

**MADISON INLAND WETLANDS AGENCY
REGULAR MEETING
Monday, July 2, 2007
Meeting Room A, Town Campus**

A regular meeting of the Madison Inland Wetlands Agency (IWA) was held on Monday, July 2, 2007 at 7:30 p.m. in Meeting Room A, Madison Town Campus. With Chairman Rodney Bascom presiding, the meeting was called to order at 7:37 p.m.

Present: Rodney Bascom, Thomas Paul, David Newton, Glenn Falk and Alternate Robert Speziale. Inland Wetlands Officer Robert Kuchta and Assistant Town Engineer Mike Ott were also present.

In order to expedite the agenda, applications and agenda items were addressed in order as best served the Agency.

REGULAR MEETING

07-07: 1 BISHOP LANE. Map 50, Lot 17. Owner: Joseph E. Sarr, Trustee; Applicant: Shoreline Warehousing, LLC. Regulated Activity Permit for construction of building, and parking and driveway area within 100 ft. of wetlands. Continued from May 7, 2007.

Atty. Ed Cassella, Cloutier & Eddy, 29 Elm St., Old Saybrook

As representative for the applicant he clarified that ownership had changed on the property. The applicant is now the owner as well. Plans revised to July 2, 2007 were submitted for the Agency's review. The loading dock area parking was revised to allow more room for trucks turning. Roof runoff issues were also addressed.

Anthony Hendriks, 71 Lyme Street, Old Lyme, CT

Land Surveyor for the applicant explained the changes in the parking lot. He noted that, per Mike Ott's request, the swale has been changed to an infiltration trench.

Lee Rowley, Rowley Hendriks Assoc., 71 Lyme St., Old Lyme, CT

Professional Engineer for the applicant outlined the drainage for the area. He noted the roof area of the proposed building is 15,000 SF. That, combined with the existing structure will equal to approx. 22,000 SF. He pointed out the existing roof drainage system. Test pits show that the ground water table is approx. 85" down allowing plenty of depth for an infiltration system which would recharge roof runoff into the ground before it gets to the wetlands. They are proposing 2 rows of 4x4' concrete galleries. All roof runoff from the new as well as the existing roofs will go into the underground dispersion system. The underlying soils are silty sand which is conducive to good drainage. There is a water quality swale to catch the runoff from the pavement and allow infiltration before it gets to the wetlands.

Chairman Bascom – asked if there was going to be adequate parking as proposed.

Lee Rowley – parking was increased from 20-23 spaces.

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Madison Inlands Agency voted unanimously to grant application 07-07: 1 BISHOP LANE as submitted with proposed revisions.

07-18: 76 MIDDLE BEACH ROAD WEST. Map 15, Lot 3. Owners: Richard & Jocelyn Cunningham; Applicant: Richard B. Cunningham. Regulated Activity Permit for installation of in-ground swimming pool within 100 ft. of wetlands.

Richard Cunningham, owner/applicant

He explained that they are proposing to install a 15x30' pool within the 100' setback with blue stone hardscape around it. They are very conscious of protecting the pond on the property. Approx. 90 yds. of sandy sub-soil will be removed and 30 yds. of top soil will be brought onto the site. Addressing concerns previously expressed by the Agency he noted sediment controls have been added to the plans. Back flushing of pool filters had been a concern and the pool contractor has stated that with the proposed filter, there will be no back flushing. He provided a brochure featuring this filter for the Agency's review. A holding tank for waters used to clean the filter can be provided if the Agency feels it is necessary. A hay bale area for dewatering during excavation will be provided if needed. M. Ott – if discharge from the cleaning of the filter is done as far away from the wetlands as possible, it should not create a problem. There is no permit requirement for discharge of residential pools that he is aware of.

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Inland Wetlands Agency voted unanimously to grant application 07-18: 76 Middle Beach Road West as submitted.

