

November 14, 2007

MEMBERS PRESENT: Mr. Bedini, Mrs. D. Hill, Mr. LaMuniere, Mr. Thomson

MEMBER ABSENT: Mr. Picton

ALTERNATE ABSENT: Mr. Potter

STAFF PRESENT: Mr. Ajello, Mrs. J. Hill

ALSO PRESENT: Mr. Wadeldon, Atty. Kelly, Mr. Sabin, Mr. Neff Mr. Johnson, Ms. Zinick, Atty. Fisher, Mr. Thomson, Mr. Haverly, Mr. Lodsins, Mr. Gitterman, Mr. Szymanski

SHOW CAUSE HEARING

Brown/127 West Shore Road/Unauthorized Stonewall Along Shoreline:

Mr. Bedini called the show cause hearing to order at 6:50 p.m. and seated Members Bedini, Hill, LaMuniere, and Thomson. It was noted the purpose of the hearing was to provide Mr. Brown an opportunity to show cause why the enforcement order issued on 11/5/07 should not remain in effect.

Representing the property owner, Atty. Kelly noted that his client had already paid a fine and that this appeared to be the second enforcement order for the same offense. Mr. Ajello explained the order had been reissued because no hearing had been held for the first order.

Atty. Kelly stated the only expert opinion submitted was the 7/2/07 letter from Mr. Wilson, engineer, who said there was no evidence of any significant negative impact and that the construction of the stonewall had not impacted the water quality of the lake. Mrs. D. Hill said the issue was that Mr. Brown had done more work than had been approved in his permit, that the Commission did not have to prove adverse impact in such a case, and that the Commission required the unpermitted portion of wall to be removed. Atty. Kelly argued that the removal of the unpermitted portion of wall might be more harmful to the lake than its construction.

Mr. LaMuniere explained the Commission's policy to allow the edge of the lake to return to its natural condition whenever possible. He said the Commission recognized the owner's right to maintain his existing wall and anchor a dock to it, but had directed him to leave the remainder of the shoreline alone. The owner, however, had constructed a wall along the entire length of the property, disregarding his permit. If the unpermitted portion of the wall did not have to be removed, Mr. LaMuniere asked, then why have an Inland Wetlands permit process? Mr. Bedini agreed, saying if anyone could violate a permit and pay a fine to settle the matter there would be no reason for an application. He said Mr. Brown should have constructed only what had been approved in his permit.

Atty. Kelly reviewed the 5/23/07 WEO Report and disagreed that the work done was a blatant violation. He said the Commission must follow its violation procedure and had no authority to order restoration if there was no negative impact to the lake. He said the Commission was handling this matter in a punitive way and that restoration could cause more harm to the lake. He noted the 10/05 survey by Mr. Alex showed a stonewall along the lake front and a photo submitted by Mr. Wilson showed the wall had existed previously.

Mrs. D. Hill asked Atty. Kelly to submit written authorization to represent the property owner. Atty. Kelly agreed to do so.

Mr. Bedini noted the purpose of the hearing was only for Mr. Brown to show why the enforcement order should not remain in effect and the other issues being raised by Atty. Kelly would be discussed later in the meeting. Atty. Kelly asked what the Commission would rely on when it reviewed the matter

because it was supposed to base its decision on evidence presented at the hearing. Mr. Ajello explained the narrow scope of show cause hearings and said the history of the violation would be discussed at the meeting.

Atty. Kelly said he disagreed with points raised in Mr. Ajello's 11/5/07 enforcement order. 1) He did not think the area should be restored to its "original" configuration and questioned what that meant. 2) He said the work in excess of the permit did not alter the function of the shoreline. 3) He said that only 30 feet in excess of the permit had been constructed; not 90 feet as indicated in the order. 4) He said the wall built was dry stone, which had been taken from an old wall that had collapsed into the lake. 5) He disagreed that his client had an obligation to provide any further evidence or a restoration plan. 6) He disagreed that the Commission had the authority to require that this matter be resolved before any other regulated activities could be permitted on site. He added that he would be happy to work with the Commission to reach a satisfactory solution, which would protect the lake.

