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DRAFT MINUTES

Regular Meeting

Canton Inland Wetlands and Watercourses Agency

Thursday, October 13, 2016 at 7:00 pm

Library Community Center, Room B

40 Dyer Avenue, Canton, CT

CALL TO ORDER – The Regular Meeting of September 8, 2016 was called to order at 7:03 p.m.

ROLL CALL – Chairman David Shepard, Robert Bahre, Eric Henry (Alternate), David Rosenfeld (Alternate), David Sinish and Rich Van de Bogart

ABSENT – Al Bombassei

ALSO PRESENT – Assistant Town Planner Emily Anyzeski and Recording Secretary Jennifer Scott

D. Rosenfeld was seated as a Regular Member by D. Shepard.

A quorum of the agency is present.

MODIFICATION TO THE AGENDA

MOTION: D. Shepard moved that the agenda be modified so that File #10-16-1131; 110 Albany Turnpike be addressed second, following File #09-16-1145; 81 West Simsbury Road. R. Bahre seconded the motion which passed unanimously, 5-0-0.

MOTION: D. Shepard moved that the agenda be modified so that File #10-16-1146; 27 Pine Acres Drive be addressed third, following File #10-16-1131; 110 Albany Turnpike. D. Rosenfeld seconded the motion which passed unanimously, 5-0-0.

PUBLIC COMMENT NOT RELATED TO AGENDA ITEM – None

NEW BUSINESS

1. **File #09-16-1145; 81 West Simsbury Road; Assessor's Map 8; Parcel 5630081; Zone R-3; request to conduct land stabilization, foundation repair and install gravel driveway; Iwona Kasica, applicant/owner** – Iwona Kasica, applicant/owner and her husband Edward Kasica were in attendance for the discussion of this case. Mr. Shepard advised that this property was the subject of enforcement action last month because of some tree cutting and earth moving that had occurred on site. He said that along with taking certain corrective measures to stabilize the site, the applicant was directed to file an application with the Town for the regulated work already completed and for any additional regulated work she intends to complete.

Mr. and Ms. Kasica discussed the proposed activities they wish to complete at the property for which they have filed an application. Because of the greater fall to the land in the back, they stated that they wish to stabilize the soil banks with the placement of large stones. They would like to install additional gravel to the existing driveway and add an adjacent turn around area. They would also like to make repairs to the footings and foundation of the home. Mr. Kasica explained that there are visible cracks in the foundation walls and the corners on the back of the house appear to be sinking. Mr. Kasica said that the concrete block foundation walls are currently sitting on large stones which they do not

57 consider to be a good footing. They plan to dig out and replace two sections of footing off the walk out
58 basement.

59
60 The members viewed a topographic aerial map presented by Ms. Anyzeski to gain insight on the
61 proximity of the proposed activities to the wetlands boundary. Based on the map, it appears that all of
62 the requested work is located in the Upland Review Area (URA). The applicant stated that the nearest
63 part of the home (the back right corner) is 60-65' from the wetlands boundary. The group determined
64 that the garage is located approximately 20' or less from the wetlands boundary. Mr. Kasica
65 commented that while the garage is approaching the boundary, the area in between contains fill and
66 rocks piled higher than the house, restricting any impact on the wetlands.

67
68 Mr. Kasica stated that they would like to add a carport to the existing one-car garage. They intend to
69 leave the existing garage as-is with the exception of some foundation repairs. The carport would be
70 installed uphill to the east and run parallel to the road. He went on to say that they plan to enclose the
71 area between the garage and the main house and add a porch that will extend 10-12' off the back of
72 the home, toward the wetlands boundary. Both the carport and porch will have pier foundations and
73 will be the only items that extend beyond the original foundation.

