

PROPOSED AMENDMENTS TO THE OLD SAYBROOK
INLAND-WETLANDS AND WATER COURSES REGULATIONS

1982 RECEIVED 7/21
TOWN CLERK'S OFFICE
OLD SAYBROOK, CONN.

Section No. 1.3 Add as amended after P.#. 155

Section No. 4.1(b) After "been approved", substitute the following for the balance of the paragraph: By a municipal planning, zoning or planning and zoning commission as of July 1, 1974, the effective date of these regulations.

Section No. 4.1(d) Between "defined as" and "the largest", add equal to or smaller than; after "and landscaping," substitute but shall not include removal or deposition of significant amounts of material from or on to a wetland or water course or diversion or alteration of a water course.

Section No. 4.2 After "character", substitute the following: "... of the inland-wetlands or water course by removal or deposition of material, alteration or obstruction of water flow or pollution of the inland-wetlands or water course."

Section No. 6.1 Line 3: Insert the word officially between "be...received".

Section No. 6.9 Line 2: Insert the word official between "The...receipt".

Substitute the following second sentence:

"Notice of the hearing shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days and not fewer than ten (10) days, and the last not less than two (2) days before the date set for the hearing, in a newspaper having a general circulation in the Town of Old Saybrook.

Section No. 7.1 9. The second sentence, beginning with: "The Commission..." should be set apart as a separate, unnumbered paragraph since it refers to subparagraphs 1-9.

Substitute the following criteria as (a) through (f) and designate the existing (a) through (d) as (g), etc.

(a) The environmental impact of the proposed action;

PROPOSED AMENDMENTS (continued)

- (b) The alternatives to the proposed action;
- (c) The relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity;
- (d) Irreversible and irretrievable commitments of resources which would be involved in the proposed activity;
- (e) The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened; and
- (f) The suitability or unsuitability of such activity to the area for which it is proposed.

Section No. 7.2 Insert official before "receipt" in the last line.

Section No. 7.3 Substitute, after "within" the following... the fifteen (15) days of the date of the decision and the Commission shall cause notice of their order in issuance, denial, revocation or suspension of a permit to be published in a newspaper having a general circulation in the Town of Old Saybrook.

Add paragraph 7.5

7.5 The Commission shall send a copy of any decision to the Commissioner of Environmental Protection no later than ten (10) days after the issuance of the permit and order, provided failure to submit such permit and order shall not impair the validity of such permit and order.

Section No. 11.1 Substitute Superior Court for the Middlesex Judicial District at Middletown for "Court...County".

Section No. 15.3 After "public hearing", add "within ninety days after receipt of such petition."

Add Section 15.7

15.7 The Commission shall provide a copy of such Regulation, boundary or change to the Commissioner of Environmental Protection no later than ten (10) days after its adoption, provided failure to submit such Regulation, boundary or change shall not impair the validity of such Regulation, boundary or change.

PROPOSED AMENDMENTS (continued)

Section No. 3.1

After "Old Saybrook." Soil types are generally shown for informational purposes only on said map. In each instance, however, the actual character of the soil shall determine whether land in question is subject to regulations.

Section No. 3.2

Omit or the failure to designate any; insert of before "inland wetland ..."

1982 RECEIVED 5/11
AT 3:10 P.
TOWN CLERK'S OFFICE
OLD SAYBROOK, CONN.

PROPOSED AMENDMENTS TO THE OLD SAYBROOK
INLAND-WETLANDS AND WATER COURSES REGULATIONS

- Section No. 1.3 Add as amended after P.S. 155
- Section No. 4.1(b) After "been approved", substitute the following for the balance of the paragraph: By a municipal planning, zoning or planning and zoning commission as of July 1, 1974, the effective date of these regulations.
- Section No. 4.1(d) Between "defined as" and "the largest", add equal to or smaller than; after "and landscaping," substitute but shall not include removal or deposition of significant amounts of material from or on to a wetland or water course or diversion or alteration of a water course.
- Section No. 4.2 After "character", substitute the following:
"... of the inland-wetlands or water course by removal or deposition of material, alteration or obstruction of water flow or pollution of the inland-wetlands or water course."
- Section No. 6.1 Line 3: Insert the word officially between "be...received".
- Section No. 6.9 Line 2: Insert the word official between "The...receipt".
- Substitute the following second sentence:

"Notice of the hearing shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days and not fewer than ten (10) days, and the last not less than two (2) days before the date set for the hearing, in a newspaper having a general circulation in the Town of Old Saybrook.
- Section No. 7.1 9. The second sentence, beginning with:
"The Commission..." should be set apart as a separate, unnumbered paragraph since it refers to subparagraphs 1-9.
- Substitute the following criteria as (a) through (f) and designate the existing (a) through (d) as (g), etc.
- (a) The environmental impact of the proposed action;

PROPOSED AMENDMENTS (continued)

- (b) The alternatives to the proposed action;
- (c) The relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity;
- (d) Irreversible and irretrievable commitments of resources which would be involved in the proposed activity;
- (e) The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened; and
- (f) The suitability or unsuitability of such activity to the area for which it is proposed.