MOTION: To close the show cause hearing for Brown/ 127 West Shore Road/Unauthorized Work Along the Shoreline. By Mrs. Hill, seconded by Mr. Thomson, and passed 4-0.

Mr. Bedini closed the show cause hearing at 7:14 p.m.

REGULAR MEETING

Mr. Bedini called the Meeting to order at 7:14 p.m. and seated Members Bedini, Hill, LaMuniere, and Thomson.

MOTION: To include subsequent business not already posted on the agenda: IV. New Applications: B. Getnick/237 West Shore Road/#IW-07-62/ Repair Stonewall, C. Madoff/241 West Shore Road/#IW-07-63/Repair Stonewall and VI. Enforcement: Q. Lodsini/78 Litchfield Turnpike /Unauthorized Excavation. By Mrs. Hill, seconded by Mr. LaMuniere, and passed 4-0.

Consideration of the Minutes

The 10/24/07 Show Cause Hearing - Regular Meeting minutes were accepted as corrected.

P. 3: 4th line under P. 16: Change: "is" to "as."

P. 7: 11th line under Oberndorf: Change: "to due" to "due to."

P. 10: 6th line under Brown: Insert: "enforcement" before "order."

P. 10: 7th line under Brown: Insert: "or third" before "citation."

P. 11: 1st line under Revision of By-Laws: Should state Mrs. J. Hill.

P. 11: 8th line under Revision of By-Laws: Insert: "on such grounds with justificatory evidence" after "removed."

MOTION: To accept the 10/24/07 Show Cause Hearing - Regular Meeting minutes as corrected. By Mrs. Hill, seconded by Mr. Bedini, passed 3-0-1. Mr. Thomson abstained because he had not attended the meeting.

MOTION: To accept the 10/31/07 Washington Club, Inc. site inspection minutes as written. By Mr. LaMuniere, seconded by Mrs. Hill, passed 4-0.

The 10/31/07 Oberndorf site inspection minutes were accepted as corrected. The correct spelling of Brian Neff's name was noted.

MOTION: To accept the 10/31/07 Oberndorf site inspection minutes as corrected. By Mr. Bedini, seconded by Mrs. Hill, and passed 4-0.

MOTION: To accept the 10/31/07 Hackney-Holiman site inspection minutes as written. By Mr. LaMuniere, seconded by Mr. Bedini, passed 4-0.

Pending Applications

Barnet/32 Sabbaday Lane/#IW-07-52/Reconstruct Barn: Mr. Ajello reported that Mr. Barnet requested the discussion of this application be tabled until the 11/28 meeting when he would be able to attend.

Fisher/66 Calhoun Street/#IW-07-54/Landscaping and Planting: Mr. Sabin noted that he had revised the map to reflect all of the concerns raised by the Commission at the last meeting. The map, "Proposed Wetland Garden and Pond Enhancement," by Mr. Sabin revised to 11/10/07 was reviewed. The following notes were added: 1) that the erosion at the concrete spillway structure would be repaired, 2) that there would be additional plantings around the edge of the pond, a buffer at the south end of the pond, and emergent plantings, and 3) that rocks would be placed as stepping stones across the channel and the water would be allowed to continue to flow between them. Mr. Sabin noted the erosion problem at the spillway was chronic, but would be repaired now by filling in and compacting the disturbed area.

MOTION: To approve Application #IW-07-54 submitted by Ms. Fisher for landscaping and planting at 66 Calhoun Street per the map, "Proposed Wetland Garden and Pond Enhancement," by Mr. Sabin, revised to 11/10/07. By Mr. LaMuniere, seconded by Mr. Bedini, and passed 4-0.