74
75 Mr. Shepard stated that he is comfortable with some but not all of the proposed work. He noted that
76 the driveway does not seem like that big of an issue because it is further away from the wetlands and
77 gravel is not an impervious surface. On the other hand, the garage and carport and some of the
78 foundation work are in closer proximity to the wetlands. He said he would like to see a more detailed
79 map to gain further clarity on those items. Mr. Bahre commented that the garage work is going to
80 require a building permit and he believes the Building Department is going to want a map similar to
81 what Mr. Shepard is seeking. Ms. Anyzeski remarked that the carport will need a zoning permit that
82 absolutely requires the submittal of a measured map. Mr. Shepard said that it appears that other
83 departments are going to require some additional documentation from the applicant that this agency
84 would also like to see. He proposed that they receive the application that has been filed and continue
85 this case to the next regular meeting where the applicant can come back with a refined plan. He said
86 it does not look like they are ready to approve the application at this time.

87
88 Mr. Kasica inquired about an addition they made to the original application requesting approval for
89 underground utility work from the house to the utility pole. Because of an error in the Land Use office,
90 the amended application was not included in the members' meeting packets. Mr. Kasica explained
91 that the utility lines had to be taken down and the house currently does not have electricity. Ms.
92 Kasica said that they would like the utilities brought in soon so they can proceed with the interior
93 renovations. The members discussed whether the other work on the property could be completed
94 without having the utilities brought in first. The group talked over what the process would be to bring
95 in utilities to the property. The underground utility work would require digging a trench that is 30" deep
96 and 24" wide and would take about a day to complete. They determined the work would exclusively
97 be within the URA and would not cross into the wetlands boundary. Discussion was had about where
98 the applicant is in the process for getting Building Department approval for the underground utility
99 work as well as what the timeframe would be for activation by the utility company.

100
101 They determined that a separate URA application would not be required for this work and the original
102 application could be amended. Mr. Sinish commented that he would like to see the applicant be able
103 to get the utility work done as soon as possible and suggested approving just this piece of the
104 application. Mr. Shepard remarked that the trench would be relatively narrow and be located in a
105 relatively flat area on the right side of the house, away from the wetlands.

106
107 **MOTION:** D. Sinish moved that the amended application be received for File #09-16-1145; 81 West
108 Simsbury Road; Assessor's Map 8; Parcel 5630081; Zone R-3; (1) request to conduct land
109 stabilization, (2) foundation repair, (3) install gravel driveway and (4) install underground utility
110 conduit; Iwona Kasica, applicant/owner. D. Shepard seconded the motion. The motion passed
111 unanimously, 5-0-0.
112

113 **MOTION:** D. Shepard moved that the amended application for File#09-16-1145; 81 West Simsbury
114 Road; Assessor's Map 8; Parcel 5630081; Zone R-3; (1) request to conduct land stabilization, (2)
115 foundation repair, (3) install gravel driveway and (4) install underground utility conduit; Iwona Kasica,
116 applicant/owner be approved in part. Approval is only granted to (4) install underground utility conduit
117 specified at the bottom of the application as "Install utility conduit and trench from the front corner of
118 the house (NW) to the utility pole in the street (NW)." D. Rosenfeld seconded the motion. The motion
119 passed unanimously, 5-0-0.
120

121 Mr. Kasica asked why they were not granted approval for installing additional gravel to the driveway
122 and adding a turnaround area. He said that the Building Department has advised him that they will
123 not require any additional drawings for the driveway renovations but they will need IWWA approval in
124 order to permit the work. Mr. Shepard asked if the trench to bring in utilities would need to be dug
125 before they can begin on the driveway. Mr. and Ms. Kasica said that the two areas do not cross and
126 can be completed independently of each other. They also illustrated this to the members using the
127 aerial map. Mr. Kasica reiterated that the driveway work would not require any excavation and they
128 would just be adding gravel.
129

130 **MOTION:** D. Sinish moved that the remaining items that have not been approved on the amended
131 application for File #09-16-1145; 81 West Simsbury Road; Assessor's Map 8; Parcel 5630081; Zone
132 R-3; (1) request to conduct land stabilization, (2) foundation repair, and (3) install gravel driveway;
133 Iwona Kasica, applicant/owner be continued to the Agency's November 10, 2016 Regular Meeting. D.
134 Shepard seconded the motion. The motion passed, 3-2-0 with R. Bahre and D. Sinish objecting.
135

