

EAST LYME INLAND WETLANDS AGENCY
SPECIAL MEETING
MINUTES
Thursday May 13, 2010

Members Present:

Walter Procherena, Chairman
Cheryl Lozanov, Secretary
Norman Bender
Joe Mingo

FILED IN EAST LYME
May 24, 2010 AT 1:45 M

L. Blas, arc
EAST LYME TOWN CLERK

Also Present:

Gary Goeschel, Director of Planning / Wetlands Officer

Absent:

Candace Bodenhofer
Ed Hafner
Charles Reluga
Keith Hall, Alternate Member
Phyllis Berger, Alternate Member

CALL TO ORDER

Mr. Procherena called the Regular Meeting to order at 7:05 PM.

PLEDGE OF ALLEGIANCE

The Pledge was observed.

I. ADDITIONS TO THE AGENDA

There were none.

II. PUBLIC DELEGATIONS

There were none.

III. ACCEPTANCE OF MINUTES

A. March 8, 2010 – Public Hearing Minutes

Mr. Procherena called for comments and or corrections to the Minutes.

MOTION (1)

Mr. Mingo moved to approve the Public Hearing Minutes of March 8, 2010 as submitted.
Seconded by Ms. Lozanov.
Motion carried 4-0-0.

B. March 8, 2010 – Regular Meeting Minutes

Mr. Procherena called for comments and or corrections to the Minutes.

MOTION (2)

Ms. Lozanov moved to approve the Regular Meeting Minutes of March 8, 2010 as submitted.
Seconded by Mr. Mingo.
Motion carried 4-0-0.

IV. EX-OFFICIO REPORT

There was no report.

V. 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 05-04-21010).

Mr. Goeschel said it was the same application with no changes. He added that he has contacted the Army Core of Engineers, and he is waiting to hold a discussion with them.

MOTION (3)

Mr. Mingo moved to proceed to a Public Hearing on the application of 63 Scott Road, Tax Assessor's Map # 29.0, Lot # 14 – Property of Webster & Lisa Scott applicant/owner.

Seconded by Mr. Bender.

Mr. Bender asked that copies of applications be made darker. Ms. Lozanov asked "in area number four, area of wetland to be disturbed" is that what was disturbed or is that how much fill will be needed on site. Mr. Procherena said the area has already been filled. Ms. Lozanov said the application should be reworded.

Mr. Mingo asked "question number 13, are there any vernal pools within 500 feet" he said the application said no and this was incorrect, that there are vernal pools within 500 feet. Mr. Bender commented on number 12 "are you aware of any wetland violations past or present on this property" the application answers yes, but there is no explanation.

Motion carried 4-0-0.

Mr. Procherena commented that according to a letter from Mr. Gerwick that this pond and some others were dug as irrigation ponds for the orchard, and they were contaminated with pesticides. He suggested that the Agency hire a company to come in to test the area and find out if there is pesticide buried in this area.

It was decided to wait for the Public Hearing to have this discussion.

B. 20 Ocean Avenue, Tax Assessor's Map# 11.4, Lot 186 – Property of Shores Point Investment applicant/owner, Application for the construction of a new one-family residential home, with continued agreement with Inn to provide overflow parking. (Application received 05-04-2010)

Mr. Goeschel explained that the land owner, due to deed restriction is obligated to maintain a parking area for the Inn. The new plan showed improvement to the parking area. He has suggested to the applicant that they mitigate the fragmities and install a vegetated buffer in its place.

There was discussion about the house being removed and the parking lot being enlarged, and that they are both considered an impact.

The applicant was present. Mr. Norm Bolduc of Bolduc Land Consultants, representing the applicant Bob Barbaro, explained they are proposing to demolish the existing house. The property owner is currently applying to Zoning and the Crescent Beach association.

Ms. Lozanov asked about the location of the house and Zoning regulations. Mr.

Goeschel explained that if the foundation was removed they would have to put up a conforming building. There was discussion about the potential need for a variance. It was decided that this application would require a Public Hearing.

MOTION (4)

Mr. Bender moved to proceed to a Public Hearing on the application of 20 Ocean Avenue, Tax Assessor's Map# 11.4, Lot 186 – Property of Shores Point Investment applicant/owner.

Seconded by Ms. Lozanov.

Motion carried 4-0-0.

Mr. Goeschel mentioned to indicate that there would be a site walk of 20 Ocean Avenue and 63 Scott Road prior to the Public hearing date.

Ms. Lozanov asked if they could request that the applicant consider an alternative to the use of pesticides for mitigating the fragamities. It was decided this would be discussed at the Public hearing.

Mr. Mingo asked if this was within 1000 feet of the tidal wetlands and did Long Island Sound have jurisdiction. There was discussion about the pond containing salt water.

VI. OLD BUSINESS

There was none.

VII. NEW BUSINESS

There was none.

VIII. CHAIRMAN'S REPORT

There was no report.

IX. WETLANDS ENFORCEMENT OFFICER REPORT

A. Pending Enforcement Actions

Mr. Goeschel said he had received correspondence from Mr. Strafacci, that he was not given the requested list of plants. He would provide a list early next week of what he was planting. There was discussion about the plant recommendations.

Mr. Goeschel reported that Mr. Quinn, of Gurly Road was conducting activity within the watercourse. He had received correspondence from Mr. Fitzgerald of the Town of Waterford who has been in contact with Mr. Quinn and indicated that he does intend to take stabilization measures to repair the damage he has experienced from the heavy rains. There was discussion about the existing buffer and previous permits that have been issued. Mr. Goeschel will continue to communicate with the DEP and appropriate people regarding this matter. Mr. Mingo questioned who in fact had jurisdiction in this area. There was discussion about the removal of trees and who the actual property owner is. Mr. Goeschel said he was still investigating 297 Boston Post Road, and the proposed excavation business.

ADJOURNMENT

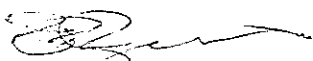
MOTION (5)

Mr. Mingo moved to adjourn the Regular Meeting of the East Lyme Inland Wetlands Agency at 7:45 PM.

Seconded by Ms. Lozanov.

Motion carried 4-0-0.

Respectfully Submitted,



Zoe Zrakas, Recording Secretary