Adams/233 West Shore Road/#IW-07-55/Fence, Hedge, Stonewall: At the last meeting the Commission had said it had no problem with the proposed fence and hedge, but had indicated its concern about extending the stonewall beyond the existing section. Ms. Zinick, agent, presented the construction description and sequence for the proposed wall, dated 11/7/07 and the site plan by Ellsworth Studio, dated 9/26/07. She noted that the sheet specified the backfill material needed for the new sections of wall would be only 15 cu. yds. and that the grade would have to be modified only slightly. Ms. Zinick said there had previously been a stonewall along the shore in the proposed location, but it had fallen into the water. She argued it was an historic stonewall and that its construction would not be a significant activity and would not alter the natural and indigenous character of the shoreline. Mr. LaMuniere read the 10/24/07 minutes, which stated, "...that the stonewall was contrary to the position the Commission had taken on other applications and could potentially impact how the beach functions." He noted, too, there had been a consensus that there should be no new wall constructed where there were no remnants of a previous wall and that a shoreline garden should be considered instead. Ms. Zinick said the owner wanted the wall across the entire property for historic and aesthetic reasons and said the Regulations listed aesthetics as one reason an activity in a regulated area could be approved. Mr. Ajello noted that the Commission prefers the preservation of the natural shoreline of the lake and had been working to this end on several recent applications. Mr. LaMuniere said the Commission must be consistent. It was noted that the existing wall extends from the Getnick property to the big willow and that the Commission did not object to its maintenance. The site plan was marked by Mr. Ajello to indicate the portion of the stonewall that was existing and it was agreed that the rest of the area should remain in its natural condition.

MOTION: To approve Application #IW-07-55 submitted by Mr. Adams for a hedge, cedar fence, and stonewall at 233 West Shore Road with the condition that only the existing portion of the stonewall as shown on the map, "Site Plan," by Ellsworth Studio, dated 9/26/07 and revised by hand to 11/14/07 may be repaired to its existing height and width, (no new wall may be built.) By Mr. Bedini, seconded by Mrs. Hill, and passed 4-0.

Oberndorf/151 West Shore Road/#IW-07-57/Demolish House, Construct New House: The map, "Septic System Repair Plan," by Mr. Neff, revised to 11/9/07 was reviewed. Mr. Neff, engineer, noted

the revisions included: 1) a note that the valve box with wooden cover will be left in place, 2) corrected shoreline profile, 3) silt fencing around the existing catch basins, 4) corrected labeling of trees and deletion of those that had been cut, 5) the description of the work to be done was corrected from an addition to the demolition and reconstruction of the house, 6) the garage location was shown, 7) the proposed contours that tie into the existing retaining wall on the east side of the house were shown as requested, and 8) the temporary parking and staging area was shown. Mr. Neff noted the staging area would be seeded and mulched after the completion of the work. Mr. Johnson, contractor, said that vehicles would not be permitted to park on the existing lawn. Mr. Neff explained that the roof drainage would increase due to the proposed increase in the size of the house and would be piped to an infiltration system, which would handle a one inch storm. During larger storm events the system would overflow at the west end of the unit and sheet flow over the grass so there would be no erosion. Mr. Neff noted that the erosion control plan had also been revised to include job management notes and additional points in the construction sequence. Mr. Ajello recommended that a temporary fence or stakes be installed to keep parking off the lawn areas along the driveway and West Shore Road. Mr. Johnson agreed to do so. It was noted there were no wetlands on the property and no activities proposed within 100 feet of the lake. Mr. LaMuniere voiced his concern about the capacity of the infiltration system and asked if it could be increased. Mr. Neff said it could be lengthened. Mr. Ajello recommended that a bond be posted due to the potential risk of sedimentation into the catch basins.