- 136 2. **File #10-16-1131; 110 Albany Turnpike; Assessor's Map 36; Parcel 1010110; Zone B; request to**
137 **replace a portion of the force main sewer line; Roger Ignazio (WPCF), applicant; W/S Peak**
138 **Canton Properties, LLC, owner** – Roger Ignazio, applicant, and his engineering consultant, Todd
139 Ritchie, Project Manager from Woodard & Curran were in attendance for the discussion of this case.
140 Mr. Ignazio is the Superintendent at the Canton Water Pollution Control Facility. He is requesting
141 IWWA approval for the partial replacement of a sewer force main at The Shoppes at Farmington
142 Valley.
143

144 Mr. Ignazio summarized the proposed project for the agency members. The force main replacement
145 would involve horizontal directional drilling underneath the Jay Brook in order to minimize any impact
146 to the wetlands and waterways. There would be some excavation to tie in the new force main. He
147 presented the members with the proposed force main plan drawings for their review. He said they are
148 looking to get the project completed before Christmas, if not sooner. He advised that the property
149 owner is requesting that the first portion of the job be completed by November 14th so as not to
150 impede holiday shopping traffic. Mr. Ignazio explained that there is a manhole in the driveway where
151 the new force main will need a connection. The plan is to get the construction done in the roadway
152 first. The remainder of the work will be done in the back of the complex between the pump station and
153 the barn and should not interfere with operations at the shopping center.
154

155 Mr. Ritchie spoke about some of the more technical aspects of the project. He utilized the proposed
156 force main plan drawings to show where they anticipate drilling and in what direction. He said that
157 they will drill to a depth of 5ft above the force main which is also what is called for in the WPCA
158 regulations. He described in detail the process of installing the pipeline beneath the brook and
159 outlined where the new system will connect to the existing force main. He noted that the pipeline
160 beneath the brook will be 6" in diameter and that the total length of the force main replacement is
161 445'. He also discussed the different construction equipment and materials that will be used on the
162 project.
163

164 Discussion was had about decommissioning the existing force main after the installation of the new
165 system is complete. It will require a small excavation adjacent to the cleanout manhole in the roadway
166 that they are tying into with the new force main.
167

168 Mr. Shepard asked about any areas of weakness in the new system. Mr. Ignazio said that they are
169 taking more precautions with this installation than they did with the original installation 10 years ago.
170 Mr. Ritchie remarked that they will be careful to stay above groundwater level which is where the
171 previous breaks in the system have occurred. Mr. Ignazio added that the buried pipeline will be a
172 high-density polyethylene (HDPE) pipe which is durable and will not corrode like the pipes have in the
173 existing force main. Mr. Ritchie also said that the submerged ductile iron will be wrapped in a
174 polyethylene sleeve for added protection against breaks.
175

176 Next, Mr. Ritchie discussed the erosion and sediment controls they will have in place including catch
177 basins with silt sacks and an erosion barrier. Mr. Bahre asked if they will have to cross electrical lines.
178 Mr. Ritchie explained that the electrical drawings from the utility company appear to be more
179 schematic and do not coincide with the CBYD lines picked up by the surveyor. He said that his
180 suspicion is that they will not be crossing them.
181

182 Mr. Ignazio stated that they have a bid opening October 28th. He said they will award the project to a
183 qualified contractor at the next WPCA meeting scheduled for November 1st. He reiterated that they
184 hope to get the excavation in the roadway completed before November 14th. Mr. Ritchie noted that
185 they plan to install a temporary patch in the roadway and the WPCA will contract out for permanent
186 paving in the spring. Mr. Ignazio said they are anticipating a two week construction window and
187 expect the project to be completed by the end of the year. Mr. Shepard asked if they had any
188 concerns about winter weather delays. Mr. Ritchie said the only concern would be with the directional
189 drilling and he does not think the sandy sediment will pose a problem. Mr. Shepard asked if there is a
190 back up plan if for any reason the project is unable to be finished. They determined that there is a
191 point after the first phase is complete where the project could be closed and restarted when
192 conditions were more favorable. Mr. Ignazio commented that they had a break in the force main last
193 February and they were still able to dig down 16 feet during the coldest week of the year to make the
194 repair. He does not foresee any major interruptions in construction.
195

