



DRAFT MINUTES

Regular Meeting

Canton Inland Wetlands and Watercourses Agency

Thursday, December 8, 2016 at 7:00 pm

Library Community Center, Room F

40 Dyer Avenue, Canton, CT

CALL TO ORDER – The regular meeting of December 8, 2016 was called to order at 7:08 p.m.

ROLL CALL – Chairman David Shepard, Robert Bahre, David Sinish, Al Bombassei, David Rosenfeld (Alternate), and Eric Henry (Alternate)

ABSENT – Rich Vandebogart

ALSO PRESENT – Assistant Town Planner Emily Anyzeski and Land Use Coordinator Renee Narducci

E. Henry was seated for R. Vandebogart.

A quorum of the agency is present.

PUBLIC COMMENT NOT RELATED TO AGENDA ITEM – None

MOTION: D. Shepard moved to amend the agenda to discuss Item #1 under New Business first. A. Bombassei seconded the motion, which passed unanimously 5-0-0.

OLD 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** – Ms. Iwona Kasica and Engineer Thomas Shannon were present to discuss the application and answer any questions the Agency had. D. Shepard provided a brief status overview of the application, as well as the items that had been requested at the last meeting. T. Shannon provided an overview of the engineered plans and drainage calculations that he produced for the applicant. He discussed the construction of the drainage swale and the methods that will be utilized to prevent erosion. I. Kasica stated that hay bales are currently stacked throughout the property, which was inspected by Ms. Emily Anyzeski, the IWWA Authorized Agent. She also informed the Agency that a new electrical pole was installed at the street and the electrical conduit from the pole to the house was installed and inspected without issue. D. Shepard read through the revised construction sequence, which was provided by the applicant on November 30, 2016.

MOTION: D. Shepard moved to APPROVE 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, as shown on the plan dated 11-25-16 and revised 11-28-16 inclusive of item #17 as shown on the Exhibit List, and subject to the following conditions:

1. Granting a waiver on Sections 7.4G, 7.4H, 7.4M, and 7.5F of the application, and
2. The permit is valid for a period not to exceed five (5) years from the date of issue.

D. Sinish seconded the motion, which passed unanimously 5-0-0.

56 **NEW BUSINESS**

- 57
- 58 1. **File #12-16-1139; 79 Dowd Avenue; Assessor’s Map 31; Parcel 2160079; Zone R-2; request to**
- 59 **construct a +/- 40,000 square foot dog park, inclusive of associated site improvements and**
- 60 **parking lot; Alan Duncan, applicant; Canton Land Conservation Trust, Inc., owner** – Prior to the
- 61 start of the meeting, Mr. Thomas Blatchley of 39 Bart Drive, Canton, CT, presented a letter to
- 62 Chairman Shepard expressing his concerns regarding the receipt of this application and the Agency’s
- 63 possible consideration. Copies of the letter were distributed to the other Agency members and placed
- 64 in the application’s file. T. Blatchley stated that the application should not be heard at tonight’s
- 65 meeting as it was not received within a 10-day window of the next regularly scheduled meeting, as
- 66 required per IWWA regulations. He stated how the untimely submission of the application does not
- 67 allow for fair due process and the Agency does not have the authority to receive the application this
- 68 evening. E. Anyzeski discussed Section 8.4 of the regulations, which outlines the steps for receiving
- 69 an application and timeframes. The Agency reviewed the regulations in further detail and D. Shepard
- 70 expressed his thoughts on the matter. It was recommended that the application be received at
- 71 tonight’s meeting and continued to the next regularly scheduled meeting in January 2017. D. Shepard
- 72 acknowledged that the information was received short notice, there is potential for receipt of a petition
- 73 and there appears to be a decent amount of public interest. E. Anyzeski stated that the application
- 74 met all the required items on the submittal checklist, which is why it was included as part of tonight’s
- 75 agenda.

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77 **MOTION:** D. Shepard moved to acknowledge receipt of the application (File #12-16-1139; 79 Dowd

78 Avenue; Assessor’s Map 31; Parcel 2160079; Zone R-2; request to construct a +/- 40,000 square foot

79 dog park, inclusive of associated site improvements and parking lot; Alan Duncan, applicant; Canton

80 Land Conservation Trust, Inc., owner) and to continue the matter to the next regularly scheduled

81 meeting on January 12, 2017. D. Sinish seconded the motion, which passed unanimously 5-0-0.

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83 **OTHER BUSINESS**

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- 85 1. **Approve Minutes of the October 13, 2016 and November 10, 2016 Regular Meetings** – TABLED
- 86
- 87 2. **File #03-93-408; 708 Cherry Brook Road; Assessor’s Map 1; Parcel 1850708; Zone R-3;**
- 88 **Request to release the remaining Erosion and Sediment Control Bond in the amount of**
- 89 **\$30,000** – The Agency briefly discussed the history of the bond and who would assume liability if said
- 90 bond were to be released. E. Anyzeski stated that the Agency requested input from the Planning and
- 91 Zoning Commission at the last regular meeting. Based on the discussion that occurred at the
- 92 11/21/16 meeting of the Planning and Zoning Commission, there was a consensus that the
- 93 Commission had no objection to the release of the remaining Erosion and Sediment Control Bond as
- 94 requested by the applicant.

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96 **MOTION:** D. Shepard moved that the Agency hereby release the remaining erosion and

97 sedimentation control bond in the amount of \$30,000 being held for File #03-93-408; 708 Cherry

98 Brook Road. E. Henry seconded the motion, which passed unanimously 5-0-0.

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- 100 3. **Applications Received After Agenda Posted** – None
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- 102 4. **Authorized Agent** – None
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- 104 5. **Any Other Recent Enforcement Issues** – None
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- 106 6. **Staff Report** – The Agency reviewed a letter from the Town Attorney regarding his legal opinion on
- 107 recusal procedures for pending applications. D. Shepard informed the Agency that the last paragraph
- 108 does not pertain to the IWWA; however, it would be wise to thoroughly read the document everyone
- 109 understands the recusal process and how it applies when processing applications.
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112 **ADJOURNMENT**

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114 **MOTION:** D. Shepard moved to adjourn the meeting at 8:48 p.m. E. Henry seconded the motion, which
115 passed unanimously 5-0-0.

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117 Respectfully Submitted,

118 Renee Narducci, Land Use Coordinator