

**MADISON INLAND WETLANDS AGENCY
REGULAR MEETING
Monday, March 3, 2008
Meeting Room A, Town Campus**

A regular meeting of the Madison Inland Wetlands Agency (IWA) was held on Monday, March 3, 2008 at 7:30 p.m. in Meeting Room A, Madison Town Campus. With Chairman Thomas Paul presiding, the meeting was called to order at 7:30 p.m.

Present: Rodney Bascom, John Mathieu, Thomas Paul, Lee Schumacher, Barbara Yaeger and Alternates, Bill Freeman and Ted Aub. Glenn Falk joined the meeting in progress. Inland Wetlands Officer Robert Kuchta and Assistant Town Engineer Mike Ott were also present. David Newton and Robert Speziale were absent.

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

PUBLIC HEARING

There were no public hearings scheduled for this meeting.

REGULAR MEETING

702 SUMMER HILL ROAD. Map 147, Lot 70. Owners: Lars E. & Deborah M. Helgeson. Enforcement Order

IWO Kuchta – Mr. Helgeson will not be present. He sent a letter to the Agency which was sent out to members prior to the meeting. He wants an explanation from Soil Scientist Richard Snarski as to why he recommended the planting of shrubs. In order to give him ample time to hire his own Soil Scientist Mr. Helgeson was notified 10 days ago that this meeting would be a “show cause hearing”.

Rodney Bascom – Isn't it the applicant's responsibility to provide a soil scientist to provide a restoration plan. The Town paid for Mr. Snarski to do this because the violator did not. It is his responsibility to have another Soil Scientist come before the Agency and contest Mr. Snarski's plan. This doesn't need to be discussed anymore. The Agency should turn this over to the Land Use Attorney and let him proceed with whatever action the Town has at its disposal.

A motion was made by Rodney Bascom, seconded by John Mathieu, whereby the Madison Inland Wetlands Agency voted to direct IWO Kuchta to contact Atty. Zizka requesting that he write a letter to Lars Helgeson stating that the Town has done everything it can do in relation to this violation in an effort to remediate the damage done and now, as the response has been inadequate from Mr. Helgeson, will follow up with every means lawfully available to the Town to force him to rectify the damage. This motion will become effective as of 8:01 p.m. should Mr. Helgeson not appear to discuss it.

Glenn Falk abstained from voting as he arrived during the discussion. The Agency held off on the actual vote until 8:30 P.M. allowing for any possibility that Mr. Helgeson might appear for the hearing. He did not appear.

08-02: Railroad Avenue. Map 38, 48, 49 Owner/Applicant: Town of Madison. Regulated Activity Permit for reconstruction of Railroad Avenue within 100' of the wetlands.

Mike Ott – as representative for the Town he explained that they are proposing to reconstruct the section of Railroad Avenue that is between the intersection with Scotland Avenue and the intersection with Wall Street. There are some wetlands on the north side of Railroad Ave. There is no activity proposed within the wetlands. There are no new stormwater discharges to the wetlands. Some reconstruction is within the 100' review area.

Chairman Thomas Paul – questioned the current drainage.

Mike Ott – There is a stormwater discharge to the wetlands now. There is one catch basin with pipe to the wetlands and one drywell structure.

Chairman Thomas Paul – expressed concern over the trees that create a canopy over the road.

Mike Ott – the trees are not in very good shape as a result of CL&P's pruning of them but they do create a nice canopy. Residents along the road have requested that the trees not be removed. There are a total of 6 trees proposed to be removed along the entire length of the reconstruction area. They have been very careful to save as many as possible in order to maintain the canopy. The road will have full depth construction; existing pavement will be pulverized, new drainage will be included along with curbing and a sidewalk along one side.

A motion was made by Rodney Bascom, seconded by Lee Schumacher, whereby the Madison Inland Wetlands voted unanimously to approve application 08-02: Railroad Avenue, as submitted.

IWO Kuchta – there is an applicant present with a proposal that could possibly have been handled as a Section 13 but he felt it would be better for the IWA to review it first.

