

**TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY**

**REGULAR MEETING AND PUBLIC HEARING
7:00P.M. WEDNESDAY, NOVEMBER 5, 2008
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

MINUTES

PRESENT: Chairman Jonathan Beatty, Madeleine Lowry, William Yeske, Joseph Corlis and Alternate G. Alden Nettleton

ABSENT: Wynn Muller, Julius Neto, William Camosci and Scott Lamberson

ALSO PRESENT: Town Planner Craig Minor

1. **Call to Order:** Chairman Beatty called the meeting to order at 7:03p.m.
2. **Roll Call:** The above-mentioned members were introduced.
3. **Seating of Alternates:** A **motion** was made by Mr. Yeske and **seconded** by Ms. Lowry to seat Alternate G. Alden Nettleton and was *unanimously approved. Motion passed.*
4. **Approval of Agenda:** A **motion** was made by Mr. Corlis and **seconded** by Ms. Lowry to approve the agenda and was *unanimously approved. Motion passed.*
5. **Approval of Minutes:**
 - a. **October 1, 2008:** A **motion** was made by Mr. Corlis and **seconded** by Ms. Lowry to approve the minutes of October 1, 2008 and was *unanimously approved. Motion passed.*
6. **Executive Session:**
 - a. **To discuss possible litigation regarding wetland violation at the rear of 504 Main Street and at the west side of Parcel #00373200 on Shadow Lane:** A **motion** was made by Mr. Corlis and **seconded** by Ms. Lowry to enter into Executive Session at 7:04p.m and was *unanimously approved. Motion passed.*
A **motion** was made by Ms. Lowry and **seconded** by Mr. Corlis to come out of Executive Session and was *unanimously approved. Motion passed.*
7. **Development Compliance Officer Report:** Mr. Curtin was not in attendance.
 - a. **Status of On-going Projects:**
 - b. **Status of Existing Cease and Desist Orders:**
 1. **Jo-Ann Heskett: failure to maintain the natural buffer to the side and rear yard at 97 Nooks Hill Road, as per IWA permit #98-10:** Ms. Heskett was not in attendance and Mr. Minor has not heard from them.
 2. **S and S Partnership, 201 Main Street: filling in wetland/upland review. Cromwell Meadows:** Owners were not in attendance.

3. Unauthorized filling/activity in the wetland and upland review area at 20 Hillside Avenue; Statewide Radio Service Corporation (Edward Hotyckey), owner: Mr. Minor commented that Mr. Curtin is working on this issue.

4. Unauthorized clear cutting in the wetland and upland review area at 136 Berlin Road (“Cromwell Commons”). Lehigh Cromwell LLC, owner: Kim Wagner submitted a planting plan for the spring season. Chairman Beatty stated that the commission is still working on a list of properties for mitigation. Ms. Wagner suggested that someone could email her with a list of projects when it's ready. Mr. Minor stated that he is working on an invasive plant species project with CRCCD and will be looking at ponds in town and something might be eligible for mitigation. Chairman Beatty will contact Ms. Wagner if she needs to attend next month's meeting.

c. New and Potential Cease and Desist Orders: Ann Halibozek, 7 Christian Hill Road, reported that a party at 35 Coles Road involved an attendee riding an ATV through Coles Brook. Ms. Halibozek called the police and filed a report and neighbors confirmed the ATV noise. Ms. Halibozek suggested that the regulations could be amended. Mr. Minor stated (then read from the regulations) that the activity is a violation and suggested having Mr. Curtin take action. Mr. Nettleton asked what happens now and Mr. Minor stated that Mr. Curtin will follow up. Chairman Beatty stated that Mr. Curtin needs to take action and that the police report will help.

8. Town Planner Report:

a. Wetlands Permits Issued by Staff: Mr. Minor explained that a permit was approved for the First Selectman's office to have sewer service installed to the park on River Road. Ms. Lowry asked if the neighbors along River Road will be able to run laterals. Chairman Beatty stated that the only possible lateral would be from the boat club and that it would require crossing the center road line which would have to be approved by the DEP. The sewer will be a forced line.

Public Comment:

Rich Waters, 84 South Street, stated that there were three lateral hook ups installed on the west side along the sewer line on the way to the park. Mr. Minor commented that this was not part of the submitted application.

b. Potential Sites for Wetlands Mitigation:

c. DEP “Control of Invasive Plants” Grant: Mr. Minor received an email about a grant possibility and explained that the areas must be public areas or have easements. Ms. Lowry asked if the grant can be counted on if the State doesn't have the money. Mr. Minor stated that the town will apply and see what happens.