MOTION: To approve Application #IW-07-57 submitted by Mr. and Mrs. Oberndorf to demolish the existing house and construct a new dwelling at 151 West Shore Road per the map, "Septic System Repair Plan," by Mr. Neff, revised to 11/9/07 and the "Soil Erosion and Sediment Control Plan," by Mr. Neff, revised to 11/10/07 subject to the following conditions: 1. that fencing be installed along West Shore Road and along the driveway up to the curtain drain to prevent parking on the grass and 2. that a \$2000 bond be posted. By Mr. Bedini, seconded by Mr. Thomson, and passed 4-0.

Washington Club, Inc./8 Golf Course Road/#IW-07-56/Dredge Pond: Mr. Szymanski, engineer, presented the map, "Pond Dredging Plan," by Arthur Howland and Assoc., dated 8/13/07, which, he said, had not been revised since the last meeting. He briefly reviewed the information that had been discussed at the last meeting; the dredged material would be trucked to an existing depression on the property, the pond would be dredged to a depth of 8 to 10 feet and used for the irrigation of the golf course, and there are no wetlands soils within 100 feet of the proposed activities. Mrs. D. Hill asked if a buffer could be planted around the pond. Mr. Szymanski said he could provide the Club with buffer guidelines and encourage that this be done. Mr. LaMuniere said the proposed activities presented no substantial threat to any wetlands or watercourses. It was noted that at the last meeting Mr. Picton had asked that only clear water be pumped from the pond. Mr. Szymanski said this was addressed in the construction sequence and he described the silt bag and rows of hay bales with filtered hay between that would be used to trap sediment.

MOTION: To approve Application #IW-07-56 submitted by the Washington Club, Inc. to dredge the pond at 8 Golf Course Road per the plan, "Pond Dredging Plan," by Mr. Neff, dated 8/13/2007. By Mr. LaMuniere, seconded by Mrs. Hill, and passed 4-0.

Sargeant/28 Tinker Hill Road/#IW-07-58/Install Dry Hydrant: Mr. Ajello noted that this was the second submission, that a more accurate map had been submitted as requested, and that the Commission had found no problems with the first application.

MOTION: To approve Application #IW-07-58 submitted by Mr. Sargeant to install a dry hydrant at 28 Tinker Hill Road as proposed. By Mr. Bedini, seconded by Mr. LaMuniere, and passed 4-0.

Lecher/47 West Shore Road/#IW-07-59/Remove Concrete Dock, Cap Buttress: It was noted the deteriorating concrete dock would be removed and eventually replaced with a floating dock. The

buttress that would anchor the new dock would remain. The hand drawn plan, "Pier Removal and Resurfacing Plan," dated 10/21/07 showed that a turbidity curtain would be placed around the dock while the work was in progress.

MOTION: To approve Application #IW-07-59 submitted by Mr. Lecher to remove the concrete dock and cap the buttress at 47 West Shore Road per the plans submitted. By Mrs. Hill, seconded by Mr. Bedini, and passed 4-0.

Hackney-Holiman/125 West Shore Road/#IW-07-60/Demolish, Reconstruct Deck and Studio: Mr. Neff, engineer, noted there had been no revisions to the map, "Soil Erosion and Sediment Control Plan," by Mr. Neff, dated 10/22/07 since the last meeting. He briefly described the work to be done; the deck and studio would be demolished, a new foundation would be installed, and the deck and studio would be reconstructed. Hay bales would be installed between the work and the existing stonewall to serve as an erosion barrier. The studio would be constructed on the same footprint, but the building would increase in height if a variance is approved by the Zoning Board of Appeals. Mr. Bedini noted the plans were well documented and the work needed to be done because the building was falling into the lake. Mr. LaMuniere asked if any pressure treated wood or harmful materials would be used. Mr. Neff noted that no pressure treated wood, only natural materials, would be used in the construction. Mr. LaMuniere asked if there would be a dumpster and noted no construction envelope was shown on the plans. Mr. Neff stated that the building would be demolished by hand to cause less disturbance and the dumpster would be located across West Shore Road and loaded by hand.

