

**TOWN OF HADDAM
INLAND WETLANDS COMMISSION
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
REGULAR MEETING
MONDAY, 20 JUNE 2022
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

A	Paul Best
A	Curt Chadwick
X	Jeremy DeCarli, Chairman
X	Dan Iwanicki, Vice Chairman
X	Joe Stephens
X	Mark Stephens, Secretary
A	Thomas Worthley
X	David Costa, Alternate - Seated
X	Gail Reynolds, Alternate – Seated (Arrived 7:04 p.m.)
X	Leon Mularski, Zoning and Wetlands Enforcement Officer (Arrived 7:08 p.m.)
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order & Attendance/Seating of Alternates

Mr. DeCarli, Chairman, called the meeting to order at 7:03 p.m. All regular members, as well as Mr. Costa, were seated. Upon her arrival, Mrs. Reynolds was also seated.

2. Additions/Corrections to the Agenda

There were no additions/corrections to the agenda.

3. Public Comment

There were no comments as the only one in attendance was an applicant.

4. Old Business

a. Review of Property Line and Pool Location Details for In-Ground Pool Five (5) Feet Off Northern Side of Property within Setbacks. Applicant: Brent Veiga. Property: 13 Summersweet Drive, Map 41 – Lot 15-45.

RECORDING CLERK'S NOTE: THE MAP NUMBER FOR THIS APPLICATION HAS BEEN IN ERROR BOTH ON THE AGENDAS AND IN THE MINUTES FROM 21 MARCH 2022 THROUGH 20 JUNE 2022. THE CORRECT MAP NUMBER SHOULD READ: MAP 42.

Brent Veiga, applicant/owner, was present.

This is a continuation from Monday, 21 March 2022, Monday, 18 April 2022 (applicant not present), and Monday, 16 May 2022.

Mr. Veiga submitted into the record a proposed landscape plan, map, and narrative, dated 06.20.2022 (copies on file with the minutes in the Town Clerk's Office and the Land Use Dept.).

Mr. Veiga reported since the last meeting, there have been big changes - realized he had not been using the as-built for the septic plan; contacted Rachel McDonnell, Administrative Coordinator, Land Use Dept., who provided a copy of the as-built; and as luck would have it moved the septic in the wrong direction which would have pushed the skinny little space he had available to fit the pool in out of the property. The revised plan has one of the leaching field bays and half of the other closer to where the pool is being moved to the reserve area. The current septic has two equal size concrete pre-forms, 40 feet in length. The revised plans removed the leaching field closest to the tree line in its entirety and half of the other field closest to the septic tank and relocated them to the reserve area further down by the shed.

For clarification, Mr. Iwanicki asked Mr. Veiga if he was relocating the leaching field. Mr. Veiga stated a portion of the leaching field (in the reserve area as noted on the survey).

Continuing, Mr. Veiga stated this will pivot the pool and move it away from the property line, the septic tank will remain in its current location, and with the shift in the pool location it will be outside the building setback line and will have sufficient grade. A 30 inch boulder wall (indicated by the dashed gray line on the plan) will set the outside perimeter of where the pool landscaping will end and a 12 inch slope will run from the edge of the boulder wall up to where the four foot patio will start on the northern side of the property. Will maintain a four foot offset on the patio around half the pool (northern and eastern sides). A sunning patio and an extension of the current patio will be 18 inches raised above the pool surface patio (southern side). Will maintain about 18 feet off of the back of the house. No changes to the propane tank with this plan. During construction, the propane tank will be disconnected and moved next to the garage. Once the construction and landscaping are completed and the boulder wall in place, the propane will go back to its existing location.

Mrs. Reynolds asked if the propane tank will be for heating the pool. Mr. Veiga stated the propane tank currently powers the generator and the gas range in the house; and once the work is done, it will power the pool heater.

Mr. Veiga provided an update on the amount of additional fill to be brought onsite: initially indicated 150 yards, but now it will be 100 yards plus/minus. Fill that will be moved on the property and will remain onsite.

