

MINUTES  
INLAND WETLANDS AGENCY  
October 27, 2010 - 7:00 P.M.  
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Sutphen, Block, Ashworth, Furlong, Williams  
Staff: Jones, Silsby

The meeting was called to order by Acting Chairperson Sutphen at 7:00 p.m.

II. PUBLIC COMMUNICATIONS

Joan Smith, GOSA, 358 Mohegan Road, summarized and distributed comments regarding the zoning regulation text amendment referral. A report from Steven Trinkhaus, P.E. was also distributed.

III. APPROVAL OF THE MINUTES OF October 13, 2010

MOTION: To approve the minutes of October 13, 2010

Motion made by Williams, seconded by Ashworth, so voted unanimously

IV. NEW APPLICATIONS

1. New Applications – None.

V. PENDING APPLICATIONS

1. Palmer Residence, 0 New London Road

It was noted that the Agency site walk was held yesterday October 26, 2010. Ashworth stated that he walked the site on his own on Monday October 25, 2010.

Attila Keller, the Applicant, reviewed the proposal to build a house on the property. He submitted a letter written by Soil Scientist Richard Snarski, which stated the drainage ditch off of Route 1 is not an intermittent water course. Keller explained what changes to the plans have been made. Discussion followed about the required 50 foot buffer. Staff stated that the wetland boundary is accurate.

Staff reviewed the wetlands on the map stating that in the field, it is difficult to see where the uplands begin or end. She noted that the drainage ditch is not on the subject property. She added that the runoff is from Route 1.

A concern was raised about yard waste being dumped into wetlands by future homeowners. Staff suggested that large boulders could be placed on the property to delineate the wetlands border. The Agency also discussed changing the size and location of the house as well as applying for a variance to shift the house away from the wetlands. Concerns about how “wet” the land at the back of the property is, was brought up. It was also noted that the Agency could “condition” this permit with language stipulating that “no building within 40 feet from the edge of wetlands would be permitted”. The Agency and Staff reviewed the wetlands and setbacks on the map.

Philip Palmer, Administrator for his parents' Estate, Luther and Bernice Palmer spoke about his and his mom's involvement in protecting the environment. He spoke about the difficulties that have arisen in trying to settle his parents' estate which include trying to sell this property. He believes that Keller has made a reasonable proposal and asked the Agency to approve the plan. Keller explained what he has done to address protecting the wetlands.

Protecting the wetlands now and in the future is a concern of the Agency. Discussion ensued about keeping with wetland regulation buffers. Alternatives were suggested relative to allowing a 40 foot buffer and installing large boulders to delineate the wetland boundary. A suggestion was made to install a stone wall 5 or 10 feet from the edge of the wetlands to keep the wetlands from further encroaching. This wall would protect the rest of the wetlands for years to come.

MOTION: To table this item until the next regularly scheduled meeting on November 10, 2010.

Motion made by Block, seconded by Ashworth, so voted unanimously.

## VI. NEW BUSINESS

### 1. Wetland Regulation Amendment Discussion

Staff distributed draft wetland regulation amendments developed, based on the Agency's June discussion. She reviewed the application process. The amendments were reviewed individually by Staff and pros and cons were discussed. She suggested the Agency take time to review them before the next meeting.

The Agency focused on Section 11, which allows staff to grant permits under specific conditions. They suggested additional language to make it clear that this would only be done for accessory uses on a lot. They reviewed the reporting requirements.

Agency members inquired about various sections of the regulations. Discussion ensued about allowing Staff to approve extension permits and pros and cons were discussed. Staff asked members to bring potential language changes to the next IWA meeting on November 10, 2010.

### 2. Zoning Regulation Text Amendments – Zoning Commission Referral

Staff explained that this is not a mandatory referral. She reviewed the proposed changes and definitions.

Furlong brought up the topic of Low Impact Development and a rain garden. She asked about the definition for "Mean Sea Level", which refers to 1929 datum.

Furlong spoke about requiring a more complex erosion control plan and would prefer to use the word "shall" instead of the word "may", to strengthen the importance. Other sections pertaining to the same wording were brought up.

Staff stated that a Zoning Commission public hearing for the Zoning Regulations will open on December 1, 2010. Staff distributed a draft motion to the Agency, which is to be reviewed and brought back to Staff with comments at the Agency's November

meeting. She stated that the full text of the current zoning regulations is available on the Town's Website.

3. Report of Chair

Sutphen attended the Committee of Chairpersons Meeting on October 18<sup>th</sup> and gave a brief recap of what was discussed.

4. Report of Staff

Staff reported that the asphalt shingles on the Wal-Mart site will soon be removed.

Staff spoke about calls she has received from residents on Allyn Street regarding filling on a rear lot behind their properties. They are concerned that the activities could change the drainage patterns in the area. There appears to be wetlands on the rear property although it is unclear whether any regulated activity has taken place. Staff has sent a letter advising the property owner of the wetland regulations. If the work continues, she may issue a Notice of Violation.

Staff received a call from a resident on River Road who is concerned about the pace of the restoration of the bridge. It appears that there is asphalt in the wetlands and the resident is looking for assistance from the Wetland Agency. Staff noted that Public Works is developing a permit application to repair the bridge and remove material from the wetlands and Haley Brook.

Staff distributed brochures and newsletters.

VII. ADJOURNMENT

Meeting adjourned at 8:46 p.m.

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Barbara Block, Secretary  
Inland Wetland Agency

Prepared by Robin Silsby  
Office Assistant II