

## STAFF REPORT

### GENERAL INFORMATION: IWWC Application Site Visit at 65 Stone Road

**SUMMARY:** Property of interest at 65 Stone Road; GIS Map 19; Lot 15; 6.2 acres; Rural Development Zone; Five Mile River Overlay Zone.

The landowner at 65 Stone Road applied to the IWWC on 02/18/2021; the application was received by the commission at the March Regular Meeting on 03/01/2021. Upon receipt, the commission asked that staff conduct a site visit to determine if there are any alternative locations for the proposed 30' x 40' outbuilding and a 15' x 24' above ground pool.

**PURPOSE:** The proposed outbuilding will be used for storage for various machinery and equipment. In the future when an above ground pool is erected, it may also be used to store items related to the pool.

**OWNER:** Sheena and Nathaniel Ruggirello

**PARCEL ID:** GIS Map 19 – Lot 15

**LOCATION:** 65 Stone Road

**ZONING:** Rural Development Zone; Five Mile River Overlay Zone

**REPORT BY:** Marina Capraro, Assistant Planner / Natural Resources Officer

### RECOMMENDATION:

Staff met with property owner on site at 65 Stone Road on 03/09/2021. The property owner showed staff the proposed building site; staff observed the various equipment stored around the property that would be stored in the proposed outbuilding. The proposed outbuilding would abut a wetland that slopes south; about 50 feet from the flagged wetland edge is a seasonal stream that takes runoff from Stone Road into the Five Mile River; the area is designated as a 'Critical Habitat Area' by CT DEEP, indicating there may be habitat for or populations of endangered species in the area; this property has additional development and property management restrictions from the Five Mile River Overlay Zone. Additionally, the wetland area in question is labeled as a 'Preserve Zone' on the recorded subdivision maps (provided); however, the restrictions of the 'Preserve Zone' were never recorded with the Killingly Town Clerk. It seems the intention of the Preserve Zone is to protect a historic or cultural resource, based on the language on the map: *Preservation Zone areas of historical significance are not to be disturbed by construction and will be protected by deed restrictions.*

Based on the site visit, the proposed building location seems to be the only reasonable area on the property for the outbuilding: East of the house, the slope is too severe; North of the house, zoning setbacks may be an issue; South and Southeast of the house, the septic system and leach field obstruct the area, as well as presenting an even closer proximity to the Five Mile River. The chosen area, west of

the house, outside of the wetland boundaries but within the upland review area, is the only feasible location for this outbuilding. Additionally, the homeowner owns various equipment including tractors, tractor implements, large power tools, etc. These items are currently stored uncovered around the property, upslope from wetland areas. It is the recommendation of staff that these items be allowed a proper storage space via the proposed outbuilding, and that conditions for fuel storage and secondary containment of any fuel or chemicals be put on the approval of the proposed outbuilding.



Figure 1. Proposed Building Site - Looking South



Figure II. Proposed Building Site - Looking North



Figure III. Proposed Building Site - Looking West



Figure IV. Landowner Equipment to be store in proposed outbuilding



Figure V. Tractor Implements to be stored in proposed outbuilding.

Situs : 65 STONE RD

Map ID: 009101

Class: Single Family Residence

Card: 1 of 1

Printed: June 4, 2020

**CURRENT OWNER**

BRUNET AMY L & TIMOTHY D  
65 STONE RD  
KILLINGLY CT 06241

**GENERAL INFORMATION**

Living Units 1  
Neighborhood 116  
Alternate Id 19-15  
Vol / Pg 1324/774  
District 1  
Zoning FIVE MILE RIVER OVERLA'  
Class 100

**Property Notes**

SHARED DRIVEWAY  
2007-2017--EST 80% COMPLETE  
OUTDOOR WOOD FURNACE



**Land Information**

| Type    | Size      | Influence Factors | Influence % | Value  |
|---------|-----------|-------------------|-------------|--------|
| Primary | AC 5.5000 |                   |             | 65,880 |
| Rear    | AC 0.7000 |                   |             | 700    |

Total Acres: 6.2  
Spot:

Location:

**Entrance Information**

| Date     | ID  | Entry Code         | Source     |
|----------|-----|--------------------|------------|
| 12/13/18 | DB  | Hearing Change     | Other      |
| 07/10/18 | CLP | Exterior           | Asmt Staff |
| 10/01/13 | MHB | Viewed             | Asmt Staff |
| 08/23/13 | SS  | Permit/Field Check | Owner      |
| 03/14/13 | JS  | Permit/Field Check | Other      |