9. Public Comments: None.

10. Public Hearing and Possible Action:

a. Application #08-18: Boat/Kayak Launch at south end of River Road. Town of Cromwell, owner/applicant:

Joe Mazurek, Town Engineer, presented the application. He stated that launch is in the area that is currently past the area blocked by a concrete barrier. The supplemental launch behind Dunkin Donuts has been a positive addition for kayaks and this new launch could act as a resting area for kayaks coming from the north. A gate would replace the concrete barrier and the park would close at dusk. A four foot concrete launch ramp would also be installed. A paved loop would allow for a drop off, turn around area and parking for kayakers. Ms. Lowry asked what the surface of the paved areas would be and Mr. Mazurek stated that it would either be recycled millings or surface pavement but that pavement would hold up better. Mr. Mazurek is also preparing an application for DEP. Chairman Beatty asked if the DEP Biodiversity database has been checked. Mr. Mazurek responded that it is done as part of the DEP application and that a copy of the application will be submitted to IWWA. Ms. Lowry asked if the silt fence on the plans will be temporary or permanent and Mr. Mazurek stated it would be temporary.

Public Comment: Barbara Gallo, 32 Glenwood Terrace, stated that she kayaks from this area and usually slides her kayak down the embankment. Ms. Gallo is in favor of this project because it would provide a safe place to launch a kayak.

Barbara Coughlin, 19 Glenwood Terrace, stated that she doesn't kayak but that the project fits in with 'green' transportation and recreation. Mr. Coughlin is in favor of the project as long as the DEP regulations are met and would like to see a safer launch area.

Rich Waters, 84 South Street, speaking as a Board of Selectman member stated that he feels enough money has been spent in this area and that a simple clean up of the area would be fine. Mr. Waters believes that a gate won't keep people out and that the concrete ramp would get slimy and could cause someone to fall and sue the town. Mr. Waters also believes that some of the area could be on State owned land. Mr. Waters would like to see businesses in town be accommodated to allow expansion into wetlands.

Ann Halibozek, 7 Christian Hill Road, is concerned about the impact to the environment and believes that more permitted activity in the area may prohibit unlawful behavior that takes place in the area.

Mr. Mazurek replied that the work area is in an upland review area and that the land is owned by the town. The four foot grooved concrete pad for the launch will be placed on the shore and will remain dry except during flooding. Mr. Corlis asked if there are any safety issues with launching in this area and Mr. Mazurek stated that the water is calm. Ms. Lowry stated that this would be a positive addition and asked if the location would be affected by any new plans for a new bridge over the river. Mr. Yeske stated that he agrees that local businesses need to be accommodated but that the launch would be a positive project for Cromwell. Mr. Nettleton stated that it all depends on the State's approval.

A **motion** was made by Mr. Corlis and **seconded** by Mr. Nettleton to close the public hearing

and was *unanimously approved. Motion passed.*

A **motion** was made by Ms. Lowry and **seconded** by Mr. Corlis to approve the application and was *unanimously approved. Motion passed.*

Chairman Beatty commented that the cost of the launch is covered in the River Road park bond.

11. **Old Business:** None.
12. **New Business:** None.
13. **Communications:**
 - a. **DEP “Municipal Inland Wetland Commissioners Training Program” brochure:** Mr. Minor stated that the brochure listed outdated information.
 - b. **DEP “Stream Crossing Guidelines” booklet:** FYI
 - c. **DEP “Notice of Tentative Determination” to approve dock modifications at River Park Estates on River Park Drive:** Mr. Minor included this as an example of a good application.
 - d. **Appointment Letter regarding Scott Lamberson:** FYI
 - e. **Resignation Letter regarding Ann Halibozek:** FYI
14. **Commissioner's Comments and Reports:** Chairman Beatty stated that next year's calendar will be set at the next meeting. Commissioner's agreed that the new meeting time of 7pm on the first Wednesday still works.
15. **Adjourn:** A **motion** was made by Mr. Corlis and **seconded** by Mr. Nettleton to adjourn at 8:08p.m and was *unanimously approved. Motion passed.*

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Respectfully submitted,

Catherine Potter
Clerk