Mr. Veiga stated the weeping pipe for the house is not shown on the plan, but there are two main options: with the new pool location it will be able to maintain its current position as it's deep enough under the footing of the pool. If that's the case, on the outside of the wall, the pipe will be extended as far as it needs too and the landscaper will install native plants all along the area to maintain and absorb the runoff from the weeping system.

Continuing to use the plan, Mr. Veiga pointed out where the boulder wall will end and where a very short paver block wall (sitting wall) will begin. The paver block wall is basically to maintain grade and to close off the top patio area. On the very outer edge, the proposed fence line will encompass all of the pool area, but it could change based upon cost, corners could be rounded rather than left square.

Mr. Costa asked if the propane tank would be above or below ground. Mr. Veiga stated the propane tank is currently above ground and will stay above ground and it will be the same tank as he owns it outright.

Mr. J. Stephens asked if the patio around the pool is at grade with the level of the pool. Mr. Veiga stated yes. Mr. J. Stephens asked north of the patio area, if there was a wall that went down to the slope. Mr. Veiga stated no, that the slope starts at the edge and it would basically be a

mulched area with native plants to help control the runoff. It will slope down approximately one foot down to the wall grade and then the wall grade comes down another 30 inches.

Mr. J. Stephens asked if that area would be where the boulder wall will begin and if it will be constructed out of native stones. Mr. Veiga stated yes, and the stone will all be local.

Mr. DeCarli asked if the patio would be pavers or stamped concrete. Mr. Veiga stated it would be non-permeable pavers and that's the reason for all the additional gardens and plantings is to absorb the runoff.

Mr. J. Stephens asked if there would be a barrier cloth lining the boulder wall (to prevented material from running between the rocks). Mr. Veiga stated on the front side of the boulder wall there will be a skirting to keep all of the landscaping in place. Mr. J. Stephens asked about a barrier cloth to line it. Mr. Veiga stated if cloth needs to be added, it can; but the skirting will retain the soil and mulch in the area. Mr. DeCarli asked Mr. J. Stephens if he was talking about material behind the boulder wall. Mr. J. Stephens stated yes to prevent topsoil, etc., from running through the cracks between the rocks.

Mr. Veiga stated the temporary silt fencing, for the construction of the pool and the installation of the landscaping, is indicated on the plan by a yellow line.

Mrs. Reynolds stated he's effectively putting in a raingarden which should prevent erosion. The water should just infiltrate.

Mr. M. Stephens stated this is a much better plan and the swing in location was exactly what Mr. Veiga wanted. Mr. Veiga stated once the as-built was found, the other option didn't play any more. Mr. Veiga stated he prefers this plan better as the propane tank stays right where it is and does not go further into the review area.

Mr. M. Stephens asked if there are two entrances to the pool. Mr. Veiga stated yes, and using the plan pointed out the spa (at top patio grade) and two step stone entrances to the pool patio - 18 inches difference.

Mr. Costa asked if the pool is completely gated. Mr. DeCarli stated it has to be. Mr. Veiga apologized as it's difficult to see on the plan. Using the plan, Mr. Veiga pointed out the location of the fencing around the pool area and meeting with the existing deck as well as the two gates. Mr. Costa asked for the pool dimensions. Mr. Veiga stated 42 feet long by 23 feet wide maximum.

Mr. M. Stephens asked if there will be any cutting of trees as the pool will be swinging out away from the tree line. Mr. Veiga stated there are four trees that are approximately 12 inches in diameter that will have to be removed and everything else should be maintained. Mrs. Reynolds stated that the native plants that have been chosen are a good choice.

Mr. Iwanicki asked if the leaching field would be going into the reserve area. Mr. Mularski stated yes, and that he had spent a lot of time on the phone with the Connecticut River Area Health District (CRAHD) regarding the E100A application and whether or not they would have to bring the matter before them again. CRAHD has indicated they have no problem with the proposal.

