



INLAND WETLANDS AND WATERCOURSES COMMISSION

Minutes of Regular Meeting of
Wednesday, May 11, 2016

I. Administrative

- 1.1 Quorum was recognized and Arnie DePascale, Chair opened the meeting at 7:00 pm. In attendance were Arnie DePascale, Richard Alden, Robert Wilson, John Turnier, , Richard Miller for Dominick Lucenti, and Barbara Dahle for Linda Kobylarz. Beverly Jackson, Recording Clerk.
The meeting was recorded in its entirety and is available in the Town Hall.
- 1.2 MOTION Miller, seconded Turnier, to approve the minutes from April 27, 2016 regular meeting as submitted; unanimously approved.
- 1.3 Review General Communications:
 - a. Email from Cheryl Byrnes dated May 10, 2016 to withdraw application for 26 Strong Street and 4 Rowe CT., and resubmit when appropriate with fee waived at that time.
 - b. 2016 Municipal Inland Wetlands Agency Comprehensive Training Program Brochure and registration form. This is now an on-line program to receive certificate.
 - c. Letter from Connecticut Pond Services, Application for permits to apply aquatic pesticide in Lake Garda, Monce Road, Dated April 15, 2016, from Richard Bobowick.
 - d. Connecticut Wildlife Magazine March/April 2016.
- 1.4 Agent Report(s):
 - a. Pre-Activity Review(s) - None
 - b. Permit Transfers - None
 - c. IWWC Agent Approval(s) –
Inland Wetlands Enforcement Officer, Rista Malanca reported the following;
Date: May 11, 2016
Met with Board member from Lake Garda to discuss 3 areas that are causing erosion into the lake. The areas need to be addressed. The work will require a Wetlands Permit from the Commission. Lake Garda Association will be putting together detailed plans on what they would like to do then they will submit a wetlands application. They feel that the Town drainage is causing some of the erosion; I have asked the Highway Manager to take a look and address any issues that may be related to Town drainage.
Issued an agent determination for piers for a pergola within the regulated area at the Greenhouse Restaurant. The piers are approximately 75' from the wetlands.
We received a complaint from a resident on Turner Lane regarding a wetlands permit that was issued over 3 years ago. I met with the resident and his concern is that the Wetlands Commission gave him permission to use the road. I explained that the wetlands commission can only look at projects with the narrow focus of what the impact will be on the wetlands. The Wetlands Commission cannot give or take away any rights the property owner may/may not have. All work done has been permitted by the Commission and no new work has started. Whether or not he has the legal right to use Turner Lane is a Civil Matter not a wetlands matter
Received a call from the Wetland Chairman regarding trees being clear-cut at 222 Jerome Ave. Did an inspection of this property and in fact many trees have been cut down. There was no equipment in the yard at the time of my inspection and the stumps were still in place. The trees were laying on the ground. The area has been clear cut and is definitely within the Regulated Area and likely within the wetlands. A Cease and Desist Order will be issued and a show cause hearing has been scheduled for your next meeting.
Wrote a favorable report to Planning and Zoning for a 2-lot re-subdivision with NO Regulated activities. The Commission issued a permit for 9 lots in 2005 and then modified the permit to be 5 lots due to zoning requirements. This re-subdivision would be 6 total lots – 5 of which are already approved. All activities are 100's of feet away from the wetlands. All conditions of the prior permit have been met.



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II. **Citizen Comment** –

Earnest McLaughlin of 23 Turner Lane, spoke of his continuing issues. Rista Malanca did meet with Mr. McLaughlin on Friday, April 29, 2016, and it is documented in her report. The commission is requesting to re-visit this issue from Orchard Lane. The other issues were suggested to be taken to planning and zoning.

III. **Old Business** - None

IV. **Public Hearing(s)** - None

V. **New Business** – None

- 5.1 2016-002 Byrne Garage – Rowe Court #44 - Application withdrawn, will re-apply when appropriate with fee being waived.
- 5.2 2016-003 Byrne SFD Strong Street #26 - Application withdrawn, will re-apply when appropriate with fee being waived.
- 5.3 2016-005 Hagan – New Single Family Dwelling -122 Stone Road,
MOTION made, seconded and passed (Miller/Wilson) that there is no significant impact on the wetlands.
MOTION made, seconded and passed unanimously to approve application, permit granted with 5 standard conditions, (Miller/Wilson).

VI. **Other Business Proper to Come Before the Commission:**

- 7.1 Pesticide – Arnie Depascale will further speak with the DEEP.
- 7.2 Enforcement/Concerns:
 - A. Turner Lane – Ernest McLaughlin, Discussed in Citizens Comments
 - B. 222 Jerome Avenue property discussed – Cease and desist order has been issued, and a show cause hearing scheduled for next meeting.

VII. **Staff/Commission Comments** – None

VIII. **Adjourn** - MOTION made, seconded and passed to adjourn the meeting at 8:37 PM. (Wilson/Miller)

Respectfully Submitted for the Commission,

Beverly Jackson
Secretary, IWWC