

LYME CONSERVATION COMMISSION
INLAND/WETLANDS and WATERCOURSE AGENCY
August 19, 2009
7:30 P.M.

The Lyme Inland/Wetlands and Watercourse Agency held a regular meeting on Wednesday, August 19, 2009 at 7:30 p.m., Lyme Town Hall, 480 Hamburg Road, Lyme, CT.

MEMBERS PRESENT Paul Armond Chairman, Beverly Crowther, Fred Bliven, Roger Dill, Bernie Gigliotti ZEO and Patsy Turner Secretary.

MEMBERS PRESENT ON 8/09 SITE WALKS: B. Crowther and R. Dill

REGULAR MEETING

Judith Schaaf, 69 Cove Road, Tax Map 17, Lot 11; an application for construction of a stairway to a proposed boat dock on Hamburg Cove.

Present at the meeting was Fern Trembly (Gary Sharpe and Associates) to represent Judith Schaaf.

Trembly: This application was held from July; the proposed dock will replace the non-permitted dock which has been removed. There were concerns at the last meeting; 1) the materials for proposed deck, 2) the proposed dock material, and 3) the flow through decking. The deck will be constructed of untreated timber to match the existing stairway, the proposed dock will be constructed with pressure treated driven piles, and a sample of the flow through deck was presented.

Bliven: The amount of decking being used will cover the deck area only.

Trembly: The area of the decking will be 4' X 24', approximately 100 square feet. The landing will be supported by hand dug pilings connected to cement tubes and rip rap will be placed below to stabilize the slope. Silt fence and erosion control has been added to the plan, to protect the area during construction. There will be a stone pad placed at the top of the stairway located at the bottom of the walkway; pictures of the area were presented and explained.

Dill: The plan is to rebuild the existing stairs.

Trembly: The stairs will stay as is and will not be rebuilt.

Crowther: Stairs could be built over the eroded area above the existing stairs.

Trembly: There will not be stairs added to the area; the stone bed at the top of the stairs will provide erosion control and filtration of the water.

Dill: The erosion will not be controlled on the existing footpath.

Trembly: The footpath has been in place since the 1940's; there are no proposed improvements to the area of the footpath.

Dill: The pathway is a conduit for the water flowing to the stairs and the new construction area.

Armond to Dill: Suggestions for the area could be described.

Dill: There is a need for water diversion; the area was viewed on the site walk. Bypasses could be placed in the area. The area is steep; the water flow is coming down off of the lawn.

Trembly: The pathway is not in direct alignment with the stairway; there is an angled area before the eroded area.

Crowther: The erosion has been caused mostly by the foot traffic.

Trembly: The area between the lawn and the Cove is very dense with Mountain Laurel and forest litter to filter the water.

Gigliotti: The dock has been removed and there has not been much foot traffic recently down the hill.

Trembly: The previous dock was removed by Mrs. Schaaf over two years ago.

Dill: The stairs could use some repair.

Trembly: The stone bed above the stairway will dissipate the water flowing down from the lawn area.

Crowther: The stone bed and the rip rap will slow down the water before it reaches the Cove.

Dill: Water bars could be placed to slow the water before it reaches the top of the stairway.

Armond: Timbers (6" by 6") could be placed in the area of the pathway and back filled with ¾ inch stones.

Trembly: Water bars could be placed in the area of the pathway; the goal was to minimize the disruption of the area.

Dill: During the construction of the dock would be the time to improve the pathway area.

Bliven: The pathway is a well defined area.

Crowther: The area was viewed on the site walk and the pathway is a depression in the ground covered with leaves. The soil is firm; water bars could be placed in the area and would help to control the water.

Trembly: The total pathway from the lawn is approximately 100 feet in length and the eroded area is approximately 30 feet; the upper portion is well vegetated.

Armond: The changes to the pathway should be incorporated into the plans.

Bliven: The area was not viewed and could be left as is, due to being an established pathway.

Armond: The details of the pathway are hard to view from the photographs.

Dill: The area above the stairway needs attention.

Gigliotti: The suggestion Dill has made for the steps with stone back file would work in the area.

Trembly: The plans for the pathway could be sketched onto the plans, as to receive approval from the commission at this meeting.

(Trembly left the meeting to sketch the details for the area of the pathway)

Armond: The review of the application was paused, as to add details to the plans being presented.

Robert and Lorna McLaughlin, 224-1 Beaver Brook Road Tax Map 45 Lot 7; an application for a wetlands crossing and boat dock on Cedar Pond that was constructed without a prior permit.

Robert and Lorna McLaughlin were not present at the meeting.

Crowther: The applicants are prepared to be at the September meeting.

Gigliotti: The neighbors may not have been notified; a follow up call will be made to the applicants.

The Nature Conservancy and the Town of Lyme, Mt Archer Road Tax Map 20 Lot 16; an application for treatment of invasive barberry on the Jewett Preserve.

Linda Bireley was present at the meeting representing the Nature Conservancy.

Bireley: The plan is to treat a two acre parcel of barberry on the Jewett Preserve. The first step is to mow the area and then treat sections with different methods in the springtime; 1) an herbicide (near the road) & 2) a propane torch (near the stream). The herbicide proposed to be use would be triclopyr (brush-b-gone).

Armond: Triclopyr is a great herbicide.

Bireley: The herbicide will be applied to the new growth after the mowing. The plan is to begin the treatment in early spring.

