

Minutes of the regular meeting of the Inland Wetlands Agency on November 2, 2011.

**A. Roll Call**

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

Also Present: Ed Mead, Planning and Zoning.

Absent: Michael DeGrego and Sally Lee.

McNamee 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-11-048: 45 James Street, Susan Ashelford** – proposed 3<sup>rd</sup> floor addition with 2<sup>nd</sup> and 3<sup>rd</sup> floor decks, a balcony and stairs for a single family home with construction within 100' of a wetland in the South Central Shoreline Watershed.

This item is on the agenda for the first time and can be discussed at the next regular meeting.

2. **Violation 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.

MaryRose reported that she issued a violation to Chris Barretta of Barretta Realty Associates, the property owner of 945 North Street and John Kirkham of English Landscaping Services who is renting a portion of the property for work within 150' of wetlands associated with Flax Mill Brook in the Wepawaug River Watershed. Mr. Kirkham is utilizing the rear of the property for temporary storage of woodchips, cut wood, cut trees and material. She visited the site on 10/31/11 and spoke with Mr. Kirkham who stated he did not know there were permitting requirements on the site. Mr. Kirkham said that he would begin moving material and install a silt fence on the rear of the property. Mr. Kirkham stated he would call for an inspection on or about 11/9/11 and hoped to have all the material moved and silt fencing installed within 2 weeks.

She recommended that the Agency uphold the Cease and Restore order and modify it to require the material be removed from the regulated area by 11/16/11. Permits should be applied for prior to any future use of the Regulated area on the site.

The following motion was made by Connors and seconded by Cegan:

That cease and restore order IW-V-11-049: 945 North Street, be upheld and modified to require the property owner or party responsible to remove the material located in the Regulated area, stabilize the site and install proper soil erosion and sedimentation controls by 11/16/11

The motion carried unanimously.

## **E. Old 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. Mitigation is ongoing.

MaryRose reported that this is the violation on Westmoor Road. The Agency ordered that Mr. Field post a mitigation bond and that the site be monitored by a professional wetland scientist/soil scientist with 4 inspection reports and recommendations to the Agency in the first year and a minimum of 2 inspection reports and recommendations in years 2 & 3. If the site is not stabilized by year 3 the bond may be held until such time as the site meets the design criteria. The bond can be released after review and approval of the final report by the MIWA after 3 years of monitoring in September 2014.

MaryRose visited the site on October 26<sup>th</sup> with Otto Theall the weather was clear and seasonable. Mr. Theall's report was distributed this evening. Mr. Field has removed the knotweed several times and has replanted the mitigation area which has grasses coming up and has been mulched with hay. Erosion controls are in place on the site. Mr. Theall's report is the first of the 8 reports required for the site by your order. There is no action required of the Agency at this time.

- 2. IW-V-11-033: 89 Pond Point Avenue, Two Ninety-Six, LLC** – deposition of silt in and within 100' of a wetland or watercourse in the South Central Shoreline Watershed. Information to be submitted by 10/5/11.

MaryRose reported that this is a violation issued to Angelo Lisi of Two Ninety-Six, LLC for deposition of silt in a wetland and 100' upland review area. The MIWA issued a permit for a 3-lot subdivision with 1 existing house on this property. During construction there was a problem with erosion of material from the site adjacent to and in the inland wetland through to another property. She

issued the Cease and Restore order on 9/15/11 and the Agency upheld and modified the order on 9/21/11& 10/5/11.

By the 10/19 meeting both lots had been final graded seeded and hayed and sodded as shown on the approved plan. Sod was also installed in the swale at the rear of Lot 2. Since 10/19 we have had an additional 1.9" of Rain and 4" of snow. She inspected the site on 11/1/11 and found the site to be stable. The sod seems to be taking and the grass is coming up in the seeded areas of both lots 1&2 and the bio-retention basin was holding water.

MaryRose spoke to the builder's attorney George Adams who stated that the Lot 1 was sold on 11/1/11 and she verified through the City Clerk's records that the wetlands notification and maintenance requirements for the bioretention basin had been added to the property deed and asbuilt plan submitted for record.

She recommended no action at this time. The grass and bioretention areas should have sufficient coverage by the next meeting.

3. **IW-A-11-015: 142 West Town Street/Spring Lane, Ron Standish** – proposal for a 2 lot subdivision with 1 existing house with construction and grading within 150' of a wetland in the Wepawaug River Watershed.

MaryRose reported that this is a proposal by Ron Standish for a single family home with construction for the house within 11' and grading within 1' of an inland wetland. Mr. Standish is proposing a slab on grade house with no exit to the rear. MaryRose briefly reviewed the plans, oriented the site and recommended that the Agency schedule a site walk to view the proposed location of the house and site work.

A motion was made by that a site walk be scheduled for application IW-A-11-045: 142 West Town Street/Spring Lane, on Monday November 14th, 2011 at 4:15 PM. The motion was seconded by Cowden and carried unanimously.

## **F. Minutes**

A motion was made by Connors, seconded by Higgins to accept the minutes of the 10/19/11 meeting as presented and carried unanimously.

## **G. Committee Reports**

- Bylaws, Regulations & Procedures committee. (Justin, Al, Steve) Margeson reported that they met on 10/20 and continue to work on definitions and the fee schedule and are meeting again tomorrow 11/3 at 2 pm.
- Communications & Education committee. (Cathy, Jim, Michael) No Report.
- Commissioners' Training committee. (Ken, Jon, Sally) No Report.

**H. Staff Report**

- Just a reminder that the CACIWC Annual meeting is scheduled for Saturday, November 12 at Mountainside in Wallingford. It is an all day event with 12 workshops and DEEP Commissioner Daniel Esty as the keynote speaker. Commissioners Cegan, DeGrego, Higgins, Lee, Margeson and MaryRose are going.
- West Ave Sewer Fucci Construction is complete waiting asbuilt.
- East Broadway pump station project is ongoing.
- East Broadway interceptor is ongoing.
- Subway parking lot expansion is ongoing.
- West Avenue and Gulf Pond pump station projects are ongoing.
- Indian River Interceptor is ongoing.
- Prospect Falls is ongoing.
- CVS is ongoing.
- Westmoor Road lots are ongoing.
- Please remember to call or email if you are unable to attend a meeting.

**I. Chairman's Report**

McNamee asked about the recent training. Margeson reported that he, DeGrego and Lee attending the training last week and the session was field work. He stated that it was fun and nice to see things first hand.

There is a site walk on 11/14/11 at 4:15 p.m. on West Town Street.

The next regular meeting will be on 11/16/11 at 7:30 p.m.

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.