

Inland Wetlands & Watercourses Commission
Regular Meeting
February 3, 2011
Minutes

Final

Chairman Downie Called the meeting to order at 7:00 P.M.

Commission Members present: Chairman Deb Downie, Nick Salerno, H. Lee Reichart, Nat Trumbull, and Jon Mitchell

Commission Members absent:, Amanda Lindberg, Alisa Morrison, Phil Biondo

Staff present: Candace Palmer-WEO

Correspondence: Avalonia Land Conservancy and Department of Environmental Protection

Call for Public Comment: *None*

Consent Agenda:

a. IW #10-16 Lattizori Development - Requesting changes to road location and new town drainage system. Reduce number of approved lots from 37 to 35. All activity located outside of the 100' Upland Review Area. Property located at 189 Jerry Browne Rd. Mystic; Assessors Map 134, Block 3, Lot 2; Map 133, Block 1, Lot 1A; Map 150, Block 2, Lot 1; Zone RA-40.

Attorney Theodore Ladwig spoke on behalf of the applicant and requested a continuance to the March meeting. He stated they are trying to realign the road location to come out in front of Pequotsepos Road.

The WEO mentioned that this is only a consent agenda item because the road is not located in the 100 foot upland review area and should he conduct any activity within the Upland Review Area, a Permit Modification would be necessary.

N. Salerno made the motion to continue the application. H. L. Reichart seconded. The motion to continue the application was unanimously approved.

New Business:

a. IW #11-02 Tyler James Allen & Lydia Teixeira – Seeking a modification to approved permit

#IW 06-04 for the construction of a single-family residence and garage within the 100' Upland Review Area Property located at Greenhaven Rd & Elizabeth Ave., Pawcatuck. Assessor's Map 10 Block 7 Lot 16 & 17; Zone RC-120.

A sitewalk was scheduled for February 26, 2011.

b. IW #11-03 Copsps Brook Property LLC – Seeking a permit for a 2 lot re-subdivision for two single family dwellings within the Upland Review Area. Property located at 445 New London Tnpk, Stonington. Assessor's Map 117 Block 1 Lot 1C; Zone RR-80.

A sitewalk was scheduled for February 26, 2011

Old Business

a. IW #11-01 Precious Memories Preschool – Seeking a permit to construct a Child Daycare Center with storm water discharge located within the 100' upland review area. Property located at 162 & 168 Greenmanville Ave., Mystic. Assessor's Map 172, Block 2, Lots 4 & 5; Zones RA-40 & RM-15.

Ed Wenke III, P.E. speaking for the applicant, described the construction project. The proposed disturbed area will be increased to 4500 square feet. He believes the bio-filter located at the stormwater discharge point that is proposed by soil scientist Donald Fortunato is not needed because the water will be treated

by a stormsepter prior to reaching the level spreader. This was confirmed by Mr. Fortunato who was not aware of the Stormsepter.

J. Mitchell made the motion to approve with the following five stipulations:

1. The applicant will notify the Wetlands Officer prior to the start of construction.
2. The "Bio-filter" will be created at the down gradient area where sheet flow will occur. These areas will be disturbed and should be seeded with a combination of New England Conservation/Wildlife Mix and Wetmix (see seed list). The pipeline disturbance through the upland review area should be seeded with the NE Conservation/Wildlife Mix as well. Once the sod cover is planted, it should not be cut.
3. Bio-filter areas are to be inspected annually for 2 years after construction. Once the vegetation is established, the target survival rate would be 80% at the end of the first monitoring year and 75% at the end of the second monitoring year. Any scoured or eroded areas shall be re-graded and replanted.
4. Invasive species such as bittersweet, sumac, Phragmites, etc. that may enter the discharge area in the future should be harvested by hand. As we have done in the past with the Stonington IW Agency, an annual Report for this two-year period will be submitted to the Town Wetlands Officer at the end of each growing season.
5. The grading of the level spreader is to be approved by the Town's Engineer

H. L. Reichart seconded. The motion was unanimously approved.

Other Business: None

Public Hearings: None

Regulations: Discussions, etc. Staff asked for opinions about eliminating the need for GBR 130 zone.

An informal vote resulted in J. Mitchell, N. Trumbull and H.L. Reichart all voting no, and D. Downie and N. Salerno voting yes.

Enforcement Officer's Report: WEO C. Palmer reported on the progress of Violation #10-004. George Logan, soil scientist hired by the alleged violator, Phil Lopresto has so far determined that after conducting approximately 20 test pits, a conservative estimate of damage and or loss of wetlands is approximately 1,600 to 2,000 sq.ft. He also has determined that there is fuel in the soil approximately 40-50 ft. from the newly created "pond". He stated that depending of the level of contamination, DEP would become involved in the alleged violation.

A Cease and Desist order will be issued and likely a "Show Cause Hearing" will take place.

Review of Outstanding Minutes: November 4, 2010

J. Mitchell made the motion to approve, H. L. Reichart seconded. The motion was unanimously approved.

Adjournment: H.L. Reichart made the motion to approve, N. Trumbull seconded. The motion was unanimously approved.

Chairman Downie adjourned the meeting at 8:10 P.M.


Nick Salerno, Secretary