Inland Wetlands Commission

MINUTES

Regular Meeting

November 22, 2016

7:00 p.m. Main Level Meeting Room

MEMBERS PRESENT: Mr. LaMuniere, Mr. Papsin, Mr. Wadelton

MEMBERS ABSENT: Mr. Bedini, Mr. Davis

ALTERNATES PRESENT: Mr. Bennett, Mr. Kassis

ALTERNATE ABSENT: Ms. Cheney

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Washington, Mr. and Mrs. Frank, Mr. Joe Bennett

 Mr. Wadelton called the meeting to order at 7:00 p.m. and seated Members LaMuniere, Papsin, and Wadelton and Alternates Kassis and Bennett for Mr. Bedini and Mr. Davis.

MOTION: To include the following subsequent business

 not already posted on the agenda: V. New

 Applications: C. Lloyd/231 Romford Road/#IW-16-38/

 Pond Maintenance, VIII. Administrative Business:

1. Approval of 2017 Calendar, IX. Communications:
2. Lake Waramaug Association Newsletter. By Mr.

Papsin, seconded by Mr. Kassis, and passed 5-0.

Consideration of the Minutes

MOTION: To accept the 11/9/16 Regular Meeting minutes

 as written. By Mr. LaMuniere, seconded by Mr.

 Papsin, and passed 5-0.

Pending Applications

Brodie/17 Wheaton Road/#IW-16-34/Install Footing Drain: It was noted that no outstanding issues had been raised at the last meeting and that the applicant had been told it was not necessary to attend tonight’s meeting. It was the consensus that there were no additional questions and the Commission should act.

MOTION: To approve Application #IW-16-34 submitted by

 Ms. Brodie to install a footing drain at 17

 Wheaton Road; the permit shall be valid for 2

 years and is subject to the following conditions:

1. that the Land Use Office be notified at least

48 hours prior to the commencement of work so

the Wetlands Enforcement Officer can inspect and

approve the erosion control measures,

1. that the property owner give the contractor copies

of both the motion of approval and approved plans

prior to the commencement of work,

1. any changes to the plans as approved must be

submitted immediately to the Commission for review,

and

1. the date of approval shall be 11/23/16 so long as

a petition for a public hearing is not received

within 14 days of the receipt of the application;

 in considering this application, the Commission has

 determined that no reasonable and prudent alternatives

 exist, and believes that there is no reasonable

 probability of significant adverse impact on any

 wetlands or watercourses.

 By Mr. Papsin, seconded by Mr. LaMuniere, passed 5-0.

New Applications

Chatterjee/128 Upper Church Hill Road/#IW-16-36/Construct Garages

Mr. Washington, contractor, submitted the 11/9/16 letter from Weantinogue Heritage Land Trust approving the proposed project and an undated written statement in response to Mrs. Hill’s 11/18/16 application review. He said engineered plans, which would include contour lines, erosion control measures, and stockpile information would be submitted later in the week. The plan, “Site Plan,” sheet A-001.0, by McGiver Morgan, dated 11/15/16 was reviewed. Mr. Washington pointed out the wetlands and the 100 ft. setback line from the wetlands and noted that 80% of the smaller drive-thru garage would be in the regulated area. Mr. LaMuniere asked whether the land was flat and if there was a wet meadow. Mr. Washington stated the land was flat, that the wetlands were wooded, there was existing lawn between the fence and the proposed garages, and no trees would be cut. A paved driveway was also proposed. Mr. Papsin asked about roof drainage. Mr. Washington said there would be no footing drains; that gutters would drain to grade. Mr. Papsin asked what excavation would be required to install the slabs on grade. Mr. Washington said this would be addressed in the engineered plans.

