

## January 25, 2006

MEMBERS PRESENT: Mr. Bedini, Mrs. Hill, Mr. Picton, Ms. Purnell

MEMBERS ABSENT: Mr. LaMuniere

ALTERNATES PRESENT: Ms. Coe, Mr. Thomson

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

ALSO PRESENT: Mr. Jontos, Mr. Neff, Mr. Owens, Ms. Saul, Mr. and Mrs. Millington, Mr. Majewski, Mr. Corbo, Mr. Szymanski, Mr. Johnson, Mr. Charles, Atty. Kelly

### REGULAR BUSINESS

Mr. Picton called the meeting to order at 7:15 p.m. and seated Members Bedini, Hill, Picton, and Purnell, and Alternate Thomson for Mr. LaMuniere.

MOTION: To add the following items to the agenda: Other Business: E. Administrative Procedures, and Executive Session to discuss the Stiteler-Giddins decision. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

### Consideration of the Minutes

The 1/11/06 Regular Meeting-Special Meeting-Show Cause Hearing minutes were accepted as corrected.

Page 1: Include Ms. Saul under Also Present and correct spelling throughout.

First bullet: The third line was missing. Insert: ...sure about all the facts in the Roxbury cases and cautioned....

Page 2: Third bullet: Change: "Mr. Picton will research" to: Mr. Picton asked staff to research....

Page 3: 11th line: Correct the spelling of Reinhardt.

Page 5: 15th line under Kessler: Change: "regulated" to upland review area.

Page 6: 3rd line under the motion: Add an s to Commission'.

Page 7: 5th line: Delete: "emergent."

8th line from bottom: Delete: "the" after noted.

Page 9: 3 rd to last line under Private Mortgage Fund: Delete: "from herbicides."

Page 12: 7th line under Carter: After "flows" add: deposition of material into the stream and loss of substrait.

MOTION: To accept the 1/11/06 Special Meeting, Regular Meeting, and Show Cause Hearing Minutes as corrected. By Mrs. Hill, seconded by Ms. Purnell, and passed 5-0.

### Pending Applications

**Pasatieri/77 Findley Road/#IW-05-68ATF/Septic Repair:** Mr. Picton noted at the last meeting the Commission had asked Mr. Ajello to contact the property owner to request he complete the application. For example, no map had been submitted so the Commission could see that was the only location available in which to install a reserve system. Mr. Ajello said he took photos of the septic repair area, which was next to a watercourse. Mr. Picton asked Mr. Ajello to contact the property owner to get the missing information.

**LeWinter/84-86 Roxbury Road/#IW-05-69/Barn:** There was no new information in the file. Mr. Neff reported the applicant was waiting for a soil scientist to flag the wetlands. Mr. Ajello advised the Commission the 65 day time limit would expire before the next meeting. There was a brief discussion regarding whether to wait for a written request for an extension or to deny the application without prejudice due to insufficient information.

MOTION: To deny without prejudice Application #IW-05-69 submitted by Mr. LeWinter to construct a barn at 84-86 Roxbury Road due to insufficient information submitted upon which to base a decision unless before 2/3/06 the Commission receives a written request from the owner or agent for an extension. By Mr. Picton, seconded by Mr. Bedini, and passed 5-0.

**Kessler/103-105 West Mountain Road/#IW-05-70/Two New Dwellings, Driveway Crossing, Mitigation, Etc.:** Mr. Owens, architect, said there had been no new information submitted since the last meeting. Mr. Picton said the application had been referred to Fuss and O'Neill who would be conducting a site inspection later in the week. Ms. Purnell had reviewed the Natural Diversity data base information and thought additional scrutiny might be merited. She asked Mr. Jontos if he was trained in this field and if he had been on site during the proper time of year to make accurate assessments. Mr. Jontos stated he had a background in botany and the vegetation he observed did not support the species in question. Mr. Ajello noted the 65 day time limit would expire before the next meeting. Mr. Picton asked the applicant for an extension, noting the Commission would work as quickly as it could. Mr. Owens asked why the information already submitted was not sufficient upon which to base a decision. Mr. Picton explained the application was for massive site work on steep slopes above wetlands, the plans were very technical, and the commissioners were not qualified to review them. Therefore, they had been referred to a consultant who had not yet completed his review. He said the Commission was working diligently to review a complicated application. Ms. Purnell agreed, adding that plans of this scale were usually referred to consultants for review. Mr. Owens asked if the other commissioners agreed. One by one they stated they did. Mr. Owens said the Commission could take the scientific expertise at face value, follow its own regulations that a decision must be made within 65 days of receipt, and act on the application tonight. Once again it was explained to the applicant that the Commission needed an expert evaluation of the proposal. Mr. Owens asked that further discussion be tabled until later in the meeting to give him the opportunity to discuss with his client whether or not to grant an extension.

