

INLAND WETLANDS & WATERCOURSES AGENCY

REGULAR MEETING

Monday, November 16, 2020 – 7:00 P.M.

In accordance with Governor Lamont's Executive Order and social distancing guidelines recommended by the CDC, members of the IWWA participated in the meeting via ZOOM online.

MINUTES

- I. **Call to Order:** Chairman Mark Parker called the meeting to order at 7:05 pm.

Chairman Parker shared the protocol on conducting meetings via Zoom online.

- II. **Roll Call:**

Members Present: Mark Parker, Stuart Peaslee, William Rewinski, Marla Butts, Victor Peabody

Members Absent: None

Quorum: Yes

Others Present: Tina Lajoie, Scott Szolusha, Pete Parent, Maureen Olshewski

- III. **Appointment of Alternates (if necessary):** None.

- IV. **Action on minutes of previous meeting of October 5, 2020:**

Request to amend as follows: Amend motion associated with Old Business(a) 08-20-21 John Wypkowski. Replace Marla Butts with William Rewinski as the Agency Member who made the motion to approve.

Motion was made by William Rewinski, and **Seconded** by Marla Butts, to **Approve** the minutes of the October 5, 2020 IWWA meeting as amended. **The motion passed unanimously.**

- V. **New Business:**

- a. 10-20-31 – Phylis M. Gilbert Trustees c/o John Kennison – ~650 English Neighborhood Road – 3 Lot Subdivision

Pete Parent of CHA, who was in attendance representing the applicant, stated the applicant is seeking permission to prepare the septic areas so they are code compliant with public health codes. The property does not have the requisite four feet of existing soil above bedrock needed to design a septic system. However, the CT public health code allows in areas where there are at least two feet of naturally occurring soil to supplement that existing soil with select fill to make the areas compliant. Clearing will take place at the far western and far eastern lots; constructing an access drive, and place between 1-2½ feet of septic fill over existing soils to make the proposed septic system areas code compliant. Mr. Parent confirmed IWWA initial approval is needed to complete the work in the upland review areas before NDDH approval and before proceeding with Planning & Zoning Commission consideration.

Further discussion ensued regarding type and size of septic systems. Marla Butts recommended increasing the size of the septic tank to help maintain the integrity of the Mantis system.

Motion was made by Marla Butts, and **Seconded** by Stuart Peaslee, to **Accept** the Proposed Subdivision with the understanding the applicant will return to the IWWA for individual wetlands approval for Lot 1 and Lot 3 prior to any initiation of construction and that septic tanks be

increased in size to at least 1,500 gallons for application number 10-20-31 – Phylis M. Gilbert Trustees c/o John Kennison – ~650 English Neighborhood Road – 3 Lot Subdivision. **The motion passed unanimously.**

Ms. Lajoie stated she will forward the minutes of this meeting to the Planning & Zoning Commission for its reference.

Motion was made by **Marla Butts**, and **Seconded** Stuart Peaslee, to **Return** the application fee associated with 10-20-31 – Phylis M. Gilbert Trustees c/o John Kennison – ~650 English Neighborhood Road – 3 Lot Subdivision as no legal notice was necessary on the application. **The motion passed unanimously.**

- b. 10-20-32 – George Harakaly – 10 Loyola Road Ext. – Replace existing wall with concrete wall on same footprint

Tina Lajoie visited the site and indicated the Quasset Lake Association noted they are more in favor of this proposed work versus the previous application submission as it is more in line and less disruptive to the area.

Stuart Peaslee noted the proposed wall shows a depth of four inches below the lake bottom on a new base. Mr. Peaslee recommended the applicant identify on the final plan that materials to be used will be reinforced concrete with wire mesh. Ms. Lajoie will forward this suggestion to Mr. Harakaly.

Motion was made by William Rewinski, and **Seconded** by Marla Butts, to **Accept** and receive for consideration at the next meeting application 10-20-32 – George Harakaly – 10 Loyola Road Ext. – Replace existing wall with concrete wall on same footprint. **The motion passed unanimously.**

- c. UP10-20-34 – Use Permitted as of Right – Muddy Brook Fire Department Inc. – 72 Chandler School Road – Install dry fire hydrant into present fire pond

Agency members reviewed aerial images of the pond online and discussed the location and its designation as a use permitted as of right.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Approve** UP10-20-34 – Muddy Brook Fire Department Inc. – 72 Chandler School Road – Install dry fire hydrant into present fire pond as a use permitted as of right. **The motion passed unanimously.**

- d. UP10-20-35 – Use Permitted as of Right – Davis, George & Barbara, 1814 Route 171 – Timber Harvesting

Tina Lajoie stated she followed-up with the applicants requesting additional information on the specific location of the timber harvest. The applicant clarified the timber harvest is occurring on 1825 and 1859 Route 198. Marla Butts noted this is not a regulated activity because they are not clear cutting in an upland review area. Additionally, there is no requirement for a legal notice.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Approve** UP10-20-35 – Use Permitted as of Right – Davis, George & Barbara, 1814 Route 171 – Timber Harvesting on property known as 1825 and 1859 Route 198. **The motion passed unanimously.**

- e. 10-20-33 – Scott Szolusha, 53 Laurel Hill Drive – Install inground pool

Ms. Lajoie stated the lake association is seeking feedback from the IWWA because this installation is proposed within 25 feet of the lake. The application has received health department approval. Ms. Lajoie confirmed she will require an E&S Control Bond and inspect accordingly. Mr. Szolusha confirmed the soils being removed would be disposed of by the pool company.