Section No. 7.2 Insert official before "receipt" in the last line.

Section No. 7.3 Substitute, after "within" the following... the fifteen (15) days of the date of the decision and the Commission shall cause notice of their order in issuance, denial, revocation or suspension of a permit to be published in a newspaper having a general circulation in the Town of Old Saybrook.

Add paragraph 7.5

7.5 The Commission shall send a copy of any decision to the Commissioner of Environmental Protection no later than ten (10) days after the issuance of the permit and order, provided failure to submit such permit and order shall not impair the validity of such permit and order.

Section No. 11.1 Substitute Superior Court for the Middlesex Judicial District at Middletown for "Court...County".

Section No. 15.3 After "public hearing", add "within ninety days after receipt of such petition."

Add Section 15.7

15.7 The Commission shall provide a copy of such Regulation, boundary or change to the Commissioner of Environmental Protection no later than ten (10) days after its adoption, provided failure to submit such Regulation, boundary or change shall not impair the validity of such Regulation, boundary or change.

PROPOSED AMENDMENTS (continued)

Section No. 3.1 After "Old Saybrook." Soil types are generally shown for informational purposes only on said map. In each instance, however, the actual character of the soil shall determine whether land in question is subject to regulations.

Section No. 3.2 Omit or the failure to designate any; insert of before "inland wetland ..."

TOWN OF OLD SAYBROOK

INLAND WETLANDS COMMISSION

302 Main Street

Old Saybrook, Connecticut 06475

MINUTES OF THE REGULAR MEETING OF MARCH 18, 1982

The meeting was called to order at 7:35 p.m. by the chairman, C. Monte. Also present were J. Dodd, R. Frech, P. King, A. Martino, R. Regan, F. Mathes sitting for K. Meyer, T. Egan and D. Peterson. The two new alternates were introduced to the rest of the Commission.

1. A. Martino moved to accept the minutes of the previous meeting, February 18, 1982, as written. P. King seconded the motion and it passed unanimously.
2. Atty. Thomas Cloutier could not be present and will review these matters with the whole Commission in April.
3. C. Monte suggested that the proposed changes be reviewed individually.
 1. Mr. Mathes moved that "as amended" be added to Section 1.3, after P.S. 155. Mr. Martino seconded the motion and it passed unanimously.
 2. Mr. Regan moved to substitute "By a municipal planning, zoning or planning and zoning commission as of July 1, 1974, the effective date of these regulations" after "been approved" in Section 4.1(b). Mr. Frech seconded the motion and it passed unanimously.
 3. Mr. Mathes moved to delay action on the proposed change for 4.1(d) until counsel could further explain. Mr. Regan seconded the motion and it passed unanimously.
 4. Mr. Mathes moved to delay action on the proposed change for section 6.1 until counsel could further explain. Mr. Regan seconded the motion and it passed unanimously.
 5. Mr. Mathes moved to delay action on the proposed change for line 2 of Section 6.9 until counsel could further explain. Mr. King seconded the motion and it passed unanimously.

Mr. Mathes moved to accept the proposed substitution for the second sentence in Section 6.9 which reads "Notice of the hearing shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days and not fewer than ten (10) days, and the last not less than two (2) days before the date set for the hearing, in a newspaper having a general circulation in the Town of Old Saybrook." Mr. King seconded the motion and it passed unanimously.

①

②

③

TOWN OF OLD SAYBROOK

INLAND WETLANDS COMMISSION

302 Main Street

Old Saybrook, Connecticut 06475

MINUTES OF THE REGULAR MEETING OF MARCH 18, 1982 cont.