MOTION: To table further discussion on Application #IW-05-70 submitted by Mr. Kessler for activities at 103-105 West Mountain Road until later in the meeting. By Mr. Picton, seconded by Mrs. Hill, and passed 5-0.

**Brighenti/49 Calhoun Street/#IW-05-71/Tennis Court:** Mr. Ajello reported the review from Land Tech had been received and that Mr. Brighenti was willing to address all the points raised in the report. He had also submitted a written request for an extension. Mr. Picton noted the 1/24/06 report had been very prompt and had agreed with the Commission that the steep slopes were a valid concern. The report recommended that slopes not exceed 3:1 and that a retaining wall be constructed to help stabilize the slopes.

**Upper Church Hill, LLC./72 Upper Church Hill Road/#IW-05-73/3 Lot Subdivision:** Mr. Szymanski, engineer, represented the applicant. The map, "Proposed Overall Site Development Plan," by Mr. Szymanski, revised to 1/25/06 was reviewed. Mr. Szymanski said per Mrs. Payne's 1/6/06 letter the applicant had agreed to a conservation easement, not a deed restriction. He noted both the Conservation and Planning Commissions were reviewing the language of the easement and that the Town would be the grantee. He said gravel driveways were encouraged, but Ms. Purnell questioned whether that would be binding. Mr. Szymanski responded the driveways had only a 3% grade so there was no need to pave them. He noted the closest point of the driveways to the wetlands was 85 feet, the

stormwater runoff would continue to flow as it does currently, and indigenous vegetation would be planted on the north side of driveway #3 to provide screening for the adjoining property owners. Mr. Picton briefly reviewed Mrs. J. Hill's 12/30/05 review for the Planning Commission and asked if all the comments pertaining to wetlands had been addressed. Mr. Szymanski detailed the revisions made to the erosion and sedimentation control plan, said he had provided calculations as requested, and said there would be no change to the drainage patterns on site. In response to a question from Ms. Purnell, he said the impervious surface on each of the lots would be approximately 3%. Ms. Purnell said she appreciated that the wetlands in the southwest corner of the lot had been added to the easement area and that it would be good if the easement eventually connected with others in the area.

**MOTION:** To approve Application #IW-05-73 submitted by Upper Church Hill, LLC. for a 3 lot subdivision at 72 Upper Church Hill Road per the maps and plans revised to 1/25/06. By Ms. Purnell, seconded by Mr. Picton, and passed 5-0.

It was noted the subdivision approval was for feasibility only and that any changes to the plans as approved must come back to the Commission. Mr. Szymanski noted no resubdivision was possible. The Commission thanked him for his cooperation throughout the process.

**Private Mortgage Fund, LLC./59 South Fenn Hill Road/#IW-06-01/ Revisions to Original Permit - Driveway, Generator, Retaining Wall, Etc.:** The application had been referred to a consultant for review. Mr. Picton noted the major question is whether the steep slope above the wetlands would be stable during construction. The proposed slope in this case is 2:1 and it was noted the engineering review for the Brighenti application advised the Commission the slope for that project should not exceed 3:1.

**Kessler/103-105 West Mountain Road/Application #IW-05-70/Con't.:** Mr. Owens said his client was having a difficult time understanding why the Commission would not make a decision on the application tonight. He asked what the options were. Options noted were 1) withdraw the application and resubmit it as soon as possible, 2) request an extension, 3) have the Commission vote to deny it without prejudice. Atty. Kelly said the applicant could apply to the DEP only if the Commission did not act on the application within the 65 day limit. Mr. Owens asked if the consultant's report could be expected for the next meeting. The Commission thought it was more reasonable to expect it for the second meeting in February, especially since if it came in on the day of the next meeting, the Commission would need time to review it. Mr. Owens said he would tell his client the application had been denied without prejudice and advise him to reapply. Mrs. J. Hill noted the consultant would not be asked to continue with his evaluation if there was no pending application. Mr. Ajello advised Mr. Owens that only a five day extension was needed to get to the next meeting, or 19 days to extend the time limit for two meetings. Mr. Owens asked the Commissioners for the reasons they did not think they had sufficient information to vote at tonight's meeting. Their reasons included: 1) Mr. Thomson had many questions regarding the potential impacts of the construction of the massive building on high slopes over the wetlands, the possible alternate locations for this building, and the ramifications of relocating the existing dwelling. 2) Ms. Purnell did not think there was enough information for an informed decision. She noted her preliminary review of the report re: the chemistry of the pond sediment indicated the existing structure was already having an adverse impact on the pond; the pond was eutrophic, meaning it contained a high level of nutrient enrichment. She said the proposed construction was located on property with steep slopes above Sprain Brook and in close proximity to wetlands and could have both short and long term impacts, which she could not adequately analyze. She also noted there was a watercourse running at the toe of the slope below the larger house and that an excavated basement was proposed. She asked if core samples had been taken in this area. 3) Mrs. D. Hill said this was a major project and she would feel more comfortable if the Commission's own consultant either confirmed everything proposed was OK or raised additional issues that should be