MOTION: To approve Application #IW-07-60 submitted by Mr. Hackney and Ms. Holiman to demolish and rebuild the studio and deck at 125 West Shore Road per the plans, "Soil Erosion and Sediment Control Plan," by Mr. Neff, dated 1-/22/07. By Mr. Bedini, seconded by Mr. LaMuniere, and passed 4-0.

New Applications

Bowles/52 Carmel Hill Road/#IW-07-61/2 Lot Subdivision: Atty. Fisher represented the applicant. The map, "Proposed Site Development Plan," by Mr. Neff, dated 11/1/07 was reviewed. The commissioners noted that all of the wetlands and watercourses were on the existing lot, all of the proposed activities were on the proposed lot, all of the proposed activities were at least 250 feet from wetlands, and there were no wetlands issues. Atty. Fisher was informed that an application was not required because no regulated activities were proposed.

Getnick/237 West Shore Road/#IW-07-62/Repair Stonewall: Mr. Thomson, contractor, was present. Mr. Ajello said the existing shoreline stonewall connects with the Adams wall at 233 West Shore Road and needs repair. The hand drawn site plan, dated 3/2/90, profile, and sheet, "Description of Work," no date, no signature, were reviewed. Photos of the wall were circulated. A site inspection was scheduled for Tuesday, November 20, 2007 at 3:00 p.m.

Madoff/241 West Shore Road/#IW-07-63/Repair Stonewall: Mr. Thomson also represented this property owner. A hand drawn map with no title, date, or signature, but marked received 1/7/03 and an unsigned, undated sheet listing construction materials, marked received 8/14/02 were reviewed. Mr. Thomson said he would rebuild the wall to its existing height and width, but said he might have to sheer up the base to make sure it would be stable. A site inspection was scheduled for Tuesday, Nov. 20, 2007 at 3:00 p.m.

Other Business

Myfield, LLC./7 Mygatt Road/Request to Amend Permit #IW-05-54: Mr. Gitterman, owner, and Mr. Neff, engineer, were present. Mr. Gitterman presented the map, "Site Layout," by Mr. Worcester, revised to 10/22/07 and compared it with the approved site development plan. The proposed changes he

described included 1) moving one building to the other side of the driveway, 2) creating condo units, 3) moving the garages to connect with the houses, 4) planting trees in the field and making corridors of trees through sections of the property, 5) combining three of the units into one building, and 6) turning some of the houses to vary the view. He noted that although there would be a slight increase in roof area, there would be a decrease in the driveway area, which would result in an overall decrease in impervious surfaces of approximately 3000 sq. ft. It was noted there would be no change in the septic system or in the number of bedrooms proposed and that some of the structures would be moved farther from the wetlands. Mr. Gitterman stated that native plants would be used as often as possible. Mr. Ajello said the revised plan would result in a net reduction of wetlands impacts.

MOTION: To approve the request by Myfield, LLC. to revise Permit #IW-05-54 to revise the approved site development plan for the affordable housing project at 7 Mygatt Road. By Mr. LaMuniere, seconded by Mrs. Hill, passed 4-0.

Enforcement

Lodsin/78 Litchfield Turnpike/Unauthorized Excavation: It was noted that Mr. Lodsin was present to respond to the 11/7/07 notice of violation. Mr. Ajello circulated photos of the unauthorized work done on the property, some of it actually within a swamp or stream. Mr. Bedini asked what the purpose of the excavation was. Mr. Lodsin explained that the downstream beaver dams were causing the water level on his property to rise and this was killing the Christmas trees in his tree farm. He said that Steep Rock would not remove the dams. He complained that the silt washing onto his property from Whittlesey Road was causing severe problems and that drainage from Rt. 202 was bringing additional water onto his property. He said storm drains were needed along the state highway to help keep his property dry. Mr. Lodsin also complained that his upstream neighbor, Mr. Weiner, had installed several culverts along Meeker Swamp and Bee Brook and that these were affecting his property. He did not think it was fair that the state could dig out culverts, but that when he tried to dig channels to get the water to flow off his property, he was sent a notice of violation. He said he was attempting to dig out the old beaver dams, which had caused the stream to silt in and the water level to rise and cover what used to be pasture. Mr. Bedini advised Mr. Lodsin that he is required to apply for a permit before doing any work and that was the reason for the NOV. Mr. Bedini noted there were many issues for the Commission to consider and recommended a site inspection with representatives from all of the parties that might be contributing to the water and drainage problems on the property. It was decided the Commission would first inspect the site on its own on Monday, November 26, 2007 at 2:00 p.m. and that a second inspection with all of the other parties involved would be scheduled at a later date. Mr. Lodsin was told not to do any additional work in the meantime. Mrs. D. Hill noted that Mr. Lodsin had had previous violations on this property and so knew he needed a permit before doing any digging. She asked the commissioners to review the old enforcement files before inspecting the site.

