

MINUTES
PUBLIC HEARING
CONSERVATION COMMISSION
LISBON SENIOR CENTER
TUESDAY, SEPTEMBER 21, 2021
6:30 P.M.

1. Call to Order

The following Public Hearing of the Conservation Commission was called to order by Richard Hamel, Chairman at 6:32 P.M.

MEMBERS PRESENT: Richard Hamel, Joseph Lewerk, Leonora Szruba, Mark Robinson,
William McIntosh, Sr.

MEMBERS ABSENT: Mark Sullivan (Alt)

OTHERS PRESENT: Joseph Theroux, Conservation Officer

Permit for Use of Inland Wetlands and Watercourses or Upland Review/Buffer Areas,
Application #21-004 by Jason Latkow, for proposed improvement of an existing driveway
located at 0 Pleasant View Cove (f.k.a. 20-25 Phillips Road), Assessor's Office
Map ID 23/025/000.

It was noted for the record that the location of this public hearing had been changed to the Lisbon Senior Center, 11 Newent Road, Lisbon, CT 06351.

It was also noted for the record a letter was sent to the Town of Griswold regarding the public hearing and 2nd notice sent informing them of the change of location. Copies are on file.

The applicant, Jason Latko, and his agent, Demian Sorrentino, AICP, CSS of Boundaries, LLC, 179 Pachaug River Drive, Griswold, CT are present at this public hearing.

Chairman Hamel asked if there were any comments from the staff to which there were none.

Chairman Hamel asked if there were any questions from the Commission members to which there were none.

Chairman Hamel then asked the applicant to present. Demian Sorrentino stated that this project started out as a goal of improving the access drive from the end of Pleasant View Cove out to Mr. Latko's property so that he could make access and make reasonable and beneficial use of his property as a recreation site. Property owners Cabral and Sullivan have not given permission for access improvement. Property Owner Dougherty has given written permission which is in the file. The original Application has been revised and Mr. Latko is now proposing 230 linear feet of improvement to that gravel access drive. Mr. Latko is proposing to excavate about 12 inches, if necessary, of that existing muck that is there, place a filter fabric, if necessary, if no suitable material is encountered within that 12 inches of excavation. A Geotech fabric will be placed underneath it and place bank run gravel in there and compact it so that it is a suitable, stable surface capable of withstanding the weight of vehicles and also can make an easy passage for passengers' vehicles and not only four-wheel drive trucks. Only proposing to improve 10 feet in the exact location of where the existing drive is. Improvement will not go any closer to the cove side than the existing drive is, and it is well within that 25 foot right of access.

Regarding the dock, Mr. Sorrentino handed out information of a diagram with the parts from EZDock of how the dock is affixed. Polyethylene Dock Diagram shows the configuration of the dock and the parts

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from the shoreline, there is one panel, a polyethylene gangway 39" x 10' long out to two sections of a polyethylene dock sections 80" x 10', a polyethylene bench which is bolted to the side of it, there is a swim ladder bolted to the front of it and there are specific polyethylene pipe brackets that are on the four corners within those pipe brackets there are holes; within those holes there are galvanized pipes with bolted-on augers on the bottom. There are details from the manufacturer's website there as well.

Mr. Sorrentino stated there has been some correspondence that had gone back and forth between municipal officials and others that they did not even know was going on. So much of this correspondence was based on information that was not true. Members of the Commission know the history of this property.

If there were any other way over land to access this other than disturbing 2300 sq. ft. of alluvial soil, Mr. Latko would do so. He cannot. This is his only feasible access to the property by vehicle and we ask that you review his application in that light.

Mr. Latko understands the potential for impact to the existing drive, but he does not want to cause anything that will prevent his children and passenger cars from getting to this improved portion should it be approved.

Chairman Hamel asked - will the way of getting gravel and materials into that area be with a smaller truck so that it will have the least amount of impact on the rest of that driveway?

Mr. Sorrentino's responded they will do their best to not make it impassable.

Chairman Hamel then asked – You plan to go down 12 inches, what happens if you hit ground water?

Mr. Sorrentino responded that they would keep going down.

Chairman Hamel then asked– How do you get that ground water out or prevent it from coming back in again?

Mr. Sorrentino responded the intent was to do it during the dry period.

Chairman Hamel asked if there were any other questions to which there were none.

Chairman Hamel then asked for public comment that are in favor of the application to state their name, address and their comment, which there were none.