**Assessment Information**

| Land         | Assessed       | Appraised      | Cost           | Income   |
|--------------|----------------|----------------|----------------|----------|
| Land         | 46,620         | 66,600         | 66,600         | 0        |
| Building     | 332,570        | 475,100        | 475,100        | 0        |
| <b>Total</b> | <b>379,190</b> | <b>541,700</b> | <b>541,700</b> | <b>0</b> |

**Manual Override Reason**

Base Date of Value 10/01/2019  
Effective Date of Value 10/01/2020

Value Flag COST APPROACH  
Gross Building:

**Permit Information**

| Date Issued | Number | Price   | Purpose | % Complete |
|-------------|--------|---------|---------|------------|
| 07/19/11    | 21311  | 3,000   | 16 FIN  | 100        |
| 10/05/06    | 18338  | 225,000 | 01 DWEL | 100        |

**Sales/Ownership History**

| Transfer Date | Price   | Type        | Validity                      | Deed Reference | Deed Type                 | Grantee                            |
|---------------|---------|-------------|-------------------------------|----------------|---------------------------|------------------------------------|
| 05/17/18      | 485,000 | Land & Bldg | Other                         | 1335/774       | Warranty Deed             | BRUNET AMY L & TIMOTHY D           |
| 09/06/17      | 175,000 | Land & Bldg | Sale Of A Foreclosed Property | 1324/351       | Special Warranty Deed     | CNG HOLDING LLC                    |
| 07/27/16      |         | Land & Bldg | Foreclosure                   | 1306/606       | Foreclosure               | DEUTSCHE BANK NATL TRUST CO TRUSTE |
| 06/22/11      |         | Land & Bldg | Sale Of Part Interest         | 1216/235       | Quit Claim                | PETERSON ERIK                      |
| 09/05/06      | 140,000 | Land Only   | Valid Sale                    | 1068/485       | Warranty Deed Survivorshi | PETERSON ERIK & KRISTI             |

Situs : 65 STONE RD

Parcel Id: 009101

Class: Single Family Residence

Card: 1 of 1

Printed: June 4, 2020

**Dwelling Information**

Style Contemporary Year Built 2007  
 Story height 2 Eff Year Built  
 Attic None Year Remodeled  
 Exterior Walls A/Vinyl Amenities Walkout Bsmt  
 Masonry Trim X  
 Color Tan In-law Apt No

**Basement**

Basement Full # Car Bsmt Gar  
 FBLA Size 500 FBLA Type Typical  
 Rec Rm Size x Rec Rm Type

**Heating & Cooling**

Heat Type Basic  
 Fuel Type Oil  
 System Type Hot Water

**Room Detail**

Bedrooms 5 Full Baths 2  
 Family Rooms 1 Half Baths 1  
 Kitchens 2 Extra Fixtures 3  
 Total Rooms 12 Bath Type Typical  
 Kitchen Remod No Bath Remod No

**Adjustments**

Int vs Ext Same  
 Cathedral Ceiling x Unfinished Area  
 Unheated Area

**Grade & Depreciation**

Grade B+ Market Adj  
 Condition Average Condition Functional  
 CDU AVERAGE Economic  
 Cost & Design 0 % Good Ovr  
 % Complete