Carter/292 Walker Brook Road/#IW-04-V8/Repair of Retaining Wall: Mr. Ajello reported that work was underway and might be completed by the next meeting.

Moore/25 Litchfield Turnpike/Unauthorized Clearing, Filling: Mr. Moore has not contacted the Commission as required, nor has he completed the planting of the disturbed areas. Mr. Ajello will write to him to warn that if does not complete the work, a third citation will be issued.

Wright/59 Scofield Hill Road/Unauthorized Clearing, Filling, Soil Disturbance: Mr. Ajello said the work had stalled and that he would contact Mr. Wright.

Steep Rock Assn./River Road/Clearing of "McKennee" Field: Mr. Ajello said he had discussed this matter with Mrs. Branson, who will get information on the vernal pool. Mr. Ajello said it had held water for six months this spring and so it might be a significant vernal pool. Mrs. Branson will contact Mrs. Corrigan to ask her to investigate.

Reinhardt and Cremona/Perkins Road/Execution of Approved Restoration Plan: Mr. Ajello said there had been no activity since Mr. Child's letter two weeks ago. He said he would inspect the property tomorrow and urged the commissioners to inspect it, also. He had asked Mr. Childs to consider fencing off the entire area to protect it from deer as Mr. LaMuniere had suggested. The Commission asked for a report from Mr. Childs by the next meeting.

DiBenedetto/212-214 Calhoun Street/Restoration of Understory: Mr. Ajello noted he was trying to set up a meeting with Mr. Jontos and Mr. DiBenedetto to establish the property boundaries and the area to be restored.

Rubler/240 Wykeham Road/Clearing and Driveway Washout: Mr. Ajello reported that the steep driveway banks have been stabilized, but the pool is still under construction.

Fowler/138 Nichols Hill Road/#IW-05-58/Remediation Per Order: There has been no progress on this matter.

Andersson/35-45 Gunn Hill Road/Unauthorized Clearing, Trenching in Wetlands: Mr. Andersson has appealed to Superior Court and Mrs. J. Hill sent the entire file to Atty. Zizka. It was noted that Town Ordinance #711 authorizes the Commission to charge consultants' fees to property owners only for the review of applications. It was the consensus that the Ordinance should be modified as soon as possible so that the Commission may collect consultants' fees for the review of enforcement matters as well as applications. It was also noted that the fine ordinance should be revised to increase the amount of fines for violations.