Bliven: The herbicide will kill all vegetation in the area where applied.

Armond: Grasses survive the treatment; the herbicide will kill all broad leaved plants.

Armond entertained a motion to approve the application as presented. The motion was moved by Dill, seconded by Crowther, and was passed by all members present.

Lisa Ballek Lonnergren, Mt Archer Road Tax Map 29 Lot 12; an application for construction of a private driveway through wetlands and a regulated area.

Tom Metcalf was present at the meeting to represent Lisa Ballek Lonnergren.

Metcalf: This information was before the commission on a preliminary basis. The property is approximately 9 acres and is a long parcel. Accesses over neighboring properties were pursued and the two options were denied. Test holes were dug on the front section of the property and water levels were monitored for over one year, it was discovered the area would not be suitable for building. A report was created by Penny Sharpe for the best location of the driveway which would have the least impact to the wetlands. The plans show the construction sequences. Culverts will be placed in areas of the driveway where needed; there are approx. seven flow patterns.

Armond: A septic system could be installed near the road on the front portion of the property.

Metcalf: Ten test holes were dug and monitored over the heavy rain periods of the year, in accordance with public health codes and the water levels did not meet codes. The information was submitted to George Calkins. The area is not suitable for a septic system and does not meet health code by definition; land where a water table is less than 18 inches for thirty days or more, the land is unsuitable, whether or not fill is brought in.

Dill: There are 28 approved septic systems sites on the neighboring property. The area could be dewatered for the placement of a septic system; Calkins has commented dewatering could work on the front section of the property.

Metcalf: There is no way to guarantee the dewatering would work.

Armond: The information was presented to the commission on a preliminary basis in the past and there were concerns with the information. The level of alarm with this application has increased; a half an acre of wetlands would be disrupted by the driveway, all options should be considered to avoid disrupting that volume of wetlands. This property is within the Eightmile Watershed District.

Metcalf: There is an area located on the property which would require little to no engineering for a septic system; the soils are suitable. A septic system should not be placed in a compromised area with no guarantees.

Armond: This commission is the protector of inland/wetlands and is the enforcer of the regulations. The half acre of wetlands should be protected.

Dill: The wetlands would be fragmented by the driveway.

Metcalf: Penny Sharpe's report discusses the wetlands and the placement of the driveway would not fragment the wetlands.

Crowther: The various functions of the wetlands are discussed in the report; what functions of wetlands would be most impacted by the placement of the driveway.

Armond: The length of the driveway will be a concern for the Fire Department; there will be a need for pull off areas every 500 feet which will more impact the wetlands.

Metcalf: This property is an existing lot of record. The driveway construction will be suitable for emergency access.

Crowther: The culverts will vary from 6" or 12" in diameter.

Metcalf: The culverts would be dug out and gravel will be placed in the areas.

Crowther: Where the culverts will be placed the wetlands would no longer exist. The wetland crossing approved over the Crowley property was what length.

Bliven: The wetland located on the Crowley property was not of the same quality.

Crowther: Penny Sharpe is an Environmental Consultant; the wetland is not being disputed.

Metcalfe: The property would be scarred if the septic system failed on the front portion of the property; the driveway would have less impact on the wetlands.

Gigliotti: On the Crowley property the driveway length is 600 feet with a 200 foot wetland crossing.

Armond: This application should be held and more alternatives should be explored.

Metcalfe: The application could be held until next month and more information could be gathered to be presented. Present during the meeting is Attorney Dave Roysten.

Roysten: The considered alternative options should be entered into the record in the future.

Metcalfe: A site inspection could be done on the property.

Gigliotti: A site walk was scheduled for Saturday, August 22nd at 9:00 a.m.

Judith Schaaf (discussion of the application was reopened)

Tremblay: A drawing of the area above the stairway was presented of the timber steps with ¾ inch gravel for the 30 feet. The timbers will be constructed of cedar or pressure treated wood.

Armond entertained a motion to approve the application as presented. The motion was moved by Dill, seconded by Crowther, and passed unanimously.

OLD BUSINESS N/A

NEW BUSINESS

Ralph Eno, discussion of a road maintenance issue on the Hartman Property involving a stream crossing.

Present at the meeting was Ralph Eno.

Eno: The main trail located in Hartman Park has a stone bridge with low clearance and during the Spring erosion occurs. The stones could be lifted or a structure could be built over the area. The option of digging out the area in the upstream of the stone bridge may be doable, as to create better flow and solve the silt problem for future years.

Bireley: Erosion in the area of the stone bridge is significant. There is a beaver dam upstream and the stone bridge can be blocked very easily; which causes the water to flow around the area and cause erosion.

Armond: The water level will not be changed by digging beneath the stone bridge.

Bireley: The goal is to remove the soil below as to avoid lifting the stones.

Gigliotti: There is a change to the area which is causing the erosion of the stone bridge.

Eno: The problem is with the flow of the water and the trail around the bridge is being eroded.

Bliven and Armond: The area should be viewed before any suggestions could be made by the commission.

APPROVAL OF OUTSTANDING MINUTES

A motion to approve the minutes of the July 15, 2009 meeting was made by Crowther, seconded by Bliven. The motion to approve the minutes was passed with one abstention.

Adjournment

The meeting was adjourned at 8:36p.m.

Respectfully submitted,

Patsy Turner, Secretary