addressed. 4) Mr. Picton agreed. He noted the commissioners were not experts who were qualified to review a project so close to and on steep slopes above wetlands and watercourses. He listed some specific concerns. For example, he noted there were wetlands concerns on more than just one side of the proposed dwellings. He questioned whether the 15 ft. wide work site specified in one area was adequate and practical, he noted grading and the limit of disturbance for the main house would extend to within 20 ft. of wetlands and the limit of disturbance for the smaller dwelling would be approximately 40 feet from wetlands, and he noted the work area would extend down the steep slope, especially in the eastern section, and that it would be difficult to manage erosion and sedimentation controls on these slopes. He questioned whether silt fence would hold up on 30-40% slopes. He voiced his concern about the possibility that machinery would compact the soil, reducing its capabilities for infiltration and the ability of the buffer areas to absorb the increased runoff on the slopes. He thought the quality of the buffer areas might be reduced, while the impacts on them would be increased. He noted the soil stockpile area near the smaller house was only 20 feet from wetlands and questioned whether this was an adequate distance. He pointed out the new larger house would require a new driveway for which drains were proposed to be installed down the steepest section of slope to within 20 feet of wetlands. He was concerned about the management of runoff at the outlet in this area. He asked what would happen if the erosion control measures were not perfectly managed. He asked if a bond should be required, and how much it should be. He asked if the project should be supervised by the Town's consultant. He noted there were provisions for vegetative buffers, but not in those areas around the smaller house where the slopes are the steepest. He thought feasible and prudent alternatives should be addressed. He asked if the limit of disturbance could be moved further from the wetlands and whether the plans proposed were the safest possible work plan for the wetlands. These were all issues, he said, that he would like the Town's consultant to address. 5) Mr. Bedini noted he had a great deal of respect for the professionals working on this project, but just as a patient would get a second opinion from a doctor, so should the Commission refer the application to its consultant. Mr. Jontos was prepared to respond to all the points raised, but the Commission thought that would be more appropriate after the review from the consultant was received.

MOTION: To deny without prejudice Application #IW-05-70 submitted by Mr. Kessler for two new dwellings, driveway crossing, pond excavation, etc. at 103-105 West Mountain Road because there is insufficient information upon which to base a decision for all the reasons enumerated at the 1-25-06 meeting and the time period specified by state statute will run out before the next meeting. By Ms. Purnell, seconded by Mr. Picton, and passed 5-0.

**Spring Hill Farm, LLC./69 Whittlesey Road/#IW-05-74/Reconstruct, Relocate, Enlarge Building:**

It was noted the Commission had requested additional information at the last meeting and that the application had been referred to a consultant for review. Mr. Majewski, soil scientist, submitted his 1/24/06 report, which included soil logs and the wetlands sketch map. He noted one correction; the soil by the existing structure had not been disturbed and is Hinckley. Ms. Purnell noted the x marks on the map and asked if they indicated the actual auger holes. Mr. Majewski said they did. Ms. Purnell was concerned that the area proposed for the new foundation consisted of filled material with wetlands beneath. Mr. Majewski said he had gone down 3 ft. and had found sandy loam, but Ms. Purnell did not think that was deep enough because the basement would go down more than 3 ft. Mr. Neff stated part of the excavation would go down 8 ft. and he referred to the cross sections in the file. Atty. Kelly consented to a 65 day extension as the applicant had requested the referral not be sent until revised plans were submitted and because he understood the Commission would act on the application as promptly as possible. Mr. Owens submitted the written request. In response to the question raised at the last meeting regarding whether 69 Whittlesey Road was an approved building lot, Atty. Kelly read his letter to the Commission dated 1/26/06 and presented the map, "Property/Boundary Survey," by Mr. Alex, dated July 2005, revised to 11/14/05. Also the map of the entire parcel, "Property Survey

