

**EAST LYME INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
Monday January 11, 2010**

Members Present:

Ed Hafner, Chairman
Cheryl Lozanov
Walter Procherena
Candace Bodenhofer
Charles Reluga
Norman Bender
Joe Mingo

FILED IN EAST LYME P
Jan 15, 2010 AT 1:10 M
L. A. Blair, ATC
EAST LYME TOWN CLERK

Also Present:

Gary Goeschel, Director of Planning / Wetlands Officer
Keith Hall, Alternate Member
Phyllis Berger, Alternate Member

CALL TO ORDER

Meeting was called to order at 7:05 PM.

PLEDGE OF ALLEGIANCE

The pledge was observed.

I. ADDITIONS TO THE AGENDA

North Bride Brook Road – State Parking Lot, added under Old Business.
It was requested that in the future any Notice of Violation that has not been resolved to be placed on the Agenda for discussion.

II. PUBLIC DELEGATIONS

There were none.

III. ACCEPTANCE OF MINUTES

A. December 7, 2009 – Regular Meeting Minutes

The minutes were accepted as submitted by unanimous consent.

IV. PENDING APPLICATIONS

** A. 63 Scott Road, Tax Assessor's Map #29.0, Lot # 14 – Property of Webster & Lisa Scott applicant / owner;
Application for the filling in of approximately 5, 594 ± square feet of a wetland and watercourse. (Application Received 12-07-09)

Mr. Hafner stated that he had reviewed a copy of the above mentioned application. He said the Board needed to decide if they would ask for a public hearing on this matter. He asked Mr. Goeschel if he had any further information.

Mr. Goeschel replied that he had met with the Engineer, Don Gerwick and asked when the area had in fact been filled and did not receive a definitive answer. He also raised the question of the removal of under drains as a result of the Orchards subdivision, and questioned whether this was the primary source of water for the pond, or if there was a groundwater component. Mr. Goeschel didn't know the statistics of the pond, i.e.: or how deep it was. Mr. Goeschel indicated to Mr. Gerwick that he would put his comments in writing.

He said he asked Mr. Gerwick if his intentions were to fill or to mitigate and Mr. Gerwick's reply was "to fill".

Mr. Hafner stated this deserved a public hearing.

There was discussion as to the arrival of the actual square footage of the area.

Mr. Procherena asked if there had been a notice of violation filed.

Mr. Goeschel replied, No. He said that he has given the applicant the opportunity to willfully submit an application.

There was discussion of scheduling a site walk.

MOTION (1)

Mr. Reluga moved to schedule a public hearing for February 8, 2010 for the application of: 63 Scott Road, Tax Assessor's Map #29.0, Lot # 14 – Property of Webster & Lisa Scott applicant / owner; Application for the filling in of approximately 5, 594 ± square feet of a wetland and watercourse.

Seconded by Mr. Bender.

Motion passed 7-0-0.

V. OLD BUSINESS

A. North Bride Brook - State Parking Lot.

Discussion:

Mr. Hafner asked Mr. Goeschel what information he had regarding this.

Mr. Goeschel replied he had nothing new to report. Mrs. Lozanov has concerns about large vehicles and equipment traveling across this property. Mr. Goeschel agreed to draft a letter to the DEP.

He said the North Bride Brook Knoll subdivision, was closer to installing sand core filters as he has had discussion with the developer. In addition, the developer inquired about modifying the proposed outlet structures.

VI. NEW BUSINESS

A. Election of Officers

Mr. Hafner announced that he has enjoyed working on the commission and being the Chairman. This year he has decided not to serve as Chairman even if nominated and voted in.

MOTION (2)

Mr. Bender moved to nominate Mr. Walter Procherena as Chairman of the East Lyme Inland Wetlands Agency.

Seconded by Mrs. Lozanov.
Motion passed 6-0-0.

MOTION (3)

Mr. Mingo moved to nominate Mr. Norman Bender as Vice Chairman of the East Lyme Inland Wetlands Agency.
Seconded by Mrs. Bodenhofer.
Motion passed 6-0-0.

MOTION (4)

Mr. Reluga moved to nominate Mrs. Lozanov as Secretary of the East Lyme Inland Wetlands Agency.
Seconded by Mrs. Bodenhofer.
Motion passed 6-0-0.

Mr. Hafner congratulated Mr. Procherena and seats were exchanged.
Mr. Mingo thanked Mr. Hafner for all of his years of service.

There was discussion about rules to follow for conducting future meetings.
Mr. Goeschel said he had a book of requirements that was available.
Mr. Mingo stated that a list of regulations and duties as well as conduct of meeting rules should be submitted with the Town Clerk and posted for Public Record.

Mr. Bender suggested that there be some formal training for new members in how to conduct a meeting.
Mr. Goeschel stated that there was information available in his office and that he has been discussing the issue of formal training with First Selectman Mr. Formica.

VII. CHAIRMAN'S REPORT

There was no report.

VIII. WETLANDS ENFORCEMENT OFFICER REPORT

A. Enforcement Actions

16 Darrow's Ridge – Strafaci; Notice of Violation

161 West main Street – Ballistrinis; Notice of Violation

Mr. Goeschel reported that he has had discussions with Mr. & Mrs. Strafaci and they have made provisions to take corrective action.
Mrs. Lozanov commented on the responsibility of the Darrow's Ridge Association to provide the landowner with information regarding wetland restrictions.
Mr. Mingo asked if the pond was open space, because there is a significant difference with enforcement between open space and private property, involving state induced fines.
Mr. Mingo commented on deed restrictions and if this was in fact a deed violation what recourse does the town have.
Mr. Goeschel said he would concur with Town Counsel.

MOTION (5)

Mr. Hafner moved to issue a cease and correct order be issued to Mr. & Mrs. Strafaci, Landowners of 16 Darrow's Ridge.

Seconded by Mr. Bender.
Motion passed 7-0-0.

161 West main Street – Ballistrinis; Notice of Violation

Mr. Goeschel reported that he has issued a notice of violation and given the date of January 22nd to respond.

IX. EX-OFFICIO REPORT

There was no report.

Discussion:

Mr. Hafner announced an upcoming workshop for Inland Wetlands for farmers. He will forward information.

Mr. Reluga inquired about the Yale Property and a Logging operation.

Mr. Goeschel replied he did not have any information at this time.

Mr. Reluga asked if there was anything to report on the status of appointing a Fine Collection Officer.

Mr. Goeschel replied it is being worked on.

Mr. Hafner asked about the proposed cell tower on Brainerd Road and if this was a wetlands issue.

Mr. Goeschel replied that there are wetlands within 50 feet of the proposed site. He also stated that this process is well underway within the Town and the Board of Selectman, it is a public utility and being handled by the Ct. Siting Council. There will be comment submitted from his office regarding the wetland regulations.

Mr. Reluga asked about The Ahepa permit. He commented that he did not see any hay bails.

Mr. Reluga asked for opinion on the decision of having an Agricultural Commission as opposed to a sub-committee involving the already established Conservation of Natural Resources Commission. There was discussion of writing a letter of support for an Agricultural Commission. There was a general consensus of the Board that it was not an issue to be addressed by the Inland Wetlands Agency.

ADJOURNMENT

MOTION (6)

Mr. Mingo moved to adjourn the Regular Meeting of the East Lyme Inland Wetlands Agency at 8:15 PM.

Seconded by Mr. Hafner.

Motion passed 7-0-0.

Respectfully Submitted,

Zoe Zrakas, Recording Secretary