07-19: 322 HORSE POND ROAD. Map 80, Lot 19. Owner/Applicant: Estate of Mary Edwina Dobson. Subdivision referral for proposed two lots.

Eric Anderson, Anderson Engineering and Surveying Associates, 1054 Boston Post Road, Guilford, CT

As representative for the applicant he explained the wetlands were flagged by Richard Snarski when they brought forth the previously approved application for earth removal. The subdivision of the property is to settle the estate of Mary Edwina Dobson. The existing house on its lot is going to be sold. He pointed out the small area of wetlands. The 100' review area line misses the house but does include an existing driveway. This is a two lot subdivision. There is a conservation easement area on the slope down to the Hammonasset River. There is no regulated activity and no construction. They need only a referral to Planning and Zoning for the subdivision.

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Inland Wetlands Agency voted unanimously that the subdivision as proposed would cause no impact on the wetlands as submitted in application 07-19: 322 Horse Pond Road.

07-22: 78 BRADLEY ROAD. Map 38, Lot 83. Owner/Applicant: Bradley Commons, LLC. Regulated Activity Permit for repair of subsurface sewage disposal system within 100 ft. of wetlands. **Receipt only.**

Tom Stevens, Thomas A. Steven & Associates, Inc., 141 Durham Road, Unit 24 Madison, CT

As representative for the applicant he pointed out the septic system that is failing on the property. There are three septic systems on the property; the one to the northeast is the one that is failing. He explained the construction of the proposed system. John Bowers made recommendations to remove the need to excavate near the wetlands.

D. Newton – asked why the failing system can't be removed and a new one put in place.

Tom Stevens - that has been done twice but the receiving soil is no longer draining. They are proposing to manufacture a receiving soil.

D. Newton – travel time calculations have been done?

Tom Stevens – the calculations work and have been increased to 21 days. Currently, when the system fails the effluent is to the wetlands in minutes.

D. Newton – are there any other systems that can work there? What happens if this system fails?

Tom Stevens – if it does, he believes it will fail near the distribution trench which can easily be replaced and which is 30+ feet to the wetlands. The wetland that is affected is currently a parking lot and he is not sure it is still wetland.

D. Newton – Couldn't an alternative system being used here, combining all three systems into one?

Tom Stevens – has not discussed this with John Bowers but he will.

D. Newton – would like for him to discuss it with John Bowers prior to the next meeting.

M. Ott – has not reviewed the plan.

IWO Kuchta – has been to the site.

Chairman Bascom – would like Mike Ott and IWO Kuchta to look at the proposal and the site.

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Inland Wetlands Agency voted unanimously to accept application 07-22: 78 Bradley Road and schedule it on the agenda for the next meeting.

07-23: 253 BARTLETT DRIVE. Map 100, Lot 1-48. Owners: Lisa Marshall & Laurant Favre; Applicant: Park Landscape Design Group, LLC. Regulated Activity Permit for clearing and seeding of rear yard within wetlands and within 100 ft. of wetlands. **Receipt only.**

Bob Chamberlain, Park Landscape Design Group, Darien, CT

The owners of the property have asked his group to determine if the back yard can be expanded. The property is approx. 2 acres but only about 1/3 of it is usable, the remainder is wetlands. He explained the proposed changes which would involve grading and topsoil of a portion of the wetland and the removal of some of the shrubs and vegetation in the area.

Chairman Bascom – Did the applicant have the wetlands flagged?

Bob Chamberlain – no, it was already done.

IWO Kuchta – it was flagged by Rich Snarski when the subdivision was made, in approx. 1988.

Chairman Bascom – The Agency will want to walk this property. The wetland line needs to be flagged so it is clear as to where the line is. What the applicant actually wants approved needs to be clarified before the next meeting.

D. Newton – the amount of wetland that will be impacted needs to be clear.

Chairman Bascom – You are proposing to clear vegetation that is usually advantageous to a wetland.