Motion was made by Stuart Peaslee, and **Seconded** by Marla Butts, to **Authorize** Wetlands Agent Approval on 10-20-33 – Scott Szolusha, 53 Laurel Hill Drive – Install inground pool. **The motion passed unanimously.**

- f. 11-20-36 – Town of Woodstock, Peake Brook Road over Peake Brook – Bridge repair

Marla Butts asked about any change in hydraulics from the old bridge to the new bridge. She recommended that during construction there be pumping to a dirt bag for filtration rather than a pumping settling basin. Pete Parent stated he will forward these recommendations to the design team.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Accept** and receive for consideration at the next meeting application 11-20-36 – Town of Woodstock, Peake Brook Road over Peake Brook – Bridge replacement. **The motion passed unanimously.**

Ms. Lajoie noted a new application, which was received after the meeting deadline. The owner of 155 Paine Road was in attendance via Zoom and stated he has been attempting to restore the pond for Muddy Brook Fire Department. He confirmed the pond is not used for irrigation, and it is his intent to have his animals water from it although it is now dried up.

Chairman Parker noted that a use permitted as of right should be submitted for review and consideration by the Agency. It was requested that no further work be done until the Agency determines if it is a use permitted as of right.

VI. Old Business:

- a. UP11-19-22M – Olszewski, Peter & Maureen, 674 Route 198 – Modification of use permitted as of right

Some Agency members visited the site to view the property and work conducted. Marla Butts concluded the road itself was essential to the farming operation from a safety standpoint. She further added it falls under a use permitted as of right and therefore a permit is not requirement.

Maureen Olszewski stated the property is registered as a farm and taxes are paid accordingly.

Stuart Peaslee referenced the IWWA Regulations, specifically 22(a)-40. Marla Butts clarified that the farming operation does not apply to the section he identified in the regulations and further explained why.

Ms. Olszewski stated she and her husband have no plans to change the use, but if anything were to change in the future, a new application would be submitted.

The Commission took no further action, and noted the owners are on warning that any future work in an upland review area must be brought before the Agency before any work occurs.

- b. 09-20-23 – Noreene Stehlik – 294 Route 198 – Phragmite removal in pond
- c. 09-20-24 – William Stehlik – 1030 Route 198 – Phragmite removal in pond

Tina Lajoie stated that Bruce Woodis, who represents the applicants for applications 09-20-23 and 09-20-24, has requested both applications be tabled to the next meeting, as more research and planning is required.

Motion was made by William Rewinski, and **Seconded** by Victor Peabody, to **Table** 09-20-23 – Noreene Stehlik – 294 Route 198 – Phragmite removal in pond and 09-20-24 – William Stehlik – 1030 Route 198 – Phragmite removal in pond to the next meeting. **The motion passed unanimously.**

- d. 03-20-03 – ND Swadia LLC dba North Woodstock Country Store, 1484 Route 171 – Proposed Automobile Service Station

Marla Butts referenced the resolution form in the meeting packets and two components on the approval. After further research and discussion, it was concluded by the Agency that ND Swadia was in compliance with the two conditions IWWA requested on September 29, 2020. Ms. Lajoie stated ND Swadia will be before the Planning & Zoning Commission on Thursday, November 19, 2020. The public hearing was closed at its previous meeting.

VII. Wetlands Agent Activity Report: Tina Lajoie stated it has been a busy month with new development. She received a complaint on 725 Route 198, which she is looking into and has communicated with the property owner. The owner is claiming he hired someone to remove trees and stumps to be brought to a facility to be mulched. He is currently looking at reshaping the yard with landscaping. A site visit will be scheduled, and she hopes to report back at the next meeting. Mr. Peaslee shared his perspective on the current activity. Ms. Lajoie ended by sharing recent wetlands agent approvals she has granted.

- a. Other Administrative Business¹
 - i. Update on 119 Crooked Trail Extension – Chairman Parker stated the DEEP has completed its due diligence from the information provided in Mr. Frigon’s correspondence and the supporting testing results, all of which were included in the meeting packets. It was noted a letter from the owner of 119 Crooked Trail Extension was received and included in the meeting packets.
- b. Communications: Chairman Parker referenced the municipal alert noting the Governor’s Executive Orders have been extended through February 9, 2021. Information on the CAZEO Land Use Training Seminar was included in the meeting packets. The Eastern CT Conservation District letter was included in the meeting packets.
- c. Bills: None.

VIII. Citizens’ Comments/Other Topics: Ms. Butts noted the large engineering plans that have been included in recent meeting packets and the expense associated with mailing the large packets. Ms. Lajoie stated that plans are also provided electronically and posted on the town website.

The 2021 meeting schedule was reviewed.

¹ Subheadings under Administrative Business may include, as needed, Wetlands Agent Reports, Communications, Bills, Complaints, Investigations, Enforcement, Requests for Permit Extensions/Transfers, Election of Officers, Budget Requests and Other.

Motion was made by Marla Butts, and **Seconded** by Stuart Peaslee, to **Approve** the 2021-2022 meeting calendar as presented. **The motion passed unanimously.**

- IX. Adjournment:** **Motion** was made by Marla Butts, and **Seconded** by Stuart Peaslee, to **Adjourn**. The meeting adjourned at 9:06 pm.

The recording of this meeting can be found here: <https://youtu.be/CkINHPEvZ0E>

Respectfully submitted by Cynthia Brown, Recording Secretary. **DISCLAIMER:** These minutes have not yet been approved by the IWWA. Please refer to next month's minutes for approval/amendments.