

INLAND WETLANDS & WATERCOURSES AGENCY

REGULAR MEETING

Monday, January 11, 2021 – 7:00 pm

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 7:32 pm.

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

II. **Roll Call:**

Members Present: Mark Parker, William Rewinski, Marla Butts, First Selectman Jay Swan (ex-officio)

Members Absent: Victory Peabody

Quorum: Yes

Others Present: Tina Lajoie, Stuart Peaslee, Lawrence Acquarulo, Paul Terwilliger, Greg Favreau, Members of the Public

Due to Stuart Peaslee's resignation on December 31, 2020 and Victor Peabody's absence at the meeting, Atty. Rich Roberts was consulted to determine whether First Selectman Jay Swan could participate as an ex-officio member. Mr. Roberts concluded this would be acceptable to maintain the quorum. As ex-officio, Mr. Swan would be unable to vote.

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

IV. **Action on minutes of previous meeting of December 7, 2020:**

Motion was made by William Rewinski, and **Seconded** by Marla Butts, to **Approve** the minutes of the December 7, 2020 IWWA meeting as presented. **The motion passed unanimously.**

V. **New Business:**

- a. 01-21-01 – Lawrence Acquarulo – 32 Lakeview Drive – shoreline cleanup

Mr. Acquarulo stated the proposed project involves removal of debris from the lake while the water is low, placing a lake mat down for sand to lay on top, as well as placing washed stone to trap sediment going into the lake from street runoff. The project area is roughly 50x75. There will be no digging and no disruption of soils.

After further discussion, it was determined the Agency would accept the application for consideration at the next meeting. The applicant was asked to provide prior to the next meeting the number of cubic yards of sand and stone, and the location of placement for each.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Accept** application 01-21-01 – Lawrence Acquarulo – 32 Lakeview Drive – shoreline cleanup including the placement of sand and stone, part of which is an after the fact permit application, for consideration at the next meeting. **The motion passed unanimously.**

- b. 01-21-02 – Maria Bushey – Laurel Hill Drive – Map 7272, Block 34, Lot B35 – construction of new home, septic, well, and driveway

Land Surveyor Paul Terwilliger was in attendance representing the applicant and provided information on the scope of the project. The lot is small and contains wetlands with a steep slope. The project proposed is a 3-bedroom, multi-story home with a two-car garage. To fit improvements on the lot, approximately 1,500 square feet of wetlands would need to be filled around the building and the driveway. The septic system would be located on the highest point of the lot. Ms. Butts requested Mr. Terwilliger provide a drawing showing how having the garage in the front of the house would not conform to NDDH setbacks, along with other options that would require less filling of wetlands. Mr. Terwilliger will speak to the applicants and provide this information for the next meeting.

Mr. Favreau representing the lake association shared concerns about the project, specifically about drainage and clear cutting. He confirmed the road has overtopped during storm events and that there has been water pooled in the wetlands area proposed to be filled. He offered to speak with Mr. Terwilliger to further discuss the project. Mr. Terwilliger responded to questions from William Rewinski.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Accept** application 01-21-02 – Maria Bushey – Laurel Hill Drive – Map 7272, Block 34, Lot B35 – construction of new home, septic, well, and driveway for consideration at the next meeting. **The motion passed unanimously.**

VI.

Old Business:

- a. UP-11-20-37 – Ronald Petro – 155 Paine Road – restoration of pond – use permitted as of right

Tina Lajoie stated she visited the site Friday and submitted a report with photos, which was shared on screen. Mr. Petro has since halted work on the project per Ms. Lajoie's request. Public Works Director John Navarro provided additional information to Ms. Lajoie. She will forward to Agency members. Mr. Petro's goal is to restore the site to the original pasture and use it for agricultural purposes. Ms. Butts explained piping of the watercourse is problematic and requires further review by engineers. She recommended a jurisdictional ruling could be granted for the dredging of the pond as long as no spoils are placed in any delineated wetlands as shown on the original drawings and this be allowed as an agricultural exemption, but any other work be required to come through as a permit application. It was recommended some of the existing piles that may be in the wetlands should not be moved at this time; however, any new removal of spoils should be moved to non-wetlands soils.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Approve** the dredging of the pond that is identified as application UP-11-20-37 – Ronald Petro – 155 Paine Road – restoration of pond – as a use permitted as of right under agriculture providing the dredge spoils are taken out of the pond are placed on non-delineated wetlands on the property until such time a permit is granted to spread it over delineated wetlands, and including in this is the prohibition to place any culverts until such time he has a permit that is not identified as a use permitted as of right.

Marla Butts requested to **Amend** the motion above as follows: To **Approve** application UP-11-20-37 for the dredging of the pond but deny the placement of any pipes or fill in wetlands as a use permitted as of right, but that such work may come in as a permit application. William Rewinski **Seconded** the Amended motion. **The motion passed unanimously.**

- b. 11-20-36 – Town of Woodstock, Peake Brook Road – Bridge replacement

Ms. Lajoie stated Pete Parent from CHA requested in writing that application 11-20-36 be continued to the February meeting.

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

Tina Lajoie stated Ms. Stehlik requested this application be tabled to the February meeting. Marla Butts recommended a decision be rendered by the next meeting for these applications due to the Governor's executive orders relative to extensions due to Covid-19.

VII. Wetlands Agent Activity Report: Ms. Lajoie reviewed her activity report with Agency members.

- a. Other Administrative Business¹: None
- b. Communications: The budget request form was included in the meeting packets. Ms. Lajoie noted the only change would be contractual services moving from the IWWA budget and placed in a new Land Use Department budget. She stated next month the Agency will be reviewing the IWWA Bylaws and voting on the election of officers.

Motion was made by Marla Butts, and **Seconded** by William Rewinski, to **Authorize** the Wetlands Agent to submit the FY 2021-22 budget with no changes from the previous year's budget. **The motion passed unanimously.**

- c. Bills: None

VIII. Citizens' Comments/Other Topics: Marla Butts suggested that when the Bylaws are reviewed next month, the Agency consider adding language authorizing the Wetlands Agent to sign off on expenses not to exceed \$100.00. This will be included on the February agenda. Stuart Peaslee stated he would complete the alternate member application for the Board of Selectmen's consideration now that he is aware of the process.

IX. Adjournment: **Motion** was made by William Rewinski, and **Seconded** by Marla Butts, to **Adjourn**. **The motion passed unanimously.** The meeting adjourned at 8:55 pm.

The recording of this meeting can be found here: <https://youtu.be/LI7pG9GHPIE>

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.

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.