Prepared for Spring Hill Farms, LLC," 2 sheets, by Mr. Farnsworth, dated 12/21/05 was reviewed. He detailed the history of the parcel, submitted a copy of the deed, and explained the terms of the state purchase of development rights, noting except for a building to house farm employees construction in the easement area was prohibited. He also stated it would be very unlikely that the state would amend the easement. Ms. Purnell asked if the knoll near the proposed septic area would be a feasible and prudent alternative for the building site. Atty. Kelly warned that the Commission could not require a feasible and prudent alternative if the application as submitted would not cause significant harm to the wetlands and said the Commission could approve an application even if there would be adverse impacts in cases where there were no feasible and prudent alternatives. Mr. Neff, engineer, presented the map, "Septic System Repair Plan," revised to 12/14/05. He said the area in which the septic could be installed was very constricted, especially due to the Zoning Regulations. He noted preliminary tests had been done along the driveway, but that area was not suitable. There were good soils near the knoll and just enough room so the code compliant 2 bedroom septic would be at least 100 feet from the pond. Mr. Picton pointed out there would be just enough room to also put the building in this area and still be 50 feet from the pond. Mr. Owens noted there were steep grades just below this area and Mr. Majewski said there would be additional disturbance with the installation of a driveway to this alternate site. Mr. Picton said the consultant would be asked to evaluate this potential site. Ms. Purnell asked if invasives would be removed from the northeast side of the pond. Mr. Neff said there were none in this area and Mr. Majewski said this side of the pond had a sandy beach. Mr. Picton said maintaining the integrity and quality of the buffer area was a concern and noted the work area stretched approximately 300 feet along the wetland perimeter. He noted the proposed building was twice as large as the existing structure. He noted the total impervious surface would decrease, but suggested the consultant should analyze the quality, not just the quantity, and proximity to the wetlands of the existing versus the proposed surfaces. For example, would the new proposed roof compare favorably with the infrequently used gravel farm road? He noted the proposal included filling of the watercourse with trap rock and construction of a wall across it and asked if this might have any adverse impacts. He noted Mr. Majewski had determined the ditch was not a watercourse, but that since it had recently been disturbed, historical data upon which to base this decision was missing. He noted there were hardpan soils in the recharge areas, and asked if the infiltration systems would work effectively. It was hoped the Commission's consultant would address these issues and do additional borings. Atty. Kelly stated while the Commission may have the right to ask all of the above questions, they had to be viewed in the context that the proposal would not have a significant impact to the wetlands. He said he did not want there to be any debate about the consultant's report and so asked that the consultant attend the meeting where the review would be presented so that the applicant could ask questions. Ms. Purnell asked if the proposed building had to have a basement. Atty. Kelly said that question was irrelevant unless it would cause a significant impact to the wetlands. Mrs. D. Hill thought this question was relevant because groundwater might be an issue. Mr. Owens thought the term, "significant impact," was open to a wide interpretation. Mr. Thomson voiced his concerns about any work in or to the drainage ditch as it was currently conducting farm field drainage towards the pond. He feared that changes in the handling of the drainage might result in toxic chemicals from equipment and the farming operation to reach the pond. Atty. Kelly thought it was unfair that the Commission only wanted answers from its consultant and would not let the applicant address all the questions raised. Mr. Picton said the applicant was welcome to respond in addition to the consultant. Mr. Neff offered to do deep hole test pits near the foundation, but he was advised to wait to find out if the consultant thought this was necessary.

**Corbo Assoc., Inc./23 Curtis Road/#IW-06-03/Inground Pool:** The map, "Proposed Site Plan," by Mr. Neff, revised to 1/28/06 was reviewed and Mr. Corbo submitted a landscaping plan, "Proposed Landscaping Plan," by Mr. Stomski, dated 1/15/06. It was noted the proposed line for the limit of disturbance was 61 feet from the wetlands and the proposed retaining wall was 69 ft. from wetlands.