196 Mr. Ritchie noted that there are sampling wells in place that will remain on site for the duration of the
197 project so that they can conduct water testing.
198

199 Mr. Bahre inquired about the interconnections of the new force main. Mr. Ritchie described in detail
200 the shape, size, design, composition and coating of those connections and how the new system will
201 fuse to the existing system. Mr. Henry asked about the ductile iron connection located close to the
202 water table which is currently at a five-year low. He raised the concern of the pipe being submerged
203 when the water levels return to a more normal condition and becoming vulnerable to a break. Mr.
204 Ritchie stated that the water level testing has not shown much change since the wells were installed.
205

206 Mr. Ritchie reported that the directional drilling phase should take about 1 week. Mr. Henry asked
207 about where they plan to stockpile the soils. Mr. Ritchie suggested that the soils from the excavation
208 could be placed in the barn area with a barrier of silt fence and/or straw walls. Mr. Shepard
209 recommended that the soils be removed from the site instead of stockpiling. Mr. Ignazio said that he
210 would speak to the Public Works Department about removing and possibly utilizing the fill. Mr. Bahre
211 advocated having a spill kit with booms on site at all times to protect the brook from any fuel spillage
212 from the drill rig.
213

214 Mr. Shepard inquired about the distance from the property line to the neighboring town and if there
215 are any notification requirements. The notice requirement to abutting towns under the regulation
216 requires the applicant to certify whether any portion of the property on which the regulated activity is
217 proposed is located within 500' of the boundary of the adjoining municipality. Ms. Anyzeski pulled up
218 a map of the area and confirmed that the property line actually abuts the Town of Avon. It was
219 determined that Ms. Anyzeski would be responsible for notifying the Town of Avon about the
220 proposed work. Mr. Shepard stated that if the Town of Avon provides notice that they plan to appeal,
221 it would halt the approval of the application.
222

223 Mr. Shepard cited the waivers that the applicant has requested and commented on why he found
224 them reasonable. He also recommended that finalized project drawings be filed with the land record.
225

226 Mr. Ritchie confirmed that they will hydro test the new system before activating it. He also said that
227 the portion of the old force main no longer being used will be flushed with potable water and capped.
228 He added that there is no practical way to empty it completely and that liquid left inside will help to
229 equalize the pressures and reduce the risk of the pipe breaking or shifting.
230

231 **MOTION:** D. Shepard moved that File #10-16-1131; 110 Albany Turnpike; Assessor's Map 36; Parcel
232 1010110; Zone B; request to replace a portion of the force main sewer line; Roger Ignazio (WPCF),
233 applicant; W/S Peak Canton Properties, LLC owner be approved in accordance with the plan outlined
234 on the Map dated October 13, 2016 and subject to the following conditions:
235

- 236 1) There will be no stockpiling of materials on site.
- 237 2) A spill kit including booms for potential fuel spills will be kept on site.
- 238 3) The applicant will file as-built record drawings with the Town of Canton.
- 239 4) The approval of this application will not be effective until the abutting town (Town of Avon) is
240 given notice of the proposed activity including applicable drawings.
- 241 5) The approval of this application will not be effective until October 26, 2016.
- 242 6) The approval of this application is subject to the requested waivers of Sections 7.4h, 7.4m, and
243 7.5f of the Canton Inland Wetlands and Watercourses Agency Regulations.
244

245 D. Sinish seconded the motion. The motion passed unanimously, 5-0-0.
246

- 247 3. **File #10-16-1146; 27 Pine Acres Drive; Assessor's Map 20; Parcel 4160027; Zone R-3; Request**
248 **for Jurisdictional Determination of Agricultural Use of Land/ Non-Regulated Use; Patrick**
249 **Moran, applicant/owner** – Patrick Moran, applicant/owner was not in attendance for the hearing of
250 his application. Ms. Anyzeski stated that she would be speaking on his behalf. Ms. Anyzeski said this
251 is more of a preliminary informal application request because Mr. Moran has not determined the
252 specifics about the work he plans to complete. She said that most of Mr. Moran's 12-acre property
253 located at 27 Pine Acres Drive is agricultural and contains pastures and livestock. Mr. Moran is
254 looking to expand his pastureland further east. In order to do so, he would need to remove some
255 large damaged trees on his property. He has not yet determined all of the trees that will need
256 removed, but most likely some of them are located within the URA. Ms. Anyzeski said that Mr. Moran
257 stressed that he would not be doing any land clearing. He is inquiring more about feasibility on this
258 item rather than looking for approval at this time.
259