Mr. Iwanicki asked if the boulder wall will be sloped or straight up. Mr. Veiga stated its constructed – 30 inches is three courses, 3.5 to 4 feet in total width; as they come in on each course they shift over approximately 12-18 inches depending upon the boulders so there will be some slope to it.

Mr. J. Stephens asked about the location of the fence with Mr. Veiga pointing it out (indicated by straight lines on the plan). Mr. J. Stephens asked if there were any concerns regarding safety such as someone falling off the wall. Mr. Veiga stated that was another reason for the mulch as kids tend to stay out of the mulch beds. Mr. M. Stephens stated they will get stopped by the fence eventually. Mr. Veiga stated 30 inches doesn't bother him too much. Mr. Mularski informed Mr. Veiga to keep in mind that he's allowed 29.5 inches without a fence. Mr. Veiga stated he'd let the landscaper know with Mr. Mularski stating just a fraction under the 30 inches.

Prior to the vote, Mr. Iwanicki asked that the date of the plan be included in the motion. Mr. DeCarli read the date and title of the plan. Mr. Iwanicki asked Mr. Mularski if he had the application with him as he wanted to know what the request on the application said. Mr. Mularski did not have the file with him. Mr. DeCarli reviewed the agenda. Mr. Iwanicki stated he was just trying to address the motion towards the application. Mr. DeCarli stated he understood.

MOTION: Mark Stephens motioned to approve the building of an in-ground swimming pool and all of the accessories pursuant to the Landscape Plan: Veiga Residence Proposed Inground Pool and Landscape, 13 Summersweet Drive, Higganum, CT, Map Block Lot: 42 015 45, Volume and Page 0351/0461, Zone R-2, Acres: 1.08, Landscape Designed by: Crystal Langer, TLW Design Company, Date: 6/20/2022. Applicant: Brent Veiga. Location: 13 Summersweet Drive. Map 41 Lot 15-45. Plan on file in the Land Use Office. Joe Stephens second. Motion carried unanimously.

5. New Business

a. Review and Act on DEEP's Response to Haddam Forest Practice Regulations

Mr. DeCarli asked if everyone saw the revisions DEEP has suggested. Mr. DeCarli stated the revisions are simple and would like to have a motion to accept the changes and send them back for approval by the Commissioner of DEEP.

Prior to the vote on the motion, Mr. M. Stephens asked Mr. Iwanicki what was asked to be done. Mr. Iwanicki stated: 1) Buffer definitions. Didn't like the one presented so it was changed back to the one DEEP wanted originally. 2) No longer the Notice of Conversion of Forest Land, but the Annual Reporting which had to change #6. The State has to supply the form which must be filled out annual (around August each year) and submitted to the DEEP. 3) Some typos. Mr. M. Stephens thanked Mr. Iwanicki for the time and effort put into working on the regulations.

MOTION: Dan Iwanicki motioned to approve the Forest Practices Regulations, Effective: August - 2022, as developed by the Town of Haddam Inland Wetlands Commission and to be forwarded to the Commissioner of DEEP for approval. Mark Stephens second. Motion carried unanimously.

6. Wetland Enforcement Officer's Report

Mr. Mularski stated a copy of his report had been emailed. All Commissioners stated they had not received the report (report emailed 06.21.2022).

968 Killingworth Road, Trading Post Development – Work is to commence the week of 5 July 2022. The owners received a zoning permit to have a temporary fireworks sale tent, port-o-let, and generator on the site from 22 June to 5 July 2022. The matter was discussed and reviewed by P&Z (informational only; no action taken).

