

Minutes of the Regular meeting of the Inland Wetlands Agency on June 15, 2011.

A. Roll Call

Present: Al Cegan, Cathy Collins, Jim Connors, Ken Cowden, Michael DeGrego, Jon Higgins, Sally Lee, Justin Margeson and Lynne McNamee.

Absent: Joel Levitz and Steve Munson.

McNamee called the meeting to order at 7:30 p.m. and deemed DeGrego and Margeson the voting alternates.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. New Business

1. **IW-A-11-021: Cascade Boulevard, Garden Homes Management** – proposed construction of a 36 unit multifamily rental building within 100' of a wetland or watercourse in the South Central Shoreline Watershed.
This application is received this evening and can be heard at the next meeting.

E. Minutes

There had been a question on the clarity of the minutes raised by Chairwomen McNamee at the last meeting. The proposed amended section would:
Proposed clarification of 5/4/11 MIWA Agenda item C – Public Comments, paragraph 2:

McNamee stated that the IWA rules and regulations are by State Statute and are available on line. MaryRose referenced Section 22A, 36-42 of the CT General Statutes. The application has been approved. MaryRose reviewed the application process and the criteria for a public hearing. The agenda is posted for 14 days, the meeting is held and then there is 65 days to make a decision. The area was flagged and there was no filling of wetlands per a Certified Soil Scientist. McNamee stated that the application was approved on 3/2/11 **and the appeal period expired 3/19/11**. MaryRose stated that if the site was on the endangered species blob and this was not disclosed then something could be done but it is not and was not as of today. MaryRose will check the DEP's Natural Diversity Database again in the morning but if there is no change then nothing can be done. The IWA can consider habitat but is a water board; if the habitat and water have no connection then the habitat cannot be considered. If the IWA did not have correct information at the time of application then the City Attorney's Office will be contacted

and if it is to be revisited, the application process would **be revisited** ~~start~~. Teresa Burns stated that an Environmental Review was not included in the proposal and should be per the DEP. MaryRose stated that a soil report from a Soil Scientist was. Shannon Cleary stated that they were not notified of this application. MaryRose stated that every agenda is posted. McNamee stated that this is by state statute and this application has been approved and the appeal period is over and they can speak to MaryRose **after the meeting or** in the office. **McNamee stated that the public would be notified on an Agenda if the application needs to be revisited based on information from the National Diversity Data Base.**

A motion was made by Connors, seconded by Cowden to accept the minutes of the 5/4/11 as amended. The motion carried unanimously.

A motion was made by Connors, seconded by Cowden to accept the minutes of the 5/18/11 as presented and carried unanimously.

F. Subcommittee Reports

- Bylaws, Regulations & Procedures committee. Last meeting 6/3/11 (Justin, Steve, Joel) – Justin reported that they met on 5/26 and 6/3/11 and work continues and they are looking to present revisions to the full board in the fall. Their next meeting will be on 6/16/11 at 2:00 p.m. in the IWA office.
- Communications & Education committee. (Cathy, Jim, Michael, Al) – Cathy reported that they have not met yet; but will be meeting on 7/6/11 at 6:30 p.m.
- Commissioners' Training committee. (Ken, Jon, Sally) – Ken reported that they have not met yet; but will be meeting on 7/6/11 at 6:30 p.m.

G. Staff Report

- MaryRose forwarded an invitation from Bill Poutray, Chairman of the Conservation Commission last week. Bill has organized an informational meeting/tour of the Subway parking lot and the Mondo Ponds walking trails for the Conservation Commission's June meeting on Tuesday June 21st at 6pm. She checked with the City Attorney's office and was told that:
- If the meeting is informational only, (i.e. there is no discussion about Inland Wetland permitting of the Subway and Mondo ponds projects) than the MIWA Commissioners may attend without having to notice a Special meeting.
- If there is discussion about the MIWA permits for Subway or Mondo ponds or the P&Z Plan of Conservation and Development (POCD) then it would be considered an MIWA meeting and would require a legal notice and staffing.
- If there is not going to be a quorum of MIWA members at the Conservation meeting and MIWA permit topics will not be discussed then we will not have to notice a special meeting or have staffing.
- If you attend the meeting as an individual you cannot represent yourselves as speaking as an MIWA Commissioner you can only speak for yourself. You cannot discuss permits before the MIWA outside of an MIWA meeting and you should not be reporting any information or findings back to the Agency.

- West Avenue and Gulf Pond Pump Stations should be starting site work within the next month.
- West Ave Sewer Fucci Construction is ongoing.
- East Broadway pump station project is ongoing.
- East Broadway interceptor is on hiatus for the summer and will start back after Labor Day.
- Subway parking lot expansion is ongoing.
- Prospect Falls is ongoing.
- Westmoor Road – the NDDDB request was not submitted; a letter was received on 6/7/11 stating that beach needle grass is on site and it is not suitable for species and this information would not change the IWA decision. The permit was issued last Thursday. The City Engineer stopped work on this site last Thursday. MaryRose and the City Engineer will be walking the site tomorrow.
- New Legislation will allow a permit that is issued to be valid for up to 14 years verses 10 years that it is now; this will be for permits issued from 5/26/08 to 7/1/11
- Please remember to call or email me if you are unable to attend a meeting.

H. Chairman's Report

Please review the material in preparation for the next meeting.
HB6400 Bill did not pass.

The next regular meeting will be on 7/6/11.

There being no further business to discuss, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.