

**Inland Wetlands Commission  
Regular Meeting  
Final Minutes  
March 7, 2013**

Chairman Lee Reichart called the Inland Wetlands meeting to order at 7:00 pm. Members in attendance were Lee Reichart, Alisa Morrison, Nat Trumbull, Nick Salerno and alternates Amanda Lindberg and Deborah Downie. Inland Wetlands Enforcement Officer Candace Palmer was also present. Absent were Jon Mitchell and Phil Biondo. Alternate Amanda Lindberg was seated for Phil Biondo.

Correspondence: None  
Public Comment: None  
Consent Agenda: None  
New Business: None  
Old Business:

**IW #13-01 Toll CT Limited Partnership** – Seeking a permit for construction of a single family residence with minimal grading to be completed in a portion of the 100' upland review area. Property located at 3 Latitude Circle, Stonington. Assessor's Map 148 Block 3 Lot 3N Zone RA-40.

Andy Karl, project manager for Toll CT Ltd. Partnership, stated there is minimal grading required for this site, as no structure will be built in the wetlands area.

Attorney John Chase, filed as an Intervener, representing JBRV LLC; he stated the central issue for all of the five applications surrounds application IW #13-02MOD and the lack of a maintenance agreement by Toll Brothers for the drainage issue pursuant to the property located off Nautilus Way in Stonington.

Robert Valenti stated his main issue is that Toll Brothers will not stand behind their work by providing a maintenance agreement for the drainage system to the existing culvert on Jerry Browne Rd. He also read a prepared statement. Cherenzia did an evaluation on this issue. Mr. Valenti will provide the commission a copy of this report. He prefers this matter be resolved in a simple way versus taking legal action to protect his commercial property.

Tom Collier attorney for Toll CT Ltd. Partnership stated his client's four other applications currently before the Commission have already been approved for home sites but his client has not been able to move forward because JBRV LLC is objecting to the drainage plan proposed for IW #13-02 MOD. The drainage maintenance plan being offered includes oversight by the Town of Stonington and the Homeowners Association that would be established.

Dan Kroeber, project engineer for Toll CT Ltd. presented the plan for the entire original development, which was approved by the IWWC in October 2004.

Andy Karl reiterated the four homes have already received approval to build and drainage for those sites is going into existing basins already in place. Toll Brothers do not understand why they can't proceed with these four homes while the commission reviews the case for IW #13-02MOD.

Chairman Reichart and Amanda Lindberg stated the commission is not legally able to evaluate this issue between the two parties without its own counsel. The commission denied Attorney Tom Collier his request to plead their case for IW #13-02MOD, in an effort to give the commission more information on this application.

Inland Wetlands Enforcement Officer, Candace Palmer, recommended application IW #13-01 be continued and to table the remaining applications until the commission gets legal counsel in order to proceed.

**IW #13-02MOD; Toll CT Limited Partnership (drainage)** - Seeking a permit to modify the original drainage design with installation of a new detention basin and a drainage outlet to an existing culvert on

Jerry Browne Rd. Activity located within the uplands review area. Property located off Nautilus Way, Stonington. Assessor's Map 148 & 165, Block 3 & 5 Lots 3A, 3C-3J, 3O, 9, 9A-9J, 1-1F, 1X, 14C-14M, Zone RR-80 & RR-40.

**IW #13-03 Toll CT Limited Partnership** – Seeking a permit for construction of a single family residence with no construction within the 100' upland review area. Property located at 121 Nautilus Way (Lot 25), Stonington. Assessor's Map 148 Block 3 Lot 9B Zone RA-40.

**IW #13-04 Toll CT Limited Partnership** – Seeking a permit for construction of a single family residence with no wetlands or 100' upland review area on lot. Property located at 150 Nautilus Way (Lot 8), Stonington. Assessor's Map 148 Block 3 Lot 3H Zone RA-40.

**IW #13-05 Toll CT Limited Partnership** – Seeking a permit for construction of a single family residence with no construction within the 100' upland review area on lot. Property located at 120 Nautilus Way (Lot 16), Stonington. Assessor's Map 148 Block 3 Lot 9A Zone RA-40.

Nat Trumbull motioned to continue application IW #13-01, and table the following four applications: IW #13-02MOD, IW #13-03, IW #13-04, IW #13-05. Amanda Lindberg seconded and the motion was approved 4 -1, with 1 abstained.

MINUTES: Alisa Morrison motioned to approve the January 3, 2013 and March 2, 2013 minutes. Nick Salerno seconded the motion and it was passed unanimously.

Nat Trumbull motioned to adjourn the meeting. Alisa Morrison seconded the motion and it was passed unanimously. The meeting adjourned at 7:50 pm.

  
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Nick Salerno, Secretary