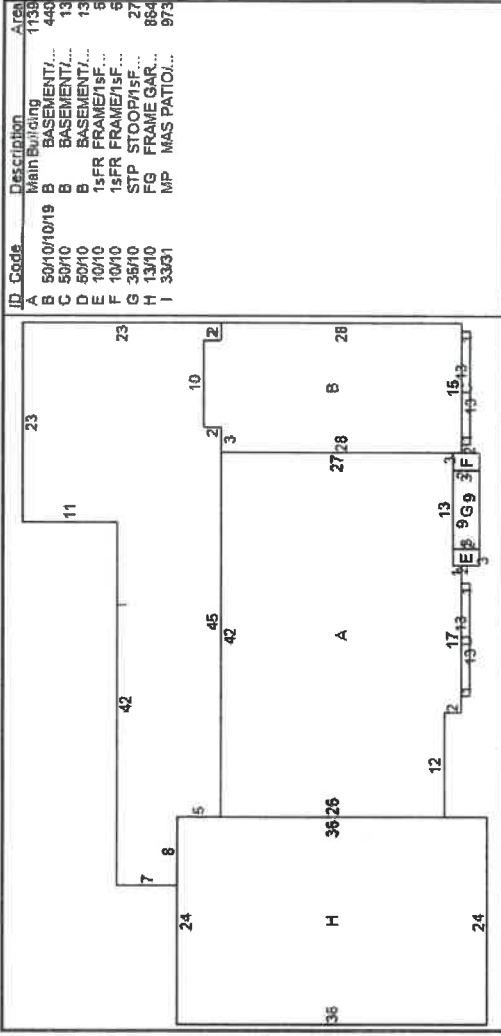
**Dwelling Computations**

Base Price 273,874 % Good 86  
 Plumbing 11,440 % Good Override  
 Basement 0 Functional  
 Heating 0 Economic  
 Attic 0 % Complete  
 Other Features 30,290 C&D Factor 1  
 Subtotal 315,600 Adj Factor 203,700

Ground Floor Area 1,139 Dwelling Value 475,100  
 Total Living Area 4,775

**Building Notes**

HIGH CEILINGS, WALK-OUT BASEMENT



**Outbuilding Data**

| Type | Size 1 | Size 2 | Area | Qty | Yr | Bit | Grade | Condition | Value |
|------|--------|--------|------|-----|----|-----|-------|-----------|-------|
|------|--------|--------|------|-----|----|-----|-------|-----------|-------|

**Condominium / Mobile Home Information**

Complex Name  
 Condo Model

Unit Number  
 Unit Level  
 Unit Parking  
 Model (MH)  
 Unit Location  
 Unit View  
 Model Make (MH)

**Addition Details**

| Line # | Low | 1st | 2nd | 3rd | Value  | Line # | Low | 1st | 2nd | 3rd | Value  |
|--------|-----|-----|-----|-----|--------|--------|-----|-----|-----|-----|--------|
| 1      | 50  | 10  | 10  | 19  | 87,500 | 5      | 10  | 10  | 10  | 10  | 4,100  |
| 2      | 50  | 10  | 10  | 10  | 4,400  | 6      | 35  | 10  | 10  | 10  | 5,300  |
| 3      | 50  | 10  | 10  | 10  | 4,400  | 7      | 13  | 10  | 10  | 10  | 71,300 |
| 4      | 10  | 10  | 10  | 10  | 4,100  | 8      | 33  | 31  | 10  | 10  | 22,600 |





