

GUILFORD TOWN HALL

draft Meeting Minutes
Guilford Inland Wetlands Commission 20 MAY 20 PM 2: 14
Regular Meeting
May 13, 2020 at 7:00pm

Due to COVID-19, this meeting was a web & phone meeting in accordance with Governor Lamont's Executive orders 7b & 7i. Meeting documents were available on the town website: www.ci.guilford.ct.us under the events calendar.

NOTE: Please be advised that at this time the following are strictly "Draft Minutes" until approved by the Inland Wetlands Commission Once approved the minutes will be marked as "Approved Minutes" and will be available in the clerk's office or upon request.

Members Present: K. Clark, E. Besmer, J. Parker & S. Williams

Member Absent: None

Alternates Present: W. Furniss & J. Blackwell

Alternates Absent: None

Staff: Kevin Magee, Environmental Planner
Erin Mannix, Inland Wetland Officer

Chairman K. Clark opened the meeting at approximately 7:05 P.M.

Appointment by Chair of members sitting for this meeting: K. Clark, S. Williams, E. Besmer, J. Parker, W. Furniss and J. Blackwell

A. APPROVAL OF AGENDA

May 13, 2020

Upon a motion by Commissioner W. Furniss and seconded by Commissioner E. Besmer, it was voted to unanimously to approve the agenda.

B. APPLICATIONS

1. Laszlo Halasz, 64 Quonnipaug Lane, Map 64, Lot 10, Regulated Activity, Rebuild existing retaining wall within the 100' upland review area.

Present for Applicant: Laszlo Halasz – Home owner

Discussion: Laszlo Halasz explained to the commission the wall is falling into the lake and would like to repair it. He will be repairing it by hand. Machines are unable to get down the hill. No additional soil will be used. He will use sandbags to prevent any material going into the lake and will remove them after the repairs are stable.

Commissioner K. Clark made the following motion:

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 64 Quonnipaug Lane, Map 64, Lot 10, Rebuilt existing retaining wall as shown on, "64 Quonnipaug Lane, wall repair plan dated March 20, 2020 with the following conditions;

1. Inland Wetlands Enforcement officer shall be notified 24 hours prior to any construction activities and contact information for the site contractor be provided to the Wetlands Office
2. That prior to any construction soil erosion and sediment control measures shall be;
 - a. installed as shown on the approved plan.
 - b. installation shall be done by hand.
 - c. The Inland Wetlands Enforcement Officer shall be notified of such installation so that an inspection might be conducted to determine compliance and authorize commencement of construction.
3. Prior to issuance of a final inspection, the Inland Wetlands Enforcement Officer shall be notified so that an inspection may be conducted to determine that all soil erosion and sedimentation control measures have been maintained in the manner in which they were approved on the site plan and are in compliance.
4. Modification of approved plan needs to come back to Inland Wetlands Commission
5. That unless an extension is granted,
 - a. Construction must begin within one year of approval
 - b. This permit expires two years from the date of approval.

This regulated activity is approved based upon the finding that there was no reasonable or prudent alternative in completion of this project.

The motion was seconded by Commissioner W. Furniss and was unanimously approved by roll call vote.

2. South Central Ct Regional Water Authority, Beaver Head Rd, Sugar Loaf, Map 112 & 113, Lot 5 & 1, Regulated Activity and Boundary Clarification, storm water drainage improvements within the 100' upland review area.

Present for Applicant: Michael Ott of Summer Hill Engineers & Land Surveyors

Discussion: Michael Ott updated the commission regarding the storm water drainage improvements on Beaver Head and Sugar Loaf. As part of the work there will be a temporary access road installed. The plans are being reviewed by the Environmental Section of Regional Water Authority

Commissioner K. Clark made a motion to table the application to the June 10, 2020 meeting and Commissioner W. Furniss seconded, it was unanimously approved to table the applications.

3. Town of Guilford Park and Recreation, 233 Church St., Map 53, Lot 17, Regulated Activity and Boundary Clarification, Construction of tennis courts, pickle ball courts and parking improvements within the 100' upland review area.

