

Subject to Approval

**MADISON INLAND WETLANDS AND WATERCOURSES AGENCY
REGULAR MEETING MINUTES
June 1, 2020**

The public hearing and regular meeting of the Madison Inland Wetlands and Watercourses Agency was conducted on Monday, June 1, 2020 at 7:00 p.m. by way of an online Zoom Webinar, with public participation available through a Zoom Webinar link and password, as well as through a telephone call in number, with a Zoom Webinar identification number, all publicly posted.

MEMBERS PRESENT

Kealoha Freidenburg (Chair), Joseph Budrow (Vice Chair), Dave Newton, John Mathieu, Robert Zdon, Lee Schumacher, Tom Paul.

MEMBERS ABSENT

None

OTHERS PRESENT

Acting Inland Wetlands Office John De Laura, Director of Planning and Economic Development David Anderson, Christopher Begaria, Drew Landon, John Cunningham, Thomas A. Stevens, Mike Sarrano, Virginia Guilfoyle, William Cronin, Terry Brown, Sabrina Folke, Jason Cavallaro. And William Krygier.

Public Hearing (scheduled for 7:00 P.M.):

None.

Regular Meeting Agenda Items:

20-03. 35 Old Toll Road. Map 139, Lot 6. Owner: Charles Gorman; Applicant: Pro Custom Solar DBA Momentum Solar. Regulated Activity Permit for installation of a ground mounted solar array 13.9+/- ft. from an Inland Wetlands.

Christopher Begaria who is a licensed contractor spoke on behalf of the owner. There was a discussion as to if the ground mount can be moved or not. It would be parallel to the house. The problem with the ground mount is that it is too close to the wetlands. They want it installed on the ground. That is the only area that meets the qualifications and is in the setback limits and away from the septic. The solar array cannot go on the roof because it would not meet the homeowner's needs. A few trees might need to be cut down in the wetland area to be able to install the ground mount. The agency recommended more detail about this application before they can make a

decision. Dave Newton motioned to table this application to next meeting's agenda. John Mathieu seconded. All agency members present were in favor.

20-06. 322 Horsepond Road. Map 80, Lot 19/4. Owner/Applicant: Drew Landon. Regulated Activity Permit for extension of gutter drains into a wetland.

Drew Landon stated that the gutter pipes were cut back. The culvert was backed up and had to be drained. He replanted all the grass on the north side of the property. Wetlands area vegetation is growing on the north and south sides of the property. This application was in response to a violation. John Mathieu motioned to table this application until next meeting with the recommendation that additional information be provided. Joe Budrow seconded. All agency members present were in favor.

20-07. 41 Windward Lane. Map 27, Lot 19. Owners: Myron H. Brand & Marshal D. Gibson, Trustee; Applicants: Myron H. & Sandra Brand. Regulated Activity Permit for new pool and landscape improvements in and within a wetland review area.

John Cunningham spoke on behalf of the owners. John Explained that there is an existing wetland application that was approved for the drainage system. They want to put a pool in. The agency was concerned about what to do with the water if the pool was installed. The watering pit is now in front of the house at a lower grade. It is 100 ft. from the wetland line. The water will drain towards Windward Lane. The water will not drain in the backyard towards the wetlands area. There will be French drain in the ground to make sure that the water drains properly towards the front of the house. Joe Budrow motioned for this application to be approved. Dave Newton seconded. All agency members present were in favor.

20-08. 175 Copse Road. Map 47, Lot 24. Owner/Applicant: Debolina LLC. Regulated Activity Permit to demolish building and replace with a 2-story, 7,436 sq. ft. Community Center, and septic system for the Community Center and existing Stone House within 18.4 ft. of an inland wetland.

Thomas Stevens spoke on behalf of the owners. The Grove School is in an R-1 Zone. It is 675 acres of land with 48.1 acres being wetlands. The purpose of the application is to demolish the upper school which is classrooms. The 4,014 sq. ft. building will be torn down and two buildings will go in its place. This application is to widen the building 6 ft. towards the north. The building will go from a single story to a 2-story building. The upper school house and the Stone House share an existing septic tank. There is a proposed 1,500 gallon septic tank on the plans. The proposed use of the building will be for training with a kitchen and office areas. There will also be a school store and conference rooms. The two driveways for the school will be torn up and replaced. There was an additional trench added for the rain runoff.

John Cunningham talked about the landscaping plan. He explained that the corner of the building will be seeded. He talked about animals being near the wetland area and having a fence to keep them away from the wetland. The suggestion is a fence around the wetland area to keep them out of the way. A new structure and gate will be installed so they have access to the farm to get in and out. There is lots of invasive material near the wetlands. He would like to eliminate it. There was a discussion as to how the invasive material might be removed. He would like to remove the asphalt in front of the building and turn it into grass.

Mike Sarrano spoke about the architecture of the project. He showed the agency pictures of how the buildings will look and the structure of them. He explained the floor plans of the new buildings. Robert Zdon motioned to approved this application subject to a maintenance program for the invasive species that are still there after three years. John Mathieu seconded. All agency members present were in favor.