# 65 Stone Road Within CT DEEP Critical Habitat Areas

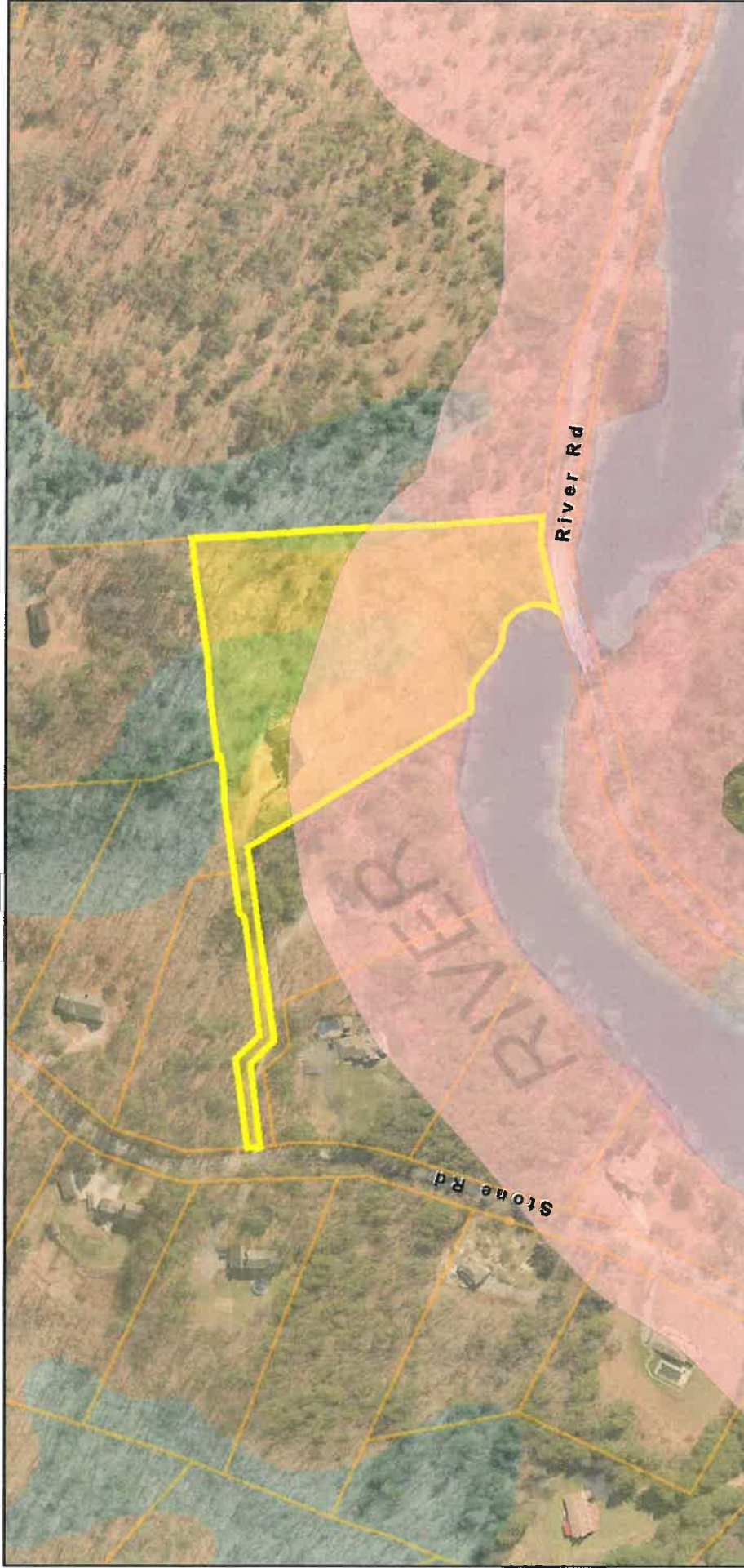
Killingly, CT



1 inch = 280 Feet



March 9, 2021



|              |            |                  |
|--------------|------------|------------------|
| Street Names | RW         | HYDRIC SOILS     |
| PROPERTYLINE | WETLAND    | NON-HYDRIC SOILS |
| PWATER       | Wet Areas  | WATER            |
| ROAD         | Water-poly |                  |

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



# 65 Stone Road within the Five Mile River Overlay

Killingly, CT



1 inch = 280 Feet



March 9, 2021



|              |       |            |
|--------------|-------|------------|
| Street Names | ---   | RW         |
| PROPERTYLINE | ..... | WETLAND    |
| PWATER       | ..... | Wet Areas  |
| ROAD         | ..... | Water-poly |

