

Inland Wetlands Commission

MINUTES

Regular Meeting

May 8, 2019

7:00 p.m.

Main Level Meeting Room

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

ALTERNATES PRESENT: Ms. Branson

ALTERNATES ABSENT: Mr. Kassis, Mr. Matthews

STAFF PRESENT: Ms. White, Mr. Tsacoyannis

ALSO PRESENT: Mr. Riefenhauser, Mr. & Mrs. Haddad, Ms. Dupuis

Call to Order

Mr. Wadelton called the meeting to order at 7:00 p.m. and seated himself, Mr. Papsin, Mr. LaMuniere, Mr. Bennett & Mr. Davis

Subsequent Business

There was no subsequent business to add to the agenda.

Consideration of the Minutes

[Beg. of Discussion 0:30] The regular meeting minutes of April 24, 2019, were considered. The Commission discussed the difference between the Commission and the attorneys agreeing to the removal of the rocks of the patio that were placed on top of the original shoreline rocks as the first phase of the process, as opposed to issuing an interim order or an order by consent.

MOTION: To accept the Regular Meeting Minutes of 4/10/19 as submitted by Mr. Papsin, seconded by Mr. LaMuniere, passed by 5-0 vote.

[End of Discussion 7:29]

Pending Applications

The Gunnery/22 South St/Permit #IW-19-16/Install 2 Concrete Pads for Generator and Propane Tank:

[Beg. of discussion 7:33] Mr. Riefenhauser, Professional Engineer, submitted a revised plan that includes the Generator Pad Detail and a specification sheet for the generator to be installed. He explained how the design of the pad would work in the event of a leak.

The Commissioners agreed that the additional information provided in the revised plan and backup documents submitted with the application provided a sufficient amount of information for them to make a decision.

MOTION: To approve Permit #IW-19-16 for The Gunnery to Install 2 Concrete Pads for a generator and a propane tank at 22 South Street per the plan titled “Proposed Generator – Sheet 2 of 2,” South Street Well Field, prepared for The Gunnery by Smith & Company, dated April 19, 2019 with a revision date of April 30, 2019, for two years with 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, 2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and 3. any changes to the plans as approved must be submitted immediately to the Commission for review; 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 and seconded by Mr. LaMunier, passed by 5-0 vote.

[End of discussion 11:55]

CES Danbury Solar LLC (for Cole)/138 Litchfield Turnpike/Permit #IW-19-17/Ground Mount Solar Panels:

[Beg. of discussion 12:00] No one was present to represent the property owners for this application. Ms. White stated that the applicant has not provided a survey locating the wetlands and upland review area, the area of activity, the location of trees that were already removed and the signature of the property owner on the application. Ms. Dupuis, a neighboring property owner, was present and expressed concerns regarding the size of the proposed array.

Mr. Wadleton stated that it is his understanding that the utility company must buy the excess power back by law but whether that is a business or not is a zoning issue. He noted that the Inland Wetlands Commission’s main concern is the location of the proposed structure and its proximity to wetlands and the upland review area. It was noted that a soil scientist must delineate the wetlands.

There was a brief discussion regarding the process of creating solar regulations for the Town.

[End of discussion 20:40]

Rumsey Hall/201 Romford Rd/Permit #IW-19-18/Install Swing Set:

[Beg. of discussion 20:41] The Commission agreed that they have sufficient information to vote on this application.

MOTION: To approve Permit #IW-19-18 for Rumsey Hall to install a swing set at 201 Romford Road per the plan titled “Playscape Expansion,” prepared for Rumsey Hall School, by Buck & Buck, LLC., sheet L-1 dated 4-22-19, for two years, with 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, 2. that the property owner give the contractor copies of both the motion of approval and approved

plans prior to the commencement of work, and 3. any changes to the plans as approved must be submitted immediately to the Commission for review; 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 and seconded by Mr. Davis, passed by 5-0 vote.

[End of discussion 22:05]

New Applications

Fast/12 Green Hill Rd/Permit #IW-19-19/Installation of flat board fence & plantings:

[Beg. of discussion 22:09] There was no one present to represent the property owner. The Commissioners reviewed the provided renderings of the proposed flat board fence and plantings. Mr. Tsacoyannis provided photographs of the existing conditions of the property.

The Commissioners referred to the map titled "Showing Easement to be Conveyed to George Fino," prepared by John M. Farnsworth & Associates, dated September 1977. They asked that the applicant provide an explanation as to how many posts will be installed, how they will be set and what equipment will be used to set them into the ground.

Ms. White will email the questions to the applicant.

[End of discussion 29:03]

Haddad/141 West Shore Rd/Modification of Permit #IW-18-48/Relocate proposed garage further from the wetlands:

[Beg. of discussion 29:05] Mr. & Mrs. Haddad, property owners, were present to discuss modifying their previously granted Inland Wetlands permit to build a garage.

The Commissioners reviewed the revised titled "Site Plan" prepared for Peter and Anne Haddad by Oakwood Environmental Associates Consulting Engineers, with revisions dated 4-30-19, dwg. 1 of 2. It was noted that the proposed revision would locate the garage 51 feet from the wetlands which is five feet further from the watercourse than originally permitted.

Ms. Haddad informed the Commissioners that they still need to obtain approval from the ZBA before they can proceed. She noted that if this modified plan is not approved at ZBA they would be proceeding with their originally approved plan.

MOTION: To approve the modification to the two-year Permit #IW-18-48, for Haddad to relocate the proposed garage at 141 West Shore Road pre the plans titled "Site Plan" prepared for Peter and Anne Haddad by Oakwood Environmental Associates Consulting Engineers, with revisions dated 4-30-19, dwg. 1 of 2, with the same conditions of the original approval, by Mr. Papsin, seconded by Mr. Davis, passed by 5-0 vote.

[End of discussion 35:25]

Other Business

There was other business to discuss.

Enforcement

Activity Report:

[Beg. of discussion 35:40] Mr. Tsacoyannis submitted the activity report and reviewed properties with the Commissioners and how he will be following up.

The following properties were discussed:

-101 Wykeham Rd

ZEO is waiting to receive the demolition and cleanup plan.

-323 West Shore Rd

The Commissioners briefly discussed the process of removing the rocks at 323 West Shore Rd. Mr. Wadelton noted that when the ZEO and Mr. Hayden are present during the removal of rocks, the final decision is based on the ZEO's opinion.

-3 West Shore Rd

The ZEO is in touch with the property owner who has offered to plant spruce trees in front of the pine trees that he recently planted. The Town Highway Department has been contacted and will fix the catch basin at the end of the driveway.

Mr. Tsacoyannis reviewed received complaints with the Commissioners regarding 25 West Shore Rd and 23 Rabbit Hill Rd.

Ms. Dupuis explained the history of her concern with her neighbors at 23 Rabbit Hill and their removal of trees near/in the wetlands.

The Commission briefly discussed the submission of Start Cards and the process a property owner must go through before starting the permitted work, violations, and fines.

[End of discussion 1:10:18]

Communications

There were no communications to discuss

Adjournment

MOTION: To adjourn at 8:10 pm, by Mr. Wadelton, passed unanimously.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Shelley White

Land Use Administrator

*All documents are on file in the Land Use Office

**Digital recording of this meeting are available upon request