260 Ms. Anyzeski said that in her opinion, the bigger part of the application is Mr. Moran's request to put
261 in a pond on his property. She presented the members with a drawing submitted by Mr. Moran which
262 showed where he is proposing to locate the pond. She said the purpose of the pond would be to store
263 water for his animals. The proposed pond is located within the wetlands strip on the eastern most
264 boundary of the site. Ms. Anyzeski said that he opted for this location because he is hoping for the
265 wetlands to feed his pond.
266

267 Ms. Anyzeski said that Mr. Moran believes he is exempt from the regulations under the farming
268 exception. The regulation permits farm ponds of 3 acres or less so long as they are essential to the
269 farming operation. Mr. Shepard questioned why the installation of a pond would be essential to the
270 applicant's farming operation if he is able to water his animals currently without this pond. Ms.
271 Anyzeski advised that Mr. Moran has plans to bring in more animals. After some discussion, the
272 members agreed that there are just too many unanswered questions about the applicant's proposed
273 work for them to be able to vote on it. Mr. Shepard commented that it is the applicant's responsibility
274 to explain how they qualify under the farming exception and why the proposed activity is essential to
275 their farming operation. It is not the agency's task to determine this for an applicant. The members
276 agreed that Mr. Moran needs to come before them to provide additional details about the work he
277 wants to do and to answer any questions the members may have for him.
278

279 4. **File #10-16-1133; 88 Simonds Avenue; Assessor's Map 30; Parcel 4820088; Zone MCPF;**
280 **request to expand and pave existing parking lot with the option to add secondary access**
281 **driveway; George Wallace, applicant; Town of Canton, owner** – George Wallace, applicant and
282 Canton Project Administrator along with Robert Martin, Canton Director of Public Works were present
283 for the hearing of this case. Mr. Wallace explained that there have been some parking issues at
284 Millennium Fields and they are requesting that the current gravel lot be paved. He said that the line
285 striping that Canton Little League completed this year has helped, but not entirely. Mr. Wallace stated
286 that should the paving be approved, another access driveway will be required to maintain the proper
287 flow and safety of cars entering and exiting the lot. The additional driveway will also allow for a
288 reduction in the width of the paved area by 5 feet.
289

290 Mr. Wallace said that during construction they would put up silt fence along the downstream side
291 where any soils are being disturbed. Mr. Shepard suggested pitching the parking lot toward the street
292 so that water will run in the direction of the existing catch basins instead of the wetlands. Mr. Wallace
293 said that was certainly possible but noted that those particular catch basins take on a lot of water
294 already. Mr. Shepard commented that the site poses many difficulties because it's surrounded by
295 wetlands. Mr. Wallace said that they looked at a number of concepts with Canton Little League, but
296 with the sensitivity of the wetlands, this plan seemed like the best option.
297

298 Mr. Martin said that there has been a lot of public outcry concerning the over crowding of this parking
299 lot. He also said that people have voiced complaints about overflow vehicle parking in the adjoining
300 grassy areas. Mr. Sinish commented that there is plenty of overflow parking available in the high
301 school lot if people were not opposed to walking a short distance. Mr. Wallace said that the additional
302 entrance could encourage overflow parking at the high school because it would create a quicker route
303 to the field.
304

305 The members reviewed the map illustrating the proposed parking lot and additional entrance that was
306 presented by the applicant. Mr. Wallace advised that they hope to complete this project next fall. He
307 explained that the work would probably be completed within 2-3 days. Mr. Wallace noted that the
308 parking spaces would be 9 feet wide which corresponds with what is stated in the regulations. Mr.
309 Shepard suggested contemplating larger spaces to accommodate all of the families utilizing the lot
310 that may tend to drive larger vehicles.
311