Mr. Corbo pointed out that the access to the construction area would be close to the existing house and said he would plant the proposed buffer in the spring prior to the start of the pool construction. It was noted, too, the existing stone wall would serve as a construction and sediment barrier. Mr. Corbo stated some of the excavated material would be used to backfill the retaining wall and the rest would be taken off site. Mr. Picton thought it was significant that the buffer area would be highly functional and non compacted rather than just lawn. Mr. Corbo said the existing deck off the house would be used and he added the location of the pool fence to the site plan. Ms. Purnell said every effort was being made to mitigate the 27 ft. encroachment into the upland review area and to protect against both short and long term impacts. These included the installation of a cartridge filter, two sets of stone walls, and a buffer of indigenous plants. The Commissioners thanked Mr. Corbo for his efforts.

MOTION: To approve Application #IW-06-03 submitted by Corbo Assoc., Inc. for an inground pool at 23 Curtis Road per the "Proposed Site Plan," by Mr. Neff, revised to 12/31/05 and "Proposed Landscape Plan," by Mr. Stomski, dated 1/15/06 with the condition that the purple line on the site plan be changed to the blue line to include the pool fence. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

**Hackney-Holiman/125 West Shore Road/Application #IW-06-02/Repair Boathouse:** Mr. Ajello stated the boathouse would be repaired, not enlarged, and the usual protective measures for work along the shore would be utilized. Ms. Purnell asked if there would be any changes to the stone wall. Mr. Ajello said there would not and that he would take a photo before work begins to document the existing conditions. Mr. Ajello noted the owners also wanted to repair and enlarge their dock without making any changes at the shoreline. He did not think a permit was required. Ms. Purnell disagreed because it would be enlarged and recommended he check how the Commission handled previous applications so it would not appear to be arbitrary when requesting an application in these cases.

MOTION: To approve Application #IW-06-02 submitted by Mr. Hackney and Ms. Holiman to repair the existing boathouse at 125 West Shore Road per the documents submitted. By Mr. Bedini, seconded by Mrs. Hill, and passed 5-0.

**Auchincloss(Strachan)/5 Kielwasser Road/Revision to Permit**

**#IW-03-57:** Mr. Ajello said the owners wanted to cut down diseased trees, but Mr. Picton noted thinning had already been done and he was concerned about preserving the canopy. He suggested only trees be cut that have promising trees about ready to take their place in the canopy beneath them. It was noted 30 to 40 trees had already been cut in this area. Ms. Purnell noted there were wetlands soils and an intermittent watercourse in this area and said it was difficult to assess whether the trees were in decline because it had been a tough year. She was against cutting more trees.

MOTION: To approve the request submitted by Mr. and Mrs. Strachan to revise Permit #IW-03-57 to permit additional cutting of trees at 5 Kielwasser Road with the condition that of those trees marked for cutting, only those trees may be cut that are suppressing substantial trees ready to take their place in the canopy, and the cutting is at the discretion of the WEO. By Mr. Picton, seconded by Mrs. Hill, and passed 4-1. Ms. Purnell appreciated the efforts by the Commission to compromise with the applicant, but thought that cutting down more trees than necessary would disturb the wetlands and have unanticipated repercussions.

**Enforcement**

**Fowler/138 Nichols Hill Road/#IW-04-V5/Excavation in Wetlands and Watercourse:** Mr. Ajello reported an application had been submitted earlier in the day and would be received at the next meeting.

**Calhoun Street Trust/62 Calhoun Street:** Mr. Picton questioned why much of this site was bare with

no stabilization measures installed and also thought in the future the Commission should stipulate the time of year a pond may be dug. He asked if the fill extended beyond what had been shown on the plan. Mr. Ajello did not think it did. Ms. Purnell requested photos, especially of the sedimentation off site, and Mr. Ajello agreed to take some. Ms. Coe asked if the clearcutting of the understory would be enforced. Mr. Ajello said the caretaker had been responsible and had been asked to stop. It was the consensus a warning letter should be sent to the property owners. Mr. Ajello said he would inspect the construction site on a more regular basis.

**Gatto/155 Woodbury Road:** Atty. Zizka was asked to check on the status of this appeal.

#### Other Business

**The Gunnery, Inc./22 South Street/Revision of Permit #IW-00-63/ Drainage:** Mr. Picton referred to the 1/24/06 letter from Mr. Smith, engineer, on behalf of The Gunnery, which requested approval to modify the original plan to include the installation of perforated pipe and three catch basins along the side of South Street. Ms. Purnell questioned whether that was the best way to handle the runoff problem because she thought the pipes and basins would quickly plug up with road sand. She regretted the Commission had not required a narrower driveway with pervious pavers to cut down on the amount of runoff. The map, "Proposed Road Improvements," by Smith and Company, dated 12/21/05 was reviewed. Mr. Ajello noted the request had been submitted the day before and Ms. Purnell objected that there had not been enough time for either the EO or Commission to review the new material. Mr. Picton said the proposed work was approximately 250 ft. from wetlands and thought it would have no wetlands ramifications.

