

**EAST LYME INLAND WETLANDS AGENCY
REGULAR MEETING
MINUTES
Monday, June 12, 2010**

Members Present:

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

Also Present:

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

Absent:

Ed Hafner
Candace Bodenhofer

Call to Order

Mr. Procherena called to order the Regular Meeting at 8:15 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. June 14, 2010 Public Hearing Minutes.**
- B. June 14, 2010 Regular Meeting Minutes.**

Ms. Lozanov said she had not received the minutes and asked that the approval be tabled until the next meeting.

IV. Ex-Officio Report

There was no report.

V. Pending Applications

- A. 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. Procherena called for discussion. Mr. Bender said he thought the applicant should be given approval. Mr. Mingo said he thought the application should be approved with

stringent conditions. The other members were in agreement. Mr. Hall asked if the wall was in or out. Mr. Procherena said it was on the plan so it was in.

MOTION (1)

Mr. Bender moved to accept the application of 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) as complete.

Seconded by Ms. Lozanov.

Motion Carried 5-0-0

MOTION (2)

Mr. Mingo moved to approve the application of 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. With restrictions.

Seconded by Mr. Bender.

Conditions

The removal of fragmites should be done by hand, no mechanical tractors brought in to cut it down.

Application of herbicide to be done with minimal impact equipment.

Fragmites and invasive plants that are cut down to be removed from the site.

Demolition of the house with dumpsters removing the material as it's taken down.

Extension of the split rail fence will go to the planting as depicted on the drawing.

Supply the name of the company applying the pesticides and disclose what pesticides are being used.

Final planting plan, seed mix that is a no mow.

Supply with list of written alternatives.

Motion carried 5-0-0.

B. 16 Darrow's Ridge Road, Tax Assessor's Map # 44.0, Lot 8-8 – Property of Carol M. Strafaci applicant/owner; Application for the correction of a wetlands violation for clearing of shrubs and trees within 100' of regulated area (Darrow's Pond)

Mr. Strafaci approached the Agency for discussion. He presented a list of various plants that could be planted. There was discussion on the existing shrubbery which was primarily mountain laurel and it was agreed that this would all come back. There were three trees removed and there was discussion as to the species and replacing them. Ms. Lozanov said she noticed plants on the list as being invasive. There was discussion as to the need for a planting plan. Mr. Mingo said he did not feel this was necessary since the three trees were the only things removed. He said there was no need to disturb the soil since this would only invite invasive species to take root. The mountain laurel was still remaining only cut back and would re-grow. Mr. Mingo suggested that controlling of any invasive species and replacement of the three hardwood trees would be a condition of the application. Mr. Procherena said that Mr. Mingo was correct, nothing had been removed so he would like to see the three trees that were removed be replaced. Ms. Lozanov said she would like to see more than Maple planted there. She said she was not on the site walk and asked how far was the area from the pond, and was there the potential for soil erosion. Mr. Goeschel responded that the area was covered with wood chips. There was further discussion as to the need for a planting plan.

MOTION (3)

Mr. Mingo moved to accept the application of 16 Darrow's Ridge Road, Tax Assessor's Map # 44.0, Lot 8-8 – Property of Carol M. Strafaci applicant/owner;

Application for the correction of a wetlands violation for clearing of shrubs and trees within 100' of regulated area (Darrow's Pond) as complete.

Seconded by Mr. Bender.

Mrs. Berger said she would like to see the trees that are planted be able to grow naturally and not have the limbs cut back, and also to have them within the same area as the ones removed.

Motion carried 5-2-0.

Mr. Mingo is in favor.

Mr. Reluga is in favor.

Mrs. Berger is in favor.

Mr. Bender is in favor.

Ms. Lozanov is opposed.

Mr. Hall is opposed.

MOTION (4)

Mr. Mingo moved to approve the application of 16 Darrow's Ridge Road, Tax Assessor's Map # 44.0, Lot 8-8 – Property of Carol M. Strafaci applicant/owner; Application for the correction of a wetlands violation for clearing of shrubs and trees within 100' of regulated area (Darrow's Pond) with conditions.