20-11. 16 Georgetown Circle. Map 131, Lot 18. Owner/Applicant: Virginia Guilfoyle. Regulated Activity Permit in response to a Notice of Violation for the installation of hay bales to restrict the natural flow from the existing pond. In addition to addressing the Notice, the applicant also addressed the relocation of propane tanks, a new patio with a fire pit, and outfall over a review area and into a wetland. **Receipt.**

John De Laura issued a violation to the homeowner after a complaint by a resident for damaging the pond at 16 Georgetown Circle. He asked what the function of the hay bales were. He said public works thought the hay bales didn't need to be there and they had no real function.

Virginia Guilfoyle explained the violation. She explained that the hay bales are sitting on top of a natural ledge. There is water on the left of the hay bales so the water is not blocked off completely. The first row of hay bales is on the ledge and the second row is off set into the water. There was sewage going into the street. The rain in the last three months has been filling the pond. The hay bales are there to keep the outfall of the pond at bay and not have it run into the river. The hay bales that are sitting on the outfall can be taken off immediately. It was suggested that the hay bales be removed immediately.

William Cronin spoke about the violation of the hay bales being put in the pond. He was talking about the damming of the culvert and what the water backup is doing to his property. He is concerned about his driveway. He believes the level of the pond water will destroy all the hard wood trees.

Terry Brown supports what Mr. Cronin said in his comments above. He mentioned that there is a wetland area across the street from Georgetown Circle. He mentioned that there is a 12 ft. chain link fence surrounding the pond which does not let animals go into the pond any more.

Dave mentioned that a site walk should be done to see exactly what is going on.

The propane tank application is incomplete so the agency needs a plan as to what exactly is going on before they can hear it. It is recommended that the hay bales be removed tomorrow or the next day. Kealoha Freidenburg motioned to table this application till next month's meeting. Dave Newton seconded. All agency members present were in favor.

20-12. 115 Boston Post Road. Map 44, Lot 34. Owner: William Krygier; Applicant: Point one Architects. Regulated Activity Permit for addition, 29 ft. 3 in. to a new foundation and deck piers 15 ft.4 in. to an inland wetland. **Receipt.**

Sabrina and Gregory are architects from Point One Architects. They are speaking on behalf of the homeowner. A survey was presented with the actual watercourse (pond) edge flagged. 20 years ago, the pond was built on the property. There is some confusion as to if the pond is in a wetlands area or not however, it is a watercourse that the homeowners created. There was a survey of the existing conditions of the house. The homeowners want to enlarge the footprint of the house and put a deck near the wetlands. The addition would be 29 ft. 3 in. from the pond and the deck would be 50 ft. 4 in. from the edge of the pond. Silt fencing would be added around to protect the pond.

Dave Newton motioned to accept the application and to put it on the agenda for next month's meeting. Lee Schumacher seconded. All agency members present were in favor.

20-13. 38 Godman Road. Map 77, Lot 14. Owner/Applicant: Joseph Cavallaro. Regulated Activity Permit in response to a Notice of Violation for work in the 100 ft. review area without permits including the removal of vegetation/trees, debris, stones, roots, retaining wall and concrete front steps. In addition to addressing the notice, planting grass, bushes and plants, build new retaining wall, replace front steps, bring in fill and topsoil and install a shed; all within and in 100 ft. of a wetlands and watercourse. **Receipt.**

John De Laura received a complaint from a neighbor that this owner had removed all of the vegetation in the wetland area. It is a watercourse and has a fairly steep bank and everything has been removed. No one but John De Lara has gone out there to look at the property. He took pictures when he went to look at the property. There is lots of deterioration of concrete walls and steps.

John Mathieu said the homeowner needs to file an application and hire an engineer to do the work to fix the problem they have created.

Jason Cavallaro explained he received the notice of violation. He submitted the application so he can rebuild what he removed and get suggestions from the Agency. The front yard and backyard need to be re-seeded. There was a site plan that was shown to explain in further detail what Jason wants to do. He was explaining what he wanted to do as far as planting trees and shrubs.

Stabilizing the stream needs to be done first then getting a planting plan in place as a start to fixing the violation. This is one suggestion from the Agency. Have the applicant work with Joh De Laura.

Section 13 Approval:

20-10. 27 Scenic Road. Map 115, Lot 69. Owners: Andrea L. & Mark D. Aron; Applicant: Thomas A. Stevens & Associates. Regulated Activity Permit for emergency repair of failed septic system 25 ft. from delineated wetland boundary. **Approved April 30, 2020.**

John De Laura mentioned the septic tank engineering system failed and had to be replaced. He worked with the Health Department on this application.

Approval of Minutes: Regular Meeting Minutes of March 2, 2020.

Dave Newton commented about the aerator. The sentence should read: An aerator will be installed. No heavy equipment will be used. Robert Zdon mentioned that on March 2, 2020 the minutes stated that he adjourned the meeting. It should read that Robert Zdon made a motion to adjourn he meeting. Dave Newton motioned to approve the minutes as modified. Robert Zdon seconded. All agency members present were in favor.

Remarks:

Inland Wetlands Chair: A site walk should be set up for 16 Georgetown Circle.

Acting Inland Wetlands Officer: None

Adjournment:

The meeting ended at 9:45 p.m. Tom Paul motioned to adjourn the meeting and Kealoha Freidenburg seconded. All agency members present were in favor.

Respectfully submitted,
Kristen Panzo, Clerk

