

**A. Roll Call**

Present: Cathy Collins, Jim Connors, Ken Cowden, Jon Higgins, Sally Lee, Justin Margeson and Lynne McNamee and Steve Munson.

Absent: Alan, Cegan, Michael DeGrego, and Joel Levitz.

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

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. New Business**

- 1. Violation 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.

MaryRose reported that this is a violation issued to Chris Field of Field & Son Builders for clearing in a wetland without a permit on Westmoor Road.

The MIWA issued a permit 3/2/11 to Field & Son for the construction of a single family home and access within 100' of a wetland on Westmoor Road. They did not apply for work in a wetland or watercourse, and no permit was issued for work in wetlands or watercourses. The permit allowed work within the 100' upland review area. Mr. Field posted his bond and took out his permit on 6/10/11, we reviewed the permit requirements including obtaining other permits and installing erosion controls.

In the process of clearing the road for access to their lot, Field and Son's cleared and pushed brush, vines, yard waste and misc. material from the road area into the wetland adjacent to flag 8. Field & Son's engineer, Codespoti & Associates located and re-staked the wetland flags on the site with pink flagging and numbers MaryRose reviewed printed photos from the site showing the brush pile and the staked flag locations. In the photos you can see that the edge of the wetland line is overtaken with a large stand of invasive Japanese Knotweed.

A sketch of the site was submitted this afternoon and distributed; this showed the proposed plantings. Chris Field, 17 Beacon Hill Lane, Milford, submitted the plan. He apologized for the violations stating that he misread the plan and made a mistake.

Otto Theall, Soil Scientist with 22 years experience, delineated the wetlands and went to the site after the violation and described the conditions. The proposal is to remove the material and do something with the Japanese knotweed. They will remove the knotweed outside of the wetlands and remove them off site and cover the area with a tarp (a Pro-5 weed barrier tarp). Depending on the depth of removal top soil may have to be put down. The area would be silt fenced until it is stabilized. A plan for removal in the wetlands can be made. A slow and steady poisoning is the best way for removal.

Connors asked if it was like a bamboo plant. Otto stated that it was and he would like the removal of the invasives done before the lot is opened up for construction. The invasives like sunlight and will spread rapidly. This will take some monitoring.

McNamee asked for clarification of the location on the map. MaryRose reviewed the plan and oriented the pictures to the plan. McNamee asked about the slow and steady poisoning concept. Otto explained that Round Up can be applied directly to the plant verses spraying. There is not a set regimen, but treatment once every few months would be the plan and it could take years. McNamee asked if there were alternatives. Otto stated impermeable; painters tarps, that do not allow water through is common but he thought percolation is better. He could always come back to MaryRose for substitution.

Cowden asked about the topography to the wetland. Otto stated that it was pretty flat, a gradual slope and he clarified the location of the knotweed. It is 30' long and 5' wide in the wetland where the knotweed is; not a large area. Cowden stated that there is no a new wand with a felt tip for application. Otto stated that it could be scraped out and a tarp put over it to stabilize it. McNamee clarified that Cowden's area of expertise Landscape Design. Cowden asked if soil is put back what type would it be. Otto stated that he was not sure where to get wetland soil and thought he would use top soil. MaryRose referenced the Eisenhower Park project where they got certified wetland soils from the Torrington area and has this information on this in the office.

MaryRose asked if they could remove the knotweed and not replace the soil. Otto stated that he thinks this would work. MaryRose stated that she would like a narrative on how to mitigate the work and removal of the material.

Chris Field stated that he supports Ottos' input and he would like the chance to make it right.

The following motion was made by Connors, seconded by Margeson:

I move that the cease and desist order be upheld and modified to require Field and Son Builders, LLC to submit a mitigation plan by 7/6/11 to include:

- Removal of the material placed in and adjacent to the wetland without a permit.
- A minimum 2:1 mitigation for the intrusion into the wetland
- A planting plan and 3 year inspection schedule.
- A cost estimate for the proposed plantings and monitoring.
- A plan for dealing with the invasive Japanese Knotweed in the disturbed area to be restored.
- A written and drawn narrative for the proposed mitigation.
- Review of proposed barrier.
- DEP information on pesticide control of knotweed and levels of pesticides to be used.
- Quarterly Monitoring of the site to ensure mitigation plan is working for 3 years.
- A mitigation bond to be calculated and held for a minimum of 3 years

An amendment to the motion was made by Connors and seconded by Margeson to include "The plan must be reviewed and approved by the Inland Wetland Agency."

The amendment carried unanimously.

The motion carried unanimously.

There being no further business to discuss, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.