Present for Applicant: Michael Ott – Summer Hill Engineers & Land Surveyors

Discussion: Michael Ott went over the proposed project for the reconstruction of the tennis courts and parking lot and the construction of pickle ball courts at Adams Middle School. The tennis courts have been shifted 18ft toward the south from the present location to allow for a double bay for parking area. There is currently a single row of parking. The tennis courts will remain the same dimensions. The pickle ball courts will be constructed south of the tennis courts and over an existing storm drainage pipe which is being relocated between the tennis courts and the pickle ball courts. If the pipe is in good condition they will reuse it, otherwise a new 15" pvc pipe will be installed. In order to replace the pipe work will be conducted with the wetlands area.

Boundary Clarification

Commissioner K. Clark made the following motion:

RESOLVED: That the Inland Wetland boundary as shown on map titled "Town of Guilford Elizabeth C. Adams Middle School Tennis and Pickleball Courts Existing Conditions Plan, Prepared by Summer Hill Civil Engineers and Land Surveyors PC, dated April 1, 2020 is substantially correct.

The motion was seconded by Commissioner S. Williams and was approved by roll call vote.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss and J. Blackwell

Opposed: None
Abstained: J. Parker
Vote: 5-0-1

Regulated Activity

Commissioner K. Clark made the following motion:

- VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 233 Church St., Map 53, Lot 17, for Regulated Activity, Construction of tennis courts, pickle ball courts and parking improvements within 100' jurisdictional review zone as shown on "Town of Guilford Elizabeth C. Adams Middle School Tennis and Pickle ball Courts, General Notes, Abbreviations and Legend page 2 of 12, Existing Conditions Plan page 3 of 12, Site Preparation Plan page 4 of 12; General Plan page 5 of 12; Tennis Court Layout Plans page 6 of 12; Pickle ball Court Layout Plans page 7 of 12; Details page 8 thru 12 prepared by Summer Hill Civil Engineers & Land Surveyors, P.C." Dated April 1, 2020 with the following conditions;
1. That prior to approval of a building permit application, the application shall include the approved map, revised to include these conditions of approval.
 2. Prior to construction:
 - a. Soil erosion and sediment control measures shall be installed as shown on the approved plan.
 - b. That all installation shall be done by hand.
 - c. That the Inland Wetlands Enforcement Officer be notified of such installation so that an inspection might be conducted to determine compliance and authorize commencement of construction.
 3. During construction, piles of fill, erodible material and debris shall not be created within 100 feet of regulated inland wetland and watercourse areas.
 4. No grading, clearing, landscaping or other ground surface disturbance shall occur within 100 feet of the regulated inland wetland and watercourse area unless specifically authorized in this permit.
 5. Any material, man-made or natural, which is in any way disturbed and / or utilized during work herein authorized shall not be deposited in any wetland or watercourse, either on- or off-site, unless specifically authorized in this permit.
 6. Steps taken to control sedimentation, erosion and downstream siltation shall include but need not be limited to:

- a. The stabilization of all disturbed earth surfaces with suitable ground cover and/or hay mulch during and following construction activities.
 - b. The installation of a temporary erosion control fence or other suitable erosion control measure as indicated on the permit map or as required by Inland Wetlands Enforcement Officer. This erosion control measure will be installed prior to the start of construction activities. Its location will be reviewed and approved in the field by Inland Wetlands Enforcement Officer.
 - c. The limitations of all construction activities to a specified area reviewed and approved by the Inland Wetlands Enforcement Officer and as defined by the permit map.
 - d. The placement of additional erosion controls as reviewed and approved by Inland Wetlands Enforcement Officer prior to commencement of clearing and construction activities.
7. A stone or rip-rap anti-tracking pad shall be installed at the entrance and exit areas of the site in order to prevent erodible material from being tracked onto paved areas and subsequently being deposited into adjacent storm drainage systems, inland wetlands or watercourses.
 8. This permit may be revoked or suspended if the permittee exceeds the conditions of approval of this permit or has secured this permit through deception or inaccurate information.
 9. This permit does not obviate the permittee's obligation to obey all other applicable federal, state and local laws or obtain any applicable federal, state and local permits.
 10. The permittee shall immediately inform the Inland Wetlands Enforcement Officer of problems involving sedimentation, erosion, downstream siltation, or any other adverse impacts, which develop in the course of or are caused by the work herein authorized.
 11. That all soil erosion and sedimentation control measures shall be maintained in the manner in which they were approved on the site plan and are in compliance for a period of one year or one growing season after completion of the project and that vegetation is established to the satisfaction of the Inland Wetlands Enforcement Officer prior to removal of such soil erosion and sedimentation control measures.
 12. The construction of the regulated activity shall be under the supervision of a Professional Engineer registered as such in and by the State of Connecticut.
 - a. Prior to the start of construction, the applicant must forward to the Guilford Inland Wetlands Commission office the name, address, and telephone number of the Professional Engineer retained by the applicant to supervise construction.

b. The professional engineer shall conduct weekly inspections of the erosion and sedimentation control measures.

c. The Professional Engineer must submit weekly reports to the Guilford Inland Wetlands Commission office. These reports shall be received no later than the following Monday for the preceding week and shall contain the following.

