

MINUTES
INLAND WETLANDS AGENCY
OCTOBER 14, 2009 - 7:30 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

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

The meeting was called to order by Chairman Scott at 7:30 p.m.

II. PUBLIC COMMUNICATIONS

Sydney VanZandt, 3 Front Street, read a letter on behalf of Joan Smith regarding the upcoming wetland amendments. She submitted some wetland examples from Newtown, CT and requested that these regulations be considered when amending Groton's Wetland Regulations.

III. APPROVAL OF THE MINUTES of September 23, 2009 and October 7, 2009

MOTION: To approve the minutes of September 23, 2009 as amended.

Sutphen requested to amend the minutes to include her inquiry about clear cutting at the corner of Fishtown Road and Route 1.

Motion made by Sutphen, seconded by Ashworth, so voted 5 in favor, 1 abstention (Williams). Motion Passed.

MOTION: To approve the minutes of October 7, 2009.

Motion made by Sutphen, seconded by Ashworth, so voted 5 in favor, 1 abstention (Williams). Motion Passed.

IV. NEW APPLICATIONS

Matthew Maynard, Project Engineer of Towne Engineering, Inc explained his previous request to the Agency to construct a building and an office at the Long Meadow Landing subdivision on South Road. Maynard explained that the owner wants to clean up the pond. He proposed removal of these invasive species and explained the method he would use to accomplish this. Maynard stated that he is also asking to remove the existing chain link fence and replace it with cedar fencing and to replace an existing dock.

Discussion ensued about eradicating invasive species and the type of method that would be most effective. Bittersweet currently exists on the property and Phragmite is embedded in the pond. Maynard noted that equipment might be needed on site to remove the old fence that is cemented into the ground. He added that he will be working with abutting property owners while removing vegetation.

Staff stated that this application was just received on October 13, 2009 and staff review has not been done yet. Members will view the property individually.

MOTION: To classify as a minor application

Motion by Sutphen, seconded by Williams, so voted unanimously.

V. PENDING

1. Whittles Earth Processing Facility, 0 Yetter Road, Mystic

Rick Whittle and Paul Biscuitti of DiCesare Bentley Engineers, were present for this application.

Staff reviewed the application and stated that staff review has been done. She added that the excavation will be done in phases.

Biscuitti stated that approximately half of the 77 acres is currently being utilized as a gravel excavation site. He explained that the Whittles Family Excavation predates zoning regulations and he is required to submit an application for a special permit and a wetland permit to expand the current excavation area. He explained that most wetlands within the active excavation area are manmade. He is asking to alter three wetland areas. He identified specific "cells" and details were given about what a stable slope might look like if future applications were not made to expand the excavation site. He reviewed the method of handling surface and ground water in each cell.

Staff noted receipt of James Cowan's letter dated October 6, 2009 and noted that the manmade wetlands eventually do runoff into a natural wetland. She explained that she would like to see graphic depiction of a typical cell and cell slope.

MOTION: To approve the Whittle Earth Products Facility application for the following reasons:

1. The wetlands to be disturbed are man-made drainage ditches created to carry surface and groundwater away from the existing excavation.
2. New drainage ditches will be created as part of the proposed excavation.
3. The wetlands associated with Haley Brook on the east side of the property will not be disturbed as part of this application.

This permit is subject to the four standard conditions and the following additional condition:

1. A detail of typical cell stabilization as described in the operation plan shall be placed on the plan.

Motion made by Sutphen, seconded by Ashworth, so voted 5 in favor, 1 abstention (Block).

2. Four Paws Veterinary Clinic, 117, 151 & 159 Cow Hill Road

Staff stated that this item is being continued because staff review has not yet been done.

3. Electric Boat Building 775 Demolition, 456 Poquonnock Road

Staff stated that this item is being continued and that staff review will be done next week.

VI. OLD BUSINESS

1. Petri Property, 71 Pequot Avenue, Show Cause Hearing (Continued)

Staff gave the specifics of the order and explained that the area has been mowed. The property owner has been ordered to allow the vegetation to grow back. She noted that the property is still on the market. She referred to her communication with the Town Attorney who stated that the Agency cannot order the property owner to improve the wetland, but only to order them to restore it as it was. Discussion ensued about the current status at the site.

MOTION: To close the Show Cause Hearing

Motion by Sutphen, seconded by Ashworth, so voted 5 in favor, 1 abstention (Williams).

MOTION: To uphold the Order to let the area grow back as it was with the additional recommendation to encourage the property owner to work with Dr. McBride regarding the planting of the wetlands. The Agency noted that they would review any proposed plantings beyond what is required by this Order.

Motion made by Sutphen, seconded by Ashworth, so voted 5 in favor, 1 abstention (Williams).

VII. NEW BUSINESS

1. Meeting schedule for 2010 Inland Wetland Agency

Discussion ensued about changing the beginning time of the meetings to 7:00 p.m. instead of 7:30 p.m.

MOTION: To adopt the 2010 Inland Wetland Agency meeting schedule with a new starting time of 7:00 p.m. for all meetings held in 2010.

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

2. Report of Chair

Scott reported that he contacted the property owner on the corner of Fishtown Road and Route 1 to ask about the recent mowing. The property owner stated that the state DOT had mowed the area. Staff noted that similar mowing has occurred on Route 1 near Fort Hill Brook. The Agency asked staff to contact DOT and ask them to limit mowing near watercourses.

Furlong reviewed a newspaper article regarding Stonington developers not completing permitted work within the appropriate timeframe and suggested that if a developer requests an extension, the required bond should be reviewed to ensure that the bond amount is accurately set. The Agency concurred. Staff explained the current process.

Furlong reviewed a notice regarding the Ledge Light Health District's (LLHD) proposal to impose a fee on property owners in the region who have septic systems which were installed prior to 1982. This would identify exactly where the septic systems are located and would stipulate that they be pumped out every five (5) years and she felt the Agency should support this proposal. Staff will get the official LLHD proposal and distribute it to the Agency for a future discussion.

Ashworth expressed concerns about construction on the corner of River Road and Bindloss Road. Staff stated that the work is adjacent to tidal wetlands which have been flagged. She noted that the State regulates those activities and that no permit is required. It was noted that sewer lines and utilities are being installed. Staff will inspect the silt fence.

Staff gave an update on the Crandall Property located at 0 Lambtown Road. She explained that the owner has hired a surveyor and soil scientist to identify wetlands that have been filled. Once a base plan has been prepared, the surveyor will come back to the Agency before working on a restoration plan.

Furlong believes that the shed on the property located at 22 Swan Lane has been moved and is no longer close to the wetlands but is inquiring if the new location is suitable. Staff will look at the property and confirm that the concrete pad has been removed.

3. Report of Staff – None.

VIII. ADJOURNMENT

Motion to adjourn at 8:52 p.m. by Sutphen, seconded by Block, so voted unanimously.

Barbara Block, Secretary
Inland Wetland Agency

Prepared by Robin Silsby
Office Assistant II

DRAFT