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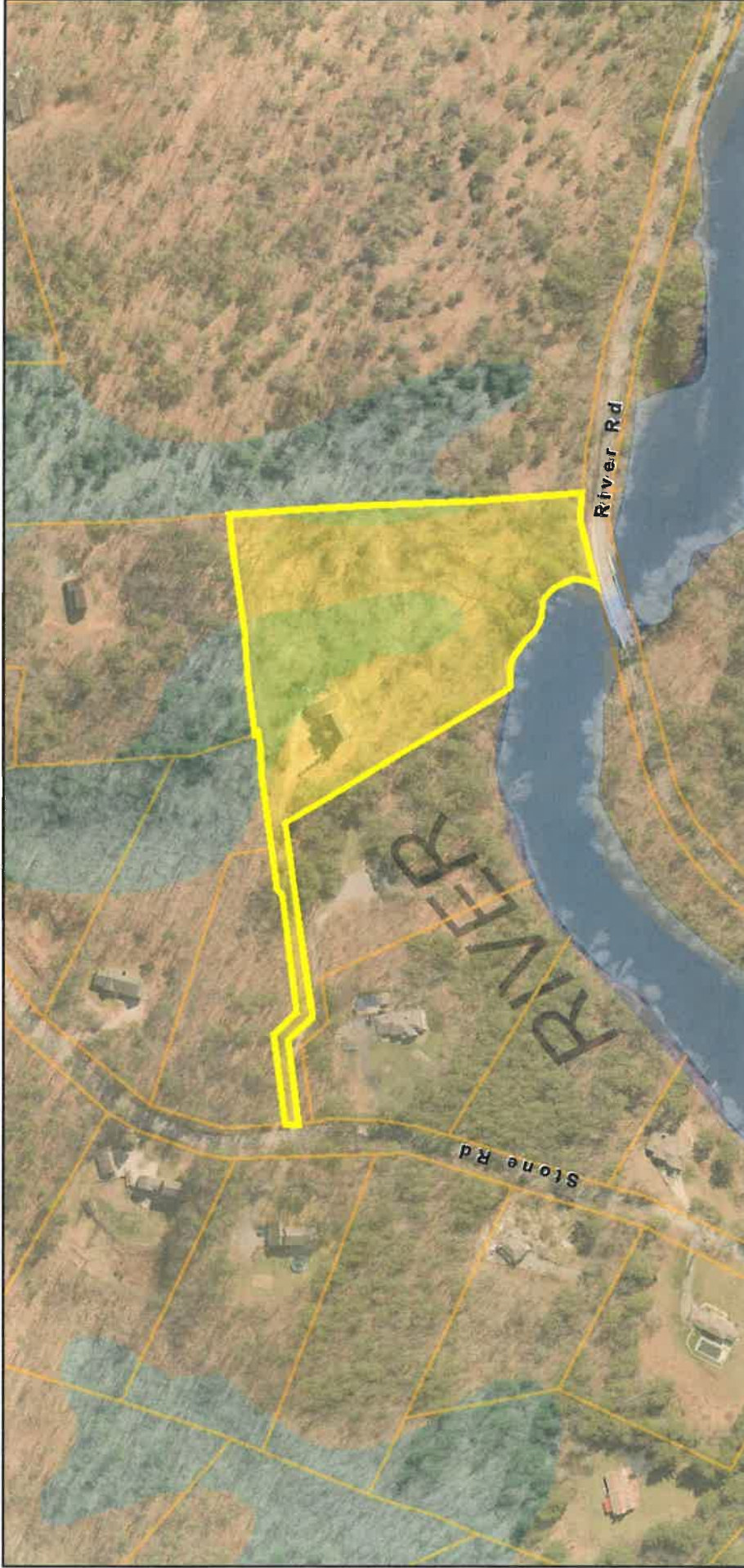
# 65 Stone Road Wetlands

Killingly, CT

1 inch = 280 Feet



March 9, 2021



|              |   |            |                  |
|--------------|---|------------|------------------|
| Street Names | — | RW         | HYDRIC SOILS     |
| PROPERTYLINE | — | WETLAND    | NON-HYDRIC SOILS |
| PWATER       | — | Wet Areas  | WATER            |
| ROAD         | — | Water-poly |                  |

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## **SECTION 581 FIVE MILE RIVER PROTECTION OVERLAY DISTRICT**

**Purpose - The Five Mile River Protection Overlay District shall be defined as the Five Mile River within the Town of Killingly, including the area within the river's ordinary high water marks, floodplain, wetlands, and a contiguous buffer strip which together constitutes a culturally significant and environmentally sensitive river corridor. Its establishment furthers the goals of the state and municipality in river protection efforts under Connecticut General Statutes Section 25-102xx. All uses and activities established after the effective date of this regulation shall be in accordance with the standards and requirements in this regulation which are established to accomplish the following publicly recognized purposes:**

- A. To establish standards and requirements for the use and conservation of the district and to contribute to the regional conservation of the river corridor**
- B. To prevent any alterations to the natural flow of the river, in order to maintain its ecological, recreational, aesthetic and other qualities.**
- C. To prevent water pollution caused by erosion, sedimentation, nutrient or pesticide run-off, and waste disposal facilities and to encourage retention and enhancement of shore vegetative cover, including diversity of native species, age distribution, and ground cover density to provide a protected buffer and pollution filter strip along the river as required in other important river corridors and as recommended in numerous pollution prevention studies, such as published by the Smithsonian Environmental Research Center.**
- D. To conserve the ecological, water supply and flood storage functions of the river's flood plain and related groundwater table and aquifer recharge areas and to protect life, public safety and property from flooding hazards.**
- E. To protect valuable fisheries and wildlife habitat within and along the Five Mile River.**
- F. To conserve and enhance the natural scenic and topographic conditions in the river corridor and its environmental quality, recognizing that these are vital to the economic and environmental health of the Town, and to preserve the natural scenic quality of the river by maintaining, where possible, screening of man-made structures from the river view, and:**
- G. To carry out the recommendations of the Town Plan of Conservation and Development and the State Plan of Conservation and Development and to prevent unnecessary or excessive expenditures of municipal funds for services and utilities which might be required as a result of improper development of land within the district.**