312 Mr. Sinish remarked that he believes the lot should be left unpaved stating that he does not see the
313 need to create an impervious surface so close to a wetlands. Discussion was had about the
314 permeability of packed down gravel lots and about the possibility of using pervious asphalt. They also
315 talked about the agricultural history of the site.
316

317 Mr. Shepard commented that adding another entrance would create a better flow and improve safety
318 on a site where there are a lot of children. Mr. Bahre supported the idea of creating an additional
319 driveway if it would improve safety in the lot. Mr. Rosenfeld agreed that the project is an opportunity
320 to improve safety and traffic flow.
321

322 Mr. Martin said that the estimate for the project is \$30,000. He said that DPW would do the cut out for
323 the curb and they would hire a contractor to do the grading and paving. Mr. Wallace noted that they
324 are not proposing to install any curbing. Mr. Martin said that the goal of this project is to be able to
325 park cars in the lot more efficiently and in a safer manner.
326

327 Mr. Shepard shared his concerns about runoff from the parking lot flowing into the wetlands. He
328 expressed that the surface of the lot is irrelevant so long as the water is moving in the right direction.
329 Mr. Wallace said that the application approval could stipulate that the lot be graded from north to
330 south toward the catch basin. Mr. Shepard commented that paving it may actually allow for better
331 management of how and where the water moves.
332

333 The group discussed the months of the year and days of the week that this lot is typically used. The
334 lot is sometimes used for overflow CHS parking and as a school bus stop. Mr. Sinish suggested that
335 the lot is utilized more like temporary parking and does not have a lot of vehicular movement.
336

337 Mr. Shepard said that the additional driveway seems to be getting good reception but there are
338 concerns about the paving piece. He asked Mr. Wallace and Mr. Martin to take the feedback they
339 received at tonight's meeting, discuss it with the interested parties, and bring back a revised
340 construction plan.
341

342 **OLD BUSINESS:** None
343

344 **OTHER BUSINESS:**
345

346 1. **Approve Minutes of the September 8, 2016 Regular Meeting**
347

348 **MOTION:** D. Shepard moved to approve the minutes of the September 8, 2016 Regular Meeting as
349 amended. D. Sinish seconded the motion. The motion passed, 4-0-1 with R. Bahre abstaining.
350

351 2. **Discussion of Bond Release Request for 708 Cherry Brook Road** – Ms. Anyzeski recapped the
352 history of this item that was first brought to the agency's attention last month. She advised that they
353 had received a bond release request for the subdivision of 690 Cherry Brook Rd which consists of
354 four properties. The majority of this bond is contained in 708 Cherry Brook Road. She said that this
355 bond was from 1994 and was split into three phases. The first phase was released in 1999 and the
356 property owner is now requesting the release of the second and third phases. Ms. Anyzeski advised
357 that she had inspected the property on October 5th with George Wallace, Canton Project
358 Administrator. She presented the members with a memo containing Mr. Wallace's comments as well
359 as photographs from their site visit.
360

361 Ms. Anyzeski explained that this is strictly an erosion bond. She said it originated with the IWWA but
362 the approval letter came from the PZC. She said that if the members choose to release the bond,
363 town staff recommends that it be released with a contingency that the PZC also review it. She added
364 that it falls within the jurisdiction of the PZC because it is somewhat of a subdivision bond and it was
365 originally addressed by both parties. Ms. Anyzeski fielded some questions about the site from the
366 agency members. She reported that no structures have been built, only a long driveway up to a
367 vacant lot. She noted a pond and some riprap that were observed. She stated that the driveway is
368 1,600 feet long and has a 12% grade. Mr. Wallace has concerns about the safety of the driveway and
369 Ms. Anyzeski reported that she does not believe you could get a fire truck up there because of how
370 narrow it is.
371

372 Ms. Anyzeski said that because this is truly just an erosion bond, they can only look at it from
373 standpoint of stability. There does not appear to be any erosion and while the driveway may not meet
374 today's safety standards, it seems to be stable. Mr. Bahre shared his concern that the town would be
375 liable if the bond was released and someone was harmed by the unsafe driveway condition. Ms.
376 Anyzeski advised that an erosion bond release only requires that it is stable, not that it is drivable.
377 She said that unfortunately, there is no punch list in this case like you would normally see with a bond
378 release. There is no sign off that says the property owner has met certain requirements. Ms. Anyzeski
379 stated that they are not sure what the property owner's future plans are with the site. She noted
380 however, that no additional work would be able to be completed without further bonding.
381