T. Paul – typically, the Agency would like to see a buffer between the lawn and the wetland, not to have the lawn go right up to it.

Chairman Bascom – If the applicant feels the wetlands line has changed, they should have it delineated again. He encouraged the applicant to meet with IWO Kuchta to work out what the application should actually say.

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Inland Wetlands Agency voted unanimously to accept application 07-23: 253 Bartlett Dr., schedule it for a site walk and place the application on the agenda for the next regularly scheduled meeting.

07-24: 63C SIGNAL HILL ROAD. Map 30, Lot 11. Owners/Applicants: Paul K. & Pamela D. Gallagher. Regulated Activity Permit for expansion of dwelling and construction of new barn within 100 ft. of wetlands. **Receipt only.**

Should be addressed as a Section 13.

702 SUMMER HILL ROAD. Map 147, Lot70. Owners: Lars E. & Deborah M. Helgeson. Enforcement Order.

IWO Kuchta – a chronology of events surrounding the violation at 702 Summer Hill Road was included in the mailing packet. Lars Helgeson is present. He read the enforcement order for the Agency.

Chairman Bascom – asked the Agency if they wished to hear from Mr. Helgeson. It was agreed he should be allowed to speak.

Lars Helgeson – 720 Summer Hill Road, violator

Did not know about the “Show Cause Hearing.” He did provide a plan he thought was adequate.

Chairman Bascom – the Agency clearly stated that the plan was not adequate and explained what was expected. Mr. Helgeson was directed by the Agency to file an application, provide an acceptable restoration plan and to bring a professional soil scientist or other professional to the hearing. The Agency will continue to pursue legal action on this violation and if the applicant does as has been asked, that may be moot. But until an effort is made by Mr. Helgeson, the Agency will assume there is no intent to do so as there has been little response to date.

APPROVAL OF BILLS

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Madison Inland Wetlands Agency voted unanimously to approve payment of the bills totaling \$68.86.

APPROVAL OF MINUTES

A motion was made by Dave Newton, seconded by Thomas Paul, whereby the Madison Inland Wetlands Agency voted unanimously to approve the minutes of the June 4, 2007 meeting as submitted.

SECTION 13 APPROVALS:

07-24: 63C SIGNAL HILL ROAD. Map 30, Lot 11. Owners/Applicants: Paul K. & Pamela D. Gallagher. Regulated Activity Permit for expansion of dwelling and construction of new barn within 100 ft. of wetlands. Renovation of a house on an existing footprint. Has not had a chance to review for approval. Will be on the next agenda. The septic system will be outside the 100' wetland review area.

07-20: 43 GREEN SPRINGS DRIVE. Map 83, Lot 17. Owners/Applicants: Toby & Lisa Holloran. Regulated Activity Permit for pool within 100 ft. of wetlands. This is a pool in an existing lawn area, 75-80' away from the wetlands.

07-21: 2143 DURHAM ROAD. Map 160, Lot 9. Owner/Applicant: Alan Gautrau. Regulated Activity Permit for pool within 100 ft. of wetlands. Above ground pool in an existing lawn area. Silt fence was recommended.

DISCUSSION: DEP Inland Wetlands and Watercourses Model Municipal Regulations – Fourth Edition, May 1, 2006.

Changes will not be made until Ordinance information is received back from Atty. Zizka.

LITIGATION: Executive Session as Required

REMARKS – INLAND WETLANDS CHAIRMAN – Welcomed new Alternate member Robert Speziale to the Agency and asked that he and Alternate Bill Freeman be given the IW CD from the DEP to review.

– **INLAND WETLANDS OFFICER** – Habitat was distributed to Agency members.

A motion was made by David Newton, seconded by Thomas Paul, whereby the Madison Inland Wetlands Agency voted unanimously to adjourn at 9:00 p.m.

The next IWA meeting will be on Monday, August 6, 2007.

Respectfully submitted, J. Donnette Stahnke
Recording Secretary, Inland Wetlands Agency