

**INLAND AND WETLANDS COMMISSION
SPECIAL MEETING
SHOW CAUSE HEARING
PROPERTY LOCATED AT 60 GUNNTOWN RD
OWNER: WILLIAM WERNER
December 15, 2010**

Commission Chair Mary Davis called this meeting to order at 5:35 P.M. with the following in attendance:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary
Lars Johnson, Alternate

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Borough Engineer
Public, 0

1. Commissioner Davis took attendance and noted there was a quorum and placed Lars Johnson as a regular voting member.
Keith read a letter sent by certified mail to Mr. Werner into the record regarding violations that had been observed during an inspection conducted by the Borough WEO and ZEO. Keith also explained the map that had been submitted. William Werner, 60 Gunntown Rd., said that the primary activity was the trench put in to divert water from the wetlands on the property and the primary motivation is that it is an agriculture issue pertaining to the two horses boarded there. During heavy rains there is a lot of mud and the horses would sink down 18 – 24 inches into the mud. For the well being of the horses they decided to dig a trench. He said that he did not realize the ramifications and that his position is that the reasoning is agricultural and the safety of the horses which falls in line with the farming scope of the wetlands act. Mr. Werner said that the purpose of the trench was to release the water to the wetlands and what he would like to do is run a french drain and let the water flow to its natural placement on the wetlands. He said that they found that when the water flowed out of the trench it didn't really fill up anything that wasn't there before. Commissioner Davis asked if Mr. Werner was a registered farmer with more than three acres. Mr. Werner replied that he was not registered and has 100,000 sq ft. Keith said that Mr. Werner had demonstrated through the town attorney that he has historical use of the property due to the horses. Commissioner Davis said that horses are allowed to be grazed but as far as trenches it's not a farming issue. Mr. Werner said that they have permitted equestrian grazing there that is pre zoning, and that he is looking for guidance from the Commission to install the French drain with respect to the wetlands. Joe asked for more details regarding the drain. Mr. Werner said that they would like to lay a perforated drain pipe in the trench and pour the dirt back in. Joe asked if that would drain off the top soil. Mr. Werner replied that it already has and from an engineering perspective the purpose of a french drain is to divert water. A discussion took place regarding the details of the french drain. Wayne asked if the horse field was wet above. Mr. Werner replied that it absolutely is and that the horse corals are unsafe for human walking as well and that there should be some way to mitigate this because it is so dangerous. Commissioner Davis asked if this was something new. Mr. Werner said that it is, because he had slowly trimmed and cleared out the hay and was then able to see the natural terrain of

the land and discovered the wetland that had been hidden by the hay. Joe asked how much area a horse needs to graze on. Brian Newell, 18 Bridge Street, responded that the more the better. He said that horses are herd animals and the more they get out the happier they are. He said that this is one small area that is particularly dangerous to the horses. Joe asked how big the wetland area is. Mr. Werner explained the area to the Commission on the map. He said that he does not have designated wetlands on his property. Wayne said that the town property is marked on the map and there are two wet spots on the property. He said that the probability is unless a soil scientist delineates it that there may or may not be wetlands on the property. Wayne continued to say that he would have suggested that the cut off be put on the high side of it rather than the low side, and also that the property line is about 40 ft from the barn and it appears that the trench is on town property. Mr. Werner said that he found the markers from the surveyor and that the trench is well within the perimeter. Wayne suggested that he go out there with Mr. Werner. Keith recommended to put a row of silt fencing on the low side or maybe a row of hay bails if the ground is too frozen. Keith suggested that Mr. Werner apply for an application. Commissioner Davis said that the only other solution is to wire off the property so that the horses cannot go into that area. Mr. Werner said that he felt the Commission was reasonable and that he has taken time to clean up the property and turn it into a beautiful site and they didn't want to fill it with gravel and cover up the grazing. Joe said that after Wayne looks at it then the Commission would like to see some sort of proposal. Keith said of the many properties in Naugatuck that this is a very historic piece of property and the goal is to restore and keep that. Mr. Werner asked if he were to be registered as a farm if it would expedite things. Commissioner Davis replied that an approval would still be needed. Keith suggested that a modification be made to the order to allow for Mr. Werner to put in a row of erosion controls, either a silt fence or a row of hay bales, and after an application is filed to continue the hearing at the next meeting. Joe asked Mr. Werner if he felt that the erosion and sedimentation controls could be put in place before the next meeting. Mr. Werner replied that he could. The hearing was continued to January 5, 2011.

2. NEW BUSINESS

A. Commission discussion/decision regarding activities associated with Inland Wetlands Violation at 60 Gunntown Road, Owner: William Werner. The Commission shall determine whether the original order remains in effect, that a revised order is in effect, or that the order has been lifted. Joe said that there was really nothing more that they could ask him to do. Lars asked if there was any chance to see it. Keith said he could help arrange for Lars to visit.

3. ADJOURNMENT

VOTED: Unanimously on a motion by Joe Bakstis and seconded by Lars Johnson to ADJOURN the meeting at 6:15 P.M.

Respectfully submitted

Sally MacKenzie, secretary/ sk