them. The thank you maam will be installed above the pipe and a ditch will be cut at an angle to capture any water that may run down the hill and will be diverted into L. DeMarco’s pond. L. Adjini stated that Mr. Pelletier is also suppose to install a berm around her garage to prevent any water from running into it. D. Elder stated they had suggested a berm being installed to protect the garage but not by Mr. Pelletier, the Adjini’s may want to consider adding it for their own piece of mind. L. Adjini stated she must have misunderstood, she thought Mr. Pelletier was installing it. She is concerned for her garage as she stated she had seen puddles there in the past. L. Adjini thanked the Commission for the time, but stated she will be having her attorney looking into this matter.
- Peter Worhunsky, 19 Coral Dr. – P. Worhunsky present to give the Commission an update as to what he referred to as his “homework” from the last meeting. P. Worhunsky gave a presentation of how the Army Corps of Engineers was started in 1899 and what their function was up to today. P. Worhunsky discussed the application process and if he would need to apply to the Army Corp for work he is performing along the Pequabuck River. After a lengthy discussion P. Worhunsky stated he will complete another application for additional work he is proposing to do. Chair Deutsch read section 17 (Other Permits) of the Inland Wetland and Watercourse regulations for the Town of Plymouth into the record.

11. TREASURER’S REPORT: none

12. CORRESPONDENCE:

- Letter from T. Lorenzetti to Chair Deutsch dated 2/24/10 read into the record regarding the Safe Routes to School Program to take place on N. Main St. at Maple St.

13. **CONSERVATION TOPICS:** none

14. **OLD BUSINESS:**

- M. Maffia will be attending a seminar given by the CT Farm Bureau on 3/4/10
- J. Stregowski to be registered for Segment 1 & 2 Commissioner Training given by the DEP

15. **NEW BUSINESS:**

- M. Maffia stated he read in the newspaper that the Town had been released from any fines that were owed to the IRS.

16. **ADJOURN:**

MOTION: to adjourn at 10:26 p.m. by M. Maffia, seconded by S. Gray and passed unanimously.

Respectfully submitted,

Ronda Porrini
Recording Secretary