

**MIDDLEFIELD INLAND WETLANDS
and
WATERCOURSES AGENCY
405 Main Street
Middlefield, Connecticut 06455**

Minutes of the December 11, 2019 Special Meeting

Linda Li, Vice Chairman, called the meeting to order at 7:06 pm.

Attendance:

Members		Alternates	
A	Adams Rieder, Rebecca	A	Zieminski, Charles
X	Angiletta, Irene		
X	Brown, James		
X	Li, Linda		
A	Manning, John	Other	
X	Poturnicki, Rob	X	Bernotas, Randy
A	Veeley, Robert	X	Curtis, Brian

A=Absent

X=Present

Show Cause Hearing that Luis Fernandes is in violation of the Middlefield Inland Wetlands and Watercourses Regulations on property known as 223 Baileyville Road

Luis Fernandes reviewed that the last time he had met with the commission, they had considered filing an amendment, but they have decided not to do that. They will stick to the original plan to install a 40 x 3 rain garden. He stated that the driveway is crushed stone now and they have not discussed paving it.

Rob Poturnicki noted that the driveway was not supposed to be removed and this really isn't an option. Mr. Fernandes asked whether crushed stone was impervious or pervious and Mr. Poturnicki explained that crushed stone ends up impervious, almost the same as pavement. Brian Curtis added that the run-off from crushed stone is not much different than pavement because it is all compacted. The water would not drain through, especially on a slope. Mr. Fernandes asked if there was a difference between crushed stone and processed stone and Mr. Curtis explained that the town requires any driveway with more than a 10

percent slope to be paved because any stone surface will erode at that steep of a slope. This driveway was previously paved and you can now see erosion starting to happen.

Mr. Fernandes asked if there were any alternatives other than asphalt that could be used. The DEEP website calls out a couple of different alternatives. Brian Curtis stated that it would be some kind of hard surface that won't erode. He did explain that there is a pervious pavement product, but it is much more expensive and would be tricky with that type of slope.

Mrs. Fernandes summarized that the commission is saying that they have to pave their driveway. Rob Poturnicki reviewed that they had never had any discussions about removing the asphalt and the approval were based on the asphalt being there. Mrs. Fernandes stated that they removed the driveway because it was in terrible shape. She thought they could wait until the area packed down and pave the driveway later. She explained that they wanted to expand the driveway and reduce the slope to make it less dangerous. She didn't realize that they would be forced to pave the driveway and felt it was a very expensive ask.

Mr. Fernandes explained that he is also concerned about the lake and that was why he'd like to use an alternative to asphalt. Mr. Poturnicki felt that they could come back to the commission with an engineered plan. Mr. Curtis suggested that it would have to be pavers or something similar and that would be a lot more expensive than paving. Mr. Fernandes stated that there were other alternatives on the DEEP website and they would like to explore the option of what other surface could be installed.

Mr. Fernandes understood that the rain garden needs to be installed and the grade established before the paving could be done. Mr. Curtis felt that some kind of silt fence should be installed between now and the Spring along the base of the driveway to retain the sediment. Mr. Poturnicki would like to see the silt fence installed before the weekend and Mr. Fernandes said he will re-install it before the weekend.

Randy Bernotas asked how Mr. Fernandes felt about the current condition of the driveway and asked if he had seen the pictures of when the driveway was plowed. Mr. Bernotas stated that it was just a mess and everything was pushed down right next to the lake.

Mrs. Fernandes asked if the commission was going to tell them exactly what they want them to do and if the driveways to the other houses needed to be paved as well. Mr. Poturnicki asked if the driveways were paved before and Mrs. Fernandes explained that they didn't exist and the area was just grass. Mr. Poturnicki felt that it was a problem that they were removing grass areas and that wasn't part of the approved plan.

Irene Angiletta felt that something should be presented in writing to the commission and Attorney Willis suggested that they submit some sort of plan. Ms. Angiletta explained that the onus is on the property owners to tell the commission what they would like to do and the only reason they are having the meeting tonight is because what was agreed upon was not what happened. Jim Brown suggested that they bring in the information from the DEEP website as well.

Mr. Poturnicki explained that they were not trying to be difficult, but the applicants did not follow the originally-approved plan. The commission is trying to protect the land. Mr. Poturnicki suggested that

they bring back the original plan and they can start there. It was agreed that this will continue, but they will not be ready by next week's meeting. Mrs. Fernandes explained that they are just trying to get the house to where they can move in. She explained that the paving will have to be built into their budget.

Attorney Willis asked when the applicants would like to come back with a plan. Linda Li added that she would like to see a plan for what will be paved, along with the grade. Mr. and Mrs. Fernandes agreed to come back with a plan on January 15, 2020.

Rob Poturnicki made a motion, seconded by Jim Brown, to continue the show cause hearing until January 15, 2020. Motion carried unanimously.

Mr. Fernandes will do his best to install the silt fence tomorrow and backfill it on Friday.

Adjournment

Rob Poturnicki made a motion, seconded by Linda Li, to adjourn the meeting. Motion was carried unanimously. The meeting was adjourned at 7:30 pm.

Respectfully submitted,

Debi Waz

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Alwaz First