

Minutes of the Regular Meeting of the Inland Wetlands Agency on October 15, 2008.

**A. Roll Call**

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

Absent: Jim Connors, Joel Levitz, John Ludtke and Steve Munson.

Fulco called the meeting to order at 7:30 p.m. and deemed Bell and Richard the voting alternates.

**B. Public Comments**

None.

**C. New Business**

1. **Application IW-A-08-047: Wolf Harbor Road, CT Center for Child Development** – proposal to construct off site drainage to serve private school to be constructed on adjoining site within 150' of a wetland or watercourse in the Wepawaug River Watershed.  
This is on the agenda for the first time and can be discussed at the next meeting.

**D. Old Business**

1. **Application IW-A-08-044: 30 Laverly Lane, William German** – proposal to fill 400 square feet of wetland to construct a road and to convert 1.2 acres of upland review area to farmland including 8 structures, a pool and a deck within 100' of a wetland in the Housatonic River Watershed.

MaryRose reported that this is a proposal by Bill German to use a portion of his property as a farm under section 4.1a of the MIWA regulations. A handout was distributed from the Summer DEP training seminar which covers the permitted operations and uses section of the statutes. The agency needs to use the information provided by Mr. German to determine if the proposed activities fall in the Permitted Operations and Uses Subsection or if they require a permit.

A pre-application was reviewed in the summer; modifications and additional information have been submitted. Mr. German has 2 parcels totaling 3.981 acres in rear lots on Lavery Lane. His home and septic systems are on Lot 1. He would like to convert approximately 1.2 acres of upland review area to farm area to allow for grazing and the growing of vegetables. He is also proposing to fill approximately 400 sq. ft. of inland wetlands for a road to his proposed garden area and to construct several accessory buildings including:

On Lot 1:

- 2 – 10' x 12' tool sheds
- The applicant is also seeking approval for a 15' diameter pool and a 8' x 12' deck which already exist on Lot 1

On Lot 2:

- 1 – 8' x 12' dry wood storage with canopy top
- 1 – 18' x 20' covered storage shed
- 1 – wood furnace for a greenhouse
- 1 – 20' x 40' greenhouse
- 1 – 23' x 20' covered storage shed
- 1 – 20' x 10' manure storage shed

Mr. German stated that he would like to establish a hobby farm and the proposed buildings are central to farming. He kept the access roads as minimal as possible; everything is pretty much essential for farming except the pool and he feels everything has been addressed.

Fulco asked about wetland filling. MaryRose stated that there is proposed filling on lot 1 for the access drive; if it came in in the front of the house it would have to go over the septic system. German stated that the existing elevation would not change and the run off would not change; he is just switching top soil with hardpan. Fulco asked about the horse area and if it would be paddocked off. German stated that it would. MaryRose referenced a parcel on Wheeler's Farm Road that has 3 areas for 1 horse. German stated that 3 miniature horses are proposed and 2 paddocked areas. MaryRose stated that there are no ratio rules regarding this; the issue is to protect the wetlands. Cowden asked about the wood barn and if it would have a concrete floor. German stated that it would not accept for the fertilizer area/bin which would be sectioned off within the barn. Cowden stated that it is close to a wetland flag area and he is concerned with heavy rain. German stated that he plans on an all organic farm. Fulco asked if the building could be moved. German stated that it could.

Bell asked if it is not a permitted activity if there could be no conditions.

MaryRose stated that it is either a fully exempt permitted use or all requires a permit or some exempt and some permit. Bell stated that if there is filling of wetlands, buildings and fertilizer then there should be a permit. MaryRose stated that filling is a permitted activity if there is a continual flow and she referenced section 6.8 – this would have to be looked at. Bell asked if there could be a site walk prior to deciding about permitting. MaryRose stated that there could be as it is a full application. It was further discussed that it has been the IWA's practice that any filling of wetlands requires a Public Hearing.

A motion was made by Bell, seconded by McNamee to schedule a site walk for 11/1/08 at 9:00 a.m. The motion carried unanimously.

A motion was made by Bell, seconded by Richard that a Public Hearing be held on 11/19/08. The motion carried unanimously.

McNamee referenced Section 4.1.a and asked if that impacts review if the site is over 3 acres. MaryRose stated that it does not, that section refers only to pond size and a pond could be up to 3 acres and no pond is proposed.

Fulco asked if information could be requested from the Health Department regarding the septic system proximity and the farm. MaryRose will look into this and report back at the next meeting. Fulco asked German to ID the following areas for the site walk: paddock area, manure storage and fill area.

**2. Application IW-A-08-045: 64 Old Gate Lane, Tom Collucci Construction, Inc.** – proposal for construction of industrial and office buildings and parking within 100' of a wetland or watercourse in the Indian River Watershed.

MaryRose reported that this is a proposal by Tom Collucci for 2 buildings and a parking area within 100' of a wetland in the Indian River Watershed. This parcel was previously approved for a tree service storage yard. There was a violation issued to the PREVIOUS owner of the property for work in or near the wetlands. As a result of the previous owners work, the wetland line on the parcel grew out towards Old Gate Lane decreasing the upland area of the site. Mr. Collucci is proposing to construct 2 mix-use buildings and put a fence and wetland plaques along the back of the parking area adjacent to the new wetlands line to avoid any further work in the wetlands on the site. Building A will be within 3' of the new wetland line and Building B will be within 5'. Mr. Collucci is proposing to construct the buildings from the upland area to avoid work in the wetlands.

McNamee asked if fill is being brought in or if it is on site based on the elevations. MaryRose stated that she is unsure and will find out. MaryRose reviewed the drainage flow. Bell stated that there is no soil study and no way to determine the leaching and galleries success. Bell further stated that it is unclear where water is coming from and how the hydrology is working on the site. Fulco stated that this is a developed site now and it is just not paved and there are no protective measures. This plan would be an improvement but more detail is needed. McNamee asked how the water would go into the catch basins and not into the street based on the elevations. MaryRose stated that the site will be regraded and she reviewed the elevations; the site would be fairly flat. The drainage flow was reviewed. It was the consensus of the IWA that they would like to see a presentation first and then decide if a site visit is warranted.

**E. Minutes**

A motion was made by Cegan, seconded by Bell to accept the minutes of the previous meeting as presented. The motion carried unanimously.

**F. Subcommittee Reports**

Bell reported that the Council on Environmental Quality has come out with an interesting report "Swamped" regarding how IWA's are doing or not doing their jobs. She will distribute/make this report available.

**G. Staff Report**

MaryRose reported that the office has been busy with consultations on possible projects.

Bell stated that flood maps are being revised by FEMA and she asked if this would require a Public Hearing. MaryRose stated that this is a Planning & Zoning issue but she would have input. These revisions are supposed to be more accurate and eventually digitized which will eventually create more updated boundaries and when that is complete there will be a Public Hearing.

**H. Chairman's Report**

There will be a site visit on 11/1/08  
The next regular meeting will be on 11/5/08  
Please review next years meeting calendar

There being no further business to discuss, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.