- a. Site work completed the past week
- b. Site work anticipated and scheduled for the next two (2) weeks.
- c. Report of any problems
- d. List of action items
- e. Resolution of action items

d. Failure to submit a report will result in appropriate enforcement by the Guilford Inland Wetlands Commission or its authorized Agent.

13. That any changes to the approved plan must be submitted to the Inland Wetlands Commission for approval.

14. That unless an extension is granted,

- a. Construction must begin within one year of approval.
- b. This permit expires five years from the date of approval

This regulated activity is approved based upon the finding that there is no feasible or prudent alternative in completion of this project.

The motion was seconded by Commissioner W. Furniss was unanimously approved by roll call vote.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss, J. Blackwell, & J. Parker

Opposed: None

Abstained: None

Vote: 6-0-0

4. 1940 Boston Post Road, LLC,(Guilford Village West) Boston Post Rd., Map 78, Lot 1,39,41 and Map 79, Lot 39, Modification, Request for approval of modification of Regulated Activities permit within the 100' upland review area.

Present for Applicant: Michael Ott of Summer Hill Engineering Engineers & Land Surveyors

Discussion: Michael Ott explained to the commission the proposed plan for the modification of the application. The project was approved back in 2010 for a housing development with 114 units which was reduced to 100 units with a modification approved in 2017. The development would require the construction of a road with 3 wetlands crossings. The project will be done in phases with the first phase of the being the construction of the first 1,200 linear feet roadway and the 500 linear foot service driveway to the sanitary treatment plant. All three wetland crossings are being proposed with no filling of the wetlands. There are new owners developing the property and Kevin Magee is working with them to make sure that required conditions of approvals are in place prior to the start of work. Michael will schedule meetings with the staff to go over the process. There is question of the units being age restricted, Erin Mannix stated that it is not clearly noted but will look into.

Michael Ott requested if this application can be tabled to the June 10, 2020 Inland Wetlands meeting while he is finalizing revised plans.

Commissioner K. Clark made a motion to table the application to the June 10, 2020 meeting and Commissioner W. Furniss seconded, it was unanimously approved to table the applications.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss, J. Blackwell, & J. Parker

Opposed: None

Abstained: None

Vote: 6-0-0

C. PERMITTED USE AS OF RIGHT

1. Woodbridge Sportsman Club, 360 Rockland Rd, Map 123, Lot 4, Permitted Use As Of Right – Harvesting timber off of the property.

Present for Applicant: Daniel Thomas of Peter Marlowe Forrest Products

Discussion: Daniel Thomas explained to the commission that he is looking to conduct selective timber harvest on an approximately 16 acre area. Forestry operations will be conducted within 100 feet of wetlands and require the crossing of a stream and wetlands. Daniel stated that they would like to create the wetlands crossing with a bridge and corduroy on the approaches. Daniel Thomas showed the commission the pictures of the two proposed bridges over the wetlands to conduct the logging operation. The first bridge proposed will be crossing a narrow stream and will use corduroy before and after the bridge. The second bridge will use the same construction however the second bridge will cross the narrow end of a vernal pool. By utilizing the corduroy and the bridge the forestry equipment will be kept out of the remaining section of the vernal pool. The edge of the vernal pool is near the property line and Daniel will be contacting the land owner to see if he can gain access over the neighboring property instead of going through the vernal pool.

Commissioner K. Clark made a motion

VOTED: That the Guilford Inland Wetlands Commission approves a Permitted Use As Of Right for Woodbridge Sportsman Club, 360 Rockland Road, Map 123, Lot 4, Guilford, Ct. for timber harvest and installation of bridges across wetlands. This application is approved based upon finding that the proposed Timber Harvest is a Permitted Use as of Right in accordance to the Inland Wetlands and Water Course Regulations Section 271-10 (A) and meets the definition of agriculture as defined by Connecticut General Statutes Section 1-1(q).