Mark Mannix, Strawberry Hill Road, Madison

Would like to open up the tree canopy near his pool area. The area is unsafe because moss and moisture collect around the pool making it very slippery. He is proposing to have 7 trees removed. No heavy equipment will be brought into the wetlands to remove them. Charlie Iselin will be removing them.

IWO Kuchta – Because there are 7 trees proposed to be cut that are actually in the wetlands, he felt that instead of treating this as a regular as-of-right activity, that the IWA should make the decision as to how to proceed. He has been to the site. IWO Kuchta respects Charlie Iselin's ability to remove these trees without damage to the wetlands. The trees will be cut in place and the branches dropped into the upland area. There won't be any machinery in the wetlands. A map was provided for the Agency's review. The wetlands were mapped as part of an early subdivision approx. 20 years ago. The house and pool were constructed prior to the establishment of wetlands setbacks. The brook in the area doesn't really carry much water and dries up during the summer. There is not a potential erosion problem. The root systems of the trees will not be disturbed. The trees will be

felled and cut in sections so that they are not across the stream itself. Shrubs will fill in to shade the stream area when it has water in it. There are many trees remaining.

R. Bascom – is there any issue with neighboring houses?

Mark Mannix – the neighbor's house is far away and not visible from his own. He has their approval to drop the trees on their land.

A motion was made by Glenn Falk, seconded by Rodney Bascom, whereby the Madison Inland Wetlands Agency voted unanimously to authorize IWO Kuchta to approve the activity as a Section 13 application.

B. Yaeger – asked IWO Kuchta if he would revisit the site after cutting and make any recommendations necessary for plantings to fill in the area if the existing shrubs do not fill in adequately.

IWO Kuchta – He concurred.

SECTION 13 APPROVALS:

08-03: 36 Cedar Lane. Map 27, Lot 79. Owner/Applicant: John & Elizabeth Morgan. Regulated Activity Permit for a garden shed within 100' of wetlands.

IWO Kuchta – The Agency walked this property approx. 2 years previously as the Morgan's did have a Wetlands Boundary Clarification done and applied for subdivision of the property. They submitted a building permit for a shed to be built outside of the 100' review area. When they went to actually locate it, there was a tree in the middle of it and they didn't want to cut it so they asked for a new area. The shed is 92' from the wetlands.

08-04: 28 Madrina Lane. Map 30, Lot 14-1. Owner: Stewart Leckey; Applicant: Woodland Construction Company. Regulated Activity Permit for construction of a 3-car garage within 100' of wetlands.

IWO Kuchta – the three-car garage will be approx. 80' from the wetlands. The area is stable and level and there will be no impact on the wetlands.

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

Some changes being discussed were: the removal of the need for a public hearing for boundary clarification) no longer requiring travel times and nitrogen dilution calculations) sizing of maps provided for the Agency. Additional information on other Town's and their regulations will be obtained by Mike Ott and IWO Kuchta.

APPROVAL OF BILLS

A motion was made by Glenn Falk, seconded by John Mathieu, whereby the Madison Inland Wetlands Agency voted unanimously to approve payment of the bills as submitted.

APPROVAL OF MINUTES

A motion was made by Rodney Bascom, seconded by John Mathieu, whereby the Madison Inlands Wetlands Agency voted unanimously to approve the minutes of the December 3, 2007 meeting as submitted.

A motion was made by Rodney Bascom, seconded by John Mathieu, whereby the Madison Inland Wetlands Agency voted unanimously to approve the minutes for the February 3, 2008 minutes as submitted.

LITIGATION: Executive Session as Required

**REMARKS – INLAND WETLANDS CHAIRMAN
– INLAND WETLANDS OFFICER**

A motion was made by Glenn Falk, seconded by John Mathieu, whereby the Madison Inland Wetlands Agency voted unanimously to adjourn at 9:00 p.m.

Respectfully submitted,

J. Donnette Stahnke
Recording Secretary, Inland Wetlands Agency