

**A. Roll Call**

Present: Alan Cegan, Cathy Collins, Jim Connors, Michael DeGrego, Jon Higgins, Richard Lutz and Justin Margeson.

Absent: Ken Cowden, Sally Lee and Steve Munson.

Collins called the meeting to order at 7:30 p.m.

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. Public Comments**

None.

**D. New Business**

1. **IW-A-12-006: 54 Wilson Street, BAMF Homes** – proposal for a single family home with work within 150' of a wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this item is on the agenda for the first time and can be heard at the 2/15/12 meeting.

**E. Old Business**

1. **IW-V-11-023: Westmoor Road, Field & Son Builders, LLC** – clearing in and within 100' of a wetland or watercourse in the South Central Shoreline Watershed without a permit. Mitigation ongoing.

MaryRose reported that the 2<sup>nd</sup> required mitigation monitoring site visit took place last Thursday. She walked the site with Otto Theall and the area is stable, there is good vegetative coverage in the mitigation area. The silt fence had fallen in one area, Mr. Field was instructed to restake it or place hay bales in front of that section. There is no action required of the Agency at this time.

2. **IW-V-11-049: 945 North Street, Barretta Realty Associates, LLC** – storage of wood, material and debris within 150' of a wetland or watercourse in the Wepawaug River Watershed without a permit.

There is no action required of the IWA at this time.

3. **IW-A-11-057: 277 Wheelers Farm Road, Robert and Tina Santillo** – after the fact permitting of existing house, decks, pool, shed and pond within 150' of a wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is a proposal by Bob and Tina Santillo to permit the house, decks, pool, shed and pond on their property at 277 Wheelers Farms Road. The Santillo's purchased their home from previous owners who built the house. The builder had come before this Agency

to get a permit to explore septic system locations and was required to come back to get a permit for the home. They did not get a permit from the IWA but did get a permit from Planning & Zoning for the home.

The plans show you the location of the house, pool, shed decks and pond with concrete patio in relation to the wetlands on the site. At the closest point the deck is approximately 20' from the wetland line and the pond is at the wetland line. The shed is approximately 38' from the wetland line. The pool enclosure is 37' from the wetland line.

Collins, Connors, DeGrego, Lutz, & Munson walked the site at the Agency site walk on 1/24/12. She distributed 2 pages of pictures from the site walk. The weather was unseasonably warm and it had rained the previous evening. During the walk the Agency noted PVC piping from the area of the pool enclosure and house exiting the slope toward the wetland and watercourse area. Mr. Tiso was requested to determine where the pipes discharge from. It was also noted onsite by William Kenny, Soil Scientist that the wetlands probably originally ran diagonally through the pond from wetland flag #32 to the area of wetland flag #30 between the pond and terrace with the existing tree likely in the upland. The pond was estimated at 3-4' in depth by Phil Tiso. It has a pump and waterfall system and has netting in place to protect the Koi.

Tiso stated that he added revisions to the plans as well as the PVC pipe and submitted these plans and noted that he did not see the pipe when he did the original plan; there were leaves, etc. on the property. There are no drains on the house and per Mr. Santillo those are just footing drains for groundwater and as an Engineer, he can't see any other use for them. The blue PVC pipe on the west side of the pool is for yard drain; it takes surface drainage from the driveway. Per Mr. Santillo the pool uses a cartridge type pool filter which has been added to the plan.

The following questions were sent to Mr. Tiso late on 1/30/12 and he addressed them this evening:

1. The walkway down to the pond was permitted and built when? *This was not permitted and was installed 8/2007.*
2. The Koi pond was permitted and built when? *This was not permitted and was installed 6/2007.*
3. The Swimming pool was permitted and built when? *This was not permitted and was installed 7/2008.*
4. Where do the pipes draining directly into the wetland/watercourse lead from? What is draining into the wetland/watercourse from these pipes? *This was just addressed.*
5. What type of filter does the pool have? How and where is it drained and/or backwashed? *Cartridge system filter.*
6. What is done to prevent damage to the wetland/watercourse from the pool discharge? *3 small pipes are for groundwater discharge. Yard drain washed into the wetlands directly. Same situation as the towns'.*
7. Was any consideration given to the chance that the non-native Koi could escape or be washed downstream from the constructed pond and that this could cause damage to downstream wetlands and vernal pools? Is anything done to prevent this from happening? *Yes, consideration was given; the sides of the pond are 2' higher than the existing stream. This is not a constant running stream and wire mesh net is placed over the pond to contain the fish.*