Commissioner W. Furniss seconded. It was unanimously voted to approve the application.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss, J. Blackwell, & J. Parker

Opposed: None

Abstained: None

Vote: 6-0-0

2. Lawrence O'Neill, Little Meadow Rd, Map 97, Lot 33, Permitted Use As of Right – Harvesting timber on the property and will require a wetland crossing.

Present for Applicant: Daniel Thomas of Peter Marlowe Forrest Products

Discussion: Daniel Thomas explained to the commission the proposed plan to harvest the timber on 42 acre area. The forestry operation would require three wetlands crossings. Daniel Thomas showed pictures to the commission of the crossing locations. There is a pipe at the first crossing allowing water to flow under the driveway. He would like to install a new pipe which could withstand the weight of the log trucks and would like to install stone at the beginning of the existing woods road between the section of wetlands with standing water. The stone would be 1 ½ to 1 ¼ in size. Kevin Magee noted that the use of gravel would be a regulated activity since it would be considered filling of a wetlands and requires a separate application for regulated activity. A suggestion was made to use a steel plate which would then be removed after logging. The second and third wetlands crossing are at narrow sections of streams which will be crossed with the installation of portable bridges.

The time of year suggested for work to be done would be the summer.

Commissioner K. Clark made a motion

VOTED: That the Guilford Inland Wetlands Commission approves a Permitted Use As Of Right for Lawrence O'Neill, Little Meadow Road, Map 97, Lot 33, Guilford, Ct. for timber harvest and installation of bridges across wetlands. This application is approved based upon finding that the proposed Timber Harvest is a Permitted Use as of Right in accordance to the Inland Wetlands and Water Course Regulations Section 271-10 (A) and meets the definition of agriculture as defined by Connecticut General Statutes Section 1-1(q).

The installation of the pipe and gravel placement at the first wetlands crossing is a regulated activity and requires a regulated activity permit from the Inland Wetlands Commission.

Commissioner W. Furniss seconded. It was unanimously voted to approve the application.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss, J. Blackwell, & J. Parker

Opposed: None

Abstained: None

Vote: 6-0-0

D. MINOR MODIFICATIONS

None

E. EXTENSION AND TRANSFER OF PERMIT

1. Extension to June 10, 2024 – Guilford Village West Residential Housing Development

A motion was made by Commissioner K. Clark

That the Guilford Inland Wetlands Commission approves a permit extension of a Regulated Activity Permit transferred to 1940 Boston Post Road LLC, for the Property located at Boston Post Rd, Map 78 Lot 1, Map 78 Lot 39, & Map 79 Lot 41, Zone MU/C2, Extension to permit granted of June 10, 2010, extended April 8, 2015, modified on July 12, 2017, and transferred February 12, 2020. New permit to expire June 10, 2024, with the following conditions with the following conditions:

1. All previous conditions of the June 10, 2010 Inland Wetlands Commission approval to remain in effect.
2. The April 8, 2015 extension of permit with new expiration date of June 10, 2020 remains in effect.
3. All conditions of the Inland Wetlands Commission July 12, 2017 Modification Approval to remain in effect.
4. All conditions of the Inland Wetlands Commission February 12, 2020 Permit Transfer remain in effect.

The motion was seconded by Commissioner E. Besmer and was unanimously approved.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss, J. Blackwell, & J. Parker

Opposed: None

Abstained: None

Vote: 6-0-0

F. ENFORCEMENT

1. Kowalski, 1187 Moose Hill Rd – excavation of watercourse, installation of piping and regrading of site.

Commissioner W. Furniss read Janice Plaziak, Town of Guilford – Town Engineers report for the record.

Attorney Tim Lee updated the commission regarding the removal of the section of pipe that has bulged from the ground. Tim Lee indicated that he talked with Johnathan Bodwell, engineer with Anderson and Associates who suggested eliminating the last 20 feet of pipe close to pond and installing riprap to slow down the water. Tim Lee also reminded the commission that Rich Snarki submitted a report that indicted that the pipe has no negative impacts on the disturbed wetlands. The pipe was installed because the town installed 7 catch basins on Moose Hill which increased the water flow on his property. Mr. Kowalski reported that the water going thru the swale continues to collapse the edges causing water to back up resulting in flooding of the field. With the fields being wet he unable to mow and maintain them.