6. Mr. Martino moved to set aside as a separate paragraph the second sentence, beginning with: "The Commission..." of Section 7.1 subparagraph 9. Mr. Mathes seconded the motion and it passed unanimously.
 7. Mr. Frech moved to delay action on the proposed change for Section 7.2 until counsel can further explain. Mr. Martino seconded the motion and it passed unanimously.
 8. Mr. Mathes moved to substitute in Section 7.3 after "within" the following...the fifteen (15) days of the date of the decision and the Commission shall cause notice of their order in issuance, denial, revocation or suspension of a permit to be published in a newspaper having a general circulation in the Town of Old Saybrook. Mr. Martino seconded the motion and it passed unanimously.
Mr. Mathes moved to add paragraph 7.5 "The Commission shall send a copy of any decision to the Commissioner of Environmental Protection no later than ten (10) days after the issuance of the permit and order, provided failure to submit such permit and order shall not impair the validity of such permit and order. Mr. Martino seconded the motion and it passed unanimously.
 9. Mr. Monte moved to substitute "Superior Court for the Middlesex Judicial District at Middletown" for "Court ...County" in Section 11.1. Mr. Frech seconded the motion and it passed unanimously.
 10. Mr. Mathes moved to add in Line 5, Section 15.3 after "public hearing" "in the manner provided for establishment of Inland Wetlands Regulations and boundaries within ninety (90) days after receipt of such petition. Mr. Regan seconded the motion and it passed unanimously.
 11. Mr. Frech moved to add Section 15.7 The Commission shall provide a copy of such Regulation, boundary or change to the Commissioner of Environmental Protection no later than ten (10) days after its adoption, provided failure to submit such Regulation, boundary or change shall not impair the validity of such Regulation, boundary or change. Mr. Martino seconded the motion and it passed unanimously.
4. The Commission will hold a Public hearing on the proposed changes to the Regulations on Thursday, May 20, 1982, at 7:30 p.m. in the Town hall.

Mr. Monte suggested that the Commission meeting date might

①

②

③

TOWN OF OLD SAYBROOK

INLAND WETLANDS COMMISSION

302 Main Street

Old Saybrook, Connecticut 06475

MINUTES OF THE REGULAR MEETING OF MARCH 18, 1982 cont.

be changed so as not to conflict with the Selectmen's meeting. The clerk will check on this in the Town Clerk's office.

On-site inspections were discussed. Policy and regulations regarding this issue were suggested. No action was taken on this matter at this time.

5. Field Engineer's Report - No pending applications at this time.

Mr. King moved to adjourn at 8:55 p.m. The motion was seconded by Mr. Frech and passed unanimously. The next regular meeting is scheduled for Thursday, April 15, 1982.

Kathryn Meyer, Secretary
Karen O'Neill, Clerk

TOWN OF OLD SAYBROOK

INLAND WETLANDS COMMISSION
302 Main Street
Old Saybrook, Connecticut 06475

MINUTES OF THE REGULAR MEETING OF MAY 20, 1982

The Chairman, C. Monte, called the meeting to order at 8:53 p.m. Present were P. King, A. Martino, J. Dodd, R. Regan, F. Mathes sitting for K. Meyers, and D. Peterson sitting for R. Frech. Also present were J. Milkofsky, Atty. T. Cloutier, K. O'Neill and Mr. B. Werner.

The minutes of March 18, 1982 were approved as written. There were no minutes of April 15, 1982 as there was not a quorum that evening. The following bills were approved for payment as presented:

Angus L. McDonald & Assc.	\$20.00
Robin Jendzejec	250.00
karen O'Neill	74.12

Mr. R. Frech entered the meeting at 9:00, but abstained from voting.

Mr. Mathes made a motion to approve payment for Atty. Cloutier for updating the regulations and for the printing of the revised regulations. P. King seconded the motion and it passed unanimously.

There was no correspondence or pending applications.

Mr. Mathes moved to approve the proposed amendments as shown on pages 1 and 2 in the letter from Atty. Cloutier and take no action on the proposed revisions to subsection 3.1 and 3.2 as proposed on page 3 of the same letter. C. Monte seconded the motion. Mr. Dodd questioned the revision proposed for subsection 3.1 and 3.2. Mr. Mathes felt the revision would be very restrictive on the enforcement officer. Mr. Milkofsky felt the revision put a considerable burden on the property owner forcing him to consult a soil scientist. To be safe every property owner would have to come before this Commission. Mr. Dodd feels the revision to subsection 3.1 and 3.2 is a good addition to the regulations. Mr. Peterson moved the question. The motion passed 6 to 1, with Mr. Dodd voting no and Mr. Frech abstaining. The proposed amendments update the local regulations to meet with state statutes and the approved amendments are effective May 21, 1982.

Mr. King moved to adjourn at 9:35 p.m. The next regular scheduled meeting will be Thursday, June 17, 1982, at 7:30 p.m. in the Town Hall.