**Boundary - The limits of the Five Mile River Overlay Protection District are:**

**Beginning at a point in the Killingly/Putnam Town Line which is the western most point of property now or formerly of Douglas C. Cutler and known as Killingly Tax Map 7658 Block 377 Lot 1; thence easterly following the southerly line of the above property until its intersection with the westerly line of Cutler Road; thence southerly along Cutler Road to its intersection with North Road; thence in an easterly direction along the southerly line of North Road to the 400' USGS contour; thence in a southerly and westerly direction along the 400' USGS contour crossing Yosemite Valley Road and Mason Hill Road to a point in the easterly line of Chestnut Hill Road; thence northerly along the easterly line of Chestnut Hill Road and Pineville Road to Putnam Road; thence easterly and southerly along Putnam Road to Stone Road; thence northerly and easterly along the easterly line of Stone Road to Chase Road; thence northerly and easterly along the easterly line of Chase Road to the Putnam/Killingly Town Line; thence easterly along the Putnam/Killingly Town Line to the point of beginning.**

**Reference is made to a map entitled "Five Mile River Protection Overlay District".**

**Permitted Uses - all uses which are permitted in the underlying, existing zones by right or by special permit are also permitted in the Five Mile River Overlay Protection District with the following exceptions, restrictions and requirements:**

- A. Sanitary waste water discharge from on-site septic systems or their equivalent shall not average more than six hundred (600) gallons per acre per day, unless a denitrifying waste disposal system is installed and reviewed by a registered sanitarian.**
- B. Any new or enlarged waste storage facilities accessory to agricultural and other permitted and special permitted uses shall obtain required permits or approvals from the Connecticut Department of Environmental Protection in accordance with the provisions of Chapter 446k of the Connecticut General Statutes as amended.**
- C. The following uses are prohibited:**
  - 1. Road salt storage and loading facilities.**
  - 2. Solid materials disposal sites. The location of sanitary landfill or dump for the disposal of solid materials is prohibited.**
  - 3. Septage disposal sites and lagoons. Disposal of septage in lagoons is prohibited.**
  - 4. The use and/or storage or manufacture of hazardous materials.**

5. Effluent disposal into surface or groundwater associated with any land use is prohibited.
6. Underground fuel storage tanks
7. Golf Courses.
8. Commercial earth removal.
9. Outdoor commercial recreation.
10. Impoundments, dams or structures which would alter the rate, volume or character of the flow of the river.
11. Public service corporation
12. Motor vehicle junk yard
13. Collection centers for recycling operations
14. Bulk Storage of cement and petroleum products; concrete mixing plant; bituminous paving mixing plants;
15. Commercial storage and sale of fuel and bottled gas
16. Freight and materials trucking business and terminals
17. Clear cutting except for maintenance of existing agricultural fields and/or the minimum necessary to accommodate permitted structures and their appurtenances.

Adopted December 11, 2000

Effective Date: 12:01 AM, January 10, 2001



# Five Mile River Protection Overlay District

Adopted December 11, 2000  
Effective Date 12:01 AM, January 10, 2001



Property within 500' of adjoining Town boundary? \_\_\_\_\_  
If so, which town(s)? \_\_\_\_\_  
Date the notice was sent by KIWWC to town clerk of adjoining municipality(ies) \_\_\_\_\_  
Receipt date of copy of Applicants notice to adjoining municipality \_\_\_\_\_

Application #: 21-1520  
Date Submitted: 2/15/2021  
Date of Receipt by Comm.: 3/1/2021  
Fee: \$160.00 - Check # 259  
Staff Initials: AMA

**KILLINGLY INLAND WETLANDS & WATERCOURSES COMMISSION APPLICATION**

A \$100.00 base fee (or, for a proposed subdivision, \$100.00 per lot, whichever is greater) **plus \$60.00** state fee must accompany each application (**Total fee: \$160.00**). **THIS FEE IS NON-REFUNDABLE.** Checks or money orders should be made payable to the Town of Killingly. **Public hearing fee: \$225.00** required in addition to the above fees if a public hearing is required by the commission(s) and not already included.