27 Old Turnpike Road, Possible Flooding – There's a culvert at the foot of the driveway and a large amount of sheet flow that comes down off the hill takes most of the rocks or anything else that's loose in the driveway down to road and into the culvert under the driveway. The pipe is

oval shaped and tends to clog quickly; and if the town doesn't maintain it on a regular basis, it clogs up. Once it clogs up, the water goes right across the road and right into the front door of the neighbor across the street. Have met with the owner and have figured out a way he may be able to stop the majority of the flow. There are a couple of areas about 100 feet up the driveway where the sheet flow can filter itself and then get into the town's culvert down below the neighbor's property. This would be the simplest fix. Noted that the town engineer wanted to put two catch basins on the owner's property. Mr. Mularski stated the property owner had his lawyer were there and this will not be happening. The problem is a bit of the owner's fault, but the town just repaved the road and changed how the water flows down there. Unless the pipe under the driveway is maintained on a regular basis this problem will reoccur. Trying to get the owner of the property to rectify that matter without spending a lot of money. Mr. Mularski believes his suggested fix might work and save everybody a lot of aggravation. The property owner is to get back to Mr. Mularski maybe this week, but probably next week.

Notice of Code Violation, 316 Candlewood Hill Road – A follow up calling the owner will be made this week. When drove by the property not much taking place. Hasn't addressed the matter one way or another.

143 Injun Hollow Road, Wetlands Violation – Property owners have put a four inch pipe out into the Connecticut River to take water up to their property for irrigation. Mr. Mularski stated there is nothing wrong in doing so; however, in the process the property owner built a 160-180 foot six foot high wall in the tidal wetlands. Received an email from Kevin Zawoy, DEEP, Land & Water Resources Division. Anything over the four foot tidal wetlands level becomes Haddam's problem in respect to wetlands. Will be meeting with Mike Harkin, P.E., Harkin Engineering, on Wednesday, 22 June 2022, and the owner to go over what the town's wetlands implications might be. Believe there must have been some fill put into the town's wetlands prior to getting into the tidal wetlands. Will see what enforcement DEEP takes with the owners to see how the town will enforce what has been done to the town's wetlands. Mr. J. Stephens asked if there was new construction on the property. Mr. Mularski stated he didn't know as he hadn't been to the site yet, but there is new construction on either side of it. Mr. Harkin will need to receive DEEP's complaint and a copy is to be sent to Mr. Mularski. Let DEEP take the lead and once the town see's what their corrections, alterations, etc., are going to be then the Commission will be informed and decide what will be done. Mr. Costa questioned irrigation not needing to be approved. Mr. Mularski stated no. Mr. DeCarli stated up to 50,000 gallons a day can be retrieved. Mr. Mularski stated the pipe goes about 100 feet out into the river with a buoy at the end of it and DEEP Boating saw it and asked about it. A call was placed to see what it was and then he saw what transpired. Mr. Mularski stated DEEP will make the owners remove the wall.

1292 Saybrook Road, Fill Deposited into Gateway Zone – This is for information only as there are no wetlands considerations from the town's point. The property owner had a permit for 300 yards of material, which is allowable prior to going for a special permit; however, there about 3,000 yards have been delivered. Truck upon truck came in. The neighbor on one side of the property in question is not happy and the other has not said a word. DEEP is involved because the owner did cut trees down. Mr. DeCarli stated it's a Gateway issue as well. Mr. M. Stephens stated the railway will be involved too. Mr. Mularski stated the owner's intention was to fill right to the tracks. Discussion followed in regard to the railroad right-of-way (99 feet right-of-way from the center of the track; may vary slightly from place to place). Mr. Mularski stated the owner plans to install a pool. A Cease and Desist has been issued. They will need to provide a grading plan to satisfy the neighbors. The attorneys have been stopped in order to mitigate the damage and get the grading and planting right.

7. Approval/Correction of Minutes

The Commission agreed to table the approval of the 16 May 2022 minutes.

8. Adjournment

MOTION: Mark Stephens motioned to adjourn. Gail Reynolds second. Motion carried unanimously.

The meeting was adjourned at 7:38 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next regular meeting is scheduled for Monday, 18 July 2022.