MaryRose asked for clarification on the pool discharge. Mr. Santillo stated that it is a cartridge system that he has a pool guy come to service and vacuum and he does not know what discharges. Cegan stated that the filter is for pool water not discharge. Connors stated that a

hose is to backwash the pool and chlorine water would go directly into the wetlands. Tiso stated that Mr. Santillo is willing to install whatever drywell the IWA sees fit to send the water into the ground.

Collins stated that everything that was installed after the house was bought and not permitted is within the IWA's purview as it is all within the 150' upland review area and the pond is in the wetlands.

Connors asked if the house was permitted with the IWA. MaryRose stated that it was not and the owner is trying to rectify this. The Agency needs to use the information provided by Mr. & Mrs. Santillo to determine if it can make an informed decision on the existing improvements or if additional information is required from the applicant. All of the work done without permit falls within the 150' upland review area.

It was discussed that if the patio was pervious it may have been allowed. Santillo submitted pictures of the area prior to himself moving in that showed cinderblocks and trash. Picture 1 showed wetlands flag #30 area. Mr. Santillo stated that the concrete for the patio was boom pumped in from the front yard. Picture 2 was viewed and correlated with the location on the plan.

MaryRose asked Mr. Kenny's input regarding the installation of the pond or the impact of its removal. Mr. Kenny stated that it was a disturbed area with debris and solid waste. It appears to have been a pond that filled in with sediment per the pictures and is still providing wetlands functions; habitat, etc. Connors stated that it would have to be jack hammered and hand removed.

Tiso stated that it is possible to mitigate in the peninsula area. Kenny stated that this was a good idea and an opportunity. The area could be lowered back down to the wetland grade and offset the activity.

MaryRose stated that she does not believe that the pond and patio would have been approved if it came before the IWA. The impact of removing verses mitigation has to be looked at; there were no protective provisions, no sediment and erosion control measures, etc. A 2 to 1 mitigation is usually required and involves bonding and monitoring. Tiso stated that mitigation may have less construction impact.

A proposal for 2 to 1 mitigation for the pond, terrace and stairs is to be submitted by 2/15/12.

## **E. Minutes**

A motion was made by Connors, seconded by Higgins to accept the minutes of the previous meetings (1/18/12 and 1/24/12) as presented. The motion carried unanimously.

## **F. Committee Reports**

Committees:

- Bylaws, Regulations & Procedures committee. (Justin, Al, Steve) no report.
- Communications & Education committee. (Cathy, Jim, Michael) no report.
- Commissioners' Training committee. (Ken, Jon, Sally) no report.

**G. Staff Report**

Please remember to update your contact information and Experience synopsis. It is anticipated to be posted and distributed at our next meeting.

Our Budget meeting with the Finance Board is next Thursday evening. The Mayor had discussed reducing funding in overtime and secretarial fees which is used to cover meetings. MaryRose explained that our requested amounts were based on the scheduled 24 meetings a year plus anticipated site walks and public hearings and that depending on the number of applications received over the next year we may be negatively impacted in the Spring of 2013.

- West Avenue and Gulf Pond pump station projects are ongoing.
- Indian River Interceptor is ongoing and should be in Pond Point Ave./New Haven Ave. within 3 weeks.
- Prospect Falls is ongoing, the plantings are in and the 1<sup>st</sup> mitigation report has been received.
- Westmoor Road lots are ongoing. One house is nearly finished and the foundation is in for the 2<sup>nd</sup> house.

Please remember to call or email the office if you are unable to attend a meeting. There have been some staff changes and temporary vacancies; please be patient with response time.

Tomorrow is World Wetlands Day.

**H. Chairman's Report**

Please review the guidelines for meetings.

The next regular meeting will be on 02/15/12.

There being no further business to discuss, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.