

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

**SPECIAL MEETING
7:00P.M. WEDNESDAY, JANUARY 21, 2009
ARCH ROOM, CROMWELL TOWN HALL, 41 WEST STREET**

MINUTES

PRESENT: Chairman Jonathan Beatty, Wynn Muller, Julius Neto, Madeleine Lowry, Joseph Corlis, William Yeske, Scott Lamberson and Alternate G. Alden Nettleton

ABSENT: William Camosci

ALSO PRESENT: Town Planner Craig Minor and ZEO Fred Curtin

1. Call to Order: Chairman Beatty called the meeting to order at 7:00p.m.

2. Roll Call: The above-mentioned members were introduced.

3. Seating of Alternates: Mr. Nettleton was seated by general consent.

4. Approval of Agenda: A **motion** was made by Ms. Lowry and **seconded** by Mr. Neto to approve the agenda and was *unanimously approved. Motion passed.*

5. Approval of Minutes:

a. December 3, 2008: A **motion** was made by Mr. Corlis and **seconded** by Mr. Nettleton to approve the minutes of December 3, 2008 and was *unanimously approved. Motion passed.*

6. Development Compliance Officer Report:

a. Status of On-going Projects: Mr. Curtin reported that Lowes and the plaza at CVS were the only projects currently underway.

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: No votes were taken.

2. S and S Partnership, 201 Main Street: filling in wetland and upland review. Cromwell Meadows: No votes were taken.

3. Unauthorized filling/activity in the wetland and upland review area at 20 Hillside Avenue; Statewide Radio Service Corporation (Edward Hotyckey), owner: No votes were taken.

4. Unauthorized clear cutting in the wetland and upland review area at 136 Berlin Road (“Cromwell Commons”). Lehigh Cromwell LLC, owner: There will be off-site mitigation work done at an as of yet undetermined location.

c. New and Potential Cease and Desist Orders: Mr. Curtin reported that an application for a gazebo was filed today for 49 Coles Road. The gazebo is placed in the same location as the shed was. Mr. Neto stated that this is backwards because the activity already took place and the application should have been filed before activity took place.

Chairman Beatty asked if the pipe that had been discussed last year was resolved. Mr. Curtin reported that the drainage system was finished but the pipe hasn't been followed up on yet and will have to wait until better weather is here.

Mr. Neto asked for an update and history of Mr. Poole's issue on Eager Lane. Mr. Curtin stated that during the construction of two homes there was a breach of the silt fence and that additional erosion controls have been put in place. Chairman Beatty suggests adding more constant monitoring due to the snow melt and the possibility of movement of matter. The developer has already been put on notice about this property. Mr. Neto suggests that Mr. Curtin use appropriate enforcement measures.

7. Town Planner Report:

a. Wetlands Permits Issued by Staff: None

b. Potential Sites for Wetlands Mitigation: No votes were taken.

c. Proposed Amendments to Inland Wetland Agency Regulations regarding Erosion and Sedimentation Control: No votes were taken.

8. Public Comments: Atty. Salvatore Petrella asked if any information was available about his suggestion to use money for mitigation to reclaim various ponds in town.

9. Old Business:

a. Application #08-20: Residential Subdivision at 100 North Road and Ledge Road.

Reed Builders LLC, applicant; Reed Builders LLC and John Massirio and Janice Piccoli,

owners: Atty. Salvatore Petrella, representing Reed Builders LLC, stated that the commission had been on a site walk of the property in December. The application will be before P&Z in February. Jim Cassidy, Hallisey, Pearson and Cassidy, stated that the project will consist of fifteen lots ranging in size from 15,000 sq ft to 47,000 sq ft and that the total open space will be 58% of the subdivision size. Lot fifteen will front on Ledge Road. Ed Pawlak, CT EcoSystems Inc stated that he flagged the wetlands on March 21, 2008 and examined the soil in the area of the ledge which initially looked like a wetland area and discovered that the soil was not of wetland type. Chairman Beatty asked if approval of acquiring the portion from the town has been obtained. Atty. Petrella stated that the transaction needs to be completed but that the overall project won't change much without it. Mr. Yeske asked for an explanation of the green colored area on the map and Mr. Cassidy stated that it is the conservation easement area. Mr. Neto thanked Mr. Pawlak for his explanation of his determining that the area near the ledge wasn't a wetland.

A **motion** was made by Mr. Muller and **seconded** by Mr. Neto to approve Application #08-20 and was *approved by majority*. Mr. Beatty abstained. *Motion passed.*

10. New Business:

a. Application #09-01: Generator Pad at 50 Hicksville Road (Reilly Manor).
Bethany Housing Corporation, owner/applicant: Dick Coughlin (President of Bethany Housing), 19 Glenwood Terrace on behalf of Bethany Housing, stated that the housing development currently depends solely on public utilities for power and that a generator would provide temporary power in an outage. Sally Bettancourt, representing Wildwood Property Management, explained that a 48"x90" pad would be needed for the generator and that the pad area is flat. Mr. Neto asked if the only source of power for the generator is gas. Ms. Bettancourt confirmed that the generator would be powered by nearby LP tanks and that the power would last for about four days. Mr. Muller asked if there would be any activity in the wetlands. Mr. Minor stated that the activity is located fifty feet from the nearest wetland.

Chairman Beatty suggested that this was a relatively insignificant activity, in the upland review area so the staff ought to handle it. A **motion** was made by Mr. Neto and **seconded** by Mr. Muller to authorize the staff to approve Application #09-01 and was *unanimously approved*.
Motion passed.

11. Communications:

a. Funding Request Letter from CT Rivers Coastal Conservation District dated December 1, 2008: A motion was made by Mr. Muller and **seconded** by Mr. Neto to endorse the funding request by the CT Rivers Coastal Conservation District and was *unanimously approved*.
Motion passed.

12. Commissioners' Comments and Reports: Chairman Beatty asked Mr. Minor to incorporate information from the new DEP publication on stormwater management regarding low impact development, into the town's wetland regulations. Chairman Beatty also asked Mr. Minor to schedule a public hearing on this issue for the next meeting.

13. Adjourn: A **motion** was made by Mr. Muller and **seconded** by Mr. Neto to adjourn at 8:04p.m. and was *unanimously approved*.
Motion passed.

Respectfully Submitted,

Catherine Potter
Clerk