**TO BE COMPLETED BY THE APPLICANT - PLEASE PRINT**

Applicant's Name: Sheena Ruggirello  
Day Phone #: 860-222-4734 Evening Phone #: SAME  
Mailing Address: 65 Stone Rd Dayville, CT 06241  
Owner of Record: Sheena and Nathaniel Ruggirello  
Mailing Address: SAME Phone #: 860-222-4734

Applicant's interest in the land if the applicant is not the property owner: DINA

Authorization of property owner: \_\_\_\_\_

**LOCATION OF PROPERTY:**

House # and Street: 65 Stone Rd  
Tax Map Number: 19 Block: — Lot: 15  
Zoning District: RD/5mile overlay Lot Size: 6.2 Lot Frontage: \_\_\_\_\_  
Easements and/or deed restrictions: Preservation Zone

**PURPOSE:**

Provide the purpose and description of the proposed activity, including a list of all proposed regulated activities:  
Out building for storage. (30' x 40') w/ concrete patio and 15' x 24' above in ground pool.

**ON-SITE WETLANDS AND WATERCOURSES:**

Windham County wetland soil types and areas of each type:

Outside of wetland area

Watercourse(s) – type (pond, stream, marsh, bog, drainage ditch, etc.), manmade or natural, and area of each:

**ALTERNATIVES:**

List alternatives considered by the applicant and state why the proposal to alter wetlands as set forth in the application is necessary and was chosen:

D/N/A

**MATERIALS:**

Provide the volume (cubic yard) and nature of materials to be deposited and/or extracted:

D/N/A

**MITIGATIVE MEASURES:**

List measures to be taken to minimize or avoid any adverse impact on the regulated area:

Provide a continuous line of silt fence or staked haybales throughout construction

**BIOLOGICAL EVALUATION:**

Describe the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions:

Work is outside of wetlands and should not have any effect on the wetlands

**SITE PLAN\*:**

Scale 1"=40' showing existing and proposed conditions in relation to wetlands and water courses to include, but not be limited to:

Contours

Buildings

Wells

Driveways

Septic Systems

Drainage Systems (Including Culverts, Footing and Curtain Drains)

Erosion and Sedimentation controls

Wetlands

Watercourses

Areas of Excavation and /or Material Deposit

*\*Refer to Section 6.0 – Application Information Requirements and Section 7.0 – Application Evaluation Criteria of the Killingly Inland Wetlands & Watercourses Commission Regulations for information the Commission may require. Professionally prepared plans (Licensed Land Surveyor/Professional Engineer registered in the State of Connecticut, Soil Scientist) may be required for significant activities.*

**ADDITIONAL INFORMATION:**

List additional information submitted by the applicant:

4 Plans Planned copies dated 2/16/2021  
By Killingly Engineering Associates

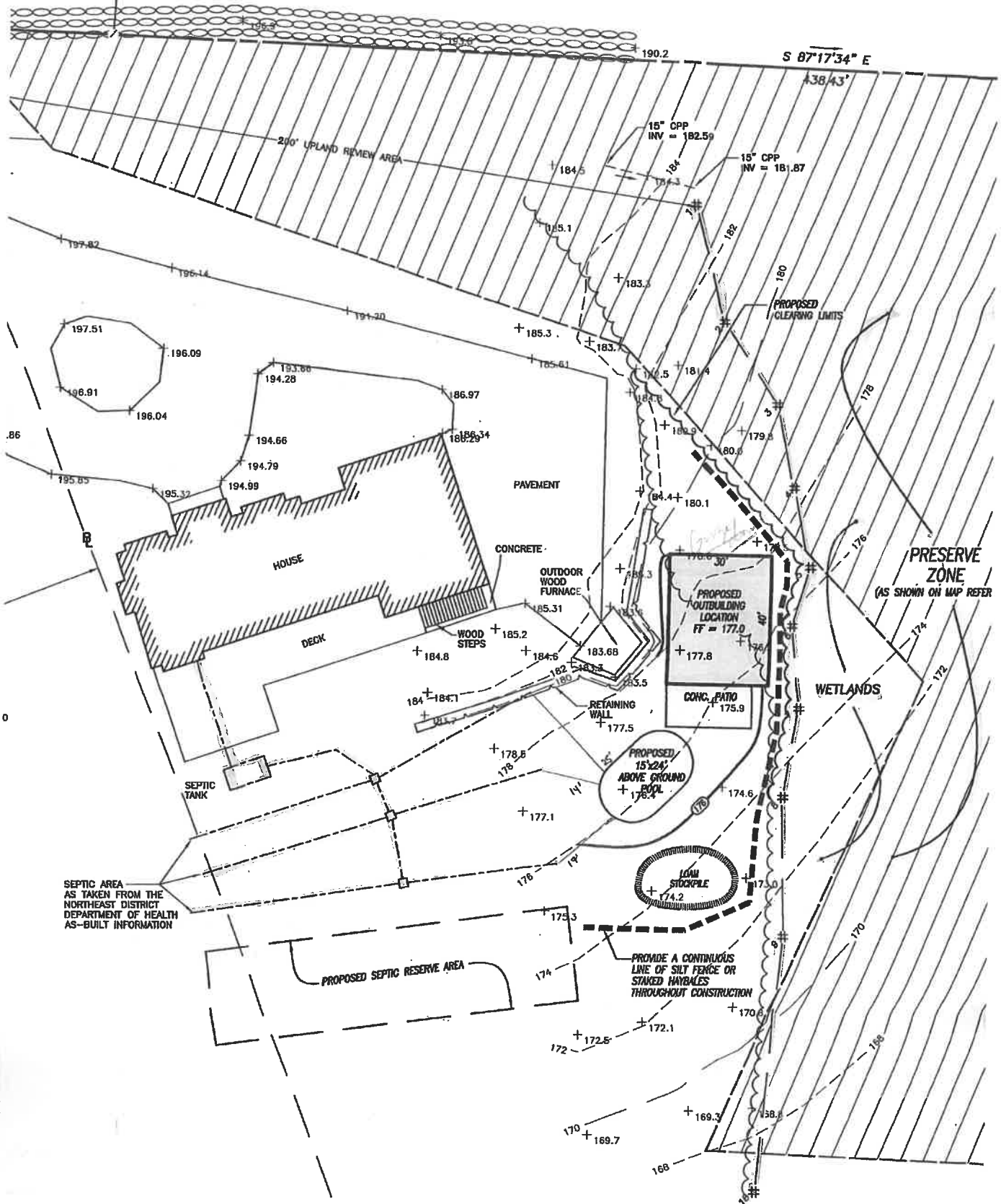
The applicant understands that this application is to be considered complete only when all information and documents required by the Commission have been submitted. The undersigned warrants the truth of all statements contained herein and in all supporting documents according to the best of his/her knowledge and belief. Permission is granted to the Town of Killingly, Killingly Inland Wetlands & Watercourses Commission, and its agent (s) to walk the land, at reasonable times, and perform those tests necessary to properly review the application, both before and after a final decision has been issued.

Applicant's Signature: 

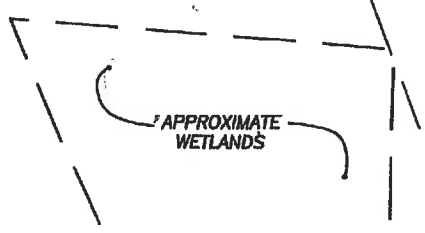
Date: 2/18/21

Owner of Record: 

Date: 2/18/21



AREA = 6.2± ACRES





## NORTHEAST DISTRICT DEPARTMENT OF HEALTH

69 SOUTH MAIN STREET, UNIT 4, BROOKLYN, CT 06234

860-774-7350/FAX 860-774-1308 WWW.NDDH.ORG

March 02, 2021

Sheena & Nathaniel Ruggirello  
65 Stone Road  
Killingly, CT 06241

### **B100/APPLICATION**

**SUBJECT: FILE #6000803 -- STONE ROAD #65, MAP #19, LOT #15, KILLINGLY, CT**

Dear Sheena & Nathaniel Ruggirello:

On February 18, 2021, this department received an application proposing the addition of a 30' x 40' outbuilding (electrical/no water) with concrete patio and a 15' x 24' above ground pool to your property.

Based on the information provided and paperwork in our files this request has been approved under the following conditions:

1. There shall be no living quarters constructed in the outbuilding.
2. Maintain a minimum of 10 feet from the existing leach field with the proposed above ground pool.
3. There shall be no toilet facilities supplied to the building.
4. Septic system to be taped off during construction to ensure proper separating distance is maintained and to protect from heavy traffic or storage of building materials in this area.
5. Ends of trenches should be located to ensure 10' distance to pool.

Approval is being granted under Section 19-13-B100a of the CT Public Health Code. This approval is given with the understanding that you will provide proper care and maintenance of the existing system (the septic tank is to be pumped every 3 years).

**THE OWNER IS RESPONSIBLE TO SEEK PROPER AUTHORIZATION FROM ALL TOWN AGENCIES PRIOR TO START OF CONSTRUCTION.**

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Brittany Otto, EHS  
Environmental Health Specialist ~ NDDH

cc: Killingly Building Official; Killingly Engineering Associates