Brown/127 West Shore Road/Unauthorized Work Along Shoreline: Mr. Ajello noted that Atty. Kelly had been right to question what was meant by requiring restoration to the original condition and said he would revise the order to specify that the shoreline should be restored to its pre application condition. The commissioners did not think they were being punitive when they asked the applicant to do only the work applied for and approved. Mr. Thomson noted that Atty. Kelly had referred to Mr. Wilson as an expert. While the commissioners did not think he was an expert in this field, they did not have expert testimony to counter his views. Mr. Thomson said that at both the CACIWC and wetlands commissioner training sessions he recently attended it was stressed that Commissions must get expert testimony rather than relying on the opinions of their members. Mr. Bedini recommended that the Commission hire an expert on lakes to determine how the construction of stone walls along the shoreline affects wave action, water quality, drainage, etc. This documentation would be available at meetings and the consultant could be requested to attend a meeting if an applicant wanted to question him. Mr. LaMuniere thought the Lake Waramaug Assn. might be able to provide information on this matter, also. It was recommended that the firm of Milone and MacBroom be contacted. The commissioners were asked to email their questions to Mr. Ajello who would forward them to the consultants for their brief written opinion. Specifically, Mr. Thomson wanted to know what would be better for the lake; leaving the unpermitted section of the Brown wall in place or removing it and restoring the shoreline.

MOTION: That the enforcement order issued on 11/5/07 to Mr. Brown/127 West Shore Road for unauthorized construction of a stone wall beyond the scope and conditions of his permit remain in effect with one revision: the reference to the original condition of the property was changed to pre application condition. By Mr. Thomson, seconded by Mr. Bedini, passed 4-0.

Drakely/59 River Road/#IW-07-V1/Unauthorized Clearing: Mr. Drakely has not yet responded to his citation and time will soon run out.

Janko/11 June Road/#IW-07-V9/Excavation, Build Steps: Mrs. Janko paid her fine and has met with Mr. Palella of Aspetuck Gardens regarding planting to stabilize the disturbed slopes. Mr. Ajello hoped

this matter would be resolved before winter.

Mello/183 Woodbury Road/#IW-07-V11/Unauthorized Bridge and Culvert Work: Mr. Ajello said he had asked the property owner for an application for this work some time ago. He noted he had mailed a notice of violation. All of the work done was within the state right of way. He was concerned that the new culvert installed was undersized and had been installed in such a way that the flow through it would be restricted. He said he had waited to send a citation until discussing this matter with the Commission.

Other Business

Revision of the By-Laws/Reduction of Quorum to Three: Mr. LaMunier stated that while he agreed that the quorum should be reduced to three, he also thought that three votes should be required for all approvals. This would eliminate 2-1 approvals. It was agreed that this was a good idea. Mrs. J. Hill will send the proposed language out to members in preparation of a vote at a future meeting.

MOTION: To revise Section 5 of the Inland Wetlands Commission By-Laws as follows: The Quorum necessary for a legally constituted meeting shall consist of three (3) members. By Mr. LaMunier, seconded by Mrs. Hill, passed 4-0.

Removal of Commissioner for Non Participation: Mrs. J. Hill reported that Mr. Sears told her he would bring this matter up at the next Selectmen's meeting. In the meantime, he recommended that the policy for the removal of a commissioner for non participation be included in the Commission's By-Laws. By doing so, a commissioner would be on notice at the time of his appointment that regular attendance of meetings is expected and under what circumstances he could be removed. The commissioners thought this was a good idea and said they would discuss it at the Special Meeting on revision of the Regulations to be held on November 15.

Revision of the Fine Schedule: Atty. Zizka had advised the Commission that this was governed by Town Ordinance.

Assignment Sheet: Mrs. Hill circulated the Assignment Sheet. Mr. Picton had requested that after each meeting she list the assignments and who was responsible for the completion of each. The responsible parties will sign off on this sheet as they complete each task. The master sheet will be available in the land use office and will be brought to each meeting so that the commissioners can keep track of how work is progressing.

Communications

Referral from the Planning Commission/Implementation of the Plan of Conservation and Development: Mrs. D. Hill said there was not too much that was applicable because only two items had been under the jurisdiction of the Inland Wetlands Commission and that the Inland Wetlands Commission always does its work to the best of its ability. Mrs. J. Hill said she will coordinate this remark with those from Mr. Picton and will submit them to the Planning Commission.

MOTION: To adjourn the meeting. By Mrs. Hill.

Mr. Bedini adjourned the meeting at 10:50 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

By Janet M. Hill, Land Use Coordinator