Attorney Lee noted that there is a discrepancy of the square footage of disturbance between the Town Engineers letter and the calculations by Anderson Associates. The Army Corp of Engineers has been aware of this issue but no correspondences have been received since January 2020. Kevin Magee indicated that the Army Corp of Engineers may be waiting for the town to take action prior to Army Corp. The commission asked Attorney Lee to see if Rich Snarski submitted a new letter based on information that the pipe was dug into the ground. Attorney Lee indicated that he could request a letter if it would be helpful to the commission.

Kevin Magee reported that the Town of Guilford is working on improving its image with the Army Corp of Engineers and the Connecticut Department of Energy and Environmental Protection and the commission should be working similar to these agencies with protecting Guilford Natural Resources. Kevin Magee raised the question with the commission if they would have approved an application for the work if that had received one. If the commission allows the pipe to stay what type of signal would this show to others that may perform work without a permit and ask for forgiveness also.

The several of the commissioners indicated that this is a wetlands that was disturbed and that this is not activity that would have been approved if it came to the commission as an application.

Commissioner K. Clark made the following motion:

1. The 18" CPVC pipe be completely removed from the property and the swale be restored close to the original condition.
2. The grading of the swale to be staked out by the engineer
3. A wetlands soil scientist is to supervise the restoration of the swale.

4. The Engineer should contact the Guilford Inland Wetlands and Engineering staff regarding the grading plan and elevations.
5. Work to be completed by September

Commissioner Scott Williams seconded and the motion was approved.

Approved: K. Clark, J. Parker, E. Besmer, W. Furniss and J. Blackwell

Opposed: None

Abstained: S. Williams

Vote: 5-0-1

2. William & Sarah E. Monroe – 37 Maplecrest Dr – Installation of drainage system and regrading of site work to be completed by May 1, 2020.

Erin Mannix updated the commission of the meeting she had with Mr. Monroe regarding his order to create a berm along his property line and the creation of a swale. Erin reported that Mr. Monroe has not cut the pipe back to the new swale located 12 feet from the property line. Water is currently backing up in the original trench and the water flow is directed towards the neighbor's property. Once, the pipe is cut back 12 feet the area could be seeded or stone can be added. The remainder portion of the berm swale has been hydro seeded.

Kevin Clark the following motion:

1. That the pipe be cut back to the new swale
2. The ditch along the property line be filled in
3. All work be conducted by May 29, 2020
4. If work in not conducted by May 29th fines are to be issued.

Erin will write another order letter for the procedure to be done and with a deadline.

3. Mathew Durkin, 2 Taylor Lane – Potential Violation – filling within 100ft of wetlands. Erin Mannix discussed the violation with the commission and showed the commission the pictures of the possible violation of clearing and grading within the wetland review area. A letter has been sent the property owners approximately 2 -2.5 weeks ago requesting them to stop and to contact the office. There has been no response except for three piles of top soil being placed in the area. She will send another letter with an application attached.

G. APPLICATIONS TO BE RECEIVED AND SET WALK DATE (Walk May 23, 2020)

1. Pattagansett Holdings, LLC (Dori DeGennaro) Peddlers Rd, Lot 1, Regulated Activity, Subdivision, A proposed four(4) lot residential subdivision on the subject parcel that is comprised of 22.26 Ac, a portion of the property (4.5 ac) will be set aside for open space within the 100' upland review area.

2. Brittany Mirles, 45 Clear Lake Rd, Map 95, Lot 23, Regulated Activity, Repair existing wall at water line within the 100' upland review area.
3. Janice Plaziak, Town of Guilford Engineering, Map-, Lot-, Saw Mill Rd over West River 500ft from Hubbard Rd. Reconstruction of 720 LF of Saw Mill Road including Bridge #04863, replacement and widening for sidewalk, and new 18" RCP Storm Outlet at West River within the 100' upland review area.
4. Christopher T. Cartright, 91 Half Mile Rd, Map 80, Lot 118, Regulated Activity, Construct a accessory garage and driveway within 100' upland review area.

Upon a motion by Commissioner K. Clark and seconded by Commissioner S. Williams, it was unanimously voted to receive applications 1 thru 4. The walk date is scheduled for Saturday May 30, 2020 but due to the COVID – 19 the commission would be divided into two groups of to walk application #2 and the Modification for Guilford Village West.