Conditions

Three trees need to be planted.

The trees are to be planted within the area they were removed and allowed to grow naturally without limbs being cut.

Seconded by Mr. Reluga.

Motion carried 5-2-0.

Mr. Mingo is in favor.

Mr. Reluga is in favor.

Mrs. Berger is in favor.

Mr. Bender is in favor.

Ms. Lozanov is opposed.

Mr. Hall is opposed.

C. 41 Scott Road, Tax Assessor's Map # 29.0, Lot 20-1 – Property of Webster Scott owner, Jason Pazzaglia applicant; Application for wetlands remediation within 100' of regulated area similar to previously issued Wetlands Permit which expired in 2003, for remediation and construction of three single family dwellings after final subdivision.

Mr. Don Gerwick presented the Agency with the proposed application for a subdivision. He explained the residual pesticide from the orchards in the soil. The area was delineated as wetlands back in 2002. The activities would include testing for existing pesticides and the process would be to strip off the top 6- 8 inches of the soil and replace it. There was testing on all the lots and they all showed some residual pesticides. There was discussion over the map and the drainage areas. Mr. Bender asked to define the area that would be modified and what impact this would have on the wetland area. Mr. Gerwick said the level of testing that had been done was not specific enough, he demonstrated on the map the area he felt would need to be modified. Jason Pazzaglia, owner of the project stated that he felt it was more appropriate to remove all the soil in the areas as opposed to trying to locate the most contaminated areas. It would all be replaced with top soil. The Agency members were polled and it was the majority opinion that the application required a public hearing.

MOTION (5)

Mr. Bender moved to hold a Public Hearing for the application of 41 Scott Road, Tax Assessor's Map # 29.0, Lot 20-1 – Property of Webster Scott owner, Jason

**Pazzaglia applicant; Application for wetlands remediation within 100' of regulated area similar to previously issued Wetlands Permit which expired in 2003, for remediation and construction of three single family dwellings after final subdivision. Seconded by Ms. Lozanov.
Motion carried 5-0-0.**

D. 2 Gurley Road, Tax Assessor's Map #37.0, Lot 13 – Property of Gloria E. and John P. Quinn, applicant/owner; Application for wetlands remediation along Oil Mill Brook. (Application received July 7, 2010).

Mr. Quinn explained there was erosion from the heavy rains and he needed to replace rocks up against the embankment of his property. Ms. Lozanov asked if this was the best management practice for this situation. Mr. Goeschel replied that one of the things he had recommended was a revetment. He suggested the applicant employ an engineer to assist in the repair. Mr. Mingo said if the rocks weren't there this never would have happened and that this was not the best management practice for a riparian buffer. He said the only thing that would be appropriate is a riparian buffer with riparian plantings. The Agency agreed unanimously that professional recommendation was required. Mr. Quinn said there were other locations along the Brook that had the same buffer with rocks and this had not happened. Mr. Goeschel said that the Agency had 65 days to hold a public hearing which would allow Mr. Quinn ample time to obtain professional advice and return to the Agency with a proposal.

VI. Old Business

Ms. Lozanov said in regard to the minutes that E-mail is not a reliable source for her and she would like the minutes to be mailed to her. Mr. Mingo concurred.

VII. New Business

There was none.

VIII. Chairman's Report

Mr. Mingo said in regards to the site walk that this is a special meeting and requires a separate agenda. Mr. Bender asked that the minutes be subdivided into paragraphs. Mr. Procherena discussed with Mr. Goeschel the cost of the fine for a Notice of Violation.

XI. Wetland Enforcement officer Report

There was no report.

A. Pending Enforcement Actions

There was no report.

Adjournment

MOTION (6)

Mr. Mingo moved to adjourn the July 12, 2010 Regular Meeting of the East Lyme Inland Wetlands Agency at 9:30 PM.

Seconded by Mrs. Berger.

Motion carried 5-0-0.

Respectfully Submitted,

Zoe Zrakas, Recording Secretary