Chairman Hamel then asked for public comment opposing to state their name, address and their comment.

Christine Cabral, 31 Pleasant View Cove Road. She and her husband have a cottage which is the only structure on that peninsula which they have owned since 2013. They do everything they can to protect the area as stewards of the land. She agrees there is some maintenance that needs to be happen on that right of way; but feels it is not realistic to bring heavy equipment down. Her major concerns are damage to this portion (she illustrates on the map). She reiterates and shows her property and the Sullivan property also

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not in favor of this. Overall, she would like to know how the damage is going to be handled. She would like to know who is going to supervise the work when it is happening. How does she get answers to that?

Shawn Cabral, 31 Pleasant View Cove addressed the Commission. He has two points. 1) in the presentation that came out, there was a misuse of two words - maintain and improve. This is definitely an improvement of the right of way. They are not trying to stop Mr. Latko from getting out to his property. That is not it at all. They just want to make sure their property does not get damaged along the way. That is really the main thing for them. He does not see it how this is going to happens if you do that amount of work with that equipment and it does not damage his property.

Chairman Hamel reported there were no other emails to enter in.

Mr. Sorrentino asked if the applicant could rebut and the answer was yes.

Jason Latko rebutted stating he is looking to gain access to the lot where the dock is. He has a little fishing boat and would like to be able to use it. He appreciated the Commission coming out for a site walk and saw his concerns. He was not looking to upset people with it. What Demian Sorrentino has now sketched, several times, is what he would like to do to improve access to his lot.

Mr. Sorrentino spoke again and stated the quandary here is that you don't want us to improve the access between Pleasant View Cove and the Dougherty property, but you also don't want it damaged when we improve what we can improve. He is not sure what the balance is here. To that end, what they can do is work with the site contractor to make sure he uses a pickup truck, not a tri-axle, an F350 with mason dumps on it to bring the materials down there. It may take longer to do this work, but they we understand that is what is needed. Mr. Latko is just trying to enjoy the property that he owns. Yes, this is not just maintenance. This is definitely an improvement.

Mr. Cabral spoke again that the original agreement he had with Mr. Latko was to maintain the right of way. All he had asked for was to be given some details in writing as to what that is. Mr. Cabral never received that. The only information he received was from the Board was that of the FOI requests and that is it. That is why he pulled his support for it. Mr. Cabral is 100% in favor of maintaining that right of way. He feels if it is maintained everyone can still use it the way it has been used for the last 40-50 years.

Joseph Theroux, Conservation Officer, asked a question of the Cabrals – is there a specific reason why you are opposed to having your section of the right of way improved? Mr. Theroux does not see why they would not want it improved.

Mr. Cabral answered stating that there has been a lot said and then asked for forgiveness later. So at that point, we don't need it. Again, he reiterated that he was all in favor of maintaining what we have there but

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not improving all that. So if we make that a full road, that is just going to be a highway for people. Having it in a way that maintains the privacy is important to us, maintaining the environment is important to us and also providing access. I want Mr. Latko to get down there. I want his kids to get down there. I have no problem with that. I just do not see the need for a road being built all the way down.

Mrs. Cabral agrees with Mr. Cabral that it being a trust issue. She also does not want Mr. Latko not to be able to get down there. The issue is that we are careful with what we bring down there and equipment. If you bring heavy machinery down there, even reduced heavy machinery, it is going to cause damage. She does not trust that the damage is not going to negatively impact their use of their property.

Chairman Hamel asked members if they have any questions.

Member William McIntosh, Sr. stated he is concerned about how they are going to do this with machinery, small or not. He knows you will have to work with it, but he is having an issue with how they are going to get the materials down there without disturbing the neighbors.

Member Mark Robinson agrees with Joseph Theroux because improving the driveway is beneficial and an asset. His concern is on the point of fire protection because he can just see one of the town's fire trucks going down there and with the weight on those trucks with the water and everything, they are either going to sink or there is going to be significant damage.

Chairman Hamel asked if there were any other questions, to which there was none.

Motion by M. Robinson second by J. Lewerk to close the public hearing at 7:10 p.m.

VOTE: UNANIMOUS, MOTION CARRIED

This public hearing was closed at 7:10 P.M.


Renee Williams, clerk

APPROVED: _____
Richard Hamel, Chairman

RECEIVED FOR RECORD AT LISBON
CT ON 9/29/2021 AT 7:45pm
ATTEST. LAURIE TIROCCHI, TOWN CLERK
