

TOWN OF CROMWELL
INLAND WETLANDS AND WATERCOURSES AGENCY
41 WEST STREET, CROMWELL, CT 06416

REGULAR MEETING
7:00 WEDNESDAY, February 4, 2015
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET

Minutes and Record of Votes

Present: Vice Chairman Joseph Corlis, Wynn Muller, Amanda Drew, William Yeske, Madeline Lowry, G.Alden Nettleton

Also Present: Town Planner Stuart Popper, Town Council Liaison Shirley Banic, Zoning Enforcement Officer Jillian Massey

1. Call to Order

The meeting was called to order at 7:01pm by Vice-Chairman Corlis.

2. Roll Call

The presence of the above members was noted.

2. Seating of Alternates: (Alternate Amanda Drew was seated at the January 7, 2015 meeting)

4. Approval of Agenda:

A **motion** was made by G. Alden Nettleton and **seconded** by Amanda Drew to approve the agenda. *All were in favor; the motion passed.*

5. Approval of Minutes:

a. January 7, 2015

A **motion** was made by Wynn Muller and **seconded** by Madeline Lowry to approve the minutes of January 7, 2105. *All were in favor; the motion was passed.*

6. Development Compliance Officer Report:

a. Status of On-going Projects

b. Status of Existing Cease and Desist Orders

Ms. Massey said she gave Mr. Holt of 20 Greendale Avenue until May 1, 2015 to have the rest of the woodchips removed off of the slope due to the winter.

7. Town Planner Report

Mr. Popper said he is working on the budget and has included funds for the Kakiwac conference and membership. He said the budget meetings will start the first week of March.

8. Public Comments: none

9. New Business Accept and Schedule New Application:

- a. Application #15-01 Request to conduct regulated activities within the wetlands and upland review areas at 70 Court Street. The applicant is proposing to install a pool in the mapped wetlands at 70 Court Street. Juliano's Pool LLC is the applicant and Todd and Grace M. Director are the Owners.

Ken Schilling of Juliano's Pool said he is here with Todd Director of 70 Court Street. He said they would like to install an 18 x 36 in-ground pool in the back of 70 Court. He said this would slightly impact the wetlands but I don't know what the soil is like since I sold him this pool while snow was on the ground.

Mr. Director said the soil is rock hard. He said the whole property is really dry and I had to put in an irrigation system. He said the stream runs on the opposite side of the property. Mr. Schilling said it is very impacted soil. Ms. Lowry said the stream is Chestnut Brook and it can be very deceiving. She said the brook can run very low and run very deep during certain times.

Mr. Popper discussed a previous application for this parcel from 2009 and referred to the minutes from those meetings. He said a pool was never discussed at that time. He said the question is do you think the flagging of the wetlands is accurate or not per the old town mapping. He said the pool is in the upland review area per our town map. He said you need to decide if it is significant activity and make them map the wetlands. He said the pool is a good distance from the brook. Mr. Popper said the previous applicant should have mapped the wetlands so now we have to rely on the town map. He said we at least know it's in the upland review area since it is near the brook. He said activity within the wetlands is questionable. Mr. Muller said that it was previously approved with the fact that nothing be done in the wetlands. He said we have to find it is significant if we are showing wetlands and they will have to flag the wetlands and have a public meeting. Mr. Popper said the house was shown to be non-significant activity and it is the Commissioner's call. Mr. Nettleton said the applicant should just have it flagged and mapped to preserve integrity.

Mr. Director said that doesn't benefit me and nothing was ever mentioned to me that anything was ever in the wetlands. Mr. Popper said that it not the town's responsibility to tell you if you purchase wetlands. Mrs. Drew asked if there would be fencing or anything cemented. Mr. Schilling said yes a privacy fence with cement. Mr. Director said the fence plans are not set in stone. Ms. Lowry said there has been no

change in the land since we found it to be non-significant. Mrs. Drew said they are in wetlands based on material we have. Mr. Corlis said they should read items to determine significance. Ms. Lowry reads the items and number one was answered yes and items 2-7 were answered no. Mr. Muller said this will find it significant. Mr. Popper said the problem is we didn't require the wetlands to be mapped. Mr. Yeske said it would be best to straighten map out. Mr. Director said I just won't do a pool and go somewhere else. He said there are no wetlands there, I grew up there. Ms. Lowry said only a soil scientist can determine that and it can be confusing to the average person. She said the house and deck are in the upland review area not wetlands.

Mr. Director said that this red tape that shouldn't be there and it is hurting business in Cromwell. He said I was told something different by other people that this wouldn't be a big deal and it is very disappointing. Mr. Popper said you need an Engineer and to call the original one, Mr. Cassidy and ask him about a soil scientist. Mr. Director asked what that would cost and Mr. Popper said he didn't know but they are not talking acres it is only about 100 feet. Mr. Schilling said to keep the application open and let me do some research and come back to Mr. Director with pricing info. Mr. Popper said to come back with mapped plan and I'll put you on the agenda next month. If you change your mind I'll refund the money for the application.

A **motion** was made by Wynn Muller and **seconded** by Madeline Lowry to find application 15-01 significant and schedule for a public hearing next month. *All were in favor; the motion passed.*

10. Commissioners' Comments and Reports:

a. Election of Officers

A **motion** was made by William Yeske and **seconded** by Wynn Muller to nominate Joseph Corlis for Chairman. *All were in favor; the motion passed.*

A **motion** was made by William Yeske and **seconded** by Amanda Drew to nominate Wynn Muller as Vice-Chairman. *All were in favor; the motion passed.*

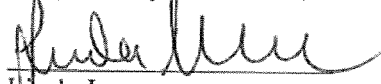
A **motion** was made by Wynn Muller and **seconded** by William Yeske to nominate Madeline Lowry for Secretary. *All were in favor; the motion passed.*

Mr. Muller said the entire town's wetlands were mapped in 1994 or so. Mr. Popper said the map is a little general and sometimes is not site specific. He said this is a small lot.

11. Adjourn

A **motion** was made by Wynn Muller and **seconded** by Amanda Drew to adjourn at 7:52pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Linda Imme
Recording Clerk