

MINUTES  
INLAND WETLANDS AGENCY  
JUNE 9, 2010 - 7:00 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 Chairperson Scott at 7:02 p.m.

II. PUBLIC COMMUNICATIONS – None

III. APPROVAL OF THE MINUTES OF May 12, 2010

MOTION: To approve the minutes of May 12, 2010

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

IV. NEW APPLICATIONS

1. Drozdyk Drive Sidewalk

Town Engineer Colin Kelly reviewed the plans to install a 5-foot wide, 540 foot length bituminous sidewalk along the west side of Drozdyk Drive. No wetland filling will be done and there will be no impact to wetlands. He stated that the work will be within 10 feet of wetlands, which has been marked out by Soil Scientist Rich Snarski. Kelly reviewed the wetland areas. The walk will complete the sidewalk network along Drozdyk Drive.

MOTION: To classify as a minor

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

2. East Farm Subdivision, 500 Noank Road

Staff explained that one house has been built on the 5 lots and the permit has expired.

Michael Franklin explained that the slow economy has had a negative impact on this project. He noted that the Planning Commission has approved a three-year extension and that bonds are still in place.

Staff stated that this permit expired in December 2009. She reviewed the driveway extension and the location of water and sewer lines. The property has a mix of inland and tidal wetlands.

MOTION: To classify as a minor

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

V. PENDING – None

VI. OLD BUSINESS

1. Wetland Remediation Plan, 0 Lambtown Road – Preliminary Discussion

Present for this discussion were Surveyor JP Mereen of Gerwick Mereen, John Ianni of Highland Soils, and Attorney Eric Janney.

Staff stated that Crandall is making very slow progress in preparing a remediation plan. She stated that Attorney Janney is here to represent Mr. & Mrs. Wilson, owners of the abutting property, which is the subject of an additional enforcement order.

Mereen reviewed a map showing flagged wetlands around the work area and along the new woods road. He noted the area where the road crossed over onto the Wilson property. The plan also shows contours taken from the Town's GIS maps as well as field verified contours. He reported that the wetland pockets, as shown on old subdivision plans, have not yet been located.

Staff reviewed the points of the enforcement order. John Crandall, the property owner, was required to stop filling wetlands, establish wetland boundaries as they exist today as well as how they existed prior to the start of work, and to present a restoration plan for the wetlands and regulated area to the Agency for approval. The order was issued in August 2008.

John Ianni reviewed the wetland flagging as shown on the Mereen map. He presented a report describing the wetland resources as well as a plan to restore the area. He believes that the area 50-feet beyond the wetland boundary should be restored. He noted that one of the wetland pockets is probably underneath a stock pile. Moving the stockpile so the area can be investigated presents a zoning issue as Mr. Crandall has been issued a cease and desist order for numerous zoning violations. Ianni believes that the wetland areas along the woods road can easily be restored simply by removing the fill. The fill near the largest wetland, shown as area 1 on Mereen's map is more complicated. Ianni proposes to remove fill until all of the wetlands are uncovered rather than trying to establish the boundaries by digging test pits. He will review the area once the fill is removed before proposing a restoration plan. This area may require more than 50 feet of restored uplands.

Staff noted that excavating the fill and stockpiling it on the property is an issue to be discussed with the Zoning Enforcement Officer. Removing portions of the woods road could also impact the zoning enforcement order as it could leave portions of the illegal fill inaccessible. She would like to review Ianni's report and then meet with the Zoning Enforcement Officer, JP Mereen, John Ianni and Planning Staff to coordinate the wetland remediation with the requirements of the zoning order. At that point, the wetland remediation plan would be brought back to the Agency for approval.

The Agency discussed the merits of taking fill removed from the wetlands off site versus stockpiling it on site. Scott felt that it should be taken off site. Sutphen thought it would expedite the remediation to allow it to remain stockpiled in an area that doesn't impact the wetlands.

Attorney Janney stated that the Wilsons would give Crandall permission to enter their property for the purpose of remediating the wetlands. He noted that the Wilson's

show cause hearing had been continued to the June 23 meeting and he may ask that it be continued until the Crandall remediation plan has been approved.

Mereen will submit a map showing the wetlands on the property to be attached to Ianni's plan. Staff will coordinate a review of the plan with the town's zoning officials.

## VII. NEW BUSINESS

### 1. Report of Chair

Sutphen suggested that another construction entrance might be needed for the Town's End property across from Beebe Cove, also known as the Library Hill Subdivision. Staff will look into this.

Staff explained that temporary stabilization measures have been done adjacent to Eccleston Brook off Fishtown Road, just south of Route 1. Repaving is expected to begin in August. The level of stabilization was discussed. A site walk was scheduled for Monday June 14, 2010 at 11:00 am at this site. Williams noted that she will not be able to attend.

The subject of emailing IWA agenda packets to all members instead of mailing them was discussed. The Agency was very much in favor of this new method of distributing agenda packets. It was decided that if the packets are large and include public hearing materials, the packets would be mailed through the postal system instead of being emailed.

Staff stated that the July 14, 2010 IWA meeting has been cancelled.

### 2. Report of Staff

Staff reviewed the upland review regulatory processes of other Connecticut towns. Several town's have revised their definition of regulated area to include a larger upland review area along sensitive watercourses. Others have added a definition of "wetlands of special concern" and have modified the definition of upland review area. Staff suggested increasing the upland review area to 200 feet along watercourses in the Water Resource Protection District and to 150 feet along all others. She would like to include a map of the watercourses in the regulations. She will put together some draft language for Agency review. The pros and cons to giving Staff more authority were discussed. Staff noted that several towns define a very narrow range of activities that could be approved administratively. She will provide some samples for Agency review.

## VIII. ADJOURNMENT

Meeting adjourned at 8:20 p.m.

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Barbara Block, Secretary  
Inland Wetland Agency

Prepared by Robin Silsby  
Office Assistant II