**MOTION:** To approve revisions to Permit #IW-00-63 requested by The Gunnery, Inc. to install pipe and three catch basins at 22 South Street per the plan, "Proposed Road Improvements, South Street Driveway," by Smith and Company, dated 12/21/05. By Mrs. D. Hill, seconded by Mr. Bedini, and passed 4-0-1. Ms. Purnell abstained because there had not been time to properly evaluate the plan.

**Holly Hill Farm/Whittlesey Road:** Mr. Ajello reported a final report had been received from Mr. Childs and a zoning application had been submitted for demolition, enlargement, and construction of a new dwelling.

**Kessler/103-105 West Mountain Road:** It was agreed that if the application had not been resubmitted by the end of the next day, Mrs. J. Hill should call the consultant to cancel Friday's site inspection.

**Taylor/11 Sunset Lane/Unauthorized Excavation in Wetlands:** Photos of the property before it was disturbed were circulated. Mr. Ajello described the work that had been done, which included disturbance of the canopy, excavation of the pond, digging out a 5 to 6 ft. deep trench, and refilling of the trench. Mr. Taylor has submitted some information to date, but nothing close to what the Commission asked him to provide. Mr. Picton asked Mr. Ajello to continue his attempts to get a map of the property and a restoration plan, which would include a buffer area of woodland vegetation. As the owner had stated he would like some lawn around the pond, it was suggested that the planting plan show one third lawn, one third woodland, and one third herbaceous plants around the pond perimeter.

**Carter/292 Walker Brook Road/#IW-04-V8/Repair Retaining Wall:** There was a discussion regarding how to handle this violation. Some thought it had happened so long ago it should be dropped, while others were concerned about the potential downstream impacts due to the improper construction of the wall. It was noted Atty. Zizka had advised the Commission to tell the property owner to rebuild the wall according to the approved plan and Mr. Picton read a draft letter he had written. Ms. Purnell said a specialist in geofluvial morphology was needed to evaluate the work done and the impacts to the stream. It was the consensus to send a letter first to Mr. Carter and if there was no response, an enforcement order could be considered. Ms. Purnell will revise the letter and it will be reviewed again

at the next meeting.

**Washington Montessori School/240 Litchfield Turnpike/Project Completion/Release of Bond:**

There was nothing new to report.

**Depot Study:** The Commissioners had all received Mr. Thomson's draft letter to the Planning Commission to review prior to the meeting. The general feeling was that the study did not adequately acknowledge the Inland Wetland Commission's jurisdiction in the Depot. Ms. Purnell and Mr. Thomson thought wetland delineation and studies on the flood plain and flood way were necessary and Mr. Thomson suggested the Town pay for these studies and make the information available to the public. Ms. Purnell asked that a statement be added regarding the use of best management practices and also suggestions for specific measures such as pre treatment of runoff into the Shepaug and requiring biofiltration basins in parking areas for any future development in the Depot. It was noted that commissioners could contact the Planning Commission on their own with additional comments.

**2006 Budget:** It was agreed that if a good tape recording system had not been requested in the 2005-2006 budget, it should be included in this year's request. Mr. Bedini will continue his research to determine what equipment will best meet the needs of the Town. It was the consensus to add 50% to the staffing budget to either add hours or staff or a combination.

**Administrative Procedures:** Mr. Picton asked the commissioners to continue to consider possible adverse impacts and reasons upon which the Commission can base its regulation of the upland review area. Mr. Thomson asked if there were sources of information that could be used for reference. Mr. Picton noted there was a riparian buffer manual and Ms. Purnell recommended a white paper on buffers by the Ct. Assoc. of Wetland Scientists.

MOTION: To go into executive session at 11:25 p.m. to discuss the Stiteler-Giddins decision. By Mrs. Hill, seconded by Ms. Purnell, and passed 5-0.

MOTION: To come out of executive session at 11:45 p.m. By Mrs. Hill, seconded by Mr. Bedini, and passed 5-0.

MOTION: To adjourn the meeting. By Mr. Picton.

Mr. Picton adjourned the meeting at 11:47 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Coordinator