H. BILLS

1. Shore Publishing – \$44.00 - April

Upon a motion by Commissioner W. Funiss and seconded by Commissioner S. Williams, it was unanimously voted to pay the bills.

I. MANDATORY REFERRAL

1. CT DEEP – West Lake
2. CT DEEP – Clear Lake

K. Clark reviewed with the commission. No action taken

J. AUTHORIZED AGENT APPROVALS

1. 1726 Long Hill Rd – Septic tank replacement
2. 132 Nortontown Rd – Septic tank replacement
3. 2745 Durham Rd – Septic tank replacement
4. 78 Jefferson Dr – Septic System Repair

Erin Mannix reviewed the agent approvals with the commission.

K. CORRESPONDENCE / OTHER BUSINESS

1. Letter from Randall W. McCartney Re: Cert. of Appropriateness Application 45 Stone House Lane

Kevin Magee informed the commission the Historic District has started to review the application for the Affordable Housing.

2. Approval of Environmental Specialist to conduct yearly monitoring of the onsite wetlands and vernal pools and approval of independent soil and erosion control expert for Guilford Village West Development, Boston Post Road per condition 18 and 25 of June 10, 2010 Inland Wetlands Approval.

Kevin Magee explained to the commission the Environmental Specialist would be David Lord, who would oversee the wetlands and vernal pools. He will have been out to the site to create a baseline before work starts and will be required to submit yearly reports. Michael Ott will be the Engineer who will be conducting the weekly inspection of the Erosion & Sediment Controls and will be the Engineer overseeing the reporting on the weekly work activities.

Commissioner K. Clark made a motion to approve the Environmental Specialist, David Lord and the Engineer, Michael Ott. Commissioner W. Furniss seconded and it was unanimously approved.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss, J. Blackwell, & J. Parker

Opposed: None

Abstained: None

Vote: 6-0-0

L. APPROVAL OF MINUTES

1. April 8, 2020 – draft meeting minutes

Upon a motion by Commissioner E. Besmer and seconded by Commissioner W. Furniss it was unanimously voted to approve the meeting minutes for April 8, 2020.

2. **April 18, 2020 – draft walk minutes – walk cancelled due to Covid-19**

Then, with no further business before it, upon a motion by Commissioner S. Williams and seconded by Commissioner K. Clark it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 10:25P.M.

Respectfully submitted,

Michelle C. Nazario



TOWN OF GUILFORD
ENGINEERING DEPARTMENT
50 BOSTON STREET – TOWN HALL SOUTH
GUILFORD, CONNECTICUT 06437
SETTLED IN 1639

JANICE PLAZIAK, P.E.
TOWN ENGINEER

TELEPHONE: (203) 453.8030
FAX: (203) 453.8034

Memorandum

To: Inland Wetlands Commission
From: Janice A. Plaziak, P.E.
Town Engineer
Date: May 11, 2020
Re: 1187 Moose Hill Road

RECEIVED
MAY 12 2020
GUILFORD INLAND
WETLANDS COMMISSION

I have reviewed the application for an after the fact permit to fill a watercourse/drainage ditch with approximately 340' of 18" CPVC pipe and filling and grading of a wetland. It appears that over 6000 sf of wetlands have been filled without permits. This is the natural low point of the drainage area. A review of aerial photos from 1934, 1966, 1990, 1995 and 2004 indicate a watercourse and wetland area have been present on the property for at least decades.

Prior to 2002 a 15" culvert existed across Moose Hill Road in this location to convey the water from north of the road to the south. In 2002 the Town did formalize the road drainage with the proposed addition of catch basins, underdrains and some curbing which discharges to this same natural low point, the size of the culvert remained the same. The addition of the curbing and catch basins may result in increased rates of flow from the road drainage but the overall drainage area has not changed.

In 2005 the property owner did get permits to dredge the pond and spread the material on the property.

The questions I have regarding the project are:

- Why the need to pipe the watercourse that is surrounded by wetlands?
- Is the pipe set lower than the watercourse was, as the elevations on the map seem to indicate? (46.9' Swale elevation vs. 41.5' pipe invert) And if so, will it dewater the surrounding wetland?
- Is there the potential for erosion in the transition from the road culvert outlet to the inlet of the new pipe? Was this properly constructed to not be subject to future erosion?
- Is this a project that would have been permitted prior to construction?