Frank/157 West Shore Road/#IW-16/37/Cut Tree and Bushes/Correct Violation: Mr. and Mrs. Frank were present. Mrs. Frank stated she would not harm the lake and did not believe that cutting down the tree did so. She noted her concern about the accuracy of what Mr. Ajello had reported at the 10/26 meeting, circulated photos of the property, tree, and bushes that had been cut, and read the September email exchange she had with Mr. Ajello. She noted he had not communicated to her that he thought the tree was in good shape, and so she had it taken down. She thought the system for getting permission to cut a tree was not working and she explained why the tree that had been removed was not healthy. The planting plan was discussed. Mrs. Frank proposed to plant 3 gallon sized hydrangeas to replace the invasives that had been cut because they are plants that can survive in Zone 3 and in windy locations. She noted that Mr. Hayden of the Conservation District agreed this was an appropriate plant for the location. She stated the area is flat, the holes would be dug by hand, and the only disturbance would be where the actual holes were dug. Mr. Papsin recommended the hydrangeas be covered with burlap in the winter. There were no questions. The Franks were advised that they would not have to attend the next meeting.

Lloyd/231 Romford Road/#IW-16-38/Pond Maintenance: Mr. Papsin recused himself. No one was present to represent the applicant. The plan, “Proposed Pond Maintenance,” drawn by Mr. Sabin on a survey map by Mr. Alex, dated 11/20/16, was reviewed. Mr. Wadelton noted Mrs. Hill’s 11/22/16 review and Mr. Sabin’s 11/22/16 response. He noted the application was to dredge the pond, install a liner, and install a dry hydrant. Mr. Joe Bennett noted the Town could use another dry hydrant, especially near Rumsey Hall School. Mr. LaMuniere asked if the pond would be entirely lined. Mr. Bruce Bennett asked if details had been submitted regarding the proposed removal of a dead tree and branches along the Bantam River. The application form was also reviewed. It was noted the commissioners would have to ask any questions they might have at the next meeting. The location of the access and temporary anti tracking pad were noted. Mr. Wadelton noted the excavated material would be removed from the site. Mr. Ajello said he hoped the applicant had consulted with the Fire Dept. re: the installation of the dry hydrant. It was noted the pond had no inlet and it was thought it was fed by springs.

 Mr. Papsin was reseated.

Enforcement

 Mr. Ajello reviewed his 11/22/16 enforcement report. In addition, the following matters were discussed.

Sarjeant/28 Tinker Hill Road: Mr. Papsin reported that the silt fence is falling down and must be repaired. He also expressed his concern about the 4 ft. wide unplanted area between the road and the new plants. Mr. Ajello thought the state would spray along this strip, but Mr. Papsin recommended that some hardy grasses be planted. He also recommended that the Commission wait until the end of May to sign off on the restoration planting to make sure the plants survive over the winter. The other commissioners agreed.

Town of Washington/Installation of Culvert on Clark Road: Mr. Papsin asked if the Town had the right to work within 25 ft. of the Town road without getting an Inland Wetlands permit. Mr. Ajello said it did not. Mr. Papsin then stated the Town should apply for permits and that the First Selectman should be advised that this is required. It was the consensus that the Highway Dept. should at least discuss work proposed in and near wetlands and watercourses with Mr. Ajello before any such work is begun.

Town of Washington/16 Titus Road/#IW-09-V02/Unauthorized Stockpiling in the Floodplain: Mr. Joe Bennett stated the Town was not setting a good example for the community when it continues to stockpile material in the floodplain. He noted the stockpiles have created a runoff problem and said as a minimum precaution they should be circled by staked hay bales. Mr. LaMuniere suggested a notice of violation be sent, but Mr. Wadelton responded that a citation could not be issued to the Town. Mr. Wadelton suggested the Conservation Commission or Washington Environmental Council could press the Town to correct this violation.

 Mr. Ajello reported he had received technical information on glyphosate, which warned of potential problems when it is applied. Mr. Wadelton said the Commission would have to continue to approve its use if it would be applied by a licensed contractor and if the DEEP approved\ it. Mr. Joe Bennett suggested the Commission educate the public about other products that could be used with less risk of harm to the environment.

Administrative Business

MOTION: To approve the 2017 calendar. By Mr. Papsin,

 seconded by Mr. LaMuniere, and passed 5-0.

Communications

 A copy of the latest Lake Waramaug Association newsletter was circulalted.

 Mr. Wadelton adjourned the meeting at 8:05 p.m.

FILED SUBJECT TO APPROVAL Respectfully submitted, Janet M. Hill, Land Use Administrator