

Minutes of the Regular Meeting of the Inland Wetlands Agency on March 4, 2009.

A. Roll Call

Present: Barbara Bell, Allan Cegan, Ken Cowden, Jon Higgins, Joel Levitz, Lynne McNamee, Jim Richard and Phil Fulco.

Absent: Jim Connors and John Ludtke.

Fulco called the meeting to order at 7:30 p.m. and deemed Bell the voting alternate. All stood for the Pledge of Allegiance.

B. Public Comments

None.

C. New Business

1. **Application IW-A-09-003: 0 Marion Ave., Ronald Standish** – proposal to construct a single family home within 100' of the Housatonic River Watershed. This item is on the agenda for the first time and can be discussed at the 3/18/09 meeting.

D. Old Business

1. **Application IW-08-044: 30 Lavery Lane, William German** – proposal to begin a farm, nursery and build 8 outbuildings for storage of equipment, tools, supplies and to shelter farm animals as well as a pool and patio for existing house within 100' of a wetland in the Housatonic River Watershed.

MaryRose reported that this is an application by Bill German to begin a farming operation on a parcel he owns with his wife and an adjacent parcel he partially owns with his family. The proposal is for 8 outbuildings, a wood furnace, a garden area and staging area as well as an above ground pool, temporary deck and a stone patio adjacent to the house on parcel 1G.

The IWA held a site walk on 2/24/09. It was attended by Bell, Cegan, Cowden and Fulco. During the site walk there was some difficulty finding locations adjacent to the proposed garden due to the lack of wetland flags. There also seemed to be an encroachment on Mr. German's property in the area of the proposed staging area on 1 of 1C. Information was distributed that was submitted by neighbors of the applicant expressing concerns over the proposed activities. They have also submitted photos showing heavy equipment working in the area of wetlands adjacent to the proposed garden on lot 1G. Mr. German was in the office yesterday and stated that Tom Pietras of Soil Science and Environmental

Services would be coming down in the next week or so to reestablish the flags on lot 1G and to check the site for Federal wetlands.

Fulco asked about any vernal pools on the property. MaryRose reported that per Tom Pietras there is no vernal pool. Bell asked that the intermittent watercourse be characterized and she asked if Tom Pietras could comment on this as well. Bell further stated that at the site walk there were survey issues that maybe were not accurate in some areas. German stated that there is one shed proposed in the garden area and the survey line is on that side and that he should have staked out the lines. He did not realize so much detail was wanted on site but this can be done. Bell asked about the garden in relation to the wetlands. German stated that this flagging would be replaced next week. Bell asked if the line on the survey was correct. German stated that it definitely was.

MaryRose reported that if a public hearing was to be held that an extension of time would be needed from the applicant as the 65 days expires on 3/27/09. Before scheduling a public hearing, it must be certain that all information needed to make an informed decision has been submitted. Fulco stated that there has been quite a lot of public interest and a Public Hearing would not be out of line for this application.

The following motion was made by Levitz, seconded by Bell:
Mr. Chairman, I feel that a public hearing regarding application IW-A-09-001: 30 Lavery Lane would be in the public interest. I move that a Public Hearing be scheduled for April 1, 2009. The motion carried unanimously.

Levitz asked if there is anyway to verify the pictures that were submitted. Fulco stated that if people appear at the Public Hearing, they can testify to their validity. Levitz asked if it was known who submitted the pictures. MaryRose stated that it was and further stated that any outstanding issues need to be addressed before the Public Hearing. Cegan asked – based on the pictures if any violations need to be addressed. MaryRose stated that there was a Planning & Zoning violation and it has been satisfied.

E. Minutes

A motion was made by Bell, seconded by Cowden to accept the minutes of 2/18/09. The motion carried unanimously.

F. Subcommittee Reports

None.

G. Staff Report

- The DEP Training information for Spring 2009 was emailed to all members last week. Please let the office know if you will be attending. Commissioners that attend 3 sessions in the same calendar year receive a certificate from the DEP. Bell, Cegan, Connors, Cowden, Fulco, Ludtke and McNamee have all received their certificates.
- If anyone has updated their synopsis of commissioner experience, please hand it in or email it to the office so that changes can be made and a revised copy sent out.
- Please let MaryRose know if members would like to stay on their subcommittees that they are on or switch to another one and these changes will be made.
- Please remember to notify the office if you are unable to attend a meeting.
- Tomorrow there is a CT Citing Council meeting at the YMCA regarding the proposed cell tower. MaryRose has expressed her concerns and plans have been adjusted so that there is no impact to the wetlands.

H. Chairman's Report

- Fulco presented Bell with her certificate of achievement for DEP Training.
- Fulco deemed the following subcommittee assignments:
 - ByLaws: Higgins, Richard and Cowden.
 - Training and Education: Cegan, Connors and Bell.
 - Regulations: Levitz, McNamee and Munson.
- Fulco asked that all committees get together and elect a Chairman.
- Rules for a Public Hearing were reviewed.

The next regular meeting will be on 3/18/09.

There will be a Public Hearing on 4/1/09.

There being no further business to discuss, the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.