382 Mr. Sinish read aloud Mr. Wallace's comments from the site inspection which state that the property
383 appears to be adequately stable for limited access use of the driveway. Mr. Wallace's comments went
384 on to say that the erosion bond that is in place for this driveway could be released provided that 1) no
385 other grading of the driveway takes place without applicable permits and 2) if any additional work is
386 desired, the property owner would have to go through the application process.
387

388 Ms. Anyzeski said town staff would like the PZC to review the file and verify if Mr. Wallace's
389 comments should be included as conditions of the release agreement. The members determined they
390 would not approve the release of the bond until the PZC has had a chance to look at this and provide
391 their feedback.

- 392
- 393 3. **Discussion of Recent Supreme Court Decision on Farm Roads** – Mr. Shepard provided his
394 thoughts on the decision and commented that it did not really set any new ground.
- 395
- 396 4. **Discussion of Procedural Safety Guidelines** – The decision was made to skip this item and
397 address it at another time.
- 398
- 399 5. **Discussion of Annual Report Narrative** – Ms. Anyzeski said that this is not totally applicable to the
400 IWWA. She asked that they take a look through the document and suggest any changes if
401 appropriate. Mr. Sinish said that he found that it was written pretty well. Mr. Shepard's only comment
402 was that they did not have 5 regular members and 2 alternate members all year.
- 403
- 404 6. **Applications Received After Agenda Posted** – None
- 405
- 406 7. **Authorized Agent**
- 407 a) **273 Barbourtown Road** – Ms. Anyzeski said that 273 Barbourtown Road is currently a vacant
408 lot. The applicant is proposing to build a 1,500-1,600 sf home where 7 feet of the home and
409 driveway will be located in the URA. She said that based on her site visit and file review, her
410 feeling is that she could act upon this application as authorized agent. However, she said that she
411 wanted to run this by the agency first because it is a larger construction project. She said that in
412 1989, the wetlands agency approved an application for a proposed home to be built on this site
413 that is almost identical the current application. For whatever reason, they never followed through
414 with the original approved construction plan and the property remained vacant. A recent certified
415 soil survey done by the property owner showed a slightly different boundary but more or less the
416 same land conditions. She noted that they are not looking to clear cut the property. Mr. Shepard
417 said it's a relatively small section of the home in the URA and the land is pretty flat in the direction
418 of the wetlands. He said he does not view this project as particularly threatening.
- 419
- 420 b) **534 Cherry Brook Road** – Ms. Anyzeski advised that the Town has submitted an application
421 through authorized agent requesting to re-grade the Grange Building parking lot. No excavation
422 or paving is planned at this time. She said that no materials will be stockpiled on site and any fill
423 materials will be spread out and graded off immediately. In an effort to be transparent, the Canton
424 Project Administrator wanted the agency to be aware that they will be looking to pave the lot at
425 some point in the future but it could be a couple years from now. Right now, they are only
426 applying to grade the lot because it is not currently very functional. Ms. Anyzeski said that it
427 seems to make sense to keep these two projects separate because there is no firm timeline in
428 place for the paving.
- 429
- 430 8. **Any Other Recent Enforcement Issues** – None
- 431
- 432 9. **Staff Report** – Ms. Anyzeski stated that the Town of Canton does not currently have a formal
433 Request for Jurisdictional Determination Application and she believes it should. Mr. Shepard
434 suggested that Town staff contact some neighboring municipalities to see if they have something we
435 could use as a model in creating our own.

436
437 **ADJOURNMENT:**

438
439 **MOTION:** D. Sinish moved to adjourn the Regular Meeting of October 13, 2016 at 11:03 pm. R. Bahre
440 seconded the motion which passed unanimously, 5-0-0.

441
442 Respectfully Submitted,
443 Jennifer Scott, Recording Secretary