

Minutes of the Regular Meeting of the Inland Wetlands Agency on July 02, 2014.

A. Roll Call

Present: Allan Cegan, Cathy Collins, Jim Connors, Dave DeFlumeri, Lily Flannigan, and Steve Munson.

Absent: Ken Cowden, Carol Dunn, Richard Lutz, Brendan Magnan and Justin Margeson.

Also Present: MaryRose Palumbo and Lisa Streit.

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

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.



D. New Business

1. **IW-A-14-031: 631 Orange Avenue, YMCA** – proposed parking lot expansion with work within 100' of a wetland in the Indian River Watershed.

MaryRose reported that this item is on the Agenda for the first time and can be discussed at the next meeting.

E. Old Business

1. **IW-V-13-022: 37 Lakeside Road, Brad Frederick & Britnei Artz** – clear cutting trees and stockpiling material without a permit within 100' of a wetland and watercourse in the South Central Shoreline Watershed. Work to be completed by 6/16/14.

MaryRose reported that she visited the site at 37 Lakeside Road at 9:15 am on 7/2/14. The weather was clear and seasonable. The site is unchanged from her 6/26/14 walk. Plantings are in place although some are showing signs of stress. The Northwestern most Cherry Tree had more brown leaves then the 6/26/14 visit. The Rhododendrons leaves are curled like they have not been watered. A sprinkler is on top of the slope but no hose is attached to it.

The outstanding items are the posting of the mitigation bond and the monitoring reports which will be due twice a year for three years.

The Agency Order required the Fredericks to:

- *Remove debris to include but not limited to construction debris, limbs, leaves and yard debris to eliminate fire hazard and ensure slope stabilization as well as proper slope for survival of plantings by July 2, 2014; Some debris remains visible buried under the leaves and topsoil surrounding the plantings.*
- *Install plantings and erosion controls per modification of the planting plan submitted 4/16/14 to consist of:*
 - *40 bushes of 4 different varieties 3-5 gallon in size Installed by 6/26/14*
 - *Installation of 6 trees measuring a minimum of 1.5-2" inches in diameter each (measured 6" above root ball.) B & B Installed by 6/26/14*
- *Failure of the plants to thrive or survive will require that they be replaced and monitored with reports to the MIWA twice a year for three years. Outstanding*
- *A mitigation monitoring bond of \$5,000 equal to the amount for the purchase, installation and monitoring of the plantings to be returned upon receipt of the third successive year's final reports stating area is stabilized and plants are thriving. Outstanding*

There is an order in place requiring work to be done by 7/2/14. The Agency can modify the order or if there has not been compliance by 7/2, refer to the City Attorney's office.

Connors stated that if the plants are stressed, it is hard to come back from and crucial for them to have been watered this week.

MaryRose reviewed/oriented the pictures taken from today. The photos show the stressed cherry tree with brown leaves, a rhododendron with stressed leaves, a brick exposed in the open soil on the slope with no erosion controls and a photo of the group of plantings.

Connors stated that he felt the bond should be posted to ensure the slope can be stabilized and the plants can be replanted if they are not taken care of.

Collins stated that concerns are that they are not maintaining the plantings and that they will die leaving the slope open to fire and erosion, impacting the pond.

Cegan stated that he feels that they need to post the bond to ensure compliance.

Munson stated that he feels that they need to post the bond and water the plants.

Collins stated that the site is somewhat stabilized but still has concerns with fire hazard, erosion and debris getting to pond.

DeFlumeri asked about the process of referring a violation to the City Attorney's Office. Flannigan asked if a violation is put on the deed.

MaryRose stated that she had recorded the violation on the Land Records. If a title search is done on the property the prospective buyer or bank will be aware of the issue before they take possession of the property.

Collins stated that the stabilization is not complete, S & E control measures are not in place and there is no bond.

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

That cease and desist order IW-V-13-022: 37 Lakeside Road, be referred to the City Attorney's office for lack of full compliance.

The motion carried unanimously.

F. Minutes

A motion was made by Connors, seconded by Munson to approve the minutes of 6/18/14 as presented and carried unanimously.

G. Staff Report

MaryRose reviewed and approved a modification *1595-1645 Boston Post Road, application this week. Modifying the location of the detention basin to allow a greater width between the basin and Tumble Brook*

She is working with the Conservation District on 319 grant funds for stormwater retrofits in the Wepawaug River Watershed.

- Sanitary Sewers Infills No 2 (Plains Rd/Shelland St/High St/White Oaks Ter) is ongoing.
- Grove St Pump station and sewer project final paving and planting should be soon.
- Indian River Interceptor has started mobilization.
- Sanitary Sewer Infill's No. 1 area is stabilized – waiting on asbuilt
- Cascade Blvd- Garden homes is complete and the asbuilt has been received
- Way Street is ongoing, Mr. Field has been told to keep the street swept the drainage is installed and work is ongoing.
- Burnt Plains Rd is ongoing – rain gardens have been dug but are not yet planted. MaryRose spoke with Scott Farquharson from Baybrook and he said the Church will be working on the planting and stabilization. He also said they did not have a CO yet – but there were photos in the paper of children in the building with a pool table etc.
- Westmoor Road has started clearing, E&S going in this week.

Please remember to call or email if you are unable to attend a meeting.

H. Chairwomen's Report

Collins reminded all to stay on topic and follow the Rules of Order.

DeFlumeri had a question about conflict of interest. He formerly was on the YMCA board of Directors, but feels that he can be impartial on their application.

Collins thanked him for noting the potential conflict. As long as he feels that he can be impartial and notes the former association on the record when the application is discussed it should be ok.

